

.79th GENERAL ASSEMBLY

REGULAR SESSION

MAY 20, 1976

1. PRESIDENT:

2. The hour of eleven-thirty having arrived, the Senate will
3. come to order. Will our guests in the gallery please stand
4. as we have prayer by Father Jerome Feldman, Marydale,
5. Illinois.

6. FATHER FELDMAN:

7. (Prayer by Father Feldman)

8. PRESIDENT:

9. Reading of the Journal.

10. SECRETARY:

11. Wednesday, May the 12th, 1976, Thursday, May the 13th, 1976.

12. PRESIDENT:

13. Representative...pardon me, Senator Johns.

14. SENATOR JOHNS:

15. Mr. President, I move that the Journals just read by the
16. Secretary be approved, unless some Senator has additions
17. or corrections to offer.

18. PRESIDENT:

19. You heard the motion. All in favor will say Aye. Opposed
20. Nay. The Ayes have it. The motion carries. Senator Johns.

21. SENATOR JOHNS:

22. Again, Mr. President, I move that reading and approval
23. of the Journals of Friday, May the 14th, 1976, Tuesday, May the
24. 18th, 1976, and Wednesday, May the 19th, 1976, be postponed
25. pending arrival of the printed Journals.

26. PRESIDENT:

27. You heard the motion. All in favor will say Aye. Opposed
28. Nay. The Ayes have it. The motion carries. Committee reports.

29. SECRETARY:

30. Senator Donnewald, Chairman of Assignment of Bills, assigns
31. the following bills to committee: Agriculture, Conservation,
32. and Energy; House Bill 3301. Appropriations; Senate Bills 1932,
33. 1947, 1948, 1954 and 1956; House Bills 3344, 3369 and 3820.

1. Revenue; Senate Bill 1678. Public Health, Welfare...

2. Senator Smith, Chairman of Public Health, Welfare and

3. Corrections, reports out the following House Bill: House

4. Bill 3068, with the recommendation Do Pass as amended.

5. Senator Carroll, Vice-Chairman of the Revenue Committee,

6. reports out the following bills: Senate Bill 1853, 1854,

7. and 1945, with the recommendation Do Pass. Senate Bill 1523

8. and 1524, with the recommendation Do Pass as amended.

9. PRESIDENT:

10. Message from the House.

11. SECRETARY:

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

13. Mr. President - I am directed to inform the Senate

14. that the House of Representatives has passed bills with the

15. following titles in the passage of which I am asked...instructed

16. to ask the concurrence of the Senate, to-wit:

17. House Bills 1304, 3159, 3222, 3229, 3294, 3308, 3383,

18. 3537, 3551, 3586, 3624, 3795, 3806, 3807, 3814, 3817,

19. and 3834.

20. PRESIDENT:

21. Rules Committee. Senate Bills on 2nd reading. Senate Bill

22. 1594, Senator Egan. Senate Bill 1600, Senator Netsch. Senate

23. Bill 1601, Senator Netsch. Senate Bill 1603, Senator Bruce.

24. Senate Bill 1604, Senator Knuppel. Senate Bill 1608, Senator

25. Knuppel. Senate Bill 1610, Senator Lane. Senate Bill 1622, Senator

26. Morris. Senate Bill 1646, Senator Buzbee. Senate Bill 1695,...no,

27. pardon me. 1795, Senator Kosinski. Senate Bill 1867, Senator Bruce.

28. Senate Bill 1877. Is their amendment ready? Well, we'll pass it.

29. Senate Bill 1878, Senator Demuzio. Senator Bruce, may I see you,

30. please? The Senate will come to order. I apologize for starting

31. at 11:30, it appears to be too early. Senate Bill on 2nd reading.

32. Senate Bill 1594, Senator Egan. One more time. Senate Bill

33. 1594. Read the bill.

1. SECRETARY:

2. Senate Bill 1594.

3. (Secretary reads title of bill)

4. 2nd reading of the bill. The Committee on Pensions, Personnel,
5. and Veterans Affairs offers one amendment.

6. PRESIDENT:

7. Senator Egan. Now, just a moment. Now, let's have some
8. order in here, now. We started here, nobody was here. Now
9. we've started again, and we can't hear our ears. Let's have
10. some order and some decorum. This is the Illinois State Senate.
11. Senator Egan.

12. SENATOR EGAN:

13. Thank you, Mr. President and members of the Senate.
14. The committee amendment brings the bill into conformity with
15. the rule change that we made so that it would meet all the
16. constitutional objections and I move the adoption of the
17. committee amendment.

18. PRESIDENT:

19. Any further discussion? Senator Egan moves the adoption
20. of Amendment No. 1 to Senate Bill 1594. All in favor
21. say Aye. Opposed Nay. The Ayes have it. Amendment No. 1
22. is adopted. Any further amendments? Any amendments from the
23. Floor? 3rd reading. For what purpose does Senator Rock arise?

24. SENATOR ROCK:

25. Thank you, Mr. President. On a point of personal privilege.

26. PRESIDENT:

27. State your point, Senator Rock.

28. SENATOR ROCK:

29. Seated in the gallery behind the Democratic side is a group
30. from St. Peter's in Itasca, and they are accompanied by a cousin
31. of mine, Mrs. Barbara Sease. I would ask them to be stand and ask
32. the Senate recognize their attendants.

33. PRESIDENT:

34. Will they please stand and be recognized by the Senate.

1. Senate Bill 1600, Senator Netsch. Senate Bill 1601, Senator
2. Netsch. Senate Bill 1603, Senator Bruce. Senate Bill 1604,
3. Senator Knuppel. Senate Bill 1608, Senator Knuppel. Senate
4. Bill 1610, Senator Lane. Senate Bill 1622, Senator Morris.
5. Read the bill.

6. SECRETARY:

7. Senate Bill 1622 was read a first time on May the 18th,
8. 1976. It was...yes. It was read a second time on May the
9. 18th, 1976 and Amendment No. 1 was adopted.

10. PRESIDENT:

11. Senator Morris.

12. SENATOR MORRIS:

13. Amendment No. 2 is the amendment that has been offered
14. twice. The first time we had a technical correction that we
15. thought had to be made and yesterday Senator Hynes wanted
16. to review it. The amendment is supported by both sides of
17. the aisle and by the Appropriations spokesmen on both sides
18. of the aisle. What it does, as Senator Regner had pointed out
19. in the committee, that the Title Twenty proposed program under
20. the Department of Aging Budget had thirty percent of its funds
21. set aside for administration and he felt that was too high and
22. so did members of the committee. Amendment No. 2 will establish
23. that at approximately a fifteen percent level and it will provide
24. four people to administer Title Twenty instead of the eight
25. originally asked for by the Department on Aging. I would like...
26. I'll answer any questions that people might have and I would
27. appreciate a favorable vote on this amendment.

28. PRESIDENT:

29. Any further discussion? Senator Morris moves the adoption
30. of Amendment No. 2 to Senate Bill 1622. Those in favor will
31. say Aye. Opposed Nay. The Ayes have it. The amendment is adopted.
32. Any further amendments? Any amendments from the Floor? 3rd
33. reading. For what purpose does Senator Buzbee arise?

1. SENATOR BUZBEE:
2. Well, Mr. President, I was just going to say, Mr. President,
3. if I could have your attention.
4. PRESIDENT:
5. Senator Buzbee is recognized.
6. SENATOR BUZBEE:
7. I was just going to say that Senate Bill 1646, my bill, is...
8. is next. I am not prepared...I am not prepared right at this
9. moment to...to have that read a second time, but a little bit
10. later on after I talk to Senator Hynes, I'd like to get back
11. to 1646 for 2nd reading.
12. PRESIDENT:
13. We'll make every attempt to accommodate you, Senator.
14. SENATOR BUZBEE:
15. Thank you.
16. PRESIDENT:
17. Senate Bill 1795, Senator Kosinski. You're passing
18. that one. Senate Bill 1860...is Senator Bruce back on the Floor?
19. Senator Demuzio, Senate Bill 1878. Senate Bills on 3rd reading.
20. Senate Bill 1514, Senator Buzbee. Read the bill.
21. SECRETARY:
22. Senate Bill 1514.
23. (Secretary reads title of bill)
24. 3rd reading of the bill.
25. PRESIDENT:
26. Senator Buzbee.
27. SENATOR BUZBEE:
28. Mr. President, I'm...I apolozige. Would you take this out
29. of the record, please?
30. PRESIDENT:
31. Of course, Senator. For what purpose does Senator Harber
32. Hall arise?
33. SENATOR HALL:

1. Mr. President and fellow Senators, I would like the
2. record to show that Senator Terrel Clarke is absent today
3. because of the sudden death of his brother in California.
4. It's unknown exactly how long he'll be absent, but that is
5. his reason for today.

6. PRESIDENT:

7. Let the record so show. And is there leave to show Senator
8. Partee as a cosponsor of Senate Bill 1944? Leave is granted.
9. For what purpose does Senator Regner arise?

10. SENATOR REGNER:

11. Mr. President, I'd like the record to show that
12. Senator Graham is absent today due to illness. He had some
13. tests taken at the hospital and he's resting today.

14. PRESIDENT:

15. The record will so show. Senator Bruce come back yet?
16. Senate Bill 1607, Senator Rock. Read the bill.

17. SECRETARY:

18. Senate Bill 1607.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDENT:

22. Senator Rock.

23. SENATOR ROCK:

24. Thank you, Mr. President and Ladies and Gentlemen of the
25. Senate. Senate Bill 1607 is the FY '77 appropriation for
26. the ordinary and contingent expenses of the Department of
27. Finance. This bill was heard in committee. It underwent four
28. amendments. I put Amendment No. 5 on yesterday. It effects
29. a net reduction and I would ask a favorable roll call.

30. PRESIDENT:

31. Any further discussion? The question is shall Senate Bill
32. 1607 pass. Those in favor will vote Aye. Opposed will vote Nay.
33. The voting is open. Have all voted who wish? Take the record.
34. For what purpose does Senator Shapiro arise?

1. SENATOR SHAPIRO:

2. Mr. President, had I been alert and at my desk in voting
3. I would have voted No on this appropriation, mainly because
4. of the funds expended for that Chicago School...

5. PRESIDENT:

6. Senator, we are on the roll call. You wouldn't...be able
7. to explain it. You...the record could show that had you
8. been alert, you might have voted Yes, but being...you...not
9. being alert as you said, and not being present, you would have
10. voted No, and the record will so show.

11. SENATOR SHAPIRO:

12. Thank you.

13. PRESIDENT:

14. On this question, the Ayes are 44, the Nays are 1 with
15. none Voting Present. Senate Bill 1607 having received the
16. constitutional majority, is declared passed. Senate Bill 1608,
17. Senator Knuppel. Senate Bill 1610, Senator Lane. Oh, pardon me.
18. I'm on the wrong list. 1623, Senator Shaprio. Page three on
19. your Calendar. 1623. Read the bill.

20. SECRETARY:

21. Senate Bill 1623.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDENT:

25. Senator Shapiro. Senator Shapiro.

26. SENATOR SHAPIRO:

27. Mr. President, Ladies and Gentlemen of the Senate, Senate
28. Bill 1623 is the annual appropriation for the Board of Regents
29. in the reduced amount of approximately a hundred and six million
30. dollars. This also reflects a...a reduction from the Board of
31. Higher Education's recommendations and it's slightly in excess of
32. what the Governor has recommended. I would appreciate a
33. favorable roll call.

1. PRESIDENT:

2. Senator Regner.

3. SENATOR REGNER:

4. Mr. President and members of the Senate, I'd like to
5. explain my vote on the entire Higher Education Package
6. that apparently we're going to be going over today and the
7. next legislative day. Senator Shapiro did mention there was
8. a reduction from the bills as introduced, but overall the entire
9. package for higher education represents almost nineteen million
10. dollars of unbudgeted money, monies over the budget. As I stated
11. in committee, I think the universities could do much more to
12. increase their own productivity by increasing teacher loads
13. and increase student load by increased tuition and some
14. decrease in their administrative overhead. I feel I have to
15. vote Present on the entire series of bills. I'm not voting
16. No because I do not oppose higher education, but I do oppose
17. this eighteen or nineteen million dollars over the budgeted
18. money for this Fiscal Year.

19. PRESIDENT:

20. Any further discussion? Senator Harber Hall.

21. SENATOR HALL:

22. Will the sponsor yield for a question?

23. PRESIDENT:

24. He indicates he will.

25. SENATOR HALL:

26. Senator Shapiro, I have some figures here and I'm just trying
27. to verify Illinois State University. Can you give me the
28. appropriation amount...total?

29. PRESIDENT:

30. Senator Shapiro.

31. SENATOR SHAPIRO:

32. Well, which...you mean the total appropriation for ISU?

33. PRESIDENT:

1. That's finalized, is it? Any further discussion?
2. Senator Shapiro may close the debate. Roll call. The question
3. is shall Senate Bill 1623 pass. Those in favor will vote
4. Aye. Opposed will vote Nay. The voting is open.
5. Have all voted who wish? Take the record. On this question
6. the Ayes are 44, the Nays are 1 with 6 Voting Present.
7. Senate Bill 1623, having received a constitutional majority
8. is declared passed. Senate Bill 1626, Senator Carroll.
9. Senate Bill 1628, Senator Weaver. Read the bill.
10. SECRETARY:
11. Senate Bill 1628.
12. (Secretary reads title of bill)
13. 3rd reading of the bill.
14. PRESIDENT:
15. Senator Weaver.
16. SENATOR WEAVER:
17. Thank you, Mr. President, members of the Senate, 1628 is
18. the annual appropriation to the trustees, University of
19. Illinois. The reductions in operations and grants has amounted
20. to ten million four hundred and sixty-seven thousand dollars.
21. This is the best estimate of the Appropriation Committee's
22. reflections on higher education for some adjustment upwards
23. as Senator Regner made reference to, but it's a good bit
24. less than what higher education...the Board of Higher Education
25. recommended for higher education Statewide. If there are
26. any question, I'll be happy to try to answer them.
27. PRESIDENT:
28. Any further discussion? Senator Bell.
29. SENATOR BELL:
30. Yes, thank you, Mr. President. Question of Senator Weaver.
31. PRESIDENT:
32. He indicates he'll yield.
33. SENATOR BELL:

1. Senator Weaver, can you tell us what the University
2. of Illinois has done in reference to increase of tuitions
3. at this time that we're having this financial crisis?

4. PRESIDENT:

5. Senator Weaver.

6. SENATOR WEAVER:

7. There's been a good bit of discussion by the Board of
8. Trustees as to a possible tuition increase in mid Fiscal
9. '77, possibly not until a year from September, but at this
10. point there's been no recommendation to the Board...there
11. has been a recommendation to the Board by the Administration
12. to increase tuitions in the future, but certainly that decision
13. hasn't been made systemwide as yet.

14. PRESIDENT:

15. Senator Bell.

16. SENATOR BELL:

17. Well, Senator Weaver, why...you know, why has not
18. the decision been made as yet. Obviously, there is a financial
19. crunch going on in reference to all higher education and certainly
20. the University of Illinois is being effected. Can you enlighten
21. us there?

22. PRESIDENT:

23. Senator Weaver.

24. SENATOR WEAVER:

25. I would say this, Senator Bell, that it's my personal
26. opinion that tuitions will have to raise, but I think that
27. some guidance is going to have to be given to the Board of
28. Higher Education and various governing boards throughout the
29. State as to what tuition should reflect in the cost of educating
30. students. We all have different ideas as to what tuition should
31. be at state supported institutions, but as we face financial
32. crunches Statewide, it's my judgement that we're going to have
33. to look to tuition increases in the future to maintain quality
34. at all of our public supported higher education systems so this

1. is something that's going to have to be dealt with in the very
2. near future.

3. PRESIDENT:

4. Senator Bell.

5. SENATOR BELL:

6. Well, Senator Weaver, it's been brought to my attention
7. previous occasions and again here this morning, that...and I'm
8. not sure who the...what the group is, possibly it's a legislative
9. committee in education, whether it's a...a Senate committee or
10. a House committee or a commission or what, that there's been a
11. recommendation floated around in reference to higher education
12. student fees that they be brought up to a point of at least
13. one-third of the total cost of tuition. If, you know, if that is,
14. in fact, the recommendation, is that, in fact, what is being
15. planned by the University of Illinois, and does it, and is it
16. being reflected in this particular budget?

17. PRESIDENT:

18. Senator Weaver.

19. SENATOR WEAVER:

20. It's not being reflected in this particular budget, Senator
21. Bell, but certainly you serve on the Education Committee, or used
22. to, excuse me, but this...this is a decision that's going to have
23. to be made on broad basis and certainly I don't think there's
24. sentiment in this General Assembly today to raise taxes, to raise
25. tuition fees, but I'm sure that we're going to be facing those
26. hard decisions very shortly.

27. PRESIDENT:

28. Senator Wooten.

29. SENATOR WOOTEN:

30. One question of Senator Weaver. You mention this is
31. a reduction from the BHE request. How much is this over the
32. Governor's budget?

33. PRESIDENT:

34. Senator Weaver.

1. SENATOR WEAVER:
2. As if reflects in the U. of I. appropriation, it would
3. amount to four million six hundred and ninety-five thousand.
4. PRESIDENT:
5. Senator Wooten.
6. SENATOR WOOTEN:
7. That is the exact amount in excess of the Governor's budget?
8. PRESIDENT:
9. Senator Weaver.
10. SENATOR WEAVER:
11. That's...that's true.
12. PRESIDENT:
13. Any further discussion? Senator Rock.
14. SENATOR ROCK:
15. Thank you, Mr. President. If the sponsor will yield.
16. PRESIDENT:
17. He indicates he'll yield.
18. SENATOR ROCK:
19. I did not, in fact have an opportunity during the lengthy
20. committee hearings to get into this subject, Senator, and for
21. that I apologize. But I was a little concerned when I visited
22. the university some months ago, I was informed by a couple of
23. the students of their concern that there is a operative on the
24. ...on the campus, a medical out patient clinic for the students, is
25. that correct?
26. SENATOR WEAVER:
27. Through the health services fees there is an out patient
28. facility at McKinley hospital on campus. Those...can't tell
29. you exactly what the fee is annually for that service but there
30. is a service charge made for medical services.
31. PRESIDENT:
32. Senator Rock.
33. SENATOR ROCK:

1. Well, the question was asked of me when I was on the
2. campus, and frankly, I didn't have the answer is is that facility
3. or clinic in any way supported by tax dollars, or is it strictly
4. fees?

5. PRESIDENT:

6. Senator Weaver.

7. SENATOR WEAVER:

8. My judgement, Senator Rock, the operations would probably
9. strictly be covered by student fees. Now, I...I can't tell
10. you what...whether they charge rent for the existing facility
11. and heat and light, et cetera. I just don't know the details on
12. that but I will be glad to find out for you.

13. PRESIDENT:

14. Senator Rock.

15. SENATOR ROCK:

16. Well, the question was raised to me again by some of the
17. students down there that it was their understanding that abortion
18. services were available. They were questioning whether or not
19. that was, in fact, a likely subject for tax money, and, frankly,
20. I had to agree with them and I said that I would find out and
21. I would make that request publically.

22. PRESIDENT:

23. Senator Weaver.

24. SENATOR WEAVER:

25. I don't think there are any abortions performed at the medical
26. service...McKinley hospital, and I don't think that they are paid
27. for by or covered under student fees for medical service.
28. I'll be glad to check it out for sure.

29. PRESIDENT:

30. Any further discussion? Senator Weaver may close the debate.
31. The question is shall Senate Bill 1628 pass. Those in favor will
32. vote Aye. Opposed will vote Nay. The voting is open. Have all
33. voted who wish? Have all voted who wish? Take the record. On that

1. question the Ayes are 48, the Nays are 1, with 5 Voting Present.
2. Senate Bill 1628, having received a constitutional majority
3. is declared passed. Senator Carroll, you were not...okay.
4. Senate Bill 1636, Senator Hynes. Read the bill.
5. SECRETARY:
6. Senate Bill 1636.
7. (Secretary reads title of bill)
8. 3rd reading of the bill.
9. PRESIDENT:
10. Senator Hynes.
11. SENATOR HYNES:
12. This is the annual appropriation of grants from the Capitol
13. Development Bond Fund, the Board of Higher Education, pursuant
14. to the Health Services Education Act, and I would ask for your
15. support. It is in accordance with the program for higher education
16. that we have outlined previously and it has been discussed in
17. connection with the other bills today.
18. PRESIDENT:
19. Any further discussion? The question is shall Senate Bill
20. 1636 pass. Those in favor will vote Aye. Those opposed will
21. vote Nay. The voting is open. Have all voted who wish? Take
22. the record. On this question the Ayes are 48, the Nays are
23. none, with 4 Voting Present. Senate Bill 1636 having received
24. a constitutional majority is declared passed. Senate Bill
25. 1637, Senator Hynes.
26. SECRETARY:
27. Senate Bill 1637.
28. (Secretary reads title of bill)
29. 3rd reading of the bill.
30. PRESIDENT:
31. Senator Hynes.
32. SENATOR HYNES:
33. Yes, Mr. President and members of the Senate. This is the
34. annual appropriation for the operations of the Board of Higher

1. Education, and also includes within to certain grants to
2. ...private higher education and public higher education. Their
3. administered by the...the Board. It has been reduced by some
4. 2.2 million dollars in...in accordance with the overall policy adopted
5. in the Appropriations Committee and I would ask for your support
6. of this legislation.

7. PRESIDENT:

8. Any further discussion? The question is shall Senate Bill
9. 1637 pass. Those in favor will vote Aye. Opposed Nay. The
10. voting is open. (Machine cut off)...who wish? Take the record.
11. On that question, the Ayes are 47, the Nays are 1, with 4 Voting
12. Present. Senate Bill 1637, having received a constitutional
13. majority is declared passed. Senate Bill 1643, Senator Bloom.
14. Read the bill.

15. SECRETARY:

16. Senate Bill 1643.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDENT:

20. Senator Bloom.

21. SENATOR BLOOM:

22. Thank you very much, Mr. President. This makes the
23. indebtedness limitation for special charter districts under five
24. hundred thousand the same as that for other school districts.
25. There was a conflict between Section 32 - 5 and Section 19 - 1.
26. This would put the special charter districts at twelve percent.
27. as well as the Section 19 - 1. If there are any questions, I'd
28. be glad to answer them, otherwise, I'd urge a favorable roll call.

29. PRESIDENT:

30. Any further discussion? The question is shall Senate Bill
31. 1643 pass. Those in favor will vote Aye. Opposed will vote
32. Nay. The voting is open. Have all voted who wish? Take the
33. record. On that question, the Ayes are 50, the Nays are 1, with

1. none Voting Present. Senate Bill 1643, having received a
2. constitutional majority is declared passed. Senate Bill
3. 1680, Senator Carroll. Senate Bill 1684, Senator Brady.
4. Read the bill.

5. SECRETARY:

6. Senate Bill 1684.

7. (Secretary reads title of bill)

8. 3rd reading of the bill.

9. PRESIDENT:

10. Senator Brady.

11. SENATOR BRADY:

12. Yes, Mr. President and members, Senate Bill 1684 is the
13. annual appropriation for the Illinois State Scholarship Commission
14. and was amended and reduced approximately six million three
15. hundred and seventy-nine thousand dollars in accordance with the
16. overall policy of the Appropriations Committee, and I urge
17. your favorable support.

18. PRESIDENT:

19. Senator Schaffer.

20. SENATOR SCHAFFER.

21. If the sponsor would yield for a question.

22. PRESIDENT:

23. He indicates he will.

24. SENATOR SCHAFFER:

25. We have several commissions. Where is the home office
26. of this commission, Senator?

27. PRESIDENT:

28. Senator Brady.

29. SENATOR BRADY:

30. The home office of this commission is in Deerfield and
31. it has been mandated that they also have an office in Springfield
32. by July of next year, I believe, Senator Schaffer. I think they
33. were intending on opening an office in Springfield by July of this

1. year, but I don't know with the amending the appropriation
2. downward whether they will have enough money to put it in effect
3. the year in advance of that mandated date.

4. PRESIDENT:

5. Senator Schaffer.

6. SENATOR SCHAFFER:

7. Then this is not the Deerfield Scholarship Commission, this
8. is the Illinois State Government Commission? I've had some
9. confusion in my district on that. I just wondered, I mean not that
10. Deerfield isn't a very wonderful community but we wondered how
11. they came up with the eighty-two million dollars or whatever it is
12. to pay all these scholarships.

13. PRESIDENT:

14. Senator Brady.

15. SENATOR BRADY:

16. Well, interestingly enough, Senator Schaffer, you being
17. from Crystal Lake and myself from Chicago, Deerfield is approximately
18. halfway between two of us and maybe that's why the home office
19. is positioned there, but it is the Illinois State Scholarship
20. Commission and I urge your favorable support.

21. PRESIDENT:

22. Senator Harber Hall. Any further discussion? The question
23. is shall Senate Bill 1684 pass. Those in favor will vote
24. Aye. Opposed Nay. The voting is open. Have all voted who wish?
25. Take the record. On that question the Ayes are 46, the Nays are
26. 3, with 4 Voting Present. Senate Bill 1684 having received
27. a constitutional majority is declared passed.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senate...Senator Davidson. No. No. Senator Dougherty.

30. Yes. Senator Philip, for what purpose do you arise?

31. SENATOR PHILIP:

32. I'd like to introduce somebody up in the President's gallery,
33. if I might, Mr. President.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. State your introduction.
3. SENATOR PHILIP:
4. Yes, it gives me great pleasure to introduce to the Senate,
5. John and Jean Lindquist. John is the distinguished President
6. of the Oakbrook Park District and also had the rare
7. distinction of being the nephew and neice of Senator Soper.
8. Would they please rise and be acknowledged by the Senate.
9. PRESIDING OFFICER: (SENATOR ROCK)
10. Mr....Mr. O'Keefe, will you come to the podium. Senator
11. Dougherty. On the order of 3rd...hold it? Okay. 1863,
12. I don't see Senator Merritt. 1871, Senator Hynes. 72. 91.
13. Senator Merritt, you have two bills on Senate 3rd. Do you wish
14. either of them called, Sir? 1863 and 18...you wish that called?
15. SENATOR MERRITT:
16. Yeah.
17. PRESIDING OFFICER: (SENATOR ROCK)
18. Mr. Secretary, on the order of Senate Bills 3rd reading,
19. is Senate Bill 1863.
20. SECRETARY:
21. Senate Bill 18...Senate Bill 1863.
22. (Secretary reads title of bill)
23. 3rd reading of the bill.
24. PRESIDING OFFICER: (SENATOR ROCK)
25. Senator Merritt.
26. SENATOR MERRITT:
27. Yes, Mr. President, fellow colleagues in the Senate,
28. I would like to have the privilege of discussing Senate Bill 1863
29. together with Senate Bill as amended 1891, because they are
30. companion bills and just for the sake of discussion, I realize
31. they can't be voted together but for the sake of discussion, I would
32. like that privilege to talk about them.
33. PRESIDING OFFICER: (SENATOR ROCK)

1. Is leave granted? So ordered. Proceed, Senator.

2. SENATOR MERRITT:

3. 1863, which is the appropriation bill for seven million
4. dollars for the, actually the acquisition of land at the mouth
5. of the Calumet River and Lake Michigan, about a hundred and
6. ninety-five acres involved in that site currently owned
7. by Youngstown, Sheet and Tube, now occupied very limited degree
8. by Transoceanic Terminals. This has long been the subject
9. of discussion by our Commission for Economic Development as well
10. as the subcommittee on Ports and Foreign Trade. You've got
11. to understand, Gentlemen of the Senate, Ladies, that we've had
12. a problem over the years in trying to compete with other ports
13. because of the long distance down...down the river before we can
14. reach our present facilities at Lake Calumet, a matter of
15. six miles or round trip, twelve miles. The tow charges are
16. expensive and it just makes it so we cannot compete with the
17. other ports on the Great Lakes. I might also add, that there
18. is a reappropriation this year of three million for the
19. containerization facilities. Then in order that we might
20. acquire this land, or the State,...or the Chicago Regional
21. Port District acquired, I mean, we felt it necessary to go
22. to condemnation powers which are covered under Senate Bill 1891
23. as amended. We have never been able to successfully deal with
24. Youngstown, Sheet and Tube for the TOT site because of varying
25. opinions as to value. This will resolve the matter by getting
26. in it...into the courts so that it can be set at a evaluation
27. that is fair to all concerned. This particular bill carries
28. a complete payback privilege. Max Cohen, the General Manager
29. of the Chicago Regional Port District says they will have
30. no...no trouble in meeting their payments out of either fifty
31. percent or twenty percent of the revenues. As we observe our
32. Chicago Regional Port District together with other great ports
33. on the Great Lakes, such as Milwaukee, Toledo, Cleveland, we feel
34. that the time has come when our tonnage is certainly going to drop

1. sadly because of the lack of proper containerization facilities.
2. If we are ever going to be a viable port on the Great Lakes,
3. we must keep that port open as our gateway to the world so we
4. can still remain number one in the nation in the export of
5. agricultural products and perhaps number two or three in
6. manufactured goods. I'll be happy to try to answer any questions
7. that any of the members might...might have, if not, why, I'll
8. appreciate a favorable roll call vote.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Dougherty.

11. SENATOR DOUGHERTY:

12. Members of the Senate. I rise in support of these two bills
13. because this is located entirely within my district. The entire area,
14. and it is vitally needed and as we read the trade reports we find
15. that the foreign trade is expanding and we want to take advantage
16. of this increase in the whole economic development, world wide, if
17. you will, and we can get a share of it by doing this. We have tried
18. to negotiate, every effort has been made to reasonably acquire
19. these and it can be done under the...under this...these two bills.
20. Senator Merritt is absolutely correct. He has worked very hard
21. on this. I, too, have visited these ports down through the years,
22. not recently, but down through the years. I am completely aware
23. of it. Let me tell you something, this is one of the most vital
24. economic areas in the middle...in the country as a matter-of-fact,
25. one-third of the GNP emanates within three hundred miles of
26. this particular area, and we have found out, I've investigated that
27. we're still doing pretty good in the matter of getting shipping
28. but we need more and if we have this we can...we can acquire
29. more shipping and I might point out to you it's vitally necessary
30. in order to acquire this land that there are only some twenty-five
31. hundred lineal feet of dockage available at this point of time.
32. We would like to acquire it for the purposes necessary to improve
33. the economic viability to the entire nation as well as our particular
34. area. I urge favorable support of both of these two bills. Thank

1. you.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. May I have a little order. Senator Johns.

4. SENATOR JOHNS:

5. Thank you, Mr. President. After hearing two great leaders
6. speak on behalf of this vote, my voice probably won't add
7. another vote to it. But I'd like to say as a downstater, probably
8. as far South as you can go, and as a member of the Economic
9. Development Commission, as Chairman of the Port Committee of that
10. Commission, and one having traveled throughout the United States
11. and visited all the ports with the commission, we visited the
12. ports and we found that a great rumor was moving through
13. the people that worked on the docks and so forth, that Chicago
14. could be and should be number one on the Great Lakes. And I
15. support this bill and that endeavor, and it means a great deal
16. to Chicago and to Illinois and Gentlemen, I'm asking for that
17. support. Thank you very much, Mr. President.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Harber Hall.

20. SENATOR HALL:

21. Would the sponsor yield?

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Indicates he will yield. Senator Hall.

24. SENATOR HALL:

25. Senator Merritt, as I understand it, the Port District
26. may charge either twenty percent or fifty percent or do you know
27. which one it is or how does that work?

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Merritt.

30. SENATOR MERRITT:

31. Well, under the original...or the previous act on the ports
32. it calls for a fifty percent revenues payback under one past
33. year recently out of the Senate and went to the House where I don't
34. know what's happened to that since cause it was fairly recently that

1. was reduced to twenty percent. You probably heard the debate
2. on that. But anyway, it does carry...it just lengthens the
3. number of years regardless of what percentage it is, it will be
4. completely paid back and I would also like to point out,
5. Senator Hall, that we're perhaps the only port in the nation
6. that has never had one dime grant in any way for the operation
7. of that port. It has carried its own way over the years.
8. Their revenue bonds are right on schedule, in fact, ahead
9. of schedule for the construction of the facilities there to this
10. time and the State of...State of Indiana for instance,...Burns
11. Harbor, I think, recently appropriated by...direct grant
12. twelve million dollars for the operation of that port. And
13. we're so far ahead of Burns Harbor that there's just no
14. comparison.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Harber Hall.

17. SENATOR HALL:

18. I'm just...clarifying this in my own mind. That...that rental
19. goes to pay off these revenue bonds, is that right, isn't that the
20. way it works?

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Merritt.

23. SENATOR MERRITT:

24. That's right. Under the...under the current operation that's
25. there. Now, under this new appropriation that we're asking for
26. now for land acquisition, that would likewise be paid out of
27. developments that occur there out of the revenues.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Dougherty indicates he wishes to also respond.

30. SENATOR DOUGHERTY:

31. I think there's a little bit of a misunderstanding about this.
32. The Chicago Regional Port District now operates...from a twenty-four
33. million dollar bond issue a number of years ago. That has now

1 been reduced to some seventeen million dollars. This is not
2 in any way involved in this. The money that Senator Merritt
3 is talking about, the twenty percent of the returned from this
4 new facility, if it isn't built, will go to retire what we've
5 borrowed from the Capitol Development Board. That's
6 what that's for. Now, we have nothing to do with rates, nothing
7 to do...only the Port District itself operates as an entity
8 and they do...they lease these facilities out. We do not conduct
9 any operation whatsoever as a political entity. They are all
10 leased. They are done by private enterprise. And this...the fund has
11 been paid back. This money we're attempting to get is vitally
12 necessary and it will...there is a payback...I put the payback
13 in there a couple of years ago, it has been reduced because we
14 have found not in the Port District particularly but in other
15 port districts, that they cannot pay all these monies back
16 as rapidly because they have not yet constructed the facilities.
17 It's a timely proposition. This is vitally needed. I might point
18 out to you that this Port District that we make no charge,
19 surcharge whatsoever for the immediate products. It's just the
20 operation. And we moved some sixty-five carloads of...of grain
21 out of there every day. And this is, and any Illinois agricultures
22 benefit by that, goes nationwide. This is vitally needed to the
23 economy of the State of Illinois and it will be very, very productive.
24 And I do urge my...the members to join with us in passing this bill.

25 PRESIDING OFFICER: (SENATOR ROCK)

26 Any further discussion? Senator Fawell.

27 SENATOR FAWELL:

28 Mr. President, I'm still not sure. I...I gather from what
29 has been said...

30 PRESIDING OFFICER: (SENATOR ROCK)

31 Senator Fawell.

32 SENATOR FAWELL:

33 ...we're talking about revenue bonds solely that we're not talking

1. about any of the State revenues being utilized to pay these
2. bonds. Is that correct?

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Dougherty.

5. SENATOR DOUGHERTY:

6. Correct.

7. SENATOR FAWELL:

8. And I assume the State however, stands to guarantee
9. those bonds if for some reason the revenues don't come through
10. the State guarantees these bonds, is that...

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Dougherty.

13. SENATOR DOUGHERTY:

14. No, Sir. There is no guarantee by the State in that
15. respect.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Further discussion? Senator Merritt, do you wish to close
18. the debate? All right. The question is shall Senate
19. Bill 1863 pass. Those in favor will vote Aye. Those opposed
20. will vote Nay. The voting is open. Senator Partee, Aye, please.
21. Have all voted who wish? Take the record. On that question,
22. the Ayes are 51, the Nays are none, none Voting Present.

23. Senate Bill 1863 having received a constitutional majority is
24. declared passed. On the order of Senate Bills on 3rd reading, is
25. Senate Bill 1891, Mr. Secretary.

26. SECRETARY:

27. Senate Bill 1891.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Merritt.

32. SENATOR MERRITT:

33. Yes, Mr. President, I won't belabor the issue any longer.

1. This is for the condemnation powers for that particular piece
2. of land only, and I'd solicit a favorable roll call.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Is there any discussion? The question is shall Senate
5. Bill 1891 pass. Those in favor will vote Aye. Those opposed
6. will vote Nay. The voting is open. Have all voted who wish?
7. Take the record. On that question the Ayes are 48, the Nays are 2,
8. 1 Voting Present. Senate Bill 1891 having received a constitutional
9. majority is declared passed. Senator Hynes, do you wish to call
10. 71 or 2? 187...No. With leave of the Senate, we'll back up.
11. Senator Don Moore has informed the Chair he has an amendment to offer on
12. Senate Bill 1783. On the order of Senate Bills on 3rd reading
13. is Senate Bill 1783. Senator Don Moore.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Thank you, Mr. President and members of the Senate.
16. At this time, Mr. President, I would like unanimous consent
17. to take Senate Bill 1783 from the order of 3rd reading back to
18. the order of 2nd reading for the purpose of an amendment.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. You've heard the motion. All in favor signify by
21. saying Aye. Leave is granted. On the order of Senate Bills on
22. 2nd reading, Senate Bill 1783.

23. SECRETARY:

24. Amendment No. 1 offered by Senator Don Moore. Amendment
25. No. 2, I'm sorry.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Amendment No. 2, Senator Don Moore.

28. SENATOR MOORE:

29. Thank you, Mr. President. What this amendment does, it
30. strikes the initial language that was in the bill dealing with the
31. Statute of Limitations after the discussion we had upon it
32. a day and...or two days ago. I did conclude that the language
33. was unclear. So I worked with the department and came up with

1. a substantially the same but a much clearer version of exactly
2. what the bill does and it's incorporated in Amendment No. 2.
3. I'd at this time move for the adoption of Amendment No. 2 to
4. Senate Bill 1783, Mr. President.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Netsch.

7. SENATOR NETSCH:

8. Mr. President, my objection really is not to this amendment
9. which is in somewhat better form than the existing language
10. so I'll hold my remarks until 3rd reading then.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Is there any discussion? Senator Partee.

13. SENATOR PARTEE:

14. I don't know, I just took a look at this, but it seems to me
15. that in line seven after the word "court" there ought to be a comma,
16. which separates it from the rest of the sentence because
17. I think it just makes better reading.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Don Moore.

20. SENATOR MOORE:

21. I agree with Senator Partee. Senator, could that be
22. corrected in Enrolling and Engrossing? Could a comma
23. be added at that time?

24. SENATOR PARTEE;

25. Well, I would prefer that we just...why don't you ask
26. leave right now to amend the amendment on its face with a comma.

27. SENATOR MOORE:

28. At this time, Mr. President, I would ask leave of the Body
29. to amend Amendment No. 2 to Senate Bill 1783 on line seven by
30. inserting a comma between the word "court" and the word "where".

31. PRESIDING OFFICER: (SENATOR ROCK)

32. You've heard the request. Is leave granted? Leave is
33. granted. So ordered. Further discussion? Senator Nudelman.

1. SENATOR NUDELMAN:
2. Would the sponsor yield for a question?
3. PRESIDING OFFICER: (SENATOR ROCK)
4. Indicates he will yield. Senator Nudelman.
5. SENATOR NUDELMAN:
6. Thank you, Mr. President. What is the meaning in this
7. context of the phrase "or a local governmental unit" what does
8. that relate to a local governmental unit in its capacity in
9. handling some portion of the Public Aid problem?
10. PRESIDING OFFICER: (SENATOR ROCK)
11. Senator Don Moore.
12. SENATOR MOORE:
13. Yes, it's in the definition in the Public Aid Code,
14. the Illinois Department, the County Department refers to
15. the County Department of Public Aid or a local governmental
16. unit would be a township supervisor of general assistance or
17. the general assistance unit in the City of Chicago. It's
18. confined to the Public Aid field, Senator.
19. PRESIDING OFFICER: (SENATOR ROCK)
20. Senator Nudelman.
21. SENATOR NUDELMAN:
22. Thank you. I'm reassured by your explanation, although
23. I still don't think much of your bill.
24. PRESIDING OFFICER: (SENATOR ROCK)
25. Further discussion? Senator Moore moves the adoption of
26. Amendment No. 2 to Senate Bill 1783. All those in favor signify
27. by saying Aye. All those opposed. The Ayes have it. The amendment
28. is adopted. Any further amendments? 3rd reading. Senator Fred
29. Smith, for what purpose do you arise, Sir?
30. SENATOR SMITH:
31. Groups that are here in the South galleries on the East and
32. on the West side of the Senate. They are from the Wendall
33. Philips High School, the principal senatorial district on the

1. South side of the City of Chicago, the 22nd, and they
2. are accompanied by a certain instructors, one Mr. Mooney,
3. Mr. Scott, and one Mrs. Armstrong. Will the Senate...have the
4. Senate please rise and recognize...

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Will our guests in the gallery please rise and be
7. recognized by the Senate. Does any member have a Senate Bill
8. on 3rd reading that he wishes to pursue? Or you wish...
9. you wish to get back to 1783 today? Yes, we do, in fact,
10. need intervening business. Senator Mitchler, for what purpose
11. do you arise?

12. SENATOR MITCHLER:

13. I'd like to ask leave of the Senate to be added as a
14. cosponsor to Senate Bill 1594. Senator Egan is the principal
15. sponsor of that bill.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. You've heard the request. Is leave granted? So ordered.
18. On the order of House Bills on 3rd reading. For the purpose
19. of intervening business, we will get back to Senate Bill 1783.
20. House Bills on 3rd reading. Senator Netsch, do you wish to
21. call any of that series of bills? Okay. Senator McCarthy is...
22. Senator Knuppel. Senator...Senator ParTEE. House Bills 3rd
23. is the supplemental appropriation to the FEPC, do you wish that
24. called?

25. SENATOR PARTEE:

26. Yes. Read the bill.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. On the order of House Bills on 3rd reading is House Bill
29. 3384. Mr. Secretary.

30. SECRETARY:

31. House Bill 3384.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Partee.

3. SENATOR PARTEE:

4. Senate Bill 3384 does not involve any State money. It is
5. a bill which appropriates to the commission from the Federal
6. special projects might be used in investigation of complaints.
7. It is no new money. I'd ask for a favorable roll call.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Is there any discussion? Any discussion? I was distracted.
10. All right. Question is shall House Bill 3384 pass. Those in
11. favor will vote Aye. Those opposed will vote Nay. The voting
12. is open. Have all voted who wish? Take the record. On that
13. question the Ayes are 46, the Nays are none, none Voting Present.
14. House Bill 3384, having received a constitutional majority is
15. declared passed. Senator McCarthy, for what purpose do
16. you arise?

17. SENATOR MCCARTHY:

18. I was in the phone when you called at the point of
19. 3116. I was wondering if we might take 3115 and 3116 this
20. morning and see if they...we can't get them out of the way.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. The Chair is informed that...Senator Chew, for what purpose
23. do you arise?

24. SENATOR CHEW:

25. Mr. President, I have an amendment for 3116 and I would request
26. that the sponsor bring it back to 2nd reading for the purpose
27. of an amendment.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. All right. Senator McCarthy has requested leave to bring
30. House Bill 3116 back to the order of 2nd reading for the
31. purpose of an amendment to be offered by Senator Chew.
32. Is leave granted? So ordered. On the order of House Bills
33. on 2nd reading is House Bill 3116.

1. SECRETARY:
2. Amendment...Amendment No. 2 offered by Senator Chew.
3. PRESIDING OFFICER: (SENATOR ROCK)
4. Senator Chew.
5. SENATOR CHEW:
6. Mr. President, the amendment deals with a conversation I
7. had with leadership and many of the Senators pertaining to
8. a court appointed agent to notify property owners when their
9. properties are in a redeemable stage. It, in talking to
10. the Senators last week, we were able to get forty-one signatures
11. on a new bill as cosponsors. However, it has been worked out
12. where instead of having to introduced a new bill and pursue it
13. through the House and the Senate the crux of the bill that the...
14. has been taken out and put in the form of an amendment. And
15. that's all it does. And I would ask for its approval.
16. PRESIDING OFFICER: (SENATOR ROCK)
17. Any discussion? Senator Glass.
18. SENATOR GLASS:
19. I'd like to ask the sponsor a couple of questions, Mr.
20. President. Senator Chew,...
21. PRESIDING OFFICER: (SENATOR ROCK)
22. Indicates he will yield, I'm sorry.
23. SENATOR GLASS:
24. Thank you. Is this amendment essentially the same as
25. Senate Bill 1944?
26. PRESIDING OFFICER: (SENATOR ROCK)
27. Senator Chew.
28. SENATOR CHEW:
29. Precisely, Senator.
30. PRESIDING OFFICER: (SENATOR ROCK)
31. Senator Glass.
32. SENATOR GLASS:
33. And is that bill still in Rules Committee?

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Chew.

3. SENATOR CHEW:

4. Yes, that bill is in Rules Committee. I plan to Table
5. that bill and ask that it not be pursued further or depending
6. on the outcome of this amendment, Sir.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Glass.

9. SENATOR GLASS:

10. It's also my understanding, Senator Chew, in looking
11. at the bill that what it does in effect is require the court
12. to send out an individual to explain the rights of a person
13. whose home is subject to a tax sale, and his rights to redeem
14. from a tax sale and in that connection, the bill amends Chapter
15. 120 which pertains to tax sales and redemption from tax sales
16. and does not relate to mortgage foreclosures, and I...I
17. just wonder if in that regard, why you would want to put that
18. language on a...on a bill dealing with mortgage foreclosures.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Chew.

21. SENATOR CHEW:

22. Senator, If you will get a copy or furnish you one with
23. 1944 that bill within itself did not include anything pertaining
24. to mortgage foreclosure. I know what you're saying and
25. I can certainly respect that. But, this amendment does not contain
26. any language pertaining to mortgage foreclosure because the
27. two are unrelated.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Glass.

30. SENATOR GLASS:

31. That...that is exactly my point, Senator Chew, and at this
32. time I would like to ask for a ruling from the Chair that
33. this amendment is not appropriate and should not be allowed

1. on the bill. It's not germane and I cite the Illinois
2. Constitution, Article IV, Section 8 - D, wherein it states,
3. that bills except for...except bills for appropriation
4. codification, revision or rearrangement of laws, shall be
5. confined to one subject, and point out again that this, I
6. think, is more properly the subject of a separate bill and
7. I'm not arguing the merits of the amendment, but I certainly
8. don't think redeeming from tax sales has anything to do with
9. mortgage foreclosures.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. It is the opinion of the Chair that Amendment No. 2
12. as proffered by Senator Chew, is, in fact, germane to the
13. subject matter of House Bill 3116. The title, as I read the
14. amendment, has, in fact, or will, in fact, be amended and
15. additionally, the subject matter is identical. House Bill
16. 3116 related to the shortening of the period of redemption.
17. Senator Chew's amendment deals exactly with the redemption subject
18. and additionally deals with the question of abandoned or
19. otherwise unoccupied buildings, as did House Bill 3116.
20. For that reason, the Chair would rule that the amendment is
21. germane. Is there any further discussion on Amendment No. 2?
22. Senator Fawell.

23. SENATOR FAWELL:

24. With all due respect, I don't understand it. And I don't
25. have...it's a long one over there about three or four pages,
26. I gather from what I can see from here and I wonder if we could
27. have copies distributed as the rules indicate, so we can do a little
28. review and perhaps come back this...maybe just five minutes
29. from now, but this is a...quite a significant amendment and
30. none of us had an opportunity to digest it. Might be very
31. salutary. Might be very helpful, and again it might not.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Chew.

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- 1. SENATOR CHEW:
- 2. Mr. President, I have explained the entire amendment,
- 3. the changes. Senator Glass, in his request for information,
- 4. aided me in the explanation. I would be glad to give copies
- 5. of the amendment, but it's not a fallout on atomic bomb or anything
- 6. like that and I'd like to have it attached and if the
- 7. distinguished Senator from Naperville finds that he cannot
- 8. live with it, why we can certainly try and work with you
- 9. to work it out. But, we...we're just working with time here,
- 10. Senator Fawell, and I would ask your...your aide in this and
- 11. I'll...I'll give you a copy of the amendment.
- 12. PRESIDING OFFICER: (SENATOR ROCK)
- 13. Well, might I suggest Senator...Senator Moore does, in
- 14. fact, have a bill he wishes to call for passage. Can we
- 15. just hold things at the status quo. We'll keep 3116 on
- 16. 2nd reading with the amendment pending, and give...afford the
- 17. members an opportunity to quickly read it and then we'll...
- 18. SENATOR CHEW:
- 19. Excellent.
- 20. PRESIDING OFFICER: (SENATOR ROCK)
- 21. Fine. Okay. The correct procedure then is that consideration
- 22. of Amendment No. 2 to House Bill 3116 on 2nd reading is
- 23. temporarily postponed. All right. With leave of the Body
- 24. we will return to Senate Bills on 3rd reading for the
- 25. purpose of taking up Senate Bill 1783 which was amended a
- 26. few moments ago. Is leave granted? On the order of Senate
- 27. Bills on 3rd reading is Senate Bill 1783. Mr. Secretary.
- 28. SECRETARY:
- 29. Senate Bill 1783.
- 30. (Secretary reads title of bill)
- 31. 3rd reading of the bill.
- 32. PRESIDING OFFICER: (SENATOR ROCK)
- 33. Senator Don Moore.

SB 1783
5/20/75
B. Moore

1. SENATOR MOORE:

2. Thank you, Mr. President and members of the Senate.

3. Senate Bill 1783 was presented to the Legislative Advisory

4. Committee on Public Aid by the administration. There is a

5. problem which the Department has that would be remedied

6. by this bill. What this bill does, it provides that no claim

7. shall be heard either on administrative appeal or in any

8. court where that claim is based upon an allegation of

9. erroneous action or failure to act by the Illinois Department

10. or County department or a local governmental unit unless

11. written notice of appeal or the written complaint is filed

12. with the Department or a court within one hundred and fifty

13. days from the alleged erroneous action or failure to act.

14. The bill also puts a time limit of sixty days of which the

15. Department has to render its opinion or such additional

16. time which by amendment was defined to be an additional thirty

17. days. The reason for this bill, Mr. President, is that during

18. the calendar year 1975, there were some three hundred and

19. twenty-five cases which were processed by the Department that

20. would not have been in the event there would have been a one

21. hundred and fifty day Statute of Limitations. Some of these cases

22. were filed upon allegations that the Department failed to act

23. upon a claim thirty-five months ago. They then come in and

24. say, "well, we made a claim thirty-five months ago, but the

25. Department never acted on it." In the meantime, the Department

26. with the voluminous paper work that it has, the millions of forms

27. and...and shuffling of papers that they go, the case files,

28. they can't locate the file, they say "well, who's the worker?"

29. We do have a turnover of caseworkers, particularly in...in Cook County.

30. The caseworker isn't there. We don't know the name. We're at

31. a loss to really say "did you actually come in and file a complaint

32. or didn't you?" And as a result, there was some little over

33. two hundred thousand dollars that was paid by the Department of

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1. Public Aid upon claims that had more than one hundred and
2. fifty days and went to...as...as far as thirty-five months.
3. What this bill does, it provides that if a claimant does
4. come into an office, he makes a claim for either a general...
5. assistance in the first place or in the alternative, that
6. his circumstances are changed, that he's entitled to more money,
7. if he doesn't hear within one hundred and fifty days, it's
8. his obligation to file a written appeal with the Department
9. and at which time the matter will be taken up, and under the
10. present law there has to be a decision within sixty days.
11. I'd be happy to answer any questions.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Netsch.

14. SENATOR NETSCH:

15. Thank you, Mr. President. I object to the bill in its
16. present form, although I think it should be pointed out fairly
17. that the Amendment No. 1 that was offered last week is a vast
18. improvement over the existing bill and as a matter-of-fact,
19. the amendment that was offered today is an improvement in
20. language over the preexisting language. But the problem
21. that I still have is...is the fact that it does not really
22. go to the issue that has been raised by some of us with Senator
23. Moore and with the Department. It...there is no objection
24. to the idea of having a Statute of Limitations applicable to
25. whether they be applications or requests for increased aid
26. or whatever. That concept of having a time beyond which the
27. recipients may not appeal is perfectly valid. That is not the
28. problem. I...I understand, also and have some sympathy with
29. the Department's problems in terms of not having someone come in
30. a long, long time later and say "well, you didn't act on my claim,"
31. and have it then subject to appeal. But the problem is that
32. what you have done in this bill is in a sense, you have taken
33. a burden of proof, the burden of proving a negative, which

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5/20/76
3rd reading

1. was on the Department before and you've now shifted it around
2. and placed that burden of proving a negative on the recipient,
3. and it seems to me that...that many of the people that we are
4. talking about are considerably less sophisticated than the
5. Department itself and that it makes no sense to tell them
6. they have got to be sophisticated enough and alert enough
7. from the moment they first either file the application or
8. request the change in grant, or whatever to keep some kind
9. of record so that they can later show that their time...
10. their Statute of Limitations did not start to run until a
11. specified date. They are simply not going to do that. They
12. don't even know about things like Statute of Limitations
13. and appeal rights at that stage, and so what happens is that
14. you put them in an impossible position later on in trying to
15. prove a negative which they simply cannot prove. The suggestion
16. was made at one point that if they would be given a receipt
17. by the caseworker when they file the application or whatever
18. the particular grant right might be, that then there would be
19. a document that would be applicable to both sides and that would,
20. in fact, start the Statute of Limitations running. But without
21. something like that receipt, then it seems to me that you have
22. not really solved...you solved the Department's problem. You've
23. made it easier for them to sit on something for a long period
24. of time and then say "sorry, we can't find your papers" or whatever,
25. but you have made it really an unconscionable burden on the
26. recipient and on that basis it seems to me that the bill is
27. no longer a good piece of legislation, in fact, it wasn't from the
28. very beginning, and ought to be opposed.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Newhouse.

31. SENATOR NEWHOUSE:

32. Would the sponsor yield for a question, please?

33. PRESIDING OFFICER: (SENATOR ROCK)

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5/20/76
2001/16
2001/16

1. Indicates he will yield. Senator Newhouse.
2. SENATOR NEWHOUSE:
3. Senator, it's my understanding that you did approach
4. the Department for some form of receipt to be given the recipient
5. so that there would be ample evidence on both sides and clear
6. evidence for any arbitrator to decide when the Statute began...
7. when the term began to run. Would you share with us the response
8. that you got from the Department, please?
9. PRESIDING OFFICER: (SENATOR ROCK)
10. Senator Don Moore.
11. SENATOR MOORE:
12. I'd be happy to, Senator. I took this matter up yesterday
13. with the Director of the Department and it was his opinion that
14. because of the voluminous amount of paper work that exists in
15. a local office, the voluminous amount of forms that have to
16. be made out, either through our own directives or mainly through the
17. directives of HEW in order to be eligible for matching Federal
18. funds. Most...no, I won't say most, I'll say a good portion of a
19. caseworker's time is spent shuffling papers and filling out forms.
20. And it was the director's opinion that if we had to go into
21. providing another form, another receipt that it would cost
22. far in excess of the two hundred thousand that we were paying
23. out now on the claims that would be over one hundred and fifty
24. days old.
25. PRESIDING OFFICER: (SENATOR ROCK)
26. Senator Newhouse.
27. SENATOR NEWHOUSE:
28. So the response from the Department was that a receipt
29. would be too costly?
30. PRESIDING OFFICER: (SENATOR ROCK)
31. Senator...
32. SENATOR NEWHOUSE:
33. Is that correct, Senator?

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5/18/67
B. D. Newhouse

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Don Moore.

3. SENATOR MOORE:

4. It would be...the cost would be more than the two
5. hundred thousand plus dollars that we're paying out in addition
6. to the additional costs of additional paper work that the
7. employees in the Department already have.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Newhouse.

10. SENATOR NEWHOUSE:

11. Thank you, Senator. Senator, I suspect that few people
12. in this Chamber would quarrel with the proposition that there
13. ought to be some kind of statute, that there ought to be some
14. kind of limitations, that is, on the right to pursue an
15. appeal. The problem, of course, is a problem of basic fairness.
16. How do the equities land? And if the Department is saying that it
17. is more important, then, for them to spend money to...to cut off
18. appeals, then it is for the Department to act fairly in given
19. circumstances and that seems to me to be a pretty weak
20. argument. I'm not so certain that...that two hundred thousand
21. dollars worth of paper would be required for a simple
22. mimeograph form which a recipient could then take back and
23. keep in his possession so that he would have some evidence as to when
24. the...when the initial filing took place. As you suggest, there
25. is a good deal of confusion within those offices in simply
26. keeping up with files. But that seems to me to be a deficiency of
27. the company and certainly of...of the Department, and certainly
28. should not reflect upon people who have legitimate claims. It's
29. my concern then that under this...under the amendment as it
30. stands, no matter what its intent, there will be some hardship
31. worked on people who simply cannot afford it. And it seems to
32. me the equities in the case ought to be balanced toward that side.
33. Therefore, I would have to oppose the bill despite the fact that
34. I agree with it in principle and with...with the proper safeguards,

11/17/76
5/20/76
Subheading

1. would join you in cosponsorship of the bill.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Kenneth Hall.

4. SENATOR HALL:

5. Thank you, Mr. President and members of the Senate.

6. I agree with Senator Netsch and Senator Newhouse. You know,
7. we're dealing with people who have little resources that
8. they're not able to afford counsel. It seems that what we're
9. trying to do is always make everything more difficult for
10. people. Now, I realize and I know this has happened many
11. times, when just caseworker error. You go into the office and
12. they say this was a caseworker error, where some deserved
13. client with a number of children and their checks have come back
14. because the caseworker has told them to move, then you look
15. for the check and here a family of four or five children,
16. what are you going to tell a child, caseworker error. This is
17. a bad piece of legislation and I think that it should be defeated.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Further discussion? Senator Nudelman.

20. SENATOR NUDELMAN:

21. Thank you, Mr. President. I would add my voice to the
22. opposition to this bill for some of the same and additional
23. grounds. I think this is a patent attempt by a bureaucracy
24. to protect itself from its own ineptness and mistakes. I think
25. that they...they...they should be required to and it would be
26. a simple matter to register in. I am told that they do now
27. register in all applicants, but the applicant is not given a
28. receipt and we must...we must be aware that we are dealing with
29. a portion of our population, many of whom are illiterate, who have
30. no concepts of time and...and processes of this sort and who
31. wouldn't know when the hundred and fifty days began, particularly
32. without having been given any...any notice. It seems to me
33. that the...the attempt here is really contrary to what we're trying

101783
5/20/76
Jed reads:

1. to do in this Department and that is to aid people who are
2. really in need of aid. I think the bottom line of the whole
3. proposition is that if these people do take their appeal
4. and even if it's a hundred and fifty days or more after the
5. failure to act or the negligent act of the Department, they
6. still must prove the need and if they have proven the need
7. in that they are entitled to this public aid, I don't think
8. they should be deprived of it because the Department has failed
9. to act promptly. I think that's putting the penalty on the
10. wrong party. Certainly, you shouldn't penalize somebody for
11. not knowing that he has to act within a hundred and fifty days
12. when in so many instances he can't even read the forms and
13. particularly can't read the forms because they're not given
14. to him. I think it's a bad piece of legislation. I think if
15. there were a requirement of registration and if...of receipts
16. given to these people when they do register and if the receipt
17. properly stated that you must make inquiry or act within
18. "X" days or "Y" days, then the Department could make a case for
19. itself. But I think here we are...we are truly faced with a
20. bureaucracy which can't...which can't do the job and that portion
21. ...one portion of the job they can't do, they are trying to
22. blame on the recipients and...and saving themselves by
23. putting these people out in the cold. I think it's unreasonable
24. and this bill should really be defeated.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Any further discussion? Senator Berning.

27. SENATOR BERNING:

28. Thank you, Mr. President. I would just like to observe
29. that very obviously the self same argument which is now being
30. made for additional notices and forms being furnished people
31. who are not necessarily incapable of understanding but are anxious
32. and happy to have somebody else do things for them. Those
33. self same arguments will shortly be made as we consider an amendment

11/17/73
12/10/75
Bill reading

1. to 3116 where people have received notice after notice after
2. notice and still don't know that their property has been sold
3. at a tax sale. Mr. President, I think what is obvious is
4. that a certain percentage of our people are unwilling or
5. unable or both to recognize that they must do some things for
6. themselves. Obviously, we can't lead everyone around by the
7. hand.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Is there any further discussion? Senator Don Moore
10. may close the debate.

11. SENATOR MOORE:

12. Thank you, Mr. President and members of the Senate.

13. I can understand some of the arguments that were made in this
14. debate that we had on this bill, but I think when you realize
15. that we are dealing with three hundred and twenty-five
16. cases in the course of a year, a very small number, Ladies and
17. Gentlemen of the Senate, when you consider we have over one
18. million two hundred thousand recipients in the State of Illinois.
19. The Department of Public Aid is the largest Department of
20. State government. There are over ten thousand employees.
21. There's bound to be a mistake once in a while. On the other hand,
22. there may be some people that have found a way to beat the
23. system, which we have found does happen once in a while.
24. These three hundred and twenty-five people should, if they were
25. in need, if there was a hardship, I'm sure that we're going
26. to hear from them within one hundred and fifty days if
27. some action isn't taken. I think it's reasonable. I think that
28. the idea of the additional receipt...so a receipt is given.
29. With the turnover that we have in our caseworkers in...particularly
30. in the County of Cook, elsewhere in the State, what good is
31. a receipt? So the recipient says "well, I told the caseworker
32. so and so." Well, how are we going to prove it? The caseworker is...
33. no longer works for the Department, perhaps has moved out of State.

SB 1783
5/20/76
J. H. [unclear]

1. How can we prove, how can the Department prove what was said
2. at a particular time? Within a hundred and fifty days it's reasonable.
3. I don't think that there would be any great hardship in this
4. matter because believe me, if someone is in dire need, they're
5. going to get a hold of one of the welfare rights organizations.
6. They're going to be in getting a hold of that caseworker. They're
7. going to want some action long before a hundred and fifty days
8. passes. I think this is a reasonable requirement. If a hardship
9. does exist and if no action was taken for a hundred and fifty
10. days, it couldn't have been much of a hardship. The recipient
11. again can go and make another complaint and can notify the
12. Department in writing and it shall be adjudicated within ninety
13. days. I think it's reasonable. I would ask for a favorable
14. support of this legislation.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. The question is shall Senate Bill 1783 pass. Those in
17. favor will vote Aye. Those opposed will vote Nay.
18. The voting is open. Have all voted who wish? Take the record.
19. On that question the Ayes are 38, the Nays are 13, 1 Voting Present.
20. Senate Bill 1783 having received a constitutional majority
21. is declared passed. While we're on this order of business,
22. Senate Bills 3rd, the Chair has been informed that there is
23. an amendment to Senate Bill 1626. Senator Carroll.

24. SENATOR CARROLL:

25. Thank you, Mr. President. I would ask leave to return
26. Senate Bill 1626 back to the order of 2nd reading for purposes
27. of an amendment.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Is leave granted? All right. On the order of Senate Bills
30. on 2nd reading, is Senate Bill 1626.

31. SECRETARY:

32. Amendment No. 4 offered by Senator Carroll.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Carroll.

2. SENATOR CARROLL:

3. Thank you, Mr. President. Amendment No. 4 is a transfer
4. from Contract Services back into Personal Services. This had
5. to do with some Personal Service janitors who were working at
6. the institutions. The university wanted to go out to Contract
7. Service and this is to correct that and put it back into
8. Personal Services. I've discussed it with both the Chairman
9. and Minority Spokesman. I know of no objection to the amendment.
10. I would ask for the adoption of Amendment No. 4 to Senate Bill
11. 1626.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Is there any discussion? Senator...Senator Carroll moves
14. the adoption of Amendment No. 4 to Senate Bill 1626.
15. All those in favor signify by saying Aye. All those opposed.
16. The Ayes have it. The amendment is adopted. Are there any further
17. amendments? 3rd reading. Senator Carroll, do you wish to
18. come back to that? We will have some intervening business.
19. All right. With leave of the Body, we will return now to
20. House Bills on 2nd reading, for the purpose of taking up
21. Amendment No. 2 to House Bill 3116. Is leave granted? All right.
22. On the order of House Bills on 2nd reading, is House Bill 3116.
23. We are considering, or were considering Senator Chew's Amendment
24. No. 2. Senator Chew.

25. SENATOR CHEW:

26. Mr. President, Senator Fawell's information has been furnished
27. to him now and he has no objection to the amendment. He had no
28. objections prior. He merely wanted it on his desk where it could
29. be examined. That has occurred. I've conversed with Senator
30. Fawell and I don't know of any other objections.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Glass.

33. SENATOR GLASS:

1. Thank you, Mr. President, Ladies and Gentlemen.

2. I would just like to point out to the membership that this
3. amendment is in substance a...a bill that is pending in the
4. Rules Committee that would establish a procedure whereby
5. the court must appoint an agent and the qualifications of
6. the agent are not specified to go out and explain to a property
7. owner, a residential property owner who has received a notice
8. that his property has been sold for delinquent taxes, explain
9. to that person what the notice means and the consequences of
10. his failure to redeem. Now, Senator Chew, I frankly, think this
11. concept is a good one and I...I don't oppose it. What does bother
12. me about the procedure, though is that it...it has come as
13. an amendment to a House Bill. If this goes back to the House
14. for concurrence it means that this particular amendment will have
15. no committee hearing, we will not have had a chance to...to
16. examine it carefully and...and I think there...there may be some
17. improvements that could be made in it. For example, there's
18. nothing in here about the cost to the court, the qualifications
19. of the people that it sends out and so forth. So I...I'm kind of
20. torn because I think your concept is good, but I also think
21. that it ought not to be attached to a bill of this kind.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Further discussion? Senator Harber Hall. Oh, I'm...I
24. beg your pardon. I didn't realize it was a question, Senator Chew.
25. You know. Senator Harber Hall has sought recognition.

26. SENATOR HALL:

27. Well, I presume that the law is going to apply the...all the
28. downstate counties and I don't know that there's any need down here,
29. we haven't had this much problem...I'm the first to confess, I
30. don't know of all the problems in Chicago that I'm sure...that I've
31. read about that I'm sure exist. But I have read from time to time
32. about all the bailiffs that sit around in the courts up in Cook
33. County and don't have a great deal to do and as I read this

1. bill, I imagine justifiably or not, I imagine that the courts
2. now have a new access to monies that will be used to hire a
3. whole lot more people who do a whole lot less than even some
4. of the bailiffs up there. It just doesn't seem right to me
5. to see...to take every single case of tax sale when only a
6. few of them might be able to use this service and require every
7. property that's up for tax sale to be visited by an agent of the
8. court and a report made on that visit showing who all the
9. tenants are and all the owners and with proof that they've
10. all been notified that the law is going to be enforced.
11. I...I...I have some real questions about it. We want to provide
12. all the protection we can for those who are not familiar with
13. the law and who for some reason or another are not able to
14. ...to comply with the law as it's plainly written and I know those
15. ...those are cases that are needing our help. But I think we
16. can...do something besides requiring for every single tax sale
17. that exists because most of them will not require this type of
18. service but they're going to have to get it.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. All right. Any further discussion? Senator Chew may
21. close the debate.

22. SENATOR CHEW:

23. This only applies to three or less dwelling units. Now, I've
24. been in contact with county assessors, not only in Cook, but other
25. counties. At the bottom of the amendment, Senator Hall, if you'll
26. read the failure of the court agent to contact all or any of the
27. parties named in the petition, shall not effect the rights of the
28. petitioner to the entry of an order for issuance of a tax deed.
29. In other words, your statement is inaccurate to say that they
30. have to make a report of all parties contacted. Now, let us face
31. it. Nobody is eager to lose their properties, whether it's through
32. a foreclosure, or a tax sale. But what we're trying to do here, and
33. I have not found any assessor that's opposed to this concept.

1. What we're attempting to do here is to eliminate the kind
2. of excuses that are frequently used by those persons caught up
3. in the dilemma as not being properly notified. One other correction
4. I'd like to make, Senator Hall, is the amendment does not state
5. that you must go "out" and find a property owner. That is not
6. the intent of this amendment and you can't find it in the
7. amendment and that conversation...kind of conversation is certainly
8. misleading. They do not have to go out as if you were hunting
9. somebody to converse with the property owner. There are methods
10. that are going to be used to get these people into conversation.
11. Now, as far as the cost is concerned, and I could tell from
12. your conversation that you had not really read the amendment,
13. these costs will be borne by the now contingency fund that is
14. granted by the General Assembly. I would predict that the cost
15. will be absolutely minimum and and it shall not exceed a hundred
16. dollars per case. We've carefully worked this out and our whole
17. intent is to alleviate the problem that is existing of people
18. that possibly cannot read English or people that cannot read
19. Spanish. And I think it's a...it's an excellent concept. I
20. think the...the program will work and I would ask you to give it
21. a chance. If it fails, let's keep working on it to alleviate the
22. problem. I would ask for a favorable roll call on the
23. acceptance of the amendment.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. The question is the adoption of Amendment No. 2 to House
26. Bill 3116. All those in favor signify by saying Aye. All those
27. opposed. The Ayes have it. The...roll call has been requested.
28. On the question is the adoption of Amendment No. 2 to House
29. bill 3116. Those in favor will vote Aye. Those opposed will
30. vote Nay. The voting is open. Have all voted who wish?
31. Take the record. On that question, the Ayes are 28, the Nays
32. are 18, none Voting Present. The amendment...Amendment No.
33. 2 to House Bill 3116 is adopted. Are there any further amendments?

1. Senator McCarthy, for what purpose do you arise?
2. SENATOR MCCARTHY:
3. Just to attempt to proceed on this package. Is...
4. PRESIDING OFFICER: (SENATOR ROCK)
5. That is correct. Any further amendments? 3rd reading.
6. Senator Partee, for what purpose do you arise?
7. SENATOR PARTEE:
8. On a point of personal privilege.
9. PRESIDING OFFICER: (SENATOR ROCK)
10. State your point, Sir.
11. SENATOR PARTEE:
12. Seated in the south west gallery are a group of students
13. from the McGill School on the west side of Chicago. I would
14. ask them to stand and be recognized by the Senate.
15. PRESIDING OFFICER: (SENATOR ROCK)
16. Will our guests in the gallery please rise and be
17. recognized. Senator Egan, for what purpose do you arise?
18. SENATOR EGAN:
19. Thank you, Mr. President. I would like, if you are
20. finished with 3rd reading, at...at the proper time to go to
21. the Secretary's Desk on Concurrence. I would like to clear that
22. up today, if I could.
23. PRESIDING OFFICER: (SENATOR ROCK)
24. We...we are not yet at that order of business. It will be
25. duly noted. On the order of House Bills on 3rd reading,
26. is found House Bill 3315, Senator Knuppel. May we have the members'
27. attention. I don't...Senator Knuppel.
28. SENATOR KNUPPEL:
29. Mr. President, I will not call House Bill 3115 for a vote
30. today but I've had...
31. PRESIDING OFFICER: (SENATOR ROCK)
32. 33...3315.
33. SENATOR KNUPPEL:

1. 3315. But I have had a great number of inquiries about
2. this bill. There's some members missing today. The bill will
3. definitely be called on Tuesday so that there will be no need
4. for inquiries by either the press or members. It will be called
5. on Tuesday.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Thank you, Senator Knuppel. On the order of House Bills
8. on 3rd...Senator Partee, for what purpose do you arise?

9. SENATOR PARTEE:

10. I just had an announcement, because several of the members
11. have been asking about the schedule. Mr. Mack, Sergeant-At-Arms,
12. will you come and get them please?

13. PRESIDING OFFICER: (SENATOR ROCK)

14. All right. May we have the members' attention now?
15. There is an announcement from the President with respect to
16. the schedule. Senator Partee.

17. SENATOR PARTEE:

18. It had been previously announced that tomorrow there would
19. be a Perfunctory Session. We, now, find that there is no
20. need for a Perfunctory Session and when we leave today, we will
21. just stand in recess at the call of the Chair and there will
22. not be any further Session until after the Appropriations Committee
23. has had its hearing today and a report can then be made today
24. of the committee report. There will be no Session of any
25. discription tomorrow. We will come back into Session on Monday,
26. May 24th, at 12:00 noon. Tuesday, we will have a Session
27. and, of course, there are committees, you will see by the Schedule.
28. We will be here Tuesday...Monday, Tuesday, Wednesday, and Thursday.
29. There will be no Session, I repeat there will be no Session on
30. Friday, May the 28th, and we will then return on Tuesday, June
31. 1st at 12:00 noon. It's a holiday weekend, Senator, that's why
32. it's a long weekend. Double holiday. Memorial day, and that sort
33. of thing.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Any discussion on this..on this point? Senator Howard
3. Mohr.

4. SENATOR MOHR:

5. Yes, Mr. President. Seated in the north gallery are some
6. people from Forrest Park, man that serves on my village board,
7. Commissioner Fred Merundy and his wife and their two daughters,
8. Chris and Kim. Kim is down here for the purpose of learning
9. something about politics and law. She feels that...did feel when
10. she came down here that that might be her career. How she's
11. going to feel when she leaves here will be decided, I think,
12. shortly. But I'd like them to stand and be recognized.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Will our guests in the gallery please stand and be recognized.
15. Senator McCarthy, for what purpose do you arise, Sir?

16. SENATOR McCARTHY:

17. Well, back to the order of business, Mr. President, we've
18. just dealt with the attachment of an amendment on 3115...

19. PRESIDING OFFICER: (SENATOR ROCK)

20. 16. 16.

21. SENATOR McCARTHY:

22. 3116. I'd like, with leave of the Body, to consider
23. at this time the package of 3115, which is on Consideration
24. Postponed, and if that bill's favorable passed, then I'll call
25. 3116 and it will be dispositive of the matter in this Chamber.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Is leave granted? So ordered. On the order of Consideration
28. Postponed, is found House Bill 3115. It has already been read
29. a third time. House Bill 3115, Senator McCarthy.

30. SENATOR McCARTHY:

31. Yes, Mr. President and members of the Senate, House Bill
32. 3115 was considered on 3rd reading two days ago. And I think
33. there were some absences in the Chamber, also there may have been

1. some misunderstandings. I'm going to try to limit my
2. explanation of it yet to refresh your recollection to the point
3. where you may be able to cast intelligent votes, and Senator
4. Brady and Senator Carroll, other Senators, Senator Glass,
5. Senator Rock, a cosponsor, if he's not presiding, would be
6. in a position to answer these question. But essentially, what
7. 3115 is is the bill that can be characterized as the mortgage
8. forbearance act. As amended, it provides for the ninety day
9. forbearance on the part of the lending...institution or individual.
10. It also provides for the rewrite of the ninety day period
11. of default once every five years if the definition of hardship
12. is met. The bill does have a chronological history here in the
13. Chamber that dates back until...until the days of last...of June
14. of last year, been studied by a subcommittee, all interested
15. parties that represent interest groups have had an input into the bill.
16. It, now, is in the position, I think, that meets the objection
17. of the second mortgage people. The...the amendments that were
18. attached by Senator Glass, I think, reflect some objections
19. and...and...and does answer objections that were heretofore
20. raised by the lending institutions. The bill now, to just repeat,
21. provides for the two types of forbearance, once on the ninety
22. days every eighteen months, where the...where the voluntary...
23. forbearance does count and then there is a provision that there
24. can be no foreclosure if that person meets the strict definition
25. of hardship in the ninety day elapse in his payments can be
26. rewritten and that remedy is available only once every five years.
27. In a nutshell, it's kind of a larger nut, or more of a shell than
28. I thought, but I think that's the essence of the bill. I would...
29. subject to questions and explanations, I would ask that this be
30. affirmatively voted by this Chamber.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Is there any discussion? Senator Merritt.

33. SENATOR MERRITT:

1. Yes, Mr. President, fellow colleagues in the Senate.
2. I'm not going to...I'm...what I say is certainly going to be
3. very brief. I...personally feel through the testimony
4. that was taken at that subcommittee, brought about by the
5. Metropolitan Area Housing Alliance most of the testimony came
6. from them, as well as others, of the speedup, acceleration
7. of foreclosures mostly by those institutions handling the
8. Federally insured mortgages. I...I certainly say in other
9. areas of the State, except for those highly densely populated
10. areas, there just isn't the need for it. We're far below the
11. national averages, I mentioned the other day on foreclosures,
12. we're only eight in every ten thousand mortgages made. I'm...
13. I'm somewhat disturbed over the burdens brought upon the industry
14. because of this. It could even, I think, lead to some drying
15. up of mortgage funds. I have to oppose it on that ground.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Soper.

18. SENATOR SOPER:

19. Thank you, Mr. President. There's only one thing that bothers
20. me about this bill. The fact that the people that would like
21. to get a mortgage and are in a sort of a grey area, they have
22. good intentions and they're honest people, come in, will be
23. scrutinized very thoroughly by...by the lenders because after
24. all the...the people that loaned the money have other people's
25. money and they're responsible to the...to them to whom they loaned
26. this money and if this is going to cause some of the good people
27. to be refused mortgages because of the fact that they may not
28. be able to carry the load even though they would like to, then
29. you're going to throw the baby out with the bath water.
30. And I think you're going to find that this is going to harm
31. more than help to get loans for people who really want to pay
32. but are in that area where they might be able to and might not
33. be able to and the people that have the money will say, "well,
34. if that's going to happen, we have to be more carefull," and they're

1 going to take it and not allow their humane attitude to come into
2 this thing and give these people a chance to borrow money.
3 That's the only thing that bothers me about this. You make all
4 these rules and regulations and you want to save some good guy from
5 losing his home and then you save some good guy from being able
6 to get the money. So, I...I think that we're trying to do
7 something that's not humanly possible to do.

8 PRESIDING OFFICER: (SENATOR ROCK)

9 Senator Wooten.

10 SENATOR WOOTEN:

11 I'd like to ask the sponsor a question or two.

12 PRESIDING OFFICER: (SENATOR ROCK)

13 Sponsor indicates he will yield.

14 SENATOR WOOTEN:

15 Senator McCarthy, the problem with law is that it applies
16 equally everywhere. I'm just not aware that we have this
17 kind of problem downstate. My concern is that in addressing a
18 real problem in the densely populated area of Chicago, we
19 not...we may not inadvertently give ourselves some difficulties.
20 Let me explain. It seems to me the practices downstate
21 when someone misses a payment falls behind, they get a call or
22 a letter reminding them, "John it's about...you missed your last
23 payment, why don't you catch up with it"? The whole atmosphere
24 is a good deal more relaxed, and as I say, we seldom have foreclosures.
25 Putting this through to aid people where foreclosures are more
26 rapid, might result in our local people sending out that first
27 notice saying "we're going to foreclose your mortgage in order
28 not to get caught in a lengthy time trap". Have you accommodated
29 in any way, Senator?

30 PRESIDING OFFICER: (SENATOR ROCK)

31 Senator McCarthy.

32 SENATOR MCCARTHY:

33 Yes, I...I think I...I think we have. Senator Glass can answer

1. your question with more specificity. Let me just respond
2. by saying that Senator Glass' amendment provided for the phone
3. call, the voluntary forbearance on the part of the lending institution
4. to be a credit on the ninety days. Senator Glass, I think can
5. articulate, that is if they do get the letter saying your
6. payments...overdue, and then they get the second letter and then
7. the borrower wants to take advantage of this act, the phone
8. call...I don't know if the phone call counts, Senator Glass,
9. you can answer that, certainly the letter, and the voluntary
10. forbearance does count on the ninety days. Against the ninety
11. days. But Senator Glass, I think, can be more specific on it.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator McCarthy yields to Senator...Senator Glass.

14. SENATOR GLASS:

15. Thank you, Mr. President. Senator Wooten, what Senator
16. McCarthy says is correct. The bill, as originally drafted
17. before the amendment required a ninety day notice of foreclosure
18. and that would, I think, have had the effect that you described.
19. That is the savings and loans would have felt that they couldn't
20. voluntarily work things out with the...with the borrower, but
21. under the amendment that...I don't think it will discourage any...
22. any private negotiation because any period of voluntary forbearance,
23. that is from the time the loan is in default up to ninety days,
24. they can go ahead and...and negotiate freely and that will not
25. count within the ninety day notice period. So if they negotiate
26. for sixty days, then they must give a notice and it's only
27. a thirty day notice. So that the total time of voluntary
28. forbearance and...and notice period is, in combination, it must
29. equal ninety days.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Wooten.

32. SENATOR WOOTEN:

33. Then may I assume that the savings and loan people have withdrawn
34. their objection to this. I am informed that they are taking no

1. position. Is that...am I incorrect? I'd like some statement
2. on that.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Glass.

5. SENATOR GLASS:

6. Well, I...I can't speak for them. I...I can tell you,
7. however, that the amendment which I offered and was added was
8. done at the request of the savings and loan league. I was
9. drafted by them and I...I can't speak any further than that
10. but I personally support the bill in the form that it is
11. in and as far as I...concern, it answered the major objections.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Partee, for what purpose do you arise?

14. SENATOR PARTEE:

15. On a point of personal privilege and I apologize
16. for interrupting the debate, but there are some youngsters
17. here from the Madell Upper Grade Center in the southwest
18. gallery and I would just like to...for them to be recognized.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Will our guests in the gallery please stand. Further discussion?
21. Senator Bell.

22. SENATOR BELL:

23. Yeah, thank you, Mr. President. I find myself concerned
24. as I feel many of us are here in the Senate, in aspect to
25. continuation of a course that seems to be...to have been set
26. in 1975 and seems to be continuing on here in '76, and the continued
27. regulation of so many different aspects of our economy, and really
28. fellow Senators, there's so much of it that...to me seems to be
29. a type of a strident reaction from this Body to just continually
30. regulate, regulate, and regulate. Now, I think that there's
31. something that's being said on a national consensus that should
32. be important to us in this Body, may be just my interpretation
33. of that consensus, but what it seems to me that's being said by

1. much of what's going on, for instance, in the Presidential
2. elections. The discussions that are going on, is that people
3. are quite frankly, getting very uptight about this strident
4. regulations that are coming forth from their various legislatures.
5. And that, in fact, are concerned with the economic repercussions
6. of increased costs that are being passed off through this type of
7. over-regulation. I feel that, in reference to Senate Bill
8. 3115 and I certainly have no ownership in bank stock or in savings
9. and loans, I think I have a small degree of expertise in the
10. field of fiscal matters, but I do feel that...that we are again
11. continuing along the course of needless regulation that's going
12. to have an impact of added costs, being passed off to the consumer,
13. and that we may well rue the day that we continue on this course.
14. I would urge you to give that some consideration as you contemplate
15. your vote here in Senate Bill...or House Bill 3115. Thank
16. you, Mr. President.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Any further discussion? Senator Netsch.

19. SENATOR NETSCH:

20. Thank you, Mr. President. I feel sufficiently intimidated
21. that I will keep my remarks even briefer than I had planned
22. for them to be in the first place. I...

23. PRESIDING OFFICER: (SENATOR ROCK)

24. The Chair appreciates that.

25. SENATOR NETSCH:

26. Your...your gracious recognition of my desire to speak
27. is acknowledged. I simply wanted to repeat two things that I
28. think are worth repeating, most of it has now been said
29. either today or the other day when we were debating it. One is
30. that...that while it is true that the bill grew out of a...some
31. very serious problems that existed, particularly in certain areas
32. of Chicago, that Senator Rock and others are very familiar with,
33. it is a problem that is very wide spread in very many parts of

1. Chicago, and it is one that very seriously needs to be addressed
2. in this fashion. The bill comes nowhere close to doing what
3. those who initiated it hoped it would do in the first place, and
4. as a matter-of-fact it doesn't really come close to doing what
5. I had thought it would do in the first place. It is fairly
6. modest and fairly mild now, but it still does something and it
7. is a something which addresses itself to a very serious problem.
8. I would, also, like to underscore, because I know some of my
9. downstate colleagues had raised this problem, the explanation
10. that Senator McCarthy and Senator Glass just gave to them about the
11. voluntary forbearance period of negotiation. It seems to me that
12. that is sufficiently taken account of in this version of the bill
13. and that the problems that you had that it would, in fact, make
14. it tougher on people who might reach the foreclosure stage
15. are no longer a problem. So I would solicit your support
16. as well as those of people from the Chicago area for whom it is
17. a very serious problem.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Any further discussion? Senator McCarthy may close the
20. debate.

21. SENATOR McCARTHY:

22. Well, thank you, Mr. President. I don't wish to make
23. any long remarks other than to say that Senator Netsch, I think,
24. has characterized this pretty well. This has been around here,
25. there's been a lot of study, there's been input by interested
26. parties and this bill should be passed, in my opinion, by this
27. legislature, not as unnecessary regulation, but a mere protection
28. to the people who do occupy as home owners, their homes, and the
29. relief that it gives them is a modest relief. It's one that is
30. met with bi...some bipartisan approval and I think that this
31. matter must be further considered by the House because if it
32. passes as it should, and as I recommend that it should. It
33. will be subject by..to scrutiny by the House committee that sent
34. it over here and I think it can be said that this is good
35. legislation worthy of a majority vote in this Body.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. The question is shall House Bill 3115 pass. Those in favor
3. will vote Aye. Those opposed will vote Nay. The voting is
4. open. Have all voted who wish? Take the record. On that
5. question the Ayes are 33, the Nays are 16, 3 Voting Present.
6. House Bill 3115 having received a constitutional majority
7. is declared passed. We will return now with leave of the Body
8. to House Bills on 3rd reading to pick up the companion bill.
9. Is leave granted? On the order of House Bills, 3rd reading,
10. is House Bill 3116, Mr. Secretary.

11. SECRETARY:

12. House Bill 3116.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator McCarthy.

17. SENATOR MCCARTHY:

18. Yes, Mr. President, before an explanation, having voted
19. on the prevailing side of 3115, I'd move that the vote by which it
20. passed be reconsidered.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator McCarthy moves to reconsider the vote by which 3115
23. is passed. Senator Brady moves that that motion lie upon the
24. Table. All those in favor signify by saying Aye. All those
25. opposed. The Aye have it. So ordered. Senator McCarthy, on the
26. question...3116.

27. SENATOR MCCARTHY:

28. Yes, Mr. President, on 3116, before it was amended by Senator
29. Chew, it had wide spread support when it was voted upon the other
30. day. What it does is give to the lending institution...to the
31. lending institutions or individuals increased availability
32. for them to get repossession and legal ownership of homes where they
33. have a mortgage and where the homeowner has abandoned their home.

1. I used the term the other day "waste", I think I used it in
2. the narrow sense of...the legal sense waste, but we have a real
3. problem here where people that do go into a lending situation
4. on a negative equity financial structure, then because of one
5. reason or another abandoning the home that legally is
6. theirs with the mortgage company in a position of having the
7. secondary interest which would be the first lein, unable to
8. go in and get a hold and possession of this house so as
9. to prevent the house from deteriorating and wasting. This bill
10. gives to the mortgage lender increased, and quicker powers to go
11. in and preserve the asset, which I think is the essence of the
12. preservation of private property. And having said that, at
13. subject to any questions, I would encourage a favorable vote on 3116.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Don Moore, for what purpose do you arise, Sir?

16. SENATOR MOORE:

17. On a point of personal privilege, Mr. President.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. State your point, Sir.

20. SENATOR MOORE:

21. Seated in the gallery behind me are the members of the
22. eighth grade graduating class of Arbor Parks School in Oak
23. Forest, Illinois. I'd like them to stand to be recognized by the
24. Senate.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Will our guests in the gallery please rise and be recognized.

27. On this...yes. All right. Senator Merritt.

28. SENATOR MERRITT:

29. Yes, Mr. President, fellow colleagues in the Senate.

30. I, once again, find myself in the position of those few times
31. of being on the side of Senator McCarthy on this issue. I do think
32. it's important legislation. We've all seen, as he's indicated, the
33. waste that's come about through a total abandonment of property

1. in some cases to where it's almost just worthless...before that
2. time runs. I...I would ask all my colleagues to...on this side
3. of the aisle to support it.

4. PRESIDING OFFICER: (SENATOR ROCK)
5. Senator Schaffer.

6. SENATOR SCHAFFER:
7. If the sponsor would yield for a question or...

8. PRESIDING OFFICER: (SENATOR ROCK)
9. Sponsor indicates he will yield.

10. SENATOR SCHAFFER:
11. Actually it involves that amendment we put on. Am I
12. correct in the assumption that if a...if a family in my...my
13. county abandons their house and heads for California and that
14. house then falls into the tax sale category, that the county is
15. to send someone, say to California, to explain to that person
16. what their rights are?

17. PRESIDING OFFICER: (SENATOR ROCK)
18. No.

19. SENATOR SCHAFFER:
20. That's my question.

21. PRESIDING OFFICER: (SENATOR ROCK)
22. Senator Chew, do you wish to respond? The question is
23. abandoned property which is not covered by your amendment as I
24. read it.

25. SENATOR SCHAFFER:
26. I...I meant a home.

27. PRESIDING OFFICER: (SENATOR ROCK)
28. Yes. Now...

29. SENATOR CHEW:
30. Would you...would you repeat that question, Sir?

31. SENATOR SCHAFFER:
32. Well, under what...yeah...under what circumstances does the...
33. I guess it would be the county, have to send someone to explain the

1. ...if they live outside the county line, do they have to send
2. somebody? Cause we have people that abandon houses and head
3. for Alaska and California and other places.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Chew.

6. SENATOR CHEW:

7. No. The county is not obligated to send anybody anywhere
8. at anytime for anything on this amendment. Now, Senator, if you
9. were to read the last four lines of the amendment, it clearly
10. states, and I'll repeat again, failure of the court agent to
11. contact all or any of the parties named in the petition, shall
12. not effect the rights of the petitioner in an order...issuing of
13. a tax deed for real estate to be sold, so your question...your
14. answer is in the amendment, Sir.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Schaffer. Oh, Senator McCarthy wishes to respond.

17. SENATOR SCHAFFER:

18. Well, I was just going to...just going to comment...

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Wait...

21. SENATOR SCHAFFER:

22. ...you're...you're are right, Senator Chew, although
23. I...I do kind of question the terminology "who can be found
24. in the county." I think we might find ourselves in a...arguing
25. about who can be found and who cannot be found, especially in
26. a county the size of Cook, if a person resides or is living
27. in the county of Cook, then that person obviously can be found,
28. only I'd hate to have to find them.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator McCarthy wishes to respond. Senator McCarthy.

31. SENATOR MCCARTHY:

32. Senator Schaffer, you may wish to look at page two, line
33. nineteen, and I quote from it, it says "the court need not appoint

1. a court agent...a court agent if it finds the real estate
2. sold to be abandoned or otherwise unoccupied by any lawful resident."
3. So if your people have gone to California, the...the amendment
4. doesn't apply, and you understand the situation that if you've
5. got an abandoned house next to you and the mortgage holder can't
6. get in, and windows are broken, that takes care of it.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Schaffer.

9. SENATOR SCHAFFER:

10. Well, I...I think we are going to subject the county to some
11. very interesting problems and I...I just, they're...they're
12. some vague parts of this that I just think are going to cause
13. some real problems and sobeit, I guess.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Further discussion? Senator Glass.

16. SENATOR GLASS:

17. Thank you, Mr. President. I would like to ask and I
18. don't think Senator McCarthy would have this information, but
19. perhaps Senator Chew would, maybe Senator Dougherty or Senator
20. Palmer, how many tax sales are there a year in Cook county
21. where this would apply? Do we have any idea...a hundred dollars
22. each?

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator Chew.

25. SENATOR CHEW:

26. Senator, first of all, there may be a five dollar fee
27. but you cannot pay over a hundred so let's not allude to
28. a hundred as if it's a round the world figure. Number two, it's
29. impossible to ascertain the number of properties that would
30. be involved, maybe one or maybe one hundred. We don't know. It
31. depends on economy and who fails to pay their taxes, so, I don't
32. think anybody would have that kind of information unless you were
33. to take a background or number to ascertain what it has been in the
34. past. But that is not your question so I don't have the...the...the

1. answer...and no one else would have it. But what I'm saying is
2. it's not going to be a tremendous financial burden and I might
3. add that the payments will come out of an already established
4. fund by the General Assembly for purposes of this kind. So
5. we're not talking about a landslide in...in appropriations or
6. a landslide in just obviously spending money. What we're
7. trying to do, as you so well know, you were over talking to me
8. and said you believe in the concept, so I...I want to thank you
9. for that, but by the same token, what we're trying to do
10. is to alleviate some problems that have come up and legitimately
11. so, morally so, and otherwise, and those of us that are here
12. just are you are, Sir, to make laws that can be lived with
13. by all parties concerned, not a special interest law, certainly
14. it is not a special interest law. It's a law that I have not
15. had any opposition from those persons I've conversed with
16. that are in the business of tax collecting. So, I...I don't
17. have an answer, but I'll assure you if it doesn't work,
18. that I'll be the first to...first with you on trying to...to correct
19. it and put it in...in a stage where it will work.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. That was the longest non-answer I've ever heard. Senator
22. Glass.

23. SENATOR GLASS:

24. Senator Chew, I...I agree with the President. I'm not arguing
25. the merit of the bill. I simply wanted to know what it would
26. cost the State if anyone has...has a general idea. I thought you
27. might...maybe Senator Palmer does.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Palmer is seeking recognition. Senator Palmer.

30. SENATOR PALMER:

31. Yes, I have had occasion to work on these annual sales,
32. Senator Glass, and I can tell you that the annual sales run into
33. several hundred sales and sometimes thousands. But this amendment

1. I have checked may only apply in some years to ten and some
2. to five. And that is all. And I'd like to also clarify
3. to Senator Schaffer when he made a statement that it would
4. entail a lot of work and cost on a county. That is not true,
5. Senator Schaffer. The person who is making the application for
6. the tax deed, the burden is on him to proceed with all the necessary
7. notices and the getting the appointment of the agent and the...
8. searches for that...compliance with this amendment. Thank you.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Further discussion? Senator Harber Hall.

11. SENATOR HALL:

12. Well, I'm just going to speak briefly on the bill and
13. ...and make these statements. First of all, this is the first
14. time in my knowledge that the State taxpayers throughout the
15. State have been asked to come in pay the cost...one of the costs
16. costs of tax foreclosure. It's always been assumed by the property
17. owner before. Other bills that have even failed in the General
18. Assembly attempting to do this even provided that the cost of...
19. when necessary would be passed on to the property owner, now
20. we're asking all the property...all the taxpayers in the entire
21. State to okay a charge that will...that could be theoretically
22. placed on every tax sale, on any three residents or under, which
23. means all single family houses, all duplexes and all triplexes
24. in Cook county and other counties, and don't suggest to me that
25. there could only be about ten of these because we have many more
26. than that in small counties downstate each year. So this could
27. be...there...there's no figure involved here. No figure suggested.
28. We haven't gotten any estimate of the number of properties that
29. would...would be effected. We haven't even secured for the information
30. of ourselves, we haven't even secured within this bill a firm
31. system that would insure that this work was done. It says
32. in the bill that this individual, an appointee of the court,
33. not a lawyer, not necessarily a lawyer, with no qualifications

1. at all for him, shall make a report to the court. But he
2. doesn't even have to say that no one was home. He doesn't
3. have to say anything. He makes his report and said "I...I
4. checked on them and couldn't find them." He gets his hundred
5. dollars if that's what they're going to pay him. He may only
6. charge ninety-five for that one. But we...we have no
7. concept of what this is going to cost and we can't even prove
8. that it's been a worthwhile service for anyone who needed
9. this service. So I...I've got real trouble with it.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Schaffer, for what purpose do you arise, Sir?

12. SENATOR SCHAFFER:

13. Mr. President, on a point of personal privilege.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. State...

16. SENATOR SCHAFFER:

17. In the gallery to my rear is the Belvidere High School
18. Band, and I think a few minutes ago, most of the members
19. listened to them playing downstairs in the rotunda. And I think
20. you may have noticed that the attendance here in the Chamber
21. diminished considerably as our membership filtered out and
22. I had occasion to talk to Mr. Fred Selcke who is the Assistant
23. Clerk of the House and came down to the Capitol here shortly
24. after the assassination of President Lincoln and has been here
25. ever since and he tells me that in his opinion that this band
26. is the finest he's ever heard here. I'd like to have them
27. rise and be recognized by the Senate and I'd like them to know
28. that their Senator is very proud of the ability and skill
29. they've displayed here at the Capitol today.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Will our guests in the gallery please rise. The question
32. before the Body is the House Bill 3116. Is there any further
33. discussion? Senator McCarthy may close the debate.

1. SENATOR McCARTHY:

2. Roll call.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator McCarthy had requested that the question be put
5. and the question is shall House Bill 3116 pass. Those in favor
6. will vote Aye. Those opposed will vote Nay. The voting is
7. open. Have all voted who wish? Take the record. On that
8. question the Ayes are 35, the Noes are 9, 4 Voting Present.
9. House Bill 3116 having received a constitutional majority
10. is declared passed. Senator McCarthy moves to reconsider the
11. vote by which House Bill 3116 is passed. Senator Brady moves
12. to Table. All those in favor signify by saying Aye. All those
13. opposed. The Ayes have it. So ordered. We have had a request
14. with...Senator Chew, for what purpose do you arise?

15. SENATOR CHEW:

16. I suppose this is a personal privilege and I'm asking
17. for information. I heard the beautiful band out there playing
18. and certainly we can appreciate music. It's lively to any ear.
19. I'm...I'm asking, can we adopt a rule or is there a rule
20. where you are discussing legislation and it is in the form of
21. discussion and possibly to be voted on, could we wait until
22. a bill is completed before we take these personal privileges
23. to make introductions. What it does, Mr. President, it takes
24. the attention off of what we are really here for and that is
25. to deal with the legislation. And by no means am I requesting
26. that the many visitors do not be introduced, but I'm merely
27. requesting a time where it does not interfere with bills that
28. we currently have on the Floor at the time. I noticed on
29. this particular bill, there were two interruptions and it could
30. have very well waited because those persons that were being
31. introduced stayed until this bill is over. And I...I'm asking
32. for a ruling or out of sheer courtesy for our procedures in
33. ...in...on this Floor.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. There...there is...that matter is currently before the
3. Rules Committee. There is an attempt, however, to accommodate
4. out guests, the visitors' guides attempt, at least, to move
5. rather rapidly from one House to the other and sometimes
6. the guests just simply can't stay. So we attempt to
7. accommodate the membership without any meaningful disruption
8. to the debate. Senator Kosinski, for what purpose do you arise?
9. SENATOR KOSINSKI:
10. A point of personal privilege.
11. PRESIDING OFFICER: (SENATOR ROCK)
12. State your point, Sir.
13. SENATOR KOSINSKI:
14. Coming right after Charlie.
15. PRESIDING OFFICER: (SENATOR ROCK)
16. State your point, Sir.
17. SENATOR KOSINSKI:
18. I hope you didn't refer that to me Charlie, because you've
19. been a...one of the members that...
20. PRESIDING OFFICER: (SENATOR ROCK)
21. State your point, Sir.
22. SENATOR KOSINSKI:
23. I'd like to have presented before this Senate a great
24. school and wonderful students from the St. Mary's of Angels
25. School of Chicago in my district escorted by a very personal
26. friend of mine, Father Edwin Karlgich and Emily Kloss
27. Will you please rise and be recognized by the Senate, please.
28. PRESIDING OFFICER: (SENATOR ROCK)
29. Will our guests in the gallery please rise.
30. With...with leave of the Body we will return now to the
31. order of Senate Bills on 2nd reading. When we were there earlier,
32. we skipped Senate Bill 1646 which is on...it's currently on
33. 2nd reading. Read the bill, Mr. Secretary. I understand there is

1. an amendment on the Secretary's Desk.

2. SECRETARY:

3. Senate Bill 1646.

4. (Secretary reads title of bill)

5. 2nd reading of the bill. The committee on appropriations offers

6. two amendments.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Buzbee.

9. SENATOR BUZBEE:

10. Yes, Mr. President. Amendment No. 1 is the Partee

11. Amendment, I believe, and I would move for its adoption.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Buzbee moves the adoption of Amendment No 1 to Senate

14. Bill 1646. All those in favor signify by saying Aye. All those

15. opposed.. The Ayes have it. The amendment is adopted.

16. Amendment...

17. SENATOR BUZBEE:

18. Amendment...

19. PRESIDING OFFICER: (SENATOR ROCK)

20. ...No. 2. Senator Buzbee.

21. SENATOR BUZBEE:

22. Amendment No. 2, Mr. President, is the reduction to

23. reflect that we...the reduction that we did in all the higher

24. education bills to reflect the nineteen and a half million dollars

25. above the proposed Governor's budget for senior higher

26. institutions. It reflects about ten million and the S.I.U.

27. portion of that is somewhat less than two million. I would

28. move for its adoption.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. You move the adoption of Amendment No.2. Senator Buzbee

31. moves for the adoption of Amendment No. 2. All those in favor

32. signify by saying Aye. All those opposed. The Ayes have it.

33. The amendment is adopted. Senator Egan, for what purpose do

34. you arise? To break Senator Chew's rule?

1. SENATOR EGAN:
2. I'm sorry but the...seated in the gallery are students
3. from the Immaculate Conception School in my district. I see
4. that they're just leaving. Before they left, I thought if I didn't
5. offend Senator Chew, I would ask them to be...to rise and be
6. recognized, and I...
7. PRESIDING OFFICER: (SENATOR ROCK)
8. Will our guests in the gallery please rise.
9. Senator Egan.
10. SENATOR EGAN:
11. May I also apologize to Senator Buzbee.
12. PRESIDING OFFICER: (SENATOR ROCK)
13. Senator Palmer, for what purpose do you arise?
14. SENATOR PALMER:
15. Senator Chew was probably talking about my situation,
16. when that bill was being interrupted by Senator Schaffer
17. I moved away from my desk and I want the record to show that
18. if I was present at my desk, I would have voted Aye on House
19. Bill 3116. I'd like the record to show that.
20. PRESIDING OFFICER: (SENATOR ROCK)
21. The record will so show. All right. We are on the order of...
22. of Senate Bills on 2nd reading. Senate Bill 1646 on the Secretary's
23. Desk. Mr. Secretary.
24. SECRETARY:
25. ...Amendment No. 3, offered by Senator Buzbee.
26. PRESIDING OFFICER: (SENATOR ROCK)
27. Senator Buzbee.
28. SENATOR BUZBEE:
29. Yes, thank you, Mr. President. Back to the business at hand.
30. Amendment No. 3 does two things. First of all, Amendment No. 2
31. which we just adopted, was drawn up by the Illinois Board
32. of Higher Education and they made a technical error in that
33. amendment. We are aware of that. What they do is at one point

1. we were talking about twelve million dollars for senior higher
2. institutions, at one point we were talking about ten million,
3. which we eventually ended up adopting and what they do is in their
4. line items on the S.I.U. appropriations bill, they reflect
5. the ten million dollar figures but in the total, they
6. reflect the twelve million dollar figures. So, my Amendment
7. No. 3 makes the correction to the point where it would accurately
8. reflect the ten million dollar figures throughout. The second thing
9. my amendment does is a little bit more complicated than that.
10. And I'm going to try to give as brief and as succinct an
11. explanation as I possibly can as to what this amendment does.
12. Amendment No. 2, which we just adopted, imposes upon the university,
13. that is Southern Illinois University, a judgement by the IBHE
14. staff that was later adopted by the board itself, which will cost
15. the university over one million dollars in FY '77, without
16. clarifying questions of both policy and data which are vital
17. in the matter. Specifically, the amendment among other actions,
18. transfers 1.128 million from General Revenue funds to Income
19. fund to comply with an IBHE recommendation which has been objected
20. to by the S.I.U. administration and the S.I.U. board of trustees
21. since it was first introduced. The action will require
22. either reduced services or increased fees for university housing
23. occupants or both. Discussion of the matter with the IBHE
24. staff has included efforts by S.I.U. but to no avail to come to
25. an agreement with IBHE staff on data sources and interpretation
26. and to arrive at some systematic approach which would support, ...
27. Mr. President, is this the Senate or the House?

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Proceed, Senator.

30. SENATOR BUZBEE:

31. Thank you. Which would support the claim of equity
32. and actual enterprise subsidies which the IBHE uses to support
33. its position. In effect, the transfer accomplished by Amendment

1 No. 2 imposes IBHE judgement and will upon the...statutory
2 mandated responsibilities of the S.I.U. board of trustees
3 to manage its bonded debt enterprise within the constraints
4 legally binds...bond obligations. This intrusion upon the
5 tuition retention authority of the S.I.U. board is probably
6 well intentioned. And the S.I.U. administration is sympathetic
7 to and will cooperate with a state-wide analysis and evaluation
8 of actual subsidy, equity in such matters. But it is
9 manifestly unfair to ask the university without intensive and
10 deliberative study to undergo the painful adjustments
11 and sheltering and supporting the students who live
12 in university housing projects which this transfer requires
13 until study and knowledge present a basis for such an adjustment.
14 S.I.U. will continue, must continue to seek legislative support
15 for the responsibility of the S.I.U. board which has been
16 legislatively mandated. Now, what my amendment does, then, Mr.
17 President, is that it reverses the action that IBHE took
18 on Amendment No. 2. The bill, as I introduced it, reflected
19 what we wanted and what had traditionally been done with this
20 fund and by the S.I. U. Board of Trustees, when we asked the
21 IBHE staff to draw the amendments to reflect the dollar amount,
22 they also at the same time, and I won't be accusatory here, but
23 at the same time they reflected in this Amendment No. 2 their will
24 as opposed to the sponsor's will. And so, I'm now trying
25 to correct that with my Amendment NO. 3, and put it back in
26 the form that I wanted it to start with.

27 PRESIDING OFFICER: (SENATOR ROCK)

28 Senator Mitchler.

29 SENATOR MITCHLER:

30 I apologize to Senator Buzbee because during the middle of
31 his explanation of that amendment there was quite a bit of confusion, but
32 in this amendment do you include the prohibition of the Southern Illinois
33 University down there from having this Professor Rueben get into all that

1. sexual experimentation that he's doing with dangerous drugs
2. and everything else that caused so much alarm and confusion
3. and when I wrote him down there just get a negative
4. reply and said "never mind, we'll do what we want to do down
5. here as long as we get the money from Washington."

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Buzbee.

8. SENATOR BUZBEE:

9. Well, Senator, I should just respond to your question, Yes.
10. However, that would not be exactly accurate. That question was
11. settled by the United States Senate just the other day, as a
12. matter-of-fact when they specifically voted legislatively
13. to prohibit the Doctor Harris Rueben, who is internationally known
14. for his studies in sexual response and so forth, is a member of
15. of the S.I.U. Medical School facility, has long been an advisor
16. to the Anna State Hospital in their experimental laboratory
17. there, and Doctor Rueben was doing, was going to do a study,
18. has done many studies by the way, on alcoholism and...and
19. sexual response and so forth in the past. This time
20. was going to do a study as to the effect, not hard drugs, Senator,
21. but the effect that marijuana might have on sexual stimulation,
22. et cetera, et cetera, the United States Senate, in their wisdom
23. the other day decided not to allow those funds to be...to be
24. released by HEW and so that experiment will not go on now. But,
25. my amendment does not reflect your desires, but the United States
26. Senate has reflected your desires.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Weaver.

29. SENATOR WEAVER:

30. Thank you, Mr. President. I certainly hesitate to rise in
31. opposition to Senator Buzbee's amendment, but I think it should
32. be pointed out to the Senate that there are many regulations, rules,
33. promulgated by a board of higher education which the administration
34. of most and many of the systems do not agree. But, in this

1. particular area, tuition, income funds, I...I know many of the
2. institutions have gotten away from using those income funds
3. to subsidize housing, other campus activities, and put it into the
4. general operation of the institution. Some started earlier than
5. others, scaling down that which they diverted. I think it's
6. wrong to come in with this amendment now, Senator Buzbee, because
7. I could certainly have come in with an amendment to restore to
8. General Revenue income funds generated that are not now being
9. diverted. So, I think at this time it's wrong to...to break
10. basically the agreement we had on all of higher education and
11. I know that it's worked a hardship on the trustees of the
12. University of Illinois to divest themselves of this availability,
13. but I think Southern's going to have to do the same thing as
14. are all of the State supported institutions. So I would oppose this
15. amendment.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Shapiro.

18. SENATOR SHAPIRO:

19. Mr. President, and Ladies and Gentlemen of the Senate. I
20. certainly want to concur with Senator Weaver in opposition to
21. this amendment, and Senator Buzbee, I want to apologize if I
22. become caustic. It's not directed against you, but it is directed
23. against the Board of Trustees and the administration of
24. Southern Illinois University. I think that this amendment is a far
25. reaching one and actually affects every taxpayer in this State
26. and affects the operations of every senior public institution in the
27. State of Illinois. We are talking about operational subsidies
28. for the operation of revenue bonded facilities of the State of
29. Illinois. And it's always been a policy of this State in one manner
30. or another to subsidize these operations, either through retention
31. funds, in other words, unappropriated funds from university or tuition
32. income at S.I.U. and at the University of Illinois. The Board
33. of Governors and the Board of Regents received their subsidy

1. in direct appropriation governed by this General Assembly.
2. What this amendment does is essentially this: it allows S.I.U.
3. and the administration to have its cake and eat it too. In other
4. words, this amendment reduces the amount...the appropriation
5. for university income and provides 1.1 million in retention funds
6. which the administration governs locally. It stays there in
7. a local checking account. We have nothing to say about it. Then,
8. in addition to that, increases the General Revenue Fund appropriation
9. by 1.1 million. In other words, it gives them about 2.2
10. million to play around with. Now, how about equity? Well, let's
11. talk about all the institutions in the State if that's the problem.
12. The problem is is that S.I.U. has been receiving a far greater
13. subsidy than anyone else, and this retention fund, they now retain
14. approximately 3.4 million dollars while the U. of I. receives
15. only six hundred and ten thousand dollars. Southern Illinois
16. University wants to increase that to 4.5 million. Now, let's
17. reduce it to a square foot operational rate. S.I.U. is subsidized
18. at the rate of a dollar nine per square foot through this fund,
19. the Board of Regents subsidized all of their institutions at the
20. rate of thirty-six cents a square foot, the Board of Governors
21. at thirty-four cents a square foot, and the U. of I. at twelve
22. cents a square foot. As I stated to you, S.I.U. apparently wants
23. to continue this inequity and I think the way they feel about it that
24. they can do no wrong. It's their money, they feel like that they
25. can take it and appropriate it as they please or not appropriate
26. it as they please. But the thing wrong with it is is that it
27. increases General Revenue funding by 1.1 million dollars at a time
28. when General Revenue Funds are in very short supply. It's my
29. personal belief that we ought to defeat this amendment and keep
30. the bill in its present form and Senator Buzbee, you can separate
31. out the technical amendment, if we defeat this and present it at
32. a later time.

33. PRESIDENT:

1. Any further discussion? Senator Buzbee may close the
2. debate.

3. SENATOR BUZBEE:

4. Well, Mr. President, I certainly feel compelled to respond
5. to these two attacks, not on me, but on Southern Illinois University.
6. In the first place, I did not break any understanding, Senator
7. Weaver, I feel that you and Senator Shapiro broke the understanding
8. in that we were going to move all of the higher ed bills together.
9. I asked you yesterday to hold the U. of I. and the other bills
10. because I did have some more information I wanted to gather on
11. this particular amendment. Now, what really happened was
12. that I have not...I'm not bringing in a last minute amendment
13. here. My bill as originally drawn reflected this. IBHE did
14. it to me as far as I'm concerned whenever they asked...we asked
15. them to draw the amendments to reflect that ten million dollar
16. increase, they drew the amendment reflecting their philosophy
17. and their decision, not the decision of the sponsor of the bill,
18. the way I had it originally drawn. So, now, I am trying to put
19. my bill back in the form that I wanted it originally. The next
20. time, you can rest assured that IBHE will not be asked to draw
21. the amendments if our staff has to stay up three days, or I have
22. to stay up three days, because I don't know what their reasoning
23. was as to why they went ahead and reflected their policy decision
24. in the amendment to my bill, but they did that. So, now, I'm
25. trying to get it back the way that I want it. The way that S.I.U.
26. wants it. Now, I would also like to point out that at this
27. point, the reference was made to coming in here at the last minute,
28. this point, at no time during the appropriation process and open
29. public meetins was ever brought up, or ever discussed. I think
30. those of us who deal with the higher education bills were all aware
31. that there was a point of contention in the S.I.U. bill between
32. the board...the higher board and the S.I.U. board all along.
33. We knew that. I suspect that very many of us, including myself,

1. did not understand exactly what the point of contention was, but
2. we knew that it was there. Now, I would like in response
3. to Senator Shaprio's statement, I would like to point out that he
4. is partially correct. Only the University of Illinois and
5. Southern Illinois University are...statutorily authorized
6. to withhold tuition receipts from meeting bonded debt
7. requirements. The other senior systems receive State subsidy
8. for their bonded debt operations through General Revenue funding,
9. largely for utilities and maintenance at housing projects. And
10. I'm a little bit aghast that...that the Regents...the Board of
11. Regents would come in with this kind of opposition because I
12. know that's where your opposition comes from, because in numerous
13. institutions such subsidies are not accurately metered or accounted
14. for, nor are personnel costs associated with housing administration
15. and student activities fully related to bonded debt operations.
16. At S.I.U. all such costs are accounted for to the penny. The
17. obvious and potential disparities within various system authorizations
18. practices and accounting procedures strongly support the idea
19. that Southern Illinois University should not accept a reduction of
20. over one million dollars until firm information about comparable
21. forms of subsidy has been established. I was a little amused at
22. your use of the figures, the square footage figures that cost
23. per square foot. I'm not an accountant, but I do know enough
24. about accounting principals to know that it's all according how
25. you measure it, what kind of accounting principals you...you charge,
26. what kind of costs you charge against that square footage. If you
27. do not charge personnel costs, if you do not reflect accurate metered
28. readings of utility costs and so forth, it's very easy to show
29. a per...a low per square foot cost. Now, the alternative for
30. S.I.U. if the IBHE proposal is, in fact, accepted, the alternative
31. for S.I.U. will be to either (1) reduce the services to students,
32. or (2) to increase housing fees to students, or both. And I suspect
33. that what will happen is that both will happen. Either alternative

1. tends to discouragage occupancy in university housing and
2. possibly to reduce...enrollment increase and interest. Such
3. results cannot benefit the student or the university or the board.
4. Again, I have heard some of these same Senators' time after time
5. after time stand up and say, "what does IBHE think that they are
6. doing poking their nose in where they have no business?" The
7. set of consequences which could stem from what we're...what IBHE
8. would have us do here would be a successful intrusion by the
9. IBHE into the income fund management responsibilities and
10. authority of the Southern Illinois University Board of Trustees
11. and by inevitable extensions into the responsibility and authority
12. of any governing board in Illinois Public Higher Education.
13. If the Southern Illinois University Board of Trustees
14. cannot meet with its own wisdom and responsibility, the requirements
15. of its own statutory authorized bond obligations without
16. intrusion from another State agency, then we do indeed have trouble-
17. some times ahead of us. I had one other point I wanted to make
18. and it left me temporarily.

19. PRESIDENT:

20. Has Senator...Senator Buzbee concluded his remarks?

21. SENATOR BUZBEE:

22. I am trying to think of my other point, Mr. President, but
23. rather than to stand here with egg running down my chin,
24. I think at this point if there are no further remarks, that I
25. would ask for a roll call vote.

26. PRESIDENT:

27. The question is shall Senate Bill 1646 pass. Oh, pardon me.
28. Question is on the adoption of Amendment No. 3 to SB 1646. All in favor
29. will say Aye. Opposed Nay. A roll call is requested.. Do you know
30. Senator Shapiro? He was the first to ask. The question is on the
31. adoption of Amendment No. 3 to Senate Bill 1646. All in favor
32. will vote Aye. Opposed will vote Nay. The voting is open.
33. Have all voted who wish? Take the record. On that question the

1. Ayes are 20, the Nays are 21, with 1 Voting Present. Amendment
2. No. 3 to Senate Bill 1646 fails. Senator Buzbee.

3. SENATOR BUZBEE:

4. Mr. President, I think it's only fair to say, well, first
5. of all, there is the bill as it now restrains is technically
6. incorrect. I look around and see some vacant seats. I suspect
7. then, when I draw the technically correct amendment on Monday,
8. that perhaps we will also see a reflection of...of...of my
9. desires on this bill also on that amendment. So, I just forewarn
10. you now.

11. PRESIDENT:

12. For what purpose does Senator Weaver arise?

13. SENATOR WEAVER:

14. Thank you, Mr. President. Well, I think the totals are incorrect,
15. Senator Buzbee, but I think the line items are correct and they
16. would prevail. We've...we've passed these bills out this way
17. many times even though the totals are wrong. The line...the line
18. items prevail.

19. PRESIDENT:

20. Senator Buzbee.

21. SENATOR BUZBEE:

22. I will be back on Monday.

23. PRESIDENT:

24. For what purpose does Senator Hickey arise?

25. SENATOR HICKEY:

26. Mr. President, all of you within the last twenty-four hours
27. have had put on your desks a scroll of pictures of people who are
28. important in Illinois' history. Yesterday, also, Representative
29. Catania came over here - they're on your desks in your office.
30. Representative Catania came over and asked me to call your attention
31. to the fact that among all those faces, four of them are of women.
32. She also wanted me to say something to you about them, and I'll
33. do it very quickly. The first one is Jane Adams, with whom I feel

1. a somewhat of a kindred spirit because we share the same alma
2. mater and as you people from Chicago know, she was the founder
3. of your Hall House, her father was a politician and served eight
4. terms as a State Senator. She took an active part in Chicago's
5. nineteenth ward politics, where Hall House is located, and was one
6. of the leaders in the fight to give women the right to vote.
7. The second one is one that I didn't know anything about before and
8. is a very colorful character called Mary Harris Jones, otherwise
9. known as Mother Jones, who lost a husband and four children
10. in a yellow fever epidemic, opened up a dress making shop in
11. Chicago, and the fire burned...burned her out of that. She then
12. became identified, not just with Chicago, and with business and
13. with family work, but with the miners in southern Illinois and
14. was one of the organizers for the United Mine Workers. She
15. kept up her work until she was ninety, and when she was a hundred
16. years old, was buried back down in southern Illinois. The other
17. two are...

18. PRESIDENT:

19. Just a minute, Senator.

20. SENATOR HICKEY:

21. Yes.

22. PRESIDENT:

23. I would remind the Gentlemen of the Senate, that your
24. maternal ancestor is a woman and she's talking about women now,
25. go right ahead, Senator.

26. SENATOR HICKEY:

27. Thank you. Mira Bradwell, was the first woman admitted to
28. the Illinois Bar, although it took her forty years to be admitted.
29. The last person who's picture is in...in the scroll was Frances
30. Willard, who was a college president of Suffragette and which may
31. not appeal to all of you, as much as some of the other biographies
32. may, president of the Women's Christian Temperance Union. On that
33. dry note, I will close. Thank you, very much.

1. PRESIDENT:
2. Senate Bills on 3rd reading. Senate Bill 1626, Senator
3. Carroll. Read the bill.
4. SECRETARY:
5. Senate Bill 1626.
6. (Secretary reads title of bill)
7. 3rd reading of the bill.
8. PRESIDENT:
9. Senator Carroll.
10. SENATOR CARROLL:
11. Thank you, Mr. President. This is the appropriation for
12. the ordinary and contingent expenses of the Board of Governors.
13. This is at the Senate Appropriations Committee recommendation level
14. which is between the Governor's recommendation and the Board
15. of Higher Ed. I would ask for a favorable roll call.
16. PRESIDENT:
17. Any further discussion? The question is shall Senate
18. Bill 1626 pass. Those in favor will vote Aye. Opposed will vote
19. Nay. The voting is open. Have all voted who wish to vote?
20. Take the record. On that question the Ayes are 41, the Nays are 2,
21. with 3 Voting Present. Senate Bill 1626, having received a
22. constitutional majority is declared passed. For what purpose
23. does Senator Chew arise?
24. SENATOR CHEW:
25. Mr. President, a point of personal privilege and you'll
26. note that I'm requesting this at the time subsequent to your
27. announcing the roll call, and I'd like my colleagues to follow suit.
28. In the gallery facing the President, and behind of me, is the
29. Ruggles located in the twenty-ninth senatorial district at
30. 7831 South Prairie. They are down observing the action of their
31. government, and we want to recognize them as being here.
32. PRESIDENT:
33. Will the young people from the Ruggles School please stand

1. and be recognized by the Senate. They're in both sides.
2. House Bills on 3rd reading. House Bill 3844, Senator Bloom.
3. Read the bill.
4. SECRETARY:
5. House Bill 3844.
6. (Secretary reads title of bill)
7. 3rd reading of the bill.
8. PRESIDENT:
9. Senator Bloom. For what purpose does Senator Joyce arise?
10. SENATOR JOYCE:
11. Well, I would like to ask the sponsor if he would yield
12. to a question, I guess.
13. SENATOR BLOOM:
14. Yes. Yes.
15. PRESIDENT:
16. Go right ahead. Senator Joyce.
17. SENATOR JOYCE:
18. The...the problem is with the amendment that was added on
19. yesterday about county board districts and the committeemen in these
20. districts casting a weighted vote for the...for an...on a vacancy.
21. In Kankakee County, there are thirteen split precincts and the
22. different county board districts and I'm not sure, possibly they
23. could cast a weighted vote if they knew how many voted in the
24. primary before but in our county they were held in the...they had
25. a separate election and were not held...did not have primaries
26. so I don't see how they could...how they could vote on the matter.
27. They wouldn't know how many votes to cast in which district.
28. PRESIDENT:
29. Senator Bloom.
30. SENATOR BLOOM:
31. Well, do you think that perhaps if this bill were held, it
32. could be amended in such a way as to exclude counties with split
33. precincts, Senator?

1. SENATOR JOYCE:

2. I would suppose that would be the only way we could get
3. around it. I...as I guess Kankakee County is the only county
4. in the State that has split precincts in their county board districts.
5. No? Well,...well,...well, you know, then that just compounds the
6. problem. So, it...seems to be no way that they would be
7. able to...to decide which district they voted in.

8. PRESIDENT:

9. Senator Bloom.

10. SENATOR BLOOM:

11. Well, I'm in sympathy with your problem and I gathered
12. from the...the noises in response to your statement that
13. Kankakee County is not the only county, therefore, maybe we
14. could add a clause that would solve this problem and we would
15. not have the special legislation stumbling block that flashed
16. through my mind when you said Kankakee. With leave of the Chair,
17. perhaps we could leave this on 3rd reading, and bring it back
18. after, say, Appropriations and get the appropriate amendment
19. on so it would be in shape to get passed out of here Monday.

20. PRESIDENT:

21. I'm not...it has not been anticipated. We'll have a meeting
22. after Appropriations today. As a matter-of-fact, it's now
23. 2:25, we've gone past the scheduled time for Appropriations.
24. The great likelihood is that we will not get back to the Floor
25. for the purpose of any substantive legislation today.

26. SENATOR BLOOM:

27. What about tomorrow?

28. PRESIDENT:

29. Why don't you hold it till Monday.

30. SENATOR BLOOM:

31. I'd be more than willing to hold till...

32. PRESIDENT:

33. Fine.

34. SENATOR BLOOM:

1. Monday. And in the meantime would Senator...

2. PRESIDENT:

3. Take it out of the record.

4. SENATOR BLOOM:

5. ...Joyce sit down with me and Mr. Lovett and maybe we can get
6. the proper wording on it and get it out of here. Okay?

7. PRESIDENT:

8. Take it out of the record. We have several resolutions,
9. some of which are going to generate some debate and we have two
10. bills for introduction. It is the Chair's suggestion it being
11. almost 2:30 now, that we defer the resolutions till Monday.
12. Is there leave? Fine. There is one resolution which is without
13. any kind of problem or would not generate debate which Senator
14. Kosinski desires to take with him this weekend for an affair
15. on Sunday. And it is a congratulatory resolution. He moves
16. to suspend the rules for the purpose of immediately considering
17. this resolution, and all in favor will say Aye. Opposed Nay.
18. The rules are suspended. Now, Senator Kosinski, now, moves
19. that that resolution numbered 352 be adopted. All in favor
20. will say Aye. Opposed Nay. Resolution 352 is adopted.

21. Senator Vadalabene. For what purpose do you arise?

22. SENATOR VADALABENE:

23. Yes, Mr. President and members of the Senate, before you
24. get to that order of business which you said might be quite
25. lengthy. I do have a motion that I would like to have heard at
26. this time.

27. PRESIDENT:

28. Is there a copy of it on the desk?

29. SENATOR VADALABENE:

30. Well, the motion I'm making is to discharge the Committee
31. on Appropriations, I have the agreement on both sides of the aisle.
32. This is a supplementary appropriation to the Secretary of State,
33. in regard to the paying of some bills in Fiscal '76, like the

1. electricity and fiscal plant bills. They have agreed to...

2. PRESIDENT:

3. We consider the motion as soon as you supply us the number

4. of the bill.

5. SENATOR VADALABENE:

6. It's House Bill 3547.

7. PRESIDENT:

8. Senator Vadalabene moves to discharge the Committee on

9. Appropriations from further consideration of House Bill 3457.

10. SENATOR VADALABENE:

11. 3547.

12. PRESIDENT:

13. 3547.

14. SENATOR VADALABENE:

15. I talked to Senator Hynes and...

16. PRESIDENT:

17. He's indicated he talked to both the Chairman and both sides.

18. SENATOR VADALABENE:

19. The leadership on both sides.

20. PRESIDENT:

21. There's no problems with it. The motion is to suspend

22. the rules. All in favor say Aye. Opposed Nay. The rules

23. are suspended. And he moves to discharge from Appropriations

24. for what purpose? To place it on the order of 2nd reading.

25. House Bill 3547. All in favor will say Aye. Opposed Nay. The

26. bill in now on the order of 2nd reading. Senator McCarthy

27. for what purpose do you arise?

28. SENATOR MCCARTHY:

29. Just on a point of personal privilege.

30. PRESIDENT:

31. State your point.

32. SENATOR MCCARTHY:

33. My point, Mr. President, is that after seeing Senator

1. Vadalabene work here in the Senate, I...I would like to share
2. with my colleagues in the Senate the fact that Senator
3. Vadalabene is going to be honored this coming Sunday in
4. Edwardsville at 2:00 o'clock. The nature of the honor
5. is that in Edwardsville the appropriate municipal elected
6. officials are going to rename a public way "Vadalabene Pass",
7. and this is a accumulative to other honors that have come to
8. our distinguished colleague in his home town where they have
9. named a park after Senator Sam Vadalabene, a street after
10. Senator Vadalabene, and this coming Sunday, with proper music
11. and...celebrations and in this two hundreth year of our
12. existence as a nation, our colleague is going to have
13. Vadalabene Pass and I...I think all of us share the feelings of
14. the residents of Edwardsville in...in saying that this type
15. of a recognition is well earned.

16. PRESIDENT:

17. It certainly is and I hope that they have it at the
18. exposition hall and plenty of bicycle racks for everyone there,
19. also. Senator Vadalabene.

20. SENATOR VADALABENE:

21. Yes, in conjunction with Senator McCarthy, he has taken
22. me by complete surprise, but since you know about it now, it's
23. at 2 p.m. in Edwardsville and everyone is invited.

24. PRESIDENT:

25. Senator Netsch.

26. SENATOR NETSCH:

27. I trust it is a bicycle pass.

28. PRESIDENT:

29. Senator Vadalabene.

30. SENATOR VADALABENE:

31. Thank you, Dawn, for bringing that up, Senator Netsch.
32. The bicycle path is being constructed in Alton, Illinois, the first
33. in the State of Illinois. The dedication of that one will come

1. sometime later. But that's under construction too.

2. PRESIDENT:

3. Did they have anything in mind for a name for that?

4. SENATOR VADALABENE:

5. I don't know, Senator, I don't want to say nothing now.

6. PRESIDENT:

7. Senator Savickas. Oh, I thought you wanted recognition.

8. Senator McCarthy.

9. SENATOR MCCARTHY:

10. Just on my point again. I had an opportunity to inspect

11. and inquire into the Department of Transportation as to whether

12. or not the prospective Vadalabene Pass is a heavily traveled

13. thoroughfare, whether or not it meets with intersecting streets

14. and whether or not there are traffic control signals. They said

15. no so there will be no necessity for them to erect red lights

16. as well as green lights at Vadalabene Pass at the present time.

17. So,...

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Dougherty.

20. SENATOR DOUGHERTY:

21. Thank you, Mr. President. In the purpose of making

22. a announcement, the Committee on Local Government was supposed

23. to meet at 2:00 o'clock this afternoon in Room 400. However,

24. something has developed that Senator Soper, the Minority Spokesman

25. has had a death in his family and he wants to go back to attend

26. the funeral services, so we will...since there are witnesses coming

27. to this hearing we are going to hear the evidence. There will be

28. no action on any of the four bills that are before the committee

29. at this time. But, I'd ask all of the members of the Committee

30. on Local Government to find time to get up there to hold this

31. meeting pursuant to the adjournment rule.

32. PRESIDENT:

33. Senator Morris.

1. I...I would like to seek leave of the Body on the
2. Six Day Posting Notice for House Bill 3484 to be heard
3. in the Executive Committee next week and Senator Johns is
4. in agreement with me on this.

5. PRESIDENT:

6. Is leave granted? Leave is granted.

7. SENATOR MORRIS:

8. I would like to add one thing, Mr. President, for Senator
9. Vadalabene, in Waukegan, our most famous son is Jack Benny and
10. the people of Edwardsville have done you much better, Sam.
11. There they have an alley that Mayor Sabonjian named after
12. Jack Benny and we're trying to change that to an overpass.

13. PRESIDENT:

14. Now, there are two other resolutions which have to
15. be presented over the weekend. Both of them are congratulatory.
16. One is by Senator Newhouse, the other is by Senator Lemke. Would
17. you give me the numbers. I think...which one do you have there
18. first? 353?

19. SECRETARY:

20. Senator Lemke, 353...

21. PRESIDENT:

22. 353. Senator Lemke moves to suspend the rules for the
23. immediate consideration of this resolution. It is congratulatory.
24. All in favor will say Aye. Ayes have it. The rules are suspended.
25. Senator Lemke now moves to immediately adopt this resolution.
26. All in favor will say Aye. Opposed Nay. Senate Resolution 354
27. is adopted. 353, I'm sorry. Now, we'll take 354. Senator Newhouse
28. moves to suspend the rules for the immediate consideration
29. of this resolution. All in favor will say Aye. Opposed Nay.
30. The rules are suspended. Senator Newhouse now moves for the
31. immediate adoption of this resolution. All in favor say Aye.
32. Opposed Nay. The resolution is adopted. Introduction of bills.

33. SECRETARY:

1. Senate Bill 1960 and 1961.

2. PRESIDENT:

3. Rules. Any further business to come before the Senate?

4. The Senate stands in recess until call of the Chair, after which

5. we will adjourn.

6. (RECESS)

7. (AFTER RECESS)

8. PRESIDING OFFICER: (SENATOR ROCK)

9. The Senate will come to order pursuant to recess we will

10. reconvene. Committee reports.

11. SECRETARY:

12. Senator Hynes, Chairman of the Appropriations Committee

13. reports out the following bills: Senate Bill 1869, 1937, 1938,

14. and House Bills 3362, and 3744, with the recommendation Do Pass.

15. Senate Bills 1511, 1614, 1627, 1868, 1935, and 1939 with the

16. recommendation Do Pass as amended.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Message from the House.

19. SECRETARY:

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

21. Mr. President - I am directed to inform the Senate

22. that the House of Representatives has adopted the following

23. Joint Resolution in the adoption of which I am instructed to

24. ask the concurrence of the Senate, to-wit:

25. House Joint Resolution 99.

26. (Secretary reads HJR 99)

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Buzbee moves to suspend the rules for the

29. immediate consideration and adoption of House Joint Resolution

30. 99. All those in favor signify by saying Aye. All those opposed.

31. The Ayes have it. The rules are suspended. Senator Buzbee now,

32. moves the adoption of House Joint Resolution 99. All those in favor

33. signify by saying Aye. All those opposed. The Ayes have it. The

34. resolution is adopted. Pursuant to that resolution, Senator Harris

1. now moves that the Senate stand adjourned until Monday, May
2. 24 at the hour of noon. Senate stands adjourned.
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