

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. The Sen...where are we? ...The Senate will be in
3. order. The invocation will be given by Reverend James
4. Fry, Westminster Presbyterian Church, Springfield,
5. Illinois. Will our guests arise with us in this moment
6. of prayer.

7. (Prayer given by Reverend Fry).

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Thank you, Reverend Fry. Reading of the Journal.

10. SECRETARY:

11. Wednesday, May 30, 1973.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. Senator Soper.

14. SENATOR SOPER:

15. Mr. President, members of the Senate, I move that we
16. dispense with the further reading of the Journal of May
17. 30th and unless there are some corrections to be made
18. that the Journal stand approved.

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. All in favor of the motion by the Senator from Cicero
21. will signify by saying aye. Opposed? The ayes have it.
22. The motion carries. Senator Soper.

23. SENATOR SOPER:

24. Now Mr. President, I move that we postpone the reading
25. and approval of the Journals of May 31st, June 1st, June 4th,
26. June 5th, June 6th pending the arrival of the printed Journal.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. All in favor of the motion signify by saying aye.
29. Opposed. The ayes have it. The motion carries. Committee
30. reports.

31. SECRETARY:

32. (Secretary reads Committee Reports).

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. We'll forego the Executive Committee Report for a
2. time. Resolutions. Will the Sergeant at Arms find
3. Senator Savickas, we have three resolutions we'd like
4. to move them... Read Senator Schaffer's... Resolutions.
5. We're going to try to pass them all and you'll make the
6. motion, Senator.

7. SECRETARY:

8. Senate Resolution 192 by Senator Newhouse and it's
9. congratulatory. Congratulates Dr. Maurice F. Rabb for
10. his contribution to medicine and humanity.

11. Senate Resolution 193 by Senator Mohr. It's con-
12. gratulatory.

13. Senate Resolution, yes, Howard Mohr...194, Senator
14. Savickas. Congratulates the Hubbard High School baseball
15. team.

16. Senate Resolution 195 by Senator Savickas. Congratulates
17. Dr. and Mrs. Ernest Johnson on their 45th anniversary.

18. Senate Resolution 196. Senator Schaffer. Congratulates
19. Henry J. Aissen upon his retirement from State service.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Senator Howard Mohr, do you have a resolution in there?
22. Moves for suspension of the rules for the immediate consider-
23. ation of these resolutions. All in favor of the motion from
24. the Senator from Park Forest...Forest Park will signify by
25. saying aye. Opposed? The rules are suspended. Senator
26. Schaffer now moves the immediate adoption of these resolutions.
27. Senator Mohr, for what purpose do you arise?

28. SENATOR MOHR:

29. ...The resolution that I have Mr. President, I would...
30. appreciate all members being shown as co-sponsors.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. On Senator Mohr's resolution and I think Senator New-
33. house is requesting the same thing and so is Senator Schaffer

1. that all Senator be shown as sponsors on all resolutions.
2. All in favor of the motion from the Gentleman from Cary
3. will signify by saying aye. Opposed. The ayes have it and
4. the resolutions are adopted. Messages from the House. We'll
5. get an introduction of a bill first.
6. SECRETARY:
7. SB 1197 by Senator Buzbee, Partee, Rock and Donnewald.
8. (Secretary reads title of the bill).
9. 1st reading of the bill.
10. PRESIDING OFFICER (SENATOR GRAHAM):
11. Messages from the House.
12. SECRETARY:
13. Message from the House by Mr. Selcke.
14. PRESIDING OFFICER (SENATOR GRAHAM):
15. Gentlemen, already...let's keep it down. Have your
16. caucuses somewhere else.
17. SECRETARY:
18. (Secretary reads Messages).
19. PRESIDING OFFICER (SENATOR GRAHAM):
20. Gentlemen, we are getting Messages from the House now
21. indicating the passage of Senate Bills. It is advisable
22. that the Senators listen to the numbers and see if their
23. bill has been reported back from the House and to that
24. order is to be maintained otherwise you may not hear.
25. SECRETARY:
26. (Secretary reads Messages).
27. PRESIDING OFFICER (SENATOR GRAHAM):
28. Senator Weaver...Senator Schaffer is Senate sponsor
29. of what resolution?
30. SECRETARY:
31. House Joint Resolution 60 and it's congratulatory.
32. PRESIDING OFFICER (SENATOR GRAHAM):
33. He moves for the suspension of the rules. All in

1. favor will signify by saying aye. Opposed. The ayes
 2. have it. The rules are suspended. The Senator from Cary
 3. moves the immediate consideration of the congratulatory
 4. resolution. All in favor will signify by saying aye.
 5. Opposed. The ayes have it and the resolution is adopted.
 6. Messages from the Governor.
 7. SECRETARY:
 8. (Secretary reads Message from the Governor).
 9. PRESIDING OFFICER (SENATOR GRAHAM):
 10. Executive Committee. We'll now go to the order of
 11. House Bills 1st reading. Mr. Secretary will read the bills
 12. where sponsors have been indicated.
 13. SECRETARY:
 14. House Bill 545. Senator Nimrod.
 15. (Secretary reads title of bill).
 16. 1st reading of the bill.
 17. House Bill 546. Senator Nimrod.
 18. (Secretary reads title of bill).
 19. 1st reading of the bill.
 20. House Bill 832. Senator Nimrod.
 21. (Secretary reads title of the bill).
 22. 1st reading of the bill.
 23. House Bill 843. Senator Rock.
 24. (Secretary reads title of the bill).
 25. 1st reading of the bill.
 26. House Bill 844. Senator Rock.
 27. (Secretary reads title of the bill).
 28. 1st reading of the bill.
 29. House Bill 905. Senator Fawell.
 30. (Secretary reads title of the bill).
 31. 1st reading of the bill.
 32. House Bill 926. Senator Bruce.
 33. (Secretary reads title of the bill).
- 1st reading of the bill.

1. House Bill 928. Senator Knuppel.
2. (Secretary reads title of the bill).
3. 1st reading of the bill.
4. House Bill 10...House Bill 945. Senator Fawell.
5. (Secretary reads title of the bill).
6. 1st reading of the bill.
7. House Bill 1043. Senator Roe.
8. (Secretary reads title of the bill).
9. 1st reading of the bill.
10. House Bill 1081. Senator Schaffer.
11. (Secretary reads title of the bill).
12. 1st reading of the bill.
13. House Bill 1237. Senator Bruce.
14. (Secretary reads title of the bill).
15. 1st reading of the bill.
16. House Bill 1239. Senator Bruce.
17. (Secretary reads title of the bill).
18. 1st reading of the bill.
19. House Bill 1282. Senator Harber Hall.
20. (Secretary reads title of the bill).
21. 1st reading of the bill.
22. House Bill 1323. Senator McCarthy.
23. (Secretary reads title of the bill).
24. 1st reading of the bill. Okay.
25. House Bill 1350. Senator Schaffer.
26. (Secretary reads title of the bill).
27. 1st reading of the bill.
28. House Bill 1370, an act...Senator Knuepfer.
29. (Secretary reads title of the bill).
30. 1st reading of the bill.
31. House Bill 1411 by Senator Harber Hall.
32. (Secretary reads title of the bill).
33. 1st reading of the bill.

1. House Bill 1412. Senator Wooten.
2. (Secretary reads title of the bill).
3. 1st reading of the bill.
4. House Bill 1436. Senator Kenneth Hall.
5. (Secretary reads title of the bill).
6. 1st reading of the bill.
7. House Bill 1437. Senator Knuppel.
8. (Secretary reads title of the bill).
9. 1st reading of the bill.
10. House Bill 1464. Senator Nimrod.
11. (Secretary reads title of the bill).
12. 1st reading of the bill.
13. House Bill 1478. Senator Schaffer.
14. (Secretary reads title of the bill).
15. 1st reading of the bill.
16. House Bill 1515. Senator Ozinga.
17. (Secretary reads title of the bill).
18. 1st reading of the bill.
19. House Bill 1526. Senator Knuppel.
20. (Secretary reads title of the bill).
21. 1st reading of the bill.
22. House Bill 1540. Senator Ozinga.
23. (Secretary reads title of the bill).
24. 1st reading of the bill.
25. House Bill 1543. Senator Kenneth Hall.
26. (Secretary reads title of the bill).
27. 1st reading of the bill.
28. House Bill 1556. Senator Netsch.
29. (Secretary reads title of the bill).
30. 1st reading of the bill.
31. House Bill 1575. Senator Scholl.
32. (Secretary reads title of the bill).
33. 1st reading of the bill.

1. House Bill 1655. Senator Bartulis.
2. (Secretary reads title of the bill).
3. 1st reading of the bill.
4. House Bill 1698. Senator Schaffer.
5. (Secretary reads title of the bill).
6. 1st reading of the bill.
7. House Bill 1725. Senator Rock.
8. (Secretary reads title of the bill).
9. 1st reading of the bill.
10. House Bill 1728. Senator Glass.
11. (Secretary reads title of the bill).
12. 1st reading of the bill.
13. House Bill 1729.
14. (Secretary reads title of the bill).
15. 1st reading of the bill.
16. PRESIDING OFFICER (SENATOR GRAHAM):
17. Don't laugh, Senator, it could happen to you.
18. SECRETARY:
19. House Bill 1770. Senator Shapiro.
20. (Secretary reads title of the bill).
21. 1st reading of the bill.
22. House Bill 1784. Senator Saperstein.
23. (Secretary reads title of the bill).
24. 1st reading of the bill.
25. House Bill 1804. Senator Bartulis.
26. (Secretary reads title of the bill).
27. 1st reading of the bill.
28. House Bill 1822. Senator Vadalabene.
29. (Secretary reads title of the bill).
30. 1st reading of the bill.
31. House Bill 1828. Senator Vadalabene.
32. (Secretary reads title of the bill).
33. 1st reading of the bill.

1. House Bill 1832. Senator Harber Hall.
2. (Secretary reads title of the bill).

3. 1st reading of the bill.

4. House Bill 1843. Senator Nudelman.
5. (Secretary reads title of the bill).

6. 1st reading of the bill.

7. House Bill 1877. Senator Schaffer.
8. (Secretary reads title of the bill).

9. 1st reading of the bill.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Ladies and Gentlemen of the Senate, we have completed...
12. The Senate party was last night. We have completed the order
13. of first reading of those bills who...who...which had been
14. picked up by Senators as indicated to the Secretary. The
15. yellow pad is still down here, hopefully, we can get back to
16. that sometime today. We'll now go to the order of...House
17. Bills 2nd reading. Senator Soper, for what purpose do you
18. arise?

19. SENATOR SOPER:

20. Well, Mr. President, yesterday I picked up a bill House
21. Bill 1133. Crime Commission Bill and Senator Rock should be
22. shown as the Senate sponsor. And I...I...he talked to me
23. about it and it happen to be my...my House member and I...
24. nobody was picking up the bill and by mistake I picked it
25. up. I'd like to have the bill be shown...House Bill 1133,
26. show Senator Rock as the Senate sponsor.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. You found somebody to do your work. Senator Rock will
29. be shown as the sponsor of House Bill 1133.

30. SENATOR SOPER:

31. Well, in reality, Mr. President, I love the bill...

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. Yeah. I know. He's already shown as the sponsor.

1. Next case.

2. SENATOR SOPER:

3. Rock insists it's such a good bill.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. Next case. I...think perhaps where we go on the order

6. of second reading we may have some motions for pulling bills

7. back and so forth so if we could do that and then forever

8. hold our peace on those issues until tomorrow. Motions or

9. requests. Senator Glass.

10. SENATOR GLASS:

11. I would like..Mr. President, to ask leave of the Body

12. to be shown as the Senate sponsor on House Bills 1401 and

13. 1402...these are now Senator Rock's bills. I've spoken to

14. him and he has no objections.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Is leave granted? Leave is granted and you are the

17. sponsor Senator Glass of House Bills 1401 and 1402 and the

18. Journal will so show. Senator McBroom.

19. SENATOR MCBROOM:

20. ...Mr..President, members of the Senate, I'm referring

21. to House Bill 1498 which...my motion would be to move it to

22. second reading without reference to Committee. Now, Mr.

23. Chairman...Mr. President, that is...exactly in the same

24. form as SB 928 passed here. ...It is a matter I've been

25. interested in as far as...as waste water treatment. I've

26. talked to Senator Rock about it and he has no objection to

27. by passing Committee, Mr. President.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. What was the number of the bill again, Senator?

30. SENATOR MCBROOM:

31. ...1498.

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. There's been a request by Senator McBroom that House

AB 29
6-7-73
2nd Reading

AB 14
2nd Reading

1. Bill 1498 be read a first time and that permission be
2. granted to advance it to the order of 2nd reading without
3. reference to Committee. The bill will be read by title.

4. SECRETARY:

5. House Bill 1498.
6. (Secretary reads title of the bill).
7. 1st reading of the bill.

8. RESIDING OFFICER (SENATOR GRAHAM):

9. There's a motion now that the bill be referred to the
10. order of 2nd reading without reference. All in favor signify
11. by saying aye. Opposed. The bill is now on the order of 2nd.
12. Senator McBroom.

13. SENATOR MCBROOM:

14. I'd also like to pick up House Bill 1189.

15. SECRETARY:

16. House Bill 1189. Senator McBroom.
17. (Secretary reads title of the bill).
18. 1st reading of the bill.

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. Do any of the Senators have any further requests. Now
21. please don't wait a half hour, and I want to call a bill from
22. 3rd back to 2nd because I won't be able to hear you, I'm afraid.
23. This is the time. Senate Bills, or House Bills 2nd reading.

24. SECRETARY:

25. House Bill 14. Senator Shapiro. House Bill 14.
26. (Secretary reads title of the bill).
27. 2nd reading of the bill. No Committee amendments.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. Senator Carroll...not on the Floor. Davidson?
30. Senator Davidson? Any amendments from the Floor? 3rd
31. reading.

32. SECRETARY:

33. House Bill 29. Senator Carroll.

PRESIDING OFFICER (SENATOR GRAHAM):

1. Senator Carroll is not on the Floor. You want to
2. move that Senator Rock? Read the bill...

3. SECRETARY:
4. House Bill 29. (Secretary reads title of the bill).
5. 2nd reading of the bill. No Committee amendments.

6. PRESIDING OFFICER (SENATOR GRAHAM):
7. Any amendments from the Floor? 3rd reading.

8. SECRETARY:
9. House Bill 32. ...Senator Davidson.
10. House Bill 124. Senator Conolly.

11. PRESIDING OFFICER (SENATOR GRAHAM):
12. Pass it.

13. SECRETARY:
14. House Bill 162, Senator...

15. PRESIDING OFFICER (SENATOR GRAHAM):
16. Pass it.

17. SECRETARY:
18. House Bill 174. Senator Regner.

19. PRESIDING OFFICER (SENATOR GRAHAM):
20. Move it.

21. SECRETARY:
22. House Bill 174....

23. PRESIDING OFFICER (SENATOR GRAHAM):
24. Senator Regner. Senator Regner. Just a moment.

25. SECRETARY:
26. House Bill 174. (Secretary reads title of the bill).
27. 2nd reading of the bill. The Committee on Revenue offers
28. one amendment.

29. PRESIDING OFFICER (SENATOR GRAHAM):
30. Senator Regner moves the adoption of Committee amendment.
31. All in favor signify by saying aye. Opposed. The ayes have
32. it. The amendment is adopted. Any amendments from the Floor?
33. 3rd reading.

1. SECRETARY:
2. House Bill 301. Senator Latherow,
3. PRESIDING OFFICER (SENATOR GRAHAM):
4. Hold it.
5. SECRETARY:
6. House Bill 358. Senator Dougherty.
7. PRESIDING OFFICER (SENATOR GRAHAM):
8. Senator Dougherty. Move it he says.
9. SECRETARY:
10. House Bill 358. (Secretary reads title of the bill).
11. 2nd reading of the bill. No Committee amendments.
12. PRESIDING OFFICER (SENATOR GRAHAM):
13. Any amendments from the Floor? 3rd reading.
14. SECRETARY:
15. House Bill 389. Senator Knuepfer.
16. House Bill 412. Senator Latherow.
17. House Bill 470. Senator Bruce.
18. PRESIDING OFFICER (SENATOR GRAHAM):
19. Senator Bruce does Neistein want you to move this?
20. House Bill 470.
21. SECRETARY:
22. House Bills on 2nd reading.
23. PRESIDING OFFICER (SENATOR GRAHAM):
24. Second reading, House bill. Read it by title a second
25. time.
26. SECRETARY:
27. House Bill 470. (Secretary reads title of the bill).
28. 2nd reading of the bill. No Committee amendment.
29. PRESIDING OFFICER (SENATOR GRAHAM):
30. Senator Knuppel are you ready on 542? Any amendments
31. from the Floor? 3rd reading.
32. SECRETARY:
33. 542, Senator Knuppel.

1. PRESIDING OFFICER (SENATOR GRAHAM):
2. Read it by title.
3. SECRETARY:
4. House Bill 542. (Secretary reads title of the bill).
5. 2nd reading of the bill. No Committee amendments.
6. PRESIDING OFFICER (SENATOR GRAHAM):
7. Any amendments from the Floor? 3rd reading.
8. SECRETARY:
9. House Bill 629. Senator Daley.
10. PRESIDING OFFICER (SENATOR GRAHAM):
11. Read it by title.
12. SECRETARY:
13. House Bill 629. (Secretary reads title of the bill).
14. 2nd reading of the bill. The Committee on Insurance and
15. Financial Institutions offers one amendment.
16. PRESIDING OFFICER (SENATOR GRAHAM):
17. Senator Daley moves the adoption of the Committee
18. amendment. All in favor signify by saying aye. Opposed.
19. The ayes have it. The amendment is adopted. Any amendments
20. from the Floor? 3rd reading.
21. SECRETARY:
22. 634, Senator Harris.
23. PRESIDING OFFICER (SENATOR GRAHAM):
24. Hold it.
25. SECRETARY:
26. 652, Senator Conolly.
27. PRESIDING OFFICER (SENATOR GRAHAM):
28. No.
29. SECRETARY:
30. 665, Senator Harber Hall.
31. 666, Senator Schaffer.
32. PRESIDING OFFICER (SENATOR GRAHAM):
33. Read it by title a second time.

1. SECRETARY:
2. House Bill 666. (Secretary reads title of the bill).
3. 2nd reading of the bill. No Committee Amendments. Amendment
4. No. 1 by Senator Schaffer.
5. PRESIDING OFFICER (SENATOR GRAHAM):
6. Senator Schaffer will explain his amendment.
7. SENATOR SCHAFFER:
8. This amendment extends the...was really agreed upon in
9. Committee...extends the term of the Board of Review members
10. from one year to two and provides for a staggering of the
11. terms so that there will be continuity on the Board.
12. PRESIDING OFFICER (SENATOR GRAHAM):
13. Senator Schaffer moves the adoption of Amendment No. 1
14. to House Bill 666. All in favor will signify by saying aye.
15. Opposed. The ayes have it and the amendment is adopted. Any
16. amendments from the Floor? 3rd reading. Senator Latherow,
17. are you ready to proceed? Senator Knuppel, will you leave
18. Senator Latherow alone for a minute? 704, you want read,
19. Senator? Read by title...
20. SECRETARY:
21. House Bill 704. (Secretary reads title of the bill).
22. 2nd reading of the bill. No Committee amendments.
23. PRESIDING OFFICER (SENATOR GRAHAM):
24. Any amendments from the Floor? 3rd reading. 705.
25. Read by title.
26. SECRETARY:
27. House Bill 705. (Secretary reads title of the bill).
28. 2nd reading of the bill. No Committee amendments.
29. PRESIDING OFFICER (SENATOR GRAHAM):
30. Any amendments from the Floor?
31. SECRETARY:
32. I'm sorry. There is a Committee amendment.
33. PRESIDING OFFICER (SENATOR GRAHAM):

1. One Committee amendment and Senator Latherow moves
2. the adoption... Senator Latherow.

3. SENATOR LATHEROW:

4. Mr. President, I've talked to this Committee...amend-
5. ment that was offered and I talked with the other side this
6. morning. We had suggested...had...had suggested to us that
7. those under 16 could drive a farm truck in a radius of ten
8. miles and I talked with the people in the House who had
9. this in mind and I assured them I thought probably we were
10. entering into a hazy field and that the amendment should be
11. dropped and I'll move that this...

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. You'll move that this Senate does not concur.

14. SENATOR LATHEROW:

15. ...in the...

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. Move that the Senate Table Committee Amendment No. 1.

18. SENATOR LATHEROW:

19. Right. I move to Table Committee Amendment No. 1.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. All in favor of the motion by Senator Latherow signify
22. by saying aye. Opposed. The ayes have it. The amendment
23. is adopted. Any further amendments from the Floor? ...The
24. amendment is Tabled. Any further amendments from the Floor?
25. 3rd reading.

26. SECRETARY:

27. 712, Senator Palmer.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. House Bill 2nd reading, Senator. 2nd, left side,
30. near the top. Read the bill by title.

31. SECRETARY:

32. House Bill 712. (Secretary reads title of the bill).
33. 2nd reading of the bill. No Committee amendments.

1. PRESIDING OFFICER (SENATOR GRAHAM):
2. Any amendments from the Floor? 3rd reading.
3. SECRETARY:
4. 827 and 8. Senator Carroll.
5. PRESIDING OFFICER (SENATOR GRAHAM):
6. Senator Carroll is not on the Floor.
7. SECRETARY:
8. 841, Senator Dougherty.
9. PRESIDING OFFICER (SENATOR GRAHAM):
10. Senator Dougherty. He's here some... Yes. Read it
11. by title.
12. SECRETARY:
13. House Bill 841. (Secretary reads title of the bill).
14. 2nd reading of the bill. No Committee amendments.
15. PRESIDING OFFICER (SENATOR GRAHAM):
16. Any amendments from the Floor? 3rd reading.
17. SECRETARY:
18. 886, Senator Berning.
19. 1054, Senator Soper.
20. PRESIDING OFFICER (SENATOR GRAHAM):
21. Senator Soper. House bills on 2nd reading.
22. SECRETARY:
23. House Bills on 2nd reading. 1054.
24. PRESIDING OFFICER (SENATOR GRAHAM):
25. Second page down about 10 inches, left side. 1054.
26. Read it by title.
27. SECRETARY:
28. House Bill 1054. (Secretary reads title of the bill).
29. 2nd reading of the bill. No Committee amendments.
30. PRESIDING OFFICER (SENATOR GRAHAM):
31. Any amendments from the Floor? 3rd reading. Read
32. House Bill 1109 by title, a second time.
33. SECRETARY:

1. House Bill 1109. (Secretary reads title of the bill).
2. 2nd reading of the bill. No Committee amendments.
3. PRESIDING OFFICER (SENATOR GRAHAM):
4. Any amendments from the Floor? 3rd reading.
5. Senator Saperstein, 1405? The aging bill. Senator Saperstein.
6. SECRETARY:
7. House Bill 1405. (Secretary reads title of the bill).
8. 2nd reading of the bill. No Committee amendments.
9. PRESIDING OFFICER (SENATOR GRAHAM):
10. Any amendments from the Floor? 3rd reading. Senate
11. Bills second reading.
12. SECRETARY:
13. SB 295. Senator Netsch.
14. SB 7...
15. PRESIDING OFFICER (SENATOR GRAHAM):
16. SB 295, Senator Netsch.. Is there a Committee amendment
17. coming in on 295, Senator? Ladies and Gentlemen, the party's
18. over, I hope. SB 1071. SB 1177. Gentlemen, I can't go out
19. and lead you in, I hope. We're going on to next order of
20. business, we must proceed. Senator Ozinga. Senator Ozinga.
21. Senator Ozinga.
22. SECRETARY:
23. Senator Ozinga, Chairman of the Committee on Executive.
24. (Secretary reads Executive Committee Report)...
25. PRESIDING OFFICER (SENATOR GRAHAM):
26. Ladies and Gentlemen, you're going to be voting on
27. the Governor's message on appointments in a little bit. Can
28. we have your attention now while we read the Executive Committee
29. Reports, please?
30. SECRETARY:
31. (Secretary reads Executive Committee Report).
32. PRESIDING OFFICER (SENATOR GRAHAM):
33. Senator Ozinga.

1. SENATOR OZINGA:

2. Mr. President, I would now move that we resolve ourselves
3. into Executive Session for the purpose of recommending or
4. hearing the Governor's message. I would now move that the
5. Senate do advise and consent to the following...

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Senator Ozinga...

8. SENATOR OZINGA:

9. ...nominations.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. There has been a motion by Senator Ozinga that the
12. Senate do now resolve itself into Executive Session. And that
13. means, I think, that we are in Executive Session. Please.

14. SENATOR OZINGA:

15. Now, Mr. President. Mr. President, there are a whole
16. list of nominees here. I'm going to move, first of all, that
17. we consider the nominees for the Depart...the Illinois Liquor
18. Control Commission and the Southern Illinois University Board
19. of Trustees as one...in one motion. Namely, I would then
20. move the nomination of Michael Berz of Kankakee as a member
21. of the Illinois Liquor Control...Liquor Control Commission
22. be advised and consented to. I would also move at the same
23. time that the... I'm sorry, did we...can we back up and
24. strike...from the record, I...I didn't know that there was
25. going to be objection here so, wait just a minute.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. We are only...

28. SENATOR OZINGA:

29. We have to take that one individually so let's start
30. all over...

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Whatever is your pleasure, Senator.

33. SENATOR OZINGA:

1. I would now move that the Senate do advise and consent
2. to the nomination of Michael Berz of Kankakee to be a member
3. of the Illinois Liquor Control Commission for a term ex-
4. piring on February 1st, 1974.

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. One only. Then we will...

7. SENATOR OZINGA:

8. One only. That's right.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. ...the Secretary will call the roll. The question is...
11. Senator Partee.

12. SENATOR PARTEE:

13. I'm just wondering if we could hold this for a little
14. bit because several members on both sides are not here. I
15. don't think anybody expected that there would be anything
16. controversial at this point of the morning. Normally we're
17. going through 2nd readings and so forth. If you could hold
18. it until more of the members get here I'd appreciate it.

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. Senator Partee, I am amazed we get this far before
21. someone had suggested that we don't go this far. Senator
22. Ozinga.

23. SENATOR OZINGA:

24. Are...are you suggesting to hold Committee Reports
25. Senator or just Mr. Michael Berz?

26. SENATOR PARTEE:

27. Well, there's no controversy on the rest of it as I
28. understand it and you just hold this one.

29. SENATOR OZINGA:

30. All right.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Well, maybe perhaps if Senator Partee, if we go on
33. through the Committee Report, at that time we may have

1. more members on the Floor. Let's proceed, eliminating...
2. proceed without consideration of Mr. Berz. And where do
3. we go from there Senator Ozinga?

4. SENATOR OZINGA:

5. Then, Mr. President, I would move that the nominees
6. for Southern Illinois University Board for the Department
7. of Agriculture, for the Department of Corrections, for the
8. Illinois Health Facilities Authority and for the Fair
9. Employment Practice Commission and for the Parole and
10. Pardon Board be considered in one motion. Now,...

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Sergeant at Arms will ring the bell perhaps we can
13. get a better attendance. Senator Ozinga.

14. SENATOR OZINGA:

15. Now, Mr. President, I would move that the Senate do
16. advise and consent to the following nominations for the
17. respective offices: Mrs. Margaret Blackshere of Madison,
18. Illinois to be a member of the Southern Illinois University
19. Board of Trustees-- I would also move that Ivan A. Elliott,
20. Jr. of Carmi to be a member of the Southern Illinois
21. University Board of Trustees.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. Please. Continue, Senator, we will attempt to keep
24. order.

25. SENATOR OZINGA:

26. I would then move that Mr. Leland H. Woodburn of
27. Hillsdale, Illinois be nominated as...to the Assistant
28. Directorship of the Department of Agriculture. I would further
29. move that the...Mr. Allyn R. Sielaff of Dover, Pennsylvania
30. now of Illinois be the Director of the Department of
31. Corrections. I would further move that Louis G. Alexander
32. of Chicago; Dr. Jorge Prieto and Stanford L. Glass of
33. Winnetka to be...as members of the Illinois Health Facilities
Authority, to be advised and consented to.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. Ladies and Gentlemen...please.

3. SENATOR OZINGA:

4. I would further move that Mr. Thomas C. McCracken
5. of Geneva, Illinois be recommended as a member of the
6. Fair Employment Practices Commission. I would further
7. move that Mr. Earl K. Dryden of Aurora be a member of
8. the Parole and Pardon Board. And also Mr. Robert E.
9. Peel of Hillsboro to be a member of the Parole and
10. Pardon Board for a term expiring on the third Monday
11. on January 197...74, I believe it is.

12. SECRETARY:

13. 79.

14. SENATOR OZINGA:

15. And Mr. Chairman, I would now ask for a favorable
16. roll call on these nominees.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Senator Partee.

19. SENATOR PARTEE:

20. I move that those persons that...I'm not moving it,
21. I'm suggesting that those persons as just named by Senator
22. Ozinga be advised and consented to by the Senate. I want
23. to make sure that we use the phrase advised and consented
24. to on each of the... That it embraces all names so that
25. there will be no question that the language is...as statutory.
26. I want to make sure we said advised and consented to on all
27. of the names otherwise there may be some kind constitutional...

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. The Chair will do that when we put the question.

30. SENATOR PARTEE:

31. Fine.

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. The question before the Senate is -- does the Senate advise

1. and consent to the list of nominees reported in by the
2. Chairman of the Executive Committee just read? And upon
3. the question the Secretary will call the roll.

4. SECRETARY:

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

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Merritt, aye. The result of the vote of the Senate
17. on the question just put is 52 yeas and no nays. A
18. majority of the Senators elected concurring by a record
19. vote, the Senate does advise and consent to the nominations
20. just read. Senator Welsh. Rising on a point of personal
21. privilege, I've been advised.

22. SENATOR WELSH:

23. Thank you, Mr. President, members of the Senate, I'm
24. pleased to present to this Body, the son of Senator Harold
25. Nudelman, Steve Dorfman who is sitting over here in back
26. of the Democratic leadership. Steve, would you stand up
27. and take a bow? ...Steve...Steve is a legislative intern
28. in the Wisconsin Legislature and he's here to...to watch
29. our proceedings these few days.

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. I hope he's pleased. Thank you, Senator Welsh.
32. Senator Ozinga.

33. SENATOR OZINGA:

We're still in Executive Session.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. Yes. I wonder if we have as much trouble keeping
3. order in the Wisconsin Legislature? Senator Ozinga.

4. SENATOR OZINGA:

5. Now. Now, Mr. President, I would move that we con-
6. sider the two nominees to the Department of Mines and
7. Minerals as one motion.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. What is your pleasure, Senator? Read their names...
10. You're the Chairman.

11. SENATOR OZINGA:

12. It's my pleasure to consider them as one motion.
13. Do I have leave?

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. Leave is granted.

16. SENATOR OZINGA:

17. All right, I would then move that the Senate advise
18. and consent to the nomination of Mr. James A. Neunlist of
19. Mt. Vernon to be a member of the State Mining Board of
20. the Department of Mines and Minerals for a term expiring
21. on the third Monday of January 1975 and also that the...
22. that the Senate advise and consent to the nomination of
23. Clarence Reynolds of Harrisburg to be a member of the
24. State Mining Board, Department of Mines and Minerals for
25. a term expiring on the third Monday of January 1975.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. You have just heard the motion by Senator Ozinga that
28. the two names read be considered by this Senate. The question
29. before the Senate is, shall the Senate advise and consent
30. to the new names just read. Upon that question the Secretary
31. will call the roll.

32. SECRETARY:

33. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,

1. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
2. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
3. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
4. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
5. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
6. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano, Saper-
7. stein, Savickas, Schaffer, Scholl, Shapiro,

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Please. Please. Ladies and Gentlemen, the Secretary
10. with all of the interference at the Secretary's desk and
11. all of the noise on the Floor just cannot be expected to
12. come up with an accurate roll call. Will you please co-
13. operate?

14. SECRETARY:

15. Smith, Sommer, Soper, Sours, Swinarski, Vadalabene,
16. Walker, Weaver, Welsh, Wooten, Mr. President.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Swinarski, aye. Buzbee, aye. Netsch, aye. On this
19. question the yeas are 50. The nays are none. The result
20. of the vote of the Senate on the question indicates a
21. majority of the Senators...elected, concurred by record vote
22. the Senate does advise and consent to the nominations of the
23. members just read by the Chairman of the Executive Committee.
24. Senator Ozinga.

25. SENATOR OZINGA:

26. Mr. President, I would go back to the original motion
27. and I'm sure Senator Partee is in accord to the nomination
28. of the member of the Illinois Liquor Control Commission.
29. Now this one had quite a bit of conversation but I'm sure
30. is not in any...pardon me, in any serious trouble as far
31. as confirmation is concerned.

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. You're assuming that.

1. SENATOR OZINGA:

2. However, I would now move that Mr. Michael Berz of
3. Kankakee be named...or nomination of Mr. Michael Berz of
4. Kankakee to the Illinois Liquor Commission be advised and
5. consented to by the Senate as a member of the Illinois
6. Liquor Control Commission.

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. The question before the Senate is, does the Senate
9. advise and consent to the nomination and appointment of
10. Mr. Michael Berz of Kankakee to be a member of the Illinois
11. Liquor Control Commission...

12. SENATOR OZINGA:

13. For a term expiring February 1st of 1974.

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. ...for a term expiring February 1, 1974. Upon that
16. question the Secretary will call the roll.

17. SECRETARY:

18. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
19. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
20. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
21. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
22. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
23. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
24. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
25. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
26. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
27. Weaver, Welsh, Wooten, Mr. President.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. Ozinga, aye. Scholl, aye. Berning, aye. A majority
30. of the Senators elected concurring by a recorded vote of
31. 41 yeas and 2 nays, the Senate does thereby advise and con-
32. sent to the appointment of Michael Berz to be a member of
33. the Liquor Control Commission. One...41 ayes, 2 yeas and
1 voting present. Senator Ozinga.

1. SENATOR OZINGA:

2. Mr. President, I would withhold consideration of
3. Mr. Robert C. Butler and Dr. Leroy Levitt at this time.
4. I would now move that the Senate do arise.

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. ...Moved by Senator Ozinga, that the Senate do
7. now arise from Executive Session. Leave. Senator Rock.

8. SENATOR ROCK:

9. Is the understanding, Senator Ozinga, that the
10. two that were withheld will be called tomorrow?

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Senator Ozinga.

13. SENATOR OZINGA:

14. I hope so Senator unless further complications arise
15. and at this time I don't see any.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. Senator Rock.

18. SENATOR ROCK:

19. Well, I don't foresee any either but I...y'know if we're
20. making a motion to defer we ought to defer to a time certain
21. and I would suggest that the motion be placed in that...in
22. those terms if we defer until tomorrow.

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. ...I think the record shows they haven't been reported
25. in so we'll have to go back into Executive Session. The motion
26. is now that leave be granted that we do arise. Senate from
27. Executive Session. Leave is granted and the Senate will
28. now resolve itself into our regular Session of the Illinois
29. State Senate. And I have been informed that there is no
30. objection to Senator Knuppel on SB 2nd reading moving 1177
31. from SB 2nd to SB 3rd. So will SB 1177 be read by title
32. a 2nd time.

33. SECRETARY:

1. SB 1177. (Secretary reads title of bill).
2. 2nd reading of the bill. No Committee amendments.
3. PRESIDING OFFICER (SENATOR GRAHAM):
4. Any amendments from the Floor? 3rd reading.
5. We will now go to the order of Senate Bills... Senator
6. Bruce, for what purpose do you arise?
7. SENATOR BRUCE:
8. I wonder if we could move 701 and 702 on 2nd
9. reading while we're on that order of business?
10. PRESIDING OFFICER (SENATOR GRAHAM):
11. Has been a request to hold those two bills,
12. Senator.
13. SENATOR BRUCE:
14. All right.
15. PRESIDING OFFICER (SENATOR GRAHAM):
16. Senate Bills 3rd reading.
17. PRESIDING OFFICER (SENATOR WEAVER):
18. Senator Course, 288. Senate Bills 3rd reading.
19. You wish consideration of 288? Senator Course.
20. SENATOR COURSE:
21. Yes, Mr. President, would you hold that until
22. Senator Regner gets back, I want to talk to him, please.
23. 1193.
24. SECRETARY:
25. SB 1193. (Secretary reads title of bill).
26. 3rd reading of the bill.
27. PRESIDING OFFICER (SENATOR WEAVER):
28. Senator Mohr.
29. SENATOR MOHR:
30. Yes, Mr. President, I'm handling this for President
31. Harris. This transfers \$50,000 from special committees to
32. the Senate Operations Commission to meet the expenses of the end of
33. fiscal 1973. I ask for a favorable roll call.

1. PRESIDING OFFICER (SENATOR WEAVER):.

2. Is there any discussion? Hence the question is
3. shall SB 1193 pass. Upon that question the Secretary
4. will call the roll.

5. SECRETARY:

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

16. PRESIDING OFFICER (SENATOR WEAVER):

17. On that question the ayes are 45. The nays are none.
18. SB 1193 having received the constitutional majority is de-
19. clared passed. 704, Senator Bruce?

20. SECRETARY:

21. SB 704. (Secretary reads title of bill).
22. 3rd reading of the bill.

23. PRESIDING OFFICER (SENATOR WEAVER):

24. Senator Bruce.

25. SENATOR BRUCE:

26. Yes, Mr. President, this is an ordinary appropriation
27. to the State Treasurer. ...As the members may remember at
28. one time we put money out for the State of Illinois and...
29. for placing money in certain banks, they did certain services
30. for us and we have billing and keeping ordinary records in
31. computer time. Under State Treasurer Dixon it has been
32. changed where we put the money in the bank at interest and
33. pay them for services of...of billing and computer time.

1. I know of no objection to the amount or to the procedure.

2. I ask for a favorable roll call.

3. PRESIDING OFFICER (SENATOR WEAVER):

4. Is there any discussion? The question is shall
5. SB 704 pass. And upon that question the Secretary will
6. call the roll.

7. SECRETARY:

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

18. PRESIDING OFFICER (SENATOR WEAVER):

19. Ozinga, no. On that question the ayes are 37. The
20. nays are 1. SB 704 having received the constitutional
21. majority is declared passed. 1146.

22. SECRETARY:

23. SB 1146. (Secretary reads title of bill).
24. 3rd reading of the bill.

25. PRESIDING OFFICER (SENATOR WEAVER):

26. Senator Dougherty.

27. SENATOR DOUGHERTY:

28. This is the biennial appropriation...the annual
29. appropriation, I should say, to the Election Laws Study
30. Commission, \$30,000. I ask the approval of this Body
31. because we are now working to establish...down here right
32. now and there is need for it because we do have a new
33. election code. We have legislation for a state electoral

1. board. This money is needed very badly and I ask the
2. approval of this Body.

3. PRESIDING OFFICER (SENATOR WEAVER):

4. Is there any discussion? The question is shall
5. SB 1146 pass. And upon that question the Secretary
6. shall call the roll.

7. SECRETARY:

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

18. PRESIDING OFFICER (SENATOR WEAVER):

19. Rock, aye. Saperstein, aye. On that question the
20. ayes are 39. The nays are none. SB 1146 having received
21. the constitutional majority is declared passed. 1183.

22. SECRETARY:

23. SB 1183. (Secretary reads title of bill).
24. 3rd reading of the bill.

25. PRESIDING OFFICER (SENATOR WEAVER):

26. Senator Swinarski.

27. SENATOR SWINARSKI:

28. Mr. President, members of the Senate, the...bill by
29. the Department of Law Enforcement which is a request for
30. supplemental appropriation in the amount of \$25,000
31. administered by this Department to reimburse the local
32. law enforcement agencies primarily county sheriffs And
33. I ask a favorable roll call.

1. PRESIDING OFFICER (SENATOR WEAVER):

2. Is there any discussion? The question is shall
3. SB 1183 pass. And upon that question the Secretary
4. will call the roll.

5. SECRETARY:

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

16.
17. PRESIDING OFFICER (SENATOR WEAVER):

18. Hynes, aye. Dougherty, aye. Newhouse, aye.
19. Netsch, aye. Request to call the absentees. The
20. absentees will be called.

21. SECRETARY:

22. Bartulis, Bell, Berning, Clarke, Conolly, Davidson,
23. Fawell, Glass, Graham, Harber Hall, Keegan, Knuepfer,
24. Latherow, McBroom, Merritt, Mitchler, Howard Mohr, Don
25. Moore, Ozinga, Palmer, Regner, Roe, Savickas, Schaffer,
26. Scholl, Shapiro, Sommer, Soper, Sours, Walker, Mr. President.

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Senator Partee.

29. SENATOR PARTEE:

30. I don't know if Senator Swinarski moved to postpone
31. consideration?

32. PRESIDING OFFICER (SENATOR WEAVER):

33. Senator Swinarski.

SENATOR SWINARSKI:

1. I move to postpone consideration.

2. PRESIDING OFFICER (SENATOR WEAVER):

3. SB 1183 will be held on postponed consideration.

4. SB 288.

5. SECRETARY:

6. SB 288 (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDING OFFICER (SENATOR WEAVER):

9. Senator Course.

10. SENATOR COURSE:

11. Thank you, Mr. President, members of the Senate. It's
12. exactly as the Clerk read it provides the fiscal year
13. appropriation of 1973 of \$818,100 to the Liquor Control
14. Commission. I would appreciate your vote.

15. PRESIDING OFFICER (SENATOR WEAVER):

16. Is there any discussion? The question is shall
17. SB 288 pass? Upon that question the Secretary will call
18. the roll.

19. SECRETARY:

20. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
21. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
22. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
23. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
24. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
25. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
26. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
27. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
28. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
29. Weaver, Welsh, Wooten, Mr. President.

30. PRESIDING OFFICER (SENATOR WEAVER):

31. Dougherty, aye. Mohr, aye...Howard Mohr, aye. Bartulis,
32. aye. Savickas, aye. Soper, aye. Shapiro, aye. McBroom,
33. aye, Roe, aye. Carroll, aye. On that question the ayes

1. are 43. The nays 1. SB 288 having received the constitutional
2. majority is declared passed. House Bills, third reading.
3. HB 40, Senator Bartulis.

4. SECRETARY:

5. HB 40. (Secretary reads title of bill).
6. 3rd reading of the bill.

7. PRESIDING OFFICER (SENATOR WEAVER):

8. Senator Bartulis.

9. SENATOR BARTULIS:

10. Thank you Mr. President, members of the Senate. HB 40
11. amends Environmental Protection Act and provides that nothing
12. in the Act permits or authorizes the regulation of farming
13. operations relating to the growing and the production of grain
14. crops. And I would just like to...comment a little more on
15. an editorial by WGN I thought fits the picture very well. It
16. says farmers like other citizens appreciate clean air, clean
17. water, nutritional food and needed for farm safety but more
18. than that farmers depend on clean water, pollution free air
19. and good farm safety. Now we daresay farmers are more com-
20. mitted to these goals than most other citizens. But there is
21. a need to weigh more carefully the impact of regulation being
22. written by people who are insulated from the ballot box and
23. all too often insulated from experience with the industry
24. they regulate. Now farmers have a job to do and they must
25. produce even more food, more nutritional and if...consumers
26. are to be satisfied the food that can be bought at even
27. lower percentage of the take home pay than last year. Now
28. I know that's quite an order and that's why I'm asking for
29. a favorable roll call.

30. PRESIDING OFFICER (SENATOR WEAVER):

31. Is there any discussion? Senator Knuppel.

32. SENATOR KNUPPEL:

33. To the members on my side of the aisle, I say this is

1. one of the very best bills because of the recycling we're
2. going to have to do in years ahead to save metal and paper
3. materials out of which you make paper. There's a real
4. shortage of that...of those products. I would suggest a
5. favorable roll call also.

6. PRESIDING OFFICER (SENATOR WEAVER):

7. Senator Latherow.

8. SENATOR LATHEROW:

9. Well, Mr. President, members of the Senate I'd just
10. like to ...probably along with this bill to give you a little
11. sideline on what might be going on in the field of agriculture
12. with this great article called beef. Most of you have heard
13. the housewives complaining for several months about the high
14. price of beef. Beef today on the hoof, Gentlemen, and Ladies,
15. is selling for about \$47.00 a hundred on prime beef. Now back
16. when they started complaining about the price of beef and
17. about three months prior to that, corn on the Illinois market
18. was about \$1.25 a bushel and the supplement they fed those
19. cattle was about \$112 per ton costing the general run of those
20. in the production field about 23 to \$26 a hundred to produce
21. a hundred pounds of beef. Now what's happened just recently.
22. At that time, too, they were paying about 50 to 60¢ a pound
23. for a 400 pound calf. Now today at the price of corn at
24. \$2.54 a hundred these were the figures day before yesterday
25. and supplement that has increased from \$112 per ton to
26. \$250 per ton in this short six month period, that same farmer
27. is selling beef at \$47 a ton it's costing him 53 to \$57 per
28. ton per hundred to put it on. Let me just close in this
29. remark...this part in saying to you if you like prime beef
30. you better get hold of it right away 'cause these fellas are
31. going to start sending to the market what you call warmed up
32. beef and that housewife who's been complaining so long and
33. hard about the high price of beef will start hearing the hue
and cry that we can no longer buy good beef and they better

1. be thankful they can buy any. I just talked to a member
2. of the Senate here a minute ago who has disposed his entire
3. beef herd. Now mind you many people in the field of agriculture
4. are thinking and doing a lot of this right today. So anybody
5. complains to you about high beef you tell them they better be
6. in position to being thankful for the fact they can buy it
7. yet and hope there isn't an adjustment in prices so farmers
8. can afford to feed it, put it on the market as choice and
9. prime beef. This particular bill will aid the farmer in
10. putting in position where he may be able to have enough product
11. on the market to cause even the corn itself, the soybeans and
12. so forth to be in position to be even more competitive than it
13. is today when most all of the grain is out of the original hand.
14. Thank you Mr. President.

15. PRESIDING OFFICER (SENATOR WEAVER):

16. Senator Glass.

17. SENATOR GLASS:

18. Thank you Mr. President, I'm going to rise in opposition
19. to this bill and the next one also and oppose them as I did
20. in Committee...for the simple reason I do not believe we should
21. tie our Pollution Control Board to Federal standards. As I
22. understand this bill it would prohibit our Pollution Control
23. Board from regulating in excess of the Federal standards. I
24. think this is not a proper type of restriction for our Pollution
25. Control Board. I don't believe there's any need to curtail
26. their activities nor has there been demonstrated to me any
27. reason why in the field of agriculture they should be so limited.
28. ...I would also add that I was impressed by the fact that
29. Jim Frank has been added to the Illinois Environmental Protection
30. Agency specifically to represent the interest of agriculture
31. within that agency and made some, I thought, important points
32. before the Committee...one of them is that there are presently
33. no State environmental regulations in effect specifically re-
late to feedlot operations. No farmer has been fined or

1. forced out of business by the Illinois Pollution Control
2. Board as the result of an enforcement action against the
3. feedlot operation. And...I would just urge that this
4. series of bills not pass and tie Illinois to what the
5. Federal government may or may not do.

6. PRESIDING OFFICER (SENATOR WEAVER):

7. Is there further discussion? Senator Bartulis may
8. close debate.

9. SENATOR BARTULIS:

10. Well, what...one more question...Senator Glass. Brad,
11. how many farms are there in Northfield?

12. PRESIDING OFFICER (SENATOR WEAVER):

13. Senator Glass.

14. SENATOR GLASS:

15. Well, I...I can't speak for Northfield but I can speak
16. for Cook County. There's at least one, yeah, there's at
17. least one. But for Cook...I believe Cook County has more
18. farms than any other county.

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Senator Bartulis may close debate.

21. SENATOR BARTULIS:

22. I urge a favorable roll call.

23. PRESIDING OFFICER (SENATOR WEAVER):

24. The question is shall HB 40 pass. Upon that question
25. the Secretary will call the roll.

26. SECRETARY:

27. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
28. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
29. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
30. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
31. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
32. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
33. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,

1. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
2. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
3. Weaver, Welsh, Wooten, Mr. President.

4. PRESIDING OFFICER (SENATOR WEAVER):

5. Carroll, no. Hynes, no. Soper, aye. Request
6. for the absentees been made. The absentees will be called.

7. SECRETARY:

8. Chew, Clarke, Conolly, Course, Daley, Dougherty,
9. Keegan, Knuepfer, Don Moore, Newhouse, Nimrod, Partee,
10. Regner, Romano, Savickas, Scholl, Smith, Swinarski,
11. Mr. President.

12. PRESIDING OFFICER (SENATOR WEAVER):

13. Newhouse, aye. Chew, aye. Chew, no...changed his
14. mind. Newhouse, no. HB 40 has been requested to be put
15. on postponed consideration. HB 43, Senator Walker.

16. SECRETARY:

17. HB 43. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Senator Walker.

21. SENATOR WALKER:

22. ...Thank you, Mr. President, members of the Senate, I
23. think perhaps discretion might be the better part of valor
24. but I'm going to give 43 a whirl here. I just came from
25. the other side of the aisle trying to get Junie a 30th
26. vote on his bill and I heard the name Borchers mentioned
27. I only wish that more people in this General Assembly had
28. the intestinal fortitude of Webber Borchers. Naturally, I
29. would rather passed my own leaf burning bill but I call it
30. and played with a short deck. I'm going to try Borchers's
31. bill if you please with...still a short deck. I think it's
32. a good bill. I'll tell you people that may not quite under-
33. stand what it does, it returns the power to regulate and to
burn to the municipalities where it rightfully belongs.

1. For too long we've been centralizing here in Springfield
2. and legislating against our municipalities. HB 43 says that
3. you can burn leaves and if your municipality is opposed to
4. it and the mayor has guts enough and the board they can pass
5. an ordinance and prohibit it like the City of Chicago has
6. done. Downstate wants this legislation, municipalities of
7. 2500 or less can do it now. I don't know who picked that
8. magic figure. To me it doesn't mean a thing. If we want to
9. burn leaves in Lansing, I think, we should be entitled to it.
10. If Chicago Heights wants to burn leaves, if Glenwood wants
11. to burn leaves, if South Holland, I think they should be
12. entitled to it. And if they don't want to burn leaves, if
13. the people with these respiratory ailments as Senator
14. Wooten will speak at length, suddenly, oppose it, they can
15. go to the mayor and the mayor and the council can pass an
16. ordinance against it. It just returns the control over
17. leaf burning to where it belongs to the municipalities. A
18. quote from WIND, "A certain amount of common sense is a
19. magic ingredient in almost all activities and is particularly
20. valuable in government". I think this bill calls not for
21. opposition but to have a certain amount of common sense
22. applied to it. This is a people's bill as Senator Roe has
23. just reminded me. I don't have to tell you again of the as-
24. tronomical costs of burning leaves or not burning them but
25. disposing of them by hauling. City of Mattoon - I have letters
26. here from numerous municipalities that are in favor of this
27. bill. Takes them half the winter to haul away the fall leaves.
28. I'm not going to burden you any further but I would wish that
29. you would listen to the opponents and I don't know how you
30. listen when the jaundice died, but try it.

31. PRESIDING OFFICER (SENATOR WEAVER):

32. Senator Wooten.

33. SENATOR WOOTEN:

1. Thank you, Mr. President, I hope that red is not for
2. me already. I rise in opposition to this bill and I hasten
3. to assure Senator Walker that I do not rise in opposition
4. to the objective of this bill. The reason I have opposed
5. this bill as well as those which have gone before is be-
6. cause I think the suggested regulation changes put forth
7. by former Republican Representative Donald Henss meet the
8. problem in a more direct and satisfactory manner. They re-
9. tain needed flexibility that we must have in case the problem
10. gets out of hand. The great difficulty with applying...with
11. returning the power to local municipalities in my community,
12. we have about 13 separate municipalities and because of the
13. regrettable jealousies which are sometimes operating I doubt
14. that we can get all of those 13 to concur swiftly if we had
15. had a temperature inversion which is the single most serious
16. problem in dealing with open burning, with any matter re-
17. garding air pollution. If you return the authority to the
18. municipalities you make it unwieldy and impractical. If in-
19. stead you let this go and go with the Henss regulation changes
20. you will achieve the purpose of this bill without tying the
21. EPA's hands for those situations in which they need flexibili-
22. ty to meet a sudden emergency. It is for that reason that I
23. oppose the bill because I think the regulation changes are
24. more sound approach to the problem.

25. PRESIDING OFFICER (SENATOR WEAVER):

26. Senator McCarthy.

27. SENATOR MCCARTHY:

28. Yes, Mr. President, members of the Senate, I...I would
29. like to rise in support, repeat support, of this legislation.
30. I've looked at the bill, it's been explained but I think it
31. bears repetition and the bill provides that any political
32. subdivision can control the open burning of leaves, brush,
33. trees or any other natural vegetation, etc. That means that
if we pass this bill, any political subdivision still has the

1. control, doesn't change the ordinance of the City of Chicago.
2. Doesn't change the ordinance in any city or in any political
3. subdivision. And I think what Senator Walker said bears
4. repetition, Mr. President, that this is a people's bill. Let
5. me compare what we're trying to do for the people as opposed
6. to what we have done for special interests in this quest for
7. the pollution solution. In the last Session behalf of special
8. interest we passed HB 235, I believe the number was, which
9. allowed the State of Illinois to float industrial pollution
10. control bonds to build facilities, lease those facilities,
11. it could be an entire plant, to special interest groups such
12. as US Steel and gave to those people a tax benefit in the
13. fight against pollution. This Legislature decided that they
14. would give some break there to industry. They have not given
15. any break to the people who need to put on a emission control
16. devices on their car. Nobody's going to give them any break
17. and that's not the subject matter before us. But this leaf
18. burning ban cost every constituent in everybody's district
19. money. Those people have to go out and buy the bags for 6
20. for 98¢ if they wake up early on Monday morning to get out
21. to the drugstore at 11 o'clock when it opens on a special,
22. and the people actually cannot afford this. Some people of
23. aged when they are beyond the age of being able to exert
24. themselves physically have to hire yard people to come in and
25. do this onerous task and yet there's nothing by way of benefits
26. given to them. I just draw that as a comparison. The other
27. points have been raised. But politically this is a bill that
28. the people want. One that we should give to them because it
29. does not work...the purpose of pollution solution. And we do
30. have other alternative remedies ready that is if situations were
31. to develop and Senator Wooten is apprehensive legislature could
32. be brought into special Session. The matter could be reviewed at
33. the next Session of the Legislature, But my final word, Mr.

President, is this...

1. is that we of the Legislature know what the problem is
2. and it is our duty to legislate as opposed to this re-
3. gulation that's been imposed upon us. Thank you, I en-
4. courage an aye vote.

5. PRESIDING OFFICER (SENATOR WEAVER):

6. Any further discussion? Senator Walker...Senator
7. Merritt.

8. SENATOR MERRITT:

9. Mr. President, members of the Senate. Now, I'll be
10. very brief, but I rise in support of this legislation. I
11. think there are many that come from rural areas like my
12. district downstate where this is a real key issue. I've
13. had an hour's program on radio on open lines many times.
14. This is one of the hottest issues that seemingly that
15. people are real upset about. Now, you have many people,
16. elderly people, there's no other way for them to dispose
17. of their...leaves, brush and I think that it's a terrible
18. burden that we're placing up them. They take a great
19. pride in their property. They take great pride in
20. being able to rake those leaves out to the back alley
21. and perhaps visit over the fence with the neighbor.
22. I just happen to be one, maybe I'm too old, happen to
23. be one that remembers John McCutcheon's cartoon in the
24. Chicago Tribune of many years standing called Injun
25. Summer. Now, this isn't a situation that exist the entire
26. year around, we're talking about a month's period. Now
27. if it was so bad then I'm certain it would not have been
28. relaxed before to take it from a community of a thousand
29. up to twenty-five hundred. I think it should be left with
30. our local communities to govern themselves by local or-
31. dinance on this matter and that the State should not preempt
32. them, but to give them authority to do it where local
33. ordinance does not prohibit. I think this is good legis-
lation, it's the people's legislation and they're looking

1. for it.

2. PRESIDING OFFICER (SENATOR WEAVER):

3. Senator Walker may close debate.

4. SENATOR WALKER:

5. ...Thank you, Mr. President...I don't know whether
6. I should mention this or not but during the last campaign
7. the present Governor said that he didn't care how much
8. burning went on on the south forty. I know this from
9. my close association with the Illinois Municipal League
10. over a period of years that 95% of mayors are in favor
11. of this legislation. It returns it to local control,
12. I'm not going to burden you, I've talked to a number
13. of you, tried to commit as many as I could and I would
14. now appreciate a favorable vote.

15. PRESIDING OFFICER (SENATOR WEAVER):

16. The question is shall HB 43 pass. And upon that
17. question the Secretary will call the roll.

18. SECRETARY:

19. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
20. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
21. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
22. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
23. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
24. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
25. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
26. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
27. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
28. Weaver, Welsh, Wooten, Mr. President.

29. PRESIDING OFFICER (SENATOR WEAVER):

30. On that question the ayes are 33. The nays are 10.
31. HB 43 having received a constitutional majority is declared
32. passed. Senator McCarthy moves to reconsider. Senator
33. Merritt moves to Table. All in favor...Tabling signify

1. by saying aye. Opposed, nay. Motion carries.

2. Senator Latherow, 55.

3. SECRETARY:

4. Sen...HB 55. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDING OFFICER (SENATOR WEAVER):

7. Senator Latherow.

8. SENATOR LATHEROW:

9. Mr. President, members of the Senate, HB 55 permits
10. the hearing date to be set within 20 days after receiving
11. a request and then it's to be heard on a date soon thereafter.

12. We've put an amendment on this bill that...that also
13. agreed to the fact the evidence should be taken and that
14. the driver has the opportunity to have counsel of his
15. own choosing. This is...supported by the Secretary of
16. State's office. I'd appreciate a favorable roll call.

17. PRESIDING OFFICER (SENATOR WEAVER):

18. Is there any discussion? The question is, shall
19. HB 55 pass. And upon that question the Secretary will
20. call the roll.

21. SECRETARY:

22. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
23. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
24. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
25. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
26. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
27. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
28. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
29. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
30. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
31. Weaver, Welsh, Wooten, Mr. President.

32.

33. PRESIDING OFFICER (SENATOR WEAVER):

1. Savickas, aye. Nimrod, aye. Carroll, aye. Buzbee,
2. aye. Glass, aye. On that question the ayes are 44. The
3. nays are none. HB 55 having received a constitutional
4. majority is declared passed. 56, Senator Course.

5. SECRETARY:

6. HB 56. (Secretary reads title of bill).

7. 3rd reading of the bill.

8. PRESIDING OFFICER (SENATOR WEAVER):

9. Senator Course.

10. SENATOR COURSE:

11. Thank you, Mr. President, members of the Senate. HB
12. 56 amends the Illinois Vehicle Code. It provides that a
13. vehicle owner not be required to display on his vehicle
14. a plate or tax or license number issued by the city,
15. village or town of his residence if his vehicle is
16. displaying a corresponding item issued by the place where
17. his residence has situs or base, now, now, the best way to
18. explain this Ladies and Gentlemen is like this: if I
19. live in the City of Chicago and...one of the high-rise
20. on the lake front and I have a trucking business and my
21. terminal is located in Park Ridge, or DesPlaines or one
22. of those places, and the City of DesPlaines has a wheel
23. tax it means that the City of Chicago cannot impose a
24. wheel tax upon these...the number of vehicles that I
25. have in another site outside the City of Chicago. Now...
26. it is the practice of the present time that the municipalities
27. do not...levy taxes when an owner lives outside the
28. municipality. What this is for is a foreign corporation.
29. Now lately they...the City of Chicago, the City of DesPlaines, or
30. the City of Park Ridge, cannot impose a wheel...vehicle tax
31. or wheel tax on...say Shell Oil Company because Shell Oil
32. Company is a foreign corporation. They do it and there is
33. ...never been anything said about it. This will make it
legal. I'll try to answer any questions if there are any.

1. PRESIDING OFFICER (SENATOR WEAVER):
2. Is there any question...is there any discussion?
3. Senator Glass.
4. SENATOR GLASS:
5. Senator Course would this require a vehicle to have
6. a...sticker or...pay a tax in more than one municipality.
7. PRESIDING OFFICER (SENATOR WEAVER):
8. Senator Course.
9. SENATOR COURSE:
10. NO, it does not. This prohibits that.
11. PRESIDING OFFICER (SENATOR WEAVER):
12. Is there further discussion? The question is shall
13. SB 56 pass. Upon that question the Secretary will call the
14. roll.
15. SECRETARY:
16. Bartulis, Bell, Berning, Brupe, Buzbee, Carroll,
17. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
18. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
19. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
20. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
21. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
22. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
23. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
24. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
25. Weaver, Welsh, Wooten, Mr. President.
26. PRESIDING OFFICER (SENATOR WEAVER):
27. Shapiro, aye. On that question the ayes are 45. The
28. nays are none. HB 56 having received a constitutional
29. majority is declared passed. 59.
30. SECRETARY:
31. HB 59. (Secretary reads title of bill).
32. 3rd reading of the bill.
33. PRESIDING OFFICER (SENATOR WEAVER):

1. Senator Latherow.

2. SENATOR LATHEROW:

3. Mr. President, members of the Senate, this is a
4. bill that is recommended by the Secretary of State's
5. office to make a Illinois law to conform with the
6. Federal Court decision. There has been a decision on
7. an Arizona case and then we...the Secretary came up
8. with this legislation and since that time the Federal
9. Appeals Court of Chicago has already issued an order
10. requiring that Secretary of States conform to that
11. decision. I appreciate a favorable roll call.

12. PRESIDING OFFICER (SENATOR WEAVER):

13. Is there any discussion? The question is shall
14. HB 59 pass. Upon that question the Secretary will
15. call the roll.

16. SECRETARY:

17. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
18. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
19. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
20. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
21. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
22. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
23. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
24. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
25. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
26. Weaver, Welsh, Wooten, Mr. President.

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Senator Saperstein, aye. Roe, aye. Swinarski, aye.
29. Daley, aye. On that question the ayes are 44. And the nays
30. are none. HB 59 having received a constitutional majority
31. is declared passed. 62. Senator Berning.

32. SECRETARY:

33. HB 62. (Secretary reads title of bill).
3rd reading of the bill.

1. PRESIDING OFFICER (SENATOR WEAVER):

2. Senator Berning.

3. SENATOR BERNING:

4. Mr. President, members of the Body, this is a Motor
5. Vehicle Laws Study Commission bill. It is identical to SB
6. 124 which passed here earlier. There has been amendments
7. that have taken care of any...loose ends. I know of no op-
8. position at this point and I would solicit a favorable roll
9. call.

10. PRESIDING OFFICER (SENATOR WEAVER):

11. Is there any discussion? The question is, shall
12. HB 62 pass. And upon that question the Secretary will
13. call the roll.

14. SECRETARY:

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

25. PRESIDING OFFICER (SENATOR MOHR):

26. On that question the yeas are 36. The nays are 2.
27. SB...or HB 62 having received a constitutional majority is
28. declared passed. Senate Bills, or House Bills 63.

29. SENATOR BERNING.

30. SECRETARY:

31. HB 63. (Secretary reads title of bill)
32. 3rd reading of the bill.

33.

1. PRESIDING OFFICER (SENATOR MOHR):

2. Senator Berning.

3. SENATOR BERNING:

4. This is somewhat of a companion bill. Is again a
5. Motor Vehicle Laws Commission measure. Provides for the
6. tow truck operators who operate for hire units to obtain
7. a certificate issued by the Illinois Commerce Commission
8. and further provides evaluation standards for the
9. applicants and indemnity bond or insurance requirements
10. for these operators. Does exempt those tow trucks for
11. hire operations regulated by a home rule county. Again,
12. again in this instance...the measure has been amended to
13. meet all objections so far as I know. Came out of the
14. Transportation Committee unanimously. I...know of no
15. objection, I would appreciate a favorable roll call. Will
16. attempt to answer questions if there are...

17. PRESIDING OFFICER (SENATOR MOHR):

18. Senator Bruce.

19. SENATOR BRUCE:

20. Well, Senator Berning, I just have the question that
21. under the exemption in I of paragraph I of page 2 it seems
22. to exclude almost everyone and if we're going to exclude
23. everyone...what's the purpose for the bill? You exclude
24. anyone who...who either pushes or tows a..disabled or
25. damaged vehicle to his place of business for repair or
26. service. Now that...that would include almost every
27. towed vehicle and then you exclude if that doesn't cover
28. everything, then you exclude everyone in home rule counties
29. or home rule municipalities. If we're going to do that
30. it seems that the Commerce Commission is going to do al-
31. most nothing in the way... The only person that's going
32. to be required to get a Commission certificate will be
33. the fellow who is not smart enough to realize that if he

1. says, say when I pick up your car I'm going to repair one
2. of your spark plugs or tighten up one of the lugbolts or
3. something, he's the only dummy who's going to have to get
4. the certificate, everybody else is going to be home free.
5. It just doesn't seem to make any sense to pass the bill
6. with that broad of an exemption.

7. PRESIDING OFFICER (SENATOR MOHR):

8. Senator Berning.

9. SENATOR BERNING:

10. I'm not sure that I got all of the questions involved
11. in that conversation but let me repeat that the regulation
12. is for certain for hire operations by tow trucks under
13. the Illinois Commerce Commission required so as to provide
14. for effective rate regulation. There have been numerous
15. stories recently of...of abuses and overcharges by tow
16. truck operators. There are...these articles and stories
17. about overcharges in local papers particularly in the
18. Chicago area one Mike Royko has been one of those who has
19. been most indignant. Under this bill the regulation can
20. be affected by the County of Cook or the City of Chicago
21. and if they take no action then the Illinois Commerce
22. Commission can take action. I believe this is the full
23. thrust of the measure to allow the Commerce Commission
24. to act.

25. PRESIDING OFFICER (SENATOR MOHR):

26. Senator Bartulis.

27. SENATOR BARTULIS:

28. ...Senator Berning, did they not have a regulation
29. of this sort with the Commerce Commission before?

30. PRESIDING OFFICER (SENATOR MOHR):

31. Senator Berning.

32. SENATOR BERNING:

33. Not to my knowledge and I must admit to you that this
is a field that is not the best known to me. I took this

1. measure along with the first one because they are some-
2. what in the same vein. As I indicated to you it's a
3. Motor Vehicle Laws Study Commission bill and...came out
4. of the Transportation Committee unanimously. That, to
5. me, was the endorsement that I needed.

6. PRESIDING OFFICER (SENATOR MOHR):

7. Senator Bartulis.

8. SENATOR BARTULIS:

9. Well, for your information some years ago the
10. Commerce Commission had such regulations. And I must
11. say, I, myself, had a grandfather's permit but through
12. the strongarm of the Chicago Motor Club and a few others
13. they had this bill...I mean they had it abolished. And
14. therefore, I cannot see any reason for this bill at this
15. time. Only for the big reason and I...I think it is a
16. good one that tow truck operators of all sorts have the
17. proper insurance. Other than that I think it's a bad bill.

18. PRESIDING OFFICER (SENATOR MOHR):

19. Senator Wooten.

20. SENATOR WOOTEN:

21. Yes. A question to the sponsor. I notice that
22. proof of tow truck service since July 29, 1963 shall not
23. be required in some cases and shall be required in others.
24. What is the distinction between those two and why do you
25. make that distinction?

26. PRESIDING OFFICER (SENATOR MOHR):

27. Senator Berning.

28. SENATOR BERNING:

29. I'm sorry I didn't get the specific section you're
30. referring to.

31. PRESIDING OFFICER (SENATOR MOHR):

32. Senator Wooten.

33. SENATOR WOOTEN:

1. It's on page 3 under section 18-301.1. It says
2. proof of tow truck service since July 29, 1963 shall
3. not be required. The next paragraph, proof of tow
4. truck service since July 29, 1963 shall be required.
5. Why do you require it in one case and not in another
6. and what's the distinction between those cases?

7. PRESIDING OFFICER (SENATOR MOHR):

8. Senator Berning.

9. SENATOR BERNING:

10. According to the information furnished me this is
11. to accommodate certain grandfather rights. Persons who
12. had certificates from the Illinois Commerce Commission
13. on or before July 29th, 1963 can apply for a renewal
14. of the certificate. Persons with bonafide for hire
15. operations since July 29th, 1963 and prior to July 1,
16. 1972 can apply for operations within municipal zones.
17. Grandfather rights required due to repeal of prior law
18. regulating all tow truck operations for Illinois
19. Commerce Commission 1963 act effective July 29th, 1963.
20. There apparently is a difference between all tow truck
21. operations and tow trucks for hire.

22. PRESIDING OFFICER (SENATOR MOHR):

23. Senator Wooten.

24. SENATOR WOOTEN:

25. Well, as I read it I think the distinction is...for
26. those who operate within a municipality or the commercial
27. zone thereof. But why do you make a distinction between
28. those who operate within a municipality requiring proof
29. of tow truck service and in those outside of municipality
30. you do not require proof of tow truck service and these
31. ...in this particular application of the grandfather clause.

32. PRESIDING OFFICER (SENATOR MOHR):

33. Senator Berning.

1. SENATOR BERNING:

2. I would defer to Senator Course if he is on the
3. Floor. He, I believe, is much more informed on the intent, the
4. impact and the necessity of this measure. More than that
5. I can...more than what I have given you I can not. I am
6. not a member of the Motor Vehicle Laws Study Commission
7. nor am I an expert on tow trucks. I was interested,
8. primarily, in the previous measure and as I said this
9. was given to me as a companion bill.

10. PRESIDING OFFICER (SENATOR MOHR):

11. Any further discussion? ...Senator Bruce.

12. SENATOR BRUCE:

13. Well, my...my first question to Senator Berning was,
14. under paragraph I, under the exemption part of the bill on
15. page 2 it seems to exempt everyone who is going to tow or
16. push a vehicle in his place of business for service or
17. repair and it seems to exclude almost everyone from the
18. act as drafted. And if you do that then what is the
19. purpose of having the legislation?

20. PRESIDING OFFICER (SENATOR MOHR):

21. Senator Berning.

22. SENATOR BERNING:

23. You're talking about an individual owner's operation.
24. There are manifold uses for tow trucks. I need only remind
25. you of the movement of the mobile home unit down the highways
26. by a tow truck. Now in my...in my opinion this then is the
27. kind of operation that the Commerce Commission regulation
28. would apply to. Whereas not for the little garage operator
29. who suddenly gets a call from his neighbor that he has
30. a flat tire, please come out and get me. That's the
31. reason for the exemption.

32. PRESIDING OFFICER (SENATOR MOHR):

33. Senator Bruce.

1. SENATOR BRUCE:

2. The...the question is, who will it cover? Since
3. you exempt everyone in home rule counties, municipalities
4. and then you exempt anyone who pulls a vehicle in for
5. repair or service. Now...who else could possibly be
6. involved once you've exempted all those people.

7. PRESIDING OFFICER (SENATOR MOHR):

8. Senator Berning.

9. SENATOR BERNING:

10. Well, I'm the first one to agree that the home rule
11. amendment is probably the most...indefensible amendment.
12. However, there...still are a great many businesses located
13. in the unincorporated areas in non-home rule counties or
14. in non-home rule municipalities outside of a home rule
15. county. As I understand it there is no regulation now
16. required of them, that's what this bill seeks to correct.

17. PRESIDING OFFICER (SENATOR MOHR):

18. Any further discussion? The question is shall HB 63
19. pass and on that question the Secretary will call the roll.

20. SECRETARY:

21. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
22. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
23. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
24. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
25. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
26. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
27. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
28. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
29. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
30. Weaver, Welsh, Wooten, Mr. President.

31. PRESIDING OFFICER (SENATOR MOHR):

32. Senator Berning.

33. SENATOR BERNING:

1. Mr. President, I admit the inadequacy of my presentation.
2. Let me remind those of you who were not impressed by my pre-
3. sentation that Peter Pappas of the Secretary of State's
4. Office and Motor Vehicle Laws Commission is interested in
5. this. And in deference to the Commission and to Mr. Pappas
6. I would respectfully request that the measure be put on post-
7. poned consideration so that perhaps, perhaps we can answer
8. those unanswered questions.

9. PRESIDING OFFICER (SENATOR MOHR):

10. The sponsor...of HB 63, Senator Berning, has requested
11. that that bill be placed on postponed consideration. Leave
12. is granted. HB 1928, Senator Saperstein.

13. SECRETARY:

14. HB 1928. (Secretary reads title of bill).
15. 3rd reading of the bill.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Senator Saperstein.

18. SENATOR SAPERSTEIN:

19. ...Thank you, Mr. President and Ladies and Gentlemen
20. of the Senate. 1928 is a bill that was moved to second
21. reading without reference to committee because...the bill
22. had a thorough reading by both parties and both staffing.

23. PRESIDING OFFICER (SENATOR MOHR):

24. Any further discussion? The question is, shall HB 1928
25. pass? And on that question the Secretary will call the roll.

26. SECRETARY:

27. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
28. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
29. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
30. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
31. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
32. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
33. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,

1. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
2. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
3. Weaver, Welsh, Wooten, Mr. President.

4. PRESIDING OFFICER (SENATOR MOHR):

5. Bartulis, aye. Harber Hall, aye. Newhouse, aye.
6. Swinarski, aye. Berning, aye. Roe, aye. Partee, aye.
7. On that question yeas are 50. The nays are none. HB 1928
8. having received the constitutional majority is declared
9. passed. HB 122, Senator Dougherty.

10. SECRETARY:

11. HB 122 (Secretary reads title of bill).
12. 3rd reading of the bill.

13. PRESIDING OFFICER (SENATOR MOHR):

14. Senator Dougherty.

15. SENATOR DOUGHERTY:

16. Members of the Senate, HB 122 amend the frame and
17. lens act, it provides that the...all eyeglasses sold for
18. use shall meet specific safety standards. That the frames
19. themselves ...must be of...inflammable material. The
20. test devised to make test of these glasses are rather
21. rigid and they follow the Federal standards. In other
22. words, really, what we're doing now in passing this bill
23. is following the standards that were set by the...Federal
24. agency. It provides that the Department of Health will
25. supervise and it provides for minor penalties for violation.
26. I ask for a favorable roll call.

27. PRESIDING OFFICER (SENATOR MOHR):

28. Any further discussion? The question is, shall HB 122
29. pass. And on that question the Secretary will call the roll.

30. SECRETARY:

31. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
32. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
33. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth

1. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
2. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
3. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
4. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
5. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
6. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
7. Weaver, Welsh, Wooten, Mr. President.

8. PRESIDING OFFICER (SENATOR MOHR):

9. Hynes, aye. Graham, aye. Newhouse, aye. On that
10. question the yeas are 43. The nays are none. HB 122
11. having received a constitutional majority declared passed.
12. HB 128, Senator Latherow.

13. ACTING SECRETARY (MR. WRIGHT):

14. HB 128. (Secretary reads title of bill).
15. 3rd reading of the bill.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Senator Latherow.

18. SENATOR LATHEROW:

19. Mr. President, members of the Senate, this is a bill
20. that will allow the collection of sales tax on properties
21. that are extracted from the ground to be collected at the
22. point of extraction otherwise the extraction of the minerals.
23. This is...was quite an aid to counties where considerable bit
24. amount of mining is going on, both coals and other minerals.
25. I think it's a real good bill for the counties affected,
26. municipals, took that may be affected in the area.

27. PRESIDING OFFICER (SENATOR MOHR):

28. Senator Rock.

29. SENATOR ROCK:

30. Yes, Mr. President, Ladies and Gentlemen of the Senate.
31. I rise in opposition to HB 128 this was the bill you will
32. recall that I attempted to amend the other day when it was
33. on second reading. My amendment was a very simple one and
followed the same theory as does the bill. My amendment
would have allowed a retail sale by a manufacturer

1. to come under the provisions of this Act, at the point
2. where the product is manufactured. This bill is very
3. costly to certain areas of the State and I can appreciate
4. the problem that certain downstate counties do have. But
5. I don't think we should start attempting to solve those
6. kinds of problems by legislation that is bad in theory.
7. This is a terrible theory. We are taking money from one local
8. unit of government and transferring it just carte blanche
9. to another local unit of government. This will cost the
10. County of Cook approximately four million dollars annually.
11. And I rise in opposition to HB 128.

12. PRESIDING OFFICER (SENATOR MOHR):

13. Senator Graham.

14. SENATOR GRAHAM:

15. Mr. President and members of the Senate, this bill
16. is a relatively simple bill. If you, members of the Senate,
17. have any experience or have had experience with coal mining
18. areas in particular in downstate counties. What has happened
19. to those areas in the past is one of the sins on the society
20. of the State of Illinois. We have gone in and extracted
21. from those municipalities and from those areas these min-
22. erals and other products and have left them. Abandoned our
23. responsibilities and all we expected to do to them in the
24. first place was to furnish a bunch of cheap housing for
25. these people to live in and take away from them their mineral
26. rights and so forth. I disagree with my colleague on the
27. other side of the aisle and I realize that this might be
28. some imposition on the County of Cook, but my God people,
29. it's been a great imposition on downstate counties for a
30. long, long time and I think it's time that we pay our share.
31. And I ask for a favorable consideration of this bill.

32. PRESIDING OFFICER (SENATOR MOHR):

33. Any further discussion? Senator Latherow may...

1. Senator Fawell.

2. SENATOR FAWELL:

3. May I ask Senator Latherow what I've been trying
4. to read this bill hurriedly - where...where is the tax now
5. placed? ...There's something in here about it being
6. placed where the mineral mined in Illinois is placed on
7. board a coal car or other conveyance for delivery so that
8. it apparently isn't at the place of sale, even under ex-
9. isting laws. Is that correct?

10. PRESIDING OFFICER (SENATOR MOHR):

11. Senator Latherow.

12. SENATOR LATHEROW:

13. ...I don't think I heard you too well...but say...
14. just presently it is being taxed at the point of retail
15. sales. And now this would be at the point where it is ex-
16. tracted from the grounds where...where this would...be taxed
17. under the present legislation. ...under this legislation,
18. I mean, not the...present law.

19. PRESIDING OFFICER (SENATOR MOHR):

20. Senator Fawell.

21. SENATOR FAWELL:

22. The...reason I've asked on page 4 and line 14 it states
23. for the purpose of determining the local governmental
24. unit whose tax is applicable a retail sale. Now, I'm
25. quoting the law as it is right. Now, a retail sale of coal
26. or other mineral mined in Illinois is a sale at retail at the
27. place where the coal or other mineral mined in Illinois is
28. placed on board a coal car or other conveyance for delivery
29. to the...to the purchased, which would seem to be saying that
30. ...beginning on line 14 that there isn't too much of a de-
31. parture. Therefore it would seem to me that...

32. PRESIDING OFFICER (SENATOR MOHR):

33. Senator Latherow.

1. SENATOR LATHEROW:

2. It doesn't quite agree and mine reads...is a sale
3. at retail at the place where the coal or other minerals
4. mined in Illinois is extracted from the earth. Is that
5. what yours says?

6. PRESIDING OFFICER (SENATOR MOHR):

7. Senator Fawell.

8. SDNATOR FAWELL:

9. Excuse me, I didn't get your question now, I was
10. again reading.

11. PRESIDING OFFICER (SENATOR MOHR):

12. Senator Knuppel would like to help you with that
13. question, Senator Latherow. If you would permit him to answer?

14. SENATOR KNUPPEL:

15. I don't...I don't know whether the bill does it but
16. as I understand it at the present time there are many coal
17. companies that are...have their situs outside the State
18. of Illinois and at the present time they collect tax on
19. those sales in the county where the coal is mined but where
20. the sale takes place in the State of Illinois the...taxes
21. collected at the point of the contract which is most often
22. in some larger city but if the sale of the coal company has
23. gone to St. Louis or Pittsburgh the counties are presently
24. getting that sales tax.

25. PRESIDING OFFICER (SENATOR MOHR):

26. Senator Sours.

27. SENATOR SOURS:

28. I think, Mr. President, Senators, as a practical matter
29. the coal is generally taxed at destination. Now, much of this
30. coal, for example, may be mined in Southern Illinois and sent
31. to Decatur and there is where the tax is paid. Or even a
32. stronger case, it goes to Consolidated Edison in Chicago and...
33. that's where it's paid. And, in other words, the site where

1. the coal is mined...is on the limb in either event whether
2. it's destination or where the order is given or where the
3. order is accepted. At least the site doesn't get the
4. benefit of it.

5. PRESIDING OFFICER (SENATOR MOHR):

6. Senator Savickas.

7. SENATOR SAVICKAS:

8. Mr. President, members of the Senate, this bill is
9. just moving the ROT tax from, as Senator Sours says, the
10. site. That the people downstate were concerned about re-
11. ceiving the monies from the mining that they should have
12. a land tax on it-a mining tax-because these are ROT sales and
13. as any other sale would be would be at the site...Of its
14. final destination, its final sale. And I think if we
15. set a precedent here of say constructing a piece of merchandize
16. in one county, selling it in another and yet the county where
17. it was constructed is going to receive the retail occupational
18. tax on it, I think the whole structure of our tax system can
19. go down the drain. It's a bad precedent to set...for many
20. reasons. One as Senator Rock has stated it...it's discrim-
21. ination against some of the counties that will lose very
22. heavily, financially, from this type of precedent of again
23. taxing where it manufactured not where it's sold, the whole
24. retailers occupational tax structure would have to be
25. changed. This is a bad bill.

26. PRESIDING OFFICER (SENATOR MOHR):

27. Senator Johns.

28. SENATOR JOHNS:

29. I rise in support of this bill. I think that the coal
30. mining industry, any extraction industry leaves with it many
31. scars in the counties where extraction takes place. Have a
32. great deal of pollution. Have a great deal of loss of plant
33. life, wildlife. Have many abandoned strip mines in our area.

1. We have roads that are torn up that need to be repaired, that
2. are left to the counties to repair them. We need this
3. money. I fought for it last year. I had the bill amended
4. and then failed to move out of Committee. But I urge each
5. and everyone of you to give very, very serious consideration
6. to the fact that again each of our counties downstate are
7. in dire need of this revenue and I feel it's just. I would
8. appreciate your support.

9. PRESIDING OFFICER (SENATOR MOHR):

10. Senator Harber Hall.

11. SENATOR HARBER HALL:

12. Well, I also support this bill and I just like to point
13. out one of the actual transactions that occur that I think
14. makes this a reasonable bill and one that would not affect
15. any other type of retailing. To the matter of practical
16. fact companies using huge amounts of coal-for example XYZ
17. utility company-just picks up the phone and calls the coal
18. company in southern Illinois and says send me so many hundred
19. tons of coal and...they-in other words they call directly
20. down there. The very fact that some coal company has an
21. office in Chicago and has up till now claimed the sale of
22. that coal doesn't change the fact that the transactions are
23. made directly and could properly come under the purview of
24. this law and...the sales tax should be apportioned on that
25. basis. I...I think it's a good bill and certainly would
26. help the people who...mine this coal and would give them
27. some needed assistance.

28. PRESIDING OFFICER (SENATOR MOHR):

29. Senator Knuppel.

30. SENATOR KNUPPEL:

31. Mr. President and members of this Body. This is a
32. realistic approach to a difficult problem. Where this coal
33. and minerals is extracted the tax base is eroded not for

1. part of the time but forever and the comparison with the
2. manufacturing industry is not accurate nor is it...is it
3. analogous because in the manufacturing industry it is a
4. place where raw materials come in, is assembled and it
5. goes out. And all I can say there are jobs there, there
6. is industry and the tax base is increased. Now, for
7. example, let's take my own district, coal is mined...

8. PRESIDING OFFICER (SENATOR MOHR):

9. For what purpose does Senator Savickas rise?

10. SENATOR SAVICKAS:

11. Point of...point of information. How many times
12. are we allowed to speak on a bill. I thought it was only
13. one time.

14. PRESIDING OFFICER (SENATOR MOHR):

15. That is correct. It is one time, Senator, I gave
16. Senator Knuppel permission to assist Senator Latherow in
17. answering a question, so we'll let him...

18. SENATOR SAVICKAS:

19. It's not right, now he...he got up to speak before
20. on it.

21. PRESIDING OFFICER (SENATOR MOHR):

22. He...I'll...I'll rule that I had given him permission
23. to help Senator Latherow in answering his question. Continue
24. and conclude, please.

25. SENATOR KNUPPEL:

26. What happens they dig the coal out of one of these
27. counties and they take it someplace else that...the county
28. has a depleted tax base. The county where it goes they
29. build a large power plant, they have an increase tax base
30. from the real estate and personal property taxes if it's
31. a corporation. There's no way in the world that you can
32. do anything but leave a poor county where you extract
33. all the minerals, take them somewhere else and the best that
you can do is pay that sales tax where it's taken out. It's

1. a...a pure transitory transaction to say that you're going
2. to take one end of the telephone line and put the tax there
3. when in fact...when in fact it's the other county that's
4. losing its wealth, its tax base, its roads and necessary
5. other supporting facilities to maintain that mining operation.
6. This is good law. It's realistic. It puts the tax money
7. where it ought to go and it assesses the tax where it ought
8. to be. This is the best kind of tax. Tax should follow
9. ...the burden of tax should follow the benefit and vice
10. versa. This is where the sales tax should go because
11. this is where the wealth is depleted, it's forever, that
12. county is left in poverty for those minerals that are gone.

13. PRESIDING OFFICER (SENATOR MOHR):

14. Senator Course.

15. SENATOR COURSE:

16. Thanks, Mr. President, members of the Senate. The
17. questions that arise in my mind are one, what about gravel
18. and sand? Now gravel we have to take gravel from a gravel pit
19. but sand...a lot of sand is sucked off the bottom of a lake
20. and what do we do in a case like that? Who do we pay the
21. tax to in that case?

22. PRESIDING OFFICER (SENATOR MOHR):

23. Senator Latherow.

24. SENATOR COURSE:

25. Senator Latherow could you answer that?

26. SENATOR LATHEROW:

27. ...They...Senator, according to this bill it would be
28. at the point of extraction.

29. PRESIDING OFFICER (SENATOR MOHR):

30. Senator Course.

31. SENATOR COURSE:

32. Supposing it's...in New Buffalo that's where a lot
33. of sand is sucked off...they have a lot of sand suckers and...

1. it's going to the City of Chicago. Do we have to pay the
2. State of Indiana? The occupational tax?

3. PRESIDING OFFICER (SENATOR MOHR):

4. Senator Latherow.

5. SENATOR LATHEROW:

6. I didn't understand where you said, suppose it was
7. where?

8. SENATOR COURSE:

9. New Buffalo, Michigan.

10. SENATOR LATHEROW:

11. That's...Michigan...that'd be...problem.

12. SENATOR COURSE:

13. I'm sorry, not Indiana, Michigan. So what do we do
14. in a case like that? Who do...to whom do we pay the
15. occupational tax then? Or who collects it then?

16. SENATOR LATHEROW:

17. That's Michigan's problem, if I understand your
18. question.

19. SENATOR COURSE:

20. ...It could...may wind up being our problem, Senator
21. Latherow, that's what I'm concerned of.

22. PRESIDING OFFICER (SENATOR MOHR):

23. Senator Schaffer.

24. SENATOR SCHAFFER:

25. Well, I just wanted to rise in support of this bill.
26. It does affect sand and gravel and that affects my district
27. greatly. Quite frankly...Senator Knuppel has pointed out
28. we have had valuable farm land reduced to waste land which
29. affects our tax base, we get our reads chewed up by those
30. big trucks. We get the broken windshields...and we don't
31. even get the sales tax let alone a gravel tax and I suspect
32. that if...if a grant...a mineral extraction tax bill came
33. through here there would be very little support from those

1. people who oppose this bill for it.

2. PRESIDING OFFICER (SENATOR MOHR):

3. Senator Dougherty.

4. SENATOR DOUGHERTY:

5. Mr. President, members of the Senate, directing the
6. attention of the members of the Senate, the bill of this
7. nature was defeated in Committee some couple of months
8. ago. I would like to direct the attention of the Senate
9. to the fact it's been mentioned that much of this coal is con-
10. sumed in the area of Cook County particularly in Chicago. As a
11. matter of fact there's a mine down here in Kincaid I believe
12. where some hundred and fifty cars of coal every other day are
13. purchased by the Commonwealth Edison Company and used by the
14. Commonwealth Edidson Company. And you must also bear in mind this,
15. that the City of Chicago has a very strict pollution ordinance
16. and you...ordinance regarding the use of high sulphur coal,
17. In order to enforce that they must expend millions of dollars
18. in tax money in order to provide that the rules and the
19. laws are obeyed under the EPA. So if we're going to deprive
20. them of the revenue to...to regulate this high sulphur coal
21. how in the name of God are they going to operate if they
22. don't get some wherewithal to do it? This is one method
23. of doing it. Now this bill provides that there is nothing
24. to stop them from getting the tax from...a direct retailer
25. but this has been done by a telephone call or something
26. else. It's not as simple as all of that. These are contracts
27. are entered into between the mining corporation and the user
28. in the area where...shipped to. This is, I would direct the
29. attention of many people who have...municipal power plants,
30. they, too, must pay for the coal and to have it revert back
31. to the area where it is produced, sales tax is double taxa-
32. tion to some extent. I'm very sorry to oppose Senator Latherow
33. on...fellow on...from down southern Illinois where the coal

1. is produced but we live in the communities that are
2. forced to obey the EPA REGULATIONS plus the necessity
3. to find some means of paying for this EPA regulation.
4. And part of these sums are produced by the fact we collect
5. the ROT on coal that is consumed in the area of Cook County.

6. PRESIDING OFFICER (SENATOR MOHR):

7. Senator Glass:

8. SENATOR GLASS:

9. Well, Mr...Mr. President, I'm rising in support of
10. this bill and I just wonder if the membership has noticed
11. what it is that is being stricken here...lines 24 through
12. 29 are the lines that are being taken out and that is the
13. proviso that's now in the bill which gives municipalities
14. the right to levy and collect this...ROT. In other words,
15. I would judge from reading the bill as originally drafted
16. the intention was to tax the coal where it was placed on
17. a coal car or other conveyance for delivery to the pur-
18. chaser and to get around that...this proviso apparently
19. was added where the coal is shipped to a municipality...
20. which has the municipal retailers occupation tax, then
21. the seller incurs the tax to the municipalities. Seems
22. like it was a special legislation to provide where a
23. municipality had...ROT they could collect the tax and I
24. think that's a bad proviso and...and probably was an
25. exception to the original bill. It just makes it clear
26. that...the place of extraction is where it should be collected
27. and I would urge support of the bill.

28. PRESIDING OFFICER (SENATOR MOHR):

29. Senator Buzbee.

30. SENATOR BUZBEE:

31. Thank you, Mr. President. Mr. President, I have the
32. largest coal producing county in the State in my district.
33. I just want the record to show my strong support of this bill.

1. PRESIDING OFFICER (SENATOR MOHR):

2. ...If I might make an observation...Senator Latherow
3. which I don't necessarily like to do from up on the podium, but
4. I would...I would say that we would have a problem of opening
5. the door to other such...enterprises doing the same thing.
6. For example, the automobile manufacturers, Chrysler and Ford
7. in the State of Illinois. The mobile homes. And point out,
8. too, that you talk about all the bad things that...the...
9. happen to the mining areas, I would suggest that there are
10. a number of jobs and other benefits that these communities
11. do receive. There any further discussion? Senator Latherow
12. may close debate.

13. SENATOR LATHEROW:

14. Mr. President, I would like to call to your attention
15. and others that this does not affect manufactured goods,
16. that this is affecting the raw product. The product that
17. is being mined and taken from the ground and will put that
18. ground forever in a less valuable position. No longer will
19. that particular property that has been mined and the coal
20. for instance is removed or other minerals is removed there
21. is no more no longer will that property have that value
22. of production. This is...forever loss to an area. It's
23. not similar to manufacturing areas as you may mention because
24. we are delving in the putting together of raw products not
25. necessarily in the position where they are forever lost if
26. the tax is not collected at that base. These people in areas
27. where a lot of this has gone on have loss of revenue, loss
28. of income from property taxes that they shall never be able
29. to recover. I recognize the interest that some had in the
30. aiding of those people that have spent large amounts of money
31. in the abatement of pollution. I, too, would want to re-
32. cognize that Senator Hall had a bill the other day that failed
33. to get enough votes...could have taken care of that proposition.

1. Mr. President I appreciate a favorable roll call.
2. PRESIDING OFFICER (SENATOR MOHR):
3. The question is, shall HB 128 pass. And on that
4. question the Secretary will call the roll.
5. ACTING SECRETARY (MR. WRIGHT):
6. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
7. Chew, Clarke, Conolly, Course, DAley, Davidson, Donnewald,
8. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
9. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
10. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
11. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
12. Ozinga, Palmer, Partee, Regner...Regner, Rock, Roe,
13. Romano, Saperstein, Savickas, Schaffer, Scholl, Shapiro,
14. Smith, Sommer, Soper, Sours, Swinarski, Vadalabene,
15. Walker, Weaver, Welsh, Wooten, Mr. President.
16. PRESIDING OFFICER (SENATOR MOHR):
17. Course, no. Dougherty, no. Johns, aye. McBroom,
18. aye. Hynes, no. On that question the yeas are 32. The
19. nays are 13. HB 128 having received a constitutional
20. majority is declared passed. Senator Savickas request
21. the roll call be verified. Will the members please be
22. in their seats while the Secretary calls the roll.
23. ACTING SECRETARY (MR. WRIGHT):
24. Those voting in the affirmative: Bartulis, Bell,
25. Berning, Bruce, Buzbee, Clarke, Davidson, Donnewald,
26. Fawell, Glass, Graham, Harber Hall, Kenneth Hall, Johns,
27. Knuppel, Latherow, McBroom, McCarthy, Merritt, Mitchler,
28. Don Moore, Ozinga, Roe, Schaffer, Shapiro, Sommer, Sours,
29. Vadalabene, Walker, Weaver, Wooten, Mr. President.
30. PRESIDING OFFICER (SENATOR MOHR):
31. Senator Savickas.
32. SENATOR SAVICKAS:
33. Senator Merritt.

1. PRESIDING OFFICER (SENATOR MOHR):

2. Senator Merritt on the Floor?

3. SENATOR SAVICKAS:

4. He was out of his seat.

5. PRESIDING OFFICER (SENATOR MOHR):

6. Well, Senator Merritt pays close attention to the
7. roll calls down at the Secretary's desk, you can find
8. him down there most of the time. The roll call has
9. been verified. Senator Latherow.

10. SENATOR LATHEROW:

11. Mr. President, having voted on the prevailing side
12. I move that vote be reconsidered.

13. PRESIDING OFFICER (SENATOR MOHR):

14. Senator Latherow moves to reconsider. Senator Graham
15. moves that motion lie on the Table. All those...in favor
16. signify by saying aye. Opposed. The motion is Tabled.
17. Senator Johns on a point of personal privilege. No.
18. HB 137, Senator Bruce. Senator Bruce on the Floor?
19. SB 151, Senator Harris. HB 151.

20. ACTING SECRETARY (MR. WRIGHT):

21. HB 151. (Secretary reads title of bill)
22. 3rd reading of the bill.

23. PRESIDING OFFICER (SENATOR MOHR):

24. Senator Harris.

25. SENATOR HARRIS:

26. This bill continues what has been a temporary commission
27. ...I'm sure most of you are familiar with the good work this
28. commission is doing...I would be happy to respond to any
29. questions about it. Would request a favorable roll call.

30. PRESIDING OFFICER (SENATOR MOHR):

31. Any further discussion? The question is, shall
32. HB 151 pass. On that question the Secretary will call the
33. roll.

1. ACTING SECRETARY (MR. WRIGHT):

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

12. PRESIDING OFFICER (SENATOR MOHR):

13. Buzbee, aye. Shapiro, aye. Swinarski, aye. Bruce,
14. aye. Scholl, aye. On that question the yeas are 42. The
15. nays are none. HB 151 having received a constitutional
16. majority is declared passed. ..HB 158, Senator Netsch.

17. ACTING SECRETARY (MR. WRIGHT):

18. HB 158. (Secretary reads title of bill).
19. 3rd reading of the bill.

20. PRESIDING OFFICER (SENATOR MOHR):

21. Senator Netsch.

22. SENATOR NETSCH:

23. Mr. President, members of the Senate, the...there are
24. two bills which are really companion bills, 158 and 159 and
25. both of them are designed to achieve the same objective.
26. One amends the school code, that is HB 158. The other
27. amends the communicable diseases act that is HB 159.
28. In each case they remove from the statute a detailed listing
29. of the diseases against which children must be immunized
30. and give the Department of Public Health the authority to
31. develop its own list of those diseases. It will not, in
32. fact, make any changes in the present circumstances but
33. what the Department of Public Health which requested the

1. bill has discovered is that every time there is a change in
2. attitude about immunization they are required to come back
3. and get the Legislature to act again to go through the
4. complicated process of enacting a bill in order either
5. to add or subtract a disease. There was, as I recalled,
6. no opposition, we did add an amendment to one bill which
7. requires a public hearing, that was at the request of one
8. of the mentally retarded associations and...from that point
9. or there was no...further opposition at all. They were
10. requested by the Department and...I would be happy to answer
11. any questions about them.

12. PRESIDING OFFICER (SENATOR MOHR):

13. Any further discussion. The question is, shall HB 158
14. pass? And on that question the Secretary will call the roll.

15. ACTING SECRETARY (MR. WRIGHT):

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

26. PRESIDING OFFICER (SENATOR MOHR):

27. Harber Hall, aye. Buzbee, aye. Carroll, aye.

28. SENATOR BUZBEE.

29. SENATOR BUZBEE:

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

31. I would like to introduce in the balcony behind me to my
32. left some of Carbondale's finest patrol...patrolman Mike
33. Marizzio, fireman Richard Moore, Bob Chapman, and Cary
Jones. Would they please rise and be recognized?

1. PRESIDING OFFICER (SENATOR MOHR):.

2. On that roll call the yeas are 43. The nays were
3. none. HB 158 having received a constitutional majority
4. is declared passed. HB 159, Senator Netsch.

5. ACTING SECRETARY (MR. WRIGHT):

6. HB 159. (Secretary reads title of bill).

7. 3rd reading of the bill.

8. PRESIDING OFFICER (SENATOR MOHR):

9. Senator Netsch.

10. SENATOR NETSCH:

11. Mr. President, this is a companion bill to HB 158.
12. It does exactly the same thing but it does it by amending
13. the communicable diseases act rather than the school code.

14. PRESIDING OFFICER (SENATOR MOHR):

15. Any further discussion? The question is, shall
16. HB 159 pass. And on that question the Secretary will
17. call the roll.

18. ACTING SECRETARY (MR. WRIGHT):

19. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
20. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
21. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
22. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
23. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
24. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
25. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
26. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
27. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
28. Weaver, Welsh, Wooten, Mr. President.

29. PRESIDING OFFICER (SENATOR MOHR):

30. Senator Netsch, aye. Nudelman, aye. On that question
31. the yeas are 39. The nays are none. HB 159 having received
32. a constitutional majority is declared passed. Senator
33. Partee.

1. SENATOR PARTEE:

2. ...Mr. President, for the purpose of...a motion on

3. ...on SB 582, I'll yield to Senator Smith.

4. PRESIDING OFFICER (SENATOR MOHR):

5. Senator Smith.

6. SENATOR SMITH:

7. Mr...President, this particular bill that the Minority

8. Leader just mentioned SB 582, was before the Executive

9. Committee and on May the 4th this bill received a Do Not

10. Pass ruling...the vote was had. Now I wish to make what-

11. ever motion is proper, Mr...I...I should like to make

12. whatever motion is proper in order to discharge Executive

13. Committee from further consideration...

14. PRESIDING OFFICER (SENATOR MOHR):

15. Senator...Senator Harris.

16. SENATOR HARRIS:

17. ...The bill is no longer in Executive Committee, Senator,

18. it is on the Table. So we should move to suspend the rules

19. for further consideration to discharge...to take from the

20. Table. So I think a motion to suspend is the appropriate

21. motion.

22. SENATOR SMITH:

23. ...that motion, Mr. Chairman.

24. SENATOR HARRIS:

25. Okay.

26. PRESIDING OFFICER (SENATOR MOHR):

27. All those in favor...motion to suspend the rules signify

28. by saying aye. Opposed. The rules are suspended. Senator

29. Smith.

30. SENATOR SMITH:

31. I offer this motion... Now Mr. Chairman, I move that

32. SB 582 be taken...from the Table....placed on the order of

33. second reading.

1. PRESIDING OFFICER (SENATOR MOHR):

2. . And be...and be...read a second time. ...The Secretary
3. sent for that bill...be just minute, we'll... All those in
4. favor of taking SB 582 from the Table signify by saying aye.
5. Opposed. So ordered. ...Waiting for the bill to come from
6. the Secretary's office. The Secretary will read SB 582 a
7. second time.

8. SECRETARY:

9. SB 582. (Secretary reads title of bill).

10. 2nd reading of the bill. No Committee amendments. Amend-
11. ment No. 1 by Senator Smith.

12. PRESIDING OFFICER (SENATOR MOHR):

13. Senator Smith will you explain your amendment?

14. SENATOR SMITH:

15. This...amendment Mr. President, applies only to a
16. party whose is placed in nomination here prior to...any...
17. any person placed in nomination prior to January the 1st
18. 1976 which means in essence that it is applicable to only
19. one person-Joe Eidelman, I believe his name is.

20. PRESIDING OFFICER (SENATOR MOHR):

21. Senator Harris.

22. SENATOR HARRIS:

23. Well, Mr. President, this is a compromise...solution
24. that we've worked out with the...administration and...a
25. competent majority of the members of this side will support
26. the amendment. I would urge its adoption.

27. PRESIDING OFFICER (SENATOR MOHR):

28. ...Senator Smith moves the adoption of Amendment No. 1.
29. All those in favor signify by saying aye. Opposed. ...A...
30. Amendment No. 1 is adopted. Any further amendments?

31. Senator Smith.

32. SENATOR SMITH:

33. I now ask that the bill be advanced to third reading.

1. PRESIDING OFFICER (SENATOR MOHR):

2. Further amendments? 3rd reading. Senator Buzbee.

3. SENATOR BUZBEE:

4. ...Mr. President, SB 1071 was on the exempt bills
5. list and...we have it on second reading now and I have
6. an amendment to offer. It's an amendment that has been
7. worked out between the leadership of the...on the Republican
8. side and the Democrat side and the Secretary has the copies
9. of my amendments...my amendment rather.

10. PRESIDING OFFICER (SENATOR MOHR):

11. Do...does Senator Buzbee have leave to return to the
12. order of Senate Bills on second reading? Leave is granted.

13. SECRETARY:

14. SB 1071. (Secretary reads title of bill).

15. 2nd reading of the bill. No Committee amendments. Amend-
16. ment No. 1 by Senator Buzbee.

17. PRESIDING OFFICER (SENATOR MOHR):

18. Senator Buzbee will you explain your amendment?

19. SENATOR BUZBEE:

20. Well, this..this amendment would be applicable only to the
21. Director and the Assistant Director of Public Health appointed
22. prior to January 1, '76. And in other words it would very
23. likely apply only to Dr. Lashof and whomever is appointed as
24. Assistant Director.

25. PRESIDING OFFICER (SENATOR MOHR):

26. Senator Harris.

27. SENATOR HARRIS:

28. I...I rise to make the same observation, this..amendment
29. implements an understanding that we have reached on. It gives
30. a trial period for these amendments...does not make a perm-
31. nent amendment to the Civil Administrative Code. I urge
32. that members of this side support the amendment.

33. PRESIDING OFFICER (SENATOR MOHR):

1. All those in favor...adoption Amendment No. 1 signify
2. by saying aye. Opposed. Amendment No. 1 is adopted. Any
3. further amendments. Do you wish that advanced now to third
4. reading? Third reading. Senator Partee. HB 178, Senator
5. Harber Hall.

6. SECRETARY:

7. HB 178. (Secretary reads title of bill).

8. 3rd reading of the bill.

9. PRESIDING OFFICER (SENATOR MOHR):

10. Senator Harber Hall.

11. SENATOR HARBER HALL:

12. ...Mr...Mr. President, fellow Senators, this bill is
13. one identical to the Senate Bill that I had introduced
14. earlier and passed this House. I would solicit your support
15. of this bill.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Any further discussion? The question is, shall HB 178
18. pass? On that question the Secretary will call the roll.

19. SECRETARY:

20. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
21. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
22. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
23. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
24. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
25. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
26. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
27. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
28. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
29. Weaver, Welsh, Wooten, Mr. President.

30. PRESIDING OFFICER (SENATOR MOHR):

31. Donnewald, aye. Saperstein, aye. Kenneth Hall, aye.
32. Nimrod, aye. Shapiro, aye. Bell, aye. Palmer, aye.
33. Latherow, aye. On that question the yeas are 28. The

1. mays are 4. HB..or...HB 178 having failed to receive.
2. the Constitutional majority is declared lost. Senator Hall.

3. SENATOR HARBER HALL:

4. I'd like leave of the Senate to postpone that bill.

5. PRESIDING OFFICER (SENATOR MOHR):

6. The vote has been announced Senator. Is...is there
7. leave of the Body to permit Senator Hall to postpone...
8. move that bill to postponed consideration. Leave is
9. granted. Sponsor now requests to with...withdraw that
10. request to put on postponed consideration. Senator Harris
11. or Partee...you have a motion on the rules change at this
12. time?

13. SENATOR HARRIS:

14. Yes. ...Mr. President in a meeting of the Rules
15. Committee this morning unanimously adopted by the Committee
16. in attendance is the amendment to Rule 10 which states, it
17. adds an additional paragraph to Rule 10. "During the month
18. of June 1973 posting a notice of a hearing by a standing
19. Committee or a subcommittee of a standing Committee shall
20. not be required. This paragraph is repealed July 1, 1973".
21. Now, what we're doing is trying to avoid the requirement
22. for daily suspension of the rules and daily seeking of
23. unanimous consent by the Committee Chairman. We're trying
24. to provide for orderly activity here and...I would urge
25. adoption by the Body of this amendment to Rule 10.

26. PRESIDING OFFICER (SENATOR MOHR):

27. All those in favor of the amendment to the Senate
28. rule signify by saying aye. Opposed. The...the amendment
29. to the Rules have...has been adopted. Senator Glass.

30. SENATOR GLASS:

31. I...I have a motion, Mr. President, but first I'd like
32. to ask leave of the Body to be shown as the Senate sponsor
33. to HB 977 in place of Senator Buzbee who is...agreed to

1. this change.

2. PRESIDING OFFICER (SENATOR MOHR):

3. Any objection? Leave. Your name will be shown as
4. sponsor of HB 977....

5. SENATOR GLASS:

6. At this...at this time I would then...like to proceed
7. with my motion which has been filed to reconsider the vote
8. by which SB...1061 was lost.

9. PRESIDING OFFICER (SENATOR MOHR):

10. Senator...Soper.

11. SENATOR SOPER:

12. Now, I don't know...I don't know what the bill is but
13. Senator Glass did you vote on the prevailing side of that?

14. PRESIDING OFFICER (SENATOR MOHR):

15. Senator Glass.

16. SENATOR GLASS:

17. Senator Soper I voted on the prevailing side and made
18. the motion several days ago...this is Senator Hynes' bill
19. and...I agreed to make the motion to reconsider...this
20. vote and I would defer to Senator Hynes to explain the
21. bill.

22. PRESIDING OFFICER (SENATOR MOHR):

23. Senator Hynes. We are on the motion to reconsider.

24. Senator Hynes; proceed.

25. SENATOR HYNES:

26. Senate...SB 1061 provides that when taxes are paid under
27. protest and a court later determines the protest was valid
28. and the monies are refunded to the taxpayer, that out of the
29. interest earned by the county on those...those funds on deposit
30. there shall be paid 4% interest...to the taxpayer. The bill
31. is necessary for the orderly administration of the tax process
32. throughout the State in particularly in Cook County. What has
33. happened is that individual taxpayers have alleged in that the

1. legal remedy is inadequate since interest is not payable.
2. Therefore I have been bringing lawsuits in the Federal
3. Court, in chancery courts and in generally caused confusion
4. in the tax collection process in Cook County. Now I would
5. move...I would support the motion to reconsider, we will
6. then ask that the bill be brought back to second reading
7. because Senator Berning originally opposed the bill has an
8. amendment to offer.

9. PRESIDING OFFICER (SENATOR MOHR):

10. Senator Glass.

11. SENATOR GLASS:

12. I...I would add Mr. President I have discussed this
13. motion with both the chairman and the vice-chairman of the
14. Revenue Committee and they have urged that the motion be
15. made and support it.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Senator Sours.

18. SENATOR SOURS:

19. Mr. President, Senators, I want to rise in support of
20. this bill too. There are some later developments and com-
21. plications as suggested by Senator Lyons, there's going to
22. be a diversity of opinion here by the Courts and pretty
23. soon there'll be total chaos.

24. PRESIDING OFFICER (SENATOR MOHR):

25. Senator Harber Hall.

26. SENATOR HARBET HALL:

27. I suppose, Mr. President, I was one of the most vocal
28. who opposed the initial concept in this bill and now that
29. we have done some other legislative work to help the counties
30. I always thought it was practical to keep interest in the
31. counties for their use. But we...legislatively, have...tried
32. to mandate that all public monies be invested in an earning
33. capacity for those bodies and we've done it pretty successfully.

1. Accordingly, now that we have this money that réally does
2. not belong to the counties or...to the taxing bodies but
3. is invested productively, I think it is practical to say
4. that part of those earnings go back to those who...are
5. declared to be the rightful owners. ...I've talked to
6. the sponsor and he reduced the interest payable from six
7. to four and I think that's good. And I'm now prepared
8. to support this bill and the motion.

9. PRESIDING OFFICER (SENATOR MOHR):

10. Senator Soper.

11. SENATOR SOPER:

12. Now, Gentlemen, Mr. President, Ladies and Gentlemen of the
13. Senate, I heard an argument here a little while ago about the
14. poor counties. The poor counties haven't got the money and...
15. the...when you take minerals out of the land, the poor roads
16. and everything else that goes with it and they cried all
17. over the lot here. Now, the same group that cried all over
18. the lot are telling a county treasurer who has objections
19. and where the money must be held in separate fund when
20. there is an objection, money set aside and in most cases
21. I think the law prevents from even investing this money or putting
22. it in jeopardy in any way to pay 4% to a...to an objector
23. that money may be held...may be held for years in a fund and
24. he gets 4%, you know who's going to get the benefit of this?
25. The big objectors. The little guy isn't going to get anything.
26. You know who's going to pay that 4%? The 4% is going to
27. be paid out of the funds that would go to the school boards
28. where the objections were made, railroads who...make all the
29. objections they're going to get the 4% and the little counties,
30. and the little taxpayers' going to get shot where...where
31. he doesn't deserve to be shot. Now, if you want to put...
32. yeah...if you want to put a bill like this through and you
33. think it's for motherhood and free milk, y'know, this is
a real bad bill, you can't...you can't take both sides...

1. of the coin on this thing. Now you...you better know
2. what you're doing around here.

3. PRESIDING OFFICER (SENATOR MOHR):

4. Senator Hynes may close.

5. SENATOR HYNES:

6. Well, Mr. President, as I mentioned this bill is
7. not an attempt to aid large taxpayers or anything else
8. it is an attempt to bring order and uniformity to the
9. administration of the collection of taxes in Cook County
10. and the other counties of this State. It is supported
11. by the Cook County Assessor's Office, by the State's
12. Attorney of Cook County. The cost in Cook County is
13. estimated at forty to eighty thousand dollars a year.
14. The earnings on the protest funds are over a million
15. dollars a year so a similar cost could be projected for
16. downstate. In the long run it will save money because
17. there will be one forum in which these cases will be
18. heard and it will eliminate the practice on the part of
19. some of the large taxpayers. A forum shopping attempting
20. to find a court or jurisdiction in which they can...will
21. get a better ruling. I think it's desirable legislation
22. and that's all it's intended to do.

23. PRESIDING OFFICER (SENATOR MOHR):

24. The motion to reconsider on SB 1061. All those in
25. favor signify by saying aye. Opposed? Have the Secretary
26. call the roll.

27. SECRETARY:

28. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
29. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
30. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
31. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
32. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
33. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,

1. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
2. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
3. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
4. Weaver, Welsh, Wooten, Mr. President.

5. PRESIDING OFFICER (SENATOR MOHR):

6. Latherow, no. Swinarski, aye. Berning, aye. On that
7. question the yeas are 32. The nays are 10. The motion to
8. reconsider prevails. Senator Hynes.

9. SENATOR HYNES:

10. Mr. President, I would ask that the bill be brought
11. back to second reading. Senator Berning has an amendment
12. which is on the Secretary's desk.

13. PRESIDING OFFICER (SENATOR MOHR):

14. Is there leave? It will be brought back to second
15. reading...Sen... Yes. The bill is on second reading.

16. SECRETARY:

17. Amendment No. 1 by Senator Berning.

18. PRESIDING OFFICER (SENATOR MOHR):

19. Senator Berning.

20. SENATOR BERNING:

21. Mr. President and members of the Body, I think by this
22. Amendment No. 1 to SB 1061 we remove much of the objectionable
23. features of it. As you know, protested tax funds are only
24. invested up to 75% whereas on the award apparently interest
25. would be computed on the full amount of the protested tax
26. which would be 100%. Consequently the county would really
27. be losing money in making a payout on earned interest for
28. a total amount of protest whereas it had only earned interest
29. on 75% of that. That 75% is statutory provided for now.
30. In addition, there is obviously a cost factor in providing
31. this additional service therefore in an effort to protect
32. the smaller counties particularly this Amendment No. 1
33. provides simply that no more than \$50 for each taxpayer
entitled to refund...to a refund shall be allowed so that

1. the cost of operation is covered for the county. I move
2. for the adoption of Amendment No. 1.
3. PRESIDING OFFICER (SENATOR MOHR):
4. Senator Berning moves the adoption of Amendment No. 1.
5. All those in favor signify by saying aye. Opposed. Amend-
6. ment No. 1 is adopted. Any further amendments?
7. SECRETARY:
8. Amendment No. 2 that was. I'm sorry.
9. PRESIDING OFFICER (SENATOR MOHR):
10. Amendment No. 2 is adopted. Any further amendments?
11. 3rd reading. Now, gentlemen, we're going to go to House
12. Bills first reading.
13. SECRETARY:
14. HB 701, Senator Johns.
15. (Secretary reads title of bill).
16. 1st reading of the bill.
17. HB 850, Senator Kosinski.
18. (Secretary reads title of bill).
19. 1st reading of the bill.
20. HB 987, Senator Savickas.
21. (Secretary reads title of bill).
22. 1st reading of the bill.
23. HB 988, Senator Savickas.
24. (Secretary reads title of bill).
25. 1st reading of the bill.
26. HB 989, Senator Nimrod.
27. (Secretary reads title of bill).
28. 1st reading of the bill.
29. HB 991, Senator Johns.
30. (Secretary reads title of bill).
31. 1st reading of the bill.
32. HB 1003, Senator Fawell.
33. (Secretary reads title of bill).

1. 1st reading of the bill.
2. HB 1060, Senator Sommer.
3. (Secretary reads title of bill).
4. 1st reading of the bill.
5. HB 1184, Senator Berning.
6. (Secretary reads title of bill).
7. 1st reading of the bill.
8. HB 1211, Senator Scholl.
9. (Secretary reads title of bill).
10. 1st reading of the bill.
11. HB 1213, Senator Buzbee.
12. (Secretary reads title of bill).
13. 1st reading of the bill.
14. HB 1313, Senator Clarke.
15. (Secretary reads title of bill).
16. 1st reading of the bill.
17. HB 1389, Senator Newhouse.
18. (Secretary reads title of bill).
19. 1st reading of the bill.
20. HB 1421, Senator Fawell.
21. (Secretary reads title of bill).
22. 1st reading of the bill.
23. HB 1439. (Secretary reads title of bill). 1st reading
24. of the bill. That's Senator Newhouse.
25. HB 1459, Senator Fawell.
26. (Secretary reads title of bill).
27. 1st reading of the bill.
28. HB 1532, Senator Mitchler.
29. (Secretary reads title of bill).
30. 1st reading of the bill.
31. HB 1547, Senator Kosinski.
32. (Secretary reads title of bill).
33. 1st reading of the bill.

1. HB 1548, Senator Sours.
2. (Secretary reads title of bill).
3. 1st reading of the bill.
4. HB 1549, Senator Sours.
5. (Secretary reads title of bill).
6. 1st reading of the bill.
7. HB 1564, Senator Smith.
8. (Secretary reads title of bill).
9. 1st reading of the bill.
10. HB 1571, Senator Kosinski.
11. (Secretary reads title of bill).
12. 1st reading of the bill.
13. HB 1576, Senator Scholl.
14. (Secretary reads title of bill).
15. 1st reading of the bill.
16. HB 1585, Senator McCarthy.
17. (Secretary reads title of bill).
18. 1st reading of the bill.
19. HB 1640, Senator Mitchler.
20. (Secretary reads title of bill).
21. 1st reading of the bill.
22. HB 1649, Senator McCarthy.
23. (Secretary reads title of bill).
24. 1st reading of the bill.
25. HB 1651, Senator Buzbee.
26. (Secretary reads title of bill).
27. 1st reading of the bill.
28. HB 1866, Senator Rock.
29. (Secretary reads title of bill).
30. 1st reading of the bill.
31. HB 1880, Senator Mitchler.
32. (Secretary reads title of bill).
33. 1st reading of the bill.

1. HB 1906, Senator Partee.

2. (Secretary reads title of bill).

3. 1st reading of the bill.

4. PRESIDING OFFICER (SENATOR MOHR):

5. Senator Partee.

6. SENATOR PARTEE:

7. I don't think there's any controversy about this, I'd
8. like to move it to second reading without reference to
9. Committee.

10. PRESIDING OFFICER (SENATOR MOHR):

11. Is there objection? Senator Merritt.

12. SENATOR MERRITT:

13. Which one is...

14. PRESIDING OFFICER (SENATOR MOHR):

15. ...1906.

16. SENATOR MERRITT:

17. Could we hold that until tomorrow?

18. SENATOR PARTEE:

19. That's all right. I'll hold it until tomorrow, Senator.

20. PRESIDING OFFICER (SENATOR MOHR):

21. Well, it's been read a first time. Sen...Senator Partee.
22. It...it will be sent to assignment of bills...I would suggest
23. this...then ask to discharge committee.

24. SENATOR PARTEE:

25. All right. That's okay. Fine.

26. SECRETARY:

27. HB 1910, Senator Howard Mohr.

28. (Secretary reads title of bill).

29. 1st reading of the bill.

30. PRESIDING OFFICER (SENATOR MOHR):

31. Senator Wooten.

32. SENATOR WOOTEN:

33. Mr. President, I would ask leave of this Body to have

1. Senator Shapiro replace me as principle Senate sponsor on
2. HB 1337.

3. PRESIDING OFFICER (SENATOR MOHR):

4. Senator Shapiro isn't on the Floor, have you cleared
5. that with him?

6. SENATOR WOOTEN:

7. Yes. Yes. At his request.

8. PRESIDING OFFICER (SENATOR MOHR):

9. All right. That...Secretary will make note of that
10. and it will be changed. Senator McBroom, you have a motion.

11. SENATOR MCBROOM:

12. Mr. President, members of the Senate, yesterday or the
13. day before, I don't recall, I asked that...HB 1568 be advanced
14. to second reading without reference. Senator Graham objected.
15. I have since talked to Senator Graham, it's in the Assignment
16. of Bills Committee, he indicates to me that he has no objection.
17. It's...the bill is satisfactory with...with Mr. Smiley of the
18. railroads and with Mr. McGinnis of the Railroad Union. It passed
19. the House unanimously. I'd like to move to discharge the
20. Assignment of Bills Committee and move it to second reading.
21. Do I have leave?

22. PRESIDING OFFICER (SENATOR MOHR):

23. What...what is that bill, Senator?

24. SENATOR MCBROOM:

25. 15...wait a minute...1568.

26. PRESIDING OFFICER (SENATOR MOHR):

27. Senator McBroom requests leave of the Body to advance
28. HB 1568 to the order of second reading without reference to
29. Committee. Is there leave? Leave is granted. Second reading.
30. Would like the record to show that...Senator John Conolly
31. is absent today and tomorrow, he's attending the Executive
32. Committee of the National Legislative Conference on doing
33. some...doing some State business. Senator Conolly will

1. not be here today or tomorrow. He's attending the Executive
2. Committee meeting of the National Legislative Conference.
3. SB...any further announcements? Then we're going to Senate
4. Bills third reading. SB 1061.

5. SECRETARY:

6. SB 106...

7. PRESIDING OFFICER (SENATOR MOHR):

8. Senator Hynes, SB 1061.

9. SENATOR HYNES:

10. Mr. President...Mr. President this is the highly
11. controversial bill that we just reconsidered and this...
12. this is now our third voyage on it. It...it provides for
13. the payment of 4% interest out of earnings made by the
14. county on taxes paid under protest. And again I repeat
15. it is necessary to...for the efficient management of the
16. tax collection system of this State. I'd ask for a
17. favorable roll call.

18. PRESIDING OFFICER (SENATOR MOHR):

19. Any further discussion? The question is shall
20. SB 1061 pass? And on that question the Secretary will
21. call the roll. Senator Harris.

22. SENATOR HARRIS:

23. Well, I just want to point out. I don't know whether
24. everybody is aware of it but the Amendment No. 2 that was
25. adopted makes this truly a big taxpayer bill. I was not
26. aware of that when it went on but I have looked at it
27. since. Now the effect of that amendment is no taxpayer
28. will receive a refund on interest earned unless that
29. amount is fifty dollars or more. So if you want to vote
30. for a Rubloff kind of taxpayer why support this bill.
31. But...I...I have been turned off completely by the affect
32. of that amendment. I think this now is a terribly bad
33. bill.

1. PRESIDING OFFICER (SENATOR MOHR):

2. Senator Hynes.

3. SENATOR HYNES:

4. Well, we had...

5. PRESIDING OFFICER (SENATOR MOHR):

6. Senator...Senator Hynes...

7. SENATOR HYNES:

8. ...we had to come up for a term for the situation
9. which I find myself presently. I wanted the bill in its
10. original form. This amendment was put on to reduce the...
11. the revenue loss to counties which I thought was already
12. low. What it says is that the county shall be entitled
13. to the cost of administering this and...and to administer-
14. ing the refund to...its expenses not to exceed \$50. That's
15. what it says. And I don't think that that's an unreason-
16. able provision on its face at all as it was characterized.
17. I...I'm not sure that...the President has seen the final
18. amendment that went on. There was an earlier version
19. that said something like that which was rejected.

20. PRESIDING OFFICER (SENATOR MOHR):

21. Gentlemen, we did close debate. We called for roll
22. call. We closed debate. Going to...Senator Berning.

23. SENATOR BERNING:

24. Mr...Mr. President.

25. PRESIDING OFFICER (SENATOR MOHR):

26. There's a request from the sponsor to hold the bill.
27. The bill will be held. Members of the Senate...members
28. of the Senate we would...Gentlemen, there'll be another
29. replay on this bill probably tomorrow. Members of the
30. Senate we would ask that you give a look to the Calendar
31. on House Bills if there are some bills of your House
32. Members that should be picked up we would ask that you do
33. this so they can be processed tomorrow and ready for

1. action on Monday upon our return. We would also point
2. out that it's important that you would - Senator Berning
3. and Senator Soper - please remove themselves from the
4. Chamber and discuss their problem or sit in their seats
5. and let the rest of the Senate transact our business,
6. please. We would ask that the Senate members check into
7. their Senate bills that are over in the House. We are in-
8. formed that a number of Senate Bills haven't been picked up so
9. strongly suggest you follow up your own bills over in the
10. House. Any further announcements? Further announcement?
11. Caucus in the morning. Motion to adjourn by Senator Harris,
12. till ten o'clock tomorrow morning...I'm sorry there are
13. committees in the morning. Noon tomorrow. Senate stands
14. adjourned until 12 o'clock noon tomorrow.

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