

6-28-72

1. PRESIDENT:

2. Senate will come to order. Prayer by the chaplain, Reverend  
3. Rudolph S. Shoultz, Pastor of the Union Baptist Church of Spring-  
4. field. Pastor Shoultz.

5. PRAYER BY THE CHAPLAIN

6. PRESIDENT:

7. Reading of the Journal. Moved by Senator Baltz that the  
8. reading of the Journal be dispensed with. All in favor signify  
9. by saying aye. Contrary minded. The motion prevails. Committee  
10. reports. Messages from the House.

11. SECRETARY:

12. Message from the House from Mr. Selcke, Clerk. Mr. President --  
13. I am directed to inform the Senate that the House of Representatives  
14. has adopted the following preamble and joint resolution in the  
15. adoption of which I am instructed to ask concurrence of the Senate.  
16. tc wit: House Joint Resolution 145. It's relative to appointing  
17. a subcommittee to study the legality of a illegitimate child...parent  
18. ...father. It's in regards to the legality of a father of an il-  
19. legitimate child.

20. PRESIDENT:

21. Legal status in view of the recent court decisions, my guess  
22. is. I haven't seen the...Senator...put it on the Secretary's Desk.  
23. We have a number of messages from the House with nonconcurrences in  
24. Senate amendments.

25. SECRETARY:

26. House Bill 4096, the House refuses to concur with the Senate  
27. amendment and this is Senator McBroom's bill.

28. PRESIDENT:

29. Is Senator McBroom on the Floor? Let's just hold it 'til he  
30. is here. Just a moment. Senator Graham.

31. SENATOR GRAHAM:

32. Is that the Department of Personnel bill?

33.

1. SECRETARY:

2. Senator Graham, I don't have the bill out here right...

3. SENATOR GRAHAM:

4. Just a minute. I think that's the Department of Personnel  
5. bill and if it is, it's for the third time that I'm the sponsor  
6. of it and not Senator McBroom. I'll take a look.

7. PRESIDENT:

8. What's that number again?

9. SECRETARY:

10. Yes, that is the...yes...ordinary and contingent expenses of  
11. the Department of Personnel.

12. SENATOR GRAHAM:

13. Once again, I'm the sponsor of that bill.

14. PRESIDENT:

15. All right. Senator Graham, do you have a motion in connection  
16. with the...

17. SENATOR GRAHAM:

18. Yes, we move to not recede from the Senate amendment.

19. PRESIDENT:

20. Motion is to...that the Senate not recede and request a con-  
21. ference committee. All in favor signify by saying aye. Contrary  
22. minded. Motion prevails.

23. SECRETARY:

24. Senator Johns isn't here. Senator Latherow isn't here.

25. Senator Knuepfer isn't here. Senator Baltz. House Bill 4135, the  
26. House refuses to recede or to concur with the Senate amendment on  
27. House Bill 1435 and this is Senator Baltz' bill.

28. PRESIDENT:

29. Senator Baltz, 4135. The House has refused to accept...refused  
30. to concur in the Senate amendment. Senator Baltz.

31. SENATOR BALTZ:

32. Mr. President and members of the Senate, I would request a con-  
33. ference committee on the bill.

1. PRESIDENT:

2. Motion is that the Senate refuse to recede and request a con-  
3. ference committee. All in favor signify by saying aye. Contrary  
4. minded. Motion prevails. If you'll turn to the bottom corner of  
5. your Calendar, Senate Bills with House Amendments. 890, Senator  
6. McCarthy. Do you know...you're not ready to make a motion on that.  
7. 1056, is Senator Horsley on the Floor? 1505, Senator Laughlin.  
8. Senator Laughlin.

9. SENATOR LAUGHLIN:

10. Mr. President, members of the Senate, Senator Clark, I don't  
11. know. Are you ready to go on this one? I have no problem with it.  
12. My motion will be to concur with the House amendment. You'll recall  
13. that when this bill came up for hearing, this is the Uniform Com-  
14. mercial Code bill that Bert Jenner and others asked us to pass,  
15. Senator McBroom in this Body offered an amendment which would have,  
16. put automobile dealers in the same position as individual owners  
17. so far as protecting them. This Body and I did my best to help  
18. defeated that amendment. The amendment was placed on the bill in  
19. the House. I've consulted with Mr. Jenner's office and rather than go  
20. through the risks that a conference committee might entail, this amendment  
21. which we defeated here and which was put on in the House is con-  
22. sidered not that significant in view of the fact that Illinois is  
23. the first state to adopt these things. So unless there's some ob-  
24. jection I would move to concur in the House amendment which in  
25. effect says the only change is the amendment offered by Senator  
26. McBroom in the Senate and defeated in the Senate is now part of the  
27. bill.

28. PRESIDENT:

29. Senator Clarke.

30. SENATOR CLARKE:

31. You asked me earlier about this order of business. Now, I  
32. understand that these amendments just came over. Our staff is  
33. just working on them and possibly the other side likewise hasn't

1. had time to really evaluate them. And I think we have an understanding  
2. that with amendments as with conference committee and conferences  
3. that we would look at them and evaluate them and then okay them for  
4. picking up...

5. PRESIDENT:

6. All right. Now, when they have...in the case of amendments  
7. that have been...are on the Calendar which means they have been  
8. over here one day, it's been the Chair's assumption that we move  
9. ahead. But...Senator Partee.

10. SENATOR PARTEE:

11. As I understood Senator Laughlin, this is the same amendment  
12. that the automobile dealers wanted that we defeated here. And if  
13. he's willing and the persons behind the bill are willing to accept  
14. it, I have no problem with it.

15. PRESIDENT:

16. All right. Senator Laughlin moves that the Senate concur in  
17. the House amendment. And on that question, the Secretary will call  
18. the roll.

19. SECRETARY:

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

28. PRESIDENT:

29. On that question, the yeas are 32. The nays are none. The  
30. Senate concurs in the House amendment. Is...1538, Senator McBroom.

31. SENATOR MCBROOM:

32. Mr. President, members of the Senate, I would like to move to  
33. concur in the House amendment on Senate Bill 1538. It has to do

1. with taxes that a municipality might raise by referendum to fur-  
2. nish ambulance service and I'd refer to the House amendment as  
3. corrective language. I'd be happy to explain what the amendment  
4. does as I see it if someone would want to. I've talked to Senator  
5. Dougherty about it and he's in approval.

6. PRESIDENT:

7. Senator Dougherty. Senator Hall, I mean.

8. SENATOR HALL:

9. Senator McBroom, my local paper carries the headlines that  
10. ambulance services are to be discontinued in my area. Would this  
11. affect that?

12. PRESIDENT:

13. Senator McBroom.

14. SENATOR MCBROOM:

15. This would help facilitate it, Senator Hall. As I understand,  
16. it, it provides by referendum that the municipality may ask for  
17. an increase in the taxes that may be leveled to provide ambulance  
18. service. And it would have nothing to do with the question you  
19. ask.

20. PRESIDENT:

21. Senator Hall.

22. SENATOR HALL:

23. Well, in my particular area the funeral homes are the ones that  
24. provide ambulance services. Is this talking about the county going  
25. into ambulance service?

26. SENATOR MCBROOM:

27. Senator Hall, it doesn't apply to my particular community either,  
28. Kankakee, but many smaller communities have to have something like  
29. this to provide ambulance service or they have none at all. Really  
30. a bill of the Illinois Municipal League, Senator Hall.

31. PRESIDENT:

32. Is there further discussion? Secretary will call the roll.  
33. Senator Dougherty. Just a moment. Senator Dougherty.

1. SENATOR DOUGHERTY:

2. Just what does the amendment do, Senator McBroom?

3. PRESIDENT:

4. Senator McBroom.

5. SENATOR MCBROOM:

6. Senator Hall...Senator Dougherty, the original bill provided  
7. for an increase in ambulance service of .015 to .25 percent. Now,  
8. when it got in the House, the people who were handling the bill  
9. and the Illinois Municipal League felt that...

10. PRESIDENT:

11. Just a moment. For what purpose does Senator Bidwill arise?

12. SENATOR BIDWILL:

13. Will you dispense these caucuses. I can't even hear the  
14. speaker.

15. PRESIDENT:

16. Good...very good suggestion. Senator McBroom.

17. SENATOR MCBROOM:

18. Yes, Senator...were you talking to me?

19. PRESIDENT:

20. Senator McBroom.

21. SENATOR MCBROOM:

22. I had to wait 'til Senator Merritt got his picture taken, Mr.  
23. President. The bill, Senator Dougherty, and I think this is the  
24. crux of it, if I may read a line or two of it: The corporate  
25. authorities of any municipality which has not approved by referendum  
26. a tax of not to exceed 15 percent and so forth. Now, they felt that  
27. the language of the bill as it went over to the House that they  
28. would first have to go to .015 percent before they could ever exceed  
29. .015 percent if they didn't already have a tax for ambulance service.  
30. And that's what the amendment does. It says if they do not have  
31. it, they can go all the way to .25 percent without first going to  
32. .015 percent.

33.

1. PRESIDENT:

2. Senator Dougherty.

3. SENATOR DOUGHERTY:

4. And the home rule amendment is still on it, is it, sir?

5. PRESIDENT:

6. Senator McBroom.

7. SENATOR MCBROOM:

8. What?

9. PRESIDENT:

10. Home rule amendment.

11. SENATOR MCBROOM:

12. Yes.

13. PRESIDENT:

14. Secretary will call the roll. Motion is to concur in the  
15. House amendment.

16. SECRETARY:

17. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll,  
18. Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald,  
19. Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris,  
20. Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow,  
21. Laughlin, 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. Saperstein, aye. Hynes, aye. On that question, the yeas are  
27. 37. The nays are none. The Senate concurs in the House amend-  
28. ment. Senator McBroom, 1425.

29. SENATOR MCBROOM:

30. Mr. President and members of the Senate, I would like to move  
31. to concur with the House amendments to Senate Bill 1425. This is  
32. the Department of Revenue appropriation. I'd be happy to explain  
33. the amendments if so desired. But Amendment No. 2, which is of a

1. significant amount, is an increase in \$10 million in refunds for  
2. the income tax program. Another amendment reduces by 170 thousand  
3. the various divisions of the Department and the Department of  
4. Revenue feels that they can accept this amendment. The third  
5. amendment is an increase of 13 million for the Senior Citizen Property  
6. Tax Relief Program, which was necessitated by changes in the  
7. circuit breaker. I move to concur and I don't believe it's...

8. PRESIDENT:

9. Is there any discussion? Secretary will call the roll. Just  
10. a moment. Senator Knuppel.

11. SENATOR KNUPPEL:

12. I hear all these figures separately. How much do the amendments  
13. in total add back to this appropriation from what it provided for  
14. when we passed it?

15. PRESIDENT:

16. Senator McBroom.

17. SENATOR MCBROOM:

18. Somewhat...almost 23 million, Senator Knuppel, but 10 million  
19. is for income tax refunds and 13 million for the Senior Citizen  
20. Property Tax Relief Program. That's 23 million, less a reduction  
21. of 170 million, Senator Knuppel.

22. PRESIDENT:

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

24. SECRETARY:

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

33.



1. PRESIDENT:

2. Neistein, aye. On that question, the yeas are 35, the nays  
3. are none. The Senate concurs in the House amendment. The ...  
4. Now, the other Senate bills with House amendments, we do not have  
5. as of right now. We do not have any indication from the leader-  
6. ship on both sides that they have been looked at, so we ... we  
7. are not taking up any more at this point. Now, we do have one  
8. resolution we want to take up at this point. We have ... if the  
9. members will be in their seats. This is a ... Senator Donnewald  
10. Neistein, Swinarski, and others ... Chew, O'Brien, Savickas ...  
11. This is a death resolution for a colleague who for many years  
12. was a very prominent member of this Body. I think the members  
13. ought to be in their seats ... those not entitled to the Floor,  
14. please leave the Floor.

15. SECRETARY:

16. Senate Resolution No. 402, introduced by Senator ...

17. PRESIDENT:

18. Just a moment. Will the members be in their seats? Senator  
19. Saperstein ... just a moment. Read the resolution.

20. SECRETARY:

21. SENATE RESOLUTION NO. 402.

22. PRESIDENT:

23. Those in favor of the adoption of the resolution, please rise.  
24. Resolution is adopted. Senator Bidwill.

25. SENATOR BIDWILL:

26. President, as we pay our last respects to Pete, the old "nubber"  
27. as we used to call him. He loved this Senate, he really did. And  
28. he used to kiddingly say to me "Artie, you know this is such a  
29. wonderful group and wonderful place. They shouldn't pay us. We  
30. ought to pay to come down here. Yup, y'up", he's say. And he always...  
31. what a help he was to many of us in his wisdom, and soundness, and  
32. practicability. So in closing I want to say to old Pete, the little  
33. verse that old Dick Barr, one of the former deans of the Senate,

1. used to recite occasionally. "We come into this life all naked and  
2. bare, and we leave it for, we know not where, but if we are all  
3. right here, we'll be all right there," and I know Pete will be all-  
4. right there.

5. PRESIDENT:

6. The resolution is adopted. I think all of us who served  
7. with Senator Peters, and that includes most of the members of  
8. this Body, while we differed with him from time to time, always  
9. had a great respect for his abilities and very substantial con-  
10. tributions he made to our state. Mr Fernan ... is Ed Fernandes  
11. ... Senator McCarthy. Excuse me, Senator Clarke.

12. SENATOR CLARKE:

13. Before we leave that subject, I wanted to ask, is it possible  
14. for those members who are in a delegation to attend Senator Peters'  
15. funeral, to have the opportunity when they come back to have their  
16. vote recorded if it doesn't change the outcome?

17. PRESIDENT:

18. If it does not change the outcome, certainly that can be done.  
19. Now, also I think Senator McCarthy wanted to bring, who is going to  
20. the funeral, wanted to bring up one matter before he goes to the  
21. funeral. Senator McCarthy.

22. SENATOR MCCARTHY:

23. Yes, Mr. President, there is a bill that I understand is agreed  
24. ... it's House Bill 4330, that I'd like to call at this time, and  
25. what this does ... it's a change in the State Equalization Aid. It's  
26. designed to help school districts suffering declining enrollment,  
27. and this bill if approved would allow school districts to use the  
28. highest enrollment figure for state aid as between 1971 ... 70-71  
29. school year and the 71-72 school year. This is a one-year relief  
30. only, and the school districts in every part of the State of Illinois  
31. would benefit it. The cost estimates are 9.4 million, which 2.3  
32. would go to Chicago, and 7.1 would go to suburban Cook County, and  
33. the other 101 counties. Senator Gilbert has expertise in this

1. matter, as does Senator Hynes. I defer any questions to them  
2. and ask for a favorable roll call.

3. PRESIDENT:

4. Senator Gilbert.

5. SENATOR GILBERT:

6. I rise in support of this bill after it was amended to include  
7. only the one year. We are in a declining enrollment in some of  
8. the schools. This does not affect any school where there is a  
9. consolidation, so there would be no possibility of two schools  
10. consolidating and benefiting by this bill. This is a matter that  
11. has been cleared with the administration and with the Bureau of  
12. the Budget, and has their approval, and I urge ... an aye vote on  
13. this bill.

14. PRESIDENT:

15. Is there any discussion? Senator Hynes.

16. SENATOR HYNES:

17. Mr. President, and members of the Senate, very briefly I rise  
18. also in support of this bill. It is an important piece of legis-  
19. lation for over 400 school districts in this state, and I would urge  
20. its passage.

21. PRESIDENT:

22. Secretary will call the roll.

23. SECRETARY:

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

32. PRESIDENT:

33. Hall, aye. Merritt, aye. Clarke, aye. McCarthy, aye. Horsley,

1. aye. On that question the yeas are 41; the nays are none. The  
2. bill having received the constitutional majority is declared  
3. passed. Senator McCarthy. Senator McCarthy moves to reconsider.  
4. Senator Kosinski moves to Table. All in favor of the motion to  
5. Table signify by saying aye. Contrary minded. The motion to  
6. Table prevails. Senator McCarthy, while you are here, we have  
7. the conference committee report, that is, on House Bill 4427.  
8. There has been an indication that is . . .

9. SENATOR McCARTHY:

10. Oh yes. Yes.

11. PRESIDENT:

12. Incidentally the other conference committee reports that  
13. are here, we do not have an indication that leadership from  
14. both sides has looked at them so we can't take up . . . we might  
15. . . . What are the Senators on those other conference committee  
16. reports? All right. Senators Knuepfer, Hynes, and Carpentier,  
17. your conference committee reports, I think, have been here about  
18. a day now. They have not been looked at, so you might work on  
19. that. Senator McCarthy is recognized.

20. SENATOR McCARTHY:

21. Yes, Mr. President. House Bill 4427, the conference  
22. committee report is on the Secretary's Desk which has been  
23. approved by 4 of the 5 Senate members and 4 of the 5 House  
24. members. What it does is restore the bill into the same  
25. shape as it was passed in Senate. What this does, it's the  
26. American Medical Association exception to the Usury Act which  
27. extends the period of time that those student loans can be  
28. accepted from the Act until January 1 of 1978. This puts it  
29. in the same shape as when it left the Senate and Senator  
30. Groen dissented and Sen . . . er, Representative Kennedy, but  
31. I move that the bill . . . that the report of the conference  
32. committee be approved by the Senate.

1. PRESIDENT:

2. Senator Groen. And incidentally our proceedings are now  
3. being taped. Senator Groen.

4. SENATOR GROEN:

5. Yes. Well, Mr. President, and to Senator McCarthy, my  
6. only concern is, I would like the Journal to show the dissent  
7. on both the part of Representative Kennedy and my dissent.

8. PRESIDENT:

9. The conference committee report does indicate that. Is  
10. there further discussion? The Secretary will call the  
11. roll.

12. SECRETARY:

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

22. PRESIDENT:

23. On that questions the yeas are 31; the nays are 1. The  
24. Senate adopts the conference committee report. Mr. Fernandes,  
25. do you want to read the Senate Joint Resolution 78 again?  
26. Senate Joint Resolution 78, introduced by Senator Horsley is  
27. being read now a second time in full.

28. ASSISTANT SECRETARY: (MR. FERNANDES)

29. (Senate Joint Resolution 78 is read.)

30. PRESIDENT:

31. House Bills on 2nd Reading. House Bills on 2nd Reading.  
32. 3768, Senator Donnewald. 3768.

33.

1. SECRETARY:  
2. 2nd Reading of the bill. No committee amendments.  
3. PRESIDENT:  
4. Any amendments from the Floor? 3rd Reading. 4163, Senator  
5. Clarke? I think you want to advance that. 4163.  
6. SECRETARY:  
7. 2nd Reading of the bill. No committee amendments.  
8. PRESIDENT:  
9. Any amendments from the Floor? 3rd Reading. 4264, Senator  
10. Saperstein? 4264.  
11. SECRETARY:  
12. 2nd Reading of the bill. No committee amendments.  
13. PRESIDENT:  
14. Any amendments from the Floor? 3rd Reading. 4310, Senator  
15. Graham. 4310.  
16. SECRETARY:  
17. 2nd Reading of the bill. No committee amendments.  
18. PRESIDENT:  
19. Any amendments from the Floor? 3rd Reading. 4510, Senator  
20. Walker. 4510.  
21. SECRETARY:  
22. 2nd Reading of the bill. No committee amendments.  
23. PRESIDENT:  
24. Any amendments from the Floor? 3rd Reading. 4558. We  
25. do not have . . . Are you the sponsor of it, Senator Dougherty?  
26. Senator Dougherty will be shown as the sponsor. Senator Clarke.  
27. SENATOR CLARKE:  
28. If this bill's going to be moved, I'd like to have it on  
29. the basis that it could be brought back for an amendment.  
30. PRESIDENT:  
31. Senator Dougherty, is that acceptable?  
32. SENATOR DOUGHERTY:  
33. Oh, certainly.

1. PRESIDENT:

2. 4558.

3. SECRETARY:

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

5. PRESIDENT:

6. Any amendments from the Floor? 3rd Reading. 4576, Senator  
7. Donnewald? 4576.

8. SECRETARY:

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

10. PRESIDENT:

11. Any amendments from the Floor? 3rd Reading. 4667, Senator  
12. Graham.

13. SECRETARY:

14. 2nd Reading of the bill. No committee amendments.

15. PRESIDENT:

16. Any amendments from the Floor? 3rd Reading. 4688. . . . Is  
17. Senator Bruce on the Floor? All right. 4688.

18. SECRETARY:

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

20. PRESIDENT:

21. Any . . . Senator Rock.

22. SENATOR ROCK:

23. Yes, Mr. President, I would like the Body to understand  
24. that these are moved with the same understanding, because I do  
25. have an amendment that's being prepared for these bills. I have  
26. not yet spoken to Senator Bruce because he's not here, but I  
27. would like to reserve the right, at least, to ask that they be  
28. called back.

29. PRESIDENT:

30. All right. They will be moved with that understanding.

31. 4689.

32. SECRETARY:

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

1. PRESIDENT:

2. Any amendments from the Floor? 3rd Reading. The Calendar  
3. indicates that there is one bill on . . . Senate bill on 2nd  
4. Reading, 1608, that was actually advanced to 3rd Reading yesterday.  
5. It is on 3rd Reading today. 1608, Senator Rock.

6. SENATOR ROCK:

7. Yes, Mr. President and members of the Senate, I'd like  
8. very much to move with this bill today. If we delay it until  
9. tomorrow, then it will be here until Saturday or Sunday, and  
10. I certainly don't want it to do that. But the Governor's  
11. office has asked me to hold it, delay it until later in the  
12. day--we're looking for another vehicle--with the understanding  
13. that we can get back to it when an agreement is reached. I'd like  
14. to hold it.

15. PRESIDENT:

16. All right. It will be held. Are there any Senate bills  
17. on 3rd Reading that anyone wants to call. Any Senator wish  
18. to call a Senate bill on 3rd Reading. House Bills on 3rd  
19. Reading. The following bills will be called first: In the first  
20. column--2215, Senator Berning; 2222, Senator Mitchler; 3068,  
21. Senator Hynes. Is Senator Berning on the Floor? Senator  
22. Mitchler, 2222? Hold. Senator Hynes is not on the Floor.  
23. In the next column these bills will be called. Senator  
24. Hynes, do you want to call 3068? 3743, Senator Laughlin;  
25. 3794, Senator Hynes; 4158, Senator Baltz; 4185, Senator  
26. Knuepfer; 4211, Senator Coulson. 3743, Senator Laughlin.

27. SENATOR LAUGHLIN:

28. Well, Mr. President, I must confess that this is a rather  
29. detailed and it's a good bill, but I can't make the proper  
30. explanation of it today. I assume we're going to be  
31. here tomorrow. I don't want to lose the bill. I think it's  
32. a vitally important bill, but I'm simply not prepared to  
33. make the detailed explanations, so I'd like to let this go



1. until tomorrow.

2. PRESIDENT:

3. Senator Partee.

4. SENATOR PARTEE:

5. Well, you might inquire if there is any objection to it.

6. I'm not aware of any, and if there isn't, then let's go.

7. PRESIDENT:

8. Senator Laughlin.

9. SENATOR LAUGHLIN:

10. Well, you know, I appreciate that, Senator Partee, and

11. I don't think there is any objection and I think it is important.

12. It's sort of one of these things that I don't think I've ever

13. done . . . I'm not ready to explain it, so if anybody asks me

14. detailed questions on it, I can't answer it, but I have

15. reviewed the bill. I understand it deals with vetoes, amendatory

16. vetoes, the effective dates of Acts. I have no objection if the

17. people want to take it on faith. I'm simply trying to be candid

18. here. I . . . I'm not ready to make a detailed explanation. I

19. understand the bill and I think the bill is right.

20. PRESIDENT:

21. Is there any discussion? Senator Fawell?

22. SENATOR FAWELL:

23. I just had some questions, and my question was in regard

24. to the case of a veto where the veto was overridden, what would

25. be the effective date of the legislation? And I, unfortunately,

26. have not also had the opportunity of reading the details, uh . . .

27. PRESIDENT:

28. Senator Laughlin.

29. SENATOR LAUGHLIN:

30. Well, my understanding is that, in that case, I would like

31. to get back to this so that there aren't any questions left

32. unanswered. When the Legislature overrides the veto, unless

33. there is a different effective date in the Act, the bill becomes

1. effective the following October 1st.

2. PRESIDENT:

3. If you would like to hold this for a while, we can.

4. SENATOR LAUGHLIN:

5. May I, then?

6. PRESIDENT:

7. Right. Right. And you let the Chair know when you'd like  
8. to call it. 3794, Senator Hynes.

9. SENATOR HYNES:

10. Mr. President, members of the Senate, House Bill 3794 is  
11. a deficiency appropriation to the Superintendent of Public  
12. Instruction in the amount of \$5,708,644.00 for transportation  
13. deficiency, deficiency in the gifted program and deficiency in  
14. the handicapped program and for the tax equivalent grants in  
15. connection with the Weston Bill which we passed last year.  
16. I know of no objection to the bill and I urge its passage.

17. PRESIDENT:

18. Senator Gilbert.

19. SENATOR GILBERT:

20. I . . . This is a necessary deficiency appropriation.  
21. All items here are things that we have mandated to be done  
22. and I urge everyone to support this appropriation.

23. PRESIDENT:

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

26. SECRETARY:

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

1. Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Walker,  
2. Weaver,

3. PRESIDENT:

4. McBroom, aye. Palmer, aye. Berning, aye. Swinarski, aye.  
5. Lyons, aye. Fawell, aye. Soper, aye. On that question the yeas  
6. are 43, the nays are none. The bill having received the constitutional  
7. majority is declared passed. 4158, Senator Baltz.

8. SENATOR BALTZ:

9. Mr. President and members of the Senate, House Bill 4158  
10. is a deficiency appropriation of the Secretary of State's office  
11. in the amount of 300 hundred thousand dollars. This bill has  
12. been a matter of some concern for the past week or so. I think  
13. a fuller understanding is now available to all members of the Senate.  
14. If there are any questions I'd be glad to make a statement on it,  
15. otherwise I would appreciate a favorable roll call.

16. PRESIDENT:

17. Senator Walker.

18. SENATOR WALKER:

19. A...would the sponsor yield to a few questions?

20. PRESIDENT:

21. Senator Walker, I'm sorry, the Chair was engaged in conversation.

22. SENATOR WALKER:

23. Thank you, Mr. President. I just asked if the sponsor would  
24. answer a few questions.

25. PRESIDENT:

26. I'm sure he will, knowing the sponsor.

27. SENATOR WALKER:

28. Is this a three hundred thousand dollar deficiency appropriation,  
29. Senator Baltz?

30. PRESIDENT:

31. Senator Baltz.

32. SENATOR BALTZ:

33. Correct.

1. SENATOR BALTZ:

2. Three hundred thousand dollars deficiency in remodeling the offices  
3. for the House members in the new State Office Building.

4. PRESIDENT:

5. Senator Walker.

6. SENATOR WALKER:

7. What are the monies to be used for?

8. PRESIDENT:

9. Senator Baltz.

10. SENATOR BALTZ:

11. Senator Walker, I have a rather brief explanation here of  
12. exactly what the break down is and maybe if I would read this  
13. it would answer your questions and some of the others you might  
14. have and give the rest of the members of the Senate a complete  
15. knowledge of what the break downs are. It says: This bill appropriates  
16. an additional three hundred thousand dollars to this office to  
17. complete the General Assembly offices in the State Office Building.  
18. As you are aware, that project was initiated by the General Assembly  
19. and the original specifications and bid estimates were made by the  
20. Department of General Services. In addition, the Space Needs Commission  
21. has been in the picture from the very beginning. The bids received  
22. based upon General Services specifications were higher than the  
23. amounts estimated and appropriated. In addition, the General Assembly  
24. specified some add-ons at an additional cost of 98 thousand seven  
25. hundred and eight dollars. These add-ons have not yet been made  
26. and involve a signal light system, additional post office facilities  
27. and hearing rooms and telephone enclosures, all in the State Office  
28. Building. The attached letter from the architect sets forth the  
29. total estimated cost and reflects the need for the three hundred  
30. thousand dollars additional appropriation. The break-down of the  
31. expenditures to be made are about one hundred thousand dollars to  
32. pay for the balance due on furniture; Ninety-eight thousand seven  
33. hundred and eight dollars for the add-ons ordered by the General  
Assembly and the cost for construction which have been underestimated

1. by General Services. The Secretary of State desired that you be  
2. fully apprised and fully advised that this office has complied  
3. with the directions of the General Assembly. It has cooperated  
4. with General Services and the Space Needs Commission and has  
5. complied in all respects with all statutory requirements.

6. PRESIDENT:

7. Senator Walker.

8. SENATOR WALKER:

9. I missed part of that due to a little noise on my right over  
10. here. Of one hundred thousand dollars, this is for furniture?

11. PRESIDENT:

12. Senator Baltz.

13. SENATOR BALTZ:

14. One hundred thousand dollars of this three hundred thousand  
15. dollars is the balance due on furniture.

16. PRESIDENT:

17. Senator Walker.

18. SENATOR WALKER:

19. The only comment that I'd like to make, Mr. President and  
20. fellow Senators, it looks to me like I think it's Hudson Sours that  
21. use...I think it's Hudson Sours that uses the expression it's a rather  
22. bum way to run a railroad. My seatmate here, Bill Carroll, comes in  
23. with the deficiency appropriations annually. I think the House  
24. should operate something like we operate our homes. You don't go out  
25. and buy furniture if you don't have the dough to pay for it. You  
26. don't wait to get a raise. I think this has been mishandled over  
27. there. I don't think they should have gone ahead and then come in  
28. here and look for additional monies. I sincerely feel that at  
29. least they could have held up on the furniture over there. As long  
30. as we're going to be here another day or so I think this bill deserves  
31. some further consideration. Thank you.

32. PRESIDENT:

33. Senator Carroll.

1. SENATOR CARROLL:

2. Mr. Chairman, as long as he used my name in coming here with  
3. deficiency appropriation I'd like to point out that deficiencies  
4. I come in here are for people, not for material.

5. PRESIDENT:

6. Senator Partee.

7. SENATOR PARTEE:

8. This bill needs passing. This bill came as a result of work  
9. which has been performed and goods and services ordered. The  
10. Department of General Services was aware of it from the very beginning.  
11. The Space Needs Commission was aware of it from the very beginning.  
12. And I just want to say something about some of these appropriations  
13. where the House is involved. It creates a very difficult  
14. situation where one of our members because of his personal feelings  
15. for the Speaker takes picks at this kind of thing. I sat and talked  
16. with the Secretary of State and I know that he is doing a fine and  
17. conscientious job on this thing and it has been from the beginning.  
18. Now it's not my fault that when the present Speaker became the  
19. Speaker he fired all the people that had been working for the former  
20. Speaker. It's not my fault and I don't think legislation ought to  
21. just continue to be picked at and nagged at because of some personal  
22. vendetta. This is a good bill and I'm asking people to support it  
23. on this side.

24. PRESIDENT:

25. Is there further discussion? Senator Clarke.

26. SENATOR CLARKE:

27. Mr. President, we have asked Senator Baltz to hold this bill up  
28. for a number of days until we got some definitive information and  
29. he has read from the letter from the Secretary of State which indicates  
30. exactly what this is for and as the Pro Tem indicates it's for money  
31. that has been committed and I think that we are obligated to fulfill  
32. it. And I made a statement several weeks ago that I felt that we  
33. should not try to cut off anything that is obligated or construction

1. under way but certainly this is of course one of the practices of  
2. add-ons which inevitably happens when you make a change of plans,  
3. They wanted to have a post office in the bottom of the building.  
4. I think this is legitimate but that was not in the original contract  
5. and that's the type of reason for these additional costs. And my  
6. position is that we should have an investigation and set up checks  
7. and procedures so that in the future when we go ahead with this  
8. construction of the Capitol complex we can avoid this type of thing.  
9. I think this requires an aye vote, too.

10. PRESIDENT:

11. Senator Baltz may close the debate.

12. SENATOR BALTZ:

13. Well these deficiency appropriations are not unusual and  
14. certainly not in these times of increased labor cost. I'm sure that  
15. many of these add-ons are, would have cost more than they would if  
16. they're in the original contract but in remodeling of the extent that  
17. this was, why they are not at all unusual. I think the cost are  
18. justified and I would appreciate a favorable roll call.

19. PRESIDENT:

20. For what purpose does Senator Walker arise?

21. SENATOR WALKER:

22. I suppose I could do this, Mr. President, thank you, on an  
23. explanation of vote I ought...however, I'd rather do it now and I  
24. won't explain my vote either...if I have to I'll ask for a point of  
25. personal privilege because a remark was made by the Leader on the  
26. other side of the aisle that I was taking picks on our present Speaker  
27. and he went ahead and proceeded to tell why. Well I would like to  
28. say this....

29. PRESIDENT:

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

31. SENATOR BALTZ:

32. A point of order, Mr. President. I think that Senator Walker  
33. can give his explanation on the roll call. It's down toward the end

1. of the roll unfortunately and he wouldn't have a chance to influence  
2. any votes. I'd just as soon that he waited until the end of the roll  
3. call. I closed the debate, asked for a roll call and you approved  
4. it.

5. PRESIDENT:

6. The point of...the point of order is well taken and Senator  
7. Walker will have to explain his vote. The Secretary will call the  
8. roll.

9. SECRETARY:

10. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll,  
11. Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald,  
12. Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris, Horsley,

13. PRESIDENT:

14. Senator Horsley.

15. SENATOR HORSLEY:

16. This is one bill that I don't like but I've checked into it  
17. pretty thoroughly. The money has been obligated. Maybe not rightfully  
18. so, I don't know but the money has been obligated and the people  
19. who have committed themselves to these services are entitled to  
20. the money and I think now we've put up a warning sign that there  
21. won't be any more of this in the future. But I think that we can't  
22. leave these people out in the cold holding the bag and even though  
23. I don't like it, I'm going to vote aye.

24. SECRETARY:

25. Hynes, Johns, Knuepfer, Knuppel,

26. PRESIDENT:

27. Senator Knuppel.

28. SENATOR KNUPPEL:

29. I've heard a lot of talk around here in the last few days about  
30. our image as a General Assembly. We've spent two-thirds of a million  
31. dollars for a restaurant that very few of the members will use.  
32. I noticed on the Calendar today it's the hundred and fifty-fourth  
33. legislative day only and, as I say, we convene here after ten o'clock



1. we stay through the noon hour, we abuse ourselves, we don't  
2. take any lunch, we don't take any supper, and when we do, we  
3. want to go someplace where it's quiet and relaxed, so we're  
4. building a restaurant here when there's a good cafeteria over  
5. in the State Office Building where we're going to move all our  
6. offices over there. Now I don't know. I wasn't . . . I came  
7. here as a freshman Senator, but I don't understand all this.  
8. It really is confusing to me. I think I speak as a layman when  
9. I speak on this subject as how we can spend 2/3's of a million  
10. dollars on a restaurant in this building. How we can get  
11. \$300,000.00 in hock for furniture in offices that most of us  
12. won't use. I understand that the House, most of them have  
13. their offices over there and they picked up their keys, but  
14. very few of them are using those offices. They're too far  
15. away from where our work is. We come here and we start and  
16. we don't leave here. I . . . I just can't . . . It's unfathomable  
17. to me how we can ever improve our image by just going ahead and  
18. saying, well we stuck somebody in and they bought some goods  
19. over there. We ought to raise all kinds of hell, and I mean  
20. that, instead of just going along. We stand here and we vote on  
21. the welfare thing and say we can't do anything because it's out  
22. in Washington. Well I'll tell you this, the loudest message  
23. we can send is to vote no. Now I'm not going to vote no here  
24. because there's a lot of people here apparently want it. But  
25. we wonder about our image, and I'll tell you, this is one place  
26. we could start scrubbing it. Just vote me present.

27. SECRETARY:

28. . . . Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom,  
29. McCarthy, Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill, . . .

30. PRESIDENT:

31. Senator Nihill.

32. SENATOR NIHILL:

33. Mr. President and Senators, here's a job that's been done

1. and the people are entitled to their money. My vote will be  
2. yes. I wish some of the people on the other side and over here  
3. likewise would stop quibbling about some of the things that they  
4. have personally for years back. I just can't understand these  
5. things. We got work to be done here. This money is owed. Let's  
6. get together and pass it. I vote aye.

7. SECRETARY:

8. . . . O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander,  
9. Saperstein, Savickas, Smith, Soper, Sours, Swinarski, Vadalabene,  
10. Walker, . . .

11. PRESIDENT:

12. Senator Walker.

13. SENATOR WALKER:

14. Thank you, Mr. President. Members of the Senate, mention  
15. was made that one of our members, and I suppose that reference  
16. was to me, has been taking picks on our present speaker. Well  
17. I note that the press universally has joined me in that taking  
18. picks in the last two or three weeks, so I don't feel I can be  
19. all wrong, and I'm not taking picks here, please believe me,  
20. on a personal basis or on a basis of personality. I first  
21. stood up when it looked like that 990 thousand glass case  
22. deal was going through . . .

23. PRESIDENT:

24. Just . . . Just a moment. For what purpose does Senator  
25. Neistein arise?

26. SENATOR NEISTEIN:

27. It's a point of clarification. I heard my dear friend, Senator  
28. Walker, say I'm going to rise the second time and make a statement,  
29. because when it comes roll call, I'm not going to explain  
30. my vote, and I want to ask him if there's been any change in  
31. his mind since he made that momentous statement.

32. PRESIDENT:

33. Well, in fairness to Senator Walker, Senator Baltz, on a

1. point of order cut short his remarks, and I think he's  
2. speaking now as I result of that. Senator Walker.

3. SENATOR WALKER:

4. I'm being repetitious not on a point of personalities.  
5. I opposed that 990 thousand dollar . . . 900 . . . whatever  
6. it was . . . appropriation that came out of the House because  
7. my constituents were opposing it. The phone was ringing at  
8. my office and my residence. I think it's time that some of  
9. us down here started, again, as we used to, to take a stand  
10. in favor of the taxpayers who are getting a little tired of  
11. these ever increasing taxes. Now here's something that there's  
12. been innuendos, much scuttlebutt that no one seems to understand,  
13. and that's this, that when I succeeded Ralph Smith as Speaker  
14. over there, I kept Ralph's staff intact, because I don't think,  
15. and I still don't think you can find a better staff anywhere.  
16. And I will say this in further defense, they were all Republicans.  
17. So I kept his staff intact. I wrote the present Speaker a  
18. letter after the elections in November and told him if he wished  
19. to discharge any members of my staff that he . . . I know that  
20. he would feel free to do so, and I had no objection to it, but  
21. please turn them loose before we convene the following January.  
22. And this is getting in a little bit into personalities. I  
23. followed that letter with another letter. I followed it with  
24. telephone communications, but that gutless wonder, on January  
25. the 5th, the day we convened, called about 80 percent of my  
26. staff in and cut them off--boom, like that--something he could  
27. have done in November or December, giving them chances to find  
28. other spots, other employment. But he had to wait until the  
29. last day after I had convened the House, came over here to be  
30. sworn in the Senate . . .

31. PRESIDENT:

32. Just a moment. For what purpose does Senator Baltz  
33. arise?

1. SENATOR BALTZ:

2. The traffic signal has changed, Mr. President.

3. PRESIDENT:

4. Well, in fairness to Senator Walker, he's been interrupted  
5. a couple of times. The Senator will conclude his remarks, though.

6. SENATOR WALKER:

7. There's another thing involved on the other side of the  
8. rotunda, and I don't know why we should have so much consideration  
9. for them, and that's the expenditure of funds. The renovating  
10. of those offices . . . They were renovated by Speaker Touhy;  
11. they were renovated by Speaker Smith; I was satisfied with the  
12. conditions, knowing or hoping that I would come over here.  
13. There's a campaign fund in question over there as to what it's  
14. being used for, and I think I've been reliably informed that  
15. either out of that or out of the House expenditure fund which  
16. we recently approved, there's been an automobile purchased.  
17. Now, when the press refers to him as being cavalier, they're  
18. sincere and I'm sincere. I don't know no former Speaker who  
19. did that.

20. PRESIDENT:

21. Just a moment. Senator . . . Senator Baltz.

22. SENATOR BALTZ:

23. These remarks are not germane to this bill, and I ask you  
24. for a ruling. His time has expired. Let him vote.

25. PRESIDENT:

26. I think that the point is well taken. Senator Walker  
27. will indicate how he wishes to vote on this.

28. SENATOR WALKER:

29. I vote no and I move that those remarks, in deference to  
30. Senator Baltz, now that I've said them, publicly be stricken  
31. from the record.

32. PRESIDENT:

33. Senator Walker votes no. For what purpose does Senator

1. Baltz arise?

2. SENATOR BALTZ:

3. How am I recorded.

4. PRESIDENT:

5. You are not.

6. SENATOR BALTZ:

7. I vote aye.

8. PRESIDENT:

9. Senator Vadalabene?

10. SENATOR VADALABENE:

11. Have I voted? I have? Well, then, I don't have to explain  
12. my vote, but in the Gallery behind me are two precinct committeemen  
13. from my district, Bill Starbuck and Tom Johnson. Will you please  
14. stand?

15. PRESIDENT:

16. On that measure, the yeas are 38; the nays are 2; 1 present.  
17. The bill having received a constitutional majority is declared  
18. passed. Senator Baltz moves to reconsider. Senator Carpentier  
19. moves to Table. All in favor of the motion to Table signify  
20. by saying aye. Contrary minded. The motion to Table prevails.  
21. 418 . . . Senator Knuepfer is not here. Is somebody . . .  
22. Will he be here tomorrow, or will somebody be taking this for  
23. him, Senator Clarke?

24. SENATOR CLARKE:

25. Mr. President, he'll be here later today if we can come  
26. back to this.

27. PRESIDENT:

28. Okay. We'll come back to it, then. 4211, Senator Coulson.

29. SENATOR COULSON:

30. Mr. President and gentlemen, this is the appropriation  
31. for the Board of Regents. It was amended twice yesterday, once  
32. to correct arithmetical errors and another at the request of  
33. Senator Hynes, I believe, to transfer three items of a contractual

1. services to student employment availability. I don't know  
2. of any difficulty it's in. If it's a difficulty, we can  
3. put it on a little later, but I think everyone has seen the  
4. amendment, and I would ask for a roll call.

5. PRESIDENT:

6. Senator Hynes.

7. SENATOR HYNES:

8. The amendments are in order and I would urge all members  
9. to support 4211.

10. PRESIDENT:

11. Secretary will call the roll.

12. SECRETARY:

13. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,  
14. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson,  
15. Donnewald, . . .

16. PRESIDENT:

17. Senator Donnewald.

18. SENATOR DONNEWALD:

19. In explaining my vote which is going to be aye, I want  
20. to introduce Miss Mary Worth and Sarah Hoffbauer up in the  
21. Gallery. Stand up, girls.

22. SECRETARY:

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

29. PRESIDENT:

30. Hynes, aye. Johns, aye. Senator Gilbert.

31. SENATOR GILBERT:

32. I would like to introduce to the Senate, my brother-in-law,  
33. Art Roberts from Bement, who's sitting up here with my wife  
34. and his son, Jeff, who is a Honorary Page here in my right.

1. PRESIDENT:

2. Senator Clarke.

3. SENATOR CLARKE:

4. I'm looking over this Calendar, and I see that this may  
5. be Senator Coulson's last bill, and I want to congratulate him  
6. on the ease with which he slipped it through.

7. PRESIDENT:

8. On that question the yeas are 35; the nays are none. I  
9. can remember bills that he hasn't passed 35 to nothing. The  
10. bill having received a constitutional majority is declared  
11. passed. We're going to interrupt as we will be from time to  
12. time with a conference committee report. This one is on  
13. House Bill 518, Senator Hynes. House Bill 518, conference  
14. committee report. Senator Hynes.

15. SENATOR HYNES:

16. I move that we adopt the conference committee report on  
17. House Bill 518. It has been signed, I believe, by all members  
18. of the conference committee from both Houses, and . . . Sen . . .  
19. We passed House Bill 518. There were some questions about  
20. technicalities in the bill. Essentially what it deals with  
21. is seizure of vessels or vehicles which are used in violation  
22. of the Controlled Substances Act. The bill has been carefully  
23. drafted so that the seizure would be permitted by law enforcement  
24. authorities only with large shipments--the supplier or dealer--  
25. rather than the small individual case. And I know of no objection  
26. to the conference committee report.

27. PRESIDENT:

28. Is there any discussion? Senator Laughlin.

29. SENATOR LAUGHLIN:

30. Mr. President, I'd just say that I think it's all right.  
31. I think the way the bill passed originally, we had a situation  
32. where if the, a young person was in possession of any amount  
33. of marijuana that the vehicle could be seized. Is that right,

1. Senator Hynes? And this has raised that limit higher. Am I  
2. correctly stating it? As a member of the conference committee,  
3. I think I . . .

4. PRESIDENT:

5. Senator Hynes.

6. SENATOR HYNES:

7. Well, I do . . . I don't think the original bill did that,  
8. but there was some confusion about the amendment. But this . . .  
9. It certainly does not, now. It has been clearly raised, so . . .

10. SENATOR LAUGHLIN:

11. All right. No, I support the conference committee report.

12. PRESIDENT:

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

14. SECRETARY:

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

23. PRESIDENT:

24. McBroom, aye. On that question the yeas are 35; the nays  
25. are none. The conference committee report is adopted. The  
26. next bills to be brought up are: 4294, Senator Gilbert; 4302,  
27. Senator Dougherty; 4374, Senator Latherow; 4430, Senator  
28. Latherow; 4448, Senator Knuepfer; and 4449, Senator Knuepfer.  
29. 4294, Senator Gilbert.

30. SENATOR GILBERT:

31. I'd like to have leave to return Senate Bill 4294 to  
32. 2nd Reading for purpose of amendment. Senator Vadalabene has  
33. that amendment. Is it on the Secretary's Desk? Well, Senator



1. Vadalabene isn't here to explain it, so I will. This is an  
2. appropriation . . . or . . . Do I have leave to bring it back?

3. PRESIDENT:

4. Yes. 4294 is brought back to 2nd Reading.

5. SENATOR GILBERT:

6. This is an amendment of \$150,000.00 for a program that  
7. was to be in the budget at Edwardsville. Apparently it was  
8. left out. The Governor has authorized this as far as he is  
9. concerned. He has stated that he will approve this if it  
10. is put back in the . . . put in this budget. It deals with  
11. the matter of human resources, and it's a program there, I  
12. do not have the amendment in front of me, so I cannot give  
13. you the details.

14. PRESIDENT:

15. Is there any discussion of the amendment?

16. SENATOR GILBERT:

17. I think that it is a good amendment.

18. PRESIDENT:

19. All those in favor of the adoption of the amendment  
20. indicate by saying aye. Contrary minded. The amendment is  
21. adopted. It will return to 3rd Reading. We'll get back to  
22. you after intervening business. 4302, is Senator Dougherty  
23. on the Floor? Senator Partee.

24. SENATOR PARTEE:

25. He went to the funeral, and I think we can just hold this  
26. until he gets back.

27. PRESIDENT:

28. All right. 4302 will be held. 4374, Senator Latherow.

29. SENATOR LATHEROW:

30. Mr. President, members of the Senate, this is just exactly  
31. as the Calendar states other than the funds. It's the ordinary  
32. and contingent expenses of the Board of Governors and we, I  
33. think, have added the necessary amendments that, for this bill

1. and I would appreciate a favorable consideration.

2. PRESIDENT:

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

4. SECRETARY:

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

13. PRESIDENT:

14. On that question the yeas are 35; the nays are none. The  
15. bill having received a constitutional majority is declared passed.  
16. 4294, Senator Gilbert.

17. SENATOR GILBERT:

18. Just a moment. We're checking out the amendment we put on.  
19. There are some questions whether we made an error in it or not.  
20. We have to check that and then we'll call it back later. Thank  
21. you, sir.

22. PRESIDENT:

23. All right. We'll get back to that. 4430, Senator Latherow.

24. SENATOR LATHEROW:

25. Mr. President, I have an amendment there on the Desk for  
26. this bill that we have worked out, that, I think, takes care  
27. of some questions that we had in there that inserts a definition  
28. of timber buyers that was lacking in this bill. It also puts  
29. the penalty clause at the last part and then has a clarification  
30. amendment which strikes what we thought, Senator Knuppel worked  
31. on this, what we thought was some unnecessary wording in the  
32. bill. I move the adoption of the amendment.

33.

1. PRESIDENT:

2. The bill is brought back to 2nd Reading and Senator Latherow  
3. moves the adoption of the amendment. Is there any discussion?  
4. Senator Lather . . . er, Senator Laughlin.

5. SENATOR LAUGHLIN:

6. Yes, Senator Latherow, I just noticed that you referred to  
7. the Criminal Code of 1961, and I don't know whether this fits  
8. in with the Uniform Code of Corrections that we passed and I  
9. don't know whether this is a problem for you or not on the  
10. criminal aspects of the . . . of the bill. I don't know whether  
11. that's a correct reference anymore.

12. PRESIDENT:

13. Senator Latherow.

14. SENATOR LATHEROW:

15. Well, is it all right with you to put this amendment on and,  
16. then we'll check that out before we call the bill.

17. SENATOR LAUGHLIN:

18. All right.

19. PRESIDENT:

20. All in favor of the adoption of the amendment indicate by  
21. saying aye. Contrary minded. The amendment is adopted. We'll  
22. get back . . . Senator Latherow, you let the Chair know when  
23. you're ready on that. All right? 4 . . . Senator Knuepfer is  
24. not here. On the next column, the following bills will be  
25. called: 4479, Senator Clarke; 4480, Senator Clarke; 4508,  
26. Senator Latherow; and Senator Dougherty is not here, we'll get  
27. back to his a little later--4622, Senator Davidson. 4479,  
28. Senator Clarke. Senator Clarke.

29. SENATOR CLARKE:

30. I just spoke to Senator Partee and he tells me they are  
31. working on the memo with Representative Hyde, so I'll hold those.

32. PRESIDENT:

33. All right. 4508, Senator Latherow. Hold. 4622, Senator

1. Davidson. Hold. Then starting with 4648 on the Calendar,  
2. Senator Rock's bill, all the rest in that column will be called--  
3. from 4648 down through 4673. 4648, Senator Rock. Hold. 4656 . . .  
4. Is Senator Graham in the Floor? 4663, Senator Gilbert. Senator  
5. Clarke.

6. SENATOR CLARKE:

7. Mr. Pro Tem, if I could have your attention, we have two  
8. sets of Comptroller bills. Senator Graham is handling one set,  
9. and I think . . . then we have others that I don't know just  
10. who's handling them--Choate's. And I think we really ought to  
11. pass both versions. Senator Bruce is handling the other.

12. PRESIDENT:

13. Senator Partee.

14. SENATOR PARTEE:

15. Yeh, I don't see getting into an involvement. Although they  
16. are somewhat different, I think, each of them reaches out for  
17. increased power for the expected office and each one wants to do it  
18. his own way. I think the only way to handle it is to pass  
19. both sets of bills and let the Governor make a choice. As a  
20. matter of fact, we could try . . . try both . . . We could vote  
21. for all four of them . . . There are four, aren't there. Five?

22. PRESIDENT:

23. There's six all together, I think.

24. SENATOR PARTEE:

25. Six. Well, why don't we . . .

26. PRESIDENT:

27. Four in this series by Senator Graham, two in the series by  
28. Senator Bruce. Oh, oh. I'm sorry. It's just three. One is not . . .  
29. one is a separate. Five all together. The only reluctance the  
30. Chair has is that neither of the sponsors of those bills are  
31. present. I . . . Sen . . . Let's wait until the sponsors are  
32. here. 4663, Senator Gilbert.

33.

1. SENATOR GILBERT:

2. Senate Bill 4663 was amended yesterday to include an  
3. increase in the State Distributive Fund as recommended by  
4. the School Problems Commission. This is the Formula bill . . .  
5. uh, appropriation for the Formula Bill, and I think that we  
6. should take both 4663 and 6465, I believe is the number of  
7. it, uh . . . Well, I'll see if I can find it.

8. PRESIDENT:

9. Who . . . Are you the sponsor of the other one, also,  
10. Senator Gilbert?

11. SENATOR GILBERT:

12. I'm the sponsor of both of them and I can't find it on  
13. my Calendar here.

14. PRESIDENT:

15. 4465, Senator.

16. SENATOR GILBERT:

17. 4465 and 4663 are the formula and the appropriation for  
18. it. Neither has any effect without the other. I think that  
19. we could save time if there's no objection to call both of these  
20. bills on the same roll call.

21. PRESIDENT:

22. Is there objection? Leave is granted. The roll call will  
23. be on 4465 and 4663. Is there further discussion? Secretary  
24. will call the roll.

25. SECRETARY:

26. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll,  
27. Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald,  
28. Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris,  
29. Horsley, Hynes, Johns, Knuepfer, Knuppel, . . . .

30. PRESIDING OFFICER (Senator Rock):

31. Senator Knuppel.

32. SENATOR KNUPPEL:

33. I'm no more happy with this compromise today than I was

1. yesterday. This in no way, this in no way meets the mandate  
2. of the Constitution of 1970, and here again, we're patching an  
3. old innertube rather than finding new ways to raise revenue  
4. so that the burden falls fairly and so that we can meet the  
5. challenge of education of the youth of our State. I am, however,  
6. forced by reason of dedication to education to vote for this.  
7. It's an unhappy compromise and one with which I'm entirely  
8. unsatisfied. I vote aye.

9. SECRETARY:

10. . . . Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom,  
11. McCarthy, Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill,  
12. O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander, Saperstein,  
13. Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

14. PRESIDING OFFICER (Senator Rock):

15. Kusibab, aye. Palmer, aye. McBroom, aye. Laughlin, aye. ,  
16. On House Bill 4465 the yeas are 40; the nays are none. This  
17. bill having received a constitutional majority is declared passed.  
18. On House Bill 4663 the yeas are 40; the nays are none. This  
19. bill having received a constitutional majority is declared passed.  
20. House Bill 4670, Senator Clarke, that series of bills, 4670.  
21. Hold those. Okay. 4674 and 75. Senator Bruce is not here.  
22. 4676, Senator Groen. 4676. Hold that? Okay. 4681, Senator  
23. Knuppel? Senator Knuppel.

24. SENATOR KNUPPEL:

25. 4681 is the bill which was amended yesterday. Senator  
26. Groen questioned me about it and it was held. The amendment's  
27. been offered and it's been returned to 3rd Reading. This bill  
28. would place in escrow, the personal property tax collections  
29. paid by natural persons or two or more natural persons. These  
30. payment would be held in escrow at interest until the Supreme  
31. Court has decided whether or not the amendment voted by the  
32. people of the State of Illinois was, in fact, effective in the  
33. fall of 1970. This bill, there has been some question, may

1. require a vote of 3/5's. I don't know that that's necessarily  
2. true, but that's the way that I'm told that the ruling was  
3. in the House. I, therefore, would appreciate all of those  
4. present voting for it. I was questioned yesterday about what  
5. effect it would have on schools and that was answered by somebody  
6. saying that the school budgets had not taken into consideration  
7. the hope of receiving this money anyway. In any event, it's  
8. a small portion of the total collections at the local level for  
9. education. It's not being taken away. It's only being escrowed,  
10. and hopefully, a decision will be reached in the not too distant  
11. future by the United States Supreme Court on this question.  
12. This bill now provides for a direct refund . . . uh, for a  
13. list to be kept and a direct refund to each of the people  
14. from whom personal property tax is collected. It'll avoid  
15. the patchwork quilt of court decisions placing these moneys  
16. in escrow and the differences that may exist there and also  
17. take away the question of whether this is a legislative or  
18. judicial function. I would ask the support of the Body.

19. PRESIDING OFFICER (Senator Rock):

20. Senator Coulson. Senator Coulson.

21. SENATOR COULSON:

22. Mr. President, this is a patchwork solution. This does  
23. not address itself to the permanent solution of this problem.  
24. This is an attempt to evade our responsibilities as members  
25. of this Legislature, and I intend to support it.

26. PRESIDING OFFICER (Senator Rock):

27. Any further discussion? Secretary will call the roll.

28. SECRETARY:

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

31. PRESIDENT:

32. Senator Clarke.

33.

1. SENATOR CLARKE:

2. I would like to raise the question Senator Knuppel has  
3. always raised. How are you going to replace this money?

4. PRESIDING OFFICER (Senator Rock):

5. Senator Knuppel.

6. SENATOR KNUPPEL:

7. That's what I tried to explain. This money is not taken  
8. away. It's merely escrowed, and the schools will receive the  
9. money with interest if in fact, if in fact, legally it belongs  
10. to them. Now the Supreme Court will have to determine whether  
11. or not the majority of 7 to 1 established a revision or a  
12. constitutional amendment by the vote that was taken in the  
13. fall of 1970. It's just that simple. Nothing is being  
14. taken away from the schools. They will receive all of the  
15. money they would have received from real estate, from taxation  
16. on corporations and otherwise, and this is merely held until  
17. that case is decided by the Supreme Court. Nothing is taken  
18. away from education. I wouldn't support such a bill.

19. PRESIDING OFFICER (Senator Rock):

20. Senator Clarke.

21. SENATOR CLARKE:

22. I vote aye. That was a fine explanation.

23. SECRETARY:

24. . . . Coulson, Course, Davidson, Donnewald, Dougherty,  
25. Egan, Fawell, Gilbert, Graham, Groen, . . .

26. PRESIDING OFFICER (Senator Rock):

27. Senator Groen.

28. SENATOR GROEN:

29. Well, Mr. President, I was going to speak on it after Senator  
30. Knuppel had finished speaking, but after Senator Coulson's brilliant  
31. commentary, I was so shocked by what he said that I had to sort  
32. of pause and recover and analyze what he said. I do think, while  
33. it may be, undoubtedly is true, is not a complete solution, it



1. does fit a solution or does bring about a solution to the immediate  
2. problem involving that law suit. I think every taxpayer who pays  
3. personal property tax in the State will thank you for your  
4. vote on this bill and I'm certain the County Treasurers will  
5. thank you for your vote on this bill, and I vote aye.

6. SECRETARY:

7. . . . Hall, Harris, Horsley, Hynes, Johns, Knuepfer,  
8. Knuppel, Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom,  
9. McCarthy, Merritt, Mitchler, . . .

10. PRESIDENT:

11. Senator Mitchler.

12. SENATOR MITCHLER:

13. Mr. President, I'd like to ask Senator Knuppel a question  
14. about . . . Uh, Senator, my question has to do with the amendment.  
15. In the original bill it provided that the County Collector shall,  
16. refund from that escrow account to each person who paid such  
17. taxes the amount of such personal property taxes so extended,  
18. and collect it from that person. That's after the decision of  
19. the court, if it's in favor of refunding this. In the amendment,  
20. it says the County Collector shall maintain an itemized record  
21. of all such payments under the name of each taxpayer and that  
22. no part of the funds deposited in the escrow account may be withdrawn  
23. except by the County Collector and pursuant to an order of a  
24. court of competent jurisdiction, issued concurrently with or  
25. subsequent to the final disposition of the court case. Now  
26. does that mean that . . .

27. SENATOR KNUPPEL:

28. I think you may have the wrong amendment, and Rich  
29. Carlson is right there by you with the correct amendment.

30. SENATOR MITCHLER:

31. I vote aye.

32. SECRETARY:

33. . . . Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga,

1. Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas,  
2. Smith, Soper, . . .

3. PRESIDENT:

4. Senator Soper.

5. SENATOR SOPER:

6. Mr. President, I wonder if the Senate sponsor on this bill  
7. would answer a few questions.

8. PRESIDENT:

9. Just a moment. Where . . . There he is. He indicates  
10. he will.

11. SENATOR SOPER:

12. Senator, any place in your bill, does it provide a payment  
13. of the costs for setting up the records for these refunds.

14. PRESIDENT:

15. Senator Knuppel.

16. SENATOR KNUPPEL:

17. No, no, sir, the bill doesn't, but I'll assure you that  
18. the County Treasurers, as Senator Groen has pointed out, would  
19. be a whole lot happier to have it this way than to have it  
20. piecemeal where some do and some don't file objections, because  
21. they have to handle all those . . . all those payments under  
22. protest papers, too.

23. PRESIDENT:

24. Senator Soper.

25. SENATOR SOPER:

26. I'm not asking what Senator Groen likes or what some  
27. County Clerks like or some County Treasurers like. In a . . .  
28. In a county where there will be many, many refunds and they  
29. have to keep these records, who is going to pay . . . who is  
30. going to pay to set up clerical service for this . . . for these  
31. refunds.

32. SENATOR KNUPPEL:

33. There is no provision for additional fees of any kind for

1. the Collector or Treasurer. This money, if the amendment  
2. had followed in the first place, would never have been paid in.  
3. And the sponsor in the House didn't want money to go anywhere  
4. else but back to the taxpayer. Now, the answer is that in  
5. many counties, 50 percent of the counties in my district have  
6. already gotten court injunctions. There was an injunction  
7. issued in Chicago for the IEA the other day and there's no  
8. provision there that I know of either, to pay this man for  
9. the extra expense of handling tax protests. The answer is,  
10. it provides nothing.

11. SENATOR SOPER:

12. Well, all that comes to my mind, I don't mind if somebody  
13. gets back money they're not supposed to pay, but if you're going  
14. to provide for the refund on these things, and then you provide  
15. also that there's going to be interest paid, you're going to  
16. have to have somebody that's going to have to be able to e-  
17. valuate the amount of interest. Some of these tax payments  
18. are going to be very small, and you're going to have to evaluate  
19. how much money was put out in interest, and what each taxpayer should  
20. get. It's going to take a lot of clerical work. Now, if a fellow  
21. goes in and he asks for, on a protest and he gets his money back, that's  
22. done individually. But when you set this whole thing aside,  
23. they're going to have set up another division, and in small  
24. districts or in small counties, it won't amount to a hill of  
25. beans, most likely, but when you get big counties like Cook  
26. County, I'm wondering what the boys from Cook County think about  
27. this thing. I wonder where they're going to set up the machinery  
28. to provide for this refund. And if they take in account that  
29. this may cost them a quarter million, a half a million dollars.  
30. We're short of money now, and, as I say, voting against this  
31. is like voting against motherhood and free milk, but let's be  
32. a . . . let's be a little serious about this thing and find out  
33.

1. what we're doing.

2. PRESIDENT:

3. How does the Senator vote? Present. Continue with the  
4. roll call.

5. SECRETARY:

6. . . . Sours, . . .

7. PRESIDENT:

8. Senator Sours.

9. SENATOR SOURS:

10. I just want to be straight on one of these subjects.  
11. I file a lot of protest letters every year, Senator, on  
12. real and personal both. Now, so far as the tax year 1972,  
13. personal property tax, may it just be paid without any  
14. protest letter and will that be considered the payment  
15. itself, paid under protest? By itself.

16. PRESIDENT:

17. Senator Knuppel.

18. SENATOR KNUPPEL:

19. Well, if I understand the question, it deals with 1971  
20. personal property taxes.

21. SENATOR SOURS:

22. Yes, yes.

23. SENATOR KNUPPEL:

24. Is that correct? Payable in '72.

25. SENATOR SOURS:

26. Yes, that is right. What about the protest letter?

27. Is that necessary?

28. SENATOR KNUPPEL:

29. It is my understanding that if a person wants to still  
30. pay under protest for some reason other than the pending Supreme  
31. Court decision, they may do so. But if that's the only reason,  
32. then this takes care of the situation and avoids the necessity.

33.

1. PRESIDENT:

2. Senator . . .

3. SENATOR SOURS:

4. Aye.

5. SECRETARY:

6. . . . Swinarski, Vadalabene, Walker, Weaver.

7. PRESIDENT:

8. Saperstein, aye. Senator Saperstein, you wish to . . .

9. Swinarski, aye. On that question the yeas are 36; the nays  
10. none; 1 present. The bill having received a constitutional  
11. majority is declared passed. Senator Gilbert is recognized.

12. SENATOR GILBERT:

13. I would like to call . . .

14. PRESIDENT:

15. Oh, just . . . Motion by Senator Knuppel to reconsider.

16. Motion by Senator Groen to Table. All in favor of the motion  
17. to Table signify by saying aye. Contrary minded. The motion  
18. to Table prevails. Senator Gilbert is recognized on 4294.

19. SENATOR GILBERT:

20. I'm sorry, but we did find that the amendment was not as  
21. we intended it and Senator Vadalabene has a corrected amendment.  
22. I would like to call it back to 2nd Reading again for purpose of  
23. Tabling Amendment No. 2 and Senator Vadalabene would like to  
24. offer Amendment No. 3, which I think now is in proper form, and  
25. then we can vote on the bill after intervening business.

26. PRESIDENT:

27. Senator Vadalabene.

28. SENATOR VADALABENE:

29. Have we tabled Amendment No. 2?

30. PRESIDENT:

31. No. Senator Vadalabene you wish move to . . .

32. SENATOR GILBERT:

33. Well I move to Table Amendment No. 2.

1. PRESIDENT:

2. All right. Motion to reconsider the vote by which  
3. Amendment No. 2 was adopted. All in favor signify by saying  
4. aye. Contrary minded. Motion to reconsider prevails. Motion  
5. by Senator Gilbert to Table Amendment No. 2. All in favor  
6. signify by saying aye. Contrary minded. Motion to Table  
7. prevails. Senator Vadalabene moves for the adoption of  
8. Amendment No. 3. All in favor of the motion to adopt Amend-  
9. ment No. 3 indicate by saying aye. Contrary minded. The  
10. amendment is adopted. It will be returned to 3rd Reading  
11. and then we'll take it after intervening business. We will  
12. now go to the second priority list and . . . For what purpose  
13. does Senator Mitchler arise?

14. SENATOR MITCHLER:

15. Mr. President, I wonder if I could have leave and join  
16. Senator Knuppel in sponsorship of House Bill 4681 in the  
17. Senate?

18. PRESIDENT:

19. Senator Mitchler will be shown as a co-sponsor. Senator  
20. Latherow?

21. SENATOR LATHEROW:

22. Mr. President, I'm ready with 4430 now.

23. PRESIDENT:

24. 4430. 4430, Senator Latherow.

25. SENATOR LATHEROW:

26. This is the Forest Products Transportation Act, new to the  
27. State of Illinois, and we're trying to put in legislation where  
28. we're going to be able to protect some of the thievery and so  
29. on that's been going on with the walnuts, especially, and also  
30. other types of timber products. I'd appreciate a favorable  
31. consideration.

32. PRESIDENT:

33. Senator Neistein.

1. SENATOR NEISTEIN:

2. Senator Latherow, as I look at the Digest, this was  
3. Tabled on June the 5th. Is that right?

4. PRESIDENT:

5. Senator Latherow.

6. SENATOR LATHEROW:

7. Senator Neistein, we had some questions on this bill  
8. in committee, and we thought possibly we might not have time  
9. to work it out, and it was left in committee right at that  
10. time, while we were trying to work on the amendment, and then  
11. when we got the amendment ready, we brought it back from the  
12. Table.

13. SENATOR NEISTEIN:

14. Under the terms of this bill, you're making it a misdemeanor  
15. if you cut, remove, or transport trees or forest products without,  
16. the consent of the owner. Well, under the law, since time immemorial,  
17. the law has been if you go and cut another man's tree down, you're  
18. guilty of criminal trespass. Now why do we need a law or a bill  
19. to make another law on the books? That's question number 1.  
20. Number 2, if a truck owner is transporting two or more trees  
21. in his truck, why is he presumed guilty, and he must . . . the  
22. police can stop him and he must produce indicia of ownership,  
23. et cetera. You're going contrary to the basic law that a man  
24. is innocent until proved guilty. Under this bill, if a man's  
25. transporting two trees or more, he can be stopped, and it's  
26. up to him to exonerate himself. And this is repugnant to my  
27. way of thinking to the American process of jurisprudence. And  
28. I think that it was a very great mistake when this bill was  
29. Tabled originally. It should have remained Tabled. And I'm  
30. going to oppose this bill.

31. PRESIDENT:

32. Is there further discussion? Senator Latherow may close  
33. the debate.

1. SENATOR LATHEROW:

2. Well, Mr. President, of course I don't know the matters  
3. that, one of them, that Senator Neistein talked about. But  
4. I'll say this, in what has been going on, there's  
5. an attempt under this and Senate Bill 4429 that went along  
6. with it for some way to identify. Naturally when they get  
7. them on the truck and they're gone with them, they're hard  
8. to identify them with any particular stump, tree, or whatever  
9. you might have left. And we are attempting to make some type  
10. of identification to this other bill, and then . . . and this  
11. one here, we're using it to assist in the identification and  
12. also to assist in the prosecution. I'd appreciate favorable  
13. consideration.

14. PRESIDENT:

15. Secretary will call the roll.

16. SECRETARY:

17. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,  
18. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson,  
19. Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall,  
20. Harris, Horsley, Hynes, Johns, Knuepfer, . . .

21. PRESIDENT:

22. Senator Horsley.

23. SENATOR HORSLEY:

24. Well, after I heard the remarks made by Senator Neistein,  
25. I got this bill out and took a look at it and I, certainly,  
26. Senator Neistein, don't see anything wrong with this bill. Because  
27. if you go on the land of another man and take his logs or his trees,  
28. haul them off and sell them, you can be prosecuted. Of course,  
29. I think that is the law now, probably, that you could be prosecuted  
30. for doing that. But this goes a little bit further and requires  
31. permits, and for these people who live down in the timberlands  
32. and in the bottom lands where walnut trees, mahogany, and these  
33. other trees are very expensive items, and worth a lot of money and,



1. if you'd walk out into your timberland some early morning  
2. and find that somebody in the night had cut down eight or ten  
3. of these trees worth several thousand dollars, I think you'd  
4. feel a little bit different about it. I don't share your fear  
5. at all of anybody innocently hauling a log down the highway  
6. being prosecuted for it wrongly because, under this, he has  
7. to have a bill of sale, or he has to have the consent of  
8. the owner. I think this is much needed legislation and I  
9. want to be recorded aye on it.

10. SECRETARY:

11. . . . Hynes, Johns, Knuepfer, Knuppel, . . .

12. PRESIDENT:

13. Senator Knuppel.

14. SENATOR KNUPPEL:

15. Mr. President and members of this Body, you have to realize,  
16. how badly this is needed by the people who raise and own timber  
17. and the value that's now attached to things like walnut trees and  
18. so forth. In this . . . . I think one of . . . One of the conservation  
19. magazines that came this week, showed a picture of some abandoned  
20. equipment where some people had been pirating logs. And it seems  
21. only reasonable to me that if a man finds some stumps and a thousand  
22. dollars worth of walnut gone that the law enforcement officers  
23. ought to at least, if a bulletin goes out, be able to question  
24. that man they've stopped who has walnut logs on his truck, and  
25. make him show where...whence he got those logs and what the source  
26. of them is. I'm told that Christmas trees are regularly stolen  
27. and the owners generally don't mind losing a tree here and there  
28. and that they generally lose from a dozen to two dozen trees.  
29. But they do object to people coming along with a truck and hauling  
30. off a truckload or a pickup truckload. Generally, with the  
31. declining rural population, these lands in the river bottoms  
32. and other places where they're located are quite some distance  
33. away from the people and they have no opportunity to watch them.

1. They may only go to the timber where these trees are located once  
2. every three or four weeks. This gives the law enforcement officer  
3. something to go on. This is a good bill for rural Illinois and  
4. for those people who raise Christmas trees, who own walnut logs,  
5. oak and other valuable timber. I would ask those members on this  
6. side of the aisle to support it. I vote aye.

7. SECRETARY:

8. Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy,  
9. Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga,  
10. Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas, Smith,  
11. Soper, Sours,

12. PRESIDENT:

13. Senator Sours.

14. SENATOR SOURS:

15. I can't understand the reluctance of the other side to support  
16. this bill. There's a lot of that going on especially out in the  
17. country where you and I drive by for example, we see someone cutting  
18. a tree, we know in our own mind it's the farmer himself cutting his  
19. own tree which isn't always the case. And we drive blithely by while  
20. we see something going on that we looked at as being legal and proper.  
21. This is a very necessary piece of legislation to those who have  
22. valuable hardwood trees on their farms. I would like to solicit  
23. the support of the other side. This is a good bill. I vote aye.

24. SECRETARY:

25. Swinarski, Vadalabene, Walker,

26. PRESIDENT:

27. Senator Walker.

28. SENATOR WALKER:

29. Thank you Mr. President and members of the Senate, Senator  
30. Neistein, this stealing of walnut trees out of my district, but  
31. across the line in Indiana, has been quite prevalent in the last  
32. several years. It doesn't happen in my district. We don't have  
33. in...in...particular walnut trees and Bernie, I don't this at all

1. contrary to our system of American jurisprudence. I think that  
2. purpose, as you well know as an astute lawyer, is to protect  
3. the innocent and punish the guilty. And I know if you had a farm  
4. and somebody clobbered you for six or eight of your favorite walnut  
5. trees that you'd want somebody to stop that truck going down the  
6. road to prove ownership of those trees and I think if you would  
7. kindly reverse your position and show your influence here that we  
8. could get the required number of votes on this bill. As my friend  
9. of long standing, I would now like to ask you to do so.

10. SECRETARY:

11. Weaver,

12. PRESIDENT:

13. Johns, aye. Course, aye. Senator Latherow.

14. SENATOR LATHEROW:

15. Well Mr. President, I'd like to say too in this. This is no  
16. different than a load of anything else...there...almost every load  
17. that's on the highway today carries some type of identification,  
18. whether it's livestock whether it is some type of dead weight freight  
19. or what it happens to be. But with the piracy that we have going on  
20. within the elements of the timber business, or especially with the  
21. walnuts and also quite often with those called Christmas trees, there  
22. are no means of identification of them or identification of the owner  
23. in this case. Much of this is done by people who are outside the area  
24. where the particular crop is being grown. The law enforcement officers  
25. know those people in the areas that are in the timber business and so on  
26. and their licensed timber operators. This, in itself, is some way  
27. to try to put some teeth in this law so there can be proper enforce-  
28. ment. Mr. President, I vote aye and I'd like you to call the absentees.

29. PRESIDENT:

30. Request for call the absentees. The absentees will be called.

31. SECRETARY:

32. Arrington, Bidwill, Bruce, Cherry, Davidson, Dougherty, Egan,  
33. Fawell, Gilb...Graham, Groen, Hall, Harris, Hynes, Knuepfer, Kosinski,

1. Lyons, McBroom, McCarthy, Merritt, Newhouse, Nihill, Palmer, Partee,  
2. Rock, Romano, Rosander, Saperstein, Savickas, Smith, Vadalabene,  
3. Weaver.

4. PRESIDENT:

5. Fawell, aye. Senator Latherow.

6. SENATOR LATHEROW:

7. Move to postpone consideration.

8. PRESIDENT:

9. Motion to postpone consideration all in favor signify by  
10. saying aye. Contrary minded. The motion to postpone consideration  
11. prevails. 4294, Senator Gilbert.

12. SENATOR GILBERT:

13. Senate Bill 4294 is the appropriation for the operation of  
14. Southern Illinois University both Carbondale and Edwardsville  
15. branch. I ask for a favorable roll call.

16. PRESIDENT:

17. The Secretary will call the roll.

18. SECRETARY:

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

27. PRESIDENT:

28. Kosinski, aye. Romano, aye. On that question the yeas are  
29. 31, the nays are none. The bill having received the constitutional  
30. majority is declared passed. Senator Partee is recognized.

31. SENATOR PARTEE:

32. Mr. President and members of the Senate, we have several conference  
33. committees that have to meet. Some of our members are away at a funeral.

1. I'm going to suggest that we recess until 2:30 and during that  
2. intervening period these conference committees can meet and there  
3. is another bit of business that we can accomplish during that  
4. period so I'm moving that we recess to 2:30.

5. PRESIDENT:

6. Motion is that the Senate stand in recess until 2:30. All in  
7. favor signify by saying aye. Contrary minded. The Senate stands  
8. in recess.

9. PRESIDENT:

10. If I may have your attention, we're still shy a few members  
11. but we have a guest here from the State of Iowa. A man who is a  
12. candidate for Lieutenant Governor in that State. I won't tell you  
13. which political party he's a candidate for...for political for  
14. Lieutenant Governor over there. But Bill Gannon, we're happy to  
15. have you here in the State Senate here in Illinois. Senator Baltz.

16. SENATOR BALTZ:

17. He's the first candidate for Lieutenant Governor I ever saw that  
18. was handsomer than our Lieutenant Governor.

19. PRESIDENT:

20. That is near sighted Senator Baltz there. Let's see if we can  
21. move on our Calendar...and Senator have a noncontroversial bill we  
22. can start off with while we're waiting for some of our colleagues to...

23. Senator Phil Rock?

24. SENATOR ROCK:

25. We're on House Bills, third reading, I take it?

26. PRESIDENT:

27. That's correct.

28. SENATOR ROCK:

29. Yes, Mr. President, and members of the Senate, I have a bill.  
30. House Bill 4590.

31. PRESIDENT:

32. 4590.

33. SENATOR ROCK:

1. This is probably not the best recommendation in the world  
2. but I want you to know that it passed the Judiciary Committee of  
3. the House unanimously. It passed the House 150 to nothing.  
4. At any rate, what this bill does it proscribes the dissemination  
5. of any list of registered gun owners. We have now two places at  
6. least in this State where people who own firearms register those  
7. firearms with the State and with the City of Chicago. All this  
8. bill says that if you register nobody else can walk in and take a  
9. look at that list. One of the problems that we've had in the City  
10. of Chicago apparently, and I'm convinced it's probably statewide  
11. is that people do have access to these lists of registered gun  
12. owners and they are subsequently burglarized and those guns are  
13. stolen. I don't think there's any controversy on this bill, I  
14. would ask for a favorable roll call.

15. PRESIDENT:

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

17. SECRETARY:

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

26. PRESIDENT:

27. Walker, aye. Donnewald, aye. Bruce, aye. Senator Laughlin.

28. SENATOR LAUGHLIN:

29. Yes, Mr. President, I haven't voted yet and occasionally I can  
30. ask questions when I'm trying to explain my vote...

31. PRESIDENT:

32. Senator Rock, why isn't the home rule amendment on this?

33. PRESIDENT:

1. Senator Rock.

2. SENATOR ROCK:

3. Why is not the home rule amendment on this? Because we have  
4. a municipal ordinance in the City of Chicago that provides that  
5. you have to register a firearm if in fact you own one. What we are  
6. doing here is proscribing anybody from getting at that list except  
7. law enforcement officials.

8. PRESIDENT:

9. Senator Laughlin.

10. SENATOR LAUGHLIN:

11. Exactly my point. Why don't you do that in your ordinance?  
12. Where else do they register firearms except in Cook County, except  
13. in this general act where you have to carry your picture around  
14. in the State of Illinois to have a license. Where else do you register  
15. arms in this State other than the City of Chicago?

16. PRESIDENT:

17. Senator Rock.

18. SENATOR ROCK:

19. Is it not a fact that the people register with the State?

20. PRESIDENT:

21. Senator Laughlin.

22. SENATOR LAUGHLIN:

23. No, you get a license in order to carry, to possess really, to  
24. possess, not to carry a firearms. So, what you've got is a problem  
25. unique to the City of Chicago and you always talk about home rule  
26. powers and now again we're down here without the home rule amendment  
27. and you want to pass the State law when you should be taking care of  
28. it in the City of Chicago. I don't understand it at all. I wish to  
29. be recorded no.

30. PRESIDENT:

31. Senator Rock...Senator Horsley.

32. SENATOR HORSLEY:

33. I haven't voted yet because I wanted to read this bill and the

1. <sup>Does it the more</sup> more I wonder about it. What do you mean here in line eight by  
2. proscribing from all persons? What do you mean proscribing from  
3. all persons?

4. PRESIDENT:

5. Senator Rock.

6. SENATOR ROCK:

7. It says proscribing the name and address of the persons registering  
8. their firearms. They...you cannot walk in and say, "Let me see the  
9. list of those registered gun owners."

10. PRESIDENT:

11. Senator...Horsley.

12. SENATOR HORSLEY:

13. I just...just a minute. I certainly agree with Senator Laughlin  
14. there is no State Statutes on the books today to the effect that we  
15. have to register a firearm with the State of Illinois. Now I have to  
16. get a permit if I'm going to own a hand gun, a shotgun, any kind of  
17. a gun, I have to have a gun permit. I carry that with me at all  
18. times but I know of no statute in the State that requires that I  
19. register whether my shotgun is a 14 gauge, 16 gauge or 20 or whatever  
20. it is and I don't think this law is applicable at all and I think  
21. it would be a mistake to pass it. Because there is no such law in  
22. the State and I vote no.

23. PRESIDENT:

24. Senator Rock requests a call of the absentees. The absentees  
25. will be called.

26. SECRETARY:

27. Arrington, Baltz, Berning, Bidwill, Carpentier, Cherry, Chew,  
28. Clarke, Collins,

29. PRESIDENT:

30. Just a moment. Senator Clarke.

31. SENATOR CLARKE:

32. Well, Mr. President, I'm more concerned with public officials  
33. using lists rather than not revealing them. I think too often we



1. have people selling lists of who owns this or that or the other  
2. thing. And I think this should be stopped because after all it's  
3. a matter of the individuals but I would certainly agree with Senator  
4. Laughlin that this is a problem of Chicago and Chicago could solve  
5. it themselves by city ordinance. I vote no.

6. SECRETARY:

7. Collins, Davidson, Dougherty, Fawell, Graham, Groen, Hall,  
8. Harris, Horsley,

9. PRESIDENT:

10. Senator Rock moves to postpone consideration. All in favor  
11. signify by saying aye, contrary minded. Motion prevails. On...  
12. Senator Coulson.

13. SENATOR COULSON:

14. While we have a moment, there is a House Bill on third reading  
15. sponsored by Senator Donnewald which on my request he would call back  
16. to second reading and I would like to offer an amendment.

17. PRESIDENT:

18. What is the number?

19. SENATOR COULSON:

20. 3768.

21. PRESIDENT:

22. 3768 is, oh it was advanced from second to third this morning,  
23. right. Senator Donnewald. 3768, Senator Coulson wishes to offer  
24. an amendment, Senator Donnewald.

25. SENATOR DONNEWALD:

26. I have no objections...I...it's a good amendment it makes the...  
27. the Governor requests that this amendment and the Treasurer, Alan  
28. Dixon, has no objection to it so I have no objection to the amendment  
29. at all.

30. PRESIDENT:

31. Is there any discussion? All in favor signify by saying aye,  
32. contrary minded, the amendment is adopted. It's returned to third  
33. reading. Senator Ozinga. Senator Coulson has the amendment right

1. in back of you, Senator Ozinga. Senator Coulson.

2. SENATOR COULSON:

3. It changes the language at about 15 places in the Statutes where  
4. it's mandatory to make it optional. It requires cooperation instead  
5. of obedience. It requires reasonable instead of arbitrary. It  
6. substitutes "may" for "shall" and, for about two pages, it makes the  
7. language of the Statutes less restrictive and more liberalizing  
8. and it includes the Governor as a participating party in any decisions  
9. or placements which are made.

10. PRESIDING OFFICER: (Senator Rock)

11. Senator, the Secretary advises the Chair that he does not  
12. have the amendment. Senator Donnewald.

13. SENATOR DONNEWALD:

14. Senator Coulson, I believe the amendments are being passed  
15. out here now. The Secretary should have one. Just a moment. Here...  
16. where's a Page?

17. PRESIDING OFFICER: (Senator Rock)

18. Senator Donnewald.

19. SENATOR DONNEWALD:

20. Well, the amendment is offered. I have no other comment to make.

21. PRESIDING OFFICER: (Senator Rock)

22. Senator Coulson. Oh, you have moved for the adoption of Amend-  
23. ment No. 1? All in favor of this adoption of this amendment in-  
24. dicate by saying aye. All opposed. The amendment is adopted. Any  
25. further amendments? Third reading. We will now proceed to the  
26. list of second priority bills and the bills to be called if you'll  
27. look at your Calendar. House Bills on third reading. House Bill  
28. 1318, Senator Latherow. 1668, Senator Mohr. 1669, Senator Mohr.  
29. 1781, Senator Mohr. 2033, Senator Mohr. This is going to be a  
30. Mohr afternoon. Senator Latherow, House Bill 1318.

31. SENATOR LATHEROW:

32. Mr. President, I don't know whether we have enough here to pass a

1. bill. Want to try it? Yes, Mr. President, Sena...

2. PRESIDING OFFICER: (Senator Rock)

3. For what purpose does Senator Groen arise? I'm sorry.

4. Senator Latherow.

5. SENATOR LATHEROW:

6. I'm trying to find my notes here but I think I have part of  
7. what it does. This bill, generally speaking, allows an interstate  
8. truck moving on the highway...you all received a folder on this  
9. about a week ago...generally speaking, allows those that are on  
10. foreign license that are on the pro rata and also on the reci-  
11. procity in Illinois to make pick-ups and drop packages along their  
12. route. Now, this we feel like and, I personally haven't had opposition  
13. to it myself and we feel like this could possibly make some difference  
14. in our pro rata by more usage of the State of Illinois by the  
15. ones that are licensed on pro rata basis. It says in a compact of,  
16. states that 16 other states that have adopted this attitude and the  
17. State of Illinois would join them if this passes. I'd appreciate  
18. a favorable consideration. I'd be glad to answer any questions.

19. PRESIDING OFFICER: (Senator Rock)

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

21. SECRETARY:

22. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll,  
23. Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald,  
24. Dougherty, Egan...

25. PRESIDING OFFICER: (Senator Rock)

26. Senator Egan.

27. SENATOR EGAN:

28. Thank you, Mr. President, members of the Senate. In explaining  
29. my vote, I would like to introduce our old friend, Mrs. Copeland,  
30. who is the grandmother of my secretary from Logan County. Would  
31. you stand up and be recognized, Mrs. Copeland?

32. SECRETARY:

33. Fawell, Gilbert, Graham, Groen, Hall, Harris, Horsley, Hynes,

1. Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow, Laughlin,  
2. Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr, Neistein,  
3. Newhouse, Nihill, O'Brien, Ozinga...

4. PRESIDING OFFICER: (Senator Rock)

5. Senator Ozinga.

6. SENATOR OZINGA:

7. As long as I haven't violated the rules so far this Session I'd  
8. like to take this chance of casting my vote but before doing so in-  
9. troducing my seatmate Miss Bridget Trapp whose grandmother and mother  
10. are seated up in the balcony. Her grandmother happens to be my sec-  
11. retary. I'd like her to stand and be recognized. And now I'll  
12. vote aye.

13. SECRETARY:

14. Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas,  
15. Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

16. PRESIDING OFFICER: (Senator Rock)

17. Request for a call of the absentees. The absentees will be called.

18. SECRETARY:

19. Arrington, Bidwill, Bruce, Carpentier, Carroll, Cherry, Chew,  
20. Collins, Davidson...

21. PRESIDING OFFICER: (Senator Rock)

22. Senator Cherry.

23. SENATOR CHERRY:

24. The a...I've been checking this bill that our staff has re-  
25. searched. The passage of this bill would allow foreign truckers to  
26. come in and operate in Illinois at a lesser license plate fee than  
27. our Illinois carriers. I vote no.

28. PRESIDING OFFICER: (Senator Rock)

29. Continue the call of the...for what purpose does Senator  
30. Latherow arise?

31. SENATOR LATHEROW:

32. Mr. President, I don't believe that statement is quite correct.  
33. They can operate only on the agreed area that they have been given to.

1. operate by the Illinois Commerce Commission. They're not to change  
2. their routes or deviate from where their operation has been. They  
3. can drop off packages or pick up packages which is something that  
4. we today allow on the interstate system on the Commerce Commission  
5. as far as the bus people are concerned and it's no more than  
6. what the bus people have the opportunity to do right now.

7. PRESIDING OFFICER: (Senator Rock)

8. For what purpose does Senator Cherry arise?

9. SENATOR CHERRY:

10. Ask Senator Latherow a question. Doesn't the Illinois Secretary  
11. of State oppose this bill, Senator?

12. PRESIDING OFFICER: (Senator Rock)

13. Senator Latherow.

14. SENATOR LATHEROW:

15. No Sir.

16. PRESIDING OFFICER: (Senator Rock)

17. Continue the roll call.

18. SECRETARY:

19. Chew, Collins, Davidson, Donnewald, Dougherty, Fawell, Graham,  
20. Hall, Harris, Hynes, Knuppel, Kosinski, Kusibab, Latherow, Lyons,  
21. McCarthy, Merritt, Mitchler, Neistein, Newhouse, Nihill, Palmer,  
22. Partee, Romano, Rosander, Saperstein, Savickas, Smith, Swinarski  
23. and Weaver.

24. PRESIDING OFFICER: (Senator Rock)

25. Motion to postpone consideration. Consideration will be  
26. postponed. House Bill 1668. Senator Mohr.

27. SENATOR MOHR:

28. Yes, Mr. President, House Bill 1668 and 1669. I think that  
29. we should probably call House Bill 1781 first and if that passes,  
30. which I am quite sure it will, I'd like the same roll call on 1668  
31. and 1669 and Senator Bruce has the House Bill 3785 that would all  
32. be affected by the action on 1781 so if we could include. I've  
33. talked to Senator Bruce if we can include.

1. PRESIDING OFFICER: (Senator Rock)

2. You want to call 1781 first.

3. SENATOR MOHR:

4. Ah, well I suppose we could take the same roll call on the  
5. four bills if it were permissible.

6. PRESIDING OFFICER: (Senator Rock)

7. Is there any objection to that procedure. Is Senator Bruce  
8. on the Floor?

9. SENATOR MOHR:

10. We'll go with 1781 if you want. I've talked to him, I've  
11. cleared it with him.

12. PRESIDING OFFICER: (Senator Rock)

13. Well which ever way you want to go is fine.

14. SENATOR MOHR:

15. I think we could save time. If Senator Bruce gets back on  
16. the Floor here, we could call all four of them. Why don't I go  
17. with...Senator Bruce's bill is 3785.

18. PRESIDING OFFICER: (Senator Rock)

19. All right which bill do you wish to proceed at this point. He  
20. said go ahead. We are considering now then House Bill 1668, House  
21. Bill 1669, House Bill 1781 and House Bill 3785. Is there any ob-  
22. jection to that consideration? So ordered. Senator Mohr.

23. SENATOR MOHR:

24. I'll go with 1781 and we will see what this will do to the  
25. other three bills. House Bill 1781 creates the Poison Prevention  
26. Packaging Act that provides for special packaging of household sub-  
27. stances to protect children primarily from injury from harmful sub-  
28. stances. This Act would conform with the Federal Act that was  
29. passed in 1970. The need is recognized by all persons I'm sure.  
30. Each year there are about 400 lives lost in children that get into  
31. packages that are not, do not conform with the Federal Act so they  
32. are putting some emphasis on the correcting the faulty packaging.  
33. Also this would cover insecticides, and household items that are also

1. packaged and considered dangerous. The House Sponsor, Representative  
2. George Burditt, who is recognized as the outstanding man in this  
3. field has drafted this legislation. I know of no opposition to it.  
4. All concerned are in support of this bill so if we can have a favor-  
5. able roll call on that one and have it take in the other three. The  
6. other three...House Bill 1668 would amend the Uniform Hazardous  
7. Substance Act to broaden a definition of misbranded hazardous sub-  
8. stance and 1669 provides that a food, that a food is adulterated or  
9. a drug device or a cosmetic is misbranded if packaging or mislabeling  
10. is in violation of the Illinois Poison Prevention Packaging Act.  
11. Senator Bruce's Bill, 3785, amends the Economic Poison Law to make it  
12. compatible with the Illinois Poison Prevention Packaging Act.

13. PRESIDING OFFICER: (Senator Rock)

14. Senator Laughlin. May we have a little order here, please.

15. SENATOR LAUGHLIN:

16. I just have one question, Senator Mohr. This bill was intro-  
17. duced in April 1971 and in looking at the digest, oh, it was amended  
18. and went someplace else last Fall and tabled and then resurrected  
19. and when you say it complies with the Federal Law, when was the  
20. Federal Law passed, I mean I don't get the significance at all.  
21. I'm not trying to...

22. PRESIDING OFFICER: (Senator Rock)

23. Senator Mohr.

24. SENATOR MOHR:

25. The Federal Law was passed in 1970 and this bill did come over  
26. and it wasn't called...which through no fault of anybodys, it just  
27. wasn't called and we did ask to have it back on the Calendar. I  
28. think this probably could have waited until next January, however,  
29. Representative Burditt is retiring and I'm sure he would like to  
30. see the Act complete before he leaves.

31. PRESIDING OFFICER: (Senator Rock)

32. Is there any further discussion? Senator Bruce. Senator  
33. Latherow.

1. SENATOR LATHEROW:

2. Well, Mr. President, I was just looking on the top of page 4  
3. and wondering what would happen in the case where it says here this  
4. package for household without young children and that my own or  
5. anyone else's where there are no longer young children except on oc-  
6. casion where they may come to visit and something happens when they  
7. get ahold of this and what position would I be in. Am I an illegal  
8. possessor of that if some young child is visiting my home?

9. PRESIDING OFFICER: (Senator Rock)

10. Senator Mohr.

11. SENATOR MOHR:

12. No, I don't think you'd be an illegal possessor, Senator. I'm  
13. sure in everyone's home there's a package that a youngster could get  
14. into, a bottle, or a jar, or a tube or a can. What this does is  
15. try to have a uniform standard packaging device. They find, for  
16. example, that the plastic cap works out much better than a screw  
17. top. What we are trying to do is protect, well everyone, but  
18. children under five. Tests will show by proper packaging they have  
19. been able to eliminate the many, many deaths because of that.

20. PRESIDING OFFICER: (Senator Rock)

21. Senator Latherow.

22. SENATOR LATHEROW:

23. Well, I don't question the possibility of what you're saying  
24. but when you put on there instead of saying poisonous substance or  
25. something like that which is on most of them, you say this package  
26. for household without young children I wonder how far in court you  
27. and I might get if some child would get ahold of one of them in  
28. our household. Now that is what I'm wondering.

29. PRESIDING OFFICER: (Senator Rock)

30. Senator Mohr.

31. SENATOR MOHR:

32. Well I can't really answer that. The Director of Public Health  
33. probably could for you but I don't think that would be unreasonable.



1. PRESIDING OFFICER: (Senator Rock)

2. Is there any further discussion? Senator Mohr, did we wish  
3. to take all four bills on one roll call. Is there any objection  
4. to that? We will now consider House Bill 1668, 1669, 1781 and  
5. 3785. Secretary will call the roll.

6. SECRETARY:

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

15. PRESIDING OFFICER: (Senator Rock)

16. Egan, aye, O'Brien, aye, McBroom, aye, Donnewald, aye, Newhouse,  
17. aye, Kosinski, aye, Mohr, aye. On House Bill 1668, the yeas are  
18. 33 the nays are none. This bill having received the constitutional  
19. majority is declared passed. House Bill 1669, the yeas are 33 the  
20. nays are none. This bill having received the constitutional majority.  
21. House Bill 1781, the yeas are 33, the nays are none. This bill  
22. having received the constitutional majority is declared passed.  
23. House Bill 3785, the yeas are 33, the nays are none. This bill hav-  
24. ing received the constitutional majority is declared passed.  
25. Senator Mohr, House Bill 20...Senator Groen.

26. SENATOR GROEN:

27. Is this the same series?

28. PRESIDING OFFICER: (Senator Rock)

29. No.

30. SENATOR GROEN:

31. I have two bills on Third Reading that I would like to  
32. bring back to Second for amendment. They are now agreed amendments.  
33. If I could get that order in in some future time.

1. PRESIDING OFFICER: (Senator Rock)

2. We're going right down the list Senator. Senator Mohr, House  
3. Bill 2033. Hold it. House Bill 2780, House Bill 2882. 3077, is  
4. Senator Hynes on the Floor? House Bill 3077, hold that. House  
5. Bill 3080, Senator Davidson. House Bill 3588, Senator Savickas.  
6. Hold that. House Bill 415...the next bills to be called, if I can  
7. have your attention for a moment, will be in the second column.  
8. House Bill 4155, Senator Graham, House Bill 4179. Is someone handling  
9. that for Senator Harris? That's all on that column. Senator Graham  
10. is not here. House Bill 4179, is anyone handling that bill for  
11. Senator Harris? Senator ParTEE, there are no more bills listed on  
12. the second priority list. Do we just start at the top of the House  
13. Bills on Third Reading and go right on through? What's your pleasure?

14. SENATOR PARTEE:

15. Before we do that I'd like to make a motion, having talked with  
16. Senator Clarke, we have no disagreement on it, to take House Bills  
17. 2708 and 2528 from the table and place them on the Calendar at what-  
18. ever point they were.

19. PRESIDING OFFICER: (Senator Rock)

20. Is there any objection? So ordered. Senator Groen.

21. SENATOR GROEN:

22. Mr. President, 4286 and 4676 were both on the priority list.  
23. They were passed this morning because of amendments and those amend-  
24. ments have now been agreed to by the leadership on both sides of  
25. both Houses and I would ask unanimous consent to return those bills  
26. to the order of Second Reading in each case for the purpose of  
27. amendments to each of the two.

28. PRESIDING OFFICER: (Senator Rock)

29. Is there any objection. So ordered. Senator Groen, do you  
30. have the amendments?

31. SENATOR GROEN:

32. The amendments are on the Secretary's desk and in the case of  
33. Senate Bill, or House Bill 4286, this, as you know, we have discussed

1. previously and it was a matter of, largely I think, of semantics in  
2. arriving at the philosophy of the purpose and thrust of this com-  
3. mission that would be agreeable to all concerned. There was some  
4. difference in thinking of just what undertaking should be accomplished  
5. by such a commission and it was difficult to arrive at suitable  
6. wording that satisfied all the people involved. The amendment would  
7. amend the bill on page one and on line one and would read, "An Act  
8. creating the Illinois Economic and Fiscal Commission which becomes  
9. its new name." Line 17 is stricken and the first word of line 18  
10. is stricken and substituted, therefore, Section 2 the Illinois Economic  
11. and Fiscal Commission, in the operations of state government at the  
12. end of line 16. Line 27 is stricken and it is substituted, therefore,  
13. to improve the functioning of State government and the economy of  
14. the various and then it would go on of course, regions within the  
15. State. Line 32 the word "programming" is stricken. On page 3, line  
16. 21, the end of the word staff is added. The staff shall carry out the  
17. study projects as assigned by the commission. On page 4, lines one  
18. and two the words Joint Legislative Commission of Economic Advisors  
19. is stricken and the following is substituted: Illinois Economic and  
20. Fiscal Commission and also, on page 4, line 5, and the first word of  
21. line 6 is stricken and substituted therefore reappropriated to the  
22. Illinois Economic and Fiscal Commission. If there are further questions  
23. I will try to answer them. That is the way the bill will read if this  
24. amendment is adopted. Those are the changes that are made by the  
25. amendment being offered which is Amendment No. 1, and I would move  
26. its adoption.

27. PRESIDING OFFICER: (Senator Rock)

28. Senator Groen has moved the adoption of Amendment No. 1 to  
29. House Bill 2486. Any discussion? Senator Bruce.

30. SENATOR BRUCE:

31. Yes, Senator Groen, is it your intention to hold this bill for a  
32. day so we could take a look at the amendment or do you plan to move it  
33. today?

PRESIDING OFFICER: (Senator Rock)

1. Senator Groen.

2. SENATOR GROEN:

3. I would like to move the bill to Third Reading but I'm perfectly  
4. willing to hold it until tomorrow for its passage if that be your  
5. desire. The amendments, both amendments have been distributed. I  
6. discussed it with Senator Partee and he expressed his approval to  
7. this action.

8. PRESIDING OFFICER: (Senator Rock)

9. Is there any further discussion? Senator Groen has moved that we  
10. adopt Amendment No. 1 to House Bill 4286. All in favor of the adoption  
11. of this amendment indicate by saying aye. All opposed. The Amendment  
12. is adopted. Any further amendments? Third reading.

13. SENATOR GROEN:

14. 4676, Mr. President, on line 6 on page one changes \$200,000 to  
15. \$265,000 which is an agreed amendment. On page one deleting lines  
16. 2 and 3 and inserting in lieu thereof contingent expenses of the  
17. Illinois Economic and Fiscal Commission and in that same page in  
18. line 7 by deleting the words Joint Legislative and inserting in lieu  
19. thereof the word Illinois. In line 8 by deleting Commission of  
20. Economic Advisors and inserting in lieu thereof the words Economic and  
21. Fiscal Commission. This would bring it in conformity with the wording  
22. of the previous bill that we just amended and I would move the  
23. adoption of Amendment No. 1 to House Bill 4676.

24. PRESIDING OFFICER: (Senator Rock)

25. Is there any discussion? Senator Groen has moved adoption of  
26. Amendment No. 1 to House Bill 4676. All in favor of the adoption of  
27. the Amendment signify by saying aye. All opposed. The Amendment is  
28. adopted. Any further amendments? Third Reading. Senator Groen.

29. SENATOR GROEN:

30. Now, Mr. President, a point of inquiry. If I might have the  
31. attention of Senator Bruce. Senator, these are now amended bills  
32. and will have to go back to the House for concurrence with these  
33. amendments and I do not know what the time schedule is but if I

1. could impose upon your kindness I would appreciate your directing  
2. your attention to these if you would at the earliest possible  
3. moment, we might get them out of here, hopefully at least, and get  
4. them over to the House for their consideration. Thank you.

5. PRESIDING OFFICER: (Senator Rock)

6. Senator Bruce has indicated his willingness to comply.

7. Senator Partee. All right, we'll go to the order of Senate Bills  
8. with House Amendments at the bottom right of the Calendar. Senate

9. Bill 485, Senator Knuepfer. Senator Partee, Senator McCarthy is  
10. not here with regard to...

11. SENATOR PARTEE:

12. Just a minute, I cannot hear, I'm sorry.

13. PRESIDING OFFICER: (Senator Rock)

14. Senator McCarthy is not here in regard to Senate Bill 890.

15. Do you wish to call that one?

16. SENATOR PARTEE:

17. Well Senator Noistein was the co-sponsor and he isn't here. I  
18. guess he will be here in a moment, can we hold that just a minute?

19. PRESIDING OFFICER: (Senator Rock)

20. Yes we can. Senate Bill 1056. Senator Horsley, do you wish to  
21. call that? Senator Horsley. We're on the order of Senate Bills

22. with House Amendments. You have Senate Bill 1056.

23. SENATOR HORSLEY:

24. Mr. President, could I pass that for about 5 minutes. Senator  
25. Vadalabene has asked that I hold it up for just about 5 minutes. I  
26. want to answer a question for him and I have the powers that be out  
27. in the hall and I hope to answer his question.

28. PRESIDING OFFICER: (Senator Rock)

29. Certainly. Senator Fawell of the Floor? Senator Saperstein,  
30. Senate Bill 1555. Senator Saperstein.

31. SENATOR SAPERSTEIN:

32. Mr. President and gentlemen, I move not to concur with the  
33. House Amendment on Senate Bill 1555 and request a Conference Com-

1. mittee.

2. PRESIDING OFFICER: (Senator Rock)

3. Senator Saperstein has moved to non-concur with House Amend-

4. ment Number 2. Is there any discussion? Senator Knuepfer.

5. SENATOR KNUEPFER:

6. I think we ought to make this Body aware of what the issue is.

7. I don't know what the amendment, what amendment did the House put

8. on and what is the issue?

9. PRESIDING OFFICER: (Senator Rock)

10. Senator Saperstein.

11. SENATOR SAPERSTEIN:

12. The House Amendment Number 2 reduced the total expenditures for

13. the Chicago and downstate retirement fund by an amount of \$52 million

14. dollars. Now, if you recall the House, the Senate Bill left the

15. Senate with a...pardon me...all right.

16. PRESIDING OFFICER: (Senator Rock)

17. Is there any further discussion? Senator Saperstein, you have

18. moved to non-concur in the House Amendment. All in favor of the

19. motion to not concur in the House Amendment to Senate Bill 1555

20. indicate by saying aye. All opposed. So ordered, Conference Com-

21. mittee...or not it goes back...okay. House Bill, or Senate Bill 1566,

22. Senator Clarke. Senator Clarke.

23. SENATOR CLARKE:

24. I don't have a copy of it, what is the House Amendment? Well

25. we non-concurred yesterday to that I believe. Let's hold it.

26. PRESIDING OFFICER: (Senator Rock)

27. Senator Fawell. On Senate Bill 1542. Senate Bill with a

28. House Amendment.

29. SENATOR FAWELL:

30. Yes, I think leadership on both sides have approved that and I

31. move to concur in the House Amendment which actually decreased and

32. increased, but the net was no change at all in regard to the Mental

33. Health budget.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Can we have some order, we're at passage stage of this Bill  
3. apparently. Senator Fawell.

4. SENATOR FAWELL:

5. The, a...there were two amendments made in the House and the  
6. net change is approximately zero. The, there was an increase in the  
7. contractual services fund, I mean a decrease and there was an in-  
8. crease insofar as basic salaries at both Lincoln and Dixon State  
9. Schools for the retarded but, as I indicated, the overall net change  
10. is approximately zero. The two offset each other.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Is there any discussion? Senator Fawell has moved that the  
13. Senate concur with House amendments numbers one and two to Senate  
14. Bill 1542 and on that question the Secretary will call the roll.

15. SECRETARY:

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

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Walker, aye, Hall, aye, Egan, aye, Bruce, aye, Johns, aye, Carroll,  
26. aye, Carpentier, aye, McBroom, aye, Palmer, aye, O'Brien, aye, Hynes,  
27. aye. On that question the yeas are 37, the nays are none. Senate  
28. concurs with the House amendments to Senate Bill 1542. Senator Clarke.

29. SENATOR CLARKE:

30. Now I'm ready to act on Senate Bill 1566.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senate Bill 1566. 1566.

33. SENATOR CLARKE:

1. I move that we nonconcur in House amendment number one.  
2. That amendment is one that just cuts all of these line items  
3. in half in terms of salaries and this ought to go to Conference  
4. Committee.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Clarke has moved the Senate not concur with House  
7. amendment number one to Senate Bill 1566. All in favor of that  
8. motion indicate by saying aye. All opposed. Senate does not  
9. concur. Senator Knuepfer, are you ready on Senate Bill 48...no  
10. okay. Senator Partee, Senate Bill 890, do you wish to...Senator  
11. Neistein is on the Floor.

12. SENATOR PARTEE:

13. I don't think you have enough people here. Can you hold it  
14. for just a little bit?

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Well, we'll go to the order of House Bills on third reading.  
17. We'll just start at the top and go right down. Senator Laughlin,  
18. for what purpose do you arise?

19. SENATOR LAUGHLIN:

20. Well, if you were looking for a Bill this morning, I said I  
21. couldn't explain House Bill 3743. I'm not sure I can now, but  
22. meanwhile, Senator Partee has distributed to all the members...they  
23. have on their desk a three page memorandum on House Bill 3743, and  
24. I don't think there's controversy about it and I do think it's  
25. important and if there's no objection, I'd take it at this time  
26. unless Senator Partee doesn't want to take it. House Bill 3743,  
27. Senator Partee.

28. SENATOR PARTEE:

29. You mean to go ahead and call it now?

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Yes. Fine. House Bill 3743, Senator Laughlin.

32. SENATOR LAUGHLIN:

33. I do need a three-fifths vote when the time comes and so I



1. assume we have enough people here and there isn't controversy. This  
2. bill addresses itself to the effective date of laws. The first  
3. thing it does is to define what is the passage of a bill and it  
4. codifies what the court decided in People Exrelklinger vs. Howlett,  
5. the parochiaid decision. In other words, when you refer to the  
6. passage of a bill we mean the final legislative action rather  
7. than the initial passage of the bill before it is presented to the  
8. Governor. This I believe there is no question about, and this I  
9. think is rather easy to understand. Then we get to the question or  
10. questions involved as to bills passed before July 1st, vetoed by  
11. the Governor, reduced line item by the Governor or with suggested  
12. changes by the Governor. In Section 3 of this bill addresses itself  
13. to these problems. For example, under Section 3, laws passed before  
14. July and then subsequently returned by the Governor, sub-section (a)  
15. says a law including an item of appropriation which was vetoed by the  
16. Governor and passed prior to July 1st of a calendar year notwith-  
17. standing the Governor's veto pursuant to paragraphs of the Constitution  
18. shall become effective on October 1st following its becoming a  
19. law unless such law or item by its terms or by the terms of the law  
20. containing such items specifically provides a different effective  
21. date.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Excuse me, Senator. Can we have some order. Will you take  
24. those Conference Committees off the Floor, please.

25. SENATOR LAUGHLIN:

26. Now Sections B, C and D address themselves to these situations  
27. that apply and arise on laws originally passed before July 1st  
28. and they pretty much codify what the law is now but then Section 4  
29. applies to laws passed after July which are returned by the Governor  
30. and I think I'll just take the time to read the Sections: A. A law  
31. including an item of appropriation which was vetoed by the Governor  
32. and was passed, final action after July 1st of a calendar year not-  
33. withstanding the Governor's veto pursuant to certain articles of the

1. Constitution shall become effective on the date on which it becomes  
2. a law unless such law or item by its item or terms, by the terms of  
3. the Act containing such items specifically provided at a later effective  
4. date. B: An item of appropriation restored to its original  
5. amount to the General Assembly after July 1st of a calendar year shall  
6. become law in the original amount upon being so restored pursuant to  
7. paragraph D of Section 9 or Article 4 of the Constitution and shall  
8. become effective on the date it becomes a law unless such item by its  
9. term or by the terms of the law in which it is contained specifically  
10. provides a later date. C: A law passed after July 1st of a calendar  
11. year by acceptance by the General Assembly of the Governor's specific  
12. recommendation for change shall become effective on July 1st following  
13. the Governor's certification of such acceptance conforms to his  
14. specific recommendations unless the law, by its terms, specifically  
15. provides for a different effective date provided that if such different  
16. effective date is before July 1st following the date on which  
17. it becomes law, the law shall become effective on the date it becomes  
18. law or on the different effective date whichever is later, only if it  
19. is passed by a 3/5th vote of the members elected to each House. The  
20. foregoing rule applies irrespective of whether the different effective  
21. date contained in the individual law was changed or incorporated into  
22. such law by the acceptance of the Governor's specific recommendation  
23. for change. And D: A law passed after July 1st of a calendar year  
24. in the form in which it was initially presented to the Governor notwithstanding  
25. the Governor's specific recommendation for change pursuant  
26. to appropriate Article in the Constitution shall become effective on  
27. the date it becomes a law unless by its terms it provides a later  
28. effective date. These changes...those are the substantive changes, if  
29. you want to call them that. The writer of the memorandum, Mr. Epstein,  
30. says under the present Constitution and under the Supreme Court's  
31. interpretation of passage of a bill vetoed by the Governor does not  
32. contain a specific effective date provision and that includes most  
33. bills even if the General Assembly overturns the veto by 3/5th vote.

1. the following October or November, the law could not become effective  
2. before the following July 1st, since it can't be further amended  
3. to insert an earlier effective date. This would have the effect  
4. of permitting the Governor in such a veto of pretty well stalling a  
5. program which the General Assembly thought should take effect much  
6. sooner than the following July 1st. In other words, I think  
7. and I've gone over it with our staff member and Mr. Epstein, that  
8. this bill addresses itself to a problem that will bring certainty  
9. into the law where certainty in some instances does not exist now  
10. and within the limits of my ability to find the right sections.  
11. I'll answer any questions.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Is there any discussion? Senator Knuppel.

14. SENATOR KNUPPEL:

15. I just...Senator Laughlin took his bill so he could answer  
16. any questions. I didn't have any this morning now after hearing  
17. the explanation, I do. Under D on page 4 of the amendment...a law  
18. passed after July 1st of a calendar year in the form of which it was  
19. initially presented the Governor notwithstanding the Governor's  
20. specific recommendation for change pursuant to Paragraph E of  
21. Section 9 of Article 4 of the Constitution shall become effective  
22. on the date it becomes law unless by its terms it provide an effec-  
23. tive date. Now according to the Constitution, if that bill was  
24. passed, if that law was passed after July 1st, it was to be postponed  
25. until the following July 1st. Now could the Governor not by making  
26. an amendatory veto and having it overridden in the Fall Session  
27. thereby get an earlier effective date than would otherwise prevail  
28. with respect to a specific piece of legislation?

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Laughlin.

31. SENATOR LAUGHLIN:

32. Yes, I think the answer to your question is yes as I understand  
33. it, Senator Knuppel. I don't think that's bad.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Knuppel.

3. SENATOR KNUPPEL:

4. Well, don't you think this probably goes contrary to what the  
5. intent of the Constitutional Convention was with respect to any  
6. bill passed after July 1st.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Laughlin.

9. SENATOR LAUGHLIN:

10. I don't know and as you and I had a conversation in the men's  
11. room not too long ago, you're not at all sure what the Constitutional  
12. Convention really intended and what you told me was you sort of  
13. messed it up when you provided for these different kinds of vetoes.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Is there any further discussion? Senator Knuppel.

16. SENATOR KNUPPEL:

17. I, I, I think Senator Laughlin is taking a little bit of  
18. liberty with what I said in paraphrasing but what I said was I  
19. think that we did never intend such a complicated law with respect  
20. to when something did or didn't pass but that is, the Legislative  
21. Committee didn't, but when the Executive Committee come in with this  
22. smorgasbord of vetoes, I think this law became necessary; but I still  
23. don't think...I still don't think that particular provision of this,  
24. of this law corresponds to what the intent of anybody in the Con-  
25. stitutional Convention was and that was that any bill passed after  
26. July 1st so that the Lawyers and Judges might have an opportunity to  
27. know what it meant should be effective before the following July 1st  
28. and this effectively allows the Governor to advance that date.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Is there any further discussion? Senator Laughlin may close  
31. the debate.

32. SENATOR LAUGHLIN:

33. I have no further comment to make. Call the roll. I need

1. a three-fifths vote.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. The Secretary will call the roll.

4. SECRETARY:

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

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Carpentier, aye. Walker, aye. Mitchler, aye. Nihill, aye.  
15. Carroll, aye. Baltz, aye. Bruce, aye. Newhouse, aye. On that question  
16. the yeas are 40, the nays are none. The bill having received the  
17. required majority is declared passed. Senator Groen has asked that  
18. we move to the order of consideration postponed to consider House  
19. Bill 4455. Is there any objection? Senator Groen.

20. SENATOR GROEN:

21. Well, Mr. President, this was the bill as the members will  
22. recall, that I explained at great length when it was previously  
23. called. The objections were made to it by Senator Cherry and I  
24. suggested to the Body at that time that I would place the bill on  
25. postponed consideration because I deemed it a bill of great importance  
26. to the Department and would not want it to go down to defeat because  
27. Senator Cherry, perhaps, had not had an opportunity to confer with  
28. the Department and study the bill a little more carefully. Since  
29. that time, Senator Cherry has conferred with the Department of  
30. Insurance and he advised me this morning that he is now completely  
31. satisfied that the bill is a good bill and suggested that I call it  
32. at the first opportunity. If anyone desires to have the bill re-  
33. explained I will try to do so. It...otherwise it's, it's an explanation

1. that has been previously made and I don't believe that repetition  
2. is necessary. If anyone has any questions, I would be delighted to  
3. try to answer otherwise I would ask for your support.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Cherry.

6. SENATOR CHERRY:

7. What Senator Groen states is correct. I checked with the  
8. Department of Insurance and these are reports and payment of franchise  
9. fees made by the various institutions which collect approximately  
10. 15 thousand dollars a year. The reason they wanted to extend the  
11. time is because it costs them approximately 15 thousand a year. So  
12. advancing the time would substantially reduce the cost for the State  
13. and I find nothing wrong with the bill now and our objections are re-  
14. moved.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Is there any discussion? Senator Groen, do you wish to close  
17. the debate?

18. SENATOR GROEN:

19. Roll call.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. The Secretary will call the roll.

22. SECRETARY:

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

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Coulson, aye. Collins, aye. Horsley, aye. Lyons, aye. Senator  
33. Davidson, aye. On this question the yeas are 42, the nays are none.

1. This bill having received the constitutional majority is declared  
2. passed. If you look at your Calendar now we'll just begin  
3. on House Bills on third reading and start at the top and go  
4. down. I don't know how many times we'll be able to get through this  
5. Calendar but we're going to start. House Bill 1339, Senator...  
6. oh, excuse me, before we do that we have messages from the House  
7. that have just come over. Messages from the House.

8. SECRETARY:

9. These are messages from the House reporting refusal to concur  
10. in Senate amendments. The first bill is House Bill 1464, Senator  
11. Johns.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Johns.

14. SENATOR JOHNS:

15. On Senate Bill 1464, is that correct? House Bill, I beg your  
16. pardon. I move to refuse to recede to the House on Senate amend-  
17. ment number one and I have asked for a Conference Committee to be  
18. appointed. Oh, no I don't have the amendment. It's a two day  
19. personal leave for teachers outside of their regular schedule.  
20. Senator Gilbert, this is the amendment that you and I worked on then  
21. the House refused to accept it and I don't want to recede to that  
22. change.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator Johns has moved to refuse to recede from Senate amend-  
25. ment number one. All in favor of that motion indicate by saying  
26. aye. Opposed. Senator Partee.

27. SENATOR PARTEE:

28. The Senate amendment did what exactly?

29. SECRETARY:

30. The Senate amendment provided for the annual grant of two  
31. days of personal leave for the teachers.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Partee.

1. SENATOR PARTEE:

2. And the House amendment took that out, is that what you are  
3. saying?

4. PRESIDING OFFICER: (SENATOR ROCK)

5. They refused to accept the Senate amendment. Senator Johns  
6. has moved to recede. It's been so ordered, the Conference Committee  
7. will be appointed. ...to refuse to recede. No no, to...is refused  
8. to recede from the amendment and request the appointment of a  
9. Conference Committee. All in favor indicate by saying aye, all  
10. opposed. So ordered.

11. SECRETARY:

12. House Bill 29 or 4293, they refused to concur with Senate  
13. amendment number one and this is Senator Latherow's bill.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Latherow.

16. SENATOR LATHEROW:

17. Well, I think, Mr. President, that I probably moved to recede  
18. but I think probably in all fairness we...it ought to have the  
19. other side aware of what bill it was. This is the Conservation  
20. Department bill.

21. PRESIDENT:

22. Is there further discussion? The motion is to recede from  
23. the Senate amendment on the House Bill. The Secretary will call  
24. the roll. Senator Bruce.

25. SENATOR BRUCE:

26. The motion is to recede from the Senate...

27. PRESIDENT:

28. Senate amendment.

29. SENATOR BRUCE:

30. Senate amendment and how many votes will that require?

31. PRESIDENT:

32. Thirty. This is final action. Any final action on a bill  
33. requires thirty votes. Senator Berning.



1. SENATOR BERNING:

2. I'm sorry I didn't get the explanation. Now what is it that  
3. we are doing?

4. PRESIDENT:

5. We're the motion is <sup>to</sup> recede from the Senate amendment to the  
6. bill. And on that question the Secretary will call the roll.

7. It takes thirty votes to recede from the amendment.

8. SECRETARY:

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

16. PRESIDENT:

17. Senator Soper.

18. SENATOR SOPER:

19. Now just a point of parliamentary procedure here... information.  
20. Now what are we doing here? We put on...the Senate put on an amend-  
21. ment on this bill? What does the House do? The House took the  
22. amendment off?

23. PRESIDENT:

24. That is correct.

25. SENATOR SOPER:

26. Now what's our position?

27. PRESIDENT:

28. Well the House refused to concur on the amendment and the motion  
29. of Senator Latherow's, I understand, is that the Senate recede from  
30. the amendment that we go along with taking the amendment off.

31. SENATOR SOPER:

32. Okay.

33. SECRETARY:

1. Swinarski, Vadalabene, Walker, Weaver.

2. PRESIDENT:

3. Collins, aye. Hynes, no. On that question the yeas are 20,  
4. the nays are four. The Senate does not recede from its amendment.  
5. Senator ParTEE.

6. SENATOR PARTEE:

7. I wanted the membership to be aware that there will be for  
8. the next three or four minutes on the floor persons from the Illinois  
9. Information Service taking pictures with a flash bulb. Senator  
10. Clarke and I have agreed that they can take these. There'll be about  
11. five or six on this side and five or six on the other side.

12. PRESIDENT:

13. Senator Latherow.

14. SENATOR LATHEROW:

15. Mr. President, I move for a Conference Committee. Is this  
16. proper now?

17. PRESIDENT:

18. Right. Motion is for the ...the motion now is for a Conference  
19. Committee. All in favor signify by saying aye, contrary minded.  
20. The motion prevails. Senator Knuepfer, your bill is next I am  
21. advised. Senator Knuepfer.

22. SENATOR KNUEPFER:

23. That...

24. SECRETARY:

25. For House Bill No. 4396, the House refuses to concur with  
26. amendment...Senate amendment No. one. Senator Knuepfer.

27. SENATOR KNUEPFER:

28. Well I would move that the Senate recede from Senate amendment  
29. number one. Now let me explain the amendment. The amendment was  
30. drawn by our staff because our staff felt that the language was  
31. redundant. I put...the amendment was not a committee amendment.  
32. I did discuss the amendment with Senator Dougherty. He looked it  
33. over and he agreed it didn't hurt anything. Our staff felt that

1. the language in the bill was redundant. The House took a look at  
2. that amendment and said we don't like it we think it does something  
3. else and so in since the amendment had no other purpose than to try  
4. and clarify the bill if it does, did not in the House's opinion  
5. clarify the bill and I, as far as I am concerned the amendment  
6. can be dropped and I would move that as a proper motion to...  
7. pardon...recede, recede from the Senate amendment.

8. PRESIDENT:

9. Senator Rock.

10. SENATOR ROCK:

11. Mr. President, I wonder if the Chair would rule or could  
12. rule that if, in fact, such a motion is made which amounts to a  
13. call for passage that the bill and the amendment be explained?

14. PRESIDENT:

15. Well I assume that's what the Senator is doing, yes. Senator  
16. Knuepfer.

17. SENATOR KNUEPFER:

18. I'm sorry I would have explained this to Senator Dougherty.  
19. Senator Dougherty was away. I did chat with the members of the  
20. Democratic staff to explain what I am going to do. I was going...  
21. all the bill did was affect, the bill affects forest... downstate,  
22. forest preserves, and it changed the bond rate. That was part of  
23. the bill...the amount of bonds that could be issued. What the  
24. amendment was, was a dropped deleted a whole series of lines which  
25. our staff felt made it simpler. Their staff didn't feel. Their  
26. staff didn't feel, their staff felt that it just confused the issue  
27. further so I'm willing to buy what they say now. I'll be happy to  
28. discuss it with anybody on their side. I can't with Senator  
29. Dougherty since he's not here.

30. PRESIDENT:

31. Senator Rock.

32. SENATOR ROCK:

33. Senator, don't misunderstand me. I was not aiming that comment

1. at you necessarily. I know what the bill did, I know what the  
2. amendment did because I was on the Committee on Local Government.  
3. All I'm saying just in general when we start talking about receding  
4. or nonreceding from Senate amendments, I think it's as a general  
5. policy we ought to establish that something of an explanatory  
6. nature is forthcoming.

7. PRESIDENT:

8. Absolutely. The point is well taken. Senator ParTEE.

9. SENATOR PARTEE:

10. As I see Martin Simon there, maybe we could finalize this  
11. by suggesting to Senator Knuepfer that the amendment that you  
12. refer to was nothing, it made no contribution apparently. Our  
13. staff has looked at it and you, you can concur we have no objection  
14. on it.

15. PRESIDENT:

16. Motion is that the Senate recede from its amendment. The  
17. Secretary will call the roll.

18. SECRETARY:

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

26. PRESIDENT:

27. Senator Sours.

28. SENATOR SOURS:

29. Just want to make this comment, I think that this has passed  
30. favorably. This, this action voting affirmatively is contrary to  
31. the best wishes of the Taxpayer Federation, I vote no.

32. SECRETARY:

33. Swinarski, Vadalabene, Walker, Weaver.

1. PRESIDENT:

2. Latherow, no. Swinarski, aye. Senator Knuepfer requests a call  
3. of the absentees. The absentees will be called.

4. SECRETARY:

5. Arrington, Bidwill, Collins, Dougherty, Graham, Groen, Hall,  
6. Harris, Hynes, Johns, Laughlin, Lyons, McCarthy, Merritt, Mohr,  
7. Newhouse, Nihill, O'Brien, Palmer, Rosander, Savickas, Swinarski,  
8. Vadalabene, Walker, Weaver.

9. PRESIDENT:

10. Hall, aye. Vadalabene, aye. On that question, the yeas are  
11. 32, the nays are 3. The Senate recedes from its amendment.

12. SECRETARY:

13. House Bill number 3031. The House refuses to concur in  
14. Senate amendments number one, two and three and this is Senator  
15. Knuppel's bill.

16. PRESIDENT:

17. Is Senator Knuppel...what is 3031, are you ready to make a  
18. motion on this?

19. SENATOR KNUPPEL:

20. You've got me. I don't know anything about the amendment.  
21. 3031.

22. PRESIDENT:

23. Senator Knuppel...all right, we'll just hold off on that.  
24. Senator Clarke.

25. SENATOR CLARKE:

26. While we're waiting I wanted to talk to the Pro Tem and bill  
27. that I had included in a motion two days ago but it was some-how  
28. struck to bring from the table was House Bill 4126. This is a bill  
29. on a retirement matter for the sanitary district in Cook County.  
30. I would like to move to suspend the rules and read it a first time  
31. and move to second reading.

32. PRESIDENT:

33. House Bill, it has been read a first time so you want to move

1. to read it a second time?

2. SENATOR CLARKE:

3. Second time right.

4. PRESIDENT:

5. Is there objection? Leave is granted. House Bill 4126, second  
6. reading of the bill. Any amendments from the floor? Third reading.  
7. Senator Horsley indicated to the Chair that on 1056 he was ready but  
8. we're, frankly, I'm, the Chair is holding off on any of these things  
9. until we have some notification, some notice initialing it's been  
10. looked at by both sides. We have it now, Senator Horsley.  
11. 1056.

12. SENATOR HORSLEY:

13. Mr. President and members of the Senate, this says an amendment  
14. to bill which was handled here in the Senate and the House amend-  
15. ment was unanimously passed yesterday by the House by a large vote.  
16. I think 138 or something to nothing and it has been agreed to,  
17. the amendment has been cleared with the Leadership on both sides  
18. as shown by initials. And I held the bill up for Senator Vadalabene  
19. because <sup>we</sup>wanted to get his bill dislodged from the table in the House  
20. which we did accomplish awhile ago. And as far as this is an agreed  
21. amendment which has been drawn by the people of the Governor's office  
22. and the Governor's agreed that the bill is acceptable to him in  
23. its present amended form and also by the Farm Bureau people who are  
24. interested in the bill. I'd appreciate concurrence in the House  
25. amendment.

26. PRESIDENT:

27. Senator Donnewald.

28. SENATOR DONNEWALD:

29. Yes, Mr. President, I'd direct that to...Senator Vadalabene  
30. has everything been resolved here? I know that you were involved,  
31. I think possibly that you should address yourself to this...

32. PRESIDENT:

33. Senator Vadalabene.

1. SENATOR VADALABENE:

2. Yes, thank you Mr. President and members of the Senate,  
3. just about ten minutes ago, Speaker Blair and C. L. McCormick  
4. did revive 1011 and 1012. They've taken it off the table. It's  
5. on the Calendar on second reading and they have told me they are  
6. advancing it to third reading. So my bill is out of hostage and  
7. I have no arguments with Senator Horsley's bill. Whatever you  
8. want to do it's okay with me. My bill is out.

9. PRESIDENT:

10. Senator Laughlin.

11. SENATOR LAUGHLIN:

12. Yes, I appreciate that everybody's approved it and so far I  
13. don't know what the amendment does. So, if you'd be so good to let  
14. me know 'cause I'm not trying to beat your bill but I do want to  
15. know how to vote.

16. PRESIDENT:

17. That sounds like a legitimate question. Senator Horsley.

18. SENATOR HORSLEY:

19. ...State participation out of the pari-mutuel money for  
20. the building of civic auditoriums and it requires local funding  
21. of at least 50 per cent by the local authorities and they must  
22. have an elected board controlling it and have levied the tax in  
23. order to qualify and be eligible for part of the funding not to exceed  
24. 50 per cent out of this fund over a twenty year period and will  
25. allow several cities who will qualify under this to participate over  
26. a long haul.

27. PRESIDENT:

28. Senator Laughlin.

29. SENATOR LAUGHLIN:

30. Well, what I wanted to know is when the bill passed the  
31. Senate before the House put the amendment on was there a require-  
32. ment that a referendum be held and is that requirement for a  
33. referendum being, to be held been eliminated by the House amendment?

1. I'll be quite blunt.

2. PRESIDENT:

3. Senator Horsley.

4. SENATOR HORSLEY:

5. You are correct because the concept of the bill was different  
6. at that time. Now, the local money can be raised by voluntary  
7. subscriptions which is what the Springfield proposal is and it  
8. will not require any revenue bonds because the money will be raised  
9. in addition to the million and a half which is already on hand and  
10. in the bank. Now there will be about two and a half or three  
11. million dollars raised by public subscriptions in order to qualify.

12. PRESIDENT:

13. Senator Laughlin.

14. SENATOR LAUGHLIN:

15. Is it not true, Senator Horsley, though that the tax can be  
16. levied without referendum...

17. PRESIDENT:

18. Just...just a....

19. SENATOR LAUGHLIN:

20. It isn't all by subscription unless people want it to be. This  
21. is the point I'm trying to make.

22. PRESIDENT:

23. Just a moment. Let's get some order here please. Senator  
24. Horsley.

25. SENATOR HORSLEY:

26. Senator, there never was any requirement of a referendum to  
27. levy the tax. They can still do that now. You're talking about  
28. the issuance of general obligation bonds, then you would have to  
29. have a referendum but there is no referendum and there never has  
30. been to levy a tax and the tax has been levied and that's how the  
31. million and over one hundred and some odd thousand with interest,  
32. now's up pretty close to a million and a half, has been raised and  
33. there's no need, never has been for a referendum for the real estate



1. tax.

2. PRESIDENT:

3. Senator Laughlin.

4. SENATOR LAUGHLIN:

5. But didn't the City of Springfield hold a referendum on some  
6. question or another involving taxes and wasn't the referendum  
7. defeated? I'm getting confused here.

8. PRESIDENT:

9. Senator Horsley.

10. SENATOR HORSLEY:

11. That had nothing to do with the tax but that had to do with  
12. the issuance of bonds and at that time there was no commitment  
13. by the State to participate and that plan was turned down and as  
14. a result this compromise plan has been worked out with the Governor  
15. to allow these cities to participate and I think it's a good plan  
16. and it's a good compromise.

17. PRESIDENT:

18. Senator Knuppel.

19. SENATOR KNUPPEL:

20. Which cities profit from this?

21. PRESIDENT:

22. Senator Horsley.

23. SENATOR HORSLEY:

24. I think Rockford and I think Springfield, I think Peoria.  
25. Senator Vadalabene could qualify but I think he prefers to go with  
26. his own bill and he prefers to go that route. There are two or three  
27. different exposition statutes on the books and there are several  
28. more that could qualify later on if they wanted to.

29. PRESIDENT:

30. Senator Knuppel.

31. SENATOR KNUPPEL:

32. Now as I understand it, from what you are telling me, the State  
33. will finance half of this. Is this correct?

1. PRESIDENT:

2. Senator Horsley.

3. SENATOR HORSLEY:

4. Not to exceed one half but then there are many requirements  
5. that there has to be a feasibility study and a showing that it is  
6. feasible and it can pay for itself and that it can be funded and all  
7. those things must be approved by the State before there will be any  
8. approval of the project.

9. PRESIDENT:

10. Senator Knuppel.

11. SENATOR KNUPPEL:

12. Would the money that the State put up be paid back in any way  
13. or is it an outright grant?

14. PRESIDENT:

15. Senator Horsley.

16. SENATOR HORSLEY:

17. It would be an outright grant. Now if you will recall, we built  
18. McCormick place in Chicago and that I believe was a 100 per cent  
19. grant and downstate all we're asking is in order to get these  
20. conventions that are now going to the State of Missouri, and if  
21. you have watched your newspaper here lately you will find the  
22. AMA, the other night had a convention in St. Louis, over 15 hundred  
23. people at Stouffer's Inn, the American Trial Lawyers Association,  
24. I'm sure you are a member of that group, are meeting at the Park  
25. Plaza in July next month. And all of these conventions have moved  
26. out because there's just simply no place that can hold them except  
27. McCormick Place in Chicago and downstate we just cannot accommodate  
28. them and we're losing millions of dollars in state revenue because  
29. we don't have the facilities.

30. PRESIDENT:

31. Senator Knuppel.

32. SENATOR KNUPPEL:

33. Where's the money going to come from and what do you anticipate

1. that amount will be?

2. PRESIDENT:

3. Senator Horsley.

4. SENATOR HORSLEY:

5. At the moment it's impossible until we know whether Peoria  
6. wants to qualify but at the moment there would only be an approxi-  
7. mate amount over a twenty year period that would be around 200  
8. thousand dollars a year out of the Agricultural Premium Fund. If  
9. we took Springfield as an example and then if the others come in  
10. it could amount to as high as maybe 500, 600 thousand a year over  
11. not to exceed a twenty year period. The money's not all going  
12. to be paid in one year.

13. PRESIDENT:

14. Senator Knuppel.

15. SENATOR KNUPPEL:

16. Well, it seems to me that when we can't spend the money that  
17. we're suppose to spend and meet the mandate of the Constitution with  
18. respect to education that some place along the line we've got mixed  
19. priorities. Now I'm not against this but it seems to me that those  
20. communities that want it ought to pay for it themselves. I don't  
21. see, I don't see any pari-mutuel - betting going on here in  
22. Springfield to replenish the monies that are taken out of there  
23. for the from the Fair and Exhibition Fund. And, I, I personally  
24. as long as we haven't met the priorities, for education and many  
25. other things here, that I would have preferred to have appropriated  
26. money for, I have many misgivings about whether the people even here in  
27. Springfield want it after the vote of 24 thousand I think to 14  
28. thousand when they held their referendum last year. And it seems  
29. strange to me that we should appropriate or set aside over the 20  
30. years almost 4 million dollars for a project that people themselves  
31. have said they won't pay for.

32. PRESIDENT:

33. Senator Savickas.

1. PRESIDENT:

2. Well, his last statement was not a question. Senator Savickas.

3. SENATOR SAVICKAS:

4. Well, one of the questions I have. If this is in the budget,  
5. how much money are we talking about and if this money is in the  
6. budget. I understand this is for three million dollars?

7. PRESIDENT:

8. Senator Horsley.

9. SENATOR HORSLEY:

10. No sir, that is not correct. Over a twenty year period it  
11. could amount to as much as 200 thousand, I mean 2 million or three  
12. million dollars over a twenty year period. Payable annually that  
13. would mean maybe two hundred thousand, three hundred thousand a  
14. year to be taken out of the pari-mutual money. Senator Savickas,  
15. I served in the House and at a time when all hotel owners in Chicago  
16. came down here in mass. Many of you gentlemen were in the House  
17. and heard the hotel people of Chicago complaining that they didn't  
18. want McCormick Place because it would take business away from them.  
19. And as a result, they almost defeated that bill but now, as it turns  
20. out, McCormick Place has paid for itself many times over to the  
21. State of Illinois by the tax dollars it brings in to the hotels,  
22. motels and the merchants in Chicago by way of sales tax, motel tax  
23. and other taxes. So it's proven to be a good investment for the  
24. taxpayers of the State of Illinois. And you'll find that will happen  
25. if Senator Vadalabene can compete with St. Louis down in his area and  
26. Peoria can compete and Rockford and Springfield. The International  
27. Livestock Exposition, Senator Latherow has just informed me, is  
28. finding a new home and that in itself is a tremendous boost to the  
29. taxpayers to the State of Illinois to have it but we're going to  
30. lose it if we don't get facilities.

31. PRESIDENT:

32. Senator Savickas.

33. SENATOR SAVICKAS:

1. Well Mr. President, I hope that Senator Horsley's tirade  
2. here isn't going to be charged to my time. I understand that he  
3. keeps bringing up McCormick Place. I understand that the funding  
4. from this is not an outright grant but the City of Chicago and  
5. the County of Cook share from the racetrack betting and also from  
6. their Agricultural Premium Fund and it's not just an outright  
7. grant. I'm concerned also about the Senator wishing to spend money  
8. that isn't budgeted to build a concrete palace out here when he is  
9. one of them that voted against 200 hundred thousand dollars for  
10. crippled children to fund some of their programs and to buy equip-  
11. ment for them. I think that he is using the McCormick Place really  
12. as a crutch when in effect his explanation of the tax revenue and  
13. that and why McCormick Place was created and trying to do the same  
14. in Springfield here both items that are completely well, <sup>at</sup> other ends  
15. of the rope because now he wants just an outright grant. I'm sure  
16. the City of Springfield and County of Sangamon get money from their  
17. Agricultural Premium Fund to use for county fairs and this is where  
18. he should be looking for the money to put up one of these palaces.

19. PRESIDENT:

20. Senator Collins.

21. SENATOR COLLINS:

22. Senator Horsley, would this apply to every city in the State  
23. of Illinois or do you have a population limitation?

24. PRESIDENT:

25. Senator Horsley.

26. SENATOR HORSLEY:

27. It would apply only under certain circumstances where they  
28. have an elective board and where they have seen fit to levy a tax  
29. and to meet their 50 per cent by raising <sup>it</sup> either by taxation or  
30. donation or however they want to raise it. If you will recall, Senator,  
31. in reply to you and Senator Savickas, his statement about Chicago and  
32. Cook County contributing to McCormick Place is not correct and if  
33. you check with your more experienced men here I think the figure we

1. gave them there was 34 million dollars which was an outright grant  
2. out of the Agricultural Premium Fund a total amount. That was out  
3. of the same fund that we're asking now for a measly two hundred thou-  
4. sand or three hundred thousand a year on a grant and we're willing  
5. to match it dollar for dollar rather than a 100 per cent payment  
6. by the State of Illinois.

7. PRESIDENT:

8. Senator Collins.

9. SENATOR COLLINS:

10. Senator Horsley, isn't this the same kind of a bill that we  
11. passed for Senator Rosander except that the people had to call  
12. a referendum for 50 per cent of the costs of the exposition building?

13. PRESIDENT:

14. Senator Horsley.

15. SENATOR HORSLEY:

16. That is under a different act, Senator Collins, but they could  
17. qualify under this new amendment.

18. PRESIDENT:

19. Senator Collins.

20. SENATOR COLLINS:

21. Out of referendum...I say without a referendum?

22. PRESIDENT:

23. Senator Horsley.

24. SENATOR HORSLEY:

25. They, if they have an elected board and have raised their  
26. money, their 50 per cent, would qualify. Yes.

27. PRESIDENT:

28. Senator Horsley may close the debate. Excuse me, Senator  
29. O'Brien.

30. SENATOR O'BRIEN:

31. Well, I'd like to ask a couple of questions to the sponsor. I'm  
32. not sure whether or not I completely understand this bill and perhaps  
33. he can help clarify that. I understand that you're using the

1. Agricultural Premium Fund as collateral for the bonds that will
2. be issued to help finance 50 per cent of the construction of
3. this sports complex for Springfield. Is that correct so far?

4. SENATOR HORSLEY:

5. Well your statement about a sports complex is not correct.
6. This is merely an auditorium and the plans have been changed
7. because we recently had a civic minded man who donated a skating
8. rink and a sporting thing so that actually we need this for an
9. auditorium and it would be only 50 per cent, sir.

10. SENATOR O'BRIEN:

11. Mr. President, well thank you...

12. PRESIDENT:

13. Senator O'Brien.

14. SENATOR O'BRIEN:

15. I'm not so much concerned with the terminology as sport's
16. complex or auditorium as I am in the method by which you intend to
17. finance the construction of this facility. I understand also that most
18. of the funds from the Agricultural Premium Fund come from the pari-
19. mutuel wagers at the Illinois race track and I'd like very much to
20. vote for this bill, Senator, but I find it very difficult to vote
21. for a measure when you yourself were against the state lottery which
22. would have generated hundreds of millions of dollars to help finance
23. State government and yet you're willing to be pragmatic enough in
24. relation to pari-mutuel wagers in the Agricultural Premium Fund to use
25. that money to help finance the construction of your complex down here.
26. I'd also like to know, Senator, if you could tell me who wants this
27. bill because it's my understanding that this was put to the people
28. of Springfield in terms of a referendum and that the people of
29. Springfield voted it down in referendum as early as last November,
30. if I'm not mistaken.

31. PRESIDENT:

32. Senator Horsley.

33. SENATOR HORSLEY:

1. The people of Springfield definitely want this but the only  
2. problem there with the referendum there was no assurance that any  
3. of it would be forthcoming by the State. Secondly, the plans had  
4. other things added into it other than just the auditorium and  
5. thirdly, there was a matter of site that got to be an issue.  
6. And that's why it was defeated but certainly to get back to your  
7. statement sir, I don't think it's fair, Senator O'Brien, to keep  
8. books on votes because most of us vote our conscience on all bills and  
9. I regret that you state you're against one bill just because of the  
10. vote on another bill.

11. PRESIDENT:

12. Senator O'Brien.

13. SENATOR O'BRIEN:

14. Senator Horsley, I'm not keeping books, I can assure you of  
15. that, I'm just merely pointing out that to the members of this Body  
16. that at some time we can be pragmatic enough to use some of the  
17. instruments that we have at hand to do good things and I think  
18. that's exactly what you're doing with this bill. So, I'm not  
19. keeping books, Senator, but I'm certainly pointing out to the rest  
20. of the Senators, your pragmatism.

21. PRESIDENT:

22. Senator McBroom.

23. SENATOR MCBROOM:

24. Mr. President and members of the Senate, as Senator Neistein  
25. asked me to move the previous question but I believe he's off the  
26. floor.

27. PRESIDENT:

28. Senator McBroom moves the previous question, all in favor signify  
29. by saying aye. Contrary minded. Motion prevails. Senator Horsley  
30. may close the debate.

31. SENATOR HORSLEY:

32. Well, I think I've said about all that needs to be said. I  
33. think certainly this fund has been amply used. As we have



1.	pointed out Chicago has benefited by the McCormick Place in the	1.
2.	original building and in the rebuilding after the construction.	2.
3.	And , I think it's only fair that downstate gets some portion	3.
4.	to help finance these and asking for 50 per cent help when the	4.
5.	local community willing to raise its own 50 per cent is a very	5.
6.	fair way to bring a lot of convention business and tax dollars into	6.
7.	the State of Illinois and I'd appreciate a roll call that will	7.
8.	agree with the House amendment.	8.
9.	PRESIDENT:	9.
10.	Motion is to concur in the House amendment. Sena...just a	10.
11.	moment. Secretary can't hear when there's a lot of noise. The	11.
12.	Secretary will call the roll.	12.
13.	SECRETARY:	13.
14.	Arrington, Baltz, Berning,	14.
15.	PRESIDENT:	15.
16.	Senator Berning.	16.
17.	SENATOR BERNING:	17.
18.	Yes thank you, Mr. President, I'd just like to inform the Body	18.
19.	that from what I understand the State of Illinois is already losing	19.
20.	considerable amounts of convention business. If what has been told	20.
21.	me is correct, we not only have lost the Bar Association but the	21.
22.	Savings and Loan Association, the Park Districts Association and	22.
23.	we stand to lose the Municipal League and the Township Officials and	23.
24.	so on. For that reason, it seems to me this investment would be	24.
25.	sound and will return vast amounts of revenue to the State of Illinois.	25.
26.	We should more than recoup what we invest and for that reason I	26.
27.	vote aye.	27.
28.	SECRETARY:	28.
29.	Bidwill, Bruce, Carpentier, Carroll, Cherry, Chew, Clarke, Collins,	29.
30.	Coulson, Course, Davidson, Donnewald, Dougherty, Egan, Fawell,	30.
31.	Gilbert, Graham, Groen, Hall, Harris, Horsley, Hynes, Johns, Knuepfer,	31.
32.	Knuppel,	32.
33.	PRESIDENT:	33.

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1. Senator Knuppel.

2. SENATOR KNUPPEL:

3. I haven't forgotten last fall when Senator Horsley stood on this  
4. floor and put on the big tirade against spending some more money for  
5. colt raising in this State. Now I just wonder where he thinks  
6. the money in the Fair and Premium Fund come from. You can't keep  
7. going to the well if you don't find the pump, Senator Horsley. And  
8. for 1138 you didn't want to give the harness breeders or the people  
9. that breed these horses or raised them any more money and it's  
10. a suffering sick industry in this State. And to predict that there'll  
11. even be that much money available for the next twenty years I think  
12. is real presumptive. I agree with Senator O'Brien too, that it's a  
13. little bit hypocritical to stand here and say that this State will  
14. become morally corrupt from a lottery and yet say that, because it  
15. serves a good purpose, you want that money for to match some funds  
16. that a bachelor who died here and wanted, or going to die here, and  
17. wants to be a big philanthropic institution in your community that  
18. the State should get up and match some money that he puts in. I'll  
19. make another prediction. I'll make you a prediction because you  
20. don't have anything to do in Springfield. I'll make you a prediction  
21. that you don't get any of those associations back here for a  
22. convention just because you build an auditorium. What you want  
23. and this man gave you the money for a swimming pool and some junk  
24. like that not really not really to match or to get back business  
25. of conventions that were going away and that's what you want this  
26. money for because you just don't have that much. I just can't see  
27. it if you're not willing to go along and support the business and  
28. support the horse that feeds you and does the work and that is the  
29. harness racing industry and the thoroughbred industry in this  
30. State. Everybody wants to get into a pari-mutuel fund and take  
31. the monies and I jsut can't see it so I'm going to vote present.

32. SECRETARY:

33. Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy,

1. Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien,  
2. Ozinga,

3. PRESIDENT:

4. Senator O'Brien.

5. SENATOR O'BRIEN:

6. Just briefly, Mr. President, in explaining my vote, which will  
7. be no, I can safely say that I think the people of the Springfield  
8. area were in favor of a lottery. I got quite a bit of correspondence  
9. from them and every place I went when the lottery bills were up they  
10. were all in favor of it because it was an involuntary tax. I can  
11. also safely say that the people of Springfield voiced their opinion  
12. in relation to this auditorium in a referendum and voted no, so I  
13. am going to echo their voice and also vote no on this measure.

14. SECRETARY:

15. Ozinga, Palmer, Partee, Rock, Romano, Rosander, Saperstein,  
16. Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Walker,

17. PRESIDENT:

18. Senator Walker.

19. SENATOR WALKER:

20. Thank you, Mr. President and members of the Senate, I suppose  
21. this is one of the advantages, or perhaps disadvantages, of being  
22. down second to last on the roll call but there have been a couple  
23. of remarks made by two of the Senators here that I do not agree with.  
24. It's my understanding and I may be repetitious but McCormick Place  
25. is booked up. And a statement was made from the Prince of Petersburg  
26. over there that we wouldn't get any conventions back. I would  
27. suggest to some of you downstate Senators that you go...

28. PRESIDENT:

29. Just a moment. Senator Walker is entitled to be heard. Let's  
30. break up some of the caucuses. Senator's Romano, Hynes, and Gilbert.  
31. Right back of you there Senator Horsley, Senator Partee, please  
32. gentlemen. Senator Walker may proceed.

33. SENATOR WALKER:

1. I would like to say to some of you downstate  
2. Senators, that if you will check with your Mayors that  
3. I think that you'll find they are very much in favor  
4. of a convention center downstate. We have to be even  
5. steven with this. I say the Municipal League for one.  
6. The Township Officials, they hold their conventions.  
7. I've attended them for a number of years and I know  
8. McCormick Place has been mentioned here and we support  
9. it. The building, and then again the rebuilding of  
10. McCormick Place. And furthermore I can remember when  
11. there was some criticism here a few years back when we  
12. voted, I don't know, a few million dollars to restore  
13. the old State Capitol, and I thought that was money  
14. well spent and I supported it and I think it's a  
15. definite asset. Not only to the City of Springfield,  
16. but to the State of Illinois. I don't see how this  
17. ties in at all with a lottery. I can't see any  
18. connection at all. It reminds me of the same vote  
19. when we tried to pass a bill down here to get what  
20. a number of other states have, such as the Astrodome  
21. down in Texas. That also was opposed by certain sections  
22. of Cook County. Down in New Orleans a week or two ago,  
23. I find that they're doing what we should be doing in  
24. Cook County. In order to get people to come into the  
25. State, to keep them here and to encourage tourism and  
26. to keep these conventions here instead of letting them  
27. go across the lines, for example, over into Indiana,  
28. I think we need something like this and I'm not gonna  
29. vote present because and I've said before, my  
30. constituents, and I don't think they're any different  
31. up in suburban Cook County than they are downstate,  
32. didn't sent me down here to vote present. I vote  
33. aye. Thank you.

1. SECRETARY:

2. Weaver.

3. PRESIDENT:

4. Kosinski, aye. Baltz, aye. Collins, aye. Request  
5. for a call of the absentees. The absentees will be  
6. called.

7. SECRETARY:

8. Arrington, Bidwill, Bruce, Cherry, Chew, Coulson . . .

9. PRESIDENT:

10. Senator Coulson.

11. SENATOR COULSON:

12. Well, Mr. President, we've got across the street  
13. from us a great State Armory, which is a huge exposition  
14. hall, which stands empty day after day, and month after  
15. month. I think Springfield's problem is a lack of  
16. hotels. I don't think you'll get conventions here by  
17. building another State Armory Building or exposition  
18. hall and it . . . for that reason I will vote no.

19. SECRETARY:

20. Course, Donnewald, Dougherty, Egan, Graham, Hall,  
21. Harris, Horsley . . .

22. PRESIDENT:

23. Senator Horsley.

24. SENATOR HORSLEY:

25. Mr. President, I'd like to explain my vote. Some  
26. of the members are just now coming on the Floor from  
27. the funeral and who were not here and heard this matter.  
28. This is a very important bill for downstate Illinois.  
29. It involves not only Springfield but it involves several  
30. other metropolitan areas that need this. Now I can't  
31. help it because sometimes I can't always vote for your  
32. bills. Senator Knuppel brings up a bill that if he'll  
33. recall, the reason why that particular bill of Senator

1. Knuppel . . . the reason why, was because . . .

2. PRESIDENT:

3. Just . . . just a moment. Please. Just a  
4. moment. Senator Horsley is entitled to be heard.  
5. Lets . . . please. It's . . . all right. Senator's  
6. Clarke and staff. Senator Savickas. Senator Knuppel.  
7. Senator Bruce. The staff over there, please. Lets . . .  
8. for what purpose does Senator Savickas arise?

9. SENATOR SAVICKAS:

10. A point of information. How many times are  
11. Senators allowed to explain votes?

12. PRESIDENT:

13. They are allowed one time and Senator Horsley is  
14. explaining his vote for the first time. He is entitled  
15. to the Floor and entitled to be heard. Senator Horsley  
16. may proceed.

17. SENATOR HORSLEY:

18. Well I . . . I would just merely show as an example,  
19. Senator Knuppel, the reason was because one man had put  
20. himself in a big salary in that bill. And if you  
21. recall, you were here the day I ran that man off of  
22. this Floor because of his activity and that's what  
23. was wrong with that bill. And there were many Senators  
24. who wouldn't vote for it purely and simply because of  
25. the boondoggle that was set up for that one man not because  
26. of the industry. Well, this is a very important bill,  
27. and all I can do is ask you please to give it the  
28. required thirty votes so that we can concur in this  
29. amendment and we need about eight more votes and I'd  
30. appreciate it very much if we could get them. Senator  
31. Graham, Senator Merritt, who just came in, I'd  
32. appreciate it if you would consider this matter and  
33. give us your vote on it. Seven, we need seven more.

1. PRESIDENT:

2. Proceed with the roll call. For . . . for what  
3. purpose does Senator Egan arise?

4. SENATOR EGAN:

5. Mr. President, when my name was called I didn't  
6. vote. I would like to vote. I didn't vote because I  
7. was asking Senator Horsley how he voted on the McCormick  
8. Place Bill. He said he voted no, but that he was  
9. wrong. So as long as he's been enlightened I'll  
10. vote yes.

11. PRESIDENT:

12. Graham, aye. Merritt, aye. Continue with the  
13. call of the absentees.

14. SECRETARY:

15. Hynes, Johns, Kusibab, McCormick . . . McCarthy,  
16. Neistein, Newhouse . . .

17. PRESIDENT:

18. Senator Neistein.

19. SENATOR NEISTEIN:

20. Senator Horsley, I know how interested you are in  
21. this bill and maybe if you can hold it and you and I  
22. can exchange reasons why it should be passed, maybe  
23. we can help out here if you'll hold it for a while.

24. SECRETARY:

25. Newhouse, Nihill, Palmer, Partee, Rosander,  
26. Saperstein, Smith,<sup>2</sup> Sours, Swin . . . Swinarski,  
27. Weaver.

28. PRESIDENT:

29. On that question the yeas are 30, the nays are  
30. 4, 1 present. The motion having received a . . . the  
31. motion having received a constitutional majority is . . .  
32. the Senate concurs. Motion by Senator Horsley to  
33. reconsider. Motion . . . we'll . . . we'll get the

1. verification. Motion by Senator Horsley to reconsider.  
2. Motion by Senator Carpentier to Table. All in favor  
3. of the Motion to Table signify by saying aye. Contrary  
4. minded. Motion to Table prevails. Verification has  
5. been requested. The Senators will be in their seats.  
6. Senators will be in their seats. Call for the  
7. affirmative votes.

8. SECRETARY:

9. Baltz, Berning, Bidwill, Carpentier, Carroll,  
10. Clarke, Collins, Davidson, Egan, Fawell, Gilbert,  
11. Graham, Groen, Horsley, Knuepfer, Kosinski . . .

12. PRESIDENT:

13. Is Senator Groen here? Remove . . . remove  
14. Senator Groen's name from the roll call.

15. SECRETARY:

16. Latherow, Lyons, McBroom . . .

17. PRESIDENT:

18. Senator Groen is here. His name . . .

19. SECRETARY:

20. Merritt, Mitchler, Mohr, Ozinga, Rock . . .

21. PRESIDENT:

22. Is Senator Merritt he . . . Senator Merritt is  
23. here. Proceed.

24. SECRETARY:

25. Rock, Romano, Soper, Sours, Vadalabene, Walker  
26. and Weaver.

27. PRESIDENT:

28. Is Senator Romano here? Sena . . . Senator  
29. Romano is here. The vote is 30, and the Senate  
30. concurs in the House amendment. 485, Senator  
31. Knuepfer. Is Senator Knuepfer on the Floor? 485.  
32. 485 will be held. We will now proceed to House  
33. bills on Third Reading going down the list calling



1. all those that have not been called up to this point.  
2. Just a moment. Please, let's have some order. 1339,  
3. Senator Fawell. Senator Clarke.

4. SENATOR CLARKE:

5. Before we get to that, I wonder, I was talking  
6. to the Pro Tem, and there's a bill on postponed  
7. consideration, the last bill on the . . . on the list  
8. that relates to a \$10,000 item for a permanent  
9. commission relating to surveying problems, water  
10. pollution. And I . . . I think, and I . . . I have  
11. a bill that has a compilation. It's a bill containing  
12. all of the commissions, but this commission is not  
13. in it. For that reason, insofar as this is a  
14. permanent commission, I think we ought to give the  
15. sponsor consideration in terms of voting again on this  
16. measure. We could go to that order of business.

17. PRESIDENT:

18. Senator Partee.

19. SENATOR PARTEE:

20. The sponsor has been here several times to  
21. discuss it, and I understand that . . . you know,  
22. what it means to him. It is a permanent commission  
23. and more than that, I would hate to see the omnibus  
24. bill get amended, or attempted to get amended when  
25. it comes over and have to go back to the House,  
26. because it could create some other more serious  
27. problems, so that's quite all right if you're gonna  
28. move with it now, Senator, go right ahead.

29. PRESIDENT:

30. Senator Mitchler is recognized for House Bill  
31. 4636.

32. SENATOR MITCHLER:

33. I'd ask for a favorable roll call.

1. PRESIDENT:

2. The Secretary will call the roll.

3. SECRETARY:

4. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,  
5. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course,  
6. Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert,  
7. Graham, Groen, Hall, Harris, Horsley, Hynes, Johns . . .

8. PRESIDENT:

9. Senator Johns.

10. SENATOR JOHNS:

11. Mr. President, lady and gentlemen of the Senate  
12. could I have your attention please. I have a good  
13. friend of mine here, he belongs to the other side of  
14. the aisle, but Senator Gordon Kerr is visiting with us  
15. today and I just wanted to see that he is recognized.  
16. Now, I wish to vote aye.

17. SECRETARY:

18. Knuepfer, Knuppel, Kosinski, Kusibab, Latherow,  
19. Laughlin . . .

20. PRESIDENT:

21. Senator Latherow.

22. SENATOR LATHEROW:

23. Mr. President, I . . . I am just wondering if it  
24. would be proper for me to ask Senator Mitchler a  
25. question. Could I do that?

26. PRESIDENT:

27. That is permissible. Senator Mitchler indicates  
28. he'll yield.

29. SENATOR LATHEROW:

30. Senator Mitchler, I notice this comes under . . .  
31. probably under the Environmental Protection Act, the  
32. Pollution Control Board and probably another agency  
33. or two that I don't think of right off hand. Whether

1. we need a commission study on that, when we got all  
2. these guys going around taking care of the problems  
3. and study it. That's what I'm wondering about.

4. PRESIDENT:

5. Senator Mitchler.

6. SENATOR MITCHLER:

7. Well, the commission was very instrumental in the  
8. creation of those agencies and the Environmental  
9. Protection Act and the Anti-Pollution Bond Act and  
10. this'll be continuing to do other fine things like  
11. that.

12. SENATOR LATHEROW:

13. I vote present, Mr. President.

14. SECRETARY:

15. Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr,  
16. Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer,  
17. Partee, Rock, Romano, Rosander, Saperstein, Savickas,  
18. Smith, Soper . . .

19. PRESIDENT:

20. Smith, no. Lyons, aye.

21. SECRETARY:

22. Sours, Swinarski, Vadalabene, Walker, Weaver.

23. PRESIDENT:

24. Partee, aye. For what purpose does Senator  
25. Latherow arise.

26. SENATOR LATHEROW:

27. Mr. President, some . . . some things have been  
28. brought to light to me and I'd like to vote aye.

29. PRESIDENT:

30. On that question the yeas are 37, the nays are 2.  
31. The bill having received the constitutional majority  
32. is declared passed. Senator Graham was attending the  
33. funeral, is here now. Are you ready to call any of

1. your bills now, Senator? Just . . . oh, Senator  
2. Dougherty is here too. I'm sorry, I didn't see  
3. Senator Dougherty. I had promised Senator Dougherty  
4. first, then we'll get to you, Senator Graham. Senator  
5. Dougherty, you have a number of them.

6. SENATOR DOUGHERTY:

7. I do have, Mr. President. I'm going to call them  
8. in the sequences that we have them. I'm now calling  
9. House Bill 4302. House Bill 4302 is a bill that  
10. prescribes precisely what is a vacancy in any elective  
11. office wherein the person died, either . . . either  
12. before or after the primary, or before the general  
13. election or whether he did not . . . the vacancy was  
14. not filled by the proper action. In other words, 4302  
15. defines precisely what is a vacancy and provides the  
16. means whereby the specific committees, of either  
17. party, may select the nominee for that position.

18. PRESIDENT:

19. Is there any . . .

20. SENATOR DOUGHERTY:

21. . . . bill, and I urge your support.

22. PRESIDENT:

23. Senator Laughlin.

24. SENATOR LAUGHLIN:

25. Yes, Mr. President and members of the Senate, I  
26. have come to realize that it's unavailing in certain  
27. fields affecting the Judiciary and Judicial Elections,  
28. to be a very effective voice. But, be that as it  
29. may, I still intend to express my opinion concerning  
30. this bill. Very briefly, there are just two comments  
31. I want to make. The Attorney General of this State,  
32. in an opinion rendered under date of May 11th, 1972,  
33. came to the conclusion that the new Constitution does

1. not permit persons to be nominated for the Judiciary  
2. by party conventions. And goes on to say, filling  
3. vacancies in nomination by party committees, and he  
4. then refers to Chapter 46, paragraph 7-61, which is  
5. precisely the Section which is amended by this Bill.  
6. It's comparable to nomination by convention and also  
7. prohibited. Further, the Constitution only authorizes  
8. nomination by primary election or petition. Election  
9. means popular vote. Primary election is used in the  
10. Constitution, is not subject to any definition that  
11. would include a procedure for filling nominations by  
12. party committee, particularly in view of the  
13. Convention's obvious aversion to the naming of  
14. candidates by party action. Now, we did pass a bill  
15. here which is constitutional, which would provide  
16. for a special primary and while I didn't support it  
17. because of the cost, the fact is that I don't think  
18. there's any question about its constitutionality.  
19. Second thing is this, I went to a lot of Judicial  
20. Conventions. I was never impressed. We got some  
21. very good judges out of them, but I think it was  
22. despite the system and not because of the system. And  
23. so that I don't like the method, even though it's a  
24. one shot thing and I believe it to be unconstitutional  
25. For those reasons, I will vote no.

26. PRESIDENT:

27. Is there . . . Senator Partee.

28. SENATOR PARTEE:

29. Well, Mr. President and members of the Senate, you  
30. will perhaps recall when I offered and passed here  
31. Senate Bill 1409 on this same subject, that I made  
32. the statement that it is possible that we would have  
33. some constitutional questions with 4302 and that is the

1. reason, I am sure, you gave your votes to 1409, among  
2. other reasons and that bill is now in the House. It  
3. is my feeling, and I would hope that you would agree,  
4. in order to avoid the hiatus which will be created  
5. if these bills aren't passed, that we pass 4302 and  
6. that the House also pass Senate Bill 1409 and they  
7. will then both be sent to the Governor. He then  
8. can make a viable choice between them depending on  
9. whether or not he agrees with the Attorney General's  
10. opinion. I think it would be shameful and tragic  
11. to not pass the bill. I think we ought to pass it  
12. and let the decision be made once it gets to the  
13. second floor. He'd have both this bill and Senato  
14. Bill 1409 and he could make . . . he'd have something  
15. from which to make a choice and could sign into law  
16. that which . . . whichever one he thought was the  
17. better bill. So I propose to vote aye and I hope  
18. that you, too, would vote aye so that the Governor  
19. could have that choice.

20. PRESIDENT:

21. Senator Sours.

22. SENATOR SOURS:

23. I'm wondering if the sponsor, Mr. President and  
24. Senators, would give us another day. Senator  
25. Laughlin has raised the possibility of a constitutional  
26. infirmity. I'd like a little time to look into that.  
27. I have some Appellate Court Judges who are friends  
28. too.

29. PRESIDENT:

30. Senator Partee.

31. SENATOR PARTEE:

32. I can appreciate your concern, Senator. Hold it  
33. just down a minute, will you gentlemen. I can

1. appreciate your concern, Senator, but this is an opinion  
2. that Senator Laughlin alluded to which the Attorney General  
3. wrote several months ago. We are in the final days of the  
4. Session, and I just don't think it's in our best interest to  
5. hold this another day. I would hope that you you could find  
6. it within your judgment to vote for it. I don't think it's  
7. going to create any kind of serious problem for you. We've  
8. passed out 1409 and this bill, if passed, will give the  
9. Governor the two bills to look at. Now, it is true that the  
10. Attorney General, the first time he looked at this bill, had  
11. some questions about its constitutionality. I don't know whether  
12. that will obtain when it is seen again or whether the Governor's  
13. staff will feel that it is unconstitutional. The Attorney  
14. General's opinion has some meaning, but it, of course, is not  
15. like a Supreme Court opinion. It's an opinion from the  
16. Attorney General who is a lawyer for the State, but I would  
17. not want to see you hold it another day because it'll get  
18. caught up in the minutia here and the maelstrom and something  
19. else might happen to it. Let's vote it up, please, if we can  
20. today.

21. PRESIDENT:

22. Senator Dougherty may close the debate.

23. SENATOR DOUGHERTY:

24. Well, in closing the debate, Mr. President,...

25. PRESIDENT:

26. Just, just a moment. Just a moment, Senator Dougherty.  
27. Senator Clarke wanted to say something.

28. SENATOR CLARKE:

29. Yes, before the debate's closed, I'd just like to point  
30. out I've been confused by this whole subject because you would  
31. think to listen to the debate that we have to pass one bill or  
32. another bill and give the Governor a choice or nothing's going  
33. to happen. Now, it's my understanding that these vacancies are

1. being filled by appointment by the Supreme Court; that the  
2. Courts are operating and that this procedure can continue in  
3. effect until the next election without going to the trouble  
4. of putting these on the ballot or having conventions or  
5. having a primary, and that's why I opposed the primary bill  
6. when it came up for reasons of cost in a special election, and  
7. I think that we have an alternative we should not overlook.

8. PRESIDENT:

9. Senator Dougherty may close the debate.

10. SENATOR DOUGHERTY:

11. Well, Mr. President, in reply all I can tell you is this:  
12. This bill does not have anything to do with it. It merely states  
13. when a vacancy occurs and the vacancy shall be filled by the  
14. proper...the chairman of either political party. They set up  
15. the appointment for the vacancy. Now this is merely...this is  
16. a merely bill for the reason it provides where the vacancy is.  
17. There is nothing more I can say about it. That's all it does.  
18. It determines where the vacancy is. I ask for a favorable  
19. roll call.

20. PRESIDENT:

21. The Secretary will call the roll. Gentlemen, on your right  
22. in front, if you can move that off the Floor, please.

23. SECRETARY:

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

33. PRESIDENT:



1. Bruce, aye. McBroom, aye. Request of a call of the absentees by  
2. Senator Dougherty.

3. SECRETARY:

4. Arrington, Baltz, Berning, Bidwill, Carpentier, Carroll,  
5. Chew, Collins, Coulson, Davidson, Dougherty, Fawell, Graham,  
6. Groen, Harris, Horsley, Knuepfer, Knuppel, Latherow, Merritt,  
7. Mitchler, Mohr, Newhouse, Ozinga, Rosander, Sours, Walker,  
8. Weaver.

9. PRESIDENT:

10. Sours, no. Knuppel, aye. Postpone consideration. All in  
11. favor signify by saying aye. Contrary minded. The motion prevails.  
12. 4386, Senator Dougherty.

13. SENATOR DOUGHERTY:

14. 4386. House Bill 4386 is a bill that provides...it gives  
15. the Metropolitan Sanitary District additional bonding power. They were  
16. granted the bonding power of \$6,000,000 in 1957 and due to the cost  
17. of the widening of the Canal, they now find themselves in a  
18. position that they're going to need an additional \$2,000,000  
19. in accordance with the criteria established by the Corps of  
20. Engineers. Now yesterday, Senator Coulson provided some information  
21. wherein it was indicated that they had not spent the amount of  
22. money needed; that they had still underspent it and they had a  
23. surplus in their account. This morning I checked with the  
24. Sanitary District offices with their entire staff and they tell  
25. me they do need this additional \$2,000,000 for the reason  
26. that the Corps of Engineers decided that an area of the Canal  
27. east of the Col-Seg Junction, that is where the Col-Seg and  
28. the Chicago Sanitary Canal join together is in need of further  
29. widening. Now the Corps of Engineers is going to pay for all  
30. of the widening operations, but what we need is an additional  
31. \$2,000,000 for the reason that we must acquire the land for  
32. the spoil banks, that we must move public utilities, that there  
33. are any number of things not directly connected with the digging

1. or widening process, but are to implement the program. It  
2. is badly needed and I did check and I found out that they  
3. are in need of \$2,000,000 more, everything except \$300,000  
4. of permissive legislation has been exhausted. This Canal  
5. carries some 40,000,000 tons of commerce from all the way from  
6. the Gulf Ports up to and including Chicago and on down to...  
7. up to the Rock Island area and up into Minnesota...Minneapolis.  
8. It's badly needed and I urge a favorable vote.

9. PRESIDENT:

10. Is there any discussion? Senator Coulson.

11. SENATOR COULSON:

12. Well, Mr. President, I hate to offer a stumbling block.  
13. I hate to offer any obstacle to the Sanitary District, but  
14. I can remember over the last fifteen years many, many efforts  
15. and successful efforts to float extremely large bond issues,  
16. nonreferendum, and to be sure they're taxing their own people,  
17. but long before that bonding power is gone, there's another  
18. proposal for a legislative enactment to pass a much larger  
19. bond issue. This creates two kinds of difficulties in my  
20. own thinking. One, I wonder if it's possible for anybody  
21. to calculate how much unused nonreferending bonding power  
22. exists in that Metropolitan Sanitary District. I can recall  
23. tens of millions of bonds that have been authorized and not  
24. issued. This is a good example of that. Here was a bond  
25. issue in the amount of around \$6,000,000 authorized twelve  
26. years ago, and now, when \$2,000,000 of it is spent, they  
27. not only want to reserve \$4,000,000, but an additional \$2,000,000  
28. which was originally an additional \$8,000,000. There are several  
29. such issues. It's very difficult for us to find out...for me  
30. to find out what the total outstanding potential is. It gives  
31. the Metropolitan Sanitary District a great deal of flexibility  
32. to be sure, but it allows them to have almost unlimited non-  
33. referendum bonding power. I would think they would want to be

1. limited to what they're actually going to construct. So  
2. far as I can discover, they're already in existence more  
3. than three times as much bonding power as they're actually  
4. going to be able to need even if the carpenters and the many  
5. tradesmen come back from their strike. I suspect without being  
6. able to prove it at all that there is an intention on the  
7. part of those who float these issues to pass the bond issue  
8. and have the money and then invest the money at a higher rate  
9. of interest and make money on the bond issue for a long period  
10. of years before the construction is actually undertaken. This  
11. offers a tremendous possibility for erroneous judgment. It will  
12. lead, perhaps, to another whoopie era type scandal because if you've  
13. got 12, 15, 40, 50 million dollars in bonding power and you  
14. don't plan to use it, you can sell the bonds, place it with  
15. friendly banks or with friendly municipals and simply squat  
16. on the money and hatch it and the taxpayers of this generation  
17. are paying an income to future generations. It seems to me it's  
18. terribly wrong financing and I realize this is a complex point  
19. and as I say, I don't mean to offer an obstacle, but...and I'm  
20. not guiding anyone else on this side of the aisle, but personally,  
21. I'm still going to be opposed to it, Senator.

22. PRESIDENT:

23. Is there further discussion? Senator Knuepfer.

24. SENATOR KNUEPFER:

25. I'm not too knowledgeable about the issue of which Senator  
26. Coulson speaks. I can only say I'm not unsympathetic to the  
27. issue and Senator, I intend to vote for it, but I would hate  
28. like the dickens to vote for this and then have...come back  
29. next year as we did on the education issue and say, "Well,  
30. that's not really what we wanted. We've changed our priorities  
31. in the meantime and we now want to use this for a swimming  
32. pool." I do intend to support you, but I think you ought to  
33. be aware that when you tell us something and we agree to those

1. kind of programs that you suggest you want, I think it's  
2. unfortunate when you come back another time and say, "We've  
3. just changed the program."

4. PRESIDENT:

5. Senator Dougherty may close the debate.

6. SENATOR DOUGHERTY:

7. Well, in answer to that Senator Knuepfer, I handled the  
8. legislation in 1957 that provided for this \$6,000,000, a non-  
9. referendum bond, and this is the first time in all those years  
10. that I've asked for any further extensions. You must be aware  
11. of the fact that the cost of land in acquisition purposes has  
12. gone up, the cost of moving utilities and the Corps of Engineers  
13. supervises every portion of this. They do the actual widening.  
14. This is the ancillary work that must be taken care of. It's  
15. very worthwhile project and all you have to do is come up and  
16. take a look at those barges going up and down the canal and  
17. realize the amount of commerce that's generated and the wealth  
18. that accumulates in the State of Illinois because of this channel.  
19. I ask a favorable roll call.

20. PRESIDENT:

21. The Secretary will call the roll.

22. SECRETARY:

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

32. PRESIDENT:

33. Carroll aye. Kosinski aye, Knuppel aye. Johns aye.

1. Baltz aye. Vadalabene aye. Latherow aye. On that question the  
2. yeas are 39, the nays are 1. The bill having received a con-  
3. stitutional majority is declared passed. 4531, Senator Dougherty.

4. SENATOR DOUGHERTY:

5. Mr. President, I don't desire to call that at this time  
6. because I understand that there's an amendment to be put onto  
7. that.

8. PRESIDENT:

9. 4531 will be held. 4550, Senator Dougherty.

10. SENATOR DOUGHERTY:

11. 4550, Mr. President and members of the Senate, provides  
12. the Chicago Board of Education may adopt a supplemental budget  
13. in view of the fact that there has been an increase in the assessed  
14. valuation of the property to support the Chicago Board of Edu-  
15. cation and will permit them to adopt a baby budget that it may  
16. make use of this amount of money that's available. I understand  
17. that by the adoption of this bill, the Board of Education will  
18. be able to pick up about \$13,000,000 to cover their operating  
19. expenses. It's vitally needed and I would urge a favorable  
20. vote.

21. PRESIDENT:

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

23. SECRETARY:

24. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,  
25. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson,  
26. Donnewald, Dougherty, Egan...

27. PRESIDENT:

28. Senator Egan.

29. SENATOR EGAN:

30. Yes, Mr. President and members of the Senate, I would just  
31. like to read from Article X of the 1970 Constitution and remind  
32. the Governor that the State has primary responsibility for  
33. financing the system of public education. I vote no.

1. SECRETARY:

2. ...Fawell, Gilbert, Graham, Groen, Hall, Harris, Horsley,  
3. Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow,  
4. Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr,  
5. Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee,  
6. Rock, Romano, Rosander, Saperstein, Savickas...

7. PRESIDENT:

8. Senator Savickas.

9. SENATOR SAVICKAS:

10. Mr. President and members of the Senate, it seems that  
11. we keep sending more and more money to the Board of Education  
12. but nobody seems to be learning any better. Over in  
13. the House they had a big publicity about a tax rate freeze.  
14. I'm thinking it was a real farce on the public because this  
15. bill will show that even though you have a rate that is frozen  
16. that when the valuation goes up, the real estate taxes again  
17. go up and this is a very good case and point that what we are  
18. doing here in effect is raising real estate taxes because the  
19. valuation of the property has gone up. I think that this is a  
20. bad way to perpetrate a fraud on the people of Chicago and I  
21. vote no.

22. SECRETARY:

23. ...Smith, Soper, Sours, Swinarski, Vadalabene, Walker,  
24. Weaver.

25. PRESIDENT:

26. Senator Horsley. Horsley aye. Groen aye. ...aye. On  
27. that question, the yeas are 38; the nays are 6. The bill having  
28. received a constitutional majority is declared passed. 4551.  
29. Senator Dougherty.

30. SENATOR DOUGHERTY:

31. Move to reconsider.

32. PRESIDENT:

33. Just a moment. Senator Romano. Move to reconsider.

1. Senator Romano moves to reconsider. Senator Dougherty moves  
2. to Table. All in favor of the motion to Table signify by saying  
3. aye. Contrary minded. The motion to Table prevails. 4551,  
4. Senator Dougherty.

5. SENATOR DOUGHERTY:

6. 4551 is a bill that provides that the Board of Education  
7. of the City of Chicago may adopt a fiscal year rather than a calendar  
8. year. For many years they have been criticized for the fact  
9. that they operate on a calendar year rather than a fiscal  
10. year. Now this bill provides that they may operate on a  
11. calendar year and they will adopt an appropriation beginning  
12. September 1 to carry them through until January--for a four month  
13. period--and then in January, they will adopt another appropriation  
14. ordinance that will carry them through until July 1. This is the  
15. only method whereby they feel that they can do it without taxing,  
16. getting into the area that other taxing bodies of Cook County.  
17. If they were to attempt to do it any other way as was done  
18. downstate, it would create an unendurable burden on the people  
19. of the City of Chicago and result in a budget of about a billion  
20. and over a million dollars . . . over a billion dollars. This  
21. is the only way it can be done. In addition thereto, I have put  
22. an amendment on it at the suggestion of the Administration that turns  
23. to the Board of Governors the parental school in the City of  
24. Chicago which is owned by the City of Chicago and the Board of  
25. Education and turn it over to the Board of Governors for the  
26. operation. This provides that they will assume full control  
27. of this physical plant and they have been paying the operating  
28. expenses anyway; so this turns over to them the vital properties  
29. and the properties are worth in excess of \$3,000,000. I ask  
30. a favorable roll call.

31. PRESIDENT:

32. Senator Gilbert.

33. SENATOR GILBERT:

1. Well, for a number of years we've been talking with the  
2. Chicago Board of Education and urging them to change their  
3. fiscal year from January 1st to July 1st. Now, they have  
4. come up with this program which is September 1st to August  
5. 31st. I have talked with Mr. Lehne and Mr. Murray from the  
6. Chicago Board. They say this is an important piece of legis-  
7. lation to them. I, frankly, do not quite understand all of  
8. the reasons why they want this. I think there are some points  
9. in it that do have some possible merit and maybe some of our  
10. other school districts or all school districts later might  
11. go to a September 1st - August 31st school year because of  
12. the fact the Legislature does adjourn as we're doing here  
13. right at September 30th or I mean June 30th or thereabouts  
14. and they would have two months to know what the Legislature  
15. had done as far as State support and all, as far as making  
16. their levies and all are concerned; so, I'm going to support  
17. this legislation. I certainly cannot answer a lot of questions  
18. about it, but the people that I have talked with I have confidence  
19. in that they do feel that this is best and I do know that we  
20. of the School Problems Commission over a period of years have  
21. always felt that the calendar year of school year for Chicago  
22. caused many problems which this may help to solve.

23. PRESIDENT:

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

26. SENATOR DOUGHERTY:

27. I concur with what Senator Gilbert has said. This is badly  
28. needed. We do feel and I have been informed by people who are  
29. very knowledgeable on the subject that this is the only way the  
30. Chicago Board of Education can approach a fiscal year basis  
31. rather than a calendar year. I ask a favorable vote.

32. PRESIDENT:

33. The Secretary will call the roll.



1. SECRETARY: .

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

5. PRESIDENT:

6. Senator Fawell.

7. SENATOR FAWELL:

8. I have a question. I think that this changing the tax  
9. levy to a new fiscal year basis commencing September 1st of  
10. each year is a very sound provision, and I think though a lot  
11. of us are still confused and I gather from Senator Dougherty  
12. what this basically means is that there are two tax levies  
13. every year. Is that correct?

14. PRESIDENT:

15. Senator Dougherty.

16. SENATOR DOUGHERTY:

17. That is correct.

18. SENATOR FAWELL:

19. So that every year you will have a tax levy that will stretch  
20. for a four month period commencing from September to the end of  
21. the calendar year and then in January another levy that will  
22. take you through to the following August. Is that right?

23. PRESIDENT:

24. Senator Dougherty.

25. SENATOR DOUGHERTY:

26. No, July 1 or to August. You're right, you're right.

27. SENATOR FAWELL:

28. Does that still enable you though...I'm not sure if I still  
29. grasp it and I don't think many people do. Here, I'm thinking  
30. of terms of your problem of not when you make out your budget  
31. not being aware of what the most recently ascertainable assessed  
32. values are and if you're...if you make your first budget in  
33. August of 1974 and because you don't wish to put the full fiscal

1. year of '74 and '75 on the 1974 calendar tax year, you budget  
2. for only a four month period; thus that puts you back in the  
3. position of having to budget again in January for the remainder  
4. of the '74 - '75 fiscal year, and you're, you're most recently  
5. ascertainable assessed values then will have to...would have to  
6. be the '73 assessed valuation, it seems to me. I don't fully  
7. grasp it. I'm going to vote aye. I know this is what you  
8. want in there, and I know you certainly should be on the fiscal  
9. year basis, but I just wonder if you are accomplishing what  
10. you think you are accomplishing. I'll vote aye.

11. SECRETARY:

12. ...Graham, Groen, Hall, Harris, Horsley, Hynes, Johns,  
13. Knuepfer, Knuppel, Kosinski, Kusibab, Latherow, Laughlin,  
14. Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr, Neistein,  
15. Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee...

16. PRESIDENT:

17. Senator Partee.

18. SENATOR PARTEE:

19. Just this question before I vote. Is the lovely lady to  
20. your right Jean Hurley Simon, who went to law school with me?  
21. I vote aye.

22. PRESIDENT:

23. You're correct.

24. SECRETARY:

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

27. PRESIDENT:

28. Palmer aye. On that question the yeas are 36, the nays are  
29. 3. The bill having received a constitutional majority is  
30. declared passed. 455...Senator Romano moves to reconsider. Senator  
31. Course moves to Table. All in favor of the motion to Table signify  
32. by saying aye. Contrary minded. The motion to Table prevails.  
33. 4557, Senator Dougherty.

1. SENATOR DOUGHERTY:

2. 4557, Mr. President and members of the Senate, this bill  
3. permits the County of Cook to provide funds from its Motor  
4. Fuel tax to enable...to establish and install parking facilities  
5. adjacent to any Mass Transit Authority wherein it states these  
6. facilities might be and the terminals might be, and at its  
7. original offset, this bill when it came over from the House,  
8. I put an amendment on it that provided that any Mass Transportation  
9. District in the State would be permitted to do so. At the  
10. insistence of several downstate members, this bill, this amendment  
11. was withdrawn. The bill right now is in its present form as  
12. it came from the House. It applies to Cook County only. It  
13. gives to them permission to use Motor Fuel tax funds for the  
14. building and the establishment of parking facilities adjacent  
15. to any Mass Transportation facilities within the County of  
16. Cook only. I ask a favorable roll call.

17. PRESIDENT:

18. Is there any discussion? Senator Walker.

19. SENATOR WALKER:

20. Thank you, Mr. President. When this bill was called as  
21. I recall it last week...

22. PRESIDENT:

23. Just a second. Let's cut down the hum here. Proceed,  
24. Senator.

25. SENATOR WALKER:

26. Thank you. I know I had a telegram around here somewhere  
27. and it's from the five commuter railroads of Chicago urging  
28. opposition to House Bill 4557. The telegram is brief. It says  
29. the bill would permit Cook County to allocate Motor Fuel...MFT  
30. funds for the constructing large parking facilities in the CTA's  
31. Rapid Transit Lines. It makes no mention of critical parking  
32. needs at rail stations of suburban railroads. In reiteration of  
33. what I said the other day, I can't see where this bill does anything

1. for the Illinois Central or the Chicago and South Shore and  
2. South Bend which serve my district and I don't feel in good  
3. conscience that I can support the bill. Thank you.

4. PRESIDENT:

5. Senator Dougherty may . . . . Senator Mohr.

6. SENATOR MOHR:

7. Mr. President, we talked about this on a couple of occasions  
8. and I did have an amendment prepared which would call for the  
9. repayment of the funds borrowed from the Motor Fuel Tax fund  
10. within five years. If Senator Dougherty cannot accept that  
11. amendment, I would just hope that he could take the amendment  
12. as I'd try and offer it one more time if he'd bring it back and put  
13. the amendment on there . . . Is that agreeable at this time,  
14. Senator, or not?

15. PRESIDENT:

16. Senator Dougherty.

17. SENATOR DOUGHERTY:

18. Senator Mohr and Senator . . . am I going to answer both  
19. Senator Mohr and Walker. I can see no need for the repayment  
20. of these funds. It's Motor Fuel Tax funds allocated to the  
21. County of Cook for the purposes that they feel are best entitled  
22. to. We do have this mass transit problem up there. This is  
23. badly needed. We do need parking facilities. There's no reason  
24. to pay this money back. However, if you will read the bill in  
25. itself . . . If the parking facilities should install parking meters  
26. or some such device as that sort, it provides that those funds  
27. must be used before any Motor Fuel Tax funds can be used. They must  
28. use any increment that may come from the use of parking facilities  
29. before they may use any Motor Fuel Tax funds; and in answer to  
30. Senator Walker, I, too, received that telegram and as a matter of  
31. fact, every member of the Senate received it. We discussed it  
32. in the Transportation Committee. This would be unconstitutional.  
33. We would . . . why should we furnish money, Motor Fuel Tax funds,

1. to private industry. They've had an opportunity to install  
2. these facilities. They've refused to do so, and we would just  
3. be subsidizing private industry. That's what we'd be doing.  
4. I'm very well aware of their problems and they have sufficient  
5. revenues from their commuter fares to provide the parking  
6. facilities if they desire to. It's unconstitutional. I  
7. have to reject any thought of providing these facilities for  
8. private enterprise.

9. SENATOR MOHR:

10. Mr. President.

11. PRESIDENT:

12. Senator Mohr.

13. SENATOR MOHR:

14. As long as Senator Dougherty can't accept that amendment,  
15. I'm going to speak briefly about the bill and voice my objections  
16. to this bill. I stated on the Floor the last time the bill was  
17. called that I felt that the funds should be repaid to the Motor  
18. Fuel Tax fund if they borrowed for one good reason: We're  
19. talking about parking lots that are revenue producing parking  
20. lots. I stated that I've had some experience in building local  
21. municipal lots--one primarily for the benefit of the CTA riders  
22. which we invested some \$85,000 in this particular lot, the  
23. Village of Forest Park did, and we paid it off within two years;  
24. so, it's a very lucrative market, Senator. Now, I know we heard  
25. the other day about the cars that we get off the street and  
26. so forth. If you were parking them for free, if there was no  
27. charge on them, that would be a different story; but these people  
28. are asked to pay to park and if they're asked to  
29. pay to park, why I think the fund should be  
30. reimbursed. Motor Fuel Tax funds...we're always short of those  
31. in the County and the local Municipalities. Everybody has a  
32. problem with Motor Fuel Tax funds; so I don't think that we should  
33. borrow from that fund for something that could pay its own way.

1. I think that there should be a pay back provision in there, and  
2. I would urge all members of this side of the aisle to vote  
3. in the negative over here, and I hate to oppose my good  
4. friend, Senator Dougherty, but on this one, I cannot see how we,  
5. in good conscience, could vote to give away Motor Fuel Tax  
6. funds and that's exactly what we're doing.

7. PRESIDENT:

8. Senator Dougherty may close the debate. Just a moment.  
9. Senator Groen.

10. SENATOR GROEN:

11. Mr. President, I have one question and the answer to that  
12. question may well determine how...what I do here and I want to  
13. speak on this. Senator Dougherty, I want your honest judgment  
14. and I'm sure you'll give it to me. In your judgment, is there  
15. any possibility of paying off the Chicago Skyway bonds out of  
16. proceeds?

17. SENATOR DOUGHERTY:

18. Senator, I know if this bill had any hidden legislation  
19. that would provide for paying off the Chicago Skyway bonds, I  
20. would not be handling it. That's right.

21. PRESIDENT:

22. Senator Groen.

23. SENATOR GROEN:

24. Well then, Mr. President, I would like to say a few words  
25. about this. I served along with Senator Coulson. I don't recall  
26. who the other members were, but I served along with Senator  
27. Coulson as a member of a Task Force Study Committee studying  
28. the CTA. We had testimony before that Committee from the  
29. Traffic Institute, the Director of the Traffic Institute at  
30. Northwestern University, other very competent capable  
31. persons testified, regarding the problems of the Chicago Transit  
32. Authority and I might say that this was considered one of the  
33. major problems in the inducement of people to use the CTA,

1. particularly people from the suburban areas coming into the  
2. City of Chicago to their daily work and their return in the  
3. evening. If they had suitable places to park their vehicles  
4. in the outskirts, the odds are they would not fight that rush  
5. hour traffic in the morning and take the long time, the long  
6. drive time consuming getting home, frustrating drive home  
7. at night. Now, it's true what Senator Mohr says. I believe  
8. that these would be lucrative operations. By the same token,  
9. we have the problem facing us constantly of threatened increase  
10. CTA fares; of the CTA coming to the Legislature for more and  
11. greater subsidies year after year after year so that if by  
12. this means they can obtain parking lots, thus have more people  
13. use the CTA, remove more people from the highways, stop  
14. the traffic congestion increase, reduce pollution and then  
15. with the proceeds build more parking lots, it looks like it's  
16. an interesting cycle that might well solve some of the problems  
17. that exist in both of these fields today and then let's assume  
18. that they get all the parking lots they need and they are  
19. lucrative operated parking lots, I see nothing wrong with  
20. their then using the income from these parking lots to reduce  
21. their constant demands upon the General Assembly and the threats  
22. upon the people that use the CTA for increased fare. Let them  
23. use it for Operations and thus hold down both potential increases  
24. in the cost of riding and using the CTA and the never ending  
25. increasing demands for subsidies from the General Assembly to  
26. keep the Chicago Transit Authority in operation. I'm going to  
27. vote for this bill because my experience and my study, my analysis  
28. as a member of that Commission and my determination and my  
29. judgment of the problems facing the CTA, it seems to me that  
30. this could result in the solution of many of the problems that  
31. face them and face us and I'm going to vote for the bill.

32. PRESIDENT:

33. Senator Dougherty may close the debate.

1. SENATOR DOUGHERTY:

2. Mr. President and members of the Senate, I, too, served  
3. with Senator Groen on that special subcommittee of the Senate  
4. Municipalities Committee having to do with this as also did  
5. Senator Cherry. What Senator Groen says is absolutely true.  
6. There is a need for parking facilities all along this Transit  
7. Authority and it will be a good feeder. It will not take any-  
8. thing away from the private commuter railroads. It will provide  
9. to people living on the outer sections of the county a means  
10. of getting into what we might term the inner city, the City of  
11. Chicago, particularly in the area of the University of Illinois  
12. Chicago Circle Campus and also to all other universities. It  
13. will take care of these people. This is a very good bill and  
14. I ask a favorable consideration.

15. PRESIDENT:

16. Secretary will call the roll.

17. ACTING SECRETARY: (EDWARD FERNANDES)

18. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,  
19. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course,  
20. Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham,  
21. Groen . . .

22. PRESIDENT:

23. Senator Groen.

24. SENATOR GROEN:

25. Mr. President, I have been advised that an amendment has  
26. been placed on this bill which does not require the funds to  
27. be used for this purpose. Senator Dougherty, could they build  
28. a bandshell over the parking lot at Grant Park with the proceeds  
29. of these monies or perhaps I should state the question another way?  
30. Does this require that the money be used for parking lots for  
31. the CTA riders?

32. SENATOR DOUGHERTY:

33. That's the way I understand it, Senator. If there's anything



1. hidden in there, I don't know about it. I'll be very truthful  
2. with you, but I do not believe there is anything in there to  
3. cause you any alarm.

4. SENATOR GROEN:

5. I'm sorry, I did not understand that. Would you repeat  
6. that last statement, Senator Dougherty.

7. SENATOR DOUGHERTY:

8. As far as I know, there is nothing hidden in this bill  
9. that would provide them to do anything else other than what  
10. the bill calls for--parking facilities.

11. PRESIDENT:

12. Senator Groen.

13. SENATOR GROEN:

14. Is it limited to parking facilities for the CTA riders?

15. PRESIDENT:

16. Senator Dougherty.

17. SENATOR DOUGHERTY:

18. Well, let me take a look at it again. The bill says the  
19. County Board of any County may also use Motor Fuel Tax funds  
20. allotted to it to construct and maintain parking facilities  
21. along or adjacent to any county highway or mass transportation  
22. facility of any local Mass Transportation District created  
23. pursuant to the Local Mass Transit District Act approved by  
24. 1959 as amended of any Urban Transportation District created  
25. pursuant to the Urban Transportation District Act approved 1969.  
26. That's the area that was moved from the Chicago River roughly  
27. on the South to North Avenue on the North to the Lake on the  
28. East and to Ashland Avenue on the West which the other day was  
29. approved of by the United States Supreme Court and is entirely  
30. within the City proper. That's in what you might call the  
31. North area of the Loop, Old Town, Sandburg Village are all con-  
32. tained therein. The Urban Mass Transportation District envisages  
33. it doing away with the old Loop El structure which channeling

1. it into the subway with feeders going out to other parts of  
2. the City. This is a local assessment. It's being paid for  
3. by the people living within the District who passed by a  
4. referendum. This measure, that they are taxing themselves to  
5. provide for this Urban Mass Transportation District, the United  
6. States Supreme Court recently upheld in the last week or ten  
7. days.

8. PRESIDENT:

9. Senator Groen.

10. SENATOR GROEN:

11. Well, Senator, we've been friends a long time and if I  
12. find that these monies are going to be used for what I've just  
13. been advised they potentially and possibly could be used, our  
14. long friendship may be at an end. I'm going to vote aye, but  
15. I hope I have not been misled and I've trusted you a long time  
16. and I do now.

17. ACTING SECRETARY: (EDWARD FERNANDES)

18. ...Hall, Harris, Horsley...

19. PRESIDENT:

20. Senator Horsley.

21. SENATOR HORSLEY:

22. I have read this bill and I have read the amendment after  
23. the discussion the other day on the matter because I was curious  
24. about it. This bill would allow Motor Fuel Tax money to be used  
25. to build a parking lot underground, on the ground and could be  
26. used for the new facility being built in Grant Park which was  
27. in the Chicago Tribune only last week telling about the facilities  
28. to be built in connection with the new bandshell. There is no  
29. restriction whatsoever in this bill that parking facilities  
30. must be made available to the riders of the CTA. It merely  
31. says that parking facilities shall be built along or adjacent  
32. to any county highway or, and it doesn't say and but it says  
33. or, any Mass Transportation facility. Now, that definition

1. of any county highway means that any parking facility can  
2. be built with Motor Fuel Tax monies anywhere you want to  
3. build it provided there's a county highway near it. This  
4. bill goes on to say that you can take the proceeds from  
5. the use of that facility and build another facility and then  
6. build another facility and you can keep on building these  
7. facilities with these funds and you don't have to pay the  
8. Motor Fuel money back to the County because it says, "surplus  
9. funds not needed for these purposes," and that's after saying  
10. you can go ahead to construct and maintain additional parkway  
11. areas as needed, and then it says that you can take surplus  
12. money and if it's not needed for additional parkways, pay  
13. it back to the Motor Fuel funds. Now, I...I know, Senator  
14. Dougherty, in response to Senator Groen's question, this bill  
15. does not say in so many words that you can use this money for  
16. the Grant Park bandshell, but under the definition as set forth  
17. in this bill without saying so, the money can be so used and  
18. then you can take the proceeds there and build another one and  
19. then take those proceeds and keep building them without ever  
20. repaying the money to the Motor Fuel Tax fund and those of us  
21. who have fought for so long against diverting the monies away  
22. from the highways where it is so urgently needed, I just couldn't  
23. vote for the bill and when I read it the other day after the  
24. matter, I think somebody asked you a question about the Calumet  
25. Skyway Bond, whether that would be included, I think you're  
26. correct, perhaps it's not in this bill, but there's no limit  
27. on the number of parking areas that can be built out of Motor  
28. Fuel money and I vote no.

29. ACTING SECRETARY: (EDWARD FERNANDES)

30. ...Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab,  
31. Latherow, Laughlin, Lyons, McBroom, McCarthy...McCarthy, Merritt,  
32. Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga,  
33. Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas,

1. Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

2. PRESIDENT:

3. Senator Groen.

4. SENATOR GROEN:

5. Mr. President, I have had the bill given to me and I have  
6. read the language and while I do not concur with everything that  
7. Senator Horsley said, I think there is a serious doubt in the  
8. wording of this bill as to the extent to which these funds  
9. could be used. Senator Dougherty, unless you are willing to hold  
10. it, amend it to restrict it to the purposes about which I spoke,  
11. I will change my vote from aye to nay and will do that now in  
12. the hopes that you would postpone the bill if it does not  
13. receive 30 votes and amend it to restrict it for the purposes for  
14. which I have tried to assist you.

15. PRESIDENT:

16. Senator Dougherty moves to postpone consideration. All in  
17. favor signify by saying aye. Contrary minded. The motion to  
18. postpone consideration prevails. Senate Bill 1608. As the  
19. Chair has indicated earlier, it is incorrectly listed in the  
20. Calendar as on Second Reading. It is on Third Reading.  
21. Senator Rock is recognized. Senator Rock. For what purpose  
22. does Senator Dougherty arise?

23. SENATOR DOUGHERTY:

24. Having just put House Bill 4302 on the order of Postponed  
25. Consideration, I wish to call it again, Sir.

26. PRESIDENT:

27. The...Senator Dougherty wishes to bring up 4302 again  
28. since we've just had the debate on it maybe we can...can we  
29. proceed immediately to the roll call.

30. SENATOR DOUGHERTY:

31. Proceed with the roll call. There's been sufficient  
32. debate.

33. PRESIDENT:

1. All right. The Secretary will call the roll. Just a  
2. moment. We're on House Bill 4302. We just had a motion to  
3. Postpone Consideration. The sponsor has reconsidered that  
4. now and wants to bring it up; since we've just had debate, we  
5. can save time by proceeding to roll call immediately. We're  
6. going to do that.

7. SECRETARY:

8. Arrington...

9. PRESIDENT:

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

11. SENATOR CARPENTIER:

12. I agree with Senator Dougherty on 4302. I think it's time  
13. to call it back, and I wish now that we'd have a roll call on  
14. it. All the misunderstanding has been resolved on this bill.

15. PRESIDENT:

16. Well, let's proceed with the roll call now and...

17. SECRETARY:

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

20. PRESIDENT:

21. Senator Clarke.

22. SENATOR CLARKE:

23. This is a motion to reconsider. Is it not?

24. PRESIDENT:

25. This is not.

26. SENATOR CLARKE:

27. Well, what is it?

28. PRESIDENT:

29. This is...we're voting on the bill itself. This is the  
30. second time we're...

31. SENATOR CLARKE:

32. This is the second time around.

33. PRESIDENT:

1. That's right. What happened was we had a motion to  
2. postpone consideration which did prevail; then Senator Dougherty  
3. asked the Chair that he'd like to vote on it again. So, we  
4. are voting...I thought frankly, practically we'd save some  
5. debate and we could decide it one way or another.

6. SENATOR CLARKE:

7. Well, Mr. President, I just want to, you know, state the  
8. same thing that I stated before that I think if the vacancies  
9. are being filled by the Supreme Court, I think that there's  
10. no need for these conventions. I...

11. PRESIDENT:

12. Just a moment. 430...I'm sorry. I was confused. 4302.  
13. Yes. I was confused. Proceed, Senator Clarke. You're correct.

14. SENATOR CLARKE:

15. ...that we're voting on what?...a motion to reconsider.

16. PRESIDENT:

17. No, we're voting on the bill itself. I'm sorry.

18. SENATOR CLARKE:

19. The second time around and so again I want to vote no for  
20. the same reasons.

21. SECRETARY:

22. ...Collins, Coulson, Course, Davidson, Donnewald, Dougherty,  
23. Egan, Fawell...

24. PRESIDENT:

25. Senator Fawell.

26. SENATOR FAWELL:

27. I think it's important to back up what Senator Clarke has  
28. just said and before that when the bill was debated what Senator  
29. Laughlin pointed out. We really have a very important policy  
30. decision here and speaking as a sponsor of legislation which  
31. met its demise in regard to a certain mode of selecting judges,  
32. point out to you that we have already sent to the Governor the  
33. possibility of utilizing the open primary for that selection, and

1. if you favor the open primary over a political convention  
2. making the choice, then I would think you would not want to  
3. vote for this legislation. I don't think it makes a whole  
4. lot of sense to say we just send them all to the Governor, then  
5. he makes a choice. I frankly think if a choice has to be made  
6. that we might just as well continue for the time being--let  
7. the Supreme Court make those appointments, but I think an awful  
8. lot of us aren't too clear on the various choices that we have  
9. and that we are making a very important policy decision here.  
10. I don't think we can be for Senate Bill 1409 that Senator Partee  
11. referred to as already having been passed and then turn around  
12. and say that we're for this bill too. It just doesn't make any  
13. sense. I vote no.

14. SECRETARY:

15. ...Gilbert...

16. PRESIDENT:

17. Senator Gilbert.

18. SENATOR GILBERT:

19. I'm afraid Senator Fawell is misinformed or misunderstands  
20. what has happened to 1409. 1409 has passed the Senate but is  
21. still in the House and it has not been acted upon so there is  
22. no other vehicle. We have passed as far as the future is concerned  
23. after this year by the Hart bill in which we overrode the Governor's  
24. veto, the procedure whereby they will be elected in a primary.  
25. 1409 would have done the same thing and will do the same thing  
26. if it's passed and signed by the Governor. The only bill that  
27. we have that can go through both Houses that we will know of as  
28. of now is this bill which will be one of the two vehicles in the  
29. event 1409 passes...if 1409 does not pass the House, then there  
30. will be no vehicle and there will be no possibility of an  
31. election this November. I vote aye.

32. SECRETARY:

33. ...Graham, Groen, Hall, Harris, Horsley, Hynes, Johns,

1. Knuepfer, Knuppel, Kosinski, Kusibab, Latherow, Laughlin . . .

2. PRESIDENT:

3. Senator Laughlin.

4. SENATOR LAUGHLIN:

5. First I wish to raise a point of order and I think I can

6. do that at any time. I'd like a ruling on the effect of Rule 48

7. as to whether or not there can be another roll call on the same

8. day. Oh yes. As I read the Rule, if I understand it correctly,

9. you can't vote on this again before tomorrow. Is that right?

10. PRESIDENT:

11. Senator Partee.

12. SENATOR PARTEE:

13. Is there a recorded roll call on this vote . . . on 4302

14. any time today? There is not.

15. PRESIDENT:

16. We have . . .

17. SENATOR PARTEE:

18. Postponed Consideration was the order; hence there is no

19. roll call. So if there is no roll call, no vote has been taken

20. on the question.

21. PRESIDENT:

22. The Rule that the motion to postpone was not decided in the

23. negative as Rule 48 suggests. The other two paragraphs do not

24. apply. The motion to postpone consideration was decided in the

25. positive.

26. SENATOR LAUGHLIN:

27. Thank you. I just wished a ruling from the Chair. Now,

28. I wish to state in voting no simply . . .

29. PRESIDENT:

30. Senator Laughlin.

31. SENATOR LAUGHLIN:

32. . . that all the difficulties have not been resolved. I

33. think Senator Fawell addressed himself . . . certainly my difficulties



1. with this bill haven't been resolved. I still believe it to  
2. be unconstitutional. I still believe it to be unwise and I  
3. wish to be recorded no.

4. SECRETARY:

5. ...Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr,  
6. Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee,  
7. Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper,  
8. Sours, Swinarski, Vadalabene, Walker, Weaver.

9. PRESIDENT:

10. On that question, the yeas are 37, the nays are 8. The  
11. bill having received a constitutional majority is declared  
12. passed. Senator Rock moves to reconsider. Senator Johns  
13. moves to Table. All in favor of the motion to Table signify  
14. by saying aye. Contrary minded. The motion to Table prevails.  
15. For what purpose does Senator Latherow arise?

16. SENATOR LATHEROW:

17. Mr. President, I'd like to move to reconsider the vote to  
18. postpone House Bill 1318 and have it heard at this time.

19. PRESIDENT:

20. The Chair is...just a moment. The Chair's notes indicates  
21. that you simply moved to postpone consideration on that bill  
22. earlier today. All right, so that you can call that bill at  
23. this point. There's no problem. You don't have any motion...  
24. need any motion to reconsider anything. 1318, Senator Latherow  
25. is recognized.

26. SENATOR LATHEROW:

27. 1318, Mr. President, without any further explanation, I  
28. would ask for a roll call.

29. PRESIDENT:

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

31. SECRETARY:

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

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

7. PRESIDENT:

8. Sours aye. Carroll aye. Groen aye. ...no. ...aye.  
9. ...aye. On that question, the yeas are 37, the nays are 2.  
10. The bill having received a constitutional majority is declared  
11. passed. Senate Bill...Senator Carpentier moves to reconsider.  
12. Senator Graham moves to Table. All in favor of the motion to  
13. Table signify by saying aye. Contrary minded. The motion to  
14. table prevails. For what...Senator Graham.

15. SENATOR GRAHAM:

16. If we can get a little order so you can hear me and I can  
17. hear you?

18. PRESIDENT:

19. Yes, if you can get your colleagues, Senator Bidwill and  
20. Senator Sours, right at your side there to...

21. SENATOR GRAHAM:

22. I think that you had a message over from the House perhaps  
23. in my absence dealing with Senate Bill 1535.

24. PRESIDENT:

25. Well...just a second. On Messages from the House, the Chair...  
26. or in Conference Committees, the Chair isn't taking them up until  
27. there is some indication that the leadership on both sides has  
28. looked at them.

29. SENATOR GRAHAM:

30. Mr. President, this is no Conference Committee. It's a  
31. House Amendment, come back with a House Amendment on it.

32. PRESIDENT:

33. I understand.

1. SENATOR GRAHAM:

2. I want to establish a Conference Committee, maybe.

3. PRESIDENT:

4. We have one Conference Committee, but I promised several  
5. others in the meantime, but you're...we don't have to my  
6. knowledge an indication that both sides have looked at your  
7. amendment yet here, Senator.

8. SENATOR GRAHAM:

9. There is no Conference Committee Report.

10. PRESIDENT:

11. I understand, but we're doing the same process on  
12. amendments to bills. For what purpose does Senator Carpentier  
13. arise?

14. SENATOR CARPENTIER:

15. In answer to Senator Graham, before they leave, I'd like  
16. to introduce Mr. and Mrs. Charles Bohm from Cologne, Illinois,  
17. two of the strongest Republicans in the State of Illinois here  
18. in the gallery.

19. PRESIDENT:

20. Senator Rock is recognized on Senate Bill 1608.

21. SENATOR ROCK:

22. Yes, Mr. President and members of the Senate, as everyone  
23. I am sure is aware by now, the required Breathlyzer machines  
24. for the proper implementation of the Implied Consent Law will  
25. not in fact be available this coming Saturday when that law is  
26. to take effect. Senate Bill 1608 changes and defers the effective  
27. date of the Implied Consent Law to January 1, 1973, and I would  
28. ask a favorable roll call.

29. PRESIDENT:

30. Senator Laughlin.

31. SENATOR LAUGHLIN:

32. Mr. President and members of the Senate, I would ask  
33. support for this bill. I would also call attention to the fact

1. that there are other vehicles available and that there are  
2. discussions going on as to whether there could be an earlier  
3. date than January 1, 1973, but in the meanwhile there's no...  
4. in the meantime, there is no reason why this bill should not  
5. be passed because in...there will have to be a postponement  
6. of some kind to some date with respect to the effective date  
7. of this law.

8. PRESIDENT:

9. The Secretary will call the roll.

10. SECRETARY:

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

20. PRESIDENT:

21. On that question the yeas are 41, the nays are 0. The  
22. bill having received a constitutional majority is declared passed.  
23. Senator Saperstein.

24. SENATOR SAPERS: EIN:

25. Mr. President and Senators, I would like to move to reconsider  
26. the vote by which we moved to nonconcur with House Amendment  
27. on Senate Bill 1555.

28. PRESIDENT:

29. Senator Saperstein moves to reconsider the vote by which the  
30. Senate nonconcur in the House Amendment to Senate Bill 1555. Is  
31. there any discussion? Senator Bruce.

32. SENATOR BRUCE:

33. It's been our usual procedure here to have an explanation of

1. what the amendment does to 1555.

2. PRESIDENT:

3. Senator Saperstein.

4. SENATOR SAPERSTEIN:

5. As I explained earlier in the day in answering Senator  
6. Knuepfer, I said that the Senate...the House reduced the appropri-  
7. ation to the downstate and Chicago State to the amount of \$90,000,000  
8. by \$52,000,000 bringing it down to \$90,000,000.

9. PRESIDENT:

10. Senator Knuepfer...just a minute, I'm sorry. Senator  
11. Bruce.

12. SENATOR BRUCE:

13. Yes, both systems were amended. Can you tell me how much  
14. was in the budget and how much was reduced in the Chicago system  
15. and how much was reduced in the downstate system and how that  
16. relates to the proportion that's in the budget, Senator?

17. SENATOR SAPERSTEIN:

18. You mean how it relates to the budget?

19. SENATOR BRUCE:

20. That is correct.

21. PRESIDENT:

22. Senator Saperstein.

23. SENATOR SAPERSTEIN:

24. I can tell you this much that the relationship between the  
25. downstate Retirement System and the Chicago Retirement System  
26. that the percentage is constant. It doesn't change.

27. PRESIDENT:

28. Senator Bruce.

29. SENATOR BRUCE:

30. Are you telling me, Senator, that the amount that was cut  
31. was equal in both systems as a percentage of the total amount that's  
32. in the budget because I understand it is not; that the amount restored  
33. there was \$86,000,000 in the budget; there's now \$90,000,000 in

1. the bill; the amount going to the Chicago System is a greater  
2. proportion, the 86, the 4 million, than it is to the downstate  
3. system.

4. PRESIDENT:  
5. Senator Saperstein.

6. SENATOR SAPERSTEIN:  
7. That's right. The amount remains...the difference between  
8. the downstate and the Chicago remains constant and I think the  
9. difference is about 31%. Pardon me?

10. PRESIDENT:  
11. Senator Knuepfer.

12. SENATOR KNUEPFER:  
13. Well, I want to ask a question. You were persuasive the  
14. first time, Senator Saperstein. Why are you moving to reconsider  
15. the decision you originally made?

16. PRESIDENT:  
17. Senator Saperstein.

18. SENATOR SAPERSTEIN:  
19. Well, I'm told this is my prerogative. I think...pardon me?  
20. As Chairman of the Education Committee and as the sponsor of  
21. Senate Bill 1555, I think I'm doing what is reasonable in  
22. reference to the amendment, the amendment that was passed in  
23. the House reducing the original amount by...around \$51,000,000.

24. PRESIDENT:  
25. Senator Knuepfer.

26. SENATOR KNUEPFER:  
27. Well, are you proposing to reduce this amount then by  
28. asking for concurrence?

29. PRESIDENT:  
30. Senator Saperstein.

31. SENATOR SAPERSTEIN:  
32. Yes, Sir, by around \$52,000,000.

33. PRESIDENT:

1. Senator Knuepfer.

2. SENATOR KNUEPFER:

3. All right, then I want to talk on this.

4. PRESIDENT:

5. Just a moment. Just a moment. Senator Knuepfer is  
6. entitled to be heard. Just a moment, Senator, We're not  
7. going ahead until we get some order here now. Please. Senator  
8. Knuepfer.

9. SENATOR KNUEPFER.

10. ...then I want to discuss this, Senator. About two months  
11. ago I got a whole lot of letters from teachers in Chicago and  
12. teachers downstate and they were very concerned, and Senator  
13. Groen can probably confirm the figures. I don't know. They  
14. were concerned that their pension was funded at some 30% only.  
15. They wanted to know why the Legislature was funded at 75%.  
16. Now, are you proposing by this agreement to tell those teachers  
17. that you're going to keep the 30% funding or maybe go down lower  
18. than 30%. I stood up on this Floor and suggested to this Body  
19. time and time again that it's time to meet our responsibility  
20. in this. I thought when you made the first motion today you had  
21. agreed that it was time to meet our responsibilities and to  
22. at least go part way to resolving the problems that the teachers  
23. had in Chicago and the downstate teachers had. Now, Senator,  
24. we're going to get some more letters from them, I'm very certain  
25. saying, "Why haven't you done it?" I want to say only one thing  
26. that one Senator is going to vote for this whatever the rest of  
27. the Senate does and I personally am very much disturbed that we  
28. would reduce the funding. It's the same thing we've done every time  
29. and I suppose I ought to expect it on the final days, but we're  
30. going to end up with Social Security funding with no funding at  
31. all, in other words, and then you tell the teachers why their  
32. fund hasn't got the money in, but the Legislature...the Legislative  
33. Fund has its money in.

1. PRESIDENT:

2. Senator Gilbert.

3. SENATOR GILBERT:

4. Well, I think there is some misunderstanding as to  
5. exactly what we are doing here. At the time that the bill was  
6. introduced to fund these pensions, it was agreed by the representa-  
7. tive of the downstate Teachers Retirement System that \$82,000,000  
8. would be not would they would like, but that that would be a  
9. sufficient sum to fund this particular system for this year.  
10. The law of course required which we passed a number of years  
11. ago that the pension fund be fixed at 1.2% that was a State  
12. contribution which was the amount that was in the original  
13. bill. An amendment was introduced here in the House which  
14. Senator Harris was supposed to handle and he was not here.  
15. I handled it. I did not have a great amount of information  
16. on it. I did not know that there was going to be objection  
17. which would reduce this pension \$60,000,000. That failed  
18. and the bill went to the House with the full funding on it  
19. as required by the Statute. Now, the \$82,000,000 that we put  
20. in was an increase of \$32,000,000 over what we funded the pension  
21. last year. In the House they reduced it \$51,000,000 or approxi-  
22. mately that amount which left \$90,000,000 for the downstate  
23. teachers and the additional \$1,000,000 plus for the Chicago  
24. System which is as Senator Saperstein has pointed out was in  
25. the same ration of 31 and a fraction percent. This is a matter  
26. that Senator Groen and Senator Romano and others can talk on  
27. better than I, but the point is that we are giving them \$8,000,000  
28. more than was in the budget. That was one of the questions  
29. asked by Senator Bruce. \$8,000,000 more for the downstate teachers  
30. than was in the budget and \$1,000,000 plus for the Chicago  
31. teachers' Retirement System; so, by adopting the House amendment  
32. we are giving \$9,000,000 more to the pension system of the  
33. downstate and Chicago teachers than was in the original budget



1. and was the intention of the sponsor when the bill was originally  
2. introduced. There is an increase here even though there is a  
3. decrease from the amount in the original bill. I don't think  
4. anyone here including the members of the Pension Laws Commission  
5. expected that we would have the funds to fully fund this pension  
6. for this year. The amount of money now left in the budget,  
7. and I had a conversation this afternoon with the gentleman in  
8. charge of it, Senator Groen himself has, this amount that we  
9. are giving now will more than pay by approximately \$1,000,000  
10. the amount of the claims that they expect to be made on this  
11. pension for this year as I understand it.

12. PRESIDENT:

13. Senator Groen.

14. SENATOR GROEN:

15. Well, Mr. President and members, exactly 19 years ago  
16. tonight, on June 28th of 1953 at the hours of 11 p.m., I stood  
17. at one of the microphones in this Chamber and I discussed a  
18. similar motion regarding the downstate teachers' Retirement  
19. System. I failed in that effort. After that adjournment that  
20. night, the then President Pro Tem of the Senate, Walker Butler,  
21. came to me and commended me on the speech that I had made and  
22. said, "Senator, you have demonstrated an unusual grasp of a very  
23. technical and complex subject matter. There is a vacancy on the  
24. Pension Laws Commission, and I want to appoint you to it, and  
25. I hope that you will find a solution to a cancer that has grown  
26. over the years and which some day is going to haunt this General  
27. Assembly and a Governor because of what will ultimately result  
28. in bankruptcy of the State supported pension systems." I  
29. undertook that task and in those subsequent years, I have given  
30. a great deal of my time and effort, strength and ability such  
31. as it was to trying to do something about it. I suppose if you  
32. measure accomplishment, you would have to say that I have failed,  
33. but in retrospect, I say to myself, "Thank God you did it because

1. if you hadn't, the bankruptcy that was then predicted would  
2. already have been upon us." Now, what is the situation here?  
3. You have a pension system the downstate teachers that now as  
4. I stand here and talk to you today is in excess of \$2,300,000,000  
5. in the red. It's just as much a debt as your dentist bill,  
6. your grocery bill and someday the taxpayers of this State  
7. are going to have to pay it. Now back in those days the total  
8. budget of the State of Illinois for all purposes for a two  
9. year period did not exceed one and one-half billion dollars.  
10. Today the State of Illinois has a budget in excess of \$7,000,000,000  
11. and it's for one year, and yet over that 19 years we have been  
12. unable to find the money and I am saying this about a Democrat  
13. Governor; I am saying about a Republican Governor; I am saying  
14. it about every Governor that sat on the second floor since the  
15. inception of these programs. No one, no one ever had the  
16. courage to take this matter, approach it in a realistic, logical  
17. way and say, "I'm going to solve this problem and I admit  
18. that I can't solve it during my administration, but I'm going  
19. to get a start; and we have pleaded to establish the reserve for  
20. these funds on an actuarial basis at 60% of funding and that  
21. we amortize this obligation over a period of forty years. Now  
22. to amortize the Downstate Teacher's System and the needs that  
23. are required for this fiscal year and we apply to it by reason  
24. of increased benefits that the General Assembly has voted for  
25. Downstate teachers and which they deserve according to A. S.  
26. Hanson and Company, the Actuaries for the Downstate teachers,  
27. would require an appropriation this year, lady and gentlemen,  
28. of \$195,000,000. Now, when you consider that every time we put  
29. money into this fund, the interest income from it reduces the  
30. appropriation we must make for current funding and for current  
31. spending and for amortization, we have failed miserably. So  
32. we start out with a situation here where the original bill carried  
33. as I recall 124.9 million dollars. Now, that was predicated on  
34. the statutory 1.2% and, gentlemen, let me say this to you and

1. I say it in all sincerity and honesty. Either repeal that  
2. 1.2 and get it off the books or live by it and provide the  
3. monies to fund it on the basis. Now, to tell you what's going  
4. to happen this year and frankly the rug was pulled out from  
5. under me and I think you are entitled to know it and I think  
6. the Downstate teachers are entitled to know it, the rug on  
7. this issue this time was pulled out from under me by Roy  
8. Baker, their head. When Roy Baker made the statement to  
9. Gene Hoffman, to John Gilbert and to me that this amount  
10. constitutes a substantial increase over the preceding year,  
11. I am happy with it and I think my people will be happy with  
12. it. Well, I say to you that Roy Baker in making that state-  
13. ment revealed an incompetency that is unbelievable because  
14. this is what is happening. The cash needs of this system  
15. for fiscal 1973 are estimated at 103 million dollars. That  
16. includes an estimated 15 million dollars that will constitute  
17. refunds to people who drop out and withdraw from the system.  
18. All right, you take that off and you come up with \$90,000,000.  
19. Now, if they need \$105,000,000; if this is going to be their  
20. outlay, you do nothing, absolutely nothing to shore up this  
21. system that is so deeply in debt. One of the things I hope  
22. to do as I leave this Chamber because I consider my job and  
23. my obligation undone in this field and one of the things I want  
24. to continue doing as a private citizen after the first week of  
25. January in 1973 is to stay on the Pension Laws Commission to  
26. work as a private citizen, as a public member if you please,  
27. to try to get the accomplishment that I apparently failed to  
28. do during my term in the Senate, but I say to you that, I say to  
29. you that when you do what you are about to do, you are doing no  
30. different than every Legislature before you has done in my 20  
31. years; usually it's the State employees and the teachers, none  
32. of them get what they need; they continue to go deeper in debt  
33. and let me just close, Mr. President, by saying that the day

1. will come...the day will come when you face a problem that is  
2. written into the new 1970 Constitution that says that this is  
3. a contract between you and the school teachers and you have no  
4. choice. The Constitution mandates you to pay a retired person  
5. the pension to which he or she is entitled, having earned it.  
6. Where you are going to find the money...where you are going to  
7. find the money, I don't know. The State University System alone  
8. in the year 2000 is going to require an appropriation in excess  
9. of a billion dollars. Get that--an appropriation in excess of  
10. one billion dollars as its annual, its fiscal one year cost  
11. unless you do something, something to provide the funds that  
12. may be invested, that the interest income can provide the means  
13. of payment. It's later than you think and I guess I can say  
14. what every Governor before me has said because I too am retiring.  
15. I will not be here when the roof caves in, but at this time, I  
16. want to apologize publicly for my inability to persuade you  
17. people now and my colleagues for nineteen years to meet their  
18. responsibility to public servants of this State. We haven't  
19. done it. It isn't going to be done now, and I say, "Let the  
20. shame be upon you."

21. PRESIDENT:

22. Senator Soper.

23. SENATOR SOPER:

24. Mr. President and members of the Senate, Senator Groen  
25. stated what I would state and, of course, explains the proposition  
26. very thoroughly and to follow him on a proposition is very  
27. difficult because he doesn't leave much to be said, but I would  
28. like to tell you this that every pension that we have in this  
29. State is a contract between the employer and the employee. The  
30. State is the employer. Now we're behind on our part of the  
31. contract, and we sat in Pension Laws Commission and we sit there  
32. with some very dedicated people, people that's been on this  
33. Commission for many, many years, and we have the teachers and we

1. other pension people come in and talk about their pensions;  
2. and as Senator Groen has stated, we're very, very far behind  
3. on keeping up our obligation, and we figured out a program over  
4. a 40-year period; we contracted to put 1.2 in this program.  
5. Now, to take this program and just say, "Well, we just didn't  
6. mean what we said and we know we owe you the money and it's  
7. a contract." If this were a contract between a private employer  
8. and employee, the employer would go to jail if he didn't have  
9. that money set aside. They'd say, "This is the money that  
10. belongs to us." If the Union had a pension and took the money  
11. and put it aside and then didn't have it in proper shape and  
12. form in a proper place for a pensioner to get it at the time,  
13. you'd all go out and call for the grand jury and have them put  
14. in jail. Now, the pension programs and the people that the  
15. employees...have been very kind, very nice and very considerate,  
16. and I don't think we should go backwards on this thing. I think  
17. we should take the Pension Laws Commission's recommendation on  
18. this thing. We should go along with this. Let's sit down and  
19. try to do something that's decent for one time. Let's keep these  
20. pensions viable. Let's keep them actuarially solvent and it's  
21. going to take forty years, but let's not put it back another ten  
22. years by not doing the simple things that we're supposed to do.  
23. Thank you.

24. PRESIDENT:

25. Senator Bruce.

26. SENATOR BRUCE:

27. Briefly, Mr. President, we all know what we're doing here  
28. and that is that we are in violation of the Statute which requires  
29. that we contribute 1.2 times the member contributions to the  
30. Teachers' Retirement Program. As a member of the Committee on  
31. Appropriations, I'm fully aware of the new programs that have  
32. started in this State this year, the tremendous amount of  
33. highways that have been built. Yesterday we passed a \$561,000,000

1. bond issue for all kinds of miscellaneous but worthwhile projects  
2. in the Staté of Illinois. It...this Body will one day have to  
3. realize we are only going to spend that money that we have. I'm  
4. informed that a lawsuit has been filed against the State alleging  
5. that the State of Illinois has not made sufficient contribution  
6. to this fund. I'm hopeful that they are victorious and this  
7. State...and the demands made on the State Treasury in the amounts  
8. of \$2,000,000,000 to restore those funds to their proper legal  
9. amount because the...I believe this Legislative Body would realize  
10. and those outside this Chamber who think that somehow the money  
11. we spend here comes from some other State would realize then that  
12. we've got to spend within the revenues available. \$40,000,000  
13. is the amount that we're talking about and that may seem a lot  
14. of money. When you see the appropriations that go through,  
15. the new buildings, the new projects, not wanting to wish...  
16. mention anyone in particular, but many House members, many of  
17. the members of this Body have begun new programs which will  
18. come back to haunt us in years to come as very major expenditures  
19. of State money, and this is where we face that difficulty and  
20. it is today that we've got to face it. It's to appropriate the  
21. proper amount of money in this item and hope that every year  
22. thereafter we can at least keep up instead of fall behind every  
23. year. I plan to oppose this amendment. I will also oppose the  
24. bill if the amendment carries.

25. PRESIDENT:

26. Senator Saperstein may close the debate. Senator Knuppel.  
27. I'm sorry...I promised Senator Knuppel...my apologizies, Senator.

28. SENATOR KNUPPEL:

29. Mr. President and members of this Body, again we are ignoring  
30. priorities, human priorities. We're ignoring the Constitution  
31. which is now the new law of this State which you and I took an  
32. oath to uphold. Not only are we violating the Constitution,  
33. we are violating the law as we have written it as illustrated

1. by Senator Bruce. Section 5 of Article XIII expressly provides:  
2. "membership in any pension or retirement system of the State,  
3. any unit of local government or school district or any agency  
4. or instrumentality thereof shall be an enforceable contractual  
5. relationship. The benefits of which shall not be deminished  
6. or impaired." Gentlemen, I ask you, in view of the removal  
7. of the immunity of the State of Illinois, if we do not do what  
8. has been recommended by the Pension Commission in this Body  
9. in view of the Constitution and the law, if we do not open this  
10. Body up, the State of Illinois up to a lawsuit to enjoin any  
11. expenditures we may have appropriated here, any money that we  
12. may have appropriated until we meet that mandate because from  
13. what Senator Groen has said, the pension rights of Downstate  
14. retired teachers are impaired. Now, my people voted for me to  
15. come here and fight for something. If we're going to abjectly  
16. surrender to everything that comes across that hall from the  
17. House then we'd better surrender and adopt my idea of a unicameral  
18. Legislature where I can go over there and fight and try to do  
19. some good there. Now, we fought this out on the Floor earlier  
20. this year and we decided it, but in the closing days of the  
21. Session it seems that there are some deals made. I hope that  
22. isn't true and I wonder when I see these things happen, just  
23. what was traded for the Teachers Retirement Fund. Now, I just  
24. say, Gentlemen, you're either going to stand up and fight for  
25. your people, the people who elected you; you're going to put  
26. human priorities first or you're not; you're going to put money,  
27. politics and other things ahead of that and sooner or later  
28. the people of this State, you're wondering about your image;  
29. you're wondering why it's tarnished; you wonder why you can't  
30. scrub it up. We'll you're not answering the demands of the  
31. people, the human priorities that exist today. You're wonder-  
32. ing why you're paying out billions in welfare and you're not  
33. willing to take those older people who need pensions. I'd

1. be remitted if I didn't stand up here and make this speech.  
2. My mother father who drove a horse and buggy to teach a  
3. one room school; my aunts who taught in the Indian schools  
4. and the public schools of this United States . . . I'd be derelict  
5. and I would be in tragic failure toward them . . . all the teachers  
6. of this State who are retired and who anticipate retiring and  
7. I still say that I believe that a good lawyer could have a very  
8. fine case in court to enjoin the spending of any appropriations  
9. which are made here on a constitutional, on a statutory and  
10. on the recommendation of the Pension Laws Commission's recommen-  
11. dation. Most of all, I say to you, we've thrashed this out once.  
12. Are you men of your word? Are you willing to do battle or are  
13. you going to let the House run the Senate or are we going to go  
14. to a unicameral Legislature . . . we might all as well stay home.

15. PRESIDENT:

16. Senator Rock.

17. SENATOR ROCK:

18. Yes, Mr. President, I don't want to prolong this. I just  
19. want to point out to the Senator from Petersburg that in the  
20. annulated statutes there is a commentary on that particular Section  
21. of the Constitution written by a Constitutional Convention delegate,  
22. named Wayne Whalen, and it expressly says . . . all I'm suggesting  
23. to you is that it expressly says that provision has nothing to do  
24. with the funding question.

25. PRESIDENT:

26. Senator Knuppel.

27. SENATOR KNUPPEL:

28. That's just . . . that's just Wayne Whalen's opinion, and I  
29. don't think that his opinion is worth any more than any other  
30. Constitutional delegate and there is a case in Springfield, and  
31. I don't know if it has anything to do with funding, but it said  
32. . . that decision said that that meant what it said and that  
33. you couldn't take people off on retirement and cut their salaries



1. or set up other standards and impair those rights. I say that  
2. this is exactly what you're doing regardless of what Wayne  
3. Whalen said. He was on style and drafting. He wasn't on  
4. the Pension Law part of it in the Constitutional Convention,  
5. and I don't consider him that good of a lawyer and I don't  
6. think anybody else in the Constitutional Convention does.  
7. PRESIDENT:

8. Senator Saperstein may close the debate.

9. SENATOR SAPERSTEIN:

10. Mr. President and gentlemen of the Senate, statements  
11. were made that...that 1555 is a step backward as amended,  
12. is a step backward. I would refute that and if the gentleman  
13. who made the statement would look at his figures, he would find  
14. that 1555, as amended, is about \$41,700,000 above the present  
15. year's appropriation of \$75,000,000 for the Downstate and  
16. Chicago Pension Fund. I renew my motion for reconsideration  
17. of the vote.

18. PRESIDENT:

19. Motion is to reconsider the vote. On reconsideration on  
20. this motion, we have to have a majority of those voting on the  
21. question then if the Senator follows that with a motion to concur  
22. in the House Amendment, that requires 30 votes. For what purpose  
23. does Senator Savickas arise?

24. SENATOR SAVICKAS:

25. Point of inquiry. The Senate rules require all Senators to  
26. wear coats while they're in the Senate Chambers. Does this  
27. apply to House members also?

28. PRESIDENT:

29. This applies only to Senators. We're delighted to have  
30. House members in whatever is appropriate to House members. The  
31. Secretary will call the roll. Just, just...is division  
32. satisfactory? The Secretary will call the roll.

33. SECRETARY:

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

9. PRESIDENT:

10. Senator Sours.

11. SENATOR SOURS:

12. I'm a little confused, Mr. President and Senators. What is  
13. the...what is the...

14. PRESIDENT:

15. The motion...

16. SENATOR SOURS:

17. What are we voting...

18. PRESIDENT:

19. The motion is a motion to reconsider the Senate action to  
20. nonconcur with the House amendment. Those in agreement with  
21. Senator Groen will vote in the negative. Those in agreement  
22. with Senator Saperstein will vote in the affirmative.

23. SENATOR SOURS:

24. No.

25. SENATOR GRAHAM:

26. Graham no.

27. SENATOR SAVICKAS:

28. Savickas aye.

29. SECRETARY:

30. ...Swinarski, Vadalabene, Walker, Weaver.

31. PRESIDENT:

32. ...no. A call of the absentees. The absentees will be  
33. called.

1. SECRETARY:  
2. Arrington, Baltz, Berning, Chew, Fawell, Hall, Harris...  
3. PRESIDENT:  
4. For what purpose does Senator Horsley arise?  
5. SENATOR HORSLEY:  
6. How am I recorded?  
7. PRESIDENT:  
8. You're recorded in the affirmative.  
9. SENATOR HORSLEY:  
10. Well I'd like...I'd like to ask a question to see if I  
11. want to change my vote.  
12. PRESIDENT:  
13. The Senator is entitled to explain his vote.  
14. SENATOR HORSLEY:  
15. Now, I've listened to this argument on both sides and if  
16. I analyze it correctly, if we agree with Senator Saperstein  
17. and Senator Gilbert, as I understand it agrees with Senator  
18. Saperstein, we're actually giving \$9,000,000 more to the  
19. Common School Fund and the children of the State of Illinois,  
20. the school districts or not? I want to get clear on this thing.  
21. PRESIDENT:  
22. Senator Gilbert.  
23. SENATOR GILBERT:  
24. You're giving nine million plus to the Chicago and Downstate  
25. Teachers' Retirement System. This has nothing to do with the  
26. pupils, Senator Horsley, but it does for the teachers and their  
27. pension. \$8,000,000 of that is added to the Downstate teachers  
28. and a million 700 thousand to the Chicago Teachers Retirement  
29. System which is \$9,000,000 more...\$700,000 more than was in the  
30. budget as presented for the two retirement systems. This is a  
31. total of \$41,700,000 more than was given last year to the same  
32. two systems.  
33. SENATOR HORSLEY:

1. I'll vote aye.

2. SECRETARY:

3. ...Lyons, Newhouse, Nihill, Ozinga, Rock, Rosander.

4. PRESIDENT:

5. On that question the yeas are 27, the nays are 16. The  
6. Senate reconsiders its action to nonconcur. Senator Saperstein.

7. SENATOR SAPERSTEIN:

8. Mr. President and gentlemen of the Senate, I move that we  
9. do concur with the House Amendment on Senate Bill 1555.

10. PRESIDENT:

11. Motion is the Senate concur with the House Amendment on  
12. Senate Bill 1555. On that question the Secretary will call  
13. the roll.

14. SECRETARY:

15. Arrington, Baltz, Berning...

16. PRESIDENT:

17. Senator Berning.

18. SENATOR BERNING:

19. Thank you, Mr. President and members of the Body, I'm sorry  
20. I was off the Floor during the last roll call because I would  
21. have liked to have been on it and briefly I would like then to  
22. explain my position. Certainly I am concerned about the condition  
23. of the pension fund. I had a great...pardon me...I've had a  
24. great many letters from teachers just as most of you have. I'm  
25. a little bit unable to reconcile the need for vast sums of money  
26. held in idle accounts just to satisfy potential pension demands  
27. when we are in a position to appropriate year by year the  
28. necessary funds to meet the demands each year for those pension  
29. requirements. However, since we do have an obligation and there  
30. seems to be sincere and genuine concern that we ought to have  
31. these funds on hand, I would like to propose and I would be  
32. willing to support the idea of a bond issue for this express  
33. purpose. Let's obligate the State of Illinois to retire bonds

1. that have been floated to fully fund the Pension Systems. Let  
2. us do that next year as we prepare our budget; be in a position  
3. to balance our budget; thereby taking this into consideration  
4. along with all of our other requirements, but at this time when  
5. we have a budget that we know is fixed, limited and up to the  
6. maximum, it seems to me inappropriate and indefensible to  
7. throw it completely out of kilter; so, therefore, I am pleased  
8. to support the move to concur with the House in the amendment  
9. which utilizes the funds that are available to us. I vote aye.  
10. PRESIDENT:

11. It's...the question has been raised on how we're voting.  
12. The motion is to concur in the House Amendment. Those in  
13. agreement with Senator Saperstein on the motion to concur will  
14. vote in the affirmative. Those opposed to that motion will  
15. vote in the negative. The Secretary will continue the roll call.  
16. SECRETARY:

17. ...Bidwill, Bruce, Carpentier...

18. PRESIDENT:

19. Senator Bruce.

20. SENATOR BRUCE:

21. Yes, Mr. President, the amendment that would have required  
22. full funding has now been taken off. We now find ourselves with  
23. a Pension System that is underfunded one more year. I will not  
24. vote for this bill. I ask that others in this Chamber do the  
25. same. I hope that there's enough money left in this System  
26. some day that each of us, as Senator Groen mentioned, that we  
27. can send to the teachers of this State a letter stating for  
28. the years of service to the State of Illinois and its citizens  
29. and its children, we have now decided to rescind your pension.  
30. The money you have built in is no longer available. We are  
31. deeply concerned with State budgeting matters, however, we have  
32. foolishly willed away our time to now we have no money to pay you  
33. your share. I hope that letter goes out to every teacher when we

1. get done, and I hope those who vote to cut are those who get  
2. to sign that letter. I vote no as one Presidential candidate  
3. has said, "Let's send them a message." I hope that we send  
4. this Chamber a message that some of us here are not going to  
5. vote to cut those pension programs because we may be here in  
6. later years to have to face the very serious problem of fully  
7. funding those. I vote no.

8. SECRETARY:

9. ...Carpentier, Carroll, Cherry, Chew, Clarke, Collins,  
10. Coulson, Course, Davidson, Donnewald, Dougherty, Egan, Fawell,  
11. Gilbert, Graham, Groen, Hall, Harris, Horsley, Hynes, Johns,  
12. Knuepfer...

13. PRESIDENT:

14. Senator Knuepfer.

15. SENATOR KNUEPFER:

16. Senator Saperstein, I hope next year when I get a few more  
17. letters from some teachers again you can help me explain to them  
18. just what we in the Legislature have done to them and explain it  
19. in a plausible and rational and reasonable way. What was not  
20. pointed out, I do not think, is the fact that with the appropriation  
21. we're suggesting that this appropriation was higher than last  
22. year's. That is true. I don't think anybody called to your  
23. attention the fact that last year's ran in the red and we had  
24. to draw upon the reserves for last year's pension fund. If all  
25. goes well, it is my understanding, that we will provide some  
26. \$3,000,000 to fund the reserve. On the basis of what Ebbie  
27. Groen has told us, \$3,000,000 will take some 3000 years to fund  
28. the reserve. I'm not willing to wait that long. I vote no.

29. SECRETARY:

30. ...Knuppel...

31. PRESIDENT:

32. Senator Knuppel.

33. SENATOR KNUPPTEL:

1. I admired the fight here that Senator Saperstein put  
2. up for Equal Rights for Women. Most of my teachers were  
3. women and I'm still fighting for those women. I'd like to  
4. see her fight with me. I don't know how she's going to ex-  
5. plain to the business and professional women, the university  
6. women and all of the other teachers, most of whom are women,  
7. how she could fight so hard for Equal Rights Amendment and  
8. surrender abjectly on this situation. I vote no.

9. SECRETARY:

10. ...Kosinski, Kusibab, Latherow, Laughlin...

11. PRESIDENT:

12. Senator Laughlin.

13. SENATOR LAUGHLIN:

14. Yes, Mr. President, this isn't my field of expertise  
15. if I have any such field. I just say this, I'd call to your attentio  
16. we're not voting on the final action here. If this doesn't  
17. pass and doesn't get 30 votes, it'll go to a Conference  
18. Committee so that we will get another whack at it and hopefully  
19. it will be a little better funded than it is now; so I vote no.

20. SECRETARY:

21. ...Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr,  
22. Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee,  
23. Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper,  
24. Sours, Swinarski, Vadalabene, Walker, Weaver.

25. PRESIDENT:

26. Senator Horsley.

27. SENATOR HORSLEY:

28. Well, Mr. President, I suppose we're all entitled to change  
29. our minds and after we maybe get a few facts here and there.  
30. From purely just a practical political matter, it would be easy  
31. to vote aye. I think the law mandates us to do this. Lawsuits  
32. are on file now. If we're going to overextend the Governor's  
33. budget, we're betwixt and between...I'm sorry, I'm going to

1. have to vote no.

2. PRESIDENT:

3. Senator Groen.

4. SENATOR GROEN:

5. Well, Mr. President, I don't want to belabor this, but  
6. I think I should make just a couple of very short comments  
7. about some things that have been said. To Senator Knuepfer:  
8. Senator, there will be no reserves. There are none now. I  
9. think you as a businessman can readily recognize that a business  
10. that is \$2,350,000 in the red has very little reserve upon which  
11. they can call. Also, I would like to correct what I think  
12. is a misunderstanding that the amount that was originally in  
13. the budget would adequately fund this system. As I said  
14. previously, the actuaries for this system, A.S. Hansen and Company,  
15. gave a figure and when you say \$90,000,000 that is less than  
16. one-half of what you would be required to appropriate. If you  
17. were going to fund the obligations of this system for the fiscal  
18. year, you would have to appropriate and do it over a 40 year  
19. amortized basis. You would have to appropriate the sum of  
20. \$195,000,000; so you aren't giving them anything and when you  
21. start from nothing and say, "We've increased it. We've given  
22. you more than last year." That's not the answer to this problem.  
23. I say to you that in the year 2000 with what is attempting to  
24. be done here today, assuming the line is held from here on and  
25. you don't allow, you don't allow, any of the systems to go one more  
26. dollar in debt, you meet your obligation between now and 2000,  
27. you will require an annual fiscal appropriation to pay these  
28. pensioners a sum that is equivalent to your budget today.  
29. Think about it. Think about it carefully. In this coming  
30. fiscal year, you'll have to answer to a teacher that asks you,  
31. "Yes, a part of your contribution for this year is going to  
32. be spent to pay your colleagues on retirement. It will not go  
33. into the fund to draw interest to protect your pension to which



1. you're going to be entitled at the time of your retirement."  
2. I vote no.  
3. PRESIDING OFFICER: (SENATOR ROCK)  
4. Senator Mohr.  
5. SENATOR MOHR:  
6. Mr. President, I was moved by Senator Groen's remarks.  
7. I share his concern about the Teachers' Pension Fund, other  
8. funds and I'm going to vote no and I hope that Senator Groen  
9. shares our concern in Cook County with the Motor Fuel Tax Funds.  
10. PRESIDENT:  
11. Gilbert...On that question the yeas are 23, the nays are  
12. 17. The motion does not prevail. The Senate does not concur  
13. in the House Amendment. Senator Rock is recognized for the...  
14. Senator Saperstein.  
15. SENATOR SAPERSTEIN:  
16. Point of order, Mr. President. Do I have to move for a  
17. Conference Committee?  
18. PRESIDENT:  
19. No. That is done by the House if it does not recede from  
20. its amendment. Senator Neistein, for what purpose do you arise?  
21. SENATOR NEISTEIN:  
22. To inquire. Have we got any more noncontroversial bills  
23. for this evening?  
24. PRESIDENT:  
25. Quite a few more noncontroversial ones like that. Senator  
26. Rock.  
27. SENATOR ROCK:  
28. Yes, Mr. President, I've spoken to the leadership on both  
29. sides. There is a House Bill 298 that was on Second Reading. I  
30. moving it at this time to take that bill from the Table and I  
31. have an amendment on the Secretary's desk to House Bill 298. I'd  
32. ask for leave of this Body to take that bill from the Table. This  
33. is the vehicle that I intend to use. There was some consternation

1. about Senate Bill 1608 time-wise, not having enough legislative  
2. days if we want to try to adjourn before Friday. By virtue  
3. of this House bill, if we can amend it today and I'll move it  
4. to Third Reading and we could pass it tomorrow and the House  
5. could concur in that amendment. It concerns the effective date  
6. of the Implied Consent Law.

7. PRESIDENT:

8. Is there objection? Leave is granted. The bill is on  
9. Second Reading. Senator Rock offers Amendment No. 1. Can  
10. you explain the amendment, Senator?

11. SENATOR ROCK:

12. The amendment is exactly word for word to Senate Bill  
13. 1608. It delays the effective date of the Implied Consent  
14. legislation to January 1, 1973 and I move its adoption.

15. PRESIDENT:

16. Is there any discussion? All in favor of the adoption  
17. of the amendment indicate by saying aye. Contrary minded.  
18. The amendment is adopted. Third Reading. Senator Coulson.

19. SENATOR COULSON:

20. Mr. President, it may be that this is not a good opportunity  
21. but it seems to be the best that will be afforded me. I would  
22. like to return to the order of Resolutions if I might have unani-  
23. mous consent, and I'd like to do it as long as Jean is there on  
24. the platform with you. I have a Resolution on your behalf, Sir.

25. PRESIDENT:

26. Well, the Chair can't very well object.

27. SENATOR COULSON:

28. I would like the Clerk to read the Resolution slowly and  
29. with feeling.

30. PRESIDENT:

31. The Secretary will read the Resolution.

32. SECRETARY:

33. (Resolution.)

1. PRESIDENT:

2. Senator Coulson.

3. SENATOR COULSON:

4. Mr. President, this is not...there is no suggestion that  
5. this should be enrolled and engrossed because that would cost  
6. \$48 and you and I know we're more thrifty than that. I'm  
7. not suggesting that all members be made co-sponsors as is  
8. usually done. That's the lazy way out. I think it would be  
9. proper to do as we used to do. Those who care to be co-sponsors  
10. should be willing to take twelve steps up to the Secretary's  
11. desk and sign their names so that you may have an appropriate  
12. souvenir rather than taking the lazy way out of just being joined  
13. as co-sponsors; so, I'm not being finicky about it. I would  
14. move the suspension of the rules and the adoption of the  
15. Resolution adding my personal comment.

16. PRESIDENT:

17. Thank you. Thank you. Thank you very, very much. Thank  
18. you very much, Senator Coulson and members of the Senate. I  
19. think after that I may ask for a recount on the March 21st  
20. primary. It's been a great experience, 18 years now in the  
21. Senate and the House and as Lieutenant Governor and I've  
22. thoroughly enjoyed the chance to work with all of you. I  
23. guess I'd better call the Resolution, hadn't I? All those  
24. in favor of the adoption of the Resolution indicate by saying  
25. aye. Contrary minded. The Resolution is adopted. Senator Baltz.

26. SENATOR BALTZ:

27. Mr. President. Mr. President.

28. PRESIDENT:

29. Senator Baltz.

30. SENATOR BALTZ:

31. Mr. President and members of the Senate, if you don't think  
32. it's too much of a burden on the taxpayers of the State of Illinois,  
33. I would hope that each Senator is furnished with a xeroxed copy

1. of this Resolution.

2. PRESIDENT:

3. Well, the Chair will see to it. Thank you. Senator  
4. Partee.

5. SENATOR PARTEE:

6. I was just going to say, Mr. President, having come from  
7. the old country here, I am happy that I chose Illinois as a  
8. State in which to marry and rear my family and live and work  
9. because had I not, I possibly would not have had the pleasure  
10. which has been mine in knowing first your lovely wife and  
11. then you and seeing and observing the many years of devotion  
12. to the government that each of you have given. It's been a  
13. pleasure to have known both of you. You have both singularly  
14. and collectively made a real impression on the people of this  
15. State. You've made a real contribution to the welfare and  
16. development of this State.. It would perhaps be out of order,  
17. but Mrs. Simon was once a legislator having come here with  
18. me, would you give her the microphone just for a moment.

19. PRESIDENT:

20. Can't very well turn down the President Pro Tem.

21. MRS. SIMON:

22. I don't want to breakdown and cry in the Senate. That  
23. would be a terrible thing to do. I think I cried in the House  
24. when Paul proposed and that was bad enough, but thank you for all  
25. you've done for Paul, for me, for our children, Martin and  
26. Sheila, for the wonderful memories we all have, the Simons  
27. have of our service in the State Legislature. I hope we'll  
28. be back again. Thank you.

29. PRESIDENT:

30. Senator Vadalabene.

31. SENATOR VADALABENE:

32. Thank you, Mr. President and members of the Senate, as you well  
33. know that Paul Simon is your Lieutenant Governor, but I happen to

1. be his Senator. Oh, yes I am. Oh, yes I am, Jim. I'm his  
2. Senator, and I'm also Jeanie's Senator; but I would like this  
3. Body to know that since I have been in the Senate, the Lieutenant  
4. Governor who presides over the Senate has never one time told  
5. me how to vote on a bill. That's what kind of a man he is and  
6. I appreciate that.

7. PRESIDENT:

8. We . . . Senator Walker.

9. SENATOR WALKER:

10. Thank you, Mr. President, fellow Senators and briefly,  
11. a number of us in this Chamber served under numerous Speakers  
12. and presiding officers. I've served under Warren Wood, Paul  
13. Powell, John Lewis and Ralph Smith. Mr. Lieutenant Governor,  
14. I would like to tell you that you're the only presiding officer  
15. that I've ever served under that had two ears. As you recall,  
16. Paul had a little trouble with one ear and Wood had a little  
17. trouble when he was presiding us over with his other ear. In  
18. other words, Paul, you've listened to both sides here. For that,  
19. I congratulate you and many, many years of continued success.

20. PRESIDENT:

21. Thank you very much, Senator. Senator Neistein.

22. SENATOR NEISTEIN:

23. Mr. President and Mrs. President, members of the Senate,  
24. I, too, claim a very distinct honor. I'm intensely gratified  
25. to stand up and say that I not only served with Jean and Paul  
26. in the House, I served with them in the Senate. As a matter  
27. of fact, Paul Simon was my seatmate, and I don't know if the  
28. members here understand Paul Simon like I do, the son of a  
29. Lutheran minister whose dedication flows through his body,  
30. who's firstly dedicated to the people if it's to the side of  
31. righteousness, and I think I've been enriched by the honor of  
32. having been able to say that I was Paul Simon's seatmate and  
33. friend and that I have served with Jean Simon in the House of

1. Representatives. Congratulations, Paul.

2. PRESIDENT:

3. Thank you and I might...I might add my children have been  
4. enriched by you today. They're Pages here and, Senator, I thank  
5. you. Senator Donnewald.

6. SENATOR DONNEWALD:

7. Well, Mr. President and members of the Body, of course, I  
8. claim you as one of my constituents in my District providing the  
9. electorates see fit to reelect me; but some have spoken in the  
10. past tense and how well you've done and been and so on, but I'm  
11. still looking forward to a real strong comeback. Thank you.

12. PRESIDENT:

13. Thank you, Senator. I hate to say it, but we still have a  
14. lot of business here. Senator Clarke wants to amend two bills.  
15. 4479 is called back to Second Reading for purpose of amendment.

16. SENATOR CLARKE:

17. Do you have...I believe the Clerk has the amendment on  
18. his desk.

19. PRESIDENT:

20. Senator Clarke.

21. SENATOR CLARKE:

22. I'm waiting a minute while he finds the amendment down there.  
23. All right. These are two bills we've been holding to try and  
24. work out an agreement relating to the investment of public funds  
25. and this is an agreed amendment which I believe Senator Rock is  
26. also going to put on a similar bill which merely clarifies the  
27. use of private funds in terms of their being invested, and I  
28. would move for the adoption...first I have to move that this bill  
29. be brought back to Second Reading, 4479.

30. PRESIDENT:

31. 4479 is brought back to Second Reading for purpose of  
32. Amendment. The...

33. SENATOR CLARKE:

1. Then I would move the adoption of this amendment to  
2. House Bill 4479.

3. PRESIDENT:

4. If there any discussion? All in favor signify by saying  
5. aye. Contrary minded. The amendment is adopted. Senator Rock.

6. SENATOR ROCK:

7. Yes, Mr. President and members of the Senate, I would make  
8. a similar motion with regard to House Bill 4648.

9. PRESIDENT:

10. 4648 is called back to Second Reading for purpose of...  
11. oh, just a second. 44...oh, I'm sorry. I thought we had...  
12. we haven't adopted that apparently. All those in favor of  
13. the adoption of the Resolution indicate by saying aye. Contrary  
14. minded. The amendment is adopted. Any further amendments?  
15. Third Reading. 4648 is called back to Second Reading for purpose  
16. of amendment. Is there any discussion?

17. SENATOR ROCK:

18. Well, I just want to point out to the membership that  
19. 4648 is identical to 4479 which we just amended. The amendment  
20. is identical. These two bills are just absolutely identical.  
21. I would move its adoption.

22. PRESIDENT:

23. All in favor signify by saying aye. Contrary minded. The  
24. amendment is adopted. Any further amendments? Third Reading.  
25. 4671, Senator Clarke.

26. SENATOR CLARKE:

27. I don't know whether the Clerk has this amendment or not.  
28. This is another agreed amendment to the series of bills relating  
29. to the excess of funds in the Exposition Fund. The Administra-  
30. tion has been in touch with the people in Chicago in charge of  
31. that Fund and this amendment merely spells out 110% of the  
32. amount will be required to remain in the Fund to assure that  
33. there is sufficient protection for those bond holders and for

1. that Exposition Fund. Now, again, I will have to move that  
2. House Bill 4671 be brought back to Second Reading.

3. PRESIDENT:

4. 4671 is brought back to Second Reading.

5. SENATOR CLARKE:

6. ...and I then would move the adoption of this amendment.

7. PRESIDENT:

8. Is there any discussion? All in favor signify by saying  
9. aye. Contrary minded. The amendment is adopted. Is Senator  
10. Groen on the Floor? That goes back to Third Reading. Yes.  
11. Senator McCarthy has a motion...

12. SENATOR MCCARTHY:

13. Yes, Mr. President, this is on House Bill 1434. There is  
14. an amendment...

15. PRESIDENT:

16. Just a moment. Where is House Bill 1434?

17. SENATOR MCCARTHY:

18. 1434 is tabled and the motion is to take the bill from the  
19. table, read it a second time, have a Committee amendment adopted  
20. and Senator Partee and Senator Clarke have agreed to this.

21. PRESIDENT:

22. Is there any discussion? Senator Knuepfer.

23. SENATOR KNUEPFER:

24. I just want to hear it again. I didn't get it. I'm sorry.

25. PRESIDENT:

26. Senator McCarthy.

27. SENATOR MCCARTHY:

28. I was just going through the motions. What the amendment  
29. does is just puts the...

30. PRESIDENT:

31. Just a moment. Let's take one step at a time. Let's...  
32. the motion is to discharge Committee so that the bill may be  
33. read a second time. Senator Gilbert.



1. SENATOR GILBERT:

2. We're going to get so technical around here then and...  
3. let's have an explanation of what the bill is.

4. PRESIDENT:

5. Senator McCarthy.

6. SENATOR GILBERT:

7. ...before you take it off of anywhere.

8. PRESIDENT:

9. Senator McCarthy.

10. SENATOR MCCARTHY:

11. Well, what this bill does is just changes the depletion  
12. allowance from 27 1/2% to 22%. It's provided in the Internal  
13. Revenue Code. It's a housekeeping bill.

14. PRESIDENT:

15. Is there objection? Leave is granted. The bill is now  
16. read a second time. Senator McCarthy offers Amendment No. 1.  
17. Can you explain the amendment, Senator?

18. SENATOR MCCARTHY:

19. The amendment does what I just said. It changes the depletion  
20. allowance from 27 1/2% to 22%. I move its adoption.

21. PRESIDENT:

22. Is there any discussion? Senator Sours.

23. SENATOR SOURS:

24. I notice, Mr. President and Senators, this bill also provides  
25. that the trustees regular compensation shall be charged one-half  
26. to income and one-half to principle. Now, we've gone through  
27. this rigamarole two or three times this semester. Do you have  
28. any comment on that, Senator McCarthy?

29. PRESIDENT:

30. Senator.

31. SENATOR MCCARTHY:

32. Yes, sir, that has all been deleted by the amendment which  
33. was your amendment in Committee.

1. PRESIDENT:

2. Is there further discussion? All in favor signify...

3. Senator Latherow. Senator Latherow.

4. SENATOR LATHEROW:

5. Mr. President, I recognize that that was put on in Committee.  
6. Now, we haven't adopted that amendment yet then. Is that  
7. right?

8. SENATOR MCCARTHY:

9. ...for the adoption.

10. SENATOR LATHEROW:

11. Okay.

12. PRESIDENT:

13. Is there further discussion? All in favor of the adoption  
14. of the amendment indicate by saying aye. Contrary minded. The  
15. amendment is adopted. Third Reading. The...Senator Latherow  
16. is on 4430. I understand...

17. SENATOR LATHEROW:

18. Yes, Mr. President, that's the bill we discussed a little  
19. earlier today. It had to do with those people who are in the  
20. business of cutting timbers and helps to kind of tie it up where  
21. we can control the action a little more. 4430.

22. PRESIDENT:

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

25. SECRETARY:

26. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,  
27. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson,  
28. Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen,  
29. Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski,  
30. Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt,  
31. Mitchler, Mohr, Neistein...

32. PRESIDENT:

33. Senator Neistein.

1. SENATOR NEISTEIN:

2. Contrary to our position previously, especially mine,  
3. Senator Latherow and I had a long discussion and in difference  
4. to our colleagues who are from the farm area and have this  
5. problem with trees and especially Senator Latherow who owns  
6. one of the largest farms in Illinois that stretches for miles  
7. that we're going to support this bill and I'm happy to vote  
8. aye, Senator Latherow, because you convinced me that it was a  
9. good bill.

10. SECRETARY:

11. ...Newhouse, Nihill...

12. PRESIDENT:

13. Senator Nihill.

14. SENATOR NIHILL:

15. My vote will be aye and I hope Latherow...Senator Latherow  
16. will find his calf and Bernie Neistein call Hong Kong to find  
17. out how he should vote for this bill and he says it's a good  
18. bill, go ahead and vote for it. I vote aye.

19. SECRETARY:

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

23. PRESIDENT:

24. O'Brien aye. Hynes aye. Kosinski aye. Walker aye. On  
25. that question the yeas are 42, the nays are none. The bill having  
26. received a constitutional majority is declared passed. Just before  
27. amended, Senator Rock and Senator Clarke...we just before amended  
28. 4479, 4648 and 4671 all of which deal with the same subject. Is  
29. there objection to considering those three bills on one roll  
30. call? Senator Clarke.

31. SENATOR CLARKE:

32. Mr. President, these bills all deal with the investment of  
33. public monies and state agencies, public agencies and at the

1, county level and these are in response to certain situations  
2, that came about or were revealed last Spring and I think that  
3, it's a tribute to the legislative process; that we've been  
4, able to reach an agreement which actually the local officials  
5, want and have asked for; they've asked for authority to invest  
6, these monies and that is the reason and the thrust of these  
7, bills. I would urge a favorable roll call on all three bill  
8, at the same time.

9, PRESIDENT:

10, Senator Clarke, 4480, should that be part of the series  
11, too?

12, SENATOR CLARKE:

13, That's correct.

14, PRESIDENT:

15, 4480 also.

16, SENATOR CLARKE:

17, 4479...

18, PRESIDENT:

19, 4480, 4648 and 4671. The Secretary...

20, SENATOR CLARKE:

21, No. No, no, Mr. President, you're mixing up two series.  
22, 4671 is a different series of bills. It's 4669. No, no.

23, PRESIDENT:

24, 4479, 4480 and 4648 are the three that should be part of  
25, the series. All right. The Secretary will call the roll. It  
26, will be for those three bills.

27, SECRETARY:

28, Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,  
29, Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course,  
30, Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham,  
31, Groen, Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel,  
32, Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy,  
33, Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien,

1. Ozinga, Palmer, Fartee, Rock, Romano, Rosander, Saperstein,  
2. Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Walker,  
3. Weaver.

4. PRESIDENT:

5. Berning aye. Palmer aye. On that question the yeas are  
6. 46, the nays are none. The Bills having received a constitutional  
7. majority are declared passed. Senator Groen has two bills: 4286  
8. and 4676--are related to the same subject. Can they be con-  
9. sidered on one roll call, Senator?

10. SENATOR GROEN:

11. They may.

12. PRESIDENT:

13. Is there objection? Leave is granted. 4286 and 4676 will  
14. be considered on the same roll call.

15. SENATOR GROEN:

16. Mr. President, members, you will recall that we passed the  
17. Senate bill by agreement, sent it to the House dealing with this  
18. subject matter of the Illinois Budgetary Commission and how its  
19. successor should be formed. The House has now sent to us these  
20. two bills which deal with this subject matter and hopefully will  
21. be passed as the action of the two Bodies. The name would be  
22. changed to the Illinois Economic Fiscal...The Illinois Economic  
23. and Fiscal Commission. You will recall that I said in the  
24. adoption of the amendments there was some semantics going on,  
25. some philosophy going on and it took some effort to get the  
26. various philosophies in the proper words so that everyone felt  
27. that what they wanted included was included and yet that it was  
28. limited in its scope and I think...I am advised at least that the  
29. leadership on both sides of the aisle, in both the House and  
30. the Senate, are now in accord on the content of the Bill as  
31. amended, and I would ask for a favorable roll call. If there  
32. are any questions, I'll try to answer them.

33. PRESIDENT:

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

SECRETARY:

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

PRESIDENT:

Romano aye. On the question the yeas are 41, the nays are 1. The bills having received a constitutional majority are declared passed. Senator Graham has...Senator Graham, there were several bills on this preferred list, 4656, 7 and 8. Now, is Senator Bruce on the Floor?

SENATOR GRAHAM:

Yes, if I might answer. I have...would like to at this point without offending Senator Bruce to ask that on 4437 that Senator Carroll will be the sponsor. He would be doing he and I both a great favor if he'd let that be called with these other bills because these I have are not going to take much time.

PRESIDENT:

What is this now again, Senator, I'm sorry.

SENATOR GRAHAM:

4437. As soon as I'm through with these four and it won't take but about half a second for them.

PRESIDENT:

All right.

SENATOR GRAHAM:

Senator Bruce in all of his wisdom has informed me that it is the suggested procedure that on the transition bills for

1. the Comptroller, Auditor of Public Accounts to Comptroller that  
2. November would be adequate time to act upon all of those bills  
3. relating themselves to that subject as I understand it. Is that  
4. right, Senator Bruce? Including the bills by Representative Choate.  
5. PRESIDENT:  
6. Senator Bruce.  
7. SENATOR BRUCE:  
8. That is correct.  
9. PRESIDENT:  
10. So all of those bills will be held. Alright. That's good to  
11. dispose of them that way.  
12. SENATOR GRAHAM:  
13. I'm sorry. I got rid of those quickly so....  
14. PRESIDENT:  
15. 4659, Senator Graham.  
16. SENATOR GRAHAM:  
17. What's that?  
18. PRESIDENT:  
19. That is one....  
20. SENATOR GRAHAM:  
21. Yeah. Those bills...  
22. PRESIDENT:  
23. Is that part of the same series?  
24. SENATOR GRAHAM:  
25. Yes, Yes, that's part of the same series.  
26. PRESIDENT:  
27. Alright.  
28. SENATOR GRAHAM:  
29. 4656, 57, 58. and 59 and then if we could skip back to 4437 you  
30. will give me time to work on my Conference Committee.  
31. PRESIDENT:  
32. 4437.  
33. SENATOR GRAHAM:

1. Senator Carroll is furnishing the material and the dialogue  
2. for this and I would yield to him if he would....

3. PRESIDENT:

4. Senator Carroll.

5. SENATOR CARROLL:

6. Mr. President, Senators. House Bill 4437 permits private  
7. airports to be taxed according to the use rather than the actual  
8. zoning classification. This is similar to the farm land and its  
9. identical to the greenbelt bill that was passed by the legislature  
10. of the last Session. It was sponsored by Senator Fawell and I  
11. think everyone is familiar with it. This is needed; otherwise, some  
12. of our smaller airports in the State of Illinois will be forced  
13. to close. I know of no opposition to the bill and I would ask for  
14. a favorable roll call.

15. PRESIDENT:

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

17. SECRETARY:

18. Arrington, Baltz, Berning,

19. PRESIDENT:

20. Senator Berning.

21. SENATOR BERNING:

22. I noticed this but I hadn't had a chance to really look at this.

23. Aye.

24. SECRETARY:

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

32. PRESIDENT:

33. Rock aye. On that question the yeas are 42, the nays are none.



1. The bill having received the constitutional majority is declared  
2. passed. Senator Cherry has . . . Senator Carroll. Senator Carroll.  
3. SENATOR CARROLL:  
4. While I have the Floor, Mr. President, I wonder if I could recall  
5. House Bill 4332 for the purpose of an amendment. There's an error  
6. in the bill and I would like to get the amendment put on if I could.  
7. PRESIDENT:  
8. 4332 is called back to Second Reading for purpose of amendment.  
9. Would you explain the amendment?  
10. SENATOR CARROLL:  
11. Yes. The amendment in the bill as it stands now reads the  
12. County Treasury established pursuant to Section 12-20-14. It  
13. should read Section 12-21-14. It's just a correction of a typo-  
14. graphical error.  
15. PRESIDENT:  
16. All in favor signify by saying aye. Contrary minded. The  
17. amendment is adopted. Third Reading. Senator Cherry has some  
18. amendments, I believe.  
19. SENATOR CHERRY:  
20. Yes, Mr. President. I'd like to recall House Bill 3768  
21. and House Bill 4576 for the purpose of adopting an amendment which  
22. is similar for both bills.  
23. PRESIDENT:  
24. Now just a second. What's the first one?  
25. SENATOR CHERRY:  
26. 3768.  
27. PRESIDENT:  
28. 37 . . . Oh. This is on Second Reading today.  
29. SENATOR CHERRY:  
30. That is correct.  
31. PRESIDENT:  
32. And . . .  
33. SENATOR CHERRY.

1. It was moved to Third.

2. PRESIDENT:

3. Right. 3768. Let's take one at a time. 3768. Can you  
4. explain the amendment, Senator?

5. SENATOR CHERRY:

6. Yes. The amendment is simply that this Act shall not be  
7. a limitation upon any home rule unit nor shall it be a prohibition  
8. upon the contractual and associational powers granted by our new  
9. Constitution. That's all the amendment does.

10. PRESIDENT:

11. Is there any discussion? Senator Fawell.

12. SENATOR FAWELL:

13. Senator, what was the . . . I didn't catch the last sentence.  
14. I caught the first part.

15. PRESIDENT:

16. Just a moment. Gentlemen, if we can just maintain order for a  
17. little bit longer I think we can be out of here before too long.  
18. Senator Cherry.

19. SENATOR CHERRY:

20. The latter portion of my comments was is that this Act is  
21. not a prohibition upon the contractual and associational powers  
22. granted by our new Constitution. It simply means, Senator Fawell,  
23. the new Constitution provides that no Act shall have any bearing  
24. upon the ability of governmental units to contract within their  
25. own limitations and this preserves and restates the provisions  
26. of the Constitution. In other words, this bill if passed would  
27. not be a preemption upon that constitutional provision.

28. PRESIDENT:

29. Is there any discussion? All in favor signify by saying aye.  
30. Contrary minded. The amendment is adopted. Now what is the other  
31. bill you want to amend, Senator?

32. SENATOR CHERRY:

33. The other bill has the same amendment that I just related is

1. House Bill 4576. Same amendment.

2. PRESIDENT:

3. I assume it's okay with Senator Donnewald to call these back  
4. to Second Reading. Senator Cherry offers amendment, the amendment.  
5. All in favor signify by saying aye. Contrary minded. The amend-  
6. ment is adopted. Any further amendments? Third Reading. Senators,  
7. we have a number of amendments and conference committee reports  
8. that now have been looked at by both sides. Senator . . . is  
9. Senator Gilbert on the Floor? 1394, are you ready to move on that  
10. one, Senator Gilbert? 1394. I'm not sure what it is. It's an amend-  
11. ment to Senate Bill 1390 . . . It's a House amendment apparently,  
12. Senator Gilbert.

13. SENATOR GILBERT:

14. The amendment to House . . . to Senate Bill 1394 places  
15. \$700,000 for utility needs for the State Capitol complex into this  
16. bill. The Senate Bill 1396 included this amount but Senate Bill 1396  
17. is not going to pass the House I am told and they wish it put in this  
18. amendment. In other words, \$700,000 we have already agreed here  
19. but since that bill is not going to pass they need this for the  
20. electric utility needs and it was to be put in this bill. If, for  
21. any reason, the other bill should pass then the Governor would have  
22. to veto by amendatory veto, one of the two bills. The \$700,000  
23. would have to be stricken from one of the two. For this reason I  
24. move that we concur in the amendment to Senate Bill 1394. It's a  
25. \$700,000 appropriation which we've already approved in another bill  
26. but they feel it should be put in this bill because the other one  
27. will not be enacted.

28. PRESIDENT:

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

30. SECRETARY:

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

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

5. PRESIDENT:

6. On that question the yeas are 34; the nays are none. The  
7. Senate concurs in the House amendment. 1524, Senator Sours. Inciden-  
8. tally, the Chair has both 1524 and 1525. They appear to be the  
9. same amendment. Could this be considered on one roll call, Senator?  
10. Is there objection? Leave is granted. Senator Sours.

11. SENATOR SOURS:

12. Both of these bills refer to the hope that a cigarette dis-  
13. tributor or a tobacco products distributor will be a person of good  
14. moral character and so forth. In the original bills, Sub-section 3,  
15. in defining those persons ineligible to receive a distributor's  
16. license it read a corporation of any officer, manager or director  
17. thereof or any stockholders or stockholders owning in the aggregate  
18. and 1%. The House amended that, Mr. President and Senators, from  
19. 1% to 5%. I move we adopt the amendment.

20. PRESIDENT:

21. Is there any discussion? The Secretary will call the roll. This  
22. is on both bills. 1524 and 1525. The House amendments are identical  
23. on both bills.

24. SECRETARY:

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

33. PRESIDENT:

34. The yeas are 38; the nays are none. The Senate concurs with the

1. House amendments on those two bills. We have a conference committee  
2. report on . . . is Senator Bruce on the Floor? 4135. It's an appro-  
3. priation bill of some kind. 4135, conference committee report,  
4. Senator Bruce.

5. SENATOR BRUCE:

6. This Registration and Education . . . I . . . Let's see, that's  
7. the conference committee. Yes, I move that we concur in the conference  
8. committee report.

9. PRESIDENT:

10. Motion to . . . Do you want to explain that . . .

11. SENATOR BRUCE:

12. If I may explain it very briefly. The new Controlled Substance  
13. Act which we enacted a year ago requires investigations of both  
14. pharmacies, manufacturers and other people and doctors dealing with  
15. controlled substances. The Department requested 10 new pharmacy  
16. inspectors. The House took out 8 of those 10 remaining and left  
17. 2. I wish Senator Knuepfer...yes, he's here. We amended that so we  
18. could go back and nonconcur so that we could have a conference  
19. committee. We've spoken to the House members. Those 8 pharmacy  
20. inspectors have now been restored so that the bill now is actually  
21. in its original form as introduced by the Department.

22. PRESIDENT:

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

24. SECRETARY:

25. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll,  
26. Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald,  
27. Dougherty, Egan, Fawell, Gilbert, Groen, Hall, Harris, Horsley,  
28. Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow,  
29. Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler, . . .

30. PRESIDENT:

31. Senator Mitchler.

32. SENATOR MITCHLER:

33. It's rather noisy, but just to prove there are beautiful girls  
34. in the Oswego and Kendall County area, I'd like to introduce the

1. Senate to Mrs. Kay Floyd who's son has been serving as a Page the  
2. last two days. Mrs. Floyd, would you please rise?

3. SECRETARY:

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

7. PRESIDENT:

8. On that question the yeas are 40; the nays are none. The bill  
9. having received the constitutional majority is declared passed. I  
10. mean, the conference committee having received the constitutional  
11. majority is declared adopted. Senate Bill 1271, Senator Knuepfer.  
12. We have a conference committee report on Senate Bill 1271.

13. SENATOR KNUEPFER:

14. That is the water...I thought that had already been passed 'til  
15. I was informed a committee report had been accepted. The Senate Bill  
16. 1271 is a water...provides for water commissions. It was originally  
17. introduced to resolve the problem of the judicial appointment and who  
18. it goes to and that appointment went to county boards. It was not a  
19. controversial bill. At the last minute we found out that we had to  
20. put in the bill a permission and I'm not sure it's necessary. It may  
21. be possible by the Constitution for two water districts to work on a  
22. cooperative basis so the House put on an amendment which we then non-  
23. concurred in for the simple reason so that we could change the language  
24. to permit two water districts to cooperate. That language has now  
25. been entered on there and that's all that the conference committee  
26. report was about. To resolve the cooperation problem. It probably  
27. is implicit in the new Constitution but the bonding company was not so  
28. certain of that. I would move for concurrence.

29. PRESIDENT:

30. Is there any discussion? Senator Bruce.

31. SENATOR BRUCE:

32. It's getting very late and I...Senator Knuepfer, Senator Donnewald  
33. is off the Floor. He had a bill that did something very similar to

1. this in the way of appointments. Does this . . . now? There you  
2. are, on water commissions. All right. No question then.

3. PRESIDENT:

4. Is there any further question? Secretary will call the roll.

5. SECRETARY:

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

14. PRESIDENT:

15. Mitchler, Groen aye. On that question the yeas are 44; the nays  
16. are none. The conference committee report is adopted. On House  
17. Bill on Third Reading, Senator Rock has House Bill 3798. 3798,  
18. Senator Rock.

19. SENATOR ROCK:

20. Yes, Mr. President and members of the Senate. House Bill 3798  
21. is an amendment to the Illinois Insurance Code and it requires every  
22. accident and health insurance policy issued in this State will pro-  
23. vide for the necessary expenses incurred for the processing and  
24. administration of blood and its components will be considered under  
25. the terms of these insurance policies as a miscellaneous expense  
26. and therefore covered. In group insurance policies the same as  
27. other hospital expenses, the operating room, drugs, medicine and  
28. x-rays. The benefits covered will be limited to the maximum benefits  
29. allowed under the group policy. Our State group insurance policy  
30. which covers over 200,000 people and many other companies presently  
31. provide these benefits. The bill was passed by the House unanimously.  
32. It's endorsed by the Insurance Association, the Illinois State  
33. Medical Society, the Illinois Blood Bank Association, the Metropolitan

1.	Blood Council of Chicago, the National Hemophilia Association	1.
2.	and the National Cancer Society. We don't know of any opposition	2.
3.	to this bill and solicit your support.	3.
4.	PRESIDENT:	4.
5.	Is there any discussion? Senator Knuepfer.	5.
6.	SENATOR KNUEFFER:	6.
7.	Senator Rock, I don't have any opposition, but the minute you	7.
8.	tell me the bill was passed unanimously, I get scared and then	8.
9.	we start looking. Don't use that.	9.
10.	PRESIDENT:	10.
11.	Secretary will call the roll.	11.
12.	SECRETARY:	12.
13.	Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll,	13.
14.	Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald,	14.
15.	Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris,	15.
16.	Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow,	16.
17.	Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr, Neistein,	17.
18.	Newhouse, Nihill, O'Brien Ozinga, Palmer, Partee, Rock, Romano,	18.
19.	Rosander, Saperstein, Savickas, Smith, Soper, Sours, Swinarski,	19.
20.	Vadalabene, Walker, Weaver.	20.
21.	PRESIDENT:	21.
22.	Senator Groen.	22.
23.	SENATOR GROEN:	23.
24.	Senator Rock, if I might before the vote is announced . . . I	24.
25.	have not voted. They are principally, I guess, the same questions	25.
26.	I asked in committee about this, and they are two in number:	26.
27.	(1) Can you give any indication of what this is going to do cost-	27.
28.	wise to the plan and secondly was there any amendment to extend the	28.
29.	coverage beyond group plan and Blue Cross so that every policy-	29.
30.	holder will have the benefit of this coverage?	30.
31.	PRESIDENT:	31.
32.	Senator Rock.	32.
33.	SENATOR ROCK:	33.



1. Yes, Senator Groen. There was no such amendment to make it  
2. applicable to individual policies. It covers only group policies.  
3. The other question of raising the rates. I spoke with Representative  
4. Terzich who is sponsor of the bill. I spoke with Mr. Perkins from the  
5. insurance people. They have no evidence one way or the other, frankly,  
6. about whether or not, I ask that same question, will the rates go  
7. up. They said they didn't think so. That's as much of an answer as  
8. I have.

9. PRESIDENT:

10. Senator Groen.

11. SENATOR GROEN:

12. Well, Mr. President, it, I'm in somewhat of a paradoxical situ-  
13. ation as to how to vote on it. The idea on the surface is good. A  
14. person who buys a policy of this kind, I think, expects this kind of  
15. coverage to be included. I'm not sure that it shouldn't be, but I  
16. hesitate to mandate to an insurance company the content of the policy  
17. it sells and it also seems to me if this concept is good then we should  
18. make it apply to all insurance policies in this State that carry this  
19. kind of coverage. To have it only apply to group plans and to Blue  
20. Cross seems to me to be a mistake. I think we're going to create a  
21. situation in Illinois where your next-door neighbor is a member of  
22. a group plan and he has it. The neighbor next door assumes, though,  
23. he has a personal policy issued by a company that he has similar  
24. coverage, and he wakes up and finds that he doesn't. I would hope...  
25. I'm going to vote for this...but I would hope that in the next Session  
26. of the General Assembly that this might be amended, that this law  
27. might be amended to make it mandatory for all policies of insurance  
28. of this kind so that the inconsistency might be avoided and citizens  
29. of this State not be in the position where they assume they have the  
30. coverage and then too late find that they do not have it. I vote aye.

31. PRESIDENT:

32. On that question the yeas are 40; the nays are none. The bill  
33. having received the constitutional majority is declared passed.

1. Senator Graham, we have the House amendment to Senate Bill 1535  
2. you want to make a motion...

3. SENATOR GRAHAM:

4. There are two House amendments to Senate Bill 1535 and I would  
5. like to move at this time we do concur in the House amendments.  
6. I will explain this.

7. PRESIDENT:

8. Now, one and two. Motion is to concur in the House amendments  
9. and you wish to explain briefly.

10. SENATOR GRAHAM:

11. Yes, I would. Mr. President, Amendment No. 1 and I think  
12. Senator Bruce has a copy of the amendment, I'm sure he does. There  
13. was a restoration of \$263,250 and added cuts were put on for 1  
14. million fifty two thousand five hundred dollars which meant there  
15. was by adoption of Amendment No. 1 a net reduction in the  
16. appropriations for the Department of Corrections - \$789,250. Now  
17. on Amendment No. 2 and Senator Bruce is having a slight  
18. palpitation as the result of this. But after we passed yesterday  
19. the Building Bond Act in that Bond Act was considered the possibility  
20. of 16 million dollars for the building and establishing of four  
21. community base correctional facilities, the locations of which have  
22. been announced and during the time that Senator Bruce and the Task  
23. Force worked on this they felt that there couldn't be any process  
24. in this establishing these new facilities so they removed from the  
25. original bill, our Senate Bill...

26. PRESIDENT:

27. If the Chair may interupt you for a second, Senator Graham. If  
28. the notation here is correct, you, Senator Bruce and Senator Rock  
29. will be opposing this motion to concur. I wonder if we can expedite  
30. things 'cause it will take 30 votes to concur whether one of you can  
31. make the motion to Table the motion to concur and we'll have a voice  
32. vote rather than going through roll call and get things...

33. SENATOR GRAHAM:

1. Why can't I have a roll call? I'm not going to find out . . .  
2. I'd like to have a roll call.

3. PRESIDENT:

4. You're entitled to it, Senator, and you may proceed. Senator  
5. Graham has the Floor. Senator Bidwill is recognized.

6. SENATOR BIDWILL:

7. While they're deciding what to do, Mr. President, before I  
8. lose too many of my customers, I'd like to announce that there will  
9. be a Republican caucus at 9:00 o'clock tomorrow morning. A Republican  
10. caucus at 9:00 o'clock in the same place.

11. PRESIDENT:

12. We don't have too much more business here if the members will  
13. stay here just a little bit longer now. Senator Bruce.

14. SENATOR BRUCE:

15. We've had signals from across the Floor. I now move to  
16. nonconcur in Amendment No. 1 and 2 to 1535.

17. PRESIDENT:

18. You wish to Table the motion to concur?

19. SENATOR BRUCE:

20. Yes.

21. PRESIDENT:

22. Motion is to Table the motion to concur. All in favor signify  
23. by saying aye. Contrary minded. Senate does not concur in the  
24. House amendment. Senator Graham.

25. SENATOR GRAHAM:

26. Mr. President, I know that it will be the House responsibility  
27. to ask for the conference committee.

28. PRESIDENT:

29. That is correct.

30. SENATOR GRAHAM:

31. This is a pretty important piece of legislation. I know every-  
32. one thinks theirs is most important. The more expeditiously we can  
33. handle this message so that they can get a conference committee and

1. get into a Conference Committee if they ask for one will be a great  
2. help to us because it's going to take a little time.

3. PRESIDENT:

4. It will go there yet tonight, Senator, Senator Fawell is  
5. recognized and for the benefit of the Senators we only have three  
6. more Senators whose requests are going to be honored yet tonight.  
7. Senator Fawell is recognized on House Bill 4495 and 4496. Senator Fawell.

8. SENATOR FAWELL:

9. Yes, in regard to House Bill 4495 I would like to return to the  
10. order of Second Reading for the purpose of affixing an amendment.

11. PRESIDENT:

12. 4495 is brought back to Second Reading for purpose of amend-  
13. ment. Can you explain the amendment?

14. SENATOR FAWELL:

15. Yes, both amendments have...Amendment No. 3 which has been  
16. cleared with Senator Saperstein and Senator Hynes simply again  
17. makes the amendment which alter some of the sections insofar as the  
18. name of the building fund is concerned. The fund is being changed  
19. to that of Operations, Building and Maintenance and there are are  
20. number of sections in the code which we have unearthed that have to  
21. be amended and that's the reason for this additional amendment which  
22. I move the adoption of.

23. PRESIDENT:

24. Is there any discussion? All in favor signify by saying aye.  
25. Contrary minded. The amendment is adopted. Now the nature of these  
26. two bills is similar, is it acceptable to have it on one roll call?

27. SENATOR FAWELL:

28. One more amendment, though.

29. PRESIDENT:

30. Oh, one more amendment, I'm sorry.

31. SENATOR FAWELL:

32. Yes, Amendment No. 4 I've also cleared with Senator  
33. Saperstein and with Senator Hynes and with O.S.P.I. It adds an

1. important point to the bill and covers the question of a unit  
2. district when it is created, high school districts are abolished  
3. and thus high school districts which are in joint agreement voc-ed  
4. programs find that they are no longer a member of the joint  
5. agreement program and they no longer have the authority to tax  
6. which they did obtain by means of referendum. But this amendment  
7. does authorize the new unit district to continue in the joint  
8. agreement program and to have the same power which the high school  
9. district which was the underlying district had and I move the  
10. adoption thereof. There's no controversy on the amendment.

11. PRESIDENT:

12. Senator Gilbert.

13. SENATOR GILBERT:

14. I was just going to add my aye to your motion. I think this is  
15. a good amendment. The problems are created and this is an excellent  
16. amendment.

17. PRESIDENT:

18. All, all in favor signify by saying aye. Contrary minded. The  
19. amendment is adopted. Now can we have those two bills on one roll?  
20. Is there objection? Leave is granted. Is there further discussion  
21. of the bill? Secretary will call the roll.

22. SECRETARY:

23. Arrington, Baltz, Berning, Bidwill, Bruce...

24. PRESIDENT:

25. Senator Bruce.

26. SENATOR BRUCE:

27. I did not get a chance to see the amendments. I had some questions  
28. about several changes in the Statutes needed to be amended additionally.  
29. Is that what we've done so that all the Statutes now say the  
30. Building, Operation and Maintenance Fund or whatever we finally agreed  
31. on? Alright. Alright.

32. SECRETARY:

33. Carpentier, Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course,

1. Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen,  
2. Hall, Harris, Hor'sley, Hynes, Johns, Knuepfer, Knuppel, Kosinski,  
3. Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy...

4. PRESIDENT:

5.       Excuse me, Senator Latherow.

6. SENATOR LATHEROW:

7.       Mr. President and members, I only want to mention Senator Fawell  
8. has assured me that this will not stop any school district in down-  
9. state Illinois that may be funding some of their janitorial services  
10. and amintenance out of the education fund. This had been quite a  
11. worry for me so with this in mind I'm going to vote present on this  
12. bill because I think I can foresee that maybe in a year or so we may  
13. come back here and say that no longer can we take the maintenance  
14. from the education fund but that it would have to come from the  
15. building fund and I can foresee a real problem with this bill so I  
16. 'vote present, Mr. President.

17. SECRETARY:

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

21. PRESIDENT:

22.       Hall aye. Merritt aye. On those bills the yeas are 34; no nays,  
23. one present. The bills having received the constitutional majority  
24. are declared passed. Senator Groen, do you want to...you indicated  
25. earlier to the Chair that you want to take up 4455 on Postponed  
26. Consideration.

27. SENATOR GROEN:

28.       Mr. President, it's been a hectic day. It's my recollection that  
29. I did call the bill earlier and that it did pass and if the Secretary  
30. will confirm that. Yes, it did; he confirms that. It did pass so...

31. PRESIDENT:

32.       I was off the podium when that happened, I'm sorry. Are, Senator  
33. McCarthy.

1. SENATOR MCCARTHY:

2. Yes, Mr. President. On, ah, I'd like to have my name removed  
3. as a sponsor on Senate bill 890.

4. PRESIDENT:

5. Senator Bill 890. Senator McCarthy asks that his name be removed  
6. as a sponsor. We have Resolutions and motions at this point. Senator  
7. Knuepfer.

8. SENATOR KNUEPFER:

9. Well, ah, I was off the Floor earlier when I think you called  
10. Senator Knuppel on House Bill 3031. I don't know if this would be  
11. the appropriate time. I would ask that we not concur. I have talked  
12. to the other side of the aisle and I think we are in general agreement.  
13. I would...the Auditor General bill. I would ask that we not concur  
14. in the House amendments and that a Conference Committee be appointed.

15. PRESIDENT:

16. Motion is...the motion is to refuse to recede from the Senate  
17. amendment. All in favor signify by saying aye. Contrary minded.  
18. Motion prevails. Are there further motions? Resolutions, announcements?  
19. Senator Vadalabne.

20. SENATOR VADALABENE:

21. Yes, I have an announcement that tomorrow morning at 8:30  
22. tomorrow morning at 8:30 in room 619 the Investigating Committee of  
23. Senator Graham, Senator Carroll and Senator Neistein, we will be  
24. meeting with the Department of Personnel tomorrow morning at 8:30.

25. PRESIDENT:

26. Senator Graham.

27. SENATOR GRAHAM:

28. Mr. President, I think that any man that would call a meeting at  
29. 8:30 in the morning deserves to be reminded that you live in his  
30. Senatorial district.

31. PRESIDENT:

32. Thank you, Senator. Senator Partee. Your signal's on. I get the  
33. signal you want to say something, Senator.

1. SENATOR PARTEE:

2. No i...is there any other work.

3. PRESIDENT:

4. I think Senator Berning had his hand up. Just a few other  
5. announcements here apparently. Senator Berning.

6. SENATOR BERNING:

7. Mr. President, if it's appropriate I understand Senate Bill 1290  
8. is over here with House amendments and I would like to...

9. PRESIDENT:

10. We're going to take that up...we have some other requests along  
11. that line, we're going to take them up tomorrow.

12. SENATOR BERNING:

13. Very well.

14. PRESIDENT:

15. Senator Walker. Senator Walker. He's at Senator Carroll's desk.

16. SENATOR WALKER:

17. Thank you, Mr. President. I'd like to ask a question of the  
18. leadership. Let me preface my remarks with this statement. I don't  
19. have anything to do until July the 15th at which time Senator Horsley  
20. and I are going to be celebrating our joint birthday and I hate to  
21. admit this but we're the same age. I look a little older, I married  
22. young and I've worried a lot but I hear a rumor that we may be through  
23. tomorrow. Now I'd like to ask the leadership if in their impotent  
24. judgement if it will be tomorrow or Friday or Saturday or July 15th and  
25. I'm perfectly willing to stay here until July 15th but I must  
26. celebrate on that day.

27. PRESIDENT:

28. I know that Senator Neistein wants to stay until July 15th but  
29. we'll hear from Senator Partee.

30. SENATOR PARTEE:

31. I regret that you use in this very wonderful Chamber the word  
32. rumor because we don't operate on rumors and I wouldn't want you to  
33. be known as a rumor-monger. It is entirely possible, Sir, that



1. We will go home or that we will finish tomorrow. Where you go  
2. will be, of course, left to your own discretion. But I have a  
3. feeling that we will finish tomorrow. Yes, I'm here.

4. PRESIDENT:

5. Senator Knuepfer.

6. SENATOR KNUEPFER:

7. Well, ah, that's the reason I asked Senator Rock the question the  
8. other day when he introduced a brand new House, Senate Bill which  
9. just passed this Body today, now where's that going?

10. PRESIDENT:

11. That has been taken care of in another, it's been amended but  
12. through another Bill. Are there further announcements? Senator  
13. Partee moves that the Senate stands adjourned until 10:00 O'clock  
14. tomorrow morning. All in favor signify by saying aye. Contrary  
15. minded. Senate stands adjourned.

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