

TRANSCRIPT 77TH GENERAL ASSEMBLY

OCTOBER 1971 SESSION

NOVEMBER 11, 1971

PRESIDENT:

The Senate will come to order. Prayer by the chaplain, Reverend Don Allen Rose, Concordia Seminary here in Springfield. Pastor Rose.

Reading of the Journal. Moved by Senator Kusibab the reading of the Journal be dispensed with. All in favor signify by saying aye. Contrary minded. Motion prevails. Senator Clarke.

SENATOR CLARKE:

Mr. President.

PRESIDENT:

Just a moment...let's have some order here please, gentlemen.

SENATOR CLARKE:

Mr. President and members of the Senate. Today is Thursday of what we planned some time ago would be the last week of this abbreviated fall Session, and we have had a couple of rather traumatic days just passed where we spent yesterday on one bill and the previous day on another bill. And I think that we all realize that the course has to change and that we have to, ourselves, arrive at decisions and address ourselves to the important issues so that we can go home before the weekend, or at least into the weekend with our own self respect and in an orderly manner. And I would just like to point out to you some of the, what I consider, vital issues that we yet have to have decided in one manner or another before we do go home. We spend one full day discussing the question of ethics and that question is now over in the House, but it may well be back here for another decision before we can or should go home. Um...I just want to go through this list. The question of personal property tax was taken up last night. The question of implied consent is in a conference committee. There's a question of judicial elections, reapportionment there. There's a question of student voting. There's a question we discussed yesterday of insurance rating. There's a bill on third reading that we have to have to determine the number of signatures on petitions in a few weeks. We've got a question of pre-

emption, of which there's a motion facing us. And over in the House there's a Board of Election question that has to be determined. For us, in the House, there's a staggered term bill which they have to act on and we still have the question of joint election of the Governor and Lt. Governor and what manner that will take place. These are vital issues that we have to address ourselves to, that we have to reach determinations on, and I think that in order to do that we have to address ourselves to the priority items, and with that I would just like to suggest that we're going to have to all display a considerable amount of statesmanship in the next few days.

PRESIDENT:

Senator Partee.

SENATOR PARTEE:

Well I think Senator Clarke is exactly right. It has troubled me a great deal that these priority items have not reached us yet, and we must simply get to them, and I would add to the ones that he mentioned that we have the question of the legislative vacancy still pending, and these are indeed important matters, and I'm happy that we can move along toward them and get them settled at the quickest possible moment. I agree with him wholeheartedly. This is absolutely essential.

PRESIDENT:

Senator Groen.

SENATOR GROEN:

Mr. President and members of the Senate. I, too, concur with the remarks that have been made by Senator Clarke and Senator Partee. Certainly, I had no idea that Senate Bill 1568 when called yesterday would consume the amount of time that it did. It is time that we address ourselves to these matters of implementation of the Constitution and these other matters, these other bills which have been enumerated by Senators Clarke and Partee; that those matters of urgent priority be given prompt consideration with both Houses of the General Assembly; that we can conclude this Session constructively and that we can accomplish those things

which are of prior importance and major importance to the people of this State. With that thought in mind and with an apology to the Body for the time that was consumed yesterday, as I say I had no idea that that amount of time would be consumed, but it was; we must proceed on and in the interest of statesmanship, as was stated, and that that might be accomplished, I am perfectly willing to defer action on this, leave Senate Bill 1568 on the order of second reading so that these other matters may be disposed of, and then if time should remain, and frankly I doubt very seriously that it will, but if time should remain, perhaps it can be considered at a later time.

PRESIDENT:

Senator Graham.

SENATOR GRAHAM:

Mr. President. I, showed you a letter yesterday from Representative Phil Collins regarding House Bill 2916. I already...and I spoke with Senator Donnewald. Letter by Representative Collins indicating he desire that I be Senate sponsor of his House bill which has to deal with vacancies of members of the General Assembly. I was talking to Senator Donnewald. He said to me, "I don't want this bill killed" and I said I have no agreement to do anything of that nature. I did say to Senator Donnewald, and I reinstate it today, that there is a growing sentiment that we must face up to our responsibilities of passing a bill allowing the filling of legislative vacancies. I now am the proud holder of two bills dealing with that subject matter. I reinstate to you again today, Senator Donnewald, that I am going to do my best to work with your side of the aisle and ours and come up with a bill to fill legislative vacancies. I reinstate that. I would like to have the Journal show and the Calendar show that House Bill 2916 in the Senate on third reading is being sponsored by Graham.

PRESIDENT:

Senator Donnewald, that is acceptable?

SENATOR DONNEWALD:

That's true, Mr. President. I know that Senator Graham has assured me that we're going to come out with something that's workable for those people that are now disenfranchised, and the sooner we get them back to where they're represented by a Senator down there, or anywhere else it may happen in the State of Illinois, the better off we are. Thank you very much.

PRESIDENT:

Senator Chew.

SENATOR CHEW:

Yes, Mr. President. In light of the excellent statement that was made by Senator Clarke in outlining the priorities on bills that must get out in this fall Session, I'm wondering, could the leadership in the Senate on both sides agree on the bills that we can, and eliminate the conversations on 'em, and let's get 'em out whereby we can wind up this session. Now, there are a number of bills I'm sure could be agreed upon on both sides. I think this would be adequate because, as we've said, we've gone two days on two other subjects, and I feel that this would be adequate to this Body, and if necessary, let leadership go over into the House, and where you have both Houses agreeing on the priorities, we could just come in here and pass these bills and, and get it off our minds. Now, as you know, I'm sick, I, I usually don't get much sleep at night because I'm still bleeding, but I, I was determined to stick this out. I got somewhat discouraged yesterday, but that's history. So the quicker leadership could do that, if they would agree, I think the quicker we could show our statesmanship and our desire to do the people of the State of Illinois some good, and I would like for leadership on both sides here to confer with each other and seek...Mr. Partee? I would like for leadership to confer, if, if...now, and come up with a workable programs on the bills that's been called for priority, and let's get 'em passed without a lot of unnecessary rhetoric. And I would suggest, if you have not done this, that we would take a recess and let leadership meet and come back

and outline the bills that we'd have no problems on and let's get them passed.

PRESIDENT:

Senator Partee.

SENATOR PARTEE:

We, we appreciate your thoughtfulness, Senator Chew. The matters that you have suggested to us have been accomplished three days ago.

Thank you.

PRESIDENT:

Senator Latherow?

SENATOR LATHEROW:

Mr. President, on the Calendar are three House bills that I am the sponsor of and I'd like to have myself taken, or four House bills, taken off as sponsor of those four bills. I have given the Secretary the numbers: 1058, 1224, 1574, and 2712.

SECRETARY:

Alright. The Secretary will notify the House sponsors so that other sponsors will be ... Senator Sours?

SENATOR SOURS:

Mr. President, Senators. I should like to refer to two House bills concerning the status of each. We have had a discussion with Senator Lyons. These bills were in Revenue yesterday. They were placed in a subcommittee for considerate treatment. It is agreeable that these bills be taken from the subcommittee, put back in the committee and that the committee be discharged from all further consideration, consideration, and placed on second reading so we can get to work on these two bills.

PRESIDENT:

Is there objection? What...The numbers of the bills we don't have, Senator.

SENATOR SOURS:

3647. 3734.

PRESIDENT:

Senator Lyons or Course, is there objection? Leave is granted.
Senator Newhouse?

SENATOR NEWHOUSE:

Mr. President, the matter of statesmanship can sometimes be a question of whose ox is being gored. I don't really care that much, care about open ratings. I did care a great deal about the other part or portion of that bill. The bill's not dead for all practical purposes, I assume. And we fought pretty hard over it and I fought pretty hard for it because that's the only way I know how to fight. I would hope that we will take up the consideration that I placed before the body that's in that bill at some date in the very near future. However, having fought the battle and apparently lost it, I'd like to say to those legislators with whom I was in opposition yesterday, and in the heat of the battle, that if there were things said that offended them, I want to apologize. I don't ...

PRESIDENT:

Sen...Let's have some order. Senator Newhouse, speak into the mike. Senator Knuppel says he cannot hear.

SENATOR NEWHOUSE:

Well, can you hear me now, Senator? I apologize. I drop my voice sometimes, I suppose, and it doesn't project as it should. I was saying this, that we fought a pretty hard battle yesterday, that apparently I've lost it. I don't care anything about open rating. I do care about the zoning system and I would hope that in the very near future we'll address ourselves to it. I have before me, presently, the report that Senator Knuppel's committee had written. I didn't know it existed. So it appears to me that there's not complete communication within the body as to what is going on. I said further that as a tactical matter yesterday, I had to leave and I asked the courtesy of some of the people in the Senate, who chose not to permit me that courtesy, and I guess it was ...my reaction was pretty harsh, and for that harshness I do wish to

apologize. I don't think that those spur of the moment things ought to carry over, and I think perhaps we will be able to sit together in harmony at some point. I say all that and uh, uh, perhaps in the interest of statesmanship, but more in the interest of getting the things done that are important to this body. I don't know how one assesses priorities, but the, the bill about which we fought yesterday was and is for me a priority, and I will simply let it rest as of now because it seems that that's what the sponsor of the bill has decreed. But in that...letting that bill rest, I'd just as soon let rest all the other shenanigans that went along with it, Mr. President. Thank you.

PRESIDENT:

Thank you, Senator. Senator Graham.

SENATOR GRAHAM:

Mr. President, our question first...No, I better say this. Yesterday I made a motion, it was concurred in by the other side of the aisle, that House Bills 3571 and 2453 would be advanced to the order of second reading without reference. I can understand the Clerk's office not..., in the confused state, not realizing that this motion was made and concurred in. I would like to have the Journal show, however, that despite the fact that the Calendar is incorrect insofar as my motion is concerned, that House Bill 3571 and House Bill 2453..I think it got over to second reading..but 3571 is still on first reading and should be on second.

PRESIDENT:

It's on second reading, Senator.

SENATOR GRAHAM:

3571?

PRESIDENT:

Yes.

SENATOR GRAHAM:

...and 2453?

PRESIDENT:

Both of them are on second reading.

SENATOR GRAHAM:

Thanks. Well, I have an out...Now, we are going to get to the order of first reading sometime today, I hope.

PRESIDENT:

The Chair isn't going to try and guarantee anything, but we... we'll try to get there, Senator.

SENATOR GRAHAM:

Thank you.

PRESIDENT:

Committee Reports. Senator Neistein?

SENATOR NEISTEIN:

I would try to get the attention of the Chair before, but just one second to compliment Senator Groen, whom I always respected, who is a brilliant legislator and certainly a great statesman, who puts the business of the State above everything: partisanship, politics, etcetera. And I want to compliment him for his decision today which has always been ...That's been his conduct all through the years. He's a brilliant, able legislator, lawyer, and above all, statesman.

PRESIDENT:

Petitions. Resolutions. Motions. Senator Kosinski.

SENATOR KOSINSKI:

Mr. President and Senators, at this time I have a resolution on the Secretary's desk. I would like to have leave of the body for this resolution to be read at this time.

PRESIDENT:

Is it a congratulatory or...? Secretary will read the resolution. Members be in their seats.

SECRETARY:

Senate Resolution number 270 introduced by Senator Kosinski and all senators.

"WHEREAS, Our esteemed colleague from the 16th District of the Great City of Chicago, the Honorable Robert J. Egan, celebrates his 40th birthday on November 11, 1971; and

WHEREAS, He brings to this body a wealth of professional talent and experience, having first obtained the degree of Juris Doctor from Loyola University School of Law in 1959, he served as a Chicago Municipal Court referee from 1961 to 1964, he was appointed Chief Legislative Counsel for the Illinois Attorney General's Office during the 74th and 75th General Assemblies, and he was the Consulting Legislative Counsel for Edward V. Hanrahan, State's Attorney of Cook County during the 76th General Assembly, and he is currently engaged in the active practice of law with the firm of Dowdle, Moscato, Ramsey and Egan in Chicago; and

WHEREAS, He has sponsored or cosponsored a formidable number of bills in this 77th General Assembly and has worked faithfully, patiently and energetically to accomplish the business before this body; and

WHEREAS, He is the loving husband of Marie and the devoted father of five wonderful children, Beth, Margie, Sarah, Bobby and Fran; therefore, be it

RESOLVED, BY THE SENATE OF THE SEVENTY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we warmly congratulate our most respected colleague, the Honorable Robert J. Egan on the celebration of his 40th birthday; that we extend our sincere best wishes for many more such celebrations in this body; and that a suitable copy of this preamble and resolution be forwarded to the Honorable Robert J. Egan."

PRESIDENT:

All in favor of the adoption of the motion...er the resolution indicate by saying aye. Contrary minded. Congratulations, Senator Egan. Senator Bidwill is recognized.

SENATOR BIDWILL:

Mr. President, I know time is passing on when I hear that the Senator Egan is celebrating his 40th birthday. His mother and I were

classmates together.

PRESIDENT:

Senator Egan.

SENATOR EGAN:

Mr. President and members of the Senate, I am sincerely grateful for your commendation. I was always told as a very young boy that life begins at 40. I've heard some differences of opinion on that but let me say that I am extremely proud to begin my life, as it were, with you gentlemen and beautiful lady on this occasion, and especially, it gives me an opportunity to say a few words about the quality of the Illinois Senate. I have followed the legislation for the past 10 years. I've been involved in it, and as a member, I can only say that this is the first chance I've had to experience, very sincerely, how hard the members of the Senate work, and you, too, Mr. President. We don't get credit enough from the press for the, uh...what we do for the people, and it's time once in a while that we blow our own horn. Let me say, gentlemen, that it's indeed a privilege to serve and an honor and what little I can say in behalf of your efforts I'm going to do today, given the opportunity. Thank you.

PRESIDENT:

Additional resolutions.

SECRETARY:

Senate, er...House...Wowee. Senate Resolution 271 introduced by Senator Knuepfer and Fawell. It is congratulatory.

PRESIDENT:

Uh...Consent Calendar.

SECRETARY:

Senate Resolution number 272 introduced by Senator Berning. It is congratulatory.

PRESIDENT:

Senator Berning.

SENATOR BERNING:

Yes. Mr. President and members of this body, because of the lateness of the session and since this is congratulatory, congratulating the Village of Lake Zurich on its Diamond Jubilee, I would respectfully ask unanimous consent for suspension of the Rules and adoption of this resolution.

PRESIDENT:

Is there objection? All in favor signify by saying aye. Contrary minded. The resolution is adopted.

SECRETARY:

Senate Resolution number 273 introduced by Senator Horsley. It is congratulatory.

PRESIDENT:

Senator Horsley?

SENATOR HORSLEY:

Mr. President and members of the Senate, this is a resolution having to do with the First Methodist Church here in Springfield that many of you walk by every day going and coming, to and from the Senate. They are celebrating their 150th anniversary and this Saturday night will be the banquet, and Bishop Kennedy from California will speak this Sunday, climaxing their celebration of their 150th anniversary beginning with a Sunday School class way back in...150 years ago would be 1821. And Peter Cartwright, many Governors, many State officials have belonged to this church and it is quite an institution and I would ask leave that the rules be suspended for the immediate consideration of this resolution so that it can be presented at the banquet on Saturday night of this week.

PRESIDENT:

Is there objection? All in favor of the adoption of this signify by saying aye. Contrary minded. The resolution is adopted. Senator Groen.

SENATOR GROEN:

Well Mr. President, I love Bob Egan, and I think Lake Zurich's

a fine town, and I'm not a member of that church of Senator Horsley's, but these are not the kind of important things upon which I was willing to defer action on what I think was a far more important piece of legislation than these resolutions. Can't we just have these commendatory resolutions go to the committee that screens them, put them on the Consent Calendar, and not waste our time with them?

PRESIDENT:

That's theoretically what the Consent Calendar is for, Senator. Senator Horsley, you have a resolution you wish to bring up also that's on the Calendar. Is that correct?

SENATOR HORSLEY:

Yes, Sir.

PRESIDENT:

It...Oh!...Before we get to that, there are some additional resolutions, I'm advised by the Secretary.

SECRETARY:

Senate Resolution number 274 introduced by Senator Mitchler, and it is congratulatory.

PRESIDENT:

Consent...Senator Mitchler?

SENATOR MITCHLER:

Again, because of the lateness and the time and this is congratulatory on the birthday of Jennie Hildegard Burkland...

PRESIDENT:

Is there objection? All in favor signify by saying aye. Contrary minded. The resolution is adopted.

SECRETARY:

Senate Joint Resolution number 58 introduced by Senators Coulson, Newhouse, Partee, and Clarke and it's relative to Vietnam veterans.

PRESIDENT:

Senator Coulson?

SENATOR COULSON:

Since this is a joint resolution, it should be acted upon today. And it is not simply congratulatory. It contains the germ of an idea which perhaps all of the members should know a little bit about. It's addressed to the problem in which Senator Newhouse was so interested during the summer and in which many of us have been interested. The returning Vietnam veteran who received a discharge due to his immaturity or his inattentiveness or...not a bad conduct discharge, but just a discharge which makes it difficult for him to obtain employment. This resolution suggests that the Illinois National Guard re-examine its admission procedures and allow these discharged persons from Vietnam to serve a term in the Illinois National Guard and to re-earn a re-examination of their discharge to see if they can become good. It has bi-partisan sponsorship. It's not controversial, I don't think; but every member should know what he's voting on.

PRESIDENT:

Is there objection? All in favor signify by saying aye. Contrary minded. The resolution is adopted.

SECRETARY:

Senate Joint Resolution number 59 introduced by Senator Gilbert. It's in relation to the Medical Center at Mt. Vernon.

PRESIDENT:

Executive Committee. Senator Horsley has a resolution on the Secretary's desk. What is the number of that resolution again, Senator?

SENATOR HORSLEY:

Mr. President and members of the Senate, Senate Joint Resolution number 55.

PRESIDENT:

Just a moment. Please. Senate Joint Resolution 55. Senator Horsley is recognized.

SENATOR HORSLEY:

Mr. President and members of the Senate, I think this is an

important matter to be considered by this body so that this Constitutional Amendment can be placed upon the ballot next year. And it will take time and will have to be implemented when we meet again here in probably next March by whatever appropriation that may be needed, if it's passed, we can do it then, but we first have to determine whether or not this should be placed upon the ballot. And it will require a three-fifths vote of this body and I think the House will pass it if we can pass it here by a three-fifths vote. And this simply is the Constitutional Amendment to be placed upon the ballot doing away with annual sessions and going back to the biennial system which we have had in the past. Now I think most of us who have been in this body many years, who have lived with these systems, and who have seen what we have had to go through here in the last year or two by being in constant session, are in agreement that we should go back to the biennial system whereby we meet for 6 months. And this would provide the same as the old Constitution, but this is woven into the fabric of the new Constitution so as to provide that the regular session would be held in the odd-number years and that no business could be transacted after June 30th other than to come back here and act upon vetoes, and that would include amendatory vetoes, if you please, so there still would be plenty of work to be done, but it would involve only the legislation that we have acted on during that 6 month's period. This does not prohibit the Governor from calling us back at any time into special Session, but that would be for the purpose only outlined in the call. And that would limit the legislation that could be introduced in this body. As it is now, and I'm not blaming our leadership on either side of the aisle, because the pressures are great for influential members to come to the Rules Committee and say, "Well, look, I've got this bill. Please let me introduce it, and I have this and that and so on." And this will eliminate this pressure, because after June 30th of each odd-numbered year you would only consider vetoes and amendatory vetoes other than matters contained in the call by the Governor. Now this goes one step further and would implement the Constitution, presently, as it

provides, so that we could have special sessions called by the leadership of the Senate and the House at any time they should desire, and that would have to be spelled out by statute rather than constitutional amendment which is as it should be. Now, what are the reasons? I think you have found that most of us who have served in this body for many years have found the pressures are tremendous and they're very great, and I think these pressures are causing many of our valued members in the Senate and the House to quit because they cannot live with these pressures under constant sessions like we've been having and which will continue. Secondly, you have a situation where we are passing laws in the State of Illinois, we then meet again and amend those same laws before they're even published and put in the Statute books so that not only the lawyers, but the public do not actually know what the law is in the State of Illinois from time to time. One of the worst features about these annual things is the cost. Now I'm not talking about the cost involved in the payment of our salaries or the other expenses, although these have since doubled. I passed out on each of your desks, a memorandum as to the cost itself of the session. We have gone here..., in four bienniums, we have gone from a \$4,000,000 budget just for the Session itself, to over a \$6,000,000 budget merely to hold these annual...to hold these annual sessions. The per diem employees alone in this matter has risen...more than doubled. Our printing costs have gone up, almost double. Our mileage expenditures for the General Assembly has gone up tremendously. The number of bills introduced is one of the most serious features of annual sessions. In the 72nd biennium we had 2,916 bill introduced at a cost to us of \$1,468 per bill. In the 76th biennium, and the first annual Session alone, I'm talking about, nothing more than one year, that 2,900 has more than doubled to 6,188 bills. Now it's humanly impossible for you and me to consider that tremendous avalanche of bills wherein this one year it's up by 6,188, more than double what we used to do in two years, just a very short time ago. But the significant thing is that it is now costing \$4,705.00 for each one of these bills that are introduced.

I think the people of this State are aware of what is going on and when you have your days of regular session increasing in cost from \$40,000 to \$53,000, you begin to see where we're running financially. But the most serious thing is the pressure put upon us each day we meet to appropriate more money. We started out in the 67th biennium, which is only a short 20 years, where we had an appropriation, for that biennium, now, two years, of \$1,000,360,000. I have also submitted to you for your consideration, and you have on your desks, how this has gone up each year until we're now into the 76th biennium...the 75th, where we had two years for a biennium, we had a total appropriation of \$5,000,769,000 for a two year period and yet we come along into the 76th biennium where for one year, we appropriated \$4,000,000,000.00 and the next year \$5,000,000,000.00 or almost double the amount of money when we get into these annual sessions.

PRESIDENT:

For what purpose does Senator Lyons arise?

SENATOR LYONS:

I'd like to make an inquiry, Mr. President, and I don't want to interrupt Senator Horsley, but I'd like the Chair's attitude on some language in the new Constitution which I think may require us to handle constitutional amendments differently from the way they have been handled in the past. I'm referring to Section 2 of Article 14 of the new Constitution which says, amendments to this Constitution may be initiated in either house of the General Assembly. Amendments shall be read in full on three different days in each House and reproduced before the vote is taken on final passage. Now I don't know what that means. I suppose that means that we are supposed to treat constitutional amendments in pretty much the same way that we treat bills, first reading, second reading, third reading, and so forth. And if that is so, unless this could be considered the third reading of this amendment or even the second, I don't know where we're going with it.

PRESIDENT:

Well, I think the point is well taken. Frankly the Chair had

forgotten about this provision. I think we could consider the first reading when it was introduced. I think we can consider this the second reading today.

SENATOR LYONS:

Well, that may well be, but I just wanted to find out what everybody thought.

PRESIDENT:

Yes, I don't...We don't ordinarily...The second reading should... I think we'd have to consider this the second reading today, Senator, because on bills, when a bill is reported in that would not be considered the second reading.

SENATOR HORSLEY:

You may be right, Senator, on that point, and I would like then to consider this second...

PRESIDENT:

This will be...

SENATOR HORSLEY:

...and then have it heard tomorrow on third reading.

PRESIDENT:

Right, and we will have to refer this whole question in the future also to the Rules Committee because we don't have a procedure spelled out. But let's consider this...

SENATOR HORSLEY:

I think you...I think the wiser course would be to take this as second reading today unless the journal could be corrected to show that the second reading was the day it was reported back from the Committee.

PRESIDENT:

I think we might get in trouble on that. I think we'd better make this the second reading today.

SENATOR HORSLEY:

Alright.

PRESIDENT:

And then we will take this up tomorrow, Senator, if that is satisfactory.

SENATOR HORSLEY:

Thank you. Thank you.

PRESIDENT:

The...and we also have this problem, it says shall be read in full on three different days. I think to be safe the Secretary had better read the...read the amendment right now in full. For what purpose does Senator Mitchler arise?

SENATOR MITCHLER:

Just a point of inquiry. Isn't it my understanding that technically all bills are supposed to be read before the General Assembly when they're introduced, but we more or less waive that and just give the brief of it.

PRESIDENT:

Now this Constitution does not require that bills be read in full. It does require the Constitutional amendments to be read in full, and I think that means, since we're being taped, we literally have to read them in full and the Secretary will read the amendment.

SECRETARY:

Resolved by the Senate of the 77th General Assembly in the State of Illinois, the House of Representatives concurring herein, that there shall be submitted to the electors of this state at the general election next occurring at least six months after the adoption of this resolution a proposition to amend sections 5, 6, 10 and 15 of Article 4, and section 2 of Article 8 of the Constitution to read as follows: Article 4, Sections 5, Sections A. The General Assembly shall convene on the second Wednesday of January of each odd numbered year and at no other time except as provided in paragraph B of this section and may transact no business after June 30th of that year except to act on bills returned by the Governor pursuant to section 9 of Article 4. B. The Governor may convene the

General Assembly or the Senate alone in special session by a proclamation stating the purpose of the session, and only business encompassed by such purpose together with any impeachments or confirmations of appointments shall be transacted. Special sessions of the General Assembly may also be convened by the joint proclamation of the presiding officer of both houses issued as provided by law. C. Sessions of each house of the General Assembly and meetings of the committees, joint committees and legislative committees shall be open to the public. Sessions and committee meetings of a house may be closed to the public if two-thirds of the members elected to that house determine that the public interest so requires and meetings of joint committees and legislative committees may be so closed if two-thirds of the members in each house so determine.

Section 6, Organization. A. A majority of the members elected to each house constitutes a quorum. B. On the first day of each biennial regular session of the General Assembly the Secretary of State shall convene the House of Representatives to elect from its membership a Speaker of the House of Representatives as presiding officer. And the Governor shall convene the Senate to elect from its membership a President of the Senate as presiding officer. C. For purposes of powers and appointments conferred by this Constitution, the majority leader of each house is a member of the numerically strongest political party other than the party to which the speaker or the president belongs, as the case may be. D. Each house shall determine the rules of its proceedings, judge the election returns and qualifications of its members and choose its officers. No member shall be expelled by either house except by a vote of two-thirds of the members elected to that house. A member may be expelled only once for the same offense. Each house may punish by impeachment any person not a member guilty of disrespect to the house by disorderly or contemptuous behavior in its presence. Imprisonment shall not exceed beyond 24 hours at any one time unless the person persists in disorderly or contemptuous behavior. Section 10. Effective date of laws. The General Assembly shall provide by law for a uniform effective date for

the bills passed in the regular session. The General Assembly may provide for a different effective date in any bill passed at a regular session. A bill, bill passed at a special session shall not become effective prior to July 1st, next after its passage unless the General Assembly by a vote of three-fifths of the members elected to each house provides for an earlier effective date. Section 15, Adjournment. A. When the General Assembly is in session neither House without the consent of the other shall adjourn for more than three days or to place other than where the two Houses are sitting. B. If either House certifies that a disagreement exists between the Houses as to the time for adjournment, a session...adjournment of a session, the Governor may adjourn the General Assembly to a time not later than the first day of the next regular session. Article 8, Section 2, State Finance. A. The Governor shall prepare and submit to the General Assembly at each regular session at a time prescribed by the law, a state budget for the for the ensuing fiscal biennium. The budget shall set forth the estimated balance of funds available for appropriation at the beginning of the fiscal biennium. The budget shall set forth the estimated balance of funds available for appropriation at the beginning of the fiscal biennium and estimated receipts and a plan for expenditures and obligations during the fiscal biennium of every department, authority, public corporation, quasi-public corporation of the state, every state college and university and every other public agency created by the state, but not of units of local government or school districts. The budget shall also set forth the indebtedness and contingent liabilities of the state and such other information as may be required by law. Proposed expenditures shall not exceed funds estimated to be available for the fiscal biennium as shown in the budget. B. The General Assembly by law shall make appropriation for all expenditures of public funds by the State. Appropriations for a fiscal biennium shall not exceed funds estimated by the General Assembly to be available during that biennium.

PRESIDENT:

We have had the second reading in full of the proposal. Introduction of bills. Messages from the House.

SECRETARY:

Message from the House by Mr. Selcke, Clerk. Mr. President, I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, Senate Bill number 597 together with the following amendments in the adoption of which I am instructed to ask concurrence of the Senate. Senate Bill 670, with amendments number...one amendment. Senate bill number 1182, with one amendment. Senate bill number 1183, two amendments.

PRESIDENT:

Secretary's desk. We will follow the following procedure now. If I may have the attention of the membership, we're gonna go to Senate bills on second reading, then House bills on second reading, then House bills on first, and then on Senate bills on third reading and House bills on third reading we will...the Chair will take a priority list given to me by the leaders on both sides of the aisle. Now when we are through with that priority list, then we will go to other bills, but that will be the procedure on Senate bills and House bills on third reading. Senate bills on second reading, 1090. 1090.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. Senator Carroll is off the floor. I wonder if we could advance this, and then he has an amendment, he can pull it back when it's on third reading tomorrow. 1130.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 1315, Senator Smith. Senator Smith is on Senator Rock's mike.

SENATOR SMITH:

Ah...We are making a correction on 1315. May I go to the other two? 16 and 17.

PRESIDENT:

Alright. 1316, 1316.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 1317.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Senator Smith is recognized. He's on his own mike there now.

Senator Smith.

SENATOR SMITH:

Now we have caused this amendment, this proposed amendment to be placed on each desk, and there are two changes suggested in the amendment. It adds to a new section in place of section 2 as it is in the bill. It adds the different wording that you have on your desks in lines 5 through 11 inclusive. And then it adds the figure 3 in addition. By the addition of this new section, section 2 is superceded and section 3 added thereto.

PRESIDENT:

Is there any question?

SENATOR SMITH:

Now, Mr. President,...

PRESIDENT:

Just...Just a moment. The amendment you're offering is on 1315, Senator...

SENATOR SMITH:

No, no. No, no. 1317.

PRESIDENT:

Alright. Okay. 1317. Is there any discussion? All in favor signify by saying aye. Contrary minded. The amendment is adopted. Any further amendments? Third reading. 1315, Senator Smith.

SENATOR SMITH:

Now, we've caused this amendment also to be placed on the desks. I detected an error and called it to the attention of others and there is a change from what you have on your desk. On line 2, after the word "line" is added what appears to me to be the figure 15. Is that right? And on line 9 after the word "line", the figure 16. And I move the adoption of the amendment.

PRESIDENT:

Is there any discussion? All in favor signify by...Senator Clarke.

SENATOR CLARKE:

Well I'd just like to point out, Mr. President, that Senator Carroll is off the floor and nobody knows what these amendments are. We'll just assume that he's putting the bills in the form he wants. He might explain them briefly.

PRESIDENT:

He has explained them briefly. If you want further explanation... Senator Smith.

SENATOR SMITH:

...inserts the figure 15 after the word "line" on page 2 and it inserts the figure 16 after the word "line" on page 9 of the amendment. I might also add that section 2 in the amendment is additional wording. Now, please understand that I'm not so gullible as to be over zealous about the outcome of the bill, Senator, and I don't think you need be worried, but it is...as the lawyers say, we are trying to avail ourselves of each and every opportunity. I...

PRESIDENT:

Is there further discussion? All in favor signify by saying aye. Contrary minded. Amendment is adopted. House Bills on second reading. 19...Senator Carroll on the floor? We'll come...Senator Carroll has another meeting and we will come back to those for him. 1473 Senator McCarthy. House bills on second.

SENATOR McCARTHY:

Mr. President, ah,

PRESIDENT:

Senator McCarthy.

SENATOR McCARTHY:

These are three bills here by Representative Rayson that are to be amended. He brought the bills over to me yesterday, but I lost them. I wonder, Senator...

PRESIDENT:

Why don't you advance them to third reading and then you can amend them tomorrow.

SENATOR McCARTHY:

Yes, I wonder if I could do that.

PRESIDENT:

Alright. 1473.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 1475.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 1476.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 1747, is Senator Knuppel on the floor? Senator Knuppel. 1747.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 1792, Senator Baltz.

SENATOR BALTZ:

You caught me short. Come back to that, will you please?

PRESIDENT:

Alright. 2198, is Senator Knuepfer here? 2267, Senator Latherow.

SENATOR LATHEROW:

I have an amendment for that, Mr. President, and we're trying to get it ready now. Could you come back to it?

PRESIDENT:

Alright. 2396, Senator Egan. 2396.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDING OFFICER: (Bruce)

Any amendments from the floor? Third reading. 2397, Senator Egan. 2397.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDING OFFICER: (Bruce)

Any amendments from the floor? Third reading. 2453, Senator Graham. 2453.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDING OFFICER: (Bruce)

Any amendments from the floor? Third reading. 2485, Senator Dougherty.

SENATOR DOUGHERTY:

...I move to advance it to third reading.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDING OFFICER: (Bruce)

Any amendments from the floor? Third reading. 2503, Senator Palmer. 2503.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDING OFFICER: (Bruce)

Any amendments from the floor? Third reading. 2615, Senator Dougherty.

SENATOR DOUGHERTY:

Advance it.

PRESIDING OFFICER: (Bruce)

2615.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDING OFFICER: (Bruce)

Any amendments from the floor? Third reading. 2716, Senator Carroll. He's off the floor. 3033, Senator Chew. 3033.

SENATOR CHEW:

Yes, ah...Move it, Mr. President.

SECRETARY:

Second reading of the bill. No committee amendments. No... amendment....

SENATOR CHEW:

That's an appropriation reduction.

SECRETARY:

...offered by Senator Partee, it looks like. Yeah.

PRESIDING OFFICER: (Bruce)

One amendment offered by Senator Partee. House bill 3033. It's a reduction in the appropriation. It may be a committee amendment, but it has your name on it.

SENATOR PARTEE:

Oh! Alright. I move adoption of the amendment.

PRESIDING OFFICER: (Bruce)

It has been moved to adopt the amendment. All those in favor. Opposed. Amendment is adopted. Any further amendments. Third reading.

3066, Senator Harris. I think he'll want that advanced. Third reading.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDING OFFICER: (Bruce)

Any amendments from the floor? Third reading. 3077, Senator Hynes. 3077.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDING OFFICER: (Bruce)

Any amendments from the floor? Third reading. House bill 3088, 3081, Senator Davidson. 3080.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDING OFFICER: (Bruce)

Any amendments from the floor? Third reading. 3081.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDING OFFICER: (Bruce)

Any amendments from the floor? Third reading. 3544, Senator Bruce. Let's see...I have an amendment. We'll hold that. Hold that one. I've got an amendment and I'll bring it up later. 3545, Senator Hynes. 3545.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDING OFFICER: (Bruce)

Any amendments from the floor. Third reading. 3571, Senator Graham.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDING OFFICER: (Bruce)

One amendment from Senator Graham.

SENATOR GRAHAM:

Yes, Mr. President and members of the Senate, this is an amendment prepared by the House sponsor in connection with the warden of Cook County jail and the State's Attorney Office of Cook County, so I am lead to inform, and will place section 1 of this act in conformity with the work release program. 3577? Don't you have it down there?

PRESIDING OFFICER: (Bruce)

Excuse me, Senator Graham, it's 3571.

SENATOR GRAHAM:

I've got the wrong one. 3471?

PRESIDING OFFICER: (Bruce)

3571.

SENATOR GRAHAM:

Alright. I'll send this one down. I'm up to my hips in amendments.

PRESIDING OFFICER: (Bruce)

3571.

SENATOR GRAHAM:

This is an amendment adding to the Homestead Act, ah, bill that this...

PRESIDING OFFICER: (Bruce)

Senator O'Brien, friends there. If we could have some order for Senator Graham.

SENATOR GRAHAM:

I move the adoption of the amendment.

PRESIDING OFFICER: (Bruce)

It has been moved that we adopt the amendment. All those in favor. Opposed. Amendment is adopted. Any further amendments? Third reading. 3577, Senator Graham.

SENATOR GRAHAM:

Now we're getting back on the right track. Now we're talking about the amendment I was talking about a while ago. Amendment prepared

by the House sponsor in connection with the warden of Cook County Jail dealing with the program of work release. I know of no objection to the amendment and I move the adoption.

PRESIDING OFFICER: (Bruce)

All those in favor. Amendment is adopted. Third reading. 3600, Senator Mohr. 3600.

SENATOR MOHR:

Yes, Mr. President, I have one amendment that's clarifying language that was just omitted from the bill. It adds the words, "Department of Revenue shall upon applications..."

PRESIDING OFFICER: (Bruce)

May we have some order please. Senator Mohr has offered amendment number one to Senate bill...House bill 3600. All those in favor. Opposed. Amendment is adopted. Any further amendments? Amendment number two offered by Senator Graham.

SENATOR GRAHAM:

Yes, Mr. President, this amendment does, in fact, reduce the time requirement that an organization must be in, in business or recognized from five to two years and this is the reason for it. In the suburban area of Cook County, as well as other areas of the state, we do have some organizations nationally recognized...

PRESIDING OFFICER: (Bruce)

Gentlemen, can we have some order...

SENATOR GRAHAM:

...that haven't been in existence for a period of five years. This will allow Elks Clubs, Moose Clubs and so forth, whose parent organization is nationally recognized, to apply for and get a license to operate bingo games after having been in existence for two years, and I move the adoption.

PRESIDENT:

Is there any discussion? All in favor signify by saying aye. Contrary minded. Motion prevails. 3625, Senator Hynes. 3625.

SENATOR HYNES:

Mr. President. Mr. President.

PRESIDENT:

Senator Hynes.

SENATOR HYNES:

Mr. President, members of the Senate. This is the registration bill. I would like to advance it to third reading. In accordance with my discussion with Senator Graham, I will bring it back for amendments if desired.

PRESIDENT:

Are there amendments from the floor? Third reading. 3544. 3544.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Senator Bruce.

SENATOR BRUCE:

I offer amendment number one which adds to the bill the word Jasper. The school district lies in two counties, Crawford and Jasper Counties. I move its adoption.

PRESIDENT:

Is there any discussion? All in favor signify by saying aye. Contrary minded. The amendment is adopted. Are there any further amendments? Third reading. 3623, Senator Bruce. Hold that. 3624 hold also? Okay. 3633, Senator Course. 3633.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 3634.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor. Third reading. 3635.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 3639, Senator Dougherty.

SENATOR DOUGHERTY:

I would like to advance this bill to the order of third reading. This bill has to do with the appointive powers to fill the various governmental agencies...

PRESIDENT:

Do you have any amendments?

SENATOR DOUGHERTY:

There are no amendments to this one. No Sir.

PRESIDENT:

Alright. Third reading. 3646, Senator Harris. 3646.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 3647 is not on your calendar. Senator Sours has advanced that to second reading without reference. 3647.

SECRETARY:

Second reading of the bill. No commi.....

SENATOR SOURS:

There is an amendment. There was a committee amendment on it.

PRESIDENT:

3647.

SECRETARY:

Second reading of the bill. One, one committee amendment?

SENATOR SOURS:

There was one in....the committee chairman. The Secretary probably has it. I have a copy of it, if it will help you any here.

PRESIDENT:

We'll tentatively go ahead and approve the committee amendment. Senator Sours moves the adoption of the committee amendment. All in favor signify by saying aye. Contrary. And then we'll get back to it if there is any problem in the Secretary's office on that.

SENATOR SOURS:

Yes. I agree we called it back before...It has to be further amended.

PRESIDENT:

Alright. 3648, Senator Dougherty.

SENATOR DOUGHERTY:

I have an amendment and it's on the clerk's desk. This is the same series of bills having to do to prior judicial appointments and the changes made necessary by the Act. And the amendment provides that one appointment will be made by the chairman of the County Board of the county in which the major part of the works of the water commission are to be located and then to be appointed as far as the village is concerned by the Mayor or President, and then it provides for one commissioner in the at large area to be appointed by the chairman of the County Board and he must be an elector of the county. It's clean up language.

PRESIDENT:

Is there any discussion? All in favor signify by saying aye. Contrary minded. Amendment is adopted. Any further amendments? Third reading. 3653. 3653.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor. Senator Berning has an amendment. Can you explain the amendment briefly?

SENATOR BERNING:

This makes it effective immediately, Mr. President. I move for the adoption.

PRESIDENT:

Any discussion? All in favor signify by saying aye. Contrary minded. The amendment is adopted. Third reading. House Bill 1792.

Just a moment, we don't have your amendment, Senator Berning, or they can't seem to find it. Senator Berning, we are without your amendment, apparently.

SENATOR BERNING:

It's right there on the...

PRESIDENT:

The amendment has been adopted. The bill is advanced to third reading. For what purpose does Senator McCarthy arise?

SENATOR McCARTHY:

Mr. President, the body allowed me to advance 1473 which was on second reading and Senator Laughlin and I have found the amendment, so if we could call 1473...

PRESIDENT:

It would be easier if we call it tomorrow back.

SENATOR McCARTHY:

Alright, Sir.

PRESIDENT:

For the secretary, here. 1792, Senator Baltz. 1792. Senator Sours, on the bill that you had, you indicated there was a committee amendment, there is none.

SENATOR SOURS:

Well, there was a committee amendment. I happen have it here, now, if that will help any.

PRESIDENT:

Senator Partee.

SENATOR PARTEE:

There is, in fact, a committee amendment. Now, I don't know if it has gotten back in the file or not, but it was presented yesterday and maybe the committee clerk has it, I don't know, but there is, in fact, an

amendment.

PRESIDENT:

Senator Sours has given us a copy. The records do not show... Somehow, there is apparently an error in the records. So we will show the adoption of the amendment in any event. 1792.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 3654. Senator Partee. 3654?

SENATOR PARTEE:

Yes, please move.

PRESIDENT:

3654.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 3674.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 3680, Senator Clarke. 3680.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Senator Partee.

SENATOR PARTEE:

I just want to point out to the Secretary; 3674, I think is the wrong description here, so tomorrow when it shows up, make sure you check it.

PRESIDENT:

3686, Senator Soper. 3686.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 3690, Senator Harris. 3690.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 3691.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 3702. Senator Hall on the floor? Let's advance that. If, for some reason, he...3702.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 3704, Senator Groen. Senator Groen.

SENATOR GROEN:

Mr. President, in connection with that bill, I have been given an amendment to that bill by the sponsors who gave it to me, the people in Putnam County, a part of LaSalle County and a part of Bureau County who want to establish this. And a point of parliamentary inquiry. Under our rules and the new Constitution, what is necessary to make a bill an emergency bill? Must it state in the bill itself, or in the amendment, that it is an emergency or that an emergency exists or does the time certain prior to the...

PRESIDENT:

It indicates when the effective date of it and indicates

effective immediately upon passage or effective some date other than...

SENATOR GROEN:

July 1 of the following year.

PRESIDENT:

Right.

SENATOR GROEN:

Alright. Then I would offer amendment number 1 to this bill, and what it does is makes it, I'll read it: Section 50. This Act takes effect upon its becoming a law.

PRESIDENT:

That is the emergency clause.

SENATOR GROEN:

I move the adoption of the amendment.

PRESIDENT:

Alright. All in favor signify by saying aye. Contrary minded. The amendment is adopted. 3707, Senator Johns. 3707.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 3734, Senator Sours. 3734. This, again, is not on your calendar. It was advanced today.

SENATOR SOURS:

Mr. President and Senators, that bill also was amended. Just in case it doesn't show up in the file, I have it here.

PRESIDENT:

We'll get it from the secretary's office and... 3734, it's not on the calendar. It's one that was advanced earlier today.

SENATOR SOURS:

I should like to move the adoption of the amendment which was placed on this bill yesterday in the committee hearing.

PRESIDENT:

Senator Sours moves the adoption of the committee amendment. All in favor signify by saying aye. Contrary minded. The amendment is adopted. Any further amendments? Third reading. 3736. 3736.

SENATOR LATHEROW:

Mr. President.

PRESIDENT:

Senator Latherow.

SENATOR LATHEROW:

I have sent an amendment down to this bill. This is the bill for the Coroner's salary and the amendment states that those counties under 50,000 will have the choice, by action of the Board, of either going on a per diem of \$50.00 per day when he is engaged in the duties of the office or going on the salary schedule that is in the bill. I move the adoption of the amendment.

PRESIDENT:

Is there any discussion? All in favor signify by saying aye. Contrary minded. The amendment is adopted. Any further amendments. Senator Latherow.

SENATOR LATHEROW:

Mr. President, I have...I'd ask that 2267 be brought back for an amendment. I have that amendment. The secretary has it.

PRESIDENT:

Alright, let's finish. 3736 is advanced to third reading. 2267.

SENATOR LATHEROW:

This bill is the bill for the policemen and watchmen and it sets some restrictions that those who have been convicted of some felony, after 20 years without...a felony or dishonorable discharge...might after 20 years be given a job as a detective. Now, for merely watchman or something of this type, that is 10 years time. I move the adoption of that amendment.

PRESIDENT:

Is there any discussion? All in favor signify by saying aye. Contrary minded. The amendment is adopted. Any further amendments? Third reading. On House bills...Senator Groen.

SENATOR GROEN:

Mr. President, again a point of parliamentary inquiry. I would direct the Chair's attention and, if I could have Senator Partee's attention. I believe that rule 23 of our rules would not support the position taken by the Chair. If that rule has been amended, that I do not know about, that's one thing; but as the rule is presently written, I don't believe that is the case.

PRESIDENT:

Well, the...in fact the Constitution...this rule is outdated because of the new Constitution.

SENATOR GROEN:

This is my thinking, too, and I think the rules should be amended to conform to the Constitution and I would request the Parliamentarian and the Rules Committee to take that action.

PRESIDENT:

I think that is an appropriate request. House bills on first reading. Senator Carroll is here. Senator, we advanced your one bill, 1130, to third reading. You can amend it tomorrow if that's okay. Now you also, Senator Carroll, have House bills 19 and 567 on House bills on second. Do you want to advance those.

SENATOR CARROLL:

Please.

PRESIDENT:

19.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 567.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. I'm advised there is a committee amendment on that last one, Senator. Senator Carroll moves the adoption of the committee amendment. All in favor signify by saying aye. Contrary minded. The amendment is adopted. Third reading. House bills on first reading. Oh, Senator Carroll, before...2716, the secretary has advised me is also yours. House bill on second reading. Do you want that advanced? Senator Dougherty?

SENATOR DOUGHERTY:

I have an amendment to 2716 that Senator Carroll has agreed upon.

PRESIDENT:

Do you want to advance that, Senator? Hold it. Okay. It will be held. House bills on first reading. Senator Clarke?

SENATOR CLARKE:

Well, Mr. President, by our time schedule, I really don't see that there's a bit of sense in considering House bills on first reading. I think we ought to go to the House bills on third reading. Well, they might go to committee, that's true, and we haven't made a determination of whether we're going to keep bills alive or not. Maybe your're right.

PRESIDENT:

Alright. We have four that already have House sponsorship. I guess those...Alright. 2128, 2346, Representative Phil Collins. 2562, that series. Friedland and so forth. 3018, Representative Giorgi. 3043, Representative Dyer. 3061, Representative R. D. Cunningham. 3071, Representative Rayson. 3559, Senator Hall is the sponsor. 3571, Representative ...oh, that has been advanced to second. Alright. 3588, Representative Terzich. 3650...3588, are you sure Senator Savickas wants it? Alright. 3588, Senator Savickas. 3650, Representative Gardner. 3663, Representative Nowlan. 3664, Representative Dyer. 3677, Senator Egan. 3677 and 3678.

3682, Senator Graham.

SENATOR GRAHAM:

I would like to have leave of the Senate just in case we get bogged down, just in case we're here longer than we think we are. This bill actually is a vacancy bill. Maybe the titles on it and 2916, perhaps. We may need this as a vehicle on legislative vacancies. I would like to move this to second reading without reference in case we need it as a vehicle later on.

PRESIDENT:

Is there objection? Leave is granted. 3696, Senator Graham. 3699, Senator Graham. 3748, Representative Shea. Senator Dougherty... Senator Donnewald want...? Senator Donnewald. 3748, Senator Donnewald. Senate bills. Oh, Senator Donnewald.

SENATOR DONNEWALD:

I'd like that for a possible vehicle, if the body wouldn't mind, and would like leave to move it to the order of second reading.

PRESIDENT:

Is there objection? Leave is granted. 3748, revises composition of Judicial Districts. Now, we'll move to Senate bills on third and then House bills on third and I will...Senator Harris?

SENATOR HARRIS:

On a point of personal privilege, and I will be brief. I think many of you have noticed in the papers today a great deal of news exposure to the fact that Senator Harris is broke. I just want to concur that that is true and those reports are accurate and I thank this body for its time.

PRESIDENT:

Is it also true, Senator, you've withdrawn from the Presidential race? Now, Senators Partee and Clarke and Coulson, I so far have not received any lists from anybody on bills on third reading that take priority, but until I receive such lists, I'll just go down the...down the list. I gather I'm getting some lists here. We move it to third.

Senator...1315, 16 and 17, Senator ParTEE.

SENATOR PARTEE:

They were advanced to third, I think, today. 1315, 16 and 17? They've been advanced, I think.

PRESIDENT:

Yes, they just advanced today here. We have, from...we have a list of priority bills from the Democratic leadership and I'll proceed on those until I...they are House bills on third reading. If... And incidently, if the members...if you have bills you want called, if you can, at this point, give them to either Senator ParTEE or Senator Clarke, and then they'll give them to the Chair. 1573. House bill on third reading. House bill 1573. Senator Dougherty.

SENATOR DOUGHERTY:

House bill provides...applies only to Cook County, and it provides that a new system of tax collection is being inaugurated, and it provides that the tax bill...I'm going to call this back for the purpose of amendment, but I would like to explain it. Provides that the taxpayer is given a bill on the first day of December that provides for him to pay the first, provide his first half, as it has been heretofore in the past, in three installments. One due on the first of January, one due on the first of March, one due on the first of May, with the final installment to be paid on the first day of July. The provisions of the bill are that the first bill shall approximate 50% of what the last year's tax bill was, and that the second bill will be the additional 50% plus the necessary tax that must be added for that particular year. This bill...I'm offering some amendments now that provide that the delinquency date shall be changed from the first day of January to the tenth day of January, the tenth day of March instead of the first and the tenth day of May instead of the first and the tenth day of July instead of the first. It further provides that the citizen, if he so elects, can pay all three installments, prepay 'em at one fell swoop. This bill has the approval of the Cook County Board of Commissioners, and I have here

excerpts from newspapers. But first, I would like to offer this amendment, and I have it here.

PRESIDENT:

1573 is brought back to second reading for purposes of amendment.

SENATOR DOUGHERTY:

Now, I move to reconsider the vote by which amendment number 1 was adopted.

PRESIDENT:

Senator Dougherty moves to reconsider the vote by which amendment number 1 was adopted. All in favor signify by saying aye. Contrary minded. The motion prevails. Senator Dougherty moves to table amendment number 1. All those in favor signify by saying aye. Contrary minded. The motion to table prevails.

SENATOR DOUGHERTY:

Now I wish to offer amendment number 2 which does what I have so stated, that the delinquency date has been moved back ten days, and affords the taxpayer an opportunity of an extra ten days to meet his obligation, and it further provides that he may make his prepayments, in the, ah, at one time, he can make all three payments at once. And then the last one of course, will be 50% plus whatever the additional costs may be. Now I have here on my desk some editorials...

PRESIDENT:

Well, let's adopt the amendment first. All in favor...Senator Clarke.

SENATOR CLARKE:

Mr. President, I've sent an amendment down to the Secretary's desk, and I'd like to offer it as a substitute amendment. It provides... Is that in order?

PRESIDENT:

It is not. Now what the procedure would be, Senator Clarke, for you to defeat this amendment. Then you could offer your amendment.

We don't...there is no procedure for a substitute amendment. The...

Senator Horsley?

SENATOR HORSLEY:

Well, Mr. President, I would earnestly ask you to check with your Parliamentarian. There is a procedure to offer a substitute amendment.

PRESIDENT:

Well, we...so far along as I have been presiding...

SENATOR HORSLEY:

Oh, no, no, no. Under the rules you can offer...Roberts Rules of Order provide for the offering of a substitute amendment. Oh, no... that's...Why certainly. That's long been the rule in the House and the Senate.

PRESIDENT:

The Chair's going to have...the Chair's going to have to rule that a substitute motion is not in order and the...that...the procedure would be to defeat the one...The end result is the same, you know, the votes are going to be roughly the same. So that, I think the procedure is if you differ with Senator Dougherty to defeat that amendment and then your motion comes before the body, and I've checked with Mr. Fernandes and others here, and this has been the procedure and I think will continue to be. Senator Dougherty offers amendment number 2. Is there discussion? Senator...Roll call has been requested. Senator Clarke is recognized.

SENATOR CLARKE:

That's right, Mr. President. I'd like to have a roll call because I don't think this changes this bill substantially. I think it's a bad amendment and I think it's a bad bill. I'd like to have a roll call.

PRESIDENT:

The Secretary...Senator Dougherty may close the debate.

SENATOR DOUGHERTY:

I disagree with my friend on the other side of the aisle.

We both have discussed this earlier this morning. I believe this is an exceptionally good bill. I believe that the amendments make it a better bill. This bill...this proposal has received laudatory comment from all segments of the press. It has the approval of the real estate board, many realtors, all opposition has been withdrawn by the banks and savings and loans company, and it provides an incentive to the taxpayer to be able to set aside some money from a period of 60, or 90 days so he will not have to spend it all at once. I think it is a good bill, and therefore I am offering this amendment to clarify it.

PRESIDENT:

Senator Soper.

SENATOR SOPER:

Mr. President, would the sponsor yield to a question? Now, this, this is going to be one mailing for the 50%. Would you...

PRESIDENT:

Senator Dougherty.

SENATOR DOUGHERTY:

That is right.

PRESIDENT:

Senator Soper.

SENATOR SOPER:

And the penalty dates will not be on the first of the month of January, but they will be on the tenth of January, 10th of March, 10th of May, and the 10th of July will be the penalty date for the final... for the final bill.

PRESIDENT:

Senator Dougherty...Senator Soper.

SENATOR SOPER:

The, first bill will be an estimate of 50% of last year's bill, and that will be payable either in three parts at the...at the desire of the recipient or the taxpayer or in one part he can pay the 50% and...

PRESIDENT:

Senator Dougherty.

SENATOR DOUGHERTY:

At the option of the taxpayer. Yes, Sir.

PRESIDENT:

Senator Soper.

SENATOR SOPER:

Mr. President, I rise...I rise to, to support this bill with this amendment. I hope the members on our side see fit that to get these collections in the hands of the people and let them have the opportunity to either pay the the first half in toto or in payments.

PRESIDENT:

Secretary will call the roll.

SECRETARY:

Arrington, Baltz, Berning,...

PRESIDENT:

The motion is for the adoption of the amendment. Those in agreement with Senator Dougherty will vote in the affirmative. Those in agreement with Senator Clarke will vote in the negative.

SECRETARY:

Bidwill, Bruce, Carpentier, Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

PRESIDENT:

Harris no. Mitchler no. Merritt no. Fawell no. Graham no. Bidwill no. Berning no. A request for a call of the absentees. The absentees will be called.

SECRETARY:

Arrington, Baltz, Carpentier, Chew, Course, Dougherty,
Knuepfer, Latherow, McBroom, Savickas.

PRESIDENT:

On that question the yeas are 26 the nays are 22. The amendment is adopted. Senator Clarke. Senator O'Brien moves to reconsider. Senator Donnewald moves to table. All in favor of the motion to table signify by saying aye. Contrary minded. Motion to table prevails.

Senator Clarke.

SENATOR CLARKE:

I'll skip my amendment.

PRESIDENT:

Third reading. We'll get back to that, Senator Dougherty. 1751. Senator Partee. And can 1751 and 2 be considered together.

SENATOR PARTEE:

Yes, Sir.

PRESIDENT:

Is there objection to one vote on both bills together? Leave is granted.

SENATOR PARTEE:

Because this is a new concept, Mr. President, I'm gonna take just a couple of minutes longer than I ordinarily would because I'd like the members to hear this explanation and maybe it will obviate some of their question, and I'll of course be prepared to answer them. But as indicated by the synopsis, it prohibits certain practices by landlords or sellers of residential real estate. It provides for necessary remedies and gives important powers to the Attorney General. Now there has been abuse of certain of our citizens in connection with the rental of residential real estate and the selling of real estate under installment contracts. I see a lot of bad housing and it's kind of difficult for me to talk about it without emotion, but we want to be able to buy homes for people. We want to be able to buy their homes and be able to rent

safe housing, and to deal honestly with their landlords and have the law, with fairness, shield them and protect them when they do so. Now abuses in the use of installment contracts have threatened to destroy a rather convenient means of financing. And where the Legislature has failed to correct these wrongs, courts have attempted to, but the courts in attempting to and because they are...in various places have created a variety of uncoordinated, fragmented and inconsistent provisions for relief. And it does not make for a logical solution for these problems. Now this bill has had a rather thorough study by committees and subcommittees of both the House and the Senate. It's been subjected to review, to modification and clarification, to extensive hearings and meetings by representatives of both the Chicago and the Illinois Bar Association and the Chicago and Illinois Real Estate Boards. It is workable and practical and has effective teeth. I'd ask for a favorable roll call.

PRESIDENT:

Senator Laughlin.

SENATOR LAUGHLIN:

Well, Mr. President, members of the Senate. I rise in opposition to these bills, chiefly 1751. The other one isn't particularly significant. I'd like to point out that first of all, Senator Knuppel the other day described these bills in committee when they finally emerged as being "what do you need lawyers for?" What you attempt to do through this legislation is to write contracts for people, long-term installment contracts by statute, but all you have to do is fill in the names and the description. Now I don't want to go on at great length, but let me just say this. I'll try and point out some of my objections. Number one, it's my understanding that it applies to all single-family residences. I think the language in the bill is ambiguous, and it might be construed another way, but in essence that's what it's intended to do. You have to remember also it applies to dwelling structures containing six or less dwelling units except that if there are two or less dwelling units, one

owner-occupied, the law doesn't apply. After going through all these definitions, we then have Article II which is entitled Installment Contracts. And the first section under it says "prohibited provisions of installment contracts". I don't intend, with the limited time we have here, to read all about them. But they particularly and expressly say what you cannot put in a contract. Some of the things are already the law, as, for example, there's a subsection D which says, providing you can't provide for any interest or charge in lieu of interest at a rate to be paid on the unpaid balance at a contract price in excess of the interest rate which the contract seller could lawfully charge or receive for a loan of money. Well, that just incorporates the usury law as far as I know. Why we need this in a bill, I for the life of me couldn't possibly understand. It's a bill that is slanted completely and entirely for the contract purchaser's benefit. As evidence of that, there are certain sentences from here and there in this bill which evidence it. The first one is in "A" in which they say you can't prohibit excusing the contract seller from complying with or authorizing the contract seller to violate any of the provisions of this Act. Without reading it all, after the semi-colon on line 7 or 8, the language is "or expressing any intention contrary to the provisions of this Act." Believe me what kind of language is that because later you have provisions in here for rescission of the contract up to one year for the violation of any provision of the prohibited matters that can't be set forth in a contract. This just gives somebody else, a purchaser, another hook to get out of his deal. For example in subsection "F" it provides "you can't authorize the contract seller to enter upon the structure unlawfully." Well, now if the parties agree when he can come, you tell me why that would..., under any circumstances, would be unlawful? Just another point, briefly made, to show the slant of the bill. Without getting into this, and this deserves debate that would take an hour, and I assure that I'm not going to spend but very little time. Second section 22 says mandatory provisions of installment contracts. Remember, first we had the section

that says prohibited things, things you cannot put in an installment contract. Now we have the things that you must put in the installment contract. For example: In "B" of that section, where they talk about interest rates again, they say "such annual percentage rate to be computed by applying each payment, first the interest, and applying the balance to the unpaid principal." Now why you should mandate a direct reduction loan in an installment contract rather than letting the parties decide if they want to pay the interest over and above the monthly installment payments or the semi-installment payments, for the life of me, I don't know. Talk about special legislation, this is it. Then in section 234 skipping some more minor objections, we have a section entitled The implied provision of installment contracts. First we have the prohibitions, then we have the things that must go in and now we have the things that are implied in each contract. It covers the waterfront, believe me, gentlemen, this bill most certainly does. In this section, for example, you have a provision, and in a sense it makes sense, that after a person has paid 50% of the balance, he is entitled to demand the deed and give a purchase money mortgage back. Now if the seller, for example, doesn't want to do it, and says I will get you the money from the third party, the seller...the purchaser must do it but the seller must pay all the costs, the fees, whatever the things involved are. Silly. It isn't right. It isn't fair. For example, and I will give you the language on that, the contract purchaser shall not be required to procure financing from such third party, but shall be required to accept the same if the contract seller shall pay all costs in connection therewith. My goodness! What in the world are we going to let people decide for themselves in this particular, perfectly proper portion of our economy, the buying and selling of residential real estate. Lets go to section 26. Prepayment rights. The contract purchaser has the right, at any time, to prepay, without penalty, 20% of the contract price in each 12 month period after the date of the installment contract. So that if somebody has a large capital gain and wants to spread

it over 10 years, not 5 years, he can't do it, because the legislature of the State of Illinois says, "Oh, no, you can't do that even if you and the purchaser want. You got to give them the right to come in and pay it off in 5 years." Another interesting thing, and I am sure Senator Soper will comment on this, is the fact that if there is a default and more than 25% of the purchase price has been paid the seller can recover only the 25% and refund anything over that which he has unless he can establish actual damage over and above the 25%. One last comment and I am going to sit down because this could go on forever. One of the sections is entitled rescision of contract purchaser...by contract purchaser, and there is a one year limitation with respect to the prohibitions and the implications and the mandated portions of the bill; but there is a 3 year limitation in this respect: That is, if a court decides in an action commenced within 3 years of the date of the contract that any provision thereof was unconscionable. Then they go on and decide...and define what is unconscionable. A gross disparity between the price provided for in the installment contract and the value of the dwelling structure being sold measured by the price at which similar property was readily attainable by like contractors...like contract purchasers at the time of the execution of the installment contract. So you don't know, you really don't know if you've got a deal for 3 years. I could give you a very quick example. It happened in my neighborhood. I think the lady was foolish. I don't think she should have paid \$15,000 more than the house was worth, but she did. She had the money, she wanted it and she bought it. Now that, admittedly, is an unusual...not a common place action; but certainly who is to determine for the court what is a gross disparity. I am not even going to comment about the landlord and tenant portion of it. I just make on other comment. The Attorney General certainly becomes the people's lawyer under this bill and we are appropriating, incidentally, \$125,000 to his office for the purpose of helping him fulfill his duties. You can complain to the Attorney General. The Attorney General takes up the cudgels on behalf

of the contract purchaser. Certainly, I am sure, there are abuses in this field. I don't think they exist other than in metropolitan areas. To enact a statute such as this, covering the contractual rights of the purchasers and sellers of residential properties in the State of Illinois, is completely wrong. It's bad policy and I hope the bill is defeated.

PRESIDING OFFICER: (Vadalabene)

Senator Soper.

SENATOR SOPER:

Mr. President and members of the Senate. Senator Laughlin has described this bill thoroughly, and the various aspects of this bill, but I want to say one thing about this bill. This bill will not help the people that want to be helped. All this bill will do, will make it impossible for anybody to buy on contract. If this, if this bill goes through, the people who have, and are reasonable people and people who want to buy a piece of property with about 5 or 10% down and buy it on contract and pay up to 30 or 40% then they receive a mortgage, won't be able to do this because the seller, or the person that is going to sell this piece of property on contract, will either avoid a contract sale or he will say, "I tell you, I'll sell you this piece of property, but you will put 10 or 15 or 20% down and I will take back a purchase money mortgage." He will take back the purchase money mortgage and all this will be of no avail. Then he can charge anything he wants for the sell of that piece of property. If you say it is unconscionable, you say that you paid \$20,000 for a house that is worth \$15,000, that will be of no avail because of the fact he'll just jack up the price, take your down payment and he'll make provisions on that, if he is an unconscionable seller. So that you really will gain nothing by this, and you will eliminate a lot of legitimate people who want to buy and have a limited amount of means, to purchase on contract. Now I think it is a bad bill. We listened to this in Judiciary. We had hearings on this thing. We had a subcommittee that went through this. This was pointed out, and this is like a bill for motherhood and free milk. It is hard

to be against something where you say that somebody came in and took advantage of someone; but it's like trying to legislate morality, or legislate brotherhood, or legislate love. You just can't do it.

PRESIDENT:

Senator Sours.

SENATOR SOURS:

This kind of a bill has always, Mr. President, met with some hostility by people like me. Let me say that this bill is ill conceived. It relies on tenant enforcement and it creates a claim so small it will seldom be litigated except for one purpose, to embarrass and harrass. And yet the tenant won't have the natural forum to have his redress of his grievance, which is a plain old courthouse in any country town including that bucolic metropolitan area called Chicago. Only the nutty or vindictive tenant will provoke eviction just to try the claim. It does nothing for solving the problems of either delayed or deferred maintenance. There is still no way to insure the rents will go into the upkeep and the tenant can walk away with the dollars in his jeans. I don't know how this deficiency can be corrected in the body of the act. Section 31 B of this act is now superfluous in as much as House bill 763 is passed. It should be deleted. There should be a bar to confession clauses and clauses requiring the payment of the landlord's attorney fees in evictions. The unfairness of any confession is manifest. Section 3.2 bars only the total exclusion of children, not an arbitrary limit of the number of children in an apartment. There also seems to be no reason why a landlord should be able to exclude children between 15 and 18. One comment about retaliatory eviction. That has been sold in this bill merely as a trade; An easier burden of proof than under the present law in exchange for a shorter statute of limitations. As far as I am concerned that is no trade at all, but rather a set of rules on the burden of proof and defenses which leave the tenant with about as difficult a problem as he now has plus a short statute of limitations. That is my comment. I cannot support the bill in its present state or even with the

benefit of some good amendments.

PRESIDENT:

Senator Neistein.

SENATOR NEISTEIN:

Mr. President and members of the Senate. What has been said up to now by Senator Laughlin, and Soper and Senators Sours has merit. I am in favor of the bill. We sat through many hearings as a subcommittee at Loyola University and we heard the Contract Buyers League, we heard the members and representatives of the Chicago Bar Association. It is a very profound field. I don't know if the bill will cover all the points that they seek to cover, but until a very vehicle is brought to us, I think the urgency of the situation is such that we should support this bill which was drafted by the Chicago Bar Association. Now it's true, the colleagues, on the subcommittee said that it may effect people in Chicago, but why should the entire state be saddled with these laws. Now they have a point. I sat through all these hearings. There is some features in the bill that need correction, I think, and what Senator Laughlin, Senator Soper, and Senator Sours said has merit, as I said before. However, I am supporting this bill. I think it is time to do something for the contract buyers and the Contract Buyers League and the social problems that have arisen in the city of Chicago as exemplified by the intense work of the bar association for the past 2 or 3 years and I urge all the members to support this bill and vote aye.

PRESIDENT:

Senator Partee may close the debate.

SENATOR PARTEE:

Mr. President, I started to say group insurance, somebody was talking about it. This is a bill which has had, perhaps, more study and more knowledgeable people working on than many of the bills that we hear about in this session and in this Legislature. I talked to a gentleman the other day, who comes from the Chicago Bar Association, who has been to Springfield and to other committee hearings a total of 15 times on

this bill. Now the Chicago Bar Association is not a socialistic organization. It is made up, in the main, of very prominent and aggressive, economically aggressive, lawyers who represent the corporations and entities in the Chicago area which are people who are, in the main, not in the business of charity. These members of the Chicago Bar Association and the Illinois Bar Association were people who sought to, and who did in my opinion, strike a reasonable, workable balance between the rights of those who have and the rights of those who have not. Heretofore the seller has had all the options, he has had all the advantages, all of the breaks; and because of that situation we have found ourselves in a real desperate situation in Chicago with a large number of contractual sales causing a great deal of chaos and turmoil when it came to pass that people organized and, on a joint basis, sought relief. It is easy to say that one can go to court, and right down to the courthouse, and get this very unconscionable contract rescinded or urging to get something else done that he needs to do, but people buy on contracts are not among our wealthiest citizens. They are people who have sought to establish themselves in this country and they do it on the basis on which they can. They don't have a large down payment like some of you who are fortunate. They have a small down payment and they must buy it on a contract rather than to be able to procure a mortgage. These are just little every day people who want to participate in the American dream to own a home. And they want and are entitled to some protection. I was delighted when the House sponsor asked me to handle this bill. It was Representative George Burditt, who has worked for many years and certainly many months with this bill trying to get it in the right and proper form. Representative Burditt does not come from the ghetto, but he is a man with a social conscience who believes, in this instance, that something should be done for people who want to buy houses on contract. Heretofore we have said ignorance of the law is no excuse, but I think sometimes we now have to put our arms around people and bring them into the full orbit of American life, and it is done in this bill in a fair manner, it is done in this bill in an

on balance manner. This is a good bill and I would earnestly solicit
your support.

PRESIDENT:

Secretary will call the roll. The roll call is for both bills.

SECRETARY:

Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll,
Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald,
Dougherty, Egan, Fawell, Gilbert, Graham, Groen...

PRESIDENT:

Senator Groen.

SENATOR GROEN:

Mr. President, it seems to me that this would be a proper
exercise of home rule function. Now we have had many bills here that
have appended to them the home rule amendment. It seems to me that this
is a metropolitan problem rather than a problem that affects the entire
State of Illinois generally, and I would commend this bill to the city
council of the city of Chicago for enactment by that body as a home rule
ordinance. I vote no.

SECRETARY:

...Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel,
Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt,
Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer,
Partee...

PRESIDENT:

Senator Partee.

SENATOR PARTEE:

Just one final statement on explaining the vote. It isn't very
often on a bill that affects the real estate industry that you can get the
cooperation and agreement of the Chicago Bar Association, the Illinois
State Bar Association, the Association of Real Estate Brokers for the
State of Illinois, and the Attorney General to all agree. All of these
men, all of these groups say that this is a good bill and recommend it

for passage. It is a good bill and when all of them together agree on it after careful working out, I just simply can't understand the resistance. I vote aye.

SECRETARY:

...Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

PRESIDENT:

Horsley no. Request for a call of the absentees.

SECRETARY:

Arrington, Baltz, Berning, Bidwill, Carpentier, Carroll, Chew, Collins, Coulson, Davidson, Donnewald, Fawell, Gilbert, Harris, Knuepfer, Knuppel, Latherow, Mohr, Ozinga, Soper, Sours, Walker, Weaver.

PRESIDENT:

Donnewald aye. Palmer aye. Motion to postpone consideration. All in favor signify by saying aye. Contrary minded. Motion to postpone prevails. We have a report of non-concurrence from the House on the amendments on 3700. Senator Coulson is recognized.

SENATOR COULSON:

Mr. President, I move that the Senate do not recede from the Senate amendments and request a conference committee.

PRESIDENT:

Motion that the Senate refuse to recede from the amendments and request a conference committee. All in favor signify by saying aye. Contrary minded. Motion prevails. 2916, Senator Donnewald. Is Senator Donnewald on the floor? Oh, Senator Graham is not the...Senator Graham.

SENATOR GRAHAM:

That's on third reading.

PRESIDENT:

That is on third reading. 2916, Senator Graham.

SENATOR GRAHAM:

We'd better just keep it there. We're still working on some amendments.

PRESIDENT:

It will be held. 3...Well, it is now Senator Graham's bill. I forgot, 3560, Senator Rock. 3560.

SENATOR ROCK:

Yes, Mr. President and members of the Senate. I would like first to call 3552 and call it back to second reading for the purpose of an amendment.

PRESIDENT:

3552 is called by Senator Rock. Called back to second reading for purpose of amendment. Can you explain the amendment, Senator.

SENATOR ROCK:

Yes, Mr. President, this is the bill that would allow 18 year olds to circulate petitions. I have just now filed an amendment which strikes from page 7, lines 19 and 20 which, in fact, in substance is the emergency clause. There was some question about the...

PRESIDENT:

All in favor of the adoption of the amendment signify by saying aye. Contrary minded. The amendment is adopted. For what purpose does Senator Berning arise?

SENATOR BERNING:

Well, my question is simply this: What does this do to existing petitions.

PRESIDENT:

Senator Rock.

SENATOR ROCK:

Having now struck the emergency clause, there will be no effect at all on existing petitions.

PRESIDENT:

3560, Senator Rock.

SENATOR ROCK:

Yes, Mr. President and members of the Senate. Due to the reapportionment, the Secretary of State's Office in the person of Mr.

Don Ed⁶ has requested that this bill be filed and it was so filed in the House of Representative Wolf and it provides for a specific number of signatures on our own nominating petitions. As you recall, in the past, it was a percentage of the primary voters. However, this time, with the reapportionment map having been predicated upon census tracts, Mr. Ed. is not quite sure how many signatures will be required; therefore, as a one time thing, we are setting a definite figure. The figure is at least 200 and not more than 1,000. I don't know of any opposition at all to this bill. It does have an emergency clause.

PRESIDENT:

Is there any discussion? The secretary will call the roll.

SECRETARY:

Arrington, Baltz, Berning, Bidwill...

PRESIDENT:

Senator Groen. For what purpose does Senator Groen arise?

SENATOR GOREN:

I just asked Senator Harris as we were sitting here, Senator Rock: Do you interpret Senator Rock's statement to mean that, if you file more than 1,000, it becomes an illegal filing?

PRESIDENT:

Senator Rock.

SENATOR ROCK:

Well, I think the idea is, from Mr. Ed. at least, that he has to set a maximum number so that he does not get inundated with a number of petitions. Now, whether or not that would be illegal, frankly I don't know. I wouldn't think so.

PRESIDENT:

Senator Groen.

SENATOR GROEN:

It puts us in a somewhat difficult position. I'm sure that each of us do not circulate individually our own petitions. We turn them over to precinct committeemen, party workers and others who do this

for us. We cannot, personally, make sure that every signature on a petition is in the handwriting of the alleged person. In the case of a challenge to a petition, one may well find himself in a position where he has fewer than 200, if he limits it to 1,000. This conceivably could happen. I'm wondering why there is any maximum limit at all. It would seem to me that this puts the whole thing in jeopardy. I can understand why there be a minimum, but I can't understand why there should be a maximum.

PRESIDENT:

Senator Rock.

SENATOR ROCK:

Well, correct me if I'm wrong. I thought that there was a maximum before. I don't think this changes it. The minimum number was based on a certain percentage of the primary voters, but I thought in all of these there was a maximum number.

PRESIDENT:

Senator Groen.

SENATOR GROEN:

Well, if there was such a provision, I was not aware of it. I simply obtained all of the...all of the signatures that my workers could gather together or did gather together and filed them, irrespective of what the total number might be, so long as I was positive that I had the minimum. I know of no maximum and I would object to any maximum being included.

PRESIDENT:

We are on roll call. Unless the bill...Senator McBroom, we'll... we're going out of order, but Senator McBroom is recognized.

SENATOR McBROOM:

Well, Mr. President, I, I, I don't know, but Senator Merritt and I were sitting here visiting and we were both under the assumption that there always has been a maximum predicated on a percentage and I always assumed it was to prevent someone like Lar Daly from coming down

with a Hertz truck and dumping petitions off on the Capitol steps, but you could be right, Senator Groen. I was under the same impression that Senator Rock was that there always has been a maximum.

PRESIDENT:

Continue the roll call. Incidentally, for your information, the zero is for some reason is not functioning on the board...the lights... and it's 3560.

SECRETARY:

Bruce, Carpentier, Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen...

PRESIDENT:

Senator Groen.

SENATOR GROEN:

Mr. President, I hate to belabor this, but I think it's a very serious technical point. Ah, the bill has not been amended. This is final action. And, as I understand it, if we pass this bill, it goes to the Governor. Now, I would very respectfully request, Senator, that we look into this matter before we take final action on this and I would hate to see, I would hate to see this bill adopted in its present form. I think it needs another look; I think it needs a little more research so that we're precisely knowledgeable in what we are doing here and I don't think we are at this point and I would vote no.

SECRETARY:

...Hall, Harris, Horsley, Hynes...

PRESIDENT:

Senator Horsley.

SENATOR HORSLEY:

Senator Groen is exactly right about this matter and I think this bill ought to be brought back and amended to take the maximum out, because if you pass it in the form that it is, you're going to find yourself filing petitions, and we can't guarantee the accuracy, and some

candidate might find himself with about 1,000 or more names that might be knocked out, and I don't understand why the maximum should be limited, so for that reason, I want to vote no until this matter is brought back and amended.

SECRETARY:

...Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

PRESIDING OFFICER: (Senator Neistein)

Senator Rock.

SENATOR ROCK:

Mr. President, I've just conferred with the leadership from the other side of the aisle. I would be most agreeable to...I don't know what the procedure is, frankly.

PRESIDING OFFICER (Neistein)

Do you want to hold the bill?

SENATOR ROCK:

I want to call it back to second reading for the purpose of an amendment. I don't want to put it on postponed consideration. Of do I have to?

PRESIDING OFFICER: (Neistein)

Now, you pose a parliamentary problem, Senator Rock. However, as...Senator Groen.

SENATOR GROEN:

I would join Senator Rock in asking for unanimous consent that the action on this bill to this moment be stricken from the record and that...

PRESIDING OFFICER: (Neistein)

That's the decision of the Chair. If you want to know what happened see me up here and I'll explain it to you. The next order of

business is House bill 3552. Senator Rock.

SENATOR ROCK:

Yes, Mr. President, and members of the Senate. I think that the opposition that was raised the other day concerning the allowance of an 18 year old to file...not to file, to circulate nominating petitions has been removed by the amendment. If this bill is passed, it will not become effective until July 1 of next year so there's no problem with the present petitions. I would ask for a favorable roll call.

PRESIDING OFFICER: (Neistein)

The clerk will call the roll.

SECRETARY:

Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll, Cherry, Chew, Course, Collins, Coulson, Course, Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr...

PRESIDING OFFICER: (Neistein)

Merritt votes aye.

SECRETARY:

...Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

PRESIDING OFFICER: (Neistein)

Senator McBroom aye. Bidwill aye. Collins aye. Sweeney aye.? Mitchler aye. Walker aye. On this question the yeas are 43, the nays are none, and the bill having received the constitutional majority is declared passed. The next bill...Senator Palmer.

SENATOR PALMER:

I just want to know, is a motion for adjournment in order at this time?

PRESIDING OFFICER: (Neistein)

You're out of order. Senator Rock.

SENATOR ROCK:

Yes, Mr. President, do I understand now that 3560 is...remains on the status quo...it's still on the calendar?

PRESIDING OFFICER: (Neistein)

That's the ruling of the Chair.

SENATOR ROCK:

I thank the Chair.

PRESIDING OFFICER: (Neistein)

You're not recognized Bidwill. The next bill to be considered is House bill 1573, Senator Dougherty. Senator Dougherty. I wish you'd stay in your seat when you've got bills.

SENATOR DOUGHERTY:

I must offer my apologies.

PRESIDING OFFICER: (Neistein)

It's an affront to all the membership to have the members wait while you decide to come over to your seat to present this bill.

SENATOR DOUGHERTY:

Mr. President, I'm aware of my frailties, I'm sure you never do the same. I think that we discussed House bill 1573 this morning. This is a bill that's been offered by myself on behalf of the Board of County Commissioners of Cook County and it provides that in the payment of the taxes by the home owner, or anyone else as far as that's concerned, there will be mailed to him on or about...on the 1st day of December a tax bill. This tax bill will require that 50% of his prior year's tax assessment will be paid in 3 equal installments due on January 1, March 1, May 1; and they will not become delinquent until 10 days after that or on the 10th day of January, March and May. On the...During the month of May he will be mailed a tax bill for the balance of the 50% that's been heretofore assessed plus the new assessment of taxes due that year which will be due on the 1st day of July with the delinquency date of July 10th. It further provides the taxpayer with the option of making a prepayment of all 3 first installments at one time if he desires. And the purpose of

this bill is to provide a...an easier method of paying taxes to the taxpayer, but the real thrust of it is it will provide to the local areas of government, the local units of government, a more rapid disbursal of the monies due them by the County Collector on the basis of these prepayments. We feel that over a period of time, that we will almost reach a status of current taxes. It will present a savings to the taxpayers of several millions of dollars in tax anticipation warrants insofar as the county is concerned and also to the units of government that are affected, namely the school boards and the fire protection districts, you name them. They all are forced to issue tax anticipation warrants in lieu of payment of taxes which are deferred under our method of taxing. This bill has been produced after long studies by people expert in the field. It has been the recipient of laudatory commentary in the press. There have been no objections voiced by the banks or savings and loan associations and I have been the recipient of many letters from realtors and people who are vitally interested. I feel this is a very fine bill for the benefit not only of the taxpayer, providing him an easier method of meeting his taxes, but it will provide for the easier disbursement of monies of the various units of government at a lower cost than has been experienced in the past. This bill, as I said before, has received laudatory comment in the press and I urge the approbation of this body.

PRESIDING OFFICER: (Neistein)

Senator Clarke.

SENATOR CLARKE:

Mr. President, we have a lot of business and I'll only take a minute. We have had a lot of study of this bill. I think it needs more study. I didn't find out until 24 hours ago that the County Collector of Cook County is not for this bill. He feels there would be tremendous administrative problems. Even in administering an amendment that I wanted to put on to provide for 2 payments. My primary objection at this point, prior to knowing that, and I'd like to know more about that, was the fact that just a year ago we eliminated a tremendous number of collection points

in Cook County. Now these...the taxpayers are the only people who haven't been consulted on this bill. They previously could pay their tax bill to their local township collector, to the county collector, to a lot of banks that were deputized in their local communities and people like to pay their tax bills personally. They don't like to mail in a form with...and they had to mail in, this year, the entire form. I think that to go to a 4 payment system, even though this bill now with amendment might provide for a 3 payment, is horrendous until we have figured out some way to provide for the taxpayers a means of paying more conveniently in person their tax bills. This bill doesn't take effect until '73 now. We've got time to study it and I would urge that we withhold our votes and study it until next year.

PRESIDING OFFICER:

Any further discussion? Senator Dougherty can close the debate.

SENATOR DOUGHERTY:

In an attempt to refute the arguments put forth by Senator Clarke, I would like to state that, I too, have looked at it and I've had advice of people far more expert than I am, and, in all conscience, I have worked very hard to get this bill through in the present form. I believe it is a good form. The Chicago Tribune has been very laudatory in speaking of this bill and so, too, have other members of the press. And, I ask that the members of this body give approval...give approval to the taxpayers of Cook County in an effort to meet their...the operations of government in a more speedy manner and save many millions of dollars in tax anticipation warrants. Now, I think it's an easier method wherein for the taxpayer to pay their taxes. Thank you very much.

PRESIDING OFFICER:

The clerk will call the roll.

SECRETARY:

Arrington, Baltz, Berning...

PRESIDING OFFICER:

Senator Berning.

SENATOR BERNING:

Yes, Mr. President, and members of the body. I can subscribe to the philosophical objective here which is to help the distribution of tax monies to the local taxing districts, but I submit that this imposes insurmountable administrative chores on the County Treasurer's or County Collector's office. For one simple thing, there is no provision here for the recordation of these tax payments, and I submit that the County Treasurer must record his tax payments in the warrant books furnished by the County Clerk. Those books normally appear somewhere around March or April, depending on the efficacy of the Board of Appeals. Rates cannot be established until all challenges have been adjudicated and all appeals for adjustment in levy..., in assessment have been adjudicated. Only at that time can the rate be established and can a legitimate tax bill be furnished. That's one thing, but over and beyond that, without the warrant books, in which the County Treasurer is charged to make entries of all tax collections, it seems to me that there isn't any possible way that the County Treasurer can function legally with this system. Disregarding entirely the completely impracticability of receiving in Cook County several millions of tax bills on or before the 10th of the month, processing and getting them back into the hands of the taxpayers prior to 60 days. It's just impossible to administer. I think the idea has merit and ought to be, as was indicated earlier, ought to be explored with the concept of one tax bill payable in installments, if desired; but certainly not in this fashion and I would regretfully have to vote no.

SECRETARY:

...Bidwill, Bruce, Carpentier, Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald, Dougherty, Egan...

PRESIDENT:

Senator Dougherty.

SENATOR DOUGHERTY:

In response to the remarks of Senator Berning, I might remind him that the General Services Division of the County Board has made ample

provision under its computerized program so that we can handle any objections that have been set forth by Senator Berning. We have a scanning process, we have probably the most up-to-date computerized program in the State of Illinois insofar as the collection of taxes is concerned. I vote aye.

SECRETARY:

...Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

PRESIDENT:

O'Brien aye. Harris no. Rosander no. Collins no. Laughlin no. Request for call of the absentees. The absentees will be called.

SECRETARY:

Arrington, Baltz, Bidwill, Carpentier, Carroll, Collins, Davidson, Fawell, Gilbert, Graham, Horsley, Johns; Latherow, McBroom, Mohr, Ozinga, Sours, Walker, Weaver.

PRESIDENT:

On that...For what purpose does Senator Mohr arise?

SENATOR MOHR:

Before you announce the roll call, may I have the verification, or is that done after?

PRESIDENT:

You...you...On that question the yeas are 30, the nays are 14. The bill is declared passed. A request for a verification of the roll call. Senators will be in their seats. Senators will be in their seats. Secretary will call the affirmative votes.

SECRETARY:

Bruce, Cherry, Chew...

PRESIDENT:

We're...we're not on roll call, we're on verification.

SECRETARY:

...Course, Donne...

PRESIDENT:

Just...just a moment. What is your question, Senator?

SENATOR CHERRY:

Mr. President, who made the motion for verification of the roll call?

PRESIDENT:

There was a request for verification made by Senator Mohr.

SENATOR CHERRY:

Senator Mohr.

PRESIDENT:

He's entitled to do that.

SENATOR CHERRY:

Okay.

SECRETARY:

...Donnewald, Dougherty, Egan, Hall, Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Lyons, McCarthy, Neistein, Newhouse...

PRESIDENT:

Senator McCarthy is on the floor.

SECRETARY:

...Nihili, O'Brien...

PRESIDENT:

Just, just a moment. Senator Horsley.

SENATOR HORSLEY:

Is Senator McCarthy in his seat?

PRESIDENT:

He is on the floor.

SECRETARY:

...Palmer, Partee, Rock, Romano, Saperstein, Savickas, Smith,

Soper, Swinarski, Vadalabene.

PRESIDENT:

Senator Rock moves to reconsider. Senator Vadalabene moves to table. All in favor of the motion to table signify by saying Aye. Contrary minded. Motion to table prevails. 2379, Senator Laughlin.

SENATOR LAUGHLIN:

Mr. President, members of the Senate. This is a bill requested by the Attorney General. It involves the Consumer Fraud Act. It was amended so that the bill consists of two brief paragraphs and I'll read them. In the administration of this act the Attorney General may accept an assurance of voluntary compliance with respect to any method, act or practice deemed to be violative of the act from any person who has engaged in, is engaging in, or was about to engage in, such method, act or practice. Second paragraph. Evidence of a violation of an assurance voluntary compliance shall be prima facie evidence of a violation of section 2 in any subsequent proceeding brought by the Attorney General against the alleged violator. With the amendment, which was put on at the request of Senator Knuppel, I know of no objection. I'd ask a favorable roll call.

PRESIDENT:

Is there any discussion? Secretary will call the roll.

SECRETARY:

Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Vadalabene, Walker, Weaver.

PRESIDENT:

Harris aye. Carroll aye. Swinarski aye. Lyons aye. Soper aye. Graham aye. Horsley aye. On that question the yeas are 42, the

nays are none. The bill is declared passed. 3621, Senator Hall, and Senator, is 3662, is that a companion bill. Is there objection to using the same roll call on both bills? Leave is granted. 3621 and 3622, Senator Hall.

SENATOR HALL:

Thank you Mr. President and members of the Senate. This... these bills provide the Illinois Building Authority organization to appropriate \$3,350,000 to acquire land, design and construct an East St. Louis regional office building. Now yesterday Senator Graham put two amendments on the bill which adds institutionals, one in Chicago and one in Joliet, and those amendments have been added to the bills. The building in East St. Louis will be about 52,000 square feet and it will house the central location for the administrative operation of all State agencies in the Metro-east. It...so, this, it has the approval. It is bi-partisan, and I'd like your most favorable support..

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Mr. President and members of the Senate. I would like to be heard on House bill 3622. If it would...could I have leave.

PRESIDENT:

Sure. Both bills are up for discussion.

SENATOR VADALABENE:

Alright. I have discussed this situation with Senator Hall, and I do bring some information here to the General Assembly. I realize that the action taken by the Legislature, this resolution may be a moot situation at this time. But I do owe it to the people and to the City of Venice, Illinois and to the Mayor, just like any other legislator would respect correspondence from their Mayor. In the event they passed their resolution, and it's very short and I'll read it. Whereas there has been offered to the State of Illinois sufficient lands as a gift on which to locate and construct a proposed new State Office Building

which lands are located in Madison County Illinois, in the vicinity of Interstate Highway 70 and Illinois Route 111 and a proposed Horseshoe Lake State Park. And whereas by locating the said proposed State Office Building on lands offered to the State of Illinois as a gift, the greatest public good would be result when compared with the other proposed sites for the said office building. And because of it's location in a place convenient to the greater concentration of population and other environmental advantages, including open spaces, available parking, and highway approaches serving the population of downstate Illinois generally. Now, therefore, be it resolved by the City Council of the City of Venice Illinois, Section 1, that the City Council of the City of Venice, Illinois, hereby goes on public record and calls upon the Illinois Building Authority to accept the offer of lands as a donation from William F. Nichols and cause to be constructed and located thereon, the State Office Building proposed by legislation recently adopted by the Illinois House, and Section 2, that certified copies of this resolution be forwarded to the Governor of the State of Illinois, the Illinois Building Authority, and to the members of the General Assembly in which the City of Venice is located. Passed by the City Council of the City of Venice, Illinois, this second day of November, A.D. 1971 and approved by the Mayor of the City of Venice, Illinois, this second day of November A.D., 1971, John E. Lee, Mayor of the City of Venice. Thank you.

PRESIDENT:

Senator Graham.

SENATOR GRAHAM:

Mr. President. I have no real desire to get myself involved in an argument between Senator Vadalabene and Senator Hall. With regard to the amendments that Senator Hall agreed to adopting yesterday, these amendments were prepared by the Department that is directly responsible for the administration of the diagnostic and correction facilities of the State of Illinois. These are the people in connection with the Illinois Building Authority that have determined that this is the best procedure

at this particular time, considering the fact that we have many, many facilities overcrowded and incapable of doing the job of diagnostic and retention of certain types of juvenile. We are faced with, in our juvenile detention facilities, a problem that can only be solved by using this method, and gentlemen it is a serious problem, and if you don't believe it I invite you to go with me to the Sheraton Industrial School for Boys. Up there we have the juvenile, ordinary juvenile, marijuana smoking, hubcap stealing offender that has not done much more than that up to now. And we have a facility there also where we have a psychologically mentally, incapable, individual to cope with the population on the outside as well as the inside and in addition to that, and to complicate our problems, then we have the juvenile felons. So, our problem has been, and is now, what to do with the mentally deficient youngster that has been sentenced to these institutions, is preyed upon by the felons, is preyed upon by the gang members; and they get this little individual to do their bidding for him and pretty soon the whole institution is going up for grabs. This is an important bill. I have no reason to get into a fight between Venice and East St. Louis with regard to this, only to state to you as forcefully as I can that we need this and we need it now, and I urge the gentlemen on our side of the aisle to support the bill, two bills, sponsored by Senator Hall.

PRESIDENT:

Senator Hall may close the debate.

SENATOR HALL:

I'll just simply say I appreciate your favorable support.

PRESIDENT:

Secretary will call the roll. The roll call is for two bills, 3621 and 3622.

SECRETARY:

Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen...

PRESIDENT:

Senator Groen.

SENATOR GROEN:

Well, Mr. President, I would commend the philanthropy of the gentlemen who is offering the ground free to the State. I recall a fellow named Rockefeller was generous also at one time and gave some land for a building we now call the United Nations building. Maybe he should have converted it into a park instead of the purpose for which it's now used. In any event, I just want to announce, as I do every session, irrespective of what this money may be used for, I did not vote to...for the illicit union that brought about the Illinois Building Authority, I have never voted 5 cents to nurture and feed it, and I don't propose to start now, and then for the sole and only reason as to the method of financing of this, I vote no.

SECRETARY:

...Hall, Harris...

PRESIDENT:

Senator Harris.

SENATOR HARRIS:

Mr. President, I laud the purposes for which these buildings are proposed. Like several others, primarily those from this side, it's just a matter of principle with me about this kind of legislation and I don't my negative vote to be misconstrued on the purposes for which it is proposed. Very frankly, under the new Constitution we've got options available to us now, but I've never supported IBA authorizations or rentals and I vote no.

SECRETARY:

...Horsley...

PRESIDENT:

Senator Horsley.

SENATOR HORSLEY:

I rise in opposition to this as I have all Illinois Building

Authority projects. I have put on your desks all of these expenditures that we have had each biennium and these are without considering, over a billion dollars to which we have been obligated by the Illinois Building Authority, without considering the bond issues for pollution, anti-pollution, without considering the bond issue for the building of highways. The billions of dollars that we owe in this State are going to bankrupt us. We don't need to buy another building and erect another building. If we do let's pay for it as we go. Here we are concerned here today...and pretty soon you're gonna bring up a bill to transfer money from the Motor Fuel fund to pay Welfare costs..relief. We don't even have enough money to pay the current expenses of this State and yet you want to plunge us further and further in debt. I admire the Farm Bureau, the Illinois Ag Association, for their stand. They informed several people two years ago that they were not going to support anybody for re-election who voted for anymore monies to be spent by the Building Authority. I admire them and I agree with them and I want to vote no.

SECRETARY:

...Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee...

PRESIDENT:

Senator Partee.

SENATOR PARTEE:

Well, I just wanted Senator Horsley to know that I am equally as interested as he is in this question of spending money on items which may or...I'm going to speak a little louder so I'll be able to hear. I can't hear at all. I'm interested to, but I think you ought to remember or maybe you've forgotten, that this is a bill that Senator Hall put in pursuant to the promise of the Governor that he would build them this building down there. He was there doing a Mayor's campaign and he was speaking for the candidate of his choice, who by happenstance was of his party, and he told the people there that he would see to it that

the legislature gave them this building, and I certainly think they need it and I think that I'm going to help him to provide it, so I'm going to vote for it, and I'm just reminding you, of course, that if we want to help the Governor keep this promise that we should give this little vote. Now, the other two items that have been added by Senator Graham are very much needed items. He's made a very stirring plea for them and I recognize this need and I'm going to vote aye.

SECRETARY:

...Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours, Swinarski, Vadalabene.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Mr. President and members of the Senate. I really don't...I merely done my duty as a member of the, of the 53rd Senatorial District in reading this correspondence that came up there. I know that the Metro-East area needs a State Office Building; however, I felt that that resolution should have been read. I vote aye.

SECRETARY:

...Walker, Weaver.

PRESIDENT:

Request for the call of the absentees. The absentees will be called. For what purpose does Senator Neistein arise?

SENATOR NEISTEIN:

In, uh, being able to vote, I didn't vote on this. I wanted to ask Senator Hall if this affects Chicago and how his township committeemen and the people back home want him to vote on this. Cause...I just got a call from my Committeemen and sponsors out in the area and they don't know about this bill and it'll ruin the image. So, could you answer that Hall, or could you pass the bill without the Chicago Senators.

PRESIDENT:

Senator Hall.

SENATOR HALL:

I, I'm sorry, Senator. I didn't hear you, but whatever it is..
..I'm with ya!

PRESIDENT:

Any further questions, Senator Neistein?

SENATOR NEISTEIN:

I'll ask...I'll ask him the question again. Does this affect
Chicago?

SENATOR HALL:

Senator, there were two amendments put on yesterday to build
two more institutions. And one of them affects Chicago and one affects
Peoria. I mean Joliet. I'm sorry,

PRESIDENT:

Senator Neistein.

SENATOR NEISTEIN:

And I wanted him to hear the rest. I wanted him to know that
my township and State Central Committeeman called me on this and he says
it'll ruin my image if I go along and I want you to know how you're
going to pass this bill without the Chicago Senators and without the
image. Because you must have about ten votes up there.

PRESIDENT:

Senator Hall.

SENATOR HALL:

I'm with you, Senator.

PRESIDENT:

Call the absentees. Senator Gilbert.

SENATOR GILBERT:

Mr. Secretary, how am I recorded?

PRESIDENT:

You are not.

SENATOR GILBERT:

Well, I would like to urge the members of this side of the aisle and all of you to support this legislation. This is something that is needed. We have established these State Offices throughout the State of Illinois. We have one of them at Marion, it was the determination of the prior administration and was supported by the members of this legislature on this side of the aisle. They have one of these State Office Buildings in Champaign, Urbana; and this was promised to the people in this area and this area was selected for one of these buildings and I think that we should support it and I urge you to do that, and I vote aye.

PRESIDENT:

Absentees will be called.

SECRETARY:

Arrington, Baltz, Carpentier, Collins, Coulson, Davidson, Hall, Johns...

PRESIDENT:

Senator Hall.

SENATOR HALL:

Mr. President, members of the Senate. I won't belabor the point here. I just want to tell you that we need 35 votes to pass this bill and I would appreciate your most favorable support. I vote aye.

SECRETARY:

...Knuepfer, Knuppel...

PRESIDENT:

Senator Knuppel.

SENATOR KNUPPEL:

I've been searching in this bill for the State Office Building that is supposed to serve the west central portion of the State of Illinois. I didn't find it in there. Is it in there, Senator Gilbert, anywhere? Senator Gilbert, you seem to be familiar with these. Is there any provision made for west central Illinois?

PRESIDENT:

Senator Gilbert.

SENATOR GILBERT:

I'm, I'm not familiar. These sites were picked originally by the Kerner administration and I'm not sure exactly, Sir, where they were. Except I do know that East St. Louis was one of them, Carbondale originally was one and it was changed to Marion where they are now constructing the building.

PRESIDENT:

Senator Knuppel.

SENATOR KNUPPEL:

I'm gonna vote for this in the hopes that when we come back here in the next session that we can, get something for west central Illinois. We always have to wait til last, we waited til last on roads, we wait til last on everything. And, now it seems that we're going to get roads and hopefully we can get a State Office Building over there sometime next session. So, I'm going to vote aye, and I want those people from Marion and Joliet and East St. Louis and Chicago. I want to remember them. I always try to. I want to remember all the people in this great State of Illinois, particularly those in West Central Illinois, so I vote aye.

SECRETARY:

...Kosinski, Kusibab, Latherow, Laughlin, Merritt, Mitchler, Mohr, Neistein...

PRESIDENT:

Senator Latherow. Latherow aye. Senator Mohr.

SENATOR MOHR:

I didn't hear Senator Neistein say who he got the call from, but I got a call, too. I vote aye.

SECRETARY:

...Neistein...

PRESIDENT:

Senator Neistein.

SENATOR NEISTEIN:

Senator Mohr, this is a little private joke between Senator Hall any myself, and I want him to know that I stand with him, which is more than he does. And I hope he learns his lesson today, and I vote aye.

SECRETARY:

...O'Brien, Ozinga, Palmer, Rock, Romano, Rosander, Saperstein, Savickas, Soper, Sours, Swinarski, Weaver.

PRESIDENT:

Palmer aye. On that question the yeas are 41, the nays are 4. The bills are declared passed. The...3543. Both bills were passed. 3543, Senator Berning. For what purpose does Senator Graham arise? Just a moment, please, gentlemen. I can't...you're going to have to speak into your mike.

SENATOR GRAHAM:

Did anyone move to reconsider?

PRESIDENT:

No, but...Motion by Senator Vadalabene to move to reconsider. Motion by Senator Graham to table. All in favor of the motion to table signify by saying aye. Contrary minded. Motion to table prevails. 3543. Secretary will call the roll. Senator Berning.

SENATOR BERNING:

I just want to announce to the body that this is a payment for a World War II Veteran who's original voucher apparently was stolen and forged, and I subscribe to the repayment, but call...want the record to show that I'm asking the Attorney General to follow up on the original currency exchange which erroneously cashed the first voucher in 1948.

PRESIDENT:

Secretary will call the roll. Just a moment. Secretary can't hear when there's a lot of noise. Proceed.

SECRETARY:

Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll,

Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

PRESIDENT:

Ozinga aye. Bruce aye. Neistein aye. Sours aye. For what purpose does Senator Neistein arise?

SENATOR NEISTEIN:

I'm supporting Senator Berning, but I wonder if he knows that it costs \$4,384.26 to put this bill in to pay the man \$144.

PRESIDENT:

On that question the yeas are 44, the nays are none. The bill is declared passed. 206, Senator Palmer.

SENATOR PALMER:

Mr. President, the sponsor of this bill is Senator Chew. Senator Chew, are you here?

PRESIDENT:

Senator Chew. Incidentally, may I remind the body again that's 206. The zero for some reason is not working on our scoreboard. 206.

SENATOR CHEW:

Well, that's all right, makes it 26, that's my age, Mr. President. I am the chief Senate sponsor of that bill and I'd like to call it back for an amendment. The amendment is on the Secretary's desk. The amendment merely attaches the home rule provision to this bill, and I'd ask for its adoption.

PRESIDENT:

Is...all...Is there any discussion? All in favor signify by saying aye. Contrary minded. Amendment is adopted. We'll get back...

SENATOR CHEW:

During intervening business, Mr. President, I'd like to call it for a vote.

PRESIDENT:

We'll get back to you after intervening business. 806, Senator Walker.

SENATOR WALKER:

Thank you, Mr. President.

PRESIDENT:

806.

SENATOR WALKER:

House bill 806. Requires receipts for property taxes to set out, or be accompanied by a statement setting out, an itemization of rates of tax extended for and the amount due from the person assessed allocable to each taxing body in the county.

PRESIDENT:

Just a moment. Senator...we've got about four caucuses going on, on the floor. Gentlemen. Staff conferences, if you can get off the floor. Please. Senator Walker.

SENATOR WALKER:

Thank you, Mr. President. The bill has been amended on...by striking lines 27 and 28 on page 1, and inserting in lieu thereof: Of the taxing bodies in the county and in those counties utilizing electronic data processing equipment to produce the actual tax receipts. The amendment simply provides that counties using such equipment shall point out dollar amounts allocable to each taxing body. I see nothing wrong with the bill. If they have the electronic equipment they merely put, as they do now, as I understand, in Cook County, the dollar amount on the bills, and I would appreciate your support.

PRESIDENT:

Is there any discussion? Senator Knuepfer. House bill 806.

SENATOR KNUEPFER:

Does this apply to all counties, Senator?

PRESIDENT:

Senator Walker.

SENATOR WALKER:

All counties where they have electronic equipment at the present time.

PRESIDENT:

Senator Knuepfer.

SENATOR KNUEPFER:

And this simply mandates that they show the dollar amount of the taxes by the taxing body?

PRESIDENT:

Senator Walker.

SENATOR WALKER:

In addition to showing the rates, they'll have to show the dollar amount.

PRESIDENT:

Is there further discussion? Secretary will call the roll.

SECRETARY:

Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihil, O'Brien, Ozinga...

PRESIDENT:

For, for what purpose does Senator Dougherty arise?

SENATOR DOUGHERTY:

On this vote, I, voted aye. I would like to change my vote from aye to nay.

PRESIDENT:

Dougherty no. Horsley aye. Continue with the roll call.

SECRETARY:

...Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

PRESIDENT:

Senator Walker.

SENATOR WALKER:

I would like to remind the members on the other side of the aisle that this is the bill that Romie Palmer handled in Local Government the other morning and it came out with...unanimously. Right, Senator Dougherty?

PRESIDENT:

Senator Dougherty.

SENATOR DOUGHERTY:

But...on that point, the explanation was that it carried out the rates only. This carries the full dollar amount. That is the reason for my opposition. The rate I have no objection to, we already do that. But for the extension of the full dollar amount, I think it's an undue burden and we have now another method of tax bills, and we're going into a two tax bill method requiring three payments. And this would be an undue burden at this particular time. That's the reason for my opposition to the bill. I would urge my colleagues on this side of the aisle to withdraw their votes.

PRESIDENT:

Fawell aye. Coulson aye. Graham aye. Does the Senator wish to make a motion?

SENATOR WALKER:

Call the absentees, please, Mr. President.

PRESIDENT:

Absentees will be called.

SECRETARY:

Arrington, Baltz, Berning, Bruce, Carpentier, Cherry, Chew, Collins, Davidson, Donnewald, Egan, Horsley, Hynes...Hynes, Johns, Kosinski, Latherow, Laughlin, Lyons, McCarthy, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Savickas, Smith, Vadalabene, Walker, and Weaver.

PRESIDENT:

Latherow aye. For what purpose does Senator Sours arise?

SENATOR SOURS:

I..am I recorded as having voted? I just want to be sure to cast an affirmative vote on this bill, because it's very deserving of support.

PRESIDENT:

Berning aye. Ozinga aye. On that question the yeas are... Senator Walker wishes to move...

SENATOR WALKER:

No...no, I merely wanted to make a comment. I had a rather lengthy conversation with Johnny Lewis before I came over, as Bernie Neistein would say, to this august body, and I was told what happened over here as a freshman Senator after being Speaker of the House, and I don't want to do anything to ruin my record. Let her go down the drain.

PRESIDENT:

On that question the yeas are 25, the nays are 6. The bill is declared defeated. 206, Senator Chew. 206.

SENATOR CHEW:

Yes, Mr. President, the Governor has signed a bill similar to this that takes care of the state, and because of the new Constitution and the home rule provision, we amended it to comply with the Constitution and it has nothing to do with the bill that the Governor has signed as far as the state is concerned, and I ask for the most favorable roll call.

PRESIDENT:

Is there any discussion? Senator Fawell.

SENATOR FAWELL:

There...there was an amendment, Senator Chew, which was just added?

PRESIDENT:

Senator Chew.

SENATOR CHEW:

Yes, Sir.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

What...what does the amendment do. I'm sorry, I didn't...

PRESIDENT:

Senator Chew.

SENATOR CHEW:

It was the home rule attachment to the bill, which would not prohibit the municipalities from enacting their own ordinances pertaining to the sale of alcoholic beverages in that particular municipality.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Well, am I correct, then, in assuming that this bill then would pertain to the nonhome rule units, which would mean that it doesn't pertain to the County of Cook or to the City of Chicago, but does otherwise pertain to the rest of the state with the exception of what home rule units there may be, and provides that the city councils and the county boards in the rest of the state have the discretion then of prohibiting the sale of retail of alcoholic liquor on the day of any national, state, county, or city election. Is that still the effect of the bill?

PRESIDENT:

Senator Chew. Senator Chew.

SENATOR CHEW:

To give you an example, Senator Fawell, if the City of Springfield were to come under the home rule unit, that does not mean that the County of Sangamon would come under that same unit. So if the City of Springfield wanted to enact an ordinance prohibiting the sale of alcohol on these election days, and it is a home rule unit, the City of Springfield could enact that ordinance, but it would not effect the county.

PRESIDENT:

Senator Fawell. Senator Fawell.

SENATOR FAWELL:

I..I'm sorry, so many things are happening that one can't assimilate everything here, but it appears to me that what...at least if the summary in our digest is correct, that what you are doing here is to take away the discretion of the non-home rule units so that even if they wished to, they would not be able to pass a resolution or ordinance which would prohibit the sale of alcoholic liquor on election day.

PRESIDENT:

Senator Chew.

SENATOR CHEW:

That's why the amendment was attached, Senator, where they do have the privilege, if so desired, to prohibit the sale of alcoholic beverages. But that only applies to municipalities with the home rule granted by the 1970 Constitution.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

I'm sorry I'm asking so many questions. Then I would rise in opposition to the bill. I don't see why the discretion should be taken away from a city council or a county board to make that determination.

There will be, I'm sure, some cities and counties that may desire to retain that authority and for many very valid reasons. So if I...I think I now comprehend what the bill is about. I think it just simply removes the...the basic authority or discretion to go either way, and I don't believe that that is reasonable and thus I would be opposed to the bill.

PRESIDENT:

Is there further discussion? Senator Chew may close the debate.

SENATOR CHEW:

Senators, we don't have, and someone can correct me if I'm wrong, home rule counties. We have home rule municipalities, and the amendment that is attached to this bill gives these municipalities the right to enact ordinances...I beg your pardon? No, Chicago is a home rule city. Well, okay, I said correct me if I'm right...if I'm wrong. Now if...Again, let me say this: This does not prohibit the municipalities that come under the home rule provision from enacting its ordinances to prohibit the sale of alcohol. Now we must understand, the law now, which was recently signed by the Governor and sponsored by myself, is state-wide, which includes all municipalities whether they're under the home rule provision or not; but because of our Constitution and our home rule provision, its only fair to not to have the state to take...to supercede the powers that we have granted these municipalities under the home rule provision. So, in all fairness, I can't very well see where anyone could have opposition to the bill because we're merely living up to the Constitution that the voters passed last year to make this effective. And I would ask for a favorable roll call. If there are other questions, I'd be glad to answer them.

PRESIDENT:

Is there further discussion? Secretary will call the roll.

SECRETARY:

Arrington, Baltz, Berning, Bidwill, Bruce, Caprentier, Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald,

Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

PRESIDENT:

Mitchler aye. Lyons aye. Senator Partee.

SENATOR PARTEE:

How am I recorded?

PRESIDENT:

You are not.

SENATOR PARTEE:

Well, then I want to explain my vote.

PRESIDENT:

Just a moment. Let's...gentlemen.

SENATOR PARTEE:

I have some reluctance to get involved in the explanation of a vote here because I'm a lawyer and the other day it was suggested that lawyers you know, really fouled up things here, but I wanted to help Senator Chew. He probably wants me to do this, I guess. Some days they need us. It happens that I think there is some misunderstanding about this bill. I think that the explanation as given was something less than clear. What the bill and the amendment does is to give a home rule unit the option of enforcement or nonenforcement of this state law. Now this is was a two-part bill. The first section was 205, as I recall, and has been signed into law by the Governor. He signed it the other day at the Liquor Dealers' Association in Chicago. And it provides, generally, that on an election day purveyors of alcohol may ply their trade; taverns may be open. Now this second section relates to home rule units and says that if the state law is in effect, a home rule unit may, within the confines of that unit, prescribe...proscribe the sale of alcohol. Now I

think the confusion comes because someone might think that maybe the City of Chicago wants to close on election day, but that isn't the way at all. What it really amounts to is, and let me just tell it just like it is, it gets back to the preemption question. We just simply don't want to give up what might be a right. We don't ever intend to open them during an election time since the state law says no; in the same way that we don't intend to license people since the state law does license them, but to maintain a consistent position, we felt we had to put this bill in. It's a good bill and it is in conformity with the existing law which the Governor just signed the other day. I vote aye.
PRESIDENT:

Senator Fawell. We are on roll call. Oh...I see. Senator Fawell.

SENATOR FAWELL:

I, I have not voted as yet, but I can wait until the end of the roll call.

PRESIDENT:

You may explain your vote.

SENATOR FAWELL:

I think...I understand everything that Senator Partee has just said, but I have the bill before me now and it...the effect is that only those cities which are home rule and those counties which may become home rule will have the right to decide whether or not alcoholic liquor will be sold on election day, and what it does do is to discriminate in regard to most of your downstate cities, which are not home rule, and all of your downstate counties which, at this time, are not home rule, and it says to them, no matter what the people in those areas may wish, you will not have the right, which by this amendment we are granting to Chicago and to the County-of Cook; and rightly so, I can understand that, but to the rest of the state, basically, you will not have that right. And I can't understand the logic of that or the fairness of it. It almost seems as though the, the purveyors of alcohol can't get their

victory in Chicago and Cook, understandably; but, by george, they apparently want to have it in the rest of the state, to force all the governmental entities down there to keep the bars open. And I think it ought to be discretionary and that is the reason why I oppose it, and I would hope that the majority would do so.

PRESIDENT:

Senator Horsley.

SENATOR HORSLEY:

Mr. President, I would point out that this very clearly demonstrates what we're doing in this Legislature. This law, 205...

PRESIDENT:

Just...just a moment. Please.

SENATOR HORSLEY:

Now I'm talking about 205. 205 passed this House on October 20, and was signed by the Governor sometime thereafter. Now here we are, less than two or three weeks later, amending the law that isn't even in the books. That's the very thing I was trying to point out this morning. How ridiculous can we get. Well, I agree with what Senator Fawell just said. He is so right. And I believe in home rule. And if you will bring this bill back and amend it to say any township, county, or city may be referendum do otherwise, I'll be happy to vote for it, because the law already is not it's mandatory that they stay open, and this bill would only say to home rule cities, you can escape it but the rest of you have to abide by what we say. Now that's wrong. But I think you ought to bring it back and say that any township, I don't know if you want to go to precinct as the present law does now or not, but I should think you ought to allow any local body to vote otherwise, to have home rule in this particular case, and I would abide by your good judgement as to whether it should be precinct, city, county, and so on. But I, I think you're wrong and I think this is unconstitutional to have a discriminatory bill to say to one segment of the population you have to do something, and the rest of them to say, you don't have to. It's

discretionary. So for that reason, I can tell you that my vote will be no on this, unless you assure us you'll bring it back and amend it as Senator Fawell has so correctly pointed out.

PRESIDENT:

Senator Partee.

SENATOR PARTEE:

Well, first of all, let me say to Senator Fawell that you talk about discrimination between units of one size and another. The Constitution gave birth to this discrimination by defining what a home rule unit is. It says it must be 25,000 or more people, and implicit in that definition is a division between units of less than 25,000 and those of 25,000 or more. So I didn't do that, that was done by the Constitution. Now, in terms of what Senator Horsley says, I think the Constitution also says that any governmental unit of less than 25,000, which does not comply as a ...qualify as a home rule unit, may by referendum decide to become a home rule unit and, if so, it would be a home rule unit for all purposes and not just for a single purpose. Now, I'm going to take this one out of the record for a minute, because I want to talk to you about it. I'm not going to use the time of the House. You're suggested amendment has some immediate appeal to me, but I think I foresee another difficulty. If we can take it out of the record for a minute, I'll sit down and check this out and I think we can get back to it.

PRESIDENT:

We have already had roll call. And...we...if we can have unanimous consent we can do it. For what purpose does Senator Chew arise?

SENATOR CHEW:

The fact that we're on roll call. There were some statements made that possibly can be cleared up.

PRESIDENT:

Well, now that can't be done. We're...we've already had... we are on roll call. We can, by unanimous consent...

SENATOR CHEW:

No, that's alright. Go ahead with roll call. That's alright.

PRESIDENT:

The roll call has been taken. Is there a motion to postpone consideration?

SENATOR CHEW:

Will you call the absentees, Mr. President? I have not voted. I'm not recorded, and...

PRESIDENT:

Request for...just a...is there unanimous consent to have the bill pulled out and held up for a little bit? Is there unanimous consent? Is there objection? Is...is...there is objection. Alright. Call the absentees.

SECRETARY:

Arrington, Baltz, Bidwill, Carpentier, Carroll, Chew, Clarke, Collins, Davidson, Graham, Johns, Knuppel, Newhouse, Savickas, Soper, Walker, and Weaver.

PRESIDENT:

Senator Chew.

SENATOR CHEW:

I, I would move to postpone consideration.

PRESIDENT:

Motion to postpone consideration. All in favor signify by saying aye. Contrary minded. Motion prevails. 2899. Is Senator Laughlin on the floor? Is Senator Laughlin on the floor? 1177. Senator Carpentier is not on the floor, but I think he had an amendment. Is Senator Walker on the floor, or Latherow? Senator Latherow. Either you or Senator Walker...Senator Carpentier mentioned that there was an amendment to 117...Senator Walker has it, on 1177. 1177 is pulled back to second reading for purposes of amendment. Senator Walker.

SENATOR WALKER:

The amendments are with the Clerk and they've been distributed

to the desks. The amendment, you might say, guts House bill 1177, and also the previous amendment that was put on there, which...the previous amendment tried to give some relief to the landlord under the Dram Shop Act, but the verbiage was cumbersome. What this amendment does is provide the landlord is liable, along with the lessee or his tenant, if he does not insist that his tenant carry dram shop. I think it fulfills the purposes; takes away no rights that they now have. A specific portion thereof reads, unless a person selling or giving the alcoholic liquor has at the time...Thank you...of a...cause of action accrued an insurance policy in effect with a company licensed to do business in this state to insure against the liability imposed by this section. What it does is to put the burden on the landlord to police his tenants and to see that he has adequate coverage. I'd like to move the adoption of the amendment.

PRESIDENT:

Senator Groen.

SENATOR GROEN:

Well, Senator Walker, I've just had this placed on my desk and I have not had a chance to study it. I have glanced at it. I don't read it that way. As I read the proposed amendment...

PRESIDENT:

Just a moment. Please...

SENATOR GROEN:

As I read the proposed amendment, Section 14 under article 6 gives every person who is injured certain rights. Those rights are to sue and so on, in his own name and recover, and then it goes on and says unless the person selling alcohol...selling or giving the alcoholic liquor has at the time of the cause of action accrued an insurance policy in effect. It would appear to me that if he has an insurance policy in effect, it negates and denies him the rights and privileges given to him in Section 14 of the existing law now.

PRESIDENT:

Senator Walker.

SENATOR WALKER:

Thank you. That, Senator, is referring to the landlord. When you follow through, unless the person selling or giving the alcoholic liquor has at the time of cause of action, accrued an insurance policy in effect with a company licensed to do business in this state, to insure against the liability imposed by the section, and that goes into the amounts. In other words, the previous...the previous amendment stated the same, only it said licensed to do business in the State of Illinois with limits adequate to cover the statutory limits of liability imposed by the Act. It's not the purpose of the bill or the amendment to do away with any liability on the part of the landlord, but to transfer it to the...the tenant.

PRESIDENT:

Senator Groen.

SENATOR GROEN:

Well, Senator, dropping down to the point...to that portion to which you refer, and I'll read it: Any person owning, renting, leasing, or permitting the occupation, that's the landlord, of any building or premises, with knowledge that alcoholic liquors are to be sold therein, or who having leased the same for other purposes shall knowingly permit therein the sale of any alcoholic liquors that have caused the intoxication of any person, shall be liable, severally or jointly with the person selling or giving the liquors, unless the person selling or giving the alcoholic liquor has an insurance policy.

PRESIDENT:

Just...just...Just a moment. Let's...Please, gentlemen. We have an amendment here with some controversy. Let's...

SENATOR GROEN:

I don't think it's clear, Jack, I really don't.

PRESIDENT:

Senator Horsley.

SENATOR HORSLEY:

Well, Mr. President, Senator Groen is exactly right in what he says about this. Now is this Senator Knuppel's bill, is this...? I don't know. I thought this was the one we had up in committee, but this amendment...this amendment. Well, I'll be glad to go ahead and explain, if you don't mind, Sir.

PRESIDENT:

Senator Horsley has the floor.

SENATOR HORSLEY:

This...this amendment is improperly drawn, and if you take this amendment, even though you have an insurance policy there wouldn't be any liability that the insurance company would have to pay. Now I know Senator Walker well enough to know that he doesn't want that and he could not be for that kind of an amendment and what Senator Groen...the point he has raised is true. It says there shall be liability on the part of the owner unless he has a policy. Well if he had a policy, there's no liability. Well, that's not what they mean. And I think we could save a lot of time if they'd take this out of the record and go correct their amendment and say that if the owner of the building has insurance, there is no personal liability other than that over and above provided by insurance. That's what they mean, but this amendment would knock out all liability of the owner of real estate, by merely buying a policy.

PRESIDENT:

Senator Walker, do you wish to withdraw the amendment?

SENATOR WALKER:

I withdraw the amendment. Take it out of the record for the time being until I get a chance to check this amendment, if you will.

PRESIDENT:

It will be withdrawn. 1844, Senator Lyons. Is Senator Lyons on the floor? For what purpose does Senator Dougherty arise?

SENATOR DOUGHERTY:

He's off the floor for the moment. I'll get him.

PRESIDENT:

Alright. Well, we'll get back to it again when he gets back on. 2634, Senator Cherry. Senator Cherry, 2634. Well, it's on the list. 2...2673, Senator McCarthy. Senator McCarthy.

SENATOR MCCARTHY:

Yes, Mr. President. I would like leave of this body on 2673, to take the bill back to the order of second reading for the purpose of attaching an amendment which would provide for an effective date of the act. I...pretty soon, rather than next July, or next October, excuse me.

PRESIDENT:

Bill is called back to second reading for purposes of amendment. Senator McCarthy offers amendment number one. All in favor signify by saying aye. Contrary minded. Amendment is adopted. We'll get back to it after intervening business, Senator. 2899, Senator Laughlin is here.

SENATOR LAUGHLIN:

Yes, Mr. President. This is an implementation bill. I cleared it the other day with Senator Partee and amended it at his request. This implements the provision of the new Constitution which provides that the leaders, the Speaker of the House and the President of the Senate, may call a special session by joint proclamation. And it provides that only business encompassed by the purpose stated in the joint proclamation together with any impeachments or confirmations of appointments may be transacted at the special session. And it provides for four days notice, from the filing to the members, unless the legislative leaders declare in the joint proclamation that a demonstrable emergency exists, which requires immediate action by the General Assembly. The requirements of this section shall be suspended and the Secretary of State shall take whatever reasonable steps are necessary to notify the members of the General Assembly of that date, time of the emergency special session.

I think it's perfectly alright; no objection. I'd ask your favorable roll call.

PRESIDENT:

Is there any discussion? Secretary will call the roll.

SECRETARY:

Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

PRESIDENT:

Mohr aye. Bruce aye. Johns aye. Senator Groen are you....do you wish...Senator Groen.

SENATOR GROEN:

Well, Mr. President, Article IV, Section 5 b, as I read it, gives the Legislature the authority to do this. It is not mandatory. It simply says that special sessions of the General Assembly may also be convened by joint proclamation of the presiding officers of both Houses issued as provided by law. If we do not provide by law, then they would not be authorized to do it. I question seriously the wisdom of pitting the leadership of both Houses, and the Governor of this State of...whomever this Governor might be, on a controversial matter of whether or not a special session of the General Assembly ought to be called. I, I, I frankly have not thought this matter through. I think we may be a bit premature in providing the implementation for this Constitutional authorization. And at this time, I would vote no.

PRESIDENT:

On that question the yeas are 37, the nays are 1. The bill is declared passed. House bill 2916, Senator Graham, is pulled back to

second reading for purposes of amendment. Senator Graham.

SENATOR GRAHAM:

I defer to Senator Donnewald who will offer amendment number one and I will offer amendment number two.

PRESIDENT:

Senator Donnewald.

SENATOR DONNEWALD:

Yes, Mr. President, members of the body. This is the vacancy bill and it was a House bill and the way it was originally drafted it's been amended from the very start to fit the need that we presently have. And the purpose of amendment number one, very briefly, is to take care of the particular situation that existed with the vacancy created by the death of our...Senator Bill Lyons. And I would offer that. I've given a copy of that amendment...I have the copies up there and I have additional copies in hand, but I would offer amendment number one to House bill in the Senate 2916.

PRESIDENT:

Is there any discussion? Senator Graham.

SENATOR GRAHAM:

This is the amendment I have here, isn't it...that we discussed before?

PRESIDENT:

Senator Donnewald.

SENATOR DONNEWALD:

That's correct.

PRESIDENT:

All in favor of the adoption of the amendment indicate by saying aye. Contrary minded. Amendment is adopted. Senator Graham offers amendment number two. Senator Graham:

SENATOR GRAHAM:

Yes, it's down there I think. Under the provisions embodied in this bill by Senator Donnewald's amendment to Representative Collins'

bill, it made a provision with regard to State Central Committee performing a duty in case we do not have a legislative committee. That is a moot thing at this point in time, but my amendment says in fact that members of the State Central Committee could not appoint...act in the capacity of being on the committee and appoint themselves. It rules them ineligible. I move its adoption.

PRESIDENT:

Is there further discussion? All in favor signify by saying aye. Contrary minded. The, the amendment is adopted. We will go to intervening business. Senator Tom Hynes wishes to table one bill. Senator Hynes.

SENATOR HYNES:

Senate bill 1274, which is on postponed consideration.

PRESIDENT:

Motion to table Senate bill 1274 on postponed consideration. All in favor signify by saying aye. Contrary minded. The bill is tabled.

SENATOR HYNES:

I would also move to recommit House bill 3016 to the Senate Education Committee.

PRESIDENT:

House bill 3016, move...motion to recommit to Education Committee. All in favor signify by saying aye. Contrary minded. Motion prevails. 2916, Senator Graham.

SENATOR GRAHAM:

Are we ready? Mr. President and members of the Senate. I am not sure, or neither is anyone else sure, that this is a perfect piece of legislation with regard to filling of vacancies of the members of the General Assembly. We are not sure that the House is going to agree with what we've done to their bill over here. But I think we all generally agree that something must be done, and in order to speed up this process, get this over for House consideration, which I think is imperative at this point in time, I ask for a favorable roll call on House

bill 2916 as amended.

PRESIDENT:

The...Secretary will call the roll.

SECRETARY:

Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

PRESIDING OFFICER (McCarthy)

Rock aye. Groen aye. Graham aye. Berning aye. Cherry aye. Mohr aye. Senator Harris aye. Senator Egan aye. On this question the yeas are 47, the nays are zero. The bill having received a constitutional majority is declared passed. Senator Dougherty is recognized and moves that the vote by which the bill was passed be reconsidered. Senator Johns moves that that lie upon the table. Those in favor of the motion to table, please say aye. Those in the negative, nay. The ayes have it. Bill's reconsidered. Next order of business is Senator Nihill. Oh, excuse me, Senator Nihill, would you mind? I wish to recognize Senator Clarke.

SENATOR CLARKE:

Now, Mr. President, Senator Mitchler asked me to...he had to leave. His brother is in critical condition in the hospital in Peoria, so he wanted the record to show that he had left for that purpose.

PRESIDING OFFICER: (McCarthy)

Thank you very much. The Journal will so reflect Senator Mitchler's absence. Senator Nihill, you're recognized on House bill 3660, and you...he defers to Senator Romano. Senator Romano, you're recognized for House bill 3660.

SENATOR ROMANO:

Mr. President, members of the Senate. This bill amends the General Assembly Retirement System and it reduces the qualifying period for a widow from...widow's pension from eight to six years, and it has the approval of the Pension Laws Commission, and I would urge a aye vote on this bill.

PRESIDING OFFICER: (McCarthy)

Is there any discussion? Are you ready for the roll call?
The Clerk will please call the roll.

SECRETARY:

Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll,
Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald,
Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall...

PRESIDING OFFICER: (McCarthy)

Senator Groen is recognized.

SENATOR GROEN:

Yes, Senator Romano, is correct. This bill actually incorporates the provisions of a previous bill which we passed, but is a better bill. I would recommend it to the membership.

PRESIDING OFFICER: (McCarthy)

Record Senator Groen as aye. Proceed with the roll call.

SECRETARY:

...Hall, Harris, Horsley, Hynes, Johns, Knuepfer...

PRESIDING OFFICER: (McCarthy)

Senator Knuepfer is recognized.

SENATOR KNUEFFER:

I, I have to apologize. I wasn't paying attention. I want to know two things. What the bill does and why it hasn't got the sponsorship of the Groen-Romano, which is the typical Pension Laws Study Commission bill. Can I get those two questions answered?

PRESIDING OFFICER: (McCarthy)

Senator Romano is recognized.

--SENATOR ROMANO:

I, I didn't hear your question.

PRESIDING OFFICER: (McCarthy)

Senator Knuepfer, would you please repeat the question, and could we...Senator Romano have some order so he can hear the question.

SENATOR KNUEPFER:

I apologize first of all for not having heard what you said. I want a very short synopsis of what it does, number one, and number two, is this a Pension Laws Commission bill?

PRESIDING OFFICER: (McCarthy)

Senator Romano.

SENATOR ROMANO:

Yes, it is a Pension Commission bill. This amendment was drawn by the actuary for the Pension Laws Commission. And this bill reduces the qualifying period for a widow's pension from eight years to six years. That's all it does.

PRESIDING OFFICER: (McCarthy)

Senator Knuepfer.

SENATOR KNUEPFER:

Is this...is this supposed to be actuarially sound?

PRESIDING OFFICER: (McCarthy)

Senator Romano.

SENATOR ROMANO:

Yes.

PRESIDING OFFICER: (McCarthy)

Mark Knuepfer aye. Please proceed with the roll call.

SECRETARY:

...Knuppel, Kosinski, Kusibab, Latherow, Laughlin, Lyons.

PRESIDING OFFICER: (McCarthy)

Latherow aye.

SECRETARY:

McBroom, McCarthy, Merritt, Mitchler, Mohr, Neistein, Newhouse,

Nihill, O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

PRESIDING OFFICER: (McCarthy)

Bruce aye. Lyons aye. Walker aye. Romano aye. O'Brien aye. McBroom aye. On this the roll call is as follows: 44 yeas, 1 nay. The bill having declared...having pass...received the constitutional majority is hereby declared passed. Senator Groen, did you wish recognition?

SENATOR GROEN:

Well, yes. For Senator Knuepfer's benefit, and I would apologize to Senator Romano for not having brought this with me on the floor this morning, but I didn't know the bill was going to be called.

PRESIDING OFFICER: (McCarthy)

Well, the roll call was 44 to 1. Do you wish to continue?

SENATOR GROEN:

Well, if, if the membership wants to know what it does I'll be delighted to go into detail. It is alright.

PRESIDING OFFICER: (McCarthy)

House bill 1177. Senator Carpentier. Alright. 837, postponed consideration. Alright. The next bill, Senator Gilbert, is House bill 837, which is on postponed consideration. Unless there is any objection of the body, do you wish to go to that order of business?

SENATOR GILBERT:

This bill is a product of the School Problems Commission. It is an attempt to clarify the transportation formula in relation to the picking up of the students within a minimum of one and one half miles of their house, and to keep the question from rising of having to go by every house. I ask for a favorable roll call.

PRESIDING OFFICER: (McCarthy)

Any discussion of the bill? Senator Hynes, you're recognized.

SENATOR HYNES:

This bill has been carefully worked on and amended. I think

it's good legislation and I urge you to support it.

PRESIDING OFFICER: (McCarthy)

Any further discussion? I hear a motion for the roll call.

The Clerk will take the...the Secretary will please take the roll.

SECRETARY:

Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

PRESIDING OFFICER: (McCarthy)

The Chair recognizes Senator Knuppel.

SENATOR KNUPPEL:

Mr. Chairman, I was off the floor. This bill was on postponed consideration?

PRESIDING OFFICER: (McCarthy)

Yes, Sir.

SENATOR KNUPPEL:

And this is the bill I opposed for the reason that in this instance, children could be left standing or have to go to spots on the end of the road. And this is different than being within a mile and a half of the school. This is a very bad bill for little children out in the country. I opposed it. Senator Bruce opposed it. We consider it a extremely bad bill for those children. It's says it would allow school buses to stop one and one half miles from the end of the route and turn around and go back to the school house. This is not in keeping with anything that is germane in any sense of the word. It could require people who live on the end of a bus route in the rural areas to bring their children, or if their children walk there, to have to stand

-there in bad weather when a bus might not arrive. This is a...this is certainly not the kind of bill that I want to support and I'd like to be recorded as no.

PRESIDING OFFICER: (McCarthy)

Senator Johns has asked to be recorded nay. Any objection to Senator Johns being recorded as nay? Any changes in the...Chair recognizes Senator Walker. What is your inquiry, Sir?

SENATOR WALKER:

Am I recorded?

PRESIDING OFFICER: (McCarthy)

Indicates that you're not recorded, Sir.

SENATOR WALKER:

Would you please record me as voting aye.

PRESIDING OFFICER: (McCarthy)

Please record Walker as aye. Senator Bruce.

SENATOR BRUCE:

Am I recorded?

PRESIDING OFFICER: (McCarthy)

Is Senator Bruce recorded? You're not recorded.

SENATOR BRUCE:

Well...

PRESIDING OFFICER: (McCarthy)

Do you wish to be recognized?

SENATOR BRUCE:

Yes.

PRESIDING OFFICER: (McCarthy)

We do recognize you.

SENATOR BRUCE:

Are we on explanation of votes?

PRESIDING OFFICER: (McCarthy)

Alright, Sir. Proceed.

SENATOR BRUCE:

This bill was called earlier in the session. It relates to requiring children to walk up to a mile and a half to get to a school bus. Legislation will be introduced in my...what information I receive from the Secretary of...the Superintendent to clarify this in the next session, but it will not clarify it to extend the length that a small child would have to walk, but will reduce it. My understanding is that up to six year olds will be asked only to walk a quarter of a mile; six to twelve will be asked to walk a mile; and then high school students could be asked to walk a mile and a half. This would require the smallest child, a kindergarten, first grader, second grader, to walk up to a mile and a half in no matter what kind of weather to get their school bus. In my estimation, it's one of the worst bills we've had a chance to consider and it's a prime example of why, in this session, we should stick to gubernatorial vetoes. And I vote no.

PRESIDING OFFICER: (McCarthy)

Have all voted who wish to vote? Senator Kosinski, you're recognized. Senator Kosinski.

SENATOR KOSINSKI:

Mr. Chairman, Senators. I'd like to change my vote from aye to no because I don't intend to have those children freeze on those roads out in those suburban areas and all on those farm areas.

PRESIDING OFFICER: (McCarthy)

Record Senator Kosinski as no. Senator Saperstein, you're recognized.

SENATOR SAPERSTEIN:

For the same purpose I want to change my aye to no.

PRESIDING OFFICER: (McCarthy)

Senator Romano.

SENATOR ROMANO:

I'd like to change my vote from aye to no, also.

PRESIDING OFFICER: (McCarthy)

Any objections? Record Senator Romano as no. All voted who wish? Chair recognizes Senator Sours. Senator Sours.

SENATOR SOURS:

Am I recorded as aye on the roll call, Mr...

PRESIDING OFFICER: (McCarthy)

I'm sorry, Sir, I did not hear your question.

SENATOR SOURS:

I think I'm recorded as aye. I'd like to change that to nay.

PRESIDING OFFICER: (McCarthy)

Unless there's objection, change...record Senator Sours as voting nay. Senator Gilbert.

SENATOR GILBERT:

I would like to point out that the Superintendent of Public Instruction wants this bill passed. Senator Hynes knows this and he spoke in favor of this bill. It's a School Problems Commission bill. This is something to clarify; it does not change the present law at all, it merely clarifies it. This is the present practice and I urge you... some of you people who have worked in school work and with the School Problems Commission who are voting against this to reconsider your vote. This is important legislation, and is not going to change the present school bus routes or anything else.

PRESIDING OFFICER: (McCarthy)

Excuse me. Senator Gilbert, you still have the floor. We are sort of a operating on Murphy's rules. I wish to ask, have all voted who wish? Senator Knuepfer, you are recognized.

SENATOR KNUEPFER:

How am I recorded?

PRESIDING OFFICER: (McCarthy)

You are not recorded. Do you wish to vote?

SENATOR KNUEPFER:

Yes, Senator, I wish to vote, and I would like to explain my

vote.

PRESIDING OFFICER: (McCarthy)

You are recognized for that purpose.

SENATOR KNUEFFER:

I think Senator Gilbert has tried to suggest what may happen if this bill doesn't pass as a result of a circuit court decision, and that is the school buses are going to be forced to go down every cotton pickin little road in the country, right to the door. Many of these roads are not fit for school buses. If any of you live in the country you will know that in the spring time most of these roads are posted so that no heavy vehicle can go over them. This would leave an absolutely intolerable situation in which the school bus is mired in the mud or is unable to do what the legislation...what the...it is unable to pick the kids up. Now, it seems to me it is very simple. Maybe it's because I live in an area where school buses do operate and most of you, particularly in the City of Chicago, do not have school buses. I might point out that my daughter who was down here today said "Oh! Dad don't worry. It isn't really very cold out here, and it isn't." But let me just suggest to you that for those in the real country areas, you are putting an impossible burden upon the school district; you are putting an impossible burden on the road commissioner because he hasn't got the highways that can take these buses. This isn't unreasonable; this has been the law all along. The only reason that this law...this clarifying legislation is necessary is because an Appellate Court decision said, "No, that means going to the door." I would certainly urge you to vote yes on this because I think for those of you who live in rural areas your creating a tremendous problem if you dont pass this, and I vote aye.

PRESIDING OFFICER: (McCarthy)

Record Senator Knuepfer as aye. For what purpose does Senator Knuppel arise?

SENATOR KNUPPEL:

Well, on a matter of personal privilege.

PRESIDING OFFICER: (McCarthy)

You are recognized for personal privilege.

SENATOR KNUPPEL:

The law has always read as clear as a horse can run that the school bus doesn't have to pick up within the first mile and a half. Now, the children that walk that distance have a building they can get in. I've tried this in court. There has never been any doubt about it, out on the end of the line they had to pick them up, and a court so held, a circuit court decision, and there is some flunky, and I know who he is, I know his name; he comes from my district, works over in the Superintendent of Public Instruction's office. He is a holdover over there, and he has decided it is going to cost a lot of money. That's not true. They are not going to have to change the bus routes or anything else.

PRESIDING OFFICER: (McCarthy)

That was a conclusion of the personal privilege. Now, Senator Coulson, do you continue to wish recognition? Senator Coulson, you are recognized, for what purpose?

SENATOR COULSON:

I was trying to call the President's attention to the fact that that's not a matter of personal privilege at all.

PRESIDING OFFICER: (McCarthy)

Well no one has raised the point of order, but I am sorry that I missed on that. On this, on this roll call...For what purpose does Senator Hynes arise?

SENATOR HYNES:

On a similar point of personal privilege, the estimate is that it will cost four to ten million dollars a year in additional funds if there is a requirement of going door to door. And frankly, in addition to what Senator Knuepfer has pointed out, the children that are picked up first are going to have to wait on the bus while the other pick ups are made for an unreasonable period of time. My information is that it is impractical to require a pick-up at every home outside of the one and

a half mile perimeter.

PRESIDING OFFICER: (McCarthy)

The roll call is, subject to verification, the following: yeas are 30, nays are 17. Has verification being requested? Oh, and I, I am sorry. I'm sorry. If I may have the attention, the roll call is 30 yeas, 17 nays the bill having received a constitutional majority is hereby declared passed and Senator Bruce is recognized.

SENATOR BRUCE:

For a verification of the roll call.

PRESIDING OFFICER: (McCarthy)

Senator, Senators will please be in their seats, there has been a request for a verification of this roll call. The Secretary will please call those that voted in the affirmative first.

SECRETARY:

Baltz, Berning, Bidwill, Carroll, Cherry, Clarke, Collins, Coulson, Donnewald, Dougherty, Fawell, Gilbert, Groen, Harris, Horsley, Hynes, Knuepfer, Weaver, Walker, Swinarski, Soper, Laughlin, McBroom, McCarthy, Mitchler, Palmer, Partee, Rock, Rosander, Smith, Soper, Walker, and Weaver.

PRESIDING OFFICER: (McCarthy)

Will you please call...Senator Bruce, Senator Bruce do you wish the call of the negatives on verification. Alright. Roll call has been verified. Senator Groen is recognized for a motion to reconsider the vote by which the bill passed and Senator Gilbert has moved to lay that upon the table. Those in favor of the tabling motion will signify by saying aye. Those to the contrary...Those in the negative indicate by saying nay. Is there a request for a roll call? Could we have some order? Could we have some order? Did you wish to be recognized?

SENATOR GILBERT:

For personal privilege.

PRESIDING OFFICER: (McCarthy)

Alright. Senator Gilbert, Senator Gilbert. You are recognized.

SENATOR GILBERT:

I think that I have tried to be as fair in the Legislature and in legislation that has been going on in here recently as any man in this place, and when I have been kicked around on some things, yet when legislation came up that I thought was fair, to help Esther Saperstein and other people to pass legislation, I've got on my feet and done it because I thought it was the right thing to do, and I don't think that there is a man here that thinks we have been treated right by the way you have acted now, and I personally resent it.

PRESIDING OFFICER: (McCarthy)

Senator Donnewald is recognized.

SENATOR DONNEWALD:

This is a...Has this been resolved, Mr. President?

PRESIDING OFFICER: (McCarthy)

Presently there has been a motion by Senator Groen to reconsider the vote by which this bill was passed. There was a motion to table that by Senator Gilbert. We were in the process, Senator Gilbert, of asking those in favor of your motion to signify aye, which was done, and those who wanted to vote no did it by voice vote call. Then I recognized someone for a motion, at which time...I'll finish...at which time I had a request by someone on this side for a verification of the roll call, at which time, Senator Gilbert, you entered into a point of personal privilege. Now, is there a request for a roll call on the motion to table the motion to reconsider? For what purpose does Senator Clarke arise?

SENATOR CLARKE:

Mr. President, I rise on a point of order.

PRESIDING OFFICER: (McCarthy)

State your point.

SENATOR CLARKE:

The point of order is just this; that if we are going to get done, we can't be playing games. Now we had a verification of the roll call and the verification stood up. There were no objections to that

verification. So, the Chair always has accepted a verification for a voice vote on a motion to reconsider, because the presumption is that if you name the names and the people are here that a voice vote is sufficient and another roll call is a filibustering tactic and I think that we should get on with our business.

PRESIDENT:

I have to confess that I don't know what is going on right now. So I'm...I'm...and I...Senator McCarthy, what is...

SENATOR McCARTHY:

I'd like to rise on a point of personal privilege and direct this personal privilege to Senator Gilbert. Senator Gilbert, if you will look at the roll call, you have 30 votes and one of those that voted in the affirmative is myself, and I did not ask for a reconsideration. So Senator Gilbert when you criticize me, I'm your thirtieth vote.

PRESIDENT:

Senator Gilbert.

SENATOR GILBERT:

I appreciate your thirtieth vote and I hope that you did it because you thought that it was good legislation. The point that I was objecting to, Senator McCarthy, is the fact that you were not ruling and you were looking and asking someone to try to do something to change the legislation. I'm sorry I lost my temper, but I have tried to work to get legislation passed and I urge the Chair to rule that the motion lie upon the table.

PRESIDENT:

So the Chair understands, now, the bill passed with a vote of 30 to 17. Is that correct? And then, then it was verified; then a, then a motion was made to reconsider; and then a motion by Senator Gilbert to table. Alright, all in favor of the motion...Senator Goren.

SENATOR GOREN:

Mr. President, now you are merely repeating what has already gone before and if I might advise the Chair most respectfully, what

happened was this: I made the motion to reconsider. Senator Gilbert moved that that motion lie upon the table. The ayes were asked for. Those in favor of the motion to table signify by saying aye, and the nays were asked for, and the ayes were overwhelming. I think Senator McCarthy would agree to that. He then instead of ruling on that the ayes had it, chose to recognize someone else. Now...

SENATOR HARRIS:

No, he requested a motion for a roll call.

SENATOR GROEN:

Actually, yes, what he did, I think was..., and I don't want to assume, but I think he assumed that Senator Knuppel was going to ask for a roll call and he then moved...he then moved or then recognized Senator Knuppel before he announced the result of that vote and it was very clear that it had carried overwhelmingly.

PRESIDENT:

The Chair...did...just a second. Has Senator McCarthy announced that the motion to lie on the table prevailed.

SENATOR GROEN:

No, he did not.

PRESIDENT:

Did not. Is there a request for a roll call on that question? There is a request. The Secretary will call the roll. Division...Let's get a division on it. For what purpose does Senator Egan rise?

SENATOR EGAN:

Mr. President, on a point of personal privilege. I sit closer than anybody in the Chamber and I observed exactly what happened, and let me say that as soon as the nays were heard, there was a motion made by Senator Knuppel for a roll call on the motion to table, and then Senator McCarthy asked, "Are you asking for a roll call?" Just to clarify what already had transpired to be the fact that Senator Knuppel, before Senator McCarthy made the comment, demanded a roll call, which is his privilege.

PRESIDENT:

The question is the motion to table the motion to reconsider and the Secretary will call the roll. Senator...For what purpose does Senator Horsley rise?

SENATOR HORSLEY:

A point of order. Senator Knuppel did arise, but he was not joined by the requisite number of Senators as required by the rules, and it was quite obvious that nobody joined in that request.

PRESIDENT:

Two Senators have just made that request and that's all that is necessary.

SENATOR HORSLEY:

Not at that time, they did not. And he...

PRESIDENT:

Pardon?

SENATOR HORSLEY:

That was ten minutes ago. They did not join him at that time.

PRESIDENT:

Well, I can't tell about that time. All I know is what's happening now, and the Secretary will call the roll.

SENATOR HORSLEY:

Who has joined? May I...

PRESIDENT:

Senator Bruce joined. Senator Partee.

SENATOR PARTEE:

Would you state, Mr. President.

PRESIDENT:

Just a moment. Is...does anyone join Senator Knuppel in requesting a roll call? Senator Johns does. Senator Partee.

SENATOR PARTEE:

Now, would you state the question not only in terms of the motion, but in terms of the persons opposing and making the motion,

because I think there is a little confusion here and if...

PRESIDENT:

Alright. The motion as...Just a moment. Will the members... We're going to have this all clarified in three minutes if we'll sit down and be a little calm. The motion...We're going to get it all straightened out. Just a minute. Senator Groen moved to reconsider. Senator Gilbert moved to table. There is a request by Senators Knuppel and Johns for a roll call, and on that question now, the Secretary will call the roll. Those in agreement with the motion by Senator Gilbert will vote in the affirmative. The Secretary will call the roll.

SECRETARY:

Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll, Cherry, Chew, Clarke, Collins, Coulson...

PRESIDENT:

Senator Coulson.

SENATOR COULSON:

Under our new constitutional mandate, all of this is being taped. I wonder if we might not have saved a great deal of trouble on occasions like this to bring the tape recorder down and hear what really transpired in the future. Perhaps that's the purpose of that sixth room or fifth room tape recording. I'd like to hear the tape anyway. Perhaps you and I can hear it afterwards. I vote aye.

SECRETARY:

...Course, Davidson, Donnewald, Dougherty...

PRESIDENT:

Senator Donnewald.

SENATOR DONNEWALD:

Senator Coulson, I'll take you upstairs and we'll both listen. I vote aye.

SECRETARY:

...Dougherty, Egan...

PRESIDENT:

Senator Egan.

SENATOR EGAN:

Mr. President, I'd just like to say that, in the words of St. James, we should anticipate with honor, gentlemen, and I vote aye.

SECRETARY:

...Fawell, Gilbert, Graham, Groen, Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel...

PRESIDENT:

Senator Knuppel.

SENATOR KNUPPEL:

I'm a downstate Senator where these children out at the ends of these lines have been being picked up for years. What this is going to do is allow these buses to stop a mile and one-half from the end of the road. And I'll tell you what I'm going to do. The first time I read in the paper that some little child has been killed out on the end of the road waiting for a school bus, I'm going to order flowers, I'm going to order a blanket of flowers and I don't give a damn whether you pay your part or not, I'm going to send you a bill for your share of the flowers, you fellows who vote no, or vote aye. I'm going to vote no.

SECRETARY:

...Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy...

PRESIDENT:

Senator McCarthy.

SENATOR McCARTHY:

Yes, in explaining my vote, I understand this is a motion to table a motion by Senator Groen to reconsider the vote by which this bill passed. This bill did pass by 30 votes and I was one of those that voted in the affirmative. I happened to be in the position of the Chair and not in a very good position to change my vote, if I wished, while I was presiding. I think those are unusual circumstances on a close vote

where the Chair gets locked in and can't preside, and yet finds himself in a position where everybody else is changing their vote. I want to point this out, Senator Gilbert, to you, Sir, as my friend. The accusations about unfair treatment would not be made if it were not for the fact, if it were not for the fact, after I declared that the bill had been passed, that one of your own members then moved to reconsider. He was asking me to reconsider my thirtieth vote in your favor and that was his request, so all he had to do was withdraw his motion to reconsider and we wouldn't be where we are now, but the matter has been fully debated. I still, Senator Gilbert, because of my respect for you, keep my vote the way it is and on the motion to table, I vote aye with you again.

SECRETARY:

...Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Walker...

PRESIDENT:

Senator Walker.

SENATOR WALKER:

Thank you Mr. President. I'm going to try and work this way and...work this in in a matter of explaining my vote which is aye. The rules of the Senate, 77th General Assembly, provide that no Senator shall speak more than twice on the same question and not more than once until every other Senator choosing to speak shall have spoken. I wasn't choosing to speak and I don't want to , but as I recall it, the Senator from St. Peter's, no Petersburg, sometimes I wish it was St. Petersburg, I believe violated this rule. I think he was up at least twice and perhaps three times over there and he's usually pretty fast at calling our attention to the rules along with some of the comments that are made on that side of the aisle and this side of the aisle that he likes to call drivell, and I would like to have the Chair, in the event I am right in explaining my vote here, to ask the good Senator from Petersburg if he won't refrain from violating Rule 34. I know it will be difficult, but we'd

appreciate it, especially on this side of the aisle.

SECRETARY:

...Weaver.

PRESIDENT:

On that question the yeas are 37, the nays are 11. The motion to table prevails. Senator Donnewald is recognized.

SENATOR DONNEWALD:

Mr. President and members of the Senate. There will be a Democratic caucus immediately for ten minutes and we'll be right back.

PRESIDENT:

Motion to recess...

SENATOR DONNEWALD:

Upstairs, sixth floor.

PRESIDENT:

Motion to recess for ten minutes. All in favor signify by saying aye. Contrary minded. Motion to recess prevails.

PRESIDENT:

The Senate will come to order. 3...Is Senator Rock on the floor? Senator Lyons on the floor? Senator Lyons, 1844.

SENATOR LYONS:

Well, Mr. President, 1844 is my bill, but this doesn't seem like a very good time to call it, because I don't think there are 30 people on the floor.

PRESIDENT:

If you wish to pass your chance and come back a little later, Senator, we'll...

SENATOR LYONS:

Well, I don't think there are 30 people here.

PRESIDENT:

Well, we have 30, but we don't have too much more than 30. Why don't we skip your bill temporarily and we'll get back to it. While we're waiting for a few more to come, does some member have a bill that's

completely non...Senator Groen, do you have a completely noncontroversial bill? Just a second. Senator Groen's got a completely noncontroversial one...

SENATOR GROEN:

Mr. President and members of the Senate. Senate bill 1283 amends the Pension Code. The bill was brought about by the fact that officers now qualify for additional pension benefits by reason of their increased salaries as officers. You may have read in the press where Ed McCreight of the Taxpayer's Federation castigated the General Assembly and I suppose me, for the introduction of this bill. The Press picked it up without conferring with me and printed his statements; all of which are largely incorrect. The bill comes about by the fact that the General Assembly Retirement System Board of Trustees, upon application of Ralph Smith for his pension based upon the increased salary he received as Speaker of the House, though he had not served the complete four year term required, was turned down by the Board of Trustees. He felt that was an erroneous decision and asked the Board to request of the Attorney General an opinion. The Board requested that opinion from the Attorney General and the Attorney General's decision was that the Board was wrong, and that in fact an officer elected to serve as Speaker of the House or President Pro Tempore, Majority Leader, Assistant Majority Leader and so on, were in fact entitled to be compensated pensionwise on the basis of the term for which they had been elected whether they actually served the time or not. This bill only will put into the law what the Attorney General says the law is. The Pension Laws Commission, on that basis, has approved the bill. Frankly, we did not like it, but that is the Attorney General's opinion. That is the law. We're willing to abide by that law. We're not giving a bonanza to anybody. If anybody gave it, the Attorney General's decision did, and that's the substance of this bill. I would ask for a favorable roll call.

PRESIDENT:

Is there any discussion? The Secretary will call the roll.

SECRETARY:

Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

PRESIDENT:

Rosander aye. Collins aye. Carpentier aye. Cherry aye. On that question the yeas are 41, the nays are none. The bill is declared passed. Senator Lyons are you ready now on your bill? Senator Groen.

SENATOR GROEN:

Mr. President, while I'm on my feet, could I table two bills?

PRESIDENT:

You may certainly do that.

SENATOR GROEN:

House bill 1364. I would move to table on the grounds that the department advises me they have the money in their appropriation to complete that engineering and feasibility study and the money is not necessary. I would move to table that bill. They are already doing the work.

PRESIDENT:

Motion to table. All in favor signify by saying aye. Contrary minded. The bill is tabled.

SENATOR GROEN:

I would also move to table House bill 2054. That bill was predicated on the fact that we would supply the department with additional agents and investigators and we failed to provide those investigators and I took the bill with the understanding that if they were provided, the fees would be necessary to provide the means to pay them so that we

would not have to expend other funds. They were not provided so, in my judgment, the fees increases are not necessary and I would move to table that bill.

PRESIDENT:

All in favor of the motion to table signify by saying aye. Contrary minded. The motion to table prevails. Senator Lyons, are you ready then.

SENATOR LYONS:

I'm looking for the bill. This is House bill 1844, which I am handling at the request of Representative Webber Borchers in the House, and what it...the bill has been amended as was discussed the other day. The amendment, my understanding is, was tendered by the Environmental Control Board or one of the Environmental entities. They are not in opposition to the bill. What the bill does is vest in that Board the power to vary the requirements for sanitary landfills as to how often or in what manner the cover over the material that is dumped into the landfill has to be regulated, and I ask for the support of the membership. I do not think that the bill is controversial.

PRESIDENT:

Is there any discussion? The Secretary will call the roll.

SECRETARY:

Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris, Horsley, Hynes, Johns, Knuepfer...

PRESIDENT:

Senator Knuepfer.

SENATOR KNUEPFER:

Senator Lyons, I'm having trouble with the bill. I can't find that the title relates in any way to what the bill says. The only parts that I see in the bill are on page 2 that are amended and it does not use these highfalutin words "nonputrescible" in any way shape or form.

Now, I'm ...what does the bill really do? The bill doesn't do what the title says it does.

PRESIDENT:

Senator Lyons.

SENATOR LYONS:

The bill was amended. The bill in its original form used the language that you see on the calendar. The bill was amended in the House, and substantially revised, and the language of the bill is now in much more general terms and the department or the Environmental Protection Agency is given much more latitude, you might say. The bill does more... it gives them more authority than the bill did in its original form. The amendment was tendered by the Agency.

PRESIDENT:

Senator Knuepfer.

SENATOR KNUEPFER:

Then if I'm not mistaken, it is still subject to the rules and regulations of the Board, but not subject to the legislation that we had drafted prior to this. Is that correct?

PRESIDENT:

Senator Lyons.

SENATOR LYONS:

Well, they're subject to the regulation of the Board certainly, at least in respect of covering over sanitary landfill. That's all the bill applies to.

PRESIDENT:

For what purpose does Senator Horsley arise? We are on roll call, Senator Horsley.

SENATOR HORSLEY:

I'll wait until you reach my name, then.

PRESIDENT:

Alright. Continue the roll call.

SECRETARY:

...Knuppel, Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

PRESIDENT:

Senator Horsley.

SENATOR HORSLEY:

I desire to change my vote to present until I can find out more about the bill and I'd like to ask the sponsor...This bill, on page 2, the only change in the bill itself allows a landfill to be by such other method as may be prescribed by the Board by regulation, which I think is good. Now when you tell me there are amendments; they are not in my book; I don't find them, but I want to know what the amendments do to this bill.

PRESIDENT:

Senator Lyons.

SENATOR LYONS:

Well the amendment was put on in the House. That's why it's not in your book. The bill that you have in your book is the amended House bill; that's why there's no reference to putrescible garbage and stuff like that in the bill that you have in your book. The amendment that I've got here was put on in the House that refers to methods and procedures and so forth.

PRESIDENT:

Senator Horsley.

SENATOR HORSLEY:

The bill as we now have it, very simply has a two line change in the present law. Is that correct?

PRESIDENT:

Senator Lyons.

SENATOR LYONS:

Or by such other methods and intervals as the Board may provide

by regulation. That's the language that's put in.

SENATOR HORSLEY:

...vote back to aye.

PRESIDENT:

On that question the yeas are 43, the nays are 1. The bill is declared passed. Senator Mohr. For what purpose does Senator Harris arise?

SENATOR HARRIS:

Mr. President, I rise for the purpose of enunciating and understanding that I believe I have, I don't want to cut off anybody that you might have an understanding to recognize, but I have an understanding with Senator Partee that at this point in the order of business we would proceed out of order to the order of motions. Now, I've overheard you start to recognize Senator Mohr, but the purpose for which I arose, I have stated: I wish to proceed to the order of motions.

PRESIDENT:

Is Senator Partee on the floor? I believe that is correct. I'd like...Senator Partee is here. Is...Senator Harris indicates that it is agreeable with the President Pro Tempore to proceed out of the regular order of business to the order of motions. Is that correct, Senator Partee?

SENATOR PARTEE:

That is correct, Mr. President.

PRESIDENT:

Alright. Senator Harris is recognized.

SENATOR HARRIS:

Mr. President. I wish to make a motion to discharge the Committee on Local Government from further consideration of a series of bills. The first bill is House bill 3636.

PRESIDENT:

Now, do you wish to take motions up one at a time?

SENATOR HARRIS:

Well, I will relate the entire series of bills for the edification of the Secretary. I have the list here if, it'll just simplify it. If there are some pages observing. They include a lengthy series of bills, all of which do the same thing. Their enactment...I think Senator Partee wants to be recognized.

PRESIDENT:

Yes, Senator Partee.

SENATOR PARTEE:

Senator, you do propose to do all of these on one roll call. You don't want to go through these item by item, I hope.

PRESIDENT:

Senator Harris.

SENATOR HARRIS:

I would love to do it on one roll call. It...

PRESIDENT:

Senator Partee.

SENATOR PARTEE:

The only difference between any one of the bills is the fact that one affects doctors, one affects nurses, one affects horseshoers or whatever. I don't think we'd want to show any preference between one profession over another; hence, one roll call, it would seem to me, on all these questions would suffice.

PRESIDENT:

Senator Harris.

SENATOR HARRIS:

That is certainly agreeable to me, Senator. I would be delighted to proceed with that understanding. Can we have unanimous consent?

PRESIDENT:

Is there objection to that procedure? Senator Knuepfer.

SENATOR KNUEPFER:

Senator Harris, I don't want to preempt your...alright. I'm sorry, but I thought there might be a different posture for plumbers than there is for doctors. Now, I'm sorry, I'm not trying to preempt your position.

PRESIDENT:

Is there objection to the use of one roll call to apply to a whole series of bills on which Senator Harris will be making a motion? Is there objection? Senator Dougherty, do you object?

SENATOR DOUGHERTY:

I wish to make an inquiry of Senator Harris. Are you including in that 2780 through 2817?

PRESIDENT:

Senator Harris.

SENATOR HARRIS:

I began discussing what the list was. 2780 is in the list.

PRESIDENT:

Senator Partee.

SENATOR PARTEE:

In light of what Senator Knuepfer says, I think probably it might be a disservice to some members who might want to show a preference. So, we'll have the first one and then after the first one or the second one, if we find there is a definite trend, then we can include the rest of them on one roll call.

PRESIDENT:

Senator Harris.

SENATOR HARRIS:

Now, might I understand, are we dealing with 3636.

PRESIDENT:

We're dealing with one bill.

SENATOR HARRIS:

Alright. The motion is to discharge the Senate Committee on

-Local Government from further consideration of House Bill 3636. This bill provides for reservation to the state the exclusive power to regulate most of the professions and licensed responsibilities within the Department of Registration and Education that relate to those licensed people who are mobile. Now, that description is mostly accurate. There are some within the list who might not be describable as mobile, but that's one of the really significant reasons for this implementation legislation of the 1970 Constitution. I will attempt to be as quick about this as I can because there is a long list of bills involved here.. But I want to point out that a very brief, and I think concise, editorial on this whole subject matter might be worthwhile to apply to the evaluation here, and I know that our positions are largely congealed on this question. But, let me just say that the Illinois House of Representatives passed this entire series with roll calls of not less than 108, I believe. There might have been one or two lower than that, but my recollection is most of them were 108 and the bill under consideration of this motion passed with a 124 votes. The Illinois House...I'm reading now...The Illinois House is wisely approved legislation reasserting the State's exclusive power to license and regulate professions, businesses and occupations that are too complex for local governments to supervise. To permit municipalities to do so under the new Constitution's home rule provisions could jeopardize the safeguards that now exist in such varied state licensed activities as medicine, banking, insurance, and other professions. The legislation does not curtail the right of local governments to license and regulate the many local enterprises and occupations they now do, nor bar the opportunity to expand these powers in some instances. This newspaper urges the Senate to follow the House's lead and pass the state preemption legislation. Once this is out of the way it will be easier for local governments to determine what they can and cannot do under their new home rule grant, and I'm adding, as relates to this important question of regulation of the professions. Now, Mr. President, I recall a similar piece of legislation to House Bill 3636 being described by Senator

Horsley, a bill which we considered, but which is somewhat different from this, that it was perhaps the most important piece of legislation that we would consider. Those were Senator Horsley's words, or similar thrust of import. I don't describe House bill 3636 as the most important, but I describe it as tremendously important, and we should take this action to get this bill before us. We had a hassle some ten days ago, that is not yet resolved, on the question of introduction of Senate legislation to do this. It's still moot, that question, but nonetheless important. And so I urge this body to join me in the motion to discharge the committee and place this bill on second reading.

PRESIDENT:

Is there further discussion? Senator Dougherty.

SENATOR DOUGHERTY:

Mr. President, I feel such a compulsion that I must...I feel that we should not bypass the committee system on bills as important as this. We've been criticized many times for the reason that we bypass the committee method. I, therefore, I interpose an objection only for that reason.

PRESIDENT:

Is there further discussion? Secretary will call the roll.

SECRETARY:

Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris, Horsley...

PRESIDENT:

Senator Horsley.

SENATOR HORSLEY:

I haven't changed my mind one bit about these bills from the time when they first came up, and I introduced a bill that would do this same thing only we proposed to do it by one bill to say that the State reserves this right. Since that time we have had one community in the state of Illinois that has taken advantage of the situation. They have

levied a one thousand dollar annual license fee against a real estate man and anybody in that community who wants to be a real estate agent must pay a one thousand dollar license fee. We have two other communities who have followed suit and they have charged a smaller amount, but they are trying to license real estate people. Now, if we don't pass these bills now, you're going to have every community in the state of Illinois licensing doctors, hospitals, dentists, insurance agents, and all of the other professions. Now I'm telling you I didn't get much mail when my bills were up, as Senator Harris has very nicely alluded to, and I appreciate that, but I didn't get much mail because people were not aware of what's going on. But now people are up in arms, and I'm getting a lot of mail on these instant bills. And I'm going to tell you gentlemen who are not voting for this, you're gonna hear a lot from your constituents between now and the next election whenever these communities begin to try to license these various professions. And that's what they propose to do and you're going to wreck all of the professions of the State of Illinois when you try to put it on a local basis. These bills should be brought out at committee and they should be passed. I vote aye.

SECRETARY:

...Hynes, Johns, Knuepfer, Knuppel...

PRESIDENT:

Senator Knuppel.

SENATOR KNUPPEL:

The other side has threatened me politically with this thing, and I challenge them. We worked for nine months to establish the principle of home rule, and I took nine months out of my life because I believed in the Constitution and here we're back here trying to destroy it. I'm going to vote no. I'm going to be on record. I want you to know where I'm at fellas.

SECRETARY:

...Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien,

Ozinga, Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas,
Smith, Soper, Sours...

PRESIDENT:

Senator Sours.

SENATOR SOURS:

Mr. President and Senators, I'm going to try to be brief, if I
and have the attention of the Assembly.

PRESIDENT:

Just a moment. If we can get the attention right immediately
around there, why I think we can get the attention of the Assembly.

SENATOR SOURS:

That new document euphenistically called a Constitution prohibits
licensing for revenue. It does not...It does not proscribe licensing for
harrassment. Unless something is done, I think we can thoroughly expect
not only the city of Chicago, but any other community that would fit into
its character, and there probably might be only one other, to license
just about everything. And I have wondered what Stanley Johnson's been
thinking about in letting you fellas on the other side, that is the Chicago
Senators and the downstate Senators get by with this. Certainly if the city
of Chicago can license an engineer, ladies and gentlemen, it can license
a carpenter. Certainly if the city of Chicago can license a doctor, it
can license a bricklayer. If it can license an engineer, it can similarly
license a glazier. And pretty soon we'll have what was the old guild
system in western Europe that accounted for its decadence two centuries
ago. Mr. President, I know these pearly words of wisdom are going in one
ear and out the other, but I would like some quiet.

PRESIDENT:

If...If...We're still on roll call. Senator Sours.

SENATOR SOURS:

Unless something is done and done tonight, and done this week,
we will see the city of Chicago engaging in honest delay, so called, of
licensure; we'll see honest delay in the honest inspection...we'll see
honest delay in the honest inspection of additional qualifications; and

all the time hovering over the applicant will be the honest threat of suspension. Now the bureaucracy to license, Mr. President...It seems to me that I see a configuration up there at the Secretary's desk. Now the bureaucracy to license, not for revenue but for fat jobs as would befit a ward committeeman or a clever, canny precinct worker...

PRESIDENT:

The Senator will conclude his remarks.

SENATOR SOURS:

We're talking about a Director of License; we're talking about dog robbers in the old army; we're talking about inspectors, investigators, enforcers, flunkies and floaters, not to mention supernumeraries, bum, and loafers. I say to you, something has to be done to protect the public from this horrible denial of their rights. I'm going to vote aye to take this from the committee.

SECRETARY:

...Swinarski, Vadalabene, Walker, Weaver.

PRESIDENT:

On that question the yeas are 31, the nays are 8. The motion to discharge committee prevails. Senator Harris.

SENATOR HARRIS:

Now Mr. President, I move that we proceed out of the regular order of business and have House bill 3636 read a second time.

PRESIDENT:

Is there objection? Leave is granted. 3636.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. Senator Harris.

SENATOR HARRIS:

Now Mr. President, I move that House bill 2780 be discharged from the Senate Committee on Local Government and read a second...and placed on the order of second reading.

PRESIDENT:

Motion is that House bill 2780 be discharged from committee. Is...Now...Senator Partee and Senator Harris, you have a whole series of bills yet. Right?

SENATOR HARRIS:

Yes, I do.

PRESIDENT:

Is it possible now that the rest of the series could be considered in one roll call? Senator...Ah, the Chair is inquiring of the President Pro Tem whether it is acceptable to have one roll call for the remainder of the series?

SENATOR PARTEE:

No, it is not acceptable.

PRESIDENT:

Alright. 2780. Senator Harris.

SENATOR HARRIS:

Ah, Mr. President, this bill deals with the provision for state preemption of the power to regulate public...the utilities regulated by an act concerning public utilities. I certainly believe the case can be made that the technical requirement of the Illinois Commerce Commission would be impossible to duplicate by the home rule units of Illinois, require a tremendous duplication of staff, requirement to evaluate the matter of rates, and I just...Well, really, I don't think it is essential to go any further than this except to make those points. And so, because time is short, and because the House clearly expressed itself on this important piece of legislation, I would urge the members of this body to discharge Labor...I'm sorry...to discharge Local Government Affairs from further consideration of House bill 2780 the bill to reserve to the state the power to regulate public utilities. I move to discharge.

PRESIDENT:

Senator Cherry.

---SENATOR CHERRY:

Inquiry Mr. President. We're moving bills...or we moved the prior bill. We took it away from committee and put it on second reading so the bill that we just considered is on second reading. Is that correct?

PRESIDENT:

That is not correct. It was...

SENATOR CHERRY:

Well, what is correct?

PRESIDENT:

The bill was discharged. It was then read a second time and advanced to third reading.

SENATOR CHERRY:

Well, we have some amendments to the bill.

PRESIDENT:

Well...the request was made by Senator Harris to read it a second time and there was no objection, and it was read a second time.

SENATOR CHERRY:

The bill should be on second reading. You took it away from committee. It should be on second reading now.

PRESIDENT:

It is not, Senator Cherry. Senator Partee.

SENATOR PARTEE:

We did not object to the procedure to take it out of order and I just wondered if Senator Harris, giving us that same courtesy, would agree, if we have an amendment to offer, to bring it back to second reading for an amendment.

PRESIDENT:

Senator Harris.

SENATOR HARRIS:

Mr. President, I would be delighted to put all of these bills on third reading now with the complete understanding that we'll pull

them all back tomorrow from third to second for the consideration of any amendments that you wish to, might wish to have. I think, frankly, that's the wisest course of action. We'd be glad to cooperate with you to that extent.

PRESIDENT:

Is there...? Senator Partee.

SENATOR PARTEE:

Let's proceed bill by bill for a few moments and then we probably can then take the rest of them and move them, but we definitely have amendments to each of the bills which we'd like a chance to offer.

PRESIDENT:

The...I, I'm sure...Senator Harris.

SENATOR HARRIS:

Well, whatever you say Mr. Pro Tem, I'm with you on procedure, but I thought I made it clear that we could do them all and I would agree to pull them all back to second reading. The entire series. You'll have to day to do more evaluation and study. I just think it might be a wiser course of action just to get them all on third and I agree to pull them all back to second.

PRESIDENT:

Senator Dougherty.

SENATOR DOUGHERTY:

Mr. President and members of the Senate, I still feel the same way as I did on 3636. I am the chairman of Local Government and I feel that these bills should be given some study. There's been no showing of any attempt to do anything wrong. They are still under the jurisdiction of the State of Illinois. We are not going to make any attempt to take it away from them, but there are, in this long period of time that these bills have been on the statutes, I don't know of any thorough evaluation that was made of any of them. I can look at number 2871. We need to look at that. 2784, 2790, 2812, and 2817. So there should be some reasonable reason to give some consideration to these.

I don't find any fault with some of these bills. Clearly they are the jurisdiction of the state, but let's take a look at them. There's no reason why we have to rush in. They still have jurisdiction. We're not taking anything away from them and you can't take anything away from them unless we do it be an act of this body.

PRESIDENT:

Is there further discussion of the motion? Senator Partee.

SENATOR PARTEE:

I just want this understanding: that as we vote on each of these bills and the bill is read a second time and it is advanced to third reading, that we will have the understanding that tomorrow we can pull them back if we desire and offer an amendment. And that includes 3636.

PRESIDENT:

Senator Harris.

SENATOR HARRIS:

Mr. President, I think it was clear what I enunciated here. That is not what I agreed to. If we are going to proceed with each one of them now, then let's dispose of each of them now and then we'll be on third reading. My statement to you was that if we put the entire series on third reading, I agree to bring them all back tomorrow to second reading for purposes of amendment, which I think is the same thing. But if we're going to go through the order of considering them all individually on roll calls now, then that is not the understanding I expressed to you. Now, we...And I hate to take this time, but we don't have a heck of a lot of it, and it seems to me the wiser course of action is to put them..., one motion, put them all on third reading. I state to you that if we don't go through each separate dual roll call motion to discharge and to proceed out of the regular order of business, we're gonna consume a lot of time. Now, we'll get them up on third. It's going to take 30 votes to pass these. I honestly don't know whether I've got 30 votes to pass them, but I say to you that if we put

them all on third now that I will pull everyone of them back to second reading to accomodate you for whatever amendment you might wish to offer.

PRESIDENT:

Senator Partee.

SENATOR PARTEE:

Then under those circumstances, if all bills from 3636 plus the rest of the series go to third reading on one roll call are discharged on one roll call and read a second time and advanced to third reading, and we have the understanding we can call any of them back tomorrow for an amendment, that's fine.

PRESIDENT:

Is...Alright. Is there objection to discharging committee, this whole series? The...For what purposes does Senator...There is objection, Senator McCarthy?

SENATOR McCARTHY:

Well, I don't have objection to the discharge of committee, but now you're moving, you're proposing...on that part of the motion, the discharge of committee, where do the bills reside when the bills, when the committees are discharged?

PRESIDENT:

They are now...If we get unanimous consent, they are then on second reading, and presumably Senator Harris will ask that they be read a second time. They will be read a second time, advanced to third with the understanding that tomorrow any Senator may call any one of these bills back for purpose of amendment. Is that a correct statement?

SENATOR HARRIS:

Absolutely correct.

SENATOR McCARTHY:

Well, Mr. President, I don't have any amendments prepared. It strikes me that the bills...I have no objection to them being discharged from committee and placed on second reading. I think that I am entitled to look at the bill and prepare my amendment while it is on second

reading, and there is an important distinction. Because if the bills are pulled back for the purpose of amendment and the amendments are turned down, there is a change in the time procedure as to when final voting may be obtained on these bills. It's a difference of one day, is there not?

PRESIDENT:

There is a difference of one day.

SENATOR McCARTHY:

Well, I'd rather have the one day, so I am not going to object to the motion to discharge the committee, but I don't want to be bound that the bills are gonna be read a second time today without even having an opportunity to look at them to prepare the amendments to them when they're on second reading...

PRESIDENT:

Let's take one...Is there objection to the discharge of committee? Leave is granted. Now, Senator Harris.

SENATOR HARRIS:

Mr. President, I seek unanimous consent, first, to have House bills...and if the Secretary has the list, if he wants to read it, and... alright.

PRESIDENT:

I don't think it's necessary.

SENATOR HARRIS:

Alright. Then this list of bills read a second time.

PRESIDENT:

Is unanimous consent given for that? There is objection.

SENATOR HARRIS:

And advanced to second reading...to third reading.

PRESIDENT:

There is objection to that.

SENATOR HARRIS:

Alright. Mr. President, I now move to proceed out of the

regular order of business and have House bills 2780, 2781, 2782, 2783, 2784, 2785, 2786, 2788, 2789, 2790, 2802, 2803, 2806, 2807, 2808...

PRESIDENT:

For what purpose does Senator McCarthy arise?

SENATOR McCARTHY:

For the purpose of withdrawing the objection that I heretofore made.

PRESIDENT:

Senator Knuppel.

SENATOR KNUPPEL:

Well I'm not going to object to this procedure. I think it is highly irregular and I think these are the type of things that bring us into discredit with the public who watch us. We, ourselves, have never seen these bills. We don't have time to study them. We don't have time to digest them. They haven't had the benefit of a committee hearing. There are some 5,000 bills put through this General Assembly each year. It's no wonder...It's just no wonder that not, not ethics alone but for any other reason...

PRESIDENT:

Just a moment please. Senator Knuppel is entitled to be heard.

SENATOR KNUPPEL:

...that we loose the confidence of the public. We don't have the time. We disgrace ourselves. We demean the process, and someday the people are going to do something about it. They're going to use the legislative initiative in the Constitution. They're going to create a unicameral House. They're going to go for full time legislators. They're going to require that bills spend time...at least sufficient time by a timetable that the people know what in them, that they have a chance to amend them. I think this violates and is in keeping with the editorial in the paper this morning. It violates the intent that was implicit in the new Constitution that there be reasonable notice on all of these things to the general public and an opportunity to be heard. These

bills...We've been here since last January, and I can see no reason, no conceivable reason why any bill ought to have a committee discharge unless it's had full hearing. And I think that we ought to stop and think that we demean ourselves, we demean the legislative process, we destroy confidence in what we do by handling it in this manner. Now I'm not objecting. I'm gonna go along with everybody else. I don't want to always be the bad potato or the sour apple, but, but, this is, this is truly a tragedy. It's a travesty on our method of democracy. With the number of bills we handle it's gonna cause...eventually it's gonna cause a fall of our system of government if we can't...if people can't participate, know, and understand what's going on.

PRESIDENT:

There is no objection. The journal will show that House bills beginning with 2780, and the Secretary has the numbers, down through...

SENATOR HARRIS:

2787...Ah, I'm sorry, 2817. There are some gaps.

PRESIDENT:

...2817 are read a second time, advanced to third reading with the understanding that any Senator may bring them back for amendment tomorrow. 3560, Senator Rock. Are you...House bill 3560. Are you ready on that?

SENATOR ROCK:

Yes, Mr. President and members of the Senate, I'd like consent to pull this bill back to second reading for the purpose of an amendment.

PRESIDENT:

3560 is pulled back to second reading for purposes of amendment. Senator O'Brien.

SENATOR O'Brien:

Mr. President and members of the Senate. I have an amendment, amendment number one to Senator Rock's bill, House bill 3560. This amendment...This amendment, Mr. President, was fostered by Senator Groen's comments on the probability that may occur when you set a maximum number

of signatures that would be submitted on a petition, so what we have done in this amendment is we have eliminated the maximum number of signatures that you will be required as State Senators, State Representative, and Congressmen to submit. The amendment does one other thing, Mr. President and members of the Senate. It increases the number of signatures that are required for State Representative and State Senator from 200 to 500. It increases the numbers of signatures that are required for Congressmen from 500 to 1000. It increases the number of signatures that are required to run as an independent for both State Representative and State Senator from 3,000 to 50...50...5,000. It also increases the number of signatures for Congressmen from 5500 to 6500. It's uniform all the way along the line for the Republican party, the Democratic party, and so called independent parties.

PRESIDENT:

Is there any discussion? Senator Coulson.

SENATOR COULSON:

How many signatures for an independent candidate. Would you give us?

PRESIDENT:

Senator O'Brien.

SENATOR O'BRIEN:

For what office Senator?

PRESIDENT:

Senator Coulson.

SENATOR COULSON:

Serialim. One after another. How many offices for an independent candidate for the Legislature?

PRESIDENT:

Senator O'Brien.

SENATOR O'BRIEN:

Well, for an independent candidate for Congress, at first the bill required a minimum of 5,000 signatures and a maximum of 6,500 signatures. What this amendment does is make the minimum 55, 5500.

For a State Representative it's 3500 minimum.

PRESIDENT:

Senator Coulson. Is there discussion of the amendment? All in favor signify by saying aye. Contrary minded. Amendment is adopted. House bill 1871 on...It is back to third, right. House bill 1871 on considera...For what purpose does Senator Graham arise?

SENATOR GRAHAM:

I was trying to find this bill that the good Senator was articulating with regard to petitions. And I want to ask the Senator if he had contacted the House sponsor of this bill with regard to this amendment?

PRESIDENT:

Senator Rock.

SENATOR ROCK:

Senator Graham, I spoke at great length with Representative Jack Wolf, and Senator Groen spoke with him, and we both spoke with Clyde Choate and Gerry Shea.

PRESIDENT:

Senator Graham.

SENATOR GRAHAM:

One other question. What Gerry Shea thinks doesn't really impress me too damn much, but what are you going to do now with a bill like this compared to the bill that we're attempting to pass out here with regard to the members of the General Assembly for this term of 200 names or, to a 1000 on a petition. What are we going to do with this? What's the effective date of this bill?

PRESIDENT:

Senator Rock.

SENATOR ROCK:

Senator, this is the...I'm told by Representative Wolf that this is the bill that he introduced at the request of the Secretary of State's office. What...Senator O'Brien's amendment, now...we are taking

out any maximum numbers all away across the board, so instead of having our own petitions...the minimum figure required for our own petitions is now 500 instead of 200.

PRESIDENT:

Senator Mohr is recognized for House bill 1871 on postponed consideration. Senator Mohr.

SENATOR MOHR:

Mr. President and members of the Senate. House bill 1871 is the Railroad Crossing Commission, Study Commission. It's a continuing commission. We talked about it on the floor here a couple of weeks back and I'll just ask for a favorable roll call and I would want to point out that this is the commission that has spent time and has been able to get the Illinois Commerce Commission, the railroad management and unions, and local government together to try and solve some of the major crossing problems that we have in the State, and we especially have these problems in downstate so I would urge the fellows from that area to give it a good look.

PRESIDENT:

Is there any discussion? Senator ParTEE.

SENATOR PARTEE:

Well, this particular commission particularly does not need...

PRESIDENT:

Just a moment, please. Can we...hold down some of that noise over there. I regret to say it's coming from the Democratic side of the aisle.

SENATOR PARTEE:

This particular commisison has no need to be funded under these circumstances because we have a Transportation Commission which is the... of which the Chairman is...will be Representative Blair, the Speaker, and all of these matters are a part of that committee's functions. Now, this is simply a proliferation of our commissions, something that can be done under other circumstances at no additional cost to the taxpayers, and

there's nothing else that this particular commission can do by way of study that's going to be meaningful to this legislative body. They had a commission last year, and if you read their report, you will, like me, perhaps, take the view that they went about the place and found out what everybody knows and have absolutely nothing concrete to present to the body. It's just a proliferation of another commission and if we're ever going get to staffed, organized government, we're just going to simply have to deny funds to committees which are structured for self-aggrandizement.

PRESIDENT:

Senator Mohr may close the debate.

SENATOR MOHR:

I'm not going to belabor it, Mr. President. I just would point out that it would cost just as much to send representatives from the commission or the committee that you suggest, appointed by Speaker Blair... cost just as much to send a man down to East St. Louis from his commission as it would from this, and Senator Hall and Vadalabene and those downstaters know that we were able to make some headway in solving some of their problems and I would just hope that the downstate fellows would support us. I ask for a roll call.

PRESIDENT:

The secretary will call the roll.

SECRETARY:

Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

PRESIDENT:

A request for the call of the absentees. The absentees will

be called

SECRETARY:

Arrington, Bruce, Cherry, Chew, Course, Davidson, Donnewald, Dougherty, Fawell, Hall, Johns, Knuppel, Kosinski, Kusibab, Latherow, Lyons, McCarthy, Merritt, Mitchler, Neistein, Newhouse, Nihill, O'Brien, Palmer, Partee, Rock, Romano, Saperstein, Savickas, Smith, Sours, Swinarski, Vadalabene.

PRESIDENT:

On that question the yeas are 25, the nays are 2. The bill having failed to receive a constitutional majority is declared defeated. 3560, Senator Rock.

SENATOR ROCK:

Yes, Mr. President and members of the Senate. This is the bill I called earlier today and we have now amended it, I think, to solve some of the problems that were raised. What this bill provides is that, for this time and this time only, the number of signatures for Representatives and Senators and Congressmen is fixed so that we will not be operating on a percentage of Primary voters, but rather we will fix by statute the number of signatures required on the nominating petitions. The Senators and Representatives' nominating petitions will require a minimum of 500 signatures and there is no maximum provided for. The Congressmen will have to have 1,000 signatures and there is no maximum provided for those. This bill carries an emergency clause. It has been ...it was filed at the request of Mr. Ed in the Secretary of State's office, and I solicit your support.

PRESIDENT:

Is there any discussion? Senator Coulson. Just a moment, please, gentlemen. Senators Harris, Representative Hall and Duff and about the 3 caucuses going on on the floor, please.

SENATOR COULSON:

I just want to ask about Independents again. Is there a requirement that the Independents must be those who have not voted in

the Primary or is there going to be some technical provision there that we'll have to watch for?

PRESIDENT:

Senator Rock.

SENATOR ROCK:

I'm not sure I follow your question. Do you mean does the bill define what an Independent is? Is that the idea?

PRESIDENT:

Senator Coulson.

SENATOR COULSON:

Frequently, either by statute or by ruling, no one can sign an Independent candidate's petition unless he certifies that did not vote in either Party's Primary and there is frequently a method of striking names from an Independent's petition by proving that. I have... I happen to have a feeling that I might have voted in the Primary and still wish to sign somebody's Independent petition. Am I allowed to do it?

PRESIDENT:

Senator Rock.

SENATOR ROCK:

Senator Coulson, the only thing the bill provides...It makes no other changes except for the number of signatures, and it says: For an Independent candidate for State Senator or Representative in the General Assembly shall be signed by not less than 3,500 qualified voters. Now, qualified voters I assume are obviously somebody who voted in the Primary, one or the other.

PRESIDENT:

Is there further discussion? The Secretary will call the roll.

SECRETARY:

Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris, Horsley,

Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

PRESIDENT:

Bruce aye. Smith aye. Knuppel aye. McCarthy aye. Senator Clarke.

SENATOR CLARKE:

Mr. President, this bill was called in kind of a hurry. I'm still trying to look at the amendment, and unless...

PRESIDENT:

Just a moment...please. Senator Par...For what purpose does Senator Partee arise?

SENATOR PARTEE:

To try to get some attention for Senator Clarke and to ask you to ask the members to be in their seats and other persons not entitled to the floor to please leave the floor. It's just bedlam here.

PRESIDENT:

The point is well made. Will the Sergeant at Arms enforce the rules on people not being on the floor who are not suppose to be on the floor. Senator Clarke.

SENATOR CLARKE:

Well, Mr. President, I've just been...while we've been on the roll call, I've been trying to read the amendment, and I just...It doesn't look to me, and I may not have the right bill, but this is the House bill that the clerk...the page got out of the...and it says, as amended. Part of this amendment says, on page 8, line 25, by striking the following: not more than 6,500. And line 25 on page 8 just says: seal if officer has one. And I wonder if we should be so hasty as to make sure this amendment is right before we go ahead with it. That's all I'm suggesting. I might have the wrong amendment, but it says 3560, or the

wrong bill, but I'd just like to make darn sure we're right on what we're doing.

PRESIDENT:

Senator Partee.

SENATOR PARTEE:

I think the way for this to be understood is for someone to delineate the number of votes required for an Independent in terms of numbers, and the numbers for a Party candidate in terms of numbers instead of the percentages. And then I think we'll all understand it. I don't know if Senator Rock wants to do that or Senator O'Brien, but I think it ought to be equated in terms of equal numbers instead of percentages on one hand and numbers on the other.

PRESIDENT:

They're checking out the amendment here. Senator O'Brien.

SENATOR O'BRIEN:

There is a mistake on the amendment. It should be page 10, line 25 and then it will fit.

PRESIDENT:

What...there's an error in the amendment?

SENATOR O'BRIEN:

Yes. It should be page 10, line 25, instead of page 8.

PRESIDENT:

Senator Clarke.

SENATOR CLARKE:

Let's have unanimous consent to withdraw consideration until we get a proper amendment, then we can come back to it.

PRESIDENT:

I think that's the only way to do it. Unanimous consent is given. The bill is taken out of the records and then we will get a properly drafted amendment. House bill 1177, Senator Walker advised me he has a proper amendment on that now. Senator Walker.

SENATOR WALKER:

Thank you, Mr. President. The amendment to House bill 1177 has been redrafted. In line 19 instead of "unless" it says "provided". I've checked it with Senators Horsley and Senator Groen and also the other side of the aisle, and at the present time I know of no objection. I would like to move the adoption of the amendment.

PRESIDENT:

Is there any discussion? All in favor signify by saying aye. Contrary minded. The amendment is adopted. 1787 on postponed consideration. Senator Savickas.

SENATOR SAVICKAS:

Mr. President, gentlemen of the Senate. I would like to ask leave to bring 1787 back for an amendment that Senator Latherow wishes to offer.

PRESIDENT:

Senator Latherow is not on the floor, right now.

SENATOR SAVICKAS:

I...Senator Baltz, do you have the amendment?

PRESIDENT:

Senator Baltz.

SENATOR BALTZ:

Does somebody want to take the amendment down? Do you have it? The Secretary has the amendment and I move its adoption.

PRESIDENT:

Motion is for the adoption of the amendment. Do you want to explain it very briefly, Senator Baltz?

SENATOR BALTZ:

Yes, it removes...The House amendment reads as follows: strikes lines 14 through line 18 on page 7, which I will explain here. It says... the lines that are stricken...I understand this is agreed between the sponsor and Senator Latherow, who wanted the amendment. It says: The Department by its representatives, after identification, shall have

the power to enter at reasonable times upon private and public property for the purpose of inspecting and investigating conditions relating to the enforcement of this Act and the plumbing code standards promulgated hereunder. It's agreed with the Department of Public Health and with the sponsor that this amendment is acceptable. The amendment goes further. The amendment also amends Section 2 by saying: This amendatory act shall take effect immediately upon becoming law. I don't want to preempt the reason for this. The sponsor will explain why this bill is necessary to be passed immediately.

PRESIDENT:

Is there any discussion of the amendment? All in favor signify by saying aye. Contrary minded. The amendment is adopted. Third reading, or consideration postponed. 1177, Senator Walker, are you ready for...passage on that or do you want that held now?

SENATOR WALKER:

Thank you, Mr. President. House bill 1177...The original bill called for the repeal of the section 14 which imposed liability on the seller of intoxicating liquor and the owner or lessor of premises. This bill, as amended, does not take away the liability on the part of the lessor unless he does not see that the lessee or his tenant provides the coverage. I think it eliminates something that should have been eliminated a number of years ago. They still have their cause of action against the licensee, or the lessee if you prefer, and can still go against the lessor in the event that he does not police his tenant and see that he carries the required coverage. I think it's a good bill. I think it's a necessary bill and I would appreciate your support.

PRESIDENT:

Is there...Senator, Senator Knuepfer. Please, will the members be in their seats. Those not entitled to the floor, please leave the floor. Will the Sergeant at Arms enforce the regulations. Let's have some order. Senator Knuepfer.

SENATOR KNUEPFER:

I'm just trying to find out what this does, Senator. Is this similar to a bill that we discussed some time ago that, in effect, says that the owner of the property is not liable. It's only the...it's only the one that rents the property if he sells alcoholic liquor, and then if there is some cause of action because of that?

PRESIDENT:

Senator Walker.

SENATOR WALKER:

If the owner polices his tenant and sees that he has the proper coverage, then the right of action exists against the licensee, the actual seller, and it doesn't go to the lessor or the owner of the property. At the present time, as I understand it, it's difficult for owners to secure mortgages due to this provision in the law. This merely transfers the responsibility on the part, I would say, of the licensee, who is the actual wrongdoer, and not the lessor. It is incumbent upon the lessor to see that his...that the lessee or licensee carries adequate and proper dramshop insurance.

PRESIDENT:

Senator Knuepfer.

SENATOR KNUEPFER:

Well, the lessor may have nothing at all, no assets. When you've got a building that may be involved in a suit, you've got something physical. The lessor may be a corpora...The lessee, rather, may be a corporation with no assets whatsoever. There is a course of action, where do you go?

PRESIDENT:

Senator Horsley.

SENATOR HORSLEY:

Mr. President. Senator Groen, I don't believe is on the floor. He and I were the ones who raised the questions on this, and Senator Knuepfer you just simply don't know what you're talking about on this

amendment, because we sent this down and we had it redrafted because of our objection. The original objection was, the way it was drafted there would be no liability for which the insurance company would have to pay on the owner. If he carried a policy, there wouldn't be any liability so you couldn't collect. That was the defect in it. Secondly, the defect was, that if the owner was also the licensee, selling or giving away, there wouldn't be any liability there. This amendment has been drawn by the Reference Bureau at our request and has corrected these defects, and merely says that the owner of the building is liable and you can recover a judgment up to the amounts of \$20,000 or \$40,000, customarily covered under these policies. If he does not have insurance in force on the date of the occurrence, then he's liable personally and his property is liable, which, I think, probably is a good thing. And, secondly, if the owner of the building is also the licensee this exception does not apply. Now Senator Groen looked at this amendment. The rest of us who have had some experience in this field have looked at it. I don't represent insurance companies so this is not an insurance amendment. This definitely is an amendment that represents a middle of the road between the injured party and the owner of the building, and is a good amendment, and I must admit it does put a limitation upon the liability of the owner of the building to the extent of the insurance covered, and his only liability is to see that the licensee carries the insurance provided in this amendment for the protection of the public, and if he doesn't, he's liable. Now you boil down to the proposition that why should the poor owner be penalized if the company goes broke or bankrupt, and that's actually the only thing in the amendment to the benefit of the owner. So I think this is a good amendment that we've had drawn by the Reference Bureau. As I said, Senator Groen has seen it, I think Senator Knuppel has seen it, and I think it's an agreed amendment to everybody except Senator Knuepfer, and I wouldn't expect him to agree to it.

PRESIDENT:

Senator Knuepfer.

SENATOR KNUEFFER:

Senator, if you'd kept your ears open, I was just asking what... asking some questions. I don't know anything about it. I'm trying to find out some answers. Now, if you want to give me an answer, and I guess you did give me an answer, that's fine; but if you'll listen when I say that I'm looking for information maybe you could be more accurate in your statements.

PRESIDENT:

Senator Knuppel.

SENATOR KNUPPEL:

This bill does accurately what ought to have been done a long time ago with the Dram Shop legislation. Years ago the liability, up until 1959, of the owner was limited to the building. In 1959 that was taken away and the owner could be liable to the extent of all of his assets. He's not there. He has no control over an operator who violates or even a single bartender who may violate. This leaves him liable unless he does insist that his tenant have these limits of liability which are set up in the amendment, which are 20, 40, 20, and 20. In that event, if he has and sees that his tenant, the operator of the bar, actually has this much insurance; he then, thereby, can be relieved. Only, however, can he be relieved if he actually has...if the operator actually has that much liability. This is a good bill. With the number of taverns which, because of the cost of dram shop insurance today, are not carrying dram shop insurance, this almost insures that anytime you have a tenant landlord relationship the landlord is going to see that there is insurance to protect those people who are injured by the intoxicants. With the insolvency provisions which we adopted earlier this year, you there, then...you then, thereby have guaranteed, even though the dram shop insurance carrier goes broke, that someone who's injured by an intoxicant will recover. I think it's the best suggested

legislation for the improvement of the dram shop law to come along in a long time, and I'm going to recommend that you vote aye.

PRESIDENT:

The...Senator Walker may close the discussion.

SENATOR WALKER:

Thank you, Mr. President. I'll let the bill rest on its merits. I think it's a good bill. I sat in a conference here just a few days ago. I've never had a dram shop case myself. I had to rely on the judgment of Senators Groen, Horsley, Knuppel, and other Senators here who are more familiar with it than I am. I'll appreciate your support.

PRESIDENT:

Secretary will call the roll.

SECRETARY:

Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow, Laughlin, Thomas Lyons, McBroom, McCarthy, Merritt, Mithcler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

PRESIDENT:

Sours aye. Request for call of the absentees. The absentees will be called.

SECRETARY:

Arrington, Bidwill, Clarke, Coulson, Davidson, Dougherty, Fawell, Gilbert, Graham, Groen, Harris, Johns, Knuepfer, Latherow, Laughlin, Lyons, Mitchler, Neistein, Newhouse, Nihill, O'Brien, Smith, Soper, Swinarski, Weaver.

PRESIDENT:

On that question the yeas are 31, the nays are 2. The bill

having received a constitutional majority is declared passed. Senator, Senator Carpentier moves to reconsider. Senator McBroom moves to table. All in favor of the motion to table signify by saying aye. Contrary minded. Motion to table prevails. 16...Is Senator Smith on the floor? You want to take up 1604 at this time, Senator? House bill 1604, Senator Smith.

SENATOR SMITH:

Mr. President and members of the Senate. This bill, 1604, together with House bill 1139, propose to do one in the same thing. This particular bill seeks to give to any and all members of the FEPC Commission the right to initiate complaint charges before that body. Now that's the position that was maintained by the little Mr. Deucie, who was an executive director of the Commission at the time that these two bills were introduced. He assured those of us who have been interested in the Commission...And, may I digress and say that for fourteen years I labored and toiled in order to bring about the establishment of the FEPC Commission...but he assured us that there are many employees who have just, seeming just complaints who appear before the commissioners, but for fear of harassment or the loss of their jobs, they are unwilling to sign complaints. He took the position...And by the way, Mr. Deucie is no longer with the commission...but he took the position, at the time of the introduction of these two bills, that by conciliation they thought that they could be the better evil...

PRESIDENT:

Just, just a moment, please. There is no more courteous member of this body than Senator Smith, and he is entitled the courtesy from his colleagues.

SENATOR SMITH:

Thank you, thank you. I had just begun to state that the then Executive Director of the Commission took the position that perhaps, by conciliation, they might bring about better a relationship between the employees and the employers. I am willing to accept whatever vote I

might receive with regards to the particular bill, 1604, and I ask, either favorable or unfavorable, that the same vote apply to House bill 1139.

PRESIDENT:

Is there further discussion? Secretary will call the roll.

SECRETARY:

Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall...

PRESIDENT:

Senator Groen.

SENATOR GROEN:

Well, Mr. President, it would appear to me that, that the intent and the...actually the result of this bill would be to change the whole purpose and intent of the commission. We would be changing the public filing its complaints, in effect, with having the commission acting as its own investigatory body to go out and find complaints that they might file. Now, I, I don't...I had...was under the impression that this commission had been doing a good job, and I frankly can't see the need for this. And I would hate to see a situation where we would develop another investigating group within the commission for the purpose of going out and finding these things. I don't believe this is necessary. This commission has done a commendable job and I want to see it continue to function as it has in the past. I think we might just upset the balance that has existed. I think we might jeopardize the good job that they've done if we give them this authority, and I think it's unwise to do it at this time. Maybe in the future it will become necessary, but at this time I can't believe that it is necessary and I vote no.

SECRETARY:

...Harris, Horsley...

PRESIDENT:

For what purpose does Senator Smith arise?

SENATOR SMITH: _____

I just wanted to refer to the remarks of my Senator...

PRESIDENT:

You're out of order, but you may proceed.

SENATOR SMITH: _____

I know it, I know it. I merely wanted to advise, and I think I said that while standing over at my own seat, that this is, or was, the idea of the then Executive Director. For reasons, his Excellency, I am happy to say, saw fit to dispense with the services of the ex-director, and 'ere long, we will have a new ex-director, and he has given me the right and authority to name that ex-director. I have no interest in it, Sir.

PRESIDENT:

Continue with the roll call.

SECRETARY:

...Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours, Swinarski, Va...

PRESIDENT:

Senator Sours.

SENATOR SOURS:

I want to make this statement. I think this bill is a very dangerous precedent because it creates, in one entity called a commission, the complainant; the preliminary hearing officer, and, of course, the judge. I vote no.

SECRETARY:

...Swinarski, Vadalabene, Walker, Weaver.

PRESIDENT:

On that question the yeas are 21...Neistein aye. Dougherty aye. On that question the yeas are 23, the nays are 9. The bill having

failed to receive a constitutional majority is declared defeated.

Senator Partee.

SENATOR PARTEE:

Now, Mr. President, I think it's about time to wind it down. We have an Executive Committee that's going to meet immediately after we adjourn, and I understand there are two or three motions that members desire to make. In addition thereto, there may be some reports from the House, or messages from the House, with reference to some conference committees. So I would hope that we won't call anymore bills tonight, but we'll just take care of the other business and adjourn until tomorrow morning.

PRESIDENT:

Senator Romano is recognized for a motion.

SENATOR ROMANO:

Mr. President and members of the Senate. I move that the Senate concur in amendment number three to Senate bill 597, and amendment number 2 to 670...

PRESIDENT:

Let's take them one at a time.

SENATOR ROMANO:

Well, they're identical amendments to two bills, and I think we could do it with one roll call.

PRESIDENT:

Okay. Can you explain the amendments, please?

SENATOR ROMANO:

Yes. It will take 35 votes. There's an emergency clause on this. These two amendments take care of the increase in tax levy to finance these two bills, and they spread the tax levy over six years rather than the three year period. That's all they really do.

PRESIDENT:

Is there any discussion? Senator Knuepfer.

SENATOR KNUEPFER:

I, I see one of these pertains to the Chicago Employees, Officers and Officials Funds. Who does the other bill per...Oh, we're only taking...Is that the only one we're taking right now?

PRESIDENT:

He suggests we're taking both of them. 597. What's the other number? 670.

SENATOR KNUEPFER:

I just want a minute to look at it and see who...Is this...this is a local tax levy, Senator Romano?

PRESIDENT:

Senator Romano.

SENATOR ROMANO:

What was the question?

SENATOR KNUEPFER:

Is this a local tax levy on both of these?

PRESIDENT:

Senator Romano. Just a moment. Senator Romano, there's a question.

SENATOR ROMANO:

These are approved by the Pension Laws Commission.

PRESIDENT:

Senator Knuepfer.

SENATOR KNUEPFER:

That, that's not my question. You said something about a tax levy to pay for these. Now who's tax levy is this? Is this the State of Illinois or is this a local levy?

PRESIDENT:

Senator Romano.

SENATOR ROMANO:

The City of Chicago, only.

PRESIDENT:

Is...Just, just a moment. Senator Romano, the Secretary advises me that he does not have these bills.

SENATOR ROMANO:

These were Senate bills that went over to the House, and these amendments were put on in the House and I'm moving to concur.

PRESIDENT:

Well, now, we apparently don't have the message back yet on those bills, unless...We'll...

SENATOR ROMANO:

I believe you do have, because this was given to me by the Secretary.

PRESIDENT:

Well, just a moment, we'll check. There...here they come. Okay. Alright. Is there further discussion of the amendments? Senator Groen.

SENATOR GROEN:

Senator, I...what do the amendments do? I've been asked by my side what the amendments do and...and...

PRESIDENT:

Can you explain it once again, Senator?

SENATOR ROMANO:

These are the two amendments that spread the tax levy, the additional tax levy, over a six year period rather than a three year period.

PRESIDENT:

Is there further discussion? All in favor signify by saying aye. Contrary minded. The amendments...Now just a second. No, no, no. The Senate...The motion is to concur in the House amendments, and on that question the Secretary will call the roll and it requires 35 votes. On Senate bills 597 and 670.

SECRETARY:

Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours...

PRESIDENT:

Senator Sours.

SENATOR SOURS:

As I understand this bill it involves a tax increase and will extend what would have been a three year term to a six year term. I vote no.

SECRETARY:

...Swinarski, Vadalabene, Walker, Weaver.

PRESIDENT:

Swinarski aye. On that question the yeas are 38, the nays are 1. The Senate concurs in the House amendments on those two bills. Senator Dougherty.

SENATOR DOUGHERTY:

President, I would like to have permission of the body to take House bill 493 from the Executive Committee and advance it to the order of third reading.

PRESIDENT:

You, you'd better make it second reading.

SENATOR DOUGHERTY:

It's on second reading, Sir. It was recommitted. It was on second reading in...on June the 21st, and on June the 29th it was re-committed to the Executive Committee.

PRESIDENT:

I'm sorry. So it has been read a second time already.

SENATOR DOUGHERTY:

That is right.

PRESIDENT:

Just, just...Let's, let's have the Secretary check it just to make real sure and we'll get back to you in just a moment. Senator Savickas.

SENATOR SAVICKAS:

Mr. President and members of the Senate. I would like permission to have House bill 1787 pulled off postponed consideration and heard today. I think we have worked out all the difficulties. We've substituted the amendments; put the amendments in that the Department of Health wanted, that Senator Latherow, that few of the other Senators that had questions. This bill, all it does, is really updates the definition of plumbing, and it creates the Plumbing Code Advisory Council to service it, it gives the Department of Public Health the authority to insittute rules and regulations and to administer the act, and to make the proper inspections for compliance with the act.

PRESIDENT:

This is the bill that Senator Baltz amended earlier...just a little bit ago.

SENATOR SAVICKAS:

Right.

PRESIDENT:

Is there...Senator Donnewald. On this question?

SENATOR DONNEWALD:

No, not on this question.

PRESIDENT:

Now, Senator Savickas has asked that since this was amended just a few minutes ago, that we proceed to the passage of the bill. It's Senate bill 1787...or House bill 1787. Change those...Senator Sours.

SENATOR SOURS:

What happened to House bill 493? There was some prefunctory

statement made about it.

PRESIDENT:

Well, we...the Secretary wanted...we wanted to have it checked out before we proceeded on that motion.

SENATOR SOURS:

Oh, I see.

PRESIDENT:

House bill 1787. The Secretary will call the roll.

SECRETARY:

Arrington...

PRESIDENT:

Proceed, Mr. Secretary.

SECRETARY:

...Baltz...

PRESIDENT:

Senator Baltz.

SENATOR BALTZ:

I was trying to get in a word before I voted. This bill, I think now, is in proper shape. It is very necessary for the State of Illinois. We worked this bill over thoroughly. There's been a number of amendments that have been agreed upon completely by both sides of the aisle and the Department of Public Health. It's absolutely necessary, I think, that this bill receive a complete majority of this House because we need the Plumbing Code, we need the inspection procedure, and I would suggest that everybody in this body vote aye on this bill, and I'm glad to lend my support and vote aye.

SECRETARY:

...Berning, Bidwill, Bruce, Carpentier, Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill,

O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

PRESIDENT:

Rosander aye. O'Brien aye. On that question the yeas are 43, the nays are none. The bill having received a constitutional majority is declared passed. Senator Dougherty, now Secretary confirms that is correct, Senator Dougherty.

SENATOR DOUGHERTY:

Advance to the order of third reading, please.

PRESIDENT:

Your motion...now is there objection? For...Let's have some order. Will those not entitled to the floor, please leave the floor. Members be in their seats. And, also, I think if Pages, if you can stay in back and keep off the floor and keep the floor from being cluttered it helps, too. Senator Dougherty asks that the Committee...What committee?

SENATOR DOUGHERTY:

Executive.

PRESIDENT:

...Executive Committee be discharged from House bill 493 and that it be advanced to the order of third reading. It has been read a second time. Is there objection? The...Senator Clarke there is no objection? Leave is granted...Senator Groen.

SENATOR GROEN:

I don't know what the bill does. I have not read it. Do we have an understanding that we can bring it back for amendment if we...

PRESIDENT:

Senator Dougherty indicates that that is possible. Leave is granted. Senator Bruce.

SENATOR BRUCE:

Yes, Mr. President, I was off the floor when we were on House bills on second reading. It was my understanding that Senator Partee

advanced 262...3623 and 3624; but on checking, either the Secretary didn't catch it or something. Senator Laughlin also advanced, and they were to be advanced as a group, 3674. They all relate to Judicial vacancies, but to make sure I would like to have those two bills advanced. I believe that's our understanding with Senator Laughlin. They were all three to be advanced, and somehow a mistake has been made.

PRESIDENT:

Does...Senator Laughlin.

SENATOR LAUGHLIN:

That was my understanding with Senator Partee. I checked at the Secretary's office and my bill was advanced, and I don't know why your two weren't because Senator Partee made the motion.

PRESIDENT:

Just, just...Well, 3623 on second reading. Just a moment. We're working on...

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading 3624.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. Senator Carroll, you're on the list, Senator Donnewald. Senator Carroll.

SENATOR CARROLL:

Mr. President and members of the Senate. House bill 2867 is amended and this is the bill, as amended, that provides for the development of public service jobs for able bodied persons receiving public assistance. The amendments provide for the creation of programs in the area of conservation, hospitals and other health and welfare functions; and the conference committee has been signed by all the members and I'd move that the Senate do adopt the conference committee, and ask for a

favorable roll call.

SENATOR CARROLL:

It requires 35 votes because it's an emergency measure.

PRESIDENT:

What's the number of the bill, again.

2867. House bill 2867. Senator Carroll moves the adoption of the conference committee report. Is there any discussion? Senator Cherry.

SENATOR CHERRY:

It's okay.

PRESIDENT:

Secretary will call the roll.

SECRETARY:

Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

PRESIDENT:

Laughlin aye. Hynes aye. On that question the yeas are 41, the nays are none. The Senate adopts the conference committee report. Senator Donnewald.

SENATOR DONNEWALD:

Mr. President, members of the body. I'm going to move now that we adjourn until 9 o'clock so that Senator Chew and the rest of us can have lunch tomorrow at noon and possible dinner, or supper as we call it at home, at 6 o'clock tomorrow evening.

PRESIDENT:

Now I have three...

SENATOR DONNEWALD:

9 o'clock tomorrow morning.

PRESIDENT:

Before I take that motion, I have three other Senators who have ask for the floor, and if they are not substantial motions I'll proceed to your motion. Senator Groen.

SENATOR GROEN:

Well Mr. President, I would ask for Senator Cherry's attention. This House bill 2778, which is on postponed consideration, and when I called the bill and it failed of passage and it was placed on postponed consideration, I had commented that I was sorry that Senator Cherry had made some remarks that he did because I feared he had misread the bill. Inadvertently he did. We discussed it. He discussed the bill then with Boyd Croxton from the Department of Insurance. Senator Cherry and Mr. Croxton have apparently agreed on an amendment and I think if these two people have agreed on an amendment it must be alright and I'll accept it. What it would do...

PRESIDENT:

Just a minute. Senator Donnewald are you willing to withhold your motion for a little bit.

SENATOR DONNEWALD:

Well, well, I guess I should have made the motion a half an hour ago and it would be effective now, but I'll hold it for a little bit.

PRESIDENT:

Alright. Senator Groen wishes to pull back 2778 to second reading for purposes of amendment.

SENATOR GROEN:

Well for purposes under the insurance act, if two insurance companies or more merge or consolidate; under Senator Cherry's amendment they would have to use, they must use, the age of the surviving company as the age of the company for those purposes.

--PRESIDENT:

Senator Cherry.

SENATOR CHERRY:

I simply wanted to tell Senator Groen that I didn't misrepresent the bill to the members of the Senate. All I said was that I did not want a company who was out of business for say perhaps 30 or 40 years that had been licensed prior, to be able to use that date where they were out of business, and what I didn't realize is that's the existing law. Now we made it, as I stated, that a company, in the event it merges, can only use the age of the company which is going to remain in business so there be no devious representation made to the public, and as a result of my comments the bill was amended and I approve the amendment and I urge the adoption.

PRESIDENT:

Senator Cherry offers amendment number one. All in favor of the adoption of the amendment indicate by saying aye. Contrary minded. The amendment is adopted. Senator Knuepfer.

SENATOR KNUEPFER:

I would simply like to move House bill 2198 and 2199 from second to third reading. There's no controversy I don't believe. Senator Dougherty is aware...

PRESIDENT:

2198. Secretary does not have the amendment that we just adopted. Oh! We have it now. Okay. 2198 on...House bill 2198 on second reading.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 2199.

SECRETARY:

Second reading of the bill. No committee amendments.

--- PRESIDENT:

Any amendments from the floor? Third reading. Senator Bidwill.

SENATOR BIDWILL:

Mr. President, I would like to announce a republican caucus, a very important caucus, at 8:30 tomorrow morning in MI. 8:30 tomorrow morning in MI, a republican caucus.

PRESIDENT:

Senator Neistein.

SENATOR NEISTEIN:

The conference committee on implied consent...Senator Swanson are you listening? Senator Swanson, Rich Miathias and Governor Ogilvie, Senator Laughlin and Senator Fawell, Senators Chew, Swinarski and myself. The Conference Committee on implied consent will meet immediately after adjournment in MS.

PRESIDENT:

Senator Donnewald moves that the Senate stands adjourned until 9 o'clock tomorrow morning. All in favor signify by saying aye. Contrary minded. Senate stands adjourned.