

78th GENERAL ASSEMBLY

June 25, 1973

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. The Senate will be in order. The invocation will  
3. be by Rabbi Meyer Mr. ...Abramowitz. That's it. I'm  
4. sorry. Temple B'Rith Shalom, Springfield, Illinois. Rabbi.

5. (Prayer by Rabbi Abramowitz,  
6. of Temple B'Rith Shalom,  
7. Springfield, Illinois)

8. Thank you Rabbi Abramowitz. Reading of the Journal.

9. Senator Soper.

10. SENATOR SOPER:

11. Mr. President, Members of the Senate, I move that  
12. we postpone the reading and the approval of the Journals  
13. of June 18th, 19th, 20th, 21st, 22nd and 23rd pending  
14. the arrival of the printed Journal.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. You have heard the motion of the Senator from Cicero,  
17. all in favor signify by saying aye. Opposed. The ayes  
18. have it and the motion prevails. Senator Soper. Messages  
19. from the House.

20. SECRETARY:

21. (Secretary reads messages from the House)

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. Secretary's desk. ...Sergeant at Arms should  
24. ring the bell and may the Senators if any who are in  
25. their offices be advised that we are waiting attendance  
26. so the Senate may proceed. When I want you I will call  
27. you. Senator...Davidson.

28. SENATOR DAVIDSON:

29. Mr. President, I'd like to start this day off right  
30. and introduce to the Senate a group of students learning  
31. history in its making. A group of Springfield High School  
32. students that...attending summer school. Would you please  
33. rise so the Senate can honor you?

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. We could inform them now, there are...some of the  
3. new Senators. Senator Sommer. Some of the new Senators  
4. will be contacted today by the Department of Personnel,all...  
5. everybody will with regard to being enrolled in the...in  
6. the insurance program. So, they'll be calling you off  
7. one at a time today for that purpose, so I thought I'd  
8. should alert you. And this is a must. Those who are not  
9. here may be in a little trouble. Charles I told you I'd  
10. call you when I wanted you. ...weren't you asking for  
11. Senator Chew. ...asking for Senator Chew. Please do.  
12. ...with Senator Knuppel is here we could...could go to  
13. House Bills on 1st reading. Starting with 959 unless  
14. you have other sponsors signed up.

15. SECRETARY:

16. HB 959 (Secretary reads title of bill)  
17. 1st reading of the bill.

18. HB 960, Senator Knuppel.  
19. (Secretary reads title of bill)  
20. 1st reading of the bill.

21. HB 961, Senator Knuppel.  
22. (Secretary reads title of bill)  
23. 1st reading of the bill.

24. HB 962, Senator Knuppel.  
25. (Secretary reads title of bill)  
26. 1st reading of the bill.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. We don't have 30 votes.

29. SECRETARY:

30. HB 1497, Senator Rock.  
31. (Secretary reads title of bill)  
32. 1st reading of the bill.

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. We are still a few Senators short. Will the  
2. Sergeant at Arms... Senator Weaver, Gentleman from  
3. Urbana.

4. SENATOR WEAVER:

5. Mr. President, I have a bill here on 2nd reading  
6. 802 which has been amended into another bill, so I  
7. would ask leave to Table HB 802.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. You have heard the request of Senator Weaver,  
10. asks leave of the Body to Table HB 802. Is leave  
11. granted? Leave is granted and the bill is Tabled.  
12. ...15 or 20 more Senators with the same thought in mind  
13. do we? Senator Knuppel asks leave of the Body to Table  
14. HB 880. Is leave granted? Leave is granted and the bill  
15. is Tabled. 880. Those two bills that were just Tabled  
16. were both...both of them were on House Bills, 2nd reading.  
17. And on your Calendar, one column has a heading of House  
18. Bills on 3rd reading when it more appropriately should  
19. be House Bills on 2nd starting...starting with HB 825,  
20. and from there down those are rightfully House Bills, 2nd  
21. reading. There was a misprint on the Calendar. First  
22. column on the second page.

23. SENATOR NIMROD:

24. And I would ask leave to recall 17...HB 1724 for  
25. the purpose...from 3rd reading for...2nd for purpose of  
26. amendment.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. Been a request for suspension of the rules to recall  
29. HB 1724 from the order of House Bills 3rd to that of 2nd  
30. reading for purpose of consideration of amendment. Is  
31. leave granted? Leave is granted. HB 1724 is now on the  
32. order of House Bills 2nd reading. Senator Nimrod.

33. SENATOR NIMROD:

HB 1532  
Recalled  
Amendment  
6/25/73

1. Yes. Mr. President, Fellow Senators this amendment  
2. was one that was asked for in committee and what it basically  
3. does is to leave the present law...changes the registration  
4. ...allows the incorporated town or towns to have the same  
5. registration as the counties, and it leaves everything.  
6. else the same.

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. Any further discussion? All in favor of the  
9. adoption of the amendment signify by saying aye. Opposed.  
10. The ayes have it, the amendment is adopted. Any further  
11. amendments? Bill will be returned to the order of House  
12. Bills on 3rd reading.

13. SENATOR SOMMER:

14. Mr. President, I would ask for leave to return  
15. HB 1172 to the order of 2nd reading for the purpose of  
16. an amendment.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. You have heard the request of the Senator from Morton,  
19. all in favor signify by saying aye. Bill is...Opposed.  
20. The ayes have it, the bill is now on the order of 2nd  
21. reading. Senator Sommer.

22. SENATOR SOMMER:

23. This amendment is...was drafted by Lee Schwartz  
24. and Steve Sargent to conform the bill to a rather recent  
25. law...or court case, and I would ask for a favorable roll  
26. call on the amendment.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. All in favor of the adoption of the amendment signify  
29. by saying aye. Opposed. The ayes have it and the amend-  
30. ment is adopted. Any further amendments? Return to the  
31. order of 3rd reading.

32. SENATOR MITCHLER:

33. Mr. President I have HB 1532 on 3rd reading. I would

HB 1532  
6/25/73

1. like to have the bill moved back to 2nd reading for the  
2. purpose of putting on an amendment.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. The Senator from Oswego asks leave of the Body to  
5. return HB 1532 to the order of 2nd reading for the con-  
6. sideration of amendment. Is leave granted? Leave is  
7. granted, the bill is now on the order of 2nd reading.

8. Senator Mitchler offers Amendment No. 2.

9. SENATOR MITCHLER:

10. And what this amendment does it provides for those  
11. who are paid once a month non-governmental employees. And  
12. I would move for adoption of the amendment.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. All in favor of the adoption of Amendment No. 2  
15. to HB 1172 signify by saying aye. Opposed. The ayes  
16. have it...and...1532, I'm sorry. To HB 1532, opposed?  
17. The ayes have it, Amendment No. 2 is adopted. Any further  
18. amendments? Bill will be returned to the order of 3rd  
19. reading. ...asks leave of the Body to have HB 739  
20. returned to order of 2nd reading for the consideration  
21. of an amendment. Is leave granted? Leave is granted  
22. and the bill is now on the order of 2nd reading. HB 739.  
23. Senator... just a moment, HB 739? That's Latherow's bill.  
24. No, we can't. We have to take that from the record, we  
25. do not move the bill without the sponsor being on the Floor.

26. Senator Nimrod.

27. SENATOR NIMROD:

28. Yeah, Mr. Latherow...

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. Senator Latherow is just coming in.

31. SENATOR NIMROD:

32. Senator Latherow had seen this and had given permission  
33. and we were on the...

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. He is...he is just approaching his microphone. Just  
3. a moment.

4. SENATOR NIMROD:

5. Senator Latherow this is on SB 7...I mean HB 739.  
6. I'm Tabling the 1st Amendment and substituting this new  
7. amendment. Is that all right sir?

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Senator Latherow.

10. SENATOR LATHEROW:

11. There are two amendments to go on that, and I see  
12. no need to take it back for this one and put it back, we'd  
13. just as well wait till they're both ready and do it at that  
14. time.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Then the request for the removal of the bill from 3rd  
17. to 2nd reading for the purpose of an amendment will be  
18. taken from the record as the result of an objection from  
19. the...the Senate sponsor of the House Bill. So ordered.  
20. ...do you have a problem? That you'd like to discuss with  
21. me? Take anybody's microphone. You don't have to go all  
22. the way to the southwest forty. Gentlemen.

23. SENATOR VADALABENE:

24. Thank you Mr. President, I would like to have HB 462  
25. brought back from 3rd reading to 2nd reading for the purpose  
26. of an amendment.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. You have heard the request of the Senator from  
29. Edwardsville. All...is leave granted? Leave is granted  
30. the bill will now be on the order of 2nd reading for the  
31. purpose of considering an amendment and the Senator will...  
32. Amendment No. 2 and the Senator will explain his amendment  
33. and we'll have some order and listen to him please.

1. SENATOR VADALABENE:

2. Yes...

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. He might be amending the State of Illinois out.

5. SENATOR VADALABENE:

6. ...what the impact would deal would require the  
7. Department of...to regulate the construction, maintance  
8. of private sewage disposal plants on page 2 by deleting  
9. the words political subdivision...

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Gentlemen.

12. SENATOR VADALABENE:

13. ...subdivision and on page, line 10 after the  
14. word thereof and not apply to the State of Illinois  
15. and to the Department thereof and I move for the adoption  
16. of the amendment.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Senator Vadalabene moves the adoption of Amendment  
19. No. 2 to HB 462. All in favor signify by saying aye.  
20. Opposed. The ayes have it and the amendment is adopted.  
21. Any further amendments from the Floor? Be returned to  
22. the order of 3rd reading. Senator McCarthy, you wanted  
23. to do some business? Recognize the Senator from Decatur.

24. SENATOR MCCARTHY:

25. Mr. President, HB 1323, like leave to move that  
26. back for the purpose of attaching an amendment.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. There's been a request by Senator McCarthy to move...  
29. have HB 1323 returned to the order of 2nd reading for  
30. the purpose of considering an amendment. All in favor  
31. signify by saying aye. Opposed. Leave is granted the  
32. bill is now on the order of 2nd reading for the purpose  
33. of considering Amendment No. 1. Senator McCarthy will

1. explain his amendment, and we'll have some order so at  
2. least I can understand what he's saying. Gentlemen, please.

3. SENATOR McCARTHY:

4. What this...

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. Just a moment Senator. Senator Mitchler, for what  
7. purpose do you rise? Senator McCarthy is explaining an  
8. amendment. Senator Mitchler.

9. SENATOR MITCHLER:

10. Mr. President, point of order. I wonder if the...  
11. when we put the amendments on if the leadership on both  
12. sides could be furnished a copy of it so then we can go to  
13. our leadership to see what...what the amendment is. I mean  
14. the sponsor, they just send a copy to Senator Partee or  
15. Senator Rock and over here to Senator Harris and then we  
16. could check it. We don't all have to have a copy of it.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Senator Rock.

19. SENATOR ROCK:

20. I think the Senator's point is well taken. It seems  
21. to me about five minutes ago he amended HB 1532 and we  
22. were not provided with said copy.

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. I see copies of Senator...Senator Mitchler. No  
25. comment. Senator McCarthy's amendments are being dis-  
26. tributed, and I think it is a good idea that they be  
27. distributed. Now Senator McCarthy. We have some order  
28. I think so you can explain your amendment.

29. SENATOR McCARTHY:

30. Yeah, what this...this is a bill that provides for  
31. participation between credit unions and savings and loans  
32. and...and some mortgages, and what I'm doind is deleting  
33. banks from the...from the bill because of a...I think that's



1. a development that'll take place later if the...if the  
2. bill is passed and signed into law then...then that would  
3. be a separate subject matter. I move the adoption of  
4. the amendment.

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. If the Chair may inquire does Senator...Senator  
7. Merritt is probably going to inquire.

8. SENATOR MERRITT:

9. I wonder if Senator McCarthy would mind holding that  
10. a few minutes and then we can come back to it.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. ...the bill on 3rd reading and you can repeat your  
13. motion as soon as Senator Merritt. Be returned, it's  
14. easier for the Secretary. Yes, we'll keep the amendment  
15. up here and when you make your motion we'll... Senator  
16. Scholl.

17. SENATOR SCHOLL:

18. All right. I move for the adoption of...

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. Turn Senator Scholl's microphone. All right.  
21. You'll use it please.

22. SENATOR SCHOLL:

23. I move for the adoption of Amendment No. 1 to  
24. HB 915. I have permission from the Senate sponsor  
25. to put this amendment on.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. Where is HB 915?

28. SENATOR SCHOLL:

29. I want to move it from 3rd to 2nd.

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. The Senate sponsor is not here and we cannot do that  
32. until Senator Kosinski is here.

33. SENATOR SCHOLL:

1. He's given me permission.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. We still can't do it until the Senator's on the

4. Floor. That has been the rule of some substantial...

5. standing for a long time. Senator...

6. SENATOR VADALABENE:

7. Thank you Mr. President, I would like to recall

8. SB 1052 for the purpose of Tabling Amendment No. 1 and

9. then offering Amendment No. 2.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Senate Bill?

12. SENATOR VADALABENE:

13. HB 1052, I'm sorry, Mr. President.

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. Senator Vadalabene asks for leave of the Senate

16. to return HB 1052 to the order of 2nd reading for the

17. purpose of considering...

18. SENATOR VADALABENE:

19. Tabling...Tabling Amendment No. 1.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. ...for the purpose of considering amendments. Is

22. leave granted? Leave is granted the bill is now on 2nd

23. reading. Senator Vadalabene.

24. SENATOR VADALABENE:

25. I'd like to have leave to Table Amendment No. 1

26. Mr. President to HB 1052.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. You have to...I think your motion is you reconsider

29. the vote by which the amendment was adopted.

30. SENATOR VADALABENE:

31. Ok. Having voted on the prevailing side of which

32. Amendment 1 was adopted, I would like to have leave to

33. Table Amendment No. 1. to HB...

1. PRESIDING OFFICER (SENATOR GRAHAM):  
2. Is leave granted to reconsider the vote by which  
3. the amendment was adopted?  
4. SENATOR VADALABENE:  
5. All right.  
6. PRESIDING OFFICER (SENATOR GRAHAM):  
7. Is leave granted? Leave is granted and now I recognize  
8. the Senator from Edwardsville to make a motion.  
9. SENATOR VADALABENE:  
10. Make a motion to Table Amendment No. 1.  
11. PRESIDING OFFICER (SENATOR GRAHAM):  
12. Senator Vadalabene moves to Table Amendment No. 1  
13. to HB 1052. All in favor will signify by saying aye.  
14. Opposed. The ayes have it and the amendment is adopted.  
15. Any further discussion on...HB 1052. Senator Vadalabene.  
16. SENATOR VADALABENE:  
17. Yes Mr. President, now I would like to...to...to  
18. make a motion to adopt Amendment No. 2 to HB 1052.  
19. PRESIDING OFFICER (SENATOR GRAHAM):  
20. Does...have you distributed this amendment to the  
21. leadership?  
22. SENATOR VADALABENE:  
23. Yes I have. To the leadership, I brought it on  
24. the Secretary's desk. And I think that...the Secretary's  
25. desk passes it on to the leadership.  
26. PRESIDING OFFICER (SENATOR GRAHAM):  
27. He now moves, the Senator Vadalabene moves to  
28. adopt Amendment No. 2 to HB 1052. All in favor of the  
29. adoption of the Amendment signify by saying aye. Opposed.  
30. The ayes have it and the amendment is adopted. Any further  
31. amendments? The bill will be returned to the order of 3rd  
32. reading. Gentlemen this would be a real good time to amend  
33. your district over into Iowa. So will you please pay attention.

1. Senator Nimrod.

2. SENATOR NIMROD:

3. Yes Mr. President I would like to move HB 1359  
4. to 2nd reading for purposes of an amendment.

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. Senator Nimrod asks leave of the Body to have HB  
7. 1359 returned to the order of 2nd reading for the purpose  
8. of considering an amendment. Is leave granted? Leave is  
9. granted and the bill is now on the order of 2nd reading.

10. Senator Nimrod.

11. SENATOR NIMROD:

12. Like to propose, I believe it's Amendment No. 3,  
13. is that right? Yeah. And this is a technical amendment  
14. and it provides the words that are necessary there it  
15. would submit the requested by Chapman and Cutler and...  
16. on Amendment 2 and we've agreed to it and it does have  
17. agreement of the...both the House sponsor and the other  
18. side of the aisle and I would ask for a favorable acceptance  
19. of this amendment.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Just one moment... The motion is to adopt Amendment  
22. No. 3 to HB 1359. All in favor of the adoption will signify  
23. by saying aye. Opposed. The ayes have it, the amendment is  
24. adopted. Any further amendments? It will be returned to the  
25. order of 3rd reading. Senators have further motions to  
26. make with regard to moving bills from 3rd to 2nd reading?  
27. Should we... Let's...would you ring the bell again Sergeant  
28. at Arms? We're going to make an attempt to do some work on  
29. House Bills, 3rd reading. You want to Table a bill? We're  
30. not on House Bills 3rd. Where were you when I asked you  
31. to Table that bill? Senator Carroll. I'll always recognize  
32. a Senator when he wants to Table a bill.

33. SENATOR CARROLL:

1. Thank you Mr. President, I would ask leave of the  
2. Body to Table a House Bill appearing on the Calendar on  
3. 3rd reading. HB 825, an appropriation bill that was a  
4. companion bill to a bill that was defeated in committee,  
5. and therefore I would have no effect without the original  
6. bill 824. It appears on the second page, first bill.

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. You've heard the motion of Senator from Chicago to  
9. Table HB 825. All in favor of the motion will signify  
10. by saying aye. The ayes...opposed. The ayes have it,  
11. and the bill is Tabled. Thank you Senator Carroll. I  
12. don't see it but you say it's there. It's on 2nd reading,  
13. all right. You said 3rd reading, you confused me. Well,  
14. there is a mistake on the Calendar there. Let us call  
15. HB 84 on 3rd reading. Senator Partee, I'm trying to  
16. pick out some that we may be able to move and get off  
17. the Calendar... Senator McCarthy.

18. SECRETARY:

19. HB 84 (Secretary reads title of bill)  
20. 3rd reading of the bill.

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. Senator Rock.

23. SENATOR ROCK:

24. Well, I think the same rule should apply...

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Well, I...Senator McCarthy, I thought he was on the  
27. Floor.

28. SENATOR ROCK:

29. He's not on the Floor.

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. Senator McCarthy. Senator McCarthy. Senator McCarthy,  
32. we're trying to call one of your bills, is it all right with  
33. you? That \$15000 flood study bill. Thank you Senator. If

1. there is no further discussion the question before the  
2. Senate is shall HB 84 pass. Secretary will call the roll.

3. SECRETARY:

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

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. Knuepfer, aye. On this question the yeas were thirty-  
16. five, the nays were one. The bill having received the  
17. constitutional majority required is therefore declared passed.  
18. Our attendance is increasing. Senator Rock do you see any  
19. problem with HB 230, I'm trying to...hate to skip around but  
20. we won't as soon as we get a few more Senators. See any  
21. problem with it?

22. SENATOR ROCK:

23. Which bill are you hearing?

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. HB 230.

26. SENATOR ROCK:

27. Hold it.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. Hold it. Yeah, go ahead. Senator Knuppel would like  
30. to have leave of the Senate to return HB 133, is that correct  
31. Senator? To the order of 2nd reading for purposes of considering  
32. an amendment. Is leave granted? Leave is granted and the  
33. bill is now on the order of 2nd reading. Senator Knuppel

1. will explain his amendment.

2. SENATOR KNUPPEL:

3. SB 133 is being returned to 2nd reading to propose  
4. an amendment which will change the language so that instead  
5. of the State being responsible for...

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Senator Knuppel are you listening to...Senator Knuepfer  
8. are you listening to this explanation?

9. SENATOR KNUPPEL:

10. ...being responsible for 100% of what they're now  
11. ...paying in case of consolidation of counties they will  
12. henceforth be responsible for, if this is adopted and two  
13. counties consolidate for only 75% of what they're presently  
14. paying each county. This giving the State a break if the...  
15. if the counties consolidate as well as the counties if it  
16. should happen that more than three counties consolidate  
17. and there would be a reduction in the total amount...it's  
18. apportioned. That's the purpose of the amendment. I move  
19. the adoption of the amendment.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Senator Shapiro. Just a moment Senator. Can we start  
22. the day off quietly gentlemen. It's going to be a long day.  
23. Be in our seats and attend to our business, and we'll get  
24. along much better. We're almost ready I think Senator.  
25. Senator Shapiro.

26. SENATOR SHAPIRO:

27. Mr. President, Members of the Senate I'm certainly  
28. not objecting to the content of the amendment because I'm  
29. really not that much familiar with it, but I'm wondering  
30. if the amendment is in proper form. I have a two page  
31. amendment here, the first page seems to be all right but  
32. the second page you know, no designation as to where it  
33. should be inserted, or...or anything of that nature.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. Senator Knuppel, would you reply.

3. SENATOR KNUPPEL:

4. The second page is...is submitted just for your convenience.  
5. That's not part of the amendment, that's just for your  
6. convenience so you see how it reads. So often you don't  
7. know how in the hell they read after you get done...

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Explanation...page. Now the Senator from Virginia  
10. moves the adoption of Amendment No 1 is it? Amendment  
11. No. 1 to HB 133. All in favor signify by saying aye.  
12. Opposed. The ayes have it and the amendment is adopted.  
13. Any further amendments? The bill will be returned to the  
14. order of 3rd reading. Ladies and Gentlemen of the Senate  
15. we have almost had an hour expire since we agreed to convene  
16. so it seems appropriate at this time that we would return  
17. to House Bills on the order of 3rd reading and the first  
18. bill to be called continuing where we left off Saturday  
19. would be HB 1695 sponsored by Senator Knuppel. 1695, be  
20. read by title a 3rd time.

21. SECRETARY:

22. 1695 (Secretary reads title of bill)  
23. 3rd reading of the bill.

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. Senator Knuppel.

26. SENATOR KNUPPEL:

27. This bill is designed to reduce from 3 to 1 year...

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. Gentlemen. Just a minute Senator. Gentlemen, please.  
30. I don't want the Springfield papers writing about me again.  
31. Please. Now Senator.

32. SENATOR KNUPPEL:

33. The purpose of this bill is to reduce the period of



1. marriage in order for the widow to be entitled to retirement  
2. benefits from 3 to 1 year where...where the party dies  
3. after retirement and...and has married after retirement.  
4. This is...this is what the period is for all of the pension  
5. plan as I understand it. It's what customary with the  
6. Social Security. It conforms the provisions in the Teachers'  
7. Retirement with those in the other pension acts and it's  
8. supported by the Taxpayers Federation.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Any further discussion? Is Senator Shapiro on the Floor?  
11. He isn't. Senator, do you have an observation on 1695?  
12. No further discussion then. The question before the Senate  
13. shall be shall HB 1695 pass. And the Secretary will call  
14. the roll.

15. SECRETARY:

16. Bartulis, Bell...

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Senator Berning.

19. SENATOR BERNING:

20. Well, Mr. President I...I'd just like to point out  
21. that this bill does not carry the endorsement of the  
22. Pension Laws Commission, and while it did pass the...out  
23. of the committee with an 8 to 5 vote the measure does  
24. digress from what is...

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. I have to recognize the fact also that the Gentleman  
27. from Deerfield is out of order because I did ask for further  
28. discussion twice. Well, I've been trying to get your  
29. gentlemen's attention and I asked for further discussion  
30. twice on this bill and I've even asked for Senator Shapiro  
31. and announced that the Secretary would call the roll and  
32. Senator Mitchler.

33. SENATOR MITCHLER:

1. Thank you Mr. President. Now if the bill does what  
2. the sponsor says...

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. You are out of order Senator Mitchler to discuss  
5. the bill. I asked for a discussion of the bill before.  
6. I asked three times Senator. We will continue 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 GRAHAM):

19. Been a request for a call of the absentees. The  
20. absentees will be called.

21. SECRETARY:

22. Bartulis, Chew, Clarke, Conolly, Daley, Fawell,  
23. Glass, Graham, Harber Hall, Hynes, Keegan, Knuepfer,  
24. Knuppel, Kosinski, Latherow, McBroom, Howard Mohr, Don  
25. Moore, Newhouse, Nimrod, Ozinga, Regner, Rock, Roe,  
26. Romano, Savickas, Scholl, Sommer, Soper, Sours, Swinarski,  
27. Walker, Mr. President.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. Been a request for...to place the bill on the order  
30. of consideration postponed. The next bill will be HBL698.

31. SECRETARY:

32. HB 1698 (Secretary reads title of bill)  
33. 3rd reading of the bill.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. Senator Schaffer. Take it out of the record.  
3. Gentlemen. Gentlemen. Take it out of the record,  
4. the Senator does not want to call it. Senator Davidson  
5. are you prepared on 1710? HB 1710.

6. SECRETARY:

7. HB 1710 (Secretary reads title of bill)  
8. 3rd reading of the bill.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Senator Davidson.

11. SENATOR DAVIDSON:

12. Mr. President, Ladies and Gentlemen of the...

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Just a minute Senator. One moment please. We...  
15. we have some order, we are to continue. Please. Senator  
16. Davidson.

17. SENATOR DAVIDSON:

18. Mr. President, Ladies and Gentlemen of the Senate  
19. this bill is brought about as a necessity that in Illinois  
20. there is five park districts that operate air ports and  
21. under the new Federal regulations the police have to be  
22. or security force of...arresting powers being on duty  
23. 24-hours a day to enforce the anti-skyjacking regulations  
24. under the present...Federal rules and regulations. All  
25. this does it came out of Local Government unanimous. There's  
26. no opposition. Appreciate a...favorable roll call.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. Any further discussion? Question is shall HB 1710  
29. pass. 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 GRAHAM):

9. On this questions the yeas were thirty-nine, the  
10. nays were none. Bill having received the constitutional  
11. majority is therefore declared passed. Next bill, are  
12. you prepared now on 1724, Senator Nimrod? Is it... That  
13. was one that was amended. We'll...until we get that bill  
14. we'll proceed with 1728, Senator Glass, are you prepared,  
15. then we'll come right back to you. May we have some order  
16. please.

17. SECRETARY:

18. HB 1728 (Secretary reads title of bill)  
19. 3rd reading of the bill.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Senator Glass.

22. SENATOR GLASS:

23. Thank you Mr. President, Senators, HB 1728 would  
24. authorize municipalities in Illinois to create a central  
25. business district redevelopment commission and it would  
26. assist many of our municipalities in redeveloping their  
27. downtown business areas. It would give them power to  
28. designate the area after a public hearing and...exercise  
29. eminent domain powers to acquire property, apply for and  
30. accept appropriate State grants, borrow funds if necessary  
31. and issue revenue or general obligation bonds subject to  
32. the statutory limitations. I know a number of municipalities  
33. both home rule and non-home rule are interested in this. It

1. makes clear the powers that the home rule municipalities  
2. have and it in no way changes or detracts from their  
3. home rule powers. I'd be happy to answer any questions,  
4. and would ask for a favorable roll call.

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. Senator Welsh.

7. SENATOR WELSH:

8. Senator would this include counties as well as  
9. municipalities?

10. SENATOR GLASS:

11. I...I don't believe so, Senator Welsh. It does refer  
12. to municipalities specifically, the corporate authorities  
13. of a municipality may by ordinance designate an appropriate  
14. area of the municipality. I think it's directed at down-  
15. town redevelopment of business areas.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. Senator Regner.

18. SENATOR REGNER:

19. Senator, would the sponsor yield to a question?

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. He indicates that he will.

22. SENATOR REGNER:

23. Senator Glass you said that it doesn't detract from  
24. home rule authority. Does it give home rule units more  
25. authority than they now possess?

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. Senator Glass.

28. SENATOR GLASS:

29. I don't believe it does Senator Regner. But I think  
30. with the home rule powers still so much up in the air and  
31. subject to court interpretation it would make clear that  
32. they do have this specific redevelopment authority. There's  
33. a statement in the bill that...that bill is not a limitation

1. on home rule units. But it...I don't believe that it  
2. otherwise purports to change the present law..

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. Senator Nimrod.

5. SENATOR NIMROD:

6. Would the sponsor yield to a question?

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. He indicates that he will.

9. SENATOR NIMROD:

10. Does this bill authorize them to tax without referendum?

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Senator Glass.

13. SENATOR GLASS:

14. Absolutely not. As I say it doesn't add any bonding  
15. powers in addition to what they now have.

16. SENATOR NIMROD:

17. I believe that this bill does give them the right  
18. to tax within the central business district without  
19. referendum and this bill is similar to 1369, to accomplish  
20. the same thing and I might ask that if the sponsor might  
21. just hold this up for a minute that I might show him this  
22. bill that's had extensive cooperation between both sides  
23. of the aisle and has been amended and this does also  
24. concern SB 140, 141 and also HB 369 and 370 which are  
25. all dealing with this same subject and which were defeated  
26. in the House after we passed those bills before. So if  
27. you might, if you would wait for a minute I'd be glad to  
28. show these amendments to you and then maybe we can bring  
29. the bill back and make whatever decision you want.

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. Senator Glass.

32. SENATOR GLASS:

33. Well, I...Senator Nimrod, this definitely is not similar

1. to the...the other bills that you're referring to which...  
2. that give special tax powers that implement the Constitution  
3. in that regard. The...the municipalities under this bill  
4. would have the power to issue revenue bonds or general  
5. obligation bonds but not in excess of the powers granted  
6. to them by the Constitution. In other words there's no  
7. increase at all in the limitation that already apply to  
8. them.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Senator Nimrod.

11. SENATOR NIMROD:

12. But however I...I do believe Senator that this will give  
13. them the right to tax a district area whether the home rule  
14. powers that you're talking about without a referendum...and it's,  
15. all this one calls for is a notice and it does not call for  
16. any hearing, and this is the big danger that is involved  
17. in this and that's why I'm asking you if you might look at  
18. this, that this would be an area and I think this bill does  
19. do exactly what we were opposed to in the previous bills.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Senator Glass.

22. SENATOR GLASS:

23. Well, I...I point out Senator Nimrod as I answered  
24. Senator Welsh, the bill does not apply to counties in the  
25. first place. It's just municipalities. And furthermore  
26. it...there is no specific provision at all for levying of  
27. any tax.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. May we have some order please.

30. SENATOR GLASS:

31. This was heard in Local Government Committee, I might  
32. add and came out unanimously. I think there was one present  
33. vote but I know that our...our inclination at first was that

1. the House sponsor was to limit it to home rule units, and  
2. there was a strong feeling that we definitely shouldn't  
3. do that because there's so many municipalities that are  
4. not home rule units that are interested in this...type of  
5. legislation, so I...I think Senator Dougherty has a comment  
6. on that, I...I don't see anything wrong with it.

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. Senator Latherow was asking for recognition. Senator  
9. Dougherty and as soon as we get some order Senator. Just  
10. a minute, Senator. Gentlemen will you please be in your  
11. seats and break up your caucuses please. We just cannot  
12. continue an intelligent dialogue on this bill until we  
13. have some order on the Senate Floor. This includes staff  
14. as well as Senators. Please, please. Just wait Senator.  
15. Senator Dougherty.

16. SENATOR DOUGHERTY:

17. Well, the bill in it's original form and I don't believe  
18. it has been amended out, does require hearings, public hear-  
19. ings. On lines 20 and 21. After public hearing.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Senator Glass.

22. SENATOR GLASS:

23. Well, that is...that is true. There has...has to be a  
24. public hearing and the area has to be designated as a down-  
25. town area for redevelopment, but I...I do think that, again  
26. in response to Senator Nimrod that...this shouldn't be  
27. confused with those other bills that gave direct special  
28. taxes...special powers to tax in...in limited areas for  
29. special services. This is a precise bill having to do  
30. only with redevelopment of downtown areas of municipalities.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Senator Nimrod, do you have another question?

33. SENATOR NIMROD:



1. Yes. This bill does exactly what I referred to.  
2. It does provide for the hearings but it does not provide  
3. for any referendum or the kind of a backdoor referendum  
4. which we agreed to which would cover municipalities and  
5. counties. Now we have worked together with both sides  
6. of the aisle to accomplish exactly what you're after to  
7. do in this bill on the...Representative Bluthardt's bill,  
8. 1359. And we have gone through extensive amendments on  
9. this bill and this...that bill will do exactly what you're  
10. asking to do here and I believe that this bill in it's  
11. present form is not in accordance with what we had agreed  
12. to. This is a bad bill as it's situated in this area. It  
13. provides and gives the municipalities an opportunity to  
14. go ahead and do the job. You can still accomplish what  
15. you want to do with 1359 and go along with the agreements  
16. that were made with...with the counties, with Cook County...  
17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Senator Nimrod you have violated the rules. We let  
19. you speak a second time on the same subject.

20. SENATOR NIMROD:

21. Well, the other...others were a question, I did not  
22. speak on it Mr. President. And you've cut me off and  
23. went into Senator Dougherty...

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. All right, proceed Senator.

26. SENATOR NIMROD:

27. All right.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. We're not getting anywhere by violating the rules.  
30. Proceed Senator Nimrod.

31. SENATOR NIMROD:

32. The...the thing that I...I want to point out here is  
33. that this bill is in direct violation of what we've been

1. talking about and trying to reach an agreement to  
2. accomplish the same purpose, to allow them to have  
3. a special taxing district and...and this special taxing  
4. district would be done without referendum to the parties  
5. ...to the people involved in that area. And what this  
6. does also of course, allows only the municipalities to  
7. do it which there has been some question of constitutionality.  
8. And with the bill that we're talking about you accomplish  
9. the same thing, 1359 which will come up and has been  
10. amended. It does include counties and will accomplish  
11. this purpose and I would urge all people concerned about  
12. this municipality and county rule in this area and the  
13. special taxing district to vote against this bill.

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. Any further discussion? Senator...Any further  
16. discussion gentlemen? 3rd time, any further discussion?  
17. Senator Glass will close the debate.

18. SENATOR GLASS:

19. Thank you Mr. President...

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. If we can have some order Senator.

22. SENATOR GLASS:

23. Just ... just to reiterate, this is a bill that  
24. many, many of our municipalities want and I think need  
25. to clarify their powers to redevelop their downtown  
26. central business districts. It is not a bill that adds  
27. any taxing powers to them. It...they are limited in  
28. the sale of bonds to their present limitations established  
29. by the Constitution, and I would urge a favorable roll  
30. call.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. The question is, shall HB 1728 pass. Secretary will  
33. call the roll.

1. SECRETARY:

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 GRAHAM):

13. ...Senator... Been a request for a call of the  
14. absentees.

15. SECRETARY:

16. Bell, Berning, Bruce, Carroll, Chew, Clarke, Conolly,  
17. Daley, Kenneth Hall, Hynes, Johns, Keegan, Latherow,  
18. McBroom, McCarthy, Howard Mohr, Netsch, Newhouse, Ozinga,  
19. Palmer, Partee, Savickas, Sours, Swinarski, Walker.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Palmer, aye. Netsch, aye. Carroll, aye. Berning,  
22. aye. Partee, aye. On this question the yeas are thirty-  
23. seven, the nays are two. The bill having received the  
24. constitutional majority required is therefore declared  
25. passed. Next bill will be...17...HB 1724. You prepared  
26. Senator Nimrod? 1724?

27. SECRETARY:

28. HB 1724 (Secretary reads title of bill)  
29. 3rd reading of the bill.

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. Senator Nimrod.

32. SENATOR NIMROD:

33. Mr. President and fellow Senators what this bill does

1. is to allow towns and...incorporated town. and towns  
2. to have the same days of registration as the County Clerk.  
3. And this was heard in committee and it was amended of  
4. course at the committee's request. I know of no opposition,  
5. I would ask for a favorable roll call.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Senator Rock.

8. SENATOR ROCK:

9. I understood that Senator Dougherty had asked that  
10. this be held. This amendment was put on about 20 minutes  
11. ago. He is in the process of checking it out. Would it...would you  
12. mind holding it?

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. He'll hold it, and we'll return to it. Take it out  
15. of the record. 1735, HB 1735. Senator Davidson, 1733.  
16. All right. 1733.

17. SECRETARY:

18. HB 1733 (Secretary reads title of bill)  
19. 3rd reading of the bill.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Gentlemen, Gentlemen. Gentlemen, Senator, Senators,  
22. pretty soon I guess we'll have to alert you individually.  
23. Senator Knuepfer and company. Gentlemen we just cannot  
24. continue an orderly... Senators Knuepfer and Netsch will  
25. you have your caucus somewhere else please? We're trying  
26. to get some order. That applies to everyone else having  
27. caucuses. It's just no use to go into a roll call because  
28. we cannot hear your response. Gentlemen please. Senator  
29. Harris will you and Senator Partee assist me in getting  
30. some order please. Would you please ask the gentlemen  
31. ...no I didn't...I meant assisting in...in pleading for  
32. some order. I wasn't chastising you. I'm sorry. I'm  
33. asking your assistance, on your microphone. They seem

1. not to be listening to me Senator.

2. SENATOR HARRIS:

3. Order please

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. There you are. Senators please we are just not going  
6. to call the roll. And this is a busy week, it's unfortunate  
7. to have to spend this much time trying to get order. If  
8. that's what it takes I guess that's what it takes. Senator  
9. Davidson.

10. SENATOR DAVIDSON:

11. Mr. President, Ladies and Gentlemen of the Senate,  
12. this bill is a companion bill to 1710 which you've already  
13. passed, pertains to giving arrest powers to airport security  
14. police in relation to enforcement of the Federal regulations  
15. on the anti-skyjacking proposition. This came out of Local  
16. Government 15 to nothing. There's no opposition. I  
17. appreciate a favorable roll call.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Any discussion? Question before the Senate is shall...  
20. HB 1733 pass. Secretary will 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. PRESIDING OFFICER (SENATOR GRAHAM):

33. Graham, aye. On this question the yeas were forty-six,

HB 1746  
2nd Reading

1. the nays were none. The Bill having received the con-  
2. stitutional majority required is therefore declared  
3. passed. The next bill will be SB 1746, Senator Welsh.  
4. House Bill, I'm sorry.

5. SECRETARY:

6. HB 1746 (Secretary reads title of bill)  
7. 3rd reading of the bill.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Senator Welsh.

10. SENATOR WELSH:

11. Thank you Mr. President, members of the Senate.  
12. 1746 creates the Animal Control Act, to supersede four  
13. acts named herein, pertaining to licensing and regulation  
14. of dogs, stray animal control and rabies prevention. It  
15. establishes an animal control fund for the purpose of  
16. paying costs of the Animal Control Program. In addition it  
17. permits county boards of two or more counties to request  
18. of teh Director of the Department of Agriculture of the  
19. State of Illinois that they form a district to...effectuate  
20. any part or all of this Act. I would appreciate a favorable  
21. roll call, Mr. President.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. Any further discussion? Senator Bell. Just a moment  
24. Senator. Just a moment. Senator Bell.

25. SENATOR BELL:

26. Thank you Mr. President. Senator Welsh, I'd like  
27. to ask you a couple of questions in reference to this.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. He indicates he will yield to a question. Senator Bell.

30. SENATOR BELL:

31. Senator is the...the program that establishes clinics  
32. for the purpose of free spaying of dogs and cats? I...does  
33. it address itself to this particular type of program?

1. PRESIDING OFFICER (SENATOR GRAHAM):  
2. Senator Welsh.  
3. SENATOR WELSH:  
4. No Senator.  
5. PRESIDING OFFICER (SENATOR GRAHAM):  
6. Senator Bell.  
7. SENATOR BELL:  
8. That's all right, thank you.  
9. PRESIDING OFFICER (SENATOR GRAHAM):  
10. Any further discussion? Any further discussion before  
11. the motion is put? The question is shall HB 1746 pass.  
12. Secretary will call the roll.  
13. SECRETARY:  
14. Bartulis, Bell...Bell, Berning, Bruce, Buzbee, Carroll,  
15. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,  
16. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth  
17. Hall, Hynes...  
18. PRESIDING OFFICER (SENATOR GRAHAM):  
19. Just a minute Mr. Secretary. Continue.  
20. SECRETARY:  
21. Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,  
22. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard  
23. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman, Ozinga,  
24. Palmer, Partee, Regner, Rock, Roe, Romano, Saperstein,  
25. Savickas, Schaffer, Scholl, Shapiro, Smith, Sommer, Soper,  
26. Sours, Swinarski, Vadalabene, Walker, Weaver, Welsh, Wooten,  
27. Mr. President.  
28. PRESIDING OFFICER (SENATOR GRAHAM):  
29. Hynes, aye. Johns, aye. Carroll, aye. On this  
30. question the yeas are forty-nine, the nays are none.  
31. The bill having received a constitutional majority is  
32. declared passed. Are you prepared on 1766, Senator Course?  
33. SECRETARY:

1. HB 1766 (Secretary reads title of bill)
2. 3rd reading of the bill.
3. PRESIDING OFFICER (SENATOR GRAHAM):
4. Senator Course.
5. SENATOR COURSE:
6. Thank you Mr. President, Members of the Senate.
7. HB 1766 amends the Income Tax Act. It eliminates the
8. certified or registered mail requirement for certain
9. notices. Provides a consistent annual expiring statute
10. of limitation period for issuing notices of deficiencies
11. in filing claims for refund based on quarterly withholding
12. returns, defines mathematical errors, and it corrects
13. two typographical errors. This bill is a product of
14. the Department of Revenue and it will aid in the collection
15. of taxes.
16. PRESIDING OFFICER (SENATOR GRAHAM):
17. Any further discussion? The question is shall HB
18. 1766 pass. 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 GRAHAM):
31. Scholl, aye. Berning, aye. On this question the
32. yeas are forty-one, the nays are one. The bill having
33. received the constitutional majority required is declared



1. passed. Senator Shapiro are you prepared on HB 1770?

2. SECRETARY:

3. HB 1770 (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. The Senator from Amboy will explain his bill.

7. SENATOR SHAPIRO:

8. Mr. President, Members of the Senate, HB 1770 is a  
9. Spanish speaking peoples commission bill, and states that  
10. no minor under 10 years of age except members of a farmer's  
11. own family at any time shall be employed, or permitted or  
12. suffered to work in any gainful occupation in connection  
13. with agriculture. This bill passed out of the Senate  
14. Agriculture Committee with a 12 to nothing vote. There's  
15. no opposition to the bill. The Illinois Agricultural  
16. Association is not in opposition. It is supported by  
17. the canning industry. I would appreciate a favorable vote.  
18. If there are any questions I would attempt to answer them.

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. Any discussion? The question before the Senate is  
21. shall HB 1770 pass. Secretary will call the roll.

22. SECRETARY:

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

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Glass, aye. Senator Kenneth Hall, aye. Senator  
2. Partee, aye. Senator Bruce. Senator Bruce you have a  
3. bill coming up. On this question the yeas are thirty-  
4. four, the nays are two. The bill having received the  
5. constitutional majority required is declared passed.  
6. Senator Bruce are you prepared on 1777? Be prepared  
7. in one minute. Senator Saperstein are you prepared?  
8. Read the bill by title Mr. Secretary.

9. SECRETARY:

10. HB 1790 (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. The Lady from Chicago will explain her bill.

14. SENATOR SAPERSTEIN:

15. Thank you. Mr. President and Ladies and Gentlemen  
16. of the Senate, 1790 places in the special education category  
17. children from orphanages, from children's homes, state  
18. housing units, and brings in children in foster homes who  
19. are placed there by the Department of Children and Family  
20. Services and the Department of Mental Health. They do  
21. this to clarify the fact that these children are entitled  
22. if they are eligible, meet the eligibility requirements  
23. to special...for special education. The bill as amended.  
24. the amendment provides that any school district, any school  
25. in the school district that has at least 5% of the total  
26. of the average daily attendance of these kinds of children  
27. may go on a current basis for reimbursement. It is a good  
28. bill and I urge your support.

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. Any further discussion? Senator Walker.

31. SENATOR WALKER:

32. ...Senator Saperstein I think you'll yield for a  
33. question. What would this do to Moose Heart and the Odd

1. Fellows home up at Lincoln. How would they be effected?
2. PRESIDING OFFICER (SENATOR GRAHAM) :
3. Senator Saperstein.
4. SENATOR SAPERSTEIN:
5. If they...the children there are in any way handicapped
6. and need special education they may register in the school
7. district for special services.
8. PRESIDING OFFICER (SENATOR GRAHAM) :
9. Senator Walker.
10. SENATOR WALKER:
11. They aren't permitted to do that now?
12. SENATOR SAPERSTEIN:
13. Well, the problem is that they may but there is no
14. provision in this special education section of the School
15. Code. This will make it clear we hope that these children
16. are also entitled to special ed.
17. SENATOR WALKER:
18. Is this mentally handicapped, or physically or when
19. you say handicapped, I rather resent that handicapped
20. department because I happen to be a product of the Odd
21. Fellows children home up at Lincoln and not everyone turns
22. out to be bad as I did, become an attorney or a legislator.
23. But I know a couple a hundred of us did fairly well on our
24. own and I just don't want anything to be detrimental to
25. these so-called orphaned children. And I'm sure this bill
26. wouldn't, but I just want to assure myself through you
27. that it wouldn't.
28. SENATOR SAPERSTEIN:
29. I used the term handicapped to describe the whole
30. system, the mentally handicapped, the socially handicapped,
31. the socially maladjusted, the physically handicapped, the
32. cerebral palsied, etc, etc.
33. PRESIDING OFFICER (SENATOR GRAHAM) :

1. Senator Sours, Ozinga, Rock and Fawell will be called  
2. in that order. Senator Sours as I recognize.

3. SENATOR SOURS:

4. Is it not a fact Senator Saperstein that...this  
5. arrangement will be in housing units too? Your Federal  
6. housing?

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. Senator Saperstein.

9. SENATOR SOURS:

10. Why...why should there be reimbursement to a housing  
11. unit?

12. SENATOR SAPERSTEIN:

13. Reimbursement is not to the housing unit. The  
14. reimbursement is to the school district. ...where there  
15. is a grant to any...any child is entitled to a grant that...  
16. amount of money will be subtracted and deducted from the  
17. total...reimbursement.

18. SENATOR SOURS:

19. Do you have any idea Senator Saperstein how much  
20. additional this will cost the taxpayers.

21. SENATOR SPAERSTEIN:

22. Roughly a million dollars. But then Senator Sours  
23. for the first time children who are placed in foster homes  
24. by the Department of Mental Health, by the Department of  
25. Children and Family Services and the schools to which these  
26. children go will be reimbursed only for...I mean they'll  
27. be reimbursed but the children will be entitled like any  
28. other child to special education if he is qualified.

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. Senator Sours. Senator Ozinga.

31. SENATOR OZINGA:

32. I'm...I'm wondering about these children from foster  
33. homes. Now these children that are in foster homes are not

1.           handicapped or mentally ill even though they're placed  
2.           there by the Children and Family Services.

3.           PRESIDING OFFICER (SENATOR GRAHAM):

4.           Senator Saperstein.

5.           SENATOR SAPERSTEIN:

6.           But they're...Senator Ozinga, but there may be children  
7.           who are handicapped who live in foster homes. There may be  
8.           the cerebral palsy or the mentally handicapped who will  
9.           benefit by foster home care and not have to go to a State  
10.          institution. It doesn't mean all children from foster  
11.          homes but only those who are eligible for special ed.

12.          PRESIDING OFFICER (SENATOR GRAHAM):

13.          Senator Ozinga.

14.          SENATOR OZINGA:

15.          Are the special education classes are set up for all  
16.          children not necessarily for the mentally ill or the mentally  
17.          handicapped or...or the foster home handicapped or coming  
18.          out of orphanage they're for all children if they meet  
19.          certain classifications of that special education. Now,  
20.          you're saying that here in the bill that the district can  
21.          be reimbursed for all of these children coming from the  
22.          ...from foster homes or from housing units. Now I'm just  
23.          wondering about that.

24.          PRESIDING OFFICER (SENATOR GRAHAM):

25.          Senator Saperstein. She's checking with Walter. Senator  
26.          Saperstein did you hear the last question? I can under-  
27.          stand why you didn't. Senator Rock.

28.          SENATOR ROCK:

29.          Yes Mr. President, Members...Members of the Senate,  
30.          I hope that Senators, the two previous Senators were not  
31.          up in a personality battle I happen to think this is an  
32.          excellent bill. It directs itself to a problem about which  
33.          Senator Walker was concerned and one which frankly Senator

1. is solved by this bill. We are in fact just changing  
2. a section, we're removing from Section 18-3 claim  
3. reimbursement provisions for payment for special education  
4. classes for students in orphanages, children's homes or  
5. State housing units. Now it places such a new section  
6. of the code and...adds foster homes. The cost is about  
7. one million additional dollars because there are some  
8. 2800 foster children that will be covered by this. In  
9. addition it will speed up the reimbursement claims to  
10. places like Moose Heart, Maryville, the Odd Fellows  
11. home. I think it's an excellent piece of legislation  
12. and one that we should all vote aye for.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Senator Fawell.

15. SENATOR FAWELL:

16. Well, I too would join in support. As I...the bill  
17. is a bit complicated but I do want to make it clear that  
18. it pertains only to Article 14, which is your special  
19. education article that defines the various handicapped  
20. children who would be served by that Act. And as I  
21. understand the existing law right now the tuition for  
22. these children are paid by the State to the public school  
23. district and we're...we're changing this so that actually  
24. these children would be counted for purposes of State aid  
25. just as other children who would be residents, normal  
26. residents of the district and thus they would...the school  
27. district would get the reimbursement for those children on  
28. the same basis as children who would be bonafide residents  
29. of that particular district by changing the mode of re-  
30. imbursement, the estimate was that there would be about  
31. a million increase in...in funds. But I think it never-  
32. theless is a very sound one and it takes care of those  
33. districts that may have orphanages or have a great number

1. of foster children again only referring to foster children  
2. and these children who are handicapped as defined in Article  
3. 14. And it takes a load off of them because actually the  
4. tuition was being determined by the Superintendent's office  
5. was not any where near as much of...much of a reimbursement  
6. as the State was giving to the same school district for  
7. children who were handicapped children of parents who were  
8. residing in the school district.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Senator Mitchler.

11. SENATOR MITCHLER:

12. One question of the sponsor. Who will pay the one  
13. million dollars that this will cost?

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. Senator Saperstein.

16. SENATOR SAPERSTEIN:

17. Who will what?

18. SENATOR MITCHLER:

19. Who will pay the one and a half million dollars that  
20. it's reported this bill will cost?

21. SENATOR SAPERSTEIN:

22. ...OSPI.

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. Senator Mitchler.

25. SENATOR MITCHLER:

26. This is no cost to the local school boards, this will  
27. all come out of addition from the State. Is this in their  
28. budget?

29. SENATOR SAPERSTEIN:

30. Right. I hope it is.

31. SENATOR MITCHLER:

32. It's in their budget? You hope it is.

33. SENATOR SAPERSTEIN:

1. Yes. If it isn't we'll have to provide for it,  
2. because as Senator Fawell says this will aid the local  
3. school districts because these special services that  
4. these kinds of children require is now borne by the  
5. local school district.

6. SENATOR MITCHLER:

7. This...this actually then would be a savings of  
8. one and a half million dollars to local school districts  
9. that this cost would now be assumed by the State of Illinois.  
10. Is that...a proper question?

11. SENATOR SAPERSTEIN:

12. Part of it, yes. Part of it, yes.

13. SENATOR MITCHLER:

14. Part of it, which part of it is not correct?

15. SENATOR SAPERSTEIN:

16. Well, I...I...I...I'm not familiar with the method  
17. that is computed by every school district in the State of  
18. Illinois but there is certainly no question that the local  
19. school districts, all the local school districts which these  
20. children are now attending will benefit.

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. Senator Palmer.

23. SENATOR PALMER:

24. ...previous question.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. If you would hold your motion for a just a moment,  
27. I recognize Senator Shapiro and when he's through I'll  
28. recognize you again Senator. Senator Shapiro.

29. SENATOR SHAPIRO:

30. Mr. President, Members of the Senate this is an  
31. excellent bill and all it is attempting to do is to  
32. rectify a grave injustice to our local school districts.  
33. These foster children, children who are in foster homes,



1. orphanages, the school district that has to educate them  
2. are...are...are not reimbursed under the special ed grant  
3. line item because the...the parents of these children are  
4. not residents of the district and all the bill attempts  
5. to do is to correct this situation so that these school  
6. districts receive the necessary amount of money to educate  
7. these children and I would urge a favorable roll call.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Senator Palmer. Senator Palmer.

10. SENATOR PALMER:

11. I move the previous question.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. All in favor of the motion by the Senator from  
14. Chicago signify by saying aye. Opposed. The motion...  
15. Senator Saperstein, do you have any further comments?  
16. Before we have a roll call.

17. SENATOR SAPERSTEIN:

18. I think the bill has been clearly debated and the  
19. necessary information. I urge your support of a good  
20. bill. Thank you very much.

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. Question before the Senate is shall HB 1790 pass.  
23. Secretary will call the roll.

24. SECRETARY:

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

1. Weaver, Welsh, Wooten, Mr. President.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. Ozinga, aye. On this question the yeas were forty-  
4. eight, the nays were none. Bill having received the  
5. constitutional majority required is therefore declared  
6. passed. And Senator Bruce are you prepared now on 1777?  
7. Read the bill by title.

8. SECRETARY:

9. HB 1777 (Secretary reads title of bill)  
10. 3rd reading of the bill.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. The Gentleman from Olney will explain his bill.

13. SENATOR BRUCE:

14. Yes Mr. President, Members of the Senate HB 1777  
15. amends the act regulating mass gatherings. It has the  
16. approval of the Department of Public Health, the Depart-  
17. ment of Law Enforcement and makes seven changes to that  
18. act. In my district and in Senator John's district last  
19. year we had the meeting at Bull Island with more than  
20. a hundred thousand participants. The act is amended to  
21. take care of many problems we found with that act which  
22. was passed in 1971. The...we now require that if more  
23. than a thousand stay overnight they get a permit, they  
24. can't advertise without a permit. We require an additional  
25. bond for the provision of police services and debris clean  
26. up. Advertising without a permit is made a felony rather  
27. than a misdemeanor. The Attorney General or the State's  
28. Attorney is authorized to enforce the act. Provision is  
29. made for the courts to grant an injunction and we added...  
30. added a new penalty that if a person does not obey  
31. public safety order he is...he is guilty of a misdemeanor.  
32. We have several mass meetings of rock festivals scheduled  
33. for this summer. I know Senator Harber Hall who is off the

1. Floor, no...is here, is very much interested in this.  
2. He and I both have had rock festivals in our respective  
3. Senatorial districts. I ask for a favorable roll call.  
4. I don't know whether there are questions about it.

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. Any further discussion? Senator Johns.

7. SENATOR JOHNS:

8. Mr. President, Ladies and Members of the Senate,  
9. initially I signed in as a co-sponsor of this bill,  
10. and I only tell you that not because I...my name is not  
11. on the bill. Only because I want to indicate to you  
12. the strong support I have for this bill. No where in...  
13. in my region has the people been subjected to such  
14. obscenity, use of drugs, the filth, the depredation of  
15. the American scene, as we've witnessed in the Bull Island  
16. mass gathering. People of that region desperately need  
17. some protection from a future gathering. And I join in  
18. Senator Bruce and all those of you who wish to support  
19. us in this endeavor. Thank you very much.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Any further discussion? Senator Harber Hall.

22. SENATOR HARBER HALL:

23. Well, just....just a word to the members, Mr. President  
24. that the mass gathering bill that was passed in the Session  
25. before last has been a model for similar bills in neighboring  
26. States and I've received many requests from municipalities  
27. in this State and people outside of the State interested  
28. in controlling this type of activity that endangers the  
29. health of the people. It was a good bill and it...this  
30. amendment is going to make it a lot better, and I hope  
31. we'll all support it.

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. Senator Buzbee. No further discussion? The question

1. before the Senate is shall HB 1777 pass. Secretary will  
2. call the roll.

3. SECRETARY:

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

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. Hynes, aye. Bartulis, aye. Donnewald, aye. Netsch,  
16. aye. Remove Senator Newhouse. On this question the yeas  
17. are forty-nine, the nays are none. The bill having received  
18. the constitutional majority required is declared passed.  
19. Senator Dougherty, you ready my friend? HB 1795.

20. SECRETARY:

21. HB 1795 (Secretary reads title of bill)  
22. 3rd reading of the bill.

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. Senator from Chicago, Senator Dougherty.

25. SENATOR DOUGHERTY:

26. Mr. President, Members of the Senate, HB 1795 provides  
27. that under the present law at present no commercial  
28. establishment may be built...on any highway or on any  
29. part of land that's leased, owned by the State for  
30. highway purposes. Provides that there is an exclusion  
31. there except that those highways that are under the  
32. jurisdiction of and within the corporate limits of a  
33. home rule municipality. It may do so. Further it strikes

HB 1797  
3rd reading  
6-25-78

1. freeway or controlled access highways as defined by the  
2. Illinois Vehicle Code. This is an administration bill,  
3. I urge its passage.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. Any discussion? Question before the Senate is  
6. shall HB 1795 pass. Secretary will 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 GRAHAM):

19. Newhouse, aye. Smith, aye. On this question the  
20. yeas were forty-one, the nays were two. Bill having  
21. received the constitutional majority required is declared  
22. passed. Senator Shapiro are you prepared on 1797? Be  
23. read by title a 3rd time, after we have some order. Just  
24. a minute Mr. Secretary.

25. SECRETARY:

26. HB 1797 (Secretary reads title of bill)  
27. 3rd reading of the bill.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. Just a minute Senator. Senator Shapiro.

30. SENATOR SHAPIRO:

31. Mr. President, Members of the Senate, HB 1797 as  
32. amended in the House basically attempts to amend the  
33. Ethics Act and merely spells out the constitutional

1. penalty for failure to file the statement of economic  
2. interest. It repeats the language of the Constitution  
3. and states thus, failure to file the statement within  
4. the time prescribed shall result in ineligibility for or  
5. forfeiture of office or position of employment as the  
6. case may be. Originally as the bill was...

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. Just a minute Senator. Just a moment. Continue.

9. SENATOR SHAPIRO:

10. Originally as the bill was introduced in the House  
11. it had a lot of other things in it, but that was all  
12. amended out. This bill passed out of the Senate Executive  
13. Committee on a unanimous roll call, 22 to nothing with  
14. bipartisan support. I would urge a favorable roll call.  
15. If there are any questions I will attempt to answer them.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. Senator Partee.

18. SENATOR PARTEE:

19. Does this bill do anything other than express  
20. precisely the language of the Constitution?

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. Senator Shapiro.

23. SENATOR SHAPIRO:

24. Senator Partee nothing more. I understand it does  
25. add the words or position of employment as the case may  
26. be.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. Senator Partee.

29. SENATOR PARTEE:

30. I didn't understand. Does it do anything other than  
31. the...set out the language of the Constitution?

32. SENATOR SHAPIRO:

33. No.

1. SENATOR PARTEE:  
2. Then there's really no need for it but we just  
3. want to put it in the statute. Is that it?  
4. SENATOR SHAPIRO:  
5. Right.  
6. SENATOR PARTEE:  
7. The House sponsor's a friend of yours I take it.  
8. SENATOR SHAPIRO:  
9. I didn't hear...  
10. SENATOR PARTEE:  
11. The House sponsor's a friend of yours I take it.  
12. SENATOR SHAPIRO:  
13. That's right.  
14. PRESIDING OFFICER (SENATOR GRAHAM):  
15. Any further discussion? The question before the  
16. Senate is shall HB 1797 pass. 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,  
22. PRESIDING OFFICER (SENATOR GRAHAM):  
23. Kenneth Hall, aye.  
24. SECRETARY:  
25. Knuepfer,  
26. PRESIDING OFFICER (SENATOR GRAHAM):  
27. Gentlemen. Gentlemen. Just a moment. We just can't  
28. hear the answer to the roll call when you answer. Senators  
29. Chew and Newhouse, please. Your mouths moving. Continue.  
30. SECRETARY:  
31. Knuppel, Kosinski, Latherow, McBroom, McCarthy,  
32. Merritt, Mitchler, Howard Mohr, Don Moore, Netsch, Newhouse,  
33. Nimrod, Nudelman, Ozinga, Palmer, Partee, Regner, Rock, Roe,

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

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. Clarke, aye. Schaffer, aye. Bruce, aye. Netsch,  
6. aye. Johns, aye. Smith, aye. That's all right. I  
7. might suggest when we do this on 30 bills we've wasted  
8. 30 minutes. The...on this question the votes were...the  
9. yeas were thirty, the nays were one. The bill having  
10. received the constitutional majority required is declared  
11. passed. Senator Weaver is asking if Senator Bell is ready  
12. on HB 1835.

13. SECRETARY:

14. HB 1835 (Secretary reads title of bill)  
15. 3rd reading of the bill.

16. PRESIDING OFFICER (SENATOR WEAVER):

17. Senator Bell.

18. SENATOR BELL:

19. Mr. President, Members of the Senate, HB 1835 is my  
20. biggie. It...it sets up a commemorative holiday for  
21. Susan B. Anthony, women...or the woman most responsible  
22. for the women's suffrage movement in the 19th century.  
23. Of course as a commemorative holiday it seeks no more than  
24. to set up whereby the schools, the public schools will  
25. address themselves to who Susan B. Anthony was, what she  
26. did for the suffrage movement, what she did for women in  
27. this country. I would draw to your attention that we passed  
28. the bill, commemorative holiday in reference to Casimir  
29. Pulaski and...I think it's a good bill and I think our  
30. young people...need to know who Susan B. Anthony was and  
31. I'd ask for your support.

32. PRESIDING OFFICER (SENATOR WEAVER):

33. Senator Carroll.



1. SENATOR CARROLL:

2. Will the sponsor yield to a question?

3. PRESIDING OFFICER (SENATOR WEAVER):

4. He indicates that he will.

5. SENATOR CARROLL:

6. Before we go to the school children will you tell  
7. the Senators who she was and what she did.

8. PRESIDING OFFICER (SENATOR WEAVER):

9. Senator Bell.

10. SENATOR BELL:

11. ...Thank you Senator. No, that's quite a story.

12. Susan Anthony...that's a long story. Let it be...suffice  
13. to say she led the women's suffrage movement, she obtained  
14. the right to vote, by the way she went before the Republican  
15. convention, 1871, got the Republican convention, national  
16. convention to endorse a plank along that line. And up until  
17. that time she'd been pretty much of an independent, but  
18. because of the Republican party adopting the plank she in  
19. fact became a Republican, and I say this to draw the  
20. attention of the Members on my side of the aisle. Really  
21. she worked very hard and spent many years and a lot of  
22. turmoil and difficulty and gave much of her life to women's  
23. suffrage.

24. PRESIDING OFFICER (SENATOR WEAVER):

25. Senator Berning.

26. SENATOR BERNING:

27. Thank you Mr. President. This bill that we have in  
28. front of us right now is just an example of what I anticipated  
29. was going to occur once we established this commemorative  
30. holiday syndrome. I'm not sure whether Susan B. Anthony  
31. was born in Illinois, but I'm positive Mr. Pulaski wasn't  
32. and I know that Mr. King wasn't. If we're going to be  
33. honoring so-called famous people from all over the United

1. States, it would seem appropriate that somebody ought  
2. to sit down and go over the Illinois history and bring  
3. out the names of Illinois native sons who deserve recognition,  
4. be they State, county or local. Gentlemen and Ladies of  
5. the Senate we have embarked on what is going to be a rather  
6. time consuming and perhaps somewhat ludicrous situation.  
7. Having already established it where do we stop it?

8. PRESIDING OFFICER (SENATOR WEAVER):

9. Senator Roe.

10. SENATOR ROE:

11. Mr. President I move the previous question.

12. PRESIDING OFFICER (SENATOR WEAVER):

13. Your seatmate, Senator Mitchler has asked, will...you  
14. want to hold that motion Senator Roe? Senator Mitchler.

15. SENATOR MITCHLER:

16. Well, Mr. President, Members of the Senate, I think  
17. what we're going to do here, we're going to get on a kick  
18. where we're going to have all these commemorative holidays.  
19. Now that I know this is just a nothing but a commemorative  
20. holiday. Now, I've been down here a little while and I  
21. think that the sentiment was that you didn't put on the  
22. statutes and require the schools to teach on all of these  
23. historical days and get them as commemorative holidays,  
24. cause that leads one thing to another. And we've kicked  
25. these around. Now we did have Senator Kosinski, and I  
26. don't know who the sponsor, I believe Senator Partee  
27. sponsored the one for Martin Luther King, Dr. Martin  
28. Luther King. Now these people have achieved some very  
29. prominent positions in the State of Illinois and through-  
30. out the entire nation. And I believe that if we wanted  
31. to go into history books we could get hundreds and hundreds  
32. and hundreds of these. Now we've got a freshman coming  
33. down over there in the House, she decides she's going to

1. for Susan Anthony. Well, I think maybe all of us better  
2. get their favorite comic strip artists and maybe have a  
3. commemorative holiday for them, ...and gab a whole bunch  
4. of stuff on the statutes. And I think that this is just  
5. a waste of time because the schools will be cluttered with  
6. all of these teachings about everybody and anybody and  
7. they won't get down to teaching them the three-R's. I'm  
8. going to vote no.

9. PRESIDING OFFICER (SENATOR WEAVER):

10. Senator Bell may close debate.

11. SENATOR BELL:

12. Well, I really don't...really don't feel there should  
13. be any particular problem with this bill after all it's a  
14. situation where we have already addressed ourselves to it  
15. in this Session in reference to two other prominent people.  
16. And I say to you in my opinion that Susan B. Anthony is  
17. one of the great leaders of our Country. After all the  
18. women's suffrage movement was a movement of great magnitude,  
19. and has in fact gained for women what is tantamount for  
20. equal rights although we didn't have and address ourselves  
21. to that amendment in total as yet. But that really has no  
22. bearing on this particular question. The question is whether  
23. we're going to allow a commemorative holiday so that the  
24. public schools will in fact address themselves as to who  
25. Susan B. Anthony was. And...I think she's significant. I  
26. think we've addressed ourselves to our outlook in this  
27. type of legislation previously and I ask for a favorable  
28. roll call.

29. PRESIDING OFFICER (SENATOR WEAVER):

30. The question is shall HB 1835 pass. And upon that  
31. question the Secretary 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,  
7. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,  
8. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,  
9. Weaver, Welsh, Wooten, Mr. President.

10. PRESIDING OFFICER (SENATOR WEAVER):

11. Palmer, aye. Swinarski, aye. Request for the  
12. absentees. The absentees will be called.

13. SECRETARY:

14. Clarke, Conolly, Course, Daley, Dougherty, Fawell,  
15. Graham, Harber Hall, Keegan, Knuppel, Latherow, McBroom,  
16. McCarthy, Merritt, Mitchler, Howard Mohr, Nimrod, Nudelman,  
17. Ozinga, Regner, Rock, Roe, Savickas, Schaffer, Scholl,  
18. Shapiro, Smith, Sommer, Soper, Sours, Walker, Weaver,  
19. Mr. President.

20. PRESIDING OFFICER (SENATOR WEAVER):

21. On that question the ayes are twenty-eight, the nays  
22. are one. HB 1835 having failed to receive the constitutional  
23. majority is delcared lost. 1838, Senator Rock.

24. SECRETARY:

25. HB 1838 (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Senator Rock. Take it out of the record. 1842.

29. 1866.

30. SECRETARY:

31. HB 1866 (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDING OFFICER (SENATOR WEAVER):

1. Senator Rock.

2. SENATOR ROCK:

3. Thank you Mr. President, Ladies and Gentlemen of the  
4. Senate, HB 1866 is an amendment to the Judges Retirement  
5. System and it extends to judges in service on July 1, '72,  
6. the privilege of establishing service credit in a system  
7. for periods of service before January 1, '64, before the  
8. advent of the blue ballot, the judicial article. Can get  
9. prior service credit for service as a justice of the peace,  
10. police magistrate or civil referee. Now there was one amend-  
11. ment added, and we added another class of persons, and those  
12. are master in chancery. I think the bill is a good one,  
13. the cost is minimal, and I would ask for a favorable roll  
14. call.

15. PRESIDING OFFICER (SENATOR WEAVER):

16. Is there any discussion? Senator Latherow.

17. SENATOR LATHEROW:

18. I just had one question Senator Rock. When you add  
19. a master in chancery I wonder how much time out of the  
20. year he spends as master of chancery?

21. PRESIDING OFFICER (SENATOR WEAVER):

22. Senator Rock.

23. SENATOR ROCK:

24. Well, now you have to understand that we are talking  
25. about service as a master in chancery prior to January 1,  
26. 1964. And when you ask how much service they put in prior  
27. to January 1, 1964 when the masters in chancery were effectively  
28. cut out of the judicial system. They in fact put in quite  
29. a bit of time.

30. PRESIDING OFFICER (SENATOR WEAVER):

31. Senator Shapiro.

32. SENATOR SHAPRIO:

33. Senator Rock does this bill have the 1972 date in?

1. SENATOR ROCK:

2. Yes it does. It's July 1, 1972.

3. PRESIDING OFFICER (SENATOR WEAVER):

4. Senator Shapiro.

5. SENATOR SHAPIRO:

6. Well, not only for that reason but for another reason  
7. I...I have to oppose the bill. This 1972 date will  
8. automatically cut off those people who are now judges  
9. who had prior elective experience, either as a j.p.,  
10. police magistrate or civil referee. Particularly those  
11. who have not transferred their credits in. I was hopeful  
12. that the date could have been extended to 1973, but that may  
13. be more my fault than yours. But...and that...but the  
14. other provision which includes the masters in chancery  
15. I would also have to oppose because these are fee officers  
16. practically a private enterprise people and I...there's  
17. just no way a pension system should be taking care of  
18. that type of individual.

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Senator Rock.

21. SENATOR ROCK:

22. Well, two responses to that. Each Session we come  
23. down as you well know Senator, and extend the time within  
24. which one can apply for these service credits. Now, House...  
25. you are quite correct, SB 641 did go out of here with a  
26. favorable vote and deleted the date the January 1 or July 1  
27. date altogether. I don't think that is a material, valid  
28. objection. I think in order to be consistent probably both  
29. bills should read alike. But whether one reads July 1 and  
30. the other has no date, I don't think is that material. With  
31. regard to your other point about the inclusion of the  
32. masters in chancery, the masters in chancery in fact are  
33. no different than the civil referees that were appointed

1. positions. They were in fact full time and we are covering  
2. a very, very small number of people in certain counties,  
3. namely the County of Cook and the County of DuPage that  
4. I'm aware of. There are...there are just a number of  
5. people that should be no distinction between a civil  
6. referee and a master in chancery.

7. PRESIDING OFFICER (SENATOR WEAVER):

8. Senator Sours.

9. SENATOR SOURS:

10. Mr. President and Senators, every matter I ever had  
11. before the master, he was able to get the lion's share for  
12. his services. I can recall one time in a sale where the...  
13. the sale brought 18,000, he ended up with \$5700. Now, my  
14. recollection of masters is that they were handsomely paid  
15. at the time. They need in many cases or in most cases they  
16. need very little help from us.

17. PRESIDING OFFICER (SENATOR WEAVER):

18. Senator Fawell.

19. SENATOR FAWELL:

20. Well, I...I rise to support the bill. I think that  
21. we have to bear in mind that rightly or wrongly we have  
22. granted this privilege to police magistrates and to the  
23. justices of the peace and to referees of the municipal  
24. court in Chicago. The master in chancery is now defunct,  
25. and we're talking I think in all about 29, no more than  
26. 29 who would be qualified and a good portion of those  
27. I think have enough credit that they wouldn't even take  
28. advantage of this. So I think that in all fairness you've  
29. got to extend it to masters in chancery, you can't very  
30. well explain to them that we should grant it to the j.p.'s  
31. and the police magistrates and the referees of the municipal  
32. court in Chicago but not extend them to just a handful of  
33. masters in chancery and I am told that the cost here is.

1. inconsequential. I recognize the fact that one can on  
2. the basis of a pension policy view point object to it,  
3. but again I bring out that if we have done this for  
4. police magistrates and justices of the peace as well as  
5. referees under the municipal court there's...there's no  
6. rational way in which you can say to police...to the  
7. masters in chancery who are functioning at a higher level  
8. under the circuit court that we can't grant it to you..  
9. So, I...I would urge support of the bill.

10. PRESIDING OFFICER (SENATOR WEAVER):

11. Senator Berning.

12. SENATOR BERNING:

13. Thank you Mr. President. I think the potential  
14. number of applicants can run as high as 60, and in that  
15. respect does become a much more significant drain than  
16. it would be if it were 29. However, that may be, the  
17. important factor is rightly or wrongly we have been  
18. under a continuing pressure to make the pension programs  
19. a welfare program and that is not by any stretch of the  
20. imagination what the pension program was designed to be  
21. and hopefully will continue not to be. Therefore while  
22. we will be studying all aspects of the entire pension  
23. program and provision in order to attempt to bring them  
24. into conformity, this is one side aspect that we very  
25. likely will take under consideration. But be that as  
26. it may, at this point it is not justified to add these  
27. people to the judicial pension program and I would suggest  
28. a no vote.

29. PRESIDING OFFICER (SENATOR WEAVER):

30. Senator Rock may close debate.

31. SENATOR ROCK:

32. Well, Mr. President, Ladies and Gentlemen of the  
33. Senate, I do not subscribe to Senator Berning's views.



1. as they relate to this bill. I do not think that this  
2. is in any attempt to render the judicial retirement  
3. system a welfare proposition. What we are saying and  
4. only what we are saying is that those members of the  
5. judiciary who prior to July 1, 1964 had service as either  
6. a j.p., civil referee, or a police magistrate or a master  
7. in chancery can in fact...pay into the judicial retirement  
8. service fund and receive credit for those periods of service  
9. which they repay in full. I would ask a favorable roll  
10. call.

11. PRESIDING OFFICER (SENATOR WEAVER):

12. Question is shall HB 1866 pass. Upon that question  
13. the Secretary will 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 WEAVER):

26. Course, aye. Carroll, aye. McBroom, aye. Davidson,  
27. aye. Request that the absentees...the absentees will be  
28. called.

29. SECRETARY:

30. Bartulis, Bell, Conolly, Daley, Fawell, Graham, Keegan,  
31. Knuepfer, McCarthy, Howard Mohr, Netsch, Newhouse, Nimrod,  
32. Ozinga, Regner, Rock, Soper, Sours, Swinarski, Mr. President.

33. PRESIDING OFFICER (SENATOR WEAVER):

1.           McCarthy, aye. Partee, aye. Graham, aye. ...Senator  
2. Shapiro.  
3. SENATOR SHAPIRO:  
4.           How am...how am I recorded?  
5. PRESIDING OFFICER (SENATOR WEAVER):  
6.           How is Senator...  
7. SECRETARY:  
8.           No.  
9. PRESIDING OFFICER (SENATOR WEAVER):  
10.           On that question the ayes are thirty-two, the nays  
11. are twelve. HB 1866 having received a constitutional  
12. majority is declared passed. 1859.  
13. SECRETARY:  
14.           HB 1859 (Secretary reads title of bill)  
15. 3rd reading of the bill.  
16. PRESIDING OFFICER (SENATOR WEAVER):  
17.           Senator Course.  
18. SENATOR COURSE:  
19.           Thank you Mr. President, Members of the Senate,  
20. HB 1859 amends the Revenue Act. It provides that no  
21. assessor may increase an assessment except where revision  
22. is made upon complaint of the owner, without previous  
23. notice to the owner to whom the most...most recent tax  
24. bill was mailed. Currently he must give notice to the  
25. owner of the property. Now what happens here Ladies  
26. and Gentlemen a lot of times...in many cases the property  
27. is sold and the tax bill has been mailed to the previous  
28. owner. The previous owner is required to put the new...  
29. name of the new owner and the address on the back of the  
30. tax bill, return it to the assessor. This is so the  
31. assessor will know that the property has been sold. Now  
32. this isn't being done and this here we think will rectify  
33. this...problem. I would appreciate a favorable roll call.

1. PRESIDING OFFICER (SENATOR WEAVER):

2.           There any discussion? Question is shall HB 1859  
3. pass. Upon that question the Secretary will call the  
4. 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 forty, the nays are  
18. none. HB 1859 having received the constitutional majority  
19. is declared passed. 1877, Senator Schaffer.

20. SECRETARY:

21.           HB 1877 (Secretary reads title of bill)  
22. 3rd reading of the bill.

23. PRESIDING OFFICER (SENATOR WEAVER):

24.           Senator Schaffer.

25. SENATOR SCHAFFER:

26.           This is a...another bill relating to township assessors.  
27. It does two things. One, it increases the compensation that  
28. the State pays to assessors who become certified from 250 to  
29. \$300. And two, it provides that the schools that the  
30. certification is given out at be held at various con-  
31. venient locations through out the State. It's an attempt  
32. to bring a little more expertise, a little more...ability  
33. into the local assessing field where there is great room

1. for improvement. I believe the assessors are for it.  
2. I don't think anyone's opposed to it, appreciate a favorable  
3. roll call.

4. PRESIDING OFFICER (SENATOR WEAVER):

5. Is there any discussion? The question is shall  
6. HB 1877 pass. And on that question the Secretary will  
7. call the roll.

8. SECRETARY:

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

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Roe, aye. Netsch, aye. Shapiro, aye. Johns, aye.  
21. Savickas, aye. On that question the ayes are forty-five,  
22. the nays are one. HB 1877 having received a constitutional  
23. majority is declared passed. 1905.

24. SECRETARY:

25. HB 1905 (Secretary reads title of bill)  
26. 3rd reading of the bill.

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Senator Swinarski.

29. SENATOR SWINARSKI:

30. Mr. President, Members of the Senate, this bill  
31. pertains only to the Chicago Board of Education. It  
32. amends the Code by allowing the Chicago Board of Education  
33. the option...of self-insuring their liability claims. I

1. ask for a most favorable roll call.

2. PRESIDING OFFICER (SENATOR WEAVER):

3. Is there any discussion? The question is shall  
4. HB 1905 pass. Upon that question the Secretary will  
5. call the roll.

6. SECRETARY:

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

17. PRESIDING OFFICER (SENATOR WEAVER):

18. Kosinski, ayé. Newhouse, aye. Glass, aye. Partee,  
19. aye. Dougherty, aye. Berning, no. Walker, aye. Romano,  
20. aye. On that question the ayes are thirty-four, the nays  
21. are two. HB 1905 having received a constitutional majority  
22. is declared passed. HB 20, Senator Bell.

23. SECRETARY:

24. HB 20 (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER (SENATOR WEAVER):

27. Senator Bell.

28. SENATOR BELL:

29. Well Mr. President, Members of the Senate, we have  
30. here before us death penalty bill that we previously  
31. examined early last week, to which there was some question  
32. as I recall to the amendment. The bill addresses itself  
33. or does address itself to the imposition of the death

1. penalty in reference to murder of any police officer,  
2. fireman, correctional officer, engaged in the performance  
3. of his official duties and where the murder is committed  
4. by a person who's previously been convicted of a murder.  
5. Senator Rock had some questions I recall to this. The  
6. amendment...was previously looked at had a little bit  
7. of problem. Changed the amendment. I don't think there's  
8. any question in reference to the amendment any longer.  
9. I'd like to point again to the fact that the State of  
10. Illinois in 1970 addressed itself to this issue, in which  
11. the people of the State voted as to the maintaining of a  
12. death penalty and there was in slightly in excess of 2/3s  
13. of the people that voted in support of that measure across  
14. the State. I might also say that I saw a survey conducted  
15. in my county, Will County in which the people of Will  
16. County addressed themselves to the need for a death  
17. penalty by 88%. Now that may have some bearing in relation  
18. to the I-57 murders, in relation to a correctional institution  
19. guard, as a matter of fact at Stateville that was catapulted  
20. over to a railing to his death. People of my district  
21. want a move of some significance in this direction. And  
22. I say to you that based on the vote of the people of the  
23. State of Illinois in 1970 they too want a vote and a move  
24. in this direction. It's been argued that this bill is  
25. constitutional. It's also been argued that it may be  
26. unconstitutional. And I say, and I hope you'll agree  
27. that that's up to the courts of this State and up to the  
28. Supreme Court to make a final determination on. People  
29. of this State need the death penalty. We need it for a  
30. roll back and a shift of those scales of justice back to  
31. the needs of the people and I ask for a favorable roll  
32. call.

33. PRESIDING OFFICER (SENATOR WEAVER):

1. Senator Wooten.

2. SENATOR WOOTEN:

3. Is the death penalty mandatory? In other words,

4. jury and judge have absolutely no leeway but the death

5. penalty must be applied in certain cases?

6. PRESIDING OFFICER (SENATOR WEAVER):

7. Senator Bell.

8. SENATOR BELL:

9. No, I don't...I don't see that in the bill but...

10. PRESIDING OFFICER (SENATOR WEAVER):

11. Senator Wooten.

12. SENATOR BELL:

13. Excuse me...excuse me. Mr. President.

14. PRESIDING OFFICER (SENATOR WEAVER):

15. Senator Bell.

16. SENATOR BELL:

17. Senator Wooten, I'm sorry. Yes it is in those

18. types of cases.

19. SENATOR WOOTEN:

20. Yes, well that's the principal problem with the bill,

21. that it is mandatory. The mind of man is never able in

22. advance to conjure up all circumstances surrounding all

23. cases. The option I believe, a good argument can be made

24. for having the option, but to make it mandatory takes away

25. any...could take away the possibility of administering

26. real justice. And that's the...what I think is the fatal

27. flaw in the bill.

28. PRESIDING OFFICER (SENATOR WEAVER):

29. Senator Carroll.

30. SENATOR CARROLL:

31. Thank you Mr. President, rather than go into anything

32. long I would just like to very briefly repeat some of the

33. comments I had made last time we argued this and I think

1. Senator Wooten has alluded to it just now. I think the  
2. wisdom of this Legislature should prevail that to those  
3. who wish a death penalty we should attempt to do something  
4. that we do not know in advance to be unconstitutional.  
5. Florida as a State had passed legislation a few years ago  
6. that is now being appealed in the Federal courts that  
7. provides a mandatory death penalty for the killing of  
8. a prison guard, very similar to the type of legislation  
9. we are considering now. That is already through the court  
10. system, someone was convicted under that law prior to  
11. the Furman decision and that is now being appealed through  
12. the Federal courts. If you read the entire Furman decision  
13. to which this bill and the others like it were aimed, they  
14. were aimed at the four members...at the three members of  
15. the court who held in that particular case in Furman that  
16. it was unconstitutional because it was not a mandatory  
17. sentence. But if you read Chief Justice Burger's opinion  
18. and the three members of the court who concurred with him  
19. each one of them held that if you take away the deliberative  
20. power of the jury, if you do not allow a jury in the  
21. interest of justice to determine whether or not a death  
22. sentence should be imposed, you take away the inherent  
23. rights of our judicial system whereby the jury can reflect  
24. the common conscience of the people at any period of time,  
25. and Chief Justice Burger joined by the others held that  
26. were we to go to the exact system that this bill puts  
27. in, it would be held in their opinion unconstitutional.  
28. I don't think we want to dangle a carrot in front of those  
29. people in the State who want a death penalty by passing  
30. something that is clearly going to be stricken by the  
31. court. I think wisdom should say, we should await the  
32. opinion in the Florida case and then those who wish a  
33. capital punishment bill can take the guidelines of that



1. and draft one therefrom within a year. Thank you.

2. PRESIDING OFFICER (SENATOR WEAVER):

3. Senator Glass.

4. SENATOR GLASS:

5. Thank you Mr. President. I spoke previously when  
6. this bill came up and was taken out of the record so  
7. I'm not going to repeat the arguments that I have against  
8. the bill generally, that capital punishment is not a  
9. deterrent and in the constitutional arguments that have  
10. already been made. But I would like to call the attention  
11. of the Membership to a fact that I don't think you have  
12. taken into account. I think that most people believe  
13. that the...majority of the public want the death penalty,  
14. in fact there was a 59% majority of the public favoring  
15. capital punishment in a Harris poll recently. But on  
16. June 14, another Harris poll was published and it seems  
17. that although people say they want capital punishment, when  
18. the question is put to them, if you were on the jury  
19. in all cases could you find a person guilty even though  
20. his guilty were proven to you knowing that the death  
21. penalty would follow. And in that case only 39% say  
22. yes. I think what you would be doing by passing a bill  
23. like this even if it were upheld would be putting people  
24. on the jury who would be finding defendants not guilty  
25. simply to avoid the death penalty. That is what the polls  
26. indicate and as I said earlier I think that's the kind of  
27. results you would be getting to with the plea bargaining...  
28. that would go on and with the prosecutors having to face  
29. a...case in which they either would try the defendant for  
30. the capital crime or reduce the sentence and get a lesser  
31. offense simply because the death penalty would not be  
32. obtainable. I think it's an impossible situation and  
33. again for this reason would urge a no vote on the grounds

1. that the polls say that the public favor the death penalty  
2. are indeed misleading.

3. PRESIDING OFFICER (SENATOR WEAVER):

4. Senator Sours.

5. SENATOR SOURS:

6. Mr. President, Ladies and Gentlemen of the Senate,  
7. some years ago in the...in the Chamber we had a bill in  
8. fact two or three different Sessions to have a moratorium  
9. on the death penalty and about that time there were two  
10. black men in Chicago, one of whom was executed and the  
11. other, his sentence was commuted by Governor Kerner. There  
12. seems to be a new school of thought around this Chamber  
13. that all we have to do is pass the law and that's good,  
14. that's all we have to do. Dinner's over, nothing further  
15. remains. Well, those of you who may have heard the radio  
16. today will remember that the latest aberrations of  
17. parochialism coming out of New York and Pennsylvania have  
18. been stricken down by the United States Supreme Court.  
19. We passed those bills twice because certain people insisted,  
20. they finagle around and they got a majority in each case.  
21. I can agree pretty much with Senator Carroll who says we  
22. ought to let wisdom be the substitute here for the...  
23. insistence of certain groups that there be a death penalty.  
24. I am not opposed to the death penalty. I know this, that  
25. Lloyd Miller down in Senator Knuppel's district lingered  
26. on death row for thirteen years. Now we've got public  
27. defenders now and we have legal aides and don't you ever  
28. kid yourselves gentlemen that when one is found guilty  
29. and there's a possibility of the death penalty, he's  
30. going to do everything possible in the court system to  
31. be around and not be executed. Lloyd Miller was thirteen  
32. years waiting to be executed, he's out on the street now.  
33. This bill, Senator Bell I'm confident just as I was in

1. the parochial cases will be declared unconstitutional.  
2. Now somewhere in the very economy of things I think we  
3. ought to be tuned to what the real duty is and that is  
4. not to pass laws that will fill up death row for years  
5. and years and years and then have the United States  
6. Supreme Court turn them loose as in the case of Lloyd  
7. Miller.

8. PRESIDING OFFICER (SENATOR WEAVER):

9. Senator Mitchler.

10. SENATOR MITCHLER:

11. Mr. President, Members of the Senate, the subject  
12. of whether or not to have a death penalty and whether  
13. it's a deterrent to crime or whether it's a just penalty  
14. for a certain crimes committed has been of interest to  
15. me for many, many years. Even before I came to the  
16. Illinois State Senate. And in my correspondence, I  
17. don't have the file here in front of me, it's a rather  
18. lengthy correspondence with different individuals I  
19. did correspond with the then Director of the Federal  
20. Bureau of Investigation, J. Edgar Hoover on this subject.  
21. And I think that his analysis and his position with respect  
22. to capital punishment was one of the finest that I was able  
23. to get in my file and make up my mind on this subject.  
24. And Director Hoover did point out that he felt in his  
25. many, many, many years of law enforcement work that a  
26. capital punishment, the death penalty when administered  
27. properly was a deterrent to crime. Now the problem that  
28. we have today is that the courts have not used properly  
29. in my opinion capital punishment and given just cause  
30. where just cause is due. It just irks me and it irks  
31. the people that I represent to know that you've got a  
32. guy like Speck sitting there drawing pictures and enjoying  
33. life, probably eating three better squares than he ever

1. ate in life after doing the heinous crime that the committed  
2. in the City of Chicago to those poor innocent nurses. And  
3. you can go on and cite case after case after case and you  
4. have to have an eye for an eye. Now on that basis in my  
5. file has convinced me long time ago that capital punishment  
6. has it's place in society when justly administered. And  
7. I think that this bill is a good bill and I'm going to vote  
8. in favor of it Senator Bell.

9. PRESIDING OFFICER (SENATOR WEAVER):

10. Senator McCarthy.

11. SENATOR McCARTHY:

12. Yes Mr. President, Members of the Senate I'd like to  
13. make one observation about the bill, ...by way of statement<sup>as</sup>  
14. a preface I...I...many years ago in 1957 sponsored a bill  
15. to abolish capital punishment when I was a member of the  
16. House and that bill passed and had... a bill in here where  
17. I was the chief sponsor in, I think, 1961 to abolish capital  
18. punishment and we received 27 votes out of 30 necessary to  
19. abolish it. But that's not the point that I make on this  
20. speech here, except to say that in the debate and I think  
21. Senator Smith may remember this in the debate in 1961 and  
22. 1963 Senator Nathan Kinnally occupied a seat next to me and  
23. he had been a former assistant State's Attorney. And he  
24. came to the conclusion that the death penalty should be  
25. abolished, and he came to that conclusion as a prosecutor.  
26. And I think the prosecutors ought to remember those that  
27. are...were here at that time, Senator Kinnally reasoning  
28. why he as a prosecutor didn't believe that the death  
29. penalty was any good. And it went about like this, at  
30. that time the Supreme Court was deciding criminal law  
31. that affected each and every criminal prosecution but  
32. the decisions, the hard decisions were made on death cases.  
33. It would work like this, that there'd be a person who was

1. under the penalty of death, the appeals would go up  
2. through the State Supreme Court, up to the United States  
3. Supreme Court and the United States Supreme Court would  
4. sometime hold Sunday sessions, pretty hard to get them  
5. to hold a Sunday session, but they'd reach and search  
6. the record trying to find something that was done wrong  
7. in that criminal case because those nine men did not want  
8. to play God. They didn't want to have to say yes that  
9. man should be put to death and will be put to death,  
10. therefore the United States Supreme Court would come  
11. out with bad criminal law on capital cases that would  
12. apply to all criminal cases. You end up with them  
13. around a decision, all of these various United States  
14. Supreme Court decisions which have been counterproductive  
15. to our theory of law and order. And therefore Senator  
16. Kinnally being an ex-prosecutor voted to abolish it. And  
17. I think that's something that was very persuasive to me  
18. and I think some of you are of the opinion that law and  
19. order is served by capital punishment ought to give it a  
20. second thought. I would encourage you to think about that  
21. and vote no.

22. PRESIDING OFFICER (SENATOR WEAVER):

23. Senator Netsch.

24. SENATOR NETSCH:

25. Mr...Mr. President for just this once I would like  
26. to put legal arguments aside, others have made them and  
27. make a plea. There is no way to kill another person  
28. deliberately in the name of humanity. And anyone who  
29. had to sit with a Governor the night of an execution  
30. as I have would come to realize that. I hope that we  
31. do not restore the death penalty in any form.

32. PRESIDING OFFICER (SENATOR WEAVER):

33. Senator Smith.

1. SENATOR SMITH:

2. Mr...President, Members of the Senate, I guess  
3. I rise here now for the purpose of adding a little  
4. color to this particular argument. I note that no one  
5. of the other members of my ethnic group has as yet a  
6. word to say with regards to this subject. And I did  
7. not perhaps originally intend to say anything myself.  
8. As always I was impressed by what Senator Sours said  
9. with reference to exercising a bit of wisdom with regards  
10. to this particular question. Then too I recall the  
11. particular occasion when Senator McCarthy had a bill  
12. along this line but just the opposite to abolish the  
13. death penalty while you were a member of the Illinois  
14. House of Representatives. I handled that bill here in  
15. the Senate. We came near passing that bill and as you  
16. said I think it was 27 votes we succeeded in getting  
17. in favor of abolishing the deathpenalty. Now, this  
18. debate here this morning confirms my belief that an  
19. argument contributed but little insofar as Senators  
20. arising at just conclusions with regards to a matter  
21. like this. And it's almost childish for me to exert  
22. any energy in debating this question. The good Senator  
23. said from Peoria, said that we should exercise wisdom  
24. and how often have I thought that as I sat here and  
25. heard members grow eloquent in speaking with reference  
26. to purported crimes committed. Personally I don't think  
27. that we are competent to determine what is crime. That  
28. which we call weakness in a...rather a crimes on the  
29. part of an individual could be so far as we honestly  
30. know merely weaknesses inherent in the scheme of things.  
31. Mr. President and Man may read, he may study, you may  
32. pass, he may be observant and he can and he will find  
33. something about the tides perhaps and currents of the

1. sea and the wayward winds, but as I stand here now, I  
2. don't think that there is an individual in this Body  
3. who can determine for an example where these clouds  
4. are formed in the...in the realm of the mind and that  
5. just came on just as I got up as always. And I assure  
6. you I know what the rules are and I will be governed  
7. by the rules. What I...I don't believe that we can  
8. tell where the mists and clouds are formed that darkens  
9. all the heavens of the individual mind now from whence  
10. comes the impulse that seizes an individual and holds  
11. him or her until the so-called frightful crime is done.  
12. Whatever my philosophy is with reference to the death  
13. penalty and I state it here and now I could never vote  
14. for a death sentence. I could never vote for a bill  
15. such as this because the purport and intent of it is  
16. to reestablish the death penalty here in the State of  
17. Illinois.

18. PRESIDING OFFICER (SENATOR WEAVER):

19. Senator Smith, I think this is the last week of  
20. the Session and we're going to have to all abide by  
21. these lights up here if we expect to accomplish...

22. SENATOR SMITH:

23. ...well you start the light when an individual  
24. begins his speech, and of course your...your vision  
25. is here and the light's to your rear and I don't know  
26. whether you get the flash. I wouldn't debate it,  
27. perhaps you know that...the precise moment when it  
28. came on. If I've spoken four minutes,...five minutes,  
29. I will gladly take my seat. If I haven't I demand  
30. for myself the same right and recognition as all others...

31. PRESIDING OFFICER (SENATOR WEAVER):

32. Senator Smith, the light goes on each individual  
33. when he begins speaking.

1. SENATOR SMITH:

2. ...take my seat.

3. PRESIDING OFFICER (SENATOR WEAVER):

4. Thank you sir. Senator Berning.

5. SENATOR BERNING:

6. Thank you Mr. President and Members of the Body,  
7. I rise in support of this measure. It appears to me  
8. that it's time we start thinking in terms of the citizenry  
9. back home. And even as the result of the one bill I had  
10. requiring mandatory incarceration, I received a good deal  
11. of correspondence. And I submit to each and every member  
12. of this Body if you or I were ever called to the morgue  
13. to identify a murdered member of our family you would be  
14. as much concerned about justice being imposed on the  
15. individual responsible as are those who have been called  
16. to make such identifications up to this point. I along  
17. with most of our citizens still have hopes that...the  
18. judiciary could and would be willing as well as objective  
19. enough to pronounce sentence imposed by such legislation.  
20. Certainly the judiciary cannot and will not act in an  
21. arbitrary and capricious manner in all cases particularly  
22. if we lay down a specific guideline, such as a mandatory  
23. death penalty. I was most interested to read in a recent  
24. issue of the newspaper an interview with his Highness the  
25. Emperor of Ethiopia Haile Selassie. His philosophy was very  
26. explicit, very definite. Society depends on order. He  
27. has no compunction whatsoever about extinguishing a  
28. useless life, and in my opinion while I don't subscribe  
29. to the type of dictatorship or form of government that  
30. he represents he does have a great deal more internal  
31. peace than perhaps we do. In my humble opinion we must  
32. take action with this kind of legislation in order to be  
33. able to assure our people of eventually enjoying the peace and



1. security of their person they are entitled to. I urge  
2. your vote for SB 20.

3. PRESIDING OFFICER (SENATOR WEAVER):

4. Senator Walker.

5. SENATOR WALKER:

6. Thank you Mr. President, Members of the Senate.  
7. This Furman decision was rendered the latter part of  
8. June, 1972. This is out of the spring issue of State  
9. Government, I think it might be worth dwelling a few  
10. seconds on here. Shortly after the Furman decision  
11. a young family was brutally murdered in an armed robbery  
12. of a small 24-hour grocery store in Oklahoma City. There  
13. was evidence tending to show that the killings were for  
14. the purpose of insuring that there be no eye witnesses  
15. to the robbery. And a bank robbery where nine hostages  
16. been taken in an effort to escape officers an assailant  
17. communicated with his family, and he used the Furman  
18. decision by stating I will shoot everyone in the bank.  
19. The Supreme Court will let me get away with this. There  
20. is no death penalty, it is ridiculous, I can shoot every-  
21. one here, then throw my gun down and walk out. And they  
22. can't put me in the electric chair. You have to have a  
23. death penalty otherwise this can happen every day. I  
24. realize that this bill applies only to certain cases.  
25. I'm happy to hear that my good friend Hudson Sours is  
26. not opposed to it. He only feels that this bill may  
27. not...may not be constitutional, but on the other hand  
28. I'm willing to take a flier on it. It won't be the  
29. first wrong decision that the Supreme Court has made,  
30. if they decide it's unconstitutional but let's let them  
31. decide this. There's a difference between his reasoning  
32. here and that of some social theorists...I don't know  
33. what sitting up with the Governor all night would have.

1. That's one of the risks of the trade, like there's a risk  
2. in being a legislator. You say there's no justification  
3. to take the life of any one, how about the lives of the  
4. innocent that are taken by...by these killers. While this  
5. abolishment of the death penalty is given in my estimation  
6. life-termers a license to kill after all, what does he have  
7. to lose? It's never been totally effective, but I do think  
8. it's partial deterrent. I think it's something that we  
9. should have and as Senators before me have stated our  
10. constituents want. And I would urge support of HB 20.  
11. Thank you.

12. PRESIDING OFFICER (SENATOR WEAVER):

13. Senator Merritt.

14. SENATOR MERRITT:

15. Yes, Mr. President, Members of the Senate, just very  
16. briefly. I do not for one minute feel that I can debate  
17. along with the fine lawyers in the Senate, the legal  
18. aspects of this bill. I do however..believe that there  
19. are enough provisions in this particular bill that should  
20. the act be held unconstitutional by the United States  
21. Supreme Court that there are provisions for...indeterminate  
22. terms of not less than fourteen years. Be that as it may,  
23. what I'm...concerned about and what I intend to address  
24. my remarks about, this is an ordinary layman reflecting  
25. what I feel are the wishes of a high 90% of the people  
26. of my district back home. I think they spoke to the tune  
27. of at least three to one in the Constitutional Convention  
28. saying the death penalty should be retained. And if one  
29. of us for one moment needs to search our consciences, try  
30. to put ourselves in the position of one of these officers,  
31. policemen, firemen, otherwise who have been murdered then  
32. I hope that you can go to the wake and face that widow  
33. and say yes, I was a Member of the General Assembly that

1. said we do not need the death penalty any longer. And  
2. let's give them a short sentence and let them out and  
3. let them do it again. Let's for one minute place our-  
4. selves in the position of a mother and father of one  
5. of those nurses. Just think about it, killed by Speck,  
6. Reflect upon it carefully and say to yourselves, yes,  
7. let's put him away for...a few years and give him a  
8. chance to do it again, in all good conscience I have  
9. to support strongly the provisions of HB 20. Thank you.

10. PRESIDING OFFICER (SENATOR WEAVER):

11. Senator Graham.

12. SENATOR GRAHAM:

13. Thank you Mr. President, I thought I was in the  
14. penalty box. Mr. President, Members of the Senate, I  
15. can speak with some experience with regard to what the  
16. death penalty effect has on some people. I hear...heard  
17. Senator Netsch talking about sitting with Governor Kerner  
18. the night...I think that was Young that was commuted. I  
19. was sitting the same night waiting to be called as a witness.  
20. I also had an unfortunate experience of being in Menard  
21. Penitentiary before the blood was mopped up after the  
22. murder of those guards in 1966, '65. That wasn't a very  
23. pretty sight. And I sat and talked to those widows and  
24. those children that night, then the death penalty was still  
25. in effect. About the only comfort they had was their  
26. faith in God and the faith in perhaps that the judicial  
27. wing of our government would have the sense and the guts  
28. to send these men to the electric chair. Senator Kenneth  
29. Course and I were at Sheridan last year when the so-called  
30. children, the young punks of our society had killed one  
31. man and almost kicked to death another. I talked to  
32. Speck not very long ago and he's sitting there grinning  
33. as a result of the Supreme Court decision. That miserable

1. piece of human flesh who should have died a long time  
2. ago is sitting there getting fat and basking in the  
3. sunshine of his heinous crime. Gentlemen, I don't know  
4. if this will have any influence upon our courts or not,  
5. sometimes I think it will. But I'll tell you the wives  
6. of the employees of the penitentiaries and the residents  
7. of the towns such as Joliet, Pontiac, Chester, Sheridan  
8. and you name it will be happy if we have the courage  
9. to indicate to the Supreme Court no matter how soft-  
10. headed they get on some of their decisions that there  
11. is a feeling in the Illinois General Assembly that those  
12. who commit those heinous crimes and especially those in  
13. our correctional institutions that can get no more than  
14. life after they've been sentenced to life without the  
15. death penalty will be comforted by the fact that we had  
16. the courage to tell our people and our weak-kneed judicial  
17. system that there are some people who believe that there's  
18. some persons that commit these crimes on the face of this  
19. earth who should go to their great beyond wherever it may  
20. be.

21. PRESIDING OFFICER (SENATOR WEAVER):

22. Senator Bell may close debate.

23. SENATOR BELL:

24. Well...

25. PRESIDING OFFICER (SENATOR WEAVER):

26. Excuse me Senator Soper I didn't know you wanted  
27. recognition.

28. SENATOR SOPER:

29. Mr. President, Members of the Senate...by the time  
30. President found time to call on me everything on this  
31. subject's been said. But can you imagine the police to  
32. try to apprehend a criminal in a situation where he's  
33. committed every crime in the book except murder, now they've

1. got this man cornered someplace and they want him to come  
2. out. He knows he's...from what he's committee he's already  
3. got life, what can he lose? He'll take any means of escape  
4. to get away, even murder. Now, I think that we should have  
5. a little more to say about whether or not this fellow should  
6. consider the fact that if he gives up at the time and he comes  
7. out that maybe we'll save the life of an officer or of a...  
8. or of a citizen and...something to think about when you've  
9. got nothing to lose, you'll just keep...you'll continue.  
10. Now on that I'll ask for the previous question.

11. PRESIDING OFFICER (SENATOR WEAVER):

12. My apologies to you Senator Soper. Senator Bell may  
13. close debate.

14. SENATOR BELL:

15. Thank you Mr. President. You know, all we have to  
16. do to see some of the muddle-headed thinking that's been  
17. prevalent in our Federal system, specifically the Supreme  
18. Court is look at the decision on abortion in relation to  
19. their position on the death penalty, and I can't remember  
20. which one of the social theorists on the other side of the  
21. aisle addressed themselves to it, I think it was Senator  
22. Netsch, but certainly the question of abortion is the  
23. slaughter of the innocents. You know we take a rabid animal  
24. and dispose of that animal for the sake of society. And  
25. there's no question that rabid animals are only within the  
26. lower order of the animal species, we have them also in the  
27. human species. And for the need of good order and for the  
28. safety of society it becomes necessary sometimes to  
29. address ourselves to the removal of that type of threat.  
30. I don't like to be the type of person that wants to kill  
31. somebody, but I think in terms of the good order as I say  
32. of society that there comes a time when we as the human  
33. race must address ourselves to that question on an affirmative

1. basis. I say and I hope you agree that we should at this  
2. time let the people, the people of the State of Illinois  
3. know that we are committed to try to at least try to meet  
4. their demands. I ask for your consideration and a favorable  
5. roll call.

6. PRESIDING OFFICER (SENATOR WEAVER):

7. The question is shall HB 20 pass and upon that question  
8. the 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, Sojurs, Swinarski, Vadalabene, Walker,  
19. Weaver, Welsh, Wooten, Mr. President.

20. PRESIDING OFFICER (SENATOR WEAVER):

21. McBroom, aye. Nudelman, no. Regner, aye. Buzbee,  
22. aye. On that question the ayes are thirty-five, the nays  
23. are twelve. HB 20 having received the constitutional  
24. majority is declared passed. HB 1943, Senator Johns.

25. SECRETARY:

26. HB 1943 (Secretary reads title of bill)  
27. 3rd reading of the bill.

28. PRESIDING OFFICER (SENATOR WEAVER):

29. Senator Johns.

30. SENATOR JOHNS:

31. Mr. President, Ladies and Gentlemen of the Senate,  
32. this bill is an appropriation to the Department of  
33. Business and Economic Development for \$2,000,000 for

1. making a loan to the Shawneetown Regional Port Authority  
2. for the development of facilities necessary to provide  
3. public coal loading services in conjunction with the facilities  
4. to be acquired. I would appreciate a favorable roll call.

5. PRESIDING OFFICER (SENATOR WEAVER):

6. Is there any discussion? The question is shall  
7. HB 1943 pass, upon that question the Secretary will call  
8. 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. Johns, aye. Swinarski, aye. On that question the  
22. ayes are forty-seven, the nays are three. HB 1943 having  
23. received a constitutional majority is declared passed.

24. Senator Johns.

25. SENATOR JOHNS:

26. Mr. President, on a point of personal privilege,  
27. first I wish to thank you for the votes you've just  
28. given me, but I just have been sent a message that my  
29. hometown the City of Marion, Illinois I think these  
30. are the Marion Senior High School students in the balcony,  
31. is that correct? And I'm glad that I didn't know they  
32. were there till just now because I just put a bill before  
33. the Senate and they passed it. What was the call? 49?

1. So, would you rise? Would you rise please?

2. PRESIDING OFFICER (SENATOR WEAVER):

3. HB...

4. SENATOR JOHNS:

5. Mr. Leroy Anderson I think is the teacher here with  
6. them, and we thank you for your coming up here to witness  
7. this passing of this bill.

8. PRESIDING OFFICER (SENATOR WEAVER):

9. Senator Graham.

10. SENATOR GRAHAM:

11. Mr. President I wonder how Senator Johns would feel  
12. if we moved to reconsider the vote?

13. PRESIDING OFFICER (SENATOR WEAVER):

14. HB 17, Senator Clarke.

15. SECRETARY:

16. HB 17 (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER (SENATOR WEAVER):

19. Senator Clarke.

20. SENATOR CLARKE:

21. On a point of personal privilege I wonder if Senator  
22. Johns would now get the gallery empty so I can bring the  
23. kids in from Western Springs? HB 17 deals with the Election  
24. Code and permanently disabled voters. A bill that I know  
25. Senator Netsch and some other Senators have a very great  
26. interest in. It was up two years ago and I opposed the  
27. bill along with some other Republicans. It did not pass.  
28. We have looked at it carefully, and we put an amendment on  
29. 2nd reading that's agreeable to the spokesman for the  
30. physically handicapped that indicates that they will have  
31. to go through the same procedure of having a notarized  
32. statement in application for their certificate. But  
33. their certificate will be for five years. The purpose of



1. this bill is to enable them to vote without having to  
2. go to a doctor for every election because in many areas  
3. you have two or three elections the same year, that once  
4. they get a certificate from a doctor they will be able  
5. to vote without getting the doctor's certificate for  
6. each election for a period of five years because the  
7. doctor's certificate says they're permanently physically  
8. handicapped. I think it's a good bill. There are about  
9. 400,000 of these people in the State of Illinois, and  
10. appreciate a favorable vote.

11. PRESIDING OFFICER (SENATOR WEAVER):

12. Senator Davidson.

13. SENATOR DAVIDSON:

14. I'd like to rise in support of this bill because  
15. unless you have had to handle or deal with getting these  
16. certificates done particularly if you're the attending  
17. doctor who has to certify for this person that you know  
18. is permanently disabled, this is an inconvenience to  
19. them and it's difficult for them to get into see many  
20. of the doctors to get it done so they have their right  
21. to vote. I'd urge all of you to vote for this bill.

22. PRESIDING OFFICER (SENATOR WEAVER):

23. Is there further discussion? Question is shall  
24. HB 17 pass. Upon that question the Secretary will call  
25. 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. Course, aye. On that question the ayes are forty-  
6. five, the nays are three. HB 17 having received a  
7. constitutional majority is declared passed. HB 33.

8. SECRETARY:

9. HB 33 (Secretary reads title of bill)  
10. 3rd reading of the bill.

11. PRESIDING OFFICER (SENATOR WEAVER):

12. Senator Savickas.

13. SENATOR SAVICKAS:

14. Yes this is a...Illinois' participation in the  
15. Atomic Energy Commission Nuclear Compact, and it just...  
16. I'd solicit your favorable support of this.

17. PRESIDING OFFICER (SENATOR WEAVER):

18. Is there any discussion? The question is shall  
19. HB 33 pass, upon that question the Secretary will call  
20. 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. PRESIDING OFFICER (SENATOR WEAVER):

33. Berning, aye. McCarthy, aye. On that question the

1. ayes are forty-seven, the nays are none. HB 33 having  
2. received a constitutional majority is declared passed.  
3. 133.

4. SECRETARY:

5. HB 133 (Secretary reads title of bill)  
6. 3rd reading of the bill.

7. PRESIDING OFFICER (SENATOR WEAVER):

8. Senator Knuppel.

9. SENATOR KNUPPEL:

10. Mr. President and Members of the Senate, this bill  
11. is a bill designed to encourage smaller counties to con-  
12. solidate services particularly with respect to State's  
13. attorneys. It provides in its amended form that the State  
14. will pay 75% of the amount provided by law to be paid on  
15. behalf of a...to a county for...towards a State's attorney's  
16. salary in case of a consolidation, which would mean that  
17. ...the State would realize a savings of 25% of what they're  
18. presently paying toward those salaries.If they're presently  
19. paying 24,000 for two counties they would thereafter pay  
20. only the sum of 18,000. If there were consolidation of  
21. more counties than two and the ultimate result was that  
22. the pay by the State would exceed what ... the salary is  
23. ...is fixed at only the highest...at only the highest rate  
24. that's payable for that population of counties, or...or  
25. districts and that any amount in excess of that would be  
26. paid back according...or would be paid out according  
27. proportionate to what the population was. This is a good  
28. bill and will encourage the consolidation of services for  
29. State's attorney in smaller counties and will bring about  
30. a higher quality of persons seeking this office and we've  
31. had some difficulties with small counties securing candidates  
32. for this office. I would encourage a favorable roll call.  
33. PRESIDING OFFICER (SENATOR WEAVER):

1. Is there any discussion? The question is shall  
2. HB 133 pass and upon that question the Secretary will  
3. call the roll.

4. ACTING SECRETARY (MR. WRIGHT):

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 WEAVER):

16. Netsch, aye. Newhouse, aye. Schaffer, aye. Berning,  
17. aye. Kosinski, aye. McBroom, aye. Soper, aye. On that  
18. question the ayes are forty-three and the nays are three.  
19. HB 133 having received a constitutional majority is  
20. declared passed. 171, Senator Fawell.

21. ACTING SECRETARY (MR. WRIGHT):

22. HB 171 (Secretary reads title of bill)  
23. 3rd reading of the bill.

24. PRESIDING OFFICER (SENATOR WEAVER):

25. Senator Fawell.

26. SENATOR FAWELL:

27. Mr. President...I'm sorry, I should have made the  
28. motion...or asked leave to have this bill returned to  
29. the order of 2nd reading for the purposes of affixing  
30. an amendment which actually was suggested by Senator Rock,  
31. when this bill was briefly called the last time and thus  
32. I do ask for that leave.

33. PRESIDING OFFICER (SENATOR WEAVER);

1. Leave is granted. Senator Fawell will explain the  
2. amendment.

3. SENATOR FAWELL:

4. Yes. The amendment does two things. It first of  
5. all clarifies and Senator Soper would be interested in  
6. this because the last time we did present this, Senator  
7. Soper it was...escaped your attention, and has the effect  
8. of removing municipalities and counties from the purview  
9. of the act. In addition Senator Rock had pointed out that  
10. lines 27 and 28 which state that this amendmentary act  
11. of 1973 does not apply to any home rule unit was not  
12. really necessary any longer since we are removing all  
13. potential home rule units, it's not being applicable to  
14. counties or cities. That is what the amendment does and  
15. I move the adoption of Amendment No. 1.

16. PRESIDING OFFICER (SENATOR WEAVER):

17. Is there any discussion? All in favor signify by  
18. saying aye. Opposed nay. The amendment's adopted. 3rd  
19. reading. HB 169.

20. ACTING SECRETARY (MR. WRIGHT):

21. HB 169 (Secretary reads title of bill)  
22. 3rd reading of the bill.

23. PRESIDING OFFICER (SENATOR WEAVER):

24. Senator Howard Mohr.

25. SENATOR HOWARD MOHR:

26. Yes .... Mr. President, this bill and several others  
27. on the same subject were put into a subcommittee and  
28. amended. The bill now reads that the municipal attorney  
29. in a city or village in which a violation occurs shall  
30. prosecute the violator unless the State's attorney of  
31. the county in which the violation occurs elects to prosecute  
32. such violation. This is supported by the Municipal League,  
33. the State's attorney of Cook County, many other State's

1. attorneys, the presiding judges in most districts, and  
2. the Secretary of State. Just a...a method in which the  
3. municipalities will be able to speed up and prosecute  
4. some of these violations. Know of no objections now that  
5. the bill has been...

6. PRESIDING OFFICER (SENATOR WEAVER):

7. Is there any discussion? The question is shall  
8. HB 169 pass, upon that question the Secretary will call  
9. the roll.

10. ACTING SECRETARY (MR. WRIGHT):

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

21. PRESIDING OFFICER (SENATOR WEAVER):

22. Carroll, aye. Harris, aye. On that question the  
23. ayes are forty, the nays are none. HB 169 having received  
24. a constitutional majority is declared passed. 185, Senator  
25. Carroll.

26. ACTING SECRETARY (MR. WRIGHT):

27. HB 185 (Secretary reads title of bill)  
28. 3rd reading of the bill.

29. PRESIDING OFFICER (SENATOR WEAVER):

30. Senator Carroll.

31. SENATOR CARROLL:

32. Thank you Mr. President, Members of the Senate,  
33. although the title is quite long the act is quite simple.

1. It takes out the requirement that an absentee ballot be  
2. it by an incapacitated someone who is leaving the State  
3. or those in military service. It takes out the requirement  
4. that it have double affidavits, double notarization, for  
5. the both the ballot and the application, and what it  
6. substitutes instead thereof is a certification by the  
7. person applying for the application for ballot, certifying  
8. that under the penalties of perjury that everything  
9. stated in there is true and correct. And it reiterates  
10. the perjury sections of the Election Code. But it takes  
11. out the roughly \$1.00 poll tax on anybody voting by  
12. absentee, merely requiring that his application be  
13. notarized. I would ask for a favorable roll call. We  
14. know it's supported by all the Leagues of Women Voters,  
15. and all those types of groups.

16. PRESIDING OFFICER (SENATOR WEAVER):

17. Is there any discussion? Question is shall HB 185  
18. pass, and upon that question the Secretary will call the roll.

19. ACTING SECRETARY (MR. WRIGHT):

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. Sours, aye. Rock, aye. On that question the ayes  
32. are forty-five, the nays are none. HB 185 having received  
33. a constitutional majority is declared passed. 171.

1. ACTING SECRETARY (MR. WRIGHT):

2. HB 171(Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER (SENATOR WEAVER):

5. Senator Fawell.

6. SENATOR FAWELL:

7. Yes, Mr. President this bill was requested of  
8. Representative Kempiners by Naperville Township officials  
9. who wanted it expressed in the law that in the authority  
10. they have to purchase for elected officials who really  
11. are part-time that the...amount of the premium to be  
12. paid would not exceed 10% of the salary of the elected  
13. official. I would hope that we would have a majority  
14. support of the Body for this legislation.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Any further discussion? Senator Merritt.

17. SENATOR MERRITT:

18. Senator Fawell, wonder if you'd yield to a question.  
19. Do I...

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. He indicates he will.

22. SENATOR MERRITT:

23. ...have the...bill in front of me necessarily but,  
24. does...does this mean a total of the insurance premium  
25. paid as including their retirement cannot exceed 10%  
26. of their salary?

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. Senator Fawell.

29. SENATOR FAWELL:

30. It does not include retirement. It includes the  
31. discretionary insurance coverage which a township can  
32. now have on its elected officials which would be your  
33. basic life and health and medical coverage. The township



1. officials in our area have felt that this has been abused  
2. and often times the...the value of these insurance programs  
3. for the township officials far, far exceeds the annual  
4. salaries they're getting. So they feel in...in short  
5. it's a rip-off. And have said that we believe that it just  
6. plain ought to be limited to 10...not more than 10% of the  
7. man's salary. Now, if he's receiving a full-time salary,  
8. it's not going to be detrimental, but for the part-time  
9. people and so forth it...it ought not to exceed 10%...  
10. that's the genesis of the bill.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Senator Nimrod.

13. SENATOR NIMROD:

14. Mr. President and Fellow Senators what this does  
15. really is take the insurance programs, the health and  
16. accident insurance program that's been approved by the  
17. electors in a township and what it does it takes that away  
18. from them and only cuts it down to 10%. Because the present  
19. law says that the...that the electors at an annual meeting  
20. may authorize a health and accident insurance program for  
21. the elected officials. What you're saying here then is  
22. that since...in order to earn \$15 a month, or \$10 at a  
23. meeting or whatever...sometimes they don't even meet that  
24. often, in some of these townships, if the electors have  
25. approved that then they...makes them ineligible to vote  
26. for their health and accident insurance. Now, this is  
27. a bad way to approach the bill. The...the...the officials  
28. who are receiving the benefits are not trying to hide  
29. anything or bypass anything. The electors at an annual  
30. meeting gave them that authority and gave them the permission  
31. to do that...and this is a bad way of attacking it and I would  
32. certainly say that this would...is not the way to approach  
33. this problem. And it is taking away something from elected

1. official that the electors have given to him.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. Any further discussion? The question before the  
4. Senate is shall HB 171 pass. Secretary...Senator Fawell,  
5. oh, yes, I'm sorry. I thought you had already closed  
6. the debate.

7. SENATOR FAWELL:

8. Yeah. Well, just one point. It...it certainly does  
9. not make the town auditors ineligible for the program, as  
10. Senator Nimrod has indicated. It does however say that  
11. if you are a \$15 a month town auditor that you're not going  
12. to get a premium compensation that's worth maybe 3 or \$4,000  
13. or whatever it might be. They simply are saying that what-  
14. ever your salary maybe that you can be a part of this  
15. program but the premium that's paid by the taxpayers will  
16. not exceed 10% of whatever your annual contribution may be.  
17. Again I point out that this is requested by township  
18. officials, and it obviously is...is meant to be a economy  
19. measure at the local level.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. The question before the Senate is shall HB 171 pass.  
22. Secretary will call the roll.

23. ACTING SECRETARY (MR. WRIGHT):

24. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,  
25. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,  
26. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth  
27. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,  
28. Latherow, McBroom, McCarthy, Merritt, Mitchler...

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. Gentlemen we are on roll call.

31. ACTING SECRETARY (MR. WRIGHT):

32. Howard Mohr, Don Moore, Netsch, Newhouse, Nimrod,  
33. Nudelman, Ozinga, Palmer, Partee, Regner, Rock, Roe,

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

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. ...Kosinski, aye. Sommer, aye. Johns, aye.  
6. There's been a request for a call of the absentees.  
7. The absentees will be called. And we'd appreciate  
8. it very much Gentlemen, just a moment. If we get a  
9. little order we perhaps won't have so many absentees  
10. on the roll call. Please. Just a minute. Call the  
11. absentees.

12. ACTING SECRETARY (MR. WRIGHT):

13. Bartulis, Bell, Bruce, Carroll, Clarke, Conolly,  
14. Daley, Donnewald, Dougherty, Graham, Hynes, Keegan,  
15. Knuppel, Latherow, McBroom, McCarthy, Merritt, Mitchler,  
16. Howard Mohr, Newhouse, Nudelman, Palmer, Partee, Regner,  
17. Schaffer, Soper, Sours, Swinarski, Walker, Weaver, Wooten,  
18. Mr. President.

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. On that question the yeas are thirty-one, the nays  
21. are three. The bill having received the constitutional  
22. majority required is declared passed. Next bill will  
23. be HB 224. Senator Rock indicates he wants to hold.  
24. Senator Schaffer are you prepared on 229? Read it by  
25. title a 3rd time Mr. Secretary.

26. ACTING SECRETARY (MR. WRIGHT):

27. HB 229 (Secretary reads title of bill)  
28. 3rd reading of the bill.

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. Senator Schaffer.

31. SENATOR SCHAFFER:

32. HB 229 effectively does one thing, it lowers the  
33. ...gun registration fee from 5 to \$2.00. Sponsored in

1. the House by Representative Schlickman who is not exactly  
2. known as a tool of the gun lobby. The...the purpose of  
3. the bill quite frankly was that when the gun...as I've been  
4. informed, when the gun bill was originally passed the  
5. registration fee was set at \$5.00 because we didn't have  
6. any statistical information to back up what it would cost.  
7. We now know it costs \$1.87. There were some assurances  
8. given to some of the people on the...that opposed the  
9. original concept that once we found out what it costs to  
10. run it that we'd reduce it, that this was not a revenue  
11. program. I...It obviously would reduce the State's income  
12. by some, approximately 200,000 a year, 2 to 300,000 a year.  
13. I think it's a matter of whether we want to keep faith with  
14. some of the commitments made by prior Sessions of the  
15. Legislature.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. Any further discussion? We have Senator Merritt,  
18. Moore and Sommer. Senator Merritt.

19. SENATOR MERRITT:

20. Just very briefly, Senator Schaffer. You've...you  
21. never in your explanation of the bill did you say that  
22. the term remains the same. That was...was previously  
23. \$5.00 for five years. Now, are you talking about \$2.00  
24. for five years?

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Senator Schaffer.

27. SENATOR SCHAFFER:

28. Yes.

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. Senator Don Moore.

31. SENATOR DON MOORE:

32. Yes, if the sponsor would yield, I noticed in the...  
33. the synopsis that it changes in fees and distribution of fees.

1. How are the...where do the present fees go and where  
2. will they go under this bill?  
3. PRESIDING OFFICER (SENATOR GRAHAM):  
4. Senator Schaffer.  
5. SENATOR SCHAFFER:  
6. Presently the cost of administering the act goes  
7. through the General Revenue Fund and the surplus goes  
8. to the Game and Fish Fund. There should not be a surplus  
9. consequently there will be no money going to the Game  
10. and Fish Fund.  
11. PRESIDING OFFICER (SENATOR GRAHAM):  
12. Senator Don Moore.  
13. SENATOR DON MOORE:  
14. Well in the event that there is a surplus...  
15. PRESIDING OFFICER (SENATOR GRAHAM):  
16. Just a moment Senator. Just a moment.  
17. SENATOR DON MOORE:  
18. In the event that there is a surplus, then that  
19. surplus would not go the...to the Game fund but would  
20. go to General Revenue Fund, is that correct?  
21. PRESIDING OFFICER (SENATOR GRAHAM):  
22. Senator Schaffer.  
23. SENATOR SCHAFFER:  
24. Yes, again your surplus right now is 13¢ and I'm  
25. sure with the inflation that that surplus would dissipate  
26. very quickly.  
27. PRESIDING OFFICER (SENATOR GRAHAM):  
28. Senator Sommer.  
29. SENATOR SOMMER:  
30. Senator Moore had asked the same question that I  
31. was going to ask.  
32. PRESIDING OFFICER (SENATOR GRAHAM):  
33. Any further discussion? Senator Kenneth Hall.

1. SENATOR KENNETH HALL:

2. Will the sponsor yield to a question? Maybe this  
3. question was asked and I was off the Floor. Now when this  
4. bill was passed it was \$5.00 for five years. And \$3.00  
5. of it went into the General Revenue and \$2.00 went to the...  
6. where did the other \$2.00 go?

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. Senator Schaffer.

9. SENATOR SCHAFFER:

10. To administer the actual act of registering the  
11. applicant.

12. SENATOR KENNETH HALL:

13. Now it's going to be a total of only \$2.00 for  
14. the entire five years. And...

15. SENATOR SCHAFFER:

16. As...Excuse me Senator, as it was explained to  
17. me, the bill was drafted that way because there was no  
18. one who actually knew what it was going to cost to  
19. administer the...the act and it...they put the Game and  
20. Fish Fund in in case there was a surplus. Obviously  
21. it was, there were some assurances made that this was  
22. not a revenue source, that this fee was to cover the  
23. cost only, and as it turned out this turns out to be  
24. very much revenue sources and...on a very small scale.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Senator Hall.

27. SENATOR KENNETH HALL:

28. Well, I just wanted to get clear that it's only  
29. going to be \$2.00 for five years from now on.

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. Senator Schaffer. Senator Rock.

32. SENATOR ROCK:

33. Well I just rise in opposition to this bill and

1. for the reason that although I voted for it in committee,  
2. I voted for an entirely different reason. Just to show  
3. you the logic of how the system operates around here,  
4. Senator Daley had an identical bill which he agreed to  
5. amend to this form which was killed in the Senate Judiciary  
6. Committee although I voted for it. This bill came over  
7. with Republican sponsorship and flew out of that committee  
8. 13 to 1. I think the...the merits of the bill were the  
9. same and I think the bill deserves the same fate.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Any further discussion? Senator Latherow.

12. SENATOR LATHEROW:

13. I too want to state opposition to this bill Mr.  
14. President. I have talked with the Department on at least  
15. two occasions and they assure me that this money that  
16. will be lost here is necessary and considered to be critical  
17. to a certain portion of their budget concerning the fish  
18. and game division. I think it's proper that this money be  
19. left in there and be used for the purposes for which it  
20. is stated. I want to be in opposition here.

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. Any further discussion? Senator Bell.

23. SENATOR BELL:

24. I would like to ask the sponsor of the bill a question.  
25. Senator Schaffer.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. He indicates he'll yield.

28. SENATOR BELL:

29. Would he be willing to bring the bill back to 2nd  
30. reading for the purpose of an amendment? Purpose of the  
31. amendment being actually to repeal the whole...the whole  
32. thing?

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. I could...perhaps answer that for you, Senator Schaffer.

2. SENATOR SCHAFFER:

3. No.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. That's the shortest answer today. Any other discussions?

6. Senator Davidson.

7. SENATOR DAVIDSON:

8. I'd like...Senator Schaffer you yield to a question?

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. He indicates he will.

11. SENATOR DAVIDSON:

12. Has the Illinois Wildlife Federation withdrew their  
13. opposition to this bill?

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. Senator Schaffer.

16. SENATOR SCHAFFER:

17. Who is the...who are they?

18. SENATOR DAVIDSON:

19. Who are they? The Statewide organization composed of  
20. all...all the sportsmen's clubs in the State of Illinois,  
21. and I had a telegram from Acksemen whose the Executive  
22. Secretary and I'm not sure I pronounced his last name  
23. correct against this bill because it reduces the \$3.00  
24. that go into the Fish and Game Fund of the Conservation  
25. Department. Have they withdrawn their opposition?

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. Senator Schaffer.

28. SENATOR SCHAFFER:

29. The only formal opposition I've seen was based on  
30. a...one of the editors wrote a letter against this,  
31. Representative Schlickman has endeavored to answer that  
32. letter and in my closing remarks I'd like to comment on...  
33. on the point that both you and Senator Latherow have pointed



1. out about the Game and Fish Fund.I'd kind of like to  
2. save it for that.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. Senator Vadalabene.

5. SENATOR VADALABENE:

6. Well, thank you Mr. President, just to assist  
7. Senator Davidson, that was the Executive Secretary of  
8. the Illinois Wildlife Association is Ace Eckstrom, and  
9. they are opposed to this bill.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Any other questions? Senator Rock.

12. SENATOR ROCK:

13. Just on a point of personal privilege, I just want  
14. to let the Senate sponsor know that on the basis of  
15. what Senator Vadalabene has said I will change my vote  
16. to aye.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. If there is no further discussion, Senator Schaffer  
19. will close the debate.

20. SENATOR SCHAPFER:

21. The real issue here, to those of you and I hope  
22. Senator Latherow and Senator Davidson are listening to  
23. me, there's only one basis of opposition to this bill, and  
24. that's that it is in someway just...cutting off needed  
25. funds to the Game and Fish Fund. Quite frankly it's  
26. very coincidental that in the three years that we've  
27. been operating this thing the Game and Fish Fund has  
28. taken in some \$800,000. Oddly enough it is also interesting  
29. to point out that in the previous five years or since  
30. 1968, the surplus in the Game and Fish Fund, the unexpended  
31. balance at the end of the year, the unexpended balance  
32. or the money that was not spent and this is a special  
33. fund mind you, this can't be used for roads or hospitals

1. it's just for this purpose, has also increased by  
2. \$800,000. The unexpended balance in this fund is  
3. \$2,900,000, In 1968 it was \$2,100,000. Quite frankly  
4. Gentlemen this...the money from the fund at least based  
5. on what's expended has gone to build up a nice surplus  
6. in this fund. And if we continue this on a year to  
7. year basis we are going to be building up a surplus in  
8. this fund that would have the net effect of encouraging  
9. the people who administer it that...to run around and  
10. try and find ways to spend the money. Now quite frankly  
11. if this was such needed funds I don't see how the surplus  
12. would continue to grow. We're at almost a \$3,000,000  
13. surplus on a very small fund, that receives money from  
14. numerous other more directly related sources. We told  
15. the various gun people when we drafted this and I wasn't  
16. here but...that this was not a revenue item. And yet  
17. it is very clearly a revenue item. I think it's a matter  
18. of keeping faith with the people that when we draft a  
19. bill and tell them it's not a tax, it's a fee, that we  
20. should live up to it. I'm not going to live or die  
21. with this bill, but I think it's a...a good bill and a  
22. necessary step. And I'd appreciate a favorable roll  
23. call.

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. The question before the Senate is shall HB 229  
26. pass. Secretary will call the roll.

27. ACTING SECRETARY (MR. WRIGHT):

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,  
2. PRESIDING OFFICER (SENATOR GRAHAM):  
3. Gentlemen.  
4. ACTING SECRETARY (MR. WRIGHT):  
5. Regner, Rock, Roe, Romano, Saperstein, Savickas,  
6. Schaffer, Scholl, Shapiro, Smith, Sommer, Soper, Sours,  
7. Swinarski, Vadalabene, Walker, Weaver, Welsh, Wooten,  
8. Mr. President.  
9. PRESIDING OFFICER (SENATOR GRAHAM):  
10. Been a request for a poll of the absentees. The  
11. absentees will be called. Just a moment. Before we start.  
12. Just a moment on the roll call. Gentlemen will we please  
13. be in our seats? Especially right in front of the podium.  
14. The absentees will be called.  
15. ACTING SECRETARY: (MR. WRIGHT):  
16. The following voted ...Oh, the absentees. Bell,  
17. Conolly, Daley, Davidson, Donnewald, Dougherty, Glass,  
18. Graham, Harber Hall, Kenneth Hall, Hynes, Keegan, Knuepfer,  
19. McCarthy, Netsch, Newhouse, Nudelman, Ozinga, Palmer, Partee,  
20. Regner, Shapiro, Smith, Sommer, Soper, Swinarski, Walker,  
21. Welsh, Mr. President.  
22. PRESIDING OFFICER (SENATOR GRAHAM):  
23. Harber Hall, no. On this question the yeas are twenty-  
24. six, the nays are ten. The bill having failed to receive  
25. the constitutional majority is declared lost. Senator  
26. Nimrod, are you prepared on 230?  
27. ACTING SECRETARY (MR. WRIGHT):  
28. HB 230 (Secretary reads title of bill)  
29. 3rd reading of the bill.  
30. PRESIDING OFFICER (SENATOR GRAHAM):  
31. The Senator from Skokie will explain his bill.  
32. SENATOR NIMROD:  
33. The...the bill amends the act that specifically

1. what it says in the synopsis. It allows a open meetings  
2. and it records the filming or taping by any means, any  
3. other means and it...the authority of course for holding  
4. the meetings so prescribed, the reasonable rules to govern  
5. the right to make such recordings. And...since the title  
6. is the open meetings and specifically what it is. Be glad  
7. to answer questions. If not, favorable roll call.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Senator Rock.

10. SENATOR ROCK:

11. Yes Mr. President, Ladies and Gentlemen of the Senate...

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. Could we have some order please? Just a moment Senator.  
14. Just a moment. Gentlemen, please. Continue Senator. I've  
15. done the best I could.

16. SENATOR ROCK:

17. Thank you...

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Can we have some order please?

20. SENATOR ROCK:

21. Thank you Mr. President, Ladies and Gentlemen of the  
22. Senate, I rise in opposition to HB 230, and before I  
23. state my reason for opposition I would ask if the sponsor  
24. will yield, I...I would like to ask him a question.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. He indicates he will yield.

27. SENATOR ROCK:

28. In the Senate Executive Committee where this bill  
29. was heard Senator Harris suggested an amendment, Representa-  
30. tive Juckett agreed to put that amendment on in 2nd reading.  
31. My question is has that amendment been placed on this bill?

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. Senator Nimrod

1. SENATOR NIMROD:

2. The...the discussion took place between Representa-  
3. tive Juckett and Senator Harris, and it was a matter of  
4. trying to find some wording, and I don't believe it was  
5. a request for an amendment. And there was an attempt to  
6. try to reword this so that it would meet but they...they  
7. couldn't, there just didn't seem to be any other words  
8. that would fit into it. Either you're going to have a...  
9. a news media which can come in and film and tape and  
10. with approval and the consent of the meeting by the  
11. board or you don't. And so, on that basis I did go  
12. back to both Representative Juckett and Senator Harris  
13. and they said well, if we can't find any means of settling  
14. that or going and changing any words, go ahead and call it.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Senator Rock.

17. SENATOR ROCK:

18. I will yield to Senator Harris.

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. Senator Harris. May we have some order please? Just  
21. a moment.

22. SENATOR HARRIS:

23. Mr. President and Members of the Senate I do want to  
24. say that Representative Juckett did talk to me twice about  
25. it as did Senator Nimrod. I did say to them on my own,  
26. that I was not overwhelmingly involved or...or...requiring  
27. of the...amendment that I thought might be necessary to  
28. make clear that such recording activity would not disrupt  
29. the meeting. And I said if you can't get it worked out,  
30. it won't make that much difference to me. And very  
31. candidly it's one of those things that at a time when  
32. you've got things that you really believe are more  
33. important you just kind of maybe cast aside. I will say.

1. this that I certainly have no authority to abrogate  
2. a committee understanding that this bill would be  
3. amended, and I certainly didn't want to become involved  
4. personally in trying to draft language that would make  
5. clear that the recording activity of the representatives  
6. of the media who would be seeking to make recordings  
7. of a meeting, not disrupt the orderly progress of the  
8. meeting. I think it's a valid point, but it is one  
9. about which I did not want to make a very significant  
10. issue. I think there was an understanding with the  
11. committee that this would be done, certainly an attempt  
12. was made by Representative Juckett. He showed me two  
13. different...expressions that would provide for that.  
14. Persons interested in the bill found that language unacceptable,  
15. although I think it's the prerogative of this Body  
16. to amend this bill to the extent that the understanding  
17. in the committee is observed. There...there...and  
18. Representative Juckett in good faith indicated that he  
19. was attempting to do that. I did say to him that  
20. personally I wasn't going to be persuaded...negatively  
21. if the language could not be developed. I just want to  
22. make that clear for the benefit of the Senate and what-  
23. ever is the disposition here, I don't want to individually  
24. abrogate the understanding that the committee had.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Senator Rock.

27. SENATOR ROCK:

28. Thank you Mr...Mr. President. I'm not sure that  
29. even if that amendment had been added it would have  
30. received my favorable vote. I still rise in opposition  
31. to HB 230. If one will take a look at Chapter 51,  
32. which is the evidence and deposition act, subsection 57,  
33. which was enacted by this General Assembly in 1953. And

1. that says no witness shall be compelled to testify in  
2. any proceeding conducted by a court commission, a court  
3. commission, administrative agency, or other tribunal in  
4. this State. If any portion of his testimony is to be  
5. broadcast or televised or if motion pictures are to be  
6. taken of him while he is testifying. I think this bill  
7. flies right in the face of that statute and I frankly  
8. prefer the statute in Chapter 51 and I would urge a no  
9. vote.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Senator Harris.

12. SENATOR HARRIS:

13. Well, I...I think that the point that..Senator Rock  
14. has raised is valid and that is that it says recorded,  
15. and there is no definition in this bill as to what that  
16. means, whether it's limited to tape recordings or whether  
17. its...whether it includes in addition to tape recordings  
18. filming. I'm...I'm sure that that's a question about which  
19. in the absence of the specific definition, good minds  
20. could disagree. I'm inclined to believe that recorded  
21. means both of those means of making a record of a meeting.  
22. Tape recording and filming, but it does not expressly  
23. say so.

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. Any...Senator Glass.

26. SENATOR GLASS:

27. Thank you Mr. President, I wonder Senator Nimrod if  
28. you could clarify for us what provisions there are in the  
29. bill right now that would give the municipality or other  
30. governing body the right to restrict the time in which  
31. these recordings could be made? Is the language general?  
32. Maybe you could read it.

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Senator Nimrod.

2. SENATOR NIMROD:

3. Yes, Senator Glass and those Senators, the... it  
4. is very specific, it says the authority holding the  
5. meeting shall prescribe reasonable rules to govern the  
6. right and that means the right to make such recordings,  
7. so the complete authority is within the hands of the...  
8. of the body or the authority which is holding the meeting,  
9. and not...and they set any rules they want and their  
10. rules are to exclude any recordings, they may do so.  
11. The other problem of course if anyone has any other  
12. amendments they'd like to suggest...you know, help the  
13. bill or make the bill more palatable, I'd be glad to  
14. recommend the amendment and see if we can amend it.  
15. But in the absence of that, are there any further questions  
16. Senator Glass?

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Any further discussion? You want to close the debate?  
19. You have more to remark.

20. SENATOR NIMROD:

21. Well, the only thing I would say about this is that  
22. certainly if this definition is necessary, I..let's  
23. record it, I think it's very plain. It says here by  
24. tape or film or other means, if there is some problem  
25. in Chapter 51, sub: 57 as Senator Rock has related to,  
26. then certainly the rules that that authority has can  
27. stop them. ...this doesn't give them the right to break  
28. any existing law, if the law presently prohibits that,  
29. this does not take away that right. Because certainly  
30. the body holding that meeting retains the right to  
31. make such recordings possible. So I would think in view  
32. of that that this is not in contradiction with any  
33. existing law and certainly the news media should be...



1. have some kind of rules for regulating it at the public  
2. meetings and this gives the authority for the governing  
3. body. I think this is good both for the governing body  
4. that existing there and I think it's good for the news  
5. media. And it's going to eliminate any misunderstandings  
6. involved. And I would ask for a favorable roll call.

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. The question before the Senate is shall HB 230 pass.  
9. Secretary will call the roll.

10. SECRETARY:

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

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. Been a request for a call of the absentees, and for  
23. the Sergeant at Arms to ring the bell. Absentees will be  
24. called.

25. SECRETARY:

26. Bell, Carroll, Chew, Conolly, Course, Daley, Donnewald,  
27. Dougherty, Fawell, Kenneth Hall, Hynes, Keegan, Knuppel,  
28. Latherow, McBroom, McCarthy, Merritt, Mitchler, Newhouse,  
29. Nudelman, Palmer, Partee, Romano, Saperstein, Savickas,  
30. Soper, Sours, Swinarski, Vadalabene, Walker, Welsh.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. On this question the yeas are twenty-five, the nays  
33. are six, one voting present. The bill having failed to

1. receive the constitutional majority required is declared  
2. lost. SB...HB 244, Senator Don Moore.

3. SECRETARY:

4. HB 244 (Secretary reads title of bill)

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. The Senator from Midlothian will explain his bill,  
7. if he can get a little order in his corner.

8. SENATOR DON MOORE:

9. Thank you Mr. President, Members of the Senate.  
10. HB 244 grants or creates or amends the municipal code  
11. and the fire...fire protection district act to allow  
12. the corporate authorities of municipalities or fire  
13. protection district to provide for volunteer firemen,  
14. a program of extended service incentives for volunteer  
15. firemen and they accumulate a reserve for that purpose  
16. and so forth. There were objections raised by the  
17. Pension Laws Commission in the House. The bill was  
18. amended in the House after the bill which we sent over  
19. there from the Senate was killed. The fund is under the  
20. administration of the State Comptroller. I believe that  
21. many of the objections have been taken away from or by  
22. the Election Laws Commission although I believe they are  
23. still in opposition to the bill. I'd be happy to answer  
24. any questions that anyone may have.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Senator Shapiro.

27. SENATOR SHAPIRO:

28. Well Mr. President, Members of the Senate I don't  
29. have any questions to ask the sponsor. I think that the  
30. basic objections to the bill in its present form are  
31. probably the following. The bill even though some objections  
32. were removed as far as administration is concerned, it's  
33. practically void of any specific language as to contributions,

1. what type of contributions shall be made, what percentage,  
2. what the benefit shall be, how it's going to be funded,  
3. and what the actuarial requirements are. The bill authorizes  
4. the Comptroller to manage the funds and to set up the  
5. rules and regulations for its operation. Now I think it's  
6. probably questionable whether the Comptroller's office  
7. is geared to administer pension funds, and in the interest  
8. of uniformity with other pension funds it would seem to be  
9. better if the system were established along the lines of  
10. other pension funds. I think most of you know that volunteer  
11. firemen are not paid salaries, they are paid so much per  
12. fire, something along that line at the end of the year.  
13. Most of them have a benefit and the monies collected are  
14. used to replace clothing that has been destroyed or damaged  
15. or to buy certain things. By definition volunteer fire-  
16. men do not earn their living as being firemen, so I think  
17. in my mind it's questionable as to whether you can establish  
18. a pension fund for them or not. I think a much better  
19. resolution to this problem would be allow these fire  
20. protection districts to purchase insurance if they cannot  
21. do so now. The funding of it naturally would have to come  
22. from taxes. The volunteer firemen do not receive salaries  
23. to pay into their own and what they would pay in would  
24. come from other salaries that they earn and the...probably  
25. the bulk of the funds would come from real estate taxes.  
26. I think in its present form the bill is objectionable and it  
27. should be defeated.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. Any other questions? If there are...any further debate?

30. Senator Don Moore will close the debate.

31. SENATOR DON MOORE:

32. Thank you Mr. President. In reply to my neighbor  
33. Senator Shapiro, I want to point out that this legislation

1. is permissive for municipalities and for fire protection  
2. districts. I think we all know that our volunteer fire-  
3. men. get paid a dollar or two dollars a call and they get  
4. this money at the end of the year. This is the money that  
5. we're talking about using for setting up some type of a  
6. small, however small pension plan it might be. I want  
7. each...the Members of this Body to realize that 80% of  
8. the firemen in the State of Illinois are volunteer fire-  
9. men. This bill has the endorsement of the State Fire  
10. Marshsall's office, new State Fire Marshall who's in  
11. favor of this legislation. And I want to also point out  
12. that I remember, oh, about six years ago when the Pension  
13. Laws Commission was opposed to a bill that said the State  
14. of Illinois should pay \$10,000 to a fireman or a policeman  
15. killed in the line of duty. They said this would mess up  
16. things actuarially. Well, maybe it was eight years ago, I  
17. remember handling the bill in the House, the bill originated  
18. here in the Senaté. Maybe some of you old timers remember it.  
19. But it is the law of the State of Illinois today, and I might  
20. add that through an Attorney General's opinion in a bill  
21. that we had recently passed that \$10,000 death limit has  
22. been extended to cover volunteer firemen also. I think from  
23. the fact that 80% of our firemen are dedicated individuals,  
24. they're local businessmen and citizens. I think that 80%  
25. of the firemen in the State of Illinois deserve some type  
26. of this small fringe benefit for going out and risking  
27. their lives and protecting your property and mine. And  
28. I would respectfully ask for a favorable roll call, Mr. President.  
29. PRESIDING OFFICER (SENATOR GRAHAM):

30. The question before the Senate is shall HB 244 pass.

31. Secretary 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,  
7. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,  
8. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,  
9. Weaver, Welsh, Wooten, Mr. President.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Kosinski, aye. Newhouse, aye. Course, aye. Hindsight...  
12. Hynes, aye. Carroll, aye. Latherow, aye. Buzbee, aye.  
13. Sours, aye. If you'll all get right out in the middle  
14. I can find you. On this question the yeas are forty, the  
15. nays are four. The bill having received the constitutional  
16. majority required is delcared passed. Next bill will be  
17. HB 2...HB 3, no HB 271, Senator Carroll.

18. SECRETARY:

19. HB 271 (Secretary reads title of bill)  
20. 3rd reading of the bill.

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. Senator Carroll.

23. SENATOR CARROLL:

24. Thank you Mr. President, Members of the Senate  
25. we pulled this bill from the record when it was heard  
26. as a companion to the compensation for the victims of  
27. crime act because there were several questions, which  
28. I hope that I'm now in a position to answer. This bill  
29. amends the Public Meeting Act to allow for closed meetings  
30. in certain and specific limited instances under the  
31. victims for compensation of crimes act. Those limited  
32. instances would be where the assailant has yet to be  
33. brought to trial and the decision of the Court of Claims

1. it might be detrimental to that criminal case if they  
2. were to have an open meeting. In addition to that if  
3. it's a case involving rape, deviate sexual assault or  
4. indecent liberties with a child, and in the interest of  
5. justice the Court of Claims determines that it should be  
6. closed, they could close it. In addition to that it would  
7. be if the alleged assailant is a minor and finally if  
8. they would frustrate the cause of justice in the actual  
9. criminal case. Those are the only specific and  
10. limited instances in which the Court of Claims could  
11. close door hearings to protect the victims and to  
12. protect the justice system. And I would ask for a  
13. favorable roll call. Be willing to answer any questions.

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. Any questions? Senator Don Moore.

16. SENATOR DON MOORE:

17. Well, I reluctantly rise to oppose this bill Mr.  
18. President. A former Representative with sixteen years  
19. service from my present district was the author of this  
20. right to know bill or this open meetings law as it is  
21. known. His name was Representative Scariano. And...  
22. in all sincerity he is still a constituent of mine in  
23. my district. I don't think he would approve of opening  
24. up this...this open meetings law or this right to know  
25. law and out of respect to a constituent of mine, I'm  
26. reluctantly going to have to vote no unless I get word  
27. otherwise.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. Senator Wooten.

30. SENATOR WOOTEN:

31. I had a somewhat less ironic question and in opposition  
32. to this bill earlier and considered in the context of the  
33. whole package it does not do violence to the open meeting

1. act, that was my initial concern. And it is as Senator  
2. Carroll has expressed it entirely within the rational  
3. structure of that act. Does no violence to it, it serves  
4. the ends of justice and I'm very happy now that we're  
5. considering the second around to support it.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. He's glad to have an attorney of your stature  
8. supporting him. Any other question? Senator Fawell.

9. SENATOR FAWELL:

10. Well, I still feel the same. It seems to me that in  
11. the juvenile court act we have our files completely open,  
12. the hearings open. I don't see why we should give a...  
13. an exception to even those particular ...

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. Just a moment Senator. Gentlemen, let's wait a  
16. moment. Gentlemen, we're trying to get your attention  
17. as quietly and calmly as possible. Will the Senate  
18. please be in order? Senator Fawell, you'll just have  
19. to talk a little louder.

20. SENATOR FAWELL:

21. Well, I...I just about said what I wanted to say.  
22. that courts of law are open and they have all and every  
23. type of a heinous case that one can possibly think of.  
24. I don't see why insofar as the court of claims is concerned  
25. there should be any exception made. And I think that here  
26. the public at all times perhaps ought to have just as much  
27. of a right to know what is being done and why the peoples money  
28. is being spent in a certain way. Perhaps even more so than  
29. in some cases where one might think especially involving  
30. children and the abuse of children in our courts of law,  
31. yet we have made it very clear I believe that our courts  
32. of law are completely open to the press at all times. I  
33. just don't think that Senator Carroll you have given any

1. bases for exceptions. If this exception is granted I  
2. can think of many other cases where there ought to be  
3. exceptions to the open meetings law. And I just don't  
4. believe that there is a basis for..for granting these  
5. exceptions.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Senator Partee.

8. SENATOR PARTEE:

9. Well, I will join Senator Fawell in his appraisal  
10. of this bill. I can think of a situation where...could  
11. be a very gory set of facts. It might be a case involving  
12. sexual molestation of the worst kind to a woman, and you  
13. would say to yourself maybe she shouldn't have to testify  
14. about that in an open meeting. But the fact of the matter  
15. is to have obtained a conviction she would have had to  
16. testify about it in a courtroom to whoever was sitting  
17. in the courtroom or a jury or whoever was present. So  
18. that we start making exceptions of this kind because of  
19. the tenderness of our hearts and souls, we're going to  
20. make the law a very meaningless kind of law. I can under-  
21. stand what motivates the kind of thinking that causes a  
22. bill like this to be drawn, but it is absolutely inconsistent  
23. with the other part of what has to be to obtain a conviction.  
24. So I think the bill is unnecessary and should be defeated.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Any further discussion? Senator Carroll will close  
27. the debate and answer the questions at the same time.

28. SENATOR CARROLL:

29. Thank you Mr. President, in due deference to my  
30. Minority Leader and Senator Fawell I think you're both  
31. wrong if you read the entire bill. I think this says  
32. if not...it's not essential that you close the entire  
33. hearing, but it allows for it to be closed as to part



1. of the facts in the case, just as we do in the courts  
2. of law for example as to the victim of a rape. The  
3. prosecutors very often ask that her name and address  
4. is held in closed session. All this is saying is that  
5. in like type situations or more importantly where the  
6. assailant has not yet been brought to trial and the  
7. facts brought out in the court of claims may in that  
8. instance prejudice the State's case in a criminal case.  
9. I think in those instances it is perfectly fair, honest  
10. and right to say that the court of claims may hold in  
11. camera or hold in private those portions of the court  
12. of claims hearing, not in its entirety and not in all  
13. of the instances. And if it will help Senator Moore  
14. at all as to his former colleague and constituent, I  
15. might lose other votes with this but Senator...Representative  
16. Scariano when he was in the House had supported  
17. this legislation as an amendment to the open meetings  
18. act. I would urge a favorable roll call. I think it's  
19. needed legislation. I think it's in the interest of  
20. justice.

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. I...am going to put the question when the Senate is  
23. in order. For what purpose do you rise Senator? If you're  
24. speaking on the bill you're out of order.

25. SENATOR WALKER:

26. I'm not speaking on the bill, I'm...parliamentary  
27. inquiry.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. State your inquiry please.

30. SENATOR WALKER:

31. Is Rule 2 which involves the persons entitled to the Floor  
32. been changed since this batch of loose leaf rules were passed  
33. around here in February?

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. To my knowledge it has not.

3. SENATOR WALKER:

4. All right. Members of the General Assembly, elected  
5. State officers, judges of the Supreme Court, designated  
6. administrative aides of the Governor, the parliamentarian,  
7. bingo. Number 6. Two Majority and two Minority staff  
8. members. I'll stop there. That rule is being violated  
9. and has been violated for several hours now and I just want  
10. to know if the rule was still the same and if so, I would  
11. suggest that persons other than those I've read take a powder.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. Your point is well taken. The Senate seems to have  
14. been listening. The question before the Senate is shall  
15. HB 271 pass. Secretary will 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 GRAHAM):

28. Course, aye. Latherow, no. Mitchler, no. On this  
29. question the yeas were sixteen, the nays were seventeen.  
30. The bill having failed to receive the constitutional  
31. majority is declared lost. The next bill will be HB 305.  
32. Are you prepared to call that Senator Donnewald? You are  
33. prepared.

1. SECRETARY:  
2. HB 305 (Secretary reads title of bill)  
3. PRESIDING OFFICER (SENATOR GRAHAM):  
4. Just a...Gentlemen. Ladies and Gentlemen please.  
5. Please, please, please. Senator Donnewald were you seeking  
6. recognition?  
7. SENATOR DONNEWALD:  
8. ...no, I just couldn't hear.  
9. PRESIDING OFFICER (SENATOR GRAHAM):  
10. And I couldn't either and I'm right here. Just a  
11. moment, we might as well wait awhile. Will you please be  
12. in your seats? Stop all this extra conversation. That's  
13. all I'm asking you to do. Continue.  
14. SECRETARY:  
15. (Secretary reads title of bill)  
16. 3rd reading of the bill.  
17. PRESIDING OFFICER (SENATOR GRAHAM):  
18. Senator...Senator Donnewald.  
19. SENATOR DONNEWALD:  
20. Yes, Mr. President, Members of the Senate. Now if  
21. you Gentlemen on the right side of the aisle will look at  
22. your Calendars you'll see a little n there in front of 305  
23. and 306. Now that's...those particular bills are identical  
24. to 17...Senate Bills 176,177, and 178 which is the transpor-  
25. tation package for downstate when you all remember we voted  
26. for CTA. Now, I don't know what happened on the way to the  
27. 3rd reading. But somehow or other all the bills have been  
28. dead excepting these. I can go into the merits of the bill  
29. at length on both of them. I'm discussing both at the same  
30. time. I do want a roll call on both. And that's about  
31. the extent of my...debate. So I would ask a favorable roll  
32. call on 305.  
33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Senator Latherow.

2. SENATOR LATHEROW:

3. Well, Mr. President, Members of the Senate, I was  
4. looking for him to go into the merits of the bill if  
5. there were any. I would say once again in repetition  
6. of what I said during the time when the other bills con-  
7. cerning the same issue were in this side of the Senate  
8. once again we're putting onto government the almost complete  
9. cost of transportation of all people, especially those under  
10. 16, the aged, the children, the handicapped, the disabled.  
11. And putting regular bus transportation paying 100% for  
12. the cost. Probably one of the only opportunities we  
13. would ever have for the State of Illinois to furnish  
14. free of charge to all these prior mentioned individuals  
15. and categories. And under this particular act the rental  
16. of the school buses and so on of course schools would  
17. only have to transport from now on according to this  
18. legislation, those 16 and over which would probably put  
19. them in the business of suggesting you go ahead and  
20. operate our school buses, we'll pay you for hauling those  
21. school personnel over 16. I think this is a real bad  
22. piece of legislation and I would suggest that it be given  
23. a very decent, respectful burial.

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. Senator Harris.

26. SENATOR HARRIS:

27. Well, Mr. President, I have the bill in my hand  
28. and I see that there's no automatic repealer in this  
29. bill for June 30, 1973. We provided for that in HB 89.  
30. Now, if you'll recall HB 89 was an exception. It was  
31. a temporary State commitment to mass transportation on  
32. a one time, one shot basis. Now we have before us a  
33. solution on a permanent basis to the northeastern Illinois

1. transportation...mass transportation needs not before  
2. us but being considered in the House. We have some  
3. legislation in the Senate that relates to this. But  
4. they do not involve commitment of State subsidies  
5. on any kind of a continuing basis. And my point is that  
6. we resolve that question on a one time, one shot basis.  
7. And unless this bill has a June 30, 1973 automatic  
8. repealer in it, I think we're just wasting our time  
9. here and would call attention to the fact that this  
10. bill in the form it is before us is not worthy of our  
11. consideration since we will attempt ultimately to provide  
12. for mass transit solution to the needs of northeastern  
13. Illinois not involving State subsidy. So the purpose  
14. for this bill no longer exists.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. ...No further discussion? Senator from Breese will  
17. close the debate.

18. SENATOR DONNEWALD:

19. Well very briefly Mr. President, of course the north-  
20. eastern part of Illinois may be taken care of. Of course  
21. we're still down there with nothing. Roll call.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. The question before the Senate is shall HB 305 pass.  
24. Secretary will call the roll.

25. SECRETARY:

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

1. PRESIDING OFFICER (SENATOR GRAHAM):  
2. Senator Sours.  
3. SENATOR SOURS:  
4. While I am voting no on this bill, I'd like to...  
5. PRESIDING OFFICER (SENATOR GRAHAM):  
6. I think Senator Harris was going to.  
7. SENATOR SOURS:  
8. I'd like to introduce the gentlemen in the gallery.  
9. One of the ornaments of the Peoria Bar, Paul G. Slavens,  
10. will you stand up please blackstone.  
11. PRESIDING OFFICER (SENATOR GRAHAM):  
12. Knuppel, aye.  
13. SECRETARY:  
14. Swinarski, Vadalabene, Walker, Weaver, Welsh, Wooten,  
15. Mr. President.  
16. PRESIDING OFFICER (SENATOR GRAHAM):  
17. Mitchler, no. Dougherty, aye. On this question  
18. the yeas are twenty, the nays are nineteen, the bill having  
19. failed to receive the constitutional required majority  
20. is therefore declared passed...lost. I reluctantly yield  
21. the gavel to the President of the Senate to make a very,  
22. very important introduction.  
23. PRESIDENT:  
24. Well thank you Senator Graham. I just want to take  
25. a minute of the Senate's time, and I know we're busy. But  
26. I was just delighted to see come on the Senate Floor a  
27. moment ago a man who's served with many of us and whom I  
28. want to identify as one of the absolutely most courteous,  
29. most gentlemanly man, it has ever been my privilege to  
30. know. A man who deep...believed deeply in his convictions  
31. and fought for everything that he believed in, and a man  
32. who was a friend to every person with whom he served.  
33. Truly a gentleman and I'm pleased to introduce to the Senate

1. Senator Paul Broyles. Paul we're delighted to have  
2. you here.

3. SENATOR PAUL BROYLES:

4. Thank you so much Senator, I was beginning to look  
5. around to see where that fellow was because that...that  
6. overwhelms me and I'm afraid that's a little bit too big  
7. to me, but it's nice you bragged on me anyway. Gentlemen,  
8. I know you're busy and you're busy men. You're doing a good job,  
9. generally. And few times I would vote a little different,  
10. but 99 out of a 100 maybe I'd be right with you. I was  
11. here 28 years as all you old members know and I tried  
12. to do the best job that I knew how. I tried to retire,  
13. but I can't find time so fellows don't retire at all  
14. just keep on working and make old Illinois one of the  
15. best States in the Union. I know that's what you're doing  
16. any way, so I'm for you heart and soul. Thanks so much.

17. PRESIDENT:

18. Any would Mrs. Broyles please stand and be recognized  
19. by the Senate. Thank you Members of the Senate.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Thank you Senator and thank you Paul Broyles, the  
22. grand old man of the Senate. The next question before  
23. the Senate looks as though it might be HB 306, the  
24. Gentleman from Breese will explain his bill, after  
25. it's read by title a 3rd time.

26. SECRETARY:

27. HB 306 (Secretary reads title of bill)  
28. 3rd reading of the bill.

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. Senator Donnewald.

31. SENATOR DONNEWALD:

32. Yes Mr. President, very briefly. 306 would allow  
33. County Boards to provide services to rural areas without

1. major capital outlays while providing revenue to school  
2. districts to compensate partially for the overhead on  
3. upkeep of vehicles and on investment of some of the vehicles  
4. which would otherwise lie idle. I assume that the same  
5. fate will befall this as did the earlier bill. I still  
6. would ask your favorable support. Thank you.

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. That's optimism. The question before the Senate is  
9. shall HB 306 pass. The Secretary will call the roll.

10. SECRETARY:

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

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. Donnewald, aye. Netsch, aye. Howard Mohr, no.  
23. Chapman, no. ...question the yeas are eighteen, the nays  
24. are sixteen. The bill having failed to receive the con-  
25. stitutional majority is declared lost. Are you prepared  
26. Senator Carroll? The next bill will be HB 311 after we  
27. get some order in the Senate. Gentlemen we're going to  
28. have a few minutes recess until we get some order. That  
29. is a promise. Please. Please will we just discontinue  
30. the caucuses please. Read the bill by title. Just a  
31. minute. Now we're...ok.

32. SECRETARY:

33. HB 311 (Secretary reads title of bill)



1. 3rd reading of the bill.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. Senator Carroll.

4. SENATOR CARROLL:

5. Thank you Mr. President, Ladies and Gentlemen of  
6. the Senate HB 311 deals with the area of professional  
7. strike breakers, defined as those who earn a major portion  
8. of their livelihood engaging in temporary basis in striking.  
9. This prohibits the use of a professional strike breaker by  
10. either side. It has been amended to prohibit by either  
11. side. I would be willing to answer any questions and would  
12. ask for a favorable roll call.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Discussion? Senator Bruce.

15. SENATOR BRUCE:

16. Well, it's sort of late in the day I suppose, but  
17. Senator Wooten and I have just been comparing this amendment.  
18. I would just point out to the sponsor that it does not  
19. amend the bill in the right places, and I believe the  
20. amendment probably should be Tabled and the amendment  
21. re-drawn. It...it talks about line 21 and what you're  
22. trying to amend is line 26. I think there's just a  
23. typographical error. The bill as presently...in its  
24. present form makes no sense. I think they...they've  
25. stricken the wrong line Senator Carroll.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. Seems that that could be handled privately, could  
28. it not? Senator Carroll you want to take it out of the  
29. record? Take it out of the record. Take it out of the  
30. record and check the amendment and let us know, we'll call  
31. it again. Senator ...Mitchler. We're getting down to 350.  
32. As a matter of fact we are there.

33. SECRETARY:

1. HB 350

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. Do you want it read? All I'm trying to find out is  
4. do you want the bill called? Turn on his microphone, I  
5. can't hear.

6. SENATOR MITCHLER:

7. Hold it. I have to confer with Representative Douglas.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Senator Kenneth Hall. Gentlemen just look down the  
10. Calendar a little ways, and if you have a bill there be  
11. prepared to tell the Chair what to do. It will be so  
12. helpful. SB 369, Senator Welsh are you...what...turn on  
13. Senator Welsh's microphone.

14. SENATOR WELSH:

15. Mr. President I would ask leave of the...your desk  
16. and Members of the Senate to have the Secretary call  
17. 369 immediately after 1359, whenever that would be. That  
18. would be Senator Nimrod's bill.

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. He asks leave of the Body to have HB 369 called after  
21. 1359, is leave granted? Leave is granted. The next bill  
22. will be Senator Latherow if he is prepared. HB 424. He  
23. indicates that he is prepared. Read the bill.

24. SECRETARY:

25. HB 424 (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. Senator Latherow.

29. SENATOR LATHEROW:

30. Mr. President this does just exactly what it says,  
31. it allows the ruling body in the county, the county boards  
32. to build a building outside the municipality of the county  
33. seat if they so desire with the county building commission.

1. Be glad to answer any questions. Move for a favorable  
2. roll call.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. Any further discussion? Question before the Senate  
5. is shall HB 424 pass. Secretary will call the roll.

6. SECRETARY:

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

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Fawell, aye. Regner, no. Mr. President, aye. Senator  
19. Clarke, no. Been a request for a call of the absentees. The  
20. absentees will be called.

21. SECRETARY:

22. Bartulis, Bruce, Chew, Conolly, Course, Daley, Graham,  
23. Harber Hall, Hynes, Keegan, McCarthy, Mitchler, Netsch,  
24. Newhouse, Ozinga, Palmer, Partee, Roe, Romano, Savickas,  
25. Schaffer, Smith, Sommer, Walker.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. Graham, no. Let's call the roll again. On this  
28. question the yeas are twenty-seven, the nays are eleven,  
29. present one. The bill having failed to receive the  
30. constitutional majority required is therefore declared  
31. lost. Senator Nimrod are you prepared? 458. Hold it,  
32. Senator Don Moore for what purpose do you rise?

33. SENATOR DON MOORE:

HB 452  
Recalled  
6-25-73

1. Yes and HB 452, Mr. President I would like leave to  
2. have this bill returned to the order of 2nd reading for  
3. the purpose of amendment.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. There has been a request of Senator Moore to have  
6. HB 452 returned to the order of 2nd reading for the  
7. purpose of considering an amendment. Is leave granted?  
8. Leave is granted, the bill's on the order of 2nd reading  
9. and the Senator from Midlothian will explain his amendment.

10. SENATOR DON MOORE:

11. Yes there are two amendments that are on the Clerk's  
12. desk Mr. President.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Just a moment. Senator Partee for what purpose were  
15. you...

16. SENATOR PARTEE:

17. I have no objection to his pulling them back for purpose  
18. of amendment, but in light of the amendments I'd like to  
19. ask him if he would then hold the bill to...for tomorrow  
20. before he passes it. I want to check them very thoroughly.

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. Senator Don Moore, the Minority Leader after the  
23. amendments are considered would like if they are favorably  
24. considered would like to have the bill held for passage  
25. until tomorrow, until they look at the amendments. He  
26. agrees that he will do that Senator Partee. Senator Moore.  
27. The bill is now on the order of 2nd reading and the Senator  
28. from Midlothian will explain his amendment. Is there two  
29. amendments?

30. SENATOR DON MOORE:

31. There are two amendments Mr. President.

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. Explain Amendment No. 1.

1. SENATOR DON MOORE:

2. Amendment No. 1...

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. As soon as we get some order. No one...there's no use  
5. doing it now. We'll have them printed in the Menard Time,  
6. it will get just as much attention.

7. SENATOR DON MOORE:

8. Amendment No. 1 Mr. President states, it's a clarification  
9. amendment to make sure that a vacancy can be filled within  
10. 30 days after the effective date of this appointment insofar  
11. as members of this General Assembly are concerned. I believe  
12. the bill in its original form implied this, but all this  
13. amendment does allow is the appointment of a vacancy that  
14. may occur between now and the effective...

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Just a moment Senator...

17. SENATOR DON MOORE:

18. ...date of the bill.

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. Just a moment. Any discussion on the amendment that you  
21. couldn't hear the description of? Senator Moore now  
22. moves the adoption of Amendment No. 1 to HB 452. All in  
23. favor signify by saying aye. Opposed. The ayes have it  
24. and the amendment is adopted. Senator Moore will now  
25. explain Amendment No. 2.

26. SENATOR DON MOORE:

27. Thank you Mr. President, the bill in its original  
28. form Mr. President, Members of the Senate allowed for a  
29. weighted vote by...up in the County of Cook, but down-  
30. state each precinct committeeman would have one vote each  
31. regardless of the number of votes the...deceased legislator  
32. received. This matter came up in committee and it was  
33. the feeling of the committee and many of the members here

1. that this weighted vote privilege should extend throughout  
2. the State of Illinois with the exception I believe of one  
3. county which is Winnebago County, because of the...members  
4. of the legislative committee being members at large, other-  
5. wise there will be a weighted vote by the various legislative  
6. committeemen, the precinct committeemen based upon the vote  
7. that the deceased legislator received in the November election.  
8. I think this is a good amendment. I think it will be  
9. uniform throughout the State with the one exception I  
10. mentioned. And if there are any questions I'd be happy  
11. to answer them. If not, I would ask for a...the adoption  
12. of the amendment.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Senator Soper.

15. SENATOR SOPER:

16. Senator Moore, I discussed this with you and I was  
17. led to believe that this bill when it came out would reflect...  
18. would reflect the vote that the township committeeman or the  
19. ...or the ward committeeman was elected by in his primary,  
20. and/or...that, yes, the vote by which they...which they cast  
21. in their State central committee or the...the county committee.  
22. Now this doesn't do that. This does not. No it doesn't.

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. Senator Moore.

25. SENATOR DON MOORE:

26. That is correct Senator Soper. The vote that will  
27. be cast will be the vote that the deceased legislator  
28. received in the November election in that particular  
29. township or precinct as the case may be within the leg-  
30. islative committee.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Senator Soper.

33. SENATOR SOPER:

1. Well then this doesn't do what we discussed in  
2. which...this does not make this a party vote then, this  
3. makes it a general election vote. Right?  
4. PRESIDING OFFICER (SENATOR GRAHAM):  
5. Senator Moore.  
6. SENATOR DON MOORE:  
7. That is correct. The number of votes that the  
8. member...the deceased member got in the November election  
9. are the number of votes that the ward or township committee-  
10. men in our area will cast in the selection of his successor.  
11. Which I might...  
12. PRESIDING OFFICER (SENATOR GRAHAM):  
13. Senator...  
14. SENATOR DON MOORE:  
15. Which is ususally pretty close or greater than what  
16. the committeeman vote would be.  
17. PRESIDING OFFICER(SENATOR GRAHAM):  
18. Senator Soper.  
19. SENATOR SOPER:  
20. Now, this is...this is party...this is party position.  
21. Why...why do you take it ...from party control?  
22. PRESIDING OFFICER (SENATOR GRAHAM):  
23. Senator Moore.  
24. SENATOR DON MOORE:  
25. It's not taken from party contol, it's left within  
26. the hands of the respective parties. If a Republican is  
27. deceased the Republican...the Republican legislative, or  
28. representative committee or legislative committee as the  
29. case may be, that committee will select his successor, the  
30. Republicans will. If it's a Democrat then the Democratic  
31. members of the legislative committee or the precinct  
32. committeemen as the case...or the ward or township committee-  
33. men. The Democratic committeemen in that case will decide

1. who the successor will be based upon a weighted vote  
2. they will cast of the amount that...in the event of a  
3. Democrat that that...deceased Democratic Senator received  
4. or if it was a Republican the Republicans would vote the  
5. amount of votes that the Republican...deceased Republican  
6. Senator received prior to his death.

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. Senator Soper.

9. SENATOR SOPER:

10. I understand that. But now when...when endorcements  
11. are made in a party caucus, the endorcements are made on  
12. what basis? What's the weighted vote on the endorcement  
13. to the party?

14. SENATOR DON MOORE:

15. This is sat, at least in our county by the rules of  
16. the particular legislative committee. Some of our districts  
17. vote the committeeman's vote that the Republican committee-  
18. men received in April. Other districts, such as Senator  
19. Ozinga's district have one vote per precinct, with no  
20. reference at all to the committeemen's vote or to the vote  
21. in that particular precinct. I believe the law is open  
22. insofar as we are concerned in our caucuses of each of  
23. the political parties to set what other rules they want.  
24. In my district the committeemen decided to vote the Governor's  
25. vote when they selected the Representatives and Senators...

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. I see the red light is burning which indicates  
28. Senator Soper has used five minutes in questioning. Senator  
29. Dougherty, then Senator McBroom.

30. SENATOR DOUGHERTY:

31. Mr. President, Members of the Senate I agree with...  
32. Senator Soper. In casting a weighted vote for the vote  
33. of the popular candidate, the deceased candidate received in



1. the general election is illegal and illogical for the  
2. reason that you might be casting a vote for a person  
3. who is tremendously popular, but his popularity ceases  
4. with his death. Therefore no one should be the beneficiary  
5. of that vote. It should be decided the same as we are  
6. doing at the present, the way the committeemen vote on  
7. the vote cast in the primary before is the way it should  
8. be, is the vote cast in the primary for that particular  
9. party should be the vote same as we do in most.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Senator McBroom.

12. SENATOR McBROOM:

13. Well, Mr. President and Members of the Senate I've  
14. discussed this with Senator Soper on several occasions,  
15. and I know I've discussed it with Senator Moore. I don't  
16. think there was ever...an agreement as to exactly what  
17. was the perfect way to do this and I...I would...submit  
18. to you Senator Soper that there probably isn't a perfect  
19. way to resolve this, and I think part of the dialogue is  
20. ...is...and the questions are based upon what is best in  
21. each individual's district. There...for example, in...in  
22. my district there is one county that sometimes that has  
23. as high as six and seven candidates running for sheriff  
24. in a primary. This would give...undue representation to  
25. that particular county in case of a vacancy. I don't see...  
26. you name a Republican, you name a Democrat but when an  
27. individuals deceased and you...and it's predicated on the  
28. vote in the general election. I...I can't...may be that  
29. isn't perfect for all other districts in the Senate, but  
30. I don't think predicating it on the primary is perfect  
31. for all 59 of us either. I...I think it's a case whether  
32. we want to...want to do something to fill vancancies or  
33. whether we don't want to do something , and I...I don't

1. really feel that there is a perfect way to do it. I  
2. don't see anything wrong with Senator Moore's amendment.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. Senator Harris.

5. SENATOR HARRIS:

6. Well, I...Senator McBroom touched closely on the  
7. point that I want to make and that is the bill provides  
8. that in the event of a vacancy it shall be filled by the  
9. legislative committee from the party from which the  
10. decedent was a representative and elected at the general  
11. election. I think that's the more critical consideration,  
12. and just as Senator McBroom has pointed out you can think  
13. of examples where it'd be better to use the primary vote,  
14. and certainly you can think of examples where it's better  
15. to use the general election vote. I just suggest that we  
16. can't have it both ways, the bill does provide that the  
17. committee be the committee representative of the party  
18. identification of the decedent insofar as the party label  
19. that he had when he was elected. And I think this is sound,  
20. this is a tremendously important piece of legislation, as  
21. the bill came to us it did not provide for the weighted  
22. vote downstate, only in Cook County. I think it's terribly  
23. important that the weighted vote of multiple committeemen...  
24. multiple member committees be provided with that weighted  
25. vote so that...and this makes it more consistent with the  
26. one man, one vote...question, or doctrine and I think the  
27. amendment should be supported.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. Senator Don Moore.

30. SENATOR DON MOORE:

31. Just very briefly...just very briefly to close Mr.  
32. President, Members of the Senate. I have no pride of  
33. authorship in this amendment. This amendment was drafted

1. with the help of both the Republican and Democratic staff.  
2. I think the fear that they had with Senator Soper's idea  
3. and Senator Dougherty's idea which I have no objection to  
4. was a possible constitutional question on the one man, one  
5. vote concept. And in order to completely avoid that  
6. potential problem with this very important piece of legislation  
7. they came up with the amendment using the vote that the  
8. candidate received at the November election as the vote  
9. that should be cast by the various legislative, senatorial,  
10. ...or representative committees as the case may be. And  
11. I would move for the adoption of Amendment No. 2 to  
12. HB 452.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Senator Knuppel had asked for recognition. Would  
15. you hold your motion just one moment. Senator Knuppel.

16. SENATOR KNUPPEL:

17. Well I personally favor using the general election  
18. because this...this type of bill effects someone who runs  
19. in a district such as mine very directly. I have one  
20. county where they have about 40% of the vote and...in seven  
21. other counties and actually my election turned on the counties  
22. where...lying outside of the larger county and they're the  
23. people who did the electing and they should...they should  
24. have the representation which they earned in a competitive  
25. election. So I favor the general election concept over the  
26. primary concept where the...where a lot of the Democrats  
27. defaulted and went with the Republicans or went somewhere  
28. else. I think the people that won the race, to the victor  
29. belongs the spoils, and I'm still a patronage politician  
30. and...and those people then that're elected in the general  
31. election are entitled to that representation and under this  
32. they would have it in the...in the caucus that would select  
33. the successor. I'm a little bit reluctant to go for the

1. idea though of doing away with the old system where each  
2. county had a vote and until that...until there was a tie  
3. they...they refrained from going to weighted voting. I...  
4. I think that this is a very dangerous precedent as far  
5. as taking representation away from rural people which has  
6. been the procedure down through the one man, one vote  
7. concept. I... I don't favor going to this weighted vote,  
8. I think the bill in its original form, I said I would...  
9. I originally had the bill in committee and I said I'd be  
10. happy to hold it on 2nd reading for the proposed amendment,  
11. but I don't favor the amendment as such. I would rather  
12. that each county would have a vote in the method in which  
13. the bill was originally drawn before...and then...then it  
14. would have to result in a tie before you went to the weighted  
15. vote. That's the way I feel about the amendment.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. I think Senator Moore...completely conversant with  
18. your district. Senator Moore moves now the adoption of  
19. Amendment No. 2 to HB 452. All in favor of the adoption  
20. will signify by saying aye. Opposed. The ayes have it  
21. and the amendment is adopted. Senator Moore...any further  
22. amendments? Who is requesting a call of the roll? Do  
23. we have that much time? Roll will be called. Those in  
24. favor of adoption of the amendment are voting with Senator  
25. Moore will vote in the affirmative. Those opposed will  
26. vote nay, and there is no real reason for having a roll  
27. call unless the Senate is going to be in order. So we'll  
28. do that first, first things first. Be in order and be  
29. in our seats please. And discontinue the extra conversation.  
30. Hold it. You can't hear the roll call any way. Will the  
31. Sergeant at Arms please invoke Rule 2? The Secretary will  
32. not be able to hear the roll call, and we're not going to  
33. start it. The roll now will be called on the adoption of

1. Amendment No. 2 to HB 542.

2. ACTING SECRETARY (MR. WRIGHT):

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

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. On the question of the adoption of the amendment,  
15. the yeas were twenty-seven, the nays were ten and the  
16. amendment is adopted. Any further amendments? Bill will  
17. be returned to the order of 3rd reading and not called  
18. for passage today. Next bill will be HB 526, Senator  
19. Ed Scholl, are you prepared? Hold it. Senator Mitchler  
20. are you prepared on 534? When we get down close to your  
21. bill...

22. SECRETARY:

23. HB 534 (Secretary reads title of bill)  
24. 3rd reading of the bill.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Senator Mitchler will explain his bill.

27. SENATOR MITCHLER:

28. Yeah, Mr. President, I would ask leave of the Senate  
29. to take HB 534 back to 2nd reading for the purposes of  
30. putting an amendment on. It's going to reduce the  
31. appropriation down here.

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. Senator Mitchler.

1. SENATOR MITCHLER:

2. Yes Mr. President, Members of the Senate the Senate  
3. amendment that is being proposed, what number is that?  
4. Amendment No. 1, Mr. Secretary? That's Amendment No. 1,  
5. reduces the appropriation to the sum of \$100,000 because this  
6. will give the Department of Transportation the necessary  
7. matching funds for construction of this grade separation  
8. intersection at the North Farnsworth Avenue, Burlington-  
9. Northern Railroad in Aurora and that they can participate  
10. in the Federal funding of 90% Federal funds under the  
11. Federal Highway Act of 1973. And I would ask for adoption  
12. of this amendment and have the bill moved to 3rd reading.  
13. after intervening business...pass the bill.

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. Senator Mitchler, I'm not quarreling with you in  
16. particular but I would much prefer if all the members  
17. of the Senate would refrain from going into this disease  
18. at this particular moment of calling bills from 3rd back  
19. to 2nd for amendments. Secretary's office would certainly  
20. prefer that we do this on, at one time during the day.  
21. If Senator Mitchler would be so kind to cooperate with  
22. us there because they're getting bogged down back there  
23. and could we a little later on go that order of returning  
24. bills for amendment? We're getting the Secretary's office  
25. in a complete uproar doing this. It's your privilege, if  
26. you want to recall it and ask to do it, you have the  
27. privilege of doing it.

28. SENATOR MITCHLER:

29. Well, like to get...might as well get it done now  
30. as to wait awhile.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. That's what the Secretary's office wants to do...

33. SENATOR MITCHLER:

1. ...get this business out of the way.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. Is leave granted to return HB 534 to the order of  
4. 2nd reading for the purpose of considering an amendment?

5. Leave is granted. The bill is now on the order of 2nd

6. reading. Senator Mitchler will explain his amendment.

7. You explained your amendment when the bill was still

8. on 3rd reading, I'm afraid.

9. SENATOR MITCHLER:

10. Listen Mr. Secretary if this will help in the office,

11. let's...let's...let's hold it up. I have no...no hurry.

12. We've...we've got a week to get this. Please take it out

13. of the record.

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. We're back...we've returned now. Let's proceed with

16. this, for this one time. The Secretary says now there is

17. a motion pending by Senator Mitchler to adopt Amendment...

18. No. 1 to HB 534 and did you explain your amendment and does

19. the Minority Leader have a copy thereof.

20. SENATOR MITCHLER:

21. Minority and Majority Leader, yes.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. All in favor of the adoption of the amendment, signify

24. by saying aye. Opposed. The ayes have it and the amendment

25. is adopted and the bill will be returned to the order of

26. 3rd reading. ...Smith.

27. SENATOR SMITH:

28. ...to asking...

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. Senator Fish...

31. SENATOR SMITH:

32. ...the sponsor of the...of the amendment. Now the

33. Digest shows \$100,000 and the Calendar shows 100,000. Now

1. the Senator said he's going to reduce the appropriation  
2. to \$100,000. I just simply for the life of me can't  
3. understand it. Is the Digest correct?

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. The Senator is out of order. But he's entitled to  
6. an answer and that's why we didn't want to get into this.  
7. Senator Mitchler will you go explain this to Senator Smith,  
8. he's entitled to an explanation. He's on the way Senator.  
9. May we proceed to a productive order of business like  
10. considering HB 538, Senator Berning. Are you prepared?  
11. Read the bill by title a 3rd time.

12. SECRETARY:

13. HB 538 (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Senator Berning.

17. SENATOR BERNING:

18. Thank you Mr. President and Members of the Body,  
19. this is a very simple bill to correct an error in the  
20. legal description that goes back many years and has only  
21. for its purpose to assure that the rightful owners do  
22. have complete title to the property in question. This  
23. measure does carry the stamp of approval of the Department  
24. of Conservation. I know of no objections and I would  
25. appreciate a favorable roll call. The chief sponsor,  
26. Representative Murphy is here with baited breath to  
27. determine what the outcome of this may be.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. That may not help your bill, is that coincidental?  
30. Any further discussion? If not the question before the  
31. Senate is shall HB 538 pass. The Secretary 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,  
7. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,  
8. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,  
9. Weaver, Welsh, Wooten, Mr. President.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Senator Weaver. On this question the yeas are  
12. forty, the nays are none. The bill having received  
13. the constitutional majority required is declared passed.  
14. Senator Weaver would like to know if you are ready  
15. Senator Welsh on 596? Senator Freddy Smith has an  
16. inquiry. Senator Fred Smith.

17. SENATOR SMITH:

18. This perhaps will serve no useful purpose but I  
19. said originally that I could not understand how the  
20. Digest could state \$100,000 on Senator Mitchler's bill,  
21. how the Calendar states 100,000 and yet his amendment  
22. was to reduce it to 100,000. As a matter of fact he did  
23. not reduce the total amount, not one cent. We probably  
24. vote...the bill on passage but I would contend that that's  
25. an incorrect explanation when you say you're reducing an  
26. appropriation and you're not reducing it.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. We are not discussing that bill and that is...

29. SENATOR SMITH:

30. I know that, you wouldn't let me do it at the  
31. appropriate time and I say it serves no useful purpose  
32. but the Senator should not mislead the Senate into believing  
33. that he is reducing when he is not...

1. PRESIDING OFFICER (SENATOR GRAHAM) :

2. Your point...your point is well taken and that is  
3. true Senator Smith. Unfortunately that happened and we  
4. will discuss that on 3rd reading and he might want to  
5. recall it again. And I appreciate your calling that to his  
6. attention. Senator Welsh did you indicate to Senator  
7. Weaver or you didn't? Senator Vadalabene did you indicate  
8. to Senator Weaver that you wanted...Oh, Senator Hall.  
9. Did you want to call 601 for Senator Weaver? Or for  
10. yourself? Senator Kenneth Hall, what purpose do you  
11. rise Senator Vadalabene, you're not Senator Hall.

12. SENATOR VADALABENE:

13. I know that. I can tell I'm not Senator Hall.

14. PRESIDING OFFICER (SENATOR GRAHAM) :

15. So can I.

16. SENATOR VADALABENE:

17. Mr. President, I didn't get to go to Jamaica. I'm  
18. handling this bill for Senator Hall, Mr. President, Members  
19. of the Senate. This is the appropriation for the St.  
20. Louis Metropolitan Airport Authority.

21. SECRETARY:

22. HB 601 (Secretary reads title of bill)  
23. 3rd reading of the bill.

24. PRESIDING OFFICER (SENATOR WEAVER) :

25. Senator Hall or Senator Vadalabene, who's going to  
26. speak to this? Senator Vadalabene. For what purpose  
27. does Senator Buzbee arise?

28. SENATOR BUZBEE:

29. Point of personal privilege Mr. President. I...I  
30. really can't hear what's going on and I would like to  
31. hear this explanation. It effects my area very much.

32. PRESIDING OFFICER (SENATOR WEAVER) :

33. Senator Vadalabene may explain the bill.

1. SENATOR VADALABENE:

2. This...thank you Mr. President and Members of the  
3. Senate. This is HB 601 is the appropriation for the  
4. St. Louis Metropolitan Area Airport Authority and I  
5. would appreciate a favorable vote.

6. PRESIDING OFFICER (SENATOR WEAVER):

7. Is there any discussion? The question is shall  
8. HB 601 pass, and upon that question the Secretary will  
9. call the roll.

10. SECRETARY:

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

21. PRESIDING OFFICER (SENATOR WEAVER):

22. ...question the ayes are forty-one, the nays are none.  
23. HB 601 having received the constitutional majority is declared  
24. passed. 605.

25. SECRETARY:

26. HB 605 (Secretary reads title of bill)  
27. 3rd reading of the bill.

28. PRESIDING OFFICER (SENATOR WEAVER):

29. Senator Buzbee.

30. SENATOR BUZBEE:

31. Thank you Mr. President, this is the appropriation  
32. for the ordinary and contingent expenses of the Department  
33. of Mines and Minerals. The pay raise amendment has been put

1. on in Appropriations Committee. I think Senator McBroom  
2. is in complete agreement with the bill and I would ask  
3. for a favorable roll call.

4. PRESIDING OFFICER (SENATOR WEAVER):

5. Is there any discussion? The question is shall  
6. HB 605 pass and upon that question the Secretary will  
7. call the roll.

8. SECRETARY:

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

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Donnewald, aye. Kenneth Hall, aye. On that question  
21. the ayes are forty-five, the nays are none. HB 605 having  
22. received a constitutional majority is declared passed. 609,  
23. Senator Swinarski.

24. SECRETARY:

25. HB 609 (Secretary reads title of bill)  
26. 3rd reading of the bill.

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Senator Swinarski.

29. SENATOR SWINARSKI:

30. Mr. President, Members of the Senate this is the  
31. appropriation for the Pollution Control Board. It's  
32. met with the approval of the Bureau of the Budget and  
33. I believe it passed unanimously from committee and I

1. ask for a favorable roll call.

2. PRESIDING OFFICER (SENATOR WEAVER):

3. Is there any discussion? Question is shall HB 609  
4. pass and upon that question the Secretary 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. Latherow, no. Bartulis, aye. Kosinski, aye. Saperstein,  
18. aye. No? Which way do you wish to vote Senator Saperstein?  
19. On that question the ayes are forty-four, the nays are one.  
20. HB 609 having received a constitutional majority is declared  
21. passed. 614.

22. SECRETARY:

23. HB 614 (Secretary reads title of bill)  
24. 3rd reading of the bill.

25. PRESIDING OFFICER (SENATOR WEAVER):

26. Senator Wooten.

27. SENATOR WOOTEN:

28. Request a favorable roll call.

29. PRESIDING OFFICER (SENATOR WEAVER):

30. Is there any discussion? The question is shall  
31. HB 614 pass, and upon that question the Secretary will  
32. call the roll.

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, Romano,  
8. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,  
9. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,  
10. Weaver, Welsh, Wooten, Mr. President.

11. PRESIDING OFFICER (SENATOR WEAVER):

12. Romano, aye. Kosinski, aye. On that question the  
13. ayes are thirty-four, the nays are three. HB 614 having  
14. received the constitutional majority is declared passed.  
15. 615.

16. SECRETARY:

17. HB 615 (Secretary reads title of bill)  
18. 3rd reading of the bill.

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Senator Davidson.

21. SENATOR DAVIDSON:

22. Mr. President, Ladies and Gentlemen of the Senate  
23. this is a pension bill which was brought in by the Illinois  
24. Municipal League and the county officials which asks the  
25. recommendation of the Pension Commission. It passed out  
26. unanimous. There was an amendment put on which was worked  
27. out and agreed. Has Pension Law Commission support.  
28. Appreciate a favorable roll call.

29. PRESIDING OFFICER (SENATOR WEAVER):

30. Is there any discussion? The question is shall HB 615  
31. pass and upon that question the Secretary 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,  
7. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,  
8. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,  
9. Weaver, Welsh, Wooten, Mr. President.

10. PRESIDING OFFICER (SENATOR WEAVER):

11. Bartulis, aye. Buzbee, aye. Partee, aye. Carroll,  
12. aye. Kenneth Hall, aye. Romano, aye. On that question  
13. the ayes are forty-one, the nays are none. HB 615 having  
14. received the constitutional majority is declared passed.  
15. 620.

16. SECRETARY:

17. HB 620 (Secretary reads title of bill)  
18. 3rd reading of the bill.

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Senator Knuepfer.

21. SENATOR KNUEPFER:

22. It no longer does what the Calendar said it did...said  
23. it does. The...an amendment was added changing that. It's  
24. ...all it does now is to reduce the license fee slightly  
25. and add a slight technical amendment. It has the approval  
26. of the Secretary of State's Office. If there are any questions,  
27. it's a very, very simple bill. If there are any questions  
28. I'll be happy to answer them.

29. PRESIDING OFFICER (SENATOR WEAVER):

30. Senator Savickas.

31. SENATOR SAVICKAS:

32. Yes Senator Course had asked me...to speak on this...  
33. oh, there he is.

1. PRESIDING OFFICER (SENATOR WEAVER):

2. Senator Course.

3. SENATOR COURSE:

4. Yes Senator Knuepfer in the...in the Transportation  
5. Committee was a consensus of opinion there that we amend  
6. this bill back to 30 years. Is that correct?

7. SENATOR KNUEPFER:

8. That's exactly what I said in the preliminary discussion.  
9. It...it now is 30 years, and that's why I said the Calendar  
10. synopsis no longer reflects what the bill does. It has  
11. gone back to 30 years as was requested by the Transportation  
12. Committee when it passed out.

13. PRESIDING OFFICER (SENATOR WEAVER):

14. Senator Bruce. Excuse me, Senator Course...

15. SENATOR BRUCE:

16. We're making a slight reduction in fees how...I can't  
17. find the amendment...

18. PRESIDING OFFICER (SENATOR WEAVER):

19. Excuse me Senator Bruce, I think Senator Course had  
20. another question.

21. SENATOR COURSE:

22. No, I have no other question Mr. President, I would  
23. like to suggest to the Members on this side of the aisle  
24. that they support this bill. It is a good bill. Thank you.

25. PRESIDING OFFICER (SENATOR WEAVER):

26. Senator Bruce.

27. SENATOR BRUCE:

28. Well, Senator Knuepfer mentioned that the fee was  
29. reduced slightly. How slightly? From what to what?

30. PRESIDING OFFICER (SENATOR WEAVER):

31. Senator Knuepfer.

32. SENATOR KNUEPFER:

33. \$20 to \$10 for two years.



1. PRESIDING OFFICER (SENATOR WEAVER):

2. Senator Bruce.

3. SENATOR BRUCE:

4. Thank you. Thank you. That's all I need.

5. PRESIDING OFFICER (SENATOR WEAVER):

6. Any further discussion? The question is shall HB 620  
7. pass. Upon that question the Secretary will call the roll.

8. SECRETARY:

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

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Bruce, aye. Donnewald, aye. On that question the  
21. ayes are forty-two, the nays are none. HB 620 having  
22. received the constitutional majority is declared passed.  
23. 640.

24. SECRETARY:

25. HB 640 (Secretary reads title of bill)  
26. 3rd reading of the bill.

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Senator Howard Mohr.

29. SENATOR HOWARD MOHR:

30. Yes Mr. President I'd like the members to note that  
31. there has been an amendment on this bill and it is not  
32. \$5,000,000, the total appropriation is \$100,000 and this  
33. is going to take care of not an overpass, but there's going

1. to be a study made, agreed to by the Department of  
2. Transportation for the entire Franklin Park-Schiller  
3. Park, River Grove, Elmwood Park area.

4. PRESIDING OFFICER (SENATOR WEAVER) :

5. Is there any discussion? Senator Soper.

6. SENATOR SOPER:

7. Senator Mohr, got a \$5,000,000 underpass, what's  
8. this \$100,000 going to buy, sewer covers?

9. PRESIDING OFFICER (SENATOR WEAVER) :

10. Senator Mohr.

11. SENATOR HOWARD MOHR:

12. No Senator I think they're going to go to an over-  
13. pass now.

14. PRESIDING OFFICER (SENATOR WEAVER) :

15. Any further questions Senator Soper.

16. SENATOR SOPER:

17. I pass.

18. PRESIDING OFFICER (SENATOR WEAVER) :

19. You pass. Question is shall HB 640 pass, upon  
20. that question the Secretary will 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. PRESIDING OFFICER (SENATOR WEAVER) :

33. Palmer, aye. Netsch, no. Sours, aye. Schaffer, aye.

HB 678  
3rd Reading  
6/25/23

1. Swinarski, aye. Graham, aye. On that question the ayes  
2. are thirty-six, the nays are three. HB 640 having received  
3. a constitutional majority is declared passed. HB 678,  
4. Senator Glass.

5. SECRETARY:

6. HB 678 (Secretary reads title of bill)  
7. 3rd reading of the bill.

8. PRESIDING OFFICER (SENATOR WEAVER):

9. Senator Glass.

10. SENATOR GLASS:

11. Thank you Mr. President, Ladies and Gentlemen, HB 678  
12. sponsored by Representative Day in the House has had extensive  
13. study and work on an amendment which I have had distributed  
14. to all the members that is in essence the bill. It provides  
15. four effective dates for our laws under the new Constitution.  
16. I believe it is now in shape where the language is clear and  
17. we have a viable piece of legislation that will eliminate some  
18. of the confusion in regard to effective dates of laws.  
19. Happy to answer any questions and ask for a favorable vote  
20. on HB 678.

21. PRESIDING OFFICER (SENATOR WEAVER):

22. Is there any discussion? The question is shall HB 678  
23. pass and upon that question the Secretary will call the roll.

24. SECRETARY:

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

1. Weaver, Welsh, Wooten, Mr. President.

2. PRESIDING OFFICER (SENATOR WEAVER):

3. Romano, aye. Smith, aye. Schaffer, aye. Carroll,  
4. aye. On that question the ayes are forty-one, the nays  
5. are none. HB 678 having received the constitutional  
6. majority is declared passed. 708, Senator Regner. 716,  
7. Senator Rock.

8. SECRETARY:

9. HB 716 (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDING OFFICER (SENATOR WEAVER):

12. Senator Rock.

13. SENATOR ROCK:

14. Yes Mr. President, Ladies and Gentlemen of the Senate,  
15. HB 716 creates a commission to survey, define, document  
16. and study problems pertaining to waterways, drainage and  
17. flood control. Flood control funding is inadequate even  
18. for planning and administering flood control programs and  
19. we think this commission is vitally necessary. It's under-  
20. gone two amendments here in the Senate one of which is a  
21. technical amendment which I put on. And Senator Mitchler  
22. has put on a quite lengthy amendment. I see by my file  
23. that he has distributed a letter to all the members of  
24. the General Assembly, and I would yield to Senator Mitchler.

25. PRESIDING OFFICER (SENATOR WEAVER):

26. Senator Mitchler you wish to comment on this?

27. SENATOR MITCHLER:

28. Yes this bill now absorbs into the water pollution,  
29. water resources commission. The drainage and flood study  
30. commission. This is agreeable to the House sponsor Jack  
31. Williams, Representative Williams and I see that the bill  
32. is in good form now and I would recommend that it be given  
33. a favorable vote.

1. PRESIDING OFFICER (SENATOR WEAVER):

2. Is there any discussion? The question is shall  
3. HB 716 pass and upon that question the Secretary will  
4. 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. Hynes, aye. Savickas, aye. Palmer, aye. Swinarski,  
18. aye. Sours, aye. Latherow, did you... Donnewald, aye.  
19. On that question the ayes are thirty-seven, the nays are  
20. one and one present. HB 716 having received a constitutional  
21. majority is declared passed. Senator Palmer, 717. Hold  
22. it. 736, Senator Welsh. 739, Senator Latherow. 748,  
23. Senator Roe.

24. SECRETARY:

25. HB 748 (Secretary reads title of bill)  
26. 3rd reading of the bill.

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Senator Roe.

29. SENATOR ROE:

30. Mr. President, Members of the Senate this bill  
31. simply provides that school boards may provide trans-  
32. portation to children who are participating in  
33. recreational, cultural, educational or public service

1. programs. It's a primary benefit to the rural counties  
2. and the rural towns in the State of Illinois. It's al-  
3. ready being done by a number of districts and this would  
4. ratify the procedure. It allows them to charge the cost  
5. of this transportation. An example might be to take a  
6. bus load of students in a little league...on a little  
7. league team to another town where they might not be  
8. able to otherwise get transportation. I would appreciate  
9. a favorable roll call.

10. PRESIDING OFFICER (SENATOR WEAVER):

11. Is there any discussion? The question is shall HB 748  
12. pass. And upon that question the Secretary will call the roll.

13. SECRETARY:

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

24. PRESIDING OFFICER (SENATOR WEAVER):

25. Netsch, aye. Romano, aye. Sours, aye. Nimrod,  
26. aye. Bartulis, aye. On that question the ayes are  
27. forty-four, the nays are none. HB 748 having received  
28. a constitutional majority is declared passed. 7...or  
29. 820, Senator Scholl. 820.

30. SECRETARY:

31. HB 820 (Secretary reads title of bill)

32. PRESIDING OFFICER (SENATOR WEAVER):

33. Take it out of the record. Senator Roe, 889.

1. SECRETARY:

2. HB 889 (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER (SENATOR WEAVER):

5. Senator Roe.

6. SENATOR ROE:

7. Mr. President and Members of the Senate this bill  
8. was developed after about a year of study by the Illinois  
9. Legislative Investigating Commission. Primary features  
10. of the bill is that it takes illegal use and misuse of  
11. credit cards out of Chapter 38, 17-1 where it has been  
12. under the Deceptive Practice...Practices section. Under  
13. that section the illegal use and misuse of credit cards  
14. in many instances became a very difficult thing to prove  
15. and it had many misdemeanor penalties and it was thought  
16. by the Commission and others that the penalties under  
17. 17-1 should be increased in certain instances. Now this  
18. bill basically recodifies the law and makes the law a  
19. little bit simpler relatively to credit cards and their  
20. uses and misuses and sets it up under a separate act  
21. entitled the Illinois Credit Card Act. I'd be happy to  
22. attempt to explain or answer any questions if there are...

23. PRESIDING OFFICER (SENATOR WEAVER):

24. Is there any discussion? Senator Fawell.

25. SENATOR FAWELL:

26. Senator Roe what does this recodification do if  
27. anything in regard to a credit card which is lost and  
28. then someone utilizes that credit card and runs up a  
29. bill, are...is the registered holder...what...how is  
30. his liability effected?

31. PRESIDING OFFICER (SENATOR WEAVER):

32. Senator Roe.

33. SENATOR ROE:

1. It does not change the...the normal notification  
2. liability. It remains at \$50.00 Senator Fawell, but...  
3. as to the lost cards. But it does indicate that a person  
4. who uses one who has been lost...which has been lost with  
5. intent of course is guilty of an offense.

6. PRESIDING OFFICER (SENATOR WEAVER):

7. Any further discussion? The question is shall  
8. HB 889 pass. Upon that question the Secretary will  
9. call the roll.

10. SECRETARY:

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

21. PRESIDING OFFICER (SENATOR WEAVER):

22. Saperstein, aye. Hynes, aye. Ozinga, no. Latherow,  
23. no. Merritt, no. On that question the ayes are thirty-  
24. seven, the nays are forty-five...or five, excuse me. HB  
25. 889 having received the constitutional majority is declared  
26. passed. 891.

27. SECRETARY:

28. HB 891 (Secretary reads title of bill)  
29. 3rd reading of the bill.

30. PRESIDING OFFICER (SENATOR WEAVER):

31. Senator Walker.

32. SENATOR WALKER:

33. Thank you Mr. President, Members of the Senate these



1. are...well the first bill 891 is the one I called the other  
2. day to prevent the capricious and unwarranted use of lie  
3. detectors on police officers and Senator Dougherty has an  
4. amendment that he's going to propose or has already submitted  
5. as I understand it on the home rule amendment and that...I'm  
6. informed by the police associations of...Illinois that it  
7. nullifies the contents of the bill so when the good Senator  
8. offers that amendment I would appreciate a no vote. I'll  
9. now turn it over to Senator Dougherty.

10. PRESIDING OFFICER (SENATOR WEAVER):

11. Senator Walker are you asking a recall on this to  
12. 2nd reading? Senator Dougherty, excuse me. The bill has  
13. been read a 3rd time. Is there any discussion? Senator  
14. Dougherty.

15. SENATOR DOUGHERTY:

16. At the time this bill was heard in committee I offered  
17. the home rule amendment for the reason that this is...this  
18. is an absolute preemption of home rule. Think as a matter  
19. of fact if you were going to...to call this bill for passage  
20. without going to the trouble of offering home rule amendment.  
21. I believe the Chair should rule that this is a preemption  
22. of home rule and would require 35 votes. This is an...or  
23. 36 votes. This is an absolute violation of some of the  
24. rules that are now enforced in the Chicago Police and Fire  
25. Department. They are now the law, they are now the ordinances,  
26. they govern us. And there's no reason why this Body here should  
27. interfere in the operations of the Police and Fire Department  
28. in the City of Chicago or any other City of Chicago. I  
29. offer the home rule amendment and they were defeated. It  
30. would be silly to offer them right now at this particular  
31. time. But I do believe that this is a preemption and  
32. requires a 3/5s vote and I ask the Chair to give us a  
33. ruling on it.

1. PRESIDING OFFICER (SENATOR WEAVER):

2. Senator Dougherty just...just a minute while we're  
3. looking at the bill we'll recognize Senator Walker.

4. SENATOR WALKER:

5. The bill refers Mr. President, Members of the Senate  
6. to the Board of Fire and Police Commissioners and I can't  
7. see where that's a violation of any home rule principle  
8. and inasmuch as it refers only to the Board of Police and  
9. Fire Commissioners and provides what they should do. So  
10. I can't see where that's any preemption of the...of the  
11. home rule legislation.

12. PRESIDING OFFICER (SENATOR WEAVER):

13. Senator Dougherty the Chair will rule 30 votes.  
14. Senator Dougherty.

15. SENATOR DOUGHERTY:

16. I would agree with what Senator Walker said, it  
17. is a fire and police commissioners rule. However, since  
18. we have made this a practice, since it is now an ordinance,  
19. it's one of the rules and regulations of the Chicago Police & Fire  
20. Department, it is in effect a preemption of something that's  
21. existing and I would demand a 3/5s vote for passage of this  
22. measure.

23. PRESIDING OFFICER (SENATOR WEAVER):

24. Is there further...

25. SENATOR DOUGHERTY:

26. I'd like a ruling from the Chair.

27. PRESIDING OFFICER (SENATOR WEAVER):

28. The ruling is that it takes 30 votes Senator Dougherty.  
29. Is there...

30. SENATOR DOUGHERTY:

31. ...these bills.

32. PRESIDING OFFICER (SENATOR WEAVER):

33. Any further discussion? Senator Walker may close debate.

1. SENATOR WALKER:

2. Thank you Mr. President, Members of the Senate in  
3. closing I will only say this has nothing to do with the  
4. testing of the applicants for employment. That...it's  
5. only designed to do what I previously said, prevent the  
6. capricious and unwarranted use. In other words the one  
7. that makes the accusation must submit to the test and the  
8. officers who are in favor of these bill in fact in answer  
9. to Hudson's usual inquiry, who requested them, all of the  
10. police associations of Illinois, the Illinois Police  
11. Association, the Policemen's Benevolent and Protective  
12. Association, the FOP and the Chicago Police Pension  
13. Protective Association. I think they're good bills, and  
14. I realize I'm playing with a short deck here, but I  
15. understand I've been promised a few votes on the other  
16. side and that you aren't froze in on it, and I'd  
17. appreciate finding out who my two or three friends  
18. are over there now. I ask for a favorable roll call.

19. PRESIDING OFFICER (SENATOR WEAVER):

20. The question is shall HB 891 pass. Upon that question  
21. the Secretary will call the roll.

22. SECRETARY:

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

33. PRESIDING OFFICER (SENATOR WEAVER):

1. A request for the absentees has been made. The  
2. absentees will be called.

3. SECRETARY:

4. Carroll, Chew, Clarke, Conolly, Course, Daley,  
5. Donnewald, Dougherty, Fawell, Graham, Harber Hall, Kenneth  
6. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,  
7. Latherow, McBroom, McCarthy, Netsch, Newhouse, Nimrod, Ozinga,  
8. Palmer, Partee, Regner, Rock, Romano, Savickas, Shapiro,  
9. Smith, Soper, Sours, Swinarski, Vadalabene, Welsh, Mr.  
10. President.

11. PRESIDING OFFICER (SENATOR WEAVER):

12. Nimrod, aye. On that question the ayes are nineteen,  
13. the nays are six. HB 891 having failed to receive a  
14. constitutional majority is declared lost. 892, Senator  
15. Walker.

16. SECRETARY:

17. HB 892 (Secretary reads title of bill)  
18. 3rd reading of the bill.

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Is there any further discussion? The question is shall  
21. HB 892 pass. Upon that question the Secretary will call  
22. the roll. Senator Dougherty, the question...

23. SENATOR DOUGHERTY:

24. This is a preemption of home rule, I ask the Chair  
25. to rule whether or not this requires a 3/5s vote.

26. PRESIDING OFFICER (SENATOR WEAVER):

27. 30 votes, Senator Dougherty.

28. SENATOR DOUGHERTY:

29. Thank you.

30. PRESIDING OFFICER (SENATOR WEAVER):

31. Secretary 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,  
7. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,  
8. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,  
9. Weaver, Welsh, Wooten, Mr. President.

10. PRESIDING OFFICER (SENATOR WEAVER) :

11. Glass, aye. On that question the ayes are eighteen,  
12. the nays are three. HB 892 having failed to receive the  
13. constitutional majority is declared lost. 905, Senator  
14. Fawell. 930, Senator Scholl.

15. SECRETARY:

16. HB 930 (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER (SENATOR WEAVER) :

19. Senator Scholl.

20. SENATOR SCHOLL:

21. Mr. President, Members of the Senate, this bill will  
22. save lives. It reduces the speed limit on residential,  
23. streets from 30 to 25 miles an hour. And I urge a  
24. favorable roll call.

25. PRESIDING OFFICER (SENATOR WEAVER) :

26. Is there any discussion? Senator Rock.

27. SENATOR ROCK:

28. I...I merely wish to find out what in fact the bill  
29. does. There were a couple of amendments that were offered  
30. in the House and I...I don't know whether or not this bill's  
31. been amended in the Senate, it appears not.

32. PRESIDING OFFICER (SENATOR WEAVER) :

33. Senator Scholl.

1. SENATOR SCHOLL:

2. All this bill does is reduce the speed limit on  
3. residential streets from 30 to 25 miles per hour.

4. PRESIDING OFFICER (SENATOR WEAVER):

5. Senator Rock.

6. SENATOR ROCK:

7. Well, then I think...Mr. President that we are again  
8. embarking on legislation that is totally preemptive. We  
9. are saying to home rule municipalities you cannot set speed  
10. limit by ordinance. And I would...request of the Chair a  
11. ruling under Article VII, Section 6-G of the Constitution  
12. as to the number of votes required to pass this measure.

13. PRESIDING OFFICER (SENATOR WEAVER):

14. 30 votes Senator Rock. Senator Glass.

15. SENATOR GLASS:

16. Thank you Mr. President, I would just like to comment  
17. to Senator Rock and others concerned about this bill and  
18. its taking away home rule powers. All it really does is  
19. say that the speed limit is 25 unless it's otherwise posted,  
20. so any home rule unit can...can establish a higher speed.  
21. I don't think it really hurts anything it just provides  
22. that where nothing is established that is the speed limit  
23. and I think therefore it's a good safety measure. And it  
24. should be supported.

25. PRESIDING OFFICER (SENATOR WEAVER):

26. Senator Harber Hall.

27. SENATOR HARBER HALL:

28. I rise in opposition to this Mr. President for two  
29. basic reasons. One is it's difficult enough for the  
30. citizens to understand what the laws are in respect to  
31. traffic. They...we have all our books printed and it's  
32. been 30 miles an hour for many years and I think most  
33. people understand it that way. I don't see a demanding

1. need to reduce it and if it is reduced this year, in  
2. the next Session somebody will think it ought to be  
3. increased and we'll be changing it back. And I think  
4. we ought to maintain 30 miles an hour. All residential  
5. areas are not exactly alike. Some...should...could be  
6. posted lower and 25 or 20 or whatever they want. But  
7. I think most of them, 30 is all right, and it's been  
8. that way for many years and we ought to retain it.

9. PRESIDING OFFICER (SENATOR WEAVER):

10. Senator Bruce. Any further discussion? The question  
11. is shall HB 930 pass. Upon that question the Secretary  
12. will call the roll.

13. SECRETARY:

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

24. PRESIDING OFFICER (SENATOR WEAVER):

25. On that question the ayes are seven, the nays are  
26. seventeen. HB 930 having failed to receive the constitutional  
27. majority is declared lost. Senator Graham.

28. SENATOR GRAHAM:

29. Some time ago when I was presiding we went by HB 265,  
30. and I would like to have it read a 3rd time and called at  
31. this point in time so I might remove it from my file.

32. PRESIDING OFFICER (SENATOR WEAVER):

33. 265.

1. SECRETARY:

2. HB 265 (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER (SENATOR WEAVER):

5. Senator Graham.

6. SENATOR GRAHAM:

7. Mr. President, Members of the Senate this basically  
8. is a DuPage and Lake County bill with regard to what  
9. their park districts can do in establishing flood controls  
10. and other things that are important to them. It allows them  
11. to raise their taxes 1/2 of 1% in these counties without  
12. a referendum to pay for doing the things that we in the  
13. Legislature have already said they could do. And I'd  
14. appreciate a favorable roll call. The big major cities  
15. and towns in DuPage County and DuPage County Forest Preserve  
16. are in strong support of it, and I'd ask for a favorable  
17. roll call.

18. PRESIDING OFFICER (SENATOR WEAVER):

19. Is there any discussion? The question is shall HB  
20. 265 pass and upon that question the Secretary will call  
21. the roll.

22. SECRETARY:

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

33. PRESIDING OFFICER (SENATOR WEAVER):



1. Carroll, aye. Course, aye. Kosinski, aye. Newhouse,  
2. aye. Buzbee, aye. Soper, aye. Regner, aye. Sours, aye.  
3. On that question the ayes are thirty-seven, the nays are  
4. four. HB 265 having received a constitutional majority  
5. is declared passed. 372, Senator Fawell.

6. SECRETARY:

7. HB 372 (Secretary reads title of bill)  
8. 3rd reading of the bill.

9. PRESIDING OFFICER (SENATOR WEAVER):

10. Senator Fawell.

11. SENATOR FAWELL:

12. Mr. President, Members of Senate HB 372 is the dual  
13. district bill which we have fully debated...

14. PRESIDING OFFICER (SENATOR WEAVER):

15. Senator Partee, for what purpose do you rise?

16. SENATOR PARTEE:

17. Is the President on the Floor? I had an agreement  
18. with him, we were going to...Senator Harris.

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Senator Harris, Senator Partee is addressing you.

21. SENATOR PARTEE:

22. They've just called 372, the dual district bill and  
23. several of my people aren't here. I'd like to hold that  
24. pending our other conversation.

25. PRESIDING OFFICER (SENATOR WEAVER):

26. Senator Harris.

27. SENATOR HARRIS:

28. Let's see...I'll have to touch base with you. With...  
29. let's...let's skip over it now and, I'll have to have my  
30. memory refreshed. I'll be over...

31. SENATOR PARTEE:

32. All, I'll do that. I'll do just that.

33. PRESIDING OFFICER (SENATOR WEAVER):

1. Take it out of the record. ...35, Senator Fawell.

2. 963, Senator Knuepfer.

3. SECRETARY:

4. ... (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDING OFFICER (SENATOR WEAVER):

7. Senator Knuepfer.

8. SENATOR KNUEPFER:

9. The synopsis is no longer a very good explanation of  
10. what the bill does. The bill as amended now has the  
11. approval of the Department of Mental Health, as it originally  
12. was passed out it did not have that. And that's why the  
13. synopsis no longer reflects the bill. This bill does a  
14. couple of things. In the first place it provides that  
15. where the Department license...out licenses out of State  
16. facilities for Illinois citizens, then those out of State  
17. facilities must meet minimum standards as required by  
18. Illinois for comparable Illinois facilities. In effect  
19. what it saying is you can't send somebody out of State  
20. and simply put them in some kind of a dump, you've got  
21. to have suitable facilities meeting Illinois standards.  
22. It provides as well that patients in a Department facility  
23. under 17 must reside...in separate quarters from older  
24. patients. And it provides that the Department may make  
25. reasonable charges for out patient services at State  
26. mental health facilities. Lastly, it authorizes the  
27. Department to make agreement with community health boards  
28. and boards of health, the community health board is the  
29. 708 board. I would be happy to answer any questions. I  
30. think it is an agreed bill to the best of my knowledge.  
31. I know that it is...it is sponsored originally by the  
32. Illinois Association for Mental Health. It has now met  
33. the standards and has been changed to meet the requests

1. of the Illinois Department of Mental Health. I would be  
2. happy to answer any questions, otherwise I would appreciate  
3. a roll call.

4. PRESIDING OFFICER (SENATOR WEAVER):

5. Senator Welsh.

6. SENATOR WELSH:

7. Jack, who enforces the standards of the out of State  
8. hospitals?

9. PRESIDING OFFICER (SENATOR WEAVER):

10. Senator Knuepfer.

11. SENATOR KNUEPFER:

12. The Department of Public Health.

13. PRESIDING OFFICER (SENATOR WEAVER):

14. Senator Welsh.

15. SENATOR WELSH:

16. The Illinois Department of Public Health or is there  
17. reciprocity agreement?

18. PRESIDING OFFICER (SENATOR WEAVER):

19. Senator Knuepfer.

20. SENATOR KNUEPFER:

21. Excuse me a reciprocity agreement Senator. I'm sorry.

22. PRESIDING OFFICER (SENATOR WEAVER):

23. Senator Saperstein.

24. SENATOR SAPERSTEIN:

25. I rise in support of this bill. It is just too bad  
26. that the State of Illinois does not provide for the  
27. services for these children because we do not, it is necessary  
28. to subsidize these children in...in institutions or private  
29. homes where they do out of State. I think that it does add  
30. some strength to the program and I urge you to vote for it.

31. PRESIDING OFFICER (SENATOR WEAVER):

32. Is there further discussion? The question is shall  
33. HB 963 pass, and upon that question the Secretary will call the roll.

1. SECRETARY:

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 WEAVER):

13. On that question the ayes are thirty-four, the nays  
14. are none. HB 963 having received a constitutional majority  
15. is declared passed. 372.

16. SECRETARY:

17. HB 372 (Secretary reads title of bill)  
18. 3rd reading of the bill.

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Senator Fawell.

21. SENATOR FAWELL:

22. Well Mr. President, Members of the Senate, I rise  
23. again in regard to HB 372 which to refresh your recollection  
24. is the dual district equality bill which would eliminate  
25. the existing disparity which now exists insofar as unit  
26. and dual districts are concerned. There has already been  
27. a full debate so I'm not going to waste any more time of  
28. this Body in presenting the merits and demerits of the  
29. legislation. I simply want to say that with all of the  
30. arguments that might be considered time has come that  
31. children who attend dual districts should not be discriminated  
32. against simply because they are...they are attending dual  
33. districts. And I ask for the favorable roll call of the Senate.

1. PRESIDING OFFICER (SENATOR WEAVER):

2. Is there any discussion? Senator Merritt.

3. SENATOR MERRITT:

4. Senator...Mr. President, Senator Fawell, do you mind  
5. yielding to a question.

6. PRESIDING OFFICER (SENATOR WEAVER):

7. He indicates he'll yield.

8. SENATOR MERRITT:

9. It would appear over the years at least in many of  
10. the communities throughout my Legislative district there  
11. have been many, many pressures brought to bear upon many  
12. of them to consolidate and to go into...and form a unit  
13. district. And many of them feel at this moment then what's  
14. been the use of it. Is there going to be...won't this  
15. tend to probably discourage the units districts? That's  
16. ...many questions have been put to me and maybe you can  
17. help me answer them.

18. PRESIDING OFFICER (SENATOR WEAVER):

19. Senator Fawell.

20. SENATOR FAWELL:

21. Well, it should not, not on the basis at least  
22. of the merits. It would...it would discourage those  
23. who might want to form a unit district simply to get  
24. more money and that really has been an unfortunate  
25. tendency. This will enable those districts for instance  
26. that would like to keep a separate grade school and a  
27. separate high school without having to necessarily merg  
28. them to be able to continue to do so. Under existing  
29. law if they continue that type of an operation they  
30. continue to force their own constituents to pay higher  
31. taxes and they get less State aid. And as I indicated  
32. in the last debate the...the irony here is that most  
33. of your dual districts now are larger than your unit

1. districts and...can give more quality education in  
2. terms of the greater diversity of teacher talent and  
3. of curriculum. So that in that sense yes, in the  
4. artificial motivation for the creation of new unit  
5. districts it...it would eliminate that. And I think  
6. that would be a very good step. However in any community  
7. that would still want a unit district of course they...  
8. they could still do so.

9. PRESIDING OFFICER (SENATOR WEAVER):

10. Senator Merritt.

11. SENATOR MERRITT:

12. The point I'm making though is that much of the  
13. bitterness and hard feelings today come from the fact  
14. that they gave up individual school boards that they  
15. had to go with the unit district. They lost their local  
16. autonomy completely and now having done it maybe in the  
17. past year or so they're really full of resentment about  
18. it. They feel like they were forced into something that  
19. if they'd just held their...their...and bided their time  
20. they would have gotten the same amount of money. And  
21. that's...that's what pretty sorrowful.

22. PRESIDING OFFICER (SENATOR WEAVER):

23. Senator Fawell.

24. SENATOR FAWELL:

25. Well, that's...that is entirely correct and this is  
26. why we have said in past years that this legislation is  
27. long overdue because a lot of communities have had to  
28. give up their community oriented grade school districts.  
29. I think a lot of communities are...are willing to accept  
30. the larger regionalized high schools but they do like  
31. their community oriented grade schools. And they've had  
32. to give those up as Senator Merritt points out and this  
33. is unfortunate. We hope it won't have to...occur.

1. PRESIDING OFFICER (SENATOR WEAVER):

2. Is there further discussion? Senator Sours.

3. SENATOR SOURS:

4. My feelings Mr. President, Senators about this  
5. bill haven't changed since we last discussed this last  
6. week. I have to oppose it.

7. PRESIDING OFFICER (SENATOR MOHR):

8. Senator Latherow.

9. SENATOR LATHEROW:

10. I'd just like to recognize a little of what Senator  
11. Merritt was saying, for years we've driven our schools  
12. into the unit districts in my area. And within the last  
13. two years have driven about the last ones into a unit  
14. district and the biggest thing they had to say was look,  
15. why do we stay in the...in high school district and our  
16. grade school district when all we have to do is become a  
17. unit district and draw more money. I...I think if we  
18. intended to do that years ago, we ought to retain that  
19. intention.

20. PRESIDING OFFICER (SENATOR MOHR):

21. Senator Hynes.

22. SENATOR HYNES:

23. Well, Mr. President to reiterate the discussion on  
24. this bill the other day. I remain in opposition to it  
25. for the reasons that I enumerated. And primarily those  
26. reasons boil down to this. This bill calls for an  
27. appropriation of almost \$60,000,000 for dual districts  
28. alone. It leaves ... out the unit districts in this  
29. State completely at a time when there is a shortage of  
30. educational funds, at a time when we are attempting to  
31. work out a formula that will be equitable to everyone.  
32. The present school aid formula is filled with inequities,  
33. inequities that effect dual districts and this bill is

1. addressed to that point. Inequities that effect urban  
2. areas, inequities that effect districts with very low  
3. assessed evaluation per pupil. In other words the formula  
4. is simply not adequate in its present condition and all  
5. of us I think would like to see it changed. In fact the  
6. sponsor of this bill is the sponsor of another bill on  
7. the Calendar which he will be calling very shortly for  
8. a vote. HB 1484 which would do everything that this bill does  
9. and more for dual districts. It would also, in part at  
10. least I think handle some of the other problems I mentioned.  
11. I think that bill gives one consideration that we should  
12. have in mind here. Secondly a proposal which I introduced  
13. and which was defeated in the Senate Education Committee  
14. called for the elimination of the discrimination against  
15. dual districts over a five year period. In other words  
16. put in a five year plan to totally eliminate the discrimination  
17. that exists between the units and the dual districts. That  
18. proposal I thought was most reasonable and enabled us to do  
19. something about the problems in other areas, in areas  
20. other than dual districts. We will have another opportunity  
21. here to vote on that proposal as we are going to offer  
22. an amendment to another bill which will set forth that  
23. proposal and which will give each member a chance once  
24. and for all to vote to eliminate discrimination and  
25. disparity against dual districts and to phase it out over  
26. a period of five years. And at the same time in a fiscally  
27. responsible measure to do something about the problems  
28. that exist in all of the other districts of this State.  
29. I think this bill is undesirable in principle as it stands  
30. here now and I think it is particularly untimely in terms  
31. of the other proposals that will be coming before this  
32. Body within the next two or three days. I would urge  
33. that this bill be opposed.



1. PRESIDING OFFICER (SENATOR MOHR):

2. Senator Soper.

3. SENATOR SOPER:

4. Mr. President, Members of the Senate, we speak about  
5. bills that are timely or untimely. I...I'd agree with  
6. Senator Hynes when he says that bills are untimely when  
7. they effect him. And they effect other districts. Now  
8. the dual districts don't want to take any money away  
9. from the unit districts, they just want to be put on  
10. an equal basis. And it's about time that the dual districts  
11. were treated in the same way that the unit districts are  
12. treated. We're not asking for any money from the unit  
13. districts. And I think it's timely that we were more  
14. than second class citizens in this effect. The people  
15. from the dual districts pay their taxes as well as the  
16. people from the unit districts and this is the time, it's  
17. not later, and it's too late unless you do it now and  
18. let's get it done.

19. PRESIDING OFFICER (SENATOR MOHR):

20. Any further discussion? Senator Fawell may close  
21. the debate.

22. SENATOR FAWELL:

23. Yes, I...I just want to again say that the \$60,000,000  
24. allegation is simply not realistic or accurate especially  
25. in light of the fact that the formula bill, 1484 which  
26. will probably be called very late this week, certainly  
27. not today, is a bill that will allow your dual districts  
28. to opt to go under that particular bill and probably many  
29. of them will. So I would say that really we're talking in  
30. the area of maybe 10 or 15,000,000, not the 60,000,000  
31. that has been brought out. I mentioned that in the last  
32. time, I want to again make very clear that that is the  
33. situation. Senator Soper summarized it very well. The

1. time has come when the children in dual districts  
2. ought to be treated exactly the same as the children  
3. in the unit districts and I ask for a favorable roll  
4. call.

5. PRESIDING OFFICER (SENATOR MOHR):

6. The question is shall HB 372 pass and on that  
7. question the Secretary will call the roll.

8. ACTING SECRETARY (MR. WRIGHT):

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

19. PRESIDING OFFICER (SENATOR MOHR):

20. Mitchler, aye. Savickas, aye. Buzbee, aye. Swinarski,  
21. aye. McBroom, aye. McCarthy, no. Rock... Hall, no.  
22. Latherow, no. On that question the yeas are thirty-three,  
23. the nays are seven. HB 372 having received the constitutional  
24. majority is declared passed. Senator Graham.

25. SENATOR GRAHAM:

26. Having voted on the prevailing side I move to  
27. reconsider the vote by which this bill was passed.

28. PRESIDING OFFICER (SENATOR MOHR):

29. Request for a verification. All the Members please  
30. be in their seats while the Secretary will call the roll.

31. ACTING SECRETARY (MR. WRIGHT):

32. Bartulis, Bell, Berning, Buzbee, Clarke, Conolly,  
33. Davidson, Fawell, Glass, Graham, Kenneth Hall, Knuepfer,  
McBroom, Mitchler, Howard Mohr, Don Moore, Nimrod, Ozinga,

HB 707  
3rd Reading  
6-25-75

1. Regner, Roe, Savickas, Schaffer, Scholl, Shapiro, Sommer,  
2. Soper, Swinarski, Walker, Weaver, Welsh, Mr. President.

3. PRESIDING OFFICER (SENATOR MOHR):

4. Senator Graham.

5. SENATOR GRAHAM:

6. Having voted on the prevailing side I move...

7. PRESIDING OFFICER (SENATOR MOHR):

8. Senator hold it for one moment. The roll has been  
9. verified. Senator Graham.

10. SENATOR GRAHAM:

11. Are we ready? I move to reconsider the vote by  
12. which this bill was passed.

13. PRESIDING OFFICER (SENATOR MOHR):

14. Senator Graham moves to reconsider the vote by  
15. which HB 372 was passed. Senator Fawell moves to  
16. have that motion lie upon the Table. All those in  
17. favor signify by saying aye. Opposed. Motion...motion  
18. is Tabled. Senate...HB 707, Senator Weaver.

19. SECRETARY:

20. HB 707 (Secretary reads title of bill)  
21. 3rd reading of the bill.

22. PRESIDING OFFICER (SENATOR MOHR):

23. Senator Weaver.

24. SENATOR WEAVER:

25. Mr. President, Members of the Senate HB 707 provides  
26. for the registration and regulation of real estate brokers.  
27. An examining committee is set up in the Department of  
28. Registration. A real estate recovery fund is set up by  
29. assessment of realtors, and brokers. The...this bill  
30. attempts to upgrade the educational requirements for a  
31. licensed brokers. It tries to dam the panic peddling,  
32. block busting, discrimination in the sale of...in the  
33. sale and rental of property. I think one of the bill's

1. outstanding features is the creation of the recovery  
2. fund paid for out of special assessments against brokers  
3. and salesmen. In this bill victims could be reimbursed  
4. up to \$10,000 plus 15% of this for attorney's fees. If  
5. there are any questions I would try to answer them.

6. PRESIDING OFFICER (SENATOR MOHR):

7. Any...Senator Partee.

8. SENATOR PARTEE:

9. We...first I have a parliamentary inquiry as to  
10. how many votes this bill requires as we feel that it  
11. relates to the home rule provision under the Constitution.

12. PRESIDING OFFICER (SENATOR MOHR):

13. 30 votes Senator.

14. SENATOR PARTEE:

15. You say 30? All right. Then I just enter for the  
16. record a protest so that ruling...without making any motion  
17. to override the Chair I just want the record clear that we  
18. feel it takes 36. Now, the second question is to be asked  
19. of the sponsor. Did you say that you would not bring this  
20. bill back to put on a home rule amendment?

21. PRESIDING OFFICER (SENATOR MOHR):

22. Senator Weaver.

23. SENATOR WEAVER :

24. That's true Senator.

25. SENATOR PARTEE:

26. The I'm opposed to your bill.

27. PRESIDING OFFICER (SENATOR MOHR):

28. Any further discussion? The question is shall HB 707  
29. pass...I'm sorry, Senator Carroll.

30. SENATOR CARROLL:

31. Yes, thank you Mr. President. I rise in opposition to  
32. this bill because we had asked for the opportunity to place  
33. an amendment on this bill. We had mentioned this in committee

1. and apparently through inadvertence the bill passed to  
2. 3rd reading while I was not here one day. And all we were  
3. saying by way of that amendment is that if the statements  
4. made on the Floor of the Senate when HB 3636 passed last  
5. year, if those statements were true and correct and the  
6. amendment we were offering was in total agreement with the  
7. statements made on the Floor of this Body with respect  
8. to the bill on real estate licensing last year. And  
9. all we were saying was that the requirements in addition  
10. to any other requirements would not effect the cities  
11. and villages to tax, license or regulate. That it was  
12. co-equal at that time. This merely preserves the proper  
13. cross reference if our amendment had been given a chance  
14. and I would therefore have to oppose this bill without  
15. at least the attempt to place that amendment on it which  
16. was totally consistent with the remarks of the Senate in  
17. the last Session.

18. PRESIDING OFFICER (SENATOR MOHR):

19. Further discussion? The question is shall HB 707  
20. pass and on that question the Secretary will 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. PRESIDING OFFICER (SENATOR MOHR):

33. Netsch, aye. Mitchler, aye. Shapiro, aye. Fawell,

1. aye...Fawell was aye. Bruce, aye. For what purpose  
2. does Senator Graham rise? On that question the yeas  
3. are thirty-seven, the nays are none. HB 707 having  
4. received the constitutional majority is declared passed.  
5. ...Senator Merritt.  
6. SENATOR MERRITT:  
7. Mr. President having voted on the prevailing side  
8. I move the vote by which ...  
9. PRESIDING OFFICER (SENATOR MOHR):  
10. Senator...  
11. SENATOR MERRITT:  
12. ...bill been passed been reconsidered.  
13. PRESIDING OFFICER (SENATOR MOHR):  
14. Senator Partee.  
15. SENATOR PARTEE:  
16. Verification of the roll call please. Affirmative  
17. votes.  
18. PRESIDING OFFICER (SENATOR MOHR):  
19. Request to call the...a verification on the affirmative  
20. votes. Please be in your seats, it will be helpful Gentlemen.  
21. SECRETARY:  
22. The following voted in the affirmative: Bartulis,  
23. Bell, Berning, Bruce, Buzbee, Clarke, Conolly, Davidson,  
24. Fawell, Glass, Graham, Kenneth Hall, Knuepfer, Knuppel,  
25. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard  
26. Mohr, Don Moore, Netsch, Nimrod, Ozinga, Regner, Roe,  
27. Schaffer, Scholl, Shapiro, Sommer, Soper, Sours, Vadalabene,  
28. Walker, Weaver, Wooten, Mr. President.  
29. PRESIDING OFFICER (SENATOR MOHR):  
30. Senator Savickas. Senator Savickas.  
31. SENATOR SAVICKAS:  
32. I didn't hear my name called in the affirmative and  
33. I did vote. Could I have leave to have my name entered on

1. that? It doesn't change the total. Don't change the results.

2. PRESIDING OFFICER (SENATOR MOHR):

3. If you have leave of the Body you can be...your name  
4. can be added. Is there Leave? Apparently there is not  
5. leave Senator. Senator Merritt.

6. SENATOR MERRITT:

7. I renew my motion Mr. President, to reconsider the  
8. vote by which 707 passed.

9. PRESIDING OFFICER (SENATOR MOHR):

10. Senator Merritt moves to reconsider the vote by which  
11. HB 707 pass. Senator Graham moves that motion lie on the  
12. Table. All those in favor signify by saying aye. Opposed.  
13. Motion is Tabled. Senator Harber Hall.

14. SENATOR HARBER HALL:

15. Mr. President I voted aye on the first roll call...  
16. and Secretary didn't have it down there.

17. PRESIDING OFFICER (SENATOR MOHR):

18. Well, there's some question who voted...the couple  
19. of members say they were not recorded. And all I can  
20. say Gentlemen and Ladies of the Senate that it is next  
21. to impossible to hear you people call out. Now, just  
22. asking the Secretary to do an impossible job so if we  
23. all quiet down you can all be properly recorded. If  
24. you...Senator Hall, I'm told that the Secretary looked  
25. in your seat and you were not in your seat when that was  
26. called and I can verify that. You may have answered to it  
27. but... No that's correct, but he did look to your seat.  
28. Senator Savickas.

29. SENATOR SAVICKAS:

30. Well, I just rise on a point of personal privilege  
31. here is that legislation such as this I have consistently  
32. supported in the last eight years of the General Assembly  
33. and when I did vote aye on this to be denied because of the

1. noise in this area to be denied my vote on this bill I  
2. think is wrong and I just want to enter this as a formal  
3. protest to put it into the record.

4. PRESIDING OFFICER (SENATOR MOHR):

5. That is in the record. Senator Graham.

6. SENATOR GRAHAM:

7. Mr. President and Members of the Senate this points  
8. out what I have been attempting to tell this Senate all  
9. day. To the extent that I'm hoarse from having tried to  
10. tell you. If someone misses a roll call or is recorded  
11. properly Gentlemen it is our fault because you are not  
12. cooperating with the Chair and you're not giving the  
13. Secretary a chance. Not one chance does that man have.

14. PRESIDING OFFICER (SENATOR MOHR):

15. The next bill is HB 1243, Senator Jack Walker.

16. Senator Savickas. Senator Hall, Harber Hall.

17. SENATOR HARBER HALL:

18. Mr. President the Secretary heard me say aye, he  
19. looked in the seat and I was not here. I was on my way  
20. to the phone. I did say aye. He was right, he marked it  
21. on the roll call, and his observation was that...that I  
22. didn't say aye because I was sitting in my seat. I came  
23. back here and I was here and I asked for recognition before  
24. the roll call...was made and I wasn't recognized until  
25. now. I ask leave of the house to show me recorded as aye,  
26. as I was.

27. PRESIDING OFFICER (SENATOR MOHR):

28. Is there leave? There is...there is objection.

29. Senator...Harris.

30. SENATOR HARRIS:

31. All right Mr. President, Mr. President...we have a  
32. situation here where it has been tremendously difficult  
33. for the Secretary to hear these roll calls. I don't think



1. there is a Member of this Body that questions the integrity  
2. or the hearing capacity of the Secretary. He helps us, he  
3. works with us, he tries to accommodate us on our requests  
4. regularly. We all know that. Now we have a situation here  
5. where there is a member from the other side of the aisle  
6. and a member of this side of the aisle who feel that they  
7. were not properly recorded on the roll call. I don't know  
8. any more facts than what I've heard mentioned here. Now  
9. with the understanding that there will be no tampering with  
10. the results, no motion filed because they're on prevailing  
11. side and that sort of possibility and we've disposed of  
12. that under the rules I would recommend to this Body that  
13. leave be granted to Senators Savickas and Hall by unanimous  
14. consent to this roll call with the clear understanding there's  
15. going to be no funny business about subsequent motions as  
16. relates to this bill.

17. PRESIDING OFFICER (SENATOR MOHR):

18. Senator Partee.

19. SENATOR PARTEE:

20. I think the President is certainly well motivated.  
21. I am concerned though that this starts a precedent that  
22. will have no ending. I want to see Senator Savickas vote  
23. as he chooses, I'd like to see Senator Hall vote as he  
24. chooses. We've already made the motion to reconsider and  
25. it has been Tabled. I think this is just one of those  
26. things we have to just forget about. It creates a bad  
27. precedent. If we do it for these two men today, tomorrow  
28. it's someone else and the next day it's eight. I know  
29. that you want to do it, but I just think it isn't the  
30. thing to do.

31. PRESIDING OFFICER (SENATOR MOHR):

32. Senator Harris.

33. SENATOR HARRIS:

1. Well, I'm aware that an objection has been made to  
2. unanimous consent, and that's perfectly acceptable and  
3. legitimate. I would say that the two affected Senators  
4. have as a remedy in relation to HB 707 their remedy to  
5. seek to suspend the rules as relates to 707. I certainly  
6. don't want to prolong this matter. I've discussed it  
7. with Senator Hall. He feels inclined not to pursue the  
8. matter further, he thinks he's made his point. He can  
9. communicate to his district effectively to the extent  
10. that that's what his...position and persuasion would be.  
11. I don't want to deny anybody their ultimate procedural  
12. opportunities but I just think that we probably ought  
13. to get on with other business unless Senator Savickas  
14. wants to move to suspend the rules.

15. PRESIDING OFFICER (SENATOR MOHR):

16. Well both Senators agree to forget this incident  
17. and have made their point and I think their constituents  
18. know how they feel. And the Chair would just again say  
19. that it would be very, very helpful if we had a little  
20. order in the Chamber and the Secretary could hear the  
21. votes. So we'll go on with the order of business and  
22. that will be HB 1243, Senator Savickas.

23. SECRETARY:

24. HB 1243 (Secretary reads title of bill)  
25. 3rd reading of the bill.

26. PRESIDING OFFICER (SENATOR MOHR):

27. Senator Savickas.

28. SENATOR SAVICKAS:

29. Yes Mr. President, Members of the Senate HB 1243  
30. really...defines the conditions of panic peddling and it  
31. takes out of the statutes on human relations and puts it  
32. where it belongs into the Department of Registration and  
33. Education for the real estate brokers. And this is basically

1. what this bill does. And I would appreciate your  
2. favorable support.

3. PRESIDING OFFICER (SENATOR MOHR):

4. Any further discussion? The question is shall  
5. HB 124...Senator Jack Walker.

6. SENATOR WALKER:

7. Thank you Mr. President this bill was in committee  
8. and it was called when Senator Savickas wasn't there  
9. and as chairman I suppose I had a guilt feeling and I  
10. did agree to let him...let the bill be discharged from  
11. committee but I understand that it just practically guts  
12. HB 707 and therefore I'm going to ask...request a no vote.

13. PRESIDING OFFICER (SENATOR MOHR):

14. Senator Harris.

15. SENATOR HARRIS:

16. Well I don't think this is the kind of thing that  
17. we really need to have a party position on or should have  
18. a party position on but there's been significant conversation  
19. about this bill from the members on this side of the aisle  
20. to me from time to time and I just want to urge that this  
21. bill does creates a very, serious problems in connection  
22. with the legislation that was just passed and I would urge  
23. that this bill not pass.

24. PRESIDING OFFICER (SENATOR MOHR):

25. Senator Savickas.

26. SENATOR SAVICKAS:

27. Well Mr. President, Members of the Senate, kind of  
28. in a quandry here. I don't know, and I don't understand  
29. what serious problems this has with the legislation that  
30. has passed. All it does is pull a definition of panic  
31. peddling out of the human...resources and put it where  
32. it belongs into...the definition and the real estate brokers  
33. statutes. It defines panic peddling which the other bill

1. purportedly says that the real estate brokers are against,  
2. and this has the definition of it and it takes into the...  
3. out of human relations which it has no business being  
4. in human relations statutes and puts it into this licensed  
5. real estate brokers act where it belongs. It deals with  
6. real estate brokers. It does not change...HB 707 in any  
7. way and I...I would appreciate one of the Senators explaining  
8. how this guts 707.

9. PRESIDING OFFICER (SENATOR MOHR):

10. Senator Merritt.

11. SENATOR MERRITT:

12. Well Mr...it's my understanding that this bill really  
13. never got into the Licensed Activities Committee. I know  
14. it lie here at least week, ten days, two weeks without even  
15. having a Senate sponsor. And it was my understanding that  
16. when we concluded our...our committee hearings that it bypassed  
17. committee going onto 2nd reading, that was my understanding.  
18. Now, this bill is in direct conflict with the bill just  
19. passed, and it has some provisions which have already been  
20. ruled by a lower court in Chicago as being unconstitutional.  
21. These are anti-solicitation provisions which prevent a  
22. real estate broker or salesman from talking to certain  
23. people or even presenting them with his business card in  
24. the discussion of properties for sale. I think there's  
25. other legal remedies for panic peddling and certainly the  
26. bill we just passed provides these very adequately and I  
27. certainly would oppose this bill vigorously.

28. PRESIDING OFFICER (SENATOR MOHR):

29. Senator Glass.

30. SENATOR GLASS:

31. Well I was simply going to ask Senator Savickas a  
32. question, and that is if...if this language is in the human  
33. relations act and I've...I haven't read the bill, it is

1. lengthy and I looked at it briefly and I gather that the  
2. problems it addresses have to do with human relations and  
3. I would just pose the question hasn't it worked well there  
4. and why not leave it there?

5. PRESIDING OFFICER (SENATOR MOHR):

6. Senator Savickas.

7. SENATOR SAVICKAS:

8. Well it doesn't deal with human relations it deals  
9. with the regulation of real estate brokers and this is  
10. why it should be, in fact it would be a companion measure  
11. to 707 because when 707 talks about revocation of real  
12. estate brokers license due to panic peddling this defines  
13. panic peddling and brings it right where it should be into  
14. the Department of Registration and Education who supervise  
15. the real estate brokers. Gives...gives a little added  
16. weight to 707, it just doesn't make it a blank act. This...  
17. this defines it and says what...what is reasonable and  
18. what isn't.

19. PRESIDING OFFICER (SENATOR MOHR):

20. Senator Partee.

21. SENATOR PARTEE:

22. The anti-solicitation law that was passed four years  
23. ago has already been declared unconstitutional. Now that  
24. matter is now going to the Illinois Supreme Court. This  
25. bill in my opinion is unnecessary for several reasons but  
26. more than that it takes the function from the Department  
27. of Human Relations as Senator Glass mentioned and puts it  
28. in Registration and Education where they do not want it.  
29. I think it is a bad bill and should be defeated.

30. PRESIDING OFFICER (SENATOR MOHR):

31. Any further discussion? Senator Savickas you want to  
32. close...

33. SENATOR SAVICKAS:

1. No I think we said everything regarding this bill.  
2. Evidently, the minds are made up, all I can say that  
3. this does complement 707, defines what they call panic  
4. peddling, this adds a definition takes it out of Human  
5. Relations, puts it where it should belong in the Real  
6. Estate Brokers Act, and I would solicit your favorite  
7. support...favorable support.

8. PRESIDING OFFICER (SENATOR MOHR):

9. The question is shall HB 1243 pass and on that question  
10. the Secretary will call the roll.

11. SECRETARY:

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

22. PRESIDING OFFICER (SENATOR MOHR):

23. Harris, no. On that question the yeas are six, the  
24. nays are ten. HB 1243 having failed to receive the  
25. constitutional majority is declared lost. HB 1044, Senator  
26. Bell.

27. SECRETARY:

28. HB 1044 (Secretary reads title of bill)  
29. 3rd reading of the bill.

30. PRESIDING OFFICER (SENATOR MOHR):

31. Senator Bell.

32. SENATOR BELL:

33. Mr. President, Members of the Senate, HB 1044 is

1. really a simple bill. The synopsis pretty well explains  
2. it. It simply amends the Insurance Code, extends its  
3. scope of insurance company investment power to include  
4. the obligations of transportation corporations, further  
5. than merely railroad corporations. Now, if you look at  
6. the Insurance Code you know...you'll see where it specifies  
7. the maximum limits that can be invested into different  
8. areas of investment. And this simply makes a modern  
9. change I feel in extending the scope of investments to  
10. transportation corporations rather than simply to rail-  
11. roads. As you know railroads in modern and more recent  
12. times, the last few years especially after the Pen-Central  
13. debacle have not exactly been the best place generally to  
14. put your investment dollar and I think it's a good bill.  
15. I think it updates things. Gives a little more flexibility  
16. to the...the Insurance Code. And I'd ask for your favorable  
17. consideration.

18. PRESIDING OFFICER (SENATOR MOHR):

19. Any further discussion? The question is shall HB 1044  
20. pass and on that question the Secretary will 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. PRESIDING OFFICER (SENATOR MOHR):

33. Donnewald, aye. Schaffer, aye. Latherow, aye.

1. Kosinski, aye. Palmer, aye. Kenny Hall, aye. Soper,  
2. aye. Berning, aye. On that question the yeas are thirty-  
3. four, the nays are none. HB 1044 having received the  
4. constitutional majority is declared passed. Senator  
5. Rock, HB 1072.

6. SECRETARY:

7. HB 1072 (Secretary reads title of bill)

8. 3rd reading of the bill.

9. PRESIDING OFFICER (SENATOR MOHR):

10. Senator Rock.

11. SENATOR ROCK:

12. Thank you Mr. President, Ladies and Gentlemen of the  
13. Senate, this is amendatory legislation which would remove  
14. the interest rate limitation from the Industrial Project  
15. Revenue Bond Act. Interest rate limitations are quite  
16. uncommon in industrial development revenue bond enabling  
17. legislation, since the private companies credit is the  
18. sole source of security for the payment of the bond, and  
19. have been over the past few years fairly systematically  
20. removed. The Illinois General Assembly recognized the  
21. inappropriateness of interest rate limitation in this  
22. type of legislation when in 1972 it enacted the Illinois  
23. Industrial Pollution Control Financing Act, Public Act  
24. 772159. The language added here consisting of the words  
25. without regard to any interest rate limitation appearing  
26. in any other law, has been taken verbatim from that act.  
27. This bill was drawn and supported in the House by Representa-  
28. tive Choate. He has received telegrams from the mayors  
29. of the following towns in support of this bill: Centralia,  
30. Pana, Litchfield, Effingham, Carbondale, Flora, Carmi and  
31. Fairfield. I would urge a favorable vote.

32. PRESIDING OFFICER (SENATOR MOHR):

33. Senator Sours.



1. SENATOR SOURS:

2. Mr. President, Senators it seems to me this bill is  
3. either similar or could even be identical to SB 364, to  
4. Senator Johns presented as a sponsor in this Chamber. It  
5. was defeated on May 15, 1973, the vote was eleven to eleven.  
6. I can't see where the passage of time has improved this  
7. concept at all. It...in removing the ceiling we're touching  
8. infinity. This could be a...a real picnic for some fast  
9. buck artists.

10. PRESIDING OFFICER (SENATOR MOHR):

11. Senator Clarke.

12. SENATOR CLARKE:

13. I just like to refresh Senator Sours memory that on  
14. May 15, SB 364 got eleven ayes votes and eleven nay votes.  
15. And I think we'd better defeat this bill real fast before  
16. Senator McCarthy gets back and makes a half hour speech.  
17. It's not even a rate increase, it's just taking the ceiling  
18. off period.

19. PRESIDING OFFICER (SENATOR MOHR):

20. Senator Rock.

21. SENATOR ROCK:

22. Well, I think and I had spoken with Senator Sours  
23. as a matter of fact I gave him a copy of this letter  
24. from which I read so beautifully. I think that one of  
25. the reasons Senator Johns bill which was as you state  
26. similar if...not at all...similar if not identical because  
27. I added an amendment here, part of the objection was on  
28. page 2 it said the amendatory act of '73 is not a limit  
29. upon any municipality which is a home rule unit. I put  
30. an amendment on to strike that language. So the bill was  
31. not identical. I think the bill deserves a favorable vote,  
32. I think it was misunderstood on May 15th. It's probably  
33. misunderstood this afternoon, but I would ask for a favorable

1. roll call.

2. PRESIDING OFFICER (SENATOR MOHR):

3. Senator Harber Hall.

4. SENATOR HARBER HALL:

5. Would the sponsor yield?

6. PRESIDING OFFICER (SENATOR MOHR):

7. He indicates he will.

8. SENATOR HARBER HALL:

9. Senator are these tax exempt bonds? Are these exempt

10. from the income tax?

11. SENATOR ROCK:

12. Industrial revenue bonds, I do not believe so. No sir.

13. SENATOR HARBER HALL:

14. I would think that they would be. I see others

15. indicating that they are. I think it's very important

16. whether they are or not because the equivalent effective

17. return on 7% if you left it at 7% is just under 14% for those

18. people who purchase them and this is rather high. To

19. go higher than that would of course accentuate the

20. difference between free money and tax exempt investments

21. of this kind.

22. PRESIDING OFFICER (SENATOR MOHR):

23. Any further discussion? If not Senator Rock may

24. close debate.

25. SENATOR ROCK:

26. Well again I reiterate that when we passed the

27. Industrial Pollution Control Financing Act this was

28. the language adopted. This type of interest rate

29. limitation in this type of legislation is as a matter

30. of fact inappropriate. I would ask for a favorable

31. roll call.

32. PRESIDING OFFICER (SENATOR MOHR):

33. The question is shall HB 1072 pass and on that question

1. the Secretary will call the roll.

2. SECRETARY:

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

13. PRESIDING OFFICER (SENATOR MOHR):

14. Romano, aye. Savickas, aye. Saperstein, aye.  
15. Carroll, aye. Kosinski, aye. On that question the  
16. yeas are nineteen, the nays are eleven, one present.  
17. HB 1072 having failed to receive the constitutional  
18. majority is declared lost. Senator Johns, HB 1095.

19. SECRETARY:

20. HB 1095 (Secretary reads title of bill)  
21. 3rd reading of the bill.

22. PRESIDING OFFICER (SENATOR MOHR):

23. Senator Johns.

24. SENATOR JOHNS:

25. Mr. President this bill is about the way I feel  
26. ...this microphone. Ok. 1095 is an act authorizing  
27. the Department of Transportation to convey some lands  
28. back to some people who originally owned them and you've  
29. read the bill. I don't want you to think for any minute  
30. that I have any argument with it. And I would appreciate  
31. a favorable roll call. Try to answer any questions that  
32. you might have Ladies and Gentlemen of the Senate.

33. PRESIDING OFFICER (SENATOR MOHR):

1. Senator Bruce.

2. SENATOR BRUCE:

3. I wonder if the sponsor would tell us what land is  
4. conveyed, is...is it in Johnson County or Cook County?  
5. And if it is in Cook County what is involved. I noticed  
6. the price runs \$105,000 some dollars. I just wonder if  
7. you can explain to us what that...what is involved, that's  
8. a substantial easement bill.

9. PRESIDING OFFICER (SENATOR MOHR):

10. Senator Johns.

11. SENATOR JOHNS:

12. Every time I get in a predicament I think of Jim  
13. Soper back there talking. Senator Bruce to answer your  
14. question sir, there's two parcels here I understand, one  
15. in Johnson County and one in Cook County. And the one  
16. in Cook County is used this bill as a vehicle to aid  
17. some people who evidently owned the property and I  
18. understand that they're paying \$20,000 more back to the  
19. State than...than it...they were given for it in the  
20. first place.

21. PRESIDING OFFICER (SENATOR MOHR):

22. ...Senator Bruce.

23. SENATOR BRUCE:

24. When that bill went on the Agreed Calendar I had  
25. an opportunity to take a short look at it I noticed when  
26. the original form, the bill failed to pass in the House,  
27. and then it was amended in the Johnson County land, then  
28. an amendment was added here to change it back to Cook  
29. County. Just would like to know why the controversy  
30. over an easement bill since it was defeated in the House.

31. PRESIDING OFFICER (SENATOR MOHR):

32. Senator Johns.

33. SENATOR JOHNS:

1. Senator Bruce I have no idea about the past history  
2. of this bill. And if it has any problems as being unworthy,  
3. I would leave that to your discretion in voting.

4. PRESIDING OFFICER (SENATOR MOHR):

5. Senator Soper.

6. SENATOR SOPER:

7. Senator Johns, I know you always take care of those  
8. old, little old well diggers where you come from, but do  
9. you know where Cook County is? No, no well diggers up there...

10. SENATOR JOHNS:

11. Basically...

12. SENATOR SOPER:

13. ...in your district.

14. PRESIDING OFFICER (SENATOR MOHR):

15. Senator Johns.

16. SENATOR JOHNS:

17. I have no further testimony Mr. President. I just...  
18. let's get her up or down and get on with it.

19. PRESIDING OFFICER (SENATOR MOHR):

20. Senator Soper, Senator Johns said he was in Cook  
21. County one time, that answer your question.

22. SENATOR SOPER:

23. Got pretty hot up there for you, huh?

24. PRESIDING OFFICER (SENATOR MOHR):

25. Any further...Any further discussion?

26. SENATOR SOPER:

27. Got lost in the building.

28. PRESIDING OFFICER (SENATOR MOHR):

29. The question is shall HB 1095 pass and on that question  
30. the Secretary will call the roll.

31. SECRETARY:

32. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,  
33. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,

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

9. PRESIDING OFFICER (SENATOR MOHR):

10. Palmer, aye. Savickas, aye. Sours, aye. Nimrod,  
11. aye. Nimrod... Sours, aye. Nimrod, no. Johns, aye.  
12. Howard Mohr, aye. Netsch, aye. Vadalabene, aye. McCarthy,  
13. aye. On that question the yeas are thirty-five, the nays  
14. are three. HB 1095 having received the constitutional  
15. majority is declared passed. Senator Johns.

16. SENATOR JOHNS:

17. Having voted on the prevailing side...HB 1095 I  
18. move to reconsider by which...

19. PRESIDING OFFICER (SENATOR MOHR):

20. Senator Johns moves to reconsider, Senator Romano  
21. moves to have that motion lie on the Table. All in  
22. favor signify by saying aye. Opposed. Motion is Tabled.  
23. Senator Sommer...for what purpose Senator Graham rise?

24. SENATOR GRAHAM:

25. Mr. President I don't know if you can hear, or the  
26. Secretary can hear, but I can't. I can't even hear you.

27. PRESIDING OFFICER (SENATOR MOHR):

28. It is difficult Senator. I think we'd better go  
29. back to the old method of calling out names and breaking  
30. up caucuses, we'll start with Senator Savickas in the  
31. back of the room. Break up the caucus or go outside.  
32. Don't like to pick on the press. Senator Netsch, Senator  
33. Carroll. We may have your attention we're going to call

1. another bill.

2. SECRETARY:

3. HB 1172 (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER (SENATOR MOHR):

6. Senator Sommer.

7. SENATOR SOMMER:

8. Mr. President, Members of the Senate this bill  
9. validates what is currently the practice in the State  
10. generally since about 1966, ever since Attorney General  
11. Clark wrote an opinion on this matter. As I understand  
12. it currently in Cook County and in the City of Chicago  
13. this is the practice. This is the practice in St. Clair  
14. County. The practice in many areas of the State, and  
15. I would ask for a favorable roll call on this.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Senator Partee.

18. SENATOR PARTEE:

19. Was there any agreement to amend this bill at some  
20. juncture?

21. PRESIDING OFFICER (SENATOR MOHR):

22. Senator Fawell, excuse me, would you take your  
23. interviewer outside the Chamber please? Senator Partee.

24. SENATOR PARTEE:

25. Senator Sommer was there some understanding or some  
26. agreement or some conversation about amending this bill  
27. at some juncture since its been in the Senate?

28. PRESIDING OFFICER (SENATOR MOHR):

29. Senator Sommer.

30. SENATOR SOMMER:

31. Yes Senator Partee and I worked together with Lee  
32. Schwartz and the Municipal League and we put the amendment  
33. on this morning.

1. SENATOR PARTEE:
2. Well, I don't seem to have...
3. PRESIDING OFFICER (SENATOR MOHR):
4. Senator Partee.
5. SENATOR PARTEE:
6. Is this the one that says no fee provided shall be
7. charged to any unit of local government or school district
8. unless a court orders another party to pay such fee
9. on it's behalf. Is that the amendment?
10. SENATOR SOMMER:
11. Yes Senator Partee. Yes.
12. SENATOR PARTEE:
13. Thank you.
14. PRESIDING OFFICER (SENATOR MOHR):
15. Any further discussion? Question is shall HB 1172
16. pass and on that 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 MOHR):
29. Course, aye. Smith, aye. Bruce, aye. Kenneth
30. Hall, aye. Mr. President, aye. Bartulis, aye. Savickas,
31. aye. ...yeas are forty-seven, the nays are none. HB 1172
32. having received the constitutional majority is declared
33. passed. Senator Walker, HB 1252.



1. SECRETARY:

2. HB 1252 (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER (SENATOR MOHR):

5. Senator Walker.

6. SENATOR WALKER:

7. Thank you Mr. President, Members of the Senate.

8. HB 1252 provides for the disconnection of certain territories  
9. from park districts. It came out of the House committee  
10. unanimously, out of the Local Government Committee here  
11. unanimously. I've talked with the other side and I know  
12. of no opposition, therefore I'd appreciate a favorable  
13. vote.

14. PRESIDING OFFICER (SENATOR MOHR):

15. Any further discussion? The question is shall HB 1252  
16. pass and on that 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 MOHR):

29. Harris, aye. Course, aye. Buzbee, aye. Knuppel,  
30. aye. Palmer, aye. Johns, aye. On that question the  
31. yeas are forty-eight, the nays are none. HB 1252 having  
32. received the constitutional majority is declared passed.  
33. Senator Savickas, HB 1314.

1. SECRETARY:

2. HB 1314 (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER (SENATOR MOHR):

5. Senator Savickas.

6. SENATOR SAVICKAS:

7. Yes Mr. President, Members of the Senate this bill  
8. provides for quick-take powers and acquisition of land  
9. by the sanitary district for flood control purposes. The  
10. ability to acquire property interest on a quick-take basis  
11. will result in a faster implementation of flood projects  
12. at less cost. Flooding in the metropolitan area has been  
13. a chronic problem. In 1972 floods caused well over \$30,000,000  
14. in damages, and the need to implement works of improvement  
15. to eliminate flood damages is obvious and economically  
16. justifiable. Reduction in the time and cost necessary  
17. to implement projects will be a benefit to the taxpayers  
18. and voters. The sanitary district has experienced a two  
19. to three year period necessary to acquire land for flood  
20. control work. And this delay results in additional flood damages  
21. because of storms during the interval and results in increased  
22. costs of implementation because of the escalation of  
23. construction costs during the interval. Fellow Senators  
24. what this bill does is provide, it adds one line in the  
25. existing act to provide for flood control projects upon  
26. certain lands and the word upon was put in because of  
27. the need for flood control projects you must build reservoirs  
28. and these reservoirs must be upon the land. Sanitary  
29. district already have the power in the act for quick-  
30. take for sewers, and sewer improvements. Over and under,  
31. and now we ask for the power upon so that the reservoirs  
32. may be built and this is limited only within the corporate  
33. limits of the sanitary district. In Chapter 42, Section

1. 327 on page 1845 of the statute , its the words there  
2. or by condemnation within the corporate limits, and it...  
3. limits...it limits this acquisition to its corporate  
4. limits only. Ladies and Gentlemen I would appreciate  
5. a favorable support in this bill.

6. PRESIDING OFFICER (SENATOR MOHR):

7. Senator Knuepfer.

8. SENATOR KNUEPFER:

9. Which sanitary district or districts does this apply  
10. to. Senator?

11. PRESIDING OFFICER (SENATOR MOHR):

12. Senator Savickas.

13. SENATOR SAVICKAS:

14. Only to the Metropolitan Sanitary District of greater  
15. Chicago.

16. SENATOR KNUEPFER:

17. Then I have no problem, but if you give...want to  
18. give the quick-take power to many other sanitary districts  
19. I have some very serious reservations cause it is a sub-  
20. stantial and immense power. But if it applies only to your  
21. sanitary district, that's your problem not mine.

22. PRESIDING OFFICER (SENATOR MOHR):

23. Senator Savickas.

24. SENATOR SAVICKAS:

25. Senator...I emphatically say no, it applies only  
26. within the corporate limits of the Sanitary District of  
27. greater Chicago.

28. PRESIDING OFFICER (SENATOR MOHR):

29. Senator Bell.

30. SENATOR BELL:

31. Yes, I'd like to address a question to Senator Savickas.  
32. Senator are all of the...territorial limits of the Chicago  
33. Metropolitan Sanitary District confined within Cook County?

1. PRESIDING OFFICER (SENATOR MOHR):  
2. Senator Savickas.  
3. SENATOR SAVICKAS:  
4. 99% of it.  
5. SENATOR BELL:  
6. Where is that other 1%?  
7. SENATOR SAVICKAS:  
8. I think it runs into...there might be a little lying  
9. at the DuPage, or is it Will? DuPage or Will. Yes, there's  
10. just one little area there that sanitary district services.  
11. PRESIDING OFFICER (SENATOR MOHR):  
12. Senator Bell.  
13. SENATOR BELL:  
14. That's...that's all.  
15. PRESIDING OFFICER (SENATOR MOHR):  
16. Senator McBroom.  
17. SENATOR MCBROOM:  
18. I think Senator Savickas answered my question here when  
19. you responded to Senator Knuepfer. This is within the  
20. corporate limits beyond a shadow of doubt Senator Savickas?  
21. SENATOR SAVICKAS:  
22. Beyond a shadow of doubt and I again refer you to  
23. the statute that are already on the books and this is not...  
24. this legislation does not change the existing statutes  
25. regarding the corporate limits. And...again on page 1845,  
26. Chapter 42 it shows that the sanitary district can only  
27. at this time on sewer work quick-take in its corporate  
28. limits. All this adds is flood control projects. It does  
29. not change the corporate limit structure.  
30. PRESIDING OFFICER (SENATOR MOHR):  
31. Senator McBroom.  
32. SENATOR MCBROOM:  
33. Well, I...discussed this with Senator Savickas a little

1. bit and just very briefly Mr. President I want to point  
2. out the concern of some Members on this side of the aisle  
3. for those Members of the Senate who haven't noticed it  
4. because of the press of business and other things, contrary  
5. to what the Metropolitan Sanitary District had told me  
6. and had told other members on that side of the aisle the  
7. project in Fulton County I think you know Senator Savickas  
8. this has all kinds of problems now. They're attempting  
9. to throw them out and so on. Women have identified the  
10. fact that they have to wash their clothes two and three  
11. times to get the odor out, that they can't have outside  
12. bar-b-ques, I know that this is not the thrust of the bill  
13. but I just want to identify to you Senator Savickas why  
14. I listen very intently whenever I see anything that has  
15. to do with the Metropolitan Sanitary District. That's  
16. all I have to say.

17. PRESIDING OFFICER (SENATOR MOHR):

18. Senator Netsch.

19. SENATOR NETSCH:

20. Mr. President, when...a similar House Bill was here  
21. I had, as I recall voted against it, because I'm generally  
22. opposed to quick-take powers. I do think though that  
23. there are some cases where there is a socially desirable  
24. purpose to eminent domain and to the quick-take part of  
25. it. And it seems to me that a bill that does involve  
26. flood control and is specifically in by its terms limited  
27. to that is probably one of the more defensible purposes  
28. for a quick-take law. So its...its my intention to vote  
29. for it at this time and I have been informed by some of  
30. the people I know in the Sanitary District that they really  
31. do need this and it's very important to some of the projects  
32. that they have in mind. And I would hope that it would be  
33. looked upon favorably.

1. PRESIDING OFFICER (SENATOR MOHR):

2. Senator Merritt. Any further discussion? Senator Harris.

3. SENATOR HARRIS:

4. Mr. President, I just want to point out that its  
5. been made clear here in the debate that the Sanitary  
6. District and we're talking about the Chicago Metropolitan  
7. Sanitary District and no other agency of government already  
8. has this power. For two purposes, the effect of this bill  
9. is to add for the third purpose of flood control projects.  
10. Now is that not correct Senator Savickas?

11. PRESIDING OFFICER (SENATOR MOHR):

12. Senator Savickas.

13. SENATOR SAVICKAS:

14. Yes Senator ...

15. SENATOR HARRIS:

16. Yeah. Ok. That's...the yes is all that's needed.  
17. Now if this were the imposition of a new precedent I can  
18. see where people would have concern about it, but we  
19. know how the development, the continuing growth of paved  
20. over surfaces, roofs create greater and greater problems  
21. for flood control responsibility. As a matter of fact  
22. the subject was a great issue in the last campaign and  
23. we had a fine series of bills that addressed themselves  
24. to a solution to that. So I just say to the Members of  
25. this side that have got some concern about it, I don't  
26. ...think they need to be concerned about it. I think  
27. this is sound legislation and ought to be supported.

28. PRESIDING OFFICER (SENATOR MOHR):

29. Senator Graham.

30. SENATOR GRAHAM:

31. I just wanted to reiterate what Senator Harris...  
32. says in addition to the fact that last year during the  
33. campaign when we had a one man campaign to stop all the

1. flooding in the State of Illinois. That the Sanitary  
2. District did meet us in Rolling Meadows and the Chicago  
3. or the Cook County Park District and the DuPage County  
4. Park District. Their plan that they have outlined for  
5. flood control cannot go ahead without the power granted  
6. them in this bill and this has no relation if I can read  
7. and I think I can to extension of the sewers or anything  
8. other than for flood control as is specifically outlined  
9. within the content...the body of this bill.

10. PRESIDING OFFICER (SENATOR MOHR):

11. Further discussion? Senator Savickas may close.

12. SENATOR SAVICKAS:

13. Thank you Mr. President, Members of the Senate, I  
14. would just emphatically say that it is again within...  
15. just within the corporate limits of the Sanitary District  
16. and solicit your favorable support.

17. PRESIDING OFFICER (SENATOR MOHR):

18. The question is shall HB 1314 pass and on that question  
19. 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. Can we have a little order there's still some people  
33. that would like to vote? Swinarski, aye. Soper, aye.

1. Newhouse, aye. Conolly, aye. On that question the yeas  
2. are fifty-one, the nays are one. HB 1314 having received  
3. the constitutional majority is declared passed. President  
4. Harris.

5. SENATOR HARRIS:

6. Mr. President, Members of the Senate, if I could  
7. have your attention for just a moment please, I want to  
8. advise you of what we are going to do for the remainder  
9. of today. Now we've been quite productive. You've really  
10. been great. We did not have sufficient people here this  
11. morning when we reached the order of House Bills on 2nd  
12. reading so we had to defer that. Now when I announce to  
13. you what we are going to do for the remainder of today  
14. I don't mean for this to imply that you can start drifting  
15. away. The presence of everybody and particularly the  
16. Members on this side of the aisle are required during  
17. this consideration of House Bills on 2nd. I'm going to  
18. suggest that we go that order and get that housekeeping  
19. out of the way and get those amendments up to Enrolling  
20. and Engrossing that have to...succeed our action here.  
21. It looks to me like we've got about forty-five to fifty  
22. minutes of housekeeping and other work to do. At that  
23. point there will be at the request of the chairman of  
24. the caucus he's asked me to announce that there will be  
25. a Republican caucus. We have a good many things to go  
26. over in our caucus and we will be there I'm sure the  
27. full part of an hour. So that as I anticipate it now we  
28. will work until about 6:30 to 6:40, hopefully no later  
29. than 6:40. At that time we will adjourn, we'll get our  
30. housekeeping out of the way and thereupon there will be a  
31. Republican caucus. We will reconvene tomorrow at 9:00.  
32. Do I need to restate our procedure for the remainder of  
33. today? Ok. After any questions I would suggest that we



1. move to the order of House Bills on 2nd reading. Terribly  
2. important and Republicans stick around.

3. PRESIDING OFFICER (SENATOR MOHR):

4. We have...Senator Donnewald.

5. SENATOR DONNEWALD:

6. Yes Mr. President there will be a Democratic caucus  
7. at the same time this evening, approximately at 6:30 or  
8. 6:40. Sixth floor.

9. PRESIDING OFFICER (SENATOR MOHR):

10. Before we go into Senate Bills, or House Bills 2nd,  
11. Senator Harris.

12. SENATOR HARRIS:

13. I did not make clear that the Republican caucus will  
14. be in my office and I will or Senator Weaver will announce  
15. that upon adjournment.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Two quick items that the Secretary has here to  
18. handle.

19. SECRETARY:

20. (Secretary reads Message from Senator Harris)

21. PRESIDING OFFICER (SENATOR MOHR):

22. House Bills, 2nd reading. HB 18, President Harris.  
23. We're on 2nd reading, President Harris you're up, number  
24. one, HB 18. Pass that. HB 32, Senator Davidson. Advance.  
25. Advance 18.

26. SECRETARY:

27. HB 18 (Secretary reads title of bill)

28. 2nd reading of the bill. The Committee on Judiciary offers  
29. one amendment.

30. PRESIDING OFFICER (SENATOR MOHR):

31. Senator Harris.

32. SENATOR HARRIS:

33. This is Senator Rock's amendment I believe. I don't

1. really want to debate it at all unless Senator Rock  
2. wants to add some...understandings. I'll just move  
3. that we do adopt.

4. PRESIDING OFFICER (SENATOR MOHR):

5. President Harris moves the adoption of Amendment  
6. No. 1. All those in favor signify by saying aye. Opposed.  
7. Amendment No. 1 is adopted. Further amendments? 3rd  
8. reading. Senator Davidson, HB 32. Wishes the bill  
9. advanced. Senator Davidson.

10. SENATOR DAVIDSON:

11. I have Amendment No. 8 which we held this which  
12. was ordered to be printed which I'd like the adoption  
13. of Amendment No. 8.

14. PRESIDING OFFICER (SENATOR MOHR):

15. Senator Partee would like to hear what Senator  
16. Davidson is saying, so if you will all be kind enough.  
17. Senator Davidson.

18. SENATOR DAVIDSON:

19. Take it out of the record Mr...Senator Knuepfer hasn't  
20. had a chance to look at this again and he left in agreement  
21. and now he has doubts so take it out of the record.

22. PRESIDING OFFICER (SENATOR MOHR):

23. 32 out of the record. HB 314, Senator McBroom.  
24. HB 370, Senator Welsh. Wishes it advanced.

25. SECRETARY:

26. HB 370 (Secretary reads title of bill)  
27. 2nd reading of the bill. The Committee on Local Government  
28. offers one amendment.

29. PRESIDING OFFICER (SENATOR MOHR):

30. Senator Welsh.

31. SENATOR WELSH:

32. Amendment No. 1 Mr. President, Members of the Senate  
33. to 370 is the same amendment that Senator Nimrod added

1. on to 1359 this morning. The bill will be held until  
2. any further amendments. I would entertain any in the  
3. future. And I move for the adoption of Amendment No. 1.

4. PRESIDING OFFICER (SENATOR MOHR):

5. Senator Nimrod.

6. SENATOR NIMROD:

7. In order to put that Amendment No. 1 on, I mean  
8. No. 2 on you have to...

9. PRESIDING OFFICER (SENATOR MOHR):

10. That's on 370, Amendment No. 1.

11. SECRETARY:

12. There is a committee amendment which is No. 1.

13. SENATOR NIMROD:

14. Committee amendment that what we did was, if you  
15. want to make it the same you have to Table Committee  
16. Amendment No. 1, put on Amendment No. 2 and then you have  
17. to go on and put on Amendment No. 3 otherwise the bill  
18. will not be in the same...3 will not line up properly.

19. PRESIDING OFFICER (SENATOR MOHR):

20. Senator Welsh.

21. SENATOR WELSH:

22. Senator Nimrod is correct. I forgot about the  
23. committee amendment and I do now move that committee  
24. Amendment No. 1 be Tabled.

25. PRESIDING OFFICER (SENATOR MOHR):

26. Senator Welsh moves to reconsider the vote by which  
27. Amendment No. 1 was adopted. All those in favor signify  
28. by saying aye. Opposed. Take that out of the record.  
29. Senator Welsh moves to Table Committee Amendment No. 1.  
30. All those in favor signify by saying aye. Opposed.  
31. Committee Amendment No. 1 is Tabled. Now you have a  
32. further amendment?

33. SECRETARY:

1. Amendment No. 2 by Senator Welsh.  
2. PRESIDING OFFICER (SENATOR MOHR):  
3. Senator Welsh.  
4. SENATOR WELSH:  
5. Yes Mr. President. Amendment No. 2 is the same  
6. amendment that Senator Nimrod and this Body adopted that  
7. Senator Nimrod offered and the Body adopted this morning  
8. on HB 1359. I do move that we adopt Amendment 2.  
9. PRESIDING OFFICER (SENATOR MOHR):  
10. Senator Welsh moves the adoption of Amendment No. 2.  
11. All those in favor signify by saying aye. Opposed. Amend-  
12. ment No. 2 is adopted. Senator Nimrod.  
13. SENATOR NIMROD:  
14. I think this bill is still, what you have to do is  
15. put Amendment 2 on before you put 3...I would suggest you...  
16. you've got the thing confused at this point and for what  
17. you want.  
18. PRESIDING OFFICER (SENATOR MOHR):  
19. He has just adopted Amendment No. 2 Senator.  
20. SENATOR NIMROD:  
21. Yeah.  
22. PRESIDING OFFICER (SENATOR MOHR):  
23. Now do you have another...  
24. SENATOR NIMROD:  
25. Yeah, but Amendment No. 2 will not fit into the bill  
26. as it stands right now.  
27. PRESIDING OFFICER (SENATOR MOHR):  
28. Well, I'm going to suggest that Amendment No. 2...  
29. Amendment No. 2 has been adopted, now do you have a further  
30. amendment? Do you have a further amendment Senator? Senator  
31. Partee.  
32. SENATOR PARTEE:  
33. Does he have Amendment No. 3?

1. PRESIDING OFFICER (SENATOR MOHR):  
2. Do you have Amendment No. 3?  
3. SENATOR NIMROD:  
4. Yeah. Do I understand then that what Amendment 3 is  
5. or Amendment 2 is 2 and 3, you've combined those? I've  
6. never seen that amendment before I go ahead you know...I...  
7. I agree to serve it, I think we should have gotten a copy  
8. of that before we go ahead.  
9. PRESIDING OFFICER (SENATOR MOHR):  
10. Well, the amendment has been adopted. I would  
11. suggest the two Senators get together and...  
12. SENATOR NIMROD:  
13. Would you agree then to pull it back if it's not in  
14. proper order?  
15. PRESIDING OFFICER (SENATOR MOHR):  
16. If it's not in proper order the Senator agrees to  
17. bring it back. Any further amendments? 3rd reading.  
18. 447, Senator Ozinga.  
19. SECRETARY:  
20. HB 447 (Secretary reads title of bill)  
21. 2nd reading of the bill. The Committee on Appropriations  
22. offers one amendment.  
23. PRESIDING OFFICER (SENATOR MOHR):  
24. Senator Ozinga.  
25. SENATOR OZINGA:  
26. Move the adoption of that amendment.  
27. PRESIDING OFFICER (SENATOR MOHR):  
28. Senator Ozinga moves the adoption of Amendment No. 1.  
29. All those in favor signify by saying aye. Opposed.  
30. Amendment No. 1 is adopted. Senator Ozinga.  
31. SECRETARY:  
32. Amendment No. 2...  
33. SENATOR OZINGA:

1. Another amendment on the Secretary's desk which is  
2. nothing more than the cost of living pay plan amendment  
3. which was brought up before the Appropriations Committee  
4. meeting the other night and agreed to by them that it would  
5. be put on today and was shown to both sides. Move it's adoption.

6. PRESIDING OFFICER (SENATOR MOHR):

7. Senator Ozinga moves the adoption of Amendment No. 2.  
8. All those in favor signify by saying aye. Opposed.  
9. Amendment No. 2 is adopted. Further amendments? 3rd  
10. reading. 485, Senator Rock. Move it.

11. SECRETARY:

12. HB 485 (Secretary reads title of bill)  
13. 2nd reading of the bill. No committee amendments.

14. PRESIDING OFFICER (SENATOR MOHR):

15. Senator Rock.

16. SENATOR ROCK:

17. There has been some suggestion that this bill will  
18. be Tabled. That's more than likely, I would just like  
19. it moved to 3rd and we can always Table it at that point.

20. PRESIDING OFFICER (SENATOR MOHR):

21. Any amendments from the Floor? 3rd reading.  
22. 495, Senator Nimrod.

23. SECRETARY:

24. HB 495 (Secretary reads title of bill)  
25. 2nd reading of the bill. The Committee on Appropriations  
26. offers one amendment.

27. PRESIDING OFFICER (SENATOR MOHR):

28. Senator Nimrod moves the adoption of Amendment No. 1.  
29. All those in favor signify by saying aye. Opposed. Amend-  
30. ment No. 1 is adopted. Further amendments? 3rd reading.  
31. 555, hold it. 586, Senator Weaver. Move it.

32. SECRETARY:

33. HB 586 (Secretary reads title of bill)

1. 2nd reading of the bill. No committee amendments.

2. PRESIDING OFFICER (SENATOR MOHR):

3. Any amendments from the Floor? 3rd reading. 603,

4. Senator Dougherty, hold it. 610, Senator Buzbee. Advance.

5. SECRETARY:

6. HB 610 (Secretary reads title of bill)

7. 2nd reading of the bill. The Committee on Appropriations

8. offers Amendments numbered one and two.

9. PRESIDING OFFICER (SENATOR MOHR):

10. Senator McBroom moves the adoption of Amendment No. 1

11. on HB 610.

12. SENATOR McBROOM:

13. Yes, yes I do.

14. PRESIDING OFFICER (SENATOR MOHR):

15. All those in favor signify by saying aye. Opposed.

16. Amendment No. 1 is adopted. Amendment No. 2, Senator

17. McBroom.

18. SENATOR McBROOM:

19. Move the adoption of Amendment No. 2.

20. PRESIDING OFFICER (SENATOR MOHR):

21. Senator McBroom moves the adoption of Amendment No. 2.

22. All those in favor signify by saying aye. Opposed. Amendmant

23. No. 2 is adopted. Further amendments? 3rd reading. 684,

24. Senator Hynes. Hold it. 771, Senator Schaffer, move it.

25. SECRETARY:

26. HB 771 (Secretary reads title of bill)

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

28. PRESIDING OFFICER (SENATOR MOHR):

29. Any amendments from the Floor? 3rd reading. 780,

30. Senator Bruce. Advance.

31. SECRETARY:

32. HB 780 (Secretary reads title of bill)

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

1. PRESIDING OFFICER (SENATOR MOHR):  
2. Any amendments from the Floor? 3rd reading. 789,  
3. Senator Course. Advance.  
4. SECRETARY:  
5. HB 789 (Secretary reads title of bill)  
6. 2nd reading of the bill. The Committee on Appropriations  
7. offers one amendment.  
8. PRESIDING OFFICER (SENATOR MOHR):  
9. Senator McBroom moves the adoption of Amendment No. 1.  
10. Senator Course.  
11. SENATOR COURSE:  
12. Mr. President on the Clerk's desk is a...or Secretary's  
13. desk is a...an amendment.  
14. PRESIDING OFFICER (SENATOR MOHR):  
15. Well, we're on the motion of adopting Amendment No. 1.  
16. Senator McBroom.  
17. SENATOR McBROOM:  
18. Senator Course, yes, I'd like to ask a question if  
19. I may now. Is that the amendment I know you just got it  
20. in your hands a few minutes ago, I'm surprised you have it  
21. this quickly. Does that include the \$10,000,000 for the  
22. refunds or does it not?  
23. SENATOR COURSE:  
24. It does not Senator McBroom.  
25. PRESIDING OFFICER (SENATOR MOHR):  
26. Let's...can we...are we in agreement on Amendment No. 1?  
27. SENATOR McBROOM:  
28. Yes, that's...  
29. PRESIDING OFFICER (SENATOR MOHR):  
30. All right, let's ...Senator McBroom moves the adoption  
31. of Amendment No. 1. All those in favor signify by saying  
32. aye. Opposed. Amendment No. 1 is adopted. Further amendments?  
33. SECRETARY:



1. Amendment No. 2 by Senator Course.

2. PRESIDING OFFICER (SENATOR MOHR):

3. Senator Course will you explain the amendment?

4. SENATOR COURSE:

5. Yes Mr. President. Amendment No. 2 to HB 789 adds  
6. \$509,100. It's for thirteen data input operators, fifteen  
7. data...input operators for a nine months of the year. It  
8. also, it takes care of the retirement contributions to the  
9. pension plan, social security and in the tax...in the operations  
10. group it adds ten accountant technicians for six months,  
11. it adds 31 collection officers for six months. It also  
12. adds retirement contribution, adds social security and  
13. it adds travel for six months, the amount is \$23,250.  
14. And the total amount is \$509,100 and I cleared this with  
15. Senator McBroom. And I move the adoption.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Senator McBroom.

18. SENATOR MCBROOM:

19. Yes, Mr. President, Members of the Senate we have  
20. no...objection to this. I discussed it with Senator Course  
21. and with his staff, with our staff. It's necessary to  
22. have these collectors. There's no point in auditing people  
23. if there's no vehicle to collect the money and I think it's  
24. a good amendment. It's still under the March 7 budget  
25. and I would urge the Members on this side of the aisle  
26. to support Senator Course.

27. PRESIDING OFFICER (SENATOR MOHR):

28. Senator Course moves the adoption of Amendment No. 2.  
29. All those in favor signify by saying aye. Opposed.  
30. Amendment No. 2 is adopted. Further amendments? 3rd  
31. reading. 802, Senator Weaver. Table? HB 8... 82...  
32. 880, Senator... ...3.

33. SECRETARY:

1. HB 903 (Secretary reads title of bill)  
2. 2nd reading of the bill. No committee amendments.  
3. PRESIDING OFFICER (SENATOR MOHR):  
4. Any amendments from the Floor? 3rd reading. 911,  
5. Senator Clarke. 918, Senator Swinarski. Senator Swinarski,  
6. 918, hold it. 954, Senator Vadalabene. Move it. Advance it.  
7. SECRETARY:  
8. HB 954 (Secretary reads title of bill)  
9. 2nd reading of the bill. The Committee on Appropriations  
10. offers two amendments.  
11. PRESIDING OFFICER (SENATOR MOHR):  
12. Senator McBroom moves the adoption of...Senator  
13. McBroom move the adoption of Amendment No. 1?  
14. SENATOR MCBROOM:  
15. Yes. It's the pay plan. I move the adoption.  
16. PRESIDING OFFICER (SENATOR MOHR):  
17. All those in favor signify by saying aye. Opposed.  
18. Amendment No. 1 is adopted. Senator McBroom.  
19. SENATOR MCBROOM:  
20. Amendment No. 2 is...consolidates the SB 614 for  
21. library grants and SB 1171 which was the appropriation  
22. for the vehicle recycling board. I move the adoption  
23. of Amendment No. 2.  
24. PRESIDING OFFICER (SENATOR MOHR):  
25. Senator McBroom moves the adoption of Amendment No. 2:  
26. All those in favor signify by saying aye. Opposed. Amend-  
27. ment No. 2 is adopted. Further amendments? 3rd reading.  
28. 998, Senator Davidson, advance.  
29. SECRETARY:  
30. HB 998 (Secretary reads title of bill)  
31. 2nd reading of the bill. No committee amendments.  
32. PRESIDING OFFICER (SENATOR MOHR):  
33. Amendments from the Floor? 3rd reading. 999, Senator

1. Schaffer. 1152, Senator Kenneth Hall. Advance it.  
2. SECRETARY:  
3. HB 1152 (Secretary reads title of bill)  
4. 2nd reading of the bill. The Committee on Appropriations  
5. offers one amendment.  
6. PRESIDING OFFICER (SENATOR MOHR):  
7. Senator McBroom.  
8. SENATOR MCBROOM:  
9. Pay plan. I move the adoption.  
10. PRESIDING OFFICER (SENATOR MOHR):  
11. Senator McBroom moves the adoption of Amendment No. 1.  
12. All those in favor signify by saying aye. Opposed.  
13. Amendment No. 1 is adopted. Any amendments from the  
14. Floor? 3rd reading. 1268, Senator Knuppel. 1282,  
15. Senator Harber Hall. HB 1324, Senator Latherow. Advance it.  
16. SECRETARY:  
17. HB 1324 (Secretary reads title of bill)  
18. 2nd reading of the bill. No committee amendments.  
19. PRESIDING OFFICER (SENATOR MOHR):  
20. Senator Latherow.  
21. SENATOR LATHEROW:  
22. Senator Partee I think we're going to have to work  
23. on some amendments on this piece of legislation. We'll  
24. move it to 3rd and then back it up to do that, under...  
25. with that understanding.  
26. PRESIDING OFFICER (SENATOR MOHR):  
27. The understanding it be brought back to 2nd for  
28. amendments. That is requested. No amendments from the  
29. Floor? 3rd reading. 1570, Senator Conolly. Senator  
30. Conolly, 1570, advance it.  
31. SECRETARY:  
32. HB 1570 (Secretary reads title of bill)  
33. 2nd reading of the bill. No committee amendments.

1. PRESIDING OFFICER (SENATOR MOHR):
2. Any amendments from the Floor? 3rd reading. 1639,
3. Senator Carroll. Hold it. 1647, Senator Walker. Advance it.
4. SECRETARY:
5. HB 1647 (Secretary reads title of bill)
6. 2nd reading of the bill. No committee amendments.
7. PRESIDING OFFICER (SENATOR MOHR):
8. Any amendments from the Floor? 3rd reading. 1832,
9. Senator Harber Hall. Hold it. 1937, Senator McBroom.
10. Advance. Hold it. We have a couple of House Bills on
11. 3rd that Members would like brought back to 2nd for the
12. purpose of amendment. HB 311, Senator Carroll. Is there
13. leave on 311? Leave is granted. Senator Carroll.
14. SENATOR CARROLL:
15. Thank you Mr. President, at this time I would ask
16. leave to bring back HB 311 from 3rd reading to 2nd read-
17. ing for purposes of amendment. And I would then move
18. to reconsider the vote by which Amendment No. 1 was
19. adopted for the purpose of Tabling that amendment to
20. replace it with a corrective amendment. There were the
21. wrong line numbers on the committee amendment. 311.
22. PRESIDING OFFICER (SENATOR MOHR):
23. 311
24. SENATOR CARROLL:
25. It's already up there, thank you Joey.
26. PRESIDING OFFICER (SENATOR MOHR):
27. Senator Carroll moves to reconsider the vote by
28. which Amendment No. 1 was...excuse me, adopted. All
29. those in...Senator Mitchler.
30. SENATOR MITCHLER:
31. Could we see a copy of that amendment first? .
32. PRESIDING OFFICER (SENATOR MOHR):
33. Senator Carroll.

1. SENATOR CARROLL:

2. Yes, Senator Harris' staff was given a copy several  
3. hours ago. Bob what it does is in each place the line  
4. numbers on the committee amendment were five lines off,  
5. so that 20 was 25, 21 and 26, 25 is 30 and 26 is 31.

6. PRESIDING OFFICER (SENATOR MOHR):

7. Senator Mitchler.

8. SENATOR MITCHLER:

9. Is there any change in the language of amendment...  
10. this just a technical. Ok.

11. PRESIDING OFFICER (SENATOR MOHR):

12. We're on the motion to reconsider the vote by which  
13. Amendment No. 1 was adopted. All those in favor of Tabling  
14. Amendment No. 1 or reconsider Amendment No. 1 signify by  
15. saying aye. Opposed. Motion carries. Now Senator Carroll.

16. SENATOR CARROLL:

17. I would now move that we Table Amendment No. 1.

18. PRESIDING OFFICER (SENATOR MOHR):

19. Senator Carroll moves to Table Amendment No. 1. All  
20. those in favor signify by saying aye. Opposed. Amendment  
21. No. 1 is Tabled. Senator Carroll.

22. SENATOR CARROLL:

23. I would now ask the Secretary to read what would be  
24. I guess Amendment No. 2 which would be the identical  
25. amendment only putting it in the proper line number so  
26. that it fits properly into the bill.

27. PRESIDING OFFICER (SENATOR MOHR):

28. Secretary will read Amendment No. 2.

29. SECRETARY:

30. Amend HB 311 after line 25 by adding the following:

31. Section 3. No person...

32. PRESIDING OFFICER (SENATOR MOHR):

33. Senator Carroll.

1. SENATOR CARROLL: .  
2. This is the identical substantive language as...as  
3. the amendment that was offered and adopted in the committee  
4. and I would move its adoption on the Floor.  
5. PRESIDING OFFICER (SENATOR MOHR):  
6. Senator Carroll moves the adoption of Amendment No. 2.  
7. All those in favor signify by saying aye. Opposed. Amendment  
8. No. 2 is adopted. Further amendments? 3rd reading. Senator  
9. Knuepfer.  
10. SENATOR KNUEPFER:  
11. I would ask leave to bring HB1628 back to the order  
12. of 2nd reading for the purpose of adding an amendment.  
13. PRESIDING OFFICER (SENATOR MOHR):  
14. Is there leave to bring HB 1628 back to the order  
15. of 2nd reading? Leave is granted.  
16. SENATOR KNUEPFER:  
17. Now if I can have Senator Saperstein's attention,  
18. there is an Amendment No. 1 on there I believe. I would  
19. move that Amendment No. 1...well, let's see I have to move  
20. to reconsider the vote to Table it first, huh? If I get  
21. my parliamentary procedure correct I think I have to move  
22. the...to reconsider the vote by which Amendment No. 1 was  
23. adopted.  
24. PRESIDING OFFICER (SENATOR MOHR):  
25. Senator Knuepfer moves to reconsider the vote by  
26. which Amendment No. 1 was adopted. All those in favor  
27. signify by saying aye. Opposed. Now your next motion  
28. Senator.  
29. SENATOR KNUEPFER:  
30. Then I'd move to Table Amendment No. 1.  
31. PRESIDING OFFICER (SENATOR MOHR):  
32. Senator Knuepfer moves to Table Amendment No. 1. All  
33. those in favor signify by saying aye. Opposed. Amendment

1. No.1 is Tabled. Senator Knuepfer.

2. SENATOR KNUEPFER:

3. Ok. Now, I will offer Amendment No. 2 and for the  
4. Clerk's records purposes, Amendment No. 2 I have marked  
5. 2 on there. Amendment No. 2, I've discussed this incidently  
6. on the other side both with Senator Saperstein and Senator  
7. Hynes. Amendment No. 2 does exactly what Amendment No. 1 did  
8. relating to the Chicago Junior College System except that  
9. it enables us after we've done it to put Amendment No. 3  
10. on. So I would move the adoption of Amendment No. 2.

11. PRESIDING OFFICER (SENATOR MOHR):

12. Senator Knuepfer moves the adoption of Amendment No. 2.  
13. All those in favor signify by saying aye. Opposed. Amendment  
14. No. 2 is adopted. Senator Knuepfer.

15. SENATOR KNUEPFER:

16. Then I would move the adoption of Amendment No. 3.  
17. Now what Amendment No. 3 was an agreed committee amendment  
18. that we didn't have drafted. And what it does is this  
19. relates to students who serve on college boards as non-  
20. voting members. Amendment No. 3 resolves the problem of  
21. the quorum by suggesting that students will not constitute  
22. a quorum so that their absence will not cause the boards  
23. actions to be declared invalid. So I would move the  
24. adoption of Amendment No. 3.

25. PRESIDING OFFICER (SENATOR MOHR):

26. Senator Knuepfer moves the adoption of Amendment No. 3.  
27. All those in favor signify by saying aye. Opposed. Amendment  
28. No. 3 is adopted. Further amendments? 3rd reading. Senator  
29. Fawell. Senator Knuepfer.

30. SENATOR KNUEPFER:

31. I have two more bills that I would like to amend. I  
32. would like...ask leave of the Body to return HB 1370 to the  
33. order of 2nd reading for the purpose of an amendment and if

1. I can get a page here I'll send the amendment up. No, I want...  
2. No, I want to move HB 1370 to the order of 2nd reading  
3. for the purpose of amending.

4. PRESIDING OFFICER (SENATOR MOHR):

5. Senator Knuepfer asks leave of the Body to bring  
6. back HB 1370 to the order of 2nd reading for the purpose  
7. of amendment. Is there leave? Is there leave? Senator  
8. Partee.

9. SENATOR PARTEE:

10. Make it alot easier for us if we had copies of these  
11. amendments. We probably might not have any objection but,  
12. you take...we don't have copies of it. If you're going to  
13. do that send us a copy so we can see it.

14. PRESIDING OFFICER (SENATOR MOHR):

15. That's a very good point. Senator Knuepfer.

16. SENATOR KNUEPFER:

17. While the copies are on the way over there Senator  
18. Partee, I can explain the amendment. This was an  
19. amendment that was an agreed on committee amendment.  
20. Again we did not have the...time in the committee to  
21. draft the amendment. I think Senator Hynes and Senator  
22. Saperstein are aware of what this amendment does. And  
23. here's what it does. It provides a cut-off period so  
24. that the inaction of the OSPI will not cause a contract  
25. to simply sit in limbo. So that it gives the OSPI 45  
26. days to make up his mind and if he doesn't make up his  
27. mind in 45 days then the contract goes through. But  
28. the way the bill is presently written if the Superintendent  
29. didn't get around to doing anything or if the OSPI didn't  
30. get around to taking any action on it there might be no  
31. bus contract between the bus contractor and the local  
32. school district. And it changes secondly the effective  
33. date of the act to January 1, '74 to give the OSPI



1. time to gear up for this.

2. PRESIDING OFFICER (SENATOR MOHR):

3. Senator Hynes. No. Gentlemen so we don't complicate  
4. this any further beyond this bill, it had been agreed  
5. last week that amendments would be filed with the Secretary,  
6. a copy delivered to President Harris, to Senator Partee  
7. for their evaluation before any action were to be taken.  
8. Now we ask every member comply. Again, an amendment brought  
9. down to the Secretary and one to Senator Partee and one to  
10. Senator Harris so they may be looked at, so we don't get into  
11. this hassle. Further discussion? Senator Knuepfer moves  
12. the adoption of Amendment No. 1 to HB 1370. All those in  
13. favor signify by saying aye. Opposed. Amendment No. 1  
14. is adopted. Further amendments? 3rd reading. What is  
15. your third one Senator?

16. SENATOR KNUEPFER:

17. It's the only amendment, no, this is the last one  
18. that I have is an amendment to HB 1470.

19. PRESIDING OFFICER (SENATOR MOHR):

20. All right, let's see if the Secretary has it and then  
21. Senator Partee has a copy. 1470.

22. SENATOR KNUEPFER:

23. It was just sent over there, he hasn't had it very  
24. long. This again and if Senator Fawell is listening and  
25. Senator Hynes, this was in effect an agreed committee  
26. amendment. It passed out with the agreement that this be  
27. put on. The bill itself provides a 7% limitation on any  
28. increases in bus fares. And what the amendment does is  
29. allow justifiable exception to the 7%. Now there may be  
30. an occasion for example the school district acquiring  
31. substantial new territory or a new housing development  
32. in which the 7% guide lines would have to be overridden  
33. and this amendment provides that the exemption machinery

1. so that exception could be authorized by OSPI. And I  
2. would move the adoption of the amendment.

3. PRESIDING OFFICER (SENATOR MOHR):

4. I think the first order of business is ask leave  
5. of the Body to bring HB 1470 back to the order of 2nd  
6. reading. Is there leave? 2nd reading. And now Senator  
7. Knuepfer moves the adoption...1470. Senator Knuepfer  
8. moves the adoption of Amendment No. 1. All those in  
9. favor signify by saying aye. Opposed. Amendment No. 1  
10. is adopted. Further amendments? 3rd reading. Senator  
11. Sommer.

12. SENATOR SOMMER:

13. Mr. President Members of the Senate on Friday I  
14. filled a notice that I would move to reconsider the  
15. vote on HB 1640. At this time I would ask leave that  
16. we do this tomorrow instead of today because of the time  
17. problem.

18. PRESIDING OFFICER (SENATOR MOHR):

19. Senator Sommer has filed a motion to reconsider the  
20. vote by which HB 1640 passed, and would like leave of the  
21. Body to have this heard tomorrow. Is there leave? So  
22. ordered. HB 803, Senator Regner. Senator Regner would like  
23. leave of the Body to bring HB 803 back to the order of  
24. 2nd reading for the purpose of an amendment. Is there  
25. leave? Leave. Senator Regner will you explain your  
26. amendment?

27. SENATOR REGNER:

28. Yes Mr. President I have the amendment on the  
29. Secretary's desk and there had been some question raised  
30. as to the constitutionality of the bill as written and  
31. I think that this will conform it to the Constitution.  
32. We won't have that problem. And I would move for the  
33. adoption of Amendment No. 3 to HB 803.

1. PRESIDING OFFICER (SENATOR MOHR):

2. Senator Regner moves the adoption of Amendment No. 3.  
3. All those in favor signify by saying aye. Opposed.  
4. Amendment No. 3 is adopted. Further amendments? 3rd  
5. reading. Senator Hynes, HB 1443. Senator McCarthy.  
6. SENATOR MCCARTHY:

7. A parliamentary inquiry. What are the rules insofar  
8. as when we reach this order of business about moving,  
9. sponsors moving their bills or asking for leave to move  
10. their bills back to 2nd for purposes of amendment. I  
11. heard you say something about filing amendments with the  
12. Secretary, getting copies to the leadership on both  
13. sides of the aisle. Is that at this time or the day  
14. before or is there any fixed ruling? I am a little...

15. PRESIDING OFFICER (SENATOR MOHR):

16. The amendments are first placed with the Secretary  
17. and then one delivered to the leadership on both sides  
18. of the aisle and if there's objection from them we will  
19. hold the bill. If they clear them we will act on the  
20. amendment. I think for...the leadership of both sides  
21. it's up to them to make that determination whether it'd  
22. be all right to go ahead with the bill. Senator Hynes,  
23. 1443.

24. SENATOR HYNES:

25. I'd ask leave to bring HB 1443 back to the order of  
26. 2nd reading for the purpose of amendment.

27. PRESIDING OFFICER (SENATOR MOHR):

28. Senator Hynes asks leave of the Body to bring  
29. HB 1443 back to the order of 2nd reading for the purpose  
30. of an amendment. Is there leave? Is there leave? Leave  
31. is granted. 2nd reading. Will you explain you amendment?

32. SENATOR HYNES:

33. I have shown copies of the amendment to the other

1. side and I...I don't know of any objection. This amendment  
2. will put HB 1443 in form identical to SB 998 which is  
3. presently on 3rd reading here in the Senate. The...the  
4. amendment in effect adds the authority to issue bonds which  
5. is in 998 and is not in 1443. In other respects the  
6. two bills were identical. I move the adoption of the  
7. amendment.

8. PRESIDING OFFICER (SENATOR MOHR):

9. Senator Hynes moves the adoption of Amendment No. 1.  
10. All those in favor signify by saying aye. Opposed. Amend-  
11. ment No. 1 is adopted. Further amendments? 3rd reading.  
12. Senator Netsch.

13. SENATOR NETSCH:

14. Mr. President I'd like to bring HB 1556 back to the  
15. order of 2nd reading for purposes of an amendment.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Senator Harris.

18. SENATOR HARRIS:

19. I...I just had a chance, I just received that amendment.  
20. We haven't had a chance to check it out. Could...could we  
21. hold this?

22. SENATOR NETSCH:

23. ...yes it was worked out by Rick Carlson and I...

24. SENATOR HARRIS:

25. Oh, it was.

26. SENATOR NETSCH:

27. Yes.

28. SENATOR HARRIS:

29. All right.

30. SENATOR NETSCH:

31. This amendment...

32. SENATOR HARRIS:

33. Senator Clarke is telling me, I just had it laid on

1. my desk a moment ago and I hadn't had a chance to check it  
2. out. So if it meets with Senator Clarke's approval it's  
3. ok. We'll proceed.

4. PRESIDING OFFICER (SENATOR MOHR):

5. Is there leave to return HB 1556 back to the order  
6. of 2nd reading? Leave is granted. Now will you explain  
7. your amendment Senator.

8. SENATOR NETSCH:

9. The...Mr. President, the amendment achieves exactly  
10. the same result as the original bill but by eliminating  
11. some additional language. It has to do with the definition  
12. of gross rent in the circuit breaker law. And what we have  
13. done is to eliminate a good deal of language that is  
14. confusing. The...original purpose of the bill was to  
15. put the people who file in a position where they would  
16. not have to compute some of their deductions. This does  
17. the same thing but just eliminates all the rest of the  
18. language. The committee had originally approved it and  
19. the purpose is exactly the same in this form. Any questions?  
20. I move adoption.

21. PRESIDING OFFICER (SENATOR MOHR):

22. Senator Netsch moves the adoption of Amendment No. 1.  
23. All those in favor signify by saying aye. Opposed.  
24. Amendment No. 1 is adopted. Any further amendments?  
25. 3rd reading. Any other Senators having bills on 3rd  
26. they'd like brought back to 2nd for the purpose of an  
27. amendment? Now's the time to do it. Resolutions.

28. SECRETARY:

29. Senate... Senate Resolution 229 by Senator Mitchler  
30. and all Members of the Senate. And it's congratulatory.

31. PRESIDING OFFICER (SENATOR MOHR):

32. Senator Mitchler.

33. SENATOR MITCHLER:

1. Move suspension of the rules, immediate consideration  
2. and adoption of the amendment...

3. PRESIDING OFFICER (SENATOR MOHR):

4. Senator Mitchler moves suspension of the rules.

5. All those...and the immediate consideration of adoption  
6. of Resolution 229. All those in favor of suspension  
7. of the rules signify by saying aye. Opposed. The rules  
8. have been suspended. Now Senator Mitchler moves the  
9. adoption of Resolution 229. All those in favor signify  
10. by saying aye. Is anybody in favor of this Resolution?  
11. Is the sponsor in favor of the Resolution? Senator Mitchler  
12. would you like the Resolution held over till tomorrow or  
13. would you like to say aye tonight? Ok. Thank you. The  
14. Resolution is adopted. The next...Any further business to  
15. come before the Senate? Senator Weaver has an announcement  
16. on a caucus.

17. SENATOR WEAVER:

18. Mr. President there'll be a Republican caucus immediately  
19. in the President's office.

20. PRESIDING OFFICER (SENATOR MOHR):

21. There'll be a Death Resolution, will...ask that all  
22. members be in their seats and...unauthorized personnel be  
23. off the Floor. Senator Bartulis, Senator Bruce, Senator  
24. Latherow. Senator Davidson. Senator Davidson, Senator  
25. Bartulis.

26. SECRETARY:

27. Senate Resolution 230 by Senators McBroom, Harris,  
28. and Graham.

29. (Secretary reads Senate Resolution 230)

30. PRESIDING OFFICER (SENATOR MOHR):

31. Senator McBroom.

32. SENATOR McBROOM:

33. Mr. President just briefly we all have these things

1. sometimes and for many years I have been his precinct  
2. committeeman, he's been my alderman. And I think for  
3. those who serve in this Body they know that's just about  
4. as close as two people can be. I move for the suspension  
5. of the rules, the immediate adoption of the Resolution.

6. PRESIDING OFFICER (SENATOR MOHR):

7. Senator McBroom moves for the suspension of the  
8. rules. All those in favor signify by saying aye. Opposed.  
9. Rules have been suspended. Now Senator McBroom moves for  
10. the immediate adoption. All those in favor please arise.  
11. Resolution is adopted. Senator McBroom.

12. SENATOR MCBROOM:

13. I'd like leave of the Body for all Members to be  
14. added to that if I may.

15. PRESIDING OFFICER (SENATOR MOHR):

16. All Members will be shown. The Senate stands adjourned  
17. until 9:00 a.m. tomorrow morning.