

79th GENERAL ASSEMBLY

REGULAR SESSION

MAY 6, 1976

1. PRESIDENT:

2. The hour of ten-thirty having arrived, the Senate will
3. come to...eleven-thirty having arrived, the Senate will come
4. to order. The prayer will be by the Reverend Rudolph
5. S. Shoultz, Union Baptist Church, Springfield, Illinois.
6. Will our guests in the gallery rise for the prayer.

7. REVEREND SHOULTZ:

8. (Prayer by Reverend Shoultz)

9. PRESIDENT:

10. Reading of the Journal. Senator Smith. Just a minute
11. Senator, so it can be on the record. Go right ahead.

12. SENATOR SMITH:

13. I move that reading and approval of the Journals of
14. Tuesday, May the 4th, 1976, and Wednesday, May the 5th, 1976,
15. be postponed pending arrival of the printed Journals.

16. PRESIDENT:

17. You heard the motion. All in favor say Aye. Opposed Nay.
18. The Ayes have it. The motion carries. Committee reports.

19. SECRETARY:

20. Senator Hynes, Chairman of Appropriation Committee reports
21. out the following bills: Senate Bill 1593, 1863, and House Bill
22. 3156, with the recommendation Do Pass. Senate Bill 1685, 1741,
23. 1791, 1792, 1795 and 1889 with the recommendation Do Pass
24. as amended.

25. Senator Carroll, Vice-Chairman of Revenue Committee reports
26. out the following bills: Senate Bill 1754 and 1755, with the
27. recommendation Do Pass.

28. PRESIDENT:

29. Message from the House.

30. SECRETARY:

31. A Message from the House by Mr. O'Brien, Clerk.

32. Mr. President - I am directed to inform the Senate that
33. the House of Representatives has concurred with the Senate in the

1. adoption of the following Joint Resolution, to-wit:

2. Senate Joint Resolution 65, along with two amendments,
3. House Amendments No.1 and No. 2.

4. PRESIDENT:

5. Secretary's Desk.

6. SECRETARY:

7. A Message from the House, by Mr. O'Brien, Clerk.

8. Mr. President - I am directed to inform the Senate
9. that the House of Representatives has passed bills with the
10. following titles in the passage of which I am instructed to
11. ask the concurrence of the Senate, to-wit:

12. House Bills 3385 and 3212.

13. PRESIDENT:

14. Rules Committee. Senator Rock moves that the Senate
15. stand in recess for a few moments while the Rules Committee
16. continues with its...objection duly noted and overruled and
17. ignored. The Senate will be in recess. Approximately twenty
18. to thirty minutes, I would say.

19. (RECESS)

20. PRESIDENT:

21. Senator Mohr and Senator Harris, Senator Donnewald,
22. Senator Rock, would you please come in the office for this
23. meeting, please.

24. (AFTER RECESS)

25. PRESIDENT:

26. Will all not entitled to the Floor please leave the Floor.
27. Senate Bills on 2nd reading. Senate Bill 1533, Senator Bell.
28. Senate Bill 1534, Senator Bell. Senate Bill 1535, Senator Hynes.
29. Senate Bill 1590, Senator Vadalabene. Read the bill.

30. SECRETARY:

31. Senate Bill 1590.

32. (Secretary reads title of the bill)

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

S.B. 1591
2nd Reading
5-6-76

1. PRESIDENT:

2. Any amendments from the Floor? 3rd reading. Senate
3. Bill 1591, Senator Vadalabene. Read the bill.

4. SECRETARY:

5. Senate Bill 1591.

6. (Secretary reads title of the bill)

7. 2nd reading of the bill. No committee amendments. One Floor
8. amendment offered by Senator Vadalabene.

9. PRESIDENT:

10. Senator Vadalabene. Explain the amendment.

11. SENATOR VADALABENE:

12. Yes. Amendment No. 1 to Senate Bill 1591 are designed to
13. accomplish the following: the amendment on lines five through
14. eight is to insure that the Department of Business and Economic
15. Development, which is the approving department, receives
16. the financial plan, some evidence of the source and method of
17. obtaining the paying...the local share and requires a passage
18. at a public meeting of the ordinance or resolution approving
19. the financial plan which incorporates the local share. (b)
20. the amendment on line eleven is designed to freeze the limitation
21. which is tied to...which is tied to assessed valuation...to the
22. assessed valuation for the year 1975 so that there will be no
23. escalating limits. The amendment to Senate Bill 15...hold it.
24. The amendment on page nine provides language which allows the
25. Governor and the Director of the Bureau of the Budget to transfer
26. at any time during the year those amounts in the fund which are
27. in excess of a hundred and ten percent of the amount required to
28. pay to auditorium authorities during that fiscal year. The bill
29. presently provides that the Governor could not make such transfer
30. until July 1 and this amendment will clear up that situation.
31. And...also in Senate Bill 1591 an amendment...in this Amendment
32. No. 1 it's designed to accomplish that on page eight it removes
33. the provision which would require the State to pay the cost of
34. issuing the bonds and require the auditorium authorities to

SB 1591
2nd Reading
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1. those costs, and I move for the adoption of the amendment.

2. PRESIDENT:

3. Any discussion? Senator Vadalabene moves the adoption
4. of Amendment No. 1 to Senate Bill 1591. All in favor say
5. Aye. Opposed Nay. The Ayes have it. Amendment No. 1
6. is adopted. Any further amendments? 3rd reading.
7. Senate Bill 1533, Senator Bell.

8. SENATOR BELL:

9. Mr. President...

10. SECRETARY:

11. Senate Bill 1533.

12. (Secretary reads title of the bill)

13. 2nd reading of the bill. No committee amendments.

14. PRESIDENT:

15. Any amendments from the Floor? Senator Bell.

16. SENATOR BELL:

17. Thank you, Mr. President. It's brought to my attention
18. just a few moments ago that it is necessary to attach two
19. amendments to these bills. In reference to Senate Bill 1533,
20. it's necessary to update the...the purchase price or the
21. valuation and we deleted the figure of fourteen thousand
22. three hundred and inserted in lieu there-of the following
23. seventeen thousand dollars, and the reason for that is because
24. of the difference in time from the last valuation to the
25. present figure at this time. And so, I would ask that Amendment
26. No. 1 be attached to Senate Bill 1533.

27. PRESIDENT:

28. Do we have the amendment on the Secretary's Desk?

29. Any discussion on the amendment? Senator Bell moves the
30. adoption of Amendment No. 1 to Senate Bill 1533. All in favor
31. will say Aye. Opposed Nay. The Ayes have it. The amendment
32. is adopted. Any further amendments? 3rd reading. Senate Bill
33. 1534, Senator Bell. Read the...read the bill.

1. SECRETARY:

2. Senate Bill 1534.

3. (Secretary reads title of the bill)

4. 2nd reading of the bill. No committee amendments. One Floor
5. amendment offered by Senator Bell.

6. PRESIDENT:

7. Senator Bell.

8. SENATOR BELL:

9. Yes, thank you, Mr. President. This is necessary to attach
10. Amendment No. 1 that's on the Secretary's Desk. We were talking
11. about one parcel of land there originally under Senate Bill
12. 1534, for .72 acres, Will County. The Department of Transportation
13. in researching the situation has come forth with a amendment
14. here that has to be attached to...two other parcels that should
15. be a part of this total thing...total package. So, I would
16. ask for approval of Amendment No. 1 being adopted to Senate
17. Bill 1534.

18. PRESIDENT:

19. Any further discussion? Senator Bell moves the adoption
20. of Amendment No. 1 to Senate Bill 1534. All in favor say Aye.
21. Opposed Nay. The Ayes have it. Amendment is adopted. Any further
22. amendments? 3rd reading. Senate Bill 1601, Senator Netsch.
23. Senate Bill 1680, Senator Carroll. Senator Mitchler present,
24. do you have an amendment? Is it on the Secretary's Desk?
25. Desire to move the bill? Read the bill.

26. SECRETARY:

27. Senate Bill 1680.

28. (Secretary reads title of the bill)

29. 2nd reading of the bill. No committee amendments. One Floor
30. amendment to be offered by Senator Mitchler.

31. PRESIDENT:

32. Will the Page bring the amendment down please? Where are all
33. the Pages? Let's disperse them here now. Let's get on the stick.
34. Senator Mitchler's offering Amendment No. 1 to Senate Bill 1680

1. and is recognized for the purpose of explaining the amendment.

2. SENATOR MITCHLER:

3. Yes, Mr. President and members of the Senate. This
4. amendment has been cleared with Senator Carroll, the sponsor
5. of the bill. It intends to correct a problem that the
6. distributors of motor fuel products and oil products have
7. in the collection of sales tax. It's to avoid a duplication
8. and excessive accounting procedures on the independent...or
9. the distributors, I should say the distributors of the oil.
10. And I would ask for adoption of the amendment. It has the
11. approval of Senator Carroll.

12. PRESIDENT:

13. Senator Carroll.

14. SENATOR CARROLL:

15. Thank you Mr. President...

16. PRESIDENT:

17. Senator Carroll.

18. SENATOR CARROLL:

19. I just want to confirm that Senator Mitchler's resolution
20. or amendment, whichever it is, has been approved by me and
21. I understand by the department. We have shown it to the
22. department and it clarifies an area of law that they had adopted
23. by rule anyway and I think would clarify the statute.
24. I would also join in the move to adopt the amendment.

25. PRESIDENT:

26. Any further discussion? Senator Mitchler moves
27. the adoption of Amendment No. 1 to Senate Bill 1680.
28. All in favor will say Aye. Opposed Nay. The Ayes have it.
29. Amendment No. 1 is adopted. Any further amendments? 3rd
30. reading. Senate Bill 1782, Senator Don Moore.

31. SECRETARY:

32. Senate Bill 1782.

33. (Secretary reads title of the bill)

1. 2nd reading of the bill. The Committee on Judiciary offers
2. one amendment.

3. PRESIDENT:

4. Senator Moore.

5. SENATOR MOORE:

6. Thank you, Mr. President. Amendment No. 1 was offered
7. in Judiciary Committee, repeals the existing food stamp statute
8. in the Public Aid Code and that's what the amendment does.
9. I'd move for the adoption of Committee Amendment No. 1
10. to Senate Bill 1782.

11. PRESIDENT:

12. Any further discussion? Senator Don Moore moves the
13. adoption of Amendment No. 1 to Senate Bill 1782. All in
14. favor will say Aye. Opposed Nay. The Ayes have it. The
15. amendment is adopted. Any further amendments?

16. SECRETARY:

17. Amendment No. 2 offered by Senator Don Moore.

18. PRESIDENT:

19. Senator Don Moore.

20. SENATOR MOORE:

21. Thank you, Mr. President and members of the Senate.
22. Amendment No. 2 to Senate Bill 1782 changes the dollar
23. amount of the food stamps from one hundred dollars to one
24. hundred and fifty dollars. It's a distinguishing mark between
25. a Class A misdemeanor and a Class 3 felony. This brings it
26. in line with the present provisions that are in Chapter 38
27. of the Criminal Code dealing with theft. The amendment was
28. discussed in committee and I told the members of the committee
29. I'd offer today. I, therefore, move for the adoption of Amendment
30. No. 2 to Senate Bill 1782.

31. PRESIDENT:

32. Senator McCarthy.

33. SENATOR MCCARTHY:

1. Would the sponsor yield?

2. PRESIDENT:

3. He indicates he'll yield.

4. SENATOR McCARTHY:

5. Senator, is this the amendment that repeals the existing

6. section of the Criminal Code?

7. PRESIDENT:

8. Senator Moore.

9. SENATOR MOORE:

10. No, Senator. This amendment, if you recall there is a

11. one hundred dollar improper use of food stamps of a hundred

12. dollars or more or a hundred dollars or less. This makes it...

13. or increases that amount to one hundred and fifty dollars,

14. so that it is in line with the Criminal Code.

15. PRESIDENT:

16. Senator McCarthy.

17. SENATOR McCARTHY:

18. Which amendment does repeal the existing Code?

19. PRESIDENT:

20. Senator Don Moore.

21. SENATOR MOORE:

22. The amendment that we have just adopted. Adopted...Amendment

23. No. 1.

24. PRESIDENT:

25. Senator McCarthy.

26. SENATOR McCARTHY:

27. Well, I'll...I'll wait till he finishes here and then on the

28. other I'd like to make a motion.

29. PRESIDENT:

30. I beg your pardon? Senator McCarthy.

31. SENATOR McCARTHY:

32. ...finishes to. What...ultimately what I want to do is

33. having voted on the prevailing side of Amendment No.1, I'd like to move

1. that the vote by which that amendment was adopted be reconsidered.

2. PRESIDENT:

3. You want to do that after Amendment No. 2 is adopted?

4. SENATOR McCARTHY:

5. Well, I'm not certain. I want to do it, so maybe I
6. better do it now.

7. PRESIDENT:

8. You can do it after the amendment is adopted. Or you...

9. SENATOR McCARTHY:

10. Or wait until after Amendment No. 2 is adopted, then
11. I'll make my motion on Amendment No. 1.

12. PRESIDENT:

13. Senator Moore.

14. SENATOR MOORE:

15. I move for the adoption of Amendment No. 2, Mr. President.

16. PRESIDENT:

17. Senator Moore moves the adoption of Amendment No. 2 to
18. Senate Bill 1782. All in favor will say Aye. Opposed
19. Nay. The Ayes have it. The Amendment No. 2 is adopted.
20. Now, Senator McCarthy is recognized.

21. SENATOR McCARTHY:

22. Yes, Mr. President, having voted on the prevailing side
23. of Amendment No. 1 I would like to make the motion that the
24. vote by which Amendment No. 1 was adopted be reconsidered,
25. and speaking in...in behalf of that motion, I'd like to explain
26. what this amendment does. I think you're very...should be very
27. interested in it, Mr. President. Amendment No. 1 repeals the
28. existing Criminal Code insofar as the prosetorial tools
29. have been available in the area of welfare fraud. Now, the
30. case can be made and the case was made in the Judiciary Committee
31. that there was a need to have new criminal acts on the statutes
32. so that fraud could be effectively prosecuted in Illinois.
33. If that's the wish, that's all right, Mr. President, but this

1. Amendment No. 1 goes further than that. It repeals the
2. existing Act. And what that amounts to, Mr. President and
3. members of the Senate, is if we pass the bill with the
4. existing fraud penalties repealed, we in affect, are exculpating
5. all of the hundred and two State's Attorneys in the State
6. of Illinois for their failure, if any, now, I don't make a
7. charge of failure, in prosecuting, ferreting out fraud
8. in the Public Aid program. And this being 1976, an election
9. year, I'm not certain that this Legislature wants to go on
10. record as saying that what Senator Moore and other members
11. of the Republican side repeated and repeated last week about
12. the fraud in Public Aid, if that is true, I don't think this
13. Legislature wants to repeal an existing Act which would amount
14. to an exculpation which would amount to a stamp of legislative
15. approval by saying "yes" we failed, Mr. Prosecutors, to
16. give you the tools and so that's what Amendment No. 1
17. is all about. Having made that statement in support of the
18. motion, it strikes me that we should reconsider the vote
19. by which Amendment No. 1 was adopted, so that, Mr. President,
20. we would add new criminal sanctions to give additional tools
21. and yet keep on the statute book the existing tools because
22. who knows, there may be cases in the point of investigation
23. cases in the process of litigation, cases that are moving through
24. the criminal process using the existing facilities that the
25. Legislature have given in this tremendous area of fraud and
26. we wouldn't want to interrupt that type of activity. I think that
27. fairly well states the case as it was developed in the
28. Judiciary Committee. But, there are other members, Senator
29. Netsch and Senator Carroll and Senator Daley that were aware
30. of this problem and I wanted to bring it to the attention of the
31. Chair.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Partee.

1. SENATOR PARTEE:

2. I'd just like to ask the Senator hold this because if we

3. do not, I'm going to get involved in probably a long series

4. of questions and I think we can obviate it if you would hold it.

5. Well, it...it will still be current.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator McCarthy does...you do agree to hold the...

8. SENATOR McCARTHY:

9. No.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. ...your motion.

12. SENATOR McCARTHY:

13. No. The motion just passed. Just...I want to preserve

14. the right...the motion has been placed and if you would just leave

15. it...move to a next order of business it still...

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Is there leave to postpone consideration of the motion? Leave.

18. ...the bill then will be left on 2nd reading. Is that the

19. understanding of the Body? Senate Bill 1783 on the order of

20. 2nd reading, Senator Don A. Moore. Read the bill. (Machine cut off)

21. ...there is a request that the bill be held? Hold the bill.

22. Senator Rock, for what purpose do you arise?

23. SENATOR ROCK:

24. Thank you, Mr. President and Ladies and Gentlemen of the

25. Senate. I see Senator Regner is on the Floor. On the order

26. of Senate Bills on 3rd reading is...or no, on the order of House

27. Bills on 3rd reading is House Bill 3180. I wonder if I might,

28. at this time, ask leave of this Body to go to that order of

29. business for the purpose of calling the bill back for Senator

30. Regner's amendment, then we can proceed as normal course.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Do we have leave? Leave is granted?

33. SENATOR ROCK:

1. All right. I would ask that...

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. House Bills on 3rd reading. House Bill 3180.

4. SENATOR ROCK:

5. I'm asking leave...

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Rock.

8. SENATOR ROCK:

9. Thank you, Mr. President and members of the Senate. I'm

10. asking leave to call House Bill 3180 back to the order of

11. 2nd reading for the purpose of an amendment.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Is there leave? Leave is granted. The bill is now

14. on the order of 2nd reading.

15. SENATOR ROCK:

16. I will yield to Senator Regner.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Regner.

19. SENATOR REGNER:

20. Yes, Mr. President and members of the Senate. I have

21. an amendment on the Secretary's Desk and what it does, it

22. changes this bill which originally was a thirty thousand

23. dollar supplemental appropriation to a thirty thousand dollar

24. transfer bill of funds and it...the usage will be for the

25. automation of the Journal and to provide a vote tabulating

26. interface of the Journal process and it's for the Legislative

27. Information System. I move the adoption of Amendment No. 1.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Is there further discussion? The motion is to adopt

30. Amendment No. 1 to House Bill 3180. All those in favor indicate

31. by saying Aye. Those opposed No. The Ayes have it. The

32. amendment is adopted. Senator Rock.

33. SENATOR ROCK:

1. Thank you. If there are no further amendments, I'm going
2. to request of the Chair that it be put back on 3rd reading
3. and I do, Mr. Secretary, intend to call it for passage later.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Are there further amendments? 3rd reading. We will
6. now return to the order of Senate Bills on 3rd reading.
7. Senate Bill 1545, Senator Rock. Read the bill.

8. SECRETARY:

9. Senate Bill 1545.

10. (Secretary reads title of the bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Rock.

14. SENATOR ROCK:

15. Thank you, Mr. President and Ladies and Gentlemen of the
16. Senate. This is the bill which I withdrew from the record
17. yesterday because a couple of the members of the Senate had
18. questions which I now hope I have the answer for. This is
19. a bill, one of a series of bills, introduced by the office
20. of State Treasurer. And this bill was drafted at the requests
21. of many of our banks who have State Time deposits, who have
22. complained to the office that the cost of shipping securities
23. from New York to be physically held within the State of
24. Illinois for the purpose of collateralizing State Time deposits.
25. This bill would allow us to hold the collateral in an Illinois
26. bank account in the State of New York. In other words, we would
27. still be receiving the Illinois bank's safe keeping receipt
28. but the securities would not have to be shipped between New
29. York and Chicago at...at some cost. I'm informed by the office of
30. the State Treasurer in...in response to Senator Soper's question of
31. yesterday that the cost of shipping these securities with the...
32. both mail cost and the insurance cost, is some twenty-two
33. dollars per one hundred thousand. And these are shipped in millions

1. and millions of...of dollar amounts. So that's a hundred or
2. a hundred and fifty dollars a crack for shipping these and
3. they're really...in the opinion of the Treasurer, the bill would
4. relieve the Illinois banks of this unnecessary expense for
5. transporting and insuring securities. The question that
6. Senator Graham asked with respect to the designation of
7. New York is that I'm told by...again by the office of the
8. Treasurer that New York, especially the Federal Reserve
9. Bank of New York is, in fact, the primary fiscal agent
10. for all these types of securities, all over the country.
11. And that's the reason for this designation. I know of no
12. opposition to the bill. I spoke...Senator Merritt expressed
13. some interest in the bill yesterday. I...as I say, I know
14. of no opposition, and I would solicit a favorable roll call.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Is there further discussion? The question is shall
17. Senate Bill 1545 pass. Those in favor vote Aye. Those
18. opposed No. The voting is open. Have all those voted who wish?
19. Take the record. On that question, the Ayes are 52, the Nays
20. are none, 1 Voting Present. Senate Bill 1545, having received
21. the constitutional majority is declared passed. Senate Bill
22. 1606, Senator D'Arco. House Bills on 3rd reading. Senator Rock.
23. Read the bill. 3180.

24. SECRETARY:

25. House Bill 3180.

26. (Secretary reads title of the bill)

27. 3rd reading of the bill.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Rock.

30. SENATOR ROCK:

31. Thank you, Mr. President, Ladies and Gentlemen of the
32. Senate. This was a bill introduced at the request of the
33. House and it makes a...well...it's not now a supplemental

1. appropriation, it's now a transfer of thirty thousand dollars
2. within the existing appropriation for the purpose of some
3. computer problems with respect to their Journal.

4. I know of no opposition. Senator Regner has just this
5. morning or this afternoon amended the...the bill to make
6. it a transfer within the existing appropriation and I would
7. ask a favorable roll call.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Is there further discussion? The question is shall
10. House Bill 3180 pass. Those in favor indicate by voting...
11. just a moment. For what purpose do you arise Senator?
12. Senator Ozinga.

13. SENATOR OZINGA:

14. You keep referring to this as House Bill on 3rd reading
15. and my Calendar, and I looked it three times unless I can't
16. see well, it says Senate Bill 3180.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. The...the new Calendar, Senator, which I have in
19. hand, that Calendar was wrong and they were sent back and
20. reprinted. But on the Calendar in which I have it is
21. properly positioned. The question is shall House Bill 3180
22. pass. Those in favor indicate by voting Aye. Those opposed
23. No. The voting is open. Have all those voted who wish?
24. Take the record. On that question the Ayes are 53, the Nays
25. none. House Bill 3180 having received the constitutional majority
26. is declared passed. House Bill 3202, Senator Hynes. Senator
27. Hynes do you wish to call House Bill 3202?

28. PRESIDENT:

29. May I have the attention of the membership. We've now
30. reached 3rd reading on Senate Bills and there are a number
31. of bills which are in a...House Bills, yes, that are in a sense
32. of sort of animated suspension about them and what's going to
33. happen. We were at a meeting of the Rules Committee and we had

1. a in depth discussion concerning the posture of bills
2. introduced in 1975 and bills introduced in 1976 and by
3. way of recapitulating what we thought we were doing last
4. year, we made a differentiation between bills passed, bills
5. introduced in 1975 and those introduced in 1976. At the
6. end of the calendar year '75, there were a large number
7. of bills which were either in committee or were on the
8. Calendar which had not been fully dealt with in that year.
9. The idea for the rule to include a provision that those bills
10. in committee which came out of committee as committee bills
11. by a majority vote of the members of that committee, would
12. be put into a statute along with those bills which implemented
13. the state budget including appropriation and revenue bills
14. and bills which are generally classified as administration
15. measures which include, of course, all bills emanating from the
16. Executive department from constitutional officers and those
17. bills which come out of the Rules Committee by a majority vote
18. of the Rules Committee and have been declared to be an
19. emergency. Now, which means any bill on this Calendar which
20. is a bill which was introduced in 1975 must meet one of those
21. tests or that bill will be at the sponsor's request to be
22. referred to the Rules Committee. And in the Rules Committee
23. an opportunity will be then given the member to get that bill
24. out of Rules. Any questions? Senator Netsch.

25. SENATOR NETSCH:

26. A couple of questions, first, Mr. President, although
27. I will disagree with the ruling that you have made also,
28. in terms of the rule that's adopted. The...you said that the...
29. that all bills introduced in 1975, and you were talking about
30. both Senate and House Bills, that is...

31. PRESIDENT:

32. That is correct.

33. SENATOR NETSCH:

1 ...must meet one of several tests. Would you repeat
2 those tests and could someone point out to me where in
3 the rules that we are now operating under the language
4 appears?

5 PRESIDENT:

6 I'll repeat, first, the classifications. (1) Bills
7 implementing the State budget, which are appropriation
8 and revenue; bills in standing committees that come
9 out of standing committees as a committee bill by a majority
10 vote of that committee; bills which we referred to sort
11 of generically as administration bills which may be either
12 bills emanating from one of the Code departments or the...
13 from any part of the Executive Department or from constitutional
14 officers. And the other category are those bills which
15 have been specifically exempted by the Rules Committee.
16 Senator Netsch.

17 SENATOR NETSCH:

18 I see in the rule under which we are presently
19 operating, that is the temporary joint rule which was House
20 Joint Resolution No. 30 adopted last year, I see language
21 which refers to bills implementing the State budget or bills
22 introduced, I might add and I'll come back to that point,
23 by a majority of the members of a standing committee. There is
24 nothing in that rule that refers to administration bills and
25 I...it seems to me we are in the process right now of...of amending
26 the...the temporary joint rules without, in fact, going through
27 the process of amending it.

28 PRESIDENT:

29 If you allude to the administration measures, we feel that
30 the...the impact of paragraph three; a bill determined by a
31 majority of all the appointed members of the Rules Committee
32 of each House to be an emergency bill necessary for the operation
33 of government, and under that language we have admitted all bills

1. proffered by the administration. Senator Netsch.

2. SENATOR NETSCH:

3. But that paragraph refers only to the deadlines
4. that were applicable last year. If you notice Subsection C
5. starts out; the deadlines provided in paragraph A, paragraph A
6. relates to the introduction of bills according to a certain
7. schedule of dates and clearly has application only to the
8. first part of the legislative Session. So that as I read
9. the language of this rule, Subsection C has nothing to do
10. with...with this year's Session. That's why I'm...I just don't
11. find where that language exists at all. The only thing
12. I think that has anything to do with this year's Session is
13. Subsection B which says only in even-numbered years all bills
14. shall be referred to the Rules Committee of each House except
15. those bills that implement the state budget or are introduced by
16. a majority of the members of a standing committee of either
17. House. Now, as you know it's my contention that that lanugage
18. simply does not cover the situation at all of bills that were
19. introduced last year and are still alive and somewhere in the
20. committee structure. But even if it's...even if you are going
21. to rule that somehow it does cover other than the introduction
22. of bills in this calendar year, it still talks only about as
23. exceptions bills that implement the State budget or are introduced
24. by the majority of the members of a standing committee.

25. PRESIDENT:

26. No. The word "except" in that paragraph you've just read
27. is what makes your argument tenuous. The entire resolution
28. must be read in its entirety. A part of it does, in fact,
29. refer to odd-numbered years. And then there are exceptions
30. made within the framework of its reference to even-numbered
31. years. And we...we went over this very carefully, Senator, and
32. we certainly believe that we've made what is a ruling which is intended
33. to be what we had in mind when we set forth this rule.

1. SENATOR NETSCH:

2. Well,...I still have two problems, one of which is
3. my objection to the ruling. But the other is the...the
4. problem that I simply cannot find anywhere in this language
5. the particular exceptions that you are now making. Subsection...

6. PRESIDENT:

7. Well, I...

8. SENATOR NETSCH:

9. ...C clearly does not apply to this year's Session.
10. It applies to the deadline set up in Subsection A. And it seems
11. to me that you're either going to have to make an amendment to the
12. temporary joint rules in order to proceed on this basis.
13. And I would add, incidently, if I may just go ahead and...and
14. make a part of the argument right now, that we...the language
15. that was in the rules in the last Session of the General
16. Assembly, that is the 1973-74 Session, was almost identical
17. to...in terms of the even-numbered year, to what we have
18. in this Session. It said in even-numbered years, all bills
19. shall be referred to the Rules Committee except those that
20. implement the State budget or are introduced by standing
21. committees. That was Amended Rule V of the last Session.
22. That language was not interpreted to require bills that
23. had been introduced in the first year and were alive and
24. active in committee to be re-referred to the Rules Committee.
25. I can site you many, many instances of that just from the
26. experience we had, for example, on the Public Health, Welfare,
27. and Corrections Committee. Bills that were alive in that
28. committee and worked on did not go back through the Rules
29. Committee. And I think all of us know examples from
30. other substantive committees where that was true. So, exactly
31. the same language or almost exactly the same language
32. is being interpreted in a very different fashion this year.

33. PRESIDENT:

1. Well, Senator, let me ask you this question, and perhaps
2. I should...I hesitate to ask it, but from what you have said
3. I get the impression that it is your notion that all bills
4. introduced at any time under any circumstances are always
5. viable in the second Session. Is that what you really are
6. about?

7. SENATOR NETSCH:

8. No, Mr. President. That is not. I would read
9. the existing rule as requiring that any bill that is
10. introduced in this part of our Session, that is beginning
11. January 1,...or January 10, 1976, must be referred to the
12. Rules Committee unless it is a bill that impelments the
13. State budget or is introduced by a majority of the members
14. of a standing committee of either House. That is precisely
15. what Subsection B of our temporary joint rule says.

16. PRESIDENT:

17. Now, you're referring to bills introduced in 1976.

18. SENATOR NETSCH:

19. That is correct.

20. PRESIDENT:

21. All right.

22. SENATOR NETSCH:

23. That language which is the only part that refers to
24. even-numbered Sessions and is...a matter-of-fact, is applicable
25. to even-numbered Sessions, says nothing about those bills
26. that were introduced last year and put into committee for
27. additional work.

28. PRESIDENT:

29. Well, here. But what you're conveniently ignoring
30. is that paragraph A refers to bills put in in odd-numbered
31. years. And paragraph A says that June 26th is the final
32. day for 3rd reading and passage in each House of bills originating
33. in the other House.

1. SENATOR NETSCH:
2. In odd-numbered years.
3. PRESIDENT:
4. Yes. In odd-numbered years. So, if a bill is
5. introduced in an odd-numbered year, and it is not passed
6. before June 26th of that year, the only way it could have
7. any viability in the subsequent year is to be within the
8. framework of the exceptions we've just talked about.
9. SENATOR NETSCH:
10. No...
11. PRESIDENT:
12. You see...of course it does. If it didn't, then June
13. 26th would have no meaning. In other words, you're saying
14. that a bill introduced in 1975, and if that bill is not
15. passed by June 26th in 1975 it is for all intense and purposes,
16. dead. Now, if the bill, however, comes within the four
17. alleged...alluded to circumstances, then that bill may
18. make progress. And that's all we've been saying.
19. SENATOR NETSCH:
20. The one difficulty or two difficulties with that is that
21. the rule itself does not say what is the fate of those bills
22. that were not acted on by finally by June 26th. Something...
23. PRESIDENT:
24. Well, it does not...
25. SENATOR NETSCH:
26. ...that has been pointed out before.
27. PRESIDENT:
28. It does not say in ABC fashion. It's kind of obvious, I
29. think, to any of us who look at it with care that if a bill
30. is not passed by June 26th, in the odd-numbered year...
31. SENATOR NETSCH:
32. Is it dead?
33. PRESIDENT:

1. That it is an unpassed bill and for all intense and
2. purposes it cannot be passed unless it does, in some way,
3. qualify under some new or existing circumstance.

4. SENATOR NETSCH:

5. You...you use the expression...

6. PRESIDENT:

7. If that is not...if that is not so, then the...the final day
8. for passage would have no meaning or impact.

9. SENATOR NETSCH:

10. Well, the...you used an expression that I don't think
11. I've ever heard before in our rules and that is...

12. PRESIDENT:

13. I may do that again.

14. SENATOR NETSCH:

15. ...it is an unpassed bill. If it is, in fact, dead, which
16. is what you said a little earlier, then all of the bills
17. that were not acted on last year, would have to be started
18. initially.

19. PRESIDENT:

20. No.

21. SENATOR NETSCH:

22. They would have to be reintroduced and if they
23. had come over from the other House they would have to
24. go back through the other House.

25. PRESIDENT:

26. I...I said dead. Dead is a word which we've used here before.
27. Nothing is really ever dead. Nothing ever really dies. Because
28. under the rules of this Senate by a...by three-fifths of the
29. members of this Senate we can alter the rules at...at any time.
30. And we could say that a bill which was lost two years ago could
31. be revived by three-fifths of the votes of this Senate.

32. So that's why when we use the word "dead" it's, you know, it's not
33. "dead" dead.

1. SENATOR NETSCH:
2. Not dead...
3. PRESIDENT:
4. Not "dead" dead.
5. SENATOR NETSCH:
6. ...it's just...it's just not well?
7. PRESIDENT:
8. I think you...it's a colloquialism, you know.
9. SENATOR NETSCH:
10. May...may I ask one question of the Chair. Am I not
11. correct, Mr. President, that this is not the way that the rules
12. were interpreted in the last Session of the General Assembly?
13. PRESIDENT:
14. No...
15. SENATOR NETSCH:
16. The same language.
17. PRESIDENT:
18. ...I'd have to...I'd have to get a specific situation,
19. you know we have a lot of rulings and a lot of bills. I can't
20. tell you whether or not it's the same because I don't know if the...if
21. the question is the same.
22. SENATOR NETSCH:
23. Well,...
24. PRESIDENT:
25. But I could tell you that this is the ruling of the
26. Rules Committee and this is the ruling of the Chair and
27. that's...that's the way it is.
28. SENATOR NETSCH:
29. Yeah, I realize that's the way it is and I'm...I'm...
30. for that very reason I'm not going to make a motion to appeal
31. the ruling of the Chair. I'm just really trying to point out that
32. it is not the way we operated in the 1973-74 Session and I
33. know that because I can cite bills that were not treated this way.

1. It is not the way this language reads in the rule right now.
2. I think it involves unnecessary amount of extra work, of extra
3. time on the part of the members of this Body and I think it
4. really is not a rational way for us to proceed. For example,
5. the series of bills which I've got on the Calendar right now,
6. which are of no great moment, except that it would cost
7. a heck of a lot of money to have to start them all over again
8. next year. Now, I gather, must go into the Rules Committee,
9. be referred out or...or be...somehow get a ruling from the Rules
10. Committee, go back to Judiciary Committee, if they ever get
11. out of Rules Committee, and you know we just spin our wheels
12. for another several weeks. My argument is I think it is
13. a waste of our time and I object to the ruling on that basis.
14. PRESIDENT:

15. Well, let me just say to you, Senator, when you talk
16. about wasting time there are an awful lot of bills that
17. now come over here from the House which...many of which were
18. introduced...these bills were introduced in April..April of last
19. year. May the 12th. They had all kinds of Calendars over
20. there. They had a Spring Calendar. They had a Fall Calendar.
21. You know, this just goes on and on like Tennyson's book.
22. Somewhere along the line there has to be something to encourage
23. legislative members to not sit inconstant their seats on a daily
24. basis and ask that their matters be passed which are on the
25. Calendar, because we...if we got to matters as they came to us,
26. as they are there, if the amendments are ready, let's get it
27. done. Sometimes I've passed bills here...or passed by bills here
28. for three weeks waiting for an amendment and the amendment is a
29. two line amendment, and that is what is the procrastination.
30. That kind of procrastination is the thief of time, as far as I'm
31. concerned. Senator Knuppel.

32. SENATOR KNUPPEL:

33. I would speak on a matter of personal privilege on the
34. same subject. I agree, not necessarily with the interpretation

1. of the rules, but I'm talking in a general sense of what this
2. Body appears to be. I have a number of technical bills
3. which it won't make a lot of difference, they're of no
4. great moment, but what will happen is these bills, and they
5. were passed with...by one Body of this House, and they were
6. held last year, some fifty of them, and I was told, it was
7. rumored that they were held to secure a certain result out of
8. certain people who sponsored them in the House. They were
9. here. They were held, I didn't hold them. What we do is
10. we entertain motions, resolutions, introduce people
11. from the gallery, we waste one hell of a lot of time and then we're
12. going to back and cost the people of the State of Illinois
13. to bring these same bills back through here again and is it
14. any wonder, is it any wonder if you read the newspapers that of
15. all of the legislative Bodies, of all the groups, not legislative
16. Bodies, all the groups of government, we're the ones, the
17. Legislature, and particularly the State Legislature, that
18. look most like jackasses.

19. PRESIDENT:

20. Well, Senator, I'd say to you that progress sometimes
21. is non-progressive. In the years that I have been in this
22. Legislature, I can remember a motion being made generally
23. by Pete Granado, when I was over in the House, at a particular
24. time during the year, they just simply strike all bills on
25. 1st reading, all bills on 2nd reading, all bills on 3rd reading,
26. and government survived. We now have two...we now have annual
27. Sessions and I knew the moment we started, there would be
28. a carry over or an attempt to carry over bills, bills, bills.
29. Legislation ought to have some finality. I agree with you.
30. Yes.

31. SENATOR KNUPPPEL:

32. Does that make the resolutions and all the other stuff we do
33. and killing these bills just because that's the way it's been

1. done? Does that make it logical? Does that make us appear
2. intelligent? You know, they used to plant corn in forty
3. inch rows and the reason they did it was so the horses
4. could walk between it. You chopped cotton and you know.
5. But now they found out they can raise a hell of a lot more
6. corn in thirty and twenty inch rows. Do we have to do things
7. just because they did it a certain way? Certainly government
8. will live. That neither makes it effective nor intelligent.

9. PRESIDENT:

10. Well, I agree with you on the resolutions and it is,
11. of course, a part of our rules with reference to the introduction
12. of people from the galleries. We do it...still do it so
13. there you are. Senator Latherow.

14. SENATOR LATHEROW:

15. Mr. President, I'd just like to clarify one thing. No place
16. have I ever read where it's profitable to go to thirty inch
17. corn rows. Bean rows, Senator Knuppel, yes, but not corn
18. rows.

19. PRESIDENT:

20. Senator Wooten.

21. SENATOR WOOTEN:

22. Mr. President, I have been thinking this for the three years
23. that I've been here and I'd just like to say it now. If...if
24. we would simply not try, then, to nollify members' feelings about
25. bills, and simply say that this date is the end. All bills
26. are dead as of now and speak the bitter truth rather than to
27. soothe feelings for long periods of time, we would not be in
28. these circumstances.

29. PRESIDENT:

30. If we were not in those circumstances, we wouldn't be in politics.
31. Senator Mohr.

32. SENATOR MOHR:

33. Yes, Mr. President. I agree with Senator Netsch and

1. Senator Knuppel that we shouldn't be wasting time and on that
2. point the Secretary has a motion on the Desk that I would
3. like read at this time.

4. PRESIDENT:

5. Read the motion.

6. SECRETARY:

7. Pursuant to temporary Joint Rule 1A, I move that the
8. following bills be removed from the Senate Calendar and be
9. re-referred to the Rules Committee. House Bills 3rd reading;
10. House Bills 2728, 2729, 2730, 2731, 2733, 2734, 2735, 2738, 2968.
11. House Bills 2nd reading; House Bills 273, 276, 277, 279, and
12. 2736. House Bills 1st reading; House Bills 1137, 25...and
13. 2529. Consideration Postponed; House Bill 378. Secretary's
14. Desk; Senate Bill 1057. Secretary's Desk, Nonconcurrency;
15. House Bill 1914. House Bill 3197, and House Bill 3202. Signed
16. Senator Howard R. Mohr.

17. PRESIDENT:

18. Senator Netsch.

19. SENATOR NETSCH:

20. Mr. President, has that motion been distributed because
21. it seems to me it's going to have to be looked over very carefully.
22. I think there may be even conceding that...basic ruling,
23. Senator Mohr, I think there may be some bills on there which do
24. not belong on there and there may be some others which belong
25. on there which are not on there. I think it's going to have to be
26. looked over very carefully.

27. PRESIDENT:

28. Senator Mohr.

29. SENATOR MOHR:

30. Well, I...I think, Senator, that's probably just a matter
31. of...of opinion as to whether they belong on there or they...they don't
32. belong on there. The rules have been discussed and debated here
33. this morning and we don't want to go through that or at least this

1. member doesn't want to go through that on every bill that is
2. on this Calendar that doesn't belong there. The Rules Committee
3. did meet, both staffs did check and they all fall into that same
4. category. All of you that have appeared before the Rules
5. Committee, and that covers just about every member of this
6. Body, have been treated well and if it's an emergency piece of
7. legislation, or it...it...something is needed by State government
8. I'm sure the Rules Committee will be sympathetic and...and support
9. your request, but Mr. President, I, again in matter of saving
10. time, I would move that the motion be acted upon. I would
11. ask for a favorable roll call.

12. PRESIDENT:

13. Senator Netsch.

14. SENATOR NETSCH:

15. Mr. President, my concern is not just with those bills
16. which are now going to be sent back to limbo and have to start
17. all over again next year. I couldn't care less about the
18. series I have except it's going to cost a lot of money to
19. reprint them, Senator Mohr. I'm equally concerned that we
20. all be treated fairly and that every bill on the Calendar
21. be checked to make sure that it does, in fact, fall with one
22. of the four...within one of the four exceptions. I want nothing,
23. if this is going to be the ruling, then I want nothing on the
24. Calendar that has not carefully met those four standards that
25. the rest of us are having to comply with. And I think we have
26. a right to have that motion spread around so that we all have a
27. chance to look at it and check and make sure that it does, in fact,
28. reflect an accurate state of affairs.

29. PRESIDENT:

30. Well, so that the record will be clear, Rule 40 says that
31. every motion shall be in writing if any Senator desires
32. it. In which event, the proponent of such motion may forewith
33. reduce the motion to writing and have action taken on it

1. immediately. The fact of the matter is the Senator has, in fact,
2. reduced it to writing and has filed it and has been on file
3. here for about a week. Senator Netsch.

4. SENATOR NETSCH:

5. All right. Everyone can have it their own way, Mr.
6. President. All I'm suggesting is that there is a lot of
7. unhappiness about the way the rules are applied around here.
8. It would be a very simple thing to let this motion be circulated
9. so that it could be looked over by some of us.

10. PRESIDENT:

11. I have...

12. SENATOR NETSCH:

13. If you don't want...

14. PRESIDENT:

15. ...no objection to that, Senator, but I just didn't want
16. this record to say by inference that he had not fulfilled the
17. requirements as...as respects his writing. There was an inference
18. in what you said that he had an obligation to do that. I wanted
19. the record to be clear so that no one at a subsequent time
20. reading this record will be misinformed as to what his obligation
21. was. That's the only reason I said it. It was not meant to
22. chide you,...

23. SENATOR NETSCH:

24. Okay.

25. PRESIDENT:

26. ...at all.

27. SENATOR NETSCH:

28. All right. Go ahead.

29. PRESIDENT:

30. The question is on the adoption of the motion by Senator
31. Howard R. Mohr. All in favor will say Aye. Opposed Nay. The Ayes
32. have it. The motion carries. Those bills will be re-referred...
33. removed from the Calendar and re-referred to the Rules Committee.

1. Committee report.

2. SECRETARY:

3. The Rules Committee met on June the 6th, 1976, pursuant
4. to notice. The following members were present: Senators
5. Partee, Rock, Donnewald, Harris, and Howard Mohr. By unanimous
6. vote, the following bills were reported out of committee,
7. ordered read a first time, and referred to the Committee
8. on Assignment of Bills; Senate Bills 1555, 1567, 1749, 1750, 1770,
9. 1771, 1772, 1773, 1775, 1784, 1812, 1813, 1814, 1815, 1816, 1817,
10. 1818, 1819, 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1836,
11. 1837, 1838, 1847, 1854, 1855, 1870, 1873, 1874, 1875, 1886,
12. 1887, 1899, 1920, 1923, 1926, 1905, and 1907. House Bills
13. 3147, 3148, 3370, 3371, and 3484. By a majority affirmative
14. vote, the following bill was reported out of committee and
15. referred to the Committee on Assignment of Bills: House
16. Bill 3315.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Shapiro, for what purpose do you arise?

19. SENATOR SHAPIRO:

20. Point of order.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. State your point.

23. SENATOR SHAPIRO:

24. When the Secretary started to read the Committee report,
25. he referred to this as June 6, 1976. I think it should be
26. corrected to May 6th.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. The record will so show that it would be corrected to May
29. 6th, 1976. Senator Partee.

30. SENATOR PARTEE:

31. Mr. President and members of the Senate. I have an
32. announcement to make with reference to next week's
33. schedule. The Sergeant-at-Arms will pass them out, but we will

1. not be here Monday, the 10th. On the 11th, we will come in
2. at 9:00 o'clock for the Financial Institutions Committee
3. Meeting and the Session itself commences at noon. On the
4. 12th, there will be an Insurance meeting in the morning and
5. a Session at noon, and Appropriations, Local Government and
6. Revenue in the afternoon. On Thursday, there will be
7. Education at 8:30, Session at noon, well, I say noon, but
8. it will be announced on Wednesday, the Session in between
9. Education and Executive Appointments and Agriculture, and on the
10. 14th, which is next Friday, which will be the first Friday
11. we worked this month, Appropriations will be at 9:00 o'clock,
12. and it will go all day, until about 2:30 when there will be
13. a Perfunctory Session. So, next we will be prepared to be here
14. Tuesday, Wednesday, and Thursday and all Appropriation Committee
15. members will be here, of course, on the 14th, which is next Friday.
16. Any questions?

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. House Bills on 1st reading. Senate Bills, 1st reading.

19. SECRETARY:

20. Senate Bill 1555.

21. (Secretary reads title of the bill)

22. 1st reading of the bill.

23. Senate Bill 1567.

24. (Secretary reads title of the bill)

25. Senate Bill 1749.

26. (Secretary reads title of the bill)

27. Senate Bill 1750.

28. (Secretary reads title of the bill)

29. Senate Bill 1770.

30. (Secretary reads title of the bill)

31. Senate Bill 1771.

32. (Secretary reads title of the bill)

33. Senate Bill 1772.

34. (Secretary reads title of the bill)

1. Senate Bill 1773.
2. (Secretary reads title of the bill)
3. Senate Bill 1775.
4. (Secretary reads title of the bill)
5. Senate Bill 1784.
6. (Secretary reads title of the bill)
7. Senate Bill 1813.
8. (Secretary reads title of the bill)
9. Senate Bill 1814.
10. (Secretary reads title of the bill)
11. Senate Bill 1815.
12. (Secretary reads title of the bill)
13. Senate Bill 1816.
14. (Secretary reads title of the bill)
15. Senate Bill 1817.
16. (Secretary reads title of the bill)
17. Senate Bill 1818.
18. (Secretary reads title to the bill)
19. Senate Bill 1819.
20. (Secretary reads title of the bill)
21. Senate Bill 1820.
22. (Secretary reads title of the bill)
23. Senate Bill 1821.
24. (Secretary reads title of the bill)
25. Senate Bill 1822.
26. (Secretary reads title of the bill)
27. Senate Bill 1823.
28. (Secretary reads title of the bill)
29. Senate Bill 1824.
30. (Secretary reads title of the bill)
31. Senate Bill 1825.
32. (Secretary reads title of the bill)
33. Senate Bill 1826.

1. (Secretary reads title of the bill)
2. Senate Bill 1827.
3. (Secretary reads title of the bill)
4. Senate Bill 1836.
5. (Secretary reads title of the bill)
6. Senate Bill 1837.
7. (Secretary reads title of the bill)
8. Senate Bill 1838.
9. (Secretary reads title of the bill)
10. Senate Bill 1847.
11. (Secretary reads title of the bill)
12. Senate Bill 1854.
13. (Secretary reads title of the bill)
14. Senate Bill 1855.
15. (Secretary reads title of the bill)
16. Senate Bill 1870.
17. (Secretary reads title of the bill)
18. Senate Bill 1873.
19. (Secretary reads title of the bill)
20. Senate Bill 1874.
21. (Secretary reads title of the bill)
22. Senate Bill 1875.
23. (Secretary reads title of the bill)
24. Senate Bill 1886.
25. (Secretary reads title of the bill)
26. Senate Bill 1887.
27. (Secretary reads title of the bill)
28. Senate Bill 1899.
29. (Secretary reads title of the bill)
30. Senate Bill 1905.
31. (Secretary reads title of the bill)
32. Senate Bill 1907.
33. (Secretary reads title of the bill)

1. Senate Bill 1920.
2. (Secretary reads title of the bill)
3. Senate Bill 1923.
4. (Secretary reads title of the bill)
5. Senate Bill 1926.
6. (Secretary reads title of the bill)
7. 1st reading of the following bills.
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. House Bills on 1st reading.
10. SECRETARY:
11. House Bill 3147.
12. (Secretary reads title of the bill)
13. House Bill 3148.
14. (Secretary reads title of the bill)
15. House Bill 3315.
16. (Secretary reads title of the bill)
17. House Bill 3370.
18. (Secretary reads title of the bill)
19. House Bill 3371.
20. (Secretary reads title of the bill)
21. House Bill 3484.
22. (Secretary reads title of the bill)
23. 1st reading of the following bills.
24. PRESIDING OFFICER: (SENATOR DONNEWALD)
25. As to House Bills on 1st reading, the Secretary informs
26. me that there are four...a series of four bills which were removed
27. from Rules and brought out of Rules and those persons that are
28. the sponsors would please report to the Secretary to indicate
29. that they are, in fact, the Senate sponsors of the House Bills.
30. Senator Rock.
31. SENATOR ROCK:
32. 3147 and 48, I'm informed, should be shown to be Senator
33. Brady. Those are Illinois Office of Education bills.

1. SECRETARY:
2. There's one...one more, Senator Rock, and that's 3371.
3. I have no Senate sponsor for that bill. It makes an appropriation
4. for the ordinary and contingent expenses of State...
5. SENATOR ROCK:
6. Senator Bruce.
7. SECRETARY:
8. Senator Bruce.
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. Senator McCarthy, for what purpose do you arise?
11. SENATOR MCCARTHY:
12. Two reasons.
13. PRESIDING OFFICER: (SENATOR DONNEWALD)
14. State your point.
15. SENATOR MCCARTHY:
16. Well, I've got two. The first is...is in the nature
17. of an announcement, and that is that the schedule shows a
18. meeting of Financial Institutions for 9:00 o'clock on
19. Tuesday, the 11th. That's inoperative. So, the members of
20. the Financial Institutions Committee can disregard nine.
21. What it was was a question by where we had saved the space
22. for that day and kind of over-booked you know on a no show
23. similie with an airplane reservation so if we need a meeting
24. next week, proper notice will be given. But so...
25. PRESIDING OFFICER: (SENATOR DONNEWALD)
26. Six Day Notice.
27. SENATOR MCCARTHY:
28. Well, plus proper motions. All right. The second point
29. is, Mr. Chairman, I'd like to make a motion to go to the order
30. of House Bills on 2nd...
31. PRESIDING OFFICER: (SENATOR DONNEWALD)
32. You...you...
33. SENATOR MCCARTHY:

1. reading.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. ...mean to ask leave, Senator.

4. SENATOR McCARTHY:

5. That's right. Yeah, We'll ask leave. I was just one

6. ahead of myself. Like to ask leave to go to the order of

7. House Bills on 2nd reading to the order of House Bill 3115.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Do we have leave? Just a moment. Senator Shapiro,

10. for what purpose do you arise?

11. SENATOR SHAPIRO:

12. Mr. President, for what purpose is Senator McCarthy

13. asking to go to 2nd reading? What bills is he asking to

14. be considered?

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. I would have to defer...Senator McCarthy, could you respond?

17. SENATOR McCARTHY:

18. I thought I did. I said to go to the specific order of

19. House Bill 3115, and I might well include 16. Those are the

20. two bills.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. It's your purpose...

23. SENATOR McCARTHY:

24. ...3115 is my specific motion.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Shapiro.

27. SENATOR SHAPIRO:

28. I think at this time with the Session almost being terminated and

29. that I'm going to raise an objection to going to 2nd reading at this

30. particular point.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator McCarthy.

33. SENATOR McCARTHY:

1. Well, I...I have no instantaneous reaction to Senator
2. Shapiro raising his objection. The basis of his objection is
3. that because the Session is almost going to be terminated.
4. Let me state this to the Chair, that I listened, I thought
5. carefully, as the daily order of business was being called
6. and when we got to the orders of House Bills on 2nd reading
7. at that point, at that point...in came...we went of
8. order. We went out of order to a report of the Rules Committee.
9. And I consented to that going out of order to the Rules Committee
10. because this brought up the question...and then we went out of
11. order, went out of order on 2nd reading to go to the Rules
12. Committee where you dealt with the subject of the old bills
13. that had been hanging around from last year that were
14. individually sponsored and I didn't object. Now, after you
15. disposed of that, the Chair failed to continue the order of
16. business of House Bills on 2nd reading and I attempted to
17. get back on the track, so that when I make my motion to go to the
18. order, I...I really feel that it's up to the Chair to call it
19. without making the motion, because we went from that order
20. to an order of the Rules Committee. Now, I'm just asking you
21. revert to the...to the Calendar if you want it that way.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Just...just a moment, Senator, the Rules Committee
24. can report at any time. Senator McCarthy.

25. SENATOR MCCARTHY:

26. All right.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Are you...are you making a motion to go to the order of
29. 2nd reading? That's...that's where we stand now.

30. SENATOR MCCARTHY:

31. That motion was stated and I might state to Senator
32. Shapiro that Senator Glass is interested in this, knows
33. that we intended to go to this order today and if there is an

1. objection and Senator Shapiro still persists in it, I'd like
2. to have a motion that the rules be suspended to go to that
3. order which I understand only takes thirty votes.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator...Senator Shapiro, do you persist in your
6. motion? There...there is an objection. The question is
7. shall the rules be suspended and shall we go to the order of
8. 2nd reading of Senate Bills...House Bills on 2nd reading.
9. Excuse me. All those in favor of suspending the rules and
10. it does take thirty, indicate by voting Aye. Those opposed
11. No. The voting is open. Have all voted who wish?
12. Have all those voted who wish? Take the record. On that
13. question, the Ayes are 27, the Nays are 18. Motion fails.
14. Any further business? Senator McCarthy.

15. SENATOR MCCARTHY:

16. Yes. I'm glad we had that exercise because there's always
17. Tuesday coming up but I do now rise on a point of personal
18. privilege, Mr. President.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. State you point, Senator.

21. SENATOR MCCARTHY:

22. My point of personal privilege, Mr. President and members
23. of the Senate, relates to the conduct of legislators. Point
24. of personal privilege is insofar as it relates to the conduct
25. of legislators, is that the question of how a legislator
26. should conduct himself or herself is a very difficult and serious
27. question. The other Chamber may address itself to this
28. question and we, Mr. President, have addressed ourselves
29. legislatively to the question in past. Prospectively, there
30. will be presented to the people some type of a suggested amendment
31. to the legislative article of the Constitution and yet the
32. whole concept of how we should conduct ourselves is subject to
33. misinterpretation, is subject to different items of construction.

1. Case in point. Yesterday there was a bill that passed, House
2. Bill 3277. And I inspected the roll call on House Bill 3277
3. and noticed that two members of this Legislature voted in
4. favor of the bill who might conceivably stand to benefit
5. financially from the passage of that bill, according to some
6. person's construction. In the instant case we have here of the
7. motion that I made that just failed, we have people who are
8. interested in his legislation who might financially benefit
9. from the failure or passage of the legislation, and we get into
10. every bit of legislation that comes down the pike and the question
11. arises, what is the proper course of conduct.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator, just...

14. SENATOR McCARTHY:

15. Point of personal privilege...

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. ...just a moment. Just a moment, Senator. I think that
18. you're fast approaching a violation of Rule 26.

19. SENATOR McCARTHY:

20. Please read it for me.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Well, all right. The latter...the latter in speaking shall
23. confine himself to the subject matter under discussion and
24. avoid personalties.

25. SENATOR McCARTHY:

26. Well, that's one reason I...I name no one. But I certainly
27. will abide by that rule. Now I just...

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator, your time...your time has expired.

30. SENATOR McCARTHY:

31. I...I was just there before you read me Rule 27, and...

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. You have ten more seconds.

1. SENATOR McCARTHY:

2. I think the ten seconds can be stated this way. That
3. insofar as the conduct of legislators are concerned, they
4. must do two things. They must represent their constituency
5. and they must vote on legislation where they have expertise.
6. The root question, Mr. President, which my point of personal
7. privilege is, is whether or not the Legislature is to become
8. a full-time Body with all outside activities prohibited,
9. or whether or not we shall retain in Illinois a citizen's
10. type legislature so that the people who come here, who mirror
11. the reflection of the people that the represent, bring with
12. them their experiences and light. My point of personal privilege
13. is that the Legislature as is presently as constituted where the
14. people that come here bringing with them their experiences
15. and light are able to fashion better laws that correctly...

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator...

18. SENATOR McCARTHY:

19. ...reflect the mores of the community.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. ...your...your time is long since expired. Senator Graham.

22. SENATOR GRAHAM:

23. On a point of personal privilege, Senator, Mr. President.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. State your point.

26. SENATOR GRAHAM:

27. I would like to, at this point, compliment the right
28. reverent McCarthy from Decatur for that fine oration
29. on the conduct of legislators. Remembering that sometimes
30. we ought to say that he who is without sin should cast the
31. first stone. I'm learning about conflict, too, and we had a long
32. argument last year about W.C. bills and I understand that there
33. are some lawyers that are interested in those. I'd be a little

1. careful, I think, that I...

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Just a moment, Senator. Rule 26 applies to all Senators.

4. SENATOR GRAHAM:

5. We...we appreciate the lecture from the right reverent

6. and I'll take it and end.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Netsch.

9. SENATOR NETSCH:

10. Mr. President, mine truly is a point of personal privilege.

11. Senator McCarthy reminds...

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. State your point, Senator.

14. SENATOR NETSCH:

15. ...Senator McCarthy reminded me of what undoubtedly I should

16. have called attention to yesterday. I...I think under

17. some language I probably should declare that I am employed

18. part-time by a private university which I trust will at some

19. point benefit at least indirectly from State Scholarship Funds

20. and I believe it is possible that while not under existing

21. law but under law which may become so in the future, that I

22. would have to make that declaration and perhaps would not even

23. be permitted to vote, and I think I should clear the record

24. by saying that right now.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Is there further business to come before the Senate?

27. Senator Morris, for what purpose do you arise?

28. SENATOR MORRIS:

29. On a point of personal privilege since we will not be here...

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. State your point.

32. SENATOR MORRIS:

33. Since we will not be here tomorrow I would like to point

34. out that tomorrow is the birthday of Senator Vince Demuzio of

1. Carlinville. He will be thirty-five.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Partee.

4. SENATOR PARTEE:

5. I'd just announced that there will be a Perfunctory
6. Session in the morning about 10:00 for the purpose of
7. reading in the bills that will be coming out of committee
8. today, and happily, I hope Senator Demuzio will have a nice
9. birthday and sorry about no resolution.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Resolutions.

12. SECRETARY:

13. Senate Resolution 320, introduced by Senator Partee.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Partee.

16. SENATOR PARTEE:

17. I have been one, Mr. President, over the years who have
18. been in opposition to what I call spurious resolutions and
19. I'm going to offer one this morning and it's a very, very
20. serious resolution. It's a resolution, which in my judgment is
21. worthy of having this Body give its attention to. It's a
22. resolution that congratulates the Board of Education in the
23. City where I live, Chicago, as a formal expression of the
24. will and sentiment of this Chamber toward the recommended
25. back to basics educational program. Reading, writing and
26. arithmetic are certainly basic fundamentals upon which any
27. educational system has to be built and there has been some
28. statements recently that a large number of young people
29. are unable to handle reading, writing and arithmetic
30. and the basic fundamentals prior to their graduation. One
31. district superintendent has set up a program which mandates
32. that they be able to be able to read at certain levels prior
33. to their graduation and it's caused a great deal of conversation.

1. It is an important subject matter. We run the government now,
2. and our children will be running it later and it's just
3. absolutely essential that they have good and sound education.
4. And we would suggest to all teachers and parents that there has
5. to be a cooperative effort between both children and parents
6. to prepare children for service and to prepare them for
7. excellent service. All throughout our legislative careers
8. we are involved in what we can describe as incentive
9. programs for good scholarship. We've come about the program
10. now of instituting a very far-flung junior college system.
11. We have the community college system in our State. We are
12. constantly seeking to upgrade higher education. We are
13. constantly giving more and more money toward the educational
14. process. Education has some competitive factors and one
15. of them is the television media. A large number of young
16. people, it seems to me and in my experience, do not read as
17. much as they used to because of the television and as a consequence
18. it seems to me that we may be getting in a position where
19. American people will not be among the brightest in the
20. world and schools, it seems to me, are our passport to world
21. survival. I'm going to ask for suspension of the rules for
22. the immediate consideration of this resolution and for its
23. adoption and ask that all Senate members be shown as cosponsors.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Partee has moved to suspend the rules for the
26. immediate consideration and adoption of Senate Resolution 320.
27. All those in favor signify by saying Aye. All those opposed.
28. The Ayes have it. The rules are suspended. Senator Partee
29. asks leave that all members be shown as cosponsors. Is leave
30. granted? Leave is granted. So ordered. Senator Partee now
31. moves for the adoption of Senate Resolution 320. All those in
32. favor signify by saying Aye. All those opposed. The Ayes have it.
33. The resolution is adopted. Senator...

1. SECRETARY:

2. Senate...

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Excuse me, Mr. Secretary. Senator Mitchler, for what
5. purpose do you arise?

6. SENATOR MITCHLER:

7. I certainly want to commend Senator Partee for introducing
8. this resolution but I would like to just mention that I
9. have already communicated with Superintendent Briggs, I believe
10. it's the ninth district...school district commending him for
11. his action in making the principals and teachers responsible
12. for teaching the children for which they were hired to do in the
13. first place, and...but I'm glad to join the sponsorship
14. of the resolution. I thought a letter in this case would
15. solve it but I'll join in the resolution, Senator.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Harber Hall, for what purpose do you arise, Sir?

18. SENATOR HALL:

19. Well, Mr. President, a few minutes ago a motion was made
20. to go to the order of 2nd reading.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. I...I think that has been disposed of.

23. SENATOR HALL:

24. Well, I'm trying to revive it. Having...

25. PRESIDING OFFICER: (SENATOR ROCK)

26. I think...

27. SENATOR HALL:

28. ...voted on the prevailing side, Mr. President...

29. PRESIDING OFFICER: (SENATOR ROCK)

30. I think, Senator Hall, you are at this point in time, out
31. of order. We are on the order of resolutions. At the conclusion
32. of the order of resolutions, that motion or any other will
33. certainly be in order. Resolutions, Mr. Secretary.

1. SECRETARY:
2. Senate Resolution 321, introduced by Senators Lemke,
3. Savickas, Daley, and Hynes.
4. PRESIDING OFFICER: (SENATOR ROCK)
5. Senator Lemke.
6. SECRETARY:
7. Richard Edwards School.
8. SENATOR LEMKE:
9. I move for...move immediate consideration.
10. PRESIDING OFFICER: (SENATOR ROCK)
11. Senator Lemke has moved to suspend the rules for the
12. immediate consideration and adoption of this congratulatory
13. resolution, Senate Resolution 321. All those in favor signify by
14. saying Aye. All those opposed. The Ayes have it. The rules
15. are suspended. Senator Lemke now moves for the adoption
16. of Senate Resolution 321. All those in favor signify by saying
17. Aye. All those opposed. The Ayes have it. The resolution is
18. adopted.
19. SECRETARY:
20. Senate Resolution 322, introduced by Senators Lemke,
21. Daley, D'Arco, Kosinski, and Savickas. It's congratulatory.
22. PRESIDING OFFICER: (SENATOR ROCK)
23. Senator Lemke.
24. SENATOR LEMKE:
25. The immediate consideration.
26. PRESIDING OFFICER: (SENATOR ROCK)
27. Senator Lemke moves to suspend the rules for the
28. immediate consideration and adoption of Senate Resolution 322.
29. All those in favor signify by saying Aye. All those opposed.
30. The Ayes have it. The rules are suspended. Senator Lemke now
31. moves the adoption of this congratulatory resolution, Senate
32. Resolution 322. All those in favor signify by saying Aye.
33. All those opposed. The Ayes have it. The resolution is adopted.

1. SECRETARY:

2. Senate Resolution 323, introduced by Senator Philip.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Philip. Senator Philip.

5. SENATOR PHILIP:

6. Thank you, Mr. President. I would ask leave to suspend
7. the appropriate rule and the immediate consideration of
8. Senate Resolution 323 and ask leave to add all the fellow
9. Senators, and what this resolution does is memorialize
10. Sheldon Peck, who was a original founder of Lombard
11. and who had just been recognized as an outstanding early
12. American artist whose work is on display at our Illinois State
13. Museum.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Philip has moved to suspend the rules for the
16. immediate consideration and adoption of Senate Resolution 232.
17. All those in favor signify by saying Aye. All those opposed. The
18. Ayes have it. The rules are suspended. Senator Philip has asked
19. leave of this Body that all members be shown as cosponsors.
20. Is leave granted? Leave is granted. Senator Philip now
21. moves the adoption of Senate Resolution 323. All those in favor
22. signify by saying Aye. All those opposed. The Ayes have it.
23. The resolution is adopted.

24. SECRETARY:

25. Senate Resolution 324 introduced by Senator Ozinga.
26. It's commendatory.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Ozinga.

29. SENATOR OZINGA:

30. Mr. Chairman, I would move for the suspension of the
31. rules, immediate consideration of this resolution. Again,
32. this is a congratulatory resolution commending the activities
33. of one Lieutenant Lyndon Davis on his retirement.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Ozinga has moved to suspend the rules for the
3. immediate consideration and adoption of Senate Resolution 324.
4. All those in favor signify by saying Aye. All those opposed.
5. The Ayes have it. The rules are suspended. Senator Ozinga
6. now moves the adoption of Senate Resolution 324. All those
7. in favor signify by saying Aye. All those opposed. The Ayes
8. have it. The resolution is adopted. Senator Lemke, for
9. what purpose do you arise ?

10. SENATOR LEMKE:

11. On resolutions 321 and 322, I also, would like to move
12. to have...show all members as sponsors on those resolutions.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Ozinga has a similar motion. Is leave granted
15. to show all members as cosponsors of Senate Resolutions
16. introduced by Senators Lemke and Senate 324 just adopted by
17. Senator Ozinga. Leave is granted.

18. SECRETARY:

19. Senate Resolution 325, introduced by Senators Lane,
20. Kosinski, Lemke, Savickas, Daley, Partee, and it's con-
21. gratulatory. Polish Americans.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Lane.

24. SENATOR LANE:

25. Yes Sir, Mr. President. I move that the appropriate
26. motions be made to suspend the rules and adopt the resolution.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Lane has moved to suspend the rules for the
29. immediate consideration and adoption of Senate Resolution 325.
30. All those in favor signify by saying Aye. All those opposed.
31. The Ayes have it. The rules are suspended. Senator Lane now
32. moves to adopt Senate Resolution 325. All those in favor signify
33. by saying Aye. All those opposed. The Ayes have it. The resolution
34. is adopted. Resolutions.

1. SECRETARY:

2. Senate.. .Senate Joint Resolution No. 73, introduced
3. by Senator Partee.

4. (Secretary reads SJR No. 73)

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senate Joint Resolution 73 is the adjournment resolution calling
7. us ... for us to return when we leave tomorrow, Tuesday
8. at noon. Senator Partee has moved to suspend the rules
9. for the immediate consideration and adoption of this joint
10. resolution. All those in favor signify by saying Aye.

11. All those opposed. The Ayes have it. The rules are suspended.

12. Senator Partee now moves the adoption of Senate Joint Resolution
13. 73. All those in favor signify by saying Aye. All those opposed.
14. The Ayes have it. The resolution is adopted. Introduction
15. of bills.

16. SECRETARY:

17. Senate Bill 1932.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Rules Committee. Further business to come before the
20. Senate. Is Senator Hall on the Floor? He indicated he did
21. have, in fact, something he wanted to bring up. He is not
22. on the Floor at this time. Senator Bruce, for what purpose
23. do you arise?

24. SENATOR BRUCE:

25. Well, Mr. President, from time to time members of this
26. Body are recognized for their excellence by groups throughout
27. the State of Illinois and one of our members have been...has been
28. so honored. I do not wish to make my comments in seeming serious.
29. But I am banking on your support for the right reverent professor
30. McCarthy. He has told me that we must not branch into
31. new areas in the General Assembly and we must not mortgage
32. the future by passing frivolous resolutions but I have found
33. it incumbent upon me to inform the members of this group that

1. Senator McCarthy was honored as the best legislator of the
2. year by the Independent Community Banks of Illinois and additionally
3. they did not convey to him any stocks in any of those banks.

4. Thank you.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Further business? I am reluctant to close until Senator
7. Hall has a run at what he wanted to do. Is Senator Hall...
8. does anybody know where he went or is he coming back?
9. Well, I'm sure, you know, it's a courtesy that should be afforded
10. all members. He indicated he wanted to talk about something.
11. Harber Hall. That is correct. Any further business or further
12. announcements to come before the Senate? Senator Partee
13. moves that the Senate stand adjourned until 10:00 A.M.
14. tomorrow morning.

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