

78th General Assembly
March 28, 1973

1. PRESIDENT:

2. The Senate please come to order. The prayer will be delivered
3. by Father Joseph Murray of St. Louis Church of Nokomis, Illinois.
4. Father Murray.

5. (Prayer given by Father Murray)

6. PRESIDENT:

7. Reading of the Journal

8. SECRETARY:

9. Thursday, March 22, 1973.

10. PRESIDENT:

11. Senator Soper.

12. SENATOR SOPER:

13. Mr. President, I move that...to dispense with further
14. reading of the Journal of March 20...22, unless there's some
15. corrections to be offered by one of the Senators, that the
16. Journal stand approved.

17. PRESIDENT:

18. Are there corrections or additions from the membership?

19. Senator Soper has moved that the Journal of March 22 be approved.

20. All in favor signify by saying aye. Contrary no. The motion
21. carries and the Journal is approved. Senator Soper.

22. SENATOR SOPER:

23. Mr. President, I move that we...postpone reading of the...
24. reading of the Journal of March 27th pending the arrival of the
25. printed Journal.

26. PRESIDENT:

27. Senator Soper has moved to dispense with further reading of
28. the Journal of March 22 pending arrival of the printed Journal.
29. Any...the 27th. Any discussion? All in favor signify by saying
30. aye. Contrary no. The motion carries. So order. Committee
31. Reports.

32. SECRETARY:

33. Senator Clarke, the Chairman of the Committee on Rev...Revenue

1. reports SB 1 with a recommendation the bill Do Pass as amended.
2. Senator Latherow, Chairman of the Committee on Agriculture,
3. Conservation and Ecology, reports SB 18 and 26 with a recommendation
4. the bills Do Pass. HB 43 with a recommendation the bill Do Pass,
5. as amended.

6. PRESIDENT:

7. Communications.

8. SECRETARY:

9. To the Members of the Senate. I do hereby appoint Senator
10. John B. Roe to the Commission on Children. Sincerely, William
11. C. Harris, President.

12. PRESIDENT:

13. Message from the Governor.

14. SECRETARY:

15. A message from the Governor by Michael P. Duncan, Assistant
16. to the Governor.

17. Mr. President, the Governor directs me to lay before the
18. Senate the following message:

19. State of Illinois, Executive Department, Springfield, Illinois.
20. To the Honorable, The Members of the Senate, 78th General Assembly.

21. I hereby withdraw the nomination of Robert G. Gibson of
22. Chicago to be a member and chairman of the Capital Development
23. Board for a term expiring the 3rd Monday in January 1977. Which
24. nomination was previously communicated to you in my message
25. dated January 10, 1973 and recorded in the Senate Journal of
26. January 11, 1973 and my message dated March 6, 1973 and recorded
27. in the Senate Journal of March 7, 1973. Respectfully submitted,
28. Dan Walker, Governor.

29. PRESIDENT:

30. Executive. Introduction of bills.

31. SECRETARY:

32. SB 417 by Senator Chew.

33. (Secretary reads title of bill)

1. SB 418 by Senators Ozinga, Walker, Bartulis, Don Moore,
2. Soper, Chew, and Vadalabene.
3. (Secretary reads title of bill)
4. SB 419 by Senators Sours, Harris, Nimrod, Glass, Roe,
5. Weaver, Regner, Merritt, Shapiro, Howard Mohr, Latherow, Bell,
6. Sommer, Harber Hall, Conolly, Soper, Don Moore, Schaffer, Davidson,
7. McBroom, Bartulis, Clarke, Knuepfer, Graham, Scholl, Walker,
8. Ozinga, Berning, Mitchler, and Fawell.
9. (Secretary reads title of bill)
10. SB 420 by Senators Rock, Romano, and Hynes.
11. (Secretary reads title of bill)
12. SB 421 by Senator Shapiro.
13. (Secretary reads title of bill)
14. SB 422 by Senators Howard Mohr, Soper, Graham, Nimrod, and
15. Scholl.
16. (Secretary reads title of bill)
17. SB 423 by Senators Howard Mohr, Soper, Graham, Nimrod,
18. Scholl, and Clarke.
19. (Secretary reads title of bill)
20. SB 424 by Senators Howard Mohr, Soper, Graham, Nimrod,
21. Scholl, Bell, Clarke, Weaver, Berning, Walker, and Regner.
22. (Secretary reads title of bill)
23. SB 425 by Senators Dougherty, Donnewald, Partee, Rock,
24. Nudelman, Palmer, and Hynes.
25. (Secretary reads title of bill)
26. SB 426 by Senator Mitchler.
27. (Secretary reads title of bill)
28. SB 427 by Senator Vadalabene, Donnewald, Kenneth Hall, Bruce,
29. Johns, and Buzbee.
30. (Secretary reads title of bill)
31. SB 428 by Senators Hynes, Rock, and Romano.
32. (Secretary reads title of bill)
33. SB 429 by Senators Bell, Nimrod, and Mitchler.

1. SB 430 by Senators Bell, Mitchler, and Roe.
2. (Secretary reads title of bill)
3. SB 431 by Senators Regner, Soper, Shapiro, Welsh, Mitchler,
4. Merritt, Weaver, Walker, Glass, Davidson, Berning, Donnewald,
5. Buzbee, Harber Hall, Scholl, Graham, Savickas, Bell, Sommer,
6. Ozinga, Roe, Harris, and Rock.
7. (Secretary reads title of bill)
8. SB 432 by Senators Regner, Soper, Shapiro, Welsh, Mitchler,
9. Merritt, Weaver, McBroom, Walker, Glass, Davidson, Berning,
10. Donnewald, Buzbee, Graham, Savickas, Bell, Sommer, Ozinga, Scholl,
11. Roe, Rock, Don Moore, Latherow, Bartulis, Howard Mohr, Course,
12. McCarthy, Vadalabene, Palmer, Johns, Carroll, Kosinski, and
13. Knuepfer.
14. (Secretary reads title of bill)
15. SB 433 by Senators Davidson, Roe, Glass, Harber Hall, and
16. Donnewald.
17. (Secretary reads title of bill)
18. SB 434 by Senators Keegan, Partee, Rock...and Donnewald.
19. (Secretary reads title of bill)
20. SB 435 by Senator Shapiro.
21. (Secretary reads title of bill)
22. SB 436 by Senators Don Moore, Bartulis, and Knuepfer.
23. (Secretary reads title of bill)
24. SB 437 by Senators Don Moore, Bartulis, and Knuepfer.
25. (Secretary reads title of bill)
26. SB 438 by Senators Don Moore, Bartulis, and Knuepfer.
27. (Secretary reads title of bill)
28. SB 439. I have a SB that deals with the Illinois Municipal
29. Code in which I have no sponsor. Provides...money collected by
30. a municipality under the Municipal Code, be used exclusively for
31. general assistance and administration thereof within that municipality.
32. PRESIDENT:
33. Senator Don Moore could that be your bill...?

1. SENATOR DON MOORE:
2. I'm sorry.
3. PRESIDENT:
4. ...Could this be your bill? There's a bill here providing
5. for the...it might be a Public Aid Commission...
6. SECRETARY:
7. Monies collected by municipality under the Public Aid Code
8. be used for general assist...assistance purpose.
9. SB 439 by Senator Don Moore.
10. (Secretary reads title of bill)
11. SB 440 by Senator Berning.
12. (Secretary reads title of bill)
13. SB 441 by Senator Berning.
14. (Secretary reads title of bill)
15. SB 442 by Senator Berning.
16. (Secretary reads title of bill)
17. SB 443 by Senators Walker, Carroll, Latherow, Merritt,
18. Weaver, Ozinga, Dougherty, Palmer, Moore, Berning, and McBroom.
19. (Secretary reads title of bill)
20. SB 444 by Senators Howard Mohr.
21. (Secretary reads title of bill)
22. SB 445 by Senator Nudelman, Palmer, Rock, Donnewald, Carroll,
23. Newhouse, and Saperstein.
24. (Secretary reads title of bill)
25. SB 446 by Senators Rock, Donnewald, Regner, Don Moore, and
26. Daley,
27. (Secretary reads title of bill)
28. SB 447 by Senators Dougherty, Welsh, Romano,...Kosinski,
29. Rock, and Savickas.
30. (Secretary reads title of bill)
31. SB 448 by Senators Bartulis, Don Moore, Vadalabene, Sommer,
32. Schaffer, Shapiro, Latherow, and Weaver.
33. (Secretary reads title of bill)
34. SB 449 by Senators Weaver, Walker, Merritt, Harber Hall,

1. Romano, Shapiro, Latnerow, Sours, and Vadalabene.

2. (Secretary reads title of bill)

3. SB 450 by Senator Vadalabene.

4. (Secretary reads title of bill)

5. 1st Reading of the bills.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. We will now proceed to the order of the Resolutions.

8. SECRETARY:

9. Senate Resolution 75 by Senator Chew. It's Congratulatory.

10. (Secretary reads Resolution No. 75)

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Ladies and Gentlemen, please. Please. There's no use in
13. reading this, if we can't hear it. Can we have a little quiet
14. please? Senator Chew.

15. SENATOR CHEW:

16. I would first ask leave of this Body to add every Senator
17. as a co-sponsor to this Resolution.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Any objections that...all the Senators being shown as
20. co-sponsors. Leave is granted.

21. SENATOR CHEW:

22. Mr. President I'm grateful to be able to represent the
23. legislative district...where Hirsch High School is located. On
24. Saturday night after we were informed of...that we had champions
25. in our district we put together a program that could not have
26. been equal and never excel. In order to show the champions
27. that we in the State of Illinois care, we were able to take a
28. fleet of cars out and meet the team at 159th Street and 157 with
29. the assistance of the Chicago Police Department, the County Police
30. Department, and the State Police Department, and many, many people
31. that are concerned about our youth. ...This does tell us that all
32. of the young people in this country are not involved in crime,
33. they're not involved in activity that would bring shame to a
34. community. Coach Stimson has worked with this team for the past

1. three years to bring the championship to Chicago and we're very
2. proud of that. On Sunday we were able to have some state official
3. ...state officials, county officials, and the Mayor of the City of
4. Chicago, who came out at my invitation. And again I want to em-
5. phasis the fact I'm glad to represent the legislative district
6. where this school is located and I might add that all of the
7. players plus the coach live in the 29th Senatorial District. And
8. I think this is just...an agreement between those of us that are
9. here, that this team should be congratulated by the Senate and again
10. I'm glad that all of you...will join me as the co-sponsors and let's
11. hope that we win it again next year. Thank you, Mr. President.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. Senator Chew moves for suspension of the Rules for immediate
14. adoption of the Resolution. All in favor will signify by saying
15. aye. The Rules are suspended. All in favor of the immediate
16. adoption of the Resolution will signify by saying aye. The motion
17. carries. The Resolution is adopted.

18. SECRETARY:

19. Sen...Senate Resolution No. 76 by Senator Berning. Congratulatory.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Senator Berning.

22. SENATOR BERNING:

23. Thank you, Mr. President. This is a Congratulatory Resolution
24. for a young man from my Village of Deerfield who is the National
25. Collegiate Wrestling Champion in the 118 pound class recently...
26. crowned at Seattle, Washington during the...the...tournament. I
27. would, of course, invite all members to join me since this is an
28. outstanding young 21 year old from my village and he deserves this
29. bit of recognition.

30. PRESIDENT:

31. All members will be shown as sponsors. Senator Berning moves
32. for a immediate suspension of the Rules for consideration of the
33. Resolution. All in favor will signify by saying aye. The motion

1. carries. The Rules are suspended. Senator Berning now moves
2. for the immediate adoption of the Resolution. All in favor
3. will signify by saying aye. Opposed. The ayes have it. The
4. Resolution is adopted.

5. SECRETARY:

6. Senate Resolution 77 by Senator Sommer. The Resolution
7. expresses gratitude to a returning POW.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. ...Senator Sommer.

10. SENATOR SOMMER:

11. Mr. President, this Resolution congratulates a young draftee
12. from my area who spent six years in the hell holes of Vietnam,
13. held prisoner by the North Vietnamese. And I would ask all
14. members to join me in congratulating this man upon his release.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Did you seek recognition, Senator Kosinski? All right.
17. Senator Sommer moves for immediate suspension of the Rules
18. for consideration of the Resolution. All in favor will signify
19. by saying aye. Opposed. The motion carries. The Rules are
20. suspended. Senator Sommer now moves for the immediate adoption
21. of the Resolution. All in favor will signify by saying aye.
22. Opposed. The ayes have it. The Resolution is adopted. And
23. all Senators were requested to be sponsors on that last
24. Resolution.

25. SECRETARY:

26. Senate Resolution 78 by Senator Mitchler. It's Congratulatory.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. Senator Mitchler. Au...Aurora Rotary Club. Senator did you
29. want to explain it briefly?

30. SENATOR MITCHLER:

31. Yes, Mr. President. This is a Congratulatory Resolution and
32. I would ask for suspension of the Rules, immediate consideration,
33. and adoption of this Resolution.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. Senator Mitchler moves for...suspension of the Rules. All
3. in favor will signify by saying aye. Opposed. The Rules are
4. suspended. Senator Mitchler now moves the immediate adoption of
5. the Resolution. All in favor will signify by saying aye. Opposed
6. nay. The ayes have it and the Resolution is adopted.

7. SECRETARY:

8. Senate Joint Resolution No. 27 by Senators Mitchler, Harris,
9. Graham, Mohr, Howard Mohr, Weaver, Partee, Rock, and Donnewald.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Senator Mitchler.

12. SENATOR MITCHLER:

13. What...which one is this?

14. SECRETARY:

15. Whereas the family is the basis...

16. SENATOR MITCHLER:

17. Yes. Yes, Mr. President I'd ask that, that be...assigned
18. to the Senate Executive Committee but before doing so I would
19. like to invite those Senators that would like to join in
20. sponsorship of this Resolution and I'll briefly explain it.
21. Congressman Erlenborn of the 14th Congressional District,
22. DuPage County, introduced in Congress a Resolution to designate
23. the week in which Thanksgiving falls as National Family Week.
24. This has received favorable consideration in Congress and
25. States will be adopting similar programs. And this would have
26. Illinois, the Governor issue a proclamation to designate
27. Illinois as Nat...Illinois Family Week, the week in which
28. Thanksgiving falls. I might say that I have talked to the
29. Governor about this. He's very much in accord with it, but
30. I think it has some impact that many of the Senators would like
31. to join in sponsorship of this Senate Joint Resolution...requesting
32. the Governor to do this, and I would welcome them to join in
33. sponsorship...Senate Executive Committee.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. Sen...Senator...The Senators wishing to be shown as
3. co-sponsors will make same knowledgeable motions to the
4. Secretary of the Senate Executive Committee.

5. SECRETARY:

6. Senate Joint Resolution No. 28 by Senator Shapiro.

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. Senator Shapiro. Will have...Executive. You can make
9. your...wishes known to the Secretary soon if you want to join
10. on that Resolution. We can proceed; get our business moving.

11. SECRETARY:

12. Senate Resolution No. 79 by Senators Harris and Mitchler.
13. Congratulatory.

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. Senator Harris is not...

16. SECRETARY:

17. Congratulating the Knights of Kaneland High School.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. The...Senator Mitchler moves for an immediate susp...suspension
20. of the Rules for consideration of this Resolution. All in favor
21. will signify by saying aye. The Rules are suspended. Senator
22. Mitchler now moves in behalf of Senator Harris that the Resolution
23. be adopted. All in favor will signify by saying aye. Opposed.
24. The ayes have it and the Resolution is adopted.

25. SECRETARY:

26. Senate Resolution No. 80 by Senator Vadalabene. It's
27. Congratulatory.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. Senator Vadalabene.

30. SENATOR VADALABENE:

31. Thank you, Mr. President, Members of the Senate. This is a
32. Resolution...a Congratulatory Resolution honoring the Venice...High
33. School Basketball Team who finished 3rd in the Class A Tournament.

1. And I would move for the suspension of the Rules in having it
2. adopted.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. Senator Vadalabene moves for the suspension of the Rules
5. for adoption of the Resolution. All in favor will signify by
6. saying aye. Opposed. The ayes have it. Sen...Senator
7. Vadalabene now moves for the immediate adoption of the
8. Resolution. All in favor will signify by saying aye.

9. SENATOR VADALABENE:

10. Leave. Leave to have all the members on this Mr...President.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. All the members are invited to join as co-sponsors. The
13. ayes have it. The Resolution is adopted.

14. SECRETARY:

15. Senate Resolution No. 81 by Senator Walker and it's
16. Congratulatory.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Senator Walker. Gentlemen could we have a little more order
19. please. Ladies, please.

20. SENATOR WALKER:

21. Thank you, Mr. President. Senate Resolution 81...con-
22. gratulates the State Champion of The Voice of Democracy Contest.
23. A young man from my district. I move for the immed...for the
24. suspension of the Rules and the immediate adoption.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. You've heard the motion. All in favor will signify by
27. saying aye. Opposed. The ayes have it. The Rules are suspended.
28. Now, Senator Walker moves for the immediate adoption of the
29. Resolution. All in favor will signify by saying aye. Opposed.
30. The ayes have it. The Resolution is adopted.

31. SECRETARY:

32. Senate Resolution No. 81 by Senator...82 by Senator Vadalabene
33. and it's...expresses gratitude to a returning POW.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. Senator Vadalabene.

3. SENATOR VADALABENE:

4. Thank you, Mr. President. This is honoring a returning
5. POW who has been in a prison camp 7 1/2 years and I would
6. like the...the...the Resolution adopted and all members be
7. placed on this Resolution.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. All the Members of the Senate will be shown as co-sponsors.
10. You've heard the motion. All in favor of suspense of the Rules
11. will signify by saying aye. The Rules are suspended. Senator
12. Vadalabene now moves that the Resolution be adopted. All in
13. favor will signify by saying aye. Opposed. The ayes have it
14. and the Resolution is adopted.

15. SECRETARY:

16. Senate Resolution No. 83 by Senators Harber Hall, Sommer,
17. Shapiro, Knuepfer, and Mitchler. It's amendatory.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Senator Harber Hall.

20. SENATOR HARBER HALL:

21. ...Mr. President fellow Senators...this Resolution acknowledges
22. the great job that the American Legion, in conjunction with the
23. American Boy Scouts, are doing in the area...of lakes and fisheries
24. ...within our lakes and streams...the American Legion...organizes
25. the Boy Scouts and they place tiles...into streams and lakes so that
26. ...good...spawning grounds can be developed and it makes more
27. ...fish available for bank fishing. It's a great program and
28. it cost absolutely nothing. It's all volunteer work and they're
29. doing a great job throughout the state and I'd like to have all
30. Members of the Senate join me in co-sponsoring this Resolution
31. of Commemoration.

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. Do we have leave for all members to be shown as co-sponsors?

1. Leave is granted. And all members will be so shown. You've
2. heard the motion for the suspension of the Rules by Senator
3. Harber Hall. All in favor signify by saying aye. Opposed.
4. The ayes have it. The rules are suspended. Senator Harber Hall
5. now moves for the immediate adoption of the Resolution. All in
6. favor will signify by saying aye. Opposed. Ayes have it and the
7. Resolution is adopted. Messages from the House.

8. SECRETARY:

9. A message from the House by Mr. Selcke, Clerk.

10. Mr. President, I am directed to inform the Senate that the
11. House of Representatives has passed Bills of the following titles,
12. in the passage of which I'm instructed to ask concurrence of the
13. Senate, to-wit:

14. HB 10, 14, 54, 70, 15, 21, 22, 48, 69.

15. A message from the House by Mr. Selcke, Clerk.

16. Mr. President I am directed to inform the Senate that the
17. House of Representatives has adopted the following Preamble and
18. Joint Resolution and the adoption of which I'm instructed to ask
19. concurrence of the Senate, to-wit:

20. House Joint Resolution No. 4. And it expresses the sense
21. of the General Assembly with the respect to the question of Am...
22. Amnesty. That would go to...

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. Executive.

25. SECRETARY:

26. Executive. Mr. President, I'm directed to inform the Senate
27. that the House of Representatives has concurred with the Senate
28. in the adoption of their amendment to the following...to a Bill
29. of the following title: HB 184

30. Mr. President, I'm directed to inform the Senate that the
31. House of Representatives has refused to recede from their
32. amendment to a Resolution of the following title: Senate Joint
33. Resolution No. 25.

34. I am further directed to inform the Senate that the

1. House of Representatives...

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. Please, please, please. My goodness.

4. SECRETARY:

5. I am further directed to inform the Senate that the
6. House of Representatives request a Committee of Conference
7. to consist of five members from each House to consider the
8. differences of the two Houses in regard to the Amendment to
9. the Resolution. The Speaker of the House has appointed a
10. such committee on the part of the House, Messrs. Blair, W. D.
11. Walsh, Telcser, Choate, and Shea.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. Senator Conolly do you recognize that Senator Harris...
14. Microphone. I think you will need to make a motion first.
15. Senator Conolly is going to his own microphone. The Chair
16. recognizes the Senator from Waukegan. Senator Conolly.

17. SENATOR CONOLLY:

18. I move we accede to the House Committee...House Report.

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. Senator Conolly moves that we accede to the request of
21. the House.

22. Senator Hall for what purpose do you arise?

23. SENATOR HARBER HALL:

24. ...I have a question of the...House sponsor.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. He indicates he will.

27. SENATOR HARBER HALL:

28. ...Is this the Resolution...involving...a phrase that...
29. we put in?

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. Senator Conolly.

32. SENATOR CONOLLY:

33. ...This does talk about the Resolution and we will have
34. a Conference Committee Report so we can put that wording back in.

35. PRESIDING OFFICER (SENATOR GRAHAM):

1. I don't think we heard you Senator. I...I think

2. SENATOR HARBER HALL:

3. Well...it seems to me we're...approving...the...Conference
4. Committee Report. I'm wondering if the Conference Committee Report
5. has that wording in there.

6. SENATOR CONOLLY:

7. No, we're not acceding to the...

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. You had me turned off too.

10. SENATOR CONOLLY:

11. It's...this is a request for a...

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. I can't tell him anything because I'm...

14. SENATOR CONOLLY:

15. ...and I accede to the wishes of the House.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. I hope... I think the proper motion is to accede to the
18. request for a Conference Committee. We're getting a lot of...
19. perhaps you...lets try your microphone again Senator Conolly.

20. SENATOR CONOLLY:

21. I did make such a motion.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. Senator Conolly moved that we accede to the request for a
24. Conference Committee on House Joint Resolution No. 25. Is that
25. correct, Senator? You have heard the motion all in favor will
26. signify by saying aye. Opposed. The ayes have it and we have
27. acceded to the request for a Conference Committee. Senator
28. Harris will nominate our members. Gentlemen and Ladies now
29. if we will keep our calendars in front of us and be in our seats
30. we can save some time as we proceed to House Bills on 1st reading
31. so that when the bill is called, if you want to be indicated as
32. sponsor please so let the Chair be advised. House Bills 1st
33. Reading. What...Senator Latherow.

34. SENATOR LATHEROW:

35. Mr. President, I wonder if this would be a good time for

1. a point of personal privilege for purpose of introduction?
2. PRESIDING OFFICER (SENATOR GRAHAM):
3. If there is a good time I guess this would be it.
4. SENATOR LATHEROW:
5. I'd like for the Senate to recognize...Mrs Neely and her
6. student Government Class from Industry High School up in the
7. right hand side of the balcony. I wonder if they would stand
8. and be recognized.
9. PRESIDING OFFICER (SENATOR GRAHAM):
10. Senator Mitchler.
11. SENATOR MITCHLER:
12. ...Mr. President, I also would like to rise on a point
13. of personal privilege. In the middle gallery, in the President's
14. Gallery, is the Frank Blaseck family from Aurora...Frank is a
15. co-employee of mine at Northern Illinois Gas Company, but most
16. important they're homeowners, and they're taxpayers and they're
17. family people. Would you please rise?
18. PRESIDING OFFICER (SENATOR GRAHAM):
19. House Bills 1st Reading. HB 144. 144 to Senator Nudelman.
20. Senator Nudelman.
21. SECRETARY:
22. (Secretary reads title of bill)
23. 1st Reading of the bill.
24. PRESIDING OFFICER (SENATOR GRAHAM):
25. HB 187. 187 Senator Knuppel.
26. SECRETARY:
27. SB 187...HB 187 (Secretary reads title of bill)
28. 1st Reading of the bill.
29. PRESIDING OFFICER (SENATOR GRAHAM):
30. HB 199. Representative Bradley's Bill. HB 211 Senator Schaffer.
31. SECRETARY:
32. HB 211 (Secretary reads title of bill)
33. 1st Reading of the bill.

1. PRESIDING OFFICER (SENATOR GRAHAM):
2. HB 226 Representative Walsh, Bill. HB 230. That's
3. yours Rep...Senator Nimrod. Do you want that bill? 230.
4. 231. HB 231. Nimrod. Senator Nimrod.
5. SECRETARY:
6. HB 231. (Secretary reads title of bill)
7. 1st Reading of the bill.
8. PRESIDING OFFICER (SENATOR GRAHAM):
9. HB 239. Senator Newhouse.
10. SECRETARY:
11. HB 239. (Secretary reads title of bill)
12. 1st Reading of the bill.
13. PRESIDING OFFICER (SENATOR GRAHAM):
14. HB 254. Senator Course.
15. SECRETARY:
16. HB 254. (Secretary reads title of bill)
17. 1st Reading of the bill.
18. PRESIDING OFFICER (SENATOR GRAHAM):
19. HB 282. Senator Johns. HB 283. HB 284. Senator Davidson.
20. SECRETARY:
21. HB 284. (Secretary reads title of bill)
22. 1st Reading of the bill.
23. PRESIDING OFFICER (SENATOR GRAHAM):
24. HB 286. Senator Mohr. Howard Mohr.
25. SECRETARY:
26. HB 286. (Secretary reads title of bill)
27. 1st Reading of the bill.
28. PRESIDING OFFICER (SENATOR GRAHAM):
29. HB 292. Senator Newhouse.
30. SECRETARY:
31. HB 292. (Secretary reads title of bill)
32. 1st Reading of the bill.
33. PRESIDING OFFICER (SENATOR GRAHAM):
34. HB 296. Senator Harris.

1. SECRETARY:
2. HB. 296. (Secretary reads title of bill)
3. 1st Reading of the bill.
4. PRESIDING OFFICER (SENATOR GRAHAM):
5. HB 299. HB 305. Senator Walker wants 299.
6. SECRETARY:
7. HB 299. (Secretary reads title of bill)
8. 1st Reading of the bill.
9. PRESIDING OFFICER (Senator Graham):
10. For what purpose does the Senator from Marion arise?
11. Senator Johns.
12. SENATOR JOHNS:
13. Thank you, Mr. President. I'd like to have leave of
14. the Body to pick up HB 282 and 283. The sponsors have asked
15. that I do that for them from the House.
16. PRESIDING OFFICER (SENATOR GRAHAM):
17. HB 282?
18. SENATOR JOHNS:
19. Yes sir. And 283.
20. SECRETARY:
21. HB 282. (Secretary reads title of bill)
22. 1st Reading of the bill.
23. HB 283. (Secretary reads title of bill)
24. 1st Reading of the bill.
25. PRESIDING OFFICER (SENATOR GRAHAM):
26. HB 305. 305 Senator Donnewald.
27. SECRETARY:
28. HB 305. (Secretary reads title of bill)
29. 1st Reading of the bill.
30. PRESIDING OFFICER (SENATOR GRAHAM):
31. HB 306. Same sponsor. Donnewald.
32. SECRETARY:
33. HB 306. (Secretary reads title of bill)
34. 1st Reading of the bill.

1. PRESIDING OFFICER (SENATOR GRAHAM):
2. HB 314. Welcome, Mr. Speaker. HB 314. HN 314. Senator McBroom.
3. SECRETARY:
4. HB 314. (Secretary reads title of bill)
5. 1st Reading of the bill.
6. PRESIDING OFFICER (SENATOR GRAHAM):
7. HB 315. HB 318. HB 355. Senator Scholl.
8. SECRETARY:
9. HB 355. (Secretary reads title of bill)
10. 1st Reading of the bill.
11. PRESIDING OFFICER (SENATOR GRAHAM):
12. ...Senator...Rock did you...Scholl took it. HB 360 and 361.
13. Senator Rock.
14. SECRETARY:
15. HB 360. (Secretary reads title of bill)
16. 1st Reading of the bill.
17. HB 361. (Secretary reads title of bill)
18. 1st Reading of the bill.
19. PRESIDING OFFICER (SENATOR GRAHAM):
20. HB 371. Senator Schaffer.
21. SECRETARY:
22. HB 371. (Secretary reads title of bill)
23. 1st Reading of the bill.
24. PRESIDING OFFICER (SENATOR GRAHAM):
25. HB 372. Senator Fawell.
26. SECRETARY:
27. HB 372. (Secretary reads title of bill)
28. 1st Reading of the bill.
29. PRESIDING OFFICER (SENATOR GRAHAM):
30. HB 390. Senator Course.
31. SECRETARY:
32. HB 390. (Secretary reads title of bill)
33. 1st Reading of the bill.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. Senator Course.

3. SENATOR COURSE:

4. Mr. President, Members of the Senate I'd like unanimous
5. consent to suspend the Rules and have HB 390 advanced to the
6. order of 2nd reading without reference.

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. You have heard the motion. Is there an objection? HB 390.
9. Leave. All in favor signify by saying aye. No. Opposed no. The
10. bill having...the motion having carried, the bill is advanced to
11. order of 2nd reading without reference. Now Gentlemen and Ladies,
12. we have 226 without a House...Senate sponsor. 230 without a
13. Senate sponsor, 231 without a Senate sponsor. Oh, yes, 231 Senator
14. Nimrod. We'll now move to the order of Senate Bills, 2nd reading.
15. ...For the record Senator Knuppel and Senator Roe have agreed
16. that Senator Roe will be the sponsor of 187...HB 187. Senate
17. Bills 2nd reading. SB No. 2, Senator Berning. SB No. 3.

18. Oh, Senator Berning. Gentlemen we are on Senate Bills 2nd, will
19. we please address ourselves to our duties.

20. Senator Berning. Could we please have some order? The Senators
21. want to be heard. Senator Berning.

22. SENATOR BERNING:

23. Thank you Mr. President. Yes, please move SB 2. I think
24. there is a...an amendment to be offered.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Are there any amendments from the Floor? There is a Floor
27. amendment for SB 2 offered by Senator Soper. The Secretary
28. does not have the amendment yet.

29. SECRETARY:

30. SB 2. (Secretary reads title of bill)

31. 2nd Reading of the bill.

32. The Committee on Local Government offers one amendment.

33. PRESIDING OFFICER (SENATOR GRAHAM):

34. Senator Berning moves the adoption of the Committee

1. Amendment...or Senator Soper. Who's moving, gentlemen? Senator
2. Soper do you move the adoption of the Committee Amendment?
3. SENATOR SOPER:
4. I move the Committee Amendment. I move the adoption.
5. PRESIDING OFFICER (SENATOR GRAHAM):
6. Do you wish to explain the amendment, Senator?
7. SENATOR SOPER:
8. I think...Senator Berning. Senator Berning have you got
9. a copy there?
10. PRESIDING OFFICER (SENATOR GRAHAM):
11. Senator Berning. Gentlemen. All in favor of the adoption
12. of the Committee Amendment will signify by saying aye. The
13. amendment is adopted. Any amendments from the Floor?
14. SECRETARY:
15. Amendment No. 2 by Senator Soper.
16. PRESIDING OFFICER (SENATOR GRAHAM):
17. Senator Soper.
18. SENATOR SOPER:
19. ...Senator Berning have you got a copy of this amendment?
20. Well, I'll...I'll explain it...this amendment does, it allows
21. the collecting...collecting party, that collects the money that
22. is charged to each defendant to retain 10...10% for the cost of
23. collection. That's in order to enable the, the...municipalty
24. to be reimbursed for the necessary cost to the administration
25. of this collection. I...spoke of this amendment in committee.
26. I don't think there was any objection to it. I see Senator
27. Rock and I was just wondering if he has any comments on it.
28. PRESIDING OFFICER (SENATOR GRAHAM):
29. The Chair recognizes Senator Rock.
30. SENATOR ROCK:
31. Yes, Mr. President the only comment I have, what does
32. in fact the collecting agency now collect 10% for administrative
33. cost?

1. SENATOR SOPER:

2. I...I don't think there's any collection cost in this
3. building. This is a new...this is a...a new...new philosophy
4. I believe in...in this...in this bill. This is an additional
5. ...this is an additional charge against...offenders...on a
6. scheduled basis the money be put in this special fund for a
7. law enforcement training and if there is a charge at this time
8. I don't know where it is, Senator Rock. If you say there is
9. I...I don't believe there is.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Senator Rock.

12. SENATOR Rock:

13. Well does you 10% though appertain to the entire fine or
14. just that portion of it that's to be designated for the financing
15. of this fund?

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. Senator Soper.

18. SENATOR SOPER:

19. It's in addition to any charges that are made with the fine,
20. and this is an additional 10% that's taken out of this additional
21. fund. This is what this pertains to.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. Any further discussion? Senator Kenny Hall.

24. SENATOR KENNETH HALL:

25. Will the sponsor yield to a question? Senator...do I under-
26. stand you correctly? If a person is to say that they have a
27. traffic violation and their fine that 1 % of this after paying
28. the fine, they must pay an additional 10% to go into a fund?

29. PRESIDING OFFICER (Senator Graham):

30. Senator Soper.

31. SENATOR SOPER:

32. No. You see this is Senator Berning's bill and if you read
33. the bill you'll find there's a certain amount of money that's...

1. that's...collected in addition to the fine. It's on...it's
2. on a...graduated basis. I believe...I don't have the bill
3. in...in front of me. I think Senator Berning could explain
4. that part. But in order to compensate the collecting agency
5. for their additional cost, if this bill should prevail then
6. I thought that the collection agency or the municipality
7. should be charged with this additional...additional force that
8. is necessary to...to administrate this collection of this money.
9. So this would be the 10% that comes off the top of the amount
10. that is collected for this fund. Otherwise, I don't think the
11. bill is...worthwhile in...in considering if some mun...munic-
12. ipality has to pay the cost of collecting this money. The fine
13. ...the fines are already designated and distributed according
14. to a formula in the counties or the...of the municipalities.
15. That...that we don't disturb but this is...is an addition and
16. I didn't think that...I'd want to support this bill unless the
17. municipalities could receive enough money to pay for the ad-
18. ministration of this. This is all this does.

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. Senator Schaffer.

21. SENATOR SCHAFFER:

22. Senator there's...the one thing this...this is a fine and
23. which is not...you used the word municipalities, and I think,
24. we well, it is a municipality in the total...total sense of the
25. word. We're talking about county Governments, the Circuit Clerks...
26. and the County Treasurers. Now, I would suggest to you, and...and
27. I agree both in principle with the bill as a means for providing funds
28. for...training law enforcement officers. And I also agree that the
29. local counties shoul be allowed to...be reimbursed for the cost of
30. ...providing the service of collecting this money, but I would
31. suggest to you that under our new 1970 constitution that the...
32. principle of collecting fees on a percentage is unconstitutional.
33. I...I suggest only the...refer back to the...cost of tax

1. collection. I would think from the basis of our committee
2. discussion that we would be more in order to just let the
3. counties determine their actual cost and deduct that, which
4. I believe is constitutional.

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. Senator Rock.

7. SENATOR ROCK.

8. Well, I...I...I totally agree with what Senator Schaffer
9. just said. In addition to that, we're talking about an amount
10. under Senator Berning's bill that runs from \$1.00 to \$16.00, so
11. this municipality or whoever the collecting agency is, you're
12. talking about anywhere from 10¢ to a \$1.60. I think you're
13. needlessly complicating and...constitutionally jeopardizing
14. this bill for 10¢. It just...it doesn't make any sense to me
15. and I'm opposed to this amendment.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. Any further...Senator Soper.

18. SENATOR SOPER:

19. If that's the...opinion, I'll withdraw the amendment.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Senator Soper withdraws Amendment No. 2 from SB 2.

22. Any further amendments from the Floor? Senator Dan Dougherty.

23. Please, Ladies and Gentlemen, please.

24. SENATOR DOUGHERTY:

25. Mr. President, Members of the Senate, I was in opposition
26. to this bill and I have still reason to believe I'm going
27. to oppose the bill in the passage stage, however, Senator
28. Soper...offered an...an amendment in good...in good faith.
29. The thought that if the bill should pass that the administrative
30. officer who charged with the responsibility of adding these
31. sums should be reimbursed for his cost. However, it will be
32. an almost impossible situation for this administrative officer to
33. arrive at a...sum necessary. Besides I believe it is unconstitutional

1. for the reason of the...constitution forbids fees...per se.
2. So, therefore, I believe that we would be in constitutionally... in
3. trouble in adding this surcharge, if you will. The whole thing
4. is a surcharge. I believe it's bad legislation. I intend to
5. oppose it. I'm sorry to oppose my friend Senator Soper who has...

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Senator Soper withdrew his amendment.

8. SENATOR DOUGHERTY:

9. With the best intentions. Thank you.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Any further amendments from the Floor? 3rd Reading. SB 3,
12. Senator Mitchler.

13. SECRETARY:

14. SB 3 (Secretary reads title of bill)

15. 2nd Reading of the bill.

16. The Committee on Public Health and Welfare...Welfare and
17. Corrections offers three amendments.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Senator Mitchler.

20. SENATOR MITCHLER:

21. ...Mr. President I'm having distributed on the desk of
22. each Senator a copy of the amendments that will be proposed.
23. I'm going to...we're going to handle five amendments on this
24. bill and I have them all clipped together with a fiscal note
25. for SB on top and I will explain the amendments. Amendment No.
26. 1, which is a Committee Amendment, I'm going to ask to move that
27. that amendment be tabled in lieu of adopting Amendment No. 4,
28. which is being substituted for Amendment No. 1. So, first I'd move
29. for adopt...tabling Amendment No. 1, that's the Committee Amendment.

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. Senator Mitchler moves to table Committee Amendment No. 1.
32. All in favor will signify by saying aye. Opposed. The ayes have
33. it and...Amendment No. 1 to SB No. 3 is with...tabled. SB No. 3,

1. we have another Committee Amendment. No. 2. Senator Mitchler.
2. SENATOR MITCHLER:

3. ...Amendment No. 2 is Committee Amendment and I would move
4. that this amendment be adopted. This puts the proper language
5. into the bill to describe...have the warning, in other words
6. the labelling.

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. All in...Senator Mitchler moves the adoption of Amendment
9. No. 2 to SB 3. All in favor will signify by saying aye.
10. Opposed. The motion carries. The amendment is adopted.
11. Amendment No. 3.

12. SENATOR MITCHLER:

13. Amendment No. 3 is also a Committee Amendment and I move
14. adoption of Amendment No. 3. The amendment puts into the bill
15. clarifying language recommended by the Department of Public
16. Health. I move the adoption of Amendment No. 3.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Senator Mitchler moves the adoption of Amendment No. 3 to
19. SB 3. All in favor will signify by saying aye. Opposed. The
20. ayes have it. The amendment is adopted. Are there any amendments
21. from the Floor? Senator Mitchler.

22. SENATOR MITCHLER:

23. The Secretary should have Amendment No. 4.

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. We have no further amendments to SB 3 on the Secretary's
26. desk, I am so informed.

27. SENATOR MITCHLER:

28. Would you like to hold and then...I'll bring them down, then
29. we can move on with this?

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. Well, I'll have to have them...how far away are they?

32. SENATOR MITCHLER:

33. On the Secretary's desk is Amendment No. 4, which is a
34. substitute for the Committee Amendment No. 1 that we have just

1. tabled. Amendment No. 4 merely changes the language from
2. what was submitted in committee to conform to the Federal
3. Standards defining lead bearing substance. And this was
4. worked out with the paint industry and this was the objection
5. that was...we thought we had resolved but had to be further
6. resolved by clarifying language. There should be no objection
7. to this and this will have the amount of lead in a lead bearing
8. substance on a continuing basis with Federal Standards. When
9. the Federal Standards are lowered this would automatically
10. lower the standards in the State of Illinois, to the amount
11. of lead put in to the...product.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. Senator Saperstein...

14. SENATOR MITCHLER:

15. I would move for the adoption of Amendment No. 4.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. Senator Mitchler moves the adoption of Amendment No. 4.

18. Senator Saperstein did arise to ask for recognition and...all
19. in favor of the adoption of Amendment No. 4 will signify by
20. saying aye. Opposed. The ayes have it and the amendment is
21. adopted. Senator Mitchler.

22. SECRETARY:

23. Amendment No. 5 by Senator Mitchler.

24. SENATOR MITCHLER:

25. ...Amendment No. 5 is an amendment that was drawn up after
26. the Committee hearing. This was drawn up in response to Bob
27. Cook, of the Illinois Real Estate Board. And what this does
28. it clarifies the type of a wall and the...wall covering and
29. this is to...comply with a suggestion and a request of the Illinois
30. Real Estate Board. The bill...the amendment also changes a word,
31. statemental to statement. That was recommended to be changed by
32. Senator Wooten. I move adoption of Amendment No. 5.

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Senator Mitchler moves adoption of Amendment No. 5 to SB 3.
2. All in favor will signify by saying aye. All in favor will
3. signify by saying aye. Opposed. The ayes have it and the amend-
4. ment is adopted. Any further amendments from the Floor? We'll
5. have a new bill. 3rd Reading. SB 27, Senator Knuppel. SB 31,
6. Senator Regner.

7. SECRETARY:

8. SB 31 (Secretary reads title of bill)

9. 2nd Reading of the bill. The Committee on Executive offers one
10. amendment.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Senator Regner moves the adoption of the Committee Amend-
13. ment. All in favor will signify by saying aye. Opposed. The
14. motion carried. Any further amendments?...From the Floor? 3rd
15. Reading. Do you wish to call SB No. 27, Senator Knuppel? Guess
16. not. SB 48, Senator Don Moore. SB 55, Senator McBroom. SB...
17. Senator McBroom.

18. SENATOR McBROOM:

19. ...Mr. Chairman, er...Mr. President...

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. This is a series of bills, 55...

22. SENATOR McBROOM:

23. Series of bills, yes. Mr. President, Members of the Senate
24. ...I just...I'm holding these bills, I don't want to hold them
25. indefinitely, Senator Graham. You, Sir, are one of the reasons
26. that I am holding them. I believe Senator Wooten has expressed
27. some interest in them, and I believe Senator Howard Mohr is, so
28. I just wanted to alert you and...and to you, Senator Dougherty.
29. You asked me if I'd hold these bills until we tried to get some
30. satisfaction and agreement on both sides of the aisle, so I just
31. thought I'd alert the members that they are on the Calendar.

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. Thank you, Senator. Senator Daniel Dougherty, he's holding
34. them.

1. SENATOR DOUGHERTY:

2. Mr. President, I'm just acquiescing to the wishes
3. of Senator Wooten. I agree with Senator McBroom. I'm
4. merely waiting until Senator Wooten has come up with the ...
5. amendements that he deems necessary.

6. PRESIDING OFFICER (Senator Graham):

7. SB 68, Senator Harber Hall.

8. SECRETARY:

9. SB 68 (Secretary reads title of bill)

10. 2nd reading of the bill. The Committee on Agriculture,
11. Conservation and Ecology offers one amendment.

12. PRESIDING OFFICER (Senator Graham):

13. Senator Hall moves the adoption of the Committee
14. amendment. All in favor will signify by saying aye.
15. Opposed. The ayes have it, the amendment is adopted.

16. SECRETARY:

17. Amendment No. 2 by Senator Kenneth Hall.

18. PRESIDING OFFICER (Senator Graham):

19. Senator Hall, Kenneth Hall. Senator Kenneth Hall.

20. SENATOR KENNETH HALL:

21. Thank you Mr. President, Members of the Senate. I...I
22. have discussed this with Senator Harber Hall and I have his
23. approval. And Senator Johns and I have worked this out.
24. This applies to a camp down in his area. Last Session House
25. Bill 794, Public Act 771556 was passed and, there's a camp
26. called Camp Ondessonk. And this camp would not qualify under
27. the provisions so it was suggested by the Department of Health
28. that it be an amendment included in this one. So, I discussed
29. this with Senator Hall and now there was some doubt as to
30. whether that this bill, this camp was protected and the bill
31. that Senator Hall is now producing. So we have come up and we
32. have checked with the Corporation Department and find out that
33. Camp Ondessonk will not qualify for the exemption provided in

1. SB 68, so therefore we've...we've prepared the attached
2. amendment. Now, this and any others which are organized
3. and registered with the Corporation Department under the
4. 1872 Corporation Act. This amendment was passed out and
5. placed on everybody's desk, yes. So I ask that this
6. amendment be adopted.

7. PRESIDING OFFICER (Senator Graham):

8. Senator Kenneth Hall moves the adoption of Amendment
9. No. 2 to SB No. 68. All in favor, signify by saying aye.
10. The amendment is adopted. Any further amendments...3rd
11. Reading. SB 84, Senator Regner.

12. SECRETARY:

13. SB 84 (Secretary reads title of bill)
14. 2nd Reading of the bill. No committee amendments.

15. PRESIDING OFFICER (Senator Graham):

16. Any amendments from the Floor? 3rd Reading. SB 97,
17. Senator Berning. Senator Berning.

18. SECRETARY:

19. SB 97 (Secretary reads title of bill)
20. 2nd Reading of the bill. The Committee on Agriculture,
21. Conservation and Ecology offers one amendment.

22. PRESIDING OFFICER (Senator Graham):

23. Senator Berning moves the adoption of the committee
24. amendment. All in favor will signify by saying aye. Opposed.
25. Further amendments? 3rd Reading. SB 117, Senator Don Moore.

26. SECRETARY:

27. SB 117 (Secretary reads title of bill)
28. 2nd Reading of the bill. The Committee on Local Government
29. offers one amendment.

30. PRESIDING OFFICER (Senator Graham):

31. Senator Don Moore moves the adoption of amendment...
32. Committee Amendment to SB 117. All in favor will signify by
33. saying aye. Opposed. Amendment's adopted. Any amendments
34. from the Floor? 3rd Reading. SB 121, Senator McCarthy.

1. SB 125, Senator Regner.

2. SECRETARY:

3. SB 125 (Secretary reads title of bill)

4. 2nd Reading of the bill. No committee amendments. Amendment
5. No. 1 by Senator Regner.

6. PRESIDING OFFICER (Senator Graham):

7. Senator Regner.

8. SENATOR REGNER:

9. Mr...Mr. President and Members of the Senate, this
10. amendment just inserts one word, the word publish immediately
11. after the word circulation on page 1, line 22. It was
12. inadvertently left out when the bill was drafted, and I move
13. for the adoption of Amendment 1 to SB 125.

14. PRESIDING OFFICER (Senator Graham):

15. Senator Regner moves the adoption of SB...of Amendment
16. No. 1, SB 125. All in favor signify by saying aye. Opposed.
17. Any amendments from the Floor? 3rd Reading. SB 142, Senator
18. Kenneth Hall.

19. SECRETARY:

20. SB 142 (Secretary reads title of bill)

21. 2nd Reading of the bill. No committee amendments. Amendment
22. NO. 1 by Senator Kenneth Hall.

23. PRESIDING OFFICER (Senator Graham):

24. Senator Hall.

25. SENATOR KENNETH HALL:

26. Thank you, Mr. Chairman, President and Members of the
27. Senate. When this bill was heard that it was agreed that
28. there would be an amendment put on in 2nd Reading that no
29. more than 40% of this original appropriation that we ask
30. for was \$83,685. Now, this amendment says the sum of \$50,365
31. or so much thereof as may be necessary is appropriated to
32. the Joliet-Marquette Tri-Centennial Commission for the
33. purpose of programs conducted solely within the State of

1. Illinois. So an act to create the Joliet-Marquette tra...
2. Tri-Centennial Commission to divine it's powers, functions,
3. and duties was approved August the 2nd, 1972. The sum of
4. \$33,320 or so much thereof as may be necessary, is appro-
5. priated. So I put this amendment on, in line with what was
6. agreed to in the committee. So I ask that it be adopted...
7. Senator McBroom...

8. PRESIDING OFFICER (Senator Graham):

9. You're requesting...

10. SENATOR KENNETH HALL:

11. Senator McBroom may have some question there.

12. PRESIDING OFFICER: (Senator Graham):

13. Senator McBroom.

14. SENATOR MCBROOM:

15. Well,...Mr. President, Members of the Senate I...I
16. personally can't support the bill regardless what is done
17. with it. Is this the amendment, Senator Hall, that meets
18. the app...approval of Senator Regner and Senator Harber Hall?
19. Have you discussed this amendment with both of them? And
20. they're satisfied with it?

21. PRESIDING OFFICER: (Senator Graham):

22. Senator Kenneth Hall.

23. SENATOR KENNETH HALL:

24. I discussed it with Senator Harber Hall and I gave him
25. a copy and I had the copies passed. Now, I haven't discussed
26. it with Senator Regner, but it was agreed that Senator Hall
27. would...and Senator Bruce of...also it was agreed that, and
28. I have talked to those two and they both have agreed. I
29. don't know about Senator Regner. I didn't know if he'd raised
30. any objections.

31. PRESIDING OFFICER (Senator Graham):

32. He indicates that he does. Senator Harber Hall.

33. SENATOR HARBER HALL:

1. I...I'd just like to answer, ask the sponsor of the
2. amendment one question. I...I agreed to the forty percent,
3. I have a question on the operation of it, and that is this.
4. Will that forty percent that you've broken down by dollar
5. value, will any amount of it be expended if those other States
6. do not come up to their agreed upon contributions. I don't
7. agree. If this bill permits the State to spend \$33,000,
8. irrespective of what those other States do, I wouldn't agree
9. to it.

10. PRESIDING OFFICER (Senator Graham):

11. Senator Kenneth Hall.

12. SENATOR KENNETH HALL:

13. That's exactly what this amendment does. Senator Bruce
14. prepared the amendment it...maybe he might want to comment
15. on it also.

16. PRESIDING OFFICER (Senator Graham):

17. Senator Bruce.

18. SENATOR BRUCE:

19. Yes, as you may remember in Appropriations Committee I
20. was the one that suggested that we limit it to the forty
21. percent as set forth by the director of the commission. The...
22. now we're on. The...the bill...the amendment is broken into
23. two sections because the bill relates both to activities
24. within the State of Illinois for which we're totally obligated
25. that's the sum of \$50,000 and odd change. Then we also
26. contribute an amount of \$33,000 which will be spent for the
27. total project, some of which will not take place within the
28. State of Illinois, as you know nine states are involved.
29. We've agreed to pay forty percent. I raised the question, I
30. don't know who made that agreement. I was told it had been
31. made and...national organization which is located in St.
32. Louis. That \$33,000 with...only forty percent of that could
33. be spent under any circumstances. If one of the other states

1. participate this year, only forty percent of that amount of
2. money will be spent. Now, I would point out we're only
3. speaking on the amendment. I don't plan to vote for the
4. bill anyway. But, that's another question. What we're
5. talking about is clearing up the fact that Illinois will
6. never be required to contribute more than forty percent of
7. the total budget for occurrence outside the State of Illinois.

8. PRESIDING OFFICER (Senator Graham):

9. Senator Harber Hall.

10. SENATOR HARBER HALL:

11. Well, then...I...I still have the question of Senator
12. Bruce or Senator Hall that I...I'm a little bit vague on
13. these two amounts that we've now put in there separated.
14. I...I was thinking that the sentiment of the people that...
15. most of the people that heard that committee was that the
16. total amount, if you add those two amounts up that should
17. not, the total amount, should not exceed forty percent of
18. the total amount supplied by other states. Now, you've
19. broken it down and...and you say \$33,000 is forty percent
20. of \$87,000 which is true, but...then you're, if you only
21. apply the forty percent to the \$33,000...it seems to me
22. we're...we've got the lion's share on both ends of it.

23. PRESIDING OFFICER (Senator Graham):

24. Senator Bruce.

25. SENATOR BRUCE:

26. You...you may remember...remember that the Appropriation
27. Bill itself is broken into two sections. Events which will
28. occur exclusively within the State of Illinois, and events
29. that are going to happen outside the State of Illinois for
30. which we have agreed to pay forty percent. What we did
31. was limit the events outside the State of Illinois to that
32. forty percent. If you want to limit the amount in Illinois
33. to forty percent, it makes no sense because other states

1. will not be contributing to what is happening within the
2. State.

3. PRESIDING OFFICER (Senator Graham):

4. Senator Hall. Senator Harber Hall and Senator McBroom
5. wishes to be recognized too.

6. SENATOR MCBROOM:

7. Well, Mr. President, Members of the Senate, I...I think
8. you can tell Mr. President by the...the dialogue here from
9. both sides of the aisle that this is a controversial measure
10. and I...I don't, maybe the other members do, but I don't
11. even have the...the amendment on my desk, and I'd like to
12. suggest Senator Hall that we bypass this bill. It's been
13. on 2nd Reading for sometime. Let us all take a look at the
14. amendment and get back...get back to it. I'm afraid if we
15. get into trying to adopt the amendment today that we're
16. going to take up an unduly...an unwarranted amount of time
17. and I would like to prevail upon Senator Hall to...to just
18. let it rest where it is for now.

19. PRESIDING OFFICER (Senator Graham):

20. Senator Kenneth Hall.

21. SENATOR KENNETH HALL:

22. I would like to say I'm perfectly willing to do that,
23. but I had the amendments placed on everybody's desk yesterday
24. and I'm perfectly willing to...to, that makes sense to hold
25. it until we can work out something...

26. PRESIDING OFFICER (Senator Graham):

27. He indicates...We'll take it out of the Record and
28. it will be held on the order of 2nd Reading. SB 145, Senator
29. Netsch.

30. SECRETARY:

31. SB 145 (Secretary reads title of bill)
32. 2nd Reading of the bill. No committee amendments.

33. PRESIDING OFFICER (Senator Graham):

1. Senator Netsch.

2. SENATOR Netsch:

3. Mr. President, I have an amendment prepared which has
4. been distributed that was prepared at the suggestion of
5. several members on the committee at the time the bill was
6. heard. The bill basically has to do with classification of
7. real estate by those counties which are authorized to do so.
8. And requires that the act of classification be done by
9. ordinance of the governing body of the county, whihc would
10. be the County Board. The question was raised as to whether
11. or not this would...could possibly be construed if the Act
12. were passed, of having any effect on taxes extended up to
13. the time that the bill is adopted, if it is. And, so in order
14. to make sure that there would be no question about the validity
15. of taxes up to that date the amendment was prepared which has
16. been disturbed, and...

17. PRESIDING OFFICER (Senator Graham):

18. The only problem is we have none of the Secretary's desk.

19. SENATOR NETSCH:

20. Sorry, I...I left the copies up there...I guess everyone
21. else has it except you. I beg your pardon.

22. PRESIDING OFFICER (Senator Graham):

23. It takes five copies.

24. SECRETARY:

25. Amendment No. 1 by Senator Netsch.

26. PRESIDING OFFICER (Senator Graham):

27. The Senator has explained the amendment, and has moved
28. its adoption. Discussion? All in favor of the adoption of
29. Amendment No. 1 to SB No. 145 will signify by saying aye.
30. Opposed. The motion carried, the amendment is adopted. Any
31. further amendments from the Floor? 3rd Reading. SB 157.
32. Senator Berning.

33. SECRETARY:

1. SB 157 (Secretary reads title of bill)
2. 2nd Reading of the bill. The Committee on Local Government
3. offers one amendment.
4. PRESIDING OFFICER (Senator Graham):
5. Senator Berning moves the adoption of Amendment No. 1
6. to SB 157. All in favor will signify by saying aye. Opposed.
7. Motion's carried, the amendment is adopted. Any amendments
8. from the Floor? 3rd Reading. SB 161, Senator Howard Mohr.
9. SECRETARY:
10. 161 (Secretary reads title of bill)
11. 2nd Reading of the bill. The Committee on Pensions and
12. Personnel offers one amendment.
13. PRESIDING OFFICER (Senator Graham):
14. Senator Mohr moves the adoption of Amendment No. 1 to
15. SB 161. All in favor will signify by saying aye. Opposed.
16. The motion's carried, the amendment's adopted. Any amendments
17. from the Floor, further amendments? 3rd Reading. SB 163,
18. Senator Don Moore.
19. SECRETARY:
20. SB 163 (Secretary reads title of bill)
21. 2nd Reading of the bill. The Committee on Local Government
22. offers one amendment.
23. PRESIDING OFFICER (Senator Graham):
24. Senator Don Moore moves the adoption of the amendment,
25. all in favor will signify by saying aye. Opposed. The eyes
26. have it, the amendment is adopted, any further amendments?
27. SECRETARY:
28. Amendment No. 2 by Senator Don Moore.
29. PRESIDING OFFICER (Senator Graham):
30. Senator Moore. Don Moore.
31. SENATOR DON MOORE:
32. ...Thank you Mr. President. This amendment came about
33. as the result of a conference with the...Illinois Library

1. Association. It provides for their election rather than
2. their...their appointment. And I move it's adoption at
3. this time, Mr. President.

4. PRESIDING OFFICER (Senator Graham):

5. Senator Moore moves the adoption of Amendment No. 2 to
6. SB 163. All in favor will signify by saying aye. Opposed.
7. The ayes have it, the amendment is adopted. Any further
8. amendments from the Floor? 3rd Reading. SB 179, Senator
9. Bradley Glass.

10. SECRETARY:

11. 179 (Secretary reads title of bill)
12. 2nd Reading of the bill. No committee amendments.

13. PRESIDING OFFICER (Senator Graham):

14. Senator Glass.

15. SENATOR GLASS:

16. There is an amendment to SB 179...Secretary's desk.

17. SECRETARY:

18. Amendment No. 1 by Senator Glass.

19. PRESIDING OFFICER (Senator Graham):

20. Senator Glass, explain your amendment, please.

21. SENATOR GLASS:

22. Thank you, Mr. President, this amendment merely adds
23. something to the bill that was brought out in committee, and
24. that is to permit the treasurer to be one which...to...to be
25. a School Board member and it therefore deletes the exclusion
26. of School Board members in order that the...if passed the
27. bill would be consistent...with the law regarding this sit...
28. situation in other counties. So, I would move for adoption
29. of the amendment.

30. PRESIDING OFFICER (Senator Graham):

31. Senator Glass moves the adoption of the amendment No. 1
32. to SB 179. Discussion, Senator Soper.

33. SENATOR SOPER:

1. Did you...is that amendment printed? I'd like to see
2. the amendment.

3. PRESIDING OFFICER (Senator Graham):
4. Are the amendments on the Senator's desk?

5. SENATOR SOPER:
6. I don't find any. I suggest that we hold this until
7. the amendment is printed, put on the Senators desk.

8. PRESIDING OFFICER (Senator Graham):
9. Senator Glass.

10. SENATOR GLASS:
11. Well, they apparently have not been distributed, so
12. we'll try and get that taken care of.

13. PRESIDING OFFICER (Senator Graham):
14. Hold the bill until...SB 181, Senator Nimrod. Senator
15. Nimrod.

16. SENATOR NIMROD:
17. Mr. President, there is an amendment...

18. PRESIDING OFFICER (Senator Graham):
19. We have to read the bill first, Senator.

20. SECRETARY:
21. SB 181 (Secretary reads title of bill)
22. 2nd Reading of the bill. No committee amendments.

23. PRESIDING OFFICER (Senator Graham):
24. Senator Nimrod.

25. SENATOR NIMROD:
26. Yes, as a result of the committee there is going to be
27. one amendment being prepared for that and until it's ready...

28. PRESIDING OFFICER (Senator Graham):
29. You want to hold the bill then?

30. SENATOR NIMROD:
31. Yes.

32. PRESIDING OFFICER (Senator Graham):
33. SB 183, Senator Stanley Weaver.

1. SECRETARY:
2. SB 183 (Secretary reads title of bill)
3. 2nd Reading of the bill. No committee amendments.
4. PRESIDING OFFICER (Senator Graham):
5. Any amendments from the Floor? 3rd Reading. SB 185,
6. Senator Weaver...184. SB 184.
7. SECRETARY:
8. SB 184 (Secretary reads title of bill)
9. 2nd Reading of the bill. The Committee on Appropriations
10. offers one amendment.
11. PRESIDING OFFICER (Senator Graham):
12. Senator Scholl moves the adoption of the committee
13. amendment to SB 184.
14. SENATOR SCHOLL:
15. I move the adoption of the committee amendment and what
16. this amendment does it adds \$23,000,000 to the State Teacher's
17. Retirement System for Chicago teachers. The bill in its
18. original draft...when it was originally drafted did not include
19. increased funding for Chicago teachers.
20. PRESIDING OFFICER (Senator Graham):
21. Senator Scholl moves the adoption of Amendment No. 1.
22. All in favor will signify by saying aye. Opposed. The motion's
23. carried. The amendment is adopted. Any amendments from the
24. Floor? 3rd Reading. SB 185, Senator Weaver.
25. SECRETARY:
26. SB 185 (Secretary reads title of bill)
27. 2nd Reading of the bill. No committee amendments.
28. PRESIDING OFFICER (Senator Graham):
29. Any amendments from the Floor? 3rd Reading. SB 186,
30. Senator Weaver.
31. SECRETARY:
32. SB 186 (Secretary reads title of bill)
33. 2nd Reading of the bill. No committee amendments.

1. PRESIDING OFFICER (Senator Graham):
2. Amendments from the Floor? 3rd Reading. SB 187,
3. Senator Fawell. SB 199, Senator Glass.
4. SECRETARY:
5. SB 199 (Secretary reads title of bill)
6. 2nd Reading of the bill. No committee amendments.
7. PRESIDING OFFICER (Senator Graham):
8. Amendments from the Floor? 3rd Reading. SB 201,
9. Senator Hudson Sours.
10. SECRETARY:
11. SB 201 (Secretary reads title of bill)
12. 2nd Reading of the bill. No committee amendments.
13. PRESIDING OFFICER (Senator Graham):
14. Amendments from the Floor? 3rd Reading. SB 205,
15. Senator Sours.
16. SECRETARY:
17. SB 205 (Secretary reads title of bill)
18. 2nd Reading of the bill. No committee amendments.
19. PRESIDING OFFICER (Senator Graham):
20. Amendments from the Floor? 3rd Reading. SB 215,
21. Senator Berning.
22. SECRETARY:
23. SB 215 (Secretary reads title of bill)
24. 2nd Reading of the bill. No committee amendments.
25. PRESIDING OFFICER (Senator Graham):
26. Amendments from the Floor? 3rd Reading. SB 216,
27. Senator Weaver.
28. SECRETARY:
29. SB 2...216 (Secretary reads title of bill)
30. 2nd Reading of the bill. No committee amendments. Amendment
31. No. 1 by Senator Weaver.
32. PRESIDING OFFICER (Senator Graham):
33. Senator Weaver do you wish to explain your amendment?

SB 278
2nd Reading
3-28-73

1. SENATOR WEAVER:

2. Mr...Mr. President and Members of the Senate. This is
3. an amendment suggested by the Judicial...Judiciary Committee.
4. It provides that dram shop liability will be covered at these
5. faculty centers and airports and thus I hope that it will
6. satisfy the committee as to the objections raised to the bill.
7. And I would so move the adoption of the amendment.

8. PRESIDING OFFICER (Senator Graham):

9. Senator Weaver moves the adoption of Amendment No. 1 to
10. SB 216. All in favor will signify by saying aye. Opposed.
11. The ayes have it, the amendment's adopted. Any amendments
12. from the Floor? 3rd Reading. SB 234, Senator Welsh.

13. SECRETARY:

14. SB 234 (Secretary reads title of bill)
15. 2nd Reading of the bill. No committee amendments.

16. PRESIDING OFFICER (Senator Graham):

17. Amendments from the Floor? 3rd Reading. SB 250, Sen...
18. Senator Fawell.

19. SECRETARY:

20. SB 250 (Secretary reads title of bill)
21. 2nd Reading of the bill. No committee amendments.

22. PRESIDING OFFICER (Senator Graham):

23. Amendments from the Floor? 3rd Reading. SB 271, Senator
24. Regner.

25. SECRETARY:

26. SB 271 (Secretary reads title of bill)
27. 2nd Reading of the bill. No committee amendments.

28. PRESIDING OFFICER (Senator Graham):

29. Amendments from the Floor? 3rd Reading. SB 278, Senator
30. Harris.

31. SECRETARY:

32. SB 278 (Secretary reads title of bill)
33. 2nd Reading of the bill. No committee amendments.

1. PRESIDING OFFICER (Senator Graham):
2. Any amendments from the Floor? 3rd Reading. SB 302,
3. Senator Donnewald.
4. SECRETARY:
5. SB 302 (Secretary reads title of bill)
6. 2nd Reading of the bill. The Committee on Appropriations
7. offers one amendment.
8. PRESIDING OFFICER (Senator Graham):
9. Senator Donnewald do you...moves the adoption of the
10. amendment. All in favor will signify by saying aye. Opposed.
11. The motion carries, the amendment is adopted. Senator
12. Donnewald.
13. SENATOR DONNEWALD:
14. There is another correction being made and that's
15. Amendment No. 2, which I believe is on the Secretary's desk.
16. And that...
17. SECRETARY:
18. Amendment No. 2 by Senator Donnewald.
19. SENATOR DONNEWALD:
20. Technical amendment, and I move it's adoption.
21. PRESIDING OFFICER (Senator Graham):
22. Senator Donnewald moves the adoption of Amendment No. 2
23. to SB 20...302. All in favor will signify by saying aye.
24. Opposed. The amendment is adopted. Amendments from the
25. Floor? 3rd Reading. SB 222, Senator Soper. 222. Oh,
26. I'm sorry. I'm sorry. I got on another line 311, I'm
27. sorry Senator. I don't want you on 3rd Reading yet.
28. SB 311. Senator Howard Mohr.
29. SECRETARY:
30. SB 311 (Secretary reads title of bill)
31. 2nd Reading of the bill. The Committee on Appropriations
32. offers one amendment.
33. PRESIDING OFFICER (Senator Graham):

1. Senator Mohr moves the adoption of Amendment No. 1.
2. All in favor will signify by saying aye. Opposed. The
3. motion carries, the amendment is adopted. Amendments
4. from the Floor? 3rd Reading. SB 315, Senator Sommer.
5. SECRETARY:
6. SB 315 (Secretary reads title of bill)
7. 2nd Reading of the bill. No committee amendments.
8. PRESIDING OFFICER (Senator Graham):
9. Amendments from the Floor? 3rd Reading. SB 356, Senator
10. Buzbee.
11. SECRETARY:
12. SB 356 (Secretary reads title of bill)
13. 2nd Reading of the bill. No committee amendments.
14. PRESIDING OFFICER (Senator Graham):
15. Amendments from the Floor? 3rd Reading. SB 398, Senator
16. Saperstein.
17. SECRETARY:
18. SB 398 (Secretary reads title of bill)
19. 2nd Reading of the bill. No committee amendments.
20. PRESIDING OFFICER (Senator Graham):
21. Amendments from the Floor? Senator Walker.
22. SENATOR WALKER:
23. Had you concluded 398?
24. PRESIDING OFFICER (Senator Graham):
25. Not,...we...
26. SENATOR WALKER:
27. Are you concluded with 398?
28. PRESIDING OFFICER (Senator Graham):
29. We are asking if there are any amendments from the Floor?
30. No amendments from the Floor, 3rd Reading. Senator Walker.
31. SENATOR WALKER:
32. Thank you, Mr. President. I've been requested by Senator
33. McCarthy, the sponsor of SB 121, I'm co-sponsor, to have it

1. called. It's on 2nd Reading.
2. PRESIDING OFFICER (Senator Graham):
3. SB 121.
4. SECRETARY:
5. SB 121 (Secretary reads title of bill)
6. 2nd Reading of the bill. No committee amendments.
7. PRESIDING OFFICER (Senator Graham):
8. Amendments from the Floor? 3rd Reading. Senator Glass
9. has indicated that he is prepared to go ahead on SB 179.
10. Senator...Senator Glass, are the amendments...
11. SENATOR GLASS:
12. Thank...Thank you, Mr. President, Ladies and Gentlemen...
13. PRESIDING OFFICER (Senator Graham):
14. Senator Glass we have...Senator we have to read the bill.
15. SECRETARY:
16. SB 179 (Secretary reads title of bill)
17. 2nd Reading of the bill. No committee amendments. Amendment
18. No. 1 by Senator Glass.
19. PRESIDENT:
20. Senator Glass.
21. SENATOR GLASS:
22. Thank you, Mr. President. This amendment now is on the
23. desks. What it does simply is to make the bill with relation
24. to Cook County the same as down State. It would not prohibit
25. a member of the School Board from serving as treasurer for
26. that board. I don't think it's going to make or break the
27. bill, but it's an amendment that came up in committee, and
28. I beleive it was the consensus of the committee to put this
29. amendment on, so I'll move for it's adoption.
30. PRESIDENT:
31. Senator Glass has moved the adoption of the amendment.
32. Any further discussion? All in favor of the motion signify
33. by saying aye. Contrary nay, the motion carries, the

1. amendment is adopted. Amendments from the Floor? 3rd
2. Reading. Message from the Governor.

3. SECRETARY:

4. A message from the Governor by Michael P. Duncan,
5. Assistant to the Governor. Mr. President: The Governor
6. directs me to lay before the Senate the following message:
7. STATE OF ILLINOIS, EXECUTIVE DEPARTMENT, Springfield.
8. To The Honorable, The Members of the Senate, Seventy-Eighth
9. General Assembly: I have nominated and appointed the
10. following named persons to the offices enumerated below and
11. respectfully ask...concurrence in and confirmation of these
12. appointments by your Honorable Body: DEPARTMENT OF AERONAUTICS,
13. To be Assistant Director of the Department of Aeronautics for
14. a term expiring the third Monday in January, 1975, Robert
15. R. Morrison of Reynolds. PROPERTY TAX APPEALS BOARD, To
16. be a Member and Chairman of the Property Tax Appeals Board
17. for a term expiring the third Monday in January, 1979, John
18. K. Morris of Chadwick. POLLUTION CONTROL BOARD, To be a Member
19. of the Pollution Control Board for a term expiring July 1,
20. 1974, Roger G. Seaman of Chicago. PAROLE AND PARDON BOARD,
21. To be a Member and Chairman of the Parole and Pardon Board
22. for a term expiring the third Monday in January, 1975, Joseph
23. J. Longo, of La Grange Park. To be a Member of the Parole
24. and Pardon Board for a term expiring the third Monday in
25. January, 1975, William J. Doyle of Lockport, John M. Nolan
26. of Calumet City. To be a Member of the Parole and Pardon
27. Board for a term expiring the third Monday in January, 1977,
28. Marguerite F. Sturgis of Rockford. FAIR EMPLOYMENT PRACTICES
29. COMMISSION, To be a Member of the Fair Employment Practices
30. Commission for a term expiring the third Monday in January,
31. 1975, Wallace L. Heil of Taylorville. Respectfully submitted,
32. Daniel Walker, Governor.

33. PRESIDENT:

34. Executive Committee. On the order of motions, Senator

1. Bruce.

2. SENATOR BRUCE:

3. Mr. President, I wonder if it might not be appropriate
4. at this time to introduce some guests that have joined us
5. in the State Senate. We have with us today the Secretaries
6. to all the Junior College Presidents throughout the State
7. of Illinois. I would ask that they stand and be recognized
8. by the State Senate. They are accompanied by Bernie Horton
9. from the Junior College Board.

10. PRESIDENT:

11. Senator Davidson.

12. SENATOR DAVIDSON:

13. Mr. President, I would like leave of the Body to have
14. myself shown as the sponsor of HB 32 here in the Senate
15. instead of Senator Bruce. I've talked to Senator Bruce and
16. he's agreeable to this. And in the same motion, I have talked
17. to the Chairman of the Judiciary Committee and he has no
18. objections for HB 32 to be discharged from Judiciary and
19. re-referred to Education Committee. Appreciate your support.

20. PRESIDENT:

21. All right. Senator Davidson seeks leave of the Senate
22. to be shown as the principal sponsor of HB 32. Is there
23. objection? So ordered. On the motion to discharge the
24. Committee on Judiciary from further consideration of HB 32,
25. and be re-referred to the Committee on Education, all in favor
26. of the motion signify by saying aye. Contrary nay. The motion
27. is carried. So ordered. Senator Mohr, Howard Mohr.

28. SENATOR HOWARD MOHR.

29. Yes, Mr. President, I'd like leave of the Body to change
30. sponsorship of HB 360 and 361 from Senator Rock to myself.
31. He's agreeable.

32. PRESIDENT:

33. Senator Howard Mohr seeks leave of the Senate to be shown

1. as the principal sponsor of 360 and 361. Is there leave?
2. So ordered. Senator Kosinski.

3. SENATOR KOSINSKI:

4. Mr. President, Members of the Body, I would like to
5. take from the Desk, Senate Joint Resolution No. 19, and
6. move for it's adoption.

7. PRESIDENT:

8. Senator, that...consideration of resolutions does come
9. in another order of business. We...we are on the order of
10. motions and that would be routinely dealt with...the report
11. of the Executive Committee has...shown it to be adopted.
12. The recommendation is before us and when we get to the order
13. of resolutions we'll recognize you.

14. Senator Glass.

15. SENATOR GLASS:

16. Thank you, Mr. President, I would move for the discharge
17. of Executive Committee from further consideration of SB 73
18. and the re-referral of that bill to the Committee on
19. Agriculture, Conservation and Ecology. I have discussed this
20. with the leadership and would make that motion.

21. PRESIDENT:

22. Objection has been heard. Sen...Do you wish to move
23. to suspend the Rules, Senator Glass?

24. SENATOR GLASS:

25. I so move.

26. PRESIDENT:

27. Senator Glass has moved to suspend the Rules for the
28. purpose of discharge of SB 73 to be re-referred to the
29. Committee on Agriculture, Ecology. The motion is to suspend
30. the Rules. On that motion, all in favor to suspend signify
31. by saying aye. Contrary no. The motion fails. Senator
32. Glass.

33. SENATOR GLASS:

1. I would request a roll call.

2. PRESIDENT:

3. Would a division be satisfactory, we might save a little

4. time..

5. SENATOR GLASS:

6. Yes, Mr. President, Thank you.

7. PRESIDENT:

8. On the motion...on the motion to suspend the Rules to

9. support Senator Glass' motion, all in favor to suspend signify

10. by arising. On the motion not to suspend, arise.

11. The motion fails. Senator Scholl.

12. SENATOR SCHOLL:

13. I ask leave to co-sponsor the following bills, I've

14. talked to the principal sponsor, SB 279, SB 157, SB 258, SB 118,

15. SB 30 and SB 211.

16. PRESIDENT:

17. Senator Scholl has requested leave of the Senate to be

18. added as co-sponsor to that list of bills. Is there leave?

19. So ordered. Senator Mitchler.

20. SENATOR MITCHLER:

21. Mr. President, I would ask leave of the Senate to be

22. added as a co-sponsor of SB 279.

23. PRESIDENT:

24. Senator Mitchler has moved to be added as a co-sponsor

25. to SB 279. Is there leave? So ordered. Senator Mitchler.

26. SENATOR MITCHLER:

27. Mr. President, I rise to move that SB 162 of which I

28. am chief sponsor...this bill is now in the Credit Regulations

29. and License Activity Committee. I move that SB 162 be tabled.

30. This is the bill that would have repealed the licensing of

31. horseshoers.

32. PRESIDENT:

33. Senator Mitchler moves that the Committee on License

1. Activity and Credit Regulations be discharged from further
2. consideration of SB 162. All in favor of that motion signify
3. by saying aye. Contrary nay. Motion carries. Bill is now
4. before the Senate. Senator Mitchler moves to table SB 162.
5. All in favor of the motion, signify by saying aye. Contrary
6. nay. The motion carries, the bill is tabled. The Chair
7. wishes to make an announcement about next week's schedule.
8. Copies of it are being circulated and placed on the members
9. desk. If I might have your attention. First of all, I
10. want to announce that it will be our intention today, to
11. adjourn after the matter of business which is before us at
12. 1:00 o'clock is concluded. That will give you some time to
13. attend to your own matters or to get some lunch if you want
14. to. Senator Partee and I have both discussed the question
15. of the membership being required to eat at their desk to
16. the extent that we can get back on a schedule where you
17. have some time to get away for lunch, we're going to make
18. our best effort to do that. We would encourage you to...
19. eliminate as much as possible the matter of sustenance at
20. the desks during our Session. I would state further that
21. the Information Service is preparing some publications that
22. involve pictures of the Senate in Session. There are two
23. photographers from the Information Service who will be
24. taking a few shots of us in Session here in just a few
25. minutes. They will not be flash pictures and the joint
26. leadership has given approval for this. One of the
27. photographers will be taking pictures from the Gallery, the
28. other will be working the Floor for just a few minutes now.
29. So, be aware of that activity within the next few minutes.
30. Next week the Sessions will be on Wednesday, the first day,
31. and we will convene at 11:30. Now, pay attention, we are
32. going to reconvene at 6:15 on Wednesday, 6:15 p.m. and work
33. until 8:00 o'clock or so. On Thursday we will convene at
34. 10:30 and adjourn shortly after 1:00, meet our committee

1. schedules on both Wednesday and Thursday, and reconvene on
2. Thursday again at 6:15. We're going to do this and try and
3. get caught up on our Calendar and this will then provide us
4. with not having to meet Friday next week. So, we will have a
5. two day Session next week, Wednesday and Thursday, convening
6. Wednesday at 11:30, working until shortly past one and then
7. go to our committee schedules of Wednesday. Schedule for
8. Thursday will be 10:30, convening, working until shortly past
9. one, and reconvening at 6:15 until 8:00. There will be no
10. Session on Friday. The Tuesday committees, Revenue and Ag-
11. riculture will not meet next week. I believe that completes
12. the announcements the Chair wants to make at this time, Senator
13. Sours is recognized.

14. SENATOR SOURS:

15. I noticed today, Mr. President, Ladies and Gentlemen of the
16. Senate, we've passed a lot of bills from 2nd to 3rd Reading.
17. Now there are some of us who have bills on 3rd Reading, which
18. bills will be further, or I should say farther relagated down
19. the list. I wonder what we can do to eliminate that...anomalous
20. position.

21. PRESIDENT:

22. We will let's...let's...we'll...the President's office will
23. mark the Calendar today, and we will deal with the bills that
24. are on 3rd Reading today in the order that they are now, and
25. skip those that come on subsequently for...so that we don't
26. continue to delay those that are further along in the process.
27. I think it might be an orderly course of...judgment here to
28. proceed to House Bills on 2nd, there are only about ten of
29. them. Let's get them processed and then proceed with the...
30. Senate Bills 3rd. House Bills 2nd. Before we proceed with
31. that I might acknowledge to the membership that one of our
32. Constitutional officers and a former member of this Body is with
33. us on the Floor. I'm delighted to call attention to the presence

1. of Mr. Treasurer, Alan Dixon. House Bills on 2nd Reading.
2. Senator Berning.
3. SENATOR BERNING:
4. Yes, thank you Mr. President. It just comes to my at-
5. tention that there may be some serious problems for some
6. of our members insofar as Wednesday the 4th is concerned
7. since we are not going to be in Session on the 3rd. The
8. 4th at 8:30 we have a Pension and Personnel Committee
9. meeting scheduled. It will be my intention to proceed unless
10. we get requests to postpone the hearing on the members' bills.
11. PRESIDENT:
12. Thank you. House Bills 2nd.
13. SECRETARY:
14. HB 71 (Secretary reads title of bill)
15. 2nd Reading of the bill. No committee amendments.
16. PRESIDENT:
17. Senator Knuepfer. Any amendments from the Floor?
18. 3rd Reading. Senator Moore, yes. HB 99.
19. SECRETARY:
20. HB 99 (Secretary reads title of bill)
21. 2nd Reading of the bill. No committee amendments.
22. PRESIDENT:
23. Amendments from the Floor. 3rd Reading.
24. SECRETARY:
25. SB 160 (Secretary reads title of bill)
26. 2nd Reading of the bill. No committee amendments.
27. PRESIDENT:
28. Amendments from the Floor? 3rd Reading.
29. SECRETARY:
30. 165 (Secretary reads title of bill)
31. 2nd Reading of the bill. No committee amendments.
32. PRESIDENT:
33. Amendments from the Floor? 3rd Reading.

1. SECRETARY:
2. HB 166 (Secretary reads title of bill)
3. 2nd Reading of the bill. No committee amendments.
4. PRESIDENT:
5. Amendments from the Floor? 3rd Reading. HB 191.
6. SECRETARY:
7. HB 191 (Secretary reads title of bill)
8. 2nd Reading of the bill. No committee amendments.
9. PRESIDENT:
10. Amendments from the Floor? 3rd Reading. Senator Graham.
11. Do you wish your bill called?
12. SECRETARY:
13. HB 201 (Secretary reads title of bill)
14. 2nd Reading of the bill. The Committee on Appropriations
15. offers one amendment.
16. PRESIDENT:
17. Sen...do you wish to explain the amendment, Senator Graham?
18. SENATOR GRAHAM:
19. I don't have it here in front of me right now, Senator.
20. PRESIDENT:
21. It's...what the amendment reduces the appropriation.
22. SENATOR GRHAM:
23. ...It reduces the appropriation by some 28,000...
24. PRESIDENT:
25. 22,000...
26. SENATOR GRAHAM:
27. \$22,000...
28. PRESIDENT:
29. Is there discussion? Senator Graham moves the adoption
30. of committee Amendment No. 1. All in favor signify by saying
31. aye. Contrary nay. The motion carries, the amendment is adopted.
32. Are there further amendments from the Floor? 3rd Reading.
33. Senator McBroom did you wish...recognition?

1. Senator McBroom.

2. SENATOR MCBROOM:

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

4. I indeed regret that it's necessary...that I'm compelled to
5. make these remarks. I would preface them by saying that I
6. heard Senator Glass yesterday talking about Chief Executive
7. promising to come into various districts and campaign against
8. people who voted to override his veto. I was shocked and dis-
9. mayed...I was shocked and dismayed to hear Senator Partee make
10. comments about my good friend Representative Choate, Repre-
11. sentative Holloway with whom I served with. I believe he mem-
12. tioned Representative Stedelin, I never had the privilege of
13. serving in the House with him. And I thought maybe that a
14. message, Mr. President, might have been delivered yesterday,
15. but apparently it was not. I've learned that the Governor is
16. now out on an unannounced flying tour throughout the State
17. castigating, vilifying, declaring war on the Legislators that
18. voted to override his veto yesterday. I'd simply comment to
19. you Senator Glass when you said about coming into his District
20. it might be a good thing. He came into my District in this
21. last election, and my margin was 4,000 votes greater than it
22. was in 1966, so it might be helpful. During the Governor's
23. short term in office he's used more taxpayers money for these
24. public relations gam...gambits and gimmicks than any of his
25. predecessors. As a member of the Appropriations Committee and
26. Chairman of that Committee, when the Governor's Budget comes
27. before us it is my plan to offer an amendment restricting his
28. flying tours to not more than one per quarter. Now, perhaps
29. he can devise ways of making these tours from private funds,
30. but I don't think it's necessary Mr. President for the people
31. of the State of Illinois, particularly when he referred to a
32. bare-bone budget, should pay for his trips throughout the State
33. and apparently there's forty of us who are going to be castigated

1. for our vote yesterday. I assure you Mr. President, that really
2. worries me. It appears necessary that an amendment of this
3. nature of some...some sort of restrictive nature will be nec-
4. essary for the Legislature to intervene to protect the taxpayers
5. of the State of Illinois from a person who is evidently public
6. relations crazy. Thank you, Mr. President.

7. PRESIDENT:

8. Senator Partee.

9. SENATOR PARTEE:

10. Well, Senator, I can understand your concern if what you say
11. is, in fact, what is transpiring, but I am told by a gentleman
12. who is from the Governor's office that he is not out to pillory
13. or to rail any persons who voted to override. I'm given to
14. understand that he is limiting his remarks to thanks...to thanks
15. for those persons who supported him. That being a small...

16. PRESIDENT:

17. Is...is it a one engine plane?

18. SENATOR PARTEE:

19. And I also understand...I also understand that there is no
20. tax money being used in this trip. Which, of course Mr.
21. President make it a shorter trip.

22. PRESIDENT:

23. Senator Soper.

24. SENATOR SOPER:

25. That reminds me of the story, Senator Partee, when a person
26. was asked a question he said, how come you called my brother a
27. thief and the remark, the answer was, I never called your brother
28. a thief I just said that if he hadn't been there we might of
29. found the watch.

30. PRESIDENT:

31. Senator Weaver.

32. SENATOR WEAVER:

33. Well, I was just wondering, Mr. President, what the Governor
34. is saying in the 52nd District because I just voted present.

1. PRESIDENT:

2. Senator McBroom.

3. SENATOR MCBROOM:

4. Well, I...I don't know if Senator Partee heard me or not
5. but if he is out to thank those who supported him, Senator he
6. should be back before noon today.

7. PRESIDENT:

8. Senate Bills on 3rd Reading. Senator Chew, do you wish your
9. bill called? All right, Senator Rock. SB 32.

10. SECRETARY:

11. SB 32 (Secretary reads title of bill)

12. 3rd Reading of the bill.

13. PRESIDENT:

14. Senator Rock.

15. SENATOR ROCK:

16. Mr. President, members of the Senate, I'd ask leave of this
17. Body to recall SB 32 to the order of 2nd Reading. I have placed
18. an amendment on the Secretary's desk, and on the desks of each
19. of the members. The amendment is a very simple one. And I would
20. ask that it be returned to 2nd for the purpose of placing this
21. amendment on and then I hope to all call four of these bills for
22. passage.

23. PRESIDENT:

24. Bill is recalled to the order of 2nd Reading for purposes of
25. amendment. Senator Rock.

26. SENATOR ROCK:

27. Yes, Mr. President, members of the Senate, you'll recall
28. that the substance of SB 32 is that it's an amendment to the
29. Juvenile Court Act to require that foster parents be given
30. notice of court proceedings. This amendment which would be
31. Amendment No. 2 which I...to which I now address myself includes
32. also, or representative of an agency or association interested
33. in the minor. There are many children who are wards of the

1. Department of Children and Family Services who are not
2. physically in foster homes. They are for instance with the
3. Jewish Welfare League or some such organization. The orga-
4. nization have asked that they be included in this notice so
5. that they, too, can give some input to the court proceeding,
6. and I would move the adoption of this amendment.

7. PRESIDENT:

8. Is there further discussion? Senator Rock moves the
9. adoption of Amendment No. 2. All in favor signify by saying
10. aye. Contrary nay. Motion carries, the Amendment is adopted.
11. Do you have further amendments? 3rd Reading. SB 33.

12. SECRETARY:

13. SB 33 (Secretary reads title of bill)
14. 3rd Reading of the bill.

15. PRESIDENT:

16. Senator Rock.

17. SENATOR ROCK:

18. Yes, Mr. President, members of the Senate by way of some
19. background, the members of the Judiciary Committee are quite
20. familiar with these bills, but just for the benefit of the
21. membership and I'll be as brief as...as I can be. I've caused
22. to be distributed to everyone a memo concerning the substance
23. of the bills and the impact which they purport to have. These
24. bills arose out of recommendations by a special subcommittee of
25. the 7...77th General Assembly. You'll recall back in August of
26. '72 there was a tragedy in the City of Chicago that everyone is
27. familiar with, the Johnny Lindquist case. As a direct result of
28. that, Senators Partee, Neistein and Clarke caused this sub-
29. committee to be formed. It consisted of eight members of the
30. Senate, four from the Republican side and four from this side
31. of the aisle. We held five public hearings, listened to over
32. a hundred witnesses. These four bills that are now on the
33. Calendar were those four bills that all the members of the

1. subcommittee agreed to. There are other areas, there are
2. other pieces of legislation which will and should be intro-
3. duced, but these are the ones that represent the consensus
4. of that subcommittee. You'll...you'll see by the sponsorship
5. Senators Fawell, Soper and Hynes and myself are the sponsors.
6. I consider these Committee Bills they represent the work of those
7. eight members and the work of some diligent staff work. Now SB
8. 33, as amended, provides that before a child who is now a ward
9. of the Department of Children and Family Services pursuant to a
10. finding of neglect or dependency, before that child can be re-
11. stored to his natural parents, there must be prior court approval.
12. We found in the course of our hearings that in all too many
13. instances the removal of a child from a foster home or the placing
14. of a child back with the natural parents was in many...too many
15. cases a little bit arbitrary. It was done at the sole bequest of
16. the social worker. I'm not saying against social workers, I
17. just think that this a...a salutary step before a child can be
18. returned back to the parents there should be...should be prior
19. court approval and this bill would so provide. And unless there's
20. any questions, I'm sure Fawell might want to address himself...
21. his amendment went further than the original bill that we intro-
22. duced. I think it's a good amendment and I accepted it. I think
23. it's a good law, and I would ask for a favorable roll call.

24. PRESIDENT:

25. Is there further discussion? Senator Sours.

26. SENATOR SOURS:

27. For whatever it's worth, Mr. President and Ladies and Gentle-
28. men of the Senate, these bills have been given a very careful
29. treatment in Judiciary and I only have one vote, but I know
30. nothing wrong with them. They ought to pass.

31. PRESIDENT:

32. The question is, shall...Senator Walker.

33. SENATOR WALKER:

34. ...Senator Rock, on one of these bills, not the Seven Day

1. Adventists but the Christian Scientists had an amendment, is
2. that...I can't find the bills here, is that...was that incor-
3. porated or...was the bill amended to take care of the gentlemen
4. that was there to testify?
5. PRESIDENT:
6. Senator Rock.
7. SENATOR ROCK:
8. That amendment was placed on SB 36.
9. PRESIDENT:
10. Is there further discussion? Question is, shall SB 33 pass.
11. The Secretary will call the roll.
12. SECRETARY:
13. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll, Chew, Clarke,
14. Conolly, Course, Daley, Davidson, Donnewald, Dougherty, Fawell,
15. Glass, Graham, Harber Hall, Kenneth Hall, Hynes, Johns, Keegan,
16. Knuepfer, Knuppel, Kosinski, Latherow, McBroom, McCarthy, Merritt,
17. Mitchler, Howard Mohr, Don Moore, Netsch, Newhouse, Nimrod,
18. Nudelman, Ozinga, Palmer, Partee, Regner, Rock, Roman, Saperstein,
19. Savickas, Schaffer, Scholl, Shapiro, Smith, Sommer, Soper, Sours,
20. Swinarski, Vadalabene, Walker, Weaver, Welsh, Wooten, Mr. President.
21. PRESIDENT:
22. Senator Bruce, aye. On that roll call the yeas are 54, the
23. nays are none. The bill having received a constitutional majority
24. is declared passed. SB 32. All right...SB 35.
25. SECRETARY:
26. SB 35 (Secretary reads title of bill)
27. 3rd Reading of the bill.
28. PRESIDENT:
29. Senator Rock.
30. SENATOR ROCK:
31. Yes, Mr. President, members of the Senate this is an amend-
32. ment to the...Abuse Reporting Statute and what it provides is
33. that the doctor is mandated to report within 24 hours after he
34. has had time really to diagnose specifically and make a judgment

1. call as to what the cause of the injury was. We also
2. amended this bill to provide...it now mandates the...that
3. the Department of Children and Family Services must, within
4. 24 hours after receipt of this written report...written oral
5. report, have an onsite investigation. ...We found in the
6. testimony of the...concerned social workers who work for the
7. department that because of lack of staff capacity in too many
8. cases when the reports were...did come into the department they
9. were in effect stacked up on a desk and they were just kind of
10. handled as one could get around to them. ...This would provide
11. that...it necessitates an onsite investigation within 24 hours.
12. I...I think it's a reasonable...reasonable mandate that we put
13. upon the department and I would ask a favorable roll call.

14. PRESIDENT:

15. Senator Berning.

16. SENATOR BERNING:

17. Thank you, Mr. President. I would just like to ask the
18. sponsor one question on SB 35, not being familiar with the Act
19. that it addresses itself to. Does this at all open up the
20. possibility of any individual making a complaint or does it have
21. to be by certain designated authorities such as the doctor, the
22. school, and...and those individuals that we see itemized or list-
23. ed in the next bill?

24. PRESIDENT:

25. Senator Rock.

26. SENATOR ROCK:

27. Well, Senator Berning, as the law reads now, everyone can make
28. such a report. The purport of this Act as passed in 65 and is
29. now being amended is that we are specifically encouraging med-
30. ical personnel, those persons who have direct daily contact with
31. children to make these reports. And in so making them we are
32. giving them immunity from any liability. ...But right now you
33. and I have the same right as does every other citizen of this

1. State to report a case of child abuse.

2. PRESIDENT:

3. Senator Berning.

4. SENATOR BERNING:

5. Well, let me emphasize that I am delighted that the Commission
6. has delved deeply into this problem. It's been long overdue and
7. I wholeheartedly endorse the work. My only question was, and
8. perhaps pass experience, would be some criteria, are we going
9. to have a rash of just crank calls that will place a tremendous
10. burden on the department to respond within 24 hours and create
11. a physical impossibility for the department?

12. PRESIDENT:

13. Senator Rock.

14. SENATOR ROCK:

15. Well, Senator I...based and predicated upon the testimony
16. that was given to our committee there were last year for in-
17. stance, some 850 reported cases that the department received a
18. written report upon. ...And they made the people in department
19. and all the medical personnel who did testify said that...that
20. really represents only the tip of the iceberg, that there are
21. many cases that do in fact go unreported. ...I would hope that
22. if in fact more reports are received that the department would
23. respond to them. ..That's the job of the department and I think
24. if they need more staff to do that we'll have to provide more
25. staff. But this is a problem that just can't be ignored.

26. PRESIDENT:

27. ...Senator Netsch.

28. SENATOR NETSCH:

29. Thank you, Mr. President. Could I ask Senator Rock one
30. question? ...Senator Rock does...does this fit in with the...
31. the...announcement that was made within the last week or so by
32. the...Director of the Department of Children and Family Services
33. ...of an experimental program in Chicago involving a 24 hour

1. alert by the Department.

2. PRESIDENT:

3. Senator Rock.

4. SENATOR ROCK:

5. Yes, Senator it does...as a matter of fact some weeks ago I
6. spoke with the...designated Director of the Department...Gerald
7. Miller. And he looked at these bills and we discussed this
8. whole area and I think that as a result of this bill that program
9. was instituted and I was delighted to see it instituted. He now
10. has set up a system whereby there is a 24 hour watch on these
11. kind of cases and it's staffed and manned by the Department of
12. Children and Family Services. I think it's a terrific step in
13. a correct direction. Roll call.

14. PRESIDENT:

15. Sec...Is there further discussion? Senator Johns.

16. SENATOR JOHNS:

17. This will be very brief, Mr. President. Senator Rock when
18. someone calls in a report of a child abuse is that...verified
19. by a return call or do they have to identify themselves in some
20. way?

21. PRESIDENT:

22. Senator Rock.

23. SENATOR ROCK:

24. Yes...Yes...when...when one reports. See now, ordinarily if
25. you and I for instance Senator would see or...have a suspected
26. case, I'm not so sure that we would call the Department. We would
27. probably call the county sheriff or the...city Chicago police.
28. However, the department does have a...procedure set up whereby
29. the phone call is followed up by a written report. ...And so when
30. they take this phone call...the person is identified and identi-
31. fiable and there is a return call made and then subsequently
32. within...hopefully within the next few hours a written report is
33. received.

34. PRESIDENT:

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

2. SECRETARY:

3. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll, Chew, Clarke,
4. Conolly, Course, Daley, Davidson, Donnewald, Dougherty, Fawell,
5. Glass, Graham, Harber Hall, Kenneth Hall, Hynes, Johns, Keegan,
6. Knuepfer, Knuppel, Kosinski, Latherow, McBroom, McCarthy, Merritt,
7. Mitchler, Howard Mohr, Don Moore, Netsch, Newhouse, Nimrod,
8. Nudelman, Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
9. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith, Sommer,
10. Soper, Sours, Swinarski, Vadalabene, Walker, Weaver, Welsh,
11. Wooten, Mr. President.

12. PRESIDENT:

13. McBroom aye. Knu...Knuepfer aye. Senator Smith aye. On
14. that roll call the yeas are 55 the nays are none. The bill
15. having received a constitutional majority is declared passed.
16. SB 36.

17. SECRETARY:

18. SB 36 (Secretary reads title of bill)

19. 3rd Reading of the bill.

20. PRESIDENT:

21. Senator Rock.

22. SENATOR ROCK:

23. Yes, Mr. President, members of the Senate, SB 36 is the one
24. to which Senator Walker alluded a few moments ago. This bill
25. enlarges the class of those persons required or encouraged to
26. make these kind of reports. We have now included teachers,
27. school administrators, directors, and staff assistants of nursery
28. schools, child day care centers, staff people, as well as at the
29. request of Doctor Ryan from Kankakee County...law enforcement
30. officers or employees of law enforcement agencies, registered
31. social workers, registered nurses, caseworkers, and case aides
32. employed by the Department of Public Aid. These are the people
33. that have daily contact with these children and we think by

1. enlarging the class and enlarging the responsibility for
2. reporting, we will hopefully receive more reports and...
3. hopefully stop some of this stuff in the future. And I'd
4. ask a favorable roll call.

5. PRESIDENT:

6. Is there further discussion? Question is, shall SB 36
7. pass?

8. Secretary will call the roll.

9. SECRETARY:

10. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll, Chew,
11. Clarke, Conolly, Course, Daley, Davidson, Donnewald, Dougherty,
12. Fawell, Glass, Graham, Harber Hall,...Harber Hall, Kenneth
13. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski, Latherow,
14. McBroom, McCarthy, Merritt, Mitchler, Howard Mohr, Don Moore,
15. Netsch, Newhouse, Nimrod, Nudelman, Ozinga, Palmer, Partee,
16. Regner, Rock, Roe, Romano, Saperstein, Savickas, Schaffer, Schoil,
17. Shapiro, Smith, Sommer, Soper, Sours, Swinarski, Vadalabene,
18. Walker, Weaver, Welsh, Wooten, Mr. President.

9. PRESIDENT:

0. Senator Sommer aye. Senator Merritt aye. ...On that roll
1. call the yeas are 55 the nays are none. The bill having received
2. a constitutional majority is declared passed. SB 32. Senator
3. Rock.

4. SECRETARY:

5. SB 32 (Secretary reads title of bill)
6. 3rd Reading of the bill.

7. PRESIDENT:

~~Senator Rock.~~

8. SENATOR ROCK:

9. Yes, Mr. President this is an amendment to the Juvenile
0. court Act and one that I think has been explained. Let me just
1. say again. We in this State have some 12,000 licensed foster
2. parents...this bill is a direct result of their importuning our

1. committee...under the statute now they do have a right to be
2. heard. Their problem was that they never were aware of that
3. right and they never received any notice of when the court
4. proceedings were to be had. This bill attempts to remedy that.
5. It now provides that current foster parents have a right to
6. notice of court proceedings where the status of the child might
7. be effected. ...We've also included with the amendment adopted
8. today those agencies also, licensed child care agencies,...which
9. might have the child...in an institution of sorts as opposed
10. to a foster home. Again, I'd ask a favorable roll call.

11. PRESIDENT:

12. Senator Knuppel.

13. SENATOR KNUPPTEL:

14. ...I have a couple of questions. Number one...I'm not
15. satisfied with the...provisions on the...service of summons. I
16. don't quite understand it. ...It says that on...on the last part
17. of it that...such notice shall be served in accordance with the
18. provisions for service of summons under Sub-section 5 of Section
19. 43 of this Act. And Sub-section 5 is the one that deals with
20. service of summons when somebody isn't home by leaving it at the
21. residence and then mailing it. And then it goes ahead and says
22. if service cannot be made in this manner...then...services...
23. notice may be made in accordance with the provisions of Sub-
24. section 1 of Section 44 of this Act. I'm confused. I've got...
25. I'm reading 43. I'm sorry. Yes, that's right. Under Sub-section
26. 5 of Section 43. That's the one I'm under. And that's the one it
27. ...it doesn't even call for personal service in the first incident.
28. It's just service by calling it the residence. Then if it can't
29. be made in that way then you go to 44 by certified mail. Is that
30. correct, is the alternative?...I called this to your attention in
31. the committee...we just went through...procedure here on a bill
32. where we...de-emphasis the need for sheriffs serving summons and
33. ...I personally would rather have this bill where the service was

1. made by certified mail rather than to have the sheriff making
2. the service. I think it's an unnecessary expense. Any response
3. to this?

4. PRESIDENT:

5. Senator Rock.

6. SENATOR ROCK:

7. Yes, Senator Knuppel this is the same point you made, and
8. made well, in the committee. ...I...I would not be adverse to
9. an amendment to the Juvenile Court Act itself to provide for
10. that kind of substituted service. All this propoerts to do is
11. to say for instance, now the natural parents want the child
12. back they file a petition for return of the child with the court.
13. All this provides is that they...the foster parents are entitled
14. to the same kind of notice as all the other parties are so that
15. they're aware of what's going on. I...I don't think it creates
16. any major problem in order to accomplish what you seek. There
17. would have to be an amendment to those other referred to sections
18. and I frankly, just didn't get into that. I...I...I don't foresee
19. any major procedural problem with this type of serive. All it
20. calls for is notice to the foster parents.

21. PRESIDENT:

22. Senator Knuppel.

23. SENATOR KNUPPTEL:

24. You would not object to a bill then that would...dimish the
25. type of service that was necessary where it could be served by
26. certified mail and save the...save additional cost. You would
27. rather it was in a different bill?

28. PRESIDENT:

29. Senator Rock.

30. SENATOR ROCK:

31. ...That is...that is exactly my position. I think that the
32. Juvenile Court Act itself could stand a lot of amendment. I...
33. I just don't think we can do it all in one bill. I would certainly
34. have no opposition to the...a bill call for the type of service

1. that you...you would ask for.

2. PRESIDENT:

3. Is there further discussion? Question is, shall SB 32 pass.
4. Secretary will call the roll. Members please be in their seats.

5. SECRETARY:

6. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll, Chew,
7. Clarke, Conolly, Course, Daley, Davidson, Donnewald, Dougherty,
8. Fawell, Glass, Graham, Harber Hall, Kenneth Hall, Hynes, Johns,
9. Keegan, Knuepfer, Knuppel,

10. PRESIDENT:

11. Senator Knuppel.

12. SENATOR KNUPPEL:

13. I want to be recorded as aye. I think that the...of...of
14. the bill this one here leaves something to be desired when it
15. provides in the amendment that any...present...or any previous,
16. I believe, any current or prior foster parents which the child
17. sometimes...may have had foster parents...as he was growing up
18. on several different occasions during its minor years of
19. minority. And...they might not even know where some of these
20. parties are. ...If they're not given notice it could...snafu
21. the entire proceedings. ...I'm not so sure that it solves all
22. the problems we want it to solve but voting against it would be
23. like voting against motherhood. I...I don't think it's...the
24. best possible answer to the problem but I'll vote aye.

25. SECRETARY:

26. Kosinski, Latherow, McBroom, McCarthy, Merritt, Mitchler,
27. Howard Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
28. Ozinga, Palmer, Partee,

29. PRESIDENT:

30. Senator Partee.

31. SENATOR PARTEE:

32. ...First, let me just make the announcement. Is something
33. wrong here? I don't know.

34. PRESIDENT:

1. Senator Partee.

2. SENATOR PARTEE:

3. Yes...Yes it's all right now, I think. I just wanted to
4. make the announcement that Senator Newhouse has...is not here
5. because of a strep throat. And I wanted to say, Mr. President
6. and members of the...Savickas I'm going move back over here
7. then we can hear again. ...I want to make the announcement
8. that...I wanted to express my appreciation to Senators Soper,
9. Fawell, and ex-Senator Laughlin, ex-Senator Egan, Senator Rock
10. and Senator Hynes for their response in this very vital area.
11. You will perhaps remember that I appointed these six gentlemen
12. to respond to and react to a rather tense and desperate situation
13. which came to pass in our State. I want to say publicly that
14. they have done a fine job in this area. These are a good series
15. of bills. Our statutes are better for them and the entire area
16. of consideration. We're now probably the number one State in
17. this area. I just wanted to say thanks as I vote aye for this
18. last in this series of bills.

19. SECRETARY:

20. Regner, Rock, Roe, Romano, Saperstein, Savickas, Schaffer,
21. Scholl, Shapiro, Smith, Sommer, Soper, Sours, Swinarski,
22. Vadalabene, Walker, Weaver, Welsh, Wooten, Mr. President.

23. PRESIDENT:

24. On that roll call the yeas are 57 the nays are none. The
25. bill having received a constitutional majority is declared
26. passed. Senator Sours.

27. SENATOR SOURS:

28. Mr. President could we pass 71?

29. PRESIDENT:

30. Certainly.

31. SENATOR SOURS:

32. 101, 103, and take 104.

33. PRESIDENT:

1. Certainly. SB 104.

2. SECRETARY:

3. SB 104 (Secretary reads title of bill)

4. 3rd Reading of the bill.

5. PRESIDENT:

6. Senator Sours.

7. SENATOR SOURS:

8. Mr. President, Ladies and Gentlemen of the Senate, the
9. genesis of this bill is a House Joint Resolution in connection
10. with the dramatic increase in the use of stolen and lost
11. securities in some instances undermining banking and financial
12. institutions in Illinois. There's been a recent increase in
13. the use of unregistered and near worthless securities by un-
14. scrupulous persons...for naturally illicit purposes. The United
15. states Department of Commerce indicates that the loss annually
16. is about 500 million dollars. The permanent sub-committee on
17. investigations, the United States Senate, on Governmental
18. Operations Committee reported recently that a mill...that a
19. billion 400 million in securities have been stolen or otherwise
20. un...unaccounted for since 1966. Now those are some of the
21. statistics giving rise to this bill. I don't say it's the answer
22. to...to all the problems but I think by adding something into the
23. criminal code based upon representations of either value or owner-
24. ship will be a step in the right direction. Now this...this bill
25. has been examined carefully by Professor Charles Bowman because
26. I didn't want any bugs in it and...it meets with his approval for
27. whatever that is worth. This is a good bill. I'd appreciate its
28. passage.

29. PRESIDENT:

30. Senator Palmer.

31. SENATOR PALMER:

32. Senator Sours, answer a question here. Senator Sours...
33. answer in asking this question. I...I want you to understand that

1. I do not oppose the part of the bill that...the way you
2. represented it as to ownership. Am...am I on the...am I on the
3. wire? But this bill goes a little further. This bill does not
4. only state the representation of ownership it says value. Now,
5. all of your presentation at the Judiciary Committee and on the
6. Floor has been relative to ownership. Now I agree that...that
7. is probably a good bill. But I think it's a very...it's a bad
8. bill relative to value. And...and in my opening remarks I'd
9. like to ask you two questions. In your opinion in dealing with
10. banks do...does the bank, do they have an obligation under the
11. law to grant the loan upon the presentation of a security?

12. PRESIDENT:

13. Senator Sours.

14. SENATOR SOURS:

15. I'd like to answer that this way Senator Palmer. I think
16. this will suggest to any...to any lending agency...that...there
17. ought to be an expression from the borrower we'll say a borrower,
18. ...as to not only the ownership but the value. Now, I know
19. there'll be puffing, but I think this bill is directed primarily
20. at worthless securities and at entirely worthless securities or
21. forged securities, which of course would have no value at all.
22. Now I think this will suggest to any lending bank the first thing
23. this is not a five dollar transaction this is probably a fifty
24. thousand dollar...hundred thousand dollar, half million dollar
25. loan that the bank will frame some kind of a document whereby the
26. borrower is going to have to indicate: (1) He's the owner. (2)
27. His idea of value. Now that doesn't mean it has to be 100 cents
28. from the dollar or 50 cents, but his idea of the value.

29. PRESIDENT:

30. Senator Palmer.

31. SENATOR PALMER:

32. ...My question to you, upon receipt of that security and
33. presented to the bank, are they under an obligation to make the

1. loan? are...

2. PRESIDENT:

3. Sen...Senator Sours.

4. SENATOR PALMER:

5. Now, my second question. With your experience in loans

6. and bank, is it not your opinion that before a bank will grant

7. the loan that they will make their own independent research wick

8. they have the greater facilities than the person who is making

9. the application, to search and find out what is the value of

10. this security? Now isn't that true?

11. PRESIDENT:

12. Senator Sours.

13. SENATOR SOURS:

14. Not if it's forged. Not if it's worth less because of

15. forgery.

16. PRESIDENT:

17. Senator Palmer.

18. SENATOR PALMER:

19. I...I...I...I asked the simple question, and I...repeating

20. it again. ...Your experience, does not the banking industry today

21. have a research department? Do they not first determine the value

22. before they will grant the loan?

23. PRESIDENT:

24. Senator Sours.

25. SENATOR SOURS:

26. Yes, sir, and in many cases they even obtain a financial

27. statement. So where do we go from there?

28. PRESIDENT:

29. Senator...Senator Palmer.

30. SENATOR PALMER:

31. ...State that this bill is far as it provides for a crime or

32. a penalty, and as a matter of fact I don't even think we need this

33. law as far as the crime for representing ownership. We have enough

1. laws on the book...books now for fraud by deception. However,
2. I have no objection to that part, but when we are making a
3. criminal out of a person who has absolutely no intention of...
4. of committing a crime when he comes to the bank and he's at the
5. mercy of the bank as to whether the bank shall give him a loan.
6. He presents the security to the bank. The bank with their
7. three floors and maybe 100 people who proceed to research the
8. various markets to find out what is the value of security. As
9. a matter fact, use your own personel experience. If anybody
10. here has any securities that are not on the daily stock market
11. you do not know the value. You do not know unless you call
12. somebody. And who do you call? You call a trader or as a matter
13. of fact, you go to your banker, and as a matter of fact the bank
14. will send you mail, please come to our bank and we will appraise
15. your securities and tell you its value. So why make a criminal
16. out of a man who presents his securities for a loan? And, as a
17. matter of fact, again I will repeat Senator Sours, when the bank
18. gets these securities they're under no obligation to make the
19. loan and they will not make the loan if they find that the value
20. does not...is not sufficient to grant the loan. And they have
21. many times have refused to give the loan. They are not under an
22. obligation to give the loan. What happens to market manipulations
23. four or five years later is not the fault of the...of the borrower
24. but the bank has made their inquiries. And you can be assured
25. that they have the staff to do it better and more at hand than the
26. borrower. So, again I say, I agree with you, that a man should
27. know if he owns a security and if he falsifies to the bank that he
28. ...that he owns it when he does not then he has committed a crime.
29. But value, as a matter of fact he is asking the bank, how much is
30. this security worth and how much will you loan me. And I think
31. that that's part of the bill is bad and therefore, I ask the
32. Senators here not to vote this bill.

33. PRESIDENT:

1. Senator Sours.

2. SENATOR SOURS:

3. I just have this comment that...that there's only one...
4. there is only one Continental Illinois National Bank and...
5. on LaSalle Street. Only one First National Bank. Now, when
6. you get out in the plowed ground county...Senator you don't
7. find all those statistics. And...there have been a number of
8. instances where...where small banks have been fleeced. And
9. don't take my word Siragusa has got a filing cabinet full of
10. them. That's my answer.

11. PRESIDENT:

12. Is there further discussion? Senator Merritt.

13. SENATOR MERRITT:

14. Mr. President, Members of the Senate just very briefly.
15. I think this is very, very good legislation. It's about this
16. simple. When going to the bank asking for an extension of
17. credit you file a financial state...statement with them. It
18. is not only in writing but in most banks...under oath, subscribed
19. to. Now, in that statement on the given date you represent your
20. assets as being this, so many shares of this stock. Well it's
21. the value of the stock on the date that the statement is given.
22. There's nothing wrong with that. It could fluctate up or down
23. during the year. I think that most banks require that those be
24. filed at least once a year. This is good legislation and if
25. anybody obtains a loan on those false misrepresentations then
26. it should be a Class A misdemeanor. I think it's good legis-
27. lation. I would ask support of it.

28. PRESIDENT:

29. Senator Bruce.

30. SENATOR BRUCE:

31. I wonder if Senator Sours would yield to a question?

32. PRESIDENT:

33. He indicates he will yield.

1. SENATOR BRUCE:

2. Senator Sours how does this change the Criminal Code and
3. how is it different from the Criminal Code as stated in Section
4. 17-1 and 16-1 the Section dealing with the deceptive practices
5. and 16-1, with thief by deception? Seems to be clearly on
6. point. We're talking about the same type of practice. What
7. ...what's the difference? Why should we clutter up the book
8. with yet another statute?

9. PRESIDENT:

10. Senator Sours.

11. SENATOR SOURS:

12. When you talk about cluttering up the statute books that's
13. just about every...every...that's an everyday task here for us.
14. And sometimes it's as you suggest but not in this case of course,
15. superfluous. Now, Professor Bowman, you ask about the penalty,
16. he...he said in his letter to me the code doesn't contain a
17. classification with up to \$5000. You could make it a Class 4
18. felony which provides for one to three years or a fine not to
19. exceed 10...10 thousand dollars. That seems a little steep
20. to me and I think it would be preferable to make it a Class A
21. misdemeanor. Also, I would suggest omitting the word willfully
22. in the first line. That's the way it was first drawn. Knowingly
23. or knowlege is defined in Section 4-5. Now...like any other
24. legislation it can be picked at on the di minimus rule and if
25. ...if we're going have another field day I don't want to hold
26. people up for their lunch today. I...and I...and I...I'd like
27. to pass it. I don't have any misgivings about inability not to
28. pass it today but if we're to make a chautauqua out of this this
29. afternoon include me out.

30. PRESIDENT:

31. Senator Bruce:

32. SENATOR BRUCE:

33. Well, Senator Sours your comments went to the penalties
34. as contained in 16-1 and 17-1. I think I would support a measure

1. that would amend those two sections, if you find those
2. penalties. My question was though how does this differ from
3. 16-1 and 17-1 as to the crime, not as to the penalty?

4. PRESIDENT:

5. Senator Sours.

6. SENATOR SOURS:

7. By 16-1 and 17-1 what are you referring to? I don't have
8. the statute in front of me. You tell me then I'll distinguish
9. it for you.

10. PRESIDENT:

11. Senator Bruce.

12. SENATOR BRUCE:

13. That's Chapter 38 since we're talking about 38. 16-1 is
14. theft by deception when a person commits theft when he knowingly
15. obtains or exerts unauthorized control over the property owner -
16. by deception. And 17-1A, deceptive practices, commits a deceptive
17. practice when with an intent to defraud, (A) causes another by
18. deception or threat to execute a document, disposing of property
19. ...blah, blah, blah. ...I think that 17A is, on deceptive
20. practices, comes very very close to saying exactly what this bill
21. does.

22. PRESIDENT:

23. Senator Sours.

24. SENATOR SOURS:

25. I didn't hear the very first word. Did you refer to the
26. word theft? T-h-e-p-f-t?

27. SENATOR BRUCE:

28. Theft, yes.

29. SENATOR SOURS:

30. Theft. Well this has nothing to do with theft. This has
31. to do with obtaining goods, monies, services on misrepresentation
32. of ownership or value. Theft is an entirely different legal
33. concept. That's the unlawful taking away or withholding possession

1. of as you well know.

2. PRESIDENT:

3. Senator Bruce.

4. SENATOR BRUCE:

5. Yes.

6. PRESIDENT:

7. Have you completed your question?

8. SENATOR BRUCE:

9. Well, I'd like to make the point that 16-1 does deal with
10. theft. I think that you could...theft by deception would apply
11. in a situation where you executed a document with the bank and
12. deceived that bank owner into giving you a loan on the basis of
13. that information. If the State's Attorney would not want to go
14. into 16-1, I think 17-1, which would deal with documents and
15. misrepresentation, would be clearly on point.

16. PRESIDENT:

17. Senator Sours.

18. SENATOR SOURS:

19. My answer...my answer to that...Senator is that Professor
20. Bowman didn't have any idea that this should be in...in 16.
21. This is something new because apparently its been, if not impossible,
22. very difficult to hook these...to catch and punish and fine guilty
23. these people who misrepresent either as to ownership or to the...
24. value. Now theft is another concept completely. Now if you'd
25. like it that way, I suggest you file your own bill and I'll
26. support it.

27. PRESIDENT:

28. Senator Carroll.

29. SENATOR CARROLL:

30. Thank you, Mr. President, Members of the Senate rather than
31. get into a question and answer session I think I can just merely
32. make a comment that I was in the committee, Professor Bowman was
33. not there and testified to my recollection. I think that it is

1. important here to note what Senator Bruce is referring to.
2. And that is the criminal charge of theft by dec...by deception
3. not the theft of the goods but the theft of the properties in
4. this case being the monies. There's nothing in this bill that
5. talks about intent to defraud and I think that's very crucial
6. to this being a bad bill by...by eliminating that provision.
7. I think what happens is Senator Palmer referred to that anyone
8. who placed a security with a bank that happens to be an untraded
9. security. I don't think there's a member of this Chamber or the
10. general public that could place a current book value on those
11. untraded, privately held corporations. And since no intent is
12. required the mere fact that you knowingly, which you would, it
13. would be knowing, you would know that that's not the exact value
14. necessarily but merely an approximation, and since this bill
15. would not require an intent to defraud you would be guilty of
16. this type of a crime and could be convicted of such without any
17. intent at all merely because you had an untraded security that
18. you were pledging in this instance. I think that makes this
19. a very dangerous bill and a very bad bill. I would urge its
20. defeat.

21. PRESIDENT:

22. Senator Hynes.

23. SENATOR HYNES:

24. Mr. President, Members of the Senate, I would agree whole-
25. heartily with what Senator Carroll has just said and in fact add
26. slightly to the...his comments with respect to book value. It
27. is, I think,...elementary in...in accounting that book value very
28. often will not reflect actual value. For example: a corporation
29. which has an assest substantial land holdings, may carry that land
30. on its books at the actual...of the original acquisition cost.
31. And there may, there after, substantial appreciation in value which
32. will not be reflected on the books of the corporation. And
33. therefore, book value will be substantially below what the actual

1. market value of the corporate shares will be. And since
2. there is no market it is not traded, there is no way of
3. definitively fixing that value. Therefore, if someone would
4. apply for a loan and list what he considered to be actual value
5. if that differed from book value as defined in this statute it
6. seems to me that...it would not then...he...he would be in a
7. position of misrepresenting.

8. PRESIDENT:

9. Senator Sours do you wish to respond? Senator Conolly.

10. SENATOR CONOLLY:

11. I...I think that Mr. President, Members of the Senate, I
12. think that we're getting way off base. As a stock broker we've
13. used...in my private life or in any public life, however, you
14. want to say it...you are tossing out terms here that...you're
15. talking book value and so forth and sec...securities not traded.
16. In the bill it defines the value meaning the current market
17. value of a security as traded. We're not talking about secur-
18. ities that aren't traded. So that would be exempt. I agree
19. that book value has nothing to do with market value. ..I happen
20. to have some experience...through my firm, of stolen securities.
21. And this has been under...under litigation for a couple of years
22. now. And here we have a person convicted of the criminal act
23. but with no possible under the laws of the State of Illinois
24. present, we've not been able to get any...restitution. This is
25. a brand new problem, that of securities theft. It was not used
26. until about two or three years ago and the laws in the books
27. were not basically...covered on this type of fraud or deception.
28. And it's very hard to prosecute. I'm not an attorney but I would
29. say that this is needed legislation. It's important legislation.
30. A lot of...banks, a lot of security firms have been...defrauded
31. in this manner.

32. PRESIDENT:

33. Senator Hynes.

34. SENATOR HYNES:

1. Well first of all, I...I think there are two parts here.
2. ...On the question of value and...and Senator Conolly's
3. comments about trading, I think if you look at the last sentence
4. of the second paragraph beginning in line 20 of the bill it's
5. specifically deals with non-traded securities, those who do not
6. have a market value. Then we refer to book value as the standard
7. for establishing value. I think that's clearly what was intended.
8. So that we would cover a...small private personel corporation
9. ...if that...if the stock of that corporation were pledged as
10. security for a loan. And as I say book value does not, in most
11. cases, reflect actual value. But further more on the second
12. point I think everyone agrees that the problem of theft to
13. securities is a real one and that...that legislation might be
14. desirable...if we can...if the present law does not cover it.
15. But this bill goes beyond the question of theft. It deals with
16. misrepresentation of value and ownership. If this said misrep-
17. resentation of ownership only, I don't think there would be any
18. problem, but it deals with value and ownership, so that the actual
19. true owner would be charged with criminal misrepresentation...
20. in the situation I described.

21. PRESIDENT:

22. Senator...Senator McBroom.

23. SENATOR MCBROOM:

24. ...Mr. President I move the previous question.

25. PRESIDENT:

26. ...Senator McBroom has moved the previous question. It is
27. not debatable. All in favor signify by saying aye. Contrary
28. nay. Motion carries. Senator Sours may close the debate.

29. SENATOR SOURS:

30. Only in reply to professor...the professors of comments.
31. If this bill passes and securities are stolen by a person we call
32. a thief he's got a red hot potatoe in his pocket. Because he is
33. not going to get in sucker bank or lending agency to take him on

1. with a loan. I'd appreciate a favorable roll call.

2. PRESIDENT:

3. All in favor will vote with Senator Sours. The question
4. is shall SB 104 pass? Secreary will ball the roll.

5. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll, Chew,
6. Clarke, Conolly, Course, Daley, Davidson, Donnewald, Dougherty,
7. Fawell, Glass, Graham, Harber Hall, Kenneth Hall, Hynes, Johns,
8. Keegan, Knuepfer, Knuppel, Kosinski, Latherow, McBroom, McCarthy,
9. Merritt, Mitchler, Howard Mohr, Don Moore, Netsch, Newhouse,
10. Nimrod, Nudelman, Ozinga, Palmer,

11. PRESIDENT:

12. Senator Palmer.

13. SENATOR PALMER:

14. ...Senator Sours I don't want to belabor this and I did
15. intend to debate it but you know that I express my same opinion
16. at committee. But I want to express again that we...I agree
17. heartily with you about the thief. But I want to emphasis that
18. no bank relies on the representation of a borrower as to what
19. the value is. Now, in answer to Senator Conolly, I'm going to
20. read this paragraph which in the bill describes what security
21. value is. As used in this section value means the current market
22. value of a security as traded on any stock exchange. Senator
23. Conolly, if I went in and said that my stock is selling for \$100
24. a share, is the bank going to take my word or are they going to
25. check the stock exchange? That's exactly what happens. Or if
26. such security is not ac traded the current market value of such
27. security as traded in the market made as such a security by any
28. license security dealer. Is...is the bank going to take my word
29. or are they going to call the security dealer? That's what they
30. have the research departments. I emphasis to you that no bank
31. relies on what the borrower says is the value. They have those
32. facilities to check it out. And Senator Sours if you ever saw
33. a collateral agreement in small print the bank has the authority

1. if they find that the security is not sufficient to support
2. the loan, they can call in the loan because the security is
3. not sufficient. That's how the banks protect themselves on
4. value. They do not rely on the borrower and again I say to
5. you I agree with you as far as the thief...protect the bank
6. against the thief. But no borrower...what I'm...I'm...what
7. I want to say is the bank does not rely on me when I say
8. here's \$100,000 in securities give me \$20,000. They say come
9. back in a week and we'll tell you if that...if we'll give it
10. to you. Then they make their search and then they see if
11. that...security that I brought to them is worth \$100,000 and
12. then they put it in...in small print, if during the course
13. of this loan this security is...proves to be inefficient we
14. have a right to call in the loan. And that's why I vote no.

15. SECRETARY:

16. Partee, Regner, Rock, Roe, Romano, Saperstein, Savickas,
17. Schaffer, Scholl, Shapiro, Smith, Sommer, Soper, Sours,
18. Swinarski, Vadalabene, Walker,

19. PRESIDENT:

20. Senator Walker.

21. SENATOR WALKER:

22. I thank you Mr. President: Members of the Senate. I'm
23. a little surprised we only have, as I counted, one vote on the
24. other side of the aisle. And sometimes I think that the...got
25. four?

26. PRESIDENT:

27. Senator Walker...

28. SENATOR WALKER:

29. I don't desire to explain my vote any further.

30. SECRETARY:

31. Walker, Weaver, Welsh, Wooten, Mr. President.

32. PRESIDENT:

33. On that roll call the yeas are 32 and the nays are 14. The

1. bill having received a constitutional majority is declared
2. passed.

3. Senator Bartulis.

4. SENATOR BARTULIS:

5. Mr. President, Members of the Senate I rise on a point
6. of personal privilege. Today we have with us in the gallery
7. right behind me, 38 members of the Farm Bureau of Greene County.
8. I'd like to have them rise please.

9. PRESIDENT:

10. On the order of Resolution, Senator Kosinski.

11. SENATOR KOSINSKI:

12. Thank you, Mr. President, Members of the Senate. I would
13. like to take from the desk Resolution...Senate Joint Resolution
14. No. 19 and bring it to a vote. I tried it yesterday. Mr.
15. President, there would be no more timely a day than this for the
16. Resolution before this Body to be unanimously accepted. For we
17. have come to the final agreement upon the return of every re-
18. maining prisoner of war in the Southeast Asia. Let me merrily
19. say that it is my hope that in putting this Resolution at the
20. beam that the sound of your gavel, Mr. President, will echo
21. throughout the State of Illinois and every state of this nation,
22. as we express our profound joy in the return of our GI's from
23. the jungles of Vietnam, Laos, and Cambodia. Mr. President, I
24. move for the adoption of the Resolution.

25. PRESIDENT:

26. Is there further discussion? All in favor of the motion
27. to adopt Senate Joint Resolution 19 signify by saying aye.
28. Contrary nay. The motion carries. The Resolution is adopted.
29. Senator Kosinski.

30. SENATOR KOSINSKI:

31. Mr. President may I have the...permission of having all
32. the Senators join me in this Resolution and that a suitable
33. copy be presented to the prisoners of war? And I will see to

1. it that each one of you Senators will receive the name and
2. address of the returnees.

3. PRESIDENT:

4. Is there leave for the joining of the Senate as co-sponsors.
5. So ordered. Senator Merritt.

6. SENATOR MERRITT:

7. Mr. President, Members of the Senate, returning to the last
8. bill just passed I would...having voted on the prevailing side,
9. I would move the vote by which...SB 104 passed be reconsidered.

10. PRESIDENT:

11. Senator...Senator Merritt has moved to reconsider. Senator
12. Weaver moves to table. All in favor of the motion to table
13. signify by saying aye. Contrary nay. The motion carries.
14. Senator Partee.

15. SENATOR PARTEE:

16. I just wanted to tell Senator Kosinski that I don't have
17. very much to do this weekend and if he desires it I will take
18. those Resolutions down to the Clark Air Force Base in the
19. Phillipines if they have a golf course down there.

20. PRESIDENT:

21. Is there any further business to come before the Senate?
22. Senator Bruce.

23. SENATOR BRUCE:

24. Yes, I'd like to have today's Journal show that Senator
25. McCarthy is absent due to illness.

26. PRESIDENT:

27. ...The record will so show. Senator Mohr.

28. SENATOR (HOWARD) MOHR:

29. Mr. President, I move we adjourn until 10:30 tomorrow
30. morning.

31. PRESIDENT"

32. All in favor signify by saying aye. Contrary nay. The
33. Senate stands adjourned until 10:30 tomorrow morning.