

80TH GENERAL ASSEMBLY

REGULAR SESSION

MAY 23, 1977

1. PRESIDENT:

2. The hour of one o'clock having arrived, the Senate will
3. please come to order. Prayer will be by Monsignor John J.
4. McGrath of St. Agnes Church of Springfield. Will our guests
5. in the galleries please rise.

6. MONSIGNOR JOHN J. MCGRATH:

7. (Prayer by Monsignor McGrath)

8. PRESIDENT:

9. Reading of the Journal, Senator Leonard.

10. SENATOR LEONARD:

11. Mr. President, I move that reading and approval of
12. the Journals of Tuesday, May 10th, Wednesday, May 11th,
13. Thursday, May 12th, Friday, May 13th, Monday, May 16th,
14. Tuesday, May 17th, Wednesday, May 18th, Thursday, May 19th
15. and Friday, May 20th in the year 1977, be postponed pending
16. arrival of the printed Journal.

17. PRESIDENT:

18. You have heard the motion by Senator Leonard. Is
19. there any discussion? If not, all those in favor of the
20. motion, signify by saying Aye. Opposed. The Ayes have it.
21. The motion carries. So ordered. Committee Reports.

22. SECRETARY:

23. Senator Knuppel, Chairman of the Committee on Agriculture,
24. Conservation and Energy, reports out the following House Bills:
25. House Bill 131, 206, 222, 312, 584, 785 and 1589 with the
26. recommendation Do Pass; House Bill 358 with the recommendation
27. Do Not Pass; House Bill 281 with the recommendation Do Not
28. Pass as Amended.

29. Senator Vadalabene, Chairman of the Committee of Ex-
30. ecutive Appointments and Administration, reports out the
31. following House Bills: House Bill 1129, 1130, 1131, 1132, 1133,
32. 1134, 1135, 1136, 1137, 1138, 1139, 1141, 1142, 1143, 1146,
33. 1147, 1149, 1150, 1151, 1153, 1154, 1155, 1158, 1159, 1160,

1. 1161, 1162, 1163, 1164 and 1168 with the recommendation

2. Do Pass.

3. PRESIDENT:

4. Any members having bills on...on the Order of 2nd
5. reading that they wish to advance, please notify the Secretary,
6. and the same is true with respect to any bill...Senate
7. Bill on 3rd reading that a member wishes to bring back to
8. 2nd reading for amendment.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senate Bills on 2nd reading. Will the members...will
11. the members please be in their chairs. Senate Bill 14,
12. Senator Davidson. Senate Bill 80, Senator Regner. Senate
13. Bill 81. Senate Bill 89, Senator Buzbee. Senate Bill
14. 165, Senator Sangmeister-Rock. Senate Bills on 2nd. Senate
15. Bill 214, Senator Bowers. Senate Bill 215. Senate Bill
16. 233...oh, Senator Bowers.

17. SENATOR BOWERS:

18. Point of inquiry, Mr. President. Will...

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. You may inquire.

21. SENATOR BOWERS:

22. ...these...these are the bills that we agreed to hold
23. on 2nd until there was some agreement within the...

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. That...

26. SENATOR BOWERS:

27. ...within the committee.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. ...that...my record indicates that's correct.

30. SENATOR BOWERS:

31. Okay. Now, will there be any further 2nd readings
32. this week?

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

AB 635
2nd Reading

1. Oh, indeed.
2. SENATOR BOWERS:
3. Okay. Thank you, Mr. President.
4. PRESIDING OFFICER: (SENATOR DONNEWALD)
5. Senate Bill 233, Senator Clewis. Senate Bill 319,
6. Senator Harber Hall. Senate Bill 327, Senator Grotberg.
7. 327. Senate Bill 329, Senator Walsh. Senate Bill 385,
8. Senator Berman. Senate Bill 386, Senator Berman. Senate
9. Bill 487, Senator Don Moore. Senate Bill 489, Senator Bruce.
10. Senate Bill 495, Senator Sommer. 96. Senate Bill 556,
11. Senator Netsch. Senate Bill 628, Senator Sommer. Senate
12. Bill 635, Senator Rupp. Read the bill.
13. SECRETARY:
14. Senate Bill 635
15. (Secretary reads title of bill)
16. 2nd reading of the bill. No committee amendments. Amend-
17. ment No. 1 offered by Senator Rupp.
18. PRESIDING OFFICER: (SENATOR DONNEWALD)
19. Senator Rupp.
20. SENATOR RUPP:
21. Thank you, Mr. President. The first amendment just
22. changes and sets an effective date, and it takes place...
23. effect upon becoming law. That's...Amendment No. 1. I ask
24. for a favorable vote.
25. PRESIDING OFFICER: (SENATOR DONNEWALD)
26. Is there further discussion? The question is, shall
27. Amendment No...is this Amendment.No. 1? Amendment No. 1 to
28. Senate Bill 635 be adopted. Those in favor indicate by saying
29. Aye. Those opposed. The Ayes have it. Amendment No. 1 is
30. adopted. Are there further amendments?
31. SECRETARY:
32. Amendment No. 2 offered by Senator Rupp.
33. PRESIDING OFFICER: (SENATOR DONNEWALD)

SB 664
2nd Reading
5/23/77

1. Senator Rupp.

2. SENATOR RUPP:

3. Thank you, Mr. President. This is just a list of
4. typographical and typing changes, and I ask that they be
5. included and voted on favorably.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Is there further discussion? The question is, shall
8. Amendment No. 2 to Senate Bill 635 be adopted. Those in
9. favor indicate by saying Aye. Those opposed. The Ayes
10. have it. Amendment No. 2 is adopted. Are there further
11. amendments?

12. SECRETARY:

13. No further amendments.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. 3rd reading. Senate Bill 664, Senator Weaver. Read
16. the bill.

17. SECRETARY:

18. Senate Bill 664

19. (Secretary reads title of bill)

20. 2nd reading of the bill. No committee amendments. Amendment
21. No. 1 offered by Senator Weaver.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Weaver.

24. SENATOR WEAVER:

25. Thank you, Mr. President. Amendment No. 1 and Amendment
26. No. 2 are both amendments that I promised the Committee on
27. Transportation that I would work out with all interested people,
28. that being the motor carriers, the...the oil distributors
29. and the Department of Revenue, and so I would move the adoption
30. of Amendment No. 1.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Is there further discussion as to Amendment No. 1 to
33. Senate Bill 664? Those in favor of the adoption of Amendment

1. No. 1 to Senate Bill 664 indicate by saying Aye. Those
2. opposed. The Ayes have it. Amendment No. 1 is adopted.
3. SECRETARY:
4. Amendment No. 2 offered by Senator Weaver.
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. Senator Weaver.
7. SENATOR WEAVER:
8. I'd move the adoption, Sir.
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. Question is...is there further discussion as to
11. Amendment No. 2? Question is, shall Amendment No. 2 to
12. Senate Bill 664 be adopted. Those in favor indicate by saying
13. Aye. Those opposed. The Ayes have it. Amendment No. 2 is
14. adopted. Are there further amendments?
15. SECRETARY:
16. No further amendments.
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. 3rd reading. Senate Bill 708, Senator Sommer. Read the bill.
19. SECRETARY:
20. Senate Bill 708
21. (Secretary reads title of bill)
22. 2nd reading of the bill. The Committee on Revenue offers
23. one amendment.
24. PRESIDING OFFICER: (SENATOR DONNEWALD)
25. Senator Sommer.
26. SENATOR SOMMER:
27. If I could make an inquiry as what amendment is that?
28. Is that my amendment or committee amendment?
29. SECRETARY:
30. Committee Amendment No. 1. Revenue.
31. SENATOR SOMMER:
32. I'd move its adoption.
33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. The...Senator Netsch...Senator Netsch.
2. SECRETARY:
3. Senator Sommer, it carries the effective...
4. SENATOR NETSCH:
5. Would...would the sponsor explain...
6. SECRETARY:
7. ...date.
8. SENATOR NETSCH:
9. ...the amendment, please?
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. Senator Sommer.
12. SENATOR SOMMER:
13. It simply straightens out some numbers on the bill.
14. They amended the wrong paragraph. Is that satisfactory?
15. PRESIDING OFFICER: (SENATOR DONNEWALD)
16. Is there further discussion? The question is, shall
17. Amendment No. 1 to Senate Bill 708 be adopted. Those in
18. favor indicate by saying Aye. Those opposed. The Ayes
19. have it. Amendment No. 1 is adopted. Are there further
20. amendments?
21. SECRETARY:
22. No further committee amendments.
23. PRESIDING OFFICER: (SENATOR DONNEWALD)
24. Are there amendments from the Floor?
25. SECRETARY:
26. Amendment No. 2 offered by Senator Sommer.
27. PRESIDING OFFICER: (SENATOR DONNEWALD)
28. Senator Sommer.
29. SENATOR SOMMER:
30. This amendment simply changes a word that was in error.
31. PRESIDING OFFICER: (SENATOR DONNEWALD)
32. Is there further discussion? Question is, shall Amend-
33. ment No. 2 to Senate Bill 708 be adopted. Those in favor

1. indicate by saying Aye. Those opposed Nay. The Ayes have
2. it. Amendment No. 2 is adopted. Are there further amendments?

3. SECRETARY:

4. No further amendments.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. 3rd reading. Senate Bill 786, Senator Davidson.

7. Senate Bill 797, Senator Newhouse. Senate Bill 810, Senator

8. Lemke. Senate Bill 810. Senate Bill 813, Senator...oop,

9. that's hold. Senate Bill 830, Senator Bruce. Senate Bill

10. 851, Senator Bloom. Read the bill.

11. SECRETARY:

12. Senate Bill 851

13. (Secretary reads title of bill)

14. 2nd reading of the bill. The Committee on Transportation

15. offers one amendment.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Bloom.

18. SENATOR BLOOM:

19. Thank you. The amendment clarifies the language on
20. page 3 by saying, beginning as soon after the effective date.

21. You will transfer 1.2 million to the Local Bridge Fund and

22. makes it in conformity with Division 9 of Article 6 of the

23. Highway Code.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Is there further discussion? Question is, shall Amend-

26. ment No. 1 to Senate Bill 851 be adopted. Those in favor

27. indicate by saying Aye. Those opposed. The Ayes have it.

28. Amendment No. 1 is adopted. Amendment No. 2.

29. SECRETARY:

30. No...no further committtee amendments.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Amendments from the Floor? My records indicate there

33. would be one Floor amendment. Yes, Senator Bloom.

1. SENATOR BLOOM:

2. If...if there is, I'd be willing to be bring it back
3. from 3rd.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. All right. With that understanding, we'll advance...
6. Amendment No. 2 is an Enrolling and...

7. SECRETARY:

8. Senator Bloom, it's an Enrolling...

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. ...Enrolling and Engrossing Amendment. A technical...a
11. technical amendment, and if you wish, you may look at it.

12. Yes. Senator Bloom.

13. SENATOR BLOOM:

14. Could...could we advance it to 3rd because we got another
15. one of those on another bill that I took out of the record,
16. and it turned out that the amendment had clarified the error.
17. I'll...I'll bring it back if you say so.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. All right, with that understanding, Amendment No. 851...
20. I mean Senate Bill No. 851 is advanced to the Order of 3rd
21. reading. Senate Bill 852. Senate Bill 852, Senator Bloom.
22. Read the bill.

23. SECRETARY:

24. Senate Bill 852

25. (Secretary reads title of bill)

26. 2nd reading of the bill. The Committee on Transportation
27. offers one amendment.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Bloom.

30. SENATOR BLOOM:

31. Thank you. This is technical. It amends it by deleting
32. out line 6x and then deleting the references on page 2 to
33. line 6x.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Is there further discussion? 3rd reading. Just a moment.

3. The question is, shall Amendment No. 1...Amendment No. 1 to

4. Senate Bill 852 be adopted. Those in favor indicate by

5. saying Aye. Those opposed Nay. The Ayes have it.

6. Amendment No. 1 is adopted. Are there further amendments?

7. SECRETARY:

8. No further committee amendments.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Are there amendments from the Floor? 3rd reading.

11. Senate Bill 853, Senator Bloom. Read the bill.

12. SECRETARY:

13. Senate Bill 853

14. (Secretary reads title of bill)

15. 2nd reading of the bill. The Committee on Transportation

16. offers one amendment.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Bloom.

19. SENATOR BLOOM:

20. Okay. This is also is a combination of clearing up,

21. I think, technical errors, and further specificity of

22. language. It clarifies Section 6-901 saying, as soon,

23. thereafter, the first day of each month, the monies re-

24. ferred to in 851 are transferred and then specifying its

25. use in the construction of bridges twenty feet or more in

26. length in terms of Section 8 of the Motor Fuel Tax Law.

27. I move its adoption.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Is there further discussion? Question is, shall Amend-

30. ment No. 1 to Senate Bill 853 be adopted. Those in favor

31. indicate by saying Aye. Those opposed Nay. The Ayes have

32. it. Amendment No. 1 is adopted. Are there further amendments?

33. SECRETARY:

1. No further committee amendments.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Are there amendments from the Floor? 3rd reading.

4. Senate Bill 883, Senator Demuzio. Senate Bill 873, Senator

5. Chew. I'm sorry, Senate Bill 973. Read the bill.

6. SECRETARY:

7. Senate Bill 973

8. (Secretary reads title of bill)

9. 2nd reading of the bill. Amendment...no...no committee

10. amendments. One...

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Are there amendments from the Floor?

13. SECRETARY:

14. ...Amendment No. 1 offered by Senator Mitchler.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Mitchler. Senator Mitchler. Just...just a

17. moment. The...the principal sponsor indicates, Senator

18. Mitchler, that he wishes to take the bill from the record,

19. and it will...that will be done. Take it from the record.

20. Senate Bill 997, Senator Egan. Senate Bill 1000, Senator

21. Rock. Senate Bill 1011, Senator Knuppel. Senate Bill 1014,

22. Senator Lane. Senate Bill 1019, Senate...Senator Lane...

23. Senator Lane, do you wish to call 1015? Senate Bill 1058,

24. Senator Berman. Senate Bill 1060, Senator Berman. Senate

25. Bill 1116, Senator Mitchler. Senate Bill 1309, Senator

26. Regner. Read the bill.

27. SECRETARY:

28. Senate Bill 1309

29. (Secretary reads title of bill)

30. 2nd reading of the bill. The Committee on Executive offers

31. one amendment.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Regner.

1. SENATOR REGNER:

2. Mr. President and members of the Senate, this bill with
3. the amendment that goes on actually strikes everything after
4. the enacting clause, and it provides for indemnification of
5. State employees with the motor vehicle liability. I'd like
6. to put this amendment on, move the bill to 3rd reading,
7. and then I'll hold it on 3rd reading until we have agreement
8. with either this bill or 1356 which is Senator Shapiro's
9. and we'll hold it till that time, so I'd move the adoption
10. of Amendment No. 1 to Senate Bill 1309.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Well, just a moment. My records indicate that you were to...to
13. Table Amendment No. 1. Senator Hynes.

14. SENATOR HYNES:

15. Senator, this...this is a total rewriting of the bill,
16. is it not? We have not seen the amendment, and it is a
17. fairly complicated one. Could we just hold that and have
18. a chance to examine the amendment first before it's adopted.
19. Take...

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. ...Take it...

22. SENATOR HYNES:

23. ...it out of the record.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. ...Take it from the record. Senator Regner.

26. SENATOR REGNER:

27. Senator Hynes, this was a committee amendment. It was
28. put on in committee, so it has been available, and like I
29. said, I'd like to move it to 3rd and will bring it back for
30. any corrections or anything like that. I'm not going to
31. move it until we have total agreement on both sides and
32. with the Governor's Office and the Attorney General's Office.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Hynes.

2. SENATOR HYNES:

3. Well, you wish to Table the committee amendment, is that
4. it? You want to adopt the committee amendment, move it to
5. 3rd without any other amendment, and then you will bring
6. it back.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. All right, the...the question is...we will consider
9. Senate Bill 1309. As to Amendment No. 1, Senator Regner
10. moves the adoption of Amendment No. 1 to Senate Bill 1309.
11. Those in favor indicate by saying Aye. Those opposed.
12. The Ayes have it. Amendment No. 1 is adopted. Are there
13. further amendments?

14. SECRETARY:

15. No further committee amendments.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Are there amendments from the Floor? 3rd reading.
18. Senate Bill 1312, Senator Egan. Senate Bill 1317, Senator
19. Philip. Senate Bill 1327, Senator Shapiro. Now, there
20. are several members that have requested that certain bills
21. be brought back from the Order of 3rd reading to the
22. Order of 2nd reading for the purposes of amendment. If you
23. would be so kind as to come up to the Secretary's Desk and
24. indicate to him the number of those bills, we will do that in
25. that proper numerical sequence. All right, on the Order of
26. Senate Bills on 3rd reading, as to Senate Bill 277. Senator
27. Vadalabene, your request is to move Senate Bill 277 to the...
28. back to the order...just a moment. Senator Vadalabene.

29. SENATOR VADALABENE:

30. Yes, that one is House Bill 277 and the other one is
31. Senate Bill...

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. No. Now, we're...we're only on Senate Bills, Senator.

1. SENATOR VADALABENE:
2. I'll wait. Now...now, the President said that that
3. would be on recall also. And I...
4. PRESIDING OFFICER: (SENATOR DONNEWALD)
5. Well, we'll...
6. SENATOR VADALABENE:
7. ...was only taking his word.
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. ...we'll take the House Bills after the Senate...
10. SENATOR VADALABENE:
11. All right.
12. PRESIDING OFFICER: (SENATOR DONNEWALD)
13. ...In this Chamber, the Senate is first.
14. SENATOR VADALABENE:
15. Senate Bill 1131.
16. PRESIDING OFFICER: (SENATOR DONNEWALD)
17. We're...we...we're going to go in numerical order.
18. Senator Carroll as to Senate Bill 433 and also 521. Senate
19. Bill 433. Senator Carroll asks leave to return to the Order
20. of 2nd reading for the purpose of amendment. Leave is
21. granted. Senator Carroll.
22. SENATOR CARROLL:
23. Thank you, Mr. President. On the Secretary's Desk,
24. there is an...an amendment which would be Amendment No. 2.
25. On page 2, lines 23 and 24? Thank you. I would move the
26. adoption of Amendment No. 2 to Senate Bill 433. This amend-
27. ment was at the request of the Republican side of the aisle,
28. certain staff members, after apparently talking to R & E
29. to set up the fact that this advisory committee to oversee
30. the work of the paramedics in hospitals would not be more
31. than twenty people and seven of which would be one from each
32. of the seven hospitals who would be using these physician's
33. assistants in their facilities, and I would, thereby, move the

1. adoption of Amendment No. 2.
2. PRESIDING OFFICER: (SENATOR DONNEWALD)
3. Is there further discussion? Senator Rhoads.
4. SENATOR RHOADS:
5. Senator Carroll, did you say this amendment came from
6. the Republican staff?
7. SENATOR CARROLL:
8. Yes.
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. Senator Carroll.
11. SENATOR CARROLL:
12. Came from your side of the aisle, brought to me by a
13. staff person who had suggested it. I don't know what member
14. had requested him so to do.
15. PRESIDING OFFICER: (SENATOR DONNEWALD)
16. Senator Rhoads.
17. SENATOR RHOADS:
18. Does the amendment have anything to do with the employ-
19. ment of PA's by a hospital?
20. SENATOR CARROLL:
21. No, it does not.
22. PRESIDING OFFICER: (SENATOR DONNEWALD)
23. Senator Carroll.
24. SENATOR CARROLL:
25. It deals only with that advisory committee that was
26. created under the last amendment to the bill at the suggestion
27. of R & E being a committee of professionals in the field to
28. work with R & E on any problems that may arise in relation-
29. ship to effectuating the purposes of the Act. There was no
30. number placed, and we put a maximum number on that and indicated
31. to R & E that at least part of the membership of that and
32. provided that it would be about a third of the membership
33. would be those who represent the participating hospitals.

BB 521
Recall
5/23/77

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Rhoads.

3. SENATOR RHOADS:

4. Well, just one final question. Our Minority spokesman
5. does not appear to be on the Floor, so if you could make
6. sure that we get a copy of the amendment.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Glass.

9. SENATOR GLASS:

10. Mr. President, to clarify things for Mr. Rhoads, I did
11. ask Senator Carroll to...to put that amendment on, and we will
12. see that copies are distributed. I think...I think it is a
13. good amendment as...as he has explained. It requires that the
14. advisory commission be comprised of people representing
15. the seven selected hospitals, so we'll be sure you get a copy.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Is there further discussion? Senator Carroll.

18. SENATOR CARROLL:

19. Thank you, Mr. President. In closing, I would just say,
20. I agree with Senator Glass that his amendment is a good
21. amendment and that his side of the aisle which handed me the
22. original amendment has copies available to the Republican
23. membership. I would move adoption.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Is there further discussion? Question is, shall Amend-
26. ment No. 2 to Senate Bill 433 be adopted. Those in favor
27. indicate by saying Aye. Those opposed. The Ayes have it.
28. The amendment is adopted. Are there further amendments?

29. SECRETARY:

30. No further amendments.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. 3rd reading. Senate Bill 521, Senator Glass. Do we have
33. leave to return to the Order of 2nd reading for the purpose of

1. amendment? Leave is granted. Senator Glass.

2. SENATOR GLASS:

3. Thank you, Mr. President and Ladies and Gentlemen of
4. the Senate. Sam Wolfe of the Secretary of State's Office
5. asked if I would attach this amendment to Senate Bill 521.
6. The Secretary of State's Office has found that there's a
7. conflict between Federal and State regulations on what color
8. of reflectors are required on bicycles, and the Federal
9. law apparently requires colorless or red on rear where as
10. the State law provides red only, and he requested this
11. amendment to bring the two into conformity. So, I would
12. move its adoption.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Is there further discussion? Question is, shall
15. Amendment No. 3 to Senate Bill 521 be adopted. Those in favor indicate
16. by saying Aye. Those opposed. The Ayes have it. Amendment
17. No. 3 is adopted. Are there further amendments?

18. SECRETARY:

19. No further amendments.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. 3rd reading. Senate Bill 892. Senator Nimrod.
22. Senate Bill 892, Senator...do we have leave to return to the
23. Order of 2nd reading for the purpose of amendment as to Senate
24. Bill 892? Leave is granted. Senator Nimrod.

25. SENATOR NIMROD:

26. Yes, Mr. President and fellow Senators, this amendment is
27. after agreement with the Association for the Blind and the
28. realty board...the Illinois Realty Board. They had a meeting
29. and these were the changes that they had recommended which
30. brings in...in agreement as has been agreed to at committee
31. hearings. And we are providing for both identifications for
32. the tactile for the raised letters, numeral letters and
33. for braille markings and limiting it to one elevator in the bank.

1. And I would ask for the...the adoption of this amendment.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Is there further discussion? The question is, shall
4. Amendment No. 1 to Senate Bill 892 be adopted. Those in
5. favor indicate by saying Aye. Those opposed. The Ayes
6. have it. Amendment No. 1 is adopted. Are there further
7. amendments?

8. SECRETARY:

9. No further amendments.

10. (the following typed previously)

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1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Are there...3rd reading. Senate Bill 894, Senator
3. Weaver. Do we have leave to return to the Order of 2nd
4. reading for the purposes of an amendment? Leave is granted.
5. Senator Weaver.
6. SENATOR WEAVER:

7. Thank you, Mr. President. Amendment No. 1 to Senate
8. Bill 894 is an attempt to answer the veto message of Governor
9. Walker. It was drafted by the Reference Bureau and I would
10. move its adoption.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Is there further discussion? The question is shall
13. Amendment No. 1 to Senate Bill 894 be adopted. Those in
14. favor indicate by saying Aye. Those opposed. The Ayes
15. have it. Amendment No. 1 is adopted. Are there further
16. amendments?

17. SECRETARY:

18. No further amendments.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. 3rd reading. Senate Bill 1051, Senator Rock. Do we
21. have leave to return to the Order of 2nd reading for the
22. purpose of amendment? Leave is granted. Senator Rock.

23. SENATOR ROCK:

24. Thank you, Mr. President. I have alerted the Chairman
25. of the Committee on Finance and the Minority spokesman.
26. This is Amendment No. 4 to Senate Bill 1051. This as you
27. well know is the Branch Banking Bill. After long discussion
28. with the Reference Bureau, it was decided that the better
29. way to handle this since it has undergone three amendments so
30. far would be to move to reconsider the vote by which Amend-
31. ments 1, 2 and 3 were adopted, Table those amendments, and
32. have a clean Amendment No. 4. I will explain, Mr. President
33. and...and colleagues before I make such a motion. That what

1. Amendment No. 4 does is incorporate those changes which were
2. made by virtue of Amendments 1, 2 and 3 with the single sole
3. exception of the so-called incentive program. That, as you
4. will recall, would...would have set up certain designated
5. communities within the City of Chicago as a Chicago special
6. service area, and would have secondly allowed the Commissioner
7. of Banks to designate certain areas downstate as special
8. service areas for the purpose of creating an incentive, so
9. that those who wish to have more branches than are allowed,
10. which are 1, 1, and 2, would be able to have more branches
11. if, in fact, they went along with the incentive program.
12. It has come to my attention that the incentive program in the
13. opinion of those it was intended to benefit, in their
14. judgment, it would be counter productive, and I have
15. agreed to withdraw that program at this time. So, I would
16. ask, Mr. President, and Ladies and Gentlemen of the Senate,
17. ...I'd be happy to respond to any questions, but I do not
18. intend to call this bill at...today or it probably will not
19. be called until Thursday sometime. I have suggested and
20. ...and hopefully can confer with the President of the
21. Senate to...to set a special order of business and
22. special designated time so that we can consider this subject
23. matter, but I wish to get this amendment on so it can
24. printed and available to the membership. It does exactly
25. what I have said. It incorporates all those changes that
26. have been requested by certain members. It restricts the
27. downtown Chicago banks to the County of Cook only. It
28. raises the floor from twenty-five hundred to five thousand,
29. and...and...enumerates those eleven or twelve other technical
30. changes which I have made, deleting only the incentive...
31. so-called incentive program for branching in...in depressed
32. areas. I would, therefore, request, Mr. President and
33. Ladies and Gentlemen of the Senate, that the vote by which

1. Amendments 1, 2 and 3...or is 1 and 2? 1...well, let's...
2. let's...we...let's put Amendment No. 4 on the board. We're
3. considering 4 are we not?
4. PRESIDING OFFICER: (SENATOR DONNEWALD)
5. Well, the procedure...
6. SENATOR ROCK:
7. Yes...
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. ...would be to...to Table Amendments 1, 2 and 3.
10. SENATOR ROCK:
11. That is correct. That's what I wish to do. I wish
12. to reconsider the vote by which Amendments 1, 2 and 3 were
13. adopted for the purpose of Tabling those amendments and
14. adding on Amendment No. 4.
15. PRESIDING OFFICER: (SENATOR DONNEWALD)
16. Is there discussion? Senator Washington.
17. SENATOR WASHINGTON:
18. Will the sponsor yield to one question?
19. PRESIDING OFFICER: (SENATOR DONNEWALD)
20. Indicates he will.
21. SENATOR WASHINGTON:
22. Senator Rock, just to be absolutely clear, you are
23. deleting that aspect of Amendment 1 which provided for
24. bonus or incentive programs to so-called special areas.
25. Is that correct?
26. PRESIDING OFFICER: (SENATOR DONNEWALD)
27. Senator Rock.
28. SENATOR ROCK:
29. That is correct, and that is the purpose of Amendment
30. No. 4.
31. PRESIDING OFFICER: (SENATOR DONNEWALD)
32. Senator Washington.
33. SENATOR WASHINGTON:

1. Is there any aspect of the bonus or incentive program
2. left in Amendment No. 4 as you propose it?
3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. Senator Rock.
5. SENATOR ROCK:
6. There is not.
7. PRESIDING OFFICER: (SENATOR DONNEWALD)
8. Senator Netsch.
9. SENATOR NETSCH:
10. Senator Rock, would you yield for a question?
11. PRESIDING OFFICER: (SENATOR DONNEWALD)
12. Indicates he will.
13. SENATOR NETSCH:
14. Is it also true that there is nothing now in the bill
15. that puts any pressure at all on the large downtown Chicago
16. banks or any other banks for that matter to go into the
17. communities that are both underserved and have a lower than
18. average median income?
19. PRESIDING OFFICER: (SENATOR DONNEWALD)
20. Senator Rock.
21. SENATOR ROCK:
22. **That** is technically correct to this extent, that where-
23. ever they wish to go, they need the prior approval of the
24. Commissioner on Banks, and I am sure that the...the Commis-
25. sioner would look more favorably upon an application to go
26. into an underserved area than he would obviously for one
27. that, in his judgment, is adequately served or overserved,
28. but to answer your directly, no. I have deleted by Amendment
29. No. 4...will have deleted, the total...what I call incentive
30. program.
31. PRESIDING OFFICER: (SENATOR DONNEWALD)
32. Senator Netsch.
33. SENATOR NETSCH:

1. The...the terminology may present some difficulties.
2. I've...I...I recognize you have described it as an incentive
3. program, and I guess my inclination has been to describe it
4. perhaps as a...a heavy pressure program. In other words, the
5. ...the banks that want to branch were not going to be permitted
6. to branch unless they would agree also to branch in some
7. areas where given their druthers, they probably would not
8. branch, and that aspect of it..and I understand the circum-
9. stances which have led you to eliminate that aspect of it, but
10. that aspect of it now is completely gone from the bill, and
11. as I understand it now, there is nothing to compel a Chicago
12. downtown bank to go into any of these unserved neighborhoods.
13. If they want to now, they can jump right over the inter-city
14. and go straight out to the...the fringe, the more affluent
15. areas and even the suburbs so long as they stay within the
16. county limitation.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Rock.

19. SENATOR ROCK:

20. That is correct.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Is there further...Senator Hall...Senator Kenneth Hall.

23. SENATOR KENNETH HALL:

24. Would the sponsor yield to a question?

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. He indicates he will.

27. SENATOR KENNETH HALL:

28. Senator Rock, I was with you when this determination...
29. but I want to get in my...clear in my mind now that I have a
30. reverse situation, is this only applying to the County of
31. Cook? Is that right? I mean, what would happen for instance,
32. in...in cases where I am where there is no incentive and
33. these banks just move out and leave us without anything

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Rock.

3. SENATOR ROCK:

4. No, Senator Hall. As...as we discussed last Friday,
5. this amendment will take out the entire incentive program,
6. both that which was considered for the City of Chicago
7. and that which was considered for downstate which
8. would be your area. There is no longer under the pro-
9. visions of 1051 as amended by virtue of Amendment No. 4,
10. there would no longer be any incentive type program.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Is there further discussion? Senator Hall...Senator...
13. just a moment. Senator Hall is not finished. Senator
14. Kenneth Hall.

15. SENATOR KENNETH HALL:

16. Yes. I...I understand the dilemma you...you're in,
17. and I'm a strong supporter of branch banking but I'm just
18. wondering what...how does that leave me now that we're
19. downstate? What posture are we in right now? In other
20. words that the two banks that I have in largest city down
21. there, they could just move out and we couldn't have any
22. bank left in that area. Is that correct?

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Rock.

25. SENATOR ROCK:

26. Well, let me suggest to you that there is more a
27. possibility of that happening without the opportunity to
28. branch than with the opportunity to branch. Hopefully, the
29. opportunity to branch will allow banks in areas such as
30. yours to maintain their present location and also have a
31. branch by virtue of which hopefully they can either follow
32. their depositors or enhance their capital position. I...I
33. would think and...and I know as a matter-of-fact, a

1. community like yours would be better served with branching
2. than without it.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Kenneth Hall.

5. SENATOR KENNETH HALL:

6. Well, there's no doubt in...in that mind...but I just
7. wanted to be sure in my mind just what was happening with
8. this amendment. Thank you.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Chew.

11. SENATOR CHEW:

12. Mr. President, I didn't get the full impact of Senator
13. Rock's action, and I suppose I'd be better off to ask. I know we had
14. conversation, Senator, Friday. Would you be amenable to
15. bring me up to date as to what we're doing now, please?

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Well, we just discussed all of that when Senator Rock
18. arose, but Senator Rock will do it again. Senator Rock.

19. SENATOR ROCK:

20. Yes. Senator Chew...Senator Chew, Amendment No. 4
21. which I am offering will, in fact, directly reflect the
22. conversation that we had on Friday. It strips Senate Bill 1051
23. of any reference to an incentive program.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Chew.

26. SENATOR CHEW:

27. Yes, now, Senator Rock, I believe we discussed eliminat-
28. ing Amendment No. 1 and the bill would go back into its
29. original form. Now, does Amendment No. 4, in fact, do
30. that?

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Rock.

33. SENATOR ROCK:

1. Well, to be perfectly, technically correct, Amendment No...
2. I'm moving to reconsider the vote by which Amendments 1, 2
3. and 3 were adopted for the purpose of Tabling those amend-
4. ments, and it will, in fact...okay.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Is there further discussion? Senator Grotberg.

7. SENATOR GROTBORG:

8. Will the sponsor yield?

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Indicates he will...

11. SENATOR GROTBORG:

12. ...Senator Rock, this is not a political issue, so
13. I wondered if the minute you get this thing in the shape that
14. you want it in, will you put a fact sheet for all of us,
15. 'cause our phones are already starting to ring. Everybody
16. knows it's up this afternoon on 2nd, and my postage
17. account is running out. I'd save a lot if I had the facts
18. of the shape that it's going to go to 3rd in. Thank you.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Rock.

21. SENATOR ROCK:

22. Yes, I think that's...that's an excellent idea, and I
23. will provide that for every member, and I wish to...to again
24. emphasize that, hopefully, Amendment No. 4 having now or
25. shortly Tabling Amendments 1, 2 and 3 and putting Amendment
26. No. 4 on that can be printed and distributed and put in each
27. member's hand and I am going to request of the President
28. that we set a special order of business for, perhaps, Thursday
29. just...just to handle this one way or the other and get it
30. over with it.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Grotberg.

33. SENATOR GROTBORG:

1. And crucial to that would be telling us what the Act
2. is now and I'm just ahead of it. Thank you.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. All right, is there further discussion? The motion
5. will embrace the Tabling of Amendments 1, 2 and 3. Those
6. in favor of Tabling Amendments No. 1, 2, and 3 to Senate
7. Bill 1051 indicate by saying Aye. Those opposed. The
8. Ayes have it. Amendments No. 1, 2 and 3 are Tabled. The
9. question is now, shall Amendment No. 4 be adopted. Those
10. in favor indicate by saying Aye. Those opposed Nay. The
11. Ayes have it. Amendment No. 4 is adopted. Are there
12. further amendments?

13. SECRETARY:

14. No further amendments.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. ...3rd reading. Senate Bill 1131, Senator Vadalabene. Senate
17. Bill 1259, Senator Shapiro. Do we have leave to return to
18. the Order of 2nd reading for the purpose of amendment?
19. Leave is granted. Senator Shapiro.

20. SENATOR SHAPIRO:

21. Mr. President and Ladies and Gentlemen of the Senate,
22. I would like to move to Table Committee Amendment No. 1.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Is there further discussion? The...the motion is to
25. Table Amendment No. 1 to Senate Bill 1052. You have the
26. wrong number, Mr. Secretary. Senate Bill 1259. The question
27. is to Table Amendment No. 1 to Senate Bill 1259. Those
28. in favor indicate by saying Aye. Those opposed Nay. The
29. Ayes have it. Amendment No. 1 is Tabled. Are there further
30. amendments?

31. SECRETARY:

32. Amendment No. 2 offered by Senator Shapiro.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Shapiro.

2. SENATOR SHAPIRO:

3. Mr. President and Ladies and Gentlemen of the Senate,
4. Amendment No. 2 will change the salary of the Commissioner
5. of Banks and Trust Companies from thirty thousand to thirty-
6. nine thousand and will change the bimonthly payment to
7. monthly payment. I would urge its adoption.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Sommer.

10. SENATOR SOMMER:

11. Would the sponsor of the amendment indicate who
12. the commissioner of banks is and what salary we're proposing
13. for him?

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. I don't know that that's germane or german but Senator...
16. Senator Shapiro.

17. SENATOR SHAPIRO:

18. The commissioner designate is former Senator William
19. C. Harris, and we are...we're changing the salary from
20. thirty thousand to nine...thirty-nine thousand. This
21. salary has been in effect since 1971, and since this
22. position is one that is necessary to have Senate confirma-
23. tion, we are changing at this...changing it at this time,
24. because in order to raise the salaries of the deputy
25. commissioners, of which there are three, this one should be
26. raised, and in my opinion, it should be raised.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Sommer.

29. SENATOR SOMMER:

30. Was it true or not true that the current incumbent
31. deputy or appointed...whatever he is, acting commissioner,
32. is drawing a twenty-four thousand dollars a year State pension
33. right now, and we're adding to his salary thirty-nine?

1. We're going to thirty-nine thousand. That's about sixty
2. thousand dollars total.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. Senator Shapiro.

5. SENATOR SHAPIRO:
6. Well, Senator, I do presume that he is drawing his
7. pension.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. Is there further discussion? Senator Rhoads.

10. SENATOR RHOADS:
11. Question of the sponsor. Is this in the budget?

12. PRESIDING OFFICER: (SENATOR DONNEWALD)
13. Senator Shapiro.

14. SENATOR SHAPIRO:
15. Senator, I would assume that it is. This does have the
16. approval of the Governor.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. Is there further discussion? Senator Rhoads.

19. SENATOR RHOADS:
20. Well, I reluctantly oppose this one. Would request
21. a roll call.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)
23. Senator Bloom. Is there further discussion? Are
24. you...Senator Rhoads, are you joined by more than...by
25. three other...two other? He is. The question is, shall
26. Senate Amendment No. 2 to Senate Bill 1259 be adopted.
27. Those in favor will vote Aye. Those in...those opposed will
28. vote Nay. The voting is open. Have all those voted who
29. wish? Take the record. On that question, the Ayes are 31,
30. the Nays are 5, none Voting Present. Amendment No. 2 to
31. Senate Bill 1259 is adopted. Are there further amendments?

32. SECRETARY:
33. Amendment No. 3 offered by Senator Shapiro.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator Shapiro.
3. SENATOR SHAPIRO:
4. Mr. President and Ladies and Gentlemen of the Senate,
5. Amendment No. 3 will raise the salary of the first deputy
6. commissioner to thirty-seven thousand dollars, and for the
7. other two deputy commissioners, to thirty-five thousand.
8. I would urge its adoption.
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. Is there further discussion? Question is, shall
11. Amendment No. 3 to Senate Bill 1259 be adopted. Those in
12. favor indicate by saying Aye. Just a moment. Senator
13. Bloom, for what purpose do you arise?
14. SENATOR BLOOM:
15. Question.
16. PRESIDING OFFICER: (SENATOR DONNEWALD)
17. State your question.
18. SENATOR BLOOM:
19. Senator, you stated that the Governor has approved of
20. raising the Commissioner's salary to thirty-nine thousand.
21. Are we to understand that the Governor has given his approval
22. to these salary raises, and if so, a - are they in the
23. budget, and was this approval given in written or verbally,
24. and if verbally, to whom?
25. PRESIDING OFFICER: (SENATOR DONNEWALD)
26. Senator Shapiro.
27. SENATOR SHAPIRO:
28. Senator, ...these salary increases were...do have the
29. approval of the Governor. They were given to me verbally,
30. and in a case of the deputy commissioners, these are career
31. employees of the department. They have not had a salary
32. increase since 1971. They are people who have spent
33. practically their entire adult lives in the department and

1. they are advised and consented to by the Senate, and the
2. salary increases should be approved.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Is there further discussion? ...is there...Senator
5. Harber Hall.

6. SENATOR HARBER HALL:

7. Would you inform me if one of these deputy commissioners
8. was a former director or a commissioner appointed politically?

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Shapiro. Just a moment. Senator Hall.

11. SENATOR HARBER HALL:

12. You...you made the statement that these are career
13. employees and I would suggest that at least one of them is
14. not. He was politically appointed, has been involved in
15. politics, and in my view point, he was erroneously indicated
16. for a large raise on the basis that he was career, and I
17. don't believe that...that...I don't believe he is a career
18. employee of that department.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Shapiro.

21. SENATOR SHAPIRO:

22. Senator, if I...I...I did not have that information, and
23. if you say so, and...and know then I stand corrected, however,
24. these particular jobs, there are three of them, the first
25. deputy commissioner and two other ones. Their salaries are
26. fixed by Statute and they do need to be advised and consented
27. to by the Senate. It is my understanding that these three
28. have been in the department for a good number of years.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Is there further discussion? Question is...now, I...if
31. my ears don't deceive me, I believe that there was a request
32. for a roll call or am I incorrect? Question is, shall
33. Amendment No. 3 be adopted to Senate Bill 1259. Those in

1. favor vote Aye. Those opposed No. The voting is open.
2. Have all those voted wish? Take the record. On that question,
3. the Ayes are 26, the Nays are 7, 3 Voting Present. Senate
4. Bill...I mean Amendment No. 3 to Senate Bill 1259 having
5. received a majority of those voting is adopted. Senator
6. Netsch, for what purpose do you arise?

7. SENATOR NETSCH:.

8. For the sake of consistency. I tried to vote No, and
9. someone had put a paper clip in my Yes button, since I voted
10. No on the first amendment. It was my attention to...to
11. vote No here, and I would say to whoever did it, I would
12. appreciate it if you would not put a paper clip on my button,
13. so that I cannot change my...or cannot direct my own vote.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. That will be transmitted to the offender and your
16. vote will be recorded electronically. Are there further
17. amendments to...

18. SECRETARY:

19. Amendment No...

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. ...Senate...Senate Bill 1259. Amendment No. 4...

22. SECRETARY:

23. ...4...offered by Senator Shapiro.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Shapiro.

26. SENATOR SHAPIRO:

27. Mr. President and Ladies and Gentlemen of the Senate,
28. Amendment No. 4 will make the terms of the offices just
29. described effective in October of 1977 for a period of five
30. years. I would urge its adoption.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Is there further discussion? Question is, shall
33. Amendment No. 4...Senator Bloom.

1. SENATOR BLOOM:

2. You mean the Commissioner's term now is five years?

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Shapiro.

5. SENATOR SHAPIRO:

6. That is correct and that is the existing language in
7. the present Act.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Is there further discussion? Question is, shall
10. Amendment No. 4 to Senate Bill 1259 be adopted. Those in
11. favor indicate by saying Aye. Those opposed. The Ayes have
12. it. Amendment No. 4 is adopted. Are there further
13. amendments?

14. SECRETARY:

15. No further amendments.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. 3rd reading. Senator Mitchler, for what purpose do
18. you arise?

19. SENATOR MITCHLER:

20. Mr. President, on Amendment No. 1 I was not clear on
21. the total amendment, and I...I was going to hit a Present
22. button, and then I shifted over to a Yes, but I would like
23. to have been recorded No on Amendment No. 1.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. The record will so show. Senate Bill 740, Senator
26. Knuppel. Senator Knuppel asks leave to return to the
27. Order of 2nd reading for the purpose of amendment. Do we
28. have leave? Leave is granted. Senator Knuppel.

29. SENATOR KNUPPEL:

30. I believe there's amendment that was put on this in
31. committee. Is that correct? Has one committee amendment?
32. And I'd like at this time to...leave to reconsider the vote by
33. which that amendment was adopted, so that I can Table it and

1. adopt a different amendment that's been suggested by the
2. staff of the Republican side. They would prefer to have it
3. done a different way and it accomplishes the same purpose.
4. I would move...

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Is there...is there further discussion? Question is,
7. shall Amendment No. 1 to Senate Bill 740 be adopted?
8. Just a moment. All right, the...I'm sorry, the question is,
9. shall Amendment No. 1 to Senate Bill 740 be Tabled. Those
10. in favor indicate by saying Aye. Those opposed Nay. The
11. Ayes have it. Amendment No. 1 to Senate Bill 740 is Tabled.

12. SECRETARY:

13. Amendment No. 2 offered by Senator Knuppel.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Knuppel.

16. SENATOR KNUPPEL:

17. Move the adoption of Amendment No. 2. It does exactly
18. the same thing in a different way.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Is there further debate? The question is, shall
21. Amendment No. 2 to Senate Bill 740 be adopted. Those in
22. favor indicate by saying Aye. Those opposed. The Ayes have
23. it. Amendment No. 2 is adopted. Are there further amendments?

24. SECRETARY:

25. No further amendments.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. 3rd reading. Senate Bill 850, Senator Bloom. Senator
28. Bloom requests that the bill number 850 be returned to the
29. Order of 2nd reading for the purposes of amendment. Do we
30. have leave? Leave is granted. Senator Bloom.

31. SENATOR BLOOM:

32. Thank you, Mr. President. This was the bill that was
33. up last week and it was pointed out by Senator Rock

1. that Amendment No. 2 substantially altered the bill and
2. did some violence to the tax collection system all over
3. the State as opposed to the...the way the bill was.
4. There are two amendments on there. Are there not, Mr.
5. Secretary? Or...
6. SECRETARY:
7. One...one...
8. SENATOR BLOOM:
9. ...okay...
10. SECRETARY:
11. ...amendment that's been adopted...
12. SENATOR BLOOM:
13. ...it was Amendment No. 1. I stand corrected and that
14. it is the one that provided protest procedures all over
15. the State. Be a nice way to force people to assess lower,
16. but I'd move that it be Tabled.
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. You wish to Table Amendment No. 1 to Senate...
19. SENATOR BLOOM:
20. Right...
21. PRESIDING OFFICER: (SENATOR DONNEWALD)
22. ...Bill 850...
23. SENATOR BLOOM:
24. ...it substantially alerted with the bill.
25. PRESIDING OFFICER: (SENATOR DONNEWALD)
26. All those in favor indicate by saying Aye. Those
27. opposed Nay. The Ayes have it. Amendment No. 1 to Senate
28. Bill 850 is Tabled. Amendment No...are there further amendments?
29. SECRETARY:
30. No further amendments.
31. PRESIDING OFFICER: (SENATOR DONNEWALD)
32. 3rd reading. Senate Bill 1131, Senator Vadalabene.
33. Do we have leave to return to the Order of 2nd reading for

1. the purposes of amendment? Leave is granted. Senator
2. Vadalabene.

3. SENATOR VADALABENE:

4. Yes, thank you, Mr. President and members of the Senate.
5. Amendment No. 1 to Senate Bill 1131 inserts after the
6. word "banks" the following "for deposit with the State
7. Treasurer." This has been worked out with the State
8. Treasurer and the Secretary of State by the Republican
9. side of the aisle and I move for the adoption of Amendment
10. No. 1 to Senate Bill 1131.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Is there further discussion? I'm sorry, this is
13. Amendment No. 2. Is there further discussion? Question is,
14. shall Amendment No. 2 to Senate Bill 1131 be adopted.
15. Those in favor indicate by saying Aye. Those opposed Nay.
16. The Ayes have it. Amendment No. 2 is adopted. Are there
17. further amendments?

18. SECRETARY:

19. No further amendments.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. 3rd reading. Senate Bills on 3rd reading. Members of
22. the Senate, we will proceed to page 15 and start with Senate Bill 961
23. Senator Guidice. Senate Bill 965, Senator Carroll. Senate
24. Bill...you wish to call the bill, Senator? Do you wish to
25. call the bill, Senator Carroll? Senate Bill 966, Senator
26. Lemke. Senate Bill 967, Senator Lemke. Senate Bill 968,
27. Senator Lane-Hynes. Senate Bill 975, Senator Vadalabene.
28. Senator Vadalabene, do you wish to call the bill? Read the bill, Mr.
29. Secretary.

30. SECRETARY:

31. Senate Bill 975

32. (Secretary begins to read title)

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Just a moment. He indicates he wishes to hold the
2. bill. Take it from the record. Senate Bill 978, Senator
3. Savickas. Senate Bill 979. Senate Bill 980, Senator
4. Lemke. Senate Bill 981, Senator Hickey. Senate Bill 982,
5. Senator Hickey. Senate Bill 983, Senator Hickey. Senate
6. Bill 993, Senator Newhouse. Senate Bill 994, Senator
7. Wooten. Senate Bill 998, Senator Kosinski. Senate Bill
8. 1002, Senator Netsch.

9. (end of reel)

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1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator...Senate Bill 100...Senate Bill 1007,
3. Senator Knuppel. Senate Bill 1009, Senator Knuppel.
4. Senate Bill 1023, Senator Egan. Senate Bill 1025,
5. Senator Egan. Do you wish to call Senate Bill 1025,
6. Senator Egan? Senate Bill 1027, Senator Egan. 1028.
7. 1029. Senate Bill 1031, Senator Kenneth Hall.
8. Senate Bill 1033, Senator Hickey. Read the bill,
9. Mr. Secretary.
10. SECRETARY:
11. Senate...Senate Bill 1033.
12. (Secretary reads title of bill)
13. 3rd reading of the bill.
14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. Senator Hickey.
16. SENATOR HICKEY:
17. Mr. President and fellow Senators.
18. PRESIDING OFFICER: (SENATOR DONNEWALD)
19. May we have order? Proceed.
20. SENATOR HICKEY:
21. This bill would simply allow someone to make a gift
22. of land to a forest preserve district which does not
23. lie in the district. It would be only subject to the
24. approval of the county board of the county and of any
25. forest preserve district or conservation district within
26. which the property is located. I might add, this is not
27. just a hypothetical case, but there is somebody who wants
28. to give some land and we need this to permit them to do
29. so. I'd be glad to answer any questions.
30. PRESIDING OFFICER: (SENATOR DONNEWALD)
31. Is there further discussion? Senator Graham.
32. SENATOR GRAHAM:
33. Yes, Mr. President. Senator Hickey, did you say that

1. this land proposed to be given would be within the boundaries
2. of the existing district?

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Hickey.

5. SENATOR HICKEY:

6. No, Senator Graham. That's the change. It would allow
7. them to give land which is not within the district
8. but it would...could only be done with the approval of the
9. county board of...or of any forest preserve or conservation
10. district in which that land were located.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Graham.

13. SENATOR GRAHAM:

14. I...I understand what you're trying to do, Senator
15. Hickey. What about districts being contiguous and
16. adjacent to. Now, suppose this...this land proposed gift
17. is five or six miles from the existing district, what
18. do we do about service for that?

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Hickey.

21. SENATOR HICKEY:

22. Senator Graham, that would be up to the...the people
23. who made the decision that they wanted the gift.
24. However, we could add if you would like, we could add
25. a provision which would say that this would be
26. contiguous. In the instance which...with which I am
27. concerned, it is contiguous to the forest preserve
28. district which would take care of it. But,...

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Graham.

31. SENATOR GRAHAM:

32. I have no great feeling, but it seems to me like it would
33. make good business sense, Senator Hickey, if it were contiguous

1. and if you want, to put it on in the House, I would
2. feel better about it.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. Senator Hickey.

5. SENATOR HICKEY:
6. All right. I'd be glad to put it on in the House
7. or I could take it back to 2nd. I have an amendment
8. drawn like that in case somebody wanted it.
9. We'll put it on in the House. All right, fine. I...

10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. Senator Grotberg.

12. SENATOR GROTBORG:
13. Will the Senator yield?

14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. She indicates she will yield.

16. SENATOR GROTBORG:
17. Did we clear up, Senator Hickey, the problem with...
18. this is by contribution only, now. No purchase, no
19. eminent domain threat. Only by device and gift, right?

20. PRESIDING OFFICER: (SENATOR DONNEWALD)
21. Senator Hickey.

22. SENATOR HICKEY:
23. Senator Grotberg, I did have that amendment
24. drawn as you suggested and as I showed to you, it is
25. now on the bill.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)
27. Is there further discussion? Senator Grotberg.

28. SENATOR GROTBORG:
29. Yes and I share and I think we talked about the problem
30. is...for instance, is the land you're talking about
31. within another district now or in undistricted area?

32. PRESIDING OFFICER: (SENATOR DONNEWALD)
33. Senator Hickey.

1. SENATOR HICKEY:

2. Senator Grotberg, it is not within another district
3. but I think that if it were contiguous, I think the
4. amendment which Senator Graham has suggested would take
5. care of that. If another district were formed, it could
6. simply go outside that...that...that is the boundary could
7. follow the outside of that newly acquired land of the
8. older district, and there would be no problem.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Berning.

11. SENATOR BERNING:

12. Thank you, Mr. President. Question to the sponsor.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. She indicates she will respond.

15. SENATOR BERNING:

16. I'm a bit concerned about a potential for law
17. enforcement. I'm assuming that property you are
18. mentioning to be acquired by one district outside of its
19. boundaries, very likely could fall in another county.
20. Have you given any thought whatsoever to the responsibility
21. for law enforcement or the ordinances of the forest
22. preserve district, assuming they apply in the next county?
23. And if the forest preserve district does not have rangers
24. of its own and is required to depend on the sheriff of the
25. other county, what prerogative does the sheriff have in
26. property that belongs to a...another governmental entity?

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Hickey.

29. SENATOR HICKEY:

30. Senator Berning, there are no provisions here for that.
31. However, I do know because of an investigation I made into
32. some other legislation this morning that many forest
33. preserve districts do overlap county lines. And so, I would

1. assume that there are provisions for that either in
2. Statutes or in intergovernmental relationships between
3. the two tax authorities.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Rock.

6. SENATOR ROCK:

7. Well, if I...if I...Mr. President, Ladies and
8. Gentlemen, if I can make a suggestion to the sponsor.
9. Many of these questions would, in fact, be answered
10. if you would pull it back and put that amendment
11. on, because when they do, in fact, overlap county to
12. county, there is an intergovernmental cooperation
13. agreement, but the land is contiguous and I think that
14. ...once you put that on, there's no problem at all.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Take it from the record. Is that...that would be...
17. just a moment. Senator Hickey, do you have the amendment
18. prepared?

19. SENATOR HICKEY:

20. Yes, I do.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Can you submit it to the Secretary?

23. SENATOR HICKEY:

24. Right. Right. Do you want...shall we do that right now?

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Please.

27. SENATOR HICKEY:

28. All right.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. While we're about it, you're the only 3rd reading bill we
31. have. Do we have leave to return to the Order of 2nd reading
32. as to Senate Bill 1033? Leave is granted. Senator...well, we'll
33. have to take it from the record, then. Senate Bill 1035, Senator
34. Hickey. Read the bill.

35. SECRETARY:

Senate Bill 1035.

1. (Secretary reads title of bill)
2. 3rd reading of the bill.
3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. Senator Hickey.
5. SENATOR HICKEY:
6. Mr. President and members of the Senate. Senate
7. Bill 1035 would enable the Illinois Educational Facilities
8. Authority to perform its tasks properly and effectively.
9. It would permit investments of bond proceeds and other
10. monies of the Authority to be expanded and it would
11. allow bond issues to be secured by collateral other than
12. the educational facility being financed. Be willing
13. to answer any questions in case anybody doesn't know
14. what the Educational Facilities Authority Act is or if
15. you would like the details of...of what is proposed,
16. I will tell you that this measure is supported by both
17. the Southwest Chicago Commission which has availed itself
18. of...or which has sponsored groups which have availed
19. themselves of this legislation and also by the Authority.
20. PRESIDING OFFICER: (SENATOR DONNEWALD)
21. Is there further discussion? Question is shall
22. Senate Bill 1035 pass. Those in favor vote Aye.
23. Those opposed Nay. The voting is open. Have all those
24. voted who wish? Have all those voted who wish?
25. Take the record. On that question the Ayes are 47,
26. the Nays are none. Senate Bill 1035 having received
27. a constitutional majority is declared passed.
28. Senate Bill 1036, Senator Hickey. Just a moment.
29. Read the bill, Mr. Secretary.
30. SECRETARY:
31. Senate Bill 1036.
32. (Secretary reads title of bill)
33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Hickey.

3. SENATOR HICKEY:

4. This involves a street light district...involves
5. street light districts. Three and four years ago there
6. were ample funds to purchase street lights on a contractual
7. basis from Commonwealth Edison in an area lying just
8. outside the City of Rockford, a fairly heavily populated
9. area and one in which I can't emphasize too strongly
10. street lights are very, very important. Because of
11. escalating costs, they were faced in 1976 with the
12. prospect of increasing the tax rate by fifty percent
13. which is provided for by law. And the voters in the
14. district overwhelmingly approved the increase. But now,
15. they're finding that the new rate does not yet cover
16. the cost of the lights at this point and they're behind
17. in their payments with Commonwealth Edison. This isn't
18. a...I'm not making a tearful plea for Commonwealth
19. Edison. But, anyway, eventually they will lose their
20. lights if we do not increase this maximum rate to...
21. from .5 to 1.00. Washington Park needs its lights very,
22. very badly. The people are very willing to pay for them
23. and this bill simply asks an authorization to increase
24. the rate locally. And I ask for a favorable roll call.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Grotberg.

27. SENATOR GROTBURG:

28. Yes, again, Mrs. Hickey, there was some question on
29. this side of the aisle and I'm reading the bill. There is
30. a referendum with this increased rate, is that correct?
31. They cannot go to it without a proposition? Thank you.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Kenneth Hall.

1. SENATOR KENNETH HALL:

2. Will the sponsor yield to a question?

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Indicates she will.

5. SENATOR KENNETH HALL:

6. Senator, I...I presume this only covers just in
7. your area, right? I don't...

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Just a moment. Let her answer.

10. SENATOR HICKEY:

11. No, I understand that that rate could be charged
12. by any tax light districts anyplace. I'm making the plea
13. for my area, but it...it does not impose a tax, it would
14. still have to be done by referendum. The people would
15. have to decide to do it.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Kenneth Hall.

18. SENATOR KENNETH HALL:

19. Well, I'm...when you say tax light district, what are
20. you referring to, what do you mean, Senator?

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Hickey.

23. SENATOR HICKEY:

24. Senator Hall, there are places which are not incorporated
25. into municipalities which need street lights and need them
26. badly. I don't know how many there are in the State. I don't
27. know whether there are very many at all. There are seventeen
28. Senator Grotberg says.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Philip.

31. SENATOR HICKEY:

32. Anyway, they have the need. They...they...they really
33. need them. It would be a terrible disaster for this particular

1. area to go without street lights and they're willing
2. to pay for them themselves. We simply need to permit
3. them to pay for them.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Philip. Senator Schaffer. Is there further
6. discussion? Senator Knuppel.

7. SENATOR KNUPPEL:

8. Does this raise the rate or in fact, does it authorize
9. the people to vote an increase? Which is it?

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Hickey.

12. SENATOR HICKEY:

13. As I said, it does authorize the people to increase
14. their rate.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Is there further discussion? The question is shall
17. Senate Bill 1036 pass. Those in favor vote Aye. Those
18. opposed Nay. The voting is open. Have all those voted who
19. wish? Have all those voted who wish? Take the record.
20. On that question the Ayes are 41, the Nays are none, 2
21. Voting Present. Senate Bill 1036 having received
22. a constitutional majority is declared passed. Senator
23. Hynes.

24. SENATOR HYNES:

25. Mr. President, members of the Senate. I have an
26. announcement of some importance to make and I wish the
27. membership would give me just a moment of their attention.
28. 4:30 this afternoon is the deadline for filing objections to
29. any bill on Agreed Bill List No. 2 which will be called
30. tomorrow. It is also the deadline for recording either
31. a Negative vote or a Present vote on any of the bills that
32. remain on the list. So, if you have intention of voting
33. No or of trying to get a bill removed from the list, you have

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1. two hours and ten minutes within which to notify the
2. Secretary of that fact.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senate Bill 1037, Senator D'Arco. Senate Bill 1041,
5. Senator Rock. Sounds like income tax. Senator...read
6. the bill, Mr....

7. SECRETARY:

8. Senate Bill 1041.

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

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Rock.

13. SENATOR ROCK:

14. Thank you, Mr. President and Ladies and Gentlemen
15. of the Senate. Senate Bill 1041 is an amendment to the
16. Insurance Code. You will recall that some years ago,
17. we provided for uninsured motorists coverage to be available
18. in all policies issued in Illinois. At the same time,
19. we passed an Act authorizing the utilization of the
20. American Arbitration Association. What has happened,
21. since then, in fact, is that the insurance industry
22. or at least some part of it, has taken the position and
23. called for a three man arbitration proceeding when one
24. files a claim under the Uninsured Motorist Provision.
25. So that we have effectively and do effectively in some
26. instances, not all, but in some instances delay payments
27. of claims under the Uninsured Motorist Provision for four
28. or five years while they jockey around and try to get three
29. arbitrators that everybody can agree on. All this would say,
30. Senate Bill 1041, is that no such policy that is every
31. insurance policy wherein is offered uninsured motorist
32. coverage...shall not be issued unless it's provided therein,
33. that any dispute with respect to such uninsured motorist
34. coverage shall be submitted to the American Arbitration

1. Association for determination. What this effectively
2. says is that one arbitrator under the provisions of the
3. American Arbitration Act, instead of three arbitrators
4. as some policies now require. I would solicit your
5. favorable support.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Is there further discussion? The question is shall
8. Senate Bill 1041 pass. Those in favor vote Aye. Those
9. opposed Nay. The voting is open. Have all those voted
10. who wish? Take the record. On that question the Ayes
11. are 47, the Nays are none, 8 Voting Present.

12. Senate Bill 1041 having received a constitutional
13. majority is declared passed. Senate Bill 1043, Senator
14. Carroll. Read the bill, Mr. Secretary.

15. SECRETARY:

16. Senate Bill 1043.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Carroll.

21. SENATOR CARROLL:

22. Thank you, Mr. President and members of the Senate.
23. This bill deals with the five dollar credit to be given
24. to people incarcerated other than for certain major
25. crimes. The problem has been that most of them are not
26. aware of the provisions of this nor is it capable for the
27. county clerks or the clerks of the circuit courts of the
28. various counties to enforce the provisions of the bill as it
29. now stands for they don't always know at the time of trial
30. who is on bail, et cetera. So this is a change in that to
31. provide that the clerk shall notify the defendant in writing
32. and then he will then make application based on that writing
33. for the five dollar a day credit. This was brought to us by the

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1. circuit court clerks in what they feel will be an attempt
2. to better expedite the meaning of the law that has been
3. on the books and I would ask for a favorable roll call.
4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Is there further discussion? The question is shall
6. Senate Bill 1043 pass. Those in favor vote Aye. Those
7. opposed Nay. The voting is open. Have all those voted who
8. wish? Take the record. On that question the Ayes are
9. 45, the Nays are none. Senate Bill 1043 having
10. received a constitutional majority is declared passed.
11. Senate Bill 1045, Senator Buzbee. Senate Bill 1049,
12. Senator Daley. We're not taking appropriation
13. measures at this time, Senator. Senate Bill 1050,
14. Senator Rock. Senate Bill 1051. Senate Bill 1053,
15. Senator Berman. Senate Bill 1055. Senate Bill 1059,
16. Senator Carroll. Read the bill, Mr. Secretary.

17. SECRETARY:

18. Senate Bill 1059.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Carroll.

23. SENATOR CARROLL:

24. Thank you, Mr. President, members of the Senate.
25. Currently, the Court of Claims has been allowing awards
26. under Illinois law which is at a substantially reduced
27. potential maximum payment than the new Federal Act
28. has allowed. Under the new Federal Act, we would allow
29. a maximum of fifty thousand dollars to widows of these
30. categorized personnel. The change in the Illinois law will
31. allow those families to receive that higher benefit amount.
32. If we do not change Illinois law, we would be inconsistent
33. with the Federal and it is felt that we may not be eligible

1. or these families may not be eligible for the fifty
2. thousand dollar figure. That is why we have put in this
3. bill. We will amend the Court of Claims award program
4. accordingly. It will not only save the State money
5. by not having State dollars used in payment of these
6. awards, but rather Federal dollars, but will also benefit
7. those who would be recipients by giving them an additional
8. thirty thousand dollars and I would ask for a favorable
9. roll call.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Is there further discussion? Question is shall
12. Senate Bill 1059 pass. Those in favor indicate by voting
13. Aye. Those opposed Nay. The voting is open.
14. Have all those voted who wish? Take the record.
15. On that question the Ayes are 49, the Nays are none.

16. Senate Bill 1059 having received a constitutional
17. majority is declared passed. Senate Bill 1063,
18. Senator Knuppel. Read the bill, Mr. Secretary.

19. SECRETARY:

20. Senate Bill 1063.

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

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Knuppel.

25. SENATOR KNUPPEL:

26. Mr. President and members of the Body. All this
27. provides is that any life insurance company shall pay
28. six percent interest from the date of death unless they
29. pay a claim for death within fifteen days after the
30. receipt of proof of loss. I submit this is good legislation,
31. request a favorable roll call.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Is there further discussion? The question is shall

1. Senate Bill 1063 pass. Those in favor vote Aye. Those
2. opposed Nay. The voting is open. Have all those voted who
3. wish? Take the record. On that question the Ayes are
4. 41, the Nays are 2, 5 Voting Present. Senate Bill 1063
5. having received a constitutional majority is declared
6. passed. Senate Bill 1067, Senator Regner. Read the bill,
7. Mr. Secretary.

8. SECRETARY:

9. Senate Bill 1067.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Regner.

14. SENATOR REGNER:

15. Mr. President and members of the Senate.

16. Senate Bill 1067 provides that unauthorized use, possession,
17. sale or exchange of food stamps is a Class A misdemeanor.

18. The existing law prescribes such unauthorized use as

19. a Class B. There have been many instances of violations

20. and I think the additional penalty is well justified at

21. this time. I would ask a favorable roll call.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Kenneth Hall.

24. SENATOR KENNETH HALL:

25. Will the sponsor yield to a question?

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Indicates...

28. SENATOR KENNETH HALL:

29. Senator, what is a Class A?

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Let me...give him a chance. He says he will.

32. SENATOR KENNETH HALL:

33. What is a Class A misdemeanor? And in reference to

1. a Class B?

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Regner.

4. SENATOR REGNER:

5. Class A misdemeanor allows a maximum of one year
6. confinement other than a penitentiary or a maximum
7. of a one thousand dollar fine. A Class B misdemeanor
8. is just half that much, a maximum of six months or
9. a maximum of five hundred dollars.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Is there further discussion? Senator Netsch.

12. SENATOR NETSCH:

13. Senator Regner, is this the same bill and is it
14. in the same form as the one that we acted unfavorably
15. last Session?

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Regner.

18. SENATOR REGNER:

19. I really can't answer that, Senator Netsch.
20. I don't remember specifically the one from last
21. Session. Perhaps Senator Don Moore could answer it.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Don Moore.

24. SENATOR DON MOORE:

25. No, this is not the same bill, Senator. All...all
26. this bill does is leave the law as it is but changes the
27. penalty.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Netsch.

30. SENATOR NETSCH:

31. Well, I think that is the answer, then. There is
32. no substantive change in what constitutes, it simply
33. increases the penalty somewhat.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Is there further discussion? The question is shall
3. Senate Bill 1067 pass. Those in favor vote Aye.
4. Those opposed Nay. The voting is open. Have all those
5. voted who wish? Take the record. On that question the
6. Ayes are 47, the Nays are 1. Senate Bill 1067
7. having received a constitutional majority is declared
8. passed. Senate Bill 1072, Senator Rupp. Read the bill,
9. Mr. Secretary.

10. SECRETARY:

11. Senate Bill 1072.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Rupp.

16. SENATOR RUPP:

17. Thank you, Mr. President. This bill provides for the
18. annexation of State property or cities. Under the
19. present law, a city may annex adjacent State owned land
20. only with a written approval from the Governor. There
21. have been many instances and they do exist where annexations
22. to be valid, must include a highway, a State highway
23. and rather than jumping across the State highway which
24. has been done in many instances, the highways have been
25. ignored. This bill would make legal those instances
26. where this has been incorrectly accomplished and permit
27. annexations in the future to include these highways in the
28. State property without going to the Governor. Actually,
29. the notice to all property owners involved in annexation
30. is required so the State would continue to receive word
31. and have opportunity to object. The Governor's office is
32. in agreement with this bill. I ask favorable consideration
33. and a favorable roll call.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator Hynes.
3. SENATOR HYNES:
4. Question of the sponsor.
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. He indicates he will yield.
7. SENATOR HYNES:
8. Senator, why is the bill effective only for
9. annexations through Ocotber 1st, 1977?
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. Senator Rupp.
12. SENATOR RUPP:
13. Yes, Sir. Senator Hynes, that is to forgive those
14. that have been done incorrectly up until the time this
15. law...this becomes law. That would be the date that this
16. would be come effective.
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. Senator Hynes.
19. SENATOR HYNES:
20. Well, then we have a...about a six month period of open
21. season between now and...why wouldn't it be effective as of
22. now?
23. PRESIDING OFFICER: (SENATOR DONNEWALD)
24. Senator Rupp.
25. SENATOR RUPP:
26. We had considered that, but then thought that this
27. would be an easy flow deal that...to...they do it anyway.
28. They do it anyway. And not to make it effective as of
29. October 1st, but whatever...I'll be glad to change, amend,
30. if that's necessary.
31. PRESIDING OFFICER: (SENATOR DONNEWALD)
32. Senator Hynes.
33. SENATOR HYNES:

1. Well, I...I just...I simply have a question as to why
2. it should be set at October 1st. If this practice is
3. not to be condoned, then it ought to cease now, if it is
4. to be condoned at all, then it ought to go on into the future.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Rupp.

7. SENATOR RUPP:

8. Senator Hynes, this...what...there have been some
9. of these that have taken place already on the...in attempting
10. to clear up those that have been done without getting the
11. written approval, we felt that perhaps making this
12. new situation where approval was not required effective
13. October 1st, that...then these that have been done before would
14. automatically be cleared up.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Is there further...Senator Rock.

17. SENATOR ROCK:

18. Thank you, Mr. President. If the sponsor will yield.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Indicates he will.

21. SENATOR ROCK:

22. Well, now, frankly, I'm...I am thoroughly confused.
23. What...what will be the law after October 1, 1977?
24. Will consent of the Chief Executive be required or won't
25. it?

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Rupp.

28. SENATOR RUPP:

29. Senator Rock, no. It will not be required. It's the...
30. the bill is an attempt to avoid the requirement of coming to
31. the Governor when you're going to annex. You come out,
32. you come to the State highway and basically, you have to
33. be contiguous in order to annex and the communities
34. have just been ignoring that particular requirement.

1. Right then is when you were supposed to come to the Governor.

2. They are to check and give permission.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Is there further discussion? Senator Hynes.

5. SENATOR HYNES:

6. That's not the way I read the bill. It seems to
7. me that after October 1st, it's still necessary to get
8. consent. And this is an attempt to validate certain
9. annexations that took place in the past without the
10. written consent of the Department involved.

11. If that's the case, and that may be a meritorious
12. purpose, why would it...why would we leave a gap
13. of time from the 23rd of May, which is today, or from
14. a month ago when the bill was introduced until October
15. 1st?

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Rupp.

18. SENATOR RUPP:

19. Well, there isn't any gap as far as I can see..
20. And in even the synopsis, indicates that the provision...
21. it eliminates the provision only with the written
22. consent of the Governor. So, that is part of the bill.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Hynes.

25. SENATOR HYNES:

26. Well, perhaps I'm misreading the bill. The paragraph
27. preceding the new language seems to me to still include
28. requirement of consent.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Grotberg.

31. SENATOR GROTBORG:

32. Thank you, Mr. President. It is my understanding
33. of this bill that all of our governors have been annoyed

1. by the...just the handling of the sign off of all of these
2. highway annexations and that this...now all that we have to
3. do is receive notification, am I correct, Senator Rupp?
4. PRESIDING OFFICER: (SENATOR DONNEWALD)
5. Senator Rupp.
6. SENATOR RUPP:
7. The...
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. Senator Grotberg.
10. SENATOR GROTBURG:
11. The Governor still has to be notified, but he does
12. not have to sign off on his annexation, is that correct?
13. PRESIDING OFFICER: (SENATOR DONNEWALD)
14. Senator Rupp.
15. SENATOR RUPP:
16. That is correct.
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. Senator Grotberg.
19. SENATOR GROTBURG:
20. And every Governor's desk is stacked up with old
21. things still waiting for his signature and that's
22. the October ...that's the validating part of it, that they
23. will all be assumed to be annexed, and that is the
24. word I got from the Governor's shop.
25. PRESIDING OFFICER: (SENATOR DONNEWALD)
26. Senator Glass.
27. SENATOR GLASS:
28. Well, Mr. President, Ladies and Gentlemen. I think
29. the intent clearly is not to require the signature of the
30. Governor in future annexations by municipalities. However,
31. I'd suggest, Senator Rupp, if...unless that's clear that
32. the bill ought to be held so we can be sure the language
33. is correct.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator Rupp, you wish to hold the bill?
3. SENATOR RUPP:
4. Yes, Sir.
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. Take...take it from the record.
7. SENATOR RUPP:
8. Thank you.
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. Senate Bill 1080, Senator Bloom. Read the bill.
11. SECRETARY:
12. Senate Bill 1080.
13. (Secretary reads title of bill)
14. 3rd reading of the bill.
15. PRESIDING OFFICER: (SENATOR DONNEWALD)
16. Senator Bloom.
17. SENATOR BLOOM:
18. Thank you, Mr. President and fellow Senators.
19. 1080, 81 and 82 were put in at the request of the
20. commissioner. Basically, this bill removes from the
21. commissioner the power to approve or receivership
22. expenses and the procedure of having the noncourt
23. supervised custody of an association by the
24. commissioner. Historically, the commissioner has been
25. called upon, or is in the position of improving large
26. bills for attorney's fees to be deducted from the assets
27. of these defunct S and L's. They're in no position to
28. make that judgment as to, you know, what's been done
29. or whether it's good, bad or indifferent, so they would
30. just as soon leave it up to the court. Any questions?
31. PRESIDING OFFICER: (SENATOR DONNEWALD)
32. Is there further discussion? The question is shall
33. Senate Bill 1080 pass. Those in favor vote Aye. Those
34. opposed Nay. The voting is open. ...voted who wish?

1. Have all those voted who wish? Take the record. On
2. that question the Ayes are 46, the Nays are none.
3. Senate Bill 1080 having received a constitutional
4. majority is declared passed. Senate Bill 1081,
5. Senator Bloom. Read the bill, Mr. Secretary.

6. SECRETARY:

7. Senate Bill 1081.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Bloom.

12. SENATOR BLOOM:

13. Thank you. This removes the prohibition on a
14. field examiner from taking part in the examination of
15. association, if he examined it the last time around.
16. The commissioners requested this because they are
17. short of staff and that the audits do not occur regularly
18. enough so that any kind of relationship could be built
19. up. Answer any questions. Ask for a favorable roll call.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Is there further discussion? The question is shall
22. Senate Bill 1081 pass. Those in favor vote Aye. Those
23. opposed Nay. The voting is open. Have all those voted
24. who wish? Have all those voted who wish? Take the record.
25. On that question the Ayes are 36, the Nays are 2,
26. 4 Voting Present. Senate Bill 1081 having received
27. a constitutional majority is declared passed. Senate
28. Bill 1082, Senator Bloom. Read the bill, Mr. Secretary.

29. SECRETARY:

30. Senate Bill 1082.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Bloom.

2. SENATOR BLOOM:

3. Thank you very much. 1082 requires that the audited
4. statements be filed with the commissioner annually
5. and that each audit be conducted within twelve months
6. of the previous audit. Within ninety days after the date
7. of the audit, it must be filed with the commissioner, but
8. it's amended that will allow a sixty day extension of the
9. deadline if good cause is shown. Presently, the law only
10. requires that an association be audited annually and that
11. the report be filed promptly. No day deadlines on it.
12. The amendment to the bill adds the language on page
13. 2, that says that within ninety days of the audit, the
14. commissioner may, for good cause, extend up to sixty
15. additional days if they...it is filed with a commissioner
16. and it will be certified by a licensed public accountant
17. conducting the audit.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Is there further discussion? Senator Demuzio.

20. SENATOR DEMUZIO:

21. Yes, I would like to ask the Senator a couple of
22. questions.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Indicates he will yield.

25. SENATOR DEMUZIO:

26. Senator Bloom, does the commissioner alone make
27. the decision to suspend the ninety day rule?

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Bloom.

30. SENATOR BLOOM:

31. I believe he does.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Demuzio.

1. SENATOR DEMUZIO:

2. All right. My next question is what constitutes
3. good cause?

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Bloom.

6. SENATOR BLOOM:

7. Well, I assume, Senator, that that is up to
8. guidelines developed by the commissioner. In other words,
9. somebody...they have to come in with a valid reason.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Demuzio.

12. SENATOR DEMUZIO:

13. My synopsis indicates that there was an amendment
14. offered. Was this...was this a bill that amended in
15. committee because my synopsis indicates that the Reference
16. Bureau wanted to tack an amendment on for some technical
17. changes of some kind.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Bloom.

20. SENATOR BLOOM:

21. Well, I believe there are two amendments, I may
22. be wrong. The one in committee specified how the report
23. after sixty days may be filed with the commissioner.
24. The technical amendment I don't have with me.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Is there further discussion? Senator Demuzio.

27. SENATOR DEMUZIO:

28. Yeah, the second amendment I apparently just
29. related a misspelling. Thank you.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Is there further discussion? The question is shall
32. Senate Bill 1082 pass. Those in favor vote Aye. Those
33. opposed Nay. The voting is open. Have all those voted

1. who wish? Have all those voted who wish? Take the
2. record. On that question the Ayes are 47, the Nays
3. are none, 3 Voting Present. Senate Bill 1082, having
4. received a constitutional majority is declared passed.
5. Senate Bill 1085, Senator Harber Hall. Read the bill,
6. Mr. Secretary.
7. SECRETARY:
8. Senate Bill 1085.
9. (Secretary reads title of bill)
10. 3rd reading of the bill.
11. PRESIDING OFFICER: (SENATOR DONNEWALD)
12. Senator Harber Hall.
13. SENATOR HARBER HALL:
14. Mr. President, this bill simply extends from ten
15. days to fifteen days the time that is allowed to respond
16. ...to appeal a decision of the referee or director.
17. In unemployment cases, the present law requires
18. appeal be filed within ten days after mailing by the
19. referee and with the mail situation, it's rather hard
20. to make this and it extends this five days. I would
21. solicit all member's support of it.
22. PRESIDING OFFICER: (SENATOR DONNEWALD)
23. Is there further debate? Senator Hynes.
24. SENATOR HYNES:
25. Would the sponsor yield to a question?
26. PRESIDING OFFICER: (SENATOR DONNEWALD)
27. Indicates he will.
28. SENATOR HYNES:
29. What is the reason for the bill, Senator?
30. PRESIDING OFFICER: (SENATOR DONNEWALD)
31. Senator Harber Hall.
32. SENATOR HARBER HALL:
33. Well, the reason of the bill is...just as stated, there

1. isn't enough time from the time of receipt of mailing
2. of a decision to prepare the work necessary to appeal.
3. It only allows you ten days. If it takes you four
4. days to get it, that gives you seven days, including
5. weekends, and it's just an extension of five days for
6. the time to give you more time to appeal the decision.
7. PRESIDING OFFICER: (SENATOR ROCK)

8. Any further discussion? The question is shall
9. Senate Bill...oh, I beg your pardon. Senator Harber Hall.
10. SENATOR HARBER HALL:

11. I...I would like to ask Senator Hynes if he would
12. like to have this bill held till we discuss this a little
13. more?

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Harber Hall.

16. SENATOR HARBER HALL:

17. Well, I could think of some great amendments
18. we could put on this unemployment bill, if...if anyone
19. would think about holding it for an amendment.
20. I solicit the support of the Body.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. All right. The question is shall Senate Bill
23. 1085 pass. Those in favor will vote Aye. Those opposed
24. will vote Nay. The voting is open. Have all voted who
25. wish? Have all voted who wish? Take the record. On
26. that question the Ayes are 49, the Nays are none, 1 Voting
27. Present. Senate Bill 1085 having received a constitutional
28. majority is declared passed. Senator Demuzio, for what
29. purpose do you arise?

30. SENATOR DEMUZIO:

31. Thank you, Mr. President. While there's lull in the
32. action, I'd like to introduce some folks in the gallery
33. from Wiltonville, Illinois, who are here today protesting
34. the fact that we are becoming the industrial waste side

1. of the entire Nation and they're all here today with their...
2. with their two leaders, Father Casimir Gierut and also
3. Mayor Mussato. They're in the President's gallery and I'd
4. ask them to rise and be recognized by the Senate.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Will our guests please rise and be recognized.
7. Senator Moore, 1086. On the Order of Senate Bills, 3rd
8. reading, Senate Bill 1086. Read the bill, Mr. Secretary.

9. SECRETARY:

10. Senate Bill 1086.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Moore.

15. SENATOR MOORE:

16. Thank you, Mr. President, members of the Senate.
17. Senate Bill 1086 adds a section to the...to the Civil
18. Administrative Code giving power to the Department
19. of Transportation to undertake port and waterway
20. development planning and to provide technical assistance
21. to port districts and units of local government. This
22. was done by Executive Order of Governor Walker two
23. years ago. We are now embodying it into the Statute by
24. Amendment No. 1. The language was added that the Department,
25. DOT, shall coordinate its activities under this section with
26. the Department of Business and Economic Development. I know
27. no objection to the bill. I'd appreciate a favorable roll call.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Is there any discussion? The question is shall
30. Senate Bill 1086 pass. Those in favor will vote Aye.
31. Those opposed will vote Nay. The voting is open.
32. Have all voted who wish? Take the record. On that question
33. the Ayes are 51, the Nays are none, none Voting Present.

1. Senate Bill 1086 having received a constitutional
2. majority is declared passed. On the Order of Senate
3. Bills, 3rd reading. Senate Bill 1091. Read the bill,
4. Mr. Secretary.

5. SECRETARY:

6. Senate Bill 1091.

7. (Secretary reads title of bill)

8. 3rd reading of the bill.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Mitchler. Senator Mitchler, your mike
11. is fortunately not working. Move either left or
12. right. Plug him into Senator Berning's.

13. SENATOR MITCHLER:

14. Thank you.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Mitchler.

17. SENATOR MITCHLER:

18. Mr. President and members of the Senate. Senate
19. Bill 1091 is a bill that will amend the Endangered
20. Species Protection Act to expand the definition of
21. endangered species to mean any species of plant
22. or animal contained in the Federal endangered species
23. list issued in the Federal Endangered Species Act of
24. 1973. It's to bring the...Illinois in conformity with the
25. Federal. The bill has been amended to take out an
26. objection raised in committee so you have no objection
27. now. It's approved of by the Department of Conservation.
28. I would ask for a favorable roll call.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Is there any disucssion? All right. The question is shall
31. Senate Bill 1091 pass. Those in favor will vote Aye. Those
32. opposed will vote Nay. The voting is open. Have all voted who wish?

1. Have all voted who wish? Take the record. On that
2. question the Ayes are 51, the Nays are none, none
3. Voting Present. Senate Bill 1091 having received
4. a constitutional majority is declared passed.

5. On the Order of Senate Bills, 3rd reading, Senate
6. Bill 1092. Read the bill, Mr. Secretary.

7. SECRETARY:

8. Senate Bill 1092.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Mitchler.

13. SENATOR MITCHLER:

14. Mr. President and members of the Senate. Senate
15. Bill 1092, the objective of this legislation is to
16. provide definite authority to the Department of
17. Agriculture so that it may register and bond all persons
18. installing, servicing, reconditioning and repairing,
19. weighing and measuring devices used in trade or
20. commerce. This was brought about by a court decision
21. in Sangamon County Circuit Court ruling that the Illinois
22. Weights and Measures Act did not specifically authorize
23. the Director to license and regulate weights and measures
24. servicemen. The bill is a Department of Agriculture bill,
25. I would ask for a favorable roll call.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Any discussion? Senator Hynes.

28. SENATOR HYNES:

29. Would the sponsor yield to a question?

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Indicates he will yield. Senator Hynes.

32. SENATOR HYNES:

33. Senator, how would this measure that is before
34. us treat any local government ordinance that might deal with

1. the same subject matter.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Mitchler.

4. SENATOR MITCHLER:

5. Well, I don't believe this has a so called home
6. rule amendment on it. It gives the Director of the
7. Department of Agriculture the authority to...for
8. registration and bonding of these persons that
9. would be related to weighing and measuring devices.
10. And as I say, the reason for the bill is because of a
11. Sangamon County Circuit Court ruling. I don't believe
12. it would interfere at all with someone that is already
13. doing that now and is in cooperation with the
14. Department of Agriculture. I assume that the City
15. of Chicago is...is doing this now in their own weights
16. and measures, but the circuit court order said that it
17. would be necessary for the State to have this
18. designated authority to the Director of the Department
19. of Agriculture so that he would have the authority
20. to do it.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Hynes.

23. SENATOR HYNES:

24. What...what are the standards by which
25. the Director would issue the license?

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Mitchler.

28. SENATOR MITCHLER:

29. I believe the standards would be set up by the
30. Director of the Department of Agriculture according
31. to the information in the bill that I have.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Hynes.

34. SENATOR HYNES:

1. So we are allowing the Director of Agriculture
2. to license anyone who repairs, installs, services,
3. reconditions, weighing or measuring devices without
4. any limitation, whatever he decides are the standards
5. necessary to get a license will be the standards
6. that are sufficient. There are no guidelines at all as
7. to what qualifications a person has to have? No
8. protection against...although I'm sure this would
9. never happen, no protection against possible
10. arbitrary conduct by the Director?

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Mitchler.

13. SENATOR MITCHLER:

14. I believe you have a valid point there, Senator
15. Hynes. As I'm referring to my notes here, one
16. problem would be with the bill would be that the General
17. Assembly would be turning over to the Department of
18. Agriculture the authority to set the fees and bond amounts
19. by a rule making procedure, unless you would want that
20. specifically spelled in the bill. However, I believe
21. the Department of Agriculture does now have the authority,
22. at least they're exercising the authority, to license
23. and accept the bonds and conduct the reconditioning and
24. repairing, weighing and measuring devices, those individuals
25. that are doing that. They're the ones that certify
26. the weights and measures and I believe this just gives
27. them the legislative authority that they have the right
28. to do that, according to that court ruling. That's how
29. I understand the need for the bill.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Any further discussion? Senator Hynes.

32. SENATOR HYNES:

33. Well, Mr. President, I just think that the grant of

1. power is much too broad. The need may be there, but I
2. think the...the power has to be more specifically
3. delineated. I don't think that we should grant to
4. a regulatory agency, this kind of broad discretion
5. to set up any rules or regulations it desires. I think
6. there ought to be some specific guidelines written
7. into the legislation.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Mitchler.

10. SENATOR MITCHLER:

11. With Senator Hynes' comments, let me just hold it out
12. of the record and I'll get together with the Department
13. and...

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Take it out of the record, Mr. Secretary.

16. Senator Wooten, for what purpose do you arise?

17. SENATOR WOOTEN:

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

19. PRESIDING OFFICER: (SENATOR ROCK)

20. State your point, Sir.

21. SENATOR WOOTEN:

22. Visiting with us in the President's gallery
23. today are managers of sixty of the largest credit
24. unions in the State of Illinois, including, I'm happy
25. to say, some from the Quad-City area. They're here today
26. and...a meeting in Springfield. Their president,
27. Richard L. Ensweiler. I would like for them to rise
28. and be acknowledged by the Senate.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Will our guests in the gallery please rise
31. and be acknowledged. 1093, Senator Harber Hall.
32. 1094, Senator Rhoads. On the Order of Senate Bills,
33. 3rd reading, Senate Bill 1094. Read the bill, Mr. Secretary.

1. SECRETARY:

2. Senate Bill 1094.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Rhoads.

7. SENATOR RHOADS:

8. Thank you, Mr. President, members of the Senate.

9. This is an administration bill which was requested
10. by the Department of General Services in order to
11. conform State law to changes in Federal law which
12. were enacted last year by Congress in Public Law
13. 94-519. What the Congress did essentially was to
14. liberalize the Federal Surplus Property Act whereby
15. a number of new entities, local government and other
16. tax exempt entities, 501C3 organizations could be
17. permitted to receive surplus Federal property. The
18. bill designates the Department of General Services
19. as the conduit for that surplus property and it
20. further makes some language changes relative to
21. various agencies in Federal Government because
22. again, the Federal law changed that language and said
23. that that will now be handled exclusively by the
24. administrator of the General Services Administration.
25. I'm speaking now of the Federal Government General
26. Services Administration. I do not know of any
27. opposition. I'd be happy to answer any questions,
28. if they...if there are any. If not, I'd ask for a favorable
29. roll call.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Grotberg.

32. SENATOR GROTBURG:

33. Will the sponsor yield?

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Indicates he will yield. Senator Grothberg.
3. SENATOR GROTHBERG:
4. I would like to have you say with some certainty
5. that the new Federal Act includes 501C3 charitable
6. organizations and this will now enable Illinois
7. to clearly participate in that. Is that correct?
8. PRESIDING OFFICER: (SENATOR ROCK)
9. Senator Rhoads.
10. SENATOR RHOADS:
11. It does indeed include 501C3 organizations.
12. PRESIDING OFFICER: (SENATOR ROCK)
13. Further discussion? Senator Johns.
14. SENATOR JOHNS:
15. Senator Rhoads, how is the State and local
16. governments notified of this Federal surplus property?
17. PRESIDING OFFICER: (SENATOR ROCK)
18. Senator Rhoads.
19. SENATOR RHOADS:
20. The State and local governments? They are now
21. notified by bulletins which are published by the
22. Department of General Services. Now, that's under
23. existing law, Senator Johns. This makes no change
24. in that. This would enable, for example, libraries
25. to receive that kind of property.
26. PRESIDING OFFICER: (SENATOR ROCK)
27. Senator Johns.
28. SENATOR JOHNS:
29. I just felt like that so much of our surplus
30. property is wasted because many of our State and local
31. government agencies are not even aware that it's
32. available. Just sits and rusts cause some people that
33. need it, just never have available information. I...I...

1. I like this bill.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Hynes.

4. SENATOR HYNES:

5. Will the sponsor yield to a question?

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Indicates he will yield. Senator Hynes.

8. SENATOR HYNES:

9. Senator, what is the...under the new Federal

10. Act, what is the estimated annual value of the property

11. that will be involved and how does that compare to

12. what...what has been the estimated annual value in

13. preceding years?

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Rhoads.

16. SENATOR RHOADS:

17. There's just no way of telling, Senator Hynes.

18. It...it depends on the department involved, what kind

19. of property might be coming in. I, frankly, am not

20. familiar enough with how the program has operated

21. in the past to adequately answer you other than that

22. generally speaking the kinds of equipment we're talking

23. about are equipment that is, for one reason or another,

24. the Federal Government no longer needs because it's

25. replaced it with a newer model.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Hynes.

28. SENATOR HYNES:

29. Has the Department given you any estimates

30. at all? The new Federal Act, at least it would seem to me,

31. is going to involve a substantial increase in the amount

32. of property to be distributed in this fashion. And

33. we should have some idea of what's involved.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Rhoads.

3. SENATOR RHOADS:

4. I was not under the impression that new property
5. was involved in the Federal Act. It was just new
6. agencies or new types of entities that could receive
7. that property. Now, if you have a different understanding
8. than I do, I'd be happy to hold this and discuss it
9. with you.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Hynes.

12. SENATOR HYNES:

13. I...I think that might be a good idea because
14. we do have some questions about the bill right now.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. All right. Take it out of the record, Mr.
17. Secretary. 1095, Senator Sommer. 1097, Senator
18. Glass. On the Order of Senate Bills, 3rd reading,
19. Senate Bill 1097. Read the bill, Mr. Secretary.

20. SECRETARY:

21. Senate Bill 1097.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Glass.

26. SENATOR GLASS:

27. Thank you, Mr. President and Ladies and Gentlemen.
28. Illinois has over two hundred different kinds of license
29. plates. I think the second state to us is about a hundred.
30. In order to stock pile all of these license plates
31. in the number that possibly may be needed, requires
32. an excess expenditure of cash and so what this bill does
33. is to reduce the number of different kinds of plates, particularly

1. in the area of weights and the reduction in numbers
2. is approximately fifty-eight. I have amended it.
3. I don't...there's now no objection by the Secretary
4. of State to the bill. I'd be happy to answer any
5. questions. If not, I'd request a favorable roll call.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Any discussion? Senator Roe. Oh, your speak
8. light is on. Senator Graham.

9. SENATOR GRAHAM:

10. Senator Glass, I'm wondering if the imposition
11. or the passage of this new law is going to guarantee
12. us compliance and if there is compliance, what's it
13. going to do to effectuate greater participation by
14. our law enforcement officers? I really...I understand
15. what you're trying to do, but I'm wondering what the
16. ultimate result is going to be and how it will affect
17. us, adversely or intensely.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Glass.

20. SENATOR GLASS:

21. Senator, the...the compliance is not a problem
22. in that all the bill does is...is delete about fifty-
23. eight different classes of plates, most of them in
24. weights. There's a new...there's different license
25. plates that is required for trucks depending on what
26. weight they have so that they're policed in that
27. fashion. The policing is still possible because...
28. and just as easy because the trucks simply have
29. to be weighed to be checked in any event. This would
30. just eliminate the...the...some of the numerous
31. plates that we have and as I've indicated, reduce the
32. stockpiling requirements.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Further discussion? Senator Hynes.

2. SENATOR HYNES:

3. Just a question of the sponsor. He made...I believe
4. made the statement the Secretary of State's office
5. has withdrawn its objection to the bill. It is now
6. in accord with the bill, is supporting it?

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Glass.

9. SENATOR GLASS:

10. Senator Hynes, I do not believe they have taken
11. a position. They did appear at the hearing and requested
12. an amendment which I put on the bill and that withdrew
13. their opposition.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Any further discussion? All right. The question
16. is shall Senate Bill 1097 pass. Those in favor
17. will vote Aye. Those opposed will vote Nay.
18. The voting is open. Have all voted who wish?
19. Have all voted who wish? Take the record. On
20. that question the Ayes are 54, the Nays are none,
21. none Voting Present. Senate Bill 1097 having received
22. a constitutional majority is declared passed.

23. End of reel.

24.
25.
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32.
33.

SB 1102
5/23/77
3rd Reading

1. PRESIDING OFFICER: (SENATOR ROCK)

2. On the Order of Senate Bills 3rd reading is
3. Senate Bill 1102. Read the bill, Mr. Secretary.

4. SECRETARY:

5. Senate Bill 1102.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Merlo.

10. SENATOR MERLO:

11. Mr. President, and members of the Senate. Senate
12. Bill 1102 amends the Insurance Code and directs itself
13. to discriminatory underwriting of homeowners insurance.
14. The bill is a Department of Insurance bill which would
15. prohibit an insurance company from refusing to provide
16. homeowners insurance due to the location of the
17. property or building. The bill itself is the immediate
18. response by the Department of Insurance and the Illinois
19. Insurance Law Study Commission to the serious problem
20. of red-lining that is evident in many of our com-
21. munities and neighborhoods. I think it is a good
22. bill and I respectfully ask for your favorable
23. consideration.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Is there any discussion? The question is
26. shall Senate Bill 1102 pass. Those in favor
27. will vote Aye. Those opposed will vote Nay. The
28. voting is open. Have all voted who wish? Have
29. all voted who wish? Take the record. On that
30. question the Ayes are 48, the Nays are none, 2
31. Voting Present. Senate Bill 1102 having received
32. a constitutional majority is declared passed.
33. Senator Graham, for what purpose do you arise?

1. SENATOR GRAHAM:
2. On a point of personal privilege, Mr. President.
3. PRESIDING OFFICER: (SENATOR ROCK)
4. State your point, sir.
5. SENATOR GRAHAM:
6. Today, in our midst, we have a colleague who
7. has enjoyed living this life and passing another
8. milestone. The gentleman from Champaign, my
9. seatmate and our friend, Stanley Weaver,
10. is enjoying his anniversary day of his birth today
11. and let's all show our appreciation and wish
12. Senator Weaver a happy birthday.
13. PRESIDING OFFICER: (SENATOR ROCK)
14. Senator Davidson, for what purpose do you
15. arise?
16. SENATOR DAVIDSON:
17. Point of personal privilege while we're on
18. birthdays.
19. PRESIDING OFFICER: (SENATOR ROCK)
20. State your point.
21. SENATOR DAVIDSON:
22. For the members of the Senate who are unaware that
23. we have a second birthday happening here today, he's
24. a couple years younger than Weaver, but I would
25. like for all of you to wish happy birthday to the
26. Assistant Sergeant-at-Arms, Mario Costa, who
27. is thirty-nine plus today.
28. PRESIDING OFFICER: (SENATOR ROCK)
29. Senator Rupp, do you wish to proceed on your
30. series of bills? 1105, all right. On the Order
31. of Senate Bills 3rd reading. On the Order of
32. Senate Bills 3rd reading, Senate Bill 1105.
33. Read the bill, Mr. Secretary.

1. SECRETARY:
2. Senate Bill 1105.
3. (Secretary reads title of bill)
4. 3rd reading of the bill.
5. PRESIDING OFFICER: (SENATOR ROCK)
6. Senator Rupp.
7. SENATOR RUPP:
8. Thank you, Mr. President. The present Insurance
9. Code reads, Sections 124 to 125.22A, and the only
10. thing it changes is the numbers in there and to
11. read Section 125A to 125.22A, and the reason for
12. asking for that change in just the lettering is
13. that with Section 124 being listed, that's the
14. section that indicates the authorized investments
15. in the section of the code. The incorrect numbers
16. puts items like definitions and excess commissions
17. in that grouping and it is not necessary, it is
18. not applicable, so I ask that a favorable roll
19. call on this rather housekeeping change.
20. PRESIDING OFFICER: (SENATOR ROCK)
21. Any discussion? Senator Maragos. Any
22. discussion? The question is shall Senate Bill
23. 1105 pass. Those in favor will vote Aye. Those
24. opposed will vote Nay. The voting is open.
25. Have all voted who wish? Have all voted who wish?
26. Take the record. On that question the Ayes are
27. 51, the Nays are 1, none Voting Present. Senate
28. Bill 1105 having received a constitutional majority
29. is declared passed. Senator Rupp, do you wish to
30. run the rest...the next, okay. On the Order of
31. Senate Bills 3rd reading. Senate Bill 1106. Read
32. the bill, Mr. Secretary.
33. SECRETARY:
34. Senate Bill 1106.

1. (Secretary reads title of bill)
2. 3rd reading of the bill.
3. PRESIDING OFFICER: (SENATOR ROCK)
4. Senator Rupp.
5. SENATOR RUPP:
6. Thank you, Mr. President. Actually, the synopsis
7. fully describes the bill and it is in connection with
8. the power of the director to destroy the records. This
9. is optional. It's not mandatory, but it does give
10. permission after two years to destroy some of the
11. paper that has been accumulating over there. They
12. do keep a list of the items that are thrown away
13. and some of the companies also keep their own
14. records. But, it does permit the destruction of
15. the letters and envelopes that the director would
16. like to clear out of his files. I do ask a favorable
17. roll call.
18. PRESIDING OFFICER: (SENATOR ROCK)
19. Any discussion? Senator Netsch.
20. SENATOR NETSCH:
21. A question of the sponsor.
22. PRESIDING OFFICER: (SENATOR ROCK)
23. Indicates he will yield. Senator Netsch.
24. SENATOR NETSCH:
25. What is the usual time provided for the
26. Department of Insurance for the destruction of
27. records?
28. PRESIDING OFFICER: (SENATOR ROCK)
29. Senator Rupp.
30. SENATOR RUPP:
31. Senator Netsch, I do believe it's five years
32. and they're getting an accumulation over there that's
33. just unbelievable.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Netsch.

3. SENATOR NETSCH:

4. I can understand that. We all know how paper
5. piles up, the only thing that I'm questioning is whether
6. these records are any less important than some of
7. the other records which are to be preserved for a
8. longer period of time. It seems to me that while
9. I recognize that there can be very frivolous consumer
10. complaints, there also can be some fairly important
11. ones and ones that perhaps would call attention
12. to some fairly important problems, at least on
13. a par with some other kinds of pieces of paper
14. that the department might be required to keep. I...I'm
15. just curious as to why, by definition at least in terms
16. of time sequence, the consumer complaints are deemed
17. less worthy of preservation than some of the other
18. millions of pieces of paper.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Rupp.

21. SENATOR RUPP:

22. Well, I have no quarrel with that thought. That
23. there are some instances where it is good to keep the
24. records and I don't see though that actually if we require
25. all of these records to be keep for five years, who is
26. to determine. We cannot, I don't believe, through
27. this device here, tell them which ones to keep and
28. which not to keep and I do believe that they...they don't
29. get rid of everything without keeping a record of the...
30. and I think that they do and they indicated to me
31. and I couldn't tell me specifically which they would
32. and which they would not keep. But, they don't get
33. rid of items that they deem that they would be called
34. on to produce later on. This is, supposedly, they

1. can't get rid of envelopes and some of the letters
2. and cover letters and items like that and they have
3. to keep those for five years.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Any further discussion? Senator Hynes.

6. SENATOR HYNES:

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

8. I would concur with Senator Netsch. I think this
9. is an undesirable piece of legislation. It seems
10. to me that of all of the items of correspondence
11. and of all of the documents the department has, the
12. consumer complaints would be one...one area that
13. ought to be held for the longest period of time.
14. I don't think particularly, if...if you look at
15. the volume of...of paper that is in the department
16. that this is going to make that significant a
17. difference and I think it's important to keep
18. those as long as all of these other documents
19. are kept and I...I don't think this legislation
20. is desirable at all.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Any further discussion? Senator Graham.

23. SENATOR GRAHAM:

24. Mr. President, thank you. I think we have
25. one other obligation, if we're hesitant to go along
26. with this bill are we willing to fund this organization
27. to the point that we're ready to microfilm everything
28. so we can store it. I think we only have two choices.
29. Are we willing to go the microfilming route. If we
30. are let's go that way, and let's produce the money
31. to do it.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Further discussion? Senator Maragos.

1. SENATOR MARAGOS:

2. Mr. President, and members of the Senate. I was
3. not going to speak on this bill, but since the debate
4. has been ensuing here, I would like to point out that
5. these are records that eventually may lead to other
6. information, if there was many complaints against
7. a certain company, or against a certain party, I
8. think these records should be preserved. Cause lately,
9. due to the fact that in the past we used to have
10. opportunity before any price rises or premium
11. rises would take effect, we'd have an opportunity
12. for a full hearing. Now, since 1970, we do not
13. have that right in the State and I think some
14. of these complaints may be well merited and the
15. fact that they may take a little extra space, well,
16. I think it should not be the reason for them to
17. be thrown out immediately, because as I say, there
18. might be cumulative complaints against a certain
19. party or a certain company and these records they may
20. have a very beneficial effect in the long run for
21. public and I therefore, would also oppose this bill.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Any further discussion? Senator Rupp may
24. close the debate.

25. SENATOR RUPP:

26. No, I wouldn't burden the Body with any long
27. discussion on it, but I do think it would, perhaps, would
28. enlightening for some of you folks to visit the
29. insurance department and just actually see what
30. their problem is. And Senator Graham's remarks
31. about giving them some option, I think, is something
32. that we should look into. Thank you.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. The question is shall Senate Bill 1106 pass.
2. Those in favor will vote Aye. Those opposed will
3. vote Nay. The voting is open. Have all voted who
4. wish? Have all voted who wish? Have all voted who
5. wish? Take the record. On that question the Ayes
6. are 24, the Nays are 22, 4 Voting Present. Senate
7. Bill 1106 having failed to receive a constitutional
8. majority is declared lost. On the Order of
9. Senate Bills 3rd reading, Senate Bill 1107. Read
10. the bill, Mr. Secretary.

11. SECRETARY:

12. Senate Bill 1107.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Rupp.

17. SENATOR RUPP:

18. Thank you, Mr. President. This deals basically
19. with the written binder for a term of sixty days
20. which is merely a device, a temporary coverage
21. device in the insurance business. And what it does
22. is to eliminate the binder from the certain non-renewal
23. requirements, which we've been discussing and talking
24. about, but it does also change some of the numbers.
25. In the reference of the form numbers of the United
26. States Postal Service, just simply to require a proof
27. of a first class mailing. All it is is a binder, a
28. temporary thing that's used in many instances to
29. provide insurance for a short period of time until
30. the policy can be worked out and it's just to excuse
31. that binder from the regular cancellation provisions.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Any discussion?

1. SENATOR RUPP:

2. I urge a favorable roll call.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Is there any discussion? The question is shall
5. Senate Bill 1107 pass. Those in favor will vote Aye,
6. those opposed will vote Nay. The voting is open.
7. Have all voted who wish? Have all voted who wish?
8. Take the record. On that question the Ayes are 52,
9. the Nays are none, 2 Voting Present. Senate Bill
10. 1107 having received a constitutional majority is
11. declared passed. On the Order of Senate Bills
12. 3rd reading is Senate Bill 1111. Read the bill,
13. Mr. Secretary.

14. SECRETARY:

15. Senate Bill 1111.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Rupp.

20. SENATOR RUPP:

21. Thank you, Mr. President. What this does is
22. amend the section of the Illinois Insurance Code
23. dealing with the rehabilitation, the liquidation
24. of a domestic company. It adds or includes as
25. a ground for rehabilitation and liquidation the
26. concealment, the alteration, the destruction or a
27. failure to maintain books and records and other
28. pertinent material, so as to prevent the reasonable
29. inspection of the director or its deputies, in order
30. to ascertain the financial condition of the company,
31. and the fact that it's almost prima facie evidence
32. or poor management and the fact that the...they are
33. unable to provide records in order to properly have

1. a check made on them, is being included as a reason
2. for rehabilitation. I think that we all have had a
3. instance just recently of a case like this. The
4. insurance department has had instances where they
5. would like to go in, but they have not been able
6. to really make a good audit, a good check of the
7. records, because they found them laying on the
8. floor, in the closets and no actual way to really
9. make a sound review of the company. I ask for
10. a favorable recall...roll call.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Is there any discussion? The question is
13. shall Senate Bill 1111 pass. Those in favor
14. will vote Aye. Those opposed will vote Nay.
15. The voting is open. Have all voted who wish?
16. Have all voted who wish? Take the record. On
17. that question, the Ayes are 53, the Nays are
18. none, none Voting Present. Senate Bill 1111
19. having received the constitutional majority
20. is declared passed. 1115, Senator Glass. On
21. the Order of Senate Bills 3rd reading is Senate
22. Bill 1115. Read the bill, Mr. Secretary.

23. SECRETARY:

24. Senate Bill 1115.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Glass.

29. SENATOR GLASS:

30. Thank you, Mr. President, Ladies and Gentlemen
31. of the Senate. Senate Bill 1115 would authorize
32. a...an affiliated group of trustees, trust companies,
33. to invest funds that they hold in trust, in a common
34. trust fund. This is an amendment to the Common Trust

1. Fund Act and the affiliates as defined under the Internal
2. Revenue Code are corporations or other institutions,
3. eighty percent or more owned by the parent. It would
4. provide economy in investment of trust funds and I
5. would appreciate a favorable roll call.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Is there any discussion? The question is shall
8. Senate Bill 1115 pass. Those in favor will vote Aye.
9. Those opposed will vote...I beg your pardon, Senator
10. Demuzio.

11. SENATOR DEMUZIO:

12. Senator Glass, I don't recall this bill in the
13. Finance Committee and quite frankly, I was not
14. paying attention during your explanation. I was
15. wondering if you might, just very briefly, explain
16. that bill again. I beg your indulgence, but I
17. would appreciate hearing your explanation again.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Glass.

20. SENATOR GLASS:

21. Thank you, Mr. President. Yes, Senator
22. Demuzio, I'd be glad to do that. This is a
23. bill that amends the Common Trust Fund Act where
24. one trust company that is affiliated with..with
25. another trust company. Or if there is a group
26. of affiliates, and affiliates mean eighty percent
27. of the stock is owned by the parent. That...the
28. trust funds in those affiliated groups may be
29. invested as a single fund by...by one of them,
30. generally it would be the parent company. The
31. reason for it would...would be to permit economy
32. of investment by pooling these different funds
33. into a single fund for trust investment purposes.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Demuzio.

3. SENATOR DEMUZIO:

4. Well, for the life of me, I...I just do not
5. remember at all any testimony in regards to this
6. bill and I just haven't read it and I have a
7. lot of questions about it and I...I hate to ask
8. you to hold the bill, but there are some other
9. folks over here that are in the same posture
10. and I was wondering if you might hold it for
11. at least a while, we can back to it later, if...
12. with the permission of the Body. But, I would
13. like to read it again, Senator Glass.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Glass, is that agreeable?

16. SENATOR GLASS:

17. Yes, I'll be glad to hold it.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Thank you. Take it out of the record. Senator Merlo. All
20. right. On the Order of Senate Bills 3rd reading is
21. Senate Bill 1121. Read the bill, Mr. Secretary.

22. SECRETARY:

23. Senate Bill 1121.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Merlo.

28. SENATOR MERLO:

29. Mr...Mr. President, and Ladies and Gentlemen of
30. the Senate. Senate Bill 1121 would amend the Cook
31. County Employees Retirement Fund. Periodically, the
32. fund must amend the Statute with a new tax multiple
33. in order to plan their budgets over the future years.

1. The bill presents such a schedule of tax multiples
2. over the coming five years, including 1977. This
3. would begin with a step up rate increase of .8 tax
4. multiple of the county contribution in 1977 and
5. ending in the year 1981. The ultimate percentage
6. represents the amortization of the unfunded
7. liability over a forty year period. Where the
8. bill will increase the amount of the tax levy,
9. it's necessary so that the pension fund is
10. kept in the proper financial perspective. The
11. bill has the approval of the Illinois Pension
12. Laws Study Commission and I move the favorable
13. vote.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Is there any discussion? The question is
16. shall Senate Bill 1121 pass. Those in favor will
17. vote Aye. Those opposed will vote Nay. The voting
18. is open. Have all voted who wish? Have all voted
19. who wish? Take the record. On that question, the
20. Ayes are 51, the Nays are none, none Voting Present.
21. Senate Bill 1121 having received a constitutional
22. majority is declared passed. Senator Bruce. On
23. the Order of Senate Bills 3rd reading is Senate
24. Bill 1122. Read the bill, Mr. Secretary.

25. SECRETARY:

26. Senate Bill 1122.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Clewis.

31. SENATOR CLEWIS:

32. Mr. President, members of the Senate. Senate
33. Bill 1122 amends the Act validating appropriation

1. bills and tax levy ordinances of Cook County to include
2. fiscal year 1975. It's a routine procedure and it
3. takes place yearly and I'd appreciate a favorable roll
4. call this year.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Is there further debate? The question is shall
7. Senate Bill 1122 pass. Those in favor vote Aye.
8. Those opposed vote Nay. The voting is open. Have
9. all voted who wish? Take the record. On that
10. question the Ayes are 51, the Nays are none, none
11. Voting Present. Senate Bill 1122 having received
12. a constitutional majority is declared passed. For
13. what purpose does Senator Maragos arise?

14. SENATOR MARAGOS:

15. Mr. President, I would like to show for the
16. record that I was absent earlier when these
17. various bills were called and voted on and I would
18. like the Journal to show that on Senate Bills 1035,
19. 1041, 1059, 1063 and 1067, I would have voted Aye
20. if I were present and also 1086.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. All right. The Journal will not so show, but
23. it be on...

24. SENATOR MARAGOS:

25. Show that I would have voted Aye.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. It will be shown on our electronic record.
28. Senate Bill 1123, Senator Clewis. Read the bill,
29. Mr. Secretary.

30. SECRETARY:

31. Senate Bill 1123.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Senator Clewis.
3. SENATOR CLEWIS:
4. Mr. President, members of the Senate. Senate Bill
5. 1123 amends the Act validating appropriation and tax
6. levy ordinance of the Forest Preserve Districts with
7. a population of five hundred thousand or more to
8. include fiscal year 1975.
9. PRESIDING OFFICER: (SENATOR BRUCE)
10. Is there further debate? Senator Berning.
11. SENATOR BERNING:
12. Just a question, Mr. President. I notice
13. the previous bill, 1122, and this 1123 have the
14. years 1965 and on through year after year after year after
15. year. What is the explanation? Is the levy always
16. late in being made or is there some impediment to
17. the authority to make the levy. Should we not
18. just take the lid off altogether, why must we
19. each year, and apparently have been doing this
20. every year, adding the previous years levy. My
21. question is why?
22. PRESIDING OFFICER: (SENATOR BRUCE)
23. Senator Clewis.
24. SENATOR CLEWIS:
25. Senator, we seem to be running at a two year
26. lag, rather than a previous year lag. We're still
27. collecting taxes from 1976 and that's why we're
28. only validating 1975 at the present time. The
29. validation will in effect remove many tax objection
30. suits and in effect, be a savings to the county.
31. PRESIDING OFFICER: (SENATOR BRUCE)
32. Senator Berning.
33. SENATOR BERNING:

1. I'm sorry, I...I must not have made myself clear.
2. As I said, the...the present Statute takes 1965 through
3. every year up through '74 and now we're adding '75
4. and my understanding of the original Act itself
5. validates appropriation and tax levy ordinances.
6. Why must we validate the tax ordinance? Does not
7. the district and the county have that authority in its
8. statutory authorizations? Why must we be validating,
9. retrospectively, tax levys and appropriations, it
10. just doesn't make sense. What can we do to prevent
11. what apparently is done here year after year after
12. year. It seems that this is something that we
13. ought to be able to resolve once and forever.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Clewis.

16. SENATOR CLEWIS:

17. Well, that's a wonderful idea, but it's really
18. a little bit different than the intent of my bill.
19. My bill is to validate 1975. I understand the
20. original Act in 1968 only took in 1968 and it
21. was subsequently amended each year after to include
22. a year, two years, prior to that point in time.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Further debate? Senator Graham.

25. SENATOR GRAHAM:

26. Thank you, Mr. President, and members of the Senate.
27. It seems to me like that all through the years we've considered
28. this type of legislation and all through the years we
29. have to continue to have some new types of legislation
30. to help correct the...the mistakes we made the year
31. before. I think what we're doing here probably, Senator
32. Clewis...Clewis and members. We're encouraging the
33. lack of public park district and local entity's interest
34. in their government and we're saying look, if you don't

1. get it right this year, that's all right, we'll forgive
2. you, next year we'll come along and pass another bill.
3. Sometime, along the line, we have to do the thing with
4. them that they're expecting to do with us and we have
5. to...keep our ears open, our minds alert, our shoulders
6. to the wheel and do the job. I don't think this
7. point of forgiveness should be on...on too much farther,
8. Senator.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Is there further debate? The question is shall
11. Senate Bill 1123 pass. Those in favor vote Aye.
12. Those opposed vote Nay. The voting is open. Have
13. all voted who wish? Take the record. On that
14. question the Ayes are 45, the Nays are 2, 6 Voting
15. Present. Senate Bill 1123 having received a consti-
16. tutional majority is declared passed. Senate Bill
17. 1124, Senator Carroll. Senator Buzbee, were you to
18. handle that? Senate Bill 1127, Senator Buzbee.
19. Read the bill, Mr. Secretary.

20. SECRETARY:

21. Senate Bill 1127.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Buzbee.

26. SENATOR BUZBEE:

27. Thank you, Mr. President. This empowers the
28. Illinois Commerce Commission to inspect and certify
29. intermittent ignition devices for gas appliances. After
30. the, beginning with the twenty-fifth month, after an
31. intermittent ignition device is certified by the
32. commission, Senate Bill 1127 would prohibit the sale
33. of any piloted ignition device on...on any new appliance
34. equipped with a piloted ignition device. The bill

1. prescribes standards for certification of intermittent
2. ignition devices and provides for variances for non-
3. intermittent or pilot ignition devices for cause
4. shown. Violation of this Act shall be a business
5. offense. Such devices are becoming available today.
6. Certification would insure their safety and promote
7. conservation of natural gas.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Is there further debate? Senator Grotberg.

10. SENATOR GROTEBERG:

11. Will the sponsor yield?

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Indicates he will yield. Senator Grotberg.

14. SENATOR GROTEBERG:

15. Senator, I can envision a thousand new inspectors
16. coming down the pike somewhere on this bill, because
17. of the tremendous volume of such devices in our
18. lifetime. Is there any provision for that in this
19. bill?

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Buzbee.

22. SENATOR BUZBEE:

23. No, first of all, what would happen is, after
24. the Commerce Commission had certified that these
25. following devices were acceptable, then manufacturers
26. would install those in their new appliances in place
27. of a pilot light. There would be no inspection after
28. that. They would...only the certain ones that are
29. certified would be the type that would be installed
30. in the new...in the new stoves. Old...furnaces or
31. stoves would not fall under this Act, those in other
32. words that were already installed, so that they would
33. have no...there would be no reason to inspect them,

1. whatsoever, because this deals strictly with the
2. Commerce Commission, certifying what new devices
3. are acceptable to go into new manufactured equip-
4. ment.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Grotberg.

7. SENATOR GROTBORG:

8. Then, one further question. Assuming that the
9. manufacturers bring these to the commission for
10. certification, who...who...who looks them over.
11. That's...does the Commerce Commission have that
12. kind of capability in house engineers to do that.
13. I know the utilities do.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Buzbee. Senator Buzbee.

16. SENATOR BUZBEE:

17. This will empower the Commerce Commission to
18. inspect and certify the devices and...they will,
19. if they do not have the in house capability, which
20. I believe they probably will have...they can contract
21. it out. But, certainly, they are..they are not going
22. to be designing devices. They will simply certify
23. whether this is an acceptable device or not. I'm
24. sure you are aware that in several states right
25. now, testing of these kinds of devices is going on.
26. One, in particular, in Arizona, which has caught
27. Nationwide attention, where they are now selling
28. used stoves and furnaces with these devices and
29. doing away with pilot lights. Of course, the reason
30. for this is, that Northern Illinois, in particular
31. the Chicago area and Cicero and that area is going
32. to be without gas very, very shortly, and because
33. of the...when the gas is diverted from the Midwest

1. to the Eastern seaboard by the Federal Power Commission,
2. which it has been, we need to conserve all the gas we
3. can. Studies have shown that about thirty percent of
4. the gas we use in this country for heating and cooking
5. provisions is burned up with pilot lights. And if
6. we can do away with the need for doing that, then we're
7. going to have a lot more gas available to keep us
8. warm in Cicero and Chicago.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Grotberg. And I point out you have less
11. than a minute. Senator Grotberg.

12. SENATOR GROTEBERG:

13. All right, thank you, then may I address the
14. bill. I'm with you Senator Buzbee on...on conserving
15. gas and applying all of these new widgets it's going
16. to take to do it. But, it seems to me like we have
17. billions of dollars invested in private enterprise
18. to do exactly that and I have yet to see a government
19. commission that could speed up, you know, blowing
20. their nose, let alone a sophisticated ball game like this,
21. and I just wonder about it, and I thought I'd pass
22. that on to the Body.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Graham.

25. SENATOR GRAHAM:

26. I think probably that Senator Grotberg has
27. voiced my opinion. I...I wonder about the capabilities
28. of the Commerce Commission. I'm wondering if they
29. don't have more than they can do now, if they do
30. it right. I'm wondering why we're going to give some
31. Governmental Agency without any guidelines submitted
32. in this bill, this authority to do this and what if
33. we give it to them, what are they going to do with it.

1. I...I am more in favor of a...of letting our free
2. enterprise system, our manufacturers do this and
3. I'm sure that there's no member of the Illinois
4. Commerce Commission right now that would know an
5. ...intermittent ignition device from a bale of hay.
6. And let's figure out who's going to do what to
7. who here before we start make...giving them the
8. power to do it. They got technicians on there, fine.
9. But, I bet you they haven't got one person up there
10. that knows the difference between a pilot light
11. and an intermittent ignition device.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Soper.

14. SENATOR SOPER:

15. Thank you, Mr. President. And I want to thank
16. Senator Buzbee for all the publicity he gave my
17. town. We...he's a good PR man. But, what...you
18. want...you want to save energy, now, who in the
19. Commerce Commission yourself can tell me what
20. it's going to cost in energy to manufacture these
21. devices that you're going to put on these, on
22. all this equipment.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Buzbee.

25. SENATOR BUZBEE:

26. Well, I certainly can't tell you how much it's
27. going to cost in energy to manufacture the devices,
28. but I can guarantee you one thing. It'll certainly
29. going to be cost effective. It's going to save a
30. lot more than the thirty percent gas that we now
31. shoot...burn down the tube simply to keep the pilot lights
32. burning and we can have that...we can have that gas
33. available then heat homes, heat shops and heat industry,

1. provide industry. Let me tell you, Senator Soper, what
2. really brought this...this about in my mind. I have
3. some plants in my district that have been...that
4. have been forced to close down the last three winters
5. in a row, because there is not enough gas to keep
6. them going. So, as a result, I have become very
7. interested in this and I can assure you that this
8. will certainly save more gas than it's going to
9. expend in energy in the manufacture of these
10. devices.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Soper.

13. SENATOR SOPER:

14. Am...am I over.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Not yet.

17. SENATOR SOPER:

18. Not yet. You didn't answer my question. Just
19. say, answer the question, I do not know or I know,
20. yes or no.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Buzbee.

23. SENATOR BUZBEE:

24. In that context, Senator, I don't know how
25. to answer you so I'll say I do not know, I know
26. yes or no, because I don't know what your question
27. is.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Soper.

30. SENATOR SOPER:

31. Well, you spent two and a half minutes answering
32. something, I don't know what you're answering. My
33. second question would have been in the same vein

1. that Senator Grotberg and Senator Graham had. You've
2. got a very good idea, but I think you got...I think
3. you're running the race in the wrong place.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Knuppel.

6. SENATOR KNUPPEL:

7. Well, all these bills were carefully considered
8. by the Illinois Energy Resources Commission. I
9. think this is one of the better ones and it provides
10. for a review of intermittent devices which would lead
11. to a...as Senator Buzbee has said, a substantial
12. saving in energy. I think we have to be about this
13. work and we have to go to it, because most of
14. us aren't willing to admit that we have an energy
15. shortage and that we have to be working on it. And,
16. I'm afraid we're going to be caught just where
17. we were in 1973, in a very immobile and impossible
18. position, if we don't start taking some action
19. with respect to correction and meeting the problems
20. that we're going to have.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Wooten.

23. SENATOR WOOTEN:

24. Mr. President and colleagues. I was impressed
25. by this legislation as being one of the few that
26. we really ought to be working on, because it
27. is prospective. It looks at the future, instead
28. of addressing a problem after it has occurred we're
29. looking ahead. As far as the energy involved in
30. making these devices, it'll take just about the
31. energy it now makes to...to produce control
32. devices. That is not the question. What we're
33. doing here is providing a logical and clear headed

1. method of addressing the most serious drain of our
2. natural gas resources we have today, the pilot light.
3. And we simply say, that once the ICC certifies that
4. a device really works, that it actually will do the
5. job, then within two years, all new appliances must
6. use this device. That gives plenty of lead time
7. to tool up to change over to the kind of device
8. I think we all want, we all need. And, as I say,
9. it's the kind of legislation that looks ahead
10. and I think it's one of the best that we've been
11. offered this Session.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Is there further debate? Senator Buzbee
14. may close.

15. SENATOR BUZBEE:

16. Thank you, Mr. President. Mr. President, I
17. think Senators Grotberg and Graham have specifically
18. pointed out, if...if I could get their attention
19. just a second. Senators Grotberg and Graham.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Could we have some...

22. SENATOR BUZBEE:

23. I...I think that you have pointed out a concern
24. that we all have and that is, why should government be
25. trying to do something if private enterprise can
26. do it better. However, I would point out to you
27. in this bill, we are asking private enterprise,
28. you do the research and development. After you get
29. that all done, you bring the devices to us, that
30. is the Illinois Commerce Commission and then we
31. will certify as to whether that device is acceptable,
32. safe and so forth to replace the present pilot
33. light sort of set-up. And, if so, then we will

1. say, your device is acceptable, then the furnace and
2. the stove manufacturers and so forth, will start
3. putting that on and...and the law will apply only
4. to the new devices. It will not apply to the
5. devices that are already under manufacture or
6. already have been sold. Let me just point out to
7. you, and I'm sure you all have experienced this
8. same thing, my little apartment that I keep here
9. in Springfield, I have a gas cook stove in there.
10. I also have portable air conditioning units. I
11. walk in there in the summertime and haven't been
12. around for a few days, the temperature is about
13. a hundred and ten degrees in that apartment and
14. the kitchen is a lot hotter than any place else
15. because the pilot light is going and there we're
16. burning all of that gas just to keep the pilot
17. light going, then I turn on my air conditioner
18. and use a lot more energy to cool off what the
19. gas is heating at the same time. This is the
20. device, this is...this is a method of trying to
21. stop that needless waste of energy and I was
22. quite serious when I said the last three, in
23. fact it's been five, the last five winters in
24. a row, there have been several small manufacturers
25. in my district that have had to close down in
26. the wintertime because they can't get enough
27. natural gas to operate and when they go to
28. propane, which is usually their stand by, either
29. the propane has gone so high or their manufacture
30. there, their distributor says this is all the
31. propane I give you. So, you know what happens,
32. we put the people out of work, a small business
33. loses profit, the people that are...that are on
34. the payroll, they go on unemployment compensation

1. and none of us are happy. So, what we're trying
2. to do here is to simply come up with an alternative
3. method of providing more gas and I'm quite serious,
4. the Northeast is going to continue to get more and
5. more of our gas from the Midwest because the Federal
6. Power Commission has the authority to divert that
7. gas and they did last winter and they will continue
8. to do so. We get another winter anywhere close to last, and
9. we're going to really be in serious trouble in
10. this country. This is prospective, as Senator
11. Wooten said. We give them twenty-five months
12. after they accept the device, before the manufacturer
13. has to install it. I think it's a good bill and
14. I would ask for your support.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. The question is shall Senate Bill 1127 pass.
17. Those in favor vote Aye. Those opposed vote Nay.
18. The voting is open. Have all voted who wish? Have
19. all voted who wish? Take the record. On that
20. question the Ayes are 28, the Nays are 11, 1 Voting
21. Present. Senate Bill 1127 having failed to receive
22. a constitutional majority is declared lost. Senate
23. Bill 1129, Senator Kenneth Hall. Read the bill,
24. Mr. Secretary, please.

25. SECRETARY:

26. Senate Bill 1129.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Kenneth Hall.

31. SENATOR HALL:

32. Thank you, Mr. President, and Ladies and Gentlemen
33. of the Senate. The intent of this bill is to ease

1. fulfillment of the purpose of the State Comptroller's
2. Act by clarifying certain provisions and...revising
3. others to enable more efficient and economical
4. performance of the State Comptroller's Office and duties.
5. The State Comptroller Act as amended revises the provision
6. concerned the time the comptroller must post bond, B,
7. provide that accounting principles used by the State
8. shall be those applicable to the government, C, revise
9. the procedure concerning cancelled and undelivered
10. warrants. Now, the experience since 1973, and perform
11. the duties of the Comptroller, it has disclosed the
12. need for a more realistic procedure applicable to
13. the issuance of warrants addressed to payees in
14. various circumstances. In the latest twelve month
15. period, over thirty-seven thousand warrants were
16. returned by the postal service as undeliverable.
17. Twenty-five thousand, eighth hundred of these were
18. remailed by...to later addresses. In the same
19. period, six thousand, six hundred determined to
20. be lost, or payable to decedents, were replaced.
21. So, you see that this will...will save a tremendous
22. amount in postage alone and I'd ask your most
23. favorable support for this bill.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Is there discussion? Senator Glass.

26. SENATOR GLASS:

27. I have a question of the sponsor, if he will yield.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Indicates he will yield, Senator Glass.

30. SENATOR GLASS:

31. Senator Hall, the one thing I'm wondering about
32. this bill is the provision that states that accounting
33. principles will be used that are applicable to

1. governments. That the State shall use accounting
2. principles applicable to governments. Now, what...what
3. does that mean, aren't...isn't the State observing
4. those already?

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Kenneth Hall.

7. SENATOR HALL:

8. Senator, the standard for government is accrued.
9. We are already in this process now.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Glass.

12. SENATOR GLASS:

13. Well, if that's true, I'm just wondering
14. why we need to say that in the bill. I...I was
15. kind of surprised to see that language cause
16. I assumed that we would already be observing
17. that here in Illinois.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Kenneth Hall.

20. SENATOR HALL:

21. Well, Senator, there's some people that believe
22. the government ought to use the same principle as
23. private industry. And that's not what is required
24. by the national standard.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Glass.

27. SENATOR GLASS:

28. As I understand what you're telling me, is
29. that Illinois uses the accrual system, which is the
30. system applicable to government, but...but you want
31. to see that in...in the Statute, so that we would
32. have no option, is that correct?

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Kenneth Hall.

2. SENATOR HALL:

3. Senator, at present, we use modified accrued,
4. and what the businesses want is accrued.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Is there further discussion? Senator Harber
7. Hall.

8. SENATOR HARBER HALL:

9. Well, I've heard that discussion and I haven't
10. seen the bill, Senator Hall. This does not specify
11. that we will abide by a strict accrual system, is
12. that right?

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Kenneth Hall.

15. SENATOR KENNETH HALL:

16. No, it does not, Senator.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Harber Hall.

19. SENATOR HARBER HALL:

20. Does it make any reference at all to the
21. accrual system of accounting.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator...Senator Kenneth Hall.

24. SENATOR KENNETH HALL:

25. No, it does not, Senator.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Is there further discussion? The question is
28. shall Senate Bill 1129 pass. Those in favor vote
29. Aye. Those opposed vote Nay. The voting is open.
30. Have all voted who wish? Take the record. On that
31. question the Ayes are 48, the Nays are none, none
32. Voting Present. Senate Bill 1129, having received
33. a constitutional majority is declared passed. Senate

1. Bill 1131, Senator Vadalabene. Read the bill, Mr. Secretary.

2. SECRETARY:

3. Senate Bill 1131.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Vadalabene.

8. SENATOR VADALABENE:

9. Yes, thank you, Mr. President, members of the
10. Senate. Senate Bill 1131 deals with temporary
11. bank deposits. Remittance received by a bank
12. acting as license plate sales agents and those
13. fees received by driver exam stations, is deposited
14. into noninterest bearing bank accounts under the
15. name of the Secretary of State. On a weekly basis,
16. the banks forward drafts to the Secretary's office
17. which the Secretary in turn deposits with the
18. State Treasurer's Clearing Account. An audit report
19. completed early this year advises that the Secretary
20. of State lacks the authority by Statute for this
21. type of transaction. This bill will provide statutory
22. authority within the Illinois Vehicle Code for
23. those designated bank deposits. Furthermore, it
24. provides a regulated schedule for forwarding collected
25. funds into the Secretary's office and eventually through
26. the Treasurer's clearing account. The provisions of
27. this bill are very close to those contained in the
28. State Finance Act. Amendment No. 1 to Senate Bill 1131,
29. after the word, deposit on a temporary basis, is
30. designated by the Secretary of State and Amendment
31. No. 2 to Senate Bill 1131 after the word, banks for
32. deposit with the State Treasurer, what this actually
33. means is that the Secretary of State and the State
34. Treasurer, working out with these amendments, are

1. with the Republican and Democratic side of the aisle,
2. are in agreement with this bill and I would approve
3. a favorable vote.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Is there discussion? Senator Roe, do you wish...

6. Is there discussion? The question is shall Senate
7. Bill 1131 pass. Those in favor vote Aye. Those
8. opposed vote Nay. The voting is open. Have all
9. voted who wish? Have all voted who wish? Take
10. the record. On that question the Ayes are 51,
11. the Nays are 1, 1 Voting Present. Senate Bill
12. 1131 having received a constitutional majority
13. is declared passed. For what purpose does Senator
14. Vadalabene rise?

15. SENATOR VADALABENE:

16. On a...since I'm up and on a point...announce-
17. ment or a point of order, I was just heard across
18. the aisle, someone asked about the horse. Senator
19. Sam M. V., and I have good news and bad news. The
20. horse ran again Friday and when I got back home,
21. and the horse ran last again. He didn't quite
22. make it. I don't know when he's going to run
23. again, but that's two out of two now. Twenty
24. horses and he's ran last both times. Watch out
25. for a big bet coming down the road.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Harber Hall.

28. SENATOR HALL:

29. Well, that...that's the bad news. What's the
30. good news, that the odds keep going up on him.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Vadalabene.

33. SENATOR VADALABENE:

1. The good news is that they haven't destroyed
2. the horse yet.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senate Bill 1133, Senator Berman. Read the
5. bill, Mr. Secretary.

6. SECRETARY:

7. Senate Bill 1133.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Berman.

12. SENATOR BERMAN:

13. Thank you, Mr. President, Ladies and Gentlemen
14. of the Senate. Senate Bill 1133 would utilize
15. the facilities of the Illinois Housing Development
16. Authority to make available to Illinois residents
17. low cost home improvement loans. This bill has
18. been amended to provide, at the suggestion of
19. Senator Weaver, that the loans must be issued at
20. a rate necessary to cover the cost of the bonds
21. that IHDA would issue in order to impose no fiscal
22. cost to the State as far as General Revenue costs
23. are concerned. The process would be where the
24. Illinois Housing Development Authority, IHDA,
25. would issue bonds at a favorable rate because of
26. their tax exempt authority, turn around and purchase
27. from banks, savings and loans, loans that are
28. made for home improvement to people throughout
29. the State of Illinois. Some of the figures, and
30. they are impressive figures, as to the difference
31. and the savings that could be made to our citizens
32. if there was a loan. Currently, these loans can
33. be made...in the market, all the way up to twelve
34. percent are the rates that are being charged. If

1. we can issue these bonds and renegotiate them for
2. the benefit of Illinois citizens at just eight percent
3. on a ten thousand dollar loan over the period of a
4. twelve year loan for example, the savings can be
5. as much as five thousand dollars in interest to
6. the borrower. I solicit your support on this
7. important bill for the home owners and throughout
8. the State of Illinois.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Is there discussion? Senator Bowers.

11. SENATOR BOWERS:

12. Would sponsor yield to a question?

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Indicates he will yield, Senator Bowers.

15. SENATOR BOWERS:

16. There's no full faith and credit involved here
17. at all, is there?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Berman.

20. SENATOR BERMAN:

21. No, it's the Illinois Housing Development
22. Authority is the one that would issue the bonds.
23. I do not believe that their bonds, I don't know
24. if their bonds carry the full faith and credit
25. to the State.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Bowers.

28. SENATOR BOWERS:

29. Well, if I understand it correctly, if they
30. issue the bonds and they'll issue what, a pool of bonds
31. that will relate to specific loans and if those loans
32. aren't paid, do the bond holders take the risk or
33. does the State of Illinois take the risk?

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Senator Berman.
3. SENATOR BERMAN:
4. The bonds are issued by the Illinois Housing
5. Development Authority. They purchase the notes
6. that...that are signed by the borrowers and
7. the...the...I believe the full faith and credit
8. of the State would be behind those bonds. I
9. think, perhaps, Senator Weaver might be able to
10. expand upon that.
11. PRESIDING OFFICER: (SENATOR BRUCE)
12. Senator Bowers.
13. SENATOR BOWERS:
14. I...I...I would like...I thought he yielded
15. Senator Weaver to answer the question, was my
16. understanding.
17. PRESIDING OFFICER: (SENATOR BRUCE)
18. Senator Weaver.
19. SENATOR WEAVER:
20. Well, I can't answer for sure on whether they're
21. full faith and credit bonds, but, in essence, the
22. amendment that I asked Senator...or that we put
23. on the bill would require that the interest charged
24. be no less than the full cost of...of principal
25. and interest, at whatever rate the bonds were sold
26. for, plus their service charge. So, I think it's
27. a good bill as amended.
28. PRESIDING OFFICER: (SENATOR BRUCE)
29. Senator Bowers.
30. SENATOR BOWERS:
31. Well, Mr. President, I would again suggest to
32. the sponsor that I agree it's a good bill if in
33. fact the dollars that are being paid out here are

1. actually being paid out at the risk of the bond holders.
2. In other words, if the individual does not pay his
3. loan and the bond holder doesn't get paid, that's one
4. thing, but if...if we're going to create another
5. FHA problem like we have already, and its the full
6. faith and credit of the State of Illinois, I suggest
7. to you that it's going to be a very expensive process
8. and I simply question whether or not it's the
9. taxpayers that are going to pay if the...if the
10. home owner doesn't or is it the bond holders that
11. are going to pay and I think that until that
12. question is answered we ought to withhold support
13. of the bill.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Weaver, I don't know exactly where
16. to put you on my list. I have Senator Netsch, Walsh,
17. Grotberg and now we'll add Senator Weaver. Senator
18. Netsch.

19. SENATOR NETSCH:

20. The bonds of the Illinois Housing Development
21. Authority are not full faith and credit bonds of
22. the State of Illinois. They are revenue bonds, they
23. are retireable only from whatever revenues come to
24. IHDA. They do have what has come to be known as
25. a moral obligation element in them, but that does
26. not make them full faith and credit bonds. In
27. addition, I might add, although I suppose this
28. is not totally relevant to a new program, but
29. it is a fact, nevertheless, that IHDA has had no
30. defaults of any kind, it is the one housing, or
31. one of the few housing finance agencies in the entire
32. United States that is in excellent condition
33. and whose bonds are sought after and continue

1. to sell at a good figure. There is no reason to think
2. that this program will in any way diminish that, because the
3. this program is in some respects not unlike some other
4. programs that IHDA has engaged in that were not pure
5. construction programs and in those cases also, the
6. Illinois Housing Development Authority has performed
7. the program and its obligations very well and its
8. bonds have continued to be very solid and very sound.
9. But again, Senator Bowers, they are not full faith
10. and credit bonds.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Walsh.

13. SENATOR WALSH:

14. Well, Mr. President, and members of the Senate.
15. I rise to oppose these bills. What it amounts to is
16. a second mortgage being placed on these homes financed
17. by...by bonds issued by IHDA. Senator Netsch has
18. indicated that IHDA has had no defaults as yet, IHDA
19. is really a brand new agency, hopefully it will not
20. have any defaults, but I think this might be a good
21. time for us to take note as to what happened in the
22. State of New York and the City of New York. It
23. were...it was just bonds such...such as this, moral
24. obligation bonds which put the...the credit of New
25. York State and New York City on the rocks. And
26. if we get in the business of...of second mortgage
27. financing, which is what this is, or home improvement
28. loans financed by IHDA bonds, I think we're very
29. seriously runing the risk of affecting the credit
30. of the State of Illinois and we saw in the paper
31. recently where Governor Thompson and...and the
32. Director of the Bureau of the Budget visited with the
33. bond rating houses in New York trying to keep

1. Illinois at a AAA rating and the...the rating
2. of the State is affected by the rating of agencies
3. such as IHDA and I don't think we should give IHDA
4. this additional authority.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Grotberg.

7. SENATOR GROTEBERG:

8. Will the sponsor yield?

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Indicates he will yield. Senator Grotberg.

11. SENATOR GROTEBERG:

12. Senator Berman, as I understand the IHDA
13. appropriation this year, and I'm a hundred percent
14. for it, it's three hundred million in new...new
15. bonding authority. Is there any provision in
16. that three hundred million for this, that you
17. know of?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Berman.

20. SENATOR BERMAN:

21. Senator Grotberg, House Bill 1638 just passed,
22. I think it was Friday or Saturday out of the House
23. and that's the three hundred million. I've discussed
24. this bill and this program with Governor Thompson
25. and he has indicated and we have...we plan to move
26. forward with an amendment to that authorization to
27. earmark twenty million dollars for this program.
28. As you can see, twenty million out of a three
29. hundred million dollar increase, is a modest increase
30. in terms of bond authorizations. We are not looking
31. to build great bureaucracies or...or dynasties through
32. this operation. We want to start out slow. The
33. Governor, in conversations and I don't want to misquote

1. his official position, indicated to me that he was
2. interested in this program. He thought it could
3. work and that if we started slow, he was in
4. support of it.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Grotberg.

7. SENATOR GROTEBERG:

8. If I may address the bill, Mr. President, my
9. concern with IHDA is that I'm going to vote Present,
10. because I think sooner or later I'm going to be going
11. to them for some mortgage money and I'm still in a
12. conflict of interest doing that, but they do a good
13. job of what they're doing now, in the multi-family
14. dwelling project basis and that they've been working
15. on and I'm thrilled with a lot of the things they
16. are doing. I share some of Senator Walsh's concern
17. when they start dabbling in the home owner loan
18. business that will take an awful lot of staff to
19. keep up with that kind of activity and I worry
20. about that, too. I will vote Present on a conflict
21. of interest basis.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Weaver.

24. SENATOR WEAVER:

25. Well, I would just like to clarify one thing. I...I
26. think these IHDA bonds are really revenue bonds, but
27. since there's never been a default on them, we don't
28. know whether the courts would hold it, probably they
29. are, that we would have to treat them as general
30. obligation or not, so I think we've got to go slowly
31. and hopefully, IHDA will continue to operate properly
32. and we...we certainly watch their authorizations every
33. year, or every couple of years anyway. So, I think

1. there is that unknown, Senator Netsch, as to whether,
2. if they were in default, whether we would have to
3. pick up that default as the State of Illinois.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Does any other Senator wish recognition on this
6. matter for a first time? Senator Netsch is recognized
7. for the second time.

8. SENATOR NETSCH:

9. Thank you very much. I really don't think
10. that is a matter of major concern, Senator Weaver,
11. for a lot of reasons, admittedly the moral obligation
12. concept is one that has never been fully understood,
13. but it is...it has been litigated in some other
14. areas and I feel reasonably secure in saying that in
15. no way would these be treated as would general obligation
16. bonds. I think equally important though, and I think
17. this is a factor that you were recognizing also that
18. IHDA has been extremely conservative in everything
19. that it has done and its bonds are in excellent
20. shape and they have not detracted at all from the
21. bond rating of the State of Illinois, in fact if
22. anything I think, that they've helped
23. to support it. Senator Walsh, there is no relationship
24. whatsoever between the Illinois Housing Development
25. Authority and New York's UDC, Urban Development
26. Corporation and what happened to it. The whole
27. method of financing that IHDA has used has been
28. quite different and has been designed to avoid the
29. very pit falls that New York's agencies did indeed
30. encounter, so that while one can never say never,
31. will something like that happen. It is almost
32. impossible that IHDA would get itself into the
33. same fix that the New York agency did. For one

1. thing, because its bonding does relate to particular
2. products. It is not just sort of an overall continuing
3. bonding program that is open ended and loose ended, which
4. is one reason why it has been very strong and I would
5. like to point out, and this is really the main second
6. point I wanted to make, is that a couple of years ago
7. when mortgage money was so tight in the State of Illinois
8. that all of us were deeply concerned, it was affecting
9. employment, industry, as well as housing starts. IHDA
10. developed its program of what was called as I
11. ...believe the loan to lenders program whereby it
12. took some of its bonding authority and made that
13. money available to those who in turn were going to
14. lend it to people so that the housing business
15. could continue. I heard very...I think I heard
16. no objections to the program when IHDA undertook
17. that program because it was something that helped
18. all of us from industry through labor through home
19. owners through the State economy generally. And
20. yet even that which was not a specific construction
21. lending program, was very soundly done. It seems to
22. me that this program is really not exactly the same
23. thing, but a program that is not unlike that other
24. in concept and in terms of its soundness as well
25. and that if IHDA was able to...to do the other program
26. soundly of lending the money to the lenders so
27. that they could continue that this also should be
28. allowed for IHDA. I think its a very, very solid
29. program and should be supported.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Is there further debate? Senator Regner.

32.
33.

1. SENATOR REGNER:

2. Question of the sponsor.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Indicates he will yield.

5. SENATOR REGNER:

6. Senator Berman, I understand IHDA has a regular
7. increased authorization bill somewhere, it may be in the
8. House, I don't think it's here yet, and you mentioned
9. in your opening statement that there is a bill for
10. additional authorization for this project?

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Berman.

13. SENATOR BERMAN:

14. No, my response to Senator Grotberg's
15. inquiry on that same line was that there would be
16. an amendment placed on that authorization bill that
17. just came over the other day.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Regner.

20. SENATOR REGNER:

21. Well, if that amendment doesn't pass
22. and it was indicated to me in talking to someone
23. from IHDA last week that the amount they're asking
24. for is for their ongoing projects now and their
25. proposed projects. Now, if that amendment didn't
26. go on and a shortage of funds did develop, what would
27. take precedence, the projects they have planned or
28. the program such as this?

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Berman.

31. SENATOR BERMAN:

32. I think IHDA would have to answer that, Senator.
33. Either the question would be as to whether we add
34. twenty million authorization which I think is a good

1. possibility and...and utilize it in that purpose so that
2. we don't infringe upon other programs that they have
3. but, that, I think, would probably be ironed out at the
4. committee hearing on their authorization bill.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Shapiro.

7. SENATOR SHAPIRO:

8. Parliamentary inquiry, Mr. President.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. State your point.

11. SENATOR SHAPIRO:

12. Since this adds a new section to the Housing
13. Development Act and institutes a new program and
14. evidently requires a bond authorization of some amount,
15. how many votes will be required to pass this Act?

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. It would be my ruling that it will require
18. thirty affirmative votes to pass in that the bond
19. authorization itself is not involved, only the increase
20. in the authorization would require three-fifths
21. vote. Is there further debate? Senator Berning.

22. SENATOR BERNING:

23. Thank you, Mr. President. Just would like to make
24. the observation that it would appear that this is
25. a state operated anti-red-lining program that may or
26. may not be its total objective, but as I read it,
27. that's really what it's doing. That being the case, it
28. would appear to me that we have imposed some unnecessary
29. restrictions on private enterprise. Other than that,
30. my question of the sponsor is, what is the total
31. indebtedness of IHDA at this point?

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Berman.

1. SENATOR BERMAN:

2. If I'm not mistaken, I believe they had
3. an authorization of five hundred million dollars
4. and I think that's where they're at. That's why they
5. came in with the bill to raise it to eight hundred
6. million.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Berning.

9. SENATOR BERNING:

10. Their existing maximum is five hundred million.
11. They're seeking eight hundred million. This would increase
12. it another estimated twenty million. We are approaching
13. rapidly the one billion dollar mark, it appears, from that
14. and Ladies and Gentlemen of the Senate, in spite of any
15. and all of the laudable objectives, there is behind
16. every one of these proposals that lurking threat
17. of default and I submit that equally as laudable as
18. were the increased benefits awarded under the Social
19. Security Administration by our Congress, misguided
20. as they may have been, we now are at the point of
21. bankruptcy in the Social Security System. It's a very
22. real threat and no one of us ever thought this could
23. occur. And I would hesitate to support any funding
24. that...additional funding that is going to ultimately
25. place the State of Illinois in...in an untenable
26. position. Further, Mr. President, because of my own
27. personal situation, I can see where I could be accused
28. of conflict of interest in voting for this, so I will
29. refrain from voting.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Carroll, first time, then we're back to
32. you, Senator Walsh. Senator Carroll.

33. SENATOR CARROLL:

1. Thank you, Mr. President and members of the Senate.
2. Very briefly, I can't understand what a lot of this
3. dialogue is about. We have given IHDA the power in
4. creating it to grant loans to private developers to
5. build basically high rise developments and also to
6. build homes throughout the State of Illinois.
7. It's my understanding that they have done very little
8. in the area of the latter and quite a bit in the
9. area of the former. Where they have built substantial
10. highrise properties, all of which so far have been
11. safe. What we're talking about here though, to me
12. makes more sense. We're talking about saving
13. through revitalization existing structures to allow
14. the people of this State to improve that which they
15. now own at a much lower cost to them for the
16. borrowing power. If that is not a proper function
17. of State Government to initiate programs to attempt
18. to save that which we have at a much lower cost
19. than demolishing and rebuilding, then I don't know what
20. we are doing here. This is one of the most sensible
21. programs we have had in many a year and it does
22. so at no cost to the taxpayer. These are revenue
23. bonds that are repaid by the repayment by those who
24. are fixing their property. This is the way we should
25. go in trying to renovate...renovate urban centers,
26. allow people to fix their property and allow them to do
27. so at a sensible cost. I think we should all be supporting
28. this legislation.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Walsh.

31. SENATOR WALSH:

32. Senator Nimrod, do you seek recognition? Well,
33. Senator Nimrod under our rules would come first. Senator
34. Nimrod.

1. SENATOR NIMROD:

2. Yeah. A...a question of the sponsor.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Indicates that he will yield.

5. SENATOR NIMROD:

6. Since this is a...a renovation is what we're
7. talking about, what happens in the case...and why can't
8. they go on to private sector and borrow money if they
9. have a...a proper equity in their buildings. And I...

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Berman.

12. SENATOR BERMAN:

13. Well, I'm glad you asked that question, Senator
14. Nimrod. The whole purpose of this is to make available
15. to the citizens of Illinois low cost or moderate
16. cost loans for home improvements. Today, they
17. can't get these kind of home improvements regardless
18. of the amount of their equity unless they're willing
19. to pay ten, eleven, twelve or higher percentage and
20. when you start adding up that kind of interest rate
21. for a few thousand dollars to improve your home,
22. people can't afford it. Now, what you're doing here is
23. utilizing the resources of tax free bonds that are issued
24. by IHDA and this is going to be run through banks and
25. savings and loans which are going to have not IHDA
26. as a competitor, but IHDA as, in fact, a service outlet
27. where they can offer this kind of local interest loan
28. to their borrowers. The question isn't one of equity.
29. The question is one of cost. And when we see the costs
30. of new housing, what you're going to do is really...you
31. need this kind of a facility to improve your neighborhoods.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Nimrod.

1. SENATOR NIMROD:

2. Yes, thank you, Senator Berman. The only question
3. ...the thought I have on this bill is this, is that I
4. think we're definitely competing with the private sector
5. and I do believe that mortgage loans and home improvement
6. loans...the Federal Government has all kinds of programs
7. that are working in this area and I think that IHDA
8. ought to look to that before we go ahead and twenty
9. million dollars is only going to be a drop in the
10. bucket compared to what it is going to be. I would
11. think we should study the problem before we go ahead
12. and...seriously consider its impact before we go ahead
13. and pass this kind of legislation.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Is there further debate? Senator...now I have
16. Senator Glass, Senator Mitchler, Senator Bloom.
17. And Senator Walsh for the second time. Senator Glass.

18. SENATOR GLASS:

19. Thank you, Mr. President. I have one question of the
20. sponsor, if he will yield.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Indicates that he will yield.

23. SENATOR GLASS:

24. Senator Berman, I...my notes indicate as you have
25. already stated, that there was a major amendment to this
26. bill. What I'm wondering is if whether the guarantee
27. by a contractor who does the renovation work or
28. warranty of workmanship, is that still a requirement
29. in the bill or was that deleted by the amendment?

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Berman.

32. SENATOR BERMAN:

33. I do not see in here specifically a guarantee by the

1. ...by the contractor. Again, the way...it does have the
2. general authorization here that the authority, IHDA,
3. may promulgate such procedures, reasonable fees and
4. charges with regard to lender participation, home
5. improvement standards, individual loan applications
6. and reserve funds as may be necessary to meet the purpose
7. of this Act. In conversations with IHDA as to how this
8. plan will be run, it's going to be...it's not going
9. to require much, if any staff increase by IHDA. These
10. are going to be purchases of the loans from savings
11. and loans and banks and for the most part, they will
12. require the guarantees by the contractors.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Glass,

15. SENATOR GLASS:

16. Well, I...I mean, I don't know why if that was in the
17. bill originally and was taken out, why we shouldn't leave it
18. in the bill, that was all. I was surprised that if
19. ...if we are making loans of this kind, it would seem
20. to be one additional safeguard for IHDA to require
21. the guarantee of workmanship by the contractor.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Mitchler. At Senator Berning's desk.

24. SENATOR MITCHLER:

25. Thank you, Mr. President. This...this sounds like
26. a good deal. What do you have to do to qualify to get all
27. this four percent money and that? I've got a chicken
28. house I'd like to fix up. Can I...can we qualify
29. for this? Is government going to take care of everybody
30. or we only looking after a few here, Senator?

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Berman.

33. SENATOR BERMAN:

1. Well, Senator Mitchler, aside from being a good
2. tennis player, all you have to be is a owner of a six
3. flat or less unit. They...the requirements set forth in
4. the bill indicate that the...that the...that the standards
5. are that it's...that the loan is primarily...or the
6. improvements are primarily to make the housing more
7. desirable to live in, to increase the market value
8. of housing, for compliance with State, county, municipal
9. building housing, maintenance, fire, health or similar
10. codes, standards applicable to housing or to accomplish
11. energy conservation related improvements. It is
12. designed for assistance to the middle and low income
13. applicant. I don't know if you fall into that
14. category. And the...other than that, there is
15. no restrictions set forth in the bill.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Is there further debate? Senator Richard
18. Walsh.

19. SENATOR WALSH:

20. Well, Mr. President, just since Senator Netsch
21. spoke twice, very briefly. I'd like to remind the
22. membership once again, it really was the so called
23. moral obligation bonds which got the...the State of
24. New York and the City of New York into...into this
25. problem that they're in and furthermore, you're talking
26. about something which doesn't exist under the present
27. IHDA bonding authority. So, we're going to give them
28. broad, new powers under this bill which would only
29. require thirty votes and put some of us in the position
30. where if we're going to give them new money for
31. new construction which we'd like to do with the bill that's
32. coming over from the House, we might not be inclined to
33. do so because it's also going to include this...this

1. piddling amount of twenty million dollars for the
2. ...the brand new program that we're authorizing here.
3. I think we should look twice at this...at this proposal.
4. I think it's dangerous. IHDA was originally designed
5. to provide housing where it could not otherwise be
6. provided. We have not seen the need demonstrated for
7. this proposal. Furthermore, the staff that would be
8. required for these many small, probably nothing more than
9. fifteen thousand dollars second mortgage loans, is going
10. to be a considerable thing and I think this bill should
11. be defeated.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator...is there further debate? Senator Berman
14. may close.

15. SENATOR BERMAN:

16. I'm glad we have a noncontroversial little item here.
17. This bill came to me from the National...the Chicago
18. Chapter of the National Association of Housing and
19. Redevelopment Officials. They recognize and I think
20. we all do, that today's market regarding residences,
21. there was an...there was a headline in the paper the
22. other night, the average new home is in excess of fifty-
23. one thousand dollars purchase price. I don't know about
24. your constituents, but I'm sure they're like mine. I
25. don't have many people that can afford that kind of price
26. for new homes. I represent older neighborhoods.
27. Each of you do, I'm sure. What we talk about as far
28. as improving the...the quality of life in our communities
29. requires exactly what this bill is aimed for, getting
30. solid citizens who are willing to put their good faith
31. and credit behind a loan to improve their property.
32. We're not talking about building a bureaucracy. We're
33. talking about a modest sum of twenty million dollars that

1. will be used not to increase the IHDA staff, but rather
2. to be used to purchase loans made by banks and savings
3. and loans for home improvements at low interest rates.
4. The banks and savings and loans support this bill,
5. Ladies and Gentlemen. They are not afraid about the
6. competition here because they're not making these
7. kind of loans. They want this availability of this
8. bill to be able to render a greater service to their
9. customers. The Governor has indicated his support for
10. this program. The IHDA staff has indicated their
11. support for this program. Private enterprise has
12. indicated support for this program. And your
13. constituents need the funds that this bill will make
14. available to them. Isn't it better to make small
15. loans at low rates to improve the neighborhoods
16. than to spend millions of dollars to tear down homes
17. or millions of dollars to build homes that are out of
18. the price range of our average constituency. That's
19. what this bill is. All I've really heard today is
20. a lot of red herrings as far as what the problem is...

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Can we have some order, please? Senator Berman.
23. SENATOR BERMAN:

24. The problem is with this kind of a bill. This is
25. a bill that's necessary, I would say, in almost every
26. legislative district in this State to allow people to
27. get loans at low rates through the resources of the State.
28. It's not the full faith and credit of the State. It is
29. revenue bonds that are going to be backed up by the good
30. faith and credit of your constituents that will be the best
31. investment that we can make. I solicit your support
32. for Senate Bill 1133.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. The question is shall Senate Bill 1133 pass.
2. Those in favor vote Aye. Those opposed 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 29,...sponsor requests further
6. consideration of the bill be postponed. The bill will
7. be postponed. Senate Bill 1134, Senator Lane on the
8. Floor? Read the bill, Mr. Secretary.

9. ACTING SECRETARY: (MR. FERNANDES)

10. Senate Bill 1134.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Lane.

15. SENATOR LANE:

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

17. What this bill does is give the Secretary of State
18. a handle on the fees that are being charged by middle
19. men for services that are being provided by the
20. Secretary of State's office. There has been evidence
21. of fee gouging in certain areas of the State. The
22. Secretary has asked for this legislation.

23. Appreciate a favorable roll call.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Is there discussion? The question is shall
26. Senate Bill 1134 pass. Those in favor vote Aye.
27. Those opposed vote Nay. The voting is open. Have all
28. voted who wish? Take the record. On that...on that
29. question the Ayes are 49, the Nays are 1, 1 Voting
30. Present. Senate Bill 1134 having received a constitutional
31. majority is declared passed. Gentlemen, would call your
32. attention to the hour is nearly 4:30. If you have
33. any objections or you wish to be recorded other than
34. Aye on the list of Agreed Bill No. 2, you should have

1. those to the Secretary at this time. Senate Bill
2. 1136, Senator Berman and Ladies. Senate Bill 1136.
3. Read the bill, Mr. Secretary.

4. ACTING SECRETARY: (MR. FERNANDES)
5. Senate Bill 1136.

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

8. PRESIDING OFFICER: (SENATOR BRUCE)
9. Senator Berman.

10. SENATOR BERMAN:

11. Thank you, Mr. President, Ladies and Gentlemen
12. of the Senate. This bill requires that any teacher
13. dismissed as a result of a decrease or discontinuance
14. shall be paid all...all earned compensation on or before
15. the third day, that's the amendment that was placed
16. on it, third day following the last day of pupil
17. attendance in the regular school term. The necessity
18. for the bill arose when there's been a reduction enforced
19. in school districts. They don't pay dismissed teachers
20. right away. There's a question as to the propriety
21. of the application of teachers following their dismissal
22. regarding unemployment compensation. This bill was
23. supported in committee by the School Board Association
24. as well as the Teacher's Unions. I solicit your support.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Is there debate? Senator Glass.

27. SENATOR GLASS:

28. Thank you, Mr. President. I would just stand in
29. support of this bill also and observe that as Senator
30. Berman mentioned the only objection raised in committee
31. was with the original two day provision for paying the
32. bill and it was changed to three and that removed
33. all of the objections and so I would urge a favorable

1. roll call.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Is there further debate? The question is shall

4. Senate Bill 1136 pass. Those in favor vote Aye.

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

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

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

8. are none, 1 Voting Present. Senate Bill 1136 having

9. received a constitutional majority is declared passed.

10. Senate Bill 1138, Senator Rhoads. Read the bill,

11. Mr. Secretary.

12. SECRETARY:

13. Senate Bill 1138.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Rhoads.

18. SENATOR RHOADS:

19. Thank you, Mr. President, members of the Senate.

20. Senate Bill 1138 simply provides that township school

21. treasurers appointed for the first time shall have a

22. background in accounting, twelve hours accounting or some

23. other financial background. This affects only suburban

24. Cook County, only those thirty suburban townships. It

25. does not affect anyone who is now employed. This would

26. only go into effect for future township treasurers.

27. It was requested by the Township School Treasurer's

28. Association and the Township Trustees Association. It's

29. an effort to upgrade the profession. I'd be happy to answer

30. any questions.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Is there debate? The question is shall Senate Bill

33. 1138 pass. Those in favor vote Aye. Those opposed vote Nay.

1. The voting is open. Have all voted who wish? Take the
2. record. On that question the Ayes are 41, the Nays
3. are 6, 2 Voting Present. Senate Bill 1138 having
4. received a constitutional majority is declared passed.
5. Senate Bill 1139, Senator Rhoads. Senate Bill 1142,
6. Senator Nimrod. Read the bill, Mr. Secretary.
7. SECRETARY:
8. Senate Bill 1142.
9. (Secretary reads title of bill)
10. 3rd reading of the bill.
11. PRESIDING OFFICER: (SENATOR BRUCE)
12. Senator Nimrod.
13. SENATOR NIMROD:
14. Yes, Mr. President and fellow Senators. The...this
15. bill is necessary since this particular division
16. has been operating, but has been operating under
17. a Governor's Executive Order, and we've been passing
18. legislation that requires it to perform certain
19. functions and duties...
20. PRESIDING OFFICER: (SENATOR BRUCE)
21. Excuse me, Senator Nimrod. Could we have some
22. order, Gentlemen and Ladies? Senator Nimrod.
23. SENATOR NIMROD:
24. Yes, I know of no opposition to the bill.
25. It is...it is something we need to do and put it
26. in legislation so we have a division created by the
27. Legislature. I would ask for a favorable roll call.
28. Be happy to answer any questions.
29. PRESIDING OFFICER: (SENATOR BRUCE)
30. Is there discussion? Senator Maragos.
31. SENATOR MARAGOS:
32. Will the sponsor yield to a question?
33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Indicates that he will yield. Senator Maragos.

2. SENATOR MARAGOS:

3. Senator Nimrod, isn't there an Energy Division
4. presently in the BED or isn't there a so called Director
5. of Energy in that department or...

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Nimrod.

8. SENATOR NIMROD:

9. Senator Maragos, there is such a unit, however
10. it's been created by the...by an Executive Order and...
11. by the previous governor and we are now passing
12. legislation that mandates it to do certain things and
13. we ought to have it created under the Legislature and
14. it defines its responsibilities.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Maragos.

17. SENATOR MARAGOS:

18. Mr. President, I agree, Senator Nimrod, that
19. this should be done by legislative action. Are there
20. going to be additional appropriations for this
21. office or what are the...what else does this bill say
22. besides the fact that...you are creating that particular
23. office?

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Nimrod.

26. SENATOR NIMROD:

27. No, there are no additional appropriations. What it
28. does do is...it outlines its responsibilities and it also
29. limits it in the fact that it is not set policy and that...
30. the Legislature decide that that is done by the Energy
31. Resources Commission and by the Governor. This has been
32. looked at by the committee and looked at by the Governor's
33. office and we did remove a provision that was...that the

1. committee wanted out that set a salary and put a director
2. into it and that amendment took care of that...removed
3. it. It does not provide for any additional powers or
4. authority or appropriation for it to do other than what
5. it has right now.
6. PRESIDING OFFICER: (SENATOR BRUCE)
7. Senator Maragos.
8. SENATOR MARAGOS:
9. Mr. President and members of the Senate. Having
10. heard this explanation, I will vote for the bill because
11. it is a step in the right direction.
12. PRESIDING OFFICER: (SENATOR BRUCE)
13. Senator Carroll.
14. SENATOR CARROLL:
15. Thank you, Mr. President. If the sponsor will yield
16. to a couple of questions.
17. PRESIDING OFFICER: (SENATOR BRUCE)
18. Indicates he will yield. Senator Carroll.
19. SENATOR CARROLL:
20. Senator Nimrod, if we are not creating any new
21. jobs, any new positions, any additional expenses,
22. how are we creating a division?
23. PRESIDING OFFICER: (SENATOR BRUCE)
24. Senator Nimrod.
25. SENATOR NIMROD:
26. This division is presently under the Division
27. of Business and Economic Development. And it is
28. funded within that particular budget. And all we're
29. doing here is setting up the Division of Energy which
30. has been operating under an Order of the Governor.
31. We're setting it up so that it has some statutory
32. authority and that we have set some legislative limits
33. on what it is responsible for and what it can do.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Carroll.

3. SENATOR CARROLL:

4. You are relating to us ;that when we look
5. over the BED budget, there is no fiscal impact at
6. all to creating this by legislation?

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Nimrod.

9. SENATOR NIMROD:

10. No, Senator. Not any...not any additional,
11. Senator Carroll, than what we already have.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Carroll. Senator Demuzio.

14. SENATOR DEMUZIO:

15. Yeah, thank you, Mr. President. Some of the questions
16. that I wanted to ask Senator Maragos and Senator Carroll
17. have touched on, the fiscal implications. You...we did...
18. you did take out the fact that there would be a director
19. and that has been amended out as per the committee
20. action, is that...is that correct?

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Nimrod.

23. SENATOR NIMROD:

24. Yeah, Senator Demuzio, Section IV, instead of
25. eliminating that one sentence that you asked for, I
26. eliminated that whole paragraph with reference to that
27. particular office. Yes, there is no reference to that
28. amount...that office or the amount of money at all.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Demuzio.

31. SENATOR DEMUZIO:

32. And there is no additional appropriation then,
33. in the budget this year for any new staff or clerical
34. personnel, is that correct?

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1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Nimrod,

3. SENATOR NIMROD:

4. That is correct, Senator Demuzio.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Is there further discussion? The question is shall

7. Senate Bill 1142 pass. Those infavor vote Aye. Those

8. opposed vote Nay. The voting is open. Have all voted

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

10. On that question the Ayes are 44, the Nays are 2, 2

11. Voting Present. Senate Bill 1142 having received

12. a constitutional majority is declared passed.

13. Senate Bill 1143, Senators Nimrod and Collins.

14. Senator Nimrod and Collins wish to have the bill read.

15. SECRETARY:

16. Senate Bill No. 1143.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Nimrod.

21. SENATOR NIMROD:

22. Yes, Mr. President and fellow Senators. In
23. my opening remarks, when I conclude, I would like to

24. call on Senator Collins to follow up on the few

25. additional remarks before we have it for general

26. discussion. Senate Bill 1143 however, represents a

27. balanced attempt to prevent the recent occurrence of

28. the tragic incidents. All of us are certainly

29. saddened and we are concerned about the number of

30. high risk the mentally disordered persons who have

31. been acquitted by reasons of insanity. They have been

32. committed to the Department of Health and then discharged

33. into the community to once again commit serious crimes.

1. I draw your attention to the fact that under the present
2. law and judicial interpretation that the Department
3. of Mental Health and Development..Developmental
4. Disabilities has absolute, unfettered discretion
5. to discharge such a person. The courts are powerless to
6. act. I would say that in short, this bill would require
7. the Department desiring a discharge of a person acquitted
8. by reason of insanity, to give both the State's
9. Attorney and the court a thirty day notice before
10. him in which also gives them thirty additional days to
11. conduct a hearing if they so choose. Placed upon
12. each of your desks are some recent newspaper articles
13. and a chart, diagram. I would draw your attention to the
14. fact that on that diagram, you will note in the top part
15. of that diagram that the criminal procedure proceeds
16. then in the case where it's not guilty by reason of insanity
17. It goes into need of mental health treatment, then
18. the Department performs what treatments are necessary
19. and they discharge to the general public. Down the lower
20. half of that particular chart, you will note that
21. in that procedure as recommended by this bill, Senate Bill
22. 1143, which...must...they must be referred back to the
23. judicial process and there at that point, there can be
24. recommendations for further options of the court to have
25. further jurisdiction or to remand them back into the mental
26. health system. However, it does give us judicial
27. oversight and judicial continuance has been presented
28. by one of the amendments. This bill has come about as
29. a result of requests from our Chief Justice of the...of
30. our Supreme Court, Judge Ward, Judge Fitzgerald, from the
31. criminal court...Chief Justice of the Criminal Court
32. of the Circuit Court of Cook County. And this one
33. has come about as a result of Judge Joseph Schneider

1. who has been Chairman of the Commission for the
2. Revision of the Mental Health Code. It's had
3. numerous meetings and certainly discussion about this
4. bill. In committee, there was a very thorough exposure
5. to all the areas. There were some recommended amendments
6. which we did place on the bill and I know of no
7. opposition to this bill at this time either from the
8. private providers, from the Department of Mental
9. Health, from the Judiciary or from any of the
10. legislative committees. At this time, I would like to defer
11. to Senator Collins for a few remarks before questioning
12. Mr. President.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Is there discussion? Senator Collins.

15. SENATOR COLLINS:

16. Mr. President and members of the Senate.
17. I would like to delay my remarks until after the discussion.
18. Would like to say to my colleagues here that this is
19. probably one of the most significant piece of legislation
20. that we will be called upon to act on this Session.
21. And I would hope that you would give it your undivided
22. attention. Both Senator Nimrod and I will welcome
23. constructive debate. This is a very serious
24. problem and there is no easy solution to the problem.
25. And at this point, I would delay my comments until after
26. we've heard some discussion on the bill.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Is there further discussion? Senator...Senator
29. Hickey.

30. SENATOR HICKEY:

31. ...you, Mr. President and Senator Nimrod and Senator
32. Collins. I think this is a good bill with one exception.
33. It may be that this exception that I'm worried about
34. has been taken care of in amendment but Senator Nimrod,

1. you didn't mention that. In the subcommittee of the
2. Mental Health Commission, we did talk about it and I thought
3. it would appear in an amendment. Does it include
4. a provision for the presiding judge at the time that the
5. person is sent back to the court to make a decision
6. as to whether he is ready to be released or not, to have
7. the consultation of a second professional who is not
8. a part of the Mental Health Department? I think that this
9. is a very, very important thing. That is, I don't
10. think that judges have the expertise to make this
11. decision alone and I also think that we shouldn't
12. rely entirely on the Mental Health Department or we
13. would have exactly what we are having now.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Nimrod.

16. SENATOR NIMROD:

17. Yes, Senator Hickey, that was discussed in our
18. subcommittee meetings and that provision has been
19. provided for. The judge has the jurisdiction to
20. decide to request, if he decides to have a complete hearing.
21. He does not...hearing on this case. He does not have
22. to accept the recommendations of the Department of
23. Mental Health and he may call in outside assistance.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Hickey.

26. SENATOR HICKEY:

27. Senator Nimrod, could you site the exact place in
28. the bill where it does provide for the judge to make
29. that decision with the consultation of a second professional,
30. not a member of the Mental Health Department?
31. I couldn't find it in the bill, myself.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Nimrod.

1. SENATOR NIMROD;

2. Yeah, I'll look for it here and in case there's
3. other questions, you may proceed, but I'll try
4. and get that before we close our debate, Senator
5. Hickey.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Is there further debate? Senator Glass.

8. SENATOR GLASS:

9. Thank you, Mr. President, Ladies and Gentlemen.
10. I would just add to what Senator Nimrod and Senator
11. Collins have said, I think this is a very much needed
12. bill. It had an excellent hearing in the Judiciary
13. I Committee, a good deal of testimony that I think
14. went on for in excess of an hour. Senator, I would
15. like to ask you one item of clarification. It's
16. my understanding that the way this bill has come out,
17. is that after a person is judged innocent by reason
18. of insanity, he is...a hearing is then held by a separate
19. court to determine whether, in fact, he should be
20. committed and then if that person is committed,
21. before he is released, a hearing is held by the same
22. court that committed him to make the determination of
23. whether the Mental Health Department is justified in
24. releasing him. Is that the way the bill is now?

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Nimrod.

27. SENATOR NIMROD:

28. Yes, Senator Glass, yes. It is referred back to the
29. court. We have made one amendment in that provision
30. in accordance with your request as well as, I think it was
31. Senator Carroll...Senator Berman. What that required was that
32. there be a thirty day notice before they intend to discharge
33. then the court has...and the State's Attorney have an additional

1. thirty days to decide whether or not they want to pursue
2. and have a hearing. But the decisions rest with them
3. and go on from that point.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Glass.

6. SENATOR GLASS:

7. Thank you. I will just reiterate that this is one
8. ...one way, I think, of having the Department of
9. Mental Health be sure that they are releasing someone
10. who is...is truly able to go back into society. They...
11. they know that there is a court looking over their
12. shoulder and to that extent, I think it...it does provide
13. a needed service. I think it's a good bill.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Maragos.

16. SENATOR MARAGOS:

17. Will the sponsor yield to several questions?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Indicates he will yield. Senator Maragos.

20. SENATOR MARAGOS:

21. Senator Nimrod, during the committee hearing on
22. this piece of legislation, we had gone extensively
23. into the procedures presently used by the Department of
24. Mental Health and by the courts that if a defendant
25. is found not guilty because of insanity, that he is then
26. not incarcerated, but taken over by the Department of
27. Mental Health and at that time, determine whether he needs
28. treatment or not. And from the testimony as I recall it
29. at the committee, it was stated at that time that in ninety-
30. nine percent of the cases, they automatically
31. consider a defendant who has been found not guilty because of
32. insanity to need mental health treatment. Would you please
33. explain the procedures which are still presently used and

1. which this bill will use if any or changed if any
2. regarding the initial proceedings after the finding
3. of insanity...not guilty because of insanity?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Nimrod.

6. SENATOR NIMROD:

7. Yes, Senator Maragos, what happens under the present
8. procedure is that when the courts find a person not
9. guilty by reason of insanity, that means that person
10. has been found not guilty. However, there is a
11. condition that he is unable to stand trial
12. and as a result of that, he then is turned over to
13. the Department of Mental Health who then under the
14. present procedures has the sole discretion of whether
15. or not further treatment is recommended, what kind of
16. treatment is recommended and when that person is ready
17. for discharge. The...the question and the problem that
18. comes about here is that the courts have one mission
19. and one purpose and the Department of Mental Health
20. has a different purpose and goal and it does not include
21. the fact that whether or not we have to find out whether
22. that person is dangerous to himself or to others. Now,
23. that decision is...then in this present law, before
24. the Department of Mental Health can release him to the
25. community, he must come back to the court and rightly
26. so, Senator Hickey pointed out, that the fact is that
27. at that time, there is a hearing procedure that the court
28. may go and the responsibility is fully upon the State
29. to prove that he should not be released. And that's
30. covered under page four within the bill. At that time,
31. the...what happens under the provisions here, when he is
32. ready for discharge, he...the court may then say, that
33. he...he'll have to go back for a civil commitment. They feel

1. if they find and they consider the individual dangerous
2. to himself or to others, at that point, they will say
3. that they can go back for a civil commitment and again
4. will have to go through a cycle back to the court before
5. he can be released. The second part of this is is that
6. if they do...the court does decide to discharge him to the
7. community, they have options of requiring periodic
8. reports from the local mental health facilities that will
9. be providing treatment. They have the option of
10. determining whether or not they should continue
11. with medication. They have the option of determining
12. whether or not the family should have oversight over
13. the individual. What this bill does is provide whether
14. he goes back in the Mental Health Department or to
15. the public, that there is some judicial supervision
16. and control over those individuals who have been found
17. not guilty by reason of insanity and before they're released,
18. if they consider them that they can be or if they might become
19. dangerous to themselves or to others. And that's the big
20. difference here. This is an interim procedure to get
21. it back within the jurisdiction of the court. And until
22. such time where we can determine whether or not this
23. plea of not guilty by insanity can ever be removed
24. or whatever the procedure is, this kind of legislation
25. is needed now to give the public some protection
26. and to also give us some control over those individuals
27. who before they are released by the Department of Mental
28. Health.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Maragos, on that one question, you've
31. used your time, but go ahead.

32. SENATOR MARAGOS:

33. I'm sorry that it took him that long to answer but,

1. one other question I wanted to ask, Mr. President, if I
2. may. This really does not insure...or guarantee, I should
3. use the term...it does not guarantee that a person who
4. has been found guilty...not guilty by insanity...for reason
5. of insanity, cannot be released even by judicial
6. proceedings and after having psychiatric treatment and
7. hearings and everything else, that he could not be released
8. say in a month or two after he is found not guilty. But
9. what you are saying, this just puts additional obstacles
10. in the path and it also requires judicial determination.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Nimrod.

13. SENATOR NIMROD:

14. That is correct, Senator.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Is there further debate? Senator Rhoads.

17. SENATOR RHOADS:

18. Mr. President, I strongly support the concept of
19. this bill and believe Senator Nimrod is to be
20. commended for pursuing it. I do have a question relating
21. to Senate Amendment No. 2. I'm reading now from the
22. Digest version, Senator Nimrod. "That the court shall
23. consider terms, conditions and supervision which may
24. include but need not be limited to notification and
25. discharge of the person to the custody of his family."
26. What...what kind of notification are we talking about
27. there and why is it permissive rather than mandatory?

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Nimrod.

30. SENATOR NIMROD:

31. Senator Rhoads, what we have here is a situation
32. where we have an individual who has been found not
33. guilty of a crime. And the court cannot further sentence

1. or commit or mandate and stay within the constitutional
2. provisions. The procedure outlined within this
3. bill are very similar to those within the district
4. ...that one that exists in the District of Columbia
5. and in that area, it has been tested by the Fourth
6. Circuit Federal court. It had been found to...held
7. to be constitutional. However, what this provision
8. of Amendment 2 does do and I'm sure Senator
9. Collins will expand on it, is that it does provide
10. for the court to have some options available to
11. it if, in fact, that person is going to go back to the
12. community and if in their estimation, and from the
13. clinical reports, it is found that it is necessary
14. to go ahead. The hearing that they have must...
15. the State must prove that the person is going to be
16. dangerous to himself or others before these options
17. are available. And at that point, they may...they
18. may set these conditions, but they're not limited
19. to...we're suggesting these kinds of provisions. There
20. can be others in addition to this.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Rhoads.

23. SENATOR RHOADS:

24. One second question, then. Is there any
25. differentiation here between capital crimes and non-
26. capital crimes?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Nimrod.

29. SENATOR NIMROD:

30. No, what happens, we have those that are not guilty
31. by reason of insanity for a Class I felony or for
32. homicide. And the procedure is the same to go back to the
33. courts.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is there further discussion? Senator Nimrod.
3. Oh, Senator Carroll.

4. SENATOR NIMROD:

5. Senator Carroll has a question:

6. SENATOR CARROLL:

7. Thank you, Mr. President and members of the Senate.
8. We heard substantial testimony on this for several hours
9. in the Judiciary I Committee and while I think this is
10. an attempt to correct an evil that we have all seen
11. in our own communities, I think we should recognize
12. several deficiencies, not only in this approach, but in
13. current activities by the Department. This would put
14. the burden on the State in the case when the defendant
15. came back to the court and would probably do very little
16. to change the number of people that go back on the street
17. because...because the only thing before the court will be
18. the clinical evidence by the Department of Mental Health.
19. If they go out and find their own psychiatrist, they can
20. have this other additional evidence, which they could have
21. in the first instance today. I think the real problem
22. is the type of service we are giving in our State
23. institutions and I don't know that this really addresses
24. that problem. The problem is the quality of care that
25. is presently being performed in DMH facilities. The
26. problem is that the psychiatrists tell you that when we have
27. a patient in a clinical surroundings we can do what we think
28. is a cure. We can make them capable of coping with the
29. problems they get in the clinical surroundings. But, when
30. these people get back out on the street, back into the
31. pressures of normal society, we, the Department, have no
32. way of knowing if they can cope with those problems. So,
33. in my opinion, this is an attempt. But, I believe that the

1. results will show that as long as the Department takes
2. that attitude, that they are willing to let the people
3. back on the street, before they are reasonably sure
4. that they can cope with the problems society imposes up-
5. on them in their home environment, then we have done
6. little if nothing. I would hope that I am wrong. I don't
7. believe I will be proven wrong.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Is there further debate? Senator Hickey.

10. SENATOR HICKEY:

11. Mr. President, I want to say, I haven't
12. had an answer to my question. And I think that if
13. that could have been answered in the affirmative, that
14. some of what Senator Carroll is worrying about could
15. be taken care of if a professional consultant for the
16. judge not connected with the Department, was mandated,
17. the whole bill would really be improved.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Nimrod.

20. SENATOR NIMROD:

21. Addressing Senator Hickey's question, while the
22. court, within the provisions of the section, both
23. F, G and H and I on page four, provide that the State
24. shall have the burden of proof in this area. It does
25. not specifically say that he may go out to an outside
26. director...outside source for assistance and if that is
27. the one thing we will be glad to amend that on...before
28. it gets over to the House so that will be included in it,
29. Senator Hickey. But, I thought we have provided for that
30. and I looked at Amendment 1 and it was not there. But,
31. it was our intent to allow them that option and we will
32. include that.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Hickey. Okay. Senator Collins.

2. SENATOR COLLINS:

3. Mr. President and members of the Senate, I rise
4. in support of Senate Bill 1143 because the current laws
5. which govern the release of mental patients acquitted
6. of a crime by reason of insanity, have proven to be
7. a clear and immediate danger to the lives and safety of the
8. people of our society. The laws we can no longer...
9. as lawmakers, we can no longer vacillate. By shifting
10. the blame to the Department of Mental Health, the
11. Department of Correction or to our Judiciary system
12. for the hideous crimes that we have been witnessing over
13. the past several weeks. I would be the first to admit that
14. this bill provides a new concept which alter the
15. current insanity laws to the extent that it may, in
16. fact, transcend the civil liberties of those persons
17. acquitted of a crime by reasons of insanity. Although
18. I believe in the sanctity of the individual civil
19. liberties and freedom, the cold reality that is before
20. us today is whether or not the individual civil liberties
21. end at the point where it poses a threat to the life and
22. safety of the total society. I am sure that most of you
23. are familiar with the brutal murders that occurred
24. several weeks ago. I was informed that shortly after
25. the Bowers murder, that a mental patient was released
26. from the Tinley Park Hospital and went to California of
27. which there were very little news coverage or no
28. news coverage. Several days after that patient was released
29. from Tinley Park, he went to California and chopped off
30. the head of a young lady. There are several other
31. incidents that I'm sure all of us are aware of.

32. PRESIDNG OFFICER: (SENATOR BRUCE)

33. Is there further debate? The question is shall
34. Senate Bill 1143 pass. Those in favor vote Aye. Those opposed

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1. vote Nay. The voting is open. Have all voted who wish?
2. Have all voted who wish? Take the record. On that
3. question the Ayes are 55, the Nays are none, none
4. Voting Present. Senate Bill 1143 having received
5. a constitutional majority is declared passed.
6. Senate Bill 1145, Senator Nimrod.

7. SECRETARY:

8. Senate Bill 1145.
9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Nimrod.

13. SENATOR NIMROD:

14. Yes, Mr. President and fellow Senators. What
15. this bill does is addresses itself to a election problem
16. for a particular section within the Election
17. Code. There's never been a test case on this since
18. 1885 when it was first written up and what happened,
19. we find that in that case, where...especially where
20. there's local parties, provides for only local elections
21. for...in that area. There are no provisions for replacing
22. candidates on the ballot when there is found to be
23. someone who has been removed for either death...reason
24. of death or whereas petitions have been found to be
25. insufficient. And it does provide for a procedure
26. within that area and this is an answer to a court problem
27. that existed in a recent local election. I would
28. be glad to answer any questions. If not, would
29. ask for a favorable roll call.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Is there discussion? Senator Bloom.

32. SENATOR BLOOM:

33. Senator Nimrod, my Calendar says, requires petitions

1. to form a new political party to contain at filing
2. time, a complete list of candidates for all offices.
3. That doesn't appear to jibe with your explanation.
4. Has this been amended? It doesn't look like it.
5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Nimrod.
7. SENATOR NIMROD:

8. No, Senator Bloom. This does provide...this does
9. address itself to that provision. The present law
10. already states that you must file a complete list.
11. And what happens is that in the event someone either
12. dies or someone is removed because of his...someone
13. off that list is removed for insufficiency at a election
14. hearing, then there are no provisions for replacing
15. that person where a party has filed for a slate of
16. new candidates, such as in township elections or village
17. elections within local communities.

18. PRESIDING OFFICER: (SENATOR BRUCE)
19. Senator Bloom.

20. SENATOR BLOOM:

21. Well, are you saying, you know, for example,
22. in Peoria Heights, we have the Village Party and
23. the People's Party. If one of the candidates
24. for trustee is struck by lightning, then the whole slate
25. goes off? I mean, you know, it's a little unclear.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Nimrod.
28. SENATOR NIMROD:

29. Yes, that's the present interpretation of some of
30. the election boards that have made, in fact, this case
31. went to the Supreme Court and we...the Supreme Court ruled
32. that in that case where they did find it, that the whole
33. ticket...they did...lower courts threw off all the other

1. members of the ticket, removed them from their...from the ballot.
2. And when we went to the Supreme Court, they replaced
3. those people onto the ballot. However, what this does
4. is to provide for the fact that they would not be
5. removed and it provides for an orderly replacement
6. procedure of someone who is either found with insufficient
7. candidacy petitions or else due to death.
8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Bloom.

10. SENATOR BLOOM:

11. Maybe I made the mistake of listening to the
12. original explanation. I thought you said that, you know,
13. there hadn't been a case under this in eighty-five
14. years and then you described some case where some
15. people who got thrown off the ballot and then...the
16. Supreme Court put them on the ballot, you know, there's
17. something that just doesn't quite compute.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Nimrod.

20. SENATOR NIMROD:

21. Well, Senator...Senator Bloom, I think what I
22. originally had intended to tell you was the fact that
23. this...this particular provision of the Statute
24. had never been tested since it had first been written
25. and the first case of the test of that Statute was made
26. here just this last year and that's why there were
27. no previous cases and no case history as to what procedure
28. to take. Lower courts ruled that all members of that
29. ballot would be removed and the Supreme Court to replace
30. those people onto the ballot. However, there's still
31. no legislative provisions for providing for an orderly
32. replacement and this bill addresses itself to that void.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Is there further discussion? Senator Wooten.

2. SENATOR WOOTEN:

3. Mr. President and colleagues. It's difficult
4. to see the need for this bill unless you're trying to make
5. it more difficult for people to form political parties.
6. Now, I understand the paranoia that is rampant in some
7. quarters of the major parties wholly unjustified,
8. which is why I think it is paranoia, but you're
9. interfering, I think, with some of these smaller
10. elections where people form parties for nonpartisan
11. elections. I just don't think it's necessary for us
12. to go through this procedure.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Is there further discussion? Senator Nimrod
15. may close the debate.

16. SENATOR NIMROD:

17. Yeah, in closing debate here, I just want
18. to address myself to Senator Wooten's concern. That
19. is the reason for this bill, Senator Wooten. It's to
20. make it easier to be able to have parties and not
21. prohibit parties from being able to file a slate and
22. being removed off the ballot. This will guarantee
23. that any party that slates its candidates, if one person's
24. petitions are found to be insufficient or due to death,
25. that that party will remain on the ballot and that they
26. do have an orderly procedure to remain on the ballot and
27. make a replacement of their candidates. So, it's directed
28. itself to help that very problem which you mentioned would
29. not happen. I would urge a Yes vote.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. The question is shall Senate Bill 1145 pass.
32. Those in favor vote Aye. Those opposed vote Nay. The
33. voting is open. Have all voted who wish? Have all voted who

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1. wish? Take the record. On that question, the Ayes are
2. 34, the Nays are 7, 9 Voting Present. Senate Bill 1145
3. having received a constitutional majority is declared
4. passed. Senate Bill 1148, Senator Glass. Read the bill,
5. Mr. Secretary.

6. SECRETARY:

7. Senate Bill 1148.
8. (Secretary reads title of bill)
9. 3rd reading of the bill.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Glass.

12. SENATOR GLASS:

13. Thank you, Mr. President, Ladies and Gentlemen.
14. Senate Bill 1148 would create what is called a
15. conservation right. Would allow a private citizen to
16. deed or convey by gift or by will an interest in land
17. that he owns that could be preserved for conservation
18. purposes to a municipality or another government...
19. State of Illinois or not-for-profit organization.
20. Like to make it clear, there was some concern about
21. whether the municipality could or would accept the
22. gift and so we have amended the bill to provide that
23. this can only occur upon the acceptance by the State unit
24. of local government or not-for-profit corporation and
25. conditioned upon such requirements as are deemed proper
26. by the State. It will give the owners an opportunity
27. to make these conservation rights..gifts of them and to
28. receive tax deductions for them. I would be happy to
29. answer any questions and if not, I'd appreciate a favorable
30. roll call.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Is there discussion? The question is shall Senate
33. Bill 1148 pass. Those in favor vote Aye. Those opposed
34. vote Nay. The voting is open. Have all voted who wish?

1. Take the record. On that question the Ayes are 50, the
2. Nays are none, none Voting Present. Senate Bill 1148
3. having received a constitutional majority is declared
4. passed. Senate Bill 1149, Senator Regner. Senate
5. Bill 1157, Senator Davidson. Read the bill,
6. Mr. Secretary.

7. SECRETARY:

8. Senate Bill 1157.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Davidson.

13. SENATOR DAVIDSON:

14. Mr....Mr. President and members of the Senate.

15. This bill does exactly what the Synopsis says and it came
16. about because of air worthiness directness...that came to airplane
17. owners that had to spend the money to correct a
18. manufacturers fault and the idea was presently on
19. an automobile, if there's a fault, it's recalled
20. and the automobile manufacturers assumes the cost.
21. And that's all they're asking for here.

22. I'd be glad to ask...any questions, otherwise, appreciate
23. a favorable roll call.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Is there any discussion? The question is shall
26. Senate Bill 1157...pardon me. Senator Bruce.

27. SENATOR BRUCE:

28. Just want to state for the record that I have a
29. conflict and will not vote on this piece of legislation.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Berning. Senator...Senator Berning.

32. SENATOR BERNING:

33. Just one question of the sponsor. Is there any time

1. limit imposed here when the airworthiness test
2. must be made? In other words, does this apply to a
3. ten, twenty, or a hundred year old airplane?

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Davidson.

6. SENATOR DAVIDSON:

7. I'm sorry, Mr. President. Due to the noise, I
8. did not hear his question. All I got was the hundred
9. years old.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Berning, would you repeat the question?

12. SENATOR BERNING:

13. Yes, Mr. President. The question is simply,
14. is there any time limit within which the manufacturer
15. is obligated? In other words, on a new plane, a year
16. old plane or one that's five, ten, fifteen, twenty
17. years old. Abuse, it seems to me, would have to be
18. taken into consideration for an airplane as much as for
19. an automobile or motorcycle or a...a sea going plane.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Davidson.

22. SENATOR DAVIDSON:

23. There is no limit as far as age in concerned, Senator
24. Berning, because the normal wear and tear abuse is not involved in an
25. airworthiness directive. Airworthiness directive is due to a fault
26. or a structural fault that has to be replaced or repaired
27. and that's all this asks for is for the manufacturer
28. to do the same as the automobiles are doing now. If there's
29. a recall, they assume the liability. If there's a...
30. about...has to be an age limit on it, then we can put it
31. on in the House. All we're concerned about is where
32. the manufacturer is at fault either by faulty design or
33. by fault of manufacturing. It has nothing to do with
34. normal wear and tear abuse to make the cost to it.

1. As it is now, if the ...FFA sends out a directive,
2. the owner of the plane is responsible to pay for it.
3. He can not...if he's going to fly that plane and if it's
4. the manufacturer's fault by weakness or maldesign,
5. then feels like they should assume the liability.

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10. End of reel.

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1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Egan.

3. SENATOR EGAN:

4. Senator Davidson, I received a letter just, I believe
5. this week..of aircraft I don't know the name, I don't
6. have the letter with me. It's my in office. But it said
7. in the letter that it would create a considerable hard and
8. burdensome situation for aircraft manufacturers and they
9. did aver to the fact that the Federal Aviation Authority
10. did promulgate these rules, and they would be the ultimate
11. authority to make the determination on exactly what parts
12. were necessary. Consequently, it seems that the letter is
13. indicating to me that there is such an administrative and
14. burdensome compliance as a result of this bill if it passes,
15. that it would take business from Illinois. It also averred
16. to the fact that they did write to you and asked you why
17. you introduced the bill, and they said your answer was that
18. one constituent had a complaint. And in light of the over-
19. burdening aspect of the bill and in light of the situation
20. with manufacturers throughout Illinois, escaping as it said
21. because of the labor situation and because of the Workmen's
22. Compensation situation and because of the Unemployment
23. Compensation situation, it seems to me that any legitimate
24. complaint should be addressed very carefully as is this, and
25. they say in light of the fact that there's only one complaint
26. which causes this bill, that we should look at it carefully.
27. Now, I don't know... I don't know the truth of the matter,
28. I don't know the people that wrote me the letter. I don't...
29. I can only speculate and ask you, Senator Davidson, if, in
30. fact, this doesn't really burden the aircraft manufacturers
31. who do, in fact, make planes in Illinois and cause an undue
32. burden upon them. It seems to me that it does, and I...I
33. know that you would not want to do that, so I just ask you that.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Davidson.

3. SENATOR DAVIDSON:

4. Well, there's one...one person who came to me with a
5. complaint, but that complaint involved a hundred and sixteen
6. people that live here in Springfield, Illinois, who do to
7. a airworthiness directive on a...an aircraft which I
8. cannot name here on the Floor, that's got to be replaced.
9. They paid twelve hundred and some odd dollars. It was a
10. faulty part on the...the spindle of the axle that's got to
11. be replaced. Now, that they're replacing it, the aircraft
12. manufacturer is now not sure the one they are spending
13. that money to replace, that faulty part with is any better
14. than the one that was already at fault, and I don't know
15. of any manufacturers of aircraft that we have in the State
16. of Illinois per se, but if you want it in plain English,
17. this...this has to do with product liability. This is the
18. same as an automobile company that manufacturers a car
19. that's got a faulty part that's pulled back for safety
20. reasons. The automobile company is replacing that point and
21. will assume the whole cost. This is a structural fault on
22. a landing gear that's having to be replaced, and now, owner
23. of the aircraft is the one who's having to pay that now even the
24. company had a weakness in the decision. Now, to give you
25. a better answer is a letter from the aircraft company whose
26. aircraft is having to be replaced to this constituent.
27. This happened to be a letter to Senator Adlai Stevenson who
28. made the same inquiry, and it says, we appreciate Mr. so and
29. so's feeling that these modification did place added cost
30. on the owner of the older aircraft. However, we feel that
31. continuing program or structural fatigue investigation will
32. improve safety and reliability of quote aircraft, and when
33. results so indicate, we will consider it our obligation to

1. make the results of these investigations known to the
2. owners and operators through the issues of so and so's
3. service letters. I hope this has answered your question
4. and clarified up our position. That letter doesn't say
5. nothing other than that their service letter is going to
6. tell the owner he's going to have to spend the money and
7. prove something that's been their mistake in the manu-
8. facturing in the first place, and I...I...I frankly think
9. this is a good bill. If you owned that aircraft and a
10. service directive came out by the Federal Government, 'cause
11. the aircraft manufacturer did not manufacture the part
12. correctly or made it too weak to handle the situation,
13. you'd be upset too, if you had to pay for it, 'cause
14. otherwise you couldn't fly that aircraft, and it only has
15. to do with manufacturer's fault or structural weakness.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Egan.

18. SENATOR EGAN:

19. Well, now, I...I appreciate the intent, but it appears
20. to me that there is some legitimate complaint in this letter,
21. and it's by a manufacturer that has a manufacturing plant
22. in...in Illinois. That being, how do you administer it?
23. Does the FAA decide that the original manufacturer of the
24. airplane, putting the part in that is now going to replaced,
25. in fact, needs to change the part...who makes the decision?
26. Does the FAA make the decision? Does the State agency make
27. the decision? Does the owner make the decision? To whom
28. do you apply?

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Davidson.

31. SENATOR DAVIDSON:

32. Any airworthy directness...directive is made
33. by decision of the FFA...Federal Aeronautics Authority. FAA...

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Senator...
3. SENATOR DAVIDSON:
4. ...Thank you.
5. PRESIDING OFFICER: (SENATOR ROCK)
6. ...Senator Egan.
7. SENATOR EGAN:
8. Well, you...you understand, Senator, that's the
9. administration of the bill...the troubles...I think the
10. manufacturer and...troubles me. To whom do you apply
11. for recourse if a mistake is made for example? If an
12. owner does have a directive from the FAA, to whom does
13. he apply to get his part free from the original manu-
14. facturer?
15. PRESIDING OFFICER: (SENATOR ROCK)
16. Senator Davidson.
17. SENATOR DAVIDSON:
18. He would apply to the manufacturer. They are the
19. ones who assumes the liability, just like the manufacturer
20. of the automobiles today, or assume the liability. Goes
21. back to whoever sold...if you don't want to you that way,
22. you can apply direct to the manufacturer.
23. PRESIDING OFFICER: (SENATOR ROCK)
24. Senator Egan.
25. SENATOR EGAN:
26. All right, then if he refuses to comply, then to
27. whom does the owner complain?
28. PRESIDING OFFICER: (SENATOR ROCK)
29. Senator Davidson.
30. SENATOR DAVIDSON:
31. If this becomes law, I would assume under our present
32. Statutes, he would complain to the Attorney General on
33. Consumer Protection Law because then manufacturer is liable

1. for something and is not living up to what he's supposed to
2. do.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Egan.

5. SENATOR EGAN:

6. I don't...I don't have anything further.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Further discussion? Senator Glass.

9. SENATOR GLASS:

10. Thank you, Mr. President. I...a question of the sponsor.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Indicates he will yield. Senator Glass.

13. SENATOR GLASS:

14. Thank you. Senator Davidson, I...I have some concerns along the
15. line expressed by Senator Berning. As I read the bill, if
16. the FAA issues a directive, an airworthiness directive,
17. today, an airplane that is five or ten years old, may under
18. this bill have to comply with it at the expense of the
19. manufacturer. Now, that's the kind of thing I know that
20. product liability...manufacturers are concerned about. They
21. are not held to the state of art at the time they
22. manufacture their product, but in some instances are being
23. held for later developments, and it seems to me that under
24. the language of this bill, you might be holding an...an
25. aircraft manufacturer to know something that...that wasn't.
26. in fact known at the time he manufactured the plane. So,
27. I...I have some concerns about it along those lines, too.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Davidson.

30. SENATOR DAVIDSON:

31. Well, the bill doesn't do that. The bill...the FAA
32. airworthiness directness is going to hold the...part of
33. that aircraft weak or structural fault whether this bill

1. passes or not. All that's going to happen if this bill passes
2. and becomes law, then a plane owner in Illinois is going to
3. have recourse back to the manufacturer.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Glass.

6. SENATOR GLASS:

7. Well, I...I think that's my only concern, that if...if
8. the directive attacks or if...if it issues a standard that
9. was not, in fact, required at the time the plane was manu-
10. factured, it...it doesn't seem to me fair to charge the
11. manufacturer for an improvement that wasn't required when
12. he manufactured the plane. I think that's what is in issue.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Davidson.

15. SENATOR DAVIDSON:

16. Well, I guess by the same question, is it fair to charge
17. the plane owner, but by the same token, the intent of this
18. bill is to hold the man responsible and if it's something
19. that comes back from not being available or not knowledge
20. of time, then it certainly is not going to be the manu-
21. facturer's fault per se.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Further discussion? Senator Guidice.

24. SENATOR GUIDICE:

25. Thank you, Mr. President. Will the sponsor yield to a
26. question?

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Indicates he will yield. Senator Guidice.

29. SENATOR GUIDICE:

30. Senator Davidson, what this bill seems to be indicating
31. or what it seems to be going into, seems to be in the
32. warranty in the first instance on a part that the...or...or
33. parts of the aircraft. Is that correct?

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Senator Davidson.
3. SENATOR DAVIDSON:
4. Well, I...I'm not sure if that's correct, but that's a
5. possibility, Senator Guidice, that...that what we're after is
6. that if the part is faulty, either by design or manufacturing,
7. then the manufacturer is going to be responsible for replacing
8. and the cost of replacing it rather than the aircraft owner.
9. PRESIDING OFFICER: (SENATOR ROCK)
10. Senator Guidice.
11. SENATOR GUIDICE:
12. Wasn't that the case at the present time? If there's
13. a...a fault with the part, if there's a deficiency in the
14. part, that by the...the very effect of the warranty exists
15. when they sell the plane, if it's merchant ability and
16. the like that it would be covered in the first instance?
17. PRESIDING OFFICER: (SENATOR ROCK)
18. Senator Davidson.
19. SENATOR DAVIDSON:
20. There is no such warranty on aircraft.
21. PRESIDING OFFICER: (SENATOR ROCK)
22. Senator Guidice.
23. SENATOR GUIDICE:
24. There's no warranty at all on parts or...or on the...
25. that the product itself will not function in the manner
26. that it's purported to be able to do in the first instance?
27. PRESIDING OFFICER: (SENATOR ROCK)
28. Senator Davidson.
29. SENATOR DAVIDSON:
30. Doesn't go to the standards under the...which FAA would...
31. would ask for under an air directness. It doesn't have any-
32. thing to do or with the undercarriage...structural parts.
33. It may have some warranty on the engine, but it doesn't have

1. anything to do with the undercarriage or wheel landing which
2. you people would understand better, is what applies to this...
3. what brought this bill about.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Guidice.

6. SENATOR GUIDICE:

7. ...the Uniform Commercial Code cover this particular
8. area with the products and the...and the like and the
9. warranty sections? The Uniform Commercial Code should take
10. care of this particular problem with no problem at all.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Davidson.

13. SENATOR DAVIDSON:

14. I doubt...I'm not sure by the Uniform Commercial
15. Code, Senator Guidice, 'cause I'm not aware of what the
16. Uniform Commercial Code is, but these are standards what
17. I am relating to this safety...are standards which
18. are brought about by FAA, which may or may not be in
19. effect when that plane was due and you have a fault.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Guidice.

22. SENATOR GUIDICE:

23. One other problem that I'm having with the bill is
24. that there seems to be an indication that if the FFA changes
25. its standard or the like, that you would expect that the manu-
26. facturers of the aircraft to have anticipated this, and
27. how...how would you handle this?

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Davidson.

30. SENATOR DAVIDSON:

31. They...if they change a standard on safety that man be
32. well and good, but they're not going to change the standard
33. on relation to safety that's going to be a fault or a problem.

1. The...what brought this about was a airworthiness directness
2. on one particular aircraft, and if you want to read the
3. letter, it's here, but I don't want to use the manufacturer's
4. name and...to the public...that was a structural weakness
5. in the undercarriage in the landing gear and this was a
6. fault on the manufacturer's part of not having it strong
7. enough, and now, it's the FAA is saying it's got to be re-
8. placed and they're replacing it with a part which now the
9. manufacturer says may not be any better than the part they're
10. putting on, but the aircraft owner is having to pay for it.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Bruce.

13. SENATOR BRUCE:

14. Just as a resource person for one that receives,
15. airworthiness directives about every month or so from
16. one of the major manufacturers and aircraft owner. It
17. is not the same as a recall. They send you an airworthiness
18. directive and there is a time limit set on it, usually
19. thirty days or the next one hundred hour inspection or
20. the next annual depending what part of the FAA Code you
21. are operating under and there is no such thing as reimbursement,
22. Gentlemen, and the...the problem is under an airworthiness
23. directive, if you do not fulfill the directive, they pull
24. your certification for...for the aircraft which means you
25. cannot fly it and also your insurance company tells you
26. that if you fly an aircraft out of certificate and if you
27. have a crash or an accident, you're not covered. Obviously
28. all of us are very careful and look for that little letter
29. every month and see if there's any airworthiness directives
30. on your particular aircraft and if they are, you have to
31. get them repaired usually at your own expense. In the six
32. and a half years I have owned an aircraft, the only time
33. that they helped on any kind of reimbursement was a...a

1. wrist pin problem where the entire engine had to be torn
2. down and replaced, the cost of some four hundred dollars,
3. and I think they reimbursed every aircraft owner in the
4. United States seventy dollars, and I think at the time they
5. issued that directive, there was about nine hundred thousand
6. of those aircraft outstanding. It was one of the major
7. manufacturer's...every engine in that particular series
8. of aircraft had to be torn down and have the wrist pins
9. and pistons replaced. It's not an insignificant amount of
10. money.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Regner.

13. SENATOR REGNER:

14. To no one's surprise, I'm sure, I'm rising to declare
15. I am going to vote Present because of a conflict.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Further discussion? Senator Rhoads.

18. SENATOR RHOADS:

19. Well, Senator Bruce answered part of my question, but
20. Senator Davidson, I listened to your answers to Senator
21. Guidice and Glass and I...let me try to rephrase...

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Rhoads.

24. SENATOR RHOADS:

25. ...Let me try to rephrase the same question. I think
26. the thrust of Senator 'Glass' question had to do with the state
27. of the art. If, in 1977, a plane is manufactured and in 1978
28. the FAA changes airworthiness requirements, are you then
29. saying that the manufacturer has to replace that part?

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Davidson.

32. SENATOR DAVIDSON:

33. No, I am not, not unless that airworthiness directives

1. was due to the fault of manufacturing that part a weakness
2. at that time. We're not talking about something that's
3. added on later on. You can't ask them to do something that's
4. divided later on. It has only to do with the weakness or
5. malfunction or malmanufacturing at the time of...the
6. plane was manufactured.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Rhoads.

9. SENATOR RHOADS:

10. So, then what you're saying is, that if a plane is
11. manufactured in 1977, and subsequently the FAA finds a
12. particular part in that plane to be unworthy or to be
13. defective and the cost...involves the replacement of that
14. part, that the manufacturer has to bear the cost rather
15. than the owner of the plane?

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Davidson.

18. SENATOR DAVIDSON:

19. Yes.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Berning.

22. SENATOR BERNING:

23. Just for an observation, Mr. President. It appears
24. to me that there is little to be gained by an Illinois
25. Statute affecting manufacturers of aircraft when for the
26. most part, these aircraft are manufactured outside of the
27. State of Illinois, and I doubt very much that we would have
28. any control over what they do or do not do.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Any further discussion? Senator Davidson, to close
31. the debate.

32. SENATOR DAVIDSON:

33. Well, only that we have jurisdiction over if they're

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1. doing business in Illinois, and in that they...the owner
2. ...resides in Illinois. I think we have a responsibility
3. to try to help him. I admit this is something new. This
4. bill is engendered interest from throughout the nation.
5. I've had phone calls from New York to California and from
6. Mississippi to North Dakota on people who are interested in
7. the same kind of legislation to try to do the same protection
8. for the people who reside in their state. I'd appreciate
9. a favorable roll call.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. The question is, shall Senate Bill 1157 pass. Those
12. in favor will vote Aye. Those opposed will vote Nay. The
13. voting is open. Have all voted who wish? Have all voted
14. who wish? Take the record. On that question, the Ayes
15. are 9, the Nays are 22, 20 Voting Present. Senate Bill 1157
16. having failed to receive a constitutional majority is
17. declared lost. On the Order of Senate Bills 3rd reading is
18. Senate Bill 1161. Read the bill, Mr. Secretary.

19. SECRETARY:

20. Senate Bill 1161

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator Walsh.

25. SENATOR WALSH:

26. Mr. President and members of the Senate, let's hope
27. this bill has a better fate than the previous bill. Senate
28. Bill 1161 relates to disclaimer provisions in the Probate
29. Act and the Conveyancing Act. It makes it clear that the
30. executor of a...a deceased legatee may disclaim. It makes
31. it clear that a legatee or devisee may disclaim a portion
32. of his interest. It also conforms the Illinois Disclaimer
33. provisions to the Tax Reform Act of 1976, so that if you are

1. to disclaim, you must to so within nine months. It clarifies
2. an ambiguity in the present Statute as to time of determining
3. the class of takers, and it adopts a provision of the new
4. Tax Reform Act that provides that once one has obtained the
5. benefits of a...a legacy or devise, it bars his right
6. to disclaim. Senate Bill 1161 is a product of the Probate
7. Committee of the Chicago Bar Association. I know of no
8. opposition. It received no negative votes in Judiciary I.
9. I request your support.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Any discussion? ...Question is, shall Senate Bill 1161
12. pass. Those in favor vote Aye. Those opposed vote Nay.
13. The voting is open. Have all voted who wish? Take the
14. record. On that question, the Ayes are 51, the Nays are
15. 1, none Voting Present. Senate Bill 1161 having received
16. a constitutional majority is declared passed. Senator
17. Walsh, 62? On the Order of Senate Bills 3rd reading, Senate
18. Bill 1162. Read the bill, Mr. Secretary. Oh, I...all
19. right, Senator Hynes.

20. SENATOR HYNES:

21. Mr. President, for purposes of an announcement, I wish
22. I could have the attention of the membership. I have some...
23. some good news and some bad news. And the good news first is,
24. that the staff will not have to face the Senators in the
25. baseball game tonight, because we've determined that due to
26. the heavy load of bills that we have and the problems with
27. the schedule for the rest of the week, that the baseball
28. game will have to be cancelled. The bad news is that we're
29. going to have to gone on tonight till about eight o'clock.
30. Our intention is to try to get through the Calendar one time,
31. and the way we're moving now, I think we can do it, so the
32. baseball game will be cancelled and we will work till approximately
33. eight o'clock.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Philip.

3. SENATOR PHILIP:

4. I...I...I have a question of the...of Senator Hynes.

5. Hypothetically, if we get the through the schedule...the

6. full schedule to the end before seven o'clock, would it

7. be possible to...schedule the game?

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Hynes.

10. SENATOR HYNES:

11. No, Senator Philip, because I would hate to see you lobbying

12. for people to postpone their bills.

13. PRESIDING OFFICER: (SENATO ROCK)

14. All right, on the Order of Senate Bills 3rd reading,

15. Senate Bill 1162. Read the bill, Mr. Secretary.

16. SECRETARY:

17. Senate Bill 1162

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Walsh.

22. SENATOR WALSH:

23. Mr. President and members of the Senate, we're not

24. really doing quite as much as you might believe from a

25. reading of this bill. It's requested by the Illinois

26. Community College Trustees Association, and it has some

27. ...a minor amendments to the methods in which elections are

28. conducted by the community colleges. For example, it

29. requires a person to vote in the precinct in which he resides.

30. It permits a person to obtain an absentee ballot if he's

31. eighteen years of age. It permits applications for absentee

32. ballots to be made not necessarily with the secretary of

33. the community college, but by designees of...of the secretary

1. so that in multi-county community colleges, it will facilitate
2. absentee voting. The other amendments are...are really
3. technical in nature. The bill received no Negative votes
4. in the Higher Education Committee, and I request your support.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Is there any discussion? Question is, shall Senate
7. Bill 1162 pass...I'm sorry, Senator Graham.

8. SENATOR GRAHAM:

9. This...this...

10. PRESIDING OFFICER: (SENATOR ROCK)

11. ...Can we have a little bit of order.

12. SENATOR GRAHAM:

13. ...is not really on this bill, Senator Rock and Mr.
14. President, but if we're staying here until eight o'clock,
15. which is fine, I think if we had a little order and less
16. noise, it'd be a lot more comfortable for all the members of
17. the Senate.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Your point is well taken, Senator. Will the Senators
20. please be in their seats so that we can handle these matters
21. with some dispatch. Any discussion on Senate Bill 1162?
22. Question is, shall Senate Bill 1162 pass. Those in favor
23. will vote Aye. Those opposed will vote Nay. The voting is
24. open. Have all voted who wish? Take the record. On that
25. question, the Ayes are 54, the Nays are none, none Voting
26. Present. Senate Bill 1162 having received a constitutional
27. majority is declared passed. On the Order of Senate Bills
28. 3rd reading, Senate Bill 1164. Read the bill, Mr. Secretary.

29. SECRETARY:

30. Senate Bill 1164

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Schaffer.

2. SENATOR SCHAFFER:

3. This Act would allow a two year temporary certificate
4. for registration of medical students in a residency pro-
5. gram. The intern requirement is gradually being shifted
6. into a one or two year residency requirement and the re-
7. quirement for full licensure has been a detriment to this
8. program and the other thing it does...this Act does is
9. give the residents of this State the same treatment as the
10. non-residents of the State vis-a-vis requirements for
11. certification. Be happy to answer any questions.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Is there any discussion? Question is, shall Senate
14. Bill 1164 pass. Those in favor will vote Aye. Those
15. opposed will vote Nay. The voting is open. Have all voted
16. who wish? Have all voted who wish? Take the record. On
17. that question, the Ayes are 55, the Nays are none, none
18. Voting Present. Senate Bill 1164 having received a con-
19. stitutional majority is declared passed. 1170, Senator
20. Sommer. On the Order of Senate Bills 3rd reading, Senate
21. Bill 1170. Read the bill, Mr. Secretary.

22. SECRETARY:

23. Senate Bill 1170

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Sommer.

28. SENATOR SOMMER:

29. Mr. President and members, this bill makes some
30. changes in relation to the county board structures in certain
31. downstate counties effective upon redistricting which occurs
32. the same time that we redistrict here in 1981. I'd be
33. happy to answer any questions.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Is there any discussion? The question is, shall
3. Senate Bill 1170 pass. Those in favor will vote Aye.
4. Those opposed will vote Nay. The voting is open. Have
5. all voted who wish? Have all voted who wish? Take the
6. record. On that question, the Ayes are 16, the Nays are 32,
7. none Voting Present. Senate Bill 1170 having failed to
8. received a constitutional majority is declared lost.
9. 1173. On the Order of Senate Bills 3rd reading, Senate
10. Bill 1173. Read the bill, Mr. Secretary.
11. SECRETARY:
12. Senate Bill 1173
13. (Secretary reads title of bill)
14. 3rd reading of the bill.
15. PRESIDING OFFICER: (SENATOR ROCK)
16. Senator Sommer.
17. SENATOR SOMMER:
18. Mr. President, there's a little known provision of the
19. ...the Code which allows judges to appoint the number of
20. deputy circuit clerks. It's no longer used in the Circuit
21. Clerk of Ogle County. Mrs. Roe asked me to introduced
22. this bill.
23. PRESIDING OFFICER: (SENATOR ROCK)
24. Any discussion? The Chair might observe that it's
25. used in Cook, so you better tell Mrs. Roe...the question is,
26. shall Senate Bill 1173 pass. Those in favor vote Aye.
27. Those opposed vote Nay. The voting is open. Have all
28. voted who wish? Have all voted who wish? Take the record.
29. On that question, the Ayes are 18, the Nays are 28, 5
30. Voting Present. Senate Bill 1173 having failed to receive
31. a constitutional majority is declared lost. 1174. On the
32. Order of Senate Bills 3rd reading, Senate Bill 1174.
33. Read the bill, Mr. Secretary.

1. SECRETARY:
2. Senate Bill 1174
3. (Secretary reads title of bill)
4. 3rd reading of the bill.
5. PRESIDING OFFICER: (SENATOR ROCK)
6. Senator Sommer.
7. SENATOR SOMMER:
8. This is the big one of the series. It affects...it
9. affects termite applicators. We're doing the same thing
10. here as we did to the private detectives the other day.
11. We're...we...we have too high a license requirement on
12. them now and many of these people can no longer get their
13. licenses because they can't afford to buy the insurance.
14. This reduces it down to a hundred...hundred, personal and
15. fifty, property.
16. PRESIDING OFFICER: (SENATOR ROCK)
17. Any discussion? Question is, shall Senate Bill 1174
18. pass. Those in favor vote Aye. Those opposed vote Nay.
19. The voting is open. Have all voted who wish? Have all voted
20. who wish? Take the record. On that question, the Ayes are
21. 52, the Nays are none, none Voting Present. Senate Bill
22. 1174 having received a constitutional majority is declared
23. passed. 1188, Senator Knuppel. On the Order of Senate
24. Bills 3rd reading, Senate Bill 1188. Read the bill, Mr.
25. Secretary.
26. SECRETARY:
27. Senate Bill 1188
28. (Secretary reads title of bill)
29. 3rd reading of the bill.
30. PRESIDING OFFICER: (SENATOR ROCK)
31. Senator...Senator Knuppel.
32. SENATOR KNUPPEL:
33. This is a provision that if the...if the Department of

1. Transportation provides by contract or regulation that
2. increases in general. and this was amended to suit the Department
3. of Transportation...in general freight rates incurred
4. by a contractor after entering...entering into a contract
5. may be added to the contract price that this may be done
6. and it's the same for railroads, barge lines and motor
7. carriers. At the present time, it applies only to barge
8. lines and motor carriers by regulations. I submit this
9. is good and nondiscriminatory legislation, should receive a
10. favorable roll call.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Is there any discussion? Senator Buzbee. Senator Buzbee.

13. SENATOR BUZBEE:

14. Well, I have a question of the sponsor, Mr. President.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Indicates he will yield. Senator Buzbee.

17. SENATOR BUZBEE:

18. Is it my understanding after a contractor submits a
19. bid to the State of Illinois and is accepted...his bid is
20. accepted as the low bidder and then if there is a rate
21. increase by freight lines, a general rate increase after that,
22. that then that bidder may go back to the State of Illinois
23. and say I didn't really mean that bid I gave you that I want
24. a higher rate now?

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Knuppel.

27. SENATOR KNUPPEL:

28. Only...only if...only if the Department of Transportation
29. has that provision in the contract. Now, they have certain
30. regulations, and the reason for this legislation is
31. they do have regulations which deal with...with everything
32. but...but trucks. They have railroads and barge lines, but
33. not motor carriers, and it starts off, if you'll notice, it

1. says, if the Department of Transportation provides by
2. contract or regulation, if it doesn't make the contract or
3. the regulation, then it doesn't have...then they...there
4. is no pass through, but if, in fact, they do make it, it's
5. the same for truck carriers who increased their general
6. rates by the Illinois Commerce Commission after the contract
7. is made, the same as it is for anybody else.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Buzbee.

10. SENATOR BUZBEE:

11. Then are you saying under the present law, Senator,
12. that...that they can do this same thing for...for railroads
13. and barge lines now and you're only adding in motor carriers?
14. Is that...is that what you're saying? I'm sorry...

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Knuppel.

17. SENATOR BUZBEE:

18. Well...

19. SENATOR KNUPPEL:

20. That's the only change. In their regulations, they
21. provide...there's express on page 58 of one on...on the
22. standard specification of road and bridge construction and
23. so forth...they have no adjustments will made for shipments
24. by truck. But they have it for others and they also make
25. that same provision, no adjustment shall be made for
26. shipments by truck in the...in the others.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Buzbee.

29. SENATOR BUZBEE:

30. Well, if...if...if we already have that provision
31. now, then I guess that I have no recourse except to go along
32. with it, however, I...I think generally, when a contractor
33. submits his bid to the State of Illinois, he bills in a

1. certain percentage for unknown entities...unknown quantities
2. and we had a similar piece of legislation a few years ago,
3. I recall, dealing with asphalt contractors where they were
4. able to go back for recourse to the State of Illinois because
5. the price of asphalt had increased due to the energy
6. shortage which we have had some...some discussion about here
7. in this Body the last two or three days, but I...I
8. generally don't understand...you know, the contractor bills
9. in...he bills a certain percentage into his bid whenever he
10. submits the bid, that we're going to put a certain percent-
11. age in there for unknowns, and I generally don't understand
12. why we ought to give them recourse then after they've
13. already submitted their bid for a rate increase in some
14. area. However, Senator, but...if that provision is already there
15. now for the other two carriers, I see no reason to...to
16. exclude motor carriers, but I think generally that it's
17. just a bad precedent on the...the part of DOT or anybody
18. else that's letting contracts in the State of Illinois.

19. PRESIDNG OFFICER: (SENATOR ROCK)

20. Senator Chew.

21. SENATOR CHEW:

22. Thank you, Mr. President. You know, sometimes many
23. of us get blind when we don't sponsor bills from Southern
24. Illinois University. And any...those of us that sponsor
25. those bills want us all to see the fairness in the suggestion.
26. The other carriers have it. The motor carriers should have
27. it. It's a fair piece of legislation. DOT is not opposed
28. to it. I recall when we had a ten percent allowance because
29. of inflation on concrete and some other business people
30. that's doing business with the State. It's fair. We've
31. got to do it. We need to do it. I don't think anyone
32. would take a bid without, as Senator Buzbee say, a built
33. in projected project. But if you find that materials and

1. transportations have increased to a point where the
2. contract does not foresee that built in quote - "eight or
3. ten percent margin," then he goes into the red for doing
4. the job, so I think it's good legislation and I'd like to see
5. a favorable vote on it.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Any further discussion? Senator Bruce.

8. SENATOR BRUCE:

9. Well, the only difference I see, Senator Chew, in the
10. points made here between barge line and freight line and
11. ...and railroad companies, is that they're in not the
12. business of doing business with contractors on a...on a
13. direct basis. In my area, many of the contractors own
14. the companies that are hauling the gravel to them, and it
15. worries me somewhat that when that direct relationship
16. occurs that they could raise the rates that they're hauling
17. for their own gravel and pass that charge right on through
18. to the...to the State of Illinois. That's the difference
19. between the barge lines and the railroads that I see and
20. that's why I'm in opposition to the bill.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Any further discussion? Senator Knuppel may close the
23. debate.

24. SENATOR KNUPPEL:

25. All it says is "if". If...if you can read a simple
26. little word, it says if the Department of Transportation
27. provides by contract or regulation that increases will pass
28. through that it will be the same for trucks as it for
29. railroads and barge lines. If they don't so provide, then
30. ...then it doesn't pass through. They've got control of the
31. situation.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Question is, shall Senate Bill 1189 pass. Those in favor will

1. vote Aye. Those opposed will vote Nay. The voting is open.
2. Have all voted who wish? Have all voted who wish? Have
3. all voted who wish? Take the record. On that question,
4. the Ayes are 35, the Nays are 8, 2 Voting Present. Senate
5. Bill 1188 having received a constitutional majority is
6. declared passed. On the Order of Senate Bills 3rd reading,
7. Senate Bill 1198. Read the bill, Mr. Secretary.

8. SECRETARY:

9. Senate Bill 1198

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Bowers.

14. SENATOR BOWERS:

15. Thank you, Mr. President. Senate Bill 1198 is one of
16. a series of ten that was given to me by the Chief Judges
17. Association of the...of the State, and most of the bills
18. merely delete the out-moded term county...county judge.
19. This particular bill was one that had some substantive
20. change because it has to do with the removal of civil
21. service commissioners in park districts. The old Statute
22. provided for a committee to consist of the county judge
23. and two circuit judges. They wanted to delete that
24. reference and they had to put the power somewhere so
25. they've suggested that the power go back to the park district
26. commissioners with a right of appeal under the Administrative
27. Review Act. I know of no opposition. I would appreciate
28. a favorable roll call.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Knuppel.

31. SENATOR KNUPPEL:

32. I just wonder how little...how little...how much more
33. the judges can give away, how little they can do, and still

1. ask for a pay raise. That's all.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Any discussion? Question is, shall Senate Bill 1198

4. pass. Those in favor will vote Aye. Those opposed will

5. vote Nay. The voting is open. Have all voted who wish?

6. Have all voted who wish? Take the record. On that question,

7. the Ayes are 51, the Nays are none, 1 Voting Present.

8. Senate Bill 1198 having received a constitutional majority

9. is declared passed. ...1203, Senator Vadalabene. On

10. the...on the Order of Senate Bills 3rd reading, Senate

11. Bill 1203. Read the bill, Mr. Secretary.

12. SECRETARY:

13. Senate Bill 1203

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDENT:

17. Senator Vadalabene.

18. SENATOR VADALABENE:

19. Yes, thank you, Mr. President. I would like to have

20. a motion and ask leave to consider Senate Bill 320 along

21. with Senate Bill...1203. Last week I asked to have 1203 heard

22. with Senate Bill 320. Senator Bowers has removed his

23. objections, and I would like to have both of them heard at

24. the same time.

25. PRESIDENT:

26. All right, is leave granted after consideration of

27. 1203 to consider Senate Bill 320 which is a companion bill?

28. Leave is granted. Senator, we will take separate roll calls

29. on the two bills and you may want to discuss both of them

30. together in your statement.

31. SENATOR VADALABENE:

32. Senate Bill 1203 was introduced in connection with

33. Senate Bill 320 to avoid a conflict with the present

1. law. Senate Bill 1203 deletes the provision in the Statute
2. which prohibits the adoption by reference of national
3. standards, thereby permitting Senate Bill 320 to achieve its
4. purpose without statutory conflict. This is a product of the
5. fire protection districts of the State of Illinois and I
6. would appreciate a favorable vote.

7. PRESIDENT:

8. Is there any discussion? If not, the question is,
9. shall Senate Bill 1203 pass. Those in favor will vote Aye.
10. Those opposed will vote Nay. The voting is open. Have all
11. voted who wish? Have all voted who wish? Take the record.
12. On that question, the Ayes are 48, the Nays are 2, none...none
13. Voting Present. Senate Bill 1203 having received a consti-
14. tutional majority is declared passed. Senate Bill 320,
15. Senator Vadalabene. Read the bill.

16. SECRETARY:

17. Senate Bill 320

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDENT:

21. Senator Vadalabene, any further comments?

22. SENATOR VADALABENE:

23. Leave for the same roll call.

24. PRESIDENT:

25. Any discussion? If not, the question is, shall Senate
26. Bill 320 pass. Those in favor will vote Aye. Those opposed
27. will vote Nay. The voting is open. Have all voted who wish?
28. Have all voted who wish? Take the record. On that question,
29. the Ayes are 48, the...the Nays are none, none Voting Present.
30. Senate Bill 320 having received a constitutional majority is
31. declared passed. Senate Bill 1204, Senator Regner. Read the
32. bill.

33. SECRETARY:

1. Senate Bill 1204
2. (Secretary reads title of bill)
3. 3rd reading of the bill.
4. PRESIDENT:
5. Senator Regner.
6. SENATOR REGNER:
7. Mr. President and members of the Senate, this bill does
8. four things regarding school elections. First, it expands
9. the provisions for sharing of polling places and judges
10. among the various school districts that would have an
11. election on that date, and it provides that a place on the
12. ballot be determined by lot for those people filing at
13. eighty-thirty the first thing on the first day of filing
14. petitions for election, and it specifies...third, it specifies
15. that withdrawal requests must be filed between the hours of
16. 8:30 and 4:00 p.m. on weekdays in the local school district
17. office. Now, it says with the secretary of the board and
18. no specifics. And fourth, it permits destruction of ballots
19. by any method rather than just burning as was contained in
20. the...in the current code and was requested by several of
21. the school district administrators and the school association.
22. PRESIDENT:
23. Is there any discussion? Senator Hall...Senator
24. Kenneth Hall.
25. SENATOR KENNETH HALL:
26. Would the sponsor yield to a question?
27. PRESIDENT:
28. He indicates he will yield.
29. SENATOR KENNETH HALL:
30. Senator...Senator Regner, in case that two candidates
31. show up at the same time, don't they draw lots now? Isn't
32. that what they do?
33. PRESIDENT:

1. Senator Regner.
2. SENATOR REGNER:
3. No.
4. PRESIDENT:
5. Senator Hall.
6. SENATOR KENNETH HALL:
7. How do they determine who's...if they're both in there?
8. PRESIDENT:
9. Senator Regner.
10. SENATOR REGNER:
11. It's my understanding that the secretary of...of the
12. school board would determine which one was actually there
13. first. That's my understanding.
14. PRESIDENT:
15. Senator Kenneth Hall. Any further discussion?
16. Senator Bruce.
17. SENATOR BRUCE:
18. Well, I'd just like to know what the bill does now.
19. Amendment No. 2 deletes the provisions on evidence of
20. registration and deletes the provision on...on determining
21. position of...on ballots by lot, and the Amendment No. 1
22. did that, and you seem to strike all of that
23. and all we're doing now is saying that
24. if they don't want...if they have to destroy the ballots,
25. they can do it by other than burning. Is that all the bill
26. now says?
27. PRESIDENT:
28. Senator Regner.
29. SENATOR REGNER:
30. No, the...the...the striking of the word "burning" was
31. in the original bill. The amendment provides for the ballot
32. positions, and the other provisions were in the bill already.
33. But they're...the amendment that was put on the bill it

1. struck the provision requiring voters at the school board
2. election to...when voting absentee, to present...evidence
3. of voter registration. That was eliminated by...well,
4. the first amendment which had a spelling error in it, and
5. also by the second amendment which is the one that's on it
6. now.

7. PRESIDENT:

8. Senator Bruce.

9. SENATOR BRUCE:

10. ...No, that's...that's fine.

11. PRESIDENT:

12. Senator Kenneth Hall.

13. SENATOR KENNETH HALL:

14. I'm sorry, Senator, but I have to ask you another question. The
15. reason this concerns me now, may be this will stop...and
16. incidently, we had in our district last time, they had four
17. people in the...the board of...before the secretary of the
18. board and the secretary decided that one fellow was talking
19. and at that the time had expired, even though he was present
20. there before him. And he arrived at the decision that said
21. he was too late to file, and then this was the present
22. president of the board, so he had to go to court to be
23. placed back on the ballot. Will this eliminate this
24. happening now?

25. PRESIDENT:

26. Senator Regner.

27. SENATOR REGNER:

28. If I understand what you're saying, Senator Hall, he
29. was actually there and he wasn't filing...or wasn't prepared
30. to file, he was talking or whatever, and until after the
31. actual closing time?

32. PRESIDENT:

33. Senator Hall.

1. SENATOR KENNETH HALL:

2. He was at the board of election with his petitions,
3. everything there, and standing, talking to an individual,
4. he was in the presence of the secretary of the board.
5. The secretary of the board ruled that the hour of five
6. o'clock had arrived even though he was there before him,
7. and he had been there prior to five o'clock. Now, will
8. this eliminate that?

9. PRESIDENT:

10. Senator Regner.

11. SENATOR REGNER:

12. No. The only thing this pertains to, Senator Hall, is
13. when two people are there at the same time for filing, then
14. their position will be determined by lot. It would have
15. nothing to do with the...the last day and the last hour
16. for filing of petitions.

17. PRESIDENT:

18. Senator Wooten....oh no, excuse me, Senator Kenneth Hall.

19. SENATOR KENNETH HALL:

20. It's all right.

21. PRESIDENT:

22. Senator Wooten.

23. SENATOR WOOTEN:

24. Senator Regner, are there two amendments on this bill?
25. One. All right, one amendment eliminates Section 9.3...

26. PRESIDENT:

27. Excuse me. The Secretary informs me there are two
28. amendments.

29. SENATOR WOOTEN:

30. Maybe we better look at this. Yeah, okay.

31. PRESIDENT:

32. There are two amendments attached to the bill unless
33. one has been Tabled. All right, Senator Regner indicates

1. Amendment NO. 1 was Tabled, so there is one amendment.

2. Senator Wooten.

3. SENATOR WOOTEN:

4. ...Why do we eliminate Section 9.3?

5. PRESIDENT:

6. Senator Regner.

7. SENATOR REGNER:

8. Senator Wooten, that was the agreement reached in the
9. Senate Education Committee as to what they wanted the bill
10. in its final form, and I accepted the amendment that they
11. proposed.

12. PRESIDENT:

13. Senator Wooten.

14. SENATOR WOOTEN:

15. But if you eliminate Section 9.3, does that not say
16. who is qualified to vote?

17. PRESIDENT:

18. Senator Regner. Senator Art...Senator Berman.

19. SENATOR BERMAN:

20. Thank you, Mr. President. To try to clear up what our
21. intention was in committee and that's what the amendments
22. were supposed to do and I think we ought to take a look to
23. make sure that they did. Number 1, to delete the language
24. calling for proof to be supplied by the voter, it was
25. determined in committee that this was imposing an undue
26. burden that could be subject to abuse on the person that
27. came and legitimately was qualified to vote. The other
28. part that was recommended in committee and supposed to be
29. put on by amendment was to impose the same language regard-
30. ing the filing for school board petitions that we have, for
31. example, in the Legislature. If whoever is in line at the
32. opening of the window on the first day, if there's more than
33. one person in line, they're all put into a pool. Anybody

1. else after that is just put in after the people in the pool.
2. PRESIDENT:
3. Senator Wooten.
4. SENATOR WOOTEN:
5. Then somebody has gotten a little overly enthusiastic.
6. I would object to that same language myself, but what has
7. happened is, you have deleted lines through 9 through 20,
8. and before that by deleting 9-3. You have effectively
9. taken the whole section out of the Act.
10. PRESIDENT:
11. Sponsor requests that the bill be taken out of the
12. record. It will be taken out of the record. For what
13. purpose does Senator Egan arise?
14. SENATOR EGAN:
15. On a point of personal privilege, Mr. President. If
16. they're...having...
17. PRESIDENT:
18. State your point.
19. SENATOR EGAN:
20. ...been a lull at this very point, I would like to
21. point out that the proud parents of Senator Buzbee are in
22. the President's Gallery at the west end, and we'd like to
23. recognize their presence.
24. PRESIDENT:
25. Will our guests please rise. Senate Bill 1208, Senator
26. Glass. Read the bill.
27. SECRETARY:
28. Senate Bill 1208
29. (Secretary reads title of bill)
30. 3rd reading of the bill.
31. PRESIDENT:
32. Senator Glass.
33. SENATOR GLASS:

1. Thank you, Mr. President and Senators. The need for
2. Senate Bill 1208 came out of the recent District 214, Elk
3. Grove Unit School District Election, and we've already
4. passed, I think it was House Bill 474 which requires that
5. when such an election is held, the voters in the new
6. territory to be in the unit district as well as those
7. in the district from which that school territory is taken,
8. both of them have a right to vote. This bill somewhat
9. expands on that and provides for an administrative review
10. of the decision of the regional superintendent as well as
11. the Superintendent of Education when they make a determination
12. whether or not there should be a unit district. I'd be
13. happy to answer any questions. As I say, it...it is an
14. expansion on the existing law and makes clear that there
15. must be a written report and finding that subject to
16. administrative review on whether a unit district should be
17. created.

18. PRESIDENT:

19. Is there any discussion? If not, the question is,
20. shall Senate Bill 1208 pass. Those in favor will vote
21. Aye. Those opposed will vote Nay. The voting is open.
22. Have all voted who wish? Have all voted who wish? Take
23. the record. On that question, the Ayes are 48, the Nays
24. are 1, none Voting Present. Senate Bill 1208 having re-
25. ceived a constitutional majority is declared passed. Senate
26. Bill 1209, Senator Grotberg. Read the bill.

27. SECRETARY:

28. Senate Bill 1209

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDENT:

32. Senator Grotberg.

33. SENATOR GROTBORG:

1. Thank you, Mr. President. Senate Bill 1209 does
2. exactly what the synopsis says. It provides...this is
3. not the bill, Senator Soper, where the thief has to
4. segregate the...the funds. The schools under the
5. Strayer-Haig Formula and there are still a lot of them
6. around the State, and many of them in our districts, may
7. apply the State-aid to either the Educational Fund or
8. the Building Fund, similar to as is done with the Resource
9. Equalizer, and I would ask for a good roll call on it.
10. PRESIDENT:

11. Is there any discussion? Senator Bruce.

12. SENATOR BRUCE:

13. Well, what will be the impact of the legislation...
14. require that once you make a...a loan out of the Education
15. fund that it must be repaid? At the present time, this
16. Fund...the funds would be going into the earmarked funds
17. They could transfer it out of the Education Fund, but I
18. think that the...the Statute requires that those transfers
19. out must be replaced within two years. If you allow them
20. to make the contribution directly, say to the Building
21. Fund and the Transportation Fund, what is the...what is
22. the Statute that...that we passed requiring that money
23. be replaced back in the Education Fund? Where does that
24. go to?

25. PRESIDENT:

26. Senator Grotberg.

27. SENATOR GROTEBERG:

28. Gee, that's a good question, Senator Bruce.

29. PRESIDENT:

30. Senator Bruce.

31. SENATOR GROTEBERG:

32. This...Mr...Mr...President, this doesn't affect
33. transfers of any kind, Senator Bruce. I just heard from God,

1. and he said that everything is fine with this bill.

2. PRESIDENT:

3. Senator Bruce.

4. SENATOR BRUCE:

5. Well, I'm...I'm sorry the...our small God tells us
6. that presently these funds have to be placed in the Education
7. Fund by law. Now, I remember Senator Gilbert being here
8. several years ago when we passed legislation, and said
9. if you transfer monies out of certain designated funds,
10. and I think the Education Fund is one of them, that within
11. two years, the school district must repay that fund. Now,
12. what your bill says, that they can take that money and
13. put it in any fund that they wish in the beginning which
14. means it would never go to the Education Fund which
15. would mean there would never be a transfer in the law
16. requiring that the money be placed back in Education Fund,
17. would become inoperative and I'm not sure that we ought
18. to do that. We ought to have some idea that we when we
19. appropriate money it's going for particular purposes
20. back in the school districts.

21. PRESIDENT:

22. Senator Grotberg.

23. SENATOR GROTEBERG:

24. I feel I should respond. Senator Bruce, this...this
25. has only to do with the State-aid money. The local funds
26. still have to be used as you suggest, according to law,
27. and...and...and...and on the paid back situation.

28. PRESIDENT:

29. Senator Bruce.

30. SENATOR BRUCE:

31. My question is, I suppose of the sponsor, doesn't the
32. State law presently require that...that the two funds that
33. you're changing, the general apportionment and equalization

1. quotas, is not the money received required by law to be put
2. in the Education Fund?

3. PRESIDENT:

4. Senator Grotberg.

5. SENATOR GROTBORG:

6. That's the law we're changing, to make it...the
7. Resource Equalizer units all over the State have it that
8. way now. This brings it to the same language to the Strayer-Haig.

9. PRESIDENT:

10. Senator Bruce.

11. SENATOR BRUCE:

12. Well, my problem is, that it's clear they can trans-
13. fer the money out of the Education Fund. The...the un-
14. clearness develops when the liability of the school board
15. for transfers out of the Education Fund, and that's...
16. that's why I need to have the question answered. Is...if
17. it's transferred out of Education, do they not have to
18. repay it?

19. PRESIDENT:

20. Senator Grotberg.

21. SENATOR GROTBORG:

22. Again, Senator, this is the clarifying language, and
23. you're correct, that has been unclear. This clarifies it.

24. PRESIDENT:

25. Senator Davidson.

26. SENATOR DAVIDSON:

27. Mr. President and members of the Senate, what this bill
28. attempts to do is to let the schools which receive State-aid
29. funds under the Strayer-Haig Formula do the same thing the
30. school districts that are under the Resource Equalizer
31. Formula can do now. All it's trying to do is give those districts
32. who collect funding under the Strayer-Haig Formula to be able
33. to do the same thing the schools that receive their funds

1. under the Resource Equalizer can do.

2. PRESIDENT:

3. Senator Shapiro.

4. SENATOR SHAPIRO:

5. Well, Mr. President and Ladies and Gentlemen of the
6. Senate, I...I merely want to repeat what has been said and
7. clarify it. This merely gives those districts who qualify
8. for Strayer-Haig the same authority that those who receive
9. Resource Equalizer and the reason there is a difference is
10. that a school district has the choice of receiving their
11. monies either under one formula or the other depending
12. on which one they get the greatest amount of...out of.
13. Now, the question raised by Senator Bruce is a good one
14. other than this. A Resource Equalizer district who
15. borrows from one fund or transfers from one fund or another
16. can repay with State monies realized through the Resource
17. Equalizer, and those who comply with or...or opt for the
18. Strayer-Haig should have the same choice. That's what the
19. bill does, and it should be passed.

20. PRESIDENT:

21. Senator Buzbee.

22. SENATOR BUZBEE:

23. Well, Mr. President and Senator Shapiro, I don't think
24. that any of us on this side are arguing with that. With...
25. except that nowhere in the bill does it say that they do
26. have to repay. It says the board of any district receiving
27. a general apportionment may apply those funds to any fund
28. from which that board is authorized to make expenditures
29. by law. Bang. That's it, nothing else. Nothing about
30. repayment, nothing about how long they can keep it in the
31. Building Fund. It just simply says that's it. So, I submit
32. to you the bill doesn't do what the...the sponsor had in-
33. tended for it to do.

1. PRESIDENT:
2. Senator Grotberg.
3. SENATOR GROTBORG:
4. I'll yield to Senator Shapiro...
5. PRESIDENT:
6. Senator Shapiro...
7. SENATOR GROTBORG:
8. ...who's handled these things in...
9. (end of reel)
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1. SENATOR SHAPIRO:

2. Well, Mr. President, and Ladies and Gentlemen
3. of the Senate, in answer, if a transfer is made
4. they have to comply with existing law. This
5. bill doesn't say anything about transfers, it
6. just says the board of any district receiving a
7. general apportionment, may apply those funds to
8. any fund from which that board is authorized to
9. make expenditures by law. In other words, they
10. can...take that money and instead of putting it
11. in just to the educational fund, can put it in
12. to any other fund that they have. It's the
13. same authority that those districts who get
14. monies through the Resource Equalizer Formula
15. have. I see nothing in the bill that says
16. anything other than that.

17. PRESIDENT:

18. Senator Buzbee.

19. SENATOR BUZBEE:

20. Well, Senator, I'm still confused on that
21. point, but...but a second point...a second
22. question that I have is. You keep referring
23. to those schools schools that fall only under
24. Strayer-Haig as...opposed to Resource Equalizer,
25. and I'd like to know where that language is
26. contained, unless, let me ask you a question,
27. specifically, now. This starts out under Section 18-8
28. of the School Code, is that the...is that the section
29. that deals specifically with the Resource Equalizer?
30. Or is that the portion that deals specifically
31. with Strayer-Haig? I guess I should put it that
32. way. Section 18-8.

33. PRESIDENT:

34. Senator Grotberg. Senator Shapiro.

1. SENATOR GROTEBERG:

2. I yield to my think tank over here.

3. SENATOR SHAPIRO:

4. Senator, from what we understand, IOE has
5. interpreted the existing law for those districts
6. who qualify under the Resource Equalizer, that
7. they can apportion the monies received through
8. that formula into any fund that comes in under
9. the operating tax rate. Those who still stay
10. with the Strayer-Haig are restricted to putting
11. that money into the Educational Fund.

12. PRESIDENT:

13. Senator Berman.

14. SENATOR BERMAN:

15. I think Senator Shapiro's last comment is
16. the explanation. I think there is a policy
17. decision to be made here which does affect
18. the passage of this bill. Do we, as we have
19. done as exists in the Strayer-Haig districts,
20. do we wish to say that the monies should go
21. into the Educational Fund only, or give the
22. local districts the flexibility. This applies...
23. this bill addresses only one part of that
24. question. Theoretically, if this bill is
25. not passed, then the second part of that same
26. question is, should we pass a bill to impose
27. the same restriction that IOE is imposing on
28. the Strayer-Haig districts, should we impose
29. that same restriction on the Resource Equalizer
30. districts. That's...that's the question that's
31. involved here. If we're looking only at
32. equity, the bill has merit, if we're looking
33. for policy decision of putting the money only into

1. the Educational Fund, then the bill should...should
2. not be passed.

3. PRESIDENT:

4. Senator Bruce.

5. SENATOR BRUCE:

6. Thank you, Mr. President and members. I...I
7. think it's clear to everyone now that we are talking
8. about only the Strayer-Haig districts and allowing
9. them to do what is allowed to those districts
10. under the Resource Equalizer. And the question that
11. Senator Berman puts to us is the question of policy
12. and I would come down on the side...the policy that's
13. saying because the IOE has made some intreprétation
14. that treats these districts differently that we
15. should not allow the Strayer-Haig districts this
16. same latitude. It seems to me that we appropriate
17. the money, they should put it in the funds as
18. designated and if IOE has created a problem with
19. those Resource Equalizer districts the solution
20. is to pass legislation saying the same thing is
21. presently in the law for the Strayer-Haig districts
22. and not the other way around. We need to keep a
23. constant vigil, if the increased amount of money
24. were going to education, keep an eye on what's
25. being spent. And all this bill says that to
26. every school district that's under Strayer-Haig,
27. here's the money, spend it any way you want to
28. and we pass legislation as saying, it goes in
29. the education fund, if you're going to borrow
30. from that, tell us about it, in two years you
31. got to pay it back. This bill turns that whole
32. system upside down and I stand in opposition to
33. it.

1. PRESIDENT:

2. Is there any further discussion? If not, the
3. question is shall Senate Bill 1209 pass. Those
4. in favor will vote Aye. Those opposed will vote Nay.
5. The voting is open. Have all voted who wish? Have
6. all voted who wish? Take the record. On that
7. question the Ayes are 26, the Nays are 16, 1 Voting
8. Present. Senate Bill 1209 having failed to receive
9. a constitutional majority is declared lost. Senator
10. Grotberg.

11. SENATOR GROTBORG:

12. You declared it lost while I was trying to
13. get your attention.

14. PRESIDENT:

15. Sponsor has moved to Postpone Consideration.
16. Consideration will be postponed. Senate Bill 1215,
17. Senator Mitchler. Senate Bill 1219, Senator Mitchler.
18. Senate Bill 1226, Senator Vadalabene. Read the
19. bill.

20. SECRETARY:

21. Senate Bill 1226.
22. (Secretary reads title of bill)
23. 3rd reading of the bill.

24. PRESIDENT:

25. Senator Vadalabene.

26. SENATOR VADALABENE:

27. Yes, Senate Bill 1226, gives powers to the county
28. board in which a...which...in any county which establishes
29. and maintains a county sheltered care home or a county
30. nursing home for the care of infirm or chronically
31. ill persons. And the county board shall have the power
32. to make all rules and regulations for the admission
33. and discharge of the patients in the home. And I

1. would...appreciate a favorable vote.

2. PRESIDENT:

3. Is there any discussion? Senator Bruce.

4. SENATOR BRUCE:

5. A question of the sponsor.

6. PRESIDENT:

7. Indicates he will yield.

8. SENATOR BRUCE:

9. There...there is...this legislation seems
10. to say that if you're...if you've in a county
11. home and it's being paid...your costs are being
12. paid by governmental unit, the governmental unit
13. shall pay the established rate and failure to
14. do so, the county may recover the amount due
15. for care and maintenance. I wonder what the
16. cost is going to be for the Department of Public
17. Aid if these homes say that they're going to
18. set a uniform rate and what the State doesn't
19. pay after that rate, that they will sue us to
20. provide that level of care. What is the anticipated
21. cost of this legislation?

22. PRESIDENT:

23. Senator Vadalabene.

24. SENATOR VADALABENE:

25. I really don't know what the anticipated cost
26. to this legislation will be, but unless the bill
27. can be passed by the Senate, just to give you
28. an example. The...the County of Madison County
29. which operates a nursing home will have a loss
30. up to two hundred and fifty thousand dollars this
31. next...next fiscal year and if you're not aware
32. of it, there are many county nursing homes closing
33. all over the State of Illinois because of this
34. situation. And Senator Schaffer probably could

1. tell you something in this regard.

2. PRESIDENT:

3. Senator Schaffer.

4. SENATOR SCHAFFER:

5. I'm not sure that I follow Senator Bruce's
6. line of reasoning. But, it occurs to me as I
7. understand the intent of the bill, that some
8. of the county homes have people that would
9. like to be in a county homes who paid taxes
10. in the counties all their life, but because
11. they do not qualify for public aid support,
12. the county homes have opted to basically.
13. become one hundred percent public aid facilities.
14. Those people who have been able to acquire
15. some assets are denied the use of the county
16. facility and many of the county boards, at least a
17. couple in my area, would like to have the
18. ability to set up some criteria to put people
19. other than public aid in the home and have
20. them pay the same rates, and we wouldn't
21. be subsidizing them, but, I...I think the
22. county board should have the authority to
23. do that and if...if that's the intent of the
24. bill, which I believe it is. I intend to
25. support it.

26. PRESIDENT:

27. Senator Bruce.

28. SENATOR BRUCE:

29. Well, my problem is the last page of the
30. bill says if the governmental unit fails to
31. pay for the persons care and maintenance. At
32. the uniform rates established by the county
33. board, the county may recover the amount due

1. for such care and maintenance. And, my problem
2. is, I have a lot of small townships and I don't
3. know where all the people are admitted, but
4. I think they're going to be very surprised to
5. find, when they bring...have action brought
6. against them, by the...these various county
7. homes, that the money is due and owing and
8. I think there's some agreement that they
9. will take them and if they don't want to
10. take them, ought not to admit them and run up
11. a bill. It just doesn't...I just don't
12. see the real purpose for it.

13. PRESIDENT:

14. Senator Berning.

15. SENATOR BERNING:

16. Thank you, Mr. President. I think the intent
17. of the bill is admirable, if I am able to intepret
18. it properly. I can tell the...tell you, the
19. members of the Senate, that in my County of Lake,
20. the county nursing home is facing closing because
21. it now has a one million dollar deficit. Now,
22. this isn't totally the case of our public aid
23. patients, there are other compounding factors.
24. But, it is necessary as I see it for the State
25. of Illinois to be required to pay the going
26. cost per patient and not to arbitrarily through
27. the Department of Public Aid set its own rate.
28. Irrespective of what the cost is to operate
29. the home. And if that is the objective here,
30. as I say, from what I interrupt it to be, then
31. this is a bill that I hope will give the
32. counties the right to recover from the State,
33. the amount of dollars that the State is now

1. arbitrarily withholding by simply saying to the counties,
2. we will only pay X-numbers of dollars to keep our people
3. in your home even though it costs you X plus five, X plus
4. ten, twenty or whatever in addition for each day that a
5. patient is there.

6. PRESIDENT:

7. Is there futher discussion? Senator Vadalabene
8. may close the debate. Senator Schaffer.

9. SENATOR SCHAFFER:

10. I'm still curious where Senator Bruce comes up with
11. the townships being forced to subsidize the county home?
12. I don't see that in the law, Senator Bruce. I...I believe
13. it's the still the supervisor's option there. If you'd
14. point out the chapter and the verse, I would appreciate that.

15. PRESIDENT:

16. Senator Bruce.

17. SENATOR BRUCE:

18. Well, if you'll look at the bill, in fact, on Section
19. 9, it says a supervisor of general assistance which is
20. usually a township official, and he shall...the supervisor
21. of general assistance may provide for the...admission and
22. maintenance of such person in the home of another county
23. if the governmental unit fails to pay for the person's
24. care, and then it goes on from there. It seems to me that...
25. that involves the general assistance of the county and
26. the township fairly dramatically.

27. PRESIDENT:

28. Senator Schaffer.

29. SENATOR SCHAFFER:

30. I believe the line above that says that admission
31. shall be subject to the approval of the supervisor of
32. general assistance which seems to indicate to me that if
33. he doesn't the like the idea, he says I don't approve and...

1. and that's his check and balance and I think that solves
2. your problem. I think it's a good bill and deserves a
3. favorable roll call.

4. PRESIDENT:

5. Senator Bruce.

6. SENATOR BRUCE:

7. Yeah, I'd...I've...we've had a chance to talk about
8. it. I don't have any...opposition to the legislation. I
9. just think that the my initial concern was about the fact
10. that this might have impact on townships. As Senator
11. Donnewald has explained it to me, it's a problem that
12. is...they cross county lines and evidently they're not
13. paying the bills due and...and it will solve the problem
14. for them. It seems to be all right.

15. PRESIDENT:

16. Senator Don Moore.

17. SENATOR DON MOORE:

18. Will the sponsor yield for one short question?

19. PRESIDENT:

20. Indicates he will.

21. SENATOR DON MOORE: '

22. Senator Vadalabene, I intend to vote for this bill,
23. but I do see a possible question of loss of matching
24. Federal Funds through the Illinois Department of Public
25. Aid. In the event this problem does arise, would you have
26. any objection to working with me amending it the House?

27. PRESIDENT:

28. Senator Vadalabene.

29. SENATOR VADALABENE:

30. I would be more than happy to work with you, Senator
31. Moore.

32. PRESIDENT:

33. Is there any further discussion? If...if not, the

1. question is, shall Senate Bill 1226 pass. Those in favor
2. will vote Aye. Those opposed will vote Nay. The voting
3. is open. Have all voted who wish? Have all voted who wish?
4. Take the record. On that question, the Ayes are 55, the
5. Nays are none, none Voting Present. Senate Bill 1226 having
6. received a constitutional majority is declared passed.
7. Senate Bill 1227, Senator Vadalabene. Read the bill.

8. SECRETARY:

9. Senate Bill 1227

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDENT:

13. Senator Vadalabene.

14. SENATOR VADALABENE:

15. Yes, Senate Bill 1227 continues legislation which has
16. been provided for the past three years to the Bi-State
17. Development Agency in cooperation with the Illinois
18. Department of Transportation, the Southwestern Illinois
19. Metropolitan and Regional Planning Commission and the
20. East-West Gateway Coordinating Council. They are presently
21. conducting an Illinois route analysis which...which will
22. also include an evaluation of various funding alternatives
23. to be brought to the General Assembly for consideration
24. upon completion. Senate Bill 1227 has been reviewed by
25. the Transportation Committee which reported the bill out
26. of committee with a Do Pass recommendation, and therefore,
27. I appreciate a favorable vote.

28. PRESIDENT:

29. Is there any discussion? If not, the question is, shall
30. Senate Bill 1227 pass. Those in favor will vote Aye. Those
31. opposed will vote Nay. The voting is open. Have all voted
32. who wish? Have all voted who wish? Take the record. On
33. that question, the Ayes are 54, the Nays are none, none

1. Voting Present. Senate Bill 1227 having received a con-
2. stitutional majority is declared passed. Senator
3. Vadalabene, while you're on your feet, we have a report from
4. the Committee on Executive Appointments, and with leave
5. of the Body, we will go to that order of business to con-
6. sider the...

7. SENATOR VADALABENE:

8. Yes, can you wait a couple of minutes on that...
9. about five minutes?

10. PRESIDENT:

11. All right, fine. Senator Vadalabene.

12. SENATOR VADALABENE:

13. Yes, thank you, Mr. President. I move that the Senate resolve
14. itself into Executive Session...

15. PRESIDENT:

16. Excuse me, Senator. Is leave granted to go to this
17. order of business? Leave is granted. Senator Vadalabene.

18. SENATOR VADALABENE:

19. Yes, thank you, Mr. President and members of the
20. Senate. I move that the Senate resolve itself into Ex-
21. ecutive Session for the purpose of acting on the Governor's
22. appointments set forth in the Governor's Messages of
23. March 9th and 3rd, 1977.

24. PRESIDENT:

25. You've heard the motion by Senator Vadalabene. All
26. those in favor signify by saying Aye. Opposed. The Ayes
27. have it. The motion carries. The Senate is now in Executive
28. Session. Senator Vadalabene.

29. SENATOR VADALABENE:

30. Yes, thank you, Mr. President and members of the Senate.
31. With respect to the Governor's Messages of May 3rd, 1977...

32. PRESIDENT:

33. Excuse me, Senator Vadalabene. Committee Report.

1. SECRETARY:

2. Senator Vadalabene, Chairman of the Committee on
3. Executive Appointments and Administration, report that
4. the...that the committee recommends that the Senate advise
5. and consent to the messages of the Governor on March the
6. 9th and May the 3rd, 1977.

7. PRESIDENT:

8. Senator Vadalabene.

9. SENATOR VADALABENE:

10. Yes, thank you, Mr. President and members of the Senate.
11. With respect to the Governor's Message of May 3rd, 1977, I
12. will read the names of the unsalaried appointments which
13. the Committee on Executive Appointments and Administration
14. recommends that the Senate advise and consent to. After
15. reading the names, I intend to ask leave to consider all
16. of the unsalaried appointments on one roll call unless any
17. Senator has objection to any particular name. To be a
18. member of the Illinois Housing Development Authority for
19. the terms expiring January 12, 1981, Lloyd T. Bauman of
20. Chicago...of Champaign and Frederick E. Lutz of Lebanon,
21. and to be a member of the Illinois Housing Development
22. Authority for a term expiring January 9, 1979, Leon Wolin
23. of Lincolnwood, and to be a member of the Board of Regents
24. for terms expiring January 17th, 1983, Carol Burns of
25. Chicago and Charles Schueman of Sullivan and Harry L. Wellbank
26. of Crystal Lake. Mr. President, having read the names of
27. the unsalaried appointments, I now seek leave to consider
28. these names on one roll call unless some Senator has object-
29. ion to a specific name. Mr. President, will you put the
30. question as required by our rules?

31. PRESIDENT:

32. Is there objection to the procedure outlined by Senator
33. Vadalabene. Is...is leave granted, then, to consider all

1. Mottershaw of Virden; to be a member of the Property Tax
2. Appeal Board for a term expiring January 17th, 1983, Albert
3. A. Seppi of Belleville, and to be Director of the Department
4. of Children and Family Services for a term expiring January
5. 15th, 1979, Margaret M. Kennedy of Rockford. And, Mr.
6. President, having read the names of the salaried appointments,
7. I now seek leave to consider these names on one roll call
8. unless some Senator has objection to a specific name, Mr. President
9. will you put the question as required by our rules?

10. PRESIDENT:

11. Is there objection to the procedure outlined by Senator
12. Vadalabene? If no objection, do we have leave to consider
13. all of the nominations on one roll call? Leave is granted.
14. For what purpose does Senator Maragos arise?

15. SENATOR MARAGOS:

16. I didn't have an opportunity to raise an objection to
17. that procedure, because I want to ask a question as to the
18. member, Mr. Seppi, who's being nominated for the Property
19. Tax Appeal Board. Whom is he replacing, if anyone?

20. PRESIDENT:

21. Senator Vadalabene.

22. SENATOR VADALABENE:

23. I don't know if he's replacing anyone. He's a reappoint-
24. ment? Zale...reappointment, Senator Maragos...

25. PRESIDENT:

26. Senator Maragos.

27. SENATOR MARAGOS:

28. I just wanted to know, he's not going to be nominated
29. the chairman of that board is he?

30. PRESIDENT:

31. I think that would be up to the members of the...

32. SENATOR MARAGOS:

33. No, I think the...

1. PRESIDENT:

2. ...well, this...this...

3. SENATOR MARAGOS:

4. ...board...

5. PRESIDENT:

6. ...nomination is to be a member of the Property Tax

7. Appeal Board.

8. SENATOR MARAGOS:

9. Thank you, Mr. President.

10. PRESIDENT:

11. Is there any further discussion? Leave has been
12. granted to take all of the nominees on one roll call. The
13. question is, does the Senate advise and consent to the
14. nominations just made. Those in favor will vote Aye.
15. Those opposed will vote Nay. The voting is open. Have all
16. voted who wish? Have all voted who wish? Take the record.
17. On that question, the Ayes are 54, the Nays are none, none
18. Voting Present. A majority of the Senators elected con-
19. ccurring by record vote, the Senate does advise and consent
20. to the nominations just made. Senator Vadalabene.

21. SENATOR VADALABENE:

22. Yes, Mr. President and members of the Senate, I
23. now move that the Senate arise from Executive Session.

24. PRESIDENT:

25. You've heard the motion by Senator Vadalabene. All those
26. in favor...all those in favor signify by saying Aye.
27. Opposed. The Ayes have it. The Senate does arise from
28. Executive Session. For what purpose does Senator Don
29. Moore arise?

30. SENATOR DON MOORE:

31. Mr. President, as long as we're out of the regular
32. order of business, there is an emergency matter on Post-
33. poned Consideration, Senate Bill 486. I would ask leave

1. of the Body to go to that order of business. I would
2. ask leave of the Body to go to the Order of Postponed
3. Consideration for the purposes of considering Senate
4. Bill 486.

5. PRESIDENT:

6. You've heard the request. Is leave granted? Leave
7. is granted for the Order of Postponed Consideration for
8. the specific purpose of considering Senate Bill 486.
9. Senate Bill 486, Senator Don Moore.

10. SENATOR DON MOORE:

11. Thank you, Mr. President and members of the Senate.
12. Late Friday afternoon, the message arrived from the
13. House dealing with the supplemental appropriation for
14. the Illinois Department of Public Aid for FY'77. A lot of
15. the members apparently had left during my explanation
16. of the vote, and on a verification of the roll call,
17. there...I saw fit to place it on Postponed Considera-
18. tion. What happened, the bill as it left here was a
19. deficiency after including transfers, et cetera, of
20. thirty-nine million seven hundred and seventeen
21. thousand three hundred dollars. The House in its
22. wisdom saw fit to increase the deficiency to a hundred
23. and twenty-six million three hundred and forty-nine
24. thousand five hundred and four dollars, and leave the
25. remaining balance of 86,632,204 lapse.
26. The dollar amount is identical to
27. the bill that it was when it passed this Body. The
28. purpose of it, I believe, was to show that there was
29. a lapse in the AFDC line item of some thirty-eight,
30. thirty-nine million dollars and the deficiency is
31. actually for the medical line items. On the basis of
32. that explanation, if there are no questions, I would
33. move that the House...or that the Senate do concur to

1. House Amendment 1 to Senate Bill 486.

2. PRESIDENT:

3. Is there any discussion? Senator Buzbee.

4. SENATOR BUZBEE:

5. Thank you, Mr. President. I would just like to
6. point out to the Body that this is not welfare for the
7. poor, this is welfare for the rich. This money will
8. be used to pay doctor bills, pharmacist bills,
9. hospital bills, and so forth. Bills which are due and
10. owing which we have every obligation to pay and which
11. I, for one, advocate that we get them paid as quickly
12. as possible. Unfortunately on Friday, there were some
13. people voted No, apparently on the basis that they
14. just generally are opposed to welfare, but I do want
15. to point out that, that this money is...is money that
16. is owed to these people who perform these medical
17. services. We, in fact, as Senator Moore correctly
18. pointed out, are lapsing. We are lapsing money for
19. aid to families with dependent children. This money
20. ...principally goes to the...the medical suppliers
21. which we owe them money and it's time that we pay the
22. bills. This is an emergency measure, and I, like
23. Senator Moore, that we advocate that we cast an
24. affirmative vote on this.

25. PRESIDENT:

26. Senator Savickas.

27. SENATOR SAVICKAS:

28. Yes, Senator Buzbee just mentioned that this is
29. to help the rich medical suppliers. Is this those same
30. medical suppliers that the State had found and indicted
31. for overcharging the patients and overcharging the
32. State by millions of dollars and none of the people
33. went to jail? Are these the same medical suppliers that

1. we're going to pay with these funds? None of them went
2. to jail. No, none of them.

3. PRESIDENT:

4. Is that the question addressed at Senator Moore?

5. SENATOR SAVICKAS:

6. Well, to whoever...

7. PRESIDENT:

8. Addressed to Senator Don Moore?

9. SENATOR SAVICKAS:

10. ...either one.

11. PRESIDENT:

12. Senator Moore. Senator Buzbee indicates that
13. he will answer that question.

14. SENATOR BUZBEE:

15. Well, Senator, as far as I know everyone of these
16. bills are legitimate bills from legitimate vendors of
17. medical services, and I, along with you, would not
18. favor the paying of any illegitimate bills. The
19. problem is identification, of course, all the...all the
20. time of those people who do put in illegal type bills
21. but the Department as a matter-of-fact is putting
22. forth every effort to stop that kind of fraud, and
23. they feel and I believe and I think Senator Moore
24. believes that they're doing a fairly creditable job
25. now and are getting better all the time, and...and
26. that they will stop the kind of fraudulent claims
27. that we have witnessed in the past in this State.

28. PRESIDENT:

29. (machine cutoff) further discussion? If not, the
30. question is, shall the Senate concur in Amendent No. 1
31. to Senate Bill 486. Those in favor will vote Aye.
32. Those opposed will vote Nay. The voting is open.
33. Have all voted who wish? Have all voted who wish?

1. Take the record. On that question, the Ayes are 40, the
2. Nays are 5, 8 Voting Present. The Senate does concur
3. in Amendment No. 1 to Senate Bill 486 and Senate Bill
4. 486 having received a constitutional majority is declared
5. passed. (machine cutoff) Senator Wooten arise?
6. Senator Wooten.
7. SENATOR WOOTEN:
8. Well, Mr. President, I wonder if would be order...
9. in order to make a motion regarding the Six Day Rule.
10. PRESIDENT:
11. Would you state the motion please.
12. SENATOR WOOTEN:
13. I would like to move that House Joint Resolution,
14. I believe it's 16, that we suspend the Six Day Rule
15. for that so that it may heard in Executive tomorrow
16. morning. 36, is it?
17. PRESIDENT:
18. You've heard the motion...
19. SENATOR WOOTEN:
20. House Joint Resolution 36...
21. PRESIDENT:
22. ...by Senator Wooten. All those in favor signify
23. by saying Aye. Opposed. The Ayes have it. Motion
24. carries. The rules are suspended. House Joint Reso-
25. lution 36 will be heard in Executive. (machine cutoff)
26. Order of 3rd reading. Senate Bills 3rd reading,
27. Senate Bill 1230, Senator Bowers.
28. SECRETARY:
29. Senate Bill...excuse me. Senate Bill 1230
30. (Secretary reads title of bill)
31. 3rd reading of the bill.
32. PRESIDENT:
33. Senator Bowers.

1. SENATOR BOWERS:

2. Thank you, Mr. President. Senate Bill 1230 is
3. designed to amend the Banking Act to permit payable
4. on death accounts, in other words designated POD, similar
5. to Series E Bonds. I'm sure you're all acquainted with
6. that. Under the present regulations, this type of an
7. account would be permitted under what we called a
8. Totten Trust. The problem, however, is that a lot of
9. people who...who are not too sophisticated do not under-
10. stand the intricacies of the Totten Trust and they don't...
11. and they don't trust it, if I may use the term. So,
12. this simply says that may designate in their account
13. who will receive the dollars upon the death of the...of
14. the owner of the account. I have not heard of any
15. opposition to the bill, except from my law partner who
16. said we're trying to put lawyers out of business, but
17. in any event, I would appreciate the support of the
18. Senate.

19. PRESIDENT:

20. Senator, with that last statement, a number of lights
21. went on. Senator D'Arco.

22. SENATOR D'ARCO:

23. Will the sponsor yield for a question?

24. PRESIDENT:

25. Indicates he will yield.

26. SENATOR D'ARCO:

27. Now, it's my understanding from reading the bill,
28. that if the depositor designated two people to receive
29. the monies upon his death, the bank would be totally
30. discharged of their obligation if they, in fact, gave
31. the monies to any one of the two or more designated
32. beneficiaries. They wouldn't...they wouldn't have to
33. give the money divided equally among the beneficiaries,

1. they could, in fact, give the money to any one of any
2. number of beneficiaries? Is that correct?

3. PRESIDENT:

4. Senator Bowers.

5. SENATOR BOWERS:

6. Well, the intent of the bill is to create if...if
7. the original depositor decided to do it, create joint
8. tenancy insofar as the POD's are concerned, and of course,
9. upon the death of the depositor, then the general joint
10. tenancy rules would apply and that's true of any joint
11. tenancy account, and I guess the answer to the question
12. is, yes, it could be if the depositor, in fact, set it
13. up that way.

14. PRESIDENT:

15. Senator D'Arco.

16. SENATOR D'ARCO:

17. But the bank...if the bank under Section B...it
18. creates a new section and 441.b...oh, I'm sorry, it's...
19. it's...I'm sorry, it's under a. It says that any
20. payment made by the bank to any of such persons shall
21. be a complete discharge of the bank's obligation as to
22. the amount paid. So, even if the depositor did set up
23. the account as a joint tenancy, the survivor that the
24. bank, if it shows not to pay, would not have a...a
25. claim to the bank account because the bank under the
26. law could, in fact, pay any one of the designated
27. beneficiaries in exclusion to any of the others.

28. PRESIDENT:

29. Senator Bowers.

30. SENATOR BOWERS:

31. Well, Senator D'Arco, that would only be true if
32. the depositor, that is the original person who made the
33. deposit created a joint tenancy in those survivors. Now,

1. if he did not desire to create the joint tenancy, then
2. of course, they would not be to...to withdraw on a joint
3. tenancy basis, would be my understanding.

4. PRESIDENT:

5. Senator D'Arco.

6. SENATOR D'ARCO:

7. That is nice and I appreciate it, but that's not
8. the way the bill reads.

9. PRESIDENT:

10. Senator Bowers.

11. SENATOR BOWERS:

12. Well, Mr...Mr. President, if that creates a problem
13. in Senator D'Arco's mind, I'd ask that you pull from the
14. record and maybe I can satisfy him.

15. PRESIDENT:

16. Take the bill out of the record. Senator Knuppel.

17. SENATOR KNUPPEL:

18. If...if it's going to be taken from the record, there's
19. a lot of other problems that I'd like for Senator Bowers
20. to talk to Senator Donnewald and myself, too. I...and
21. others. I think this is a very..very dangerous...

22. PRESIDENT:

23. Well, Senator...

24. SENATOR KNUPPEL:

25. ...bill and it needs...needs a lot of legal work on it.

26. PRESIDENT:

27. Senate Bill 1234, Senator Don Moore. Read the
28. bill. Senator Rock, for what purpose do you arise?

29. SENATOR ROCK:

30. I wonder if the Senator would be kind enough to
31. hold this one. It has some correlation with Senate Bill
32. 16, regarding the Chicago Port. I wonder if he would be
33. good enough to hold it.

1. PRESIDENT:
2. Indicates that he is willing to do so. Senate Bill
3. 1255, Senator Schaffer. Read the bill.
4. ACTING SECRETARY: (MR. FERNANDES)
5. Senate Bill 1255
6. (Secretary reads title of bill)
7. 3rd reading of the bill.
8. PRESIDING OFFICER: (SENATOR JOHNS)
9. Senator Schaffer.
10. SENATOR SCHAFFER:
11. Last year the Legislature established the State-wide
12. Health Coordinating Council. I think...I think Senator
13. Rock was the sponsor, I'm not sure. We...we have in front
14. of us now a bill to create the position of executive
15. secretary for that council and establishing that salary
16. at forty thousand dollars. This is a rather large council.
17. The duties and responsibilities are awesome. That salary
18. is probably commensurate with the type of person we're
19. going to need to fulfill the responsibilities.
20. PRESIDING OFFICER: (SENATOR JOHNS)
21. Any further discussion? All right, Senator Rock,
22. then Senator Maragos.
23. SENATOR ROCK:
24. Thank you, Mr. President. If the sponsor will yield?
25. PRESIDING OFFICER: (SENATOR JOHNS)
26. He indicates he will.
27. SENATOR ROCK:
28. Is there a current...is there currently an executive
29. secretary?
30. PRESIDING OFFICER: (SENATOR JOHNS)
31. Senator Schaffer.
32. SENATOR SCHAFFER:
33. Not under that name. I believe there's at least one

1. person fulfilling that responsibility. What job title
2. they're under and where that particular salary appears
3. in the budget, I'm not aware of.

4. PRESIDING OFFICER: (SENATOR JOHNS)

5. Senator Rock, have you concluded?

6. SENATOR ROCK:

7. No. Are...are you aware of...of the current salary
8. of the person who holds whatever the nontitle position is?

9. PRESIDING OFFICER: (SENATOR JOHNS)

10. Senator Schaffer.

11. SENATOR SCHAFFER:

12. I'm not sure, but I suspect it's fairly close to
13. forty thousand.

14. SENATOR ROCK:

15. Well, the only...the...the question I really have is,
16. why...why do we need this?

17. PRESIDING OFFICER: (SENATOR JOHNS)

18. Senator Schaffer.

19. SENATOR SCHAFFER:

20. Well, I...I didn't dream this one up on my own. The
21. administration gave it to me. That clarifies it. It's
22. not a sneaky vehicle for a legislative pay raise, although
23. the figure has a certain ring to it. Frankly, I believe
24. the administration feels the position should be created.
25. I believe the Health Coordinating Board...Council wants
26. the position, and it was their salary, was their determina-
27. tion.

28. PRESIDING OFFICER: (SENATOR JOHNS)

29. Senator Rock. He still desires further...

30. SENATOR ROCK:

31. Yeah, the Statute...this...this was not my legisla-
32. tion, by the way, but the Statute in the 77th General
33. Assembly that created this, did...did in fact provide for

1. an executive secretary. I just...I...I don't see the,
2. frankly, the need for this legislation.

3. PRESIDING OFFICER: (SENATOR JOHNS)
4. Senator Schaffer.

5. SENATOR SCHAFFER:
6. Having...Having just gotten the word from on high
7. you are right, we did create the position, we just didn't
8. establish a salary, and that's all the bill does.

9. PRESIDING OFFICER: (SENATOR JOHNS)
10. Senator Rock.

11. SENATOR ROCK:
12. Well, my...my...my immediate reaction is, it's too
13. much.

14. PRESIDING OFFICER: (SENATOR JOHNS)
15. Any further testimony? The question is, shall
16. Senate Bill 1255 pass. All those in favor vote Aye.
17. All those opposed vote Nay. The...wait a minute. Senator
18. Schaffer, you wish to conclude? Sorry about that.

19. SENATOR SCHAFFER:
20. Well, I think if you compare it to the rather low
21. salaries...we receive, I certainly can understand your
22. position. This is an extremely technical position dealy
23. with medical professionals, and the type of person we're
24. going to want to get involved is clearly going to demand
25. that type of salary for the type of ability necessary.

26. PRESIDING OFFICER: (SENATOR JOHNS)
27. Have you concluded, Senator Schaffer? To the best
28. of his ability. Any further questions of the sponsor?
29. Now, the question is, shall Senate Bill 1255 pass. All
30. those in favor vote Aye. All those opposed vote Nay.
31. The voting is open. Have all voted who wish? Have all
32. voted who wish? Take the record, Mr. Secretary. On
33. that question, the Ayes are 18, the Nays are 22. Having

1. failed to receive the constitutional majority, Senate Bill 1255
2. is declared dead. (machine cutoff) a pathetic dead. You
3. want to try to revive it? Senate Bill 1257. Read the
4. bill, Mr. Secretary...Schaffer, do you want...do you
5. want him to read the bill? No? Oh, yes, all right.
6. Read the bill, Mr. Secretary.
7. ACTING SECRETARY: (MR. FERNANDES)
8. Senate Bill 1257
9. (Secretary reads title of bill)
10. 3rd reading of the bill.
11. PRESIDING OFFICER: (SENATOR JOHNS)
12. Any questions from the Floor? Senator Schaffer.
13. SENATOR SCHAFFER:
14. It's a good bill. No salary involved. Appreciate
15. a favorable roll call.
16. PRESIDING OFFICER: (SENATOR JOHNS)
17. Senator Maragos is recognized.
18. SENATOR MARAGOS:
19. Yes, Mr. President. I'd like to know what it does.
20. Why do you have to take...exclude this particular group
21. of dairy operators?
22. SENATOR SCHAFFER:
23. I'm going to try this one more time. This is an...
24. PRESIDING OFFICER: (SENATOR JOHNS)
25. Senator Schaffer...
26. SENATOR SCHAFFER:
27. ...administration bill. The Department of Public
28. Health feels that this type of facility does not merit
29. an inspection, in fact, frankly, I suspect they aren't
30. doing a very good job of inspecting it. When the bill was
31. originally...when the law was originally drafted, they
32. were delivering milks and...milk in glass bottles and now
33. you have the vending machines. Technically a vending

1. machine out on the side of the street would qualify as
2. a...for this type of inspection. The Department feels
3. that it is no longer necessary. They have other pro-
4. visions in the law to inspect the facilities that need
5. inspection and they feel it's a redundancy that should
6. be removed from the law.

7. PRESIDING OFFICER: (SENATOR JOHNS)

8. Senator Maragos.

9. SENATOR MARAGOS:

10. I don't want to beat a dead horse or whatever we
11. are doing here, but the thing is...what...what is...what
12. type of dairy plant is defined that is being excluded?
13. I mean...can you list something so it can enlighten me?

14. PRESIDING OFFICER: (SENATOR JOHNS)

15. Senator Schaffer.

16. SENATOR SCHAFFER:

17. It basically excludes...okay, I'm going to read
18. from the script. Dairy Queen's, McDonald's and other
19. areas that are inspected in other areas by other people
20. and this is just a duplicate inspection that the Depart-
21. ment of Public Health, the protector of the health and
22. welfare of this State, feels is not needed. It just
23. basically is something that they feel is no longer
24. necessary.

25. PRESIDING OFFICER: (SENATOR JOHNS)

26. Senator Maragos.

27. SENATOR MARAGOS:

28. Mr. President, I'm not trying to be light about
29. this, because this is an area where we could have much
30. botulism and other things affecting, because when you have sour
31. milk or any other dairy products. Having worked years
32. back as a...ice cream plant and I know what's involved.
33. Does the Statute...the bill provide that if there is

1. no inspection by a local authority like in a city or a
2. county, then the...automatically the Department of Public
3. Health will still...become involved, or is it just
4. avoiding duplicate inspection?

5. PRESIDING OFFICER: (SENATOR JOHNS)

6. Senator Schaffer.

7. SENATOR SCHAFFER:

8. It removes the inspection requirement in total for
9. this category.

10. PRESIDING OFFICER: (SENATOR JOHNS)

11. Senator Maragos.

12. SENATOR MARAGOS:

13. Mr. President and members of the Senate, I have
14. some doubts about this bill. Unless I am misunderstanding
15. the purpose of it which I think I'm not, it's...eliminates
16. a certain area where you can have some poison or some
17. diseases occur because of the fact of these particular
18. small facilities, even though they may not big or they
19. may cumbersome, they should be inspected unless there is
20. as I say there is something that the bill states that
21. it's been...been inspected by other authorities. But
22. from the explanation given to me by the sponsor, I would
23. be against this bill at this time.

24. PRESIDING OFFICER: (SENATOR JOHNS)

25. Any further questions of the sponsor? Senator Schaffer.

26. SENATOR SCHAFFER:

27. I'd like to take this from the record and aim the
28. combined wisdom of the Department of Public Health and
29. Senator Maragos on this great issue.

30. PRESIDING OFFICER: (SENATOR JOHNS)

31. Okay. Mr. Secretary, take that from the record.

32. Senate Bill 1258, Senator Moore. Senator Moore. Read the bill.

33. SECRETARY:

1. Senate Bill 1258

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR JOHNS)

5. Senator Moore.

6. SENATOR MOORE:

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

8. Senate Bill 1258 amends the Adoption Act of Illinois.

9. Specifically the changes in the bill attempt to rectify
10. current gaps bound in the termination section of this
11. law. This bill would make it possible to attempt to
12. terminate parental rights when there have been two
13. judicial determinations of child abuse under the
14. Juvenile Court Act or when there has been a criminal
15. conviction of parents due to child abuse. The current
16. law now does not include language relative to drug abuse
17. of parents, only to habitual drunkenness. This language
18. is added for drug abuse. The bill also reduces some
19. twenty-four to twelve months when parents have not
20. made a diligent effort to correct the conditions which
21. were the basis for the removal of the child. The bill
22. is supported by the Commission on Children, the Lutheran
23. Welfare of Illinois, Catholic Charities of Illinois,
24. Chicago Child Care Society, Child and Family Services of
25. Chicago, CRADLE, the Adoption Laws Committee of the
26. Chicago Bar Association, the Illinois Children's Home and
27. Aid Society, Traveler's Aid Society and other adoption
28. agencies throughout the State. I'd appreciate a favorable
29. roll call.

30. PRESIDING OFFICER: (SENATOR JOHNS)

31. All right. Prior to that Senator Egan is recognized,
32. then Senator Knuppel, and then, Senator Netsch, do you
33. wish to be recognized for...

1. SENATOR EGAN:
2. Senator Moore.
3. PRESIDING OFFICER: (SENATOR JOHNS)
4. ...the Floor? Okay. Senator Egan.
5. SENATOR EGAN:
6. ...How does this differ from a natural parent?
7. SENATOR MOORE:
8. Beg your pardon.
9. SENATOR EGAN:
10. How...how does this provision...how would this...
11. wouldn't this make the adoptive parent...wouldn't the
12. law only apply to the adoptive parent, not to the natural
13. parent?
14. SENATOR MOORE:
15. No, there are provisions such as shortening the
16. twenty-four month period of the natural parent to twelve
17. months in the event the matter was not resolved. This
18. would apply to the natural parent.
19. SENATOR EGAN:
20. Would...
21. PRESIDING OFFICER: (SENATOR JOHNS)
22. ...Senator Egan.
23. SENATOR EGAN:
24. ...it would apply to a natural parent then?
25. SENATOR MOORE:
26. I'm sorry, Senator.
27. SENATOR EGAN:
28. Would apply to a natural parent?
29. PRESIDING OFFICER: (SENATOR JOHNS)
30. You say that it will. Senator Egan.
31. SENATOR EGAN:
32. Well, that really isn't...that...I understand what
33. your answer is, but that...that really isn't my full

1. question. The full question is, now what you're dealing
2. with is the adoption statute and you're restricting only
3. acts committed by adoptive parents. What I'm say...what
4. I'm questioning is what about the rest of parenthood?
5. This only...this is only the...the Adoption Act, as I
6. understand it?

7. PRESIDING OFFICER: (SENATOR JOHNS)

8. Senator Moore.

9. SENATOR MOORE:

10. Such as in the definition of an unfit person,
11. Senator. We have expanded the law stating that two or
12. more findings of physical abuse to any children under
13. Section 4.8 of the Juvenile Court Act is an addition
14. requirement. We have also added...we had habitual
15. drunkenness before. We have added "or addiction to
16. drugs", other than those prescribed by a physician.
17. These are changes that would apply to the natural parent.

18. PRESIDING OFFICER: (SENATOR JOHNS)

19. Senator Egan.

20. SENATOR EGAN:

21. I understand it. I support it with the whole list
22. of other supporters. Thank you.

23. PRESIDING OFFICER: (SENATOR JOHNS)

24. The Chair recognizes Senator Knuppel.

25. SENATOR KNUPPEL:

26. Well, Mr. Chairman and members of the Body, un-
27. fortunately I cannot support it. Probably I have had
28. the experiences of the most bitter fight that's ever
29. gone on in this part of the State over the custody
30. of children to the Department of Children and Family
31. Welfare, with the children that came out of Beardstown
32. where the mother had had for the second time a mental
33. breakdown. They drove past the courthouse and never

1. bothered to stop with her. They took the children in.
2. They never bothered to serve her, and they put the children
3. out for adoption, and the fight went on for better than
4. a year. The Attorney General was involved, and the
5. Governor was involved, and you had pickets down here,
6. if you remember one Sunday from Windsor, Illinois, in the
7. lobby of the building here. Now, when you start talking
8. about taking children away for adoption...I don't mind
9. the part with respect to the...to the mistreatment, but
10. when you start saying that...that if the court...that
11. a certain person can sign a consent if the court finds
12. that either parent of the child sought to be adopted
13. from the evidence by two qualified psychiatrists or psy-
14. chologists. A gentlemen, hell. If you have four
15. psychologists or four psychiatrists you're going to be
16. able to get two to say that the person is mentally
17. retarded. Then...then someone else come in and consent
18. to the adoption of that child. I submit that that
19. part of it is unconstitutional. Also, they say adjudged
20. by the court to be in need of mental treatment shall
21. include those adjudged under Section B of this Act to be
22. in need of mental treatment. Well, the Chicago Tribune
23. said I was emotionally unstable, and I would lose
24. my son. I...I...I think that this bill does a real...
25. because there's...what's happening is there a lot of
26. agencies who want to get hold of children. They want
27. to take children out of homes that might be ideal where
28. God put them. They want to play God. They want to
29. take those children because they have claims...they have
30. more people who've applied for adoption than they can
31. supply, and so they...they keep making it so that they
32. can take more and more children out of homes of mentally
33. retarded people who may be for a short period of time

1. capable of treatment but emotionally unstable at that time.
2. And they want to take those children and place them out
3. in adopted homes. This gives those people in those
4. agencies jobs. It makes them feel important, and I
5. submit to you that anybody on this Floor here today
6. through some kind of problem could have mental or emotional
7. problems and have their child taken away from them
8. and placed with Children and Family Services. Some
9. psychiatrists and others could say that they...that they
10. were not fit to have those children when they came out
11. of the institution a year later. Those children would
12. be gone. The...the files would be sealed, and I submit
13. to you it might your child that's gone. God pity that
14. man or that parent. I say that this is...goes far...much
15. farther than it should. In fact, there ought to be
16. retrenchment, instead of the other way around. I don't
17. ...I don't con to child abuse, but that's not what this
18. does alone. This goes into the people who have
19. mental illnesses, mental sickness which may be fleeting.
20. I had a sister-in-law who was..who was required to be
21. confined on six or seven different occasions. They took
22. her children and placed them in foster homes. God forbid
23. that that's a ground to take a child away, and just
24. because two dinghy psychiatrists say that a person is
25. suffering, that they can appoint somebody to walk into
26. court and sign a consent to adoption. Now, Senator
27. Moore, I know you are far more humane man than that and
28. I think when you read what this bill does, you'll want
29. to take it out of the record and study it a little bit
30. longer, because it does to do those things.

31. PRESIDING OFFICER: (SENATOR JOHNS)

32. Senator Rhoads, then Senator Collins. Senator Rhoads.

33. SENATOR RHOADS:

1. Senator Moore, I didn't understand your response to
2. Senator Egan. We're dealing with the Adoption Act and
3. you were talking about natural parents. How are they in-
4. volved in anyway here?

5. PRESIDING OFFICER: (SENATOR JOHNS)

6. Senator Moore.

7. SENATOR MOORE:

8. These are grounds upon which children can be taken
9. from the natural parents and placed out for adoption.

10. PRESIDING OFFICER: (SENATOR JOHNS)

11. Senator Rhoads.

12. SENATOR RHOADS:

13. What...how is that a change from existing law? I'm
14. sorry, I...

15. PRESIDING OFFICER: (SENATOR JOHNS)

16. Senator Moore.

17. SENATOR MOORE:

18. We are adding different or additional grounds in
19. the existing Act such as as I mentioned before. Addiction
20. to drugs other than those prescribed by a physician, two
21. or more findings of physical abuse to...to the children.
22. Things of...these are now additional grounds over and
23. above desertion to...you know, neglect and so forth.

24. SENATOR RHOADS:

25. Well, apparently Amendment No. 1 isn't in our
26. books. I'll...I'll let somebody else speak.

27. PRESIDING OFFICER: (SENATOR JOHNS)

28. Okay. Senator Collins is recognized, then Senator Bruce.

29. SENATOR COLLINS:

30. Question to the sponsor, because I'm a little con-
31. fused. I talked to one of the representatives from the
32. Department and he assured me the...the concerns that
33. Senator Knuppel had were safeguarded in the bill, because I

1. had those same concerns. And now, I don't...I don't know
2. whether those provisions are in the bill or not, I
3. haven't really taken a close look at it, but he did
4. assure me that the concerns that Senator Knuppel had were
5. adequately safeguarded in...in the bill itself.

6. PRESIDING OFFICER: (SENATOR JOHNS)
7. Senator Moore.

8. SENATOR COLLINS:
9. And if it is not...

10. PRESIDING OFFICER: (SENATOR JOHNS)
11. Oh, I'm sorry.

12. SENATOR COLLINS:
13. ...then I...I, too, will have some very serious
14. concerns. If you're talking about reducing it from
15. twelve...twenty-four months to twelve months.

16. PRESIDING OFFICER: (SENATOR JOHNS)
17. Have you concluded? I interrupted you the last
18. time because you hesitated. But have you concluded?
19. Senator Moore, then Senator Bruce coming back.

20. SENATOR MOORE:
21. I think your...your fears can be putted at ease,
22. because before this happens there has to be two judicial
23. determinations on the particular case. In other words,
24. this isn't something that Family Services just go in and
25. do on themselves. We do have the...the...the protection
26. of the Judiciary. If you're aggrieved by the...by the
27. trial court, you have the right to appeal, not only from
28. one, but from both, from two different judicial determina-
29. tions in the matter.

30. PRESIDING OFFICER: (SENATOR JOHNS)
31. Senator Collins.

32. SENATOR COLLINS:
33. But the question still remains what happened to a

1. mental patient who is, in fact, mentally ill for a year
2. and how can a psychiatrist guarantee you that that person
3. will never recover from that illness or at what time
4. they will recover, which is really the question...the
5. issue here that Senator Knuppel is talking about? Now,
6. I think that would really be unjust if the parent is
7. really sick, mentally ill, that for the rest of their
8. lives you can take their child away from them simply
9. because a psychologist or psychiatrist say...two or
10. more or three, how many...that this person won't be...
11. will never recover. I don't think that the science
12. is that exact at this point.

13. PRESIDING OFFICER: (SENATOR JOHNS)

14. Senator Moore.

15. SENATOR MOORE:

16. Well, the...the purpose of the judicial determination
17. is to weigh the testimony of the psychiatrist or the
18. psychologist. We still have the...the...the Judiciary.
19. I...I agree with you. It is not an exact science. All
20. they can do is give us a good educated guess, but for
21. the sake of the child, it's better than the system we
22. have now, in my opinion.

23. PRESIDING OFFICER: (SENATOR JOHNS)

24. Have you concluded that part? Senator Bruce, you
25. wish to be recognized?

26. SENATOR BRUCE:

27. Thank you, Mr. President and members of the Senate.
28. I rise in opposition to this legislation. I think there
29. are two very good points to the legislation. One is,
30. on child abuse and the other is on drug usage. I think
31. Senator Knuppel has hit the major reason for opposition.
32. This bill will allow two psychiatrists or two psychologists
33. to say, that not only are you mentally, that you are in need

1. of mental treatment, and your children could be removed
2. from you. I don't know how many of you are acquainted
3. with the Department of Children and Family Services, but
4. I can assure you that in the area that I represent they are
5. hungry after children. And I've made the statement many
6. times in...in fighting them over children that I wonder
7. if I...I...I personally could stand the test that they
8. have for natural parents on keeping children in that
9. I'm in Springfield and away from family five days a week,
10. and some of the standards they have in getting children
11. are very strong for those who have them if they want
12. to take them away. This adds another, I think, manner
13. and I am...I am extremely concerned about the fact that
14. there's no adjudication as is presently required in the
15. Statute of Mental Illness. They just have the two
16. psychiatrists or two psychologists testify and that could
17. be evidence against you in having children removed from
18. the natural parents, and I stand in opposition to the
19. legislation.

20. PRESIDING OFFICER: (SENATOR JOHNS)

21. Any further questions of the sponsor? Do you wish
22. to conclude now, Senator Moore? He does.

23. SENATOR MOORE:

24. Well, thank you...

25. PRESIDING OFFICER: (SENATOR JOHNS)

26. Wait a minute...

27. SENATOR MOORE:

28. ...Mr. President. Just a...

29. PRESIDING OFFICER: (SENATOR JOHNS)

30. ...Senator Rock...pardon me, Senator Moore.

31. Senator Rock, did you arise for questioning? He did.

32. Pardon me, Senator Moore. Senator Rock is recognized.

33. SENATOR ROCK:

1. Yes, just...just...thank you, Mr. President and
2. Ladies and Gentlemen of the Senate. I...I, too...I was
3. frankly in support of 1258 and I have been convinced
4. otherwise, frankly, by Senators Knuppel and Bruce. There
5. are apparently four or five changes that are being
6. made in this legislation, and the one to which Senators
7. Knuppel and Bruce alluded seems to have been, at least
8. it was for me for the past few weeks, kind of over-
9. shadowed but what I...by the other changes which I know
10. in fact, are good ones. This seems to me to be
11. going just frankly a little bit too far, and I...I
12. wonder if the sponsor might consider just holding this
13. and we'll pull it back and amend out that...that section
14. concerning the testimony by the two psychiatrists and
15. we could send to the House a bill that I think is
16. worthy of their consideration.

17. PRESIDING OFFICER: (SENATOR JOHNS)

18. Senator Moore.

19. SENATOR MOORE:

20. After all the discussion, I will yield to the...
21. Majority Leader's wishes and would ask that this bill
22. be taken from the record, Mr. President.

23. PRESIDING OFFICER: (SENATOR JOHNS)

24. Mr. Secretary, take that bill from the record.

25.

26. (end of reel)

27.

28.

29.

30.

31.

32.

33.

SB 1260
5/23/77
3rd reading

1. PRESIDING OFFICER: (SENATOR JOHNS)
2. Senate Bill 1259. Senator Hynes, do you wish to...
3. is he on the Floor? Do you wish to handle that for...Senator...
4. is he on the Floor? Oh, fine. Thank you.
5. Senator Shapiro. No calling. I'm sorry and glad to
6. see you, Senator. Senate Bill 1260, Senator Walsh.
7. Read the bill, Mr. Secretary.
8. SECRETARY:
9. Senate Bill 1260.
10. (Secretary reads title of bill)
11. 3rd reading of the bill.
12. PRESIDING OFFICER: (SENATOR JOHNS)
13. Senator Walsh.
14. SENATOR WALSH:
15. Mr. President and members of the Senate. Senate
16. Bill 1260 provides for the addition, deletion, rescheduling
17. of certain controlled substances to the schedules of the
18. Controlled Substances Act. It also contains certain
19. nonsubstantive changes in order to clarify and correct
20. controlled substances nomenclature spelling, et cetera.
21. There was a provision in the bill as originally filed
22. which was objected to by some of the members of the
23. Senate Judiciary I Committee, which was amended out
24. on 1st reading. I believe the bill is in proper
25. form and has no objection. I request your support.
26. PRESIDING OFFICER: (SENATOR JOHNS)
27. Any questions of the sponsor? Senator Glass.
28. SENATOR GLASS:
29. Thank you, Mr. President. I would like to
30. ask the sponsor to please read lines ten and eleven
31. of the amendment.
32. PRESIDING OFFICER: (SENATOR JOHNS)
33. Senator Walsh.

1. SENATOR WALSH:

2. I would like to yield to my interpreter, Senator
3. Bowers, who...is that one of the fifty cent words or
4. seventy-five cent words you're referring to?

5. PRESIDING OFFICER: (SENATOR JOHNS)

6. Senator Glass.

7. SENATOR GLASS:

8. That's the seventy-five cent word. I'll withdraw
9. the request.

10. PRESIDING OFFICER: (SENATOR JOHNS)

11. Senator Ozinga, do you wish to be recognized?

12. Your light is on. It's off. Okay. Any further
13. discussion? The question is shall Senate Bill 1260
14. pass. All those in favor vote Aye. All those opposed
15. vote Nay. The voting is open. Thank you, Senator.
16. Thank you, Senator. Have all voted who wish? Have all
17. voted who wish? I'll wait. Take the record, Mr.

18. Secretary. On that question, Senate Bill 1260, the
19. Ayes are 51, the Nays are none and one Voting Present.

20. Senate Bill 1260 having received a constitutional
21. majority is declared passed. Senator Shapiro,
22. do you wish to call 1260? He does. Mr. Secretary,
23. read the bill, please.

24. SECRETARY:

25. Senate Bill 1264.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDING OFFICER: (SENATOR JOHNS)

29. Senator Shapiro.

30. SENATOR SHAPIRO:

31. Mr. President and Ladies and Gentlemen of the Senate.
32. Senate Bill 1264 amends the Real Estate Brokers and Salesmen's
33. Licensing Act and what it does is requires brokers and
34. salesmen as a condition of certification to take an exam

1. approved or prepared by the Real Estate Examining
2. Committee. What it does is give the Department the duty
3. to contract with an independent outside testing firm.
4. The Department and the industry, the Real Estate Industry,
5. weretotally in support of the program and the two groups
6. worked together for well over a year in drafting the bill.
7. In addition, it would require that the applicant for
8. the exam, either the broker's or the salesmen's
9. exam, to pay his fee for the examination either directly
10. to the Department or to the testing service. In addition,
11. it would change...it would leave the fees that are...
12. had been originally paid to the Department, but change how
13. they are apportioned. In other words, a broker's
14. license fee is now sixty dollars and it is left at sixty
15. dollars rather than thirty dollars as an administration
16. fee and twenty a processing fee. Fifty dollars is now
17. used for processing and ten dollars is paid into the
18. Real Estate Recovery Fund. The same applies to the
19. Salemen's Act only the fee is much less, thirty-
20. five dollars and that remains the same, twenty-five
21. of which is to be a processing fee and ten dollars to go
22. the Real Estate Recovery Fund. The bill had no opposition
23. in committee, passed out of committee, I think, ten to
24. zero. I would appreciate a favorable roll call. If there
25. are any questions, I will attempt to answer them.

26. PRESIDING OFFICER: (SENATOR JOHNS)

27. The Chair recognizes Senator Guidice.

28. SENATOR GUIDICE:

29. Thank you, Mr. President. Will the sponsor yield
30. to a question, please?

31. PRESIDING OFFICER: (SENATOR JOHNS)

32. He indicates he will, Senator Guidice.

33. SENATOR GUIDICE:

1. Senator Shapiro, I can agree with what you're
2. doing here but I was calling in your attention to some
3. language that you did put in on page 2, line 19
4. and wonder what the reasoning behind that particular
5. language was, and has successfully completed the written
6. examination as required in Section 10.

7. PRESIDING OFFICER: (SENATOR JOHNS)

8. Senator Shapiro.

9. SENATOR SHAPIRO:

10. I think that applies to the prequalifications.
11. In other words, before they can take the test, they
12. have to meet certain educational requirements, age,
13. et cetera, et cetera. I believe that's what it is,
14. I may be wrong.

15. PRESIDING OFFICER: (SENATOR JOHNS)

16. Senator Guidice.

17. SENATOR GUIDICE:

18. Well, the language right prior to that indicates
19. that the applicant has been admitted to practice of
20. law by the Supreme Court of Illinois. Would you believe
21. that's sufficient?

22. PRESIDING OFFICER: (SENATOR JOHNS)

23. Senator Shapiro.

24. SENATOR SHAPIRO:

25. Senator, the only thing I can tell you about that
26. is that that's existing language in the present Act.

27. PRESIDING OFFICER: (SENATOR JOHNS)

28. Senator Guidice.

29. SENATOR GUIDICE:

30. Well, what...what you're doing there is indicating
31. that the attorneys would have to pass a written examination
32. that they've already passed through the Bar Association.

33. PRESIDING OFFICER: (SENATOR JOHNS)

1. Senator Shapiro.
2. SENATOR SHAPIRO:
3. The question was not raised in committee and I'm
4. not aware of it. If you think it creates an extra
5. burden on an attorney, you know, we can take it out.
6. PRESIDING OFFICER: (SENATOR JOHNS)
7. Senator Guidice.
8. SENATOR GUIDICE:
9. I would appreciate that.
10. PRESIDING OFFICER: (SENATOR JOHNS)
11. What's your wishes, Senator Shapiro?
12. SENATOR SHAPIRO:
13. Well, let's take it out of the record till I can
14. take...
15. PRESIDING OFFICER: (SENATOR JOHNS)
16. All right, Mr. Secretary...
17. SENATOR SHAPIRO:
18. ...a look at it and...
19. PRESIDING OFFICER: (SENATOR JOHNS)
20. ...take Senate Bill...Mr. Secretary, take Senate
21. Bill 1264 from the record, please. How about Senate
22. Bill 1265, Senator? Senator Shapiro. Read the bill, Mr.
23. Secretary;
24. SECRETARY:
25. Senate Bill 1265.
26. (Secretary reads title of bill)
27. 3rd reading of the bill.
28. PRESIDING OFFICER: (SENATOR JOHNS)
29. Senator Shapiro.
30. SENATOR SHAPIRO:
31. Mr. President and Ladies and Gentlemen of the Senate.
32. Senate Bill 1264 was requested by the Director of the
33. General Services Department and what it does is raise the

1. definition...changes the definition of small business for the
2. purposes of this Act. The maximum sales volume for a wholesale
3. or retail business to be considered a small business
4. is increased from two and a half million to five million
5. and five hundred thousand to one million dollars,
6. respectively. It also repeals the provision requiring
7. advertisement of successful bidder and postponement
8. and the postpone notice of award. This is in conformity
9. with the large businesses throughout the State who
10. bid on State contracts. In addition, as amended,
11. we also change the...raise the definition for the
12. construction business by raising the amount of business
13. required from three hundred thousand to six hundred
14. thousand. There was no opposition to the bill.
15. It passed out of committee unanimously. I would...
16. appreciate a favorable roll call. I'll try to answer
17. any questions raised.

18. PRESIDING OFFICER: (SENATOR JOHNS)

19. The Chair recognizes Senator Maragos.

20. SENATOR MARAGOS:

21. Senator Shapiro, will you yield to a question?

22. PRESIDING OFFICER: (SENATOR JOHNS)

23. He indicates he will.

24. SENATOR MARAGOS:

25. Is the purpose of the raising the amount of money
26. in a definition of a small business to allow...I mean
27. allowing the contracts without competitive bidding?

28. PRESIDING OFFICER: (SENATOR JOHNS)

29. Senator...Senator Shapiro.

30. SENATOR SHAPIRO:

31. No. The raising of the amount is merely to allow
32. more small businesses to qualify. In other words, due to
33. inflation of contracts, so on and so forth, there are very

1. few small businesses under this, the old definition. As
2. a matter-of-fact, I think right now, under the present
3. law, less than four hundred and fifty can qualify and I think
4. under changing the law, would allow approximately thirty-
5. four hundred to qualify.

6. PRESIDING OFFICER: (SENATOR JOHNS)

7. Senator Maragos.

8. SENATOR MARAGOS:

9. Then what you are stating that there's a different
10. roll call...a different approach to the bidding between
11. a so called small business and a large business, is that
12. correct?

13. PRESIDING OFFICER: (SENATOR JOHNS)

14. Senator Shapiro.

15. SENATOR SHAPIRO:

16. I think small, small businesses, minority businesses
17. are given preference for small contracts and that in
18. which they wouldn't have a chance against the large
19. business.

20. PRESIDING OFFICER: (SENATOR JOHNS)

21. Have you concluded? The Chair recognizes Senator
22. Carroll, then Senator Berman, do you wish to question
23. the sponsor? All right.

24. SENATOR CARRÓLL:

25. Thank you, Mr. President. Senator Carroll recognizes
26. the Chair, too. Would Senator Shapiro answer a question,
27. please?

28. PRESIDING OFFICER: (SENATOR JOHNS)

29. Indicates he will.

30. SENATOR CARROLL:

31. Yes, just becuae Senator Shapiro, Berman and I are up,
32. this is not a Jewish block issue. As someone behind me had...

33. PRESIDING OFFICER: (SENATOR JOHNS)

1. Makes me think of Little Egypt.

2. SENATOR CARROLL:

3. ...been mentioning. Ours are all large business,
4. not small business, right. Senator Shapiro, would...
5. have you done any analysis on what the fiscal impact to the
6. State would be by raising this? My concern is that in
7. most types of businesses, five million dollars, I would
8. not consider to be a small business, a business who does
9. five million gross. That's a fairly substantial business
10. in most types of commerce and industry. And my
11. understanding of the purpose of the Small Business
12. Act is to give a non-competitive advantage to smaller
13. businesses to allow them to compete with the large
14. giants on State business. So, I'm wondering what the
15. fiscal impact will be in giving this type of advantage
16. to many companies that I don't think are really what
17. we would consider small businesses.

18. PRESIDING OFFICER: (SENATOR JOHNS)

19. Senator Shapiro.

20. SENATOR SHAPIRO:

21. Senator, I doubt that there would be any fiscal
22. impact. The only thing I can tell you is that under
23. the present definition of small business, very few can
24. qualify. Now, the Federal Government as an example,
25. for a wholesale small business, uses nine and a half million,
26. retail, two million and construction, nine and a half
27. million. These are way in excess of what we are considering
28. here.

29. PRESIDING OFFICER: (SENATOR JOHNS)

30. Senator Carroll.

31. SENATOR CARROLL:

32. Well, my concern is that there is, in all
33. departments, as I recall, a small business set aside which

1. means that these types of...including service contracts,
2. are...your bids are only accepted, invited and accepted
3. from what you define as a small business and it means
4. no less than twenty-five nor more than forty percent
5. of the total contracts for construction are being
6. set aside for these small businesses which means therefore,
7. we are being non-competitive at a substantial additional
8. cost to the State. In prior years when we have had these
9. set asides to the smaller business, the purpose is to
10. allow them to win contract awards at prices higher than
11. larger companies would be willing to do business with the
12. State. It was my understanding of the original purpose
13. and intent was to allow the smaller businessman the
14. ability to get some business from the State and make
15. a profit on that. And he could not do it if he had to be
16. totally competitive with the larger giants. So, it seems
17. to me if we're setting aside from twenty-five to forty
18. percent of the annual contracts and that these set asides
19. are non-competitive, it's going to cost the State
20. substantial amounts of money by raising it from two and
21. a half million to five million dollars a year in
22. some of these service contract areas and I think that's
23. the wrong way to go at this fiscally tight time.

24. PRESIDING OFFICER: (SENATOR JOHNS)

25. Let's quiet down now. Senator Shapiro, do you wish
26. to answer anything that he's just stated? Senator Berman
27. is recognized.

28. SENATOR BERMAN:

29. Will the sponsor yield? Senator, isn't part of the
30. Small Businesses Purchasing Act a waiver of...of
31. performance bonds also?

32. PRESIDING OFFICER: (SENATOR JOHNS)

33. Senator Shapiro.

1. SENATOR SHAPIRO:

2. Well, I'm not too sure about that, but I think all
3. ...all persons or corporations or companies that bid
4. on State contracts have to prequalify. In other words,
5. they have to show financial ability of some sort, so I
6. don't know whether that answers your question or not.
7. I don't think I can answer your question directly.

8. PRESIDING OFFICER: (SENATOR JOHNS)

9. Senator Berman.

10. SENATOR BERMAN:

11. I'm not sure what the Federal Government uses
12. their criteria for. In other words, when they say,
13. two and a half million for a retail establishment
14. as a small business, I don't know what that means to them,
15. but I remember when this bill was first passed and we
16. were looking to the...to help the little guy and in
17. my evaluation, a retail business that does a million
18. dollars gross, I'm not sure I would call that a million...
19. a little guy. The same thing with a wholesaler at
20. two and a half million dollars gross. These are pretty
21. substantial figures and I think that we're moving
22. away from the purpose of the Small Business Purchasing
23. Act. I think we're opening the door to...to allowing
24. persons to get the advantage of this Act that it wasn't
25. really intended to. I'm...my impression is that I'm
26. not going to support this bill. The bill was passed
27. if I recall also, at a time during the height of the
28. recession, two or three years ago. I think that
29. you've got businesses now hopefully, that may have
30. fallen into the Small Business Act category at that time
31. hopefully, that now we're on a healthier road. If they're
32. at this level of funding, I'm not sure they need this kind
33. of advantage anymore. We want to get them out of that
34. situation so that they can compete on a fair basis without

1. opening the door to companies that are really...are not
2. small.

3. PRESIDING OFFICER: (SENATOR JOHNS)

4. Have you concluded, Senator Berman? You have.

5. Now, do you wish to respond to him before you take
6. another question? Senator Collins is recognized.

7. SENATOR COLLINS:

8. Senator Berman just expressed my concerns, I think,
9. probably much better than I could, but I do still have
10. a question. Did you say that you would raise the ceiling
11. to five million dollars?

12. PRESIDING OFFICER: (SENATOR JOHNS)

13. Senator Shapiro.

14. SENATOR SHAPIRO:

15. Yes, that's for wholesalers. The amount...the
16. volume they would do in a year for a wholesaler,
17. retailer, from five hundred thousand to a million.

18. PRESIDING OFFICER: (SENATOR JOHNS)

19. Senator Collins, have you concluded? Senator
20. Shapiro. Any further...Senator Berning.

21. SENATOR BERNING:

22. Well, thank you, Mr. President. This being a measure
23. that I remember having been debated extensively two
24. or three years ago when we embarked on this rather silly
25. program. I'm still not in favor of it, but for those
26. of you who are, let me remind you that the inflation has
27. been somewhere in the neighborhood of fifty percent and if
28. a small business was a small business five years ago
29. at twenty-five...two and a half million, it's a small
30. business today at ten million, taking into consideration
31. all we have done to business with its obligation now under
32. Workmen's Comp, Unemployment Comp and so on. It seems
33. to me that if you are still committed to subsidizing

1. small business, this is the way to do it and this is a bill
2. that you ought to vote for.

3. PRESIDING OFFICER: (SENATOR JOHNS)

4. Any further questions from the Floor? Senator
5. Shapiro. Roll call. All right. On that question,
6. Senate Bill 1265, the question is shall 1265 pass. Those
7. in favor vote Aye. All those opposed vote Nay. The
8. voting is open. Have all voted who wish? Have all
9. voted who wish? Take the record, Mr. Secretary.
10. On that question, the Ayes are 26, the Nays are 19,
11. 2 Voting Present. Having failed to receive the
12. constitutional majority is declared lost. ...not dead
13. or dying, lost. Senate Bill 1280, Senator Schaffer.
14. Senator Schaffer, no. Senate Bill 1284, Senator Roe.
15. No, no. No. No. No. No. Senate Bill 1285, Senator
16. Roe. 1290, Senator Nimrod. No. 1296, Senator
17. Knuppel. There's a tiger. Okay. Read the bill,
18. Mr. Secretary.

19. SECRETARY:

20. Senate Bill 1296.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER: (SENATOR JOHNS)

24. Senator Knuppel is recognized.

25. SENATOR KNUPPEL:

26. This bill does just exactly what it says it does.
27. It limits each member of the General Assembly to the
28. introduction of fifteen bills per Regular Session,
29. exclusive of appropriation bills. This...I figured
30. I'd get that humor if we got passed that...12...yeah,
31. 1284. I figured everybody would be saved up and we'd
32. have some humor on this one.

33. PRESIDING OFFICER: (SENATOR JOHNS)

1. Senator Ozinga is recognized.
2. SENATOR OZINGA:
3. This is a great bill, because the first guy to get
4. knocked out of the box would be Knuppel.
5. PRESIDING OFFICER: (SENATOR JOHNS)
6. Senator Hynes is recognized then Senator Carroll.
7. SENATOR HYNES:
8. Would the sponsor yield for a question?
9. PRESIDING OFFICER: (SENATOR JOHNS)
10. Senator Knuppel.
11. SENATOR HYNES:
12. Senator Knuppel, I think this legislation has
13. a great deal of merit, but I do have one question.
14. How many bills are you sponsoring in this Session, Senator?
15. PRESIDING OFFICER: (SENATOR JOHNS)
16. Senator Knuppel.
17. SENATOR KNUPPEL:
18. I've introduced ninety-six. I'm handling a hundred
19. and forty-one. I handled two hundred and fifteen in the
20. last Session.
21. PRESIDING OFFICER: (SENATOR JOHNS)
22. Any further questions? Senator Egan. Wait a minute.
23. Pardon me. Senator Carroll is next.
24. SENATOR CARROLL:
25. Senator Hynes asked my question, thank you.
26. PRESIDING OFFICER: (SENATOR JOHNS)
27. Senator Egan, you wish to repeat the same question?
28. SENATOR EGAN:
29. No, I'd just like to point out for a fellow that
30. can't say no, I'm in favor of the bill.
31. PRESIDING OFFICER: (SENATOR JOHNS)
32. Senator Weaver is recognized.
33. SENATOR WEAVER:

1. I just wonder if Senator Knuppel would amend
2. this to include resolutions, also?

3. PRESIDING OFFICER: (SENATOR JOHNS)

4. Senator Knuppel, will you amend it?

5. SENATOR KNUPPEL:

6. I seriously considered that, but I thought I might
7. need Senator Mitchler's vote.

8. PRESIDING OFFICER: (SENATOR JOHNS)

9. Any further questions of the sponsor? The question
10. is shall Senate Bill 1296 pass. All those in favor
11. vote Aye. All those opposed vote Nay. The voting is open.
12. Have all voted who wish? Have all voted who wish? Take
13. the record, Mr. Secretary. On that question, the Ayes
14. are 38, the Nays are 11, 2 Voting Present. Having
15. received a constitutional majority is declared passed.
16. Senate Bill 1297, Senator Coffey. Senator Coffey.
17. Read the bill, Mr. Secretary.

18. SECRETARY:

19. Senate Bill 1297.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR JOHNS)

23. The Chair recognizes Senator Coffey.

24. SENATOR COFFEY:

25. Mr. President and members of the Senate. Senate
26. Bill 1297 addresses itself to the inventory of the State
27. owned and operated land which is to be collected...this
28. information is to be collected by the Capital Development
29. Board, which includes in this collection and inventory,
30. a legal description of real property, the approximate
31. value of the real property, the agency that has jurisdiction
32. over real property and the present and future plans for
33. the...that the agency has for such real property owned

1. or operated by the State.

2. PRESIDING OFFICER: (SENATOR JOHNS)

3. The Chair wishes to ask a question of the Senator.

4. Does this also include a blueprint inventory of the
5. buildings?

6. SENATOR COFFEY:

7. No, it does not.

8. PRESIDING OFFICER: (SENATOR JOHNS)

9. Senator Buzbee.

10. SENATOR BUZBEE:

11. A couple of questions of the sponsor.

12. First question is...

13. PRESIDING OFFICER: (SENATOR JOHNS)

14. Senator Coffey will yield.

15. SENATOR BUZBEE:

16. Senator, what's...what's going to be the...what's
17. going to be the cost and how many more bureaucrats
18. are we going to have to hire for the Capital Development
19. Board and how long will they be employed? Will they
20. be employed permanently? Will they have office spaces
21. in Lincoln Towers or what's...what's going to be the
22. situation here?

23. PRESIDING OFFICER: (SENATOR JOHNS)

24. Senator Coffey.

25. SENATOR COFFEY:

26. Well, we hope that that won't be true and we hope
27. there will be very little cost, if any for this
28. information. Some of the Departments have informed
29. me already that they have this information. Much of it
30. is not update...updated. The provision of this bill
31. will ask for this inventory to be completed before October
32. 1st, 1978 and it should be kept current. The reason we
33. changed from prepare to collect, we was hoping and rather
34. than to ask the Board to prepare this inventory that might

1. already be prepared, that they could collect this
2. information from each one of the Departments now.

3. PRESIDING OFFICER: (SENATOR JOHNS)

4. Pardon me, Senator Coffey. You've finished
5. probably, but Gentlemen, Gentlemen. Senator...and
6. Ladies, I might add. But the Ladies were not being
7. noisy and so that's why I didn't include them.
8. Fair enough? Okay. Senator Demuzio is...Senator
9. Buzbee, have you concluded, Sir? No, he has not.
10. Oaky. Continue.

11. SENATOR BUZBEE:

12. I assume you're not going to subtract that from
13. my time, Mr. President?

14. PRESIDING OFFICER: (SENATOR JOHNS)

15. I'm not, Senator Buzbee...

16. SENATOR BUZBEE:

17. Thank you.

18. PRESIDING OFFICER: (SENATOR JOHNS)

19. ...as one great colleague to another one.

20. SENATOR BUZBEE:

21. Senator Coffey, I...I...I still did not get an
22. answer. Your answer, we hope, it won't cost very much,
23. is not one that I would consider adequate.

24. PRESIDING OFFICER: (SENATOR JOHNS)

25. Senator Coffey.

26. SENATOR COFFEY:

27. I said, I hoped if it cost anything, it would be
28. very little, but hopefully can be done with the
29. present personnel that they have now. Earlier, when they
30. talked about the Board collecting and preparing this
31. inventory themselves, they were talking about one or
32. two more additional employees. When we went back and
33. amended it to have the information coming from each

1. Department, we felt that with their present personnel
2. they could update that information if it is not updated
3. already. We've run into many problems and in a lot of
4. our committees because they are not updated and this is
5. what our hope that this will happen.

6. PRESIDING OFFICER: (SENATOR JOHNS)

7. Senator Buzbee.

8. SENATOR BUZBEE:

9. Well, my second question is why do you choose the
10. Capital Development Board as opposed to the Department of
11. General Services which is already charged with the
12. responsibility of buying and selling of State
13. properties and personal properties? Why the
14. Capitol Development Board instead of General Services?

15. PRESIDING OFFICER: (SENATOR JOHNS)

16. Senator Coffey.

17. SENATOR COFFEY:

18. We had no particular reason, that's just the way
19. I chose for the bill.

20. PRESIDING OFFICER: (SENATOR JOHNS)

21. Senator Buzbee, have you concluded? Thank you.
22. Senator Demuzio and then Senator Knuppel and then Senator
23. Hickey.

24. SENATOR DEMUZIO:

25. Thank you, Mr. President. I think Senator Buzbee
26. hit right on my point, why the Capital Development Board?
27. I certainly think that the bill has merit. We've been, at least,
28. for the two years that I've been here, attempting to have
29. some idea as to the total number of acres and the land
30. and the property that the State owns, but it would appear to me
31. that the General Services area would be much more apt
32. to be the collector of this information than that the Capital
33. Development Board and I just...I think it's a good idea, but

1. I just don't know whether or not Senator Coffey,
2. we ought to put it with CDB.

3. PRESIDING OFFICER: (SENATOR JOHNS)

4. Have you concluded? Senator Knuppel.

5. SENATOR KNUPPEL:

6. Well, I might suggest that you've had an
7. expression here that's a good idea from some of the
8. fellows on this side of the aisle. It might be a wise
9. thing to take it out of the record. But, I want to add...
10. and...and amend it to provide for the Department of
11. General Services. I think it's an excellent idea, even
12. if every businessman has to inventory at the close of
13. the year, farmers inventory their capital assets
14. and based on six years experience that I...when I've
15. been here, I don't think anybody knows who has what,
16. how they're going to give it away, there's no policy.
17. And how can you say...I passed a bill here the other
18. day that said they would make a survey as to what agency
19. might make use of it. I think it's an excellent bill.
20. I think it's one of the finest ideas expressed here in this
21. Body in this Session. There's an old expression, beware
22. of a young lawyer with one book and the Senator over there
23. doesn't have many bills and I think he's brought a fresh
24. idea, but I do think that maybe the Department of General
25. Services the people who should make the inventory.

26. PRESIDING OFFICER: (SENATOR JOHNS)

27. Senator Coffey.

28. SENATOR COFFEY:

29. Mr. President and members of the Senate. I would like
30. to take this from the record and I'll be glad to work with
31. them to have this turned over to General Services.

32. PRESIDING OFFICER: (SENATOR JOHNS)

33. It is your privilege, it will be done.

1. Senator...wait just a moment, now. Is it containing...
2. he said take it out of the record, Gentlemen.
3. Senator Harber Hall. Wait a minute. Before you speak,
4. Senator Regner has to be recognized, so did Senator
5. Hickey. For what purpose does Senator Hickey wish to be recognized?
6. SENATOR HICKEY:
7. Mr. President, no one has mentioned in this dialogue
8. that the last sentence of the bill says, the board may
9. conduct public hearings relating to State owned real
10. property and its future use and I think that there's a
11. great deal of unclarity which maybe could be addressed when...
12. afterwards...
13. PRESIDENT:
14. For what purpose does Senator Rock arise?
15. SENATOR ROCK:
16. That provision has been amended out.
17. PRESIDENT:
18. The sponsor has asked to take the bill out of the record,
19. is that correct? The bill will be taken out of the record.
20. For what purpose does Senator Harber Hall arise?
21. SENATOR HALL:
22. I would like the Secretary to show me with the
23. leave of this Body, to be cosponsor on that bill.
24. PRESIDENT:
25. You've heard the request. Is leave granted? Leave
26. is granted. Senate Bill 12...and Senator Ozinga as well.
27. Senate Bill 1298, Senator Netsch. Senate Bill 1299,
28. Senator Netsch. Read the bill.
29. SECRETARY:
30. Senate Bill 1299.
31. (Secretary reads title of bill)
32. 3rd reading of the bill.
33. PRESIDENT:

1. Senator Netsch.

2. SENATOR NETSCH:

3. Thank you, Mr. President. This bill is one of
4. a series that was proposed by the Economic and Fiscal
5. Commission. Most of the bills in the series have to
6. do with giving us, as members of the Legislature,
7. more information and this is one of those bills. It is
8. an amendment to the Fiscal Note Act and it includes
9. in the requirement for fiscal notes, all capital
10. expenditures. I...I think...the simplest thing to
11. explain the bill is to read it which...because it's all
12. in one sentence and it says, if a bill authorizes
13. capital expenditures or appropriates funds for capital
14. expenditures, a statement shall be prepared by the
15. Capital Development Board specifying by year any
16. principal and interest payments required to finance
17. such capital expenditures. The thought is a fairly
18. simple one. Just as we require a fiscal note on bills
19. that may involve an obligation or an expenditure of
20. money for operations by the same token, we should have
21. this information when a bill is before us which involves
22. capital expenditure. Whether that bill comes out of the
23. administration or comes through one of the members of the
24. General Assembly. It is designed to give us that
25. information so that when we vote for a capital expenditure,
26. we know what kind of commitment we are making in terms
27. of future bond indebtedness requirements. If there are
28. any questions, I'll be happy to answer them.

29. PRESIDENT:

30. Senator Berning.

31. SENATOR BERNING:

32. Thank you, Mr. President. Again, just an observation.
33. To make any amendment to this totally ignored

1. Statute at this time, would be equally useless. May I just
2. suggest that if we are sincere about this, we ought to
3. go a step further and preclude, absolutely preclude,
4. the consideration of any bill which has fiscal note
5. stamp attached to it. Then we would actually have the
6. information which is implied but of which we never
7. asked for.

8. PRESIDENT:

9. Is there any further discussion? Senator Egan.

10. SENATOR EGAN:

11. Yes, Senator Netsch, would you yield to a question?

12. PRESIDENT:

13. She indicates she will yield.

14. SENATOR EGAN:

15. Would you please explain to me or define just
16. exactly what is a fiscal note?

17. PRESIDENT:

18. Senator Netsch.

19. SENATOR NETSCH:

20. A fiscal note is by definition which we have
21. arrived at by legislation, a statement of the probable
22. fiscal impact of a piece of legislation which we are
23. about to act on. As you know, we can request fiscal
24. notes to be attached to bills that seem to have a fiscal
25. impact at the 2nd reading stage or by the 2nd reading
26. stage and while I sympathize with what Senator Berning
27. said, I think it is not true that we don't use that
28. provision at all, Senator Berning. We do frequently
29. require fiscal notes and occasionally, it has some
30. influence on the action that we take. This bill is
31. designed to achieve the same result with respect
32. to capital expenditures. That is so that we will know
33. before we vote on a piece of legislation what kind of
34. impact it will have in the future. And it's really for

1. our benefit so that we know that we have this information
2. before acting.

3. PRESIDENT:

4. Is there any further discussion? If not, the...
5. Senator Shapiro.

6. SENATOR SHAPIRO:

7. Mr. President and Ladies and Gentlemen of the Senate.
8. I'd like my...to address myself to the bill and to the
9. hardships and the impossibility to comply with the bill
10. as it is drafted. Who knows what the interest rate is
11. going to be in a bond authorization, what the principal
12. rate will...what the principal payment will be because
13. they don't know the length of term of the authorization.
14. It seems to me that it would be totally impossible
15. to comply with this Act as it is written when it comes
16. to capital appropriations. We don't know what the schedule
17. is going to be. You don't know what the rates will
18. be, what they will be the first year or the tenth year
19. or the twentieth year of the bond term. I say it's
20. totally impossible to comply with the bill.

21. PRESIDENT:

22. Is there any further discussion? If not, the question
23. is shall Senate Bill 12...Senator Netsch may close the
24. debate.

25. SENATOR NETSCH:

26. I'm...I'm sorry, Senator Shapiro. I didn't hear all
27. of your points, but I think I heard the essence of it
28. and I think that can be addressed. It was or a question
29. similar to that, 'was raised in committee and the answers
30. that were given at committee time were satisfactory at
31. least as evidence by the fact that the bill received the
32. unanimous endorsement of the Executive Committee. It is
33. true that in some cases where you are talking about a
34. project that is to be financed out of bonds which have not

1. yet been issued, that there is an estimate involved
2. in that information. That is, there would have to be
3. an assumption made about what the probable interest rate
4. will be. That is not a very difficult thing to do,
5. however, and those who are involved in the budget process
6. I think, recognize that that is not a very difficult
7. thing to do. In some cases, the projects are really
8. not being financed out of bonds that have not yet
9. been issued, but they are being proposed out of
10. bonds that have already been issued. And in some
11. cases, there is a recurring element to it. In those
12. cases, there would be no difficulty at all in knowing
13. what that interest rate will be. But, we have pretty
14. good experience over a period of time...

15. PRESIDENT:

16. May we...excuse me, Senator Netsch. May we have
17. so order? Will the members please be in their seats.

18. SENATOR NETSCH:

19. We have...we have pretty good experience
20. given recent bond issues about what the probable
21. interest will be and that assumption can be built
22. into the estimate. The difficulty is that just as
23. we vote on other bills with fiscal impact, perhaps too
24. casually, we do that also with respect to capital
25. expenditures. This gives us at least, some information
26. without which we really are operating in the dark and
27. it seems to me that it is for our benefit as legislators
28. that we require that anyone, be it the administration or
29. an individual legislator who proposes a capital
30. program...a capital project, be willing to give us
31. some information about what that is going to be costing
32. us in the future in terms of both interest and principal.

33. PRESIDENT:

1. The question is shall Senate Bill 1299 pass.
2. Those in favor will vote Aye. Those opposed will vote
3. Nay. The voting is open. Have all voted who wish?
4. Have all voted who wish? Take the record. On
5. that question the Ayes are 31, the Nays are 15, none
6. Voting Present. Senate Bill 1299 having received
7. a constitutional majority is declared passed.
8. Senate Bill 1300, Senator Maragos. Excuse me, Senator Maragos.
9. Will the members please be in their seats. Senator
10. Carroll. Will the members please be in their seats.
11. Senator Maragos. Read the bill. Senate Bill 1300.

12. SECRETARY:

13. Senate Bill 1300.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDENT:

17. Senator Maragos.

18. SENATOR MARAGOS:

19. Mr. President and members of the Senate. Senate
20. Bill 1300 does exactly what the synopsis says. It gives
21. the opportunity for any of us who are introducing or
22. becoming involved with pension impact bills that they
23. first be given to the Pension Laws Commission for
24. review with the understanding that they would give
25. us an impact for the future. Therefore, we are better
26. able to pass on this legislation and have a better background
27. in this regard and I ask for its favorable adoption.

28. PRESIDENT:

29. For what purpose does Senator Knuppel...Senator Knuppel.

30. SENATOR KNUPPEL

31. Well, Mr. President, isn't it possible for the
32. Pension Laws Commission to get these bills as soon as they're
33. introduced anyway?

1. Senator Maragos.

2. SENATOR MARAGOS:

3. By rule of the House, they have been doing it,
4. but it's not in the Senate. They want to put it in
5. the Statute so it becomes mandatory so the rules
6. will not change.

7. PRESIDENT:

8. Senator Knuppel.

9. SENATOR KNUPPEL:

10. Mr. President, the bills, as soon as they're
11. introduced, are available through the Secretary's
12. office and I don't see...that's like saying
13. that every bill that's introduced ought to...that has
14. something to do with agriculture, ought to go to the
15. Department of Agriculture. Or every bill that's introduced
16. with respect to energy, ought to go to the Illinois
17. Energy Resources Commission or the Public Welfare
18. Commission. I'll tell you, I don't have that love for
19. the Pension Commission that you have. I...I...I
20. really think that it's...and I'm sincere about this,
21. I really think that it exercise an inordinate amount
22. of power, in fact, too much power and I think that...that
23. they can get the bills, they can evaluate them, somebody
24. can get the bills if they want to and have their own
25. actuary examine them. I don't think we have to help
26. these people, they kill the hell out of most of us
27. anyway.

28. PRESIDENT:

29. Senator Maragos.

30. SENATOR MARAGOS:

31. Mr. President and members of the Senate. I agree
32. that we should not make the Pension Laws Commission
33. the arbitor but that we should have them for what

1. purposes they were originally established and one of the
2. purposes was to give us information. And I think that
3. even though we may agree or disagree with the
4. findings of that commission, at least we should have
5. their input so we could be better able to study and
6. understand the bills that come in this respect.

7. PRESIDENT:

8. Senator Harber Hall.

9. SENATOR HALL:

10. May I ask the sponsor a question?

11. PRESIDENT:

12. He indicates he will yield.

13. SENATOR HALL:

14. Senator, I strongly favor your bill, but it seems
15. to me as I try and recollect that Senator Egan had
16. a bill like this last year and it was my understanding
17. or my thought that it passed. Is there such a law in
18. some other area of the Statutes that does the same
19. as this, Senator Egan?

20. PRESIDENT:

21. Senator Egan.

22. SENATOR EGAN:

23. Thank you, Senator Hall, yes. No, this bill
24. ...this bill is just an adjunct as I understand it.
25. We appreciate the effort, Senator Maragos. The Commission
26. did not request it, but what this does is require
27. on top of the requirement that I introduced and passed last
28. Session, that is that an impact statement be prepared
29. at the request of any member of the...of either House
30. within seven days of the introduction or the request
31. for an impact statement. That is a...how does this bill
32. impact fiscally or otherwise on the Pension Code. Now,
33. what is required in this bill is that any such bills
34. be forwarded to the Commission. We now, are able to

1. get the bills from the Secretary. The problem that we have
2. is that we don't get them after introduction, we get them
3. after they're printed. So, there is benefit
4. to the legislation, the reason being that all you have
5. to do then, is introduce an extra copy and the Secretary,
6. when any bill affects the Pension Code, forwards it so
7. the commission will get an impact statement to the
8. members a lot easier and a lot faster and for the
9. convenience of all, I would suggest that it's a good idea.

10. PRESIDENT:

11. For what purpose does Senator Maragos arise?

12. SENATOR MARAGOS:

13. That the hour of eight almost arriving,
14. we better take this out of the record.

15. PRESIDENT:

16. Senator Maragos has asked that Senate Bill 13
17. be taken out of the record. It will be taken out of the
18. record. For what purpose does Senator Donnewald arise?

19. SENATOR DONNEWALD:

20. To make a motion, Mr. President, that we adjourn
21. until 11:00 o'clock tomorrow morning.

22. PRESIDENT:

23. Senator Donnewald has moved that the Senate
24. stand adjourned until 11:00 a.m. tomorrow morning.
25. All those in favor signify by saying Aye. Opposed.
26. The Ayes have it. The Senate stands adjourned.

27.

28.

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