

78th GENERAL ASSEMBLY

June 8, 1973

1. PRESIDENT:

2. Senate will come to order. Prayer will be offered
3. by the Reverend James Fry of Westminster Presbyterian
4. Church of Springfield. Reverend Fry.

5. (Prayer by Reverend Fry,
6. of Westminster Presbyterian Church,
7. Springfield, Illinois)

8. Reading of the Journal. Senator Graham.

9. SENATOR GRAHAM:

10. Mr. President, Members of the Senate I move that we
11. postpone the reading of the Journals of Thursday, May 31st,
12. Friday, June 1st, Monday, June 4th, Tuesday, June 5th,
13. Wednesday, June 6th, Thursday, June 7th until the arrival
14. of the printed Journals.

15. PRESIDENT:

16. You've heard the motion. All in favor signify by
17. saying aye. Contrary no. Motion carries. Committee
18. Reports.

19. SECRETARY:

20. (Secretary reads Committee Reports)

21. PRESIDENT:

22. Messages from the House.

23. SECRETARY:

24. (Secretary reads Messages from the House)

25. PRESIDENT:

26. Executive. Resolutions.

27. SECRETARY:

28. Senate Resolution 197 by Senator Mitchler, congratulatory.

29. PRESIDENT:

30. Senator Mitchler.

31. SENATOR MITCHLER:

32. The 100th birthday of a constituent. I would ask
33. for suspension of the rules for the immediate consideration

1. and adoption.

2. PRESIDENT:

3. Senator Mitchler moves to suspend the rules for the

4. immediate consideration and the adoption of the Resolution.

5. All in favor signify by saying aye. Contrary no. Motion

6. carries, the rules are suspended. On the motion to adopt,

7. all in favor signify by saying aye. Contrary no. The motion

8. to adopt carries, so ordered. House Bills on 1st reading.

9. We will proceed through with those that are on the Calendar

10. that the Secretary or the President's Office has been

11. advised of. House Bills on 1st reading.

12. SECRETARY:

13. HB 1138, Senator Daley (Secretary reads title of bill)

14. 1st reading of the bill.

15. HB 1144, Senator Walker (Secretary reads title of bill)

16. 1st reading of the bill.

17. HB 1353, Senator Palmer (Secretary reads title of bill)

18. 1st reading of the bill.

19. HB 1638, (Secretary reads title of bill)

20. 1st reading of the bill. Senator Don Moore.

21. HB 1746, Senator Welsh (Secretary reads title of bill)

22. 1st reading of the bill.

23. HB 1780, Senator Smith (Secretary reads title of bill)

24. HB 1780, Senator Smith.

25. HB 1859, Senator Course (Secretary reads title of bill)

26. 1st reading of the bill.

27. HB 1869, Senator Kosinski (Secretary reads title of bill)

28. 1st reading of the bill.

29. HB 1870, Senator Kosinski

30. PRESIDENT:

31. Senator Kosinski.

32. SENATOR KOSINSKI:

33. I...I have numerous bills that I would like to make a

1. motion to suspend the rules and ask the consent of the
2. Body to...without reference to committee to move these
3. following bills that our Secretary will read from now
4. on, there are about four or five. And that the only
5. changes are a definition of words.

6. PRESIDENT:

7. Are these bills identical to Senate Bills that have
8. already gone through the Senate or are they...

9. SENATOR KOSINSKI:

10. No, no, no, no, they're 1st reading but I would...

11. PRESIDENT:

12. Well, why don't you hold your motion until the...

13. SENATOR KOSINSKI:

14. After...after they are read.

15. PRESIDENT:

16. ...the Secretary reads them all.

17. SENATOR KOSINSKI:

18. Right, Mr. President. Thank you very much.

19. SECRETARY:

20. HB 1870 (Secretary reads title of bill)

21. 1st reading of the bill.

22. HB 1871 (Secretary reads title of bill)

23. 1st reading of the bill.

24. HB 1872, Senator Kosinski (Secretary reads title of bill)

25. 1st reading of the bill.

26. HB 1873, Senator Kosinski (Secretary reads title of bill)

27. 1st reading of the bill.

28. HB 1874, Senator Kosinski (Secretary reads title of bill)

29. 1st reading of the bill.

30. PRESIDENT:

31. Senator Shapiro, does the commission...has the commission
32. had a...Senator Shapiro.

33. SENATOR SHAPIRO:

1. ...I would raise an objection to 1869 only.

2. PRESIDENT:

3. Senator Berning have...

4. SENATOR BERNING:

5. 1870, 71, 72, 73 make nonsubstantive changes. The

6. commission approves of these bills and I see no reason

7. for them to go to committee and I would concur in the

8. motion to...

9. PRESIDENT:

10. All right. Now, what about 1874, Senator Berning.

11. If...if the Calendar is correct...

12. SENATOR BERNING:

13. 1874 is...is also.

14. PRESIDENT:

15. Ok. Then Senator Kosinski will you make your motion

16. relative to House Bills 1870 through 74. Senator Kosinski

17. moves to suspend the rules and have House Bills 1870, 71,

18. 72, 73, 74 read a 1st time, Senator Berning. Let me complete

19. the motion. All right...just a minute, the Secretary informs

20. me that all of the bills have not been read a 1st time. I

21. thought we'd completed them. Proceed Mr. Secretary.

22. SECRETARY:

23. HB 1889 by Senator Kosinski

24. (Secretary reads title of bill)

25. 1st reading of the bill.

26. HB 1915 (Secretary reads title of bill)

27. 1st reading of the bill.

28. PRESIDENT:

29. Now, Senator Shapiro. All right. Senator Berning,

30. proceed, Senator Berning.

31. SENATOR BERNING:

32. Yes, I just wanted to be sure that those last two

33. bills were included in the list.

1. PRESIDENT:
2. In the list. All right.
3. SENATOR BERNING:
4. 1889 and 1915.
5. PRESIDENT:
6. All right. Now is there any further discussion?
7. Senator Kosinski moves that House Bills 1870, 71, 72, 73,
8. 74, 1889 and 1915 be read a 1st time and advanced to 2nd
9. reading without reference to committee. Is there leave?
10. So ordered. HB 1869 will proceed under the rules.
11. SECRETARY:
12. HB 1858, Senator Carroll (Secretary reads title of bill)
13. 1st reading of the bill.
14. PRESIDENT:
15. The Chair wishes to announce again that the members
16. of the Senate are under their own obligation to seek
17. House sponsors for their Senate Bills that are on...I'm
18. sorry, Senate Bills on 1st reading in the House. We each
19. experience the opposite circumstance and I...just...we
20. want to call attention, because Senate Bills are going to
21. begin getting into the same problem that we anticipate
22. some of these House Bills that do not have Senate sponsors
23. contacted for. So you are under notice to proceed on your
24. own. We have another Resolution that we were not aware
25. of, so we'll return to the order of Resolutions.
26. SECRETARY:
27. House Joint Resolution 34 and it seeks to create a
28. special joint committee.
29. PRESIDENT:
30. Executive. House Bills on 2nd reading. Senator
31. Latherow do you wish to call HB 162? 2nd reading, do
32. you wish to...advance. Do you want it advanced? Advance.
33. SECRETARY:

1. HB 162 (Secretary reads title of bill)
2. 2nd reading of the bill. The Committee on Agriculture,
3. Conservation and Ecology offers one amendment.
4. PRESIDENT:
5. Senator Latherow.
6. SENATOR LATHEROW:
7. Move the adoption of the amendment.
8. PRESIDENT:
9. All in favor of the adoption of the amendment signify
10. by saying aye. Contrary no. Motion carries, the amendment
11. is adopted. Are there...Are there amendments from the Floor?
12. 3rd reading. 301, Senator Latherow.
13. SECRETARY:
14. HB 301 (Secretary reads title of bill)
15. 2nd reading of the bill. The Committee on Transportation
16. and Public Utilities offers one amendment.
17. PRESIDENT:
18. Senator Latherow.
19. SENATOR LATHEROW:
20. Move the adoption of the amendment, Mr. President.
21. PRESIDENT:
22. Senator Latherow moves the adoption of the committee
23. amendment. Is there discussion? All in favor of the motion
24. to adopt signify by saying aye. Contrary no. Motion
25. carries, the amendment is adopted. Are there amendments
26. from the Floor? 3rd reading. 302, advance.
27. SECRETARY:
28. HB 302 (Secretary reads title of bill)
29. 2nd reading of the bill. The Committee on Transportation
30. and Public Utilities offers one amendment.
31. PRESIDENT:
32. Senator Latherow.
33. SENATOR LATHEROW:

1. Move the adoption of the amendment, Mr. President.

2. PRESIDENT:

3. Senator Latherow has moved the adoption of the

4. amendment. Is there discussion? All in favor of the

5. adoption of committee Amendment No. 1 signify by saying

6. aye. Contrary no. The motion carries, the amendment

7. is adopted. Are there amendments from the Floor? 3rd

8. reading. Senator Ozinga, oh yes, we're going to hold

9. those. Senator Latherow, 412, advance.

10. SECRETARY:

11. HB 412 (Secretary reads title of bill)

12. 2nd reading of the bill. No committee amendments.

13. PRESIDENT:

14. Are there amendments from the Floor? 3rd reading.

15. HB 417, Senator Palmer, wish it advanced? Advance.

16. SECRETARY:

17. HB 417 (Secretary reads title of bill)

18. 2nd reading of the bill. No committee amendments.

19. PRESIDENT:

20. Are there amendments from the Floor? 3rd reading.

21. Senator Shapiro, HB 661. Senator Hall, 665, advance.

22. SECRETARY:

23. HB 665 (Secretary reads title of bill)

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

25. PRESIDENT:

26. Are there amendments from the Floor? 3rd reading.

27. Senator Moore, 774, advance.

28. SECRETARY:

29. HB 774 (Secretary reads title of bill)

30. 2nd reading of the bill. No committee amendments.

31. PRESIDENT:

32. Are there amendments from the Floor? 3rd reading.

33. Senator Nimrod, 805, advance.

1. SECRETARY:
2. HB 805 (Secretary reads title of bill)
3. 2nd reading of the bill. No committee amendments.
4. PRESIDENT:
5. Are there amendments from the Floor? 3rd reading.
6. HB 827, Senator Carroll, advance.
7. SECRETARY:
8. HB 827 (Secretary reads title of bill)
9. 2nd reading of the bill. No committee amendments.
10. Amendment No. 1 by Senator Carroll.
11. PRESIDENT:
12. Senator Carroll.
13. SENATOR CARROLL:
14. Thank you Mr. President this is an amendment that
15. we had agreed to put on as a result of the committee
16. action and it changes the word from net to gross to show
17. that this is actually part...would be prorated among the
18. gross recovery. I would move the adoption of the amendment.
19. PRESIDENT:
20. Is there further discussion? Senator Carroll moves
21. the adoption of Floor Amendment No. 1. All in favor signify
22. by saying aye. Contrary no. The motion carries. The
23. Amendment No. 1 is adopted. Are there further amendments
24. from the Floor? 3rd reading. Senator...828. I'm sorry,
25. Senate Bill...HB 828, Senator Carroll. Advance.
26. SECRETARY:
27. HB 828 (Secretary reads title of bill)
28. 2nd reading of the bill. The Committee on Insurance and
29. Financial Institutions offers Amendment No. 1.
30. PRESIDENT:
31. Senator Carroll.
32. SENATOR CARROLL:
33. Mr. President, I would move to Table committee Amendment

1. No. 1.

2. PRESIDENT:

3. Senator Carroll moves to Table Amendment No. 1
4. recommended by the committee. Senator Merritt.

5. SENATOR MERRITT:

6. I would just like to rise to vigorously oppose
7. his motion to Table committee Amendment No. 1 because
8. without that Amendment the bill I am certain would have
9. been totally unacceptable to the committee. It makes an
10. entirely new concept of making present insurance com-
11. panies guaranteeing those by putting up a fund, I mean
12. by guaranteeing those smaller companies that...that might
13. be on perilous ground. It would be totally unacceptable
14. in its present form. This amendment merely says over a
15. five year period they get proper credits against those
16. monies paid into the fund in computing their tax liability.
17. It's a fair amendment and I certainly would ask that the
18. members here, that the committee who heard this...it had
19. a very fair hearing, a long hearing, and I would vigorously
20. oppose the attempt to remove Amendment No. 1.

21. PRESIDENT:

22. Is there further discussion? Senator Carroll.

23. SENATOR CARROLL:

24. Thank you Mr. President. The purpose of this legis-
25. lation is to adequately insure those people who have taken
26. out life insurance from a company becoming insolvent. Now,
27. we know it doesn't happen often but we know right now we're
28. going through this with Equity Life Funding where there
29. may have been fraud. What we are saying is...to the in-
30. surance companies of this State...as a privilege of doing
31. business, they shall create this fund just, just as they
32. do in casualty insurance. -- Very little difference. --
33. Should a company go under, they themselves will assess

1. themselves to insurance for the people of this State from
2. inadequate management on their part. I would only like
3. to refer you to the letter received yesterday that I'm
4. sure each and every one of the members of this Senate
5. received from Fred Mauck, the Director of the Department
6. of Insurance and rather than read the whole letter, I'm
7. sure all of you got it. I would just restate the closing
8. paragraph, the Citizens of the State of Illinois need
9. HB 828 without the premium tax offset amendment. The
10. premium tax offset puts these insurance companies in
11. the position of translating and transferring their
12. responsibility back to the 11 million citizens of this
13. State. That should not be the cost of doing business.
14. Your constituents should not have to pay this type of
15. a premium offset. What they are trying to do by this
16. amendment is to transfer the burden from themselves to
17. all the citizens of the State by taking a tax credit.
18. Many of us have opposed tax credits in all form. I think
19. this is just another attempt on the part of the insurance
20. industry to spread their burden over the 11 million
21. people. I think also as the sponsor of this bill I
22. should be entitled to have the bill in the form in which
23. it pleases me. If you don't like it in that form, then
24. it is the privilege of this Body to move it up or down.
25. I would ask that this amendment be soundly rejected.

26. PRESIDENT:

27. Is there further discussion? The motion is to
28. Table committee Amendment No. 1. On that question those
29. in favor vote aye. All those in favor vote aye. Opposed
30. no. Roll call has been requested, the motion is to Table
31. committee Amendment No. 1. The Secretary will call the
32. roll, the members will be in their seats.

33. SECRETARY:

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

8. PRESIDENT:

9. Senator McBroom, the rules do not permit an explana-
10. tion of the vote, Senator.

11. SENATOR MCBROOM:

12. Point of personal privilege.

13. PRESIDENT:

14. Well, we are on roll call. Let's proceed with the
15. roll call and...

16. SECRETARY:

17. Romano, Saperstein, Savickas, Schaffer, Scholl,
18. Shapiro, Smith Sommer, Soper, Sours, Swinarski, Vadalabene,
19. Walker, Weaver, Welsh, Wooten, Mr. President.

20. PRESIDENT:

21. Senator Sours. Senator McBroom.

22. SENATOR MCBROOM:

23. Mr. President, members of the Senate, I rise on a
24. point of personal privilege. We have a very distinguished
25. guest in the gallery, I wish the Senate would arise and
26. recognize Senator Jack Walker.

27. PRESIDENT:

28. For what purpose does Senator Merritt arise?

29. SENATOR MERRITT:

30. Request has been made to call the absentees. The
31. absentees will be called. Members will be in their seats.
32. Secretary will...call the absentees.

33. SECRETARY:

1. Chew, Conolly, Course, Dougherty, Fawell, Glass,
2. Keegan, Knuepfer, Kosinski, McBroom, Merritt, Howard
3. Mohr, Don Moore, Regner, Savickas, Scholl, Smith, Soper,
4. Swinarski, Weaver, Welsh.

5. PRESIDENT:

6. On that roll call the yeas are twenty-one, the nays
7. are nineteen, the motion to Table prevails. Request for
8. verification has been called for. Secretary will announce
9. ...will verify those voting in the affirmative.

10. SECRETARY:

11. The following voted in the affirmative. Bruce, Buzbee,
12. Carroll, Daley, Donnewald, Kenneth Hall, Hynes, Johns,
13. Knuppel, McBroom, McCarthy, Netsch, Newhouse, Palmer,
14. Partee, Rock, Romano, Saperstein, Vadalabene, Welsh and
15. Wooten.

16. PRESIDENT:

17. The next case has been called for, and all I can say
18. is that I want to be robed one of these days if we're going
19. to proceed under those activities. 3rd...are there further
20. amendments from the Floor? 3rd Reading. Advance, HB 857.

21. SECRETARY:

22. HB 857 (Secretary reads title of bill)
23. 2nd reading of the bill. No committee amendments.

24. PRESIDENT:

25. Senator Weaver. Are there amendments from the Floor?
26. 3rd reading. Senator Berning to you wish 886 advanced?
27. Advance.

28. SECRETARY:

29. HB 886 (Secretary reads title of bill)
30. 2nd reading of the bill. No committee amendments.

31. PRESIDENT:

32. Are there amendments from the Floor? 3rd reading.
33. Senator Roe, advance your bill? 889. Senator Walker,

1. do you wish you bill advanced, 900? HB 900.
2. SECRETARY:
3. HB 900 (Secretary reads title of bill)
4. PRESIDENT:
5. Take it out of the record. Senator Mitchler, Senator
6. Bruce, Senator Saperstein, 937, advance.
7. SECRETARY:
8. HB 937 (Secretary reads title of bill)
9. 2nd reading of the bill. No committee amendments.
10. PRESIDENT:
11. Are there amendments from the Floor? 3rd reading.
12. HB 902.
13. SECRETARY:
14. HB 902 (Secretary reads title of bill)
15. 2nd reading of the bill. No committee amendments.
16. PRESIDENT:
17. Are there amendments from the Floor? 3rd reading.
18. Senator Bruce, do you wish...920.
19. SECRETARY:
20. HB 920 (Secretary reads title of bill)
21. 2nd reading of the bill. No committee amendments.
22. PRESIDENT:
23. Are there amendments from the Floor? 3rd reading.
24. Senator Vadalabene do you wish 965 advanced? Advance.
25. SECRETARY:
26. HB 965 (Secretary reads title of bill)
27. 2nd reading of the bill. No committee amendments.
28. PRESIDENT:
29. Are there amendments from the Floor? 3rd reading.
30. Senator Saperstein, 973, advance.
31. SECRETARY:
32. HB 973 (Secretary reads title of bill)
33. 2nd reading of the bill. No committee amendments.

HB 1086
2nd
6/8/73

1. PRESIDENT:

2. Are there amendments from the Floor? 3rd reading.

3. I'm not familiar with who is the sponsor of...Senator

4. Johns are you the sponsor of 1033? All right, we'll

5. just pass over it. 1086, Senator Rock, advance.

6. SECRETARY:

7. HB 1033 (Secretary reads title of bill)

8. 2nd reading of the bill. The Committee on Judiciary offers

9. one amendment.

10. PRESIDENT:

11. Senator Johns, I'm sorry, Senator Rock.

12. SECRETARY:

13. That was...that was HB 1086 just read.

14. SENATOR ROCK:

15. Yes. Yes, that's an amendment that was offered by
16. the Department of Law Enforcement. It's an agreed amend-
17. ment and I would move it's adoption.

18. PRESIDENT:

19. Senator Rock moves to adopt committee Amendment No. 1.

20. Is there further discussion? All in favor of the motion to

21. adopt signify by saying aye. Contrary no. The motion

22. carries, the amendment is adopted. Are there amendments

23. from the Floor? 3rd reading. We have determined that

24. Senator Johns is the sponsor of HB 1033 and he wishes that

25. bill advanced. HB 1033. For what purpose does Senator McBroom

26. arise?

27. SENATOR MCBROOM:

28. Mr. President I again arise on a point of personal
29. privilege, but I...I'm serious about it this time. The
30. gentleman standing behind me is a member...was a member
31. of this Senate from 1930, 1934 until 1952. He served
32. with my father and was a great friend of his, he's from
33. the other side of the aisle, Mr. President. He was just

1. telling me that Senator John Fribley from Pana. He was
2. just telling me that he was looking over the list and he
3. didn't recognize too many names here, Senator Fred Smith
4. was over in the House of Representatives at that time, and
5. I don't know how many more. It's just before you came
6. down Mr. President. I'm delighted to see Senator Fribley
7. and I'm sure we're all happy to have him back saying hello
8. to us. Senator John Fribley.

9. SENATOR FRIBLEY:

10. I asked Senator McBroom not to take the time of the
11. Senate. I was here 19 years and I know in what a hell of
12. a mess you get in the last month. So forgive me for taking
13. your time and thank you gentlemen.

14. PRESIDENT:

15. HB 1033, Senator Johns.

16. SECRETARY:

17. HB 1033 (Secretary reads title of bill)
18. 2nd reading of the bill. No committee amendments.

19. PRESIDENT:

20. Are there amendments from the Floor? 3rd reading.
21. Senator Course did you wish recognition? Senator Course.

22. SENATOR COURSE:

23. Yes Mr. President, members of the Senate, it's my
24. pleasure to introduce the wife of one of our freshman
25. members, Senator Daley, Maggie Daley.

26. PRESIDENT:

27. Senator Rock. Senator McBroom, 1498 you wish...advance.

28. SECRETARY:

29. HB 1498 (Secretary reads title of bill)
30. 2nd reading of the bill. No committee amendments.

31. PRESIDENT:

32. Are there amendments from the Floor? 3rd reading.
33. Senator Rock you wish to proceed with that other series

1. of bills? Yes. HB 1087, advance.

2. SECRETARY:

3. HB 1087 (Secretary reads title of bill)

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

5. PRESIDENT:

6. Are there amendments from the Floor? 3rd reading.

7. HB 1088.

8. SECRETARY:

9. HB 1088 (Secretary reads title of bill)

10. 2nd reading of the bill. No committee amendments.

11. PRESIDENT:

12. Any amendments from the Floor? 3rd reading. 1089.

13. SECRETARY:

14. HB 1089 (Secretary reads title of bill)

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

16. PRESIDENT:

17. Are there amendments from the Floor? 3rd reading.

18. Senator McBroom, 1568. Advance.

19. SECRETARY:

20. HB 1568 (Secretary reads title of bill)

21. 2nd reading of the bill. No committee amendments.

22. PRESIDENT:

23. ...amendments from the Floor? 3rd reading. Senator

24. Buzbee, advance. HB 1624.

25. SECRETARY:

26. HB 1624 (Secretary reads title of bill)

27. 2nd reading of the bill. No committee amendments.

28. PRESIDENT:

29. Are there amendments from the Floor? 3rd reading.

30. 1625, advance.

31. SECRETARY:

32. HB 1625 (Secretary reads title of bill)

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

1. PRESIDENT:
2. Are there amendments from the Floor? 3rd reading.
3. Senator Daley on the Floor? Advance 1844.
4. SECRETARY:
5. HB 1844 (Secretary reads title of bill)
6. 2nd reading of the bill. No committee amendments.
7. PRESIDENT:
8. Are there amendments from the Floor? 3rd reading.
9. ...you were off the Floor when we went by HB 615. Ok,
10. you want us to hold it. All right. For what purpose
11. does Senator Merritt arise?
12. SENATOR MERRITT:
13. Mr. President are we on an order of business where
14. I could make a motion to discharge our committee from a
15. given bill and get it into it's proper committee. Are
16. we at that stage?
17. PRESIDENT:
18. Well we are...we are trying to finish up on House
19. Bills 2nd. Let's call...let's make sure now, are there
20. any members who have House Bills on 2nd reading who wish
21. them advanced that were not on the Floor when we went by
22. the bill. Senator Don Moore, 389, well, that's Senator
23. Knuepfer's bill. Senator Moore.
24. SENATOR DON MOORE:
25. Mr. President, this is an amendment that just came
26. up that was agreed upon in committee that Senator Knuepfer
27. wanted on the bill.
28. PRESIDENT:
29. Well, I...I think in the absence of Senator Knuepfer
30. let's...the bill has been through committee, we're not
31. under quite such a time problem with it, let's...are there
32. any sponsors of...Senator Walker.
33. SENATOR WALKER:

1. There's an amendment down here if Kenny has the
2. right...to HB 900 and it was the amendment that was agreed
3. on in Judiciary the other day with John Watson of the
4. Department of Registration and Education. It amends...

5. PRESIDENT:

6. Let's...let's...let's read the bill, just. HB 900.

7. SECRETARY:

8. HB 900 (Secretary reads title of bill)

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

10. Amendment No. 1 by Senator Walker.

11. SENATOR WALKER:

12. This amendment amends page 2, line 5, now states
13. approved by or conducted. It now reads, the amendment
14. makes it read approved by or supervised by the Department
15. of Registration and Education. And it...the way the
16. Department wanted the bill and the proponents are in
17. favor of the amendment, and I'd like to move it's adoption.

18. PRESIDENT:

19. Is there further discussion? On the motion to
20. adopt, all in favor signify by...Senator Partee.

21. SENATOR PARTEE:

22. I'm sorry, what was the amendment? I just couldn't
23. hear it.

24. PRESIDENT:

25. Senator Walker.

26. SENATOR WALKER:

27. Senator Partee on page 2, line 5, and I'll go into
28. it a little more thoroughly, it says and that such security
29. guard is successfully completed a course of study approved
30. by or conducted by the Department of Registration and
31. Education. The amendment strikes the two words or conducted
32. and makes it or supervised. Now it will read and that
33. such security guard has successfully completed a course

1. of study approved by or supervised by the Department
2. of Registration and Education. And the amendment was
3. agreeable to the Department and to all the twenty opponents
4. who were here to testify against it.

5. PRESIDENT:

6. Is there further discussion? Senator Partee. The
7. question is shall Floor Amendment No. 1 be adopted. All
8. in favor signify by saying aye. Contrary no. The motion
9. carries, the amendment is adopted. 3rd...are there further
10. amendments from the Floor? 3rd reading. Senator Daley.

11. SENATOR DALEY:

12. Mr. President, HB 1138 was read for the 1st time
13. today. I'd like to ask leave of the Senate to discharge
14. the Committee on Assignment of Bills in order to advance
15. HB 1138 to the order of 2nd reading. And I've talked to
16. Senator Shapiro on the Pension...

17. PRESIDENT:

18. Yes.

19. SENATOR DALEY:

20. ...Committee is agreed to it. It's a similar bill
21. that was passed by me in the Senate.

22. PRESIDENT:

23. Senator Daley has moved to discharge the Committee on
24. Assignment of Bills from further consideration of HB 1138,
25. have it advanced to the order of 2nd reading without reference.
26. All in favor of the motion signify by saying aye. Contrary
27. no. The motion carries, so ordered. Senator Merritt we'll
28. revert to the order of motions for your...

29. SENATOR MERRITT:

30. Mr. President, HB 1595 was inadvertently assigned
31. to the Senate Insurance and Financial Institutions Committee.
32. It has to do with an appropriation to the public utility
33. fund in the Illinois Commerce Commission. I have talked to

Conf. of
Mr. Ozinga
6/8/73

1. Senator Graham about it as well as the Senate sponsor,
2. Senator Daley. They have no objections for the discharge
3. of our committee and for it to be reassigned to the
4. Committee on Appropriations. I'd so move.

5. PRESIDENT:

6. Senator Merritt moves to discharge the Committee on
7. Insurance from further consideration of...what was the bill
8. number? ...1595...HB 1595 and re-referred to the Committee
9. on Appropriations. All in favor signify by saying aye.
10. Contrary no. The motion carries, so ordered. Senator
11. Ozinga.

12. SENATOR OZINGA:

13. Now Mr. President I would move you that the Senate...

14. PRESIDENT:

15. Well, we...you wish to proceed then. We'd revert
16. to the order of committee reports.

17. SENATOR OZINGA:

18. Committee reports. I would then move you that we
19. resolve ourselves into Executive Session for the purpose
20. of receiving a committee report from the Executive Committee.

21. PRESIDENT:

22. Senator Ozinga moves that the Senate resolve itself
23. into Executive Session for the purpose of receiving a
24. report from the Executive Committee. All in favor signify
25. by saying aye. Contrary no. The motion carries, so ordered.
26. Senator Ozinga.

27. SENATOR OZINGA:

28. Now Mr. President, Members of the Senate, as you recall
29. yesterday we omitted intentionally the recommendation with
30. reference to the nomination of Dr. LeRoy P. Levitt of Chicago
31. to be the Director of the Department of Mental Health for a
32. term expiring on the third Monday of January, 1975. Now
33. Mr. President, before I make the motion with reference to

Conf. to
Dr. Levitt
1/18/75

1. the report of the committee, the committee itself voted
2. 21 ayes and 1 nay with reference to the recommendation
3. for his consent and advise for his consent to that
4. nomination. However, in talking just a moment on Dr. Levitt,
5. I would like to say that there were some of us that who had
6. very grave doubts at the onset of again allowing a personality
7. to take a directorship and have a supplemental income which
8. this man did have from the Chicago Medical School. Now,
9. with reference to conflict of interest, we analyzed in the
10. committee very well finding that because of his supplemental
11. income with the Chicago Medical School that it was narrowed
12. down to one facet and that would be the facet of handling
13. grants, scholarships and etc., for the various schools through-
14. out the State, also Federal grants involved therein. Now,
15. there has been precedent set by various members and various
16. Governors before the present Governor with reference to the
17. supplemental income. With reference to the conflict I think
18. it has been narrowed down to such a degree that it can be
19. pinpointed. However, Dr. Levitt has shown sincere interest
20. in surveying the situation at all of the various institutions.
21. He has analyzed and has surveyed the budget, which by the
22. way had been set up prior to his ...prior to his selection
23. but he has familiarized himself to such an extent that he
24. has satisfied to a large degree a great number of objections
25. that have been raised. He, just as late as last night,
26. yesterday has met with various associations, various
27. individuals on various programs. He has acceded to some
28. of their requests. He has stood fast on others. He shows
29. to be a man of good integrity, moral character and reputation.
30. His qualifications are not denied. I personally have talked
31. with Dr. Levitt on various occasions and as you all know
32. I am very personally interested by way of the visitation
33. commission to see that all of the patients, mentally ill

copy to
Dr. LeRoy P. Levitt
6/8/73

1. and retarded alike, have very definite care, personal care
2. at the institutions and that various programs are not phased
3. out. Now he has agreed to take a very positive personal
4. interest in all of these things, and Mr. Chairman with all
5. of those things running in his favor, and with so little
6. running against him, I would move that the Senate advise
7. and consent to the nomination of Dr. LeRoy P. Levitt of
8. Chicago to be Director of the Department of Mental Health
9. for a term expiring the third Monday of January, 1975.

10. PRESIDENT:

11. Senator Sours.

12. SENATOR SOURS:

13. Mr. President, Ladies and Gentlemen of the Senate,
14. I think I can be brief because I know the hour is late,
15. and this is the tailend of the week. Some of my close
16. friends have told me I better start being for something
17. once in awhile, and maybe that's good advice. I think
18. we're...we're embarking by recognizing upon a situation
19. that could bode a lot of evil, a lot of mischief. I look
20. upon a part-time Director as being one who might otherwise
21. be hired by contractual services. Now, basically the
22. trouble with the part-time Director is that it violates
23. three or four principles that I believe government ought
24. to adhere to. If the directorship is at all important,
25. it deserves a full time director. If it is not an important
26. directorship, then I suppose it could be relegated down
27. to the bottom of the pile and considered under contractual
28. services. I look upon this position as being an important
29. position, and that the Director ought to be an absolute
30. full time, untrammled Director who can serve only one
31. master, the master being the sovereign itself, the government.
32. That's item one. Here is item two. How does one check up
33. on the top person in an important adjunct of State Government

Copy of
Mr. Partee
6/8/73

1. to see just how much part-time performance he performs.
2. Certainly the briefcase carriers under his tutelage and
3. also under his jurisdiction are never going to tell you
4. and me how many days last week he worked. This Director
5. could be out fishing for trout in a fast stream some rainy
6. morning with hip boots and all and someone says to him, aren't
7. you working today? He said no, I've finished my part-time
8. work this week. Now, I happen to be narrow minded, admittedly.
9. I think my opinions have long since congealed on matters of
10. principle. We can compromise just about everything else
11. but we cannot compromise principle because we live by
12. habits and we live by precedents and to me this is a
13. very, very miserable bad precedent, with no virtue. If
14. this directorship is worth its salt, it's worth a full
15. time Director and if we're talking about money, I'm
16. certain we can find some one competent who will be
17. obliged to be putting all of his time. I hear many il-
18. logical comments made about members of this Legislature, that
19. we're part-time. That is true. But we're part-time because
20. the people elected us well knowing that we have a long
21. year and a short year. Now, in the case of this appointee
22. everything I've heard about him is good, but the principle
23. is bad. I defy anyone to ever tell me a year from now just
24. exactly what this Director, and he's going to be approved,
25. just what he's been doing with his part-time directorship.
26. For that reason I may be the only one to oppose it, just
27. as I opposed the appropriation for the Lieutenant Governor
28. until we find something for him to do. I don't mind being
29. alone.

30. PRESIDING OFFICER (SENATOR WEAVER):

31. Senator Partee.

32. SENATOR PARTEE:

33. Well, Mr. President and Members of the Senate, all

Mr. F. D. Ditt
6/18/75

1. of us have been quite concerned about this particular
2. nomination. Not only because it is an important one but
3. because originally we had some misgivings about a man
4. remaining connected with the institution where he was
5. employed after he became employed by the State of Illinois.
6. In the Committee the other day he gave us the assurance
7. that this would be full time employment. As a matter of
8. fact he said that he had been told by those hospitals
9. with...which he's connected that they understood that
10. this would be a full time job and in a personal conver-
11. sation with him I determined that just this week he's
12. been working until 9:00 every night. It is in fact a
13. full time job. I've never received on any appointment
14. as much mail of a derogatory nature as I did in this
15. particular appointment. The mail seems to run in the
16. vein that people are concerned about the number of cuts
17. and the number of closings of institutions. I had two
18. ladies visit me this morning from Peoria, Illinois who
19. were concerned about the closing of a facility there.
20. They talked about several of their personal problems.
21. I'm sure that there are many people throughout the State
22. concerned particularly about those persons who've been
23. laid off in cuts. I asked him the specific question if
24. ever economy would be used to lessen services, or to put
25. it in another way, if he was more concerned about economics
26. and economy and saving money than he was about patient
27. services and he said that he would never permit patient
28. services to diminish to a point where they would be
29. unsatisfactory to the patients, and that economy though
30. important would not be the main thrust. And I took his
31. word for it, and I am saying here today that we're supporting
32. his nomination, knowing full well that there are many
33. people throughout this State who are concerned, who've

*Copy of
Dr. Levitt
6/8/73*

1. taken the time to write thousands of letters on this
2. subject and on this nomination. I am convinced that
3. this is a man of impeccable character that he has good,
4. well, just almost unbelievably outstanding credentials,
5. one of the top men in America in this field. I cer-
6. tainly am planning to advise and consent to this nomina-
7. tion. And I want everyone to know, all the people who have
8. written me letters that we do have the assurance that
9. there will not be any lessening or diminution of services
10. and that as soon as this organization is restructured
11. it will be a good mental Health Department. Now, Senator
12. Carroll and Senator Daley and Senator Saperstein and
13. Senator Welsh have been working almost on a day to day
14. basis with the gentleman. They've discussed many programs
15. and they have assured me this morning that they are at
16. least partially convinced that this will be the kind of
17. Department of which we can later be proud. I certainly
18. plan to support this nomination.

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Senator Harris.

21. SENATOR HARRIS:

22. Well, Mr. President, Members of the Senate, I rise
23. to join Senator Ozinga in support for the confirmation of
24. this outstanding nominee. I don't believe it's a question
25. of whether Dr. Levitt will be full time or not, there is
26. no question but what he has been performing beyond a
27. reasonable definition of what constitutes a full time job
28. since his appointment by the Governor and the forwarding
29. of his nomination. The question that has troubled me
30. all along is the question of supplemental salary and it's
31. potential for conflict of interest. The solution that
32. has been fashioned by the Governor in behalf of the service
33. of this outstanding man is one of supplemental salary by a

*Copy of
Presiding Officer
6/8/73*

1. private source for a non-defined performance of services
2. to that private educational institution. I might call
3. attention to the fact that this is a magnanimous and
4. outstanding sacrifice on the part of Chicago Medical
5. School to make this contribution to all of the people of
6. Illinois to assure the services of this outstanding nominee
7. whose personal requirements to his family would not permit
8. him to make the financial sacrifice to serve only under
9. the rate of compensation provided by statute. I suggest
10. that this is not an entirely satisfactory solution. We
11. have communicated to the Executive Department that it
12. perhaps should be a more appropriate thing to come forward
13. candidly and directly with legislation amending the salary
14. provided under the existing statute for the Director of the De-
15. partment of Mental Health. In the instant case the service of
16. Dr. Levitt I have absolutely no question or concern about his
17. capacity to resolve any question of conflict of interest.
18. In truth, he is one of the national, national leaders
19. in the field of psychiatry and his skill as an administrator
20. in his service to Chicago Medical School and the several
21. months activity in his interim appointment since being
22. nominated by the Governor attest and demonstrate that fact.
23. I would be discouraged if the kind of skill embodied and
24. personified by Dr. Levitt should be denied the people of
25. Illinois, and while I acknowledge that the solution may
26. not be everything that meets the criteria of being satis-
27. factory his service and potential service most certainly
28. are. And for these reasons, I join in urging this Senate,
29. clearly being on notice about the problem that continues
30. to exist, that Dr. Levitt be affirmed and the Senate do
31. advise and consent to his appointment as Director of the
32. Department of Mental Health.
33. PRESIDING OFFICER (SENATOR WEAVER):

*Conf. of
Dr. Levitt
6/18/73*

1. Senator Carroll.

2. SENATOR CARROLL:

3. Thank you, Mr. President, Members of the Senate. I
4. had not heretofore during this Session arisen on any confirma-
5. tion. I think this one is important especially in...into the
6. fact that the Minority Leader had alluded to a special
7. committee on our side of the aisle that some of you have
8. raised some questions about. Many of us have been studying
9. the Department of Mental Health as a special limited task
10. force, on their appropriations and on their programs and
11. have had countless hours of meeting with Dr. Levitt and
12. his entire executive staff, numbering 30 to 40 hours already
13. in private sessions with them. And during that time and
14. although I for one am not in total agreement on some of the
15. programs and philosophies specifically towards certain
16. institutions that they are prepounding, we have gotten
17. certain assurances from them and we sill have the budget
18. that we still have control over and will have control over
19. during the remainder of his term in office. But I did find
20. one thing, and although all the mail that we have all received
21. talks about the good Dr., they're mainly talking about certain
22. program cuts that they are concerned with either as families
23. of patients or as employees or as families of employees.
24. And from all these hours of work with Dr. Levitt and his
25. staff I have come to the conclusion that he himself is totally
26. dedicated to the concept of providing adequate mental health
27. care for all of the 11 million citizens of this State, for
28. the kids at Chicago Reed and at Madden and for the people
29. who are institutionalized at the institutions throughout
30. this State. And that his...the thrust of his problems
31. results in his real dedication to a forward ongoing and
32. moving program in mental health to help the people of our
33. State, and I think that's...what we should be all looking

*Copy of
Re. Weaver
6/18/75*

1. for. AS to his confirmation, I don't think we could
2. find a more dedicated man, and I would urge the support
3. of everybody in this Chamber to confirm him as the
4. Director.

5. PRESIDING OFFICER (SENATOR WEAVER):

6. The question is does the Senate advise and consent
7. to the nomination just made. Upon that question the
8. Secretary will call the roll.

9. SECRETARY:

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

20. PRESIDING OFFICER (SENATOR WEAVER):

21. Mitchler, aye. Kosinski, aye. Vadalabene, aye.
22. The result of the vote of the Senate on the question is
23. 43 ayes, 2 nays, one present. A majority of the Senate
24. elected concurring by record vote, the Senate does advise
25. and consent to the Governor's nomination of Dr. LeRoy
26. Levit for the Office of Director of the Department of
27. Mental Health. Senator Ozinga.

28. SENATOR OZINGA:

29. Now Mr. President I would move that the Senate do
30. now arise from it's Executive Session.

31. PRESIDING OFFICER (SENATOR WEAVER):

32. All in favor signify by saying aye. Opposed nay.
33. Senate does arise. Any announcements? Resolutions.

1. SECRETARY:

2. Senate Joint Resolution No. 41, Senator Harris.

3. (Secretary reads Adjournment Resolution)

4. PRESIDING OFFICER (SENATOR WEAVER):

5. Senator Harris moves for the immediate adoption of
6. the Resolution. All in favor signify by saying aye.

7. Opposed nay. The Resolution is adopted. Any further an-
8. nouncements? The Senate stands adjourned. Senator Harris.

9. SENATOR HARRIS:

10. I think we ought to announce for the benefit of
11. the members that our schedule does provide for us to
12. convene at noon on Monday the 11th and additionally
13. we have placed on every members desk, there will be
14. additional copies of these. We will take notice of
15. those who were present today and try and communicate
16. to those who were not in attendance a list of bills
17. that are on a preliminary list for an agreed bill action
18. on Tuesday next, on the 12th, so be sure and take this
19. list home with you, evaluate it and communicate to the
20. respective leadership whether there are problems with
21. any of the bills and for you as individuals so that we
22. can arrange for the same recording of those who do not
23. wish to support bills on an individual basis. But we
24. will proceed on an agreed bill list on Tuesday the 12th.
25. I think those two things should have been called to the
26. adjourning attention of the Senate.

27. PRESIDING OFFICER (SENATOR WEAVER):

28. The Secretary does advise me he has two or three
29. bills, House Bills that he would like to read a 1st time.
30. Messages from the House.

31. SECRETARY:

32. A Message from the House by Mr. Selcke, Clerk.

33. (Secretary reads Message from House)

1. PRESIDING OFFICER (SENATOR WEAVER):
2. Senator Harris moves the adoption. All in favor signify
3. by saying aye. Opposed nay. The motion's adopted. The
4. Resolution is adopted. The Secretary has a notice in
5. writing that he would like to read. Senator Rock.
6. SENATOR ROCK:
7. I presume that is a motion to reconsider and I would
8. point out to the Chair that we have in fact adjourned.
9. PRESIDING OFFICER (SENATOR WEAVER):
10. Senator Harris.
11. SENATOR HARRIS:
12. Under the rules Senator McBroom has until Monday to
13. file this motion. We're not going to act on it, it's just
14. being placed on the Secretary's desk.
15. PRESIDING OFFICER (SENATOR WEAVER):
16. Senator Rock do you remove your objection?
17. SECRETARY:
18. Motion...Notice in Writing.
19. (Secretary reads Notice in Writing)
20. PRESIDING OFFICER (SENATOR WEAVER):
21. House Bills, 1st reading.
22. SECRETARY:
23. HB 1136, Senator Bell (Secretary reads title of bill)
24. 1st reading of the bill.
25. HB 1581, Senator Course (Secretary reads title of bill)
26. 1st reading of the bill.
27. HB 1645, Senator Knuppel (Secretary reads title of bill)
28. 1st reading of the bill.
29. PRESIDING OFFICER (SENATOR WEAVER):
30. Are there any further announcement? If not, the
31. Senate will stand adjourned until 12:00 noon, Monday, June
32. the 11th.
- 33.