

MAY 18, 1977

1. PRESIDENT:

2. The hour of eleven o'clock having arrived, the  
3. Senate will please come to order. Prayer will be  
4. by the Reverend O. J. Hensley of the First Methodist  
5. Church of Springfield. Will our guests in the  
6. galleries please rise.

7. REVEREND HENSLEY:

8. (Prayer by Reverend Hensley)

9. PRESIDENT:

10. Reading of the Journal. Senator Johns. Senator  
11. Kenneth Hall.

12. SENATOR KENNETH HALL:

13. Mr. President, I move that reading and approval  
14. of the Journals of Tuesday, May 10th, 1977, Wednesday,  
15. May 11th, 1977, Thursday, May 12, 1977, Friday, May 13th,  
16. 1977, Monday, May 16th, 1977 and Tuesday, May 17, 1977  
17. be postponed pending arrival of the printed Journals.

18. PRESIDENT:

19. You've heard the motion by Senator Hall. Is there  
20. any discussion? If not, all those in favor signify by  
21. saying Aye. Opposed. The Ayes have it. Committee  
22. Reports.

23. SECRETARY:

24. Senator Donnewald, Chairman of the Assignment of  
25. Bills, assigns the following House Bills to Committee:

26. Agriculture, Conservation and Energy - House  
27. Bill 732; Appropriations - House Bill 970 and 992;  
28. Elementary and Secondary Education - House Bills  
29. 904 and 1113; Elections and Reapportionment - House  
30. Bills 64, 132, 703 and 972; Executive - House Bills  
31. 708 or 508, 766, 1060, 1371, 1729 and 1733; Executive  
32. Appointments and Administration - House Bills 507,  
33. 548, 621, 658, 672, 681, 733, 761, 773, 827, 872, 903,  
34. 908, 910, 968, 969, 1002, 1010, 1027, 1076, 1077, 1109,

1. 1145, 1148, 1155, 1157, 1165, 1166, 1167, 1169, 1177,  
2. 1201, 1230, 1255, 1279, 1327, 1332, 1356, 1392, 1425,  
3. 1467, 1469, 1541, 1557, 1579, 1716, 1727, 1731, 1732,  
4. 1734, 1739 and 1821; Finance and Credit Regulations -  
5. House Bills 1827, 1829 and 1831; Insurance and Licensed  
6. Activities - House Bills 737 and 947; Judiciary I -  
7. House Bills 674, 868, 876, 1202 and 1468; Labor and  
8. Commerce - House Bills 825, 948, 995 and 1224; Local  
9. Government - House Bills 646, 769, 813, 1016, 1072,  
10. 1083, 1241, 1275, 1456, 1457, 1458, 1693; Excuse me.  
11. Pensions, Personnel and Veterans Affairs - House Bill  
12. 763 and 1509; Public Health, Welfare and Corrections -  
13. House Bill 432 and 784; Revenue - House Bills 881 and  
14. 932; Transportation - House Bills 809 and 927.

15. Senator Kosinski, Chairman of the Committee on  
16. Elections and Reapportionment, reports out House  
17. Bills 96, 117 and 363 with the recommendation Do Pass.  
18. PRESIDENT:

19. Message from the House.

20. SECRETARY:

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

22. Mr. President - I am directed to inform  
23. the Senate that the House of Representatives has  
24. passed bills with the following titles, in the passage  
25. of which I am instructed to ask concurrence of the  
26. Senate, to-wit: House Bills 297, 319, 743, 783, 852,  
27. 854, 861, 863, 905, 956, 957, 1101, 1110, 1111, 1112,  
28. 1118, 1119, 1126, 1200, 1203, 1234, 1240, 1253, 1284,  
29. 1299, 1312, 1313, 1336, 1347, 1351, 1386, 1407, 1448,  
30. 1459, 1561, 1585, 1625, 1742, 1749, 1754, 1789, 1879,  
31. 1915, 1946, 1951, 1998, 2071, 2105, 2152, 2161, 2203,  
32. 2204, 2223, 2272, 2294, 2310, 2318, 2320, 2322, 2327,  
33. 2329, 2330, 2331, 2333, 2334, 2336, 2340, 2342, 2343,

1. 2346, 2347, 2348, 2349, 2350 and 2354.

2. PRESIDENT:

3. May I have the attention of the membership, please.  
4. Any Senator having a bill on 2nd reading that he wishes  
5. to advance or having a bill on 3rd reading that he  
6. wishes to bring back for purpose of an amendment, please  
7. come up and notify the Secretary now. For what purpose  
8. does Senator Demuzio arise?

9. SENATOR DEMUZIO:

10. Yes, on House Bill 185. When that came over a  
11. few weeks ago, that was the...the sponsorship should  
12. have been Johns and Demuzio and that never got recorded into  
13. the...into the record. And for purposes, I've asked  
14. Senator Johns again for permission to do so. With  
15. leave of the Body would like to be so shown as  
16. cosponsor of 185.

17. PRESIDENT:

18. You have heard the request of Senator Demuzio. Is  
19. leave granted? Leave is granted. For what purpose  
20. does Senator Clewis arise?

21. SENATOR CLEWIS:

22. Mr. President, I would ask leave to have my name  
23. removed as the Senate sponsor of House Bill 1456 and  
24. put Senator Merlo on as the principal sponsor.

25. PRESIDENT:

26. You've heard the request. Is leave granted?  
27. Leave is granted. Resolutions.

28. SECRETARY:

29. Senate Resolution 141 and it's congratulatory  
30. offered by Senator Berman.

31. PRESIDENT:

32. Do we have leave to place this resolution on  
33. the Consent Calendar? Leave is granted. House

1. Bills 1st reading. House Bill 166, Senator Egan.
2. SECRETARY:
3. House Bill 166.
4. (Secretary reads title of bill)
5. 1st reading of the bill.
6. PRESIDENT:
7. House Bill 234, Senator Knuppel.
8. SECRETARY:
9. House Bill 234.
10. (Secretary reads title of bill)
11. 1st reading of the bill.
12. PRESIDENT:
13. House Bill 245, Senator Roe.
14. SECRETARY:
15. House Bill 245.
16. (Secretary reads title of bill)
17. 1st reading of the bill.
18. PRESIDENT:
19. House Bill 495, Senator D'Arco.
20. SECRETARY:
21. House Bill 495.
22. (Secretary reads title of bill)
23. 1st reading of the bill.
24. PRESIDENT:
25. House Bill 501, Senator Carroll.
26. SECRETARY:
27. House Bill 501.
28. (Secretary reads title of bill)
29. 1st reading of the bill.
30. PRESIDENT:
31. House Bill 651, Senator Knuppel.
32. SECRETARY:
33. House Bill 651.
34. (Secretary reads title of bill)

1. 1st reading of the bill.
2. PRESIDENT:
3. House Bill 725, Senator Johns.
4. SECRETARY:
5. House Bill 725.
6. (Secretary reads title of bill)
7. 1st reading of the bill.
8. PRESIDENT:
9. House Bill 847, Senator Lemke.
10. SECRETARY:
11. House Bill 847.
12. (Secretary reads title of bill)
13. 1st reading of the bill.
14. PRESIDENT:
15. House Bill 859, Senator Glass.
16. SECRETARY:
17. House Bill 859.
18. (Secretary reads title of bill)
19. 1st reading of the bill.
20. PRESIDENT:
21. House Bill 911, Senator Knuppel.
22. SECRETARY:
23. House Bill 911.
24. (Secretary reads title of bill)
25. 1st reading of the bill.
26. PRESIDENT:
27. House Bill 922, Senator Knuppel.
28. SECRETARY:
29. House Bill 922.
30. (Secretary reads title of bill)
31. 1st reading of the bill.
32. PRESIDENT:
33. House Bill 933, Senator Mitchler.

1. SECRETARY:
2. House Bill 933.
3. (Secretary reads title of bill)
4. 1st reading of the bill.
5. PRESIDENT:
6. House Bill 979, Senator Carroll.
7. SECRETARY:
8. House Bill 979.
9. (Secretary reads title of bill)
10. 1st reading of the bill.
11. PRESIDENT:
12. House Bill 1062, Senator Schaffer.
13. SECRETARY:
14. House Bill 1062.
15. (Secretary reads title of bill)
16. 1st reading of the bill.
17. PRESIDING OFFICER: (SENATOR JOHNS)
18. House Bill 1105 on the Order of 1st reading.
19. Mr. Secretary. Senator Collins.
20. SECRETARY:
21. House Bill 1105.
22. (Secretary reads title of bill)
23. 2nd reading...or 1st reading of the bill.
24. PRESIDING OFFICER: (SENATOR JOHNS)
25. House Bill 1152, Senator Weaver.
26. SECRETARY:
27. House Bill 1152.
28. (Secretary reads title of bill)
29. 1st reading of the bill.
30. PRESIDING OFFICER: (SENATOR JOHNS)
31. House Bill 1252, Senator McMillan.
32. SECRETARY:
33. House Bill 1252.

1. (Secretary reads title of bill)  
2. 1st reading of the bill.  
3. PRESIDING OFFICER: (SENATOR JOHNS)  
4. Pardon me, Mr. Secretary. Senator Hall, do  
5. you wish to be recognized? You do, okay.  
6. SENATOR HALL:  
7. Thank you, Mr. President. A point of personal  
8. privilege.  
9. PRESIDING OFFICER: (SENATOR JOHNS)  
10. State your...your point.  
11. SENATOR HALL:  
12. In the rear...in the rear gallery there's a  
13. group from the land of milk and honey from St. Clair  
14. County, East St. Louis, Project...District 189.  
15. They have forty students and eight teachers. I  
16. would like to present them to the Senate so I  
17. would ask them to stand and be recognized by the  
18. Senate.  
19. PRESIDING OFFICER: (SENATOR JOHNS)  
20. 1266, Senator Lane.  
21. SECRETARY:  
22. House Bill 1266.  
23. (Secretary reads title of bill)  
24. 1st reading of the bill.  
25. PRESIDING OFFICER: (SENATOR JOHNS)  
26. House Bill 1345, Senator Knuppel.  
27. SECRETARY:  
28. House Bill 1345.  
29. (Secretary reads title of bill)  
30. 1st reading of the bill.  
31. PRESIDING OFFICER: (SENATOR JOHNS)  
32. House Bill 1414, Senator Schaffer.  
33. SECRETARY:  
34. House Bill 1414.

1. (Secretary reads title of bill)
2. 1st reading of the bill.
3. PRESIDING OFFICER: (SENATOR JOHNS)
4. House Bill 1415, Senator Vadalabene.
5. SECRETARY:
6. House Bill 1415.
7. (Secretary reads title of bill)
8. 1st reading of the bill.
9. PRESIDING OFFICER: (SENATOR JOHNS)
10. House Bill 1487, Senator Merlo.
11. SECRETARY:
12. House Bill 1487.
13. (Secretary reads title of bill)
14. 1st reading of the bill.
15. PRESIDING OFFICER: (SENATOR JOHNS)
16. House Bill 1489, Senator Merlo.
17. SECRETARY:
18. House Bill 1489.
19. (Secretary reads title of bill)
20. 1st reading of the bill.
21. PRESIDING OFFICER: (SENATOR JOHNS)
22. House Bill 1521, Senator Knuppel.
23. SECRETARY:
24. House Bill 1521.
25. (Secretary reads title of bill)
26. 1st reading of the bill.
27. PRESIDING OFFICER: (SENATOR JOHNS)
28. House Bill 1627, Senator Grotberg.
29. SECRETARY:
30. House Bill 16...
31. PRESIDING OFFICER: (SENATOR JOHNS)
32. Yes, you're right. I overlooked one. Senate...
33. House Bill 1596 on the Order of 1st reading, Senator



1. Vadalabene.  
2. SECRETARY:  
3. House Bill 1596.  
4. (Secretary reads title of bill)  
5. 1st reading of the bill.  
6. PRESIDING OFFICER: (SENATOR JOHNS)  
7. Now, House Bill 1627, Senator Grotberg.  
8. SECRETARY:  
9. House Bill 1627.  
10. (Secretary reads title of bill)  
11. 1st reading of the bill.  
12. PRESIDING OFFICER: (SENATOR JOHNS)  
13. House Bill 1644, Senator Washington.  
14. SECRETARY:  
15. House Bill 1644.  
16. (Secretary reads title of bill)  
17. 1st reading of the bill.  
18. PRESIDING OFFICER: (SENATOR JOHNS)  
19. House Bill 1691, Senator Washington.  
20. SECRETARY:  
21. House Bill 1691.  
22. (Secretary reads title of bill)  
23. 1st reading of the bill.  
24. PRESIDING OFFICER: (SENATOR JOHNS)  
25. Pardon me, Mr. Secretary. Let's confer here  
26. a moment. The Chair wishes to recognize Senator  
27. Graham.  
28. SENATOR GRAHAM:  
29. I'll take 1685, you're right near it there.  
30. PRESIDING OFFICER: (SENATOR JOHNS)  
31. All right, sir. Do you have that Ed and Secretary,  
32. 1685. We'll call it now. House Bill 1685, Senator  
33. Graham.

1.  
2. SECRETARY:  
3.       House Bill 1685.  
4.               (Secretary reads title of bill)  
5. 1st reading of the bill.  
6. PRESIDING OFFICER: (SENATOR JOHNS)  
7.       Mr. Secretary, we went by 1691 didn't we...on  
8. Washington, so we're now on page 32. Looks like  
9. Senator D'Arco at the bottom, 1809. 17...yes,  
10. you're right. House Bill 1715, Senator Rupp.  
11. SECRETARY:  
12.       House Bill 1715.  
13.               (Secretary reads title of bill)  
14. 1st reading of the bill.  
15. PRESIDING OFFICER: (SENATOR JOHNS)  
16.       The Chair recognizes Senator Ozinga. Go ahead  
17. with the next one, 1809.  
18. SENATOR OZINGA:  
19.       Mine is 1752. 1752.  
20. PRESIDING OFFICER: (SENATOR JOHNS)  
21.       You see now, here...now Gentlemen, now let me  
22. explain what we're doing here. I can only read the  
23. bills that the Secretary and his staff have the  
24. names assigned to already. We will come back, Frank,  
25. Senator Ozinga, if you'll come down and tell me, but  
26. we must move on, otherwise these interruptions give  
27. the staff here quite a bit of problem. 1784, Senator  
28. Coffey.  
29. SECRETARY:  
30.       House Bill 1784.  
31.               (Secretary reads title of bill)  
32. 1st reading of the bill.  
33.

1. PRESIDING OFFICER: (SENATOR JOHNS)
2. House Bill 1809, Senator D'Arco. Are we on
3. target now?
4. SECRETARY:
5. House Bill 1809.
6. (Secretary reads title of bill)
7. 1st reading of the bill.
8. PRESIDING OFFICER: (SENATOR JOHNS)
9. House Bill 1826, Senator Washington.
10. SECRETARY:
11. House Bill 1826.
12. (Secretary reads title of bill)
13. 1st reading of the bill.
14. PRESIDING OFFICER: (SENATOR JOHNS)
15. House Bill 2063, Senator Maragos.
16. SECRETARY:
17. House Bill 2063.
18. (Secretary reads title of bill)
19. 1st reading of the bill.
20. PRESIDING OFFICER: (SENATOR JOHNS)
21. House Bill 2082, Senator Vadalabene.
22. SECRETARY:
23. House Bill 2082.
24. (Secretary reads title of bill)
25. 1st reading of the bill.
26. PRESIDING OFFICER: (SENATOR JOHNS)
27. House Bill 2101, Senator Knuppel.
28. SECRETARY:
29. House Bill 2101.
30. (Secretary reads title of bill)
31. 1st reading of the bill.
32. PRESIDING OFFICER: (SENATOR JOHNS)
33. House Bill 2131, Senator Egan.

1. SECRETARY:
2. House Bill 2131.
3. (Secretary reads title of bill)
4. 1st reading of the bill.
5. PRESIDING OFFICER: (SENATOR JOHNS)
6. House Bill 2132, Senator Maragos.
7. SECRETARY:
8. House Bill 2132.
9. (Secretary reads title of bill)
10. 1st reading of the bill.
11. PRESIDING OFFICER: (SENATOR JOHNS)
12. House Bill 2143, Senator Guidice.
13. SECRETARY:
14. House Bill 2143.
15. (Secretary reads title of bill)
16. 1st reading of the bill.
17. PRESIDING OFFICER: (SENATOR JOHNS)
18. For what purpose does the Chair have to recognize
19. Senator Harber Hall?
20. SENATOR HARBER HALL:
21. Thank you, Mr. President. On a point of personal
22. privilege.
23. PRESIDING OFFICER: (SENATOR JOHNS)
24. What's your point?
25. SENATOR HARBER HALL:
26. I'd like the Body to know that the largest County
27. in the State, McLean County, has here today with us
28. in the Senate, President's Gallery, probably the largest
29. contingent of Illinois Federation of Republican Women
30. and I would like to have Mrs. Riss and Mrs. Mulligan
31. stand with their group from McLean County and be
32. recognized.
33. PRESIDING OFFICER: (SENATOR JOHNS)

1. Would you ladies please stand and be recognized.

2. PRESIDING OFFICER: (SENATOR JOHNS)

3. All right, now I think we're back on target again.

4. 2171, Senator Glass, am I correct? 2164, missed one.

5. Senator Demuzio, 2164.

6. SECRETARY:

7. House Bill 2164.

8. (Secretary reads title of bill)

9. 1st reading of the bill.

10. PRESIDING OFFICER: (SENATOR JOHNS)

11. House Bill 2171, Senator Glass.

12. SECRETARY:

13. House Bill 2171.

14. (Secretary reads title of bill)

15. 1st reading of the bill.

16. PRESIDING OFFICER: (SENATOR JOHNS)

17. House Bill 2185, Senator Rhoads.

18. SECRETARY:

19. House Bill 2185.

20. (Secretary reads title of bill)

21. 1st reading of the bill.

22. PRESIDING OFFICER: (SENATOR JOHNS)

23. House Bill 2200, Senator Shapiro-Hynes.

24. SECRETARY:

25. House Bill 2200.

26. (Secretary reads title of bill)

27. 1st reading of the bill.

28. PRESIDING OFFICER: (SENATOR JOHNS)

29. House Bill 2220, Senator Kosinski. 2217, beg your  
30. pardon, Senator Knuppel.

31. SECRETARY:

32. House Bill 2217.

33. (Secretary reads title of bill)

1. 1st reading of the bill.
2. PRESIDING OFFICER: (SENATOR JOHNS)
3. Now, Kosinski, it's your turn. House Bill 2220.
4. SECRETARY:
5. House Bill 2220.
6. (Secretary reads title of bill)
7. 1st reading of the bill.
8. PRESIDING OFFICER: (SENATOR JOHNS)
9. House Bill 2227, Senator Carroll.
10. SECRETARY:
11. House Bill 2227.
12. (Secretary reads title of bill)
13. 1st reading of the bill.
14. PRESIDING OFFICER: (SENATOR JOHNS)
15. House Bill 2262, Senator Knuppel.
16. SECRETARY:
17. House Bill 2262.
18. (Secretary reads title of bill)
19. 1st reading of the bill.
20. PRESIDING OFFICER: (SENATOR JOHNS)
21. House Bill 2263, Senator Egan.
22. SECRETARY:
23. House Bill 2263.
24. (Secretary reads title of bill)
25. 1st reading of the bill.
26. PRESIDING OFFICER: (SENATOR JOHNS)
27. House Bill 2303, Senator Davidson.
28. SECRETARY:
29. House Bill 2303.
30. (Secretary reads title of bill)
31. 1st reading of the bill.
32. PRESIDING OFFICER: (SENATOR JOHNS)
33. House Bill 2338, Senator Carroll.
34. SECRETARY:

1. House Bill 2338.  
2. (Secretary reads title of bill)  
3. 1st reading of the bill.  
4. PRESIDING OFFICER: (SENATOR JOHNS)  
5. House Bill...wait a minute, the Chair recognizes  
6. President Hynes.  
7. SENATOR HYNES:  
8. Mr. President, members of the Senate, while there's  
9. a lull in the proceeding, I'd like to introduce some  
10. special guests in the President's Gallery, Gloria,  
11. Nick, Tammy and Heather Erins and I would ask that  
12. they rise and the Senate acknowledge them.  
13. PRESIDING OFFICER: (SENATOR JOHNS)  
14. Would they please do that. Thank you, Mr.  
15. President. House Bill 2344, Senator Carroll.  
16. SECRETARY:  
17. House Bill 2344.  
18. (Secretary reads title of bill)  
19. 1st reading of the bill.  
20. PRESIDING OFFICER: (SENATOR JOHNS)  
21. House Bill 2345, Senator Carroll.  
22. SECRETARY:  
23. House Bill 2345.  
24. (Secretary reads title of bill)  
25. 1st reading of the bill.  
26. PRESIDING OFFICER: (SENATOR JOHNS)  
27. Okay. Now, we're going to have a series of  
28. bills brought up to date by the Secretary. They run  
29. from 1651 through 1683. The Secretary will now...  
30. those are...Senator Wooten. The Chair wishes to  
31. take a break from that please and recognize Senator  
32. Leonard.  
33. SENATOR LEONARD:

1. Mr. President, I would like leave to be the  
2. cosponsor on a list of bills I have submitted to  
3. the Secretary that were formerly cosponsored by  
4. former Senator Bill Morris. I'll read the list  
5. if you want me to, but I've already submitted it.

6. PRESIDING OFFICER: (SENATOR JOHNS)

7. I've heard the motion. Leave granted. Leave  
8. is granted. Thank you, Senator. Now, we will  
9. now partake of that series of bills that I just  
10. mentioned sponsored by Senator Wooten. 1651 through  
11. 1683.

12. SECRETARY:

13. House Bill 1651.

14. (Secretary reads title of bill)

15. House Bill 1652.

16. (Secretary reads title of bill)

17. House Bill 1563.

18. (Secretary reads title of bill)

19. House Bill 1654.

20. (Secretary reads title of bill)

21. House Bill 1655.

22. (Secretary reads title of bill)

23. House Bill 1656.

24. (Secretary reads title of bill)

25. House Bill 1657.

26. (Secretary reads title of bill)

27. House Bill 1658.

28. (Secretary reads title of bill)

29. House Bill 1659.

30. (Secretary reads title of bill)

31. House Bill 1660.

32. (Secretary reads title of bill)

33. House Bill 1661.



1. (Secretary reads title of bill)
2. House Bill 1662.
3. (Secretary reads title of bill)
4. House Bill 1663.
5. (Secretary reads title of bill)
6. House Bill 1664.
7. (Secretary reads title of bill)
8. House Bill 1865.
9. (Secretary reads title of bill)
10. House Bill 1666.
11. (Secretary reads title of bill)
12. House Bill 1667.
13. (Secretary reads title of bill)
14. House Bill 1668.
15. (Secretary reads title of bill)
16. House Bill 1669.
17. (Secretary reads title of bill)
18. House Bill 1670.
19. (Secretary reads title of bill)
20. House Bill 1671.
21. (Secretary reads title of bill)
22. House Bill 1672.
23. (Secretary reads title of bill)
24. House Bill 1673.
25. (Secretary reads title of bill)
26. House Bill 1674.
27. (Secretary reads title of bill)
28. House Bill 1675.
29. (Secretary reads title of bill)
30. House Bill 1676.
31. (Secretary reads title of bill)
32. House Bill 1677.
33. (Secretary reads title of bill)

1. House Bill 1678.  
2. (Secretary reads title of bill)  
3. House Bill 1679.  
4. (Secretary reads title of bill)  
5. House Bill 1680.  
6. (Secretary reads title of bill)  
7. House Bill 1681.  
8. (Secretary reads title of bill)  
9. House Bill 1682.  
10. (Secretary reads title of bill)  
11. House Bill 1683.  
12. (Secretary reads title of bill)  
13. 1st reading of the foregoing bills.  
14. PRESIDING OFFICER: (SENATOR JOHNS)  
15. We're ready to go I think, Mr. Secretary. The  
16. Chair wishes to recognize Senator Ozinga. I believe  
17. he has a change of sponsorship that he wishes to  
18. make.  
19. SENATOR OZINGA:  
20. Mr. President, and members of the Senate. House  
21. Bill 1751 sponsored by Representative Friedrich was  
22. assigned yesterday and Senator Graham took up the  
23. sponsorship of that bill. I would ask leave of the  
24. Body at this time to change the sponsorship over to  
25. my sponsorship, that is Senate...that's House Bill  
26. 1751. Senator Graham can be shown as a cosponsor.  
27. PRESIDING OFFICER: (SENATOR JOHNS)  
28. Leave is granted. Leave's granted.  
29. SENATOR OZINGA:  
30. Now, a companion bill...  
31. PRESIDING OFFICER: (SENATOR JOHNS)  
32. Now, you become the chief sponsor.  
33. SENATOR OZINGA:

1. ...right to that on the Calendar is House Bill  
2. 1752. I wish to be shown as the sponsor on that bill.  
3. PRESIDING OFFICER: (SENATOR JOHNS)  
4. All right. Mr...  
5. SENATOR OZINGA:  
6. And I'd like it read a first time.  
7. PRESIDING OFFICER: (SENATOR JOHNS)  
8. All right. All right, 17...Senator Ozinga, when  
9. we get to that bill we'll read it just in succession as  
10. with the other numbers. He's in there already. Okay,  
11. now we're going to start on House Bills on 1st reading  
12. and I think the first one will be House Bill 641. Read  
13. the bill, Mr. Secretary, Senator Mitchler.  
14. SECRETARY:  
15. House Bill 641.  
16. (Secretary reads title of bill)  
17. 1st reading of the bill.  
18. PRESIDING OFFICER: (SENATOR JOHNS)  
19. House Bill 675, Senator Vadalabene.  
20. SECRETARY:  
21. House Bill 675.  
22. (Secretary reads title of bill)  
23. 1st reading of the bill.  
24. PRESIDING OFFICER: (SENATOR JOHNS)  
25. House Bill 738, Senator Wooten.  
26. SECRETARY:  
27. House Bill 738.  
28. (Secretary reads title of bill)  
29. 1st reading of the bill.  
30. PRESIDING OFFICER: (SENATOR JOHNS)  
31. House Bill 796, Senator Nimrod.  
32. SECRETARY:  
33. House Bill 796.

1. (Secretary reads title of bill)  
2. 1st reading of the bill.  
3. PRESIDING OFFICER: (SENATOR JOHNS)  
4. House Bill 873, Senator Carroll.  
5. SECRETARY:  
6. House Bill 873.  
7. (Secretary reads title of bill)  
8. 1st reading of the bill.  
9. PRESIDING OFFICER: (SENATOR JOHNS)  
10. House Bill 874, Senator Carroll.  
11. SECRETARY:  
12. House Bill 874.  
13. (Secretary reads title of bill)  
14. 1st reading of the bill.  
15. PRESIDING OFFICER: (SENATOR JOHNS)  
16. House Bill 880, Senator Schaffer.  
17. SECRETARY:  
18. House Bill 880.  
19. (Secretary reads title of bill)  
20. 1st reading of the bill.  
21. PRESIDING OFFICER: (SENATOR JOHNS)  
22. House Bill 902, Senator Knuppel.  
23. SECRETARY:  
24. House Bill 902.  
25. (Secretary reads title of bill)  
26. 1st reading of the bill.  
27. PRESIDING OFFICER: (SENATOR JOHNS)  
28. House Bill 935, Senator Bruce.  
29. SECRETARY:  
30. House Bill 935.  
31. (Secretary reads title of bill)  
32. 1st reading of the bill.  
33. PRESIDING OFFICER: (SENATOR JOHNS)

1. House Bill 936, Senator Bruce.
2. SECRETARY:
3. House Bill 936.
4. (Secretary reads title of bill)
5. 1st reading of the bill.
6. PRESIDING OFFICER: (SENATOR JOHNS)
7. House Bill 1015, Senator Knuppel.
8. SECRETARY:
9. House Bill 1015.
10. (Secretary reads title of bill)
11. 1st reading of the bill.
12. PRESIDING OFFICER: (SENATOR JOHNS)
13. House Bill 1026, Senator Coffey.
14. SECRETARY:
15. House Bill 1026.
16. (Secretary reads title of bill)
17. 1st reading of the bill.
18. PRESIDING OFFICER: (SENATOR JOHNS)
19. House Bill 1188, Senator Knuppel.
20. SECRETARY:
21. House Bill 1188.
22. (Secretary reads title of bill)
23. 1st reading of the bill.
24. PRESIDING OFFICER: (SENATOR JOHNS)
25. House Bill 1198, Senator Coffey.
26. SECRETARY:
27. House Bill 1198.
28. (Secretary reads title of bill)
29. 1st reading of the bill.
30. PRESIDING OFFICER: (SENATOR JOHNS)
31. House Bill 1315, Senator Merlo.
32. SECRETARY:
33. House Bill 1315.

1. (Secretary reads title of bill)  
2. 1st reading of the bill.  
3. PRESIDING OFFICER: (SENATOR JOHNS)  
4. House Bill 1397, Senator Wooten.  
5. SECRETARY:  
6. House Bill 1397.  
7. (Secretary reads title of bill)  
8. 1st reading of the bill.  
9. PRESIDING OFFICER: (SENATOR JOHNS)  
10. House Bill on 1st reading, 1592, Senator Donnewald.  
11. SECRETARY:  
12. House Bill 1592.  
13. (Secretary reads title of bill)  
14. 1st reading of the bill.  
15. PRESIDING OFFICER: (SENATOR JOHNS)  
16. House Bill 1603, Senator Clewis.  
17. SECRETARY:  
18. House Bill 1603.  
19. (Secretary reads title of bill)  
20. 1st reading of the bill.  
21. PRESIDING OFFICER: (SENATOR JOHNS)  
22. House Bill 1651, Senator Wooten. House Bill 1651,  
23. Senator Wooten. Well, okay. That's just one of those  
24. notations we had. Okay, let's go to House Bill 1709,  
25. Senator Wooten.  
26. SECRETARY:  
27. House Bill 1709.  
28. (Secretary reads title of bill)  
29. 1st reading of the bill.  
30. PRESIDING OFFICER: (SENATOR JOHNS)  
31. House Bill 1752, Senator Ozinga.  
32. SECRETARY:  
33. House Bill 1752.

1. (Secretary reads title of bill)
2. 1st reading of the bill.
3. PRESIDING OFFICER: (SENATOR JOHNS)
4. House Bill 1802, Senator Wooten.
5. SECRETARY:
6. House Bill 1802.
7. (Secretary reads title of bill)
8. 1st reading of the bill.
9. PRESIDING OFFICER: (SENATOR JOHNS)
10. House Bill 1824, Senator Sangmeister.
11. SECRETARY:
12. House Bill 1824.
13. (Secretary reads title of bill)
14. 1st reading of the bill.
15. PRESIDING OFFICER: (SENATOR JOHNS)
16. House Bill 1866, Senator Roe.
17. SECRETARY:
18. House Bill 1866.
19. (Secretary reads title of bill)
20. 1st reading of the bill.
21. PRESIDING OFFICER: (SENATOR JOHNS)
22. House Bill 1928, Senator Maragos.
23. SECRETARY:
24. House Bill 1928.
25. (Secretary reads title of bill)
26. 1st reading of the bill.
27. PRESIDING OFFICER: (SENATOR JOHNS)
28. House Bill 1964, Senator Don Wooten.
29. SECRETARY:
30. House Bill 1964.
31. (Secretary reads title of bill)
32. 1st reading of the bill.
33. PRESIDING OFFICER: (SENATOR JOHNS)

1. House Bill 1986, Senator Wooten.
2. SECRETARY:
3. House Bill 1986.
4. (Secretary reads title of bill)
5. 1st reading of the bill.
6. PRESIDING OFFICER: (SENATOR JOHNS)
7. House Bill 2022, Senator Davidson.
8. SECRETARY:
9. House Bill 2022.
10. (Secretary reads title of bill)
11. 1st reading of the bill.
12. PRESIDING OFFICER: (SENATOR JOHNS)
13. House Bill 2096, Senator Davidson.
14. SECRETARY:
15. House Bill 2096.
16. (Secretary reads title of bill)
17. 1st reading of the bill.
18. PRESIDING OFFICER: (SENATOR JOHNS)
19. House Bill 2100, Senator Kosinski.
20. SECRETARY:
21. House Bill 2100.
22. (Secretary reads title of bill)
23. 1st reading of the bill.
24. PRESIDING OFFICER: (SENATOR JOHNS)
25. House Bill 2103, Senator Wooten.
26. SECRETARY:
27. House Bill 2103.
28. (Secretary reads title of bill)
29. 1st reading of the bill.
30. PRESIDING OFFICER: (SENATOR JOHNS)
31. House Bill 2116, Senator Berning.
32. SECRETARY:
33. House Bill 2116.



1. (Secretary reads title of bill)
2. 1st reading of the bill.
3. PRESIDING OFFICER: (SENATOR JOHNS)
4. House Bill 2195, Senator Wooten.
5. SECRETARY:
6. House Bill 2195.
7. (Secretary reads title of bill)
8. 1st reading of the bill.
9. PRESIDING OFFICER: (SENATOR JOHNS)
10. House Bill 2196, Senator Wooten.
11. SECRETARY:
12. House Bill 2196.
13. (Secretary reads title of bill)
14. 1st reading of the bill.
15. PRESIDING OFFICER: (SENATOR JOHNS)
16. House Bill 2197, Senator Wooten.
17. SECRETARY:
18. House Bill 2197.
19. (Secretary reads title of bill)
20. 1st reading of the bill.
21. PRESIDING OFFICER: (SENATOR JOHNS)
22. House Bill 2199, Senator Knuppel.
23. SECRETARY:
24. House Bill 2199.
25. (Secretary reads title of bill)
26. 1st reading of the bill.
27. PRESIDING OFFICER: (SENATOR JOHNS)
28. House Bill 2224, Senator Egan.
29. SECRETARY:
30. House Bill 2224.
31. (Secretary reads title of bill)
32. 1st reading of the bill.
33. PRESIDING OFFICER: (SENATOR JOHNS)

1. House Bill 2232, Senator Berning.
2. SECRETARY:
3. House Bill 2232.
4. (Secretary reads title of bill)
5. 1st reading of the bill.
6. PRESIDING OFFICER: (SENATOR JOHNS)
7. House Bill 2234, Senator Kenneth Hall.
8. SECRETARY:
9. House Bill 2234.
10. (Secretary reads title of bill)
11. 1st reading of the bill.
12. PRESIDING OFFICER: (SENATOR JOHNS)
13. House Bill 2235, Kenneth Hall, Senator Kenneth
14. Hall.
15. SECRETARY:
16. House Bill 2235.
17. (Secretary reads title of bill)
18. 1st reading of the bill.
19. PRESIDING OFFICER: (SENATOR JOHNS)
20. House Bill 2259, Senator Egan.
21. SECRETARY:
22. House Bill 2259.
23. (Secretary reads title of bill)
24. 1st reading of the bill.
25. PRESIDING OFFICER: (SENATOR JOHNS)
26. House Bill 2261, Senator Philip.
27. SECRETARY:
28. House Bill 2261.
29. (Secretary reads title of bill)
30. 1st reading of the bill.
31. PRESIDING OFFICER: (SENATOR JOHNS)
32. House Bill 2283, Senator Roe.
33. SECRETARY:

1. House Bill 2283.  
2. (Secretary reads title of bill)  
3. 1st reading of the bill.  
4. PRESIDING OFFICER: (SENATOR JOHNS)  
5. House Bill 2307, Senator Grotberg.  
6. SECRETARY:  
7. House Bill 2307.  
8. (Secretary reads title of bill)  
9. 1st reading of the bill.  
10. PRESIDING OFFICER: (SENATOR JOHNS)  
11. Senator Ozinga, you wish to be recognized? Not  
12. till tomorrow, I think. Tomorrow and tomorrow and  
13. tomorrow. Senator Ozinga, I'm sorry, did I cut you  
14. off? These are Senate Bills on 2nd reading.  
15. PRESIDENT:  
16. Do we have leave to go to the Order of Senate  
17. Bills 2nd reading? Leave is granted. Any Senator  
18. having a bill on 2nd reading that wishes to have it  
19. read, please notify the Secretary. The same is true  
20. of any bill on 3rd reading that you wish to bring  
21. back to 2nd for amendment. We will only take those  
22. bills that are on the list at the Secretary's Desk.  
23. Senate Bills 2nd reading. Senate Bill 245, Senator  
24. Maragos. Read the bill.  
25. SECRETARY:  
26. Senate Bill 245.  
27. (Secretary reads title of bill)  
28. 2nd reading of the bill. The Committee on Transportation  
29. offers one amendment.  
30. PRESIDENT:  
31. Senator Maragos.  
32. SENATOR MARAGOS:  
33. Mr. President, and members of the Senate. We

1. worked long and tediously to bring about this amendment  
2. which has to do with the transportation highway materials.  
3. It takes care of the objections of the agricultural  
4. community and it takes care of some of the objections  
5. of the trucking industry and in other words it puts it  
6. into the same posture that the Federal Legislation...  
7. Federal regulations are and it does not in any way  
8. increase the Federal regulations. And I ask for the  
9. adoption of Amendment No. 1 to Senate Bill 245.

10. PRESIDENT:

11. Is there any discussion? If not, Senator Maragos  
12. moves the adoption of Amendment No. 1. All those in  
13. favor signify by saying Aye. Opposed. The Ayes have  
14. it. The amendment is adopted. Any further amendments?

15. SECRETARY:

16. No further committee amendments.

17. PRESIDENT:

18. Any amendments from the Floor?

19. SECRETARY:

20. Amendment No. 2 offered by Senator Maragos.

21. PRESIDENT:

22. Senator Maragos.

23. SENATOR MARAGOS:

24. This Amendment No. 2 is further extending the purposes...  
25. wait a minute...wait a minute...wait a minute. Mr. Secretary,  
26. may I see Amendment No. 1?

27. SECRETARY:

28. Amendment No. 1...

29. PRESIDENT:

30. Senator Maragos.

31. SENATOR MARAGOS.

32. Mr. President, there was an error. I thought the

33.

1. committee amendment which I gave today was Committee  
2. Amendment No. 1 and there was an error, so, therefore,  
3. I move to reconsider by which the vote of Amendment  
4. No. 1 was adopted at this time.

5. PRESIDENT:

6. All right. Senator Maragos moves to reconsider  
7. the vote by which Amendment No. 1 was adopted. All  
8. those in favor signify by saying Aye. Opposed. The  
9. Ayes have it. The vote is reconsidered. Senator  
10. Maragos moves to Table Amendment No. 1. All those  
11. in favor signify by saying Aye. Opposed. The Ayes  
12. have it. The amendment is Tabled. Senator Maragos  
13. on Amendment No. 2.

14. SENATOR MARAGOS:

15. I move for Amendment No. 2 to be adopted to  
16. Senate Bill 245. The explanation that I gave earlier  
17. applies to Amendment No. 2.

18. PRESIDENT:

19. Senator Maragos moves the adoption...Senator  
20. Rock.

21. SENATOR ROCK:

22. Question of the sponsor. Is this the one that...  
23. would you read the head note on this, see if I've got  
24. the right one, is this the one that amend...deletes  
25. everything after the enacting clause and inserts in  
26. lieu thereof? Okay.

27. PRESIDENT:

28. Senator Maragos moves the adoption of Amendment  
29. No. 2. All those in favor signify by saying Aye.  
30. Opposed. The Ayes have it. The amendment is adopted.  
31. Any further amendments?

32. SECRETARY:

33. No further amendments.

1. PRESIDENT:

2. 3rd reading. Senate Bill 293.

3. SECRETARY:

4. Senate Bill 293.

5. (Secretary reads title of bill)

6. 2nd reading of the bill. The Committee on Elementary and  
7. Secondary Education offers two amendments.

8. PRESIDENT:

9. Senator Berman.

10. SENATOR BERMAN:

11. Thank you, Mr. President, Ladies and Gentlemen of  
12. the Senate. Senate...Committee Amendment No. 1 to  
13. Senate Bill 293 makes one change in a word, thereof,  
14. on line 34, page 2. It should have been shown as  
15. stricken through rather than underlined. I move the  
16. adoption of Amend...of Committee Amendment No. 1.

17. PRESIDENT:

18. You've heard the motion. Is there any discussion?  
19. All those in favor of the adoption of Amendment No. 1  
20. signify by saying Aye. Opposed. The Ayes have it. The  
21. amendment is adopted. Senator Berman.

22. SENATOR BERMAN:

23. Mr. President, on Committee Amendment No. 2, that  
24. was adopted in committee, but after it was adopted we  
25. reviewed it and we found that in order to make these  
26. payments based upon entitlement, the dates and the  
27. language of Amendment 2 were faulty. In substance,  
28. Amendment 2 called for the payments to be made on the  
29. fifteenth and twenty-fifth of the month. After con-  
30. ferring with IOE, I've prepared Amendment No. 4 which  
31. will make the payments on the tenth and twenty-fifth  
32. of the month. So, I'm going to move to Table Committee  
33. Amendment No. 2 and I will offer Committee Amend...offer  
34. Floor Amendment No. 4 in its place. So, I move now to  
35. Table Committee Amendment No. 2.

1. PRESIDENT:

2. Senator Berman moves to Table Amendment No. 2. All  
3. those in favor signify by saying Aye. Opposed. The  
4. Ayes have it. The amendment is Tabled. Senator Berman.

5. SECRETARY:

6. Yeah, there...there's no more...committee amendments.

7. PRESIDENT:

8. Senator Berman offers Amendment No. 3. Would you  
9. explain the amendment.

10. SENATOR BERMAN:

11. Amendment No. 3, Mr. President, is just an effective  
12. date amendment. This bill will take effect upon becoming  
13. law. I move adoption of Amendment No. 3.

14. PRESIDENT:

15. Senator Berman moves the adoption of Amendment No. 3.  
16. All those in favor signify by saying Aye. Opposed. The  
17. Ayes have it. The amendment is adopted. Any further  
18. amendments?

19. SECRETARY:

20. No further amendments.

21. PRESIDENT:

22. Senator Berman.

23. SENATOR BERMAN:

24. I have filed Amendment No. 4 with the Clerk...with the  
25. Secretary.

26. SECRETARY:

27. Amendment No. 4 offered by Senator Berman.

28. PRESIDENT:

29. Senator Berman.

30. SENATOR BERMAN:

31. Thank you, Mr. President. Amendment No. 4 is of the  
32. same substance as Committee Amendment No. 2. Namely it  
33. splits the payments that will be made to the school districts

1. so that they receive half of their monthly payments. Instead  
2. of in one payment, they'll receive it in two payments each  
3. month on the 10th and 25th of each month. I move the adoption  
4. of Amendment No. 4 to Senate Bill 293.

5. PRESIDENT:

6. Senator Glass,

7. SENATOR GLASS:

8. Mr. President, I'd like to ask the sponsor a question.

9. PRESIDENT:

10. He indicates he will yield.

11. SENATOR GLASS:

12. Senator Berman, are these amendments which our staff has  
13. seen?

14. PRESIDENT:

15. Senator Berman.

16. SENATOR BERMAN:

17. I'm not sure.

18. PRESIDENT:

19. Senator Glass.

20. SENATOR GLASS:

21. Well, I wonder then if you could explain them. I'm  
22. familiar with the committee amendments. Are you saying these  
23. are in substance the same and then make technical changes?

24. PRESIDENT:

25. Senator Berman.

26. SENATOR BERMAN:

27. Senator Glass, Amendment No. 4 is essentially the same  
28. as Amendment 2 which we adopted in committee except as follows:  
29. Amendment 2 provided for the split payments to be made on the 15th  
30. and 25th of the month; Amendment 4 which has been suggested by LOE  
31. makes the payments on the 10th and 25th of the month. That's  
32. the only difference between the two amendments.

33. PRESIDENT:



1. Senator Berman moves the adoption of Amendment No. 4.  
2. All those in favor signify by saying Aye. Opposed. The Ayes  
3. have it. The amendment is adopted. Any further amendments?  
4. SECRETARY:  
5. No further amendments.  
6. PRESIDENT:  
7. 3rd reading. Senate Bill 312, Senator Joyce. Read the  
8. bill.  
9. SECRETARY:  
10. Senate Bill 312  
11. (Secretary reads title of bill)  
12. No committee amendments. One Floor amendment offered by  
13. Senator Joyce.  
14. PRESIDENT:  
15. Senator Joyce.  
16. SENATOR JOYCE:  
17. Yes, Mr. President, thank you. This committee amendment  
18. was on in the committee. It makes this a separate tax to  
19. comply with the statutory law and avoid the counties from  
20. acting outside of its lawful authority. It was testified by  
21. Maurice Scott of the Taxpayers' Federation that what we were  
22. to do would be in violation of the Counties Act, so this  
23. changes that.  
24. PRESIDENT:  
25. Senator Joyce moves the adoption of Amendment No. 1.  
26. Is there any discussion? Senator Roe.  
27. SENATOR ROE:  
28. Senator Joyce, does this have a referendum?  
29. PRESIDENT:  
30. He indicates that it does not. Senator Joyce moves the  
31. adoption of Amendment No. 1. All those in favor signify by  
32. saying Aye. Opposed. The Ayes have it. The amendment is  
33. adopted. Any further amendments?  
34. SECRETARY:  
35. No further amendments.

1. PRESIDENT:
2.           3rd reading. Senate...Senate Bill 425, Senator Maragos.
3. SECRETARY:
4.           Senate Bill 425
5.                               (Secretary reads title of bill)
6. 2nd reading of the bill. The Committee on...Agriculture...
7. on Agriculture offers eleven amendments.
8. PRESIDENT:
9.           Senator Maragos. Senator Glass, for what purpose do
10. you arise?
11. SENATOR GLASS:
12.           Mr. President, I believe a fiscal note has been requested
13. on this bill, and if that is case, I don't think it should be
14. moved.
15. PRESIDENT:
16.           Is there a request?
17. SECRETARY:
18.           There...there is a request by Senator Coffey for a
19. fiscal note on this.
20. PRESIDENT:
21.           Has the request been complied with?
22. SECRETARY:
23.           No answer has been received.
24. PRESIDENT:
25.           Senator Maragos.
26. SENATOR MARAGOS:
27.           Mr. President, I don't think we should be punished for
28. the lack of the Department of Transportation...given us...they
29. have...he has...it would need the signature of the director
30. which we have been waiting for three days to get, so I...I
31. will move it from 2nd if I can put these amendments on. At
32. least get this much on, and then I'll...I'll hold it on
33. 2nd till we get that if it's all right with Mr. Glass.

1. PRESIDENT:  
2. Senator Glass.
3. SENATOR GLASS:  
4. I think it should stay on 2nd. That's our main...  
5. main concern. We would prefer to have you hold it, but...  
6. PRESIDENT:  
7. Well, it...it's going to stay on...on 2nd, Senator.  
8. SENATOR MARAGOS:  
9. ...get that over with it, so that it will be...won't  
10. take the time to set up later, if you will, Mr. President.  
11. PRESIDENT:  
12. All right. Then the...the bill will be read a 2nd time,  
13. the amendments will be adopted and held on 2nd reading?  
14. Amendment No. 1, Senator Maragos.  
15. SENATOR MARAGOS:  
16. Move for the adoption...  
17. PRESIDENT:  
18. Senator Glass, for what purpose do you arise? Senator Glass.  
19. SENATOR GLASS:  
20. Well, Mr. President, I think we...we should clarify  
21. our procedure. I have...to make it clear, Senator Margagos,  
22. I have no objection in your...to your putting your amendments  
23. on the bill, but I think the Fiscal Note Act provides that  
24. the bill should not be read a second time until that note is  
25. received, and I don't know that we should waive that procedure.  
26. PRESIDENT:  
27. Well, it already was read, Senator, before any objection  
28. was made.  
29. SENATOR GLASS:  
30. Oh, all right. Well, if that...  
31. PRESIDENT:  
32. So, that we cannot undo it...  
33. SENATOR GLASS:

1. ...All right...

2. PRESIDENT:

3. ...but we will hold it on 2nd reading.

4. SENATOR GLASS:

5. ...Well, did he...did he read it?

6. PRESIDENT:

7. He did read the bill...

8. SENATOR GLASS:

9. ...It was read?

10. PRESIDENT:

11. ...a second time.

12. SENATOR GLASS:

13. Okay.

14. PRESIDENT:

15. Senator Maragos, on Amendment No. 1.

16. SENATOR MARAGOS:

17. Mr. President, I move for the adoption of Committee

18. Amendment No. 1.

19. PRESIDENT:

20. Is there any discussion? Senator Maragos moves the

21. adoption of Amendment No. 1. All those in favor signify

22. by saying Aye. Opposed. The Ayes have it. The Amendment

23. is adopted.

24. SECRETARY:

25. Amendment No. 2.

26. SECRETARY:

27. Mr...Mr. Speaker...Mr. President, I move for the Tabling

28. of Amendment No. 2 because it is a technical error.

29. PRESIDENT:

30. Senator Maragos moves to Table Amendment No. 2. All

31. those in favor signify by saying Aye. Opposed. The Ayes have

32. it. The amendment is Tabled. Amendment No. 3. Senator Maragos.

33. SENATOR MARAGOS:

1. Move for the adoption of Amendment No. 3.

2. PRESIDENT:

3. Senator Maragos moves the adoption of Amendment No. 3.

4. All those in favor signify by saying Aye. Opposed. The Ayes  
5. have it. The Amendment is adopted.

6. SECRETARY:

7. Amendment No. 4.

8. SENATOR MARAGOS:

9. If it would make it easier for the Senate, I'd move for  
10. the adoption of Amendments No. 4 through 11 which are  
11. committee amendments at this time. Now, wait a minute.  
12. Strike that. From...this go...Amendment No. 4 I move its  
13. adoption.

14. PRESIDENT:

15. Senator Maragos, there appears to be no controversy  
16. about these amendments. Amendments 4 through 11 are  
17. committee amendments?

18. SENATOR MARAGOS:

19. No, I have to make it 4 through 8, because I have to  
20. Table No. 9. There is...there is a technical error there,  
21. so make...

22. PRESIDENT:

23. All right...

24. SENATOR MARAGOS:

25. ...Amendments 4 through...

26. PRESIDENT:

27. ...Senator Maragos moves the adoptions of...adoption of  
28. Amendments 4, 5, 6, 7 and 8. Do we have leave of the Body  
29. to adopt them in one motion? Leave is granted. All those in  
30. favor of the...of the adoption of the amendments signify by  
31. saying Aye. Opposed. The Ayes have it. The amendments are  
32. adopted. Senator Maragos moves to Table Amendment No. 9.  
33. All those in favor signify by saying Aye. Opposed. The Ayes

1. have it. The amendment is Tabled. Senator Maragos.

2. SENATOR MARAGOS:

3. I move the adoption of Committee Amendments 10 and  
4. 11.

5. PRESIDENT:

6. Senator Maragos moves the adoption of Committee  
7. Amendments 10 and 11. All those in favor signify by saying  
8. Aye. Opposed. The Ayes have it. The amendments are  
9. adopted. Any further amendments?

10. SECRETARY:

11. ...Amendment No. 12 is a...there's no more committee  
12. amendments. Amendment No. 12 is offered by Senator Maragos.

13. PRESIDENT:

14. Senator Maragos.

15. SENATOR MARAGOS:

16. I have another amendment, No. 12, which was a committee  
17. amendment. I'm surprised it isn't in the...in the...the  
18. Clerk...the Secretary's Desk at this time, and...all right...  
19. then, all right. Then make...then take the next amendment  
20. and make it No. 12 which is not a committee amendment which  
21. I move for its adoption at the present time.

22. PRESIDENT:

23. All right, Senator...

24. SECRETARY:

25. Would that be one that you have numberered 13?

26. SENATOR MARAGOS:

27. Yes, that's right.

28. PRESIDENT:

29. Senator Maragos.

30. SENATOR MARAGOS:

31. ...We'll just stop here, Mr. President, because of the  
32. fact there's...there should have been another committee  
33. amendment which is not in the record. Let's stop here at this...

1. PRESIDENT:

2. All right...

3. SENATOR MARAGOS:

4. ...present time.

5. PRESIDENT:

6. ...we have adopted the amendments already. We leave it  
7. on 2nd reading, when the fiscal note comes in, then we will  
8. go back and handle the rest of the amendments. Senate Bill  
9. 712, Senator Sommer. If I may bring to the attention of  
10. the members, some members have requested appropriation bills  
11. be read, and we are going to go by those because they will  
12. all be handled at one time. Probably tomorrow we will go  
13. to appropriation bills on 2nd reading and handle all of  
14. them, so unless there is some emergency involved in an  
15. appropriation bill, they will be read a second time tomorrow.  
16. Senate Bill 712, Senator Sommer. For what purpose does  
17. Senator Philip arise?

18. SENATOR PHILIP:

19. Yeah, Mr. President, I'm assuming you're going in order  
20. and I have Senate Bill 603 on 2nd reading that I have an  
21. amendment on.

22. PRESIDENT:

23. That is not on the list, Senator. Did you give the  
24. number to the Secretary?

25. SENATOR PHILIP:

26. I don't understand what you mean by not on the list.

27. PRESIDENT:

28. Well, we announced...we...we announced three times so  
29. far today that any wishing to have a bill read a second time  
30. should notify the Secretary, and that we would only call  
31. those bills. Senator Sommer. Read the bill.

32. SECRETARY:

33. Senate Bill 712

1. (Secretary reads title of bill)

2. 2nd reading of the bill. No committee amendments. A Floor

3. amendment offered by...Amendment No. 1 offered by Senator

4. Buzbee.

5. PRESIDENT:

6. Senator Buzbee.

7. SENATOR BUZBEE:

8. Would you...would you hold this a minute, Mr. Secretary,

9. please.

10. PRESIDENT:

11. Senator Buzbee. ...Senator Sommer. Is...is this your

12. amendment or Senator Buzbee's? Senator Sommer's amendment.

13. SENATOR BUZBEE:

14. Yeah, I don't have...it's not mine. I don't have the

15. slightest idea about what this bill is about.

16. SECRETARY:

17. Has your name...

18. PRESIDENT:

19. ...Senator Sommer...

20. SECRETARY:

21. ...on it...

22. PRESIDENT:

23. ...would you explain the amendment.

24. SENATOR SOMMER:

25. Mr. President, the amendment is in two parts. It exempts

26. from the purview of the bill, a higher education because of

27. academic freedom problems, and secondarily it adds certain

28. associations to the purview of the bill.

29. PRESIDENT:

30. Senator Buzbee.

31. SENATOR BUZBEE:

32. My amendment was to Senate Bill 435.

33. PRESIDENT:



1. All right, Senator Sommer moves the adoption of  
2. Amendment No. 1. Is there any discussion? All those in  
3. favor signify by saying Aye. Opposed. The Ayes have it.  
4. The amendment is adopted. Senate Bill 717, Senator Sommer.  
5. Read the bill.  
6. SECRETARY:  
7. No further amendments on 712.  
8. PRESIDENT:  
9. Excuse me. No further amendments on Senate Bill 712.  
10. 3rd reading. Senate Bill 717, Senator Sommer.  
11. SECRETARY:  
12. Senate Bill 717  
13. (Secretary reads title of bill)  
14. 2nd reading of the bill. No committee amendments. One  
15. Floor amendment offered by Senator Sommer.  
16. PRESIDENT:  
17. Senator Sommer.  
18. SENATOR SOMMER:  
19. This reduces the limits to a hundred thousand for  
20. personal and fifty thousand for property.  
21. PRESIDENT:  
22. Is there any discussion? If not, Senator Sommer moves  
23. the adoption of Amendment No. 1. All those in favor signify  
24. by saying Aye. Opposed. The Ayes have it. The amendment  
25. is adopted. Any further amendments?  
26. SECRETARY:  
27. No further amendments.  
28. PRESIDENT:  
29. 3rd reading. Senate Bill 738, Senator Knuppel. Read the  
30. bill.  
31. SECRETARY:  
32. Senate Bill 738  
33. (Secretary reads title of bill)

1. 2nd reading of the bill. The Committee on Elementary and
2. Secondary Education offers one amendment.
3. PRESIDENT:
4. Senator Knuppel.
5. SENATOR KNUPPEL:
6. This amendment was placed on at the insistence of
7. Senator Davidson to remove the mandatory nature of the program.
8. PRESIDENT:
9. Senator Knuppel moves the adoption of Amendment No. 1.
10. All those in favor signify by saying Aye. Opposed. The
11. Ayes have it. The amendment is adopted. Any further
12. amendments?
13. SECRETARY:
14. No further committee amendments.
15. PRESIDENT:
16. Any amendments from the Floor? 3rd reading. Senate
17. Bill 884, Senator Knuppel. Read the bill.
18. SECRETARY:
19. Senate Bill 884
20. (Secretary reads title of bill)
21. 2nd reading of the bill. No committee amendments.
22. PRESIDENT:
23. Any...any amendments from the Floor? Senator Knuppel...
24. SENATOR KNUPPEL:
25. I have an amendment which has been distributed which
26. defines what labor contractor is but leaves in the exemption for
27. seasonal agricultural employees. This was done as a compromise
28. measure with those who would have objected in the committee.
29. I move the adoption of Amendment No. 1 to Senate Bill 884.
30. PRESIDENT:
31. The Secretary does not have copies. Senator, do you have
32. copies there? Is there any discussion of the amendment?
33. If not, Senator Knuppel moves the adoption of Amendment No. 1.

1. All those in favor signify by saying Aye. Opposed. The Ayes  
2. have it. The amendment is adopted. Any further amendments?  
3. SECRETARY:  
4. No further amendments.  
5. PRESIDENT:  
6. 3rd reading. Senate Bill 243, Senator Lemke. Read the  
7. bill.  
8. SECRETARY:  
9. Senate Bill 243  
10. (Secretary reads title of bill)  
11. 2nd reading of the bill. No committee amendments. Amend-  
12. ment No. 1 offered by Senator Mitchler.  
13. PRESIDENT:  
14. Senator Lemke,..  
15. SECRETARY:  
16. We have no committee amendments on the bill at all.  
17. SENATOR LEMKE:  
18. There are committee amendments, 1, 2 and 3 which do...  
19. PRESIDENT:  
20. ...Now, the Secretary does not show that. Can we...  
21. can we go by this for a moment, Senator. Would you come up  
22. and try to get this straightened out with the Secretary.  
23. SENATOR LEMKE:  
24. ...two amendments which follow these three.  
25. PRESIDENT:  
26. All right. Let's take the bill from the record and  
27. try to get the...all right, take Senate Bill 243 from the  
28. record. Senate Bill 467, Senator Vadalabene. Read the bill.  
29. SECRETARY:  
30. Senate Bill 467  
31. (Secretary reads title of bill)  
32. 2nd reading of the bill. The Committee on Local Government  
33. offers one amendment.

1. PRESIDENT:  
2. Senator Vadalabene, Senate Bill 467, Committee Amendment  
3. No. 1.  
4. SENATOR VADALABENE:  
5. Yes, Mr. President. I wish at this time...if...what  
6. the proper procedure is to Table Committee Amendment No. 1?  
7. PRESIDENT:  
8. All right. Is there any discussion? Senator Vadalabene  
9. moves to Table Committee Amendment No. 1. All those in  
10. favor signify by saying Aye. Opposed. The Ayes have it.  
11. The amendment is Tabled. Are there any further amendments?  
12. SECRETARY:  
13. No...no further committee amendments.  
14. PRESIDENT:  
15. Any amendments from the Floor? 3rd reading. Mr.  
16. Secretary, is there...is there a Floor amendment? May I ask  
17. any of the Senators whose bills are going to be read a second  
18. time or brought back from 3rd reading to come up and check  
19. and make sure that the amendments you wish to offer are here  
20. on the Secretary's Desk. Is there a Floor amendment?  
21. Senator Vadalabene, we do not have a Floor...  
22. SECRETARY:  
23. Now...  
24. PRESIDENT:  
25. amendment.  
26. SECRETARY:  
27. Amendment No. 2 offered...  
28. PRESIDENT:  
29. ...All right, do we have leave to bring...  
30. SECRETARY:  
31. ...by Senator Vadalabene.  
32. PRESIDENT:  
33. ...do we have leave to bring Senate Bill 467 back to the

1. Order of 2nd reading? Leave is granted. Senator Vadalabene,  
2. on Amendment No. 2.

3. SECRETARY:

4. Yes, thank you, Mr. President and members of the Senate.  
5. Amendment No. 2 practically rewrites the bill and it's a  
6. schedule of the...of the salary of the circuit clerks of the  
7. State of Illinois. ...Less than fifteen thousand, the salary  
8. will go to sixteen thousand dollars; fifteen thousand to  
9. fifty thousand, the salary will be eighteen thousand; from  
10. fifty thousand to a hundred thousand, twenty thousand;  
11. from a hundred thousand to two hundred thousand, it will be twenty-three  
12. thousand; from two hundred thousand to three hundred thousand,  
13. twenty-seven thousand, and from three hundred thousand  
14. to one million, twenty-nine thousand, and over one million,  
15. fifty thousand dollars. This...this amendment was worked  
16. out with the County Clerk's Association with the President  
17. of the Illinois Circuit Clerk's Association and this is the  
18. reason why the bill was being held, and I would move now for  
19. the adoption of Committee...Amendment No. 2 to Senate Bill  
20. 467.

21. PRESIDENT:

22. Senator Vadalabene...Senator Rhoads.

23. SENATOR RHOADS:

24. Well, on the amendment, there had been some discussion,  
25. Senator Vadalabene, about that amendment that it wouldn't  
26. go quite that high in the...in the over one million population  
27. range. Is it still at the fifty thousand figure?

28. PRESIDENT:

29. Yes. At...at their meeting, they still held it at  
30. fifty thousand.

31. SENATOR RHOADS:

32. Well, all right. They're...the suburban commissioners  
33. don't have any overwhelming objection to that, so...

1. PRESIDENT:  
2. Senator Vadalabene...Senator Harber Hall.  
3. SENATOR HARBER HALL:  
4. Two questions if the sponsor would yield. First of all...  
5. PRESIDENT:  
6. Indicates he will yield.  
7. SENATOR HARBER HALL:  
8. ...Senator Vadalabene, is this a minimum or a maximum or  
9. is this just a standard one...one fee? Are these minimum...  
10. minimums?  
11. SENATOR VADALABENE:  
12. This will be the salary.  
13. SENATOR HARBER HALL:  
14. And there...there...there is no minimum and maximum for  
15. circuit clerks?  
16. SENATOR VADALABENE:  
17. That is correct.  
18. SENATOR HARBER HALL:  
19. Would you...this is fifty thousand dollars a year for a  
20. Cook County Clerk?  
21. PRESIDENT:  
22. For what purpose does Senator Daley arise?  
23. SENATOR DALEY:  
24. I...I can speak on that. That will...it's within a  
25. discretion of the county board. At the present, he gets  
26. forty-two. It's...discretion whether or not they want to  
27. pay him between forty-two and fifty. The county board has to  
28. vote upon that.  
29. PRESIDENT:  
30. Is there any further discussion? If not, Senator  
31. Vadalabene moves the adoption of Amendment No. 2. All those  
32. in favor signify by saying Aye. Opposed. The Ayes have it.  
33. The amendment is adopted. Any further amendments?

1. SECRETARY:
2.       No further amendments.
3. PRESIDENT:
4.       3rd reading. Senate Bill 603, Senator Philip.
5. Read the bill.
6. SECRETARY:
7.       Senate Bill 603
8.                   (Secretary reads title of bill)
9. 2nd reading of the bill. The Committee on Judiciary II offers
10. two amendments.
11. PRESIDENT:
12.       Senator Philip.
13. SENATOR PHILIP:
14.       Thank you, Mr. President. Senate Amendment No. 1 to
15. Senate Bill 603 merely takes out...deletes one complete
16. section which deals with the...the release and custody of
17. children be that it's already covered in the Juvenile Act,
18. so I am...move the adoption of Amendment No. 1...Committee
19. Amendment No. 1 to Senate Bill 603.
20. PRESIDENT:
21.       Is there any discussion? Senator Philip moves the
22. adoption of Amendment No. 1. All those in favor signify
23. by saying Aye. Opposed. The Ayes have it. The amendment
24. is adopted. Amendment No. 2, Senator Philip.
25. SENATOR PHILIP:
26.       Thank you, Mr. President. Senate Amendment No. 2 I
27. wish to Table. I have Senate Amendment No. 3 that I would
28. like to move.
29. PRESIDENT:
30.       Senator Philip moves to Table Amendment No. 2. Is there
31. any discussion? All those in favor signify by saying Aye.
32. Opposed. The Ayes have it. The amendment is Tabled. Amend-
33. ment No. 3, Senator Philip.

1. SENATOR PHILIP:  
2. Thank you, Mr. President. It's exactly the same  
3. amendment, but different verbage. Does exactly the same  
4. thing, so I move the adoption of Amendment No. 3 to Senate  
5. Bill 603.  
6. PRESIDENT:  
7. Senator Philip moves the adoption of Amendment No. 3.  
8. All those in favor signify by saying Aye. Opposed. The  
9. Ayes have it. The amendment is adopted. Any further  
10. amendments?  
11. SECRETARY:  
12. No further amendments.  
13. PRESIDENT:  
14. 3rd reading. Senate Bill 743, Senator Philip. Read  
15. the bill.  
16. SECRETARY:  
17. Senate Bill 743  
18. (Secretary reads title of bill)  
19. 2nd reading of the bill. The Committee on Insurance and  
20. Licensed Activities offers one amendment.  
21. PRESIDING OFFICER: (SENATOR BRUCE)  
22. Senator Philip to explain the amendment.  
23. SENATOR PHILIP:  
24. Thank you, Mr. President. Amendment No. 1 merely takes  
25. out the right of the director to impose a fine on a real  
26. estate salesman's license. This is in agreement with the  
27. Director of R & E, and I move the adoption of...Committee  
28. Amendment No. 1.  
29. PRESIDING OFFICER: (SENATOR BRUCE)  
30. Heard the motion. All...is there discussion? All in  
31. favor say Aye. All oppose, Nay. The Ayes have it. The  
32. amendment is adopted. Are there further amendments?  
33. Are there further amendments?



1. SECRETARY:
2. No further committee amendments.
3. PRESIDING OFFICER: (SENATOR BRUCE)
4. Amendments from the Floor? 3rd reading. Senate Bill
5. 743, Senator Philip. 744. Read the bill, Mr.
6. Secretary.
7. SECRETARY:
8. Senate Bill 744
9. (Secretary reads title of bill)
10. 2nd reading of the bill. No committee amendments.
11. PRESIDING OFFICER: (SENATOR BRUCE)
12. Are there amendments from the Floor? 3rd reading.
13. Senate Bill 745, Senator Philip. Read the bill, Mr.
14. Secretary.
15. SECRETARY:
16. Senate Bill 745
17. (Secretary reads title of bill)
18. 2nd reading of the bill. No committee amendments. One Floor
19. amendment...one Floor amendment offered by Senator Philip.
20. PRESIDING OFFICER: (SENATOR BRUCE)
21. Senator Philip, to explain the amendment.
22. SENATOR PHILIP:
23. Thank you, Mr. President. And this was an amendment
24. suggested by Senator Berman, and what it deals with is when
25. a real estate salesman skips the state and the court finds
26. him guilty that the director can order...the court can order
27. the director to take it out of the recovery fund only.
28. So, it was a good amendment, and I move the adoption of
29. Amendment No. 1 to Senate Bill 745.
30. PRESIDING OFFICER: (SENATOR BRUCE)
31. You heard the motion. Is there discussion? All in favor
32. say Aye. All opposed, Nay. The Ayes have it, the amendment is
33. adopted. Further amendments?

1. SECRETARY:
2. No further amendments.
3. PRESIDING OFFICER: (SENATOR BRUCE)
4. Any amendments from the Floor? 3rd reading. Senate
5. Bill 746, Senator Philip. Read the bill, Mr. Secretary, please.
6. SECRETARY:
7. Senate Bill 746
8. (Secretary reads title of bill)
9. 2nd reading of the bill. The Committee on Judiciary I offers
10. one amendment.
11. PRESIDING OFFICER: (SENATOR BRUCE)
12. Senator Philip, to explain the amendment.
13. SENATOR PHILIP:
14. Thank you, Mr. President. ...This is a committee
15. amendment. All it does is redefine "employee". I move the
16. adoption of Amendment No. 1 to Senate Bill 746.
17. PRESIDING OFFICER: (SENATOR BRUCE)
18. You've heard the motion. Is there discussion? All in
19. favor say Aye. All opposed, Nay. The Ayes have it. The amendment
20. is adopted. Are there further amendments?
21. SECRETARY:
22. No further amendments.
23. PRESIDING OFFICER: (SENATOR BRUCE)
24. Any amendments from the Floor? 3rd reading. Senate Bill
25. 803, Senator Harber Hall.
26. SECRETARY:
27. Senate Bill 803
28. (Secretary reads title of bill)
29. 2nd reading of the bill. The Committee on Executive offers
30. one amendment.
31. PRESIDING OFFICER: (SENATOR BRUCE)
32. Senator Harber Hall.
33. SENATOR HARBER HALL:
34. Mr. President, this bill concerns the Auditor General and his

1. ability to look into records as he does his job. Part of that  
2. involves looking at some records that are confidential in  
3. nature. He must do that for the benefit of the State. In  
4. order to do that statutorily, we have to provide security for  
5. his office as well as the office that...where the records are  
6. held, and this amendment was proposed by Senator Terry Bruce  
7. in committee, and it is, therefore, a committee amendment.  
8. I'm offering it for Senator Bruce. It specifies exactly  
9. what the Auditor General may do and how he will be responsible  
10. for the security of these...confidential records. I move  
11. adoption of the amendment.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Harber Hall.

14. SENATOR HARBER HALL:

15. Mr. President, before we consider this amendment, if  
16. I may ask leave of the Body to Table Amendment No. 1.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Yes. Heard the motion to Table Committee Amendment No.  
19. 1. Is there discussion? All in favor say Aye. All opposed,  
20. Nay. The Ayes have it. Committee Amendment No. 1 is Tabled.

21. SECRETARY:

22. Amendment No. 2 offered by Senator Bruce.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Hall, will you explain the amendment, please.

25. SENATOR HARBER HALL:

26. This is the amendment I just attempted to explain, and  
27. I would move adoption of it. It's your amendment.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Moves the adoption of Amendment No. 2. Is there dis-  
30. cussion? All in favor say Aye. All opposed, Nay. The Ayes  
31. have it. The amendment is adopted. Are there further  
32. amendments?

33. SECRETARY:

1. No further amendments.
2. PRESIDING OFFICER: (SENATOR BRUCE)
3. 3rd reading. Senate Bill 807, Senator Philip. Read the
4. bill, Mr. Secretary.
5. SECRETARY:
6. Senate Bill 807
7. (Secretary reads title of bill)
8. 2nd reading of the bill. The Committee on Revenue offers one
9. amendment.
10. PRESIDENT:
11. Senator Philip.
12. SENATOR PHILIP:
13. Thank you, Mr. President. What this amendment does is
14. lowers the rate a forest preserve district downstate may
15. levy from .075 to .06. I move the adoption of Amendment No.
16. 1 to Senate Bill 807.
17. PRESIDENT:
18. Senator Philip moves the adoption of Amendment No. 1.
19. All those in favor signify by saying Aye. Opposed. The
20. Ayes have it. The amendment is adopted. Any further amend-
21. ments.
22. SECRETARY:
23. No further committee amendments.
24. PRESIDENT:
25. Any amendments from the Floor? 3rd reading. Senate
26. Bill 935, Senator Bruce. Read the bill.
27. SECRETARY:
28. Senate Bill 935
29. (Secretary reads title of bill)
30. 2nd reading of the bill. The Committee on Insurance and
31. Licensed Activities offers two amendments.
32. PRESIDENT:
33. Senator Bruce.

1. SENATOR BRUCE:

2. Thank you, Mr. Chairman. This relates to the optional  
3. available life insurance to the group insurance program and  
4. Amendment No. 1 will limit the amount that an employee could  
5. have to fifty percent of the amount of...in force on the  
6. member. It...this...the bill as...as a whole increase the  
7. amounts from one thousand to two thousand on your spouse,  
8. and from a thousand to twenty-five hundred on dependent  
9. children. I'd move the adoption of Amendment No. 1.

10. PRESIDENT:

11. Senator Bruce moves the adoption of Amendment No. 1.  
12. Any discussion? All those in favor signify by saying Aye.  
13. Opposed. The Ayes have it. The amendment is adopted.  
14. Amendment No. 2, Senator Bruce.

15. SENATOR BRUCE:

16. Yes. Clarifying language to make sure that the spouse  
17. amount is limited in fact to fifty percent of the employee's  
18. amount. I would move the adoption of Amendment No. 2.

19. PRESIDENT:

20. Senator Bruce moves the adoption of Amendment No. 2.  
21. All those in favor signify by saying Aye. Opposed. The  
22. Ayes have it. The amendment is adopted. Any further  
23. amendments?

24. SECRETARY:

25. No further committee amendments.

26. PRESIDENT:

27. Any amendments from the Floor? 3rd reading. Senate  
28. Bill...936, Senator Bruce. Read the bill.

29. SECRETARY:

30. Senate Bill 936

31. (Secretary reads title of bill)

32. 2nd reading of the bill. The Committee on Insurance and Licensed  
33. Activities offers one amendment.

1. PRESIDENT:  
2. Senator Bruce.

3. SENATOR BRUCE:  
4. Yes. Amendment No. 1 deletes the original impact of  
5. the bill and allows the commission to have a vice-chairman  
6. in the event that the chairman cannot attend. We found it  
7. difficult to conduct the meetings. I would move the  
8. adoption of the amendment.

9. PRESIDENT:  
10. Senator Bruce moves the adoption of Amendment No. 1.  
11. Any discussion? All those in favor signify by saying Aye.  
12. Opposed. The Ayes have it. The amendment is adopted. Any  
13. further amendments?

14. SECRETARY:  
15. No further committee amendments.

16. PRESIDENT:  
17. Any amendments from the Floor? 3rd reading. Senate  
18. Bill 937, Senator Bruce. Read the bill.

19. SECRETARY:  
20. Senate Bill 937  
21. (Secretary reads title of bill)  
22. 2nd reading of the bill. The Committee on Insurance and  
23. Licensed Activities offers one amendment.

24. PRESIDENT:  
25. Senator Bruce.

26. SENATOR BRUCE:  
27. Yes, Mr. Chairman, we have had a difficult situation with  
28. the State Employees Group Insurance Program relative to employees  
29. who remain on the State payroll but are, in fact, over the  
30. age of sixty-five and under the program under Medicare B. They  
31. must participate in Medicare. It has come to the attention of  
32. the commission and the Department of Personnel through a law-  
33. suit that we are discriminating against those employees who are

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1. presently working at age sixty-five. They pay the premium. If  
2. you retire as an annuitant, the State of Illinois picks up the  
3. premium. This bill will bring it into...so that both people  
4. sixty-five or older are treated equally, those who are employees  
5. and those that are annuitants.

6. PRESIDENT:

7. Is there any discussion? Senator Bruce moves the adoption  
8. of Amendment No. 1. All those in favor signify by saying  
9. Aye. Opposed. The Ayes have it. The amendment is adopted.  
10. Any further amendments?

11. SECRETARY:

12. No further committee amendments.

13. PRESIDENT:

14. Any amendments from the Floor? 3rd reading. Senate  
15. Bill 938, Senator Bruce. Read the bill.

16. SECRETARY:

17. Senate Bill 938

18. (Secretary reads title of bill)

19. 2nd reading of the bill. The Committee on Insurance and  
20. Licensed Activities offers one amendment.

21. PRESIDENT:

22. Senator Bruce.

23. SENATOR BRUCE:

24. Thank you, Mr...Mr. President and members. The amend-  
25. ment clarifies the language relative to computing what is  
26. half of an employee's salary. As you know, we do pay for  
27. each State employee a half life insurance premium and the  
28. Department has always rounded up to the nearest one hundred  
29. dollars of your salary. It's the way we've computed it since  
30. 1971. We've gotten into a couple of controversies with  
31. employees and they would like to have that...their definiton of  
32. one-half the salary defined by Statute.

33. PRESIDENT:

1. Is there any discussion? Senator Bruce moves the  
2. adoption of Amendment No. 1. All those in favor signify  
3. by saying Aye. Opposed. The Ayes have it. The amendment  
4. is adopted. Any further amendments?

5. SECRETARY:

6. No further committee amendments.

7. PRESIDENT:

8. Any amendments from the Floor? 3rd reading. The  
9. Secretary informs me that the problems with Senate Bill 243  
10. have been resolved. We will return to that bill. Senate  
11. Bill 243 on 2nd reading. Read the bill, Mr. Secretary.

12. SECRETARY:

13. Senate Bill 243

14. (Secretary reads title of bill)

15. 2nd reading of the bill. No committee amendments. Amend-  
16. ment No. 1 offered by Senator Lemke.

17. PRESIDENT:

18. Senator Lemke.

19. SENATOR LEMKE:

20. Senate...Senate Amendment No. 1 to...to 243 deletes the  
21. reference to the word "chances" and calls it a "jar games". This  
22. in compliance with the department, because they can define  
23. what a "jar game" is and not what a "chance" is.

24. PRESIDENT:

25. Any discussion...

26. SENATOR LEMKE:

27. ...I move the adoption.

28. PRESIDENT:

29. ...Senator Lemke moves the adoption of Amendment No.  
30. 1. All those in favor signify by saying Aye. Opposed. The  
31. Ayes have it. The amendment is adopted.

32. SECRETARY:

33. Amendment No. 2 offered by Senator Lemke.



1. PRESIDENT:  
2. Senator Lemke.  
3. SENATOR LEMKE:  
4. Amendment No. 2 is another amendment offered by the  
5. Department of Revenue so they can administer the bill properly.  
6. PRESIDENT:  
7. Senator Lemke moves the adoption of Amendment No. 2.  
8. All those in favor signify by saying Aye. Opposed. The Ayes  
9. have it. The amendment is adopted.  
10. SECRETARY:  
11. Amendment No. 3 offered by Senator Lemke.  
12. SENATOR LEMKE:  
13. Move for...an organization has one raffle a year. They  
14. can buy a special license.  
15. PRESIDENT:  
16. Is there any discussion? If not, Senator Lemke moves the  
17. adoption of Amendment No. 3. All those in favor signify by  
18. saying Aye. Opposed. The Ayes have it. The amendment is  
19. adopted.  
20. SECRETARY:  
21. Amendment No. 4 offered by Senator Mitchler.  
22. PRESIDENT:  
23. Senator Mitchler.  
24. SECRETARY:  
25. Senator Mitchler, I do have four amendments up here.  
26. SENATOR MITCHLER:  
27. I don't have them numbered on my amendments as you do,  
28. Mr. Secretary...  
29. SECRETARY:  
30. The...the first...  
31. SENATOR MITCHLER:  
32. ...just give me a clue on the first one...  
33. SECRETARY:  
34. ...okay. The first one would be on...by deleting lines

1. 13-18 and inserting in lieu thereof, okay.

2. SENATOR MITCHLER:

3. That's Amendment No. 4?

4. SECRETARY:

5. Right.

6. SENATOR MITCHLER:

7. Mr. President and members of the Senate, the amendments

8. that I have to Senate Bill 243 which is the Raffles and

9. Chances Act is to insert amendments that make the Raffles

10. and Chances Act very similar to the language that was used

11. in the Illinois Bingo Act, and Amendment No. 4 defines the

12. organizations that can participate and be licensed for

13. selling and distributing raffles and chances...

14. PRESIDENT:

15. Senator Mitchler moves the...

16. SENATOR MITCHLER:

17. ...it's comprised of the same...

18. PRESIDENT:

19. ...adoption of Amendment No. 4...

20. SENATOR MITCHLER:

21. ...as the...

22. PRESIDENT:

23. ...for what purpose does Senator Lemke arise?

24. SENATOR LEMKE:

25. This bill...we're conforming this to the Bingo Bill,

26. but the problem we have in the Bingo Bill, they failed to

27. put civic organizations in there. We left labor unions in,

28. we cut out chamber of commerce, so what we did here is add the

29. civic to cover this language that we have in the original

30. bill, is to cover business organizations for chamber and

31. commerce so we can treat everybody fairly, so we're not

32. accused of just favoring labor in the Senate. This is why I...

33. the bill was written this way, so I have to resist this

34. amendment.

1. PRESIDENT:

2. All right, Senator Mitchler. Senator Mitchler.

3. SENATOR MITCHLER:

4. Well, the language in the Raffles and Chances Act,  
5. Senate Bill 243, as it is now before us without my amend-  
6. ment goes far beyond just including chambers of commerce  
7. as Senator Lemke referred to, and I would point out to you  
8. that it doesn't mean just a social club, that four or five  
9. people could get together and start going door to door. It  
10. includes Boy Scouts, Girl Scouts and everything, and I am  
11. very cautious on this and...and bring this to the attention  
12. of all the members. The Illinois Bingo Act has had only one  
13. revocation of its license since it has been enacted. It  
14. proved to be a very sound Act and it took about three or  
15. four years before it finally passed this Body and was signed  
16. into law, and I think that if we're going to get into a new  
17. concept of legalizing raffles and chances, I think the best  
18. approach for us is to go on something that is proven to be  
19. dependable, workable and that is the Bingo Act. And if you  
20. authorize the same organizations, religious, charitable,  
21. labor, fraternal, educational, or veterans organization which  
22. operate without a profit to its members which have been in  
23. existence continuously for a period of five years immediately  
24. before making application for a license and which has had  
25. during the entire five year period no problems with felonies  
26. or...or problems in their organization. Let's start out with  
27. the raffles and chances giving it to those. If that proves  
28. that raffles and chances can be conducted properly in the  
29. State of Illinois at a later date, you can take in the chamber  
30. of commerce and some of the others as we could with bingo.  
31. The chamber of commerce are not authorized now to operate  
32. bingo, so let's not them operate the raffles and chances.  
33. This is a good amendment, and I would ask for your support in

1. adoption of Amendment No. 4. ' 1

2. PRESIDENT:

3. Senator Glass.

4. SENATOR GLASS:

5. Thank you, Mr. President and Ladies and Gentlemen. I  
6. rise in support of Senator Mitchler's amendment because it  
7. seems to me without it, Senator Lemke, what this bill would  
8. do would be to say virtually that any organization could  
9. hold a raffle or a...or a have...sell chances. I really  
10. don't think the language in there now has any limit on it,  
11. because it includes social organizations, civic, recreational,  
12. not-for-profit. It seems to me that...anyone could come  
13. within that definition.

14. PRESIDENT:

15. Senator Lemke.

16. SENATOR LEMKE:

17. I don't think we have a problem with somebody getting  
18. together and getting a license, because we have requirements  
19. in the bill that the organization has to be in existing a  
20. number of years, just in like bingo. You just can't get a  
21. organization put together and then get a bingo license right  
22. now. This...what we're doing here is, is we're talking about  
23. existing organizations, we're talking about legitimate  
24. chamber of commerce or...or whatever their groups are called,  
25. and I...we got some criticism on the bingo bill because they  
26. were not included and what we want to do is to be fair to all.  
27. I talked to many people who represent chamber of commerces  
28. locally and they don't hold bingos, chamber of commerces, but  
29. they do hold raffles. I mean and what we're trying to here  
30. with this bill is to try to legalize what everybody is doing  
31. illegal and...so we can have some sane way of controlling these  
32. raffles.

33. PRESIDENT:

1. Is there any further discussion? Senator Mitchler  
2. moves the adoption of Amendment No. 4. All those in favor  
3. signify by saying Aye. Opposed. The Nays have it. The  
4. amendment is defeated. A roll call has been requested. The  
5. question is, shall Amendment NO. 4 be adopted. Those in  
6. favor will vote Aye. Those opposed will vote Nay. The  
7. voting is open. Have all voted who wish? Have all voted who  
8. wish? Take the record. On that question, the Ayes are 21,  
9. the Nays are 26, 1 Voting Present. The...Amendment No. 4  
10. having failed to receive the required majority of those  
11. voting is defeated. Amendment No. 5.

12. SECRETARY:

13. Offered by Senator Mitchler.

14. PRESIDENT:

15. Senator Mitchler.

16. SECRETARY:

17. On...inserting after line 20 the following, Senator  
18. Mitchler. Page 2.

19. SENATOR MITCHLER:

20. Mr. President and members of the Senate, the Amendment  
21. No. 5 to Senate Bill 243 defines raffles and chances in the  
22. Act, and I would ask for a favorable roll call because this  
23. defines raffles and chances as excluding and not including,  
24. for example the following: policy, bolita, or similar  
25. games, dice, slot machines, bookmaking, wagering pools and  
26. games specifically known as punch boards or any other game  
27. or activity not expressly permitted in the previous section of the bill  
28. is defined by Senator Lemke.

29. PRESIDENT:

30. Is there any discussion? If not, all those in favor of  
31. the adoption of Amendment No. 5 signify by saying Aye. Opposed.  
32. The Ayes have it. The amendment is adopted.

33. SECRETARY:

1. Amendment No. 6 offered by Senator Mitchler.

2. On page 4, line :24.

3. PRESIDENT:

4. Senator Mitchler.

5. SENATOR MITCHLER:

6. Mr. President, members of the Senate. Amendment  
7. No. 6 to Senate Bill 243 amends page 4 line 24 by  
8. inserting after misdemeanor, the following: "and shall  
9. for each such offense be fined not to exceed five  
10. hundred dollars or be imprisoned in a penal institution  
11. other than the penitentiary not to exceed one year  
12. or both." Now, that makes it the same as the Bingo  
13. Act.

14. PRESIDENT:

15. Is there any discussion? If not, Senator Mitchler  
16. moves the adoption of Amendment No....

17. SECRETARY:

18. 6.

19. PRESIDENT:

20. 6. All those in favor signify by saying Aye.  
21. Opposed. The Ayes have it. The amendment is adopted.

22. SECRETARY:

23. Amendment No. 7 offered by Senator Mitchler.

24. PRESIDENT:

25. Senator Mitchler.

26. SENATOR MITCHLER:

27. Mr. President and members of the Senate. Amendment  
28. No. 7 to Senate Bill 243 clarifies the word minor  
29. by indicating that it is a person under the age of  
30. 18 years rather than just say the word minor because  
31. that changes and fluctuates and this makes it in  
32. conformity with the Bingo Act. I don't think there's any  
33. objection to this.

1. PRESIDENT:

2. Is there any discussion? Senator Mitchler  
3. moves the adoption of Amendment No. 7. All those  
4. in favor signify by saying Aye. Opposed. The  
5. Ayes have it. The amendment is adopted. Any further  
6. amendments?

7. SECRETARY:

8. No further amendments.

9. PRESIDENT:

10. 3rd reading. Do we have leave to go to the Order  
11. of 3rd reading for the purpose of bringing back bills  
12. that members wish...wish to offer amendments to?  
13. Leave is granted. On the Order of Senate Bills,  
14. 3rd reading, Senate Bill 234, Senator Lemke.  
15. Is leave granted to bring the bill back to the Order  
16. of 2nd reading? Leave is granted. The bill is on  
17. 2nd reading. Senator Lemke.

18. SENATOR LEMKE:

19. This amendment is being offered is what they  
20. call the ma and pa amendment. It puts an exclusion  
21. on nine line items on this price marking bill and I ask  
22. for the adoption. It's similar to all the other amendments  
23. we've been...it's commonly referred as ma and pa amendment.  
24. Take care of the small businessmen.

25. PRESIDENT:

26. Senator Lemke moves the adoption of Amendment No. 3.  
27. All those in favor signify by saying Aye. Opposed.  
28. The Ayes have it. Amendment No. 3 is adopted. Any further  
29. amendments? Any further amendments, Mr. Secretary?

30. ACTING SECRETARY: (MR. FERNANDES)

31. No further amendments.

32. PRESIDENT:

33. 3rd reading. Senate Bill 241, Senator Lemke.

1. Is leave granted to bring the bill back to the Order  
2. of 2nd reading? Leave is granted. The bill is on  
3. 2nd reading. Senator Lemke.

4. SENATOR LEMKE:

5. This is an amendment that was agreed on in  
6. the committee. It puts a five thousand out of floor  
7. and makes the policy holder the responsible party  
8. before he can collect his losses on his insurance  
9. policy to get the receipt that the demolition costs  
10. and back taxes are paid. I ask for favorable adoption.

11. ACTING SECRETARY: (MR. FERNANDES)

12. Amendment No. 1.

13. PRESIDENT:

14. Senator Lemke moves the adoption of Amendment  
15. No. 1. All those in favor signify by saying Aye.  
16. Opposed. The Ayes have it. The amendment is adopted.  
17. Any further amendments? 3rd reading. Senate Bill  
18. 289, Senator Wooten. Is leave granted to bring the  
19. bill back to the Order of 2nd reading? Leave is  
20. granted. Senator Wooten.

21. SENATOR WOOTEN:

22. Mr. President, I presented the wrong form of what  
23. was to be my third amendment the other day. I would...  
24. having voted on the prevailing side, I would like to  
25. reconsider the vote by which Amendment No. 3 to Senate  
26. Bill 289 was adopted.

27. PRESIDENT:

28. Senator Wooten moves to reconsider the vote by  
29. which Amendment No. 3 was adopted. All those in favor  
30. signify by saying Aye. Opposed. The Ayes have it. The  
31. vote is reconsidered. Senator Wooten moves to Table  
32. Amendment No. 3. All those in favor signify by saying  
33. Aye. Opposed. The Ayes have it. The amendment is Tabled.



1. Senator Wooten.

2. SENATOR WOOTEN:

3. Amendment No. 4 is the correct form. That's the  
4. one which eliminates the hospitals from the provisions  
5. of the bill...

6. PRESIDENT:

7. Senator Wooten moves the adoption...

8. SENATOR WOOTEN:

9. ...and makes that change.

10. PRESIDENT:

11. ...of Amendment No. 4. All those in favor  
12. signify by saying Aye. Opposed. The Ayes have it.  
13. The amendment is adopted. Any further amendments?  
14. 3rd reading. Senate Bill 305, Senator Knuppel.  
15. Is leave granted to bring the bill back to 2nd reading?  
16. Leave is granted. Senator Knuppel, Senate  
17. Bill 305.

18. SENATOR KNUPPEL:

19. I want to...I have an amendment on the desk which would...

20. ACTING SECRETARY: (MR. FERNANDES)

21. Amendment No. 2.

22. SENATOR KNUPPEL:

23. ...Amendment No. 2 which would provide that this  
24. Act shall take affect upon becoming a law and apply  
25. to estates of decedents dying on or after January  
26. 1st, 1977, so that the dates on this would correspond  
27. to the effective date of the changes in the estate tax  
28. adopted by the Federal code on September 8th, 1976.

29. PRESIDENT:

30. Senator Knuppel moves the adoption of Amendment No. 2.

31. All those in favor signify by saying Aye. Opposed.

32. The Ayes have it. The amendment is adopted. Any further  
33. amendments?

5-448  
5/19/77  
2-10

1. ACTING SECRETARY: (MR.FERNANDES)

2. Amendment No. 3 offered by Senator Glass.

3. PRESIDENT:

4. Senator Knuppel.

5. SENATOR KNUPPEL:

6. I move...Mr. President, what this bill does is  
7. to make the effective date not January 1st, 1977,  
8. but January 1st, 1979 and Senator Glass is the  
9. sponsor of the amendment. I don't know where he is.  
10. I...I am opposed to this because you have fifteen  
11. months in which to file your Federal estate tax.  
12. The amendment we just adopted was designed to meet  
13. the exigencies so that both dates would be the  
14. same, Federal and State.

15. PRESIDENT:

16. Senator Weaver.

17. SENATOR WEAVER:

18. Senator Knuppel, Senator Glass was called off  
19. the Floor for a few minutes. Couldn't you hold this  
20. or bring it back? I hate to see it discussed until...  
21. when Senator Glass is not on the Floor.

22. PRESIDENT:

23. We will pass the bill momentarily, Senator  
24. Knuppel. We have adopted Amendment No. 2 and we have  
25. Amendment No. 3 on the desk and we will hold the bill  
26. here temporarily till Senator Glass returns.  
27. Senate Bill 448, Senator Shapiro. Senator Weaver  
28. has an amendment. Is leave granted to bring the bill  
29. back to 2nd reading? Leave is granted. Senator Weaver.

30. SENATOR WEAVER:

31. Thank...

32. ACTING SECRETARY: (MR. FERNANDES)

33. Amendment No. 1.

1. SENATOR WEAVER:

2. Thank you, Mr. President. This bill...actually  
3. this amendment was adopted in committee, but it was not  
4. reported out by the Clerk and so I would move adoption  
5. of Amendment No. 1 to Senate Bill 448.

6. PRESIDENT:

7. Senator Weaver moves the adoption of Amendment No. 1.  
8. All those in favor signify by saying Aye. This is  
9. 448, Mr. Secretary. All in favor signify by saying Aye.  
10. Opposed. The Ayes have it. Amendment No. 1 is adopted.  
11. Any further amendments? 3rd reading. Senate Bill 498,  
12. Senator Daley. Is leave granted to bring the bill back  
13. to 2nd reading? Leave is granted. Senate Bill 498,  
14. Senator Daley.

15. SENATOR DALEY:

16. Mr. President, Amendment No. 1 is the ma and pa  
17. amendment to take care of the stores that sell under  
18. nine hundred units per item.

19. PRESIDENT:

20. Senator Daley moves the adoption of Amendment  
21. No. 1. All those in favor signify by saying Aye.  
22. Opposed. The Ayes have it. The Amendment is adopted.  
23. Any further amendments?

24. ACTING SECRETARY: (MR. FERNANDES)

25. Amendment No. 2 offered by Senator Lemke.

26. PRESIDENT:

27. Senator Lemke. Would you explain the amendment, Senator  
28. Daley, if you have it? Is Senator Lemke on the Floor?  
29. All right. Amendment No. 2 will be withdrawn. It  
30. duplicates Amendment No. 1. Are there any further  
31. amendments? No further amendments? 3rd reading.  
32. Senate Bill 511, Senator Bruce. Is leave granted to bring  
33. the bill back to 2nd reading? Leave is granted.

1. Senator Bruce on Senate Bill 511. 3rd reading.  
2. Senate Bill 823, Senator Hickey. Is leave granted  
3. to bring the bill back to the Order of 2nd reading?  
4. Leave is granted. Senate Bill 823.  
5. ACTING SECRETARY: (MR. FERNANDES)  
6. Amendment No. 1 offered by Senator Bloom.  
7. PRESIDENT:  
8. Senator Bloom.  
9. SENATOR BLOOM:  
10. Oh, Bob. Yes, this amendment restores language  
11. that was inadvertently taken out in Senate 823  
12. and the restoring language is adding, having at least  
13. a hundred thousand population but not more than a  
14. million inhabitants may, by ordinance, impose the  
15. tax discussed.  
16. PRESIDENT:  
17. Senator Bloom moves the adoption of Amendment  
18. No. 1. All those in favor signify by saying Aye.  
19. Opposed. The Ayes have it. The amendment is adopted.  
20. Any further amendments? No further amendments.  
21. 3rd reading. Senate Bill 1045, Senator Buzbee. Is  
22. leave granted to bring the bill back to 2nd reading?  
23. Leave is granted. Senator Buzbee on 1045.  
24. ACTING SECRETARY: (MR. FERNANDES)  
25. Amendment No. 2 offered by Senator Glass.  
26. PRESIDENT:  
27. Is Senator Glass on the Floor? Senator Buzbee.  
28. SENATOR BUZBEE:  
29. I think Senator Schaffer is going to handle this  
30. amendment for Senator Glass while he is temporarily off  
31. the Floor on Senate Bill...  
32. PRESIDENT:  
33. Senator Schaffer.

1. SENATOR BUZBEE:

2. ...1045.

3. PRESIDENT:

4. Senator Schaffer.

5. SENATOR SCHAFFER:

6. If we get the right number on the board, I have  
7. an amendment.

8. PRESIDENT:

9. Explain the amendment, Senator.

10. SENATOR SCHAFFER:

11. Simply put, this would say that in...if there was  
12. an energy crisis, the schools would be closed, but it  
13. would limit it only to those schools that were suffering  
14. in the energy crisis. Do you have a copy of the amendment,  
15. Mr. Secretary? Okay. Move the approval of the amendment,  
16. Mr. President.

17. PRESIDENT:

18. Senator Schaffer moves the adoption of Amendment No.  
19. 2. All those in favor signify by saying Aye.  
20. Opposed. The Ayes have it. The amendment is adopted.  
21. Any further amendments? 3rd reading. Senate Bill  
22. 1049, Senator Daley. Is leave granted to bring the  
23. bill back to 2nd reading? Leave is granted. Senate Bill  
24. 1049. Senator Daley.

25. ACTING SECRETARY: (MR. FERNANDES)

26. Amendment No. 1 offered by Senator Daley.

27. SENATOR DALEY:

28. Mr. President and fellow Senators. This is a technical  
29. amendment from the Enrolling and Engrossing to conform the  
30. amendment to the bill.

31. PRESIDENT:

32. Senator Daley moves the adoption of Amendment No. 1.  
33. All those in favor signify by saying Aye. Opposed.  
34. The Ayes have it. The amendment is adopted. Any further

1. amendments?

2. ACTING SECRETARY: (MR. FERNANDES)

3. No further amendments.

4. PRESIDENT:

5. 3rd...3rd reading.

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End of reel.

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1. PRESIDENT:

2. Senate Bill 8...1188, Senator Knuppel. Is leave  
3. granted to bring the bill back? Leave is granted. Senator  
4. Knuppel, 1188.

5. SENATOR KNUPPEL:

6. Amendment No. 1 is on the desk of the Secretary  
7. and what that amendment does is adds the word "general"  
8. in the bill before the term "freight rate" so that  
9. it's limited to general freight rates. This amendment  
10. has been suggested by the Department of Transportation  
11. and is acceptable to me as sponsor. I move the adoption  
12. of Amendment No. 1.

13. PRESIDENT:

14. Senator Knuppel moves the adoption of Amendment  
15. No. 1. All those in favor signify by saying Aye.  
16. Opposed. The Ayes have it. The amendment is adopted.  
17. Any further amendments? 3rd reading. Senate Bill 1308,  
18. Senator Moore. Is leave granted to bring the bill  
19. back to 2nd reading? Leave is granted. Senator Moore  
20. on 1308.

21. SENATOR MOORE:

22. Thank you, Mr. President, members of the Senate.  
23. The original amendment that was put on in committee  
24. was Tabled. This is the bill dealing with paying our  
25. nursing homes on a cost related basis. The amendment  
26. that is on the Secretary's Desk is an agreed amendment  
27. between the industry and the Illinois Department of  
28. Public Aid. It clarifies some of the language insofar  
29. as accounting principals are concerned. There was  
30. some technical and typographical errors that were  
31. corrected. It is an agreed amendment and I would  
32. move for its adoption.

33. PRESIDENT:

1. Is there any discussion? Senator Moore moves  
2. the adoption of Amendment No. 2. All those in favor  
3. signify by saying Aye. Opposed. The Ayes have it.  
4. Amendment is adopted. Any further amendments? 3rd reading.  
5. Senate Bill 1322, Senator Daley. Is leave granted  
6. to bring the bill back to 2nd reading? Leave is  
7. granted. Senator Daley.

8. ACTING SECRETARY: (MR. FERNANDES)

9. Amendment No. 2 offered by Senator Daley.

10. SENATOR DALEY:

11. Mr. President and fellow Senators. This amendment  
12. places a burden upon the Director of Revenue, the  
13. Illinois Department of Revenue to give notice  
14. to any taxpayer when the Federal Government is requesting  
15. any information on the Illinois taxpayer.

16. PRESIDENT:

17. Senator Daley moves the adoption of Amendment No.  
18. 2. Is there any discussion? All those in favor signify  
19. by saying Aye. Opposed. The Ayes have it. The amendment  
20. is adopted. Any further amendments? 3rd reading.  
21. Senate Bill 1337, Senator Graham. Is leave granted  
22. to bring the bill back to 2nd reading? Leave is  
23. granted. Senator Graham.

24. SENATOR GRAHAM:

25. Mr. President and members of the Senate. I offer  
26. an amendment on behalf of DOT regarding this bill  
27. and it includes any state highways instead of four lane  
28. highways. I move its adoption.

29. ACTING SECRETARY: (MR. FERNANDES)

30. Amendment No. 1.

31. PRESIDENT:

32. Senator Graham moves the adoption of Amendment No. 1.  
33. All those in favor signify by saying Aye. Opposed.



1. The Ayes have it. The amendment is adopted.  
2. Any further amendments? No further amendments.  
3. 3rd reading. Senate Bill 305, which we passed, will  
4. be moved to the Order of 3rd reading. Senator Knuppel,  
5. and at some later moment, you can give Senator Glass  
6. the opportunity to offer that amendment? All right.  
7. 3rd reading. Senate Bills, 3rd reading. Yesterday,  
8. we passed...for what purpose does Senator Roe arise?  
9. SENATOR ROE:  
10. Mr. President, I sent three bills up that were  
11. on 3rd reading that I had amendments for.  
12. PRESIDENT:  
13. They're not on the list that the Secretary  
14. compiled. If you would would come up and check with  
15. the Secretary. Did you give the numbers to the Secretary?  
16. Well, check now. We're on the Order of 3rd reading.  
17. We may have an opportunity later in the day if  
18. it's urgent. Otherwise, we can do it tomorrow.  
19. We passed Senate Bill 30 on 3rd reading and leave  
20. was requested to go back to that bill when a  
21. technical problem was worked out. Is leave granted?  
22. Leave is granted. Senate Bill 30, Senator Graham.  
23. Read the bill.  
24. SECRETARY:  
25. Senate Bill 30.  
26. (Secretary reads title of bill)  
27. 3rd reading of the bill.  
28. PRESIDENT:  
29. Senator Graham.  
30. SENATOR GRAHAM:  
31. Mr. President and members of the Senate. Thank you  
32. very much. This is subject matter with which we've  
33. dealt many times or several times, at least, and successfully  
34. I passed this type of legislation and were unsuccessful last year in

1. getting the House to assist us in overriding the Governor's  
2. veto. We have worked diligently on this bill for  
3. about four years. We have it in the kind of shape now  
4. that the House people agree with, their staff people,  
5. and in conformity with the Federal restrictions  
6. and I think it's an important piece of legislation.  
7. We are again, attempting to have the Legislature have  
8. control of the Illinois Law Enforcement Commission  
9. by confirming the Director and their Commissioners  
10. in setting up their powers and duties and I ask for  
11. a favorable roll call.

12. PRESIDENT:

13. Is there any discussion? If not, the question  
14. is shall Senate Bill 30 pass. Those in favor will  
15. vote Aye. Those opposed will vote Nay. The voting  
16. is open. Have all voted who wish? Have all voted who wish?  
17. Take the record. On that question, the Ayes are 50, the Nays  
18. are 1, 1 Voting Present. Senate Bill 30, having received  
19. a constitutional majority, is declared passed. Turning to  
20. page 13 on the Calendar where we left off yesterday,  
21. Senate Bill 401, Senator Berning. Read the bill, Mr.  
22. Secretary.

23. SECRETARY:

24. Senate Bill 401.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDENT:

28. Senator Berning.

29. SENATOR BERNING:

30. Thank you, Mr. President and members of the Senate.  
31. Senate Bill 401 would establish within the Division of  
32. Voc-Rehab a service bureau for the deaf and hard of  
33. hearing. The bill had a thorough hearing in committee,

1. came out unanimously and I might add, was introduced  
2. at the request of John Davis, Chairman of the Board  
3. of Vocational Rehabilitation. If there are questions,  
4. I'll attempt to answer them. Otherwise, I would  
5. appreciate a favorable roll call.

6. PRESIDENT:

7. There any...Senator Demuzio. He indicates that he will  
8. yield. Senator Demuzio.

9. SENATOR DEMUZIO:

10. One, two, here we go. Senator Berning, the  
11. establishment of the bureau is the...within the Board of  
12. Education Rehabilitation. What...what duties and  
13. responsibilities will these people have and how is this  
14. to function?

15. PRESIDENT:

16. Senator Berning.

17. SENATOR BERNING:

18. First, Senator, the original terminology was  
19. inaccurate. It is not the State Board of Vocational  
20. Education and Rehabilitation, it is the Division  
21. of Vocational Rehabilitation and Amendment No. 1 made  
22. those technical changes. The bill will establish a  
23. division within that...will establish a bureau within the Division  
24. of Vocational Rehabilitation for the express purpose  
25. of providing improved availability for one thing, of  
26. interpretous services to the hearing impaired, to  
27. establish the availability of TTY systems, which  
28. is a teletype unit communication device, maintain  
29. a register of interpreters and coordinate the activities  
30. and services for the deaf and hard of hearing.  
31. It is a...it is a minimal program with a coordinator  
32. and an assistant coordinator.

33. PRESIDENT:

1. There any further discussion? Senator Demuzio.

2. SENATOR DEMUZIO:

3. What is...what is happening currently and is, in  
4. fact, is this a new program or is this an improvement  
5. of some service that we have currently being  
6. that's simply being transferred and if, in fact, it is  
7. a new program, what...what are the ramifications  
8. in terms of cost?

9. PRESIDENT:

10. Senator Berning.

11. SENATOR BERNING:

12. It is new in its terminology and new insofar as it  
13. establishes a coordinator for the bureau. It does bring  
14. into one point, the various services which are being  
15. provided to a degree in a scattered manner at this time.  
16. Most importantly, is the establishment of an...of a  
17. registry of interpreters and a training program or  
18. guidelines for a training program for interpreters  
19. who are going to be performing an increasingly important  
20. service to the deaf and hard of hearing as they are  
21. benefited by the newer technologies in education which  
22. make it possible for them to become more thoroughly  
23. integrated into our educational, business and social  
24. system. The costs since this Act would take effect  
25. January 1, 1978, it will encompass a half year. The  
26. cost of operation is estimated at fifty-six thousand  
27. five hundred dollars for the half year. The appropriation  
28. would be for that and establish a revolving fund of a  
29. hundred twenty thousand dollars to assist with low cost  
30. loans for the acquisition of TTY systems for the deaf and  
31. hard of hearing to be repaid into the revolving funds  
32. so that it is available for use by others as they seek  
33. to acquire these communications devices. So, the total

1. appropriation, which incidentally, has been approved...

2. PRESIDENT:

3. Senator Demuzio, did you...

4. SENATOR DEMUZIO:

5. Another question, then. If, in fact, services  
6. are being provided now, the companion bill, I'm told,  
7. that calls for two hundred thousand dollars. What will be  
8. deleted from these other agencies in terms of staff  
9. and appropriation to coordinate all of this now within  
10. the Division of the Vocational Rehabilitation?

11. PRESIDENT:

12. Senator Berning. Senator Demuzio, your time is...Senator Berning.

13. SENATOR BERNING:

14. Senator, as I pointed out when I presented the bill,  
15. it's at the request of Mr. John Davis who, incidentally,  
16. is deaf and is Chairman of the Board of Vocational  
17. Rehabilitation as well as Executive Director of the  
18. Illinois Association of the Deaf. This is in his  
19. considered judgement, and I'm happy to support it,  
20. a necessity within the Division of Voc Rehab to better  
21. coordinate all available sources of aid and activities  
22. in support of the deaf and hard of hearing.

23. PRESIDENT:

24. Senator Demuzio, would you conclude?

25. SENATOR DEMUZIO:

26. Well, I was just talking with Senator Johns  
27. and we have some additional questions about this bill  
28. that we'd like to discuss with Senator Berning and  
29. we were wondering if he might just hold the bill for  
30. a day or so until we have an opportunity  
31. to clear up some of those questions. Senator Johns...comment...

32. PRESIDENT:

33. He indicates that he is agreeable. Senator Berning, is

1. that...are you agreeable to that?

2. SENATOR BERNING:

3. No, Mr....Mr....

4. PRESIDENT:

5. Take the bill out of the record.

6. SENATOR BERNING:

7. ...President. May I have leave of the Body

8. then, to get to this bill without going all the way

9. through the Calendar, assuming we are able to

10. come to an understanding today or tomorrow, would I be

11. able to call for 401...

12. PRESIDENT:

13. Senator, we are moving very well through the

14. Calendar and you, hopefully, will get another two

15. shots at the bill and I...unless there is some

16. overriding reason, I think we ought to go...get to

17. it at it's normal course. Once we start that, then

18. we'll be doing...we'll be jumping all over the

19. Calendar. Take the bill out of the record.

20. Senate Bill 408, Senator Lemke. Read the bill.

21. Senator Lemke.

22. SENATOR LEMKE:

23. There was an amendment on this bill I...that we

24. put in.

25. PRESIDENT:

26. Was this recalled? Senator, we have recalled...

27. SENATOR LEMKE:

28. Okay we can pass it and we can do it again.

29. PRESIDENT:

30. Yes. All right.

31. SENATOR LEMKE:

32. The memo was just found.

33. PRESIDENT:

1. Senate Bill 413, Senator Vadalabene. Senate  
2. Bill 414, Senator Davidson. Read the bill.

3. SECRETARY:

4. Senate Bill 414.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. PRESIDENT:

8. Senator Davidson.

9. SENATOR DAVIDSON:

10. Mr. President and members of the Senate. This  
11. bill does just exactly what the synopsis says it does.  
12. Presently, if a school district contracts for  
13. their employment, the contractor can charge the  
14. administration and the garaging and the housing of the buses  
15. into the fee that he charges. If a school district  
16. in which most unit district downstate do, furnish their own  
17. buses, they're not able to charge for compensation  
18. of administration and other garages for housing the  
19. buses. This is a matter of getting it actively back  
20. out from the rules and regulations, IOE, because  
21. it was a rule and regulation of theirs and made  
22. a decision not to allow this. If we allow it one  
23. place, if they contracted for it, we should certainly  
24. allow that otherwise. I'll be glad to answer any  
25. questions, otherwise, I'd appreciate a favorable roll  
26. call.

27. PRESIDENT:

28. Is there any discussion? Senator Kenneth Hall.

29. SENATOR HALL:

30. Would the sponsor yield to a question? Senator...

31. PRESIDENT:

32. Indicates he will yield.

33. SENATOR HALL:

34. Now, in a district like I've got where we have our

1. own buses, what affect will it have on those?

2. PRESIDENT:

3. This will be to your advantage. If the school  
4. district has its own buses, presently they cannot charge  
5. for the cost of the administration or the garaging and  
6. the housing of the buses. This will allow them to  
7. be able to be reimbursed for that part.

8. PRESIDENT:

9. Is there any further discussion? If not, the  
10. question is shall Senate Bill 414 pass. Those in  
11. favor will vote Aye. Those opposed will vote Nay.  
12. The voting is open. Have all voted who wish?  
13. Have all voted who wish? Take the record. On that  
14. question, the Ayes are 53, the Nays are none, none  
15. Voting Present. Senate Bill 414, having received  
16. a constitutional majority, is declared passed.  
17. Senate Bill 418, Senator Harber Hall. Read the bill.

18. SECRETARY:

19. Senate Bill 418.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDENT:

23. Senator Hall.

24. SENATOR HARBER HALL:

25. Mr. President, this bill amends the Minimum  
26. Wage Law to provide that certain exemptions to the  
27. Minimum Wage Law in Illinois will comply with the  
28. National Fair Labor Standards. The reason this is  
29. needed is that some commissioned employees who work  
30. on a commission basis, in Illinois, are not exempt  
31. and they are in other places and we find a situation  
32. where, for example, someone selling boats is exempt  
33. from the minimum wage and on commission and someone  
34. selling parts for the boat would not be exempt so



1. that's what this bill does. I'd be glad to ask any...  
2. answer any questions concerning it.

3. PRESIDENT:

4. Senator Knuppel.

5. SENATOR KNUPPEL:

6. Well, I'd like a better definition of what a  
7. commissioned employee is. That's what's used in  
8. the statute and I don't know just exactly...will  
9. you define for me with some more accuracy, exactly  
10. who's intended to be covered by this?

11. PRESIDENT:

12. Senator Hall.

13. SENATOR HALL:

14. Well, it's...it's an employee who works on a  
15. commissioned basis and the...it's an employee who  
16. would be...with this amendment, would be exempt from  
17. paying time and a half for overtime since he is paid  
18. by commission. Now, he would be exempt if he...if his  
19. salary were...if his normal income were quite high,  
20. but, other than that, he wouldn't be. We...we find  
21. that commissioned employees are usually willing,  
22. quite willing to work on this basis, but they're  
23. prohibited...the employer will not hire them if they  
24. ...on a commission basis, if they have to comply with  
25. a minimum wage on this man. But, he some days or some  
26. weeks, he will exceed considerably on a commission basis,  
27. what he would have been guaranteed by the Minimum Wage  
28. Act. Other weeks, he might not. But, he is willing  
29. to do that and this simply brings the Illinois Code  
30. in relation to minimum wage up to the standard provided  
31. by the Federal under the Fair Labor Standards Act.

32. PRESIDENT:

33. Senator Knuppel.

1. SENATOR KNUPPEL:

2. Well, what you're really telling me, then, is that  
3. at the present time a commissioned employee does not  
4. get time and a half on the minimum wage for overtime  
5. and a person under the State Minimum Wage Law would  
6. and what you're doing is amending the state law to  
7. correspond to the Federal law, is that correct?

8. SENATOR HALL:

9. Essentially, that's right. Now, some...some...  
10. some types of employees in Illinois are already  
11. exempt. But, these are largely...this bill would  
12. take care of many retailers and...and people who  
13. work for retailers by also including them under this  
14. exemption.

15. PRESIDENT:

16. Senator Knuppel.

17. SENATOR KNUPPEL:

18. Well, I personally, and...and...and maybe this is a good  
19. bill, but I'm not impressed with the explanation. I'm  
20. sorry. I want to help, but I really don't understand  
21. what and how extensive the effect of this bill is.

22. SENATOR HALL:

23. Well,...

24. PRESIDENT:

25. Senator, Senator...

26. SENATOR HALL:

27. ...let me read...

28. PRESIDENT:

29. ...I think Senator Knuppel has...Senator Wooten.

30. SENATOR WOOTEN:

31. Senator Hall, when you speak of a commissioned  
32. employee, is that someone whose income is based wholly  
33. on commissions or this be someone who works for a wage

1. in addition to commissions. What exactly does  
2. commissions mean?

3. SENATOR HALL:

4. Either a combination of commission and salary  
5. or commission alone, would be applicable here.  
6. It...it could be a combination.

7. PRESIDENT:

8. Senator Wooten. Is there any further discussion?  
9. If not, the question is shall Senate Bill 418 pass.  
10. Those in favor will vote Aye. Those opposed will  
11. vote Nay. The voting is open. Have all voted who wish?  
12. Have all voted who wish? Take the record. On that  
13. question the Ayes are 48, the Nays are none, 5 Voting  
14. Present. Senate Bill 418 having received a constitutional  
15. majority is declared passed. Senate Bill 419, Senator  
16. Berman. Read the bill.

17. SECRETARY:

18. Senate Bill 419.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDENT:

22. Senator Berman.

23. SENATOR BERMAN:

24. Thank you, Mr. President and Ladies and Gentlemen  
25. of the Senate. Senate Bill 419 is the product of a ten  
26. month in depth study by a subcommittee of the School  
27. Problems Commission dealing with the question of  
28. truancy in our schools. This bill defines the  
29. categories of a truant and of a chronic or habitual  
30. truant. It separates that distinction and sets forth  
31. requirements for support of services for the chronic or  
32. habitual truant and...and recommends to the school districts  
33. throughout the State supportive services, alternative

1. programs, other school resources to address the problem  
2. of these chronic truants. Amendment No. 2 to the bill  
3. sets forth certain procedures to be followed by the  
4. truant officer regarding the juvenile court proceedings  
5. when we have a chronic truant who has been absent from  
6. school. I'll be glad to respond to any questions  
7. regarding Senate Bill 419.

8. PRESIDENT:

9. Senator Graham.

10. SENATOR GRAHAM:

11. Will the Senate sponsor yield to a question,  
12. Senator Berman?

13. PRESIDENT:

14. He indicates that he will yield.

15. SENATOR GRAHAM:

16. I'm a little concerned about this bill and I'm  
17. frank to admit that I haven't read it. Are we in  
18. supportive services that we're offering truants.  
19. Under the provisions of this bill, are we making it  
20. more attractive for them to be truants than for them  
21. to go to school, I'm kind of worried about that?

22. PRESIDENT:

23. Senator Berman.

24. SENATOR BERMAN:

25. That's a fair question, Senator Graham. This  
26. bill, as such, does not make it more attractive to be  
27. a truant than to be in school. All that this bill really  
28. does is a first step as far as defining what a truant  
29. is and what a chronic and habitual truant is. We found  
30. in this study by the School Problems Commission that there  
31. are as many approaches to the truancy problem in  
32. Illinois almost as there are school districts. What  
33. we have done in a very small way by this bill is to

1. set out some guidelines as far as definitions and to  
2. suggest to school districts that there are approaches  
3. that have proven successful by some districts in  
4. the treatment of truants. What we will be doing after  
5. hopefully, this bill passes, the School Problems  
6. Commission has been able to coordinate a number of  
7. other agencies efforts in this area and we're going  
8. to try to act as the umbrella organization to bring  
9. together a study in the next twelve months of whether  
10. other programs, A: are successful, B; does it encourage  
11. the kind of question you have, does it encourage more  
12. truancy or does it... can it...can we really attack  
13. truancy. What are the costs of these programs?  
14. How can we get the best taxpayer's dollar out of these  
15. programs so that we get the kids back in and secondly,  
16. if these programs don't work, can we get the kids out?  
17. These are all related questions. This bill does not  
18. answer that. Admittedly, we just don't have those  
19. answers yet. This bill, more or less, merely is  
20. a starting point. It...it sets forth some definitions.  
21. PRESIDENT:

22. Senator Graham.

23. SENATOR GRAHAM:

24. Just...just one more question of Senator Berman.  
25. It will be the intention of the School Problems Commission  
26. and those other people associated with the study  
27. that the control and administration of the Truancy  
28. Act will be left within the school districts of the State.  
29. Is that correct?

30. SENATOR BERMAN:

31. Yes, Sir. And this bill does that, also.

32. PRESIDENT;

33. Senator Berning. Any further discussion? If not,

1. the question is shall Senate Bill 419 pass. Those in  
2. favor will vote Aye. Those opposed will vote Nay.  
3. The voting is open. Have all voted who wish?  
4. Have all voted who wish? Take the record. On that  
5. question the Ayes are 53, the Nays are none, none  
6. Voting Present. Senate Bill 419, having received  
7. a constitutional majority is declared passed.  
8. Senate Bill 420, Senator Berman. Read the bill.

9. ACTING SECRETARY: (MR. FERNANDES)

10. Senate Bill 420.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDENT:

14. Senator Berman.

15. SENATOR BERMAN:

16. Thank you, Mr. President and Ladies and Gentlemen  
17. of the Senate. Senate Bill 420 is a bill to authorize  
18. the State Board of Education to enter into contracts  
19. with public or private agencies for the providing of  
20. educational services to truants and for the prevention  
21. of truancy. The bill is conditioned upon an  
22. appropriation. I think this is...the money for this is  
23. in a line item in IOE's budget. If the money stays  
24. in, they'll be able to exercise the authority that this  
25. bill gives them. If the money is taken out, there  
26. won't be any programs. It's merely a permissive  
27. authorization regarding the question of truancy.

28. PRESIDENT:

29. Senator Bloom.

30. SENATOR BLOOM:

31. Will...permissive authorization, in what way does  
32. this impact on the relationship between IOE and  
33. the local school districts? I mean,...

1. PRESIDENT:

2. Senator Berman.

3. SENATOR BERMAN:

4. Your question is how does this impact between  
5. IOE and the local school districts? I think that the  
6. intent and I don't have the...available to me the full  
7. program of what they're...what they intend to do.  
8. We have authorized for the past, I think year or two,  
9. I think it was two hundred and fifty thousand dollars  
10. where IOE entered into pilot programs in a number  
11. of school districts throughout the State. Up in the  
12. Chicago area, I believe they contracted with a group  
13. called the Alternative...Alternative Schools Network  
14. which provide alternative school settings for truants  
15. that dropped out. This is what that money is for.  
16. There was a technical question as to whether IOE  
17. had the power to do what they've done the past year  
18. or two. That's the purpose of this bill.

19. PRESIDENT:

20. Senator Bloom.

21. SENATOR BLOOM:

22. That doesn't quite answer the question. I was saying,  
23. you know, what does 420 do? How...how does that, in other  
24. words, under 420, can IOE go into a school district  
25. and say, look, we don't like the way you're dealing with  
26. your truants. We're going to contract out with catalyst  
27. or alternative or whatever the names are. That's  
28. that was the thrust of the question.

29. PRESIDENT:

30. Senator Berman.

31. SENATOR BERMAN:

32. This bill, I do not think, authorizes them to do this.  
33. The control of that student still lies within the local

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- 1. school district, the truancy program is controlled by the
- 2. local schools. All that this is is allowing IOE
- 3. to supplement, provide additional services to local
- 4. districts and their students that may need truant
- 5. programs. Truancy programs.

6. PRESIDENT:

7. Is there any further discussion? If not, the question  
8. is shall Senate Bill 420 pass. Those in favor will  
9. vote Aye. Those opposed will vote Nay. The voting  
10. is open. Have all voted who wish? Have all voted  
11. who wish? Take the record. On that question the Ayes  
12. are 53, the Nays are 3, none Voting Present. Senate  
13. Bill 420 having received a constitutional majority  
14. is declared passed. Senate Bill 421, Senator Merlo.  
15. Read the bill.

16. SECRETARY:

17. Senate Bill 421.  
18. (Secretary reads title of bill)  
19. 3rd reading of the bill.

20. PRESIDENT:

21. Senator Merlo.

22. SENATOR MERLO:

23. Mr. President and members of the Senate. Senate  
24. Bill 421 provides that after a policy of automobile  
25. insurance or fire and extended coverage insurance  
26. has been effective for five years or more, the company  
27. cannot non-renew the policy unless the named insured  
28. receives sixty days notice. The bill is an attempt  
29. to respond to the problem that some insurance companies  
30. cancel a long time policy holder on short notice.  
31. This is a consumer bill. It's been supported as amended  
32. by the Department of Insurance and the Illinois Insurance  
33. Laws Study Commission and I certainly look for your



1. favorable vote.

2. PRESIDENT:

3. Is there any discussion? If not, the question is shall

4. Senate Bill 421 pass. Those in favor will vote Aye.

5. Those opposed will vote Nay. The voting is open.

6. Have all voted who wish? Have all voted who wish?

7. Take the record. On that question, the Ayes are

8. 54, the Nays are none, none Voting Present. Senate

9. Bill 421 having received a constitutional majority is

10. declared passed. Senate Bill 423, Senator Merlo.

11. Read the bill.

12. SECRETARY:

13. Senate Bill 423.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDENT:

17. Senator Merlo.

18. SENATOR MERLO:

19. Mr. President and members of the Senate. Senate Bill

20. 423 amends the definition of the basic property insurance

21. and it adds liability insurance on property to those

22. coverages which shall be made available from the fair

23. plan. Currently, when a person, particularly a landlord

24. of a commercial establishment, or a residence is forced

25. to turn to the fair plan, he discovers that he cannot

26. ...he can obtain fire and extended coverage but not

27. liability insurance. And this would remedy that situation.

28. And I ask for your favorable vote.

29. PRESIDENT:

30. Is there any discussion? Senator Glass.

31. SENATOR GLASS:

32. Thank you, Mr. President. I wonder if the sponsor

33. would yield for a question?

1. PRESIDENT:

2. He indicates he will yield.

3. SENATOR GLASS:

4. Senator Merlo, as I understand it, the fair  
5. plan as you have described does not include  
6. liability insurance at the present time. Now,  
7. is there any pool however, available for that  
8. coverage other than the fair plan? Is there  
9. some pool to which people who are turned down by  
10. insurance carriers can obtain insurance, a liability  
11. insurance?

12. SENATOR MERLO:

13. Well, Senator Glass, not to my knowledge. I don't  
14. think there is, as far as liability coverage is  
15. concerned. And that seems to be the problem where  
16. you can attain the fire, it's difficult sometimes  
17. to attain liability coverage.

18. PRESIDENT:

19. Senator Glass.

20. SENATOR GLASS:

21. Is this homeowners only that we're talking about  
22. here? I...I don't have...I just have a summary of  
23. ...I don't have the bill in front of me, that's why  
24. I'm wondering. Are we dealing with industry and  
25. or is this just a homeowner?

26. SENATOR MERLO:

27. No, you're dealing with homeowners as well  
28. as commercial pieces of property.

29. PRESIDENT:

30. Senator Glass.

31. SENATOR GLASS:

32. Well, I mean is...is this a...could a business  
33. be involved here? Some...a business for instance, under

1. product liability.

2. SENATOR MERLO:

3. Well, product liability, you're talking about a  
4. different phase of insurance completely. This is  
5. just liability relative to someone slipping, for  
6. instance, on the premises of your property,  
7. someone falling down the steps.

8. PRESIDENT:

9. Senator Glass.

10. SENATOR GLASS:

11. Was there any testimony in committee as to the  
12. ...the effect this would have on the cost of insurance  
13. and would...would it greatly increase? Was there  
14. anything like that covered?

15. PRESIDENT:

16. Senator Merlo.

17. SENATOR MERLO:

18. I don't recall whether there was any discussion  
19. or any comments made relative to what effect it would  
20. have on the premium charge. But, this is something,  
21. of course, as you well know, that the supply and demand  
22. and of course, the extent of the risks and the loss  
23. ratio in areas determine the fluctuation of the premium  
24. costs, so I don't think that this is a matter that should  
25. really be considered relative to the discussion that  
26. ...relative to the bill.

27. PRESIDENT:

28. Senator Glass.

29. SENATOR GLASS:

30. Well, I...all right. Senator Merlo, I...I just  
31. gather that this is a fairly extensive broadening of  
32. the...of the fair plan and I...I think it's a major  
33. step that we're taking. I'm a little bit concerned about

1. the...the impact that this would have in terms of cost.  
2. because it seems to me if you do have properties that are  
3. not well maintained and that are old and run down and  
4. that there is an expanded exposure to...to risks that  
5. we may be...you know, we may be broadening this  
6. unnecessarily. What happens now if...if there...if  
7. there is no insurance available for these people?  
8. They just have to go without it, is that...is there  
9. no other avenue?

10. SENATOR MERLO:

11. This is correct. You would have to go without  
12. liability insurance and that's the reason. I think  
13. our concern should not be relative to what you speak,  
14. we should be concerned about a person being insured  
15. so that those that are injured would be certainly  
16. covered by an insurance policy, which does not  
17. exist in some circumstances at the present time.

18. PRESIDENT:

19. Senator Soper.

20. SENATOR SOPER:

21. Thank you, Mr. President. Would the Senator  
22. yield to a question?

23. PRESIDENT:

24. He indicates that he will yield.

25. SENATOR SOPER:

26. Senator, the...when the...when the liability is  
27. met in these cases, then the premium raises...rises to  
28. the other insurers. In other words, if it's a bad  
29. risk and an insurance company must take a bad risk,  
30. then all the other individuals who have insured  
31. their property in a low risk area, must add to their  
32. premiums to pay for this...this area that's less of a...  
33. less of a profitable risk for the insurance companies, right?

1. PRESIDENT:

2. Senator Merlo.

3. SENATOR MERLO:

4. Yes and No. But, Senator Soper, I think that you  
5. must realize that this is the reality, of insurance today.  
6. I think that in committee, I related my own condition  
7. where I've been driving a car for fifteen, twenty years  
8. without an accident and my premium was increased from  
9. last year by over three hundred and some dollars.  
10. If this is a reflection of the loss experience  
11. of insurance companies and is prorated to those of  
12. us that perhaps have a...a good drivers record, sobeit.  
13. But, this is the facts of life and this is the way  
14. it operates. The conditions that we should be concerned  
15. about is whether there is proper coverage and whether  
16. these people are able to secure this coverage.

17. PRESIDENT:

18. Senator Soper.

19. SENATOR SOPER:

20. Well, this is a little different than automobile  
21. insurance. Where an insurance company makes an  
22. investigation and that investigation shows that  
23. there...it's a high risk and that the premises are  
24. in less than admirable condition and would be...and that  
25. accidents could be induced by the fact that they're  
26. in disrepair, you mandate that they...that the liability  
27. insurance should...should issue. You don't give the  
28. insurance company a chance to refuse this insurance.  
29. And therefore, unnecessarily the rates in every other  
30. district are raised and every...we all, then, have to...  
31. have to pay for something that's impossible to be corrected.  
32. And you're mandating this insurance and I think that's  
33. wrong.

1. SENATOR MERLO:

2. In answer to that, Senator Soper, I still think  
3. that with the open rating policy that exists in the  
4. State of Illinois, that this will happen regardless and  
5. as I say, it just determines...what if the risk ratio  
6. should drop or the loss ratio? Then, of course, it  
7. would affect everybody. So, this is the chance you take.

8. PRESIDENT:

9. Senator Soper.

10. SENATOR SOPER:

11. Yes, but this is a different situation. This is  
12. a situation where you have this fair...this fair  
13. plan or whatever you call it and now you're going to  
14. include in the fair plan something else. Now, you're  
15. mandating insurance under the fair plan but there's a...  
16. but there's...as I understand the fair plan, there's  
17. a...there's a fund that's...that's brought in to take  
18. care of this situation. Now, you can't bring a fund  
19. in to take care of a dilapidated house or an area  
20. where...where there's vandalism beyond control and  
21. insurance companies should have the right to refuse  
22. that kind of a risk or else we'll all be paying for  
23. people who don't want to take care of their property  
24. and I don't think...I don't think we should.

25. PRESIDENT:

26. Senator Guidice.

27. SENATOR GUIDICE:

28. Thank you, Mr. President and members of the Senate.  
29. I rise in support of this bill. I think there's a gross  
30. misinterpretation of what's going to happen if this bill  
31. becomes effective. It should not raise insurance costs.  
32. The reason being that the fair plan...the use of the fair plan  
33. by the...the sale of it by the agents...the agents fail

1. to thereafter inform the purchaser that he has  
2. to buy liability insurance. They don't go into this  
3. particular problem at all. There is a market and it  
4. does exist, but it's not being adequately taken  
5. care of and the necessity for this bill is imperative,  
6. so, that people can get this coverage in the same  
7. manner and form that anybody else would.  
8. I would urge a favorable roll call.

9. PRESIDENT:

10. Any further discussion? Senator Rupp.

11. SENATOR RUPP:

12. Mr. President, thank you. I also rise in support  
13. of this bill. There is no different approach than this  
14. than what we have already done as far as Workmen's  
15. Compensation was concerned. There was a need for it.  
16. There were requirements to get the coverage. There  
17. was a system devised to do it. The same thing in the  
18. automobile market, the same thing in the fire market.  
19. this just does that in the liability section of the  
20. insurance business and I do ask for a favorable roll call.

21. PRESIDENT:

22. Senator Ozinga.

23. SENATOR OZINGA:

24. I would ask if the sponsor would yield to a question.  
25. Senator, is there a possibility where you are mandating  
26. liability along with a fire policy, a possibility of  
27. mandating that the fire policy would then be rejected or  
28. that you might run into a situation where people that  
29. have tenants in privately owned houses could not get  
30. fire insurance because the insurance company  
31. refuses to write the liability but would have accepted  
32. the fire.

33. SENATOR MERLO:

34. Well,...

1. PRESIDENT:  
2. Senator Merlo.  
3. SENATOR MERLO:  
4. ...Senator Ozinga, if it...the application is made  
5. through fair plan, then they would not have the power  
6. of course, of refusing you. One would have to go along  
7. with the other. So, you would, eventually, get of course,  
8. both insurance through fair plan providing, of course,  
9. that the building isn't just falling or collapsing  
10. visual appearances.  
11. SENATOR OZINGA:  
12. This...this is the reason I asked the question.  
13. I'm in sympathy with the bill, but I'm just wondering  
14. if this might not lead to a rejection of more of the fire  
15. policies than what really would be meeting the eye  
16. on account of a fair plan or no fair plan.  
17. SENATOR MERLO:  
18. No, I don't think so under the fair plan, Senator  
19. Ozinga. I do not think so.  
20. PRESIDENT:  
21. Senator Lane.  
22. SENATOR LANE:  
23. Thank you, Mr. President. This bill might, in fact,  
24. pressure the industry a little bit to correct the ills  
25. that are now affecting the liability market. Many companies  
26. and individuals are going bare because it's next to  
27. impossible to get liability coverage. There was no  
28. opposition to this bill in committee. I think it's  
29. legislation that is needed and I rise...I've risen  
30. in support of the bill.  
31. PRESIDENT:  
32. Is there any further discussion? If not, the question  
33. is shall Senate Bill 423 pass. Those in favor will vote



1. Aye. Those opposed will vote Nay. The voting is open.  
2. Have all voted who wish? Have all voted who wish?  
3. Take the record. On that question, the Ayes are  
4. 39, the Nays are 9, 8 Voting Present. Senate Bill  
5. 423 having received a constitutional majority is declared  
6. passed. Senate Bill 424, Senator Rock. Read the bill.

7. SECRETARY:

8. Senate Bill 424.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. SENATOR ROCK:

12. Thank you, Mr. President, Ladies and Gentlemen  
13. of the Senate. I'll call this now, I assume, it probably  
14. would have been on the agreed bill list, but I..we might  
15. as well try to run it now. I have seen the missile that  
16. the Press Association has placed on all the desks,  
17. so I assume that everybody is well aware of what  
18. Senate Bill 424 does, but I wish to explain what it  
19. does and the reason for it. Senate Bill 424, Mr. President  
20. and Ladies and Gentlemen of the Senate, is a proposed  
21. exemption to the Open Meetings Act. It would, in fact,  
22. be the eighth exemption to the Open Meeting Act  
23. and it provides very simply and I will read the bill  
24. as amended, that meetings of the Health and Hospitals  
25. Governing Commission of Cook County for discussion, but  
26. not for the taking of any final action in relation  
27. to advances and declines in operating revenues produced  
28. by agency enterprises or in relation to proposals for  
29. grants and aid from public and private grantors.  
30. Taxation matters shall not be discussed or voted upon  
31. except in public meetings. That is the sum and substance  
32. of Senate Bill 424. The reason for it, Mr. President  
33. and Ladies and Gentlemen of the Senate, is that some years

1. ago when we created the Health and Hospitals Governing  
2. Commission, and set up this single sole entity,  
3. which is unique in our Illinois Statute, to administer  
4. the Cook County Hospital, we did not, frankly,  
5. foresee the problems of having a public commission  
6. run a hospital in competition with private hospitals  
7. and private boards of directors. Last...there has been  
8. much in my judgment, editorializing about the sanctity  
9. of the Open Meetings Act and this really does not  
10. attempt to quarrel with that. It is limited to this  
11. one commission for the purpose of discussions with  
12. respect to their reimbursement and respect to proposed  
13. grants and aid. Last Friday in the Chicago Daily  
14. News, Doctor Houghton the Executive Director, wrote a letter  
15. which was printed on the Editorial page, parts of which  
16. I would like to share with you to indicate the motivation  
17. and the reason for this legislation. Doctor Houghton letter  
18. in part reads, the Daily News stated that, "the publicity  
19. on the cash flow problem," which was Cook County Hospital  
20. was undergoing at that point, "spurred the State  
21. to shape up its reimbursement program. On the  
22. contrary," quoting Doctor Houghton, "he says, 'the  
23. publicity made our negotiations with the State  
24. of Illinois extremely difficult and has done nothing to  
25. improve the State's reimbursement program." And he  
26. goes on to say, "not only did the adverse publicity  
27. damage employee morale and hinder recruitment efforts,"  
28. those...that was testimony in the committee also,  
29. "but it actually cost the taxpayer a good deal of money  
30. because in the wake of the newspaper stories, we,"  
31. meaning the hospital, "received fewer and higher bids  
32. on contracts and were denied the usual discounts because  
33. suppliers assumed delays in payment. In addition,

1. Cook County government experienced difficulty in the bond  
2. market because of the uncertainties surrounding  
3. Cook County Hospital finances." The Cook County  
4. Hospital Governing Commission, is, as I have stated,  
5. a unique one and they have unique problems. There  
6. was testimony in the committee that a couple of grant  
7. in aid proposals where they were applying for grants  
8. from the Federal government, were, in fact, because  
9. of...because of the fact that they had to be discussed  
10. openly where, in fact, purloined by private hospitals  
11. and they were beaten to the punch, because the private  
12. hospitals have a little quicker way of acting. I  
13. think the amendment is a good one. It will solve  
14. the problem and I would ask for your favorable support.

15. PRESIDENT:

16. Senator Wooten.

17. SENATOR WOOTEN:

18. Thank you, Mr. President. I rise in opposition  
19. to the bill. I think that however well intentioned  
20. any additional exceptions to the Open Meeting Acts  
21. may be, the fact is that the present exemptions  
22. we have already admit of considerable abuse. I...

23. PRESIDENT:

24. Excuse me. For what purpose does Senator Rhoads  
25. arise?

26. SENATOR RHOADS:

27. Excuse me, Senator Wooten. I just wondered if we  
28. could have a little order. It's very difficult to hear  
29. Senator Rock.

30. PRESIDENT:

31. You're absolutely correct, Senator. May we have order.  
32. Will the members please be in their seats. Senator  
33. Egan, will you please be in your seat. Senator Wooten.

1. SENATOR WOOTEN:  
2. I dare say that there are...

3. PRESIDENT:  
4. Excuse me. For what purpose does Senator Netsch  
5. arise? Senator Wooten.

6. SENATOR WOOTEN:  
7. Where was I? I believe I was speaking...

8. PRESIDENT:  
9. You are against the bill, Senator.

10. SENATOR WOOTEN:  
11. I believe I was speaking in opposition  
12. to the bill. Yes. I dare say that there are many  
13. public bodies that would also like to be  
14. granted an exemption because of what they see  
15. as the nuisance of having to conduct their business  
16. in public. I might point out that the only  
17. thing public bodies have to deal with is revenue  
18. and grants. And if we grant them this kind of private  
19. time to discuss those things, that's really the  
20. substance of what they're about. I was interested in  
21. a newspaper article and I would ask Senator Rock to  
22. comment on it that the members of the board  
23. didn't know anything about this bill. It really  
24. came from Doctor Houghton and they apparently did not  
25. feel impelled to ask for this kind of relief. Whatever  
26. motivated, as I say, I can understand the feeling, but  
27. I just don't think we ought to grant further exemptions  
28. because the present ones are already considerably abused.

29. PRESIDENT:  
30. Senator Netsch. For what purpose does Senator Rock  
31. arise?..

32. SENATOR ROCK:  
33. Yes, he did. He asked me to comment on that story

1. which appeared in the Chicago Sun Times. The gentleman  
2. who wrote it, I do not know, nor did he take the trouble  
3. to speak with me. Fact of the matter is otherwise.  
4. The board was aware, as a matter-of-fact, last night,  
5. I'm told, pursuant to this article, they again ratified  
6. and urged the support of this legislation in a public  
7. open meeting. But, they did, in fact, know about it  
8. ahead of time and I...I don't know where this fellow  
9. got the story, but it's just not factual.

10. PRESIDENT:

11. Senator Netsch.

12. SENATOR NETSCH:

13. I'm not sure that what you just said answered the  
14. question I'm about to ask you, Senator Rock,  
15. but I will ask you in any event. If the Cook  
16. County Hospital were still under the aegis  
17. of the Cook County Board rather than under a separate  
18. hospital commission. Would not the discussions which  
19. are the subject matter of this amendment be subject  
20. to the Open Meetings Act and therefore not able  
21. to be conducted out from under the Open Meetings  
22. Act, in the absence of another statute, of course?

23. PRESIDENT:

24. Senator Rock.

25. SENATOR ROCK:

26. Yes.

27. PRESIDENT:

28. Senator Netsch.

29. SENATOR NETSCH:

30. Thank you. I...I thought that would probably  
31. be the case and it seems to me that that is exactly where  
32. it does belong. As a matter-of-fact, I strongly suspect  
33. that if the Cook County Board came before this Legislature

1. and asked for an exemption comperable to what is  
2. included in the amendment to...4...or the amendment  
3. which is Senate Bill 424, that it would not be very  
4. well received and very likely would go down to defeat  
5. and I think the principle is basically the same.  
6. The...perhaps the basic fault was that...that we created  
7. a separate unit of government in a sense to administer  
8. a major tax spending...function of the County of  
9. Cook. Maybe we should never have done that in the  
10. first place. But, having done it, it seems to me  
11. that it has got to function and behave in the same  
12. way as it would be required to do if it were a full  
13. fledged governmental public agency. I don't for  
14. one minute, think we would give the Cook County Board  
15. this exemption and don't think we ought to give the  
16. Hospital Governing Commission this exemption and while  
17. I...I listened carefully and I understand the words that  
18. you are reading of Doctor Houghton's about the difficulties  
19. that their financial problems caused them by being  
20. aired in public, it seems to me that...that even though  
21. we may be in effect, be paying a slight price for it,  
22. that that is precisely what the principle of a  
23. Public Meeting Act, an Open Meeting Act is all about.  
24. That is, that we do know and understand the  
25. full implications of all of the actions that will...  
26. both we and the governmental unit take. If it costs  
27. us occasionally, then that is the price we pay, I think,  
28. for an open system. Hopefully, in time, it would not  
29. cost us. But, in any event, I think it is not worth  
30. giving up the right that we have to know what that  
31. business is, what the problems are and how it is being  
32. resolved. I would...I would oppose the bill, also.  
33. PRESIDENT:  
34. Senator Moore.

1. SENATOR MOORE:

2. Thank you, Mr. President, members of the Senate.  
3. I rise in support of this bill. I don't know if the  
4. members of this Body are aware that seventy percent  
5. of the monies that go through the Health and Hospital  
6. Governing Commission of Cook County are paid by the  
7. Illinois Department of Public Aid. Now, we all  
8. know what happened during the last administration  
9. when there were intentional slow downs in medical  
10. payments to our medical vendors in an attempt  
11. to balance the budget. At one time, there was as  
12. much as forty to sixty million dollars the State of  
13. Illinois owed the Hospital Governing Commission.  
14. They have severe problems when this does occur  
15. through no fault of their own. Their...the...the...  
16. the typical example in the closing days of the past  
17. administration they attempted to cancel a contract of  
18. the Oak Forest Hospital which is the only chronic  
19. disease hospital in the State of Illinois, paid a  
20. higher rate and make them a long term care facility. Now,  
21. that doesn't sound like much, but it means six  
22. million dollars a year to the Oak Forest Hospital.  
23. This problem is in the process of being resolved with  
24. the new administration and the new director, but there  
25. are things of this nature that do come up. Right  
26. now there are seven to eight thousand cases back logged  
27. between the Hospital Governing Commission and the Department  
28. of Public Aid on claims that have been submitted but  
29. not acted upon. I think this is a good bill.  
30. It does have a financial impact into the extend that  
31. when these vendors know they're not going to be paid  
32. for thirty, sixty, ninety, a hundred and twenty days,  
33. as a result, they will not extend credit. They increase

1. their prices when they bid competitively and I think  
2. that the...the bill is...is adequate inasmuch as any  
3. final determination has to be made in the public, but  
4. the fact that this institution or this unit of  
5. government is dependent upon the State of Illinois  
6. for seventy percent of its money, and we all know  
7. the financial problems we're having in the State  
8. today, I think this is a...a good bill and  
9. I would urge the members on this side of the aisle to  
10. support it.

11. PRESIDENT:

12.         Senator Knuppel.

13. SENATOR KNUPPEL:

14.         All I have to say is it would be a blessing if  
15. they would just cut out the whole damn thing, the  
16. way the press treats everything.

17. PRESIDENT:

18.         Is there any further discussion? Senator Rock  
19. may close the debate. Senator Newhouse.

20. SENATOR NEWHOUSE:

21.         I...I do want to say a couple of words on this  
22. because I think it is important to talk about this  
23. particular commission. This is a commission that  
24. has done some very peculiar things that I think  
25. we ought to recall. I think I can recall a couple  
26. of years ago on Thanksgiving when the Commission  
27. Chairman said, Merry Christmas, we're going fire a  
28. thousand people. And he was talking about some poor  
29. people who had been trained out of the Public Aid  
30. system to get jobs unskilled at the hospital and  
31. who, if they had suffered that treatment, would have  
32. been shattered forever. And we fought for about six months  
33. to save them from that high handed position and  
34. this Commission Chairman has particularly been high handed



1. in his actions and it's taken all kinds of activities.  
2. As I understand it, this bill was submitted, if...if  
3. I'm not mistaken from what I gather, without the approval  
4. of the commission at all. It seems to me that bodies  
5. of this sort are no less susceptible to public  
6. criticism than any other. No less subject to public  
7. disclosure than any other, and certainly ought to  
8. answer to the same standards as any other commission.  
9. I certainly would see no need particularly to give  
10. this commission that kind of authority and I'm  
11. going to vote against the bill.

12. PRESIDENT:

13. Senator Rock may close the debate.

14. SENATOR ROCK:

15. Thank you, Mr. President, Ladies and Gentlemen of the  
16. Senate. I think enough has been said. I do not view  
17. this, frankly, as some kind of a one man assault on the  
18. Open Meetings Act or the public's right to know or the  
19. press's right to be let in the meetings. The Cook  
20. County Hospital Governing Commission, does, in fact,  
21. have a problem. They have been circumscribed and  
22. hampered unduly in their administration of this hospital  
23. because they are not free to discuss...discuss, not take  
24. final action, discuss as the bill says, advances and  
25. declines in operating revenues and that they have  
26. not been free to discuss proposals for grants in  
27. aid. I think the bill is a good one and merits support  
28. and I would urge a favorable roll call.

29. PRESIDENT:

30. The question is shall Senate Bill 424 pass. Those  
31. in favor will vote Aye. Those opposed will vote  
32. Nay. The voting is open. Have all voted who wish?  
33. Have all voted who wish? Take the record. On that

1. question, the Ayes are 22, the Nays are 22, 6 Voting
2. Present. Senate Bill 424 having failed to receive
3. a constitutional majority is declared lost.

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End of reel.

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1. PRESIDENT:

2. Senate Bill 426, Senator Smith. Read the bill.

3. SECRETARY:

4. Senate Bill 426.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. PRESIDENT:

8. Senator Smith.

9. SENATOR SMITH:

10. Mr. President, Ladies and Gentlemen of the Senate.  
11. The Calendar which I hold in my hand on page 14 gives  
12. a true analysis of this bill. It's about the forth  
13. from the top. This bill, Mr. President, seeks to raise  
14. the funeral allowance for persons on public welfare  
15. from three hundred dollars to four hundred dollars  
16. each. I presented this bill the last Session of this  
17. Body and it passed unanimously, well, there were two  
18. or three exceptions. The bill was subsequently  
19. vetoed by His then Excellency, who stated that there  
20. were not sufficient funds to take care of the amount  
21. necessary if he had signed the bill. I hold in  
22. my hand a clipping given me by a given mortician  
23. which I will read briefly from, because the time of  
24. course allotted is brief. But it is the contention  
25. of the one thousand six hundred or one thousand  
26. six hundred or eight hundred morticians in this  
27. State, that during this inflationary period, the  
28. amount that was allotted, some three hundred dollars per  
29. funeral several years ago is altogether inadequate. The  
30. paper that was given me by a member of this Body  
31. who is a mortician, shows that the average adult  
32. casket rose from three hundred...two hundred and  
33. thirty-one dollars in 1975 to two hundred thirty-  
34. four dollars. And I am told by this same gentleman

1. who is in that business that the average casket now  
2. costs slightly more than two hundred dollars out of  
3. the three hundred dollars that is now the amount that  
4. is furnished for funerals. Whereas this clipping  
5. doesn't show, the fact is that for burial purposes,  
6. the lot must be purchased and there is a price for  
7. that and it has been increased. I'm told that the  
8. prices quoted here apply only when the mortician  
9. is able to purchase his goods in large quantities.  
10. That the cheapest possible casket is about a hundred  
11. and seventy-five dollars...

12. PRESIDENT:

13. Excuse me, Senator Smith. May we have some order.  
14. Will the members please be in their seats.

15. SENATOR SMITH:

16. The burial lot more than a hundred dollars. For  
17. opening the grave, a certain price. Closing the  
18. grave, another price. And they now insist even more  
19. earnestly than they did last year that the three hundred  
20. dollar amount is altogether insufficient. For whatever  
21. it's worth, I call you attention to the fact that the  
22. neighboring...our neighboring states, Missouri, Wisconsin  
23. and Indiana and others, they've raised their allowance  
24. some five years ago, six years ago to three hundred,  
25. seventy-one dollars. Is that...the previous excellency  
26. our previous Governor, did not object to the bill on the  
27. fact that it was not necessary. He admitted that the  
28. amount seems reasonable, but all Senators who are here  
29. and members of this Body know that we were told on  
30. successive occasions that the treasury was bare and  
31. that therefore His Excellency saw fit to veto the bill.  
32. This bill received unanimous support in committee.  
33. They claim its neutral, that it's absolutely essential,

1. that they're losing money as the clipping here shows and  
2. I don't want to put anybody on the spot but there is  
3. a mortician present, he's well known, well advised. I  
4. wonder if you would submit to a question. I won't call  
5. your name, but I'm looking at you because I don't want  
6. you to be in violation of any law, but is what I have  
7. stated substanstially true, Senator Weaver.

8. PRESIDENT:

9. Senator Weaver.

10. SENATOR WEAVER:

11. Senator Smith, much of what you said is true,  
12. whether or not this is raised, and I intend to vote  
13. Present, it's an obvious conflict. Much that you've  
14. said is true, but whether or not this is raised, the  
15. funeral directors of the State of Illinois are going  
16. to continue to bury the dead whether they're paid  
17. for it or not. It still would represent a losing  
18. proposition to the individual funeral home, but I  
19. have to just vote Present, Senator.

20. SENATOR WEAVER:

21. ...realizes and appreciates the fact that he  
22. cannot and will not vote for it. The fact is, and  
23. I've established it through him, and he knows it to  
24. be true, that it is a losing profession of business  
25. as now...as of now, and would continue to be again  
26. survives, which I trust it will.

27. PRESIDENT:

28. Is there any further discussion? If not, the  
29. question is shall Senate Bill 426 pass. Those in  
30. favor will vote Aye. Those opposed will vote Nay.  
31. The voting is open. (Machine cut-off) voted who wish?  
32. Have all voted who wish? Take the record. On that  
33. question, the Ayes are 53, the Nays are none, 1 Voting

1. Present. Senate Bill 426 having received a constitutional  
2. majority is declared passed. Senate Bill 427, Senator  
3. Schaffer. Read the bill.

4. SECRETARY:

5. Senate Bill 427.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDENT:

9. Senator Schaffer.

10. SENATOR SCHAFFER:

11. Senate Bill 427 simply includes in the health  
12. care facilities a requirement for Certificate of  
13. Need...clinical labs. I think we discussed this at  
14. great length in committee. We include nursing homes,  
15. hospitals and any other type of medical improve-  
16. ment over a hundred thousand. This is a reasonable  
17. approach and I think it has a...if somewhat indirect  
18. and long term also will have an effect in cutting  
19. down on some of the problems we've had in fraud  
20. in this area.

21. PRESIDENT:

22. Is there any discussion? Senator Berman.

23. SENATOR BERMAN:

24. Thank you, Mr. President. I was just debating  
25. as to whether I want to make a comment or not. I'm  
26. not sure this bill really does what the sponsor thinks  
27. it's going to do. We discussed this at great length in  
28. committee. The clinical labs are licensed by the  
29. Department of Public Health. If there's an element  
30. of fraud and I am led to believe that there is, in  
31. the operation of these clinics in relation to the  
32. Public Aid rip-off, I think that it's incumbent upon  
33. us not to pass these kind of bills, but rather to

1. ask the questions, why the Department of Public Health  
2. doesn't revoke the licenses of these clinical labs.  
3. Too often we find that people that are engaging in  
4. fraud aren't licensed and there's a ...and a you have  
5. a tough way of getting to them. If this is one  
6. segment of the health providers industry that is  
7. wrought with fraud, I think it's incumbent upon the  
8. Department of Health to do its job. The testimony  
9. that we heard in committee doesn't give me any  
10. feeling of confidence that the Department of Public  
11. Health is doing much, if anything, regarding revoking  
12. the licenses of persons running clinical labs that are...that  
13. are defrauding the public treasury. I'm going to  
14. support the bill, but I...I really don't think it's  
15. the answer to the clinical lab fraud question.

16. PRESIDENT:

17. Senator Don Moore.

18. SENATOR MOORE:

19. Thank you, Mr. President. I rise in favor of  
20. this particular bill. I believe many of the members  
21. saw the Sixty Minute program that dealt with the  
22. Clinical Laboratories in Chicago. The...what Senator  
23. Berman has said, the Department of Public Health has  
24. done a miserable job in enforcing the Clinical  
25. Laboratory Act. There are cases that we are aware  
26. of where they would be closed today and a new corpora-  
27. tion would be formed and the following week and they'd  
28. be open under a new name with the same personnel, the  
29. same equipment, for the reasons they were closed in  
30. the first place. I think that if the Department of  
31. Public Health is prodded along a little bit and if  
32. we in the General Assembly have to do it by making  
33. it a little bit harder to get a...in order to get

1. a Certificate of Need in order to go back into business,  
2. why I see nothing wrong with this bill. I support it  
3. and I urge the members on both sides of the aisle to  
4. support this matter.

5. PRESIDENT:

6. Senator Netsch.

7. SENATOR NETSCH:

8. Thank you, Mr. President. I rise in support of  
9. the bill, but I do feel that a lot of the discussion  
10. got off on the wrong tack and that perhaps is why  
11. the bill itself got somewhat confused. It is true  
12. that the clinical labs have been the source of a  
13. great deal of fraud and that that issue ought to  
14. be ...addressed very directly. I don't  
15. think though that there was any representation  
16. by the sponsor or by the Department of Public Health,  
17. which requested the bill, that this bill by subjecting  
18. the clinical labs to the Health Facilities Planning  
19. Act was going to solve the fraud problem. I think  
20. we got ourselves off on that tack by raising that  
21. question and perhaps raising a straw man. It might  
22. help a little bit with respect to the fraud issue,  
23. but the issue is even broader than that. The clinical  
24. labs that will be affected by this bill tend to be  
25. fairly substantial ones or might well be. The clinical  
26. lab work is a very important and very costly component  
27. of the total health care picture. It is that overall  
28. thing that we are attempting to control through the  
29. Health Facilities Planning Act. These institutions,  
30. that is the clinical lab sought to be subject to the  
31. overall comprehensive health plan and the Certificate  
32. of Need legislation just as much as a hospital or  
33. any other part of the health care facility of the State.



1. I think it's that...for that reason principally that the  
2. bill is a very important one and a good one.

3. PRESIDENT:

4. Is there any further discussion? Senator Smith.

5. SENATOR SMITH:

6. (Machine cut-off) Mr. President. I was glad to  
7. hear Senator Berman say in spite of his early  
8. remarks that he will support and vote for this bill.  
9. The condition of which he complains does exist and  
10. I think the sponsor of this particular bill will  
11. verify the fact that I suggested and I purposed to  
12. appoint a committee to investigate the various  
13. institutions that have sprung up overnight since  
14. Medicaid came into existence. And these clinics have,  
15. as he has full well said, they have profited at the  
16. expense of the State and the Federal Government.  
17. And...as when and if and as long as you allow them  
18. to investigate themselves such conditions will continue  
19. to sustain. I yield to the sponsor of the bill.

20. PRESIDENT:

21. Is there any further discussion? If not, the  
22. question is shall Senate Bill 427 pass. Those in  
23. favor will vote Aye. Those opposed will vote Nay.  
24. The voting is open. Have all voted who wish? Have  
25. all voted who wish? Take the record. On that  
26. question the Ayes are 52, the Nays are 3. None  
27. Voting Present. Senate Bill 427 having received a  
28. constitutional majority is declared passed. Senator  
29. Washington, am I to understand we are to skip the  
30. next series. Senator Washington.

31. SENATOR WASHINGTON:

32. Skip also the series involving Senator Shapiro.  
33. He's not here today and that's why they're being skipped.

1. Thank you.

2. PRESIDENT:

3. Thank you. Senate Bill 451, Senator Egan. Senate  
4. Bill 451, Senator Egan. Do you wish to call the bill?  
5. Senator Egan? Read the bill.

6. SECRETARY:

7. Senate Bill 451.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDENT:

11. Senator Egan.

12. SENATOR EGAN:

13. Thank you, Mr. President and members of the Senate.  
14. Actually, this bill should be on the Consent Calendar.  
15. It is a restructuring bill. It has the approval of  
16. the Pension Laws Commission. The unanimous approval of  
17. the Pensions Commission and even the approval of Senator  
18. Berning so with that I ask for your favorable support.

19. PRESIDENT:

20. Any discussion? Senator Berning.

21. SENATOR BERNING:

22. I urge a favorable roll call, Mr. President.

23. PRESIDENT:

24. If there's no further discussion, the question is  
25. shall Senate Bill 541 pass. Those in favor will vote  
26. Aye. Those opposed will vote No. The voting is open.  
27. Have all voted who wish? Have all voted who wish? Take  
28. the record. On that question the Ayes are 53, the Nays  
29. ...the Nays are none. None Voting Present. Senate  
30. Bill 451 having received a constitutional majority is  
31. declared passed. (Machine cut-off) 458, Senator Savickas.  
32. Senator Savickas, 45...read the bill, Mr. Secretary.

33. SECRETARY:

1. (Secretary reads title of bill)

2. 3rd reading of the bill.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Savickas.

5. SENATOR SAVICKAS:

6. Yes, Senate Bill 458 provides that the executive  
7. orders issued by prior Governors are null and void  
8. sixty days after the inauguration of a new Governor  
9. unless extended by the new Governor. I would suggest  
10. that this would save any...new Governor the embarrass-  
11. ment of nulling and voiding any executive order by  
12. previous administration. This would give them a  
13. chance to look at whatever decisions he might decide  
14. to make as he comes into a new office and provide  
15. his own executive orders. I would appreciate  
16. your favorable roll call.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Is there debate? Senator Weaver.

19. SENATOR WEAVER:

20. Senator Savickas, what's the effective date of  
21. this bill?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Savickas.

24. SENATOR SAVICKAS:

25. Well, I imagine this would be effective on becoming  
26. law.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Is there further discussion? Senator Wooten.

29. SENATOR WOOTEN:

30. Just a question. Senator Savickas, what impact  
31. would this have on collective bargaining agreements,  
32. in effect, through executive order?

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Savickas.

2. SENATOR SAVICKAS:

3. What he said was...

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Wooten, would you please ask your question

6. again.

7. SENATOR WOOTEN:

8. What effect would this have on collective barg-

9. aining agreements? They're imposed by executive order.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Savickas.

12. SENATOR SAVICKAS:

13. Well, I imagine as any executive order, if it's

14. an executive order it would fall into this category

15. and be null and void after sixty days after the new

16. Governor becomes inaugurated.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Wooten.

19. SENATOR WOOTEN:

20. I guess I'm speaking to a specific situation

21. right now, Senator. I understand how this would

22. impact...how this would affect the...the change

23. after Governor Thompson, but I'm thinking about

24. executive orders which I...unless I'm mistaken

25. some are still in effect concerning collective

26. bargaining. Would there be any change in collective

27. bargaining which was instituted by executive order.

28. Would there be any change in that caused by the

29. passage of this bill?

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Savickas.

32. SENATOR SAVICKAS:

33. There would be no immediate change. It would

1. be...the change would be made when a new Governor gets  
2. elected.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Is there further discussion? Senator Netsch.

5. SENATOR NETSCH:

6. I have a question of the sponsor. Senator Savickas,  
7. what effect would this have on executive orders that  
8. bring about agency reorganization pursuant to the  
9. constitution?

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Savickas.

12. SENATOR SAVICKAS:

13. The only effect it would have, it would not  
14. affect the present executive orders. It would  
15. affect any order after a new Governor is inaugurated.  
16. So after the next election, when the new Governor is  
17. inaugurated, whether it's the present Governor or  
18. a new Governor, this would be in effect. And the  
19. present Governor is he is reelected would have the  
20. option of issuing a new executive order or if it's  
21. a new Governor, he would either have the option of  
22. issuing a new order or not issuing a new order.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Netsch.

25. SENATOR NETSCH:

26. You mean you're suggesting that this bill would  
27. indeed void an agency reorganization executive order  
28. issued pursuant to the Constitution, unless the next  
29. Governor remembered to continue that executive order  
30. or otherwise cover the subject. In other words, an  
31. agency reorganization that had become a part of the  
32. law could be indirectly affected by this maybe two  
33. or three years later if there was forgetfulness  
34. about the fact that it had been done that way and

1. and the order was not continued. I...I'm not...I  
2. really have some problems with that. I...the basic  
3. idea of having executive orders take or not take  
4. effect in the next Governor's administration unless  
5. they're renewed, with respect to run of the mind  
6. executive orders, it seems to me is a perfectly  
7. sound idea, but I think there could be very serious  
8. problems raised if this were interrupted to apply  
9. also to the executive orders that were issued  
10. pursuant to the Constitution.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Savickas.

13. SENATOR SAVICKAS:

14. Yes, Senator Netsch, I agree with you, there  
15. would be a problem if that was the case, but in the  
16. case of reorganization, the executive order must  
17. go before the Senate and House committees and before  
18. the Senate and House for approval. It's a different  
19. operation than just an executive order issuance. And  
20. once that approval is handed now by the House and  
21. the Senate, that's a matter of law then.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Netsch.

24. SENATOR NETSCH:

25. Well, just so that I'm clear about this. You...  
26. what you are saying now is that the intent of this  
27. bill is that the executive orders issued pursuant  
28. to Section 11 of Article 5 of the Constitution are  
29. not covered by the bill that you are purposing today.  
30. Is that what you are saying?

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Savickas.

33. SENATOR SAVICKAS:

1. Yes, the bill specifically says that in Section 3,  
2. lines 19, 20 and 21. This Act does not apply to executive  
3. orders issued under Section 11 of Article 5 of the Con-  
4. stitution.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Further discussion? I have Senator Maragos, Senator  
7. Regner. Senator Regner.

8. SENATOR REGNER:

9. Just a few short comments. I think this is an  
10. excellent proposal. It deserves the support of the  
11. entire Senate. There's only one shortcoming and that  
12. is that it doesn't go back and be retroactive to clean  
13. up the mess that was left by the previous Governor.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Hickey.

16. SENATOR HICKEY:

17. I wondered if the sponsor could tell us how  
18. many executive orders now are in existence that  
19. are left over from other Governors and do...and  
20. how many, how many Governors...how far back do  
21. executive orders go which are now in force? That  
22. is...

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator.

25. SENATOR HICKEY:

26. ...what are...what would this...how many would  
27. this affect?

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Savickas.

30. SENATOR SAVICKAS:

31. That's a very good question, Senator, and I don't  
32. have the answer.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Is there further discussion? The question is shall  
2. Senate Bill 458 pass. Those in favor vote Aye. Those  
3. opposed vote Nay. The voting is open. Have all voted  
4. who wish? Take the record. On that question the Ayes  
5. are 55, 1 Voting Nay, 1 Voting Present. Senate Bill 458  
6. having received a constitutional majority is declared  
7. passed. Senate Bill 459, Senator Collins. Read the  
8. bill, Mr. Secretary.

9. SECRETARY:

10. Senate Bill 459.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Collins.

15. SENATOR COLLINS:

16. Mr. President, and members of the Senate. Senate  
17. Bill 459 provides that a copy of the tally sheets and  
18. certificates of results of an election be made available  
19. to all candidates...forty hours after the poll closed  
20. for inspection regardless to party affiliation. The  
21. purpose of this legislation is to correct what I feel  
22. and many feel is inequality in Section 17 and 18 of  
23. the Election Code. I'm sure that when this legis-  
24. lation was passed that the intent was not to dis-  
25. criminate against candidates or give preferential  
26. treatments to candidates that were members of the  
27. two major parties. If the Democratic...if the  
28. election is truly a Democratic process then I feel  
29. that we should make it Democratic. All candidates  
30. should be given equal access to any information  
31. or election materials in order to adequately pre-  
32. pare themselves for the canvass that's coming up  
33. following the election. Therefore, I think it's



1. a good bill, it's a fair bill. It only asks for  
2. equality and I move for a favorable roll call.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Is there discussion? Senator Kosinski.

5. SENATOR KOSINSKI:

6. Mr. Chairman and members of the Senate. The  
7. committee had a thorough hearing. The Board of  
8. Elections of the City of Chicago felt, your beautiful  
9. whistlers with the birds are not coming through, a...it  
10. could...they could not comply administratively with the  
11. bill, no way. It takes approximately two days later,  
12. after the election, that they have the canvass, which  
13. is forty-eight hours later, and by the time they compute  
14. it, it takes approximately another day or probably two.  
15. The Boards felt strongly that the bill is not a good  
16. bill as far as they're concerned administratively. I  
17. agree with them wholeheartedly, if there was more time  
18. to comply probably the bill would have been a good bill.  
19. At this time, members of the Senate, I plead with you,  
20. this is not a good bill and I ask for its defeat.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Washington.

23. SENATOR WASHINGTON:

24. I have a question, Mr. President. I don't know  
25. whom to address it to, perhaps Mr. Kosinski would be  
26. the logical person and if he would comply, I would be  
27. grateful. Who does have access to these returns, if  
28. anyone, within a forty-eight...forty hour span from  
29. the closing of the poles? Mr. Kosinski, could you  
30. respond to that.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Kosinski.

33. SENATOR KOSINSKI:

1. Senator, do you have an answer?

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Gentlemen, I would point that this is out of order.

4. SENATOR KOSINSKI:

5. I know that they are sealed, originally when they  
6. come in to the Election Board, these ballots are sealed  
7. until the official canvass date, which is two days  
8. later after election.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Washington.

11. SENATOR WASHINGTON:

12. My point was that Senator Collins read the law or  
13. paraphrased the law governing it and she said that the  
14. two major parties had access to these records. The  
15. question then is do they take advantage of that legal  
16. grant that they have received and if so then it seems  
17. to me that it would be a simpler matter of reproducing  
18. the records for any one else who was entitled to them.  
19. But if no one has received them pursuant to the law,  
20. that's a different problem. I gather from Senator  
21. Kosinski's remarks that it was administratively impossible. And  
22. if that's true, does any one comply with the letter of the law.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Kosinski.

25. SENATOR KOSINSKI:

26. All I know and that...what I was told that after  
27. the official canvass then both parties are given that  
28. that right or anyone who's running for office.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Gentlemen, I have Senator Rock, Senator D'Arco  
31. and Senator Rhoads who have sought recognition. Senator  
32. Rock.

33. SENATOR ROCK:

1. Thank you, Mr. President, and Ladies and Gentlemen  
2. of the Senate. I will just hopefully corroborate what  
3. Senator Kosinski has said and rise in opposition to  
4. Senate Bill 459. There is strong indication from the  
5. local election officials that this mandate is adminis-  
6. tratively impossible, and if for no other reason it  
7. should be defeated on that basis. They just simply  
8. can't do it beginning forty hours after the polls  
9. close. Additionally, as I read this bill, has been  
10. admended now three times, it would seem to say that,  
11. and it probably does say that this...this information  
12. should be made available to virtually anyone, because  
13. candidate's representative is no where defined nor  
14. does one have to identify himself apparently. So  
15. that the election officials prior to the official  
16. canvass, which is mandated by our Illinois Statutes,  
17. would somehow have to designate a time, a place,  
18. some employees and everything else administratively  
19. to take care of a request from someone who needn't  
20. identify himself, except to say that I am a repre-  
21. sentative of so and so whether he is, in fact, or not.  
22. I just think that the purpose of the official canvass  
23. is to do exactly when Senator Collins apparently  
24. wishes, and that is to make available those tally  
25. sheets from the individual precincts and to corroborate  
26. precinct tallies. To do otherwise, I think, which  
27. apparently this bill intends to do is a serious, serious,  
28. mistake. All candidates have access to the official  
29. canvass and I think in the interest of fairness and  
30. equality that's the way it should say and I would urge  
31. a no vote.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator D'Arco.

1. Forty hours time is not enough time to get the  
2. canvass results from the tally sheets, because that  
3. would include much of the time that the board is  
4. closed down. You're including night time, day time  
5. and all including it within a forty hour period so  
6. the board wouldn't even be functioning for half that  
7. amount of time. It would be virtually impossible for  
8. them to distribute these sheets. It's an unworkable  
9. bill and I rise in opposition to it.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Rhoads.

12. SENATOR RHOADS:

13. Well, Mr. President, and members of the Senate.  
14. When this bill was heard in committee, there was a  
15. representative of the Clerk of Cook County present in  
16. the room who did...did not as I recall raise any mech-  
17. anical or administrative objections to this bill. I  
18. think if he...if he had, it wouldn't passed out the  
19. way it did, ten to one. Secondly, we're not talking  
20. here about canvass results, we're talking about  
21. duplicate sets of tally sheets which normally go  
22. in party envelopes and they're available twenty-four  
23. hours and sometimes less than twenty-four hours  
24. after an election. The night of the election, partic-  
25. ularly in a Primary, they go to collection stations  
26. around the city and located around suburban Cook.  
27. From those collection stations, one envelope or  
28. several envelopes go to the county clerk or the  
29. Chicago Board of Election Commissioners, a set of  
30. envelopes goes to the Republican Party and a set  
31. of envelopes goes to the Democratic Party. Senator  
32. Collins' point is a very simple one. That unless  
33. one has...a candidate has access to those party

1. envelopes, then the candidate has no basis for making  
2. an intelligent judgment when the official canvass does  
3. come. They don't know how to challenge figures. They  
4. don't have any reliable figures to go on unless they've  
5. had an army of their own volunteers in each and every  
6. single polling place and that's very tough to do if  
7. there's an independent candidate involved. So I think  
8. this is a good bill, I don't...I don't see the adminis-  
9. trative obstacles that Senator Kosinski referred to.  
10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Wooten.

12. SENATOR WOOTEN:

13. Yes, in corroboration what Senator Rhoads said,  
14. the point was made by the Election Officials from  
15. Chicago that they only prepare five copies and they  
16. were reluctant to prepare more, but as Senator Chew  
17. so eloquently argued, for passage of the bill, that  
18. fair is fair. That if an organization, Republican  
19. or Democratic candidate, can see those early results  
20. the night of the election, why shouldn't other  
21. candidates have the same right. Well, the testimony  
22. was that they did see them. That they presented the  
23. envelopes to either candidates or their representatives  
24. of the Democratic Party and the Republican Party according  
25. to the law and the testimony was given that that was  
26. done. The argument that was made about why they didn't  
27. give them to anybody else was because they only had  
28. five copies and it would be a nuisance and perhaps  
29. cost more to produce more than five copies, but as  
30. I say Senator Chew so eloquently argued, fair is fair.  
31. If you give one candidate a copy or his or her represen-  
32. tatives, you should give the others. And if it takes more  
33. than five copies, so be it. Either that or don't give any-  
34. body copies of those tally sheets, and they are provided,

1. according to testimony, the night of the election.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Knuppel.

4. SENATOR KNUPPEL:

5. All I want to say is that at my election last fall,  
6. there was one computer that dribbled the results out  
7. more than forty hours, I think. Another one was locked  
8. up, they had to fly a plane to Taylorville and fly another  
9. plane to...to Iowa and then, hell, it takes more than  
10. forty hours to get from the polling place to the county  
11. seat in west central Illinois. So I hope Earleen will  
12. remember this and vote for me for some roads in west  
13. central Illinois and then next...next time she introduces  
14. this, I'll be able to vote for it.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. All right, Gentlemen. On my list now is Senator  
17. Glass, Senator Clewis, Senator Kosinski, Senator Savickas  
18. and Senator D'Arco has spoken once. Senator, you will  
19. speak after everyone else who has requested has  
20. spoken the first time. Senator Glass.

21. SENATOR GLASS:

22. Thank you, Mr. President and a question of the  
23. sponsor if she will yield.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Indicates that she will yield.

26. SENATOR GLASS:

27. Senator Collins, I notice that the bill did  
28. come out of the committee, Senator Rhoads said by...  
29. with one opposing vote. My sheet shows that it  
30. was ten to nothing, so that there must have been  
31. support for the concept from everyone there. From  
32. the debate that I've heard on the Floor, it appears  
33. that one of the objections is the time limit of  
34. forty hours. I think this is a good concept. Is there

1. any...any way you might extend that beyond the forty  
2. hours to meet these objections or is that a magic number?

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Collins.

5. SENATOR COLLINS:

6. Senator Glass, quite frankly there is no valid  
7. reason for that objection. As Senator Rhoads has  
8. said, the tally sheets are made out in triplets at  
9. the time...at the night when the polls are closed.  
10. Each of the party precinct organizations receive  
11. a copy of those tally sheets, certificate of results.  
12. That night when the polls are closed, another goes  
13. into a sealed envelope and it goes to the Cook  
14. County Central Committee and the Republican Central  
15. Committee. There is absolutely no problem with time  
16. and it is...is also no problem in reference to adminis-  
17. tration of this particular project.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Glass. Senator Clewis.

20. SENATOR CLEWIS:

21. Mr. President, members of the Senate. Am I on  
22. here? I've been a member of the regular Democratic  
23. Organization in Chicago and a regular organization  
24. candidate. I know as a precinct captain or as a  
25. candidate of no official documents that are put in  
26. envelopes the night of the election when the election  
27. closes and copies are given to the political party.  
28. The results that we have are taken by our captains,  
29. our volunteers and we turn those reports into the  
30. political organization. I know of no official documents.  
31. I don't know how it could be mandated that semiofficial  
32. reports to committeemen should be turned over to  
33. candidates. I think if they called the respective

1. political offices that they could they obtain these. Now it's,  
2. I was a candidate last time, I waited until the following  
3. week to get my results. I think it would be forty hours is  
4. ridiculous, silly and impractical.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Savickas. Senator Chew.

7. SENATOR CHEW:

8. Thank you, Mr. President. I think what this bill  
9. does and I supported it in committee and I'm going to  
10. support it on the Floor. I don't care who likes it  
11. or who doesn't like it, I think she has a fair idea  
12. of what she wants and what she's requesting in the  
13. bill, as I understand it. I don't think I'm wrong  
14. interpreting it. If major political parties can  
15. get the results on election night of what the vote  
16. tally is, any other candidate, whether he is Democratic,  
17. Republican or else, ought to be able to get the same  
18. results. Now, what prompted the bill as I under-  
19. stand it from the sponsor is that an Independent  
20. candidate or candidate of the Workers party or  
21. other parties do not have privilege to ascertain  
22. what the returns have been. There was further  
23. testimony that the call ins to the two major parties  
24. that were made by the various workers in the field  
25. or ward organizations do in fact call in the results  
26. as they receive them to their central headquarters.  
27. Now, the question I want to ask the sponsor is  
28. how do your bill state that these results should  
29. be obtained?

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Collins.

32. SENATOR COLLINS:

33. Senator Chew, I think if I answer Senator Clewis'



1. question first and then you would understand how the  
2. bill hoped to obtain it. The present law right now  
3. provides that additional copies be made by the judges  
4. of election who is in fact supposed to be nonpartisan  
5. and they supplies an extra copy for every ward  
6. organization and precinct. All we are asking, we're  
7. not asking for all of the copies, we're asking that  
8. one copy be made available for the inspection. Not  
9. every candidate having a separate copy. I think to  
10. be fair each candidate running should in fact have  
11. a copy. If you're not a member of the regular  
12. organization you have no access to that copy because  
13. the way the election laws are in reference to the  
14. canvass, if you go to the canvass unprepared and  
15. here I am, as a typical example, when I went down,  
16. according to those tally sheets, I was three votes  
17. in lead of my opponent, had I not been prepared for  
18. that canvass and had access to the material, through  
19. other means, I would not have won the election. If  
20. the people of Illinois selects and go out and vote  
21. for a candidate, then that person have a right to  
22. every privilege and every opportunity to secure  
23. that seat.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Chew.

26. SENATOR CHEW:

27. Earleen, would you be amenable to amending  
28. the bill to say that every candidate who's on that  
29. ballot would be eligible to receive the same kind  
30. of notificationsthat the major political parties  
31. receive?

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Collins.

1. SENATOR CHEW:

2.           You could put that on in the House if you so  
3. desire. But, I think it's a good idea. I don't think  
4. anybody should be barred from that information.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6.           Senator Collins.

7. SENATOR COLLINS:

8.           Senator Chew, I don't think at this time we could  
9. probably leave that up to the House for...for amendment  
10. in the House, but I don't think we should do it at this  
11. time.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13.           Senator Chew.

14. SENATOR CHEW:

15.           Well, as the Senate sponsor I would suggest that  
16. you go over to the House and whoever is going to  
17. sponsor this bill if it gets out of here would be  
18. in tune to put an amendment on where every candidate  
19. on the machine would have the same access to vote results that  
20. any candidate would have, whether he comes from the  
21. Republican Party, the Democratic Party, Independents  
22. Party or the Communist Party. They ought not be barred  
23. from that information. Now, I know in the committee  
24. hearing there was testimony by the Chicago Board of  
25. Election Commissioners representative, when the Chairman  
26. called for witnesses, he was not in the room, he sub-  
27. sequently came to testify after the bill had passed,  
28. and I objected to this testimony and it didn't have  
29. any results on the results of the voting in the  
30. committee. Now, I think he said the problem would  
31. be that they didn't have enough space on the computer  
32. to furnish candidates while the next person that  
33. testified so stated that there is sufficient room

1. on the computer to furnish the number of candidates.  
2. And I want you to know that...that I think the Board of  
3. Election Commissioner ought to make that information  
4. available. We do have space for it and I think they  
5. should do it and I'm going to support the bill.  
6. PRESIDING OFFICER: (SENATOR BRUCE)  
7. Let's see, I have Senator Savickas, Senator  
8. Berning, Senator Guidice and Senator Kosinski and  
9. D'Arco. Senator Berning.  
10. SENATOR BERNING:  
11. A question of the sponsor.  
12. PRESIDING OFFICER: (SENATOR BRUCE)  
13. Indicates that she will yield.  
14. SENATOR BERNING:  
15. I'm unfamiliar with this statute, Senator, and I...  
16. PRESIDING OFFICER: (SENATOR BRUCE)  
17. Excuse me, Senator Berning. Could we have some  
18. order, Gentlemen. Senator Berning.  
19. SENATOR BERNING:  
20. I'm unfamiliar with the statute and I'm trying  
21. to determine, does this bill affect counties such  
22. as mine where we use the punch card? We do not  
23. have tally sheets and certificates of results in  
24. precincts. I...I don't know, I've thoroughly confused  
25. over what it is that is involved here. The bill does  
26. say, in the keeping of the county clerk, and yet  
27. you refer to records in the precinct made available  
28. to both parties as they are tabulated. Whereas, in  
29. my county we use the vote-o-matic system. These are  
30. little IBM punch cards and there is no total until  
31. after it goes to the county clerk's office after  
32. first being carried to a central collection...stand...  
33. collection point, then moved to the county clerk's  
34. office and ultimately run off on the computer. What

1. kind of certification would you be talking about prior  
2. to the canvass which is several days later?

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Collins.

5. SENATOR COLLINS:

6. I'm talking about, I see no conflict in that  
7. case, because I'm talking about whenever the totals  
8. is provided, whether you send them down and they're  
9. computed down at the county clerk's office. That  
10. before the canvass that the results be made available  
11. and we said in keeping with the county clerk. That  
12. was to eliminate having each candidate running to  
13. have a separate tally sheet so that one would be  
14. made available, a copy, a duplicate copy in each  
15. precinct would be made available down at the  
16. county clerk's office, so that the candidates could  
17. go down and inspect prior to the canvass. In pre-  
18. paration for the canvass

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Berning.

21. SENATOR BERNING:

22. I think I know what it is you're driving at,  
23. but not being familiar with the operation in Cook  
24. County, it...it appears to me that we are...we would  
25. be with this bill imposing an administrative burden  
26. here that would be calamitous. If fifty or a hundred  
27. candidates marched in and asked for copies of the  
28. tally sheets and certificates of results, how would  
29. this be possible to provide these?

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Collins.

32. SENATOR COLLINS:

33. They're not asking for copies, they're just

1. asking that a copy be made available for inspection,  
2. that they go in and see it, that's all. No one  
3. is asking for a copy. So that...that a separate  
4. copy would be made and made available in the county  
5. clerk's office so that the candidates can go in  
6. and the bill also states that the clerk himself can  
7. notify the people when they can come at what times.  
8. And there is absolutely no necessity for additional  
9. administration costs, especially in Cook County.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Guidice.

12. SENATOR GUIDICE:

13. Thank you, Mr. President. Will the sponsor  
14. yield to a question, please?

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Indicates that she will yield.

17. SENATOR GUIDICE:

18. Senator Collins, I noted now that you indicated  
19. forty hours after the polls have closed. What happens  
20. if they're not available?

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Collins.

23. SENATOR COLLINS:

24. In fortyhours after the polls are closed, I'm  
25. sure that the results of the elections has been sent  
26. down to the county clerk's...or to those stations where  
27. they are supposed to be delivered. Now, if not, I'm  
28. sure in Cook County sometime they don't get there in  
29. a week, but they should be there. There are laws to  
30. regulate that too. So it's keeping within those laws.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Guidice.

33. SENATOR GUIDICE:

1. Well, what's going to happen if it's not there,  
2. in forty hours?

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Collins.

5. SENATOR GUIDICE:

6. What provision have you made there?

7. SENATOR COLLINS:

8. ...Well, that's another question that would have  
9. to be addressed under the laws that...that governs  
10. the time in which those...the results of election  
11. should be in envelopes and down to the county clerk's  
12. office.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Guidice.

15. SENATOR GUIDICE:

16. Well, how can we...we put a law in or something  
17. of this sort now and not have any provision or any  
18. sanctions that are going to be taken. Are we going  
19. to void the election if...if they're not available in  
20. forty hours? Do we throw out those precincts? Do we  
21. throw out those wards that haven't reported?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Collins.

24. SENATOR COLLINS:

25. If there's a violation of any other election  
26. laws, I'm sure the candidates would have a legitimate  
27. grounds to challenge in terms of that election.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Guidice.

30. SENATOR COLLINS:

31. To overturn the election.

32. SENATOR GUIDICE:

33. Well, let's assume now that there are no violations

1. of any of the election laws as we know them and under  
2. your bill, when you say forty hours, there apparently  
3. is a violation of not having come down there in forty  
4. hours. What's going to happen in that case? Let's  
5. assume everything else in equal and there is no problem  
6. outside of the fact they haven't been able to comply  
7. with your forty hours, what do we do then?

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator...Collins.

10. SENATOR COLLINS:

11. The results of the elections are supposed to be  
12. delivered immediately after the closing of the polls  
13. to certain stations set up designated by the board.  
14. Okay. Now, if they're violated, I have no control  
15. over...the administration of laws or keeping people  
16. from violating laws. But, a candidate would have a  
17. right to challenge those...challenge the law if if  
18. his rights are violated.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Guidice.

21. SENATOR GUIDICE:

22. Right, now, in regards to the same question now,  
23. these...the results of the election in the precinct  
24. are sealed at that time by the judges, is that correct?

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Collins.

27. SENATOR COLLINS:

28. Those copies that supposed to be delivered to  
29. the county clerk's office are sealed and they're not  
30. open until the official canvass. But there are other  
31. copies made available and is not closed that goes to  
32. each of the regular major parties and that's what we're  
33. talking about.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Guidice.

3. SENATOR GUIDICE:

4. What copies are you talking about there? The  
5. official tally sheets are sealed, are you talking about  
6. the precinct captains reports?

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Collins.

9. SENATOR COLLINS:

10. Senator Guidice, I think you could probably  
11. understand it if you take a look at the law. The...  
12. the...the official tally sheets, yes, but they are...  
13. the law...law right now provides that additional  
14. copies be made of the same official tally sheets  
15. that sealed in envelope and those are made available  
16. and given to the two major parties. It goes to the  
17. organization. The law provides for that now and  
18. I'm saying that any other candidate should have that  
19. same right.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator...Senator Guidice.

22. SENATOR GUIDICE:

23. I'm sorry Senator, I haven't seen where that's  
24. provided for. That it's going to go to the parties,  
25. themselves, unless it's in your bill. It's after  
26. the canvass that it goes to the...after it goes to  
27. the Democratic Headquarters or the Republican Head-  
28. quarters. The...the things that you're talking  
29. about are...are the fact that maybe you didn't have  
30. enough volunteers in the precincts to take the reports  
31. that you're asking for now. You want to spend the  
32. State's money by having other judges come into the...into  
33. being and into existence, that when these things are,



1. in fact, translated down at the county clerk's office  
2. or the like, where they're going to have to go through  
3. this added effort now of putting in another tally sheet  
4. for the purposes of each and every candidate and this  
5. would be done on a separate piece of paper on a  
6. separate matter and when you deal like in the last  
7. General Election with seventy or seventy-five candi-  
8. dates you, it's an enormous amount of paper work and  
9. an enormous amount of man hours that we're talking  
10. about. It's a very expensive bill.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Collins.

13. SENATOR COLLINS:

14. That is not true, Senator Guidice. Again, I say,  
15. take a look at Section 17 to 20 and 18 to 14 of the  
16. Election Code. It is already provided in the law.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Does any other Senator, Senator Guidice, have you  
19. concluded? Does any other Senator wish to be recognized,  
20. on the first time? Senator Lemke.

21. SENATOR LEMKE:

22. Have a question of the sponsor.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Indicates that she will yield.

25. SENATOR LEMKE:

26. Did she ever work as an Election Judge in a  
27. precinct?

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Collins.

30. SENATOR COLLINS:

31. No, I haven't.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Lemke.

1. SENATOR LEMKE:

2. Did you ever get...did you ever go out and try to  
3. get people to be judges in the precinct for election  
4. day for the little money that you pay. Now, you're  
5. asking these judges to do extra work. They're going  
6. to spend another six hours to fill out these reports.  
7. Who's going to pay them? Who's going to be in...who's going to be  
8. in the polling place to do the work? You got volunteers.  
9. You go...they...they...they do it for you. Now, you want  
10. the judges to do this. You want to pay them pittance  
11. for, you want to work them twenty-four hour day which  
12. is against all...all kind of silly laws we got on the  
13. books for...for laboring and we want to work these  
14. judges around the clock. For thirty-five dollars a  
15. day, that's what we want to pay them. And you can't  
16. find judges. Read the papers, read the list, you  
17. can't find judges to man precincts. They got to  
18. search around looking for judges to man precincts.  
19. People have to go out and get them cause there ain't  
20. no money being there, now you want to increase their  
21. work load another six hours to fill out another...  
22. another report. If you had enough gumption in election,  
23. you should go to every precinct like I do and watch  
24. your...watch your votes to see how they're coming out.  
25. That's what I do. That's what most of us do. We watch  
26. our elections. If we can't get there ourself, we get  
27. volunteers to do it for us.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Collins.

30. SENATOR COLLINS:

31. To answer your question, Senator Lemke, yes, I've  
32. gone out and I've gotten people to serve as judges of  
33. election. And in terms of time, it doesn't take that

1. much time to do an additional copy of the tally sheets.  
2. Now, most of the machines is computer print outs anyway,  
3. if they want to zerox them or however the board provides  
4. them, that's their problem. But, let me ask you this,  
5. Senator Lemke, would you be willing then, if you think  
6. it takes so much time to give the Independents that  
7. copy that would go to your ward organization?

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Lemke.

10. SENATOR LEMKE:

11. We don't get a copy that goes to our ward organization.  
12. We don't see a copy at the poll. We take an estimate  
13. of the tally and sometimes that tally's off. We...that's  
14. ...that's off the tally sheets. But, I want to tell you  
15. this, if you're going to run as a Democrat, or if you're  
16. going to run as a Republican, then you better have trust  
17. in your party that you're running for. If you don't  
18. want to run as a Democrat or as a Republican then run  
19. as an Independent and that should be your third party  
20. and let's have a third party in Illinois. And you run  
21. it as an Independent, and then we see in November if  
22. you give up the title as a Democrat, if you give up  
23. the title as a Republican, see how many votes you  
24. could get as an Independent. You're get nothing.  
25. Because there's no Independents, you're either a  
26. Republican or a Democrat. You have to have trust  
27. within your party and if you don't have trust within  
28. your party then you shouldn't have run for your party.  
29. Run for the other party then.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Gentlemen, please, down in place. On my list, on  
32. the Chair's list. I have Senators Netsch, Harber Hall, Senator  
33. Newhouse to speak a first time, Senators Kosinski, D'Arco and

1. Rhoads to speak a second time. We will conclude the list  
2. of those who have not spoken, then we will start picking  
3. those who wish to speak a second time. Senator Netsch.

4. SENATOR NETSCH:

5. Thank you, Mr. President. Senator Lemke, the work  
6. is already done and here is precisely what the existing  
7. law says. The other certificate, the other be other  
8. than that in addition to the one that is sent to the  
9. central counting station that is the official one.  
10. The other certificate of results and accompanying tally  
11. sheet shall be carefully enveloped and sealed up and  
12. duly directed respectfully to the Chairman of the  
13. County Central Committee of each then existing established  
14. political party. And by another of the judges of election  
15. opposite immediately in the near...deposited immediately  
16. in the nearest United States letter deposit. The work  
17. is already done. The tallys are all ready made. They  
18. are sent to the two established political parties. To  
19. the county chairman thereof. If you do not run with  
20. the blessing of an established political party county  
21. chairman you can't see the results. It's that simple.  
22. As Senator Chew said, fair is fair. What one person  
23. has a right to inspect, another has a right to inspect.  
24. Nobody is going to have to do any additional work. The  
25. work is already directed by the statute. All that  
26. Senator Collins bill says is that she should have  
27. access to the same list that you have access to or  
28. any of the other candidates. That is all the bill  
29. says, clear and simple.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Harber Hall.

32. SENATOR HARBER HALL:

33. Mr. President, and fellow Senators. I've heard

1. some very conflicting testimony and argument on this  
2. bill. This is an important bill apparently for  
3. many people, I don't know that it's of tremendous  
4. concern in my district, but I do think it needs more  
5. study and I would move that this Body recommit this  
6. bill to the Senate Committee on Elections.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. The motion is that the bill be recommitted to  
9. the Committee on Elections. The bill is under considera-  
10. tion on the Order of 3rd reading. That motion I do  
11. not believe would be in order. Senator Harber Hall.

12. SENATOR HARBER HALL:

13. Well, I can't refer to the rules right now, but  
14. I believe that motion is in order. If...if you're  
15. the Parliamentarian, we'll brief you on that.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Harber Hall, I have several Gentlemen  
18. who wish to speak. Is it your desire to go with the  
19. motion at this point or at the conclusion of the  
20. debate?

21. SENATOR HARBER HALL:

22. At this point, Mr. President.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. All right. Yes. Senator Lemke, for what purpose  
25. do you arise?

26. SENATOR LEMKE:

27. I rise on a point of personal privilege. I'd  
28. like to introduce the students of the Saint Cashmers  
29. School in my district.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. (Machine cut-off) order, Gentlemen. Senator  
32. Hall, our Parliamentarian informs me that there is  
33. some discussion whether or not we're on final passage

1. and that is what the...the requirement is, that the  
2. motion is in order when we're on final passage, sometime  
3. before final passage. It will be my ruling that your  
4. motion is in order under that rule and we will proceed  
5. with that question. The motion is that the bill be  
6. recommitted. Senator Harber Hall is recognized.

7. SENATOR HARBER HALL:

8. Are...are you calling that motion, now?

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. That is correct Senator Hall. You're recognized  
11. on your motion.

12. SENATOR HARBER HALL:

13. Well, I've made the motion. I...I'd submit  
14. for a vote.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Is there discussion on the motion to recommit?  
17. We do not require a second in the Senate. I will  
18. recognize you as we, as we see. Senator Newhouse,  
19. Senator Hall.

20. SENATOR NEWHOUSE:

21. Is a substitute motion in...

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. No, not under our proceedings.

24. SENATOR NEWHOUSE:

25. ...order, Mr. Chairman.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. You...the...the only motion it could be considered  
28. would be a motion to Table Senator Hall...Hall's motion  
29. to recommit. All right. On...the discussion is on  
30. the motion to recommit Senate Bill 459. Senator Newhouse  
31. is recognized.

32. SENATOR NEWHOUSE:

33. Well, Mr. President, we've...we've discussed this

1. bill at great length and it seems to me that the sponsor is  
2. entitled to have the bill heard and voted on in the form  
3. that she wants it. There's not much point in recommitting  
4. this bill. Everybody's made up their mind what they're  
5. going to do. There's going to be no change. It serves  
6. no use for purpose. We should not have wasted that length  
7. of time on this bill on the Floor if we're going to do that  
8. I would suggest we go ahead and vote this bill up or  
9. down.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. All right. Senator Newhouse.

12. SENATOR NEWHOUSE:

13. I therefore, Mr. Chairman, make a motion to...I  
14. move to Table the motion to recommit the bill.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Newhouse has made a motion to Table Senator  
17. Harber's motion to recommit. Senator Harber Hall. On  
18. that...that question is not debatable. For what purpose  
19. does Senator D'Arco arise?

20. SENATOR D'ARCO:

21. I would move that that motion lie on the Table.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Well, Senator D'Arco if...if the motion would be  
24. in order, but the...the Chair would respectfully request  
25. that you withdraw it because it would be possible that  
26. your motion to Table Senator Newhouse's motion to  
27. Table be again motioned that it be Tabled. We are  
28. eventually going to have to get to the issue of whether  
29. this bill ought to be recommitted to committee. And I  
30. would just ask, the Chair would ask, Senator D'Arco.

31. SENATOR D'ARCO:

32. I want to vote on the side of Harber Hall and I  
33. want to vote Aye on the issue and I would think that if

1. voted my motion, well, if you put it in order, then we  
2. could vote yes on the motion to...recommit the bill to  
3. Elections. Is that right?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Your proper issue, course of action then, if you  
6. would withdraw your motion, is to vote NO on Senator  
7. Newhouse's motion to Table. I would point out Gentlemen  
8. that the motion to Table, you withdraw your motion,  
9. Senator D'Arco so that the issue is clear.

10. SENATOR D'ARCO:

11. Yes, I do.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. The motion is not debatable. Those in favor  
14. say Aye. All opposed No. There's been a request for  
15. a roll call. Those...the motion is, Senator Newhouse,  
16. for what purpose do you arise? The motion is not  
17. debatable, Senator Newhouse.

18. SENATOR NEWHOUSE:

19. Mr. Chairman, I think...in order to clarify the  
20. situation, I would withdraw my motion.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. All right.

23. SENATOR NEWHOUSE:

24. And now we will vote on the motion of Senator  
25. Hall.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. All right.

28. SENATOR NEWHOUSE:

29. I think that might clarify the situation.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. The question is, Senator Newhouse withdraws his  
32. motion to Table. We now have the main motion to  
33. recommit before us and that motion is debatable. Senator Rhoads



1. SENATOR RHOADS:  
2. I'm resisting the motion to recommit. This bill  
3. came out of the Elections Committee ten to nothing  
4. in favor on a Do Pass. Senator Hall was the only  
5. member who was not there. This is a simple fairness  
6. type of issue. There shouldn't be any question about it.  
7. So, I strongly resist this motion to recommit.  
8. PRESIDING OFFICER: (SENATOR BRUCE)  
9. Senator D'Arco.  
10. SENATOR D'ARCO:  
11. Point of order. This bill was ramrodded through  
12. the Election Committee. It didn't come out...this bill  
13. was ramrodded by a certain Democratic Senator on our  
14. side of the aisle.  
15. PRESIDING OFFICER: (SENATOR BRUCE)  
16. All right. Gentlemen, I think Senator Egan, you  
17. were up next. Senator Chew, for what purpose do you  
18. arise? Gentlemen, Gentlemen, could we have some  
19. order, please? Senator Egan, you will be next  
20. recognized. Senator Chew has asked for a...Senator Chew.  
21. SENATOR CHEW:  
22. Mr....  
23. PRESIDING OFFICER: (SENATOR BRUCE)  
24. Senator Chew, you are not recognized to debate the  
25. motion. The Chair recognize you...  
26. SENATOR CHEW:  
27. I'm not debating the motion. The motion is not  
28. worthy of debate. I was instrumental, Mr. President,  
29. in getting the bill out of committee. Again, I think the  
30. bill...  
31. PRESIDING OFFICER: (SENATOR BRUCE)  
32. Well, Senator Chew, I think your comments are to the  
33. motion...

1. SENATOR CHEW:  
2. This is a personal privilege, Mr. President.  
3. PRESIDING OFFICER: (SENATOR BRUCE)  
4. State your point. State your point.  
5. SENATOR CHEW:  
6. My point is the bill was not "ramrodded" by a  
7. Democratic Senator. The bill came out of committee  
8. on a vote of 10 to 1, which I do not chair the committee.  
9. It's no secret that I support the bill and will support  
10. it. And the word ramrod would not apply to the bill.  
11. It might apply to the ill-informed Senator who  
12. made the unscrupulous remarks.  
13. PRESIDING OFFICER: (SENATOR BRUCE)  
14. Senator Egan.  
15. SENATOR EGAN:  
16. Yes, Mr. President, I...I have a point of  
17. parliamentary inquiry.  
18. PRESIDING OFFICER: (SENATOR BRUCE)  
19. State...  
20. SENATOR EGAN:  
21. Is it...  
22. PRESIDING OFFICER: (SENATOR BRUCE)  
23. State your point.  
24. SENATOR EGAN:  
25. Is it too late to ask for a fiscal note?  
26. PRESIDING OFFICER: (SENATOR BRUCE)  
27. Yes. Senator...Senator Kosinski has sought  
28. recognition. Senator Kosinski.  
29. SENATOR KOSINSKI:  
30. Mr. President and members of the Senate. I've  
31. been at many, many committees in the seven years. I  
32. always try to show respect to my fellow colleagues and  
33. to the chairman. This was one of the most disgusting

1. meetings taken over by an individual who made me feel  
2. as if I was a nothing. The chairman, yes I was the  
3. chairman. What did you expect me to do? Take the  
4. gavel and hit him in the head? I couldn't very well  
5. hit this man because he's...he's been trained by the  
6. Champion of the World.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. And you didn't have your fire hat, Senator  
9. Kosinski.

10. SENATOR KOSINSKI:

11. And Senator Rhoads, I'm really surprised. Your  
12. comments that there was no report and Senator Chew  
13. did say it finally, that there was a Gentleman  
14. from the Election Board to tried to explain and after  
15. the bill was, as my fellow colleague, D'Arco said,  
16. ramrod to committee, I felt at that moment, that I would  
17. adjourn the meeting and call no more bills because I didn't  
18. intend to get a stroke. I've been under doctor's  
19. treatment and let me tell you, I love you all, but  
20. I love my family and I want to live for them. I'll  
21. give everything for my State, but not my life. And  
22. this is what I said and I still keep on saying  
23. and probably will remember the rest of my life, this  
24. was one of the most disgusting meetings I had to have  
25. the gavel over.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Hynes.

28. SENATOR HYNES:

29. Mr. President...Mr. President, members of the Senate.  
30. If we continue at this pace, we're going to have to  
31. revised the Secretary's estimate into September. And I  
32. would like to suggest that perhaps Senator Harber Hall  
33. withdraw his motion also. We've debated this bill fully.

1. I would like an opportunity to vote No on it, on the merits  
2. as opposed to on a procedural vote. So, if we could do  
3. that, let's take the roll call on the bill up or down.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Harber Hall is recognized.

6. SENATOR HALL:

7. Mr. President and fellow Senators. It occurs to  
8. this Senator that the vote on a motion to recommit would  
9. be very close to a vote up or down on the bill and I would  
10. like to withdraw my motion.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Harber Hall withdraws his motion to recommit.

13. Gentlemen, on the list, now that we are back before  
14. the bill, we have Senator Newhouse, Senator Maragos,  
15. who sought recognition. Do those Gentlemen still wish  
16. to debate? All right. I had...for second time,  
17. Kosinski, D'Arco, Senator Clewis and Senator Rhoads.  
18. Senator Mitchler seeks recognition. Senator Mitchler.

19. SENATOR MITCHLER:

20. Mr. President and members of the Senate. I had  
21. talked to the sponsor of this bill, rather she spoke  
22. to me about it and explained to it and I was prepared  
23. to vote in favor of it. And I hear during the debate  
24. here different things that happened in this committee  
25. because I looked at the committee record here and I  
26. see the ten Aye votes. There was one member absent...  
27. absent Senator Hall. Now, I've got a lot of respect for  
28. the committees. I very, very seldom, I think  
29. maybe only once or twice in the thirteen years I've  
30. been down here, you've voted to override a committee.  
31. And when I see a bill come out of a committee with a  
32. 10 to nothing vote, and I see that the Chairman,  
33. Senator Kosinski, Senator Smith, the Vice-Chairman,  
34. Senator Chew, Senator D'Arco, Senator Demuzio, Senator

1. Maragos, Senator Wooten, Senator Roe, Senator McMillan,  
2. Senator Rhoads all vote in favor of a bill to Do Pass,  
3. then you come on the Floor and you say that you had  
4. a big fiasco in committee, I think that maybe the  
5. leadership on both sides of the aisle had better  
6. reprimand and have a good look at what the Election  
7. Commission is doing...this Election Committee.  
8. Because, if that is the type of shenanigans that's  
9. going on in the Election Committee, we all know  
10. what happens in the Transportation Committee. That's  
11. the biggest fiasco ever. But, if that's what you  
12. what to put up with, okay. But, I am amazed at the  
13. Election Committee and I sympathize with the chairman  
14. there, because I do know that he is under doctor's  
15. care and at times, he finds it's better to just be  
16. quiet and think of his health, rather than to get into  
17. a squabble. But, I...I think that that's a disaster  
18. when a committee votes a bill out 10 to nothing  
19. and then gets on the Floor and has a tirade like you've  
20. got now.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Does any other Senator seek recognition? Senator...  
23. Senator Chew. Point out...

24. SENATOR CHEW:

25. Mr. President, for the benefit of Senator Mitchler,...

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Chew...

28. SENATOR CHEW:

29. ...who has...

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Chew, may I have your attention, please?

32. SENATOR CHEW:

33. Yes, Sir.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Under our rules, I have recognized you inappropriately.  
3. You have already spoken twice on this bill and there...there...  
4. well, according to my list, Senator, you have. Well,  
5. with the advice that we are going to go, perhaps out  
6. of order, would you please be brief? Senator Chew.

7. SENATOR CHEW:

8. Yes, Sir. Yes, Sir.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. For what purpose does Senator Ozinga arise?

11. SENATOR OZINGA:

12. I would move the previous question and right now.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. That...that motion is in order and is not debatable.  
15. All in favor say Aye. Opposed Nay. The Ayes have it.  
16. The debate is...Senator Collins is recognized to close  
17. the debate. Senator Collins.

18. SENATOR COLLINS:

19. I should just ask for a roll call, but I guess  
20. as a new member of this Body, Senator Chew mentioned  
21. yesterday in reference to the bill that came out of the  
22. Election Committee, that as a new member, it was a bad  
23. bill and the intent was to bring it on the Floor and  
24. hopefully that I would have been taught a lesson or learned  
25. a lesson. I have learned a lesson. I've learned that,  
26. in fact, the Election Committee or have some serious  
27. question about the committee system in the Senate or the  
28. value of that committee system. If, in fact, the committee  
29. is set up to debate the pros and cons of issues, then I  
30. think that's the function that that committee should  
31. serve. If there was something wrong with either of these  
32. bills, it should have been aired in committee and I should  
33. have been given and the people that's concerned about this

1. bill of whom I am here to represent, should have been  
2. given equal chance so that I could have amended the bill  
3. or made whatever adjustments or at least been sure in  
4. my own mind that this was, in fact, a bad bill, either  
5. of them. This didn't take place. I'm appalled. I'm  
6. also appalled at the debate and discussion and the  
7. lengthy discussion that went on in reference  
8. to this bill. This is a very simple bill. It asks  
9. only basic fairness. The Chicago Democrats, I'm  
10. not appalled to the objections to the bill because  
11. this kind of bill surely needs to keep Independents  
12. and Republicans or anyone who is not a member of the  
13. regular organization from winning election. As Senator  
14. Lemke said and I want him to know, I am truly a  
15. Democrat and I embrace the Democratic philosophy.  
16. But, I'm most certainly a machine-crater or whatever you  
17. want to call it in the City of Chicago. Thank  
18. you and I ask for a favorable roll call.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. The question is shall Senate Bill 459 pass.  
21. Those in favor vote Aye. Those opposed vote Nay.  
22. The voting is open. Have all voted who wish?  
23. Have all voted who wish? Take the record. On that  
24. question the Ayes are 24, the Nays are 16, 2 Voting  
25. Present. The bill having failed to receive  
26. a constitutional majority is declared lost. Senate  
27. Bill 465, Senator Weaver. Read the bill, Mr. Secretary.

28. SECRETARY:

29. Senate Bill 465.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Weaver.

1. SENATOR WEAVER:

2. Thank you, Mr. President. I hope this isn't  
3. quite as controversial.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Well, Senator Weaver, I'd point out that we took  
6. an hour and nine minutes on the last bill.

7. SENATOR WEAVER:

8. Well, I would just ask for a favorable roll call.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Thank you. Is there debate? Senator Carroll.

11. SENATOR CARROLL:

12. Sorry, Senator Weaver, but I think there is.

13. I have some questions on this.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Indicates that he will yield.

16. SENATOR CARROLL:

17. Thank you. I understand that this will create  
18. a trust fund in the Attorney General's Office that  
19. will not go through the appropriations process.

20. You indicate that I am wrong in my understanding?

21. Would you explain, then, please what the trust fund  
22. will be and what it will do?

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Weaver.

25. SENATOR WEAVER:

26. We amended this bill and that's what the amendment is  
27. on it that all this money must be appropriated by the  
28. General Assembly. These funds come from grants, from  
29. Federal funds, from private funds administered by the  
30. Attorney General. But, the amendment was put on  
31. that they must be appropriated.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Carroll.



1. SENATOR CARROLL:

2. One last question. Is there any limitation on the  
3. use to which the Attorney General can put those funds?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Weaver.

6. SENATOR WEAVER:

7. I would presume that they would have to meet  
8. the criteria set forth in...in the fund...the creation  
9. of the fund itself. These funds are authorized or I  
10. should say granted to the Attorney General for  
11. environmental protection activities in defending the  
12. State in lawsuits against other states who are  
13. polluting State waters. That...that's the basis  
14. of the request.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Carroll.

17. SENATOR CARROLL:

18. Could you then...are you saying then, that he  
19. gets monies from sources other than taxes that he is to  
20. use for defending the State for legal fees for hiring  
21. outside council or for his own operations in litigation  
22. and that these will not be the use of taxpayers money?  
23. Will these be used for outside council, inside council  
24. or both?

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Weaver.

27. SENATOR WEAVER:

28. I would say probably both, Senator Carroll.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Is there further discussion? The question is shall  
31. Senate Bill 465 pass. Those in favor vote Aye. Those  
32. opposed vote Nay. The voting is open. Have all voted  
33. who wish? Take the record. On that question the Ayes  
34. are 48, the Nays are none, 1 Voting Present.

1. Senate Bill 465 having received a constitutional  
2. majority is declared passed. Senate Bill 466, Senator  
3. Davidson. For what purpose does Senator Nimrod  
4. arise?

5. SENATOR NIMROD:

6. Mr. President, on a point of personal privilege.  
7. I would like to acknowledge the fact that the Illinois  
8. Podiatrist Association is having a meeting here  
9. in Springfield today and their president, Dr.  
10. Joel Feeder is here with us in the President's  
11. balcony, along with the Executive Director  
12. Norm Natco and some of their members. On behalf of  
13. Senator Lane, Senator Carroll and myself, we ask that  
14. you might recognize them.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Will our guests please rise and be recognized  
17. by the Senate. Senator Hynes, for what purpose  
18. do you arise?

19. SENATOR HYNES:

20. For the purpose of announcement, Mr. President.  
21. We are fast approaching the final hour for filing  
22. any objection to a bill on the agreed bill list.  
23. Any three Senators may have a bill removed from that  
24. list if they file an objection in writing by 4:30  
25. today. In addition to that, any Senator wishing to be  
26. recorded as voting No or Present with respect to any  
27. of the individual bills, must file that request  
28. in writing with the Secretary no later than 4:30 this  
29. afternoon. And finally, the Session is scheduled to go on  
30. until 7:00 p.m. tonight. A number of members have inquired.  
31. We will go straight through until 7:00 o'clock.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senate Bill 466, Mr. Secretary.

1. SECRETARY:  
2. Senate Bill 466.  
3. (Secretary reads title of bill)  
4. 3rd reading of the bill.  
5. PRESIDING OFFICER: (SENATOR BRUCE)  
6. Senator Davidson.  
7. SENATOR DAVIDSON:  
8. Mr. President and members of the Senate. This  
9. bill does exactly what it says it does. It's a  
10. patient compensation fund for hospitals and other  
11. licensed health care providers. The part in the bill  
12. about physicians has been removed by amendment because  
13. the Medical Society had their own malpractice insurance  
14. company which we started by legislative act last year  
15. and they asked to be removed and we did. This was  
16. in committee, subcommittee. We worked with...and Senator  
17. Guidice is chairman of the committee, worked with this.  
18. We've amended out people...any corrections and objections.  
19. To my knowledge, I don't know any questions with it.  
20. I'll try to answer any question. Appreciate a favorable  
21. roll call.  
22. PRESIDING OFFICER: (SENATOR BRUCE)  
23. Is there discussion? Senator Lane.  
24. SENATOR LANE:  
25. Yes, the sponsor answer a question?  
26. PRESIDING OFFICER: (SENATOR BRUCE)  
27. Indicates that he will yield.  
28. SENATOR LANE:  
29. Senator Davidson, could you give me a breakdown as  
30. to just who the participants of...are of this fund?  
31. PRESIDING OFFICER: (SENATOR BRUCE)  
32. Senator Davidson.  
33. SENATOR DAVIDSON:

1. Yes, Senator Lane. The bill will apply after a  
2. request...and the Director of Insurance holds a hearing  
3. to see if it's necessary...public hearing to see if it's  
4. necessary to enact the proposition for either hospitals  
5. or any other licensed health care provider in the State  
6. of Illinois. Then after holding a public hearing and there's  
7. a need, the board which is composed of eleven people  
8. has to have a majority of seven to concur in the operation  
9. of starting up this. Now, this bill came about because of  
10. a request from the two local hospitals here being  
11. unable to buy the umbrella policy. They can buy the  
12. two hundred...six hundred thousand dollar coverage but  
13. they were unable to buy the umbrella policy. They wanted  
14. a million four hundred thousand dollar premium  
15. to cover a million dollars worth of coverage on a claim  
16. basis, not on a current basis per year, but on claim basis.  
17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Lane.

19. SENATOR LANE:

20. Yes, Sir. Well, Senator Davidson, I realize  
21. the hospitals are in here and just who else, what other...  
22. the physicians have since pulled out and I have serious  
23. question as to whether you have enough people participating  
24. in here to make this fund work.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Davidson.

27. SENATOR DAVIDSON:

28. Well, based on the experience from which this bill  
29. arose from...from the Wisconsin plan and it adds two separate  
30. plans, one for physicians and one for...for the hospitals  
31. and just to show you that it's working, they just had  
32. a reduction of forty-five...I mean, forty dollars a year  
33. and the...I mean, forty dollars a day and the payment  
34. in Wisconsin in three years has been

1. in operation, it will apply to hospitals and any other  
2. licensed care...health care provider which could be  
3. dentists, optometrists, nursing homes is necessary and they  
4. say it's not necessary, podiatrists. That covers most  
5. of them, I believe. Now, the Hospital's Association has  
6. endorsed this. Says there's more than enough demand  
7. from the hospitals involved to make this work by itself  
8. and that's why we took the physicians out because they  
9. already had their own malpractice insurance company  
10. which we created by statute last year.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Lane.

13. SENATOR LANE:

14. Yes, does the Wisconsin fund have the physicians...

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Excuse me, Senator Lane. Could we have some order,  
17. Gentlemen and Ladies.

18. SENATOR LANE:

19. Does the Wisconsin fund have the physicians  
20. included in their operation?

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Davidson.

23. SENATOR DAVIDSON:

24. In a separate fund. They have two funds in Wisconsin.  
25. They have one for the hospitals and one for the doctors.  
26. They're not together. This is the same as it would be here  
27. and if some time in the future the medical malpractice  
28. company does not operate or doesn't do like they think  
29. it is by an amendment to this act if it becomes statute,  
30. they could be included. But each...each profession is  
31. liable to itself.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Lane.

1. SENATOR LANE:

2. I know last Session we had studied this fund and  
3. there were some serious questions and I still think  
4. there...there might be some. Well, good luck, Senator.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Daley.

7. SENATOR DALEY:

8. Will the sponsor yield to a question?

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Indicates that he will yield. Senator Daley.

11. SENATOR DALEY:

12. Now, Senator Davidson, are you mandating the hospitals  
13. to have suce a program?

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Davidson.

16. SENATOR DAVIDSON:

17. No, Sir. There's an opt out provision in it which  
18. the Hospital Association approved and asked for.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Daley.

21. SENATOR DALEY:

22. Why would they now allow the hospitals to opt out?  
23. If they want it, they should have it.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Davidson.

26. SENATOR DAVIDSON:

27. They felt that in some instances, if the hospital  
28. by its own choice of its board of directors chose  
29. to buy the insurance or had the coverage either from the  
30. company or from self insurance on their own, they should  
31. have that prerogative of doing it under the direction  
32. of their board of directors. They asked for this  
33. provision of opting out. The part of the...total  
34. mandatory provision has been found unconstitutional in

1. Pennsylvania and two or three or four other states where  
2. it's been put and that was the other reason why we have  
3. the voluntary opt out in it.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Daley.

6. SENATOR DALEY:

7. Who will participate in the fund?

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Davidson.

10. SENATOR DAVIDSON:

11. The participates...of who is in the fund will be on  
12. who asked or triggers for it to be acted for. Mainly,  
13. it will be hospitals. There will be no physicians because  
14. they...or M.D.'s asked to be put out. The other  
15. licensed health care providers that are under this act  
16. can be either dentists, optometrists, podiatrists,  
17. et cetera, if they ask to be included or trigger the fund.  
18. Secondly, after a hearing by the Director of Insurance  
19. that there is a need and a recommendation into the  
20. eleven man board of which seven must vote in favor of it,  
21. then the fund could be created.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Daley.

24. SENATOR DALEY:

25. So, you're placing the burden upon the board of  
26. directors to place only the hospital or other licensed  
27. care facilities within this fund.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Davidson.

30. SENATOR DAVIDSON:

31. I...I'm not sure I understand what you mean by  
32. board of directors.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Daley.

2. SENATOR DALEY:

3. Board of directors of a hospital.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Davidson.

6. SENATOR DAVIDSON:

7. Well, now under the board of directors of a hospital,  
8. the board of directors of the hospital or the hospital  
9. who would chose to opt out, there...would have to be  
10. their decision if they wanted to opt out. The part in  
11. the opt out is the voluntary basis, but to make sure  
12. that the public is protected, what this is about is the  
13. hospital...it could opt out would have to prove to the  
14. director...if this fund is triggered, would have to  
15. prove to the board of this fund, this Patients  
16. Compensation Fund, that they are furnishing the coverage  
17. or do have the coverage so that if a patient has a  
18. legitimate loss, they can recover it.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Daley.

21. SENATOR DALEY:

22. What you're doing in this bill, is you mandating  
23. that all the hospitals be in and then in turn you're asking  
24. the board of directors to opt out. Now, if we're  
25. concerned about medical malpractice, the physician should  
26. be in this, not only the hospitals because most of the  
27. law suits are filed against the hospitals and physicians.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Davidson.

30. SENATOR DAVIDSON:

31. Well, the physicians by our action last year, Senator  
32. Daley, we passed a malpractice insurance company for  
33. the positions which is already operating. And there's



1. no need of putting that in this bill when they already have  
2. operating. It's working and they have it working and  
3. they asked to be excluded and it seemed a reasonable  
4. request on something that's already working which we  
5. created last Session. If we were going to not create  
6. it, we should have created both of them...or not created  
7. them at the same time.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Daley.

10. SENATOR DALEY:

11. But, you have to remember the physicians are  
12. employees of the hospital. If you're...if you're  
13. mandating a hospital be in, you should also include  
14. the physicians in this fund.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Davidson.

17. SENATOR DAVIDSON:

18. Well, any M.D. who is an employee of the  
19. hospital will be covered. Any...any employee of the  
20. hospital will be covered under the hospital's policy.  
21. Now, if you're concerned about the M.D. who's  
22. employee of the hospital, he's covered, or she's  
23. covered.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Daley.

26. SENATOR DALEY:

27. Not only an employee, one who's working in there.  
28. Now, most of the doctors and nurses many times, maybe  
29. they're not an employee. They're working there in a  
30. fee for another physician. They're called in the  
31. specialists...specialists are called in. I think what  
32. you're doing is you're mandating to every hospital  
33. that they have to have this program, but you're taking

1. care of the physicians, you're trying to get them out.

2. I think it's very unfair to the patients.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Davidson.

5. SENATOR DAVIDSON:

6. Well, that's...that's not true because any...

7. any physician who is an employee of the hospital is

8. covered. Any physician who is in private practice

9. is subject to a suit as same as the hospital may or may

10. not be subject to a suit or vice versa and they're

11. already covered under their own policy.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Daley.

14. SENATOR DALEY:

15. But, what I said, as many of the physicians that

16. are called in on...in surgery are not employees of the

17. hospital. You're creating a fund one for the doctors,

18. now, you're trying to create a fund for the hospitals.

19. I think you're placing an undue burden upon the patients

20. who eventually sue a hospital and the physicians. And

21. I think you're creating an atmosphere of confusion for

22. the patients.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Is there further debate? Senator Rock.

25. SENATOR ROCK:

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

27. of the Senate. I share some of Senator Daley's concerns

28. and Senator Lane's concerns and as a result, I'm rising

29. in opposition to Senate Bill 466. I don't frankly

30. understand why the physicians, if, in fact, the bill as...

31. as it is indicated on the Calendar attempts to address

32. itself to medical malpractice. How in the world can

33. you have a solution to medical malpractice which

1. specifically exempts licensed physicians? It just  
2. doesn't make any sense. Additionally, I think the  
3. two hundred...two hundred thousand dollar threshold  
4. is...is just unrealistic. We have heard testimony  
5. low these many years concerning malpractice and it's  
6. indicated that only three percent of all the claims  
7. filed in the United States for medical malpractice  
8. resulted in verdicts in excess of a hundred thousand  
9. dollars. A two hundred thousand dollar self insurance  
10. threshold offers little, if any relief. I think  
11. this bill deserves a lot further study and for that  
12. reason, I'm opposed to it.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Is there further debate? Is there further debate?  
15. Senator Davidson may close.

16. SENATOR DAVIDSON:

17. I...I won't close. I'll ask the request...this bill  
18. is too important to the people of Illinois and the  
19. patients and the hospital people who have asked for this.  
20. Take it out of the record and let me talk to Senator Daley  
21. and Senator Lane and Senator Rock and see if we can clear  
22. up whatever their objections are, their misunderstandings  
23. between them and the hospital people who asked for this bill.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Take it out of the record. Senate Bill 473, Senator  
26. Collins. Senator Merlo, for what purpose do you arise?

27. SENATOR MERLO:

28. On personal privilege, Mr. President. I wonder if  
29. I could take a moment of the Senate to acknowledge the  
30. presence of a group of children from my district, the  
31. 12th district, the 8th grade class of the Morris School  
32. and Mike Legatouti who has brought them down to  
33. Springfield. Just behind me.

34. PRESIDING OFFICER: (SENATOR BRUCE)

SB 473  
5/10/77

1. Would they please stand and be recognized
2. by the Senate. Senate Bill 473, Senator Collins.
3. Do you wish to have the bill called? Read the bill,
4. Mr. Secretary.
5. SECRETARY:
6. Senate Bill 473.
7. (Secretary reads title of bill)
8. 3rd reading of the bill.
9. PRESIDING OFFICER: (SENATOR BRUCE)
10. Senator Collins.
11. SENATOR COLLINS:
12. Mr. President and members of the Senate. I'm
13. not sure I should call this bill. This is a...this
14. in an insurance bill, so we've gotten out of the
15. realm of elections and maybe we can have some serious
16. debate and discussion on this bill. Senate Bill
17. 473 is designed to...
18. PRESIDING OFFICER: (SENATOR BRUCE)
19. Can we have some order, Gentlemen, please?
20. SENATOR COLLINS:
21. ...hopefully...
22. PRESIDING OFFICER: (SENATOR BRUCE)
23. Senator Collins.
24. SENATOR COLLINS:
25. ...minimize some of the problems in reference
26. to cancellation of automobile insurance and fire
27. insurance on residential property. There have been
28. many complaints that insurance policies are cancelled
29. immediately after a person files a claim against the
30. policy and collect on that claim. This bill hopes
31. to do two things. In addition to that, it would prohibit
32. cancellation of insurance when the sole purpose of that
33. cancellation is because the person had collected on a

1. claim. And secondly, it would require the insurance  
2. agency to stipulate in writing the purpose for which that  
3. insurance policy was cancelled. I think that is basic  
4. fairness. I feel that an insurance policy should be in  
5. compliance with any other contract, the legal status  
6. of any other contract in the State of Illinois.  
7. Therefore, a contract or a policy should not be broken  
8. unless there is a breach of contract among the parties  
9. involved. I ask for a favorable roll call.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Is there discussion? Senator Rock.

12. SENATOR ROCK:

13. Just so Senator Collins doesn't get gun-shy,  
14. we...when there is good legislation, we wholeheartedly  
15. support it and I urge a favorable vote.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Guidice.

18. SENATOR GUIDICE:

19. Thank you, Mr. President. Senator Collins, I also  
20. rise in support of this legislation. I think it's one of  
21. the finer pieces of legislation that's being presented  
22. before this Body.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator...Senator Kosinski.

25. SENATOR KOSINSKI:

26. It's...Mr. President and members of the Senate.  
27. It's my pleasure, since I am a cosponsor, to vote for  
28. this bill.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Chew.

31. SENATOR CHEW:

32. Mr. President, for the...for the lack of anything, I can't  
33. understand how this bill can be supported. But, since my

1. colleagues have convinced me, I suppose I'll have to  
2. support it, too. All right.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Netsch.

5. SENATOR NETSCH:

6. I think I better move to recommit to committee.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Is there further debate? The question is shall  
9. Senate Bill 473 pass. Those in favor vote Aye. Those  
10. opposed vote Nay. The voting is open. Have all voted  
11. who wish? Have all voted who wish? Take the record.  
12. On that question, the Ayes are 48, the Nays are 1, 3  
13. Voting Present. Senate Bill 473 having received a  
14. constitutional majority is declared passed. Senator  
15. Collins. Senate Bill 474, Senator Glass.

16. SECRETARY:

17. Senate Bill 474.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Glass.

22. SENATOR GLASS:

23. Thank you, Mr. President, Ladies and Gentlemen.  
24. Last Session we allowed park districts to increase  
25. the size of the board and reduce the...excuse me,  
26. increase the length of term and reduce the size of  
27. the board so that there are now five options  
28. for park districts. They can either have a five  
29. member board with a six year term and there are these  
30. other options, but we need a transition schedule for them  
31. to get into these options, if they so choose.  
32. And that's all this bill does, provides the transition  
33. schedule and I'd appreciate a favorable roll call.

34. PRESIDING OFFICER: (SENATOR BRUCE)

1. Is there debate? The question is shall Senate  
2. Bill 474 pass. Those in favor vote Aye. Those opposed  
3. vote Nay. The voting is open. Have all voted who wish?  
4. Take the record. On that question the Ayes are  
5. 50, the Nays are none, 1 Voting Present. Senate Bill  
6. 474 having received a constitutional majority is declared  
7. passed. Senator Maragos on 477. Read the bill,  
8. Mr. Secretary. Please.

9. SECRETARY:

10. Senate Bill 477.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Maragos.

15. SENATOR MARAGOS:

16. Mr. President and members of the Senate. Senate  
17. Bill 477 states what the synopsis says it does. It  
18. changes a...technically and restores the language  
19. ...was in the old Probate Act before it was amended  
20. last year on Section 257 to give authority to proceed  
21. an investment in common trust funds in the same terms  
22. on the...and the governmental investments that was before.  
23. It was an omission when it was changed last year by  
24. mistake and this bill corrects it. I ask for your  
25. favored approval.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Is there debate? The question is shall Senate  
28. Bill 477 pass. Those in favor vote Aye. Those opposed  
29. vote Nay. The voting is open. Have all voted who wish?  
30. Take the record. On that question, the Ayes are 52, the  
31. Nays are none, none Voting Present. Senate Bill 477,  
32. having received a constitutional majority is declared  
33. passed. Senate Bill 478, Senator Harber Hall. Read the bill,

SEN 478  
5/18/77  
3/2

1. Mr. Secretary.

2. SECRETARY:

3. Senate Bill 478.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Harber Hall.

8. SENATOR HALL:

9. Mr. President, this bill eliminates the double  
10. taxation of tax exempt mutual funds that we have  
11. permitted to be operative in Illinois beginning in  
12. January of this year. As presently,...it wasn't  
13. anticipated when we passed the State income tax  
14. that such businesses would be in operation and  
15. accordingly, presently without this change in the  
16. Act, mutual funds that buy municipal bonds, the so  
17. called tax exempt securities, are...would be taxed  
18. doubly. First of all, at the point of income with the  
19. mutual fund and then to the owners of the mutual fund  
20. shares when that money is distributed to them.  
21. This bill is supported by the Department of Revenue  
22. and the Association for Modern Banking and I know of  
23. no opposition.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Is there debate? The question is shall Senate  
26. Bill 478 pass. Those in favor vote Aye. Those  
27. opposed vote Nay. The voting is open. Have all voted  
28. who wish? Take the record. On that question, the  
29. Ayes are 53, the Nays are none, none Voting Present.  
30. Senate Bill 478, having received a constitutional  
31. majority is declared passed. Senate Bill 480, Senator  
32. Rock.

33. SECRETARY:



1. Senate Bill 480.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Rock.

6. SENATOR ROCK:

7. Thank you, Mr. President, Ladies and Gentlemen  
8. of the Senate. Senate Bill 480 would create a new  
9. act and it would provide for the use of gas  
10. transmission facilities by private energy producers  
11. if the Illinois Commerce Commission gives its approval.  
12. During the course of the committee hearing on this  
13. bill, I alluded to the monthly summary of business  
14. conditions that we get here in Illinois, the Illinois  
15. Business Review, February, 1977 and they indicate  
16. that the industry, the Natural Gas Industry, is  
17. divided into three segments; production, transmission  
18. and distribution. This is an attempt to afford  
19. transmission for privately owned natural gas fields.  
20. As...as this article indicates, the problem with the  
21. natural gas is that there is not enough of it so that  
22. where it is available, we should be able to transmit  
23. it to persons who can and will buy it and use it.  
24. There are small fields scattered through Illinois.  
25. The...the idea is that we would pay the cost of  
26. the...the private owners would pay the cost of  
27. and use...be able to use the facilities of the already  
28. existing transmission facilities of the large companies  
29. and I would urge a favorable vote.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Is there discussion? Senator Weaver.

32. SENATOR WEAVER:

33. Thank you, Mr. President. Well, I stand in support

1. of Senator Rock's bill. I know several cases  
2. where there are existing transmission lines and they  
3. certainly could be fed from existing...known existing  
4. gas supplies and so I would hope everyone would support  
5. this bill.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Is there further debate? The question is: shall  
8. Senate Bill 480 pass. Those in favor vote Aye.  
9. Those opposed vote Nay. The voting is open. Have all  
10. voted who wish? Take the record. On that question  
11. the Ayes are 53, the Nays are none, 1 Voting Present.  
12. Senate Bill 480 having received a constitutional  
13. majority is declared passed. Senate Bill 482,  
14. Senator Leonard. Read the bill, Mr. Secretary.

15. SECRETARY:

16. Senate Bill 482.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Leonard.

21. SENATOR LEONARD:

22. Mr. Chairman, this creates a Metropolitan  
23. Exposition and Auditorium Act. It gives the people  
24. of Waukegan the authority to create a center that would  
25. be for conventions, cultural exhibits, whatever. It would  
26. be inside the city limits of Waukegan. It would be  
27. independent of the city. There would be a seven man  
28. board. The Governor would appoint three, the Mayor and  
29. City Council would appoint four. It is a pretty standard  
30. act of this type, I am told. There is a provision for  
31. revenue bonds, general obligation bonds, if the people  
32. of the area approve by referendum and it could apply for  
33. grants. I'll answer any questions and I would hope for a

1. positive vote.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Vadalabene.

4. SENATOR VADALABENE:

5. Yes, Senator Leonard, your predecessor,  
6. I think his name was Senator Morris, not only talked  
7. against my authority, voted against my authority, but  
8. stopped my bill from becoming a reality. Now, do  
9. you understand that if you get this authority and I'm  
10. possibly going to vote with you, that you're going to  
11. also get the funding out of my other bill which  
12. will give you this authority? I just want to let you  
13. know that I never could understand a Senator from  
14. Waukegan voting against an authority from downstate.  
15. And this is not your problem and I understand this is  
16. your first bill. I'm not going to retaliate. But, I just  
17. wanted to let you know what Senator Morris did to me.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Netsch.

20. SENATOR NETSCH:

21. Will the sponsor yield for two questions?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Indicates that he will yield.

24. SENATOR NETSCH:

25. Senator Leonard, did I understand you to say  
26. that this was to be independent of the city administration  
27. in Waukegan?

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Leonard.

30. SENATOR LEONARD:

31. Yes, it will be an independent authority. The  
32. Mayor, with the advise and consent of the City Council  
33. appoints four, the Governor appoints three. And from

1. that point on, it is an independent body.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Netsch.

4. SENATOR NETSCH:

5. Just to comment, I think that for some of us  
6. that's an absolutely intolerable situation. I...I  
7. really think you should have removed that from the  
8. bill before you brought it up for 3rd reading because  
9. a...an authority in Waukegan, in fact, anything in  
10. Waukegan that is independent of the Mayor of  
11. Waukegan is just unacceptable. I...it seems to me  
12. that the bill is...has got to be rejected for that  
13. reason alone. Now, I have a second question that  
14. I would like to ask of you. You said that this is  
15. to be solely within the city limits of the City  
16. of Waukegan but Waukegan is not terribly far north  
17. of Chicago. And what I want to know is, is your  
18. convention hall and civic center going to be in  
19. competition with McCormick Place in Chicago?

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Leonard.

22. SENATOR LEONARD:

23. There are probably those that would like to  
24. envision that, but I think the prospect is highly  
25. unlikely.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Netsch.

28. SENATOR NETSCH:

29. Well, I...I understand your discretion in answering  
30. the question, Senator Leonard, but it seems to me that what  
31. you have presented is a...is an opportunity that is right  
32. for that kind of competition and to those of us who have  
33. always been the stoutest defenders of McCormick Place,

1. I think we have to find this bill totally unacceptable  
2. for that reason also. I'm sorry. I'd like to  
3. help you, but...

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Is there further debate? The question is shall  
6. Senate Bill 482 pass. Those in favor vote Aye.  
7. Those opposed vote Nay. The voting is open.  
8. Have all voted who wish? Have all voted who wish?  
9. Take the record. On that question the Ayes are  
10. 45, the Nays are none, 1 Voting Present. Senate  
11. Bill 482 having received a constitutional majority  
12. is declared passed. Congratulations. Senator  
13. Vadalabene.

14. SENATOR VADALABENE:

15. Point of personal privilege. I would like for  
16. Senator Leonard to give my best greetings to the  
17. Mayor of Waukegan.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. For what purpose does Senator Hall arise?

20. SENATOR KENNETH HALL:

21. Point of personal privilege, Mr. President.  
22. I would like to introduce to the Senate the fourth  
23. grade class from Lily Freeman who are now in the gallery.  
24. I would ask them to stand and please be recognized  
25. by the Senate. They're from East St. Louis.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Will our guests please rise and be recognized.  
28. Senate Bill 497, Senator Daley. Senate Bill 498.  
29. Senate Bill 499, Senator Davidson. Read the bill,  
30. Mr. Secretary.

31. SECRETARY:

32. Senate Bill 499.

33. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Davidson.

4. SENATOR DAVIDSON:

5. Mr. President and members of the Senate.

6. This is a bill that was put forth by the Office

7. of Education and it was amended to make it jive

8. with House Bill 220 which passed through the House

9. and Senate and is on the Governor's desk on filling

10. a vacancy. This, now, as amended, will only be

11. ...be used by regional superintendent if a majority

12. of the members of a school board would resign in

13. mass and the regional superintendent would call a

14. special election for the sake of filling those

15. vacancies. Be glad to answer any questions and

16. I'd appreciate a favorable roll call.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Is there discussion? The question is shall Senate

19. Bill 499 pass. Those in favor vote Aye. Those opposed

20. vote Nay. The voting is open. Have all voted who

21. wish? Have all voted who wish? Take the record.

22. On that question the Ayes are 43, the Nays are 4,

23. none Voting Present. Senate Bill 499 having received

24. a constitutional majority is declared passed.

25. Senate Bill 505. The Senate will stand at ease for

26. a moment. Our...our system is jammed. As Senator

27. Rock would say, our million dollar system is jammed.

28. The Secretary informs me, it's not jammed, it's just

29. acting up. Senate Bill 505. Read the bill, Mr.

30. Secretary.

31. SECRETARY:

32. Senate Bill 505.

33. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Moore.

4. SENATOR MOORE:

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

6. Senate Bill 505 is accurately described in the synopsis  
7. of the bill. It provides that alcoholic liquors  
8. may be sold on land owned by the Metropolitan Sanitary  
9. District of Greater Chicago and leased to others for  
10. a term of twenty years...of at least twenty years,  
11. provided the board of trustees of the district  
12. consent to the sale. This is a situation that has  
13. arisen in the south end of Cook County on the Calsag Canal.  
14. There were two leases that were executed about twenty  
15. years ago for a term of fifty years. This property  
16. is now being developed into a hundred and twenty-five  
17. million dollar marina complex. However, in order  
18. for the hotel to be there, the hotel wants to have  
19. a liquor license. So, that is why I restricted it to  
20. leases of at least twenty years, not on all lands that the  
21. Sanitary District owns. The control and the  
22. discretion is still vested in the board of trustees  
23. of the district and if there are any questions, I'd  
24. be happy to answer them. Otherwise, I would ask  
25. for a favorable roll call.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Is there discussion? Senator Maragos.

28. SENATOR MARAGOS:

29. I'd like to have...Senator Moore yield to a  
30. question?

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Indicates that he will yield. Senator Maragos.

33. SENATOR MARAGOS:

1. Senator Moore, what will this do with the  
2. constitutionality of the contractual rights...is this  
3. an agreement to lessees?  
4. PRESIDING OFFICER: (SENATOR BRUCE)  
5. Senator Moore.  
6. SENATOR MOORE:  
7. There is a provision in the lease with the  
8. district with the lessee prohibiting the sale of  
9. alcohol and that provision could be waived by the  
10. board of trustees if they desire to waive it.  
11. PRESIDING OFFICER:(SENATOR BRUCE)  
12. Senator Maragos.  
13. SENATOR MARAGOS:  
14. It doesn't affect the rights of the lessee, though,  
15. does it? They...in the acquiescence...are they in  
16. agreement with the change?  
17. PRESIDING OFFICER: (SENATOR BRUCE)  
18. Senator Don Moore.  
19. SENATOR MOORE:  
20. No, Sir. It would not affect the rights of them  
21. whatsoever, Senator.  
22. PRESIDING OFFICER: (SENATOR BRUCE)  
23. Is there further debate? Senator Demuzio.  
24. SENATOR DEMUZIO:  
25. Question of the sponsor. You indicate that  
26. this bill is designed for one specific hotel since  
27. it has a lease of more than twenty years, is that  
28. correct?  
29. PRESIDING OFFICER: (SENATOR BRUCE)  
30. Senator Moore.  
31. SENATOR MOORE:  
32. There is an entire marina complex that is being...  
33. on the drawing board to go on this particular tract



1. of land. Part of the complex is a hotel. I don't  
2. know which hotel that they've been negotiating with,  
3. but they have contacted me and stated that the hotel...  
4. none of the hotels will go in unless there is a liquor  
5. license that they will be able to qualify for with the  
6. local village that the property is in.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Demuzio.

9. SENATOR DEMUZIO:

10. Then your bill specifically limits it to one  
11. liquor license and this specific hotel to which you  
12. refer and none else? No one else, is that correct?

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Don Moore.

15. SENATOR MOORE:

16. No, no. This would be for anyone who has a lease with  
17. the Sanitary District for a period of twenty years or  
18. longer. The provision of the lease which prohibits  
19. the sale of alcohol would be waived. Whether the licensed...  
20. and if the board of trustees saw fit to waive it  
21. for that tract of land, then the entire tract of land  
22. would be eligible for a liquor license depending upon  
23. the village fathers, what they decide whether or not they  
24. want it.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Demuzio.

27. SENATOR DEMUZIO:

28. Well, in answer to my question, yes, that it's  
29. limited to one specific organization that has a lease  
30. of twenty years or more.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Moore.

33. SENATOR MOORE:

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1. I'll...I'll yield to Senator Ozinga.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Ozinga.

4. SENATOR OZINGA:

5. This...this bill would allow the Sanitary District  
6. to lease land...they already have that privilege. But,  
7. they can allow a liquor license to a lessee where  
8. the...where the lease is for more than twenty years.  
9. The complex that Senator Moore is talking about is a  
10. tremendous complex along the whole north bank  
11. or south bank of the Sanitary District Canal. Now,  
12. in order to get...and there is a couple of other  
13. complexes that probably will have restaurants in them.  
14. This is a terrific marina that...on the drawing board.  
15. Whether it ever comes to pass is another subject,  
16. but this would allow the Sanitary District to  
17. issue a license to a lessee provided that the lease was  
18. more than twenty years in length and that would be anywhere.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Is there further discussion? The question is shall  
21. Senate Bill 505 pass. Those in favor vote Aye. Those  
22. opposed Nay. The voting is open. Have all those voted  
23. who wish? Take the record. On that question the Ayes  
24. are 40, the Nays are 3, 8 Voting Present. Senate Bill  
25. 505, having received a constitutional majority is declared  
26. passed. Senate Bill 506. Electronic device is  
27. malfunctioning.

28. SECRETARY:

29. Senate Bill 506.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Moore.

1. SENATOR MOORE:

2. Thank you, Mr. President, members of the Senate.  
3. Senate Bill 506, the amendment is the bill. It provides  
4. that to the extent of an amount of medical assistance  
5. provided by the Department of Public Aid to or on  
6. behalf of a recipient under the Public Aid Code,  
7. the Department of Public Aid shall be subrogated to  
8. any rights of recovery such recipient may have under  
9. the terms of any private or public health care  
10. coverage without the necessity of an assignment claim.  
11. They presently have the subrogation against the recipient  
12. but they do not have subrogation rights against  
13. the insurance carrier in the event there is health  
14. insurance. I know of no objection to the bill. I'd  
15. appreciate a favorable roll call.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Is there further discussion? The question is shall  
18. Senate Bill 506 pass. Those in favor vote Aye. Those  
19. opposed Nay. The voting is open. Have all those  
20. voted who wish? Take the record. On that question  
21. the Ayes are 53, the Nays are none. Senate Bill 506  
22. having received a constitutional majority is declared  
23. passed. Senate Bill 517, Senator Rupp. Read the bill.

24. SECRETARY:

25. Senate Bill 517.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Rupp.

30. SENATOR RUPP:

31. Thank you, Mr. President. This Senate Bill  
32. 517 amends the Insurance Code in relation to  
33. the extent of recovery that would be permitted in an

1. insurance claimant in an action against an insurance  
2. company which has resisted or delayed unreasonably the  
3. payment of the settlement. The bill provides that the  
4. court may allow as part of the cost, an amount equal  
5. to reasonable attorney fees, plus the greater of  
6. the amounts of one hundred dollars or twice the amount  
7. the prevailing party is otherwise entitled to recover.  
8. Do want to just emphasize the fact that this is  
9. for instances of undue and unreasonable delay and the  
10. court is what the deciding factor in that. The bill is  
11. meant to spare the action by the companies to settle  
12. the claims so that they can avoid those additional  
13. penalties. Most companies, as you know, do promptly  
14. pay and those who do, they don't...do not object to this  
15. bill. In fact, they applaud it. I ask for a favorable  
16. roll call on this bill.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Is there...Senator Rock.

19. SENATOR ROCK:

20. Thank you, Mr. President. Question of the sponsor  
21. if he'll yield.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Indicates he will yield.

24. SENATOR ROCK:

25. Senator, I think the provision that you advocate is  
26. a good one and one with which I agree. My question  
27. is in the bill, we...you strike certain language and  
28. I wonder why that language was stricken. I'm speaking  
29. specifically of lines 11, 12...or 12, 13, and 14.  
30. You are setting up that if there is, in fact,  
31. approvable, unreasonable delay, the insurance company  
32. could be...could have sanctions by the court for monetary  
33. damages. But, the current law also allows that same kind of

1. recovery if the company has brought suit to cancel the  
2. policy or policies or refuse upon demand prior to the  
3. commencement of an action to pay the amount of the loss.  
4. Why do we strike that out, is my question.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Rupp.

7. SENATOR RUPP:

8. Well, I think it was an attempt to...the way...way  
9. that reads and we might be reading it looking at two  
10. different ways, that this was if the company had brought  
11. suit to cancel. I think in this case it isn't that  
12. requirement has been eliminated.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Rock.

15. SENATOR ROCK:

16. Well, I don't...I don't mean to becloud the issue,  
17. but my question is why is that language being stricken?  
18. Why...why should we not just add that if, in fact, in  
19. addition to bringing suit or refusal upon demand prior  
20. to trial to pay, or for unreasonable delay in settling,  
21. so you would have three times or three instances in which  
22. you could...you could, in fact, affect this kind of recovery.  
23. We seem to be striking two and substituting one.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Rupp.

26. SENATOR RUPP:

27. I'd have no objection to that change, Senator Rock.  
28. I thought what I would get would be some questions  
29. as to whether or not there actually was such a thing as a  
30. reasonable attorney fee.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Rock.

33. SENATOR ROCK:

1. Well, for those of us who are licensed, all fees  
2. are reasonable. Thank you, very much. But, I...I just  
3. don't...I'm not questioning the bill. I think the bill is  
4. a good one. I just don't know why that was stricken.  
5. I was asking if you know why it was stricken.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Rupp.

8. SENATOR RUPP:

9. No, except to make an attempt that there was the  
10. feeling that perhaps this had to take place. And if the  
11. company had not done the cancellation...made the  
12. attempt to cancellation, then this would not be in  
13. effect of movement. But, we will...I'll be glad to  
14. back off and change it. Real fine. ...request.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. You do request that the bill be returned to the Order...

17. SENATOR RUPP:

18. ...return to the Order of...

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. ...of 2nd reading.

21. SENATOR RUPP:

22. Take it out of the record.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. We'll have to take the...the procedure is to take it  
25. out of the record.

26. SENATOR RUPP:

27. Yes, fine. Thank you.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Philip, did you want to address yourself  
30. to the bill that's just been taken out of the record?

31.

32. End of reel.

33.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senate Bill 519, Senator Carroll. Read the bill.
3. SECRETARY:
4. Senate Bill 519
5. (Secretary reads title of bill)
6. 3rd reading of the bill.
7. PRESIDING OFFICER: (SENATOR DONNEWALD)
8. Senator Carroll.
9. SENATOR CARROLL:
10. ...Thank you, Mr. President and members of the Senate.
11. As you will recall a few years ago, we allowed freedom of
12. choice in all plans involving the State and in all insurance
13. companies including Blue Cross and Blue Shield. Blue Cross
14. and Blue Shield switched over to a new section of the Illinois
15. Statutes as a Not-For-Profit Health Care Service Plan Act.
16. They were covered under their prior Act and this is just a
17. manner of changing the new Act that they have gone into to
18. make it in compliance with the Act they were operating under
19. at the time. The question did arise as to any cost to the
20. consumer in taking care of this and as we found in the discussion
21. that there had been no reduced premiums when they switched
22. over and were not offering this so I don't think there would
23. be any additional cost to the consumer by switching over.
24. This is technical change. We made the policy decision several
25. years ago, and they changed under a new Act, and we should
26. bring that into compliance.
27. PRESIDING OFFICER: (SENATOR DONNEWALD)
28. Senator Bloom.
29. SENATOR BLOOM:
30. Well, as I understand this, Senator Carroll, this...this
31. expands it so, when you say freedom of choice, I mean, now,
32. this would cover midwives...you know, people licensed to
33. practice without drugs or surgery. This is...expands it

1. considerably, does it not?

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Carroll.

4. SENATOR CARROLL:

5. It...it...actually it expands nothing, because we already  
6. did that to Blue Cross-Blue Shield as well as to all other  
7. carriers, and our own State plan happens to have that pro-  
8. vision. What did happen was Blue Cross went from the Medical  
9. Services Plan Act to the Not-for-Profit Plan Act. They  
10. switched over their corporate title to a different type of  
11. title. This is just to bring that Act into compliance with  
12. the Act they were operating under, so it really expands it not  
13. at all. What we did do policy wise a few years ago was to  
14. expand coverage under the Medical Services Plan Act and the  
15. other Acts to licensed physicians, licensed physicians licensed  
16. by the State of Illinois.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Bloom.

19. SENATOR BLOOM:

20. Yeah, but this does cover situations I enumerated, mid-  
21. wives and et cetera, right...you know...including those who  
22. practice without medicines, drugs or operative surgery, correct?

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Carroll.

25. SENATOR CARROLL:

26. I don't know if it covers et ceteras and I don't know if  
27. it covers midwives and I don't know if it covers the other  
28. lists. It covers those who are licensed, though, by the State  
29. of Illinois.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Davidson.

32. SENATOR DAVIDSON:

33. As the Constitution says, if you possibly have a conflict,



1. you should announce it before you vote, and there's a...I could  
2. have a possible conflict with this bill, and I want to announce  
3. that I'm going to vote Aye.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Nimrod.

6. SENATOR NIMROD:

7. Yes, Mr. President, a question of the sponsor.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Indicates he'll yield.

10. SENATOR NIMROD:

11. All right, what...what I seem to read in this, and it  
12. seems that this addresses itself to the question that was...  
13. addressed with Senator Bloom, and it...this...this expands  
14. it from those physicians licensed to practice medicine in all  
15. its branches to any physician that's licensed, and that would  
16. now expand this to include . . . chiropractors and...and podiatrists  
17. and...and other things. Is that what we're doing or are we not?

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator...

20. SENATOR NIMROD:

21. ...Is this...this is where health care services...what I'm...  
22. or insurance services.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. ...Senator Carroll.

25. SENATOR CARROLL:

26. Senator Nimrod, as I've tried to explain, starting four  
27. years ago in and...and then again two years ago, we made the  
28. decision to expand what is known as freedom of choice which  
29. would cover the people you've described into the insurance  
30. contracts. We amended the Medical Services Act, which was  
31. Blue Cross-Blue Shield two years ago to include this treatment.  
32. Coincidentally and I am sure not for this reason, Blue Cross-  
33. Blue Shield amended its corporate charter and went from a

1. for-profit corporation to a not-for-profit. That Not-for-  
2. Profit Act was not amended two years ago, although Blue Cross-  
3. Blue Shield's then operating statute was amended. Yes, this  
4. expands this in this Act. The reason for it is their switch  
5. from a for-profit or from a Medical Services Plan Act to the  
6. Not-for-Profit Medical Services Plan Act.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Nimrod.

9. SENATOR NIMROD:

10. Then this would...this would mean then, it is a deliberate  
11. attempt to include those...serve those services of physicians  
12. to be reimbursed on a deliberate basis to include them, to  
13. make them the same as what the intent was, not to add more?  
14. Is that what you're saying?

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Carroll.

17. SENATOR CARROLL:

18. Yes, I think that's accurate. It's...yes.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Schaffer.

21. SENATOR SCHAFFER:

22. Senator Carroll, I was wondering if you would mind ex-  
23. plaining to the full Senate why this bill won't cost any more?

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Carroll.

26. SENATOR CARROLL:

27. As I explained in my opening remarks, Senator Schaffer,  
28. that when you questioned that in committee, although I didn't  
29. mention you by name, my indication was when they switched  
30. from a...in effect for-profit to a not-for-profit, and thereby  
31. came out from under the ambit of what we're putting in  
32. the not-for-profit, they did not reduce premiums any, so  
33. obviously they had not intended any cost savings by switching

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1. over. There should be no cost increase then from the way  
2. they were operating two years ago under the other Act.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Is there further discussion? Senator Carroll may close  
5. the debate.

6. SENATOR CARROLL:

7. I would ask for a favorable roll call.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Question is, shall Senate Bill 519 pass. Those in  
10. favor vote Aye. Those opposed Nay. The voting is open.  
11. (machine cut off) those voted who wish? Take the record.  
12. On that question, the Ayes are 47, the Nays are none, 4  
13. Voting Present. Senate Bill 519 having received a constitu-  
14. tional majority is declared passed. Senate Bill 521,  
15. Senator Glass. Senate Bill 525, Senator Merlo. Read the  
16. bill.

17. SECRETARY:

18. Senate Bill 525

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Merlo.

23. SENATOR MERLO:

24. Thank you, Mr. President and members of the Senate.  
25. Senate Bill 525 is intended to provide the Director of  
26. Insurance with specific authority to require companies to  
27. provide information by zip code at the discretion of the  
28. Department of Insurance, the number of policies written,  
29. renewed and cancelled. The bill is intended for companies  
30. that may be engaging in geographic discrimination in the  
31. issuance and termination of policies. As amended, the  
32. policy is approved by the Department of Insurance, the  
33. National Association of Independent Insurers and the American

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1. National Insurance Alliance, and I ask for your favorable  
2. consideration.  
3. PRESIDING OFFICER: (SENATOR DONNEWALD)  
4. Is there further discussion? Question is, shall Senate  
5. Bill 525 pass. Those in favor vote Aye. Those opposed Nay.  
6. The voting is open. (machine cut off) those voted who wish?  
7. Take the record. On that question, the Ayes are 48, the Nays  
8. are 1. Senate Bill 525 having received a constitutional  
9. majority is declared passed. Senate...Senator Graham, for  
10. what purpose do you arise?

11. SENATOR GRAHAM:  
12. I was little late arriving on the roll call on 519. Had  
13. I been here, I'd like to reflect a No vote should I been on  
14. the Floor.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)  
16. The record will...

17. SENATOR GRAHAM:  
18. ...I mean an Aye vote, I'm sorry. I wanted to vote  
19. Aye. I was just given...

20. PRESIDING OFFICER: (SENATOR DONNEWALD)  
21. ...The record will so show. Senate Bill 526, Senator  
22. Merlo. Read the bill.

23. SECRETARY:  
24. Senate Bill 526  
25. (Secretary reads title of bill)  
26. 3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)  
28. Senator Merlo.

29. SENATOR MERLO:  
30. This bill, Mr. President and members of the Senate,  
31. addresses the problem of companies providing ambiguous reasons  
32. for cancellation or nonrenewal of policies. Currently the  
33. companies are only mandated to provide a reason, but not specific

1. and only on request. The bill would, of course...a basic  
2. result is that the reason for nonrenewal must now be made in  
3. specific language. I think it's an excellent bill and I  
4. look for a favorable vote from the members of the Senate.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Is there further discussion? Question is, shall Senate  
7. Bill 526 pass. Those in favor vote Aye. Those opposed Nay.  
8. The voting is open. Have all those voted who wish? Take the  
9. record. On that question, the Ayes are 50, the Nays are none.  
10. Senate Bill 526 having received a constitutional majority is  
11. declared passed. Senate Bill 528, Senator Merlo. Read the bill.

12. SECRETARY:

13. Senate Bill 528

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Merlo.

18. SENATOR MERLO:

19. Mr. President and members of the Senate, Senate Bill  
20. 528 is a bill that directs itself to red-lining. I firmly  
21. believe if the crisis of insurance red-lining that exists in  
22. many of our communities and neighborhoods today demand  
23. legislation. What the bill would do, it'd provide that  
24. policies of fire and extended covers...coverage that is  
25. issued may not be nonrenewed for any of the following  
26. reasons, which are: the age of the property, the location  
27. of the property, the age, sex, race, color, ancestry or  
28. occupation of the occupant. I think this is an excellent  
29. bill that we should address ourselves to, and I ask for  
30. a favorable roll call.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Is there further discussion? Senator Berning.

33. SENATOR BERNING:

1. Just like to comment that prostitution and bomb making  
2. are occupations and I asked the sponsor in committee if this  
3. was endorsing that and I...I think he was noncommittal.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Is there further discussion? Question is...Senator Merlo  
6. may close the debate.

7. SENATOR MERLO:

8. I ask for a favorable roll call, Mr. President.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Question is, shall Senate Bill 528 pass. Those in favor  
11. vote Aye. Those opposed No. The voting is open. (machine  
12. cut off) those voted who wish? Take the record. On that  
13. question, the Ayes are 43, the Nays are 6. Senate Bill 528  
14. having received a constitutional majority is declared passed.  
15. Senator Philip, for what purpose do you arise?

16. SENATOR PHILIP:

17. Thank you, Mr. President. I mistakingly pushed the wrong  
18. button on Senate Bill 525 which I was recorded as voting Aye.  
19. I would like to be recorded as voting No.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. That will not change the results. The record will so show.  
22. Senate Bill 533, Senator Merlo. Read the bill.

23. SECRETARY:

24. Senate Bill...

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Just a moment. Senator Weaver, for what purpose do you  
27. arise?

28. SENATOR WEAVER:

29. Thank you, Mr. President. I would wonder if Senator Merlo  
30. ...would you hold this bill? We've got a couple of things we'd  
31. like to check on it first. We haven't gotten some information  
32. back.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Indicates he will. Senate Bill 537, Senator Regner.
2. Read the bill, Mr. Secretary.
3. SECRETARY:
4. Senate Bill 537
5. (Secretary reads title of bill)
6. 3rd reading of the bill.
7. PRESIDING OFFICER: (SENATOR DONNEWALD)
8. Senator Regner.
9. SENATOR REGNER:
10. Mr. President and members of the Senate, there's a
11. great problem in unincorporated areas, in particular Cook County,
12. regarding solid waste disposal, and what this bill does,
13. it would allow townships, either one township or up to five
14. townships, to organize and by referendum create a solid waste
15. disposal district. It takes a majority vote of the people
16. voting on the issue in each one of the townships if there is
17. more than one involved and it is referendum, and I would ask
18. a favorable roll call.
19. PRESIDING OFFICER: (SENATOR DONNEWALD)
20. Senator Nimrod.
21. SENATOR NIMROD:
22. Yes, I would seek leave to be shown as a cosponsor of
23. this bill.
24. PRESIDING OFFICER: (SENATOR DONNEWALD)
25. Leave is granted. Senator Grotberg.
26. SENATOR GROTBORG:
27. Yes, will the sponsor yield?
28. PRESIDING OFFICER: (SENATOR DONNEWALD)
29. Indicates...
30. SENATOR GROTBORG:
31. Is there...
32. PRESIDING OFFICER: (SENATOR DONNEWALD)
33. ...indicates he will.

1. SENATOR GROTBORG:

2. ...Is there any provision in here for the name of those

3. five townships after they have merged to...to the Lincoln

4. Disposal Area or anything like that?

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Regner.

7. SENATOR REGNER:

8. No, that provision is in another bill for another matter,

9. Senator Grothberg.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Is there further discussion? Question is, shall Senate

12. Bill 537 pass. Those in favor vote Aye. Those opposed Nay.

13. The voting is open. Have all those voted who wish? Take

14. the record. On that question, the Ayes are 50, the Nays are

15. none. Senate Bill 537 having received a constitutional

16. majority is declared passed. Senate Bill 538. Read the

17. bill, Mr. Secretary.

18. SECRETARY:

19. Senate Bill 538

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Regner.

24. SENATOR REGNER:

25. Mr. President and members of the Senate, there is some

26. problem and confusion in whose responsibility it is to appoint

27. trustees of fire protection districts when it lies within

28. an entire county, but not with an entire township or municipality

29. and this bill clarifies the language so that the appointments

30. can be made readily.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Is there further discussion? Question is, shall Senate...

33. just a moment Senator Philip.



1. SENATOR PHILIP:
2. Yes. I...I would like to ask Senator Regner a question.
3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. Indicates he will respond.
5. SENATOR PHILIP:
6. If a fire protection district overlaps counties and
7. township under your provision, who would do the appointing?
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. Senator Regner.
10. SENATOR REGNER:
11. Districts which lie within a township have their trustees
12. appointed by the township board of auditors while districts
13. contained within a municipality have their trustees appointed
14. by the governing body of such municipality and it...the bill
15. deletes the district which lies within the entire county but
16. does...does not meet the above qualifications and it doesn't
17. affect DuPage County.
18. PRESIDING OFFICER: (SENATOR DONNEWALD)
19. Senator Philip.
20. SENATOR PHILIP:
21. I'm afraid, Senator, you didn't answer my question. My...
22. my question was specifically, when a fire protection district
23. overlaps counties and township lines, who is the appointing
24. authority?
25. PRESIDING OFFICER: (SENATOR DONNEWALD)
26. Senator Regner.
27. SENATOR REGNER:
28. The county board.
29. PRESIDING OFFICER: (SENATOR DONNEWALD)
30. Senator Philip.
31. SENATOR PHILIP:
32. Senator, that is incorrect. The appointing authority is...
33. is the members of the General Assembly in that district when

1. it overlaps county lines. Certainly is. Unless your bill  
2. changes it, but that's who has the authority right now because  
3. I happen to have one in my district that happens to overlap  
4. township lines and county lines and the members of the General  
5. Assembly appoint those fire protection trustees. Now, are  
6. you changing that?

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Regner...

9. SENATOR PHILIP:

10. You're not?

11. SENATOR REGNER:

12. No. You don't want me to.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Is there further discussion? Question is, shall Senate  
15. Bill 538 pass. Those in favor vote Aye. Those opposed Nay.  
16. The voting is open. Have all those voted who wish? Take the  
17. record. On that question, the Ayes are 48, the Nays are none,  
18. 2 Voting Present. Senate Bill 538 having received the con-  
19. stitutional majority is declared passed. As to Senate Bill 540,  
20. Senator Knuppel. Read the bill, Mr. Secretary.

21. SECRETARY:

22. Senate Bill...

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. 540.

25. SECRETARY:

26. ...Senate Bill 540

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Knuppel.

31. SENATOR KNUPPEL:

32. This is the enabling bill that amends the Capital Develop-  
33. ment Bond Act by the amount of seven million eight hundred

1. and five thousand three hundred dollars for the purpose of  
2. building a new Department of Agriculture Building at the  
3. Illinois State Fairgrounds. This legislation...there was  
4. an investigation carried out about four years ago by...started  
5. by Senator Joyce, Senator Demuzio and myself, and the existing  
6. need for better facilities for the Department of Agriculture  
7. which is scattered into any number of buildings on the fair-  
8. grounds and other places and the...there was approximately  
9. eight hundred thousand dollars appropriated for the studies  
10. which have gone forward. My understanding now that Governor  
11. Thompson supports the construction of a new Department of  
12. Agriculture Building at the fairgrounds, the site has been  
13. located, and I would ask for a favorable roll call.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Sommer.

16. SENATOR SOMMER:

17. Mr. President, I would request for the record a ruling  
18. from the Chair as to the number of votes this particular bill  
19. will take.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Without looking at the record, I believe the Chair will  
22. rule that it takes thirty-six. Senator Sommer.

23. SENATOR SOMMER:

24. I would also point out to the members that this...this  
25. bond authorization is right now included in Senate Bill 628.  
26. It is, in fact, part of the...the Governor's Program, and it is  
27. not the appropriation, Senator Knuppel, but it is the bond  
28. authorization. It would be preferable practice for you, I  
29. would think, and for us as a General Assembly to include all  
30. of the authorizations in one bill.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Mitchler.

33. SENATOR MITCHLER:

1. Mr. President and members of the Senate, the Governor's  
2. Advisory Board to the State Fair had discussed this, but I  
3. had never heard any formal action that they have taken on it  
4. as yet, so I...I don't know of any specific action that they  
5. have taken on the...they've authorized or condoned the  
6. Agriculture Building. There's some debate on whether...where it  
7. should be located and how it should be funded and the amount  
8. of the funding. ...Senator Knuppel has a bill here, I believe  
9. this requires thirty-six votes. Maybe...maybe the administration  
10. ought to be in little closer contact with us on this particular  
11. bill if it's going to be administration bill.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Weaver.

14. SENATOR WEAVER:

15. Thank you, Mr. President. Well, I think if we put in  
16. individual authorizations for all Capital projects we're going  
17. to have a hard time figuring out what our total obligation  
18. is. I would much rather see this bill defeated and leave it  
19. in the appropriation in 628 as are all other Capital Bond bills  
20. so that we can properly track these. I...I have nothing  
21. against the project per se, but I think they all should be  
22. included in one bill so we can accurately track what our total  
23. obligations are and authorizations are.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Carroll.

26. SENATOR CARROLL:

27. Thank you, Mr. President. I rise to support this bill.  
28. I think it's no problem and I think, in fact, we have already  
29. taken it out of 628 in an amendment that was adopted by the  
30. committee which is the general authorization bill for Capital  
31. Development. This is in the Governor's Program. It was in  
32. at a higher figure than Senator Knuppel was suggesting by  
33. about two or three hundred thousand dollars. I think we all

1. know Senator Knuppel has been working long and hard on this  
2. legislation and has the right to introduce this as he always  
3. has and introduce it early as he did, and I think we should  
4. be supportive of this concept.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Is there further discussion? Senator Demuzio.

7. SENATOR DEMUZIO:

8. Well, thank you, Mr. President and members of the Senate.  
9. I, too, am...was rising to support Senator Knuppel on this...  
10. this effort. Senator Mitchler, if we waited for the Governor's  
11. Advisory Board to take action in terms of whether or not we  
12. should have a Ag...new Ag facility, we'd probably be waiting  
13. forever. Illinois is the first in the nation in exports.  
14. We have perhaps the most dilapidated facilities in the nation.  
15. There's no question in my mind that we ought to give agriculture  
16. its due respect. We ought to provide a new facility, one  
17. that does not have leaky roofs, one that is not scattered all  
18. over Springfield and all over the fairgrounds. I think this  
19. is a good bill. It is one that we in Illinois need to show  
20. our neighbors that we care about agriculture, and I arise in  
21. full support of this measure.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Joyce.

24. SENATOR JOYCE:

25. Thank you, Mr. President. I, too, rise in support of  
26. this bill and would ask to be...leave to be considered a co-  
27. sponsor.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Leave is granted. Senator Demuzio also wishes to be a  
30. cosponsor. Leave is granted. Is there further discussion?  
31. Senator Knuppel may close the debate.

32. SENATOR KNUPPEL:

33. Well, I only want to say one thing. There's many slip

1. 'twixt the cup and the lip. ...Governor Thompson came into  
2. west central Illinois and made glowing promises of a road  
3. program. I'm not being critical. I just say that the roads  
4. that were promised or that the people believe were promised  
5. just aren't there in the appropriation. I don't know what  
6. the...what the Capital Development Authorization that  
7. Governor Thompson has introduced will look like when it goes  
8. out of here, whether it will go out on one wing and a prayer  
9. or whether it will go out of here, you know, both wings flapping.  
10. All I can say is that the concept of a new Department of  
11. Agriculture Building was...was first fostered and nurtured  
12. and conceived by the three Senators who sit over here. It  
13. had the unswerving support, I think, of the entire agricultural  
14. community. It's admitted that it's badly needed, and for  
15. the largest industry in the State of Illinois, I think that it's  
16. a wise move. Now, if this bill should get to the Governor's  
17. Desk and the appropriation is...or the authorization is also  
18. in his bonding bill and he wants to sign my appropriation in  
19. his bill or however he wants to do it, he has the last say so.  
20. I just don't think that...that a bill that's worthwhile ought  
21. to be defeated on this Floor because somebody else wants to  
22. claim for some reason that it was in somebody's program, that  
23. it was an administration bill for somebody...something that's as  
24. badly needed as this. I probably have more Republican farmers  
25. in my district than I have Democrat farmers. I'm not sure,  
26. I never took a count, but largely the...the people in the  
27. rural areas have voted along the Republican lines, and I just  
28. can't see any reason of making this a partisan issue at this  
29. time. I'll appreciate your votes as I always have, and I  
30. call for the favorable roll call as required.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Question is, shall Senate Bill 540 pass. Those in favor  
33. vote Aye. Those opposed Nay. The voting is open. Have all

1. those voted who wish? Have all those voted who wish? Have  
2. all those voted who wish? Take the record. Senator Knuppel  
3. moves for Postponed Consideration on this bill. Postponed  
4. Consideration is granted. Senate Bill 548, Senator Regner.  
5. Senate Bill 550, Senator Wooten. Read the bill, Mr. Secretary.  
6. SECRETARY:

7. Senate Bill 550

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Wooten.

12. SENATOR WOOTEN:

13. Well, Mr. President and Ladies and Gentlemen of the  
14. Senate, this is a little bit technical, not very complicated,  
15. but it's going to require a judgment on the part of members  
16. of this Body. The Illinois Aeronautics Board is asking  
17. through this bill for legislative intent. To just bring you  
18. up to date, and I hope you will follow this because we can  
19. avoid all kinds of questions if you just take this simple  
20. two or three step process with me.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Just...just a moment. Will the members please be in  
23. their seat and be attentive. Senator Wooten doesn't want to  
24. explain it more than two or three times. Proceed.

25. SENATOR WOOTEN:

26. There was a crash of a third level carrier in Illinois  
27. southwest some years ago that prompted this Body to establish  
28. the Illinois Aeronautics Board to see that those carriers  
29. were regulated. Now, let me explain to you simply the difference.  
30. All airplanes are required to have FAA Part 135 inspection  
31. which is a self-inspection program. You get a mechanic to  
32. sign that it's done. What we discovered in Illinois was that some  
33. of those signatures were forged or falsely placed and that

1. came out in the wake of an investigation of this accident. The  
2. Illinois Aeronautics Board was then formed to see that those  
3. inspections were carried out on aircraft operating in Illinois,  
4. air taxi and unscheduled charter service. Now, the Illinois  
5. Aeronautics Board would like it brought to your attention  
6. that we are only protecting about one-fourth of the Illinois  
7. citizens who travel on such carriers in this State. The  
8. reason is, because a decision has been made based on the  
9. language in the original Act that probably the Legislature  
10. only meant that to apply to intrastate carriers. It does  
11. not apply according to the way the Act is now interpreted  
12. to carriers that have one base of operation in Illinois and  
13. one base of operation in another state, like Wisconsin, Iowa,  
14. Missouri and so on. Actually three-quarters of the people  
15. who use these carriers are riding on planes that are not  
16. inspected, carriers that are not regulated by the Illinois  
17. Aeronautics Board, and they are simply asking for a statement  
18. of legislative intent. Do you want those carriers inspected  
19. and regulated who have one base of operation in Illinois?  
20. Now, let me add one further detail to that. The Civil  
21. Aeronautics Board would contend that we do not have the right  
22. to do that and if we make this declaration of intent, they anti-  
23. cipate an early suit by one of the carriers, and then the  
24. matter will be finally resolved, but they simply want to know  
25. if that is that your intention...

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Just...just a moment, Senator. Immediately behind Senator  
28. Weaver there is several caucuses of staff and members and so on,  
29. and Senator Weaver is trying to listen to your explanation.  
30. Proceed.

31. SENATOR WOOTEN:

32. Well, I think as simply as it can be stated, that's it.  
33. The Illinois Aeronautics Board wants to know if you want all



1. those carriers regulated and inspected. They would anticipate  
2. as I say a suit to test the validity of this action, but it  
3. is their belief that they should be regulating these carriers.  
4. And what we do is clarify intrastate, interstate in the law  
5. and state...and state that explicitly. I think that's the  
6. substance of the bill. It's really quite simple, but it has  
7. a profound change because really we are not...we are not  
8. affording the citizens of Illinois the protection they assume  
9. they have. Be glad to answer any questions. Ask for a  
10. favorable roll call.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Is there further debate? Question is, shall Senate  
13. Bill 550 pass. Those in favor vote Aye. Those opposed Nay.  
14. The voting is open. Have all those voted who wish? Take  
15. the record. On that question, the Ayes are 53, the Nays are  
16. none. Senate Bill 550 having received a constitutional  
17. majority is declared passed. Senator Bowers as to 554.  
18. Senate Bill 557, Senator Netsch-Nimrod. Read the bill,  
19. Mr. Secretary.

20. SECRETARY:

21. Senate Bill 557

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Netsch.

26. SENATOR NETSCH:

27. Thank you, Mr. President. This is a bill which Senator  
28. Nimrod and I have worked out together and have sponsored  
29. jointly which provides for one-half of one percent of the  
30. cost of major construction or reconstruction projects of the  
31. Capital Development Board to be set aside for the maintenance  
32. of...purchase and maintenance of public art in the public  
33. buildings. The way the bill is drafted it has no fiscal impact

1. this year. It begins with Fiscal Year 1979. The fiscal note  
2. which was prepared by the Capital Development Board indicates  
3. that given the definitions in the Act, the probable cost...  
4. maximum cost would be three hundred thousand dollars a year,  
5. again, one fiscal year from now. What we have provided  
6. is a Fine Arts Review Committee which will make the decision  
7. in each case and that committee...and this is quite important,  
8. I think...has three local persons on it in each case, so that  
9. there will be local input with the respect to the selection  
10. of the art. This is a...an idea who...that's been widely  
11. accepted now in this country. There are a number of other states  
12. and cities which do it. Some parts of the State have been  
13. doing it on an informal basis, but the State itself has never  
14. had this program in a formalized manner. The Capital Develop-  
15. ment Board wanted it in a formalized manner and were very  
16. helpful to us in preparing the bill and preparing the informa-  
17. tion that goes behind it. I will be happy to answer any questions  
18. about the bill. I think it is an idea that has very,  
19. very wide acceptance now and I would hope that Illinois would  
20. join the ranks of those who recognize its importance.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Is there further discussion? Senator Berning.

23. SENATOR BERNING:

24. Question of the sponsor.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. The sponsor indicates she will yield.

27. SENATOR BERNING:

28. When we incorporate into buildings, new or renovated,  
29. works of art, could that be construed to include such things  
30. as that monstrosity next to the Civic Center in Chicago or  
31. that...extra enlarged ball bat or that contorted sewer pipe  
32. that we have next to the library in Highland Park? Is that  
33. what you have in mind, Senator?

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Netsch.

3. SENATOR NETSCH:

4. Well, I...I...I do not expect that I would be on any of  
5. the committees that would make the selection, Senator Berning,  
6. so that my choice is sort of irrelevant anyway, but the  
7. reason why I mentioned that I think it's very important that  
8. in...that we have provided in the bill that in each case  
9. the selection committee shall consist of three persons from  
10. the area in which the piece of art will be located, so that  
11. there is an opportunity for local sensibilities, local view  
12. point to be expressed, and I think that is your protection  
13. from any art that you might find offensive.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Berning.

16. SENATOR BERNING:

17. Is there any provision, then, for bidding by artists for  
18. the preparation of an item?

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Netsch.

21. SENATOR NETSCH:

22. No, there is not.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator...oh, Senator Berning.

25. SENATOR BERNING:

26. What...what you are suggesting here, if I interpret it  
27. correctly, is that a half of one percent of the cost of a  
28. building is to be set aside to be utilized at the discretion  
29. of the organization which is asking for and building the  
30. building so that these funds can be utilized for the acquisition  
31. of so-called quote works of art. If that is the case, then  
32. it seems to me that there ought to be some restrictions  
33. placed on the authority of the board and...for whose...who has

1. this responsibility to utilize the available dollars on a  
2. bid kind of basis, determine what they want whether it's twisted  
3. sewer pipe or flights of fancy, or a legitimate work of art,  
4. and then secure bids on that in order to justify the expenditures  
5. of these amounts of public monies.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Mitchler.

8. SENATOR MITCHLER:

9. Well, yes, Mr. President and members of the Senate, in  
10. reading over the...the bill, I thought at first that this  
11. additional expense in the construction would be used in the  
12. building itself, but as I note in the Act, they use the  
13. works of art shall apply and include paintings, prints,  
14. sculptures, graphics, mural decoration, stained glass,  
15. statues, ornaments, fountains, ornamental gateways or  
16. other creative works which reflect form, beauty, aesthetic  
17. perceptions, so I would...I would think that this would be what  
18. Senator Berning was alluded to that you could erect  
19. these baseball bats, and if you want to know the phone  
20. calls I got when the Chicago newspaper showed that hundred  
21. thousand dollar baseball bat being erected, so I think  
22. this should be the Baseball Bat Bill, and if I would go  
23. home and say that I voted to have to be spent on baseball  
24. bats and ornaments of this type in front of social security  
25. offices and what have you and government buildings, I think  
26. I'd have a tough time explaining to my constituency why  
27. I'm short changing some of the education building funds and  
28. that in the district where they have a hard time passing  
29. those by referendum where the people speak. Now, you say  
30. it's only...it's not going to have an impact in FY '78.  
31. Ah, we all breathe a sigh of relief, but it's going to cost  
32. three hundred and thirty thousand dollars in FY '79. Now,  
33. ...well, it's...when is this? It's going to be later on?

1. Now, let me tell you. You know, the Chairman of the Illinois  
2. Arts Council is on this because he's going to be on this  
3. board, and you look at that thing that started out at a  
4. twenty-five thousand dollar appropriation for a biennium  
5. appropriation, is now over two million dollars for one single  
6. year, and this baby is just a foot in the door because you're  
7. going to have these statues in front of every civic center  
8. that's erected, down at the Vadalabene Hall...Civic Center  
9. down there or whatever it is down in...and in...in front of  
10. the Paramount Theater in Aurora which the Aurora Civic Center  
11. took over and all of these, and...and you don't know what  
12. you're getting into...

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Just...

15. SENATOR MITCHLER:

16. ...so take a good look at what you're putting your vote  
17. on it this time.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. ...Senator Vadalabene, for what purpose do you arise?

20. SENATOR VADALABENE:

21. Point of personal privilege. Now, I worked...

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. State your point, Senator.

24. SENATOR VADALABENE:

25. ...I worked six damn long years on a civic center, and I  
26. don't know want to be made fun of, Senator Mitchler. Senator  
27. Hall beat that goddamn bill...

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Here...

30. SENATOR VADALABENE:

31. ...and I'm getting tired of being reminded of it.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. ...Just a moment. Senator Regner.

1. SENATOR REGNER:
2. Question of the sponsor.
3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. Indicates she will yield.
5. SENATOR REGNER:
6. Senator Netsch, could you tell me what percentage of the
7. entire money spent is going to be spent on ethnic art?
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. Senator Netsch.
10. SENATOR NETSCH:
11. That probably depends on how close a view Senator Lemke
12. keeps on it. The...no, I think one of the things that...that
13. needs to be made clear though, and this is quite serious is that
14. Senator Mitchler's assumption that every use of this bill is
15. going to be for a kind of modern art which he does not
16. necessarily appreciate is...is not true. For example, Senator
17. Mitchler, the...the...if we were doing the Capitol Building
18. or an annex to the Capitol Building right now, perhaps one
19. of the pieces of public art that could be financed out of
20. that would be the Statue of Senator Dirksen. That is public
21. art at a public building. It is not necessarily going to
22. be even modern, abstract art, although there are many people
23. ...there are many people in Chicago who are very happy with
24. some of the modern art that we have enjoyed in our downtown
25. area as a result of...of projects not like...not this one,
26. but like this one, but the...the assumption that all of it
27. is going to be the same is just simply not the case. There
28. will be a huge variety of...of art that will selected as a
29. result of this bill, and in many cases it probably will be
30. depending on the kind and location of the building. It may
31. be ethnic art, it may be just statues of...of people who are
32. honored leaders of the State, it could be anything.
33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Regner.

2. SENATOR REGNER:

3. Well, as far as statues are concerned, if the enacting  
4. legislation would have gotten of committee, I would much more  
5. rely on the commission that Senator Roe proposed, however,  
6. I'd like to comment on the bill. Two years ago when Senator  
7. Nimrod was the lead sponsor, I made the comment that this  
8. bill stinks. Now, there's certainly no reflection on you,  
9. Senator Netsch, now that you've changed sponsorship, but I  
10. have the same reference, and I think it's the same kind of  
11. bill it was then, and it should be soundly defeated on be-  
12. half of the taxpayers of Illinois.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Wooten.

15. SENATOR WOOTEN:

16. Just to point out. Listening to Senator Mitchler, I...I'm  
17. afraid that you... you get a wrong idea of what this is all  
18. about. I've had an opportunity to work with architects who  
19. work with governmental agencies, and one of the problems that  
20. an architect runs into is he has to meet a certain cost  
21. proportion in all buildings, and unless he is very careful,  
22. you come out with all buildings looking alike and looking  
23. pretty terrible, because cinder block costs a lot less than  
24. brick and you have to meet certain standards in putting up public  
25. buildings. One of the simplest ways to make a building look  
26. better is to provide for some kind of visual art, either just  
27. inside the lobby, outside. The problem is everytime you  
28. talk about art, you think about somebody like Picasso or some-  
29. one who is very much in or perhaps ahead of our time. I...I  
30. ...I don't know how to judge that, but the provision in this  
31. bill is that the people who put up the building, make the aesthetic  
32. decisions, and it simply gives you a mean of diverting a  
33. small amount of money to be sure that you don't have another

1. cinder block barn. A public building should also be something  
2. pleasant to look at. It should not be a visual offense. And  
3. that's all the bill attempts to do is to remind us that  
4. some money should go toward making the beautiful...the building  
5. beautiful and giving as much variety as possible in the kind  
6. of art chosen. It doesn't seem an extraordinary or revolution-  
7. ary idea. It's actually quite a practical one and I think  
8. deserves our support.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Carroll.

11. SENATOR CARROLL:

12. Thank you, Mr. President. Just after having listened  
13. to Senator Mitchler, Senator Berning and Senator Regner, I  
14. would ask leave to be added as a cosponsor.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Leave is granted. Senator Nimrod.

17. SENATOR NIMROD:

18. Mr. President and fellow Senators, I think that what  
19. we're really saying in this bill, and it hasn't changed since  
20. last year, is that...yeah, my wife is in favor of it and I...  
21. I happen to agree with her. I think when we walk into a  
22. building...when people come to Springfield, they don't go  
23. look at the State Office Building, they look at the pillars  
24. at our Capitol. They look at the design and the foresight that  
25. the people had here when they built these buildings. They  
26. look at the buildings, and...and...and they look at our Old  
27. State Capitol. They go by Lincoln's Home which is preserved  
28. because of its architecture and design. It's the architect  
29. who has the input into this particular area, telling him when  
30. you design your building add a little bit art and culture, that  
31. we have some heredity and something to carry on for the future.  
32. So that when people walk in and out, it has some meaning. And  
33. that...and in that local community, they will make those



1. selections by the mayor or by the president of the county  
2. board and by the people within that community who can decide  
3. which Illinois artists can be included in part of this  
4. particular program. I think this...you know, I like to joke  
5. about things and get involved in them, but I do think this  
6. is an important issue. It talks about public buildings. It  
7. talks about a permanent addition, and it says that it's  
8. only going to make this consistent what they do at the  
9. Federal Buildings in General Services. They're building  
10. buildings and they say half a percent that goes there,  
11. and they found that that's to be a reasonable figure and they  
12. are able to incorporate these kinds of things with it. I  
13. think I take great pleasure when people come to Chicago and  
14. regardless what we think about anything else, I tell them  
15. to go look at our Field Museum with its beautiful building,  
16. I tell them to go look at the Chagall at the First National  
17. Bank, go over and see the Calder over at the Federal Building,  
18. go over and see Picasso over at the...at the Civic Center, so  
19. I think these are the kind of things we send them to see. We  
20. don't send them to see buildings that are just plain and  
21. ugly. I think we need to have a little culture and a little  
22. understand of what we're building for, and I would certainly  
23. urge that you consider this bill and ask for your vote.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Rhoads.

26. SENATOR RHOADS:

27. Well, I voted against the Illinois Arts Council appro-  
28. priation, and I'm as reactionary as Dave Regner every...any  
29. day, but I think that Senator Wooten accurately described what  
30. this bill does, and I think it's a good bill.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Soper.

33. SENATOR SOPER:

1. Well, maybe...thank you, Mr. President. I don't know  
2. who Senator Rhoads was listening to, but when I listened to  
3. Senator Wooten, he tells me that if you can take some monstrosity  
4. and put it inside of...of a cement block building or cinder  
5. block building, it makes it a beautiful building. Now,  
6. Senator Nimrod got up and he said now, the architect is going  
7. to have pillars and all that sort of thing. Well, that's a  
8. design. That's not what this bill calls for. This bill sets  
9. aside one half of one percent, and you're going to spend  
10. five hundred million to a billion dollars these years coming  
11. up with Capital Development Board, and you're going to say  
12. absolutely one half of one percent you got to set aside for  
13. some...from...some dopey idea, not about a design on a  
14. building...but somebody will come in and some of these  
15. kooks and they'll put up those baseball bats and spend a  
16. lot of crazy money that is the lifeblood of the people of  
17. this State. Now, if you talk about design, Senator Nimrod,  
18. and you talk about architectural features, that's one  
19. thing, but when you talk about setting one half of one  
20. percent, it doesn't sound like a hell of a lot of money, and  
21. I...I...I don't like to swear on the Floor, but it is a  
22. lot of money, and you're...and you're setting this aside,  
23. and you're mandating this thing, and you'll have a lot of  
24. kooks running around trying to figure out how to take one  
25. half of one percent out of buildings that should be built  
26. right and should be designed right and...and you're going to  
27. figure on some kooky painting where some guy walked into some  
28. paint or some kid sat into it and you can put a diaper on a...  
29. on...on the wall and you call it..you...you say, you don't understand  
30. art, you can't visualize this. See. Now, if you want dirty  
31. diapers. hanging around there and you think it's going to  
32. take a...a cement block building and make it beautiful,  
33. Senator Wooten, thank you very much.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. ...Senator D'Arco.

3. SENATOR D'ARCO:

4. Thank you, Mr. President. I very often don't vote with  
5. Dawn Netsch on many political issues but...but that's the  
6. way we feel. I have some of the most artistic creations  
7. known to man in my district, a...the Picasso and the Calder  
8. and the Chagall are masterpieces of art, and I don't know  
9. about the baseball bat myself, I'll tell you the truth,  
10. but I'm not going to judge whether's that a creation of  
11. art or not. I'm in favor of the bill. I think that it  
12. really does add something to any office building to have a  
13. work of art at or near the immediate vicinity of the  
14. building, and I think the State should be in the business  
15. of promoting art, and artisans are people like everybody  
16. else and they deserve a right to display their works  
17. before the public and if the State can engender some type  
18. of an incentive to do that, then we got to support that. And  
19. Dawn and I don't agree much, but this is one area where we  
20. do, and I support this bill.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Grotberg.

23. SENATOR GROTEBERG:

24. Thank you, Mr. President, Ladies and Gentlemen of the  
25. Senate. Everybody is busy looking at this bill and looking  
26. at each other. I just thought maybe if you would look up and  
27. wonder what kind of a nut that was in the 1870's that made  
28. this most beautiful damn room in Illinois and how proud we  
29. are to be here. I don't really think you can get all choked up...  
30. and it isn't a mandated half percent, it's mandated not more  
31. than half percent. And I think about the only thing left  
32. that's worthwhile in the world sometimes is what we would look  
33. up here and see. I'm going to support this bill.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Hickey.

3. SENATOR HICKEY:

4. Mr. President and fellow Senators, I've said this before, a  
5. lot of you've heard me, and I'll say it again. The difference  
6. between a barbaric and a civilized society is appreciation and  
7. promotion of music and the arts.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Is there further discussion? Senator Netsch may close  
10. the debate.

11. SENATOR NETSCH:

12. I think my friend, Senator D'Arco and Senator Grotberg,  
13. and the others, Senator Rhoads and Senator Nimrod, my co-  
14. sponsor, have said it all. Thank you.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Question is, shall Senate Bill 557 pass. Those in favor  
17. vote Aye. Those opposed Nay. The voting is open. Have all  
18. those voted who wish? Have all those voted who wish? Take the record. On  
19. that question, the Ayes are 51, the Nays are 5. Senate  
20. Bill 557 having received a constitutional majority is declared  
21. passed. Senate Bill 558, Senator Netsch. Read the bill, Mr. Secretary  
22. SECRETARY:

23. Senate Bill 558

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Netsch.

28. SENATOR NETSCH:

29. Thank you, Mr. President. As amended, this bill provides  
30. only that each spouse may select his or her own domicile. The  
31. point is a fairly simple one. Illinois still follows the  
32. common law rule that a woman's domicile follows her husband's  
33. no matter what, and this bill is designed simply to break

1. that pattern and to recognize that there are some situations  
2. in which a domicile can be separately maintained for a man and a  
3. woman and it can go either way by the way, it can be the wife  
4. wanting separate domicile from the husband or there's a  
5. husband a separate domicile from the wife. There are often  
6. very good reasons for this. Some of the instances that we  
7. have heard about have involved, for example, people who might  
8. be in public office and required to maintain a domicile one  
9. place, but they also have a home and want to maintain a...one  
10. partner wants to maintain a domicile in another area. In  
11. other cases it may relate to family homes and residences,  
12. property that's maintained in another place. It...it does  
13. not in any way changing any of the existing laws with  
14. respect to family relations. All it recognizes is that there  
15. is a possibility for the two members of a marriage to main-  
16. tain separate domiciles, and domicile, of course, is a  
17. legal concept.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Rock.

20. SENATOR ROCK:

21. Thank you, Mr. President. Question of the sponsor, if  
22. she will yield.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Indicates she will yield.

25. SENATOR ROCK:

26. Is it not the current law that the domicile of a married  
27. woman is that of her husband?

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Netsch.

30. SENATOR NETSCH:

31. That is essentially the common law, and it is still  
32. followed by court decision in the State of Illinois, and...

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Rock.
2. SENATOR ROCK:
3. Well, it seems to me that this...and...and I think that that
4. presumption or that rule is a good one. It works certainly
5. in the case of alleged desertion. You are by virtue of this
6. proposal going to change that, are you not?
7. PRESIDING OFFICER: (SENATOR DONNEWALD)
8. Senator Knuppel. Oh, just a moment. Senator Netsch.
9. Excuse me.
10. SENATOR NETSCH:
11. Actually the...the way the law runs in Illinois that is
12. really an exception in any event. There are some circumstances
13. in which, despite the fact that the State generally follows
14. the Common Law Rule that it recognizes that there are
15. differences in domicile, so where there is a...a breakdown
16. in a marriage and desertion comes into the picture, that is
17. sometimes recognized now.
18. PRESIDING OFFICER: (SENATOR DONNEWALD)
19. Senator Knuppel.
20. SENATOR KNUPPEL:
21. Every since the reapportionment of 1972, there has been
22. a question as to whether I lived in Virginia or Petersburg.
23. Come on fellows, you may be reapportioned, too, let's make
24. it legal.
25. PRESIDING OFFICER: (SENATOR DONNEWALD)
26. Senator Maragos.
27. SENATOR MARAGOS:
28. I would like to ask the sponsor a few questions on
29. this bill.
30. PRESIDING OFFICER: (SENATOR DONNEWALD)
31. She indicates she will yield.
32. SENATOR MARAGOS:
33. Why do you...why do you need...you think you need this bill outside

1. of the question of a personal choice?

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Netsch.

4. SENATOR NETSCH:

5. Well, primarily because the...the State of Illinois has  
6. no statutory provision that provides to the contrary and we...

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. May we have order.

9. SENATOR NETSCH:

10. ...and with the exceptions that I've noticed...that I've  
11. noted, the...the courts of Illinois still follow the Common  
12. Law Rule because the Legislature has not indicated other-  
13. wise. Many other states have taken this action in order to  
14. make it clear that there can be cases where there are  
15. separately recognized domiciles.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Maragos.

18. SENATOR MARAGOS:

19. Well, are you aware there's a lot of tax consequences  
20. that it could take place in this manner without the participant's  
21. being aware of those tax consequences?

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator...Senator Netsch.

24. SENATOR NETSCH:

25. I don't think there really are any, Senator Maragos. We  
26. have checked this with a number of people involved in both  
27. probate and tax law, and it is their judgment that it...it  
28. will not in any way change that, because in the first place  
29. the...many of the tax laws...and...are...are built on  
30. residences and residence is not the same concept as domicile,  
31. and most of the taxing authorities apply their own definitions  
32. of what constitutes residence for their own purposes, so it  
33. is our best judgment that it has no effect on any of those

1. laws.

2. SENATOR MARAGOS:

3. Well, that...that's what I'm trying to say. When the  
4. elements of domicile is residence, though, it may not be the...  
5. exclusively the...the fact or which determines domicile, but  
6. residence is one of the factors that helps in determining  
7. domicile, is it not?

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Netsch.

10. SENATOR NETSCH:

11. Well, for tax laws, most taxing authorities have their  
12. own definitions of what constitutes residence or domicile.  
13. Domicile and residence are not synonymous, although they often  
14. overlap a bit. Usually domicile involves two elements. One  
15. is a some sense of permanence of abode and the intent to  
16. remain in that place or to return there if they leave for  
17. any time. That is not necessarily the same as the definition  
18. of residence for various taxing purposes.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Maragos.

21. SENATOR MARAGOS:

22. You're not answering my question. Like I agree with you  
23. that domicile and residence are not the same things, but the  
24. point is one of the elements in domicile that can be considered  
25. is residence, but I'm not going to beg...discuss it further,  
26. but I want to ask you one other question. There...are you  
27. aware of the inheritance and estate tax consequences if there's  
28. going to be a separate domicile declared between a...a couple?  
29. You can...are you...are you...are you...concerned  
30. at all about conflict of laws and the question of which state  
31. is going to have inheritance tax rights in these matters?

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Netsch.



1. SENATOR NETSCH:

2. I don't think it's really going to change anything in  
3. that respect, Senator Maragos. Again, I've discussed it  
4. with some of the people who are involved in probating estates  
5. and concerned about inheritance tax laws, and the...there is  
6. first of all, it is possible in from...from other states'  
7. laws for two people to have separate domiciles anyway. Where  
8. that arises and...and legal questions arise, it's settled  
9. by the courts according to the laws of whatever states are  
10. involved in the first place, so that I think what really...  
11. what this does is just simply break the pattern of the fact  
12. that it is by common law impossible for either party to  
13. have a separate domicile right now in Illinois, but I...it  
14. doesn't really decide what will be those domiciles. Those  
15. are matters which will be resolved in terms of the inheritance  
16. tax laws or the income tax laws or whatever, and I don't  
17. think it's going to really change that.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Just...just a moment. Will the members please be in  
20. their seats and we need an awful lot of order. Will the  
21. Sergeant-at-Arms see that the aisles are cleared, the members  
22. are in their seats. Proceed.

23. SENATOR MARAGOS:

24. I would like to state to you, Senator Netsch, that first  
25. of all, I have very, very big doubts about...because you're  
26. going to be opening up a can of worms which even make it even  
27. much more difficult to determine domicile for...for inheritance  
28. tax purposes, for estate tax purposes, for domestic  
29. relations and other reasons, but more importantly though, how  
30. do you establish domicile? How would the...unfortunately, I  
31. didn't have the opportunity to...to look at this bill closer.  
32. How do you establish domicile and how does one declare it...by  
33. according to your bill?

1. SENATOR NETSCH:

2. The...the basic elements of what constitutes  
3. domicile would really not be changed by the bill,  
4. Senator Maragos. The...the elements of permanence of  
5. abode and intent would continue to be the elements  
6. in deciding domicile. All this indicates is that  
7. it is legally possible for a man and a woman who are  
8. married to have separate domiciles. But the...the  
9. basic determinants will be the same.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Guidice.

12. SENATOR GUIDICE:

13. Thank you, Mr. President and members of the Senate.  
14. I rise in opposition to this bill. I was opposed to  
15. it in committee. If we pass this type of legislation,  
16. we're going to cause a great confusion. How does the  
17. court determine jurisdiction? How does the court  
18. determine venue? We've got settled a case law here and  
19. Senator Netsch is right, it's been the common law.  
20. We've had cases come down from the beginning of time  
21. with the English law. We have established and we have  
22. placed a meaning to domicile and I...I wonder if...if a  
23. voter could put his domicile in any county, in any  
24. city, in any place that he intends to do and maybe  
25. we could have a hundred and fifty people in one  
26. apartment, because that's their domicile if they put  
27. a few clothes in it. We're going to open up a whole  
28. can of worms. I think Senator Maragos was right and  
29. I stand opposed to this.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Soper. Is there further discussion?

32. Senator Netsch may close the debate.

33. SENATOR NETSCH:

1. Let me just say, Senator Guidice, in response again  
2. to you and Senator Maragos. We are not changing the  
3. basic law of what constitutes domicile. That is  
4. not affected by the bill. The...the elements of  
5. permanence of abode and intent will continue to be  
6. the determinants of what is in fact a domicile. The  
7. only thing that this does is make it possible for  
8. a woman to have a separate domicile from her  
9. husband when all of the other elements are met.  
10. The...right now, as it stands, a...a wife's  
11. domicile is that of her husband, whether or not  
12. it really accords with the facts. And what we  
13. are saying is that it is possible factually for  
14. there to be a distinction. A wife cannot have  
15. a separate domicile from her husband now, except  
16. of course we do manage to sort of carve out an  
17. exception in the case of separations that lead  
18. to divorce. But, what we are saying, is that  
19. without that being a factor, it is possible  
20. for there to be two separate domiciles. A  
21. woman cannot establish a separate domicile now,  
22. she's the only...a wife is the only person who  
23. cannot and we are simply trying to correct that  
24. in terms of the common law.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. The question is shall Senate Bill 558 pass.  
27. Those in favor vote Aye. Those opposed Nay. The  
28. voting is open. Have all those voted who wish?  
29. Have all those voted who wish? Take the record.  
30. On that question, the Ayes are 23, the Nays are 23,  
31. 4 Voting Present. Senate Bill 558 not having received  
32. a constitutional majority is declared lost. Senator  
33. Rock, for what purpose do you arise?

34. SENATOR ROCK:

1. Does that mean, Mr. President, that 558 is no  
2. longer on the Agreed List?

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. That is correct, Senator. Senate Bill 560,  
5. Senator Berman. Read the bill, Mr. Secretary.

6. SECRETARY:

7. Senate Bill 560.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Berman.

12. SENATOR BERMAN:

13. Thank you, Mr. President. Ladies and Gentlemen  
14. of the Senate, Senate Bill 560 exempts from the  
15. usury limit, loans that are made to medical  
16. students under the American Medical Association  
17. Education and Research Foundation Guarantee  
18. Program. This exemption was passed several years  
19. ago, was greatly needed during the inflationary  
20. period of '73 and 4 and 5. The bill as we originally  
21. passed it, expires January 1 of '78, that's the  
22. effective date of this new law. The purpose of it  
23. is really to assure that these loans will be available  
24. through banks in Illinois for the financing of the  
25. medical education of our students in Illinois. I'll  
26. be glad to respond to any questions.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Is there further...Senator Wooten.

29. SENATOR WOOTEN:

30. Thank you, Mr. President. Senator Berman, what  
31. is the interest currently charged on these loans?

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Berman.

1. SENATOR BERMAN:  
2. I'm advised right now that they're only at about  
3. seven and a half percent, approximately.  
4. PRESIDING OFFICER: (SENATOR DONNEWALD)  
5. Senator Wooten.  
6. SENATOR WOOTEN:  
7. Thank you.  
8. PRESIDING OFFICER: (SENATOR DONNEWALD)  
9. Senator Rock.  
10. SENATOR ROCK:  
11. Thank you, Mr. President. If the sponsor will  
12. yield.  
13. PRESIDING OFFICER: (SENATOR DONNEWALD)  
14. Indicates he will.  
15. SENATOR ROCK:  
16. Senator Berman, what was...what was the reason  
17. for the original January 1 terminal date?  
18. PRESIDING OFFICER: (SENATOR DONNEWALD)  
19. Senator Berman.  
20. SENATOR BERMAN:  
21. I'm not sure I can say except that I don't  
22. recall the bill when we first passed it. My  
23. guess would be that it was based upon hopefully  
24. at that time, a temporary inflationary situation,  
25. which has at the present time subsided. But, the  
26. purpose of this extension without cut-off date,  
27. these are loans that are made on a year to year  
28. basis. I hope that we don't find ourselves in  
29. the high interest rate period again. But, without  
30. an extension, you may find a student that enrolls  
31. in medical school and if the rate becomes high  
32. again, he won't be able to get that loan and he'll  
33. be in the middle of his medical education. I think

1. we'd we doing a great disservice to the student and to  
2. society.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Is there further discussion? Senator Glass.

5. SENATOR GLASS:

6. Thank you, Mr. President. I'd like to ask the  
7. sponsor a question.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Indicates he'll yield.

10. SENATOR GLASS:

11. Senator Berman I think this is a good idea, but,  
12. is there any limit at all, under the bill. In other  
13. words, if you remove the...take it out of the category  
14. of usury, there would appear to be no limit on...on  
15. these kinds of loans, is that correct?

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Berman.

18. SENATOR BERMAN:

19. That's the effect of the bill, yes, but I think  
20. what you will have is...again I'm not sure, hopefully  
21. the bill, you know, the exemption, won't be necessary.  
22. But, we just don't want to jeopardize the availability  
23. of these loans. There is no limit though.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Is...Senator Glass.

26. SENATOR GLASS:

27. Well, I...I would respectfully submit, that is a  
28. defect. It seems to me an alternate would be...would  
29. have been to put a limit higher than eight percent.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Berman.

32. SENATOR BERMAN:

33. I'll be glad to discuss that suggestion with the

1. medical society, if and when the bill gets to the House  
2. and see what their response would be. Is there further  
3. debate? Senator Berman may close the debate.

4. SENATOR BERMAN:

5. I ask for a favorable roll call, Mr. President.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. The question is shall Senate Bill 560 pass.

8. Those in favor vote Aye. Those opposed Nay. The

9. voting is open. Have all those voted who wish?

10. Take the record. On that question, the Ayes are

11. 40, the Nays are 8, 3 Voting Present. Senate

12. Bill 560 having received the constitutional majority

13. is declared passed. Senate Bill 562, Senator

14. Grotberg-Maragos. Read the bill, Mr. Secretary.

15. SECRETARY:

16. House...Senate Bill 562.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Grotberg.

21. SENATOR GROTBURG:

22. Yes, thank you, Mr. President and members of the

23. Senate. Senate Bill 562 is the Small Estates Exemption

24. Act that we have agreed upon finally, after it came

25. over from the House and has become...now become a

26. Senate Bill. Instead of increasing it from five

27. thousand dollars exemption to fifteen thousand dollars

28. exemption, it is now seventy-five hundred. I'll

29. answer any questions. I'd like a favorable roll

30. call on this bill.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Sommer.

33. SENATOR SOMMER:

34. Would the Senator yield for a question?

35. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. If he can hear, he will. Will the members please be  
2. in their seats. Proceed.
3. SENATOR SOMMER:
4. Senator, does this apply to intestate and testate  
5. situations?
6. PRESIDING OFFICER: (SENATOR DONNEWALD)
7. Senator Grotberg.
8. SENATOR GROTBORG:
9. As far as I would know, Senator, I'm not a  
10. lawyer, so I'll put Maragos on on this one.
11. PRESIDING OFFICER: (SENATOR DONNEWALD)
12. Senator Maragos.
13. SENATOR MARAGOS:
14. The...bill does not change the present statute,  
15. only in the amount, so the Small Estates Affidavit  
16. Act is not changed except for the amount and it  
17. would apply in most cases I've had where it had  
18. ...testate estates I've used myself, so I don't  
19. know about others.
20. PRESIDING OFFICER: (SENATOR DONNEWALD)
21. Senator Sommer.
22. SENATOR SOMMER:
23. Well, let me go on further. I'll ask the sponsor  
24. this question. Does it apply to fee simple or fee tail  
25. estates?
26. PRESIDING OFFICER: (SENATOR DONNEWALD)
27. Senator Grotberg.
28. SENATOR GROTBORG:
29. Come on lawyers, pitch in here.
30. PRESIDING OFFICER: (SENATOR DONNEWALD)
31. Senator Sommer.
32. SENATOR SOMMER:
33. I submit, it does not, because it applies only



1. to personal property. The answer to the first question,  
2. of course, is it applies to both and it's simply a  
3. policy question as to whether you want to allow  
4. estates of this size to go through without probate.  
5. And I think there's some question about that, frankly,  
6. when you're getting up to fifteen thousand in personal...  
7. personal property.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Grotberg.

10. SENATOR GROTBURG:

11. Senator Sommer, it's seventy-five hundred. It  
12. goes from five thousand to seventy...it is now five  
13. thousand, it did not go to fifteen. It's been amended  
14. to seventy-five hundred.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Is there further discussion? Senator Knuppel.

17. SENATOR KNUPPEL:

18. Well, all I can say is, is probate lawyers as a...as a  
19. general class, and I've handled probate, too, are parasitical  
20. and it ought to be a hell of a lot larger, instead of the  
21. size that it is. It should have been the fifteen thousand.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Is there further discussion? Senator Grotberg may  
24. close the debate.

25. SENATOR GROTBURG:

26. I would just move for a favorable roll call.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. The question is shall Senate Bill 562 pass. Those  
29. in favor vote Aye. Those opposed Nay. The voting is  
30. open. Have all those voted who wish? Take the record.  
31. On that question, the Ayes are 54, the Nays are 1, Senate  
32. Bill 562 having received the constitutional majority  
33. is declared passed. Senate Bill 563, Senator Mitchler.  
34. Do you wish to call the bill? Read the bill, Mr. Secretary.

1. SECRETARY:

2. Senate Bill 563.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Mitchler.

7. SENATOR MITCHLER:

8. Mr...President, and members of the Senate. Senate  
9. Bill 563 is a bill that amends an Act relating to  
10. the Department of Business and Economic Development.  
11. It authorizes the department to collect and compile  
12. information on supplies and demands for petroleum,  
13. liquefied petroleum gas and coal energy in Illinois.  
14. And the department will prepare contingency plans  
15. for allocating and serving energy supplies to  
16. prevent an energy emergency. This is a bill that  
17. was generated by the Illinois Energy Resources  
18. Commission. I would ask, the bill has been amended  
19. to clarify one wording, and I would ask for a  
20. favorable roll call.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Is there further discussion? Senator Rock.

23. SENATOR ROCK:

24. Thank you, Mr. President. A question of the  
25. sponsor, if he'll yield.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Indicates he will.

28. SENATOR ROCK:

29. Does this amendment to the Civil Administrative  
30. Code allow or authorize rationing in any form?

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Mitchler.

33. SENATOR MITCHLER:

1. My answer to that would be no. I certainly would  
2. not be a sponsor of such an authorization.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Rock.

5. SENATOR ROCK)

6. Well, all I'm suggesting is that reading this,  
7. it is pretty broadly worded, and I'm frankly not  
8. convinced that it does not at least implicitly  
9. authorize rationing, because it says, in the event  
10. of an energy emergency, to assure the fairest  
11. and most advantageous use of energy or any energy  
12. source or supply for the benefit of all the people.  
13. And the paragraph immediately above says to develop  
14. contingency plans that would provide for the conser-  
15. ving, allocating, using and increasing. Now that...  
16. you know, those definitions could well include the  
17. concept of rationing and I'm just not sure we want  
18. to give this department that kind of authority.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Daley.

21. SENATOR DALEY:

22. Mr. President and fellow Senators. I think I  
23. agree with Senator Rock, because it states that  
24. they...they may include energy conservation,  
25. service curtailment or supply enhancement measures.  
26. In other words, your giving this department the  
27. power to issue regulations upon the petroleum  
28. industry, and I think I agree with Senator Rock.  
29. Besides that, they have to issue short term forecast  
30. of supply and demand, which gives them the power to  
31. curtail any petroleum programs in the State of  
32. Illinois.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Demuzio.

2. SENATOR DEMUZIO:

3. Well, I have a question of the sponsor. I...I  
4. was not satisfied in committee and I'm still not  
5. really satisfied as to why we are adding this  
6. statutory authority to the...to Business and Economic Develop-  
7. ment. Can you explain that to me, Senator Mitchler?

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Mitchler.

10. SENATOR MITCHLER:

11. As I stated in my opening remarks, Senator,  
12. this is a...one of the forty-four recommendations of  
13. the Illinois Energy Resources Commission that  
14. Senator Buzbee was the Legislative Chairman of  
15. that Commission and they got into the needs with  
16. the energy crisis that we have. And this was  
17. developed that the Department of Business and  
18. Economic Development was the agency that should  
19. project itself and to make these forecasts working  
20. on the energy consumption in the industry and  
21. business area of the State of Illinois and then  
22. make these recommendations about conserving  
23. energy and also plans for the allocation and the  
24. prevention of an emergency within the State.  
25. Now, if there's a problem with the language that  
26. you have in here, naturally, we'll be glad to,  
27. because certainly I would not be...want...want  
28. to be a sponsor of anything that would give the  
29. authority to a department to conduct any rationing.  
30. I think that we haven't reached that point and  
31. it's foreign to my philosophy that we're going  
32. to reach that point. But I think that we all should  
33. address ourselves to the conservation of the energy

1. that we have and if we can have our departments and  
2. their wisdom, make projections and recommendations  
3. on the allocation so that we can be aware of the  
4. amount of energy we are consuming in our State  
5. of Illinois, I think that would be proper. And in  
6. that light, this legislation was developed by the  
7. Energy Resources Commission and is presented to  
8. this Body for consideration.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Is there further discussion? Senator Mitchler  
11. may close the debate.

12. SENATOR MITCHLER:

13. Well, Mr. President, and members of the Senate.  
14. If there is some question on the part of the Senators,  
15. if you'd like for me to hold this out to talk to  
16. you, if you'll signal to me, I'll be glad to do so.  
17. I thought the...

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Is there a signal? Senator Rock.

20. SENATOR ROCK:

21. No, I'm prepared, quite prepared to vote No  
22. immediately.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. The question is...the question is shall Senate  
25. Bill 563 pass. Those in favor vote Aye. Those opposed  
26. Nay. The voting is open. Have all those voted who  
27. wish? Take the record. On that question, the Ayes  
28. are 17, the Nays are 29, 3 Voting Present. Senate  
29. Bill 563 not having received a constitutional majority  
30. is declared lost. Senate Bill 564, Senator Mitchler.  
31. Read the bill.

32. SECRETARY:

33. Senate Bill 564.

34. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Mitchler.

4. SENATOR MITCHLER:

5. Mr. President, and members of the Senate. Senate  
6. Bill 564 is also another Energy Resource Commission  
7. Bill. This amends the Act concerning public utilities.  
8. It authorizes the Commissioner, the commission to...  
9. make forecasts of the supply and demand for electrical  
10. and...natural gas energy. It authorizes the commission,  
11. that's the Illinois Commerce Commission to implement  
12. load management studies in order to determine and  
13. evaluate the energy conservation potential of  
14. possible rate restructuring regulations. The bill  
15. has received the tentative support of Governor  
16. Thompson as noted in his April 6th, 1977, energy  
17. message. Be glad to answer any questions or explain  
18. the bill in detail as you have it. If not, I'd  
19. ask for a favorable roll call.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Is there discussion? Senator Carroll.

22. SENATOR CARROLL:

23. Yes, Senator Mitchler. Does not this bill  
24. also provide that on the basis of these forecasts,  
25. they shall make short term plans to "avoid or  
26. to manage" energy crises.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Mitchler.

29. SENATOR MITCHLER:

30. If you are reading from the bill, Senator Carroll,  
31. I would imagine that that's in the bill. I didn't  
32. know the paragraph you're reading. But, the...the  
33. intent of the bill would give the Illinois Commerce

1. Commission this mandate to make these forecasts on the  
2. supply and demand for natural gas and electricity. I  
3. might add that in my consultation with them, they are  
4. doing part of what is in the bill, not in its entirety.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Carroll.

7. SENATOR CARROLL:

8. Thank you, Mr. President. Your answer was long  
9. enough to allow me to pull a copy of the amendment  
10. so I could refer it to you and it is in your amend-  
11. ment or the Amendment No. 1. It appears in the  
12. first page of that amendment, roughly lines twenty,  
13. twenty-one and twenty-two. And it says that they  
14. shall prepare short term plans to avoid or to  
15. manage energy crises including conservation,  
16. service...curtailment, or supply enhancement measures.  
17. I think again this is a form of rationing. I think  
18. it should be done in a much more rational basis my  
19. this General Assembly, if that's a policy that we  
20. wish to make. I don't think at this time, based on  
21. the information before us, I would want to make that  
22. policy of rationing.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Buzbee.

25. SENATOR BUZBEE:

26. Well, in response to Senator Carroll's comments,  
27. I'm not sure if it's a form of rationing or not. However,  
28. we are not asking ourselves to make those kinds of  
29. decisions as to whether it's necessary to any point  
30. to do rationing. What we're saying is, that the Commerce  
31. Commission should have the expertise to do...to make  
32. forecasting as to energy supplies and if we get  
33. to the point, which we almost got to this past winter,

1. of being cut off completely for...from natural gas  
2. supplies, as an example, because they were diverting,  
3. the Federal Power Commission, was diverting, gas that  
4. would normally go to Illinois and, particularly, the  
5. Northern Illinois region, they were diverting it to  
6. the Eastern seaboard, because they did not have  
7. adequate gas supply there. As a result, we were  
8. closing schools, et cetera, et cetera. What we're  
9. telling the Commerce Commission is to do forecasting  
10. and prepare short term emergency plans in the event  
11. that we get in that situation again. Now, we have  
12. had, there's been many millions of words written  
13. about "energy crisis" and there has been many millions  
14. of words written about what is government doing about  
15. energy crisis. At the state level, when the gas that  
16. comes across our state lines are...is...is...is  
17. regulated by somebody other than us, we have problems.  
18. But, we are addressing the problem with this bill in  
19. the only way that we can, given the...the limits, the  
20. limiting factors that are put on us, and that is to  
21. tell our experts, the Commerce Commission, that they  
22. are to forecast what's going to happen to us with  
23. our energy supplies and to make short term plans.  
24. And I think that's all together fitting and proper  
25. and that we ought to be about that kind of business.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Knuppel.

28. SENATOR KNUPPEL:

29. Mr. President, and members of the Body. I think  
30. that we have a paper tiger here that really doesn't  
31. exist, this thing called the power to ration. I  
32. don't think that any...anyone intends that there should  
33. be rationing by this, it's only to plan for it and to



1. have an authority to act. We may not be in Session,  
2. we may not be able to get back in Session. When they  
3. had the oil crisis in 1973, I happened to be one of  
4. I think about forty people who flew out to Washington  
5. when Governor Love was Administrator of the Energy  
6. Program out there and nobody knew what the hell was  
7. going on, I'll tell you that, in the City of Washington.  
8. We went to the Department of Interior, we went to  
9. Governor Love, we went everywhere and when people  
10. had questions, like, where did they fuel for their  
11. confinement hog houses, where did they get fuel when  
12. a service station went dry. And we put in the hot  
13. line through the Department of Agriculture and we  
14. did a makeshift...shift deal on this, and we allocated  
15. energy where it was needed. And all I can say is, is  
16. that's a poor way to do it. That's hindsight, and  
17. we may have a crisis that far exceeds that at any  
18. moment. All this does is say the Commerce Commission  
19. is...is the people who will prepare and administer  
20. such a plan. Actually, by the end of the day, we'd  
21. run out of alternatives, nobody had any suggestions  
22. and we were in a fellow's...Duke somebody, with the  
23. Department of Interior, as to how we were going to  
24. handle this and he said I don't have the manpower  
25. to handle it here in Washington when these requests  
26. come through. And what we actually did, now that  
27. it's over, what we actually did, is the Department  
28. of Agriculture saddled up two Illinoisans and sent  
29. them out there. I said to the man, I said, if we  
30. send you two people, if we send you two people from  
31. the Department of Agriculture in the State of  
32. Illinois to take care of the request for emergency  
33. rationing and for those people who need emergency

1. services, will you take those two people in and let  
2. them handle the requests from Illinois, and the guy  
3. said that's a hell of an idea, I'll do it. So, we  
4. sent two guys out there, the Department of Interior, to  
5. handle those requests, those emergency requests that  
6. were necessary. Now, rationing is not an unbelievable  
7. or beyond the concept in this energy situation after  
8. we have a cold winter like we had last winter. This  
9. does not, this does not, create the situation where  
10. anybody I think would ration fuel but we ought  
11. to have on board people, who are in a position, people  
12. who have the authority. If it's not there, then I  
13. assume the administrative agency is going to have to  
14. take charge without the benefit of any studies in  
15. advance. I think these are good bills, I regret that  
16. the ugly scepter or the head of ...of proposed rationing  
17. should raise itself, but it's a very real possibility.  
18. It's a possibility we should be ready for. That ought  
19. not to be hap...haphazard or slipshod. These are good  
20. bills. They're bills that have been approved by a  
21. bipartisan commission with lay advisors from the  
22. University of Chicago and other people, people who are  
23. on the Illinois Energy Resources Commission. And I just  
24. think, to...to say that or to even imply that someone's  
25. going to rush in and grab and start rationing fuel unless  
26. it's an absolute necessity, is wrong. But to believe that  
27. it's a possibility we ought to be prepared for and have  
28. people on board to handle, is something that's realistic.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Guidice.

31. SENATOR GUIDICE:

32. Thank you, Mr. President. Will the sponsor yield  
33. to a question?

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Indicates that he will yield.

3. SENATOR GUIDICE:

4. The board is going to make the determination of...of  
5. how we're going to ration in this particular area,  
6. is that correct, Senator?

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Mitchler.

9. SENATOR MITCHLER:

10. I think, Senator, you're using the word ration  
11. freely. It's assumed that on your part, I believe, that  
12. there will be rationing. The...the commission will have  
13. the authority to make these short-term forecasts and  
14. recommendations. But, when it comes time to rationing,  
15. I don't think that we've reached that point, although  
16. you allude that the language in there can be interpreted  
17. that they would have that authority.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Guidice.

20. SENATOR GUIDICE:

21. You mean that's the necessity of having this bill.  
22. Is the fact that we're looking at the possibility that  
23. this is going to come into effect. Or that there...somewhere  
24. down the road. And aren't we putting the cart before the  
25. horse then, if...if your indication is that we're not  
26. going to have this problem at all.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Mitchler.

29. SENATOR MITCHLER:

30. Senator Guidice, my personal viewpoint on there,  
31. may not be as strong as the language in the bill. As  
32. I said the...this is legislation that was part of a  
33. very large package and I believe the sum of forty-four

1. bills that came from the Illinois Energy Resources  
2. Commission. I'm a new member on that commission,  
3. but I want to tell everyone in the Senate here, I  
4. respect the work that they put into it and the  
5. thinking that they have accomplished over the last  
6. several years to come up with this type of legislation.  
7. It goes a little bit beyond what I personally would  
8. have and I...I'm not fearful of the point of this  
9. rationing part and but if some of you interpreted  
10. that that's in the language of the bill and it  
11. causes you question, then reject the bill. But,  
12. I think that what is in the language in the bill  
13. does not go that far and it's not going to be  
14. reached and come out prior, were putting the  
15. cart before the horse. But, I think it's there,  
16. as Senator Knuppel explained, and I think it's  
17. looking into the future and calling our attention  
18. to the fact that there is an energy crisis and we  
19. must address ourself to it.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Guidice.

22. SENATOR GUIDICE:

23. I'm going to assume now that this problem does in  
24. fact come into being. We are going to have this  
25. problem with rationing. Now...now, we're going to  
26. let people, a number of people, five, ten or how many  
27. are on this board, to indicate what areas we're going  
28. to ration, how much each area is going to get and this  
29. is the way they are going to look at it. I...I don't  
30. see the...how...what's the guidelines we're going to  
31. use here?

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Mitchler.

1. SENATOR MITCHLER:

2. Yes, Senator Guidice and I think...I think your  
3. questioning is very good and I agree with you. I  
4. would like for you to ask the Illinois Commerce  
5. Commission to send you a copy of their Docket 202.  
6. Docket 202 says that on October 16th of this year,  
7. the Commerce Commission, by their own authority,  
8. are restricting the installation of any more gas  
9. yard lights, they're eliminating any gas consumption  
10. for the use in...in doorways and many other restric-  
11. tions. They're getting into the idea of weather  
12. restricting and having turned off gas pilots in  
13. furnances throughout. The Commerce Commission is  
14. already exercising that type of authority in  
15. Docket 202. I wish you'd get a copy of it and  
16. read it. If you read the National Energy Crisis  
17. plan that's presented that the Federal Government  
18. is going into. Far beyond what I think you and  
19. I...

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Mitchler...Senator Mitchler.

22. SENATOR MITCHLER:

23. ...should get into, to answer your question.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Guidice's time is now over by well over  
26. a minute.

27. SENATOR MITCHLER:

28. Well...

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Well...Senator Guidice. You have to limit your  
31. question, Senator Guidice. Senator Guidice.

32. SENATOR GUIDICE:

33. I ask the question, but I...I get an answer  
34. that contains, you know, a lot of extraneous matter, like

1. gas lights, you know, we're doing a lot to save a lot  
2. in the...in the...in the...in this particular area,  
3. we're going to save gas lights from, you know, private  
4. citizens. We must have a hundred and fifty throughout  
5. the state. And we're going take...take the pilot  
6. lights off on the gas stoves, that's going to help  
7. a lot with our gas problem, too. But, I...I think the  
8. real problem that I'm having with this, is how do we  
9. or what areas are we going to put this ration in.  
10. Are they going to take into consideration the  
11. development of...of depressed areas that we have?  
12. Are they going to say, well this area is...is going  
13. through a rehabilitation stage and therefore they're  
14. going to need more gas? Are they going to take these  
15. things into consideration? I don't think this bill  
16. addresses itself to it.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Nimrod.

19. SENATOR NIMROD:

20. Mr. President, I have a question of the sponsor,  
21. because I'm...I am...I am concerned about this bill and it is  
22. vital. But, one thing disturbs me Senator, what  
23. is the genesis of the amendment, where did that come  
24. from and why do we have this amendment on there?

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Mitchler.

27. SENATOR MITCHLER:

28. The amendment that was put on, one amendment  
29. was put on this bill. Basically, what it did, it  
30. eliminated the rate restructuring power of the  
31. Illinois Commerce Commission.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Nimrod.

1. SENATOR NIMROD:

2. Well, in fact, it, the amendment, did one other  
3. thing, and it seems I agree with Senator Carroll, that  
4. it does allow them to make plans for a crisis. Now,  
5. I think the bill specifically calls for a study and  
6. I think this is what's the important thing and that  
7. these studies are to be reported to the General  
8. Assembly on these particular programs and load manage-  
9. ment is a very critical thing that we have to do. Now,  
10. it would be my suggestion that maybe those who  
11. suggested the amendment were well intentioned, but  
12. I think what they've done is introduced an extraneous  
13. factor and it might be wise to consider removing  
14. that amendment so we can go on with the original  
15. intention of the bill or at least take it from the  
16. record so we can discuss this because this is a  
17. very critical issue and studies should be made. And  
18. I don't think anyone here would disagree that we  
19. ought to pursue the course the course of studies  
20. and that those reports be made to the Legislature  
21. so that we can intelligently reach the needs...our  
22. energy needs in the coming years. And I...I would  
23. suggest that maybe you take this from the record so  
24. we can analyze the...the amendment, Senator.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Carroll.

27. SENATOR CARROLL:

28. Thank you, Mr. President. Again I rise to  
29. amplify what I attempted to say before and I pointed  
30. out to Senator Nimrod the exact language of the  
31. amendment and I refer Senator Mitchler to it, too.  
32. I think, yes, has all of us do recognize that we are  
33. in crises times in...in the area of energy. I think

1. we do want sensible and logical plans worked out, but,  
2. I do not think that we want to go to a system today.  
3. As this bill, specifically the amendment to this  
4. bill provides, where we give to an agency of State  
5. Government, the automatic power to create rationing.  
6. Call it conservation, call it service curtailment or  
7. supply enhancement that still, the concept is.  
8. And I don't think that we want to by fiefdom give  
9. this, give this without any supervision of the  
10. Legislature, without any direct vote of the Legislature,  
11. to a department of State government. I think what  
12. we do want is emergency plans, energy conservation  
13. plans, where we make sensible decisions on whether  
14. or not there shall be rationing. But, I think we  
15. were elected to do a job and I think the people  
16. would demand that a decision like that be made  
17. by the elected officials of this State and not  
18. passed off to some department where we can then  
19. claim that we had nothing to do with it. If  
20. we're going to do it, let's do it as a concerted  
21. action, not by inaction. I think this amendment  
22. makes a good concept a very bad bill.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Knuppel.

25. SENATOR KNUPPEL:

26. This is the second time I've spoken on this, it  
27. doesn't really make a hell of a lot of difference to  
28. me. I'm...I've got some wood I can cut out of the  
29. timber to heat my house, but let me tell you, if  
30. your babies are cold, if your ass is cold, if  
31. your food's not cooked. I don't give a God damn.  
32. The people at the Federal level in here have been  
33. doing a lot of nit-picking about a little bullshit



1. and we don't have an energy program at the Federal  
2. level and we don't have an energy program at this  
3. level and if we don't have it, I don't give a  
4. damn.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. For what purpose does Senator Ozinga arise?

7. SENATOR OZINGA:

8. I would urge you to reprimand the Senator on  
9. the use of his language in this Chamber.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. You have heard it, Senator Knuppel. Senator  
12. Mitchler, to close the debate. Senator Mitchler,  
13. to close the debate.

14. SENATOR MITCHLER:

15. Well, Mr. President, and members of the Senate.  
16. Closing debate, I would point out in Senator Carroll,  
17. you're alluding to the amendment. The portion that  
18. you referred to, you didn't finish it out, you just  
19. read, on the basis of such forecast the commission  
20. shall prepare short term plans to avoid or to manage  
21. energy crisis. Then, you didn't continue that, such  
22. plans may include energy conservation, service  
23. curtailment or supply enhancement measures and it  
24. further says that such plans should be prepared with  
25. the approval of and in coordination with the council,  
26. referring to the Illinois Energy Advisory Council and  
27. the Illinois Energy Resources Commission. So you have,  
28. actually three, the Commerce Commission, the Council  
29. and the Energy Resources Commission involved in any  
30. adoption of a plan. I think the amendment is proper  
31. with those safeguards. But, what I point out to you,  
32. that this did come from the Illinois Energy Resources  
33. Commission, if you have faith in the crisis and I would

1. refer you to Docket 202, members of the Senate. That  
2. the Illinois Commerce Commission is taking into its  
3. own account and using the authority it now has to  
4. probably do a lot of things that you aren't aware  
5. that they are doing. And after October 16th, when  
6. they go into the effect, then maybe you will wake  
7. up when you are back here in November and all that,  
8. you'll be reconsidering some of the authority they  
9. have. I'd ask for a favorable roll call on this.  
10. As I say, I think it is a laudable undertaking on  
11. the part of the...Illinois Energy Resources Commission  
12. and I would hope that it would get a favorable  
13. roll call.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. The question is shall Senate Bill 564 pass.  
16. Those in favor vote Aye. Those opposed vote Nay.  
17. The voting is open. Have all voted who wish? Take  
18. the record. On that question the Ayes are 26, the  
19. Nays are 13, none Voting Present. Senate Bill 564  
20. having received...having failed to receive the  
21. constitutional majority is declared lost. Senate  
22. Bill 565, Senator Rhoads. Senator Bill 569, Senator  
23. Roe. That series, Senator Roe? Senate Bill 579,  
24. Senator Harber Hall. Read the bill, Mr. Secretary.

25. SECRETARY:

26. Senate Bill 579.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Harber Hall.

31. SENATOR HALL:

32. Mr. President, this bill was introduced at the  
33. request of some State's Attorneys. It puts into  
34. the code that the tnerit of a CB radio, shortwave

1. transmitter receiver, which was an amendment added by  
2. Senator Schaffer, that these items are not part of  
3. an automobile's component parts and therefore we also  
4. include that they will be a Class II..the theft, proven  
5. theft, will be a Class II felony, instead of a  
6. misdemeanor as provided in the Vehicle Code. With  
7. the ever increasing incidents of break in and theft  
8. of these radio pieces, we find it necessary and  
9. State's Attorneys are finding it necessary to  
10. strengthen the law so that we can contain this  
11. rapid expansion of theft in this area. By assigning  
12. a higher degree of penalty to these thefts, that  
13. may come about. The problem seems to be that young  
14. people and people using narcotics, find it's very  
15. simple to just get into a car, steal the short wave  
16. radio or the CB radio and be out in a matter of  
17. seconds and should they be caught, then they're  
18. only subject to a misdemeanor because good lawyers  
19. can reflect in the Vehicle Code that that's what  
20. the theft of a component part of a automobile  
21. requires. In the committee, I...there was not...  
22. there was not any objection raised, there were  
23. quite a few questions raised and I hope they were  
24. satisfactory answered and I stand ready to answer  
25. any of your questions now.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Is there debate? Senator Wooten.

28. SENATOR WOOTEN:

29. Just a question. Senator, as I...I believe I  
30. understand the thrust of your bill. It's to be  
31. able to take action against thefts of citizens'  
32. band radios. Is that correct? Or did I misunderstand  
33. this?

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Harber Hall.

3. SENATOR HALL:

4. Yes, that is correct, CB radios and citizens'  
5. band transmitter receivers in cars.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Wooten.

8. SENATOR WOOTEN:

9. I guess I don't understand exactly how you  
10. did it, because you put components in here, defined  
11. them as anything but a CB radio and then where is  
12. the provision about CB radios, how is that included?

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Harber Hall.

15. SENATOR HALL:

16. In the Vehicle Code, it specifies...it specifies  
17. what a misdemeanor in...in relation to a burglary of  
18. an automobile is and it says component parts. Then  
19. in that same section, we add this section, for  
20. purposes of this section, component, components or  
21. component part does not include a citizens'band  
22. radio, tape deck and then the addition of the  
23. citizens'band radio. So those are not component  
24. parts when other things in a car might be. If some-  
25. body breaks in and does something else or appears  
26. to be even stealing the automobile, it's a...it's  
27. only a misdemeanor.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Wooten.

30. SENATOR WOOTEN:

31. I take it then, that the provision, explicitly  
32. stating citizens'band radio is in another article, is  
33. that correct?

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Harber Hall.

3. SENATOR HALL:

4. It...it is by reference. In the Criminal Code, we  
5. are adding, except the offenses relating to articles  
6. not included within the definition of component part  
7. of a motor vehicle. So, in two places, we correct,  
8. or...or we...we stipulate that these items are not  
9. component parts of an automobile and we specify  
10. that therefore they come under the Criminal Code,  
11. burglary with a Class II penalty.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Wooten.

14. SENATOR WOOTEN:

15. I...I guess I follow you, Senator. It just seems  
16. to me to be a little backward. I...I couldn't quite  
17. understand how it went in this way, but if...if you  
18. say it does just what you intend, fine, but it was  
19. rather difficult to follow.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Netsch.

22. SENATOR NETSCH:

23. It's not true, Senator Hall, that there was no  
24. objection to this bill in the committee. In fact  
25. the bill was voted out only by a four to three vote.  
26. I do not have the amendment in front of me and I  
27. am not sure what it accomplishes, but as I recall,  
28. one of the points are...there were two things that  
29. concerned us in committee. One was that the language  
30. was extremely...

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Can we have some order, please, Gentlemen. Senator  
33. Netsch.

1. SENATOR NETSCH:

2. One was the...

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. For what purpose does Senator...excuse me,  
5. Senator Netsch. What purpose does Senator Grotberg  
6. arise?

7. SENATOR GROTBORG:

8. I have a point of order, Mr. President.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. State your point.

11. SENATOR GROTBORG:

12. I'm wondering, part of the confusion here is  
13. that there is a lobbyist who has been officing inside  
14. the Chambers all afternoon and I, if that's going to  
15. be the new rule, I'd like to know under what rule  
16. we do that and otherwise I would like to ask that  
17. he be kindly, step outside the door and do his business.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. If there is a lobbyist within the bar of the  
20. Senate I'd...I believe that the...the rule states that  
21. there cannot be anyone not authorized to the Floor  
22. inside the bar.

23. SENATOR GROTBORG:

24. Thank you, cause I got a lot of other people  
25. that would like to know that and I'll bring them  
26. in tomorrow. Thank you.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Netsch.

29. SENATOR NETSCH:

30. There...there were two troubles with...two  
31. concerns with the bill. One was the confusion of  
32. the language. I don't know whether your amendment  
33. to the bill clarified that at all or not. And the

1. other was really a principle involved, because as I  
2. recall, the effect of the bill was that it would be  
3. a more severe penalty to take a citizens band radio  
4. from an automobile than would perhaps the theft of  
5. the automobile itself, or some other other equally  
6. important component part of the automobile and  
7. while I recognize that there is a great deal of  
8. sentimental attachment on the part of many people  
9. to their citizens' band radios, it does not strike  
10. me that that is a more serious crime than theft  
11. involving some other part of the automobile or  
12. the automobile itself. I don't...I don't believe  
13. those matters have been clarified. Would you  
14. respond to that, Senator Hall.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Harber Hall.

17. SENATOR HALL:

18. Yes, the purpose of this, Senator Netsch, is  
19. that...I mean the reason for this, is that these  
20. items included...

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Excuse me, Senator Hall. Could we have some  
23. order, Gentlemen. Senator Harber Hall.

24. SENATOR HALL:

25. These items included here are not easily traceable.  
26. An automobile with its numeric system on its important  
27. components is easily traceable should it be stolen.  
28. It's very difficult for a good prosecutor to prove  
29. when someone breaks into a car, they have to...they  
30. have to actually remove that car and even then...when  
31. they do remove it, they have to be caught in such  
32. a way that they can be proven guilty of stealing  
33. the car. But, they can get in in a few minutes and

1. take out these items that have high value, but aren't  
2. traceable because of any numeric system and therefore,  
3. this strengthening is apparently needed, so I'm told  
4. by the State's Attorneys. Now, how we go about doing  
5. this as Senator Wooten was asking me, I'm not a  
6. lawyer, but I can read the bill and...and two sections  
7. of the statutes are referred to in the bill making  
8. these corrections in each part. One, the Criminal  
9. Code and one, the Vehicle Code. I can appreciate your  
10. concern that maybe the penalty for stealing these  
11. short wave radios or CB radios appears to be higher  
12. than stealing a car, but that isn't the situation.  
13. A person can be proven guilty of a misdemeanor by  
14. just breaking into a car, and not receive such  
15. a high penalty, but if he's...if he's proven guilty  
16. of stealing the car, then that too is a Class II  
17. felony.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Netsch.

20. SENATOR NETSCH:

21. Well, I...I'm not sure that I still have a clear  
22. answer to it. The...the impression that we had was  
23. that this left the stealing of a citizens' band radio  
24. as a more honourous theft than stealing some other thing  
25. from the automobile or perhaps stealing the automobile  
26. itself and it seems to me that is still the case and  
27. if that's so, it's a case of misguided priorities.  
28. I'm not suggesting that the theft of a citizens'  
29. band radio should not be a theft, but to make that  
30. a more serious crime than other crimes of theft  
31. involved with the automobile, it seems to me it  
32. simply places too high a value on the citizens' band  
33. radio in comparison...in comparison to other parts



1. of the automobile and to the act itself and it's the  
2. ...it's the act of theft itself that ought to be  
3. judged. So it seems to me, you have not necessarily  
4. addressed those problems in...in the bill, or I  
5. believe in the amendments to the bill.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Maragos.

8. SENATOR MARAGOS:

9. Mr. President, I'd like to ask the sponsor a question.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Indicates that he will yield.

12. SENATOR MARAGOS:

13. I apologize if I'm repeating another question,  
14. because I was in discussion with Senator Moore on  
15. another bill. Now, Senator Hall, isn't the value  
16. the determining factor, whether it's a misdemeanor  
17. or a felony. So, why do you need this, if he steals  
18. an item which is worth more than a hundred and fifty  
19. dollars, which I think the present act states, why  
20. do you need another statute for CB's, if the CB is  
21. worth more than a hundred and fifty dollars, why  
22. should it be a felony.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Harber Hall.

25. SENATOR HALL:

26. Well, I think...I think maybe several people, you  
27. and Senator Netsch, are confusing the burglary charge  
28. that is made when somebody gets into a car. Up until  
29. this time, most people with intent to steal a car,  
30. break in and it takes them some time to actually  
31. get away and be in possession of that car away  
32. from where it was, so about all they could do is  
33. say they broke in and...and were in the premises of

1. the car and so they...they establish a burglary count,  
2. which is a misdemeanor. Because they could always  
3. say, well, I wasn't going to steal it, I...I just  
4. was going to look at it or something like that.  
5. They weren't, they couldn't be proven as stealing  
6. it. But, when they take out these, very rapidly  
7. taken, have in their possession, one of these radios that  
8. that has this high value, which they are doing and  
9. and just wholesale numbers in every town.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Maragos.

12. SENATOR MARAGOS:

13. Mr...Mr., Senator Hall...I...the statute. I'm  
14. not an authority on criminal law, but I understand  
15. that the statute says of the theft section or  
16. undo possession. There's three or four sections  
17. under Chapter 38, which cover theft or burglary or  
18. whatever approach and the...the question whether  
19. it becomes a felony or a misdemeanor depends on  
20. the value of the item that is taken or unlawfully  
21. possessed. So, that's what I'm trying to say to  
22. you that I don't think we...we need another chapter  
23. and that's what I think is a very long statute or  
24. chapter in the first place to do the same thing  
25. that you're trying to do.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Is there further debate? Senator Roe.

28. SENATOR ROE:

29. Mr. President, members of the Senate. Theft over  
30. a hundred and fifty is a felony, a CB is either worth  
31. over a hundred and fifty or it isn't. Now, any time  
32. you break into a car or enter a car and take a CB, whether  
33. it's worth a dollar or a hundred and fifty or three hundred

1. and fifty, that's burglary. The prosecutor can charge  
2. burglary. Maybe he can't get a conviction, but it  
3. seems to me that if there was theft of a CB, that he  
4. would have just as good opportunity to get a conviction  
5. for burglary as he would for theft. And I don't  
6. see any reason for this bill.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Rhoads.

9. SENATOR RHOADS:

10. Well, Senator Hall, I was discussing this a few  
11. minutes ago with Senator D'Arco and Senator Newhouse  
12. and I was going to make a motion to recommit it to  
13. committee and then Senator Newhouse was going to  
14. Table that motion and D'Arco would Table the Tabling  
15. motion, but we decided it was a probably a good bill,  
16. so that I should make the motion.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator D'Arco.

19. SENATOR D'ARCO:

20. I oppose this bill.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Is there further debate? Senator Harber Hall  
23. may close the debate.

24. SENATOR HARBER HALL:

25. Well, I think the complaints of the State's  
26. Attorneys are justified. I think all you have to  
27. do is pick up today's paper and see what's happening.  
28. Now, if they can get rapid convictions here in a  
29. short while of a few of these, we ought to see a  
30. diminishing of this theft of these items. It's  
31. very difficult for any prosecutor to convict anyone  
32. of stealing a car when he just breaks into it, and  
33. any component part thereto. So...but...it's very  
34. easy to get him in possession of...of a radio that

1. he's taken out of a car and it's easily proved that  
2. he took it out of the car, removed it, which he can  
3. do fast, but it also can be proven that he took it  
4. from that car and thereby get a conviction on...a  
5. stronger conviction. So, many times they resort  
6. to a burglary count in order to get any conviction  
7. instead of a theft, because of this differentiation.  
8. So, I submit the bill for your consideration.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. The question is shall Senate Bill 579 pass.  
11. Those in favor vote Aye. Those opposed vote Nay.  
12. The voting is open. Senator Rock. Have all voted  
13. who wish? Take the record. On that question the  
14. Ayes are 22, the Nays are 28, none Voting Present.  
15. Senate Bill 579 having failed to receive a constitutional  
16. ...I'm sorry.

17. SENATOR HALL:

18. Would you put it on postponed, please. There  
19. were a lot of absences today.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. The bill will be put on the Order of Postponed Consideration  
22. at the request of the sponsor. I point out that fifty  
23. people voted on the bill, Senator Hall. Senate  
24. Bill 580. Senator Lemke, do you wish to have the bill  
25. read? Read the bill, Mr. Secretary.

26. SECRETARY:

27. Senate Bill 580.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. For what purpose does Senator Mitchler arise?

32. SENATOR MITCHLER:

33. Thank you, Mr. President. I rise on a point of personal  
34. privilege.

PRESIDING OFFICER: (SENATOR BRUCE)

1. State your point.

2. SENATOR MITCHLER:

3. Mr. President, and members of the Senate. In the  
4. President's Gallery in the center section, we have a  
5. very honored guest today, Mrs. Susan Stirrett who's  
6. ranked sixth in the Women's United States Tennis  
7. Association judged in play ending November of 1976.  
8. I might point out that Susan Stirrett was the  
9. finalist in the National Indoor Doubles held at  
10. Dallas. She reached the quarterfinals of two  
11. national events, won the Consolation title at  
12. the National Clay Court in Houston, Texas. And  
13. this year was won second place in the United States  
14. Western Senior Championship in Salt Lake City. With  
15. her is her wife, Dr. Peter Stirrett, and I might say  
16. they're the proud parents of little Susie Stirrett.  
17. Will they please rise and be recognized.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Grotberg. For what purpose do you  
20. arise?

21. SENATOR GROTEBERG:

22. I rise to correct the previous speaker. With her  
23. is her husband, not her wife and in all of the accolades  
24. about the tennis have nothing compared to the fact that  
25. she's the Concert Mistress of the Fox Valley Symphony  
26. Orchestra and one of the best violin teachers in Northern  
27. Illinois. We're glad to...

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Lemke, on Senate Bill 580.

30. SENATOR LEMKE:

31. This...this is a simple bill that just defines a  
32. person in the Criminal Code as an unborn...as an unborn  
33. children of human beings as every stage of their

1. biological development. It's a...it's a simple bill.  
2. How this came about is last year, a year and a half ago,  
3. a young black woman in my district was going up her  
4. stairs, was shot in the abdomen when she was about  
5. seven or eight months pregnant. She lived and the  
6. baby died. The State's Attorney...the Grand Jury  
7. indicted and the State's Attorney was forced to  
8. dismiss the case because there was no definition  
9. of a person in the Criminal Code and what we're  
10. trying to do here is remedy the situation because  
11. the courts avoided the issue in the...in the Roe decision  
12. as to what a person is and we're...we're giving  
13. a definition right now as to what it is.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Is there discussion? Senator Carroll.

16. SENATOR CARROLL:

17. Thank you, Mr. President and members of the Body.  
18. As I said in committee, in my opinion this particular  
19. act is patently unconstitutional. Senator Lemke  
20. referred to the Roe decision and I think that decision  
21. is what would lead to that opinion that this is patently  
22. unconstitutional. In attempting to create this definition,  
23. you would thereby make those surgical procedures that  
24. are allowed under Roe and over which we do not have the  
25. power to change, they would become a act of murder  
26. under the State statutes. And that may be the purpose  
27. of some of those who support this legislation, and I  
28. don't criticize any of their philosophical thinkings  
29. or understandings. I do think, however, we should  
30. know what type of action we are taking. As Senator  
31. Lemke described the exact case in which he came about  
32. this particular problem, leads rise to the situation  
33. where a woman who does not even know she is pregnant  
34. is injured in an automobile accident, she may have

1. been one month pregnant, not even know it. There would  
2. be an automobile accident in which the person of the  
3. other vehicle could end up being charged with homicide  
4. as the result of a very minor accident wherein she  
5. may have miscarried. She not even knowing she was  
6. pregnant at the time. I think that's just one of the  
7. many, many, events that could happen where people  
8. could be charged with a crime unknowing to them or  
9. any one else and I think anyone who read the Roe  
10. decision would also have to agree that this is truly  
11. patently unconstitutional and I think it should be  
12. defeated.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Is there further debate? Senator Glass.

15. SENATOR GLASS:

16. Thank you, Mr. President, Ladies and Gentlemen.  
17. I think Senator Carroll has pretty well expressed  
18. my concerns. I...I would agree that...that it is  
19. obviously an unconstitutional bill. I think we  
20. have no business passing legislation of this kind.  
21. The...the matter has been pretty well settled and  
22. I think and our statutes on the subject of abortion  
23. are in good shape. I don't think we should consider  
24. a bill like this, as I say, which is clearly unconsti-  
25. tutional. I'd urge a no vote.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Is there further debate? Senator Knuppel.

28. SENATOR KNUPPEL:

29. Well, I attended the Illinois Constitutional  
30. Convention, but I'll tell you, as far as I'm concerned,  
31. voting here on this Floor, a human life, either before  
32. birth or after, is worth more to me than a constitu-  
33. tional decision.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is there further debate? Senator Clewis.

3. SENATOR CLEWIS:

4. Mr. President, I only have one question of the  
5. sponsor. I...I'm a member of the State Right to  
6. Life Committee. The only things that concerns me is  
7. if a woman becomes in a position where for some  
8. medical reason that she needs an abortion, would  
9. this bill put her in a position with the unborn  
10. child being equal to her that it would be awkward  
11. to make a medical decision who's wife...whose life  
12. would receive preference under this bill. Now,  
13. if the sponsor could answer and belie those fears,  
14. I'd be glad to support this bill.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Lemke.

17. SENATOR LEMKE:

18. This bill would not address...address this problem  
19. because if it's a choice that is made that's...that's  
20. a medical choice and has been made through...through  
21. history of...of childbirth. It's either the child or  
22. the mother and...and that's a decision up to the  
23. medical, at that time, which is the most important  
24. decision a doctor makes, and I don't think it would  
25. hurt and stop this from happening, and I...and I  
26. don't think it would cause a problem.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Clewis.

29. SENATOR CLEWIS:

30. It still does not answer, I...I don't think that  
31. clarifies it to a point. The church and the Right to  
32. Life people at this point in time, give the mother  
33. the preference over the unborn fetus. That I can buy,  
34. even though I can't buy wholesale abortion. If...we're in



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a situation which we have to consider carefully

1. more important than the unborn fetus, once it becomes
2. a person, and I...I'm sure there's many legal
3. interpretations. I mean, if you have to go to court
4. and get a Grand Jury decision or a Supreme Court decision,
5. and the mother dies in the meantime, we've got some
6. serious considerations here.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator...I have Senators Wooten, Rhoads and Collins
9. on my list. Senator Wooten.

10. SENATOR WOOTEN:

11. Just a point on the issue that Senator Clewis raised.
12. As things stand now with nothing...Senator Clewis...as
13. things stand now with no statement in law as to the
14. status of the fetus that's the Catholic, so called
15. traditional Catholic position is possible. If you
16. give the fetus equal status with the mother, then it is
17. not possible and you cannot make that choice and that's
18. the difficulty with the legislation. I understand what
19. prompts it, but by writing it into law, you...there are a lot of
20. those either or situations. Cancer develops in
21. the first trimester and so on, regardless of the intent to
22. save the mother, you now have standing in law that
23. you're committing murder. And I don't think law permits
24. you to commit murder to save another life. At least
25. we would have to develop a whole new body of law on that
26. point and now because the statutes are silent,
27. that difficulty does not present itself.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Rhoads.

30. SENATOR RHOADS:

31. Mr. President and members of the Senate, let's
32. face it, this is the single most difficult social, legal
33. issue facing this State Legislature or any other state

1. legislature. It's not an easy problem. We're all groping  
2. around for...for solutions to deal with it. The only  
3. comment I want to make on this particular bill and on  
4. the comments of the previous speakers is that there are  
5. a lot of us who hope very fervently that Roe versus  
6. Wade is not the last word on the entire subject of  
7. the rights of an unborn child. I, frankly, don't think  
8. that the U.S. Supreme Court had the proper competence, the  
9. proper jurisdiction to render a decision of that kind.  
10. And to just utter those magic words that this is  
11. unconstitutional, that decision like any other  
12. Supreme Court decision was binding upon the litigants  
13. in the case. It does give guidance to future court  
14. decisions, but it is not in and of itself an amendment  
15. to the constitution. It is not in and of itself  
16. the law of the land. So, we do have further initiatives  
17. to make in this area. Senator Lemke is trying one such  
18. initiative it isn't perfect, I don't think, but it's  
19. one response to the problem, there will be others, and  
20. I think we all have to do a lot of soul searching on this  
21. very, very important issue. Because, frankly, if  
22. we can't define the unborn child as anything else, I think  
23. we must, if we're going to be intellectually honest,  
24. to find it as human life. I...I applaud the concept  
25. that Senator Lemke is trying to put forward here, even  
26. though the...the bill may not be a perfect bill.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Collins.

29. SENATOR COLLINS:

30. I won't reiterate what Senator Wooten said because  
31. he basically stated some of my concerns. But I have a  
32. question for sponsor here. Senator Lemke, I'm  
33. concerned about those...what happens to the...to the female that is

1. a rape victim that goes to the hospital and the doctor,  
2. the gynecologist examines the patient, goes through  
3. procedures for examination of that patient, sanitary  
4. kinds of condition. Under this bill, the doctor could be  
5. sued, because who is to determine the moment of  
6. conception? Because that moment of conception could  
7. have been during the time of the rape incident.  
8. He could be liable.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Lemke.

11. SENATOR LEMKE:

12. At the present time under Illinois law, this is  
13. a...this is allowed to have an abortion. This is not...  
14. does not affect the Illinois law on abortion. This  
15. affects the Criminal Code on indictable offenses. It  
16. doesn't affect anything to do with abortion. Until the  
17. abortion law is changed, I assume the Supreme Court in  
18. Illinois will hold that you can abort within the first  
19. trimester. What this does is put a definition in the  
20. Criminal Code as to what we defined as a person where there  
21. was no definition and will give the court a decision later,  
22. maybe, the court will decide what a person is because  
23. they cowardly avoided that issue in Roe and you can  
24. see that in the dicta of the case. They left it alone.  
25. They said there's no way...they have...there was no  
26. definition, they have no way of defining it and they just  
27. went on to the other issue whether abortion was legal...  
28. could be legally done. And they said it could be done  
29. and...and I think we have laws that regulate abortion  
30. in the State, but this bill involves indictable criminal  
31. offenses and what we have to give the State's Attorney  
32. the right to prosecute on indictable offenses and give some  
33. definition cause we can't leave felons running...felons and

1. murderers running around the streets and not prosecuting  
2. and putting them away where they belong.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Collins.

5. SENATOR COLLINS:

6. Senator Lemke, I'm not talking about abortions  
7. either. I'm talking about a doctor that used normal  
8. procedures that can, in fact, upset the production  
9. process, the development process of that union  
10. which has been conceived, so he's not giving an abortion.  
11. He's going through...he's using normal procedures to  
12. carry out an examination and sanitary procedures  
13. but he, in fact, he's not giving an abortion. He's  
14. in fact,...destroying that...that...that life, if you're  
15. talking about from the moment of conception...

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Lemke.

18. SENATOR LEMKE:

19. It's my understanding under present Illinois  
20. law, a doctor is permitted to do this cause we have passed  
21. a law to regulate this type of procedure. You  
22. are talking about what they call an assumption which  
23. is in the first ten days. I talked to the Illinois  
24. Medical Society about this. This is what we're talking  
25. about, what they call an assumption when the...when the  
26. fertile ovum goes down the tube and when it's  
27. fertilized, it will stick to the wall and then become  
28. ...come into...into a child. This has not been determined  
29. as to what...when childbirth...if the fertilization  
30. occurs in the womb or if it occurs in the tube. This is  
31. something that's medical knowledge and even the doctors  
32. can't determine where the fertilization has determined.  
33. So, this is permitted now under present law in Illinois.

1. You can have an assumption.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Collins.

4. SENATOR COLLINS:

5. On with your bill, when you say the moment of  
6. conception. This is what my objection...

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Daley.

9. SENATOR DALEY:

10. Mr. President and fellow Senators. The intent  
11. of the bill is to protect the pregnant woman and  
12. the child and due to the individual problem that Senator  
13. Lemke had on the near west side, where a young black  
14. woman was shot and eventually the child died,  
15. the State's Attorney could not prosecute and that's  
16. the intent of the bill. I mean, if people are against  
17. the bill, fine, for various reasons. This is why  
18. the State's Attorneys need this bill. Where a pregnant  
19. woman is beat up, aggravated assault and battery or she  
20. is shot. They want to prosecute the individual for  
21. not only beating up the woman, but also the child  
22. itself. And that's the intent of the legislature.  
23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Is there further debate? Senator Lemke may  
25. close.

26. SENATOR LEMKE:

27. ...the definition of conception. That section  
28. of the bill has been removed, the last three lines of the  
29. bill. That has been taken out of the bill, that's  
30. what the definition of conception is. We have only  
31. definition of a person. So, we took that out because  
32. of the Illinois Medical Society, I talked to them, there's  
33. two positions, when...when the conception occurs and we  
34. took this out and we don't have this definition in the bill.

1. All we have is a definition of what a person is and I think  
2. this is a good bill. I don't think it's unconstitutional  
3. because the...I think the State as the course they've  
4. indicated in their dicta, and we can say by innuendo  
5. in the decision of Roe, it's up to the government and  
6. the legislature to decide what a person is and since  
7. there was no definition, they didn't go into it.  
8. And this is what we're doing here. We're giving  
9. a definition what a person is and this is in our  
10. prerogatory as a legislative body and I don't think  
11. it's unconstitutional. I ask for a favorable vote.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. The question is shall Senate Bill 580 pass.  
14. Those in favor vote Aye. Those opposed vote Nay.  
15. The voting is open. Have all voted who wish?  
16. Have all voted who wish? Take the record. On that  
17. question, the Ayes are 30, the Nays are 19, 4 Voting  
18. Present. Senate Bill 580, having received a constitutional  
19. majority is declared passed. For what purpose does  
20. Senator Glass arise?

21. SENATOR GLASS:

22. Request a verification of the Aye votes, Mr. President.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. For what purpose does Senator Lemke arise?

25. SENATOR LEMKE:

26. Put it on Postponed Consideration.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. All right. There's been a request for a verification.  
29. The Secretary will call those...names of those who  
30. voted in the affirmative.

31. SECRETARY:

32. The following voted in the affirmative: Berning,  
33. Chew, Coffey, D'Arco, Daley, Demuzio, Donnewald, Egan,

1. Guidice, Harber Hall, Kenneth Hall, Johns, Joyce,  
2. Knuppel, Kosinski, Lane, Lemke, Merlo, Moore,  
3. Nimrod, Ozinga, Philip, Rhoads, Rock, Savickas,  
4. Smith, Vadalabene, Walsh, Weaver, Mr. President.

5. PRESIDENT:

6. Senator Glass, do you challenge...

7. SENATOR GLASS:

8. Senator Chew on the Floor, Mr. President?

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Is Senator Chew on the Floor? Strike his  
11. name from the record. Did you question someone else,  
12. Senator Glass?

13. SENATOR GLASS:

14. Senator Don Moore.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Is Senator Don Moore...strike Senator Don Moore's  
17. name from the record. Senator Glass, do you question the  
18. presence of anyone else? On that question, on a  
19. verified roll call, the Ayes are 28, the Nays are 19,  
20. The bill will be placed on the Order of Postponed  
21. Consideration. Senate Bill 581, Senator...oh, before  
22. we go to that Order, I've been requested to announce  
23. that the Illinois Podiatry Society is having a legislative  
24. reception at Forum 30 tonight at 7:00 p.m. on the  
25. 29th floor and you are all very cordially invited to  
26. attend. Senator Ozinga.

27. SENATOR OZINGA:

28. Mr. President and members of the Senate, it's  
29. my privilege to acknowledge the presence in the rear  
30. gallery of one of our illustrious staff member's  
31. family. To my right, to the rear gallery, is Mrs.  
32. Carol Hallock, wife of our Senate staff member,  
33. John Hallock together with Mr. and Mrs. Steven Horvath, who  
34. are from my district and that...those are Carol's parents,

1. and Mrs...Mrs. Poropat, Carol's grandmother from  
2. Palos Park. Would they please stand and be recognized.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Would they please stand and be recognized by the  
5. State Senate. Senator Rock, for what purpose do you  
6. arise?

7. SENATOR ROCK:

8. Thank you, Mr. President and Ladies and Gentlemen  
9. of the Senate. In the form of an announcement and  
10. perhaps a motion, if necessary, I understand that all  
11. the Motions in Writing which are shown on page  
12. 59 of the Calendar, have, by agreement of all the  
13. moveants, been continued or will be...request to be  
14. continued until the 25th day of May, if there's  
15. leave of the Body.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Is...is there leave? Leave is granted. Senate  
18. Bill 581, Senator Roe. Senate Bill 584. Read...read  
19. the bill, Mr. Secretary.

20. SECRETARY:

21. Senate Bill 584.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Roe.

26. SENATOR ROE:

27. Mr. President and members of the Senate. This  
28. bill does just what the synopsis describes it to do.  
29. State Board of Elections has no position on the bill.  
30. I'll attempt to answer any questions.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Is there further discussion? Senator Wooten.

33. SENATOR WOOTEN:



1. Senator, do I understand you're just removing the
2. chief clerk and substituting a director?
3. PRESIDING OFFICER: (SENATOR BRUCE)
4. Senator Roe.
5. SENATOR ROE:
6. That's correct, Senator Wooten.
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. Is there further debate? The question is shall
9. Senate Bill 584 pass. Those in favor vote Aye.
10. Those opposed vote Nay. The voting is open.
11. Have all voted who wish? Have all voted who wish?
12. Take the record. On that question the Ayes are 45,
13. the Nays are 3, none Voting Present. Senate Bill
14. 584, having received a constitutional majority is
15. declared passed. Senate Bill 589, Senator Davidson.
16. Senator Davidson. Read the bill, Mr. Secretary.
17. SECRETARY:
18. Senate Bill 589.
19. (Secretary reads title of bill)
20. 3rd reading of the bill.
21. PRESIDING OFFICER: (SENATOR BRUCE)
22. Senator Davidson.
23. SENATOR DAVIDSON:
24. Yes, Mr. President and members of the Senate.
25. This bill does exactly what it says. Presently,
26. as you know, the Space Needs Commission can buy
27. property in the Capital Complex and we turn it over
28. to the Capital Development Board. They have no
29. manpower or know how for the administration of what
30. we use it for other services. This is a request to
31. transfer that to General Services so it can be maintained
32. and looked after like the rest of the State property
33. does by the General Services. It's a request by the Capital

1. Development Board for this bill. I ask for a favorable roll,
2. call.
3. PRESIDING OFFICER: (SENATOR BRUCE)
4. Is there further discussion? Senator Nimrod.
5. SENATOR NIMROD:
6. Just a question of the sponsor.
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. Indicates that he will yield.
9. SENATOR NIMROD:
10. Do we have a definition of receives, do we know
11. what we're...do we have anything to do...what does
12. receive mean? I'm kind of...
13. PRESIDING OFFICER:(SENATOR BRUCE)
14. Gentlemen and Ladies, could we have some order
15. so the two Gentlemen can hear one another on the
16. Floor of the Senate? Senator Nimrod.
17. SENATOR NIMROD:
18. A question of the sponsor, if I may. I would
19. like to know what...what the bill means by receives, and
20. I just want to clarify that one point.
21. PRESIDING OFFICER: (SENATOR BRUCE)
22. Senator Davidson.
23. SENATOR DAVIDSON:
24. Land or property that's bought by the Space
25. Needs Commission for the...in the Capital Complex
26. that's...the Capital Development Board receives
27. that property from us. They're asking for the right
28. to transfer this to General Services so that General
29. Services can administrate under the properties
30. that they look after for the rest of the State.
31. PRESIDING OFFICER: (SENATOR BRUCE)
32. Is there further discussion? The question is
33. shall Senate Bill 589 pass. Those in favor vote Aye.

1. Those opposed vote Nay. The voting is open.  
2. Have all voted who wish? Take the record. On that  
3. question the Ayes are 50, the Nays are none, none  
4. Voting Present. Senate Bill 589 having received  
5. a constitutional majority is declared passed.  
6. Senate Bill 590, Senator Regner. All right.

7. SECRETARY:

8. Senate Bill 590.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Regner.

13. SENATOR REGNER:

14. Mr. President and members of the Senate, this bill  
15. authorizes the Capital Development Board to accept  
16. and disperse Federal funds subject to the appropriation  
17. by the General Assembly.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Is there further...further discussion? The question  
20. is shall Senate Bill 590 pass. Those in favor vote Aye.  
21. Those opposed vote Nay. The voting is open.

22. Have all voted who wish? Take the record. On that  
23. question the Ayes are 49, the Nays are none, none  
24. Voting Present. Senate Bill 590 having received a  
25. constitutional majority is declared passed.

26. Senate Bill 591, Senator Rupp. No. Senate Bill 594,  
27. Senators Rock and Donnewald. Read the bill, Mr. Secretary.  
28. For what purpose does Senator Leonard arise?

29. SENATOR LEONARD:

30. To...I pushed the button on that and for some reason  
31. it didn't register. I wish to be registered on the  
32. previous vote as a positive.

33. PRESIDING OFFICER: (SENATOR BRUCE)

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1. The electronic record will so show. Okay. Senate  
2. Bill 594, Mr. Secretary.  
3. SECRETARY:  
4. Senate Bill 594.  
5. (Secretary reads title of bill)  
6. 3rd reading of the bill.  
7. PRESIDING OFFICER: (SENATOR BRUCE)  
8. Senator Rock.  
9. SENATOR ROCK:  
10. Thank you, Mr. President and Ladies and Gentlemen  
11. of the Senate. Senate Bill 594 does exactly as the  
12. synopsis indicates and as the Secretary just read. It  
13. increases the percentage on judgments recovered before  
14. any court at the rate which is now six percent, increases  
15. it to eight percent from the date of judgement until  
16. satisfied. I would seek a favorable roll call.  
17. PRESIDING OFFICER: (SENATOR BRUCE)  
18. Is there discussion? The question is shall Senate  
19. Bill 594 pass. Those in favor vote Aye. Those opposed  
20. vote Nay. The voting is open. Have all voted who wish?  
21. Take the record. On that question the Ayes are  
22. 51, the Nays are none, none Voting Present. Senate  
23. Bill 594 having received a constitutional majority is  
24. declared passed. 596, Senator Rock. Read the bill,  
25. Mr. Secretary.  
26. SECRETARY:  
27. Senate Bill 596.  
28. (Secretary reads title of bill)  
29. 3rd reading of the bill.  
30. PRESIDING OFFICER: (SENATOR BRUCE)  
31. Senator Rock.  
32. SENATOR ROCK:  
33. Thank you, Mr. President and Ladies and Gentlemen of the

1. Senate. Senate Bill 596 is an amendment to the Revenue  
2. Act and it concerns only the Cook County Assessor and  
3. his office, the operation of this office. Under the...  
4. under current statutes, the assessor is allowed to  
5. initiate what's called a certificate of error proceeding,  
6. whereby, he will say or he does indicate to the court,  
7. that a factual error or mistake has taken place in an  
8. assessment of a particular piece of property. Under  
9. the current practice, there would have to then be  
10. concurrence by the Board of Appeals and then the State's  
11. Attorney and finally the court. This bill would take out  
12. the one step of concurrence by the Board of Appeals.  
13. I know of no objection to it. The problem is one that  
14. there are about nine thousand of these per year and given  
15. the fact that the Board of Appeals and the Assessor  
16. work kind of on different cycles during the course of  
17. a year, there is a terrific backlog and in an attempt  
18. to clear up that backlog, we are...the Assessor  
19. has requested that the concurrence by the Board of  
20. Appeals step be eliminated so that the procedure would...  
21. would involve only the Assessor, the State's Attorney  
22. and ultimately the judge on a...on a review proceeding.  
23. I would solicit a favorable vote.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Is there discussion? The question is shall Senate  
26. Bill 596 pass. Those in favor vote Aye. Those opposed  
27. vote Nay. The voting is open. Have all voted who wish?  
28. Take the record. On that question the Ayes are  
29. 50, the Nays are 1, none Voting Present. Senate Bill  
30. 596 having received a constitutional majority is declared  
31. passed. Senate Bill 597, Senator Weaver. Read the bill.  
32. Mr. Secretary.

33. SECRETARY:

1. Senate Bill 597.  
2. (Secretary reads title of bill)  
3. 3rd reading of the bill.  
4. PRESIDING OFFICER: (SENATOR BRUCE)  
5. Senator Weaver.  
6. SENATOR WEAVER:  
7. Thank you, Mr. President. This does just as the  
8. synopsis states, it abolishes the Highway Safety Fund.  
9. There is no need for these...this special fund. It's  
10. a pass through from Federal funds in most cases and  
11. I would move its adoption, or appreciate a favorable  
12. roll call.  
13. PRESIDING OFFICER: (SENATOR BRUCE)  
14. Is there discussion? The question is shall Senate  
15. Bill 597 pass. Those in favor vote Aye. Those opposed  
16. vote Nay. The voting is open. Have all voted who wish?  
17. Take the record. On that question the Ayes are 48, the Nays  
18. are none, none Voting Present. Senate Bill 597 having  
19. received a constitutional majority is declared passed.  
20. Senator Weaver on 598. Read the bill, Mr. Secretary.  
21. SECRETARY:  
22. Senate Bill 598.  
23. (Secretary reads title of bill)  
24. 3rd reading of the bill.  
25. PRESIDING OFFICER: (SENATOR BRUCE)  
26. Senator Weaver.  
27. SENATOR WEAVER:  
28. Thank you, Mr. President. Senate Bill 598 basically  
29. allows the highway or the Department of Transportation  
30. to lease property acquired for highway purposes until  
31. such a time as it is needed for highway construction.  
32. Also, a further facet of this bill requires the Department  
33. of Transportation to report to the General Assembly the  
34. status of such rentals and leases by the 1st of October

1. of each year so that we may know what the revenue  
2. is what is happening to property purchased for highway  
3. purposes. I'd appreciate a favorable roll call.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Is there discussion? Senator Rock.

6. SENATOR ROCK:

7. Thank you, Mr. President. A question of the  
8. sponsor if he'll yield.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Indicates that he will yield. Senator Rock.

11. SENATOR ROCK:

12. Senator Weaver, I have Amendment No. 1, a copy  
13. as adopted. My question concerns that part of  
14. the Act that will be Section 6 and under the amendment  
15. it's lines 14 through 28, that section which was stricken.  
16. It seems to currently call for money to be remitted  
17. in some amount or varying amounts to the various counties.  
18. In kind of a payment in lieu of or it says how much  
19. the property would have been assessed were it not  
20. exempt and I'm wondering why that provision was cut  
21. out and what the fiscal impact, if any, to the counties are...is.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Weaver.

24. SENATOR WEAVER:

25. Senator Rock, it's my understanding that...first  
26. let me give you a little history. It was...the  
27. Reference Bureau, inadvertently, removed the authority  
28. to rent or lease property. It was my understanding  
29. by Amendment No. 1 we changed that, gave them the power  
30. to lease until it was needed for highway use. Also put  
31. in the report...reporting date by October the 1st. I think  
32. the provision is still in that when the property is leased  
33. monies will be paid...taxes will be paid by the...on the

1. property to the local government in the district. I don't  
2. think that we...it wasn't my intention...I didn't think  
3. we changed that provision at all, Senator Rock.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Rock, do you have further questions?

6. SENATOR ROCK:

7. I'm...I apologize. I was, in fact, distracted  
8. on another matter. But, by virtue of that language  
9. being stricken, we...we are in fact, changing that  
10. procedure, are we not?

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Weaver.

13. SENATOR WEAVER:

14. Well, Senator Rock, it was...certainly was not my  
15. intention so let's just take it out of the record and  
16. we'll get it straightened out.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Take it out of the record. Senator Maragos, on  
19. Senate Bill 606. Read the bill, Mr. Secretary.

20. SECRETARY:

21. Senate Bill 606.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Maragos.

26. SENATOR MARAGOS:

27. Mr. President and members of the Senate. This bill,  
28. Senate Bill 606, gives more input into the building  
29. of capital facilities for community colleges to the Board  
30. of Community Colleges. It still does not allow them  
31. to go on...and it still...as amended, it takes out Section  
32. 10-17 where they would have to have joint approval.  
33. But, it does give it more input than they've had in the  
34. past and I ask for a favorable support.



1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is...are there questions? Senator Wooten.

3. SENATOR WOOTEN:

4. Senator, what is the amendment to this bill?

5. I don't have a copy of it.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Maragos.

8. SENATOR MARAGOS:

9. The amendment to this bill is what the Capital  
10. Development Board requested and it now has the  
11. auspices and approval of the Capital Development Board.  
12. It states merely, that they shall not have joint approval  
13. for final drawings and final plans. 10-17 which is the  
14. sections that have been eliminated in the bill, is  
15. ...take the last paragraph, Section 10-17 and the  
16. top of page 2 and that's eliminated by the amendment.  
17. And what it does, it doesn't give the exclusive joint  
18. approval to the common school boards...to the college  
19. boards.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Wooten.

22. SENATOR WOOTEN:

23. So, in other words, they will have veto power, but  
24. they don't have to jointly approve. I'm also wondering  
25. about Section 10-16. Precisely why is that needed,  
26. requiring joint approval for final payment. I'm just  
27. curious, why is that provision in there?

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Maragos.

30. SENATOR MARAGOS:

31. Because the...sometimes the Capital Development Board  
32. would proceed in approval without the College Board  
33. knowing that they may have some objections to the final  
34. payment and also the fact sometimes they would use exclusively

1. funds of the College Board without using the Capital  
2. Development or the State funds and therefore, they...should  
3. have final say so just like an owner would have of an  
4. ordinary mechanics lien payment or lien payment.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Is there...is there further discussion? Senator  
7. Berning. Senator Berning? Okay. Is there further  
8. discussion? The question is shall Senate Bill  
9. 606 pass. Those in favor vote Aye. Those opposed  
10. vote Nay. The voting is open. Have all voted who wish?  
11. Take the record. On that question the Ayes are 47,  
12. the Nays are none, none Voting Present. Senate Bill 606  
13. having received a constitutional majority is declared  
14. passed. Senate Bill 607, Senator Maragos. Read the bill,  
15. Mr. Secretary.

16. SECRETARY:

17. Senate Bill 607.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Maragos.

22. SENATOR MARAGOS:

23. Mr. President and members of the Senate. This is another  
24. phase of the same construction when there's new facilities  
25. being built by a college board...the Community College Board  
26. and district. It allows the college districts to have  
27. more input. The amendment states, however, that...the bill  
28. originally stated that before the money could be spent that  
29. the...the College Board's money could be spent they would  
30. also have to simultaneously spend money of the State or  
31. the Capital Development Board. The Capital Development  
32. Board felt for reasons of its own, that it did not want this,  
33. so they put the amendment and now it has the approval of that

1. Board, the bill does, that is, as amended to state  
2. that they will not be restricted. There may be cases  
3. where they may not want to spend the State money  
4. until first they've exhausted the College Board's  
5. money. That's what the amendment does and I ask for the approval  
6. of the Senate.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Is there discussion? Senator Glass.

9. SENATOR GLASS:

10. I have a question of the sponsor, Mr. President,  
11. if he will yield.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Maragos.

14. SENATOR GLASS:

15. Senator Maragos, will this bill cost any State funds  
16. in and of itself? We have a note that it may cost  
17. five million dollars.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Maragos.

20. SENATOR MARAGOS:

21. That could have been true before the amendment and  
22. that was only brought up at the time that, technically,  
23. that the State could have lost the interest that might  
24. have been engendered by keeping the money in the accounts  
25. until the...the College Boards had used up their money  
26. first. But, when the amendment was put on which they...  
27. which the Capital Development Board wanted, that  
28. provision no longer applies in any case.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Glass. Okay. Is there further discussion?

31. Senator Berning.

32. SENATOR BERNING:

33. Just a question of the sponsor. Starting with  
34. line 13 and more specifically, the end of

1. line 15 and 16, isn't that the act now and isn't that,  
2. Senator Maragos, one of the things that has been a  
3. troublesome aspect of the...of the whole Capital Development Board  
4. Act that the Board steps in and directs what the local  
5. districts can or cannot do. If I'm wrong, then please  
6. advise. But, it seems to me that this is the  
7. prerogative that the Board now has and which I, for one,  
8. would like to see eliminated.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Maragos.

11. SENATOR MARAGOS:

12. You are correct, Senator Berning, that that is  
13. one of the functions of...one of the purposes  
14. of this bill because the College Boards had felt...  
15. the Community College Districts and Boards had felt  
16. that they had no voice in their own projects. Now, with  
17. this bill, they will have more voice, however, they will  
18. not have exclusive voice because of CDB agreed to put  
19. on the amendment and agreed to have...give them more  
20. voice than they had in the past. You are correct.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Is there further discussion? Senator Berning.

23. SENATOR BERNING:

24. My...my question, I think, has partly been  
25. answered, but is there any real reason why the Capital  
26. Development Board must approve? Can't...could we not  
27. leave that decision with the local boards?

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Maragos.

30. SENATOR MARAGOS:

31. The...not completely because many cases in...in all  
32. of these cases where the Capital Development Board is involved  
33. it includes State funds. And they feel that the State should

1. have something through the Capital Development Board,  
2. should have some voice in the selection of the sites  
3. and have a...and give a more expertise opinion  
4. to their engineers and others so, therefore, they cannot  
5. have exclusive control because of that reason.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Berning.

8. SENATOR BERNING:

9. Well, let me just briefly emphasize what was a  
10. tragic situation in my district. The Capital Development Board...

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Berning...Senator Berning, is it relevant  
13. to this bill before you...

14. SENATOR BERNING:

15. It is.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. ...relate a story?

18. SENATOR BERNING:

19. It is and because...

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Berning.

22. SENATOR BERNING:

23. ...it had to do with an inordinate additional expense  
24. that was incurred by a district...a school district of mine  
25. because of the delay by the Capital Development Board  
26. in approving an architect. Now, I'd like to see  
27. that totally eliminated and well, perhaps, Senator,  
28. we can discuss it and it might be that it could be done  
29. in the House but it's a...it's an aspect of this that ought  
30. to be clarified in my opinion.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Is there further discussion? The question is shall Senate  
33. Bill 607 pass. Those in favor vote Aye. Those opposed

1. vote Nay. The voting is open. Have all voted who wish?  
2. Take the record. On that question the Ayes are 38, the  
3. Nays are 7, 2 Voting Present. Senate Bill 607  
4. having received a constitutional majority is declared  
5. passed. Senate Bill 614, Senator Demuzio. Read the...  
6. read the bill, Mr. Secretary.

7. SECRETARY:

8. Senate Bill 614.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Demuzio.

13. SENATOR DEMUZIO:

14. Well, thank you, Mr. President. Inasmuch as it's  
15. ...this is the last bill, Senate Bill 614, at least for  
16. the evening, I'll make it very brief. I hope that  
17. didn't surprise anyone. What this bill does, it  
18. does two things, it includes joint tenants and tenants  
19. in common among the entities to whom a business loan may  
20. be made and it also defines the word business to include  
21. agricultural enterprise carried on for the purpose for  
22. investment or profit. This is specifically a bill that's  
23. engendered into the area of agriculture and if there are  
24. any questions, I would be happy to answer them. Otherwise,  
25. ask for a favorable roll call.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Is there further discussion? Senator Rock.

28. SENATOR ROCK:

29. Thank you, Mr. President. I rise in support of  
30. this bill ignoring the fact and overlooking the fact that  
31. it's supported by the Illinois Bankers and I wish to point  
32. out I think...I think Senate Bill 1200 of Senator Graham  
33. should be the last bill. I would urge a favorable roll call.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is there further debate? The question is shall  
3. Senate Bill 614 pass. Those in favor vote Aye. Those  
4. opposed vote Nay. The voting is open. Have all voted  
5. who wish? Take the record. On that question the Ayes  
6. are 51, the Nays are none, none Voting Present. Senate  
7. Bill 614 having received a constitutional majority  
8. is declared passed. Senator Graham has requested because  
9. of a problem with the Department of Corrections, we go to  
10. Senate Bill 1200. Senate Bill 1200, Senator Graham.  
11. Read the bill, Mr. Secretary.

12. SECRETARY:

13. Senate Bill 1200.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Graham.

18. SENATOR GRAHAM:

19. Thank you, Mr. President and members of the Senate.  
20. This calls for a transfer of six hundred and forty  
21. thousand dollars and if any of us read the Sun Times  
22. this morning, we are more aware now of our obligation  
23. to continue this effort then we were before and I ask  
24. for a favorable roll call.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Is there further discussion? The question is  
27. shall Senate Bill 1200 pass. Those in favor vote Aye.  
28. Those opposed vote Nay. The voting is open. Have all  
29. voted who wish? Take the record. On that question  
30. the Ayes are 50, the Nays are none, none Voting Present.  
31. Senate Bill 1200 having received a constitutional majority  
32. is declared passed. Congratulations, Senator Graham. You  
33. had the first bill on Senate Bills, 3rd and the last one today.

1. Quite a trooper. All right. Senate Bill 1877, Senator  
2. Coffey. No, he's just going to recomit the bill.  
3. Senator Coffey.

4. SENATOR COFFEY:

5. Mr. President, I would like leave to recomit Senate  
6. Bill 1187 back to the Agriculture, Conservation and  
7. Energy Committee for further study.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Is there leave? Leave is granted. The bill  
10. will be recomitted. Senator Davidson.

11. SENATOR DAVIDSON:

12. Announcement to remind the members of the Senate  
13. that tomorrow morning is the breakfast which the S.I.U.  
14. Med School and the four legislators from the 50th  
15. district invited you to attend at 8:00 o'clock.  
16. If all of you don't know where the Med School is, it's  
17. just west of Memorial Hospital on Rutledge. Go 2nd  
18. Street to Carpenter and then to Rutledge or up Walnut  
19. to Carpenter to Rutledge. They're expecting you. They'll  
20. give you breakfast...starts on time and then a tour of  
21. the new Med School. Thank you.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Johns.

24. SENATOR JOHNS:

25. Mr. President, I hope I'm in order. I have leave by  
26. both the sponsors, Senator Graham and Senator Buzbee.  
27. Senator Graham permits me to join him as cosponsor  
28. of House Bill 640. Senator Buzbee on Senate Bill  
29. 1046.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Is there leave? Leave is granted. Senator Kenneth  
32. Hall.

33. SENATOR HALL:



1. I just wanted some information. I got it.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Harber Hall.

4. SENATOR HALL:

5. I'd like to remind those tennis players that the  
6. annual Legislative Tennis Tournament will be held tonight  
7. starting at 8:00 o'clock at the indoor Racquet Club.  
8. And we will have some exhibition matches out there at that time.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Rock.

11. SENATOR ROCK:

12. Thank you, Mr. President and Ladies and Gentlemen  
13. of the Senate. If I can have the attention of the  
14. membership. On the Calendar there is an extensive list  
15. of bills that were scheduled for Executive...the Committee  
16. on...Executive Appointments and Administration. That  
17. was, I am reliably informed by the Chairman of the Committee  
18. on Assignment of Bills, an effort on the part of the Senate  
19. to respond to the House Consent Calendar. Going over those  
20. bills, it has been decided by that same committee that these  
21. bills should go to their respective standing committees  
22. rather than attempt to deal with them on a Consent Calendar  
23. basis. So, there's a Motion in Writing submitted by  
24. Senator Donnewald to move that the following bills be  
25. discharged from further consideration in the Committee  
26. on Executive Appointments and Administration and that they  
27. be re-referred to the...standing committees as follows and  
28. there is a list of some one hundred House Bills, most of them  
29. which had been previously posted for this Friday's meeting,  
30. will, in fact, be re-referred to the Committee on Agriculture,  
31. Appropriations, Education, Elections, Executive, Finance,  
32. Insurance, Judiciary I, Judiciary II, Labor and Commerce,  
33. Local Government, Pensions, Personnel, Public Health, Revenue

1. and Transportation and I would so move and I will submit  
2. a list to the Secretary.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. You've heard the motion. Is there discussion?  
5. All in favor say Aye. Opposed Nay. The Ayes have it.  
6. The motion prevails. Senator Nimrod, for what purpose  
7. do you arise?

8. SENATOR NIMROD:

9. Yes, if I could get the attention of Mrs. Mitchler  
10. and Mrs. Harber Hall for a minute, we have some guests  
11. in our President's gallery and I would like to recognize  
12. that Mrs. Mitchler and Mrs. Hall are with us today.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Please rise and be recognized by the Senate.  
15. Is there leave to go to the Order of Committee Reports?  
16. Leave is granted. Committee Reports.

17. SECRETARY:

18. Senator Berman, Chairman of the Committee on Elementary  
19. and Secondary Education reports out the following bills:  
20. House Bill 377, 686 and 698 with the recommendation  
21. Do Pass. House Bill 804 with the recommendation Do Pass  
22. as Amended, House Bill 920 with the recommendation Do Not  
23. Pass.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Vadalabene.

26. SENATOR VADALABENE:

27. Yes, I would like to have leave to have my name  
28. removed as Senate sponsor of House Bill 157 and House  
29. Bill 158. It's been assigned to committee but I think  
30. Senator Johns now will follow up on...

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Is there leave? Leave is granted. Senator Schaffer.

33. SENATOR SCHAFFER:

1. Mr. President, I'd like to have leave to have  
2. myself listed as the sponsor of House Bill 91 in lieu  
3. of Senator Knuppel. He's in agreement on that.

4. A little confusion with the House sponsor.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Is there leave? Leave is granted. Senator Lane.

7. SENATOR LANE:

8. Do I have to ask leave of the Body to waive the posting  
9. of a notice in subcommittee?

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. There is no notice requirements for a subcommittee,  
12. Senator. You might want to announce when the subcommittee  
13. is going to meet while we have you here.

14. SENATOR LANE:

15. I had a discussion with the President a minute ago  
16. in regard to possibly going to House Bills 2nd reading  
17. to move an appropriation bill. House Bill 805. Forget  
18. it.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Johns,

21. SENATOR JOHNS:

22. Mr. President,...

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Johns.

25. SENATOR JOHNS:

26. Thank you, Mr. President. I find that I now willing  
27. or unwilling the sponsor of House Bill...House Bill 157 and  
28. House Bill 158.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Leave is granted. Further business to come before  
31. the Senate? Senator Hynes moves that the Senate stand  
32. adjourned until 12...Senator Hynes.

33. SENATOR HYNES:

1. Before you do adjourn, Mr. President, I'd like  
2. to call the attention of the members to the fact that  
3. while we did make good progress today on the Calendar,  
4. we still have a tremendous number of bills left and  
5. we are probably going to work later tomorrow evening  
6. so we all ought to be prepared for that. And I would...  
7. I would...I would...and pursuant to the request of  
8. Senator Netsch, we will provide dinner tomorrow evening  
9. but, I would now move that we...Senate stand adjourned until  
10. tomorrow at 12:00 o'clock noon.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Hynes, the Secretary informs me that  
13. we began with 587 bills this morning on 2nd and 3rd  
14. reading. We disposed of 43 and that means that we have  
15. got to average a little more than 75 per day in the  
16. remaining eight days. So, we will have longer Sessions.  
17. Senator Hynes moves that we stand adjourned until  
18. 12:00 o'clock noon tomorrow. All in favor say  
19. Aye. All opposed Nay. The Ayes have it. Stand  
20. adjourned until 12:00 o'clock noon.

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