

30th GENERAL ASSEMBLY

REGULAR SESSION

MAY 27, 1977

1. PRESIDENT:

2.           The hour of nine o'clock having arrived, the Senate  
3. will please come to order. The prayer will be by the  
4. Reverend Anthony G. Tzortzis of St. Anthony's Hellenic  
5. Orthodox Church in Springfield.

6. REVEREND TZORTZIS:

7.           (Prayer by Reverend Tzortzis)

8. PRESIDENT:

9.           I would like to remind the membership that  
10. immediately after the upcoming perfunctory motions, we will  
11. go to the Order of 3rd reading so those members that  
12. are within hearing distance of the Chair, would you please  
13. come to the Floor so that we can begin. Reading of the  
14. Journal. Senator Johns.

15. SENATOR JOHNS:

16.           Good morning, Mr. President. I move that reading  
17. and approval of the Journals of Thursday, May the 19th,  
18. Friday, May the 20th, Monday, May the 23rd, Tuesday,  
19. May the 24th, Wednesday, May the 25th, and Thursday,  
20. May the 26th in the year 1977 be postponed pending  
21. arrival of the printed Journals.

22. PRESIDENT:

23.           Heard the motion. Is there any discussion? If not,  
24. all those in favor signify by saying Aye. Opposed. The  
25. Ayes have it. The motion carries. So ordered. Message  
26. from the House.

27. SECRETARY:

28.           A Message from the House by Mr. O'Erien, Clerk.

29.           Mr. President - I am directed to inform the  
30. Senate that the House of Representatives has passed bills  
31. with the following titles in the passage of which I am  
32. instructed to ask concurrence of the Senate, to-wit:

33.           House Bills 48, 107, 1418, 2362,

1. 2365, 2366, 2367, 2373, and 2376.

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

3. Mr. President - I am directed to inform  
4. the Senate that the House of Representatives has adopted  
5. the following Joint Resolution in the adoption of which  
6. I am instructed to ask the concurrence of the Senate, to-wit:

7. House Joint Resolution 43. Senator  
8. Rock is the Senate sponsor of this resolution.

9. (Secretary reads HJR 43)

10. PRESIDENT:

11. Senator Rock.

12. SENATOR ROCK:

13. Kenny, are you going to put it on the board?  
14. Thank you, Mr. President, Ladies and Gentlemen of the Senate.  
15. This is House Joint Resolution 43. It is the adjournment  
16. resolution which recites that when we finish today, we will  
17. come back on Tuesday at 1:00 o'clock. I would move to  
18. suspend the rules for the purpose of the immediate consideration  
19. and adoption of this resolution.

20. PRESIDENT:

21. You've heard the motion by Senator Rock. All those  
22. in favor of the motion signify by saying Aye.  
23. Opposed. The motion carries. The rules are suspended.  
24. On the motion...the adjournment resolution. All those  
25. in favor signify by saying Aye. Opposed. The Ayes have it.  
26. The adjournment resolution is adopted. For what purpose  
27. does Senator Bloom arise?

28. SENATOR BLOOM:

29. I have a bill to Table.

30. PRESIDENT:

31. What is the number of the bill, Senator?

32. SENATOR BLOOM:

33. It's 1315. And I...I have to chirp a little before

1. I Table it.

2. PRESIDENT:

3. All right. Would you proceed, Senator?

4. SENATOR BLOOM:

5. I'm sure that many of you will agree with me that  
6. condominiums are here to stay. That's the wrong script.  
7. 1315 requires DOT to make innercity rail passenger  
8. service, payments of trackage, et cetera. I have been  
9. informed that innercity rail service does not need  
10. this legislation. Apparently, there is an Attorney  
11. General's opinion and apparently, there is other language  
12. coming out of a bill that we passed last month. For those  
13. reasons and in the interest of clearing up the Calendar,  
14. I would move that 1315 be Tabled.

15. PRESIDENT:

16. Senator Bloom moves to Table Senate Bill 1315.  
17. All those in favor signify by saying Aye. Opposed. The  
18. Ayes have it. The bill is Tabled. Any...Senator Bloom.

19. SENATOR BLOOM:

20. Senator Guidice, would you like to hear my  
21. condominium speech?

22. PRESIDENT:

23. For what purpose does Senator Demuzio arise? Senator Demuzio.

24. SENATOR DEMUZIO:

25. Thank you, Mr. President. On 3rd reading, Senate  
26. Bill 86. I'd like to recommit that bill to the Committee  
27. on Education.

28. PRESIDENT:

29. Senator Demuzio moves to recommit Senate Bill 86  
30. to the Senate Committee on Elementary and Secondary Education.  
31. All those in favor signify by saying Aye. Opposed. The  
32. Ayes have it. So ordered. We have now reduced the number of  
33. bills on the Order of 3rd reading to one hundred thirty-four.

1. ...Order of Resolutions. The Resolutions Consent Calendar.  
2. Mr. Secretary, have any objections been filed as to any of  
3. the resolutions listed thereon?

4. SECRETARY:

5. I have received no objections.

6. PRESIDENT:

7. No objections having been filed, Senator Kosinski moves  
8. for the adoption of the resolutions listed on the  
9. Resolutions Consent Calendar. All those infavor signify  
10. by saying Aye. Opposed. The Ayes have it. The resolutions  
11. are adopted. On the Order of Senate Bills, 3rd reading.  
12. Would the Sergeant-at-Arms please ring the bell.  
13. On the Order of 3rd reading, is Senate Bill 203. Do we  
14. have leave to go back to Senate Bill 203? The sponsor  
15. asked leave yesterday to have Senator Rock handle that bill.  
16. Is leave granted? Leave is granted. Senate Bill 203  
17. on the Order of 3rd reading. Read the bill, Mr.  
18. Secretary.

19. SECRETARY:

20. Senate Bill 203.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDENT:

24. Senator Rock.

25. SENATOR ROCK:

26. Thank you, Mr. President and Ladies and Gentlemen of the  
27. Senate. Senate Bill 203 is an amendment to the Act relating  
28. to counties and it raises the permissible tax levy for the  
29. purpose of conducting elections from .01 to .02. You will  
30. recall that I did, in fact, express some opposition to this  
31. legislation. I have, however, been thoroughly disabused of  
32. any opposition by the Speaker of the House. I am told that  
33. in certain counties, this is vitally necessary and I would

1. urge...urge full support by all the members on this side  
2. of the aisle. I seek a favorable roll call.

3. PRESIDENT:

4. Is there any discussion? If not, the question is shall  
5. Senate Bill 203 pass. Those in favor will vote Aye. Those  
6. opposed will vote Nay. The voting is open. Have all voted  
7. who wish? Have all voted who wish? Take the record. On  
8. that question, the Ayes are 41, the Nays are 5, none  
9. Voting Present. Senate Bill 203 having received  
10. a constitutional majority is declared passed.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Hynes.

13. SENATOR HYNES:

14. Mr. President and members of the Senate. And I would  
15. ask your attention, please, if I might. We have a great  
16. number of bills on the Calendar. I think we are in a position  
17. to be able to move these bills today and to give them  
18. proper consideration. But it is going to take the  
19. cooperation of every member of this Body in order to do it.  
20. Many of the bills that are on 3rd reading, are substantial  
21. in nature. Some are very controversial. Fortunately,  
22. most of them have been thoroughly debated in committee  
23. and or thoroughly debated on the Floor on 2nd reading or on  
24. a prior discussion when the bill was pulled out of the record.  
25. Therefore, I believe that the amount of debate that will be  
26. necessary can be reduced substantially from what we have seen.  
27. thusfar. And I would ask the members to please cooperate  
28. in that regard. The Chair is going to be moving very  
29. quickly to take the record. I would ask the members to stay  
30. on the Floor and near their switches so that we do not have  
31. to wait for people to be able to vote. So, I would ask the  
32. cooperation of the membership to move as quickly as possible.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senate Bills on 3rd reading. Senate Bill 964,  
2. Senator Kosinski. Read the bill, Mr. Secretary. Just...  
3. read the bill, Mr. Secretary.

4. SECRETARY:

5. Senate Bill 964.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Kosinski.

10. SENATOR KOSINSKI:

11. Mr. President and members of the Senate. A very  
12. good morning to you. This bill, if enacted...this bill,  
13. if enacted, will do the following: change designations  
14. to poll watchers instead of challengers and watchers  
15. who actually perform the same functions. For example,  
16. a watcher may challenge the qualification of a voter and  
17. a challenger is entitled to observe the election proceedings  
18. in the polling place. It sets out residency and voting  
19. qualifications for poll watchers not contained in the  
20. present law. It limits poll watchers to specified numbers  
21. for parties. Candidates and civic groups in all elections,  
22. examples of present...inconsistencies are, civic groups are  
23. obtaining candidates and party credentials to poll watch  
24. in jurisdiction where paper ballots and punch card voting  
25. is used. Thus, they are poll watching under false  
26. pretenses. Candidates have watchers for general elections  
27. although, this type of a watcher is not provided for.  
28. Their credentials may be invalid. Precinct committeemen or  
29. captains are considered poll watchers and serve in their  
30. precincts on primary election day with candidate credentials  
31. since no party watchers are provided for in the primaries.  
32. They are also poll watching under false pretenses  
33. since their interest lies in the entire party ticket.

1. It sets out rights and limitations on poll watchers.

2. The present law is not clear on what, the...

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Netsch.

5. SENATOR KOSINSKI:

6. Mr. President...

7. SENATOR NETSCH:

8. Thank you, Mr. President. There are some reasonably  
9. good provisions to the bill and some provisions to this  
10. bill which, from certain points of view, are not really  
11. very helpful. I would like to point out one thing that  
12. I think there is an effort to deal with the problem  
13. of the power of judges to control...that is judges of  
14. election, to control the number of people in polling  
15. places and I think that the effort that was made by  
16. the State Board of Elections and Senator Kosinski to find  
17. some non-arbitrary way of dealing with that, was a good  
18. faith effort. It's still a little troublesome, but I think  
19. it probably is much better than it was. The part that  
20. still troubles me a good deal is the requirement now that  
21. poll watchers must be registered which was not a  
22. requirement before and it's a very tough thing to prove  
23. if that is challenged in the polling place and the  
24. additional requirement which is, in fact, new for Cook  
25. County or...I'm sorry, for Chicago poll watchers, that  
26. at least one must be registered in the precinct or the ward  
27. where the watching is taking place. That means that for  
28. civic groups like Project Leap and others, it's going to be  
29. sometimes very difficult to comply with that. So that there  
30. are, as I say, some good things in the bill. You give a  
31. little and take away a little.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Is there further discussion? Senator Rhoads.

1. SENATOR RHOADS:

2. Well, Senator Kosinski has amended this substantially.  
3. I think it's in good shape. There was only one further  
4. amendment that I discussed with Mr. Sullivan of the  
5. Democratic staff, can we get that on in the House, Senator  
6. Kosinski?

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. He indicates he will. Is there further discussion?  
9. Question is shall Senate Bill 964 pass. Those in favor  
10. vote Aye. Those opposed Nay. The voting is open.  
11. Take the record. On that question the Ayes are 42, the  
12. Nays are 4, 1 Voting Present. Senate Bill 964  
13. having received a constitutional majority is declared  
14. passed. Senate Bill 968, Senator Lane. Read the bill,  
15. Mr. Secretary.

16. SECRETARY:

17. Senate Bill 968.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Lane.

22. SENATOR LANE:

23. Thank you, Mr. President and members of the Senate.  
24. Under Senate Bill 968, offenders would be required to  
25. remedy the damages done to their victims under court  
26. supervision. And the records of payment would be weighed  
27. as a factor in passing under conditional discharge or  
28. probation. The bill could empower the courts with discretionary  
29. authority requiring a convicted felon to post a cash  
30. bond assuring payment of full restitution. After an investigation  
31. the court would rule how soon payment should be made,  
32. depending upon the convict's assets. Those could include  
33. his home, his car, even insurance policies against which  
34. loans could be made. And it makes certain that felons released

1. from prison did not default, a judge could extend the initial  
2. period of payments up to an additional two years while  
3. keeping the convict under his jurisdiction. There's  
4. any questions, I'll attempt to field them.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Is there further debate? The question is shall Senate  
7. Bill 968 pass. Those in favor vote Aye. Those opposed  
8. Nay. The voting is open. Have all those voted who wish?  
9. Take the record. On that question the Ayes are 53, the Nays  
10. are none. Senate Bill 968 having received a constitutional  
11. majority is declared passed. Senator Johns, for what  
12. purpose do you arise? Now, I might admonish the members,  
13. we're going to be very busy and...and it would be great  
14. if we would hold down the recognitions. Senator Johns.

15. SENATOR JOHNS:

16. For the first time in this...(machine cut off)  
17. recognize the Lincoln School from Herrin, Illinois,  
18. some of my constituents to be.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Please stand to be recognized.

21. SENATOR JOHNS:

22. Right back here.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senate Bill 975, Senator Vadalabene. Read the bill,  
25. Mr. Secretary. I'm advised by the President and rightly  
26. so, that there will be no more introductions.

27. SECRETARY:

28. Senate Bill 975.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Vadalabene.

33. SENATOR VADALABENE:

1. Yes, thank you, Mr. President, members of the Senate.  
2. Senate Bill 975 is not a bill to be confused with preemption.  
3. This bill is designed to set out in clear language whether  
4. there is exclusive or concurrent exercise of power.  
5. This measure should avoid a lot of unnecessary litigation  
6. which has resulted from this uncertainty and I would  
7. appreciate a favorable vote.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Is there further discussion? Senator Glass.

10. SENATOR GLASS:

11. Thank you, Mr. President. A question of the sponsor.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Indicates he'll respond.

14. SENATOR GLASS:

15. Senator Vadalabene, as I understand it, we in the  
16. Legislature, if this bill passes, could not preempt  
17. home rule units or preempt any municipalities unless  
18. we specifically stated in every bill that we pass that  
19. we were doing that, is that the intent of the bill?

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Vadalabene.

22. SENATOR VADALABENE:

23. Yes, that's correct.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Glass.

26. SENATOR GLASS:

27. But does the bill exclude home rule units?

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Vadalabene.

30. SENATOR VADALABENE:

31. No, it does not exclude home rule units.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Glass.

1. SENATOR GLASS:

2. It would seem to me, then, that it just would  
3. eliminate the need to put a home rule amendment on  
4. the bills like we do so often, is that the intent of it?

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Vadalabene.

7. SENATOR VADALABENE:

8. That's the intent of this legislation.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator...

11. SENATOR GLASS:

12. Mr. President, how many votes does this bill  
13. require for passage?

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Thirty votes. Senator Rock, for what purpose  
16. do you arise?

17. SENATOR ROCK:

18. Well, I rise in support of Senate Bill 975.  
19. This is an amendment to the Statute on Statutes or what  
20. is technically called the Statute with respect to construction  
21. of statutes and what it is attempting, at least, to  
22. say and it does say, in fact, is that if we're going to  
23. pass a piece of legislation which we intend to be specifically  
24. preemptive, it ought to say so, so that there is no doubt  
25. about it and so that we don't have to stand up and request  
26. of the presiding officer a ruling as to whether or not this  
27. bill is, in fact, preemptive. Everybody knows when you  
28. pass a Statute or when they put in a proposed Statute  
29. whether or not they wish it to be preemptive. It's a very  
30. simple thing. We have a whole Statute telling us how to  
31. construe Statutes. This one will say that all the bills  
32. that people wish to be preemptive from the 60th General  
33. Assembly forward, will have to state so specifically. I think  
34. the bill is an excellent idea and I would urge a favorable

1. vote.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Walsh.

4. SENATOR WALSH:

5. Mr. President and members of the Senate. This bill  
6. would provide that if we want a specific law to apply  
7. State-wide we must say so and I don't think it should  
8. be a burden on the Legislature to say that we want  
9. an act of the Legislature to apply State-wide. It should  
10. be just the opposite. If a sponsor does not want a bill  
11. to apply somewhere or in some part of the State, he should  
12. provide in the bill that he does not want it to so  
13. apply. I think this is a State Legislature, that  
14. our act should apply State-wide unless specifically provided  
15. otherwise and I think this bill should be defeated.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Netsch.

18. SENATOR NETSCH:

19. Thank you, Mr. President. I think Senator Walsh's  
20. interpretation is absolutely incorrect under the Home  
21. Rule Article of the Constitution. My only concern about this  
22. bill is that it's really not necessary. The Constitution  
23. Home Rule Article is absolutely clear that where we are  
24. preempting we have got to say so explicitly and that is  
25. repeated in every single section of Article 7, Section  
26. 6. So that the only thing that Section 7...or that  
27. this bill is is a remind to us that we are supposed  
28. to do that. It is not necessary. It's probably superfluous  
29. but it certainly doesn't change the law in any way.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Wooten.

32. SENATOR WOOTEN:

33. Then, if I may address Senator Netsch, I misunderstood

1. the bill. I thought this was going to shift the focus...

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Netsch, Senator Wooten is addressing you.

4. SENATOR WOOTEN:

5. I thought this bill was going to shift the focus  
6. then, that it would say, in effect, that our...the laws  
7. we pass here do not apply State-wide unless...unless  
8. so specified and I think that...if that, indeed, is the  
9. case, it's a backward way to approach it.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Netsch.

12. SENATOR NETSCH:

13. That's not what the bill says. That's why I  
14. corrected Senator Walsh. What the bill says is that if  
15. we are going to take away or limit local government  
16. powers, we must say so explicitly. Beyond that, any law  
17. that we passes...any law that...any law that we enact  
18. does apply State-wide by definition. It is only when we  
19. are attempting to limit local government powers that  
20. we are to say so explicitly. That is what this bill, 975,  
21. says, that is also what Article 7, Section 6 of the  
22. Constitution says.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Is there further discussion? Question is shall Senate  
25. Bill 975 pass. Those in favor vote Aye. Those opposed  
26. Nay. The voting is open. ...voted who wish? Have  
27. all those voted who wish? Take the record. On that  
28. question the Ayes are 33, the Nays are 14, 4 Voting  
29. Present. Senate Bill 975 having received a constitutional  
30. majority is declared passed. Senate Bill 978, Senator  
31. Savickas. Secretary will read the bill.

32. SECRETARY:

33. Senate Bill 978.

1. (Secretary reads title of bill)

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Just a moment. Senator Kosinski for what purpose  
4. do you arise?

5. SENATOR KOSINSKI:

6. I stepped away from the desk and no one...well, no  
7. one...I should have pressed the button but I couldn't  
8. have.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. The record will show that you would have voted  
11. Aye. Let...let...just a moment. Let that be a lesson to you.  
12. Senator Savickas. The Secretary will read the bill.

13. SECRETARY:

14. Senate Bill 978.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Savickas.

19. SENATOR SAVICKAS:

20. Mr. President and members of the Senate. This bill  
21. is a tax rate increase for the Sanitary District and it's  
22. basically needed because of the energy problem that we  
23. have faced, energy cost and natural gas, electricity.  
24. They rose almost six hundred percent from 1971 through  
25. 1980. Where in 1971, the district appropriated a total  
26. of four million dollars for natural gas and electricity.  
27. In '77, that total rose to 16.3 million. All through...  
28. the purpose of this rate increase is really to cover these  
29. costs...rising costs and also for the personnel that was  
30. needed because the new additions of treatment plants  
31. and facilities such as the O'Hare plant, Mount Prospect,  
32. Elk Grove Village, Buffalo Grove, Rolling Meadows,  
33. Arlington Heights, Hoffman Estates and Des Plaines.

1. These are the basic reasons for the rate increase.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Is there further discussion? Senator Glass.

4. SENATOR GLASS:

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

6. As I understand the bill, the rate increase will go from  
7. thirty-seven cents per hundred dollars of assessed  
8. valuation to forty-two cents in '78 and then on up  
9. to forty-eight cents in '79 and fifty cents in  
10. 1980, which would represent a seventy-nine percent increase  
11. in this tax rate and I understand this is all without  
12. referendum. For that reason, I oppose this bill and would  
13. urge its defeat.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Rhoads. Senator Netsch.

16. SENATOR NETSCH:

17. I would also rise in opposition to the bill. It has  
18. been suggested to some of the people at the Sanitary  
19. District and some legislators in the past that the idea of  
20. giving anybody, which is not really terribly accountable  
21. to the public, this...this much of a tax increase  
22. over this long a period of time without referendum  
23. really does not make much sense. I would have...I understand  
24. the pressures on the Sanitary District because of rising  
25. energy costs. I don't think anyone has any desire to deny  
26. them some additional funding so that they can meet those  
27. additional costs. But it seems to me that in order  
28. for the Legislature and through it the people of the State  
29. to keep some track of the...this district which spends  
30. huge sums of money for the people in the Chicago Metropolitan  
31. area, that we ought to require that they come back on a  
32. more regular basis and ask us for a tax increase. I think  
33. a one year tax increase to forty cents, maybe even to forty-

1. one would be...would be perfectly acceptable to many of us.  
2. But to grant this big a tax increase for this long a period  
3. of time without referendum, just is unacceptable.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Maragos.

6. SENATOR MARAGOS:

7. Mr. President and members of the Senate. I rise  
8. in support of this legislation. Many of us have known  
9. historically that the Sanitary District and the works  
10. that is completed the last half century have been called  
11. one of the seven wonders of the world. I wonder how  
12. many of us would have to paying taxes without referendum,  
13. if the State had to provide emergency services for  
14. flooding as has been done in other parts of the State.  
15. How much would we have to pay in other costs, without  
16. referendum if we had to come in and do...undo the damage  
17. that natural causes would do if we didn't have this  
18. viable Sanitary District programs which have prevented  
19. not only Chicago but throughout the Cook County area  
20. any major flooding and have disposed all of the affluent  
21. from our cities and brought them into the State. I think  
22. it's a wonderful program. We should give these programs  
23. additional support because they have to be done and many times  
24. at emergency bases and many times at the behest of the  
25. EPA and other agencies. Therefore, I rise in support of this  
26. legislation.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Is there further debate? Senator Regner.

29. SENATOR REGNER:

30. Mr. President and members of the Senate. I realize  
31. that Senator Savickas very kindly enumerated the names of  
32. all the various municipalities in my district. However,  
33. in representing that group of people, I am going to vote No

1. because they would rather not have services than have  
2. more high impossible, non-referendum taxes hung around their  
3. necks.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Is there further discussion? Senator Savickas,  
6. you wish to close the debate or you want a vote?  
7. Question is shall Senate Bill 978 pass. Those in  
8. favor vote Aye. Those opposed Nay. The voting is open.  
9. ...those voted who wish? Have all those voted who wish?  
10. Take the record. On that question the Ayes are 32,  
11. the Nays are 18. Senate Bill 978 having received  
12. a constitutional majority is declared passed.  
13. There is a request for a verification. Verification will  
14. be had. The Secretary will read the affirmative vote.  
15. Will the members please be in their seats. Will the  
16. members please be in their seat. The Secretary will  
17. read the affirmative vote.

18. SECRETARY:

19. The following voted in the affirmative:  
20. Berman, Buzbee, Carroll, Chew, Clewis, D'Arco, Daley,  
21. Davidson, Donnewald, Egan, Grothberg, Guidice, Harber  
22. Hall, Kenneth Hall, Hickey, Johns, Joyce, Knuppel,  
23. Kosinski, Lane, Lemke, Maragos, Merlo, Moore, Ozinga,  
24. Rock, Rupp, Savickas, Smith, Vadalabene, Washington,  
25. Mr. President.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Glass.

28. SENATOR GLASS:

29. Berman on the Floor? Senator Guidice.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. On that question, the Ayes are...the roll has been  
32. verified. Senate Bill 979, Senator Savickas.

33. SECRETARY:

34. Senate...

PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Read the bill, Mr. Secretary.

2. SECRETARY:

3. Senate Bill 979.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Savickas.

8. SENATOR SAVICKAS:

9. Yes, Mr. President and members of the Senate.

10. Senate Bill 979 deals with exempting the laborers from the  
11. civil service examination at the Metropolitan Sanitary  
12. District. Since the exam was instituted about seven  
13. years ago, I will give you an example on what is happening,  
14. that the laborers that are coming into the district  
15. are basically overqualified for the job and they do not  
16. stay on the job. The last exam, seventeen hundred and  
17. forty-four people took the test. Seventeen hundred and thirteen  
18. passed. Nineteen had perfect scores of one hundred  
19. plus five points for their veterans service. Forty-three  
20. persons have been called since that time. Eighteen with  
21. some college, twenty-five with high school and over.  
22. The top one hundred had all scores of over a hundred  
23. with fifty or sixty percent with college. What is happening,  
24. Ladies and Gentlemen, that the person without the necessary  
25. skills to make a living on the outside in a competitive  
26. market of...where we talk with professional people  
27. his only opportunity is in a job such as a laborer, a position,  
28. now, that is being preempted by those with college degrees  
29. because of the pay scale that are taking these jobs  
30. really preventing the common man with...whose only  
31. intent is to find a good job and make that his life's work  
32. from entering this field. When we see about the turnover  
33. of these positions, we are really disqualifying people  
34. from entering into a life's work. I would ask your support

1. ... in support of House Bill...Senate Bill 979.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator, your time has expired. Is there further  
4. debate? Senator Bruce.

5. SENATOR BRUCE:

6. Thank you, Mr. President. I would just like to point  
7. out from the last roll call, it appears to me that the  
8. Chicago Sanitary District and collective bargaining for  
9. public employees have somehow been tied together.

10. Thank you.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Glass.

13. SENATOR GLASS:

14. Well, Mr. President, Ladies and Gentlemen. Reduced  
15. to its barest essentials, this bill is an attempt to give  
16. the Chicago Sanitary District more patronage positions.  
17. It simply takes a large number of their employees  
18. out of the merit system or civil service and would  
19. allow them to be hired without regard to any particular  
20. civil service exams or fired for the same purposes.  
21. I think this is a regressive step and we should defeat the  
22. bill.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Is there further debate? Senator Newhouse.

25. SENATOR NEWHOUSE:

26. Wonder if the sponsor would yield to a question?

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Indicates he will.

29. SENATOR NEWHOUSE:

30. What's the pay scale for labor at the Sanitary District?

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Savickas.

33. SENATOR SAVICKAS:

1. Fourteen thousand five hundred dollars.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Newhouse.

4. SENATOR NEWHOUSE:

5. How would the selection of those who are going to be

6. laborers be made?

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Savickas.

9. SENATOR SAVICKAS:

10. Well, I imagine upon application to the personnel

11. office.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Newhouse.

14. SENATOR NEWHOUSE:

15. Have you checked with the district to find out the

16. answer? I'd like to know the answer to that question,

17. not "I imagine." Can you find out the answer to that question

18. and hold the bill for awhile till we get it?

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Savickas.

21. SENATOR SAVICKAS:

22. Well, Senator, I...I could imagine what you're

23. getting at is probably how many black and white people

24. have been hired. Since the laborers are about forty

25. percent black laborers on the force, this has all been

26. instituted, the major black laborers that were put on the

27. force, were instituted before the exam was instituted

28. which...seven years ago. Since that time, the reduction

29. in minority employment has been significant because

30. of the testing. So, when we talk about what has happened

31. before the examination and now, it's very significant.

32. I would like to remind you that the State...the State also

33. did away with the personnel code testing of laborers because

1. they couldn't find a proper way to test them. Governor  
2. Thompson and the Department of Transportation has thirty-  
3. five hundred patronage jobs in that department, that  
4. he refuses to test. So, I don't see where there's patronage  
5. concern here. It's a concern of how can you test a laborer.  
6. Can you test him in his skills with a shovel, or can you  
7. test him on his reading and comprehension ability and that  
8. is what the test is designed now, reading and comprehension.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Newhouse. Your time has about expired, Senator.

11. SENATOR NEWHOUSE:

12. ...have there ever been any suggestions that maybe  
13. another kind of test ought to be devised?

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Your time...just a moment. Just a moment.

16. Your time has expired, Senator. Is there further discussion?  
17. Senator Regner.

18. SENATOR REGNER:

19. Yes, Mr. President and members of the Senate. If the  
20. Sanitary District were a clean operation, we wouldn't  
21. need the likes of the previous bill that was passed and the  
22. passage of this bill will just make a dirtier operation.  
23. I'd suggest its defeat.

24.  
25. The following typed previously.

26.  
27.  
28.  
29.  
30.  
31.  
32.  
33.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Is there further discussion? The question is shall  
3. Senate Bill 979 pass. Those in favor vote Aye. Those  
4. opposed Nay. The voting is open. Have all those voted  
5. who wish? Have all those voted who wish? Take the  
6. record. On that question the Ayes are 33, the Nays are  
7. 21. Senate Bill 979 having received a constitutional  
8. majority is declared passed. Senate Bill 980, Senator  
9. Lemke. Read the bill, Mr. Secretary.

10. SECRETARY:

11. Senate Bill 980.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Lemke.

16. SENATOR LEMKE:

17. Mr. President, this is a simple bill. What we're  
18. doing here is amending the Motor Fuel Tax. Allows the  
19. use of motor fuel tax for the repair and to maintain  
20. the grade crossings. Presently, such funds may be  
21. used only for installation, construction or reconstruction  
22. of grade crossings. What we do here is add and allow  
23. for repairing.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Is there further discussion? The question is  
26. shall Senate Bill 980 pass. Those in favor vote Aye,  
27. those opposed Nay. The voting is open. Have all those  
28. voted who wish? Take the record. On that question  
29. the Ayes are 49, the Nays are none. Senate Bill 980  
30. having received a constitutional majority is declared  
31. passed. Senate Bill 981, Senator Hickey. Read the  
32. bill, Mr. Secretary.

33. SECRETARY:

1. Senate Bill 981.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Hickey.

6. SENATOR HICKEY:

7. Mr. President and members of the Senate.

8. I want to make a few general remarks about 981, 2, and 3,  
9. and not repeat them for all three, if I may, because they  
10. all concern and alleviate the problems of cash flow in  
11. local tax districts, principally helping schools.  
12. Every year in Illinois more than half of the counties are  
13. late in getting assessments to the supervisor of assessments  
14. and then to the board of review. As you know, they're  
15. supposed to be in on June 1st. A number of counties  
16. this last year were as late as March having the assessors  
17. get their...their data in. There's one county which has  
18. a multiplier hearing June 6th this year because they're  
19. that late. And when will its schools get...get its money?  
20. These three measures are to expedite the process. 981  
21. would permit county boards on petition of the county clerk,  
22. to adopt the estimated tax billing system. This would authorize  
23. the county clerk, when his work is done and the final  
24. multiplier is received from the State, to use an estimated  
25. tax rate and an estimated assessed value. This is simply  
26. permissive for county boards to adopt the estimated  
27. tax billing system. The second billing would come out  
28. in August. I would ask for a favorable roll call.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Is there further debate as to 981? Senator Berning.

31. SENATOR BERNING:

32. I recognize the problem that the good Senator  
33. is addressing herself to. But why do you believe that  
34. August can be met?



1. two tax bills would...my next two bills would preclude  
2. that. They make...they give solutions for getting  
3. books in on time.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Berning, your time has about expired.

6. SENATOR BERNING:

7. Thank you, Mr. President. I just want to put in  
8. a plug and I wish the members of the Senate would attempt  
9. to evaluate individually for themselves and their  
10. counties what the problems are with the assessment and  
11. equalization, thereof and seriously consider what, I think,  
12. is the only answer for this whole problem and that is  
13. to abandon the whole School Aid Formula...

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator, your...

16. SENATOR BERNING:

17. ...the whole effort to equalize assessments and  
18. go to a flat grant for schools.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Is there further discussion? Question is shall Senate  
21. Bill 981 pass. Those in favor vote Aye. Those opposed  
22. Nay. The voting is open. ...those voted who wish?  
23. Take the record. On that question the Ayes are  
24. 53, the Nays are none. Senate Bill 981 having received  
25. a constitutional majority is declared passed. Senator  
26. Harber Hall.

27. SENATOR HALL:

28. I'd like to have leave of the Body to be shown  
29. as cosponsor of those two bills.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Leave is granted. Senate Bill 982. Read the bill,  
32. Mr. Secretary.

33. SECRETARY:

1. Senate Bill 982.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Hickey.

6. SENATOR HICKEY:

7. Mr. President, members of the Senate. This bill  
8. provides that if a township assessor has not completed  
9. the assessments and returned the assessments book...  
10. assessment books to the supervisor of assessments  
11. on or before June 1st and the law now says on or before  
12. June 1st or as soon thereafter, as possible.  
13. The county board may, by ordinance, direct the supervisor  
14. of assessments to take over those books to complete the  
15. job and to bill the township. This also, Maurice Scott  
16. told me that I could tell you that...that he endorses this  
17. bill, also.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Walsh.

20. SENATOR WALSH:

21. Well, Mr. President and members of Senate. This bill  
22. was heard in the Revenue Committee and as the sponsor has  
23. indicated, it would provide for the supervisor of assessments  
24. taking over the duties and functions of a township assessor.  
25. Just recently, we've increased the salaries of township  
26. assessors and it would seem to me that they should be permitted  
27. to continue to do their work notwithstanding any dispute  
28. the township might have with the supervisor of assessments.  
29. This would provide that a township assessor could get himself  
30. elected to office, collect his salary for four years and have  
31. an out from a suit for malfeasance or nonfeasance because  
32. the supervisor of assessments has taken over his duties  
33. pursuant to the bill which Senator Hickey is sponsoring.

1. I don't see any...any need for this. The supervisor of  
2. assessments does act as a...an intermediary, so to speak,  
3. between the township assessor and the board of review.  
4. I think this is a bad bill and it should be defeated.  
5. PRESIDING OFFICER: (SENATOR DONNEWALD)  
6. Senator Nimrod.  
7. SENATOR NIMROD:  
8. Yes, would the Senator yield for a question, please?  
9. PRESIDING OFFICER: (SENATOR DONNEWALD)  
10. Indicates she will.  
11. SENATOR NIMROD:  
12. Senator Hickey, have you discussed this at all with the  
13. Township Official's Association?  
14. PRESIDING OFFICER: (SENATOR DONNEWALD)  
15. Senator Hickey.  
16. SENATOR HICKEY:  
17. No, I have not discussed it with the Township  
18. Official's Association. The County...County Official's  
19. Group was in Springfield at the time we had this hearing  
20. and there were people there from that group.  
21. PRESIDING OFFICER: (SENATOR DONNEWALD)  
22. Senator Nimrod.  
23. SENATOR NIMROD:  
24. Yes, well, have you see how this fits in with the  
25. three year study of the Tax Study Commission that were  
26. involved here before?  
27. PRESIDING OFFICER: (SENATOR DONNEWALD)  
28. Senator Hickey.  
29. SENATOR HICKEY:  
30. No, I haven't made a direct cross referral between  
31. those, but I can see no possible conflict whatsoever. This  
32. doesn't take anything away from an assessor who does his  
33. job. This simply says to an assessor, do your job or somebody

1. else is going to do it and your township will have to pay  
2. for it and I don't see how it possibly gives any free ride  
3. to an assessor. No township is going to stand for an  
4. assessor to sit back, collect his salary and absolutely do  
5. nothing.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Nimrod. I might remind the Body that there are  
8. three or four more speakers wishing to address this issue.  
9. Senator Nimrod, your time has about expired.

10. SENATOR NIMROD:

11. Thank you. I will conclude by saying this that  
12. township officials of Illinois are opposed to this bill.  
13. The county officials are opposed to this bill. And I would  
14. say that what it, in fact, does it's certainly a total  
15. discredit for any elected official and what it means is  
16. if this is the first step that anytime we feel that we can  
17. elect people to office, and we don't want to think that  
18. they're going to do the job, we're going to provide some other  
19. means for someone else to do the job for them. So, in that  
20. case, what we're going to do is pass the law that legislators...  
21. if they don't perform their services, we ought to have maybe  
22. the Governor or somebody else do the job for us. Now, this  
23. is wholly inconsistent with the whole representative  
24. elective system. And I think we do...

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator, your time has expired.

27. SENATOR NIMROD:

28. ...ourselves a disservice and I would urge for the  
29. defeat of both this bill and the next bill. Thank you.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Davidson.

32. SENATOR DAVIDSON:

33. Yes, Mr. President and members of the Senate. I'd rise

1. to speak in opposition to this bill for two simple things...  
2. reasons. One is if any of you have been a county board  
3. member, know that two things will happen with this board.  
4. This bill, if it would become law, one, it would destroy  
5. what you are trying to do and that is have the supervisor  
6. of assessment help that township assessor that needs help.  
7. But the most important thing about this bill, there's nothing  
8. that makes the county clerk or the town...the supervisor of  
9. assessment turn that book over to the township...supervisor  
10. on January 1st so he can complete his job on time. How  
11. many of you...been involved...but I have numerous complaints  
12. where I...the county clerk, depending on the size of the  
13. county, and or the supervisor of assessment is not given  
14. that book to the township assessor until sometime in March  
15. and that...therefore, they're already denied almost  
16. two to three months of their time to work with and you're  
17. taking unfair advantage unless you would put a penalty on the  
18. people who have to get the assessment book to the assessor  
19. in the first place. This is a bad piece of legislation. I  
20. urge a No vote.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Coffey.

23. SENATOR COFFEY:

24. Mr. President and members of the Senate. As a past  
25. township official and county official also, I feel I need  
26. to speak against this bill. We've talked about the  
27. township assessors and the responsibilities they have  
28. and...and we have had many people on this Floor to  
29. say that they do not provide a service. This is exactly the  
30. reason. Everytime we turn around, we're taking more authority  
31. or leaning away from township government toward the county  
32. government. I think it's a bad piece of legislation  
33. and I think we ought to defeat this bill.

34. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Hynes.

2. SENATOR HYNES:

3. ...President, I'd like to move the previous question.  
4. We've heard substantial debate on the matter. I think every  
5. member ought to be aware of what's involved.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Question is for the motion to move the previous  
8. question. All those in favor indicate by saying Aye.  
9. Those opposed. The Ayes have it. Senator Hickey  
10. may close the debate or ask for a roll call.

11. SENATOR HICKEY:

12. All right. I'll ask for a roll call.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. That's good. Question is shall Senate Bill 982  
15. pass. Those in favor vote Aye. Those opposed Nay. The  
16. voting is open. Have all those voted who wish?  
17. Have all those voted who wish? Take the record. On that  
18. question the Ayes are 28, the Nays are 20. Senate Bill  
19. 982 not having received a constitutional majority  
20. ...do you wish to postpone...consideration is postponed.  
21. Senate Bill 983, Senator Hickey. Read the bill,  
22. Mr. Secretary.

23. SECRETARY:

24. Senate Bill 983.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Hickey.

29. SENATOR HICKEY:

30. This bill says that if...this again, is an encouragement  
31. to a supervisor of assessment to do his work, but if he  
32. can't to ask for help from the supervisor of assessments  
33. who then may bill the township. As you know, now, the...he

1. may ask for this help, but most supervisors of assessments  
2. do not have the kind of funds furnished to them by the  
3. county board so that they can do this work to help them  
4. before June 1st. If this bill passes, there would be much  
5. less possibility of the necessity for taking over books  
6. at the end. I'd like to remind the group that yesterday  
7. or the day before, Senator Shapiro said, I certainly would be  
8. for any reasonable measures to do something about the  
9. scheduling for tax collections. This is a reasonable  
10. measure and I ask for a favorable roll call.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Is there further discussion? Senator Walsh.

13. SENATOR WALSH:

14. Well, Mr. President and members of the Senate.  
15. Just to ask that there be a same roll call. These  
16. could well have been companion bills taken on one roll  
17. call. This bill should be defeated as well.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Is there further discussion? Question is shall  
20. Senate Bill 983 pass. Those in favor vote Aye. Those  
21. opposed Nay. The voting is open. Have all those voted  
22. who wish? Take the record. On that question the Ayes  
23. are 27, the Nays are 19. Senate Bill 98...just a moment.

24. SENATOR HICKEY:

25. Postpone.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Hickey wishes to postpone consideration.  
28. Consideration is postponed. The best speech you could make today,  
29. Gentlemen, is an Aye or a Nay. Senate Bill 984, Senator  
30. Knuppel. Read the bill, Mr. Secretary.

31. SECRETARY:

32. Senate Bill 984.

33. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Knuppel.

4. SENATOR KNUPPEL:

5. This bill is designed to pay court reporters for the  
6. Industrial Commission the same amount for preparation  
7. of transcripts as court reporters get. That's one dollar  
8. for the original thirty-five cents per copy.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Is there further debate? Question is shall Senate  
11. Bill 984 pass. Those in favor indicate by voting  
12. Aye. Those opposed Nay. The voting is open. Have all  
13. those voted who wish? Take the record. On that question  
14. the Ayes are 48, the Nays are 3. Senate Bill 984  
15. having received a constitutional majority is declared passed.  
16. Senate Bill 993, Senator Newhouse. Read the bill,  
17. Mr. Secretary.

18. SECRETARY:

19. Senate Bill 993.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Newhouse.

24. SENATOR NEWHOUSE:

25. This is a bill for the protection of infant children,  
26. Mr. President and Senators. It provides that no person  
27. who has the custody of an infant child, that is up to age  
28. 4, will be required to go to work under Public Aid.  
29. That's the substance of the bill. It fits with the Federal  
30. guidelines. I'd appreciate a favorable roll call.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

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

33. SENATOR ROCK:

1. Thank you, Mr. President and Ladies and Gentlemen  
2. of the Senate. I think this is a good example of...  
3. the bill is a good one, but this is a good example  
4. of the reason for Senate Bill 975 which we passed earlier.  
5. In my opinion, at least, this bill is preemptive and under  
6. the Constitution of our State, I would ask the Chair to so  
7. rule.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. The Chair will so rule that it does...it is preemptive  
10. and the...the required is thirty-six. Is there further  
11. debate? Question is shall Senate Bill 993 pass. Those  
12. in favor vote Aye. Those opposed Nay. The voting is open.  
13. Have all those voted who wish? Have all those voted who wish?  
14. Take the record. On that question the Ayes are 25, the  
15. Nays are 13, 1 Voting Present. Senate Bill 993 not  
16. having received a constitutional majority is declared  
17. lost. Senate Bill 994, Senator Wooten. Read the bill,  
18. Mr. Secretary.

19. SECRETARY:

20. Senate Bill 994.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Wooten.

25. SENATOR WOOTEN:

26. According to the present Park District Code  
27. a park district may sell or lease land for park purposes.  
28. This bill and the Republican amendment makes clear that  
29. that power is to sell to other units of government for  
30. public park purposes. I move the passage of this bill.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Is there further discussion? Senator Bowers.

33. SENATOR BOWERS:

1. Senator, would you yield...would Senator yield to a  
2. question?

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Indicates he will.

5. SENATOR BOWERS:

6. Under the Conveyances Act, there's already a provision  
7. that provides for the sale and lease of land between  
8. public agencies. Now, how does this expand or restrict  
9. that power?

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Wooten.

12. SENATOR WOOTEN:

13. Actually, it doesn't touch it. It puts the  
14. provisions of that in the Park District Code, or some of them,  
15. that it's to a unit of government. See, the authority  
16. is already there in the park district. This language  
17. merely clarifies. It's another unit of government. It's  
18. for public park purposes.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Bowers.

21. SENATOR BOWERS:

22. Well, I...I'm not sure where I stand on this  
23. issue, Senator, and I'm just trying to get some information.  
24. There is a provision in the Conveyance Act that's  
25. all inclusive. It provides that units of government  
26. may sell or lease as between one another and it sets up  
27. the procedures by which that's done. Now, if that, in fact,  
28. ...I know that, in fact, covers park districts. Now, if you're  
29. trying to lease to something other than another governmental  
30. unit that's not included within that Conveyances Act  
31. provision, then...then I'd kind of like to know that  
32. if you are, in fact, trying to limit that power, I'd kind  
33. of like to know it, too. I thought the Conveyances Act

1. covered all the situations that we needed to cover.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Wooten.

4. SENATOR WOOTEN:

5. Senator, the purpose of the Republican amendment to this

6. bill was to line this up exactly with the procedure in the

7. Conveyances Act. Just a language change to conform to that

8. Act.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Bowers.

11. SENATOR BOWERS:

12. Well, then, why is the bill needed? That's the thing

13. I don't understand.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Wooten.

16. SENATOR WOOTEN:

17. So that there...as the Park District Code read,

18. it implied that possibly you could sell or lease to a

19. ...to a non-public agency and we simply want to clarify

20. that's not the case.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Is there further discussion? Question is shall

23. Senate Bill 994 pass. Those in favor vote Aye. Those

24. opposed Nay. The voting is open. Have all those voted

25. who wish? Take the record. On that question the Ayes

26. are 46, the Nays are none. Senate Bill 994 having

27. received a constitutional majority is declared passed.

28. Senate Bill 997, Senator Egan. Read the bill, Mr.

29. Secretary.

30. SECRETARY:

31. Senate Bill 997.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Egan.

3. SENATOR EGAN:

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

5. The bill does what the description says. It will indemnify

6. any of the trustees for acts done within the scope of their

7. employment. I know of no opposition. I ask for your

8. favorable consideration.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Is there further discussion? Question is shall Senate

11. Bill 997 pass. Those in favor vote Aye. Those opposed

12. Nay. The voting is open. Have all those voted who wish?

13. Take the record. On that question the Ayes are 51, the

14. Nays are none. Senate Bill 997 having received a

15. constitutional majority is declared passed.

16. Senate Bill 998, Senator Kosinski. Read the bill, Mr.

17. Secretary.

18. SECRETARY:

19. Senate Bill 998.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Kosinski.

24. SENATOR KOSINSKI:

25. Senate Bill 998, Mr. President and Senators,

26. restoration of voting rights under the Election Code

27. to convicted felons incarcerated in penal institutions.

28. The present Election Code, provision...Chapter 46,

29. Section 3-5 does not confirm to the Criminal Code provision.

30. ...provides a person shall lose the right to vote until

31. released from imprisonment. This Criminal Code provision

32. became effective on January 1st, 1973, while the Election

33. Code provision became effective on July 23rd, 1971.

1. And is the latest intent of the General Assembly.  
2. In effect, the Criminal Code liberally...interpreted  
3. the Article 3, Section 2 of 1970 Illinois Constitution  
4. which provides, a person convicted of a felony or  
5. otherwise under sentence in the correctional institution,  
6. or jail, shall lose the right to vote which right shall be  
7. restored not later than the completion of his sentence.  
8. The key phrase here is not later than completion of his  
9. sentence, which implies that such right may be restored  
10. at time earlier upon release from imprisonment. Thus,  
11. the Criminal Code provides for restoration of voting  
12. rights to the parolees, second, persons convicted of  
13. a felony but sentenced to probation. However, it does not  
14. contemplate restoration to persons convicted and confined  
15. who are out on furlough or work release programs since  
16. such person are not actually released from confinement.  
17. In other words, the test is now after confinement,  
18. and not conviction of a sentence. At...

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator...

21. SENATOR KOSINSKI:

22. ...at the same time, the criminal...

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator, your time has expired. Is there further  
25. discussion? Senator Graham.

26. SENATOR GRAHAM:

27. Mr. President and members of the Senate. The  
28. Constitutional provision not later than is open ended. It  
29. does not state that the voting rights cannot be restored  
30. to a criminal sooner than completion of the sentence.  
31. Thus, this is loosely construed bill, I believe. I think  
32. that perhaps the idea of Senator Kosinski's is good. I think  
33. that we are not in conformity. I think we could do some more

1. work on this bill and at this point in time, I would either  
2. urge him to take it out of the record or it be  
3. defeated.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Rhoads.

6. SENATOR RHOADS:

7. Well, I supported the bill in committee, but I do think,  
8. again, that people ought to realize that this will enable  
9. convicts on parole to vote. So, just...that's the  
10. policy decision for each individual to make, but that is  
11. what the bill does.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Grotberg.

14. SENATOR GROTBORG:

15. Will the sponsor yield?

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Indicates he will.

18. SENATOR GROTBORG:

19. My question is that prisoners are paroled from  
20. an institution. I want to know what their address is.  
21. I've got six of those jails in my district and if losely  
22. construed again, they could vote in my district.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Kosinski.

25. SENATOR KOSINSKI:

26. Is that a question or...

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Yes, it was.

29. SENATOR KOSINSKI:

30. What was the question?

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Grothberg.

33. SENATOR GROTBORG:

1.           Where do they vote?

2.   PRESIDING OFFICER: (SENATOR DONNEWALD)

3.           Senator Rock.   Senator Rock.

4.   SENATOR ROCK:

5.           Well, I think Senator Grotberg's fear is unfounded.

6.   I am sure that some, at least, reside in the 18th

7.   legislative district and they would vote where we vote,

8.   where we reside.

9.   PRESIDING OFFICER: (SENATOR DONNEWALD)

10.           Is there further debate?   Question is shall Senate

11.   Bill 998 pass.   Those in favor vote Aye.   Those opposed

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

13.   those voted who wish?   Take the record.   On that question

14.   the Ayes are 30, the 21, 2 Voting Present.   Senate

15.   Bill 998 having received a constitutional majority is declared

16.   passed.   Senate Bill 1000, Senator Rock.   Read the bill,

17.   Mr. Secretary.

18.   SECRETARY:

19.           Senate Bill 1000.

20.                   (Secretary reads title of bill)

21.   3rd reading of the bill.

22.   PRESIDING OFFICER: (SENATOR DONNEWALD)

23.           Senator Rock.

24.

25.

                          End of reel.

26.

27.

28.

29.

30.

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32.

33.

1. SENATOR ROCK:

2. Thank you, Mr. President and Ladies and Gentlemen of the  
3. Senate. This is a...Senate Bill 1000 would change the primary  
4. date for next year's election to September and would provide  
5. in Presidential Years a primary in March. I do not think any lengthy  
6. debate is necessary. I'm sure most have made up their mind.  
7. I would point out to the Body that this is the only primary  
8. change bill alive. Nothing has come out of the House. The  
9. policy has yet to be firmly established but I think that this  
10. bill deserves to stay alive and I would urge a...favorable vote.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Glass.

13. SENATOR GLASS:

14. Mr. President, Ladies and Gentlemen, I would oppose this  
15. bill. I think it is strictly a half-way measure. It doesn't  
16. change the primary once and for all, but gives us half a loaf.  
17. September for those us... and there are a number who like the  
18. September primary, but holding it in March which is what we have  
19. now. I think, as I indicate, is a half-way measure. It is...  
20. it is neither a fish nor fowl and...and doesn't improve really on  
21. the present system. I urge its defeat.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Is there further discussion? The question is, shall  
24. Senate Bill 1000 pass. Those in favor vote Aye. Those opposed  
25. vote Nay. The voting is open. Have all those voted who  
26. wish? Take the record. On that question, the Ayes are 43, the  
27. Nays are 7, 5 Voting Present. Senate Bill 1000 having received  
28. a constitutional majority is declared passed. Senate Bill 1002,  
29. Senator Netsch. Read the bill, Mr. Secretary.

30. SECRETARY:

31. Senate Bill 1002

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Netsch.

3. SENATOR NETSCH:

4. Thank you, Senator Rock. This bill is in simple terms  
5. designed to make sure that any committee that is set up by  
6. any political party no matter what it is called or how much  
7. it diversifies its operations will be required to...to comply  
8. with the Campaign Disclosure Act. When the bill was passed  
9. two years ago, we thought there was no loopholes. In a...  
10. an opinion which I still find amazing every time I read it,  
11. a hearing examiner subsequently affirmed by the State Board  
12. of Elections held that various subparts of the Democratic  
13. Party in Cook County did not have to comply with the Campaign  
14. Disclosure Act. The...I think this idea whose time has now  
15. come and while accepted perhaps grudgingly has been...be-  
16. grudgingly has, at least, been accepted. The idea that there  
17. can be parts of a...a...a political party which can be set up  
18. in a way that, in effect, evades the purposes of the law, I think  
19. is just no longer acceptable. The purpose of the Campaign  
20. Disclosure Act is that the public does have a right to know  
21. where all campaign funds emanate from. This bill closes all  
22. such loopholes if they ever, in fact, existed. I think it is  
23. a...an idea whose...whose time should be here now. I'm not  
24. sure there really is that much disagreement with it any longer,  
25. that is I'm sure until I see the roll call on this bill, and  
26. I would urge your support.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Is there any discussion? Question is, shall Senate Bill...  
29. Senator Hynes.

30. SENATOR HYNES:

31. Mr. President, would the sponsor yield to a question?

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Indicates she will yield. Senator Hynes.

1. SENATOR HYNES:

2. Senator Netsch, is this...is the impact of this bill  
3. even though it involves much additional verbiage the same as  
4. that of Senator Schaffer's which we passed in the earlier in  
5. the week. Is that the intention of the bill?

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Netsch.

8. SENATOR NETSCH:

9. The intention is the same, yes. What I frankly think  
10. and this is in no sense to disabuse anyone of their support  
11. of Senator Schaffer's bill, I think that this one is a better  
12. way of doing it because this one attacks the definition of  
13. what constitutes a political party contribution...or I'm sorry  
14. a contribution and a disbursement which are covered by the  
15. Campaign Disclosure Act. His did it by identifying certain  
16. committees which had to file. If there are any more loopholes  
17. to be found as Senator Schaffer's language would attempt to  
18. close it, this Act will make sure that those loopholes simply  
19. do not exist. The...the difficulty was that the...if I may  
20. just read one sentence from the hearing examiner's opinion,  
21. Senator Hynes. The...the hearing examiner said the question  
22. arises whether a political party may diversify its operations  
23. to subsidiary entities for...for reporting purposes, and the  
24. hearing examiner concluded that yes, it may diversify and there-  
25. fore, evade the Campaign Disclosure Law. That is exactly the  
26. opposite of what we thought we were doing when we initially  
27. passed that Act, and I think that the only safe way to make  
28. sure that those loopholes are permanently covered is by passing  
29. this bill which directs itself to the particulars of the Act  
30. that is the definition of political and the definition of  
31. expenditure.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Hynes, do you wish another question? That was the

1. longest yes on record.
2. SENATOR HYNES:
3. Well, as I take it, the...the answer is yes.
4. PRESIDING OFFICER: (SENATOR ROCK)
5. That...that was my impression, also.
6. SENATOR HYNES:
7. Okay.
8. PRESIDING OFFICER: (SENATOR ROCK)
9. A qualified yes. Senator Guidice.
10. SENATOR GUIDICE:
11. Thank you, Mr. President. Will the sponsor yield to
12. a question.
13. PRESIDING OFFICER: (SENATOR ROCK)
14. Indicates she will yield.
15. SENATOR GUIDICE:
16. What do we mean by engages and expense...funds solely to
17. ...in pursuance of identified and narrowly circumscribed
18. activities? What's narrowly circumscribed activities?
19. PRESIDING OFFICER: (SENATOR ROCK)
20. Senator Netsch.
21. SENATOR NETSCH:
22. Non or not related to the election of candidates at
23. any point. The one thing we were attempting to exclude
24. was the argument that is sometimes made that there are ward
25. organizations or downstate committees which may have a...a
26. separate functioning part that raised money and expended
27. only to support a...a boys' or girls' baseball team, something
28. of that sort, but anything else that is...that is done will
29. be embraced within the definition.
30. PRESIDING OFFICER: (SENATOR ROCK)
31. Senator Guidice.
32. SENATOR GUIDICE:
33. Then you are effectively excluding any civic funds or the

1. like that a political organization might have?  
2. PRESIDING OFFICER: (SENATOR ROCK)  
3. Senator Netsch.  
4. SENATOR NETSCH:  
5. I'm sorry, I did not hear your question, Senator.  
6. PRESIDING OFFICER: (SENATOR ROCK)  
7. Senator Guidice.  
8. SENATOR GUIDICE:  
9. ...You are excluding any civic funds a political organiza-  
10. tion might have?  
11. PRESIDING OFFICER: (SENATOR ROCK)  
12. Senator Netsch.  
13. SENATOR NETSCH:  
14. Well, I'm not sure what I...if I know what you mean  
15. by any civic funds that a political organization might have.  
16. If you mean are they prohibited from making contributions that  
17. way, the answer is no. If you are saying that if a...a political  
18. organization which does engage in political activities raises  
19. ...funds and also, incidently, makes some contributions to some  
20. civic or community organizations that the source of those  
21. funds must be disclosed, the answer is yes.  
22. PRESIDING OFFICER: (SENATOR ROCK)  
23. Senator Guidice.  
24. SENATOR GUIDICE:  
25. I...I'm still a little unclear in this particular area.  
26. Well, then...then what you're saying is, any monies donated to  
27. a political organization be it for civic purposes or political  
28. purposes...in other words, you wouldn't want it segregated in  
29. any part? Is that correct under this bill?  
30. PRESIDING OFFICER: (SENATOR ROCK)  
31. ...Senator Netsch.  
32. SENATOR NETSCH:  
33. What the bill does is to develop a presumption that money

1. which is contributed to and disbursed by a political committee,  
2. as that is already defined in the law, is used for political  
3. purposes as that is also defined in the existing law. The  
4. exception that has been built into this language does permit  
5. a...a...a completely separate entity or subpart of a political  
6. organization to be created which has absolutely no relationship  
7. to any political activities and that part could still be  
8. protected, if you want to call it protection, from disclosure,  
9. but there is a presumption which is really the main purpose  
10. of this bill that money contributed to or disbursed by a  
11. political organization is for political purposes.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Guidice.

14. SENATOR GUIDICE:

15. On the...on the basis of what we are indicating the  
16. ...the presumption? How do we...how do we rebut this pre-  
17. sumption?

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Netsch.

20. SENATOR NETSCH:

21. Well, by meeting the language that is in the Act that...  
22. that you referred to earlier.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Further discussion? Senator Glass.

25. SENATOR GLASS:

26. Well, Mr. President and Ladies and Gentlemen, I rise to  
27. support this bill. I think it is an excellent bill and  
28. provides us with some clarification that it is much needed,  
29. so that there will be no doubt about the need for disclosure  
30. by any political committee or political organization or  
31. any subdivision thereof. I think all of us have nothing to be afraid  
32. of with regard to this bill. It should be what we want.  
33. That is a clear statement of what organizations are covered

1. and I would urge its support.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Daley.

4. SENATOR DALEY:

5. Sponsor yield to a question.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Sponsor is otherwise occupied.

8. SENATOR DALEY:

9. Sponsor yield to a question.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Indicates she will yield. Senator Daley.

12. SENATOR DALEY:

13. So if an organization is set up to lobby in Springfield,  
14. that organization is being funneled through the main organiza-  
15. tion of any activity, would they have to register under this  
16. Act and...and such as different issues...selected issues that  
17. they select as an association selects different issues that  
18. affects their profession, would the main organization have to  
19. file?

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Netsch.

22. SENATOR NETSCH:

23. That is...would not really be changed by these amendments to  
24. the law. The question really would be whether they do or do  
25. not have to file under the existing law and I think...well, I  
26. have...one would have to know an awful lot more about the  
27. organization and what it's doing to know that. As you know,  
28. there are requirements in this law that...that the organizations  
29. that are set up to work on public policy issues that are going  
30. to be voted on are subject to disclosure and there's still a  
31. lot of...of defining to be done in that respect, but that  
32. part of it is not basically affected by this amendments.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Daley.

2. SENATOR DALEY:

3. But as I understand such as a public policy question  
4. is a political question, like the Chicago Bar Association,  
5. that funnels different organizations down here to defeat  
6. legislation or pass legislation, the main...the main body  
7. would have to file, correct?

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Netsch.

10. SENATOR NETSCH:

11. Only if they would, I think, under the existing law. I  
12. might say that if the...the lobbying bill passes which is now  
13. pending in this Body, that would reach additional activities  
14. such groups as the bar associations.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Further discussion? Senator Maragos.

17. SENATOR MARAGOS:

18. Move the previous question.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Maragos has move the previous question. All those  
21. in favor signify by saying Aye. All right. Senator Netsch to  
22. close the debate.

23. SENATOR NETSCH:

24. I'll take a roll call.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Question is, shall Senate Bill 1002 pass. Those in favor  
27. will vote Aye. Those opposed will vote Nay. The voting is open.  
28. Have all voted who wish? Have all voted who wish? Take the  
29. record. On that question, the Ayes are 47, the Nays are 3, 1  
30. Voting Present. Senate Bill 1002 having received a constitu-  
31. tional majority is declared passed. On the Order of Senate  
32. Bills 3rd reading is Senate Bill 1007. Read the bill, Mr.  
33. Secretary.

1. SECRETARY:

2. Senate Bill 1007

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Knuppel.

7. SENATOR KNUPPEL:

8. This is one of the hangovers on the sex bills. I don't  
9. know just exactly how it came about, but anyway we didn't get  
10. it out of here. It...it changes any woman having sole  
11. custody of a child to either parent having sole custody of  
12. a child and reworks the language with respect to the Director  
13. of the Department of Corrections being able to determine  
14. whether there are special reasons that the child should be  
15. left with the mother during her term in prison or under some  
16. other arrangements, otherwise the child would go to the Depart-  
17. ment of Children and Family Services. I submit this is good  
18. corrective legislation. Solicit a favorable roll call.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Is there any discussion? Question is, shall Senate  
21. Bill 1007 pass. Those in favor will vote Aye. Those opposed  
22. will vote Nay. The voting is open. Have all voted who wish?  
23. Take the record. On that question, the Ayes are 49, the Nays  
24. are none, none Voting Present. Senate Bill 1007 having received  
25. a constitutional majority is declared passed. On the Order of  
26. Senate Bills 3rd reading, Senate Bill 1009. Read the bill,  
27. Mr. Secretary.

28. SECRETARY:

29. Senate Bill 1009

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Knuppel.

1. SENATOR KNUPPEL:
2. Mr. President and members of the Body, this is probably
3. one of the shortest bills in this Session. The State of
4. Illinois shall not withhold, charge or deduct fees from any
5. county commission district township or incorporated areas.
6. Some of the counties in my district complained that they were
7. being...they were having fees for collections and handling
8. of money coming to them deducted by the State, and ask for
9. this legislation.
10. PRESIDING OFFICER: (SENATOR ROCK)
11. Is there any discussion? Senator Walsh.
12. SENATOR WALSH:
13. Will the Gentleman yield for a question?
14. PRESIDING OFFICER: (SENATOR ROCK)
15. Indicates he will yield. Senator Walsh.
16. SENATOR WALSH:
17. Senator, can you give me an example of...of what fees
18. charged by the State are complained of by these counties you
19. represent?
20. PRESIDING OFFICER: (SENATOR ROCK)
21. Senator Knuppel.
22. SENATOR KNUPPEL:
23. Sir, specifically they said that they were getting their
24. share of revenue sharing and some things of this nature. Now,
25. they wrote me a letter. I don't have that here at this time,
26. but they objected to withholding of fees for handling of the
27. money, and I was assured by the county treasurer that this was
28. true that there were areas that they were doing this.
29. PRESIDING OFFICER: (SENATOR ROCK)
30. Senator Walsh.
31. SENATOR WALSH:
32. Well, the...the Gentleman indicates that apparently they
33. feel they're being charged some kind of a collection fee or a

1. service fee for revenue sharing, and I know of...I'm sure that's  
2. illegal and I'm sure there would be some redress other ways and  
3. I can't imagine any State agency charging for...passing through  
4. Revenue Sharing Funds, but I would like to point out, Mr.  
5. President and members of the Senate, that it would appear  
6. that if this Act becomes law, the Secretary of State could not  
7. charge for supplying a city, county or other municipality for  
8. a certified copy of...of a document in his office. I think  
9. you could infer from this that the State Gas Tax would not  
10. be charged or could not be charged. I...I think that this bill  
11. goes much too...too far. I...I...whatever evil the Gentleman  
12. is trying to correct, I think can correct in another manner, and  
13. I would urge the defeat of this bill.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Bowers.

16. SENATOR BOWERS:

17. Would the sponsor yield?

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Sponsor indicates he will yield. Senator Bowers.

20. SENATOR BOWERS:

21. We...we've been told on this side of the aisle that...that  
22. in numerous Federal programs there is a requirement and it's in  
23. the contract that the state charge a certain commission for  
24. that. Do you... are you aware of that, and if so, how would  
25. this bill affect that or could it become effective if that  
26. is...truth in the fact?

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Knuppel.

29. SENATOR KNUPPEL:

30. I'm not aware of that, and if it's in a contract, it could be  
31. left out of the contract. It's...it ...if...if in fact the  
32. State charges nothing, this...this won't hurt the State a bit.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Bowers.

2. SENATOR BOWERS:

3. Thank you, Mr. President. Well, it's...it's our  
4. understanding that the Federal Government does require this  
5. in many instances, and I think we're...we're...I'm sure  
6. ...I'm sure the sponsor's desires here are laudable in certain  
7. instances in the instances he's talking about, but where  
8. there are Federal regulations that require it, I think we  
9. may be getting ourself in a box that we ought not to, and  
10. therefore, I think we ought to defeat this bill.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Any further discussion? Senator Weaver.

13. SENATOR WEAVER:

14. Thank you, Mr. President. Well, you know, the Depart-  
15. ment of Revenue charges a two percent fee. It used to be four  
16. percent and a few years ago I lowered it to two percent.  
17. But we'd lose...the State would lose about ten million dollars  
18. annually if this bill was passed, so I'd urge its defeat.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Any further discussion? Senator Knuppel may close the  
21. debate.

22. SENATOR KNUPPEL:

23. All I can say is it was a Republican county board that asked  
24. me to introduce the bill.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Question is, shall Senate Bill 1009 pass. Those in favor  
27. will vote Aye. Those opposed will vote Nay. The voting is  
28. open. Have all voted who wish? Have all voted who wish?  
29. Take the record. On that question, the Ayes are 18, the Nays  
30. are 29, none Voting Present. Senate Bill 1009 having failed to  
31. receive a constitutional majority is declared lost. On the Order  
32. of Senate Bills 3rd reading is Senate Bill 1011. Read the bill,  
33. Mr. Secretary.

1. SECRETARY:

2. Senate Bill 1011

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Knuppel.

7. SENATOR KNUPPEL:

8. This bill is a bill designed by the Illinois Commerce  
9. Commission to prevent interruption of services by those  
10. excavating where they cut utility and services. The...  
11. there has been a great deal...the bill was amended yesterday.  
12. A great deal of time been put in by the utilities and the  
13. Department of Transportation so that the bill is now acceptable  
14. to the major utilities and the Department of Transportation  
15. and the Illinois Commerce Commission. They have a lot of  
16. complaints with respect to this. They've told me they've  
17. had as many as six...nine...I think nine interruptions in  
18. one subdivision and this would only require that the person  
19. going to excavate call a one-call service that would be  
20. instituted to advise at least forty-eight hours ahead, Saturdays,  
21. Sundays and holidays accepted. It allows for emergency evacuation  
22. or excavation without...and anyone who willfully and only if  
23. willfully excavates without first determining the location of  
24. utilities would then be subject to a criminal penalty.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. All right, let's try to keep the noise down. I would ask  
27. the staff to take their conferences off the Floor. Senator  
28. Joyce.

29. SENATOR JOYCE:

30. Yes, thank you, Mr. President. I rise in opposition to  
31. this. For instance, with the forty-eight hour notice, if you wanted  
32. to dig in someone's yard or anywhere, this coming Tuesday, you  
33. couldn't do it, because you would have had to give notice Thursday.

1. That was yesterday, because the forty-eight hours does not  
2. include Saturday, Sunday and then with this coming Monday being  
3. Memorial Day, you couldn't do it until Tuesday. Now, I think  
4. that's asking a little much. There are several people opposed  
5. to this: The Illinois Land Improvement Contractors Association,  
6. The Illinois Association of County Superintendents of High-  
7. ways, The Illinois Farm Bureau, The Illinois Farmers Union,  
8. The Illinois Livestock Association, Township Officials of  
9. Illinois and Cook County Truck Gardeners and Farmers Association.  
10. I just rise in opposition to this bill.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator...Senator Davidson.

13. SENATOR DAVIDSON:

14. Mr. President and members of the Senate, I rise in  
15. opposition to this bill, that we had this turkey around last  
16. Session. It's a terrible bill. You know, it just says the  
17. utility has to make a general location or in the area,  
18. then the contractor or the individual who's going to be doing  
19. the digging has to get down to the finite part. And an  
20. example which happened to one of the contractors here in this  
21. area, the utility company said the cable was at four foot  
22. depth. Since the man was only going to dig to three feet, he  
23. didn't have any problem. The only problem was the cable that  
24. the utility company said was at four feet was buried from four  
25. inches to a foot depth for the entire block. This man was sued  
26. by the company and fortunately was able to recover his part be-  
27. cause they were at error. This is a terrible bill. If a poor  
28. old farmer like Senator Knuppel and I used to be, and he's not  
29. poor, but used be, had a break down of livestock fence over the  
30. weekend and you sank a posthole on an emergency basis, you're  
31. still going to be liable. Now, this is a bill that got defeated  
32. last time, deserves the same...fate this time.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Guidice.

2. SENATOR GUIDICE:

3. Thank you, Mr. President and members of the Senate. I  
4. rise in support of this bill. This matter was in committee  
5. and it came out of committee six to three, and I think one  
6. of the most important points that was made in that committee  
7. was the fact that the utilities lose over a million dollars  
8. a year because of damage done to their equipment. This is the  
9. same equipment that people are complaining about when they  
10. have the interruption in their gas, and their telephone and  
11. their electric. This is the same thing that causes the rates  
12. in the utilities to rise and to continue to rise. On that  
13. basis, I think it is necessary that legislation like this be  
14. passed.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Coffey.

17. SENATOR COFFEY:

18. Mr. President and members of the Senate, when this bill  
19. came before our committee, I didn't understand the bill as I  
20. feel I do now. I have got to stand in opposition of the bill.  
21. I feel it's going to create more problems than it's going to  
22. be to an advantage for the utility companies. It's going to  
23. cause hardships and burdens on people that are...from all the  
24. way from the agriculture area into the municipalities. It's  
25. going to create problems for the farmer that's digging postholes  
26. with a...a posthole digger and other things. If he would happen  
27. to hit one of these wires, he would be subject for fine. If  
28. you're putting a fence in your backyard, you would have the  
29. same problem. I feel that this bill is...goes too far. The Illinois  
30. Commerce Commission is not exactly a commission that I'm in  
31. favor of in the first place, and when we put it in their jurisdiction  
32. I feel that ... that makes this a bad bill...

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Donnewald has moved...

2. SENATOR COFFEY:

3. ...So I ask the...

4. PRESIDING OFFICER: (SENATOR ROCK)

5. ...the previous question. All in favor say Aye. Senator

6. Knuppel to close the debate.

7. SENATOR KNUPPEL:

8. Well, of course, it's not a bad bill. There are a couple

9. of lobbyists around here that passed out a yellow sheet and

10. I don't know that even on that that all the people that say

11. they are opposed to it are. What can happen here is, the

12. very people that are opposed to this, some of the diggers, can

13. be the people that are electrocuted when they cut a cable.

14. They also...I didn't draw the bill. It was the Illinois

15. Commerce Commission. They have a lot of problems with it. It

16. will cut down on the number of lawsuits. They feel like it

17. will cut the digging in...or the breakage in half. You may

18. be the person who...who is out of service because of this.

19. People are opposed to it, and...and I want to correct one

20. thing Senator Davidson said, that a person couldn't dig a

21. posthole on Sunday. It...it...it...it expressly exempts

22. emergency situations...

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Question is...

25. SENATOR KNUPPEL:

26. ...And...

27. PRESIDING OFFICER: (SENATOR ROCK)

28. ...Oh, I beg your...

29. SENATOR KNUPPEL:

30. ...I...I just...you know, vote it up or vote it down,

31. it's not my bill. It's the Illinois Chamber...or Commerce

32. Commission bill. I think it's a good bill or I wouldn't be

33. handling it.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. ...Question is, shall Senate Bill 1011 pass. Those in
3. favor will vote Aye. Those opposed will vote Nay. The voting
4. is open. Have all voted who wish? Take the record. On that
5. question, the Ayes are 12, the Nays are 34, none Voting Present.
6. Senate Bill 1011 having failed to receive a constitutional
7. majority is declared lost. On the Order of Senate Bills 3rd
8. reading, Senate Bill 1012. Read the bill, Mr. Secretary.
9. SECRETARY:
10. Senate Bill 1012
11. (Secretary reads title of bill)
12. 3rd reading of the bill.
13. PRESIDING OFFICER: (SENATOR ROCK)
14. Senator Knuppel.
15. SENATOR KNUPPEL:
16. This is the other court reporter bill which fixes their
17. salary based on their proficiency at the same level as those...
18. as court reporters. They refer to the table set up by the
19. administrative office of the Illinois Courts and provide that
20. court reporters for the Industrial Commission receive the
21. same annual salary.
22. PRESIDING OFFICER: (SENATOR ROCK)
23. Any discussion? The question is, shall Senate Bill...
24. Senator Berning.
25. SENATOR BERNING:
26. Question. Refresh my memory. Who pays this?
27. PRESIDING OFFICER: (SENATOR ROCK)
28. Senator Knuppel.
29. SENATOR KNUPPEL:
30. These people just like the court reporter are paid by the
31. taxpayers. I think in this case it's primarily the State of
32. Illinois.
33. PRESIDING OFFICER: (SENATOR ROCK)

58 1019  
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3rd

1. Senator Wooten.
2. SENATOR WOOTEN:
3. Senator Knuppel, did we not just recently pass a bill
4. to increase the pay of circuit court reporters and do you
5. recall what that figure would be?
6. PRESIDING OFFICER: (SENATOR ROCK)
7. Senator Knuppel.
8. SENATOR KNUPPEL:
9. I don't...I don't really handle the court reporter.
10. Senator Kosinski could answer that question. He works...he
11. handles their work here in the Legislature. Do you know,
12. Senator Kosinski?
13. PRESIDING OFFICER: (SENATOR ROCK)
14. Senator Wooten. Senator Wooten.
15. SENATOR WOOTEN:
16. You know, I've wanted to take this opportunity to mention
17. that my switch was voted on that although I was not in favor
18. of that particular increase and that I think I would...because
19. of the high rate that we're moving it to in that bill, I would
20. be opposed to this bill.
21. PRESIDING OFFICER: (SENATOR ROCK)
22. Question is, shall Senate Bill...Senate Bill 1012 pass.
23. Those in favor will vote Aye. Those opposed will vote Nay.
24. The voting is open. Have all voted who wish? Have all voted
25. who wish? Take the record. On that question, the Ayes are 37,
26. the Nays are 9, none Voting Present. Senate Bill 1012 having
27. received the constitutional majority is declared passed. On
28. the Order of Senate Bills 3rd reading is Senate Bill 1019.
29. Read the bill, Mr. Secretary.
30. SECRETARY:
31. Senate Bill 1019
32. (Secretary reads title of bill)
33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Lane.

3. SENATOR LANE:

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

5. Senate Bill 1019 as amended is a measure designed to correct  
6. areas which were overlooked last Session to continue our  
7. efforts to provide sufficient protection for injured workers  
8. while not endangering the business climate. Senate Bill 1019 as  
9. I had...as I state...have stated was amended last evening and  
10. it now conforms with House Bill 1205. I would appreciate a  
11. favorable roll call.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Is there any discussion? Senator Glass.

14. SENATOR GLASS:

15. Well, Mr. President and Senators, I rise to point out to the  
16. membership that this really does very little if everything in  
17. the way of helping the Workmen's Compensation problem that  
18. Illinois finds itself in. The high benefits that this State  
19. voted as Senator Nimrod pointed out last night making Illinois  
20. the highest cost state in the...in the United States. We've  
21. done a great disservice to our business community and this is  
22. just a...another way that they're being driven out of Illinois.  
23. I...I think the bill before us just as the other ones that are  
24. similar to it do virtually nothing to help that situation, and  
25. therefore, I would urge the defeat of Senate Bill 1019.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. All right, further discussion? Let's try to keep the  
28. discussion down. I think everybody knows what's in this bill.  
29. Is leave granted for Mr. Schickel and the Channel 9 news crew to  
30. do some silent filming? Leave is granted. Senator Nimrod.

31. SENATOR NIMROD:

32. Mr. President and fellow Senators, I...I want to call  
33. attention to the fact that I really believe that Senator Lane

1. has attempted in his Senate Bills 1014 and 1019 in their  
2. original concept really to address themselves to attempt to  
3. relieve this very critical problem on Workmen's Compensation.  
4. However, he has allowed his bill to be amended and to be used  
5. as a tool for labor to endeavor to show that they are attempting  
6. to compromise us inch by inch on Workmen's Compensation.  
7. That is not enough. The fact is that the wage base of two  
8. hundred percent acceleration has not been addressed in this  
9. bill. The facts were preexisting...

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Now, let's...let's try to keep the noise down. Perhaps  
12. then the speaker won't have to shout and perhaps he will  
13. shorten his remarks.

14. SENATOR NIMROD:

15. ...the point for...thank you, Mr. President. The  
16. preexisting conditions which hinder the hiring of the  
17. handicapped is not addressed in this preexisting condition.  
18. The hearing loss situation here is totally a farce. It sets  
19. up a fund and makes people contribute to it and has the employees  
20. pay fifty percent without having any standards established as to how  
21. it's done. Medical standards establishing the whole Workmen's  
22. Comp field are not addressed in this situation. The problem  
23. within occupational diseases is not addressed in this situation.  
24. There is a provision here for differential payments and however,  
25. it does provide for an increase in differential in the cases of  
26. amputations rather than a decrease and as it was intended.  
27. Instead of being as a twenty-four percent as...as 1205 was, this  
28. only includes itself...

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Will you conclude your remarks, Senator, your time has expired.

31. SENATOR NIMROD:

32. ...thank you. To twenty percent. And in conclusion, I  
33. will say this that we can do nothing but confuse the issue if

1. we send this bill across the Floor to the House. What we need  
2. to do is remember our primary goal and our objective is one  
3. issue and that is to make insurance available for the business  
4. of this...both small and large businesses, to make sure that  
5. the acceleration of these premiums does not continue, and  
6. third of all, that this would only help to continue to drive  
7. business out of the State of Illinois and cause a loss of  
8. jobs.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator...Senator Graham. Senator Graham.

11. SENATOR GRAHAM:

12. Mr. President, if those people supporting this type of  
13. legislation didn't feel the heat last year and don't remember  
14. some of the things that happened in the election of last year,  
15. they're going to feel it next time, so look well, Gentlemen.  
16. Don't destroy it entirely. Don't be responsible for you alone,  
17. and the medium income people to pay the taxes and upkeep of  
18. this State. Don't do it, Gentlemen, I'm warning you.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Any further discussion? Senator Lane may close the debate.

21. SENATOR LANE:

22. Thank you, Mr. President. A compromise is the...the  
23. answer to many problems. Let's try it this time. Thank you  
24. very much.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Question is, shall Senate Bill 1019 pass. Those in  
27. favor will vote Aye. Those opposed will vote Nay. The  
28. voting is open. Have all voted who wish? Have all voted who  
29. wish? Take the record. On that question, the Ayes are 32,  
30. the Nays are 12, 4 Voting Present. Senate Bill 1019 having  
31. received a constitutional majority is declared passed. On the  
32. Order of Senate Bills 3rd reading is Senate Bill 1023. Read the  
33. bill, Mr. Secretary.

1. SECRETARY:

2. Senate Bill 1023

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Egan.

7. SENATOR EGAN:

8. Thank you, Mr. President. Just to mention that this

9. also includes the State Property Insurance Study Commission

10. for Senator Lane and also, the amendment, I think, broadens

11. the public membership which I thought removed any controversy.

12. I solicit your support.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Question is, shall Senate Bill 1023 pass. Those in

15. favor will vote Aye. Those opposed will vote Nay. The voting

16. is open. Have all voted who wish? Take the record. On that

17. question, the Ayes are 52, the Nays are none, none Voting

18. Present. Senate Bill 1023 having received a constitutional

19. majority is declared passed. On the Order of Senate Bills

20. 3rd reading is Senate Bill 1025. Read the bill, Mr. Secretary.

21. SECRETARY:

22. Senate Bill 1025

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Egan.

27. SENATOR EGAN:

28. Thank you, Mr. President and members of the Senate. This

29. bill and the following bill are the Illinois Medical Association

30. bills to help with...with their malpractice crisis and I might

31. add that the Trial Lawyers Association assisted me in the

32. committee in the explanation and in the passage of the bills.

33. I know of no controversy. I solicit your support.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Any discussion? Question is, shall Senate Bill 1025

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

4. Nay. The voting is open. Senator...yeah, okay. Have all

5. voted who wish? Take the record. On that question, the

6. Ayes are 50, the Nays are none, none Voting Present. Senate

7. Bill 1025 having received a constitutional majority is declared

8. passed. On the Order of Senate Bills 3rd reading is Senate

9. Bill 1027. Read the bill, Mr. Secretary.

10. SECRETARY:

11. Senate Bill 1027

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Egan.

16. SENATOR EGAN:

17. Thank you, Mr. President. This is the companion bill for

18. that...for the Illinois Medical Association's anti-malpractice

19. package. This also has the endorsement of the Trial Lawyers

20. Association. I solicit your support.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Any discussion? The question is, shall Senate Bill...

23. Senator Washington.

24. SENATOR WASHINGTON:

25. Yeah, just what does the bill do, Senator Egan?

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Egan.

28. SENATOR EGAN:

29. Well, it restricts the...the liability to persons serving

30. on committees in hospitals for the...for the reason that

31. apparently the malpractice crisis has frightened so many people from

32. doing anything other than that which they particularly must do

33. in the...in the practice that there...it's hard to get people

1. to serve on committees. This would immunize them from any...

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Washington. All right. Any further discussion?

4. The question is, shall Senate Bill 1027 pass. Those in favor

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

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

7. Take the record. On that question, the Ayes are 43, the Nays

8. are 6, 3 Voting Present. Senate Bill 1027 having received

9. a constitutional majority is declared passed. On the Order of

10. Senate Bills 3rd reading, Senate Bill 1028. Read the bill,

11. Mr. Secretary.

12. SECRETARY:

13. Senate Bill 1028

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Egan.

18. SENATOR EGAN:

19. Yes, thank you, Mr. President and members of the Senate.

20. This bill would allow the participant in...or the...the...the

21. officer of a...of a union to take a leave of absence from his

22. university for more than three years. The same provision applies to

23. the Chicago Teachers. This broadens it for the...for the

24. community colleges and the higher education facilities and the

25. ...the bill does require that the individual contribute the

26. employer's share of whatever pension benefits he receives. It's

27. ...it's endorsed by the Pension Laws Commission, and there

28. was...there was no...there were no negative votes in the Pension

29. Committee. I solicit your support.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Any discussion? Question is, shall Senate Bill 1028

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

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

1. voted who wish? Take the record. On that question, the Ayes  
2. are 38, the Nays are 9, 2 Voting Present. Senate Bill 1028  
3. having received a constitutional majority is declared passed.  
4. On the Order of Senate Bills 3rd reading, Senate Bill 1029.  
5. Read the bill, Mr. Secretary.
6. SECRETARY:  
7. Senate Bill 1029  
8. (Secretary reads title of bill)  
9. 3rd reading of the bill.
10. PRESIDING OFFICER: (SENATOR ROCK)  
11. Senator Egan.  
12. SENATOR EGAN:  
13. Thank you, Mr. President and members of the Senate. I  
14. believe that I have made a tactical error in introducing all  
15. these bills in succession, but this is one that I think probably  
16. has the least controversy. In any event, I do want to say just  
17. one quick...make one quick comment, that for all of us that sit  
18. together here as we do twelve hours at a time and...and suffer,  
19. I think, a burden in so doing as we do and don't get credit for  
20. ...I don't think anybody in the Press Box gives us credit for  
21. the kind of work that we do. As soon as we make a little mistake,  
22. it's on the front page. Now, all I'm asking here is for nine  
23. months credit in the...in the...the Judicial Retirement System  
24. and the Legislative Retirement System for those people who  
25. served in the Constitutional Convention. Now, you may disagree  
26. with some of things that they've done. I've heard some controversy  
27. in that respect. But in any event, if we don't...if we don't  
28. give them the credit that I think is due them, certainly no-  
29. body else is going to. I solicit your support.
30. PRESIDING OFFICER: (SENATOR ROCK)  
31. Is there any discussion? Senator Berning.  
32. SENATOR BERNING:  
33. Thank you, Mr. President. I have to rise in opposition to

1. this legislation. This is perhaps the third, or fourth, or  
2. fifteenth, I don't know, time that this has been presented. It's  
3. opposed by the Judicial Retirement System. I think some of  
4. you received a copy of a letter sent out by Mr. Lynch, the  
5. Secretary of the Judicial Retirement System. They object to  
6. this. It is contrary to the basic underlying principles  
7. of a pension system. You are allowed to participate and build  
8. up credits for your work under the system. Anyone serving  
9. in the Constitutional Convention did so at their own choice.  
10. There was never any indication that this was to be a fringe  
11. benefit that that...that would be granted to them. Mr. Presi-  
12. dent and members of the Senate, this is an ill-advised legisla-  
13. tive proposal. Similar proposals in the House affecting two  
14. other systems have already been defeated, and this one should  
15. be defeated also.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Further discussion? Senator Graham.

18. SENATOR GRAHAM:

19. Just wanted you to know, Mr. President and members of the  
20. Senate, that Senators Egan and Knuppel have reached their  
21. fifteenth bill maximum today.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Further discussion? Senator Wooten.

24. SENATOR WOOTEN:

25. Well, Mr. President, the opposition of the Judicial  
26. Retirement System is almost enough to convince me to vote for  
27. the bill, but I want to ask the sponsor..I see the bill has  
28. been amended. All this does is give credit to members who  
29. served in the Constitutional Convention and that's it?

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Egan.

32. SENATOR EGAN:

33. Yes.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Further discussion? Senator Netsch.

3. SENATOR NETSCH:

4. Thank you, Mr. President. I...legislative opinion to  
5. the contrary notwithstanding, I can't think of any group who  
6. are more deserving of credit than the delegates to the Illinois  
7. Constitutional Convention. I have...I have two problems. One  
8. is that I really feel that if this credit is ever to be given  
9. it is highly inappropriate in not only the Judges Retirement  
10. System but in the General Assembly Retirement System. If it's  
11. ever to be given, it ought to be in the State Employees'  
12. Retirement System. Secondly, I have an obvious conflict of  
13. interest and I will vote Present.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Further discussion? Senator Knuppel.

16. SENATOR KNUPPEL:

17. Conflict of interest, but I'm going to vote. And the  
18. reason I'm going to vote is because the Judges' Judicial  
19. Retirement System opposes it, and I'm just like Wooten,  
20. that's cause enough to vote for it.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Any further discussion? Senator Egan, you wish to close?

23. SENATOR EGAN:

24. Yes. I...I just want to add to everything that's been  
25. said, this is really a token gesture. Everything that I've  
26. heard in...in negative to it is nit-picking. I just ask for you  
27. to support the bill.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Question is, shall Senate Bill 1029 pass. Those in favor  
30. will vote Aye. Those opposed will vote Nay. The voting is  
31. open. Vote me Aye as a token of my affection and esteem for  
32. the Con-Con. Have all voted who wish? Have all voted who  
33. wish? Take the record. On that question, the Ayes are 28,

1. the Nays are 21, 2 Voting Present. Senate Bill 1029 having  
2. failed to receive a constitutional majority is declared lost.  
3. On the Order of Senate Bills 3rd reading, Senate Bill 1031.  
4. Read the bill, Mr. Secretary.  
5. SECRETARY:  
6. Senate Bill 1031  
7. (Secretary reads title of bill)  
8. 3rd reading of the bill.  
9. PRESIDING OFFICER: (SENATOR ROCK)  
10. Senator Hall...Kenneth Hall.  
11. SENATOR KENNETH HALL:  
12. Thank you, Mr. President, Ladies and Gentlemen of the  
13. Senate. This bill simply brings in line downstate with  
14. Chicago on Section 644 of the Code. Permits a voter to file  
15. ...application for erasure of names on the Monday and Tuesday  
16. of the week immediately preceding the week in which such  
17. election is to be held. Chicago has two weeks. We're  
18. simply asking that we get the same as downstate, and so that's the  
19. reason. It's causes a hardship. It means a lot of people  
20. will not have time to come to the board to answer. Many  
21. people are disfranchised. We just ask for the same considera-  
22. tion upstate...I mean downstate as upstate.  
23. PRESIDING OFFICER: (SENATOR ROCK)  
24. Is there any discussion? Question is, shall Senate Bill  
25. 1031 pass. Those in favor will vote Aye. Those opposed will  
26. vote Nay. The voting is open. Have all voted who wish?  
27. Have all voted who wish? Take the record. On that question,  
28. the Ayes are 28, the Nays are 12...Senator Hall has requested  
29. Consideration Postponed. It will be postponed. Senator Hickey.  
30. On the Order of Senate Bills 3rd reading is Senate Bill 1033.  
31. Read the bill, Mr. Secretary.  
32. SECRETARY:  
33. Senate Bill 1033

1. (Secretary reads title of bill)

2. 3rd reading of the bill.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Hickey.

5. SENATOR HICKEY:

6. Mr. President and members of the Senate, this is the  
7. bill we talked about a good deal the other day when it was on  
8. 3rd. I took it back to 2nd. It allows a forest preserve  
9. district to be given property which is contiguous to it now,  
10. and I ask for a favorable roll call.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Is there any discussion? The question is, shall Senate  
13. Bill 1033 pass. Those in favor will vote Aye. Those opposed  
14. will vote Nay. The voting is open. Senator Donnewald.  
15. Have all voted who wish? Have all voted who wish? Take the  
16. record. On that question, the Ayes are 53, the Nays are none,  
17. none Voting Present. Senate Bill 1033 having received a  
18. constitutional majority is declared passed. Senator D'Arco.  
19. On the Order of Senate Bills 3rd reading is Senate Bill 1037.  
20. Read the bill, Mr. Secretary.

21. SECRETARY:

22. Senate Bill 1037

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator D'Arco.

27. SENATOR D'ARCO:

28. Thank you, Mr. President. Senate Bill 1037 extends the  
29. limitation of action period for a person who at the time of  
30. the cause of action accrued is within eighteen years of age.  
31. We amended the bill to take out people who were mentally  
32. incapacitated or...or in prison or physically handicapped.  
33. We think it's...it's a good measure. It provides a means for

1. minors who file a cause of action after the two year period  
2. of limitation has expired but within their majority to extend  
3. that period until they reach the age of majority. It's a necessary  
4. bill we feel, and I would seek a favorable vote.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Is there any discussion? Senator Bowers.

7. SENATOR BOWERS:

8. One question of the sponsor, if I may.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Indicates he will yield...

11. SENATOR BOWERS:

12. Does this...

13. PRESIDING OFFICER: (SENATOR ROCK)

14. ...Senator Bowers.

15. SENATOR BOWERS:

16. Now, I take it this is necessary because the regular  
17. statute of limitations has been preempted in the Wrongful Death  
18. Act. Is that correct?

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator D'Arco.

21. SENATOR D'ARCO:

22. Yes, Senator Bowers, that is correct, and this would con-  
23. form to the regular statute.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Any further discussion? The question is, shall Senate  
26. Bill 1037 pass. Those in favor will vote Aye. Those opposed  
27. will vote Nay. The voting is open. Have all voted who wish?  
28. Take the record. On that question, the Ayes are 56, the Nays  
29. are none, none Voting Present. Senate Bill 1037 having  
30. received the constitutional majority is declared passed. On  
31. the Order of Senate Bills 3rd reading is Senate Bill 1045.  
32. Read the bill, Mr. Secretary.

33. SECRETARY:

1. Senate Bill 1045

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Buzbee.

6. SENATOR BUZBEE:

7. Thank you, Mr. President. The purpose of Senate Bill  
8. 1045 is to allow the State Superintendent of Education the  
9. authority to close schools upon the event of a state of  
10. emergency due to an energy related shortage. Having the  
11. option to close schools during a State declared energy  
12. emergency would free up large supplies of fuel for other  
13. critical needs, including industrial and residential heating and would  
14. not penalize schools through lost State school funding in  
15. these situations if forced to close, and I would ask for a  
16. favorable roll call.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Is there any discussion? Question is, shall Senate  
19. Bill 1045 pass. Those in favor will vote Aye. Those opposed  
20. will vote Nay. The voting is open. Have all voted who wish?  
21. Have all voted who wish? Take the record. On that question,  
22. the Ayes are 42, the Nays are 9, 1 Voting Present. Senate  
23. Bill 1045 having received a constitutional majority is declared  
24. passed. On the Order of Senate Bills 3rd reading, Senate Bill  
25. 1046. Read the bill, Mr. Secretary.

26. SECRETARY:

27. Senate Bill 1046

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Buzbee.

32. SENATOR BUZBEE:

33. Thank you, Mr. President. This is an  
34. appropriation which has been reduced. It is not

1. two hundred and fifty thousand dollars anymore. It is one  
2. hundred eighty-seven thousand five hundred dollars reduced by  
3. amendment. John A. Logan College was built about three or four  
4. years ago and they have had troubles with the roof there ever  
5. since it was built. The...the roofer refused to fix it and  
6. this past February everything just really went to pot. The  
7. equipment inside the building is being ruined by water pouring through  
8. the roof and so forth. The roofer still refuses to fix it.  
9. The College has brought suit against the roofer. He's in  
10. Texas, however, and at this point, there's no way to force  
11. him to go in and fix those...that roof. Now, they have agreed  
12. when...they...they brought a suit against him and as...if and  
13. when they recover any damages, they're going to pay back to the  
14. General Revenue Fund this one hundred and eighty-seven thousand  
15. dollars. The estimated cost of the project is two hundred and  
16. fifty, however, they're asking for a seventy-five percent loan  
17. on the basis of...that's how much the State contributed to  
18. start with. And I would ask for a favorable roll call.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Any discussion? Senator Netsch.

21. SENATOR NETSCH:

22. Senator Buzbee, is this a public or a private community  
23. college?

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Buzbee.

26. SENATOR BUZBEE:

27. It's a public.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Further discussion? Senator Sommer.

30. SENATOR SOMMER:

31. Mr. President and members, I would suggest that this is  
32. not a budgeted item and it's not a loan. It's not a loan  
33. because I...I would think it would be a bizarre way to collect

1. a loan to collect it from a person who fled to Texas. They'll  
2. never get that back and you know it and I know it. And  
3. secondarily, I understand the district has money available  
4. to use of their own right now. They don't want to use it.  
5. They want to come down and get in the taxpayer's pocket here.  
6. This is one of the worst ones, Senator Buzbee.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Johns. Senator...Senator Bruce.

9. SENATOR BRUCE:

10. I just rise in support of this. The College got stuck  
11. with a bad roof. It's a building that we paid for. They  
12. promised that if they get any recovery from the contractor,  
13. they will reimburse the State of Illinois. We're just taking  
14. a little chance with a very small community college, and I  
15. think they deserve our good faith efforts.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Any further discussion? Senator Berning.

18. SENATOR BERNING:

19. Just an observation, Mr. President. Somebody obviously  
20. was asleep at the switch or derelict in signing off on this  
21. building if, as Senator Buzbee indicated, the roof was defected  
22. from the outset.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Any further discussion? Senator Buzbee may close the debate.

25. SENATOR BUZBEE:

26. Well, I suspect you're right, Senator Berning, and my suspect  
27. that it was the Capital Development Board that perhaps was  
28. derelict in signing off. ...They got their money through  
29. there. The reason that the money is not budgeted, by the way,  
30. is because the item did not become critical...the roof did not  
31. become critical until February of this year. They have been  
32. patching and repatching every since it was first installed,  
33. every since the building was built, but it was only in

1. February of this year with the severe winter and the heavy  
2. weight of snow on there that it really...everything just  
3. fell through, and so that's why the money is not budgeted.  
4. It has now been approved by the Board of Higher...The  
5. Community College Board and the Board of Higher Education,  
6. and I would ask for a favorable roll call.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Question is, shall Senate Bill 1046 pass. Those in  
9. favor will vote Aye. Those opposed will vote Nay. The  
10. voting is open. Have all voted who wish? Have all voted  
11. who wish? Take the record. On that question, the Ayes are  
12. 31, the Nays are 20, 2 Voting Present. Senate Bill 1046  
13. having received the constitutional majority is declared  
14. passed. On the Order of Senate Bills 3rd reading is Senate  
15. Bill 1049. Read the bill, Mr. Secretary.

16. SECRETARY:

17. Senate Bill 1049

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Daley.

22. SENATOR DALEY:

23. Mr. President and fellow Senators, this bill deals with  
24. hard drugs such as cocaine, LSD and other dangerous drugs. It  
25. ...it states that there should be a minimum of one year  
26. in jail for a fourth or subsequent offense. I would  
27. ask for a favorable roll call.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Is there any discussion? Question...Senator Berman.

30. SENATOR BERMAN:

31. This bill does not apply to marijuana, am I correct?

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Daley.

1. SENATOR DALEY:
2. Correct.
3. PRESIDING OFFICER: (SENATOR ROCK)
4. Further discussion? The question is, shall Senate Bill
5. 1049 pass. Those in favor vote Aye. Those opposed will vote
6. Nay. The voting is open. Have all voted who wish? Have all
7. voted who wish? Take the record. On that question, the Ayes
8. are 52, the Nays are none, none Voting Present. Senate Bill
9. 1049 having received a constitutional majority is declared
10. passed. On the Order of Senate Bills 3rd reading, Senate
11. Bill 1050. The sponsor asks leave to recommit that to the
12. Committee on Finance. Is leave granted? On the Order of
13. Senate Bills 3rd reading, Senate Bill 1053. Read the bill,
14. Mr. Secretary.
15. SECRETARY:
16. Senate Bill 1053
17. (Secretary reads title of bill)
18. 3rd reading of the bill.
19. PRESIDING OFFICER: (SENATOR ROCK)
20. Senator Berman.
21. SENATOR BERMAN:
22. Thank you, Mr. President. Two years ago the General
23. Assembly passed a bill to outlaw...
24. PRESIDING OFFICER: (SENATOR ROCK)
25. Senator Berman...
26. SENATOR BERMAN:
27. ...to outlaw acts by foreign governments or employees of
28. foreign governments which are...which affect Illinois business
29. on...when they are based upon discrimination on race, color,
30. creed, national ancestry or sex, or on ethnic religious
31. grounds. Through an oversight in the passage of that bill,
32. we do not amend the Anti-Trust Act penalty provisions regarding
33. ...trouble damages and the penalty provisions. This bill

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3rd

1. brings the violation into conformity with the penalty sections
2. of that bill. I solicit an Aye vote.
3. PRESIDING OFFICER: (SENATOR ROCK)
4. Is there any discussion? Senator Carroll.
5. SENATOR CARROLL:
6. Just with leave to be added as the joint sponsor.
7. PRESIDING OFFICER: (SENATOR ROCK)
8. Senator Carroll asks leave to be added as a cosponsor.
9. Is leave granted? So ordered. Senator Washington.
10. SENATOR WASHINGTON:
11. One question of the sponsor.
12. PRESIDING OFFICER: (SENATOR ROCK)
13. Indicates he will yield. Senator Washington.
14. SENATOR WASHINGTON:
15. Senator Berman, have any suits been brought pursuant
16. to this two year old statute?
17. PRESIDING OFFICER: (SENATOR ROCK)
18. Senator Berman.
19. SENATOR BERMAN:
20. Not that I am aware of.
21. PRESIDING OFFICER: (SENATOR ROCK)
22. Further discussion? The question is, shall Senate
23. Bill 1053 pass. Those in favor will vote Aye. Those opposed
24. will vote Nay. The voting is open. Have all voted who wish?
25. Have all voted who wish? Take the record. On that question,
26. the Ayes are 45, the Nays are 1, none Voting Present. Senate
27. Bill 1053 having received a constitutional majority is declared
28. passed. On the Order of Senate Bills 3rd reading, Senate Bill
29. 1055. Read the bill, Mr. Secretary.
30. SECRETARY:
31. Senate Bill 1055.
32. (Secretary reads title of bill)
33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Berman.

3. SENATOR BERMAN:

4. Thank you, Mr. President. This bill deals with  
5. the general area of the Special Education Bill, some  
6. of which we recommitted the other day and I will ask  
7. leave to recommit this bill to the Committee on  
8. Elementary and Secondary Education.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. You've heard the request. Is leave granted?

11. So ordered. The bill will be recommitted. 1056, Senator

12. Berman. On the Order of Senate Bills 3rd reading, Senate

13. Bill 1056. Read the bill, Mr. Secretary.

14. SECRETARY:

15. Senate Bill 1056.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

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25. The following typed previously.

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1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Berman.

3. SENATOR BERMAN:

4. Thank you, Mr. President. Senate Bill 1056 allows the  
5. general supervisory or general administrative endorsement to  
6. be complied with not only with the two years of full time  
7. teaching experience...but also expands it to include school  
8. service personnel experience in the public schools. This  
9. will allow people with that type of experience to obtain  
10. the administrative endorsement that would qualify them  
11. to become principals, assistant principals, other types  
12. of administrators. Be glad to respond to any questions and  
13. ask your support.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Any...any discussion? Senator Berning.

16. SENATOR BERNING:

17. Just a point of clarification. What does school service  
18. personnel experience encompass...

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Berman...

21. SENATOR BERNING:

22. ...and what does then qualify the individual for? If I  
23. have two years of school service personnel experience, and  
24. that to me that could filing letters in a file cabinet, does  
25. that make me eligible for a teacher, a superintendent or a  
26. maintenance man?

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Berman.

29. SENATOR BERMAN:

30. This term includes school social workers, school  
31. psychologists, guidance specialists, school nurses. It deals  
32. with the area of service in the schools that the endorsement  
33. that you're seeking includes. Let me try to clarify that

1. sentence. What we're talking about here is an administrative  
2. certificate. Teaching is only one part of the involvement  
3. in the schools. If you are...what this bill will do is recognize  
4. that you...can qualify with...for an administrative certificate  
5. not only with teaching but with other types of service that  
6. would be beyond teaching. Now, this does not eliminate the  
7. other types of requirements, such as sixteen semester hours  
8. of graduate credit in professional education, including  
9. eight semester hours of graduate credit in curriculum  
10. research and a Master's Degree. There is also twenty semester  
11. hours of graduate credit required in educational administration.  
12. We're not...we're not decreasing the standards. We're  
13. broadening the scope of qualification.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Glass.

16. SENATOR GLASS:

17. Thank you, Mr. President. Well, as I understand the  
18. bill, I...and I had some reservations about it. The Illinois  
19. Nurses' Associations supported it. It simply stated it would  
20. eliminate the requirement of two years of teaching to be a  
21. school administrator, and I think the policy question is  
22. whether we want to do that, whether we feel it's all right to  
23. have school administrators who have not had classroom teaching  
24. experience. I think there are some areas of school administra-  
25. tion, as Senator Berman indicated, where teaching is...is not  
26. a requirement and I would just ask the sponsor if...if he  
27. understands the bill to provide that the administrative certifi-  
28. cates that will be issued to these persons who have not had  
29. school teaching experience will be limited to the areas of...of  
30. their actual experience?

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Berman.

33. SENATOR BERMAN:

1. Well, your interpretation is correct that, yes, we are  
2. providing additional avenues other than just the full time  
3. teaching experience. As I indicated, the certificate will  
4. not necessarily be limited to only the experience...ad-  
5. ministrative experience that they've held. In my answer  
6. to, Senator Berning, I've indicated that their learning  
7. experience...school experience includes courses such as  
8. administration, a Master's Degree, educational administra-  
9. tion and supervision, organization, finance law and  
10. structural materials. I don't think that the certificate  
11. will be limited only to the areas that they had practical  
12. experience in, which I'm not sure ought to be.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Glass.

15. SENATOR GLASS:

16. Well, Senator Berman, maybe this will clarify it.  
17. Is it your understanding that if this Bill passes, a person who  
18. has never had classroom experience could be a principal or  
19. a superintendent in a school district?

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Berman.

22. SENATOR BERMAN:

23. Yes.

24. (the following typed previously)

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BB 1060  
3rd Reading  
5/27/77

1. PRESIDING OFFICER: (SENATOR ROCK)  
2. Any further discussion? The question is shall Senate  
3. Bill 1056 pass. Those in favor will vote Aye. Those opposed  
4. will vote Nay. The voting is open. Have all voted who wish?  
5. Have all voted who wish? Take the record. On that question  
6. the Ayes are 37, the Nays are 10, none Voting Present. Senate  
7. Bill 1056 having received a constitutional majority is  
8. declared passed. On the Order of Senate Bills 3rd reading  
9. is Senate Bill 1060. Read the bill, Mr. Secretary.

10. SECRETARY:  
11. Senate Bill 1060.  
12. (Secretary reads title of bill)  
13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR ROCK)  
15. Senator Berman.

16. SENATOR BERMAN:  
17. I...I think it was yesterday morning this bill was  
18. on 2nd reading. Senator Carroll had an amendment, but  
19. he was sleeping late that morning, so I promised to bring  
20. it back for his amendment. So I'd ask leave to bring it  
21. back to 2nd reading.

22. PRESIDING OFFICER: (SENATOR ROCK)  
23. All right. Is there leave to bring Senate Bill 1060  
24. back to the Order of 2nd reading for the purpose of an  
25. amendment? Leave is granted. On the Order of Senate  
26. Bills 2nd reading, Senate Bill 1060.

27. SECRETARY:  
28. Amendment No. 3 offered by Senator Carroll.

29. PRESIDING OFFICER: (SENATOR ROCK)  
30. Senator Carroll.

31. SENATOR CARROLL:  
32. Thank you, Mr. President. For purposes of the record,  
33. of course I was at an 8:00 o'clock and 8:30 committee  
34. meetings here yesterday. Senator Berman, thank you. What

1. we are doing by way of this amendment is, on this new board  
2. that will be a reviewing type board, adding that one of the  
3. persons shall represent hospital employees. You have  
4. hospital trustees guaranteed on this board and people from  
5. the department. We felt that it was necessary to also  
6. make sure that somebody represents the hospital employees  
7. who is put onto this board and I would move the adoption  
8. of the amendment.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Carroll has moved the adoption of Amendment  
11. No. 3 to Senate Bill 1060. Is there any discussion?  
12. Senator Glass.

13. SENATOR GLASS:

14. Thank you, Mr. President. Senator Carroll, with your  
15. amendment, what will be the composition of the board? How  
16. many public members or...or non-hospital related members  
17. will be on the board?

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Carroll.

20. SENATOR CARROLL:

21. I don't have the total composition of the board,  
22. Senator Glass. I would refer to Senator Berman on that.  
23. All we are saying here is that one of them shall represent  
24. the hospital employees.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Berman.

27. SENATOR BERMAN:

28. With the amendment you would have a nine member board,  
29. four of whom are nonvoting. Of the five members, two are  
30. hospital trustees, one would be a labor representative and  
31. two would be something else.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Any further discussion? Senator Carroll has moved

1. the adoption of Amendment No. 3 to Senate Bill 1060.  
2. All those in favor signify by saying Aye. All those opposed.  
3. The Ayes have it. The amendment is adopted. Any further  
4. amendments?

5. SECRETARY:

6. Amendment No. 4 offered by Senator Berman.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Berman.

9. SENATOR BERMAN:

10. Thank you, Mr. President. Amendment No. 4 was requested  
11. by the...Comprehensive County Hospital Health and Allied  
12. Medical Programs Governing Commission. That's the Cook  
13. County Hospital Commission. It's a technical amendment to  
14. provide for the filing of their budget year regarding their  
15. rates and operation under this authority. It makes no  
16. substantive changes, it just recognizes that they are on  
17. a fiscal year basis whereas, noncommissioned hospitals may  
18. be on a calendar year basis. Move the adoption of Amendment  
19. No. 4.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Berman has moved the adoption of Amendment  
22. No. 4 to Senate Bill 1060. Is there any discussion? All  
23. those in favor signify by saying Aye. All those opposed.  
24. The Ayes have it. The amendment is adopted. Any further  
25. amendments?

26. SECRETARY:

27. No further amendments.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. 3rd reading. Senator Berman, we'll get back to it  
30. once they have a chance to take a look at the amendments.  
31. Senator Maragos, for what purpose do you arise?

32. SENATOR MARAGOS:

33. Now that that bill is in proper shape, I would like  
34. to be...leave to be a...as a cosponsor.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Maragos asks leave to be cosponsor of Senate  
3. Bill 1060. Is leave granted? So ordered. Senator Nimrod,  
4. 1079. All right. On the Order of Senate Bills 3rd reading  
5. is Senate Bill 1079. Read the bill, Mr. Secretary.

6. SECRETARY:

7. Senate Bill 1079

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Nimrod.

12. SENATOR NIMROD:

13. Yes, Mr. President and fellow Senators, this legislation  
14. addresses itself to a problem pertaining to private airports.  
15. It has been strictly in line to one particular airport,  
16. that's Palwaukee and the concern in the amendment that  
17. Senator Carroll had on the bonding provisions. The...he  
18. has been called and the letter is on the way over here,  
19. so I would be happy to answer any questions. Otherwise,  
20. I ask for a favorable roll call.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Is there discussion? Senator Carroll.

23. SENATOR CARROLL:

24. It just seems that they're a little bit late flying  
25. it up. Maybe if we get this runway built for them, they'll  
26. be able to get the letter up on time. At this point in  
27. time, I will support the bill. If we find some problems  
28. with the letter, I'm sure we can take care of the bill in  
29. the House.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Is there further discussion? The question is, shall  
32. Senate Bill 1079 pass. Those in favor vote Aye. Those  
33. opposed vote Nay. The voting is open. Have all voted who

1. wish? Take the record. On that question, the Ayes are  
2. 46, the Nays are none, none Voting Present. Senate Bill  
3. 1079 having received a constitutional majority is declared  
4. passed. Senate Bill 1092, Senator Mitchler. Read the  
5. bill, Mr. Secretary.

6. SECRETARY:

7. Senate Bill 1092

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Mitchler.

12. SENATOR MITCHLER:

13. Mr. President, members of the Senate, I'm going to  
14. ask leave that Senate Bill 1092 be brought back to 2nd  
15. reading to put on an agreed to amendment.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Is there leave? Leave is granted. The bill is on the  
18. Order of 2nd reading.

19. SECRETARY:

20. Amendment No. 1 offered by Senator Mitchler.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Mitchler.

23. SENATOR MITCHLER:

24. Mr. President and members of the Senate, the Amendment  
25. No. 1 to Senate Bill 1092 is to clarify that a city having  
26. a population of one million or more may adopt an ordinance  
27. which is at least equal to or more restrictive than the  
28. requirements of this Act regarding the registration of  
29. persons who install, service, recondition or repair weighing  
30. and measuring devices used in trade and commerce if so such  
31. ordinance shall prevail. And the amendment also clarifies  
32. the requirements for registration and exempts apprentices  
33. from registration if they work under the supervision of a

1. registered person. It's an agreed to amendment, both  
2. sides of the aisle. I would ask for adoption of the  
3. amendment.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Rock.

6. SENATOR ROCK:

7. I am not privy to the agreement. Not...not that that is  
8. of necessity. I would just to indicate that I was delivered  
9. a copy of this by the representative of the Department of  
10. Agriculture this morning. This is the Department's amend-  
11. ment in an attempt to cure Senator Hynes' questioning. I  
12. think. But to refer to it as an agreed amendment, frankly,  
13. is not accurate. I have no objection to you putting the  
14. amendment on.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Mitchler has moved the adoption of Amendment No.  
17. 1. Is there further discussion? All in favor say Aye.  
18. All opposed Nay. The Ayes have it. Amendment No. 1 is  
19. adopted. Further amendments?

20. SECRETARY:

21. No further amendments.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Amendments from the Floor? 3rd reading. Senator  
24. Mitchler, do you plan to come back to this? Okay. Senate  
25. Bill 1093, Senator Harber Hall. Senate Bill 1094, Senator  
26. Rhoads. Read the bill, Mr. Secretary.

27. SECRETARY:

28. Senate Bill 1094

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Rhoads.

33. SENATOR RHOADS:

1. Mr. President and members of the Senate, this bill conforms  
2. State law to...changes enacted last year by the Congress re-  
3. lating to distribution of Federal surplus property. When this  
4. bill was discussed once before, I made a misstatement to  
5. Senator Grotberg. He asked me if it applied to all 501C-3  
6. institutions. It does not. It's just community libraries,  
7. but it's still a good bill. The Democratic staff had some  
8. questions on it. I think those questions have been answered  
9. now. I'll be happy to answer any other questions. If not,  
10. I would ask for a favorable roll call.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Is there discussion? Senator Rock.

13. SENATOR ROCK:

14. No, I think Senator Rhoads has accurately stated the  
15. answers to the objection that Senator Hynes raised, and I  
16. would urge a favorable vote.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. The question is, shall Senate Bill 1094 pass. Those in  
19. favor vote Aye. Those opposed vote Nay. The voting is open.  
20. Have all voted who wish? Take the record. On that question,  
21. the Ayes are 50, the Nays are none, none Voting Present.  
22. Senate Bill 1094 having received a constitutional majority  
23. is declared passed. Intervening business having occurred, we  
24. will return to Senate Bill 1060. Senator Berman, are you  
25. ready? Senator Rock.

26. SENATOR ROCK:

27. Might I suggest that...you know, these that are being  
28. amended on the last day and the last hours that we just kind  
29. of hold them for awhile and let us have a chance to look...  
30. look through them. Please.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. The Chair has no objection to that procedure. Hearing  
33. with no other objection, we will continue with Senate Bill 1095.

1. Senator Sommer. Read the bill, Mr. Secretary.
2. SECRETARY:
3. Senate Bill 1095
4. (Secretary reads title of bill)
5. 3rd reading of the bill.
6. PRESIDING OFFICER: (SENATOR BRUCE)
7. Senator Sommer.
8. SENATOR SOMMER:
9. Mr. President, this bill simply transfers from...some
10. money in excess in a revolving fund to the General Fund.
11. PRESIDING OFFICER: (SENATOR BRUCE)
12. Is there further discussion? The question is, shall
13. Senate Bill 1095 pass. Those in favor vote Aye. Those opposed
14. vote Nay. The voting is open. Have all voted who wish?
15. Take the record. On that question, the Ayes are 51, the Nays
16. are none, none Voting Present. Senate Bill 1095 having re-
17. ceived the constitutional majority is declared passed.
18. Senate Bill 1104, Senator Rupp. Read the bill, Mr. Secretary.
19. SECRETARY:
20. Senate Bill 1104
21. (Secretary reads title of bill)
22. 3rd reading of the bill.
23. PRESIDING OFFICER: (SENATOR BRUCE)
24. Senator Rupp.
25. SENATOR RUPP:
26. Thank you, Mr. President. One of the responsibilities
27. of the Insurance Department is to examine the ownership and the
28. operation of insurance companies. This bill permits and helps
29. the Department do their job. It's aimed specifically to close
30. a loophole whereby someone might have gone in, picked up
31. ownership of voting securities that had not previously been
32. issued. This just closes that loophole...
33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Is there discussion...
2. SENATOR RUPP:
3. ...and gives the Insurance Department...
4. PRESIDING OFFICER: (SENATOR BRUCE)
5. ...Senator Maragos.
6. SENATOR MARAGOS:
7. Well, I don't want to get to the...here, but why do
8. you need this? Has been experience where we had this
9. control?
10. PRESIDING OFFICER: (SENATOR BRUCE)
11. Senator Rupp.
12. SENATOR RUPP:
13. Yes. Yes, Sir. There has been one experience where
14. they...that's what pointed it up and brought about the...
15. PRESIDING OFFICER: (SENATOR BRUCE)
16. Is there further discussion? The question is, shall
17. Senate Bill 1104 pass. Those in favor vote Aye. Those
18. opposed vote Nay. The voting is open. Have all voted who
19. wish? Take the record. On that question, the Ayes are
20. 55, the Nays are none, none Voting Present. Senate Bill
21. 1104 having received a constitutional majority is declared
22. passed. Senate Bill 1115, Senator Glass. Read the bill,
23. Mr. Secretary.
24. SECRETARY:
25. Senate Bill 1115
26. (Secretary reads title of bill)
27. 3rd reading of the bill.
28. PRESIDING OFFICER: (SENATOR BRUCE)
29. Senator Glass.
30. SENATOR GLASS:
31. Thank you, Mr. President, Ladies and Gentlemen. Senate
32. Bill 1115 would allow the pooling of trust funds by related
33. corporations. That is parent and subsidiary. The trust company

1. would be allowed to pool a number of the trust funds for  
2. better investment purposes. I know of no opposition to the  
3. bill, and I would appreciate a favorable roll call.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Is there discussion? The question is, shall Senate  
6. Bill 1115 pass. Those in favor vote Aye. Those opposed  
7. vote Nay. The voting is open. Have all voted who wish?  
8. Take the record. On that question, the Ayes are 53, the  
9. Nays are 1, 1 Voting Present. Senate Bill 1115 having  
10. received a constitutional majority is declared passed.  
11. Senator Harber Hall was off the Floor when Senate Bill 1093  
12. was called. Are you ready, Senator Hall? Read the bill,  
13. Mr. Secretary.

14. SECRETARY:

15. Senate Bill 1093

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Harber Hall.

20. SENATOR HARBER HALL:

21. Mr. President and fellow Senators, 1093 amends the  
22. Unemployment Insurance Act to allow the Department of Labor to  
23. release information to the Department of Finance concerning  
24. the recipients of Workmen's Comp. The reason we need this is the  
25. Department of Finance represents the State of Illinois in  
26. Workmen's Comp claims and they want to find out by matching  
27. information between these two agencies people who are working  
28. in the State who are actually drawing full permanent disability  
29. benefits. I think it's a logical administrative procedure  
30. and I would solicit your support or answer any questions re-  
31. garding the bill.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Don Moore.

1. SENATOR DON MOORE:
2.       The sponsor yield?
3. PRESIDING OFFICER: (SENATOR BRUCE)
4.       Indicates that he will yield.
5. SENATOR DON MOORE:
6.       Would you have any objection in the House, Senator Hall,
7. to amending this to mandate the Department of Labor to provide
8. this information to the Illinois Department of Public Aid
9. so we can cross check to see if any our recipients are also
10. drawing unemployment comp?
11. PRESIDING OFFICER: (SENATOR BRUCE)
12.       Senator Harber Hall.
13. SENATOR HARBER HALL:
14.       No, I wouldn't object to the amendment.
15. PRESIDING OFFICER: (SENATOR BRUCE)
16.       Is there further discussion? The question is, shall
17. Senate Bill 1093 pass. Those in favor vote Aye. Those opposed
18. vote Nay. The voting is open. Have all voted who wish? Have
19. all voted who wish? Take the record. On that question, the
20. Ayes are 52, the Nays are none, none Voting Present. Senate
21. Bill 1093 having received a constitutional majority is de-
22. clared passed. Senate Bill 1116, Senator Mitchler. Read the
23. bill, Mr. Secretary.
24. SECRETARY:
25.       Senate Bill 1116
26.               (Secretary reads title of bill)
27. 3rd reading of the bill.
28. PRESIDING OFFICER: (SENATOR BRUCE)
29.       Senator Mitchler.
30. SENATOR MITCHLER:
31.       Mr. President and members of the Senate, Senate Bill 1116
32. ...Contracts Act. It provides a procedure for the Department
33. of Conservation to be exempted from the requirements of full

1. ownership of properties prior to making improvements. It has  
2. a...an Amendment No. 1 that was put on after consultation with  
3. Senator Guidice, Senator Clewis, Senator Coffey. I move for  
4. adoption of the amendment...of the bill.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Is there discussion? Senator Bloom.

7. SENATOR BLOOM:

8. Will the sponsor yield?

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Indicates he will yield. Senator Bloom.

11. SENATOR BLOOM:

12. All right. Now, what this means is that the Department  
13. of Conservation can make improvements if they don't clear  
14. title to land, is that not correct?

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Mitchler.

17. SENATOR MITCHLER:

18. Correct.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Bloom.

21. SENATOR BLOOM:

22. We had a situation and this Body as well as the House,  
23. was involved. The fabulous Rock Island Trail where we took  
24. out an appropriation for that two years ago and Tony Dean, then  
25. Director of Conservation, went ahead with it through internal  
26. transfers. Now, it was...it was illegal and they ended up in  
27. court, and if Dean had persisted, he would have had an indictment  
28. out of Stark County. Now...now, we want to...now we want to  
29. put our good housekeeping seal of approval on that. Are you...  
30. are you sure...I see that's a yellow folder. Are you sure  
31. you want this?

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Mitchler.

1. SENATOR MITCHLER:

2. This is a Department of Conservation bill, Senator  
3. Bloom, and they cite as one of their examples - the Department  
4. of Conservation is hampered by this requirement because many  
5. utilities have large cooling lakes and other grounds which  
6. could be added to the State's recreational land inventory  
7. if the Department was able to make the necessary improvements  
8. needed for public use. The Department has indicated that  
9. they could add some ten thousand land and water acres to the  
10. State recreation system in the next two years with passage  
11. of this bill.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Bloom.

14. SENATOR BLOOM:

15. I think I made my point. I...I don't think this is...

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Donnewald...

18. SENATOR BLOOM:

19. ...really the hottest idea...

20. SENATOR DONNEWALD:

21. Well, Mr. President, this bill was in bad shape. It was  
22. amended into good shape by Amendment No. 2. I would urge  
23. support.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Schaffer.

26. SENATOR SCHAFFER:

27. Senator Mitchler, there's a large number of acres up  
28. around the Chain of Lakes that are in dispute where private land  
29. owners contend they own land, and the Department of Conserva-  
30. tion contends they own land, and since the land has been fairly  
31. swampy, there really...no one has really ever gone to court on  
32. it. If the Department of Conservation went in and...on the  
33. basis of this and improved the land, and then they later went to

1. court, would the property owner get the land with the improve-  
2. ments at no cost...

3. PRESIDING OFFICER: (SENATOR BRUCE)  
4. Senator...

5. SENATOR SCHAFFER:  
6. ...if the property owner won in court?

7. PRESIDING OFFICER: (SENATOR BRUCE)  
8. ...Senator Mitchler.

9. SENATOR MITCHLER:  
10. I don't know how to answer that. That would be up to  
11. the Department of Conservation in making a deal.

12. PRESIDING OFFICER: (SENATOR BRUCE)  
13. Is there...Senator Schaffer.

14. SENATOR SCHAFFER:  
15. Well, frankly...probably either way it...the property  
16. owner is going to win. I think I'm going to support your  
17. bill.

18. PRESIDING OFFICER: (SENATOR BRUCE)  
19. Further discussion? Senator Guidice. Further discussion?  
20. The question is, shall Senate Bill 1116 pass. Those in favor  
21. vote Aye. Those opposed vote Nay. The voting is open. Have  
22. all voted who wish? Take the record. On that question, the  
23. Ayes are 37, the Nays are 10, none Voting Present. Senate Bill  
24. 1116 having received a constitutional majority is declared  
25. passed. Senator Carroll, 1124. Read the bill, Mr. Secretary.

26. SECRETARY:  
27. Senate Bill 1124  
28. (Secretary reads title of bill)  
29. 3rd reading of the bill.

30. PRESIDING OFFICER: (SENATOR BRUCE)  
31. Senator Carroll.

32. SENATOR CARROLL:  
33. Thank you, Mr. President and members of the Senate. This is

1. as the Secretary indicated, the Productivity Act to require  
2. planning on productivity and...of each and every employee of  
3. State Government for work objectives and measures of performance.  
4. We are presently spending over two million dollars a year to  
5. outside auditors for this type of work, and this is to require  
6. it to be done in-house and do it for all one hundred and eighteen  
7. thousand members of State employment. We would start off with  
8. five departments on a pilot program chosen by the Governor,  
9. departments of varying size. They would have two years to  
10. report back on how these pilot programs chosen by the Governor  
11. working goals, incentives, et cetera. The board itself is  
12. created with eighteen members appointed by the Executive  
13. Branch, the Governor and other members of the Executive  
14. Branch and by the Legislative Branch as well as a representative  
15. of labor and a representative of management. I would be willing  
16. to answer any questions and would ask for a favorable roll  
17. call. I might add that this somehow strangely received  
18. the support of the Illinois Chamber of Commerce, which I think  
19. is a first for me.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Is there discussion? Senator Glass.

22. SENATOR GLASS:

23. Thank you, Mr. President. I noticed that in this bill, as  
24. in others, there is a declaration of purpose and finding that  
25. while the people of Illinois...that the people of Illinois are  
26. demanding new services from government. And I...I just mention  
27. that in passing. I don't know if there's been any specific finding  
28. to that effect or...or who...you know...who's...Senator  
29. Carroll has in mind that...that are making these demands. Beyond  
30. that, however, I would like to point out a couple of problems  
31. I have with the bill. And...and then I would like to ask Senator  
32. Carroll a question regarding them. The bill does exempt General  
33. Assembly members, but Senator, as I read the bill, the staff and

1. the commissions are not specifically exempted. What is the  
2. reason for that?

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Carroll.

5. SENATOR CARROLL:

6. It is my understanding that they are, in fact...that the  
7. Legislative Branch of government is, in fact, exempted.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Glass.

10. SENATOR GLASS:

11. Well, I...I...that may be a different reading. I would  
12. point out to you that as we read it, there is no exemption  
13. for our commissions and...in...in...further on that point, you  
14. mention an eighteenmember board or council that's being created to,  
15. in effect, monitor government...the different agencies of  
16. government, and who actually does the appointing of...of those  
17. persons? I...you mentioned the Governor and the Legislative  
18. Branch, but can you give me the breakdown on how those appoint-  
19. ments are made?

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Carroll.

22. SENATOR CARROLL:

23. There are five departmental directors, three gubernatorial  
24. appointees, including one from labor and one from management,  
25. four other constitutional officer appointees, the four other  
26. the constitutional officers, six legislative appointees.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Glass, your time has expired. Senator Glass.

29. SENATOR GLASS:

30. All right. I...I will just ask one other question, then,  
31. Senator Carroll, of the appointees in the Legislative Branch,  
32. how many are appointed by minority leaders?

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Carroll.

2. SENATOR CARROLL:

3. At least one member of each party. Therefore, I would  
4. assume one member of each party from each House.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Grotberg. Senator Glass, your time has expired.

7. SENATOR GROTBORG:

8. Thank you, Mr. President. I rise in opposition of this  
9. bill, because mostly because of the title itself. It's self  
10. contradictory. Government productivity, the two terms are an  
11. impossible combination, and in another strata, I think we have  
12. in every shop in the State of Illinois, somebody trying to  
13. run it better, and we add another layer of something trying  
14. to run something else better. We have enough people in the  
15. General Assembly now trying to run the administration. I can  
16. see nothing but confusion, cost and another layer of bureaucracy  
17. out of something called Governmental Productivity Act.

18. Thank you.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Graham.

21. SENATOR GRAHAM:

22. I think the order from St. Charles has taken pretty good  
23. care of this, but this thing is unreally and...and unworkable...

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Can we have some order, please...

26. SENATOR GRAHAM:

27. ...and duplicates...

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. ...Senator Graham.

30. SENATOR GRAHAM:

31. ...and duplicates a lot of efforts that are presently  
32. being exercised by other departments. I think Senator Carroll,  
33. in all honestly and you do a pretty good job ususally, I think

1. the Chamber of Commerce might have been asleep when they  
2. read the bill, and I'm afraid you were having a bad dream  
3. when you wrote it. This bill should be defeated.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Further discussion? Senator Glass, for the second time.

6. SENATOR GLASS:

7. Well, I only rise for the second time to echo what my  
8. colleagues have said about the bill. I think it should be  
9. defeated. I don't think we need another agency to monitor  
10. our already existing agencies. Government, in fact, has  
11. gotten too big. This will simply add to the cost and the  
12. burden. And furthermore, I would point out to the sponsor and  
13. to others, that the bill does not provide for any appointments.  
14. Senator Carroll, the bill does not, in fact, provide for any  
15. appointments by minority members of the General Assembly. As  
16. read it, the...all the appointments are to be made by the...the  
17. majority leaders.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Is there further discussion? Senator Berning.

20. SENATOR BERNING:

21. Thank you, Mr. President. I commend the sponsor for having  
22. such a deep interest in good government. May I suggest to him  
23. that he join me in legislation I've been trying to get some  
24. measure of support for which would require accountability by  
25. our elected officials. That is a much more reasoned approach than this  
26. where you are actually by inference impugning the integrity and  
27. the ability of all our elected officials from the Comptroller  
28. on up and down. I think this is an ill-advised, members of  
29. the Senate, and I suggest that it be rejected.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Is there further discussion? Senator Carroll may close.

32. SENATOR CARROLL:

33. Thank you, Mr. President. See what happens to me when the

1. Chamber of Commerce so wholeheartedly endorses the proposal.  
2. I get into more trouble on the Republican side of the aisle  
3. than when they oppose my legislation. I will try to correct  
4. that defect in the future. I find it interesting, however,  
5. that we are willing to spend two and a half million dollars  
6. to outside consultants to do this exact work. I find it  
7. interest that several other states have also created these  
8. types of productivity councils. I find it most interesting  
9. that...certain members are not concerned with whether or not  
10. we are getting the best work effort for the dollar. That's  
11. really what this is doing. It's saying let's go through  
12. the job sort of like sunset, let's see what type of productivity  
13. we're getting from the employees. We're not impuning what  
14. they're doing now, but let's see if we can do a little better  
15. job for no more than the same money. I think this is an  
16. excellent concept in trying to keep government services to  
17. the people at the lowest possible cost, without expanding  
18. government beyond what we have already done by requiring us  
19. to oversee exactly what employees and see if we can somehow  
20. consolidate some of the functions or at least make them more  
21. productive without really saying that they're not doing a job  
22. now, just by division of management tools as all government...  
23. excuse me...nongovernment businesses do. I think this is an  
24. idea whose time is long overdue and I would urge a favorable  
25. roll call.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. The question is, shall Senate Bill 1124 pass. Those in  
28. favor vote Aye. Those opposed vote Nay. The voting is open.  
29. Have all voted who wish? Have all voted who wish? Take the  
30. record. On that question, the Ayes are 33, the Nays are 20,  
31. none Voting Present. Senate Bill 1124 having received a con-  
32. stitutional majority is declared passed. Senate Bill 1194,  
33. Senator Regner. 1149. Read the bill, Mr. Secretary.

SB 1149  
2nd Reading  
5-27-77

1. SECRETARY:

2. Senate Bill 1149

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Regner.

7. SENATOR REGNER:

8. Mr. President and members of the Senate, this is a  
9. consolidation of election date bill. As you know, Illinois has  
10. more units of local government than any other state in the  
11. Union and the people in the various areas are asked to go to  
12. the polls six, seven, eight, nine times in some instances in...  
13. during the year. What this bill does, in odd-numbered years  
14. or...in odd...or in even-numbered years, there will be one  
15. primary and one general election just as it is now. In the  
16. odd-numbered years, when you have the various other local  
17. offices up, there will be three sets of elections. One will be  
18. the municipal township election with the primary in January  
19. if a primary is required, general election will be in March.  
20. The second set of elections will be the nonpartisan which will  
21. be your...your school elections and finally the third general  
22. set of elections in odd-numbered years will be the consolidated  
23. primary election in late September or October, and all referenda  
24. item pertaining to these various governments will be held on  
25. the date of the election. If there are any questions, I'll  
26. be happy to answer them.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Is there discussion? Senator Kosinski.

29. SENATOR KOSINSKI:

30. Senator Regner, does this affect Chicago or County Cook?

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Regner.

33. SENATOR REGNER:

1. No, Chicago is not included in this bill at all. They  
2. would remain the same as they are right now.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Is there further discussion? Senator Wooten.

5. SENATOR WOOTEN:

6. Senator Regner, how would this affect the Senate Bill  
7. 1000 that we just passed? How do they stand in relationship  
8. to each other?

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Regner.

11. SENATOR REGNER:

12. Well, I specifically did not do anything with the primary  
13. date when I prepared the bill knowing full well that there  
14. would be numerous proposals and not knowing which one would  
15. be the sense and the intent of the General Assembly. And I  
16. would assume if this bill were to pass and Senate Bill 1000  
17. were to pass and be signed into law that the intent of the  
18. Legislature would be that the primary election in accordance  
19. with Senate Bill 1000, so it would not have any...any affect.  
20. It would be overriding on this bill.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Wooten.

23. SENATOR WOOTEN:

24. Do I understand this correctly, you have a kind of a  
25. constellation of local elections in the spring? Can you...  
26. how simple can you...how simply can you explain that?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Regner.

29. SENATOR REGNER:

30. I can read the whole list, but primarily what it is,  
31. Senator Wooten, it would be all those elections other than  
32. school elections which would be on a separate day.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Wooten.

3. SENATOR WOOTEN:

4. In other words, there will be two elections in the  
5. spring? Two basic election periods, uh?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Regner.

8. SENATOR REGNER:

9. Correct. It will be school elections and then the  
10. other local government elections will be separated from that.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Is there further discussion? Senator Graham.

13. SENATOR GRAHAM:

14. Mr. President and Ladies and Gentlemen of the Senate, there's  
15. another bill in the Senate now that is, perhaps, more comprehensive and  
16. has had more studies, product of the Elections Law Commission.  
17. It's number is 1978. It will basically some of the things that  
18. Senator Regner's bill is doing. Hopefully, something will  
19. happen so our people don't have to get up every Tuesday and  
20. Saturday and go to the polls to see what they're going to for.  
21. I happen to think if 1978 is a better bill, but, nevertheless, I'm  
22. going to support Senator Regner's effort in this behalf.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Rhoads.

25. SENATOR RHOADS:

26. Mr. President and members of the Senate, in an attempt to  
27. answer Senator Wooten's question earlier. If both Senate Bill  
28. 1000, Senator Rock's bill, and Senator Regner's bill are signed  
29. by the Governor, things could get complicated. There's no  
30. question about that. Senator Regner's proposal, the genesis  
31. of it if I'm not mistaken was a proposal by the Elections Law  
32. Study Commission in 1971. In that original proposal, a May  
33. primary was advocated. That's the...the bill that I...passed

1. both Houses of the Legislature in the 79th General Assembly.  
2. It was vetoed by Governor Walker. It's the same bill I had  
3. in this time, and the only bill to come out of the Senate  
4. Elections Committee and to pass the Senate was Senator Rock's  
5. bill, so that's the only vehicle available now to us. But  
6. Senator Wooten is correct. If both of these bills are signed  
7. by the Governor, things could get very complicated indeed.  
8. I favor Senator Regner's bill. I favor the concept of con-  
9. solidation, but I think we all ought to know up front that if  
10. both bills were to be signed, we would be faced in a situation,  
11. perhaps in the year 1978 where we...we have two...a cluster of...  
12. of elections very, very close together, within a matter of  
13. six or seven weeks.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Schaffer.

16. SENATOR SCHAFFER:

17. My God is this a good bill and is it needed.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Nimrod.

20. SENATOR NIMROD:

21. Yeah, I'd like to be shown...leave to be shown as a  
22. cosponsor of this bill.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Further discussion? Senator Mitchler.

25. SENATOR MITCHLER:

26. Leave of the Senate to be added as a cosponsor.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Is there leave? Leave is granted. The question is,  
29. shall Senate Bill 1149 pass. Those in favor vote Aye. Those  
30. opposed vote Nay. The voting is open. Have all voted who  
31. wish? Take the record. On that question, the Ayes are 52,  
32. the Nays are 1, 1 Voting Present. Senate Bill 1149 having  
33. received a constitutional majority is declared passed. Senate

SB 1155  
5/27/77  
Recall

- 1. Bill 1155, Senator Harber Hall. Read the bill, Mr. Secretary.
- 2. Senator Harber Hall.
- 3. SENATOR HARBER HALL:

4. Mr. President, I'd like leave of the Body to return this  
5. to the Order of 2nd reading for the purposes of amendment.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Is there leave? Leave is granted. The bill is on the  
8. Order of 2nd reading. ...Any amendments, Mr. Secretary?

9. SECRETARY:

10. Amendment No. 1 offered by Senator Harber Hall.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Harber Hall.

13. SENATOR HARBER HALL:

14. This, Ladies and Gentlemen, removes the eighty percent  
15. of average weekly salary back to a hundred percent for  
16. computation. It takes off the hundred and thirty-five dollar  
17. cap maximum and it removes the fifty percent test of responsi-  
18. bility for children and...and removes it...puts it back at  
19. twenty-five percent. I move adoption of the amendment.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Further discussion on the amendment? Senator Harber  
22. Hall moves the adoption of Amendment No. 1 to Senate Bill...  
23. 1155. All in favor say Aye. Opposed Nay. The Ayes have it.  
24. The amendment is adopted. Are there further amendments?

25. SECRETARY:

26. No further amendments.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Any amendments from the Floor? 3rd reading. Senate  
29. Bill 1177; Senator Roe. Senator Harber Hall.

30. SENATOR HARBER HALL:

31. There's another amendment there.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Harber Hall asks leave of the Body to return Senate

1. Bill 1155 to the Order of 2nd reading. Is there leave?
2. Leave is granted. The bill is on the Order of 2nd reading.
3. Amendments, Mr. Secretary.
4. SECRETARY:
5. Amendment No. 2 offered by Senator Hall.
6. PRESIDING OFFICER: (SENATOR BRUCE)
7. Senator Harber Hall is recognized.
8. SENATOR HARBER HALL:
9. Mr. Speaker...or Mr. President, this second amendment
10. removes the variable benefits scale that was adopted in 1155 and...
11. PRESIDING OFFICER: (SENATOR BRUCE)
12. Can we have some order, Gentlemen. Particularly around
13. Senator Savickas' desk.
14. SENATOR HARBER HALL:
15. ...thereby does not penalize the low income claimant.
16. PRESIDING OFFICER: (SENATOR BRUCE)
17. Is there discussion? Senator Savickas.
18. SENATOR SAVICKAS:
19. On this amendment, Senator, is this where we had only
20. ten weeks benefits for the low income wage earner and he had
21. to earn over forty-two hundred to collect the twenty-six weeks?
22. And you're...you're removing that provision, so now the low
23. wage earner will be allowed to collect to twenty-six weeks.
24. PRESIDING OFFICER: (SENATOR BRUCE)
25. Senator Harber Hall.
26. SENATOR HARBER HALL:
27. Yes.
28. PRESIDING OFFICER: (SENATOR BRUCE)
29. Further discussion? On the motion to adopt Amendment No.
30. 2 is there...all in favor say Aye. Opposed Nay. The Ayes have
31. it. Amendment No. 2 is adopted. Further amendments?
32. SECRETARY:
33. No further amendments.

1. PRESIDING OFFICER: (SENATOR BRUCE)  
2. Any amendments from the Floor? 3rd reading. Senate  
3. Bill 1177. Is Senator Roe on the Floor? Senate Bill 1202,  
4. Senator Regner. Read the bill, Mr. Secretary.  
5. SECRETARY:  
6. Senate Bill 1202  
7. (Secretary reads title of bill)  
8. 3rd reading of the bill.  
9. PRESIDING OFFICER: (SENATOR BRUCE)  
10. Senator Regner.  
11. SENATOR REGNER:  
12. Mr. President and members of the Senate, as you...  
13. especially you...those of you that were here last year...  
14. remember the many hours we anguished over appropriation bills  
15. containing pay raises for certain State employees. One of the  
16. most often heard arguments during all that debate was that it  
17. was excluding the General Assembly from the appropriation's  
18. process. What this bill does is bring the General Assembly  
19. back into the appropriation's process regarding pay raises.  
20. It states that every agreement negotiated by the Director of  
21. Personnel affecting pay in the fiscal year commencing July 1,  
22. 1977 and thereafter shall not take affect until it is approved  
23. by joint resolution by a majority of the elected members of  
24. both Houses. I think it is a good bill, and I think it deserves  
25. unanimous support.  
26. PRESIDING OFFICER: (SENATOR BRUCE)  
27. Is there further discussion? Senator Rock.  
28. SENATOR ROCK:  
29. Well, I am...I am going to talk long enough to allow you  
30. to come and down speak on your own behalf is what I'm about here.  
31. I...I don't think the idea is a bad one at all. I maintain that  
32. the General Assembly should, in fact, have the kind of control  
33. that Senator Regner is advocating here. I am sure that there

1. are some who would disagree and probably disagree violently,  
2. but I think the bill is a good one.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Is there further discussion? The question is, shall  
5. Senate Bill 1202 pass. Those in favor vote Aye. Those opposed  
6. vote Nay. The voting is open. And Senator Rock, would you  
7. vote me No, please. Have all voted who wish? Take the record.  
8. On that question, the Ayes are 50, the Nays are 3, none Voting  
9. Present. Senate Bill 1202 having received the constitutional  
10. majority is declared passed. Senate Bill 1204, Senator Regner.  
11. Read the bill, Mr. Secretary.

12. SECRETARY:

13. Senate Bill 1204

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Regner.

18. SENATOR REGNER:

19. Mr. President and members of the Senate, this is a bill  
20. that was on 3rd reading a couple of days ago and I think it was  
21. ready for passage at time and then Senator Hall cited a problem  
22. in his...his own area and requested that we pull it back to  
23. 2nd for his amendment which I agreed to and which we did. So  
24. basically what it does now, it expands the provisions for  
25. sharing of polling places and judges, provides that a...places  
26. on the ballot for people wanting to run for school elections  
27. shall be selected by lot if the people filing are there at  
28. the same time, and it specifies a withdrawal request be filed  
29. between the hours of 8:30 and 4:00 p.m. on weekdays in local  
30. school district office. Now, it says with the Secretary of  
31. the Board. The...the last amendment that was put on by  
32. Senator Hall, he may want to express himself on that.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Kenneth Hall is recognized.

2. SENATOR KENNETH HALL:

3. Yes, the amendment I placed on this was to create a  
4. situation that we had happen down in my area where the  
5. Secretary of the Board had one of members who was filing  
6. for reelection presently...I mean in front of him with his  
7. petitions and all, and then he looked at his watch and  
8. determined that it was a minute past the time and he refused  
9. to take the petition that was filed. This meant that he  
10. had to go into circuit court and had to get a court order  
11. to be placed back on the ballot. We hope that this amendment  
12. will create the situation that did occur.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Further discussion? The question is, shall Senate Bill  
15. 1204 pass. Those in favor vote Aye. Those opposed vote  
16. Nay. The voting is open. Have all voted who wish? Take the  
17. record. On that question, the Ayes are 55, the Nays are 1,  
18. none Voting Present. Senate Bill 1204 having received the  
19. constitutional majority is declared passed. Senate Bill 1215,  
20. Senator Mitchler. Read the bill, Mr. Secretary.

21. SECRETARY:

22. Senate Bill 1215

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Mitchler.

27. SENATOR MITCHLER:

28. Mr. President and members of the Senate, Senate Bill  
29. 1215 amends the Election Code. It eliminates the provision  
30. prohibiting voter registration in the office of city, village  
31. and...during the thirty-five days preceeding the county-wide  
32. election. I know of no objectin to this. It brings into  
33. conformity with other legislation we previously had. And I

1. would ask for a favorable roll call.
2. PRESIDING OFFICER: (SENATOR BRUCE)
3. Senator Maragos.
4. SENATOR MARAGOS:
5. Question. Will the sponsor yield?
6. PRESIDING OFFICER: (SENATOR BRUCE)
7. Indicates he will yield. Senator Maragos.
8. SENATOR MARAGOS:
9. How does this affect the bill that, I think, Senator
10. Berning passed regarding the thirty-five day rule to be
11. uniform throughout the...when there's overlapping counties?
12. PRESIDING OFFICER: (SENATOR BRUCE)
13. Senator Mitchler.
14. SENATOR MITCHLER:
15. It is not my understanding, Senator Maragos, that this
16. coincides with that, and goes right along with it.
17. PRESIDING OFFICER: (SENATOR BRUCE)
18. Senator Rhoads.
19. SENATOR RHOADS:
20. I apologize, Senator Mitchler, I'm having trouble recalling
21. this bill in committee. What you are saying is that voters
22. will be able to be registered? It's okay, Rich. You're saying
23. that voters will be able to be registered continuously, up to,
24. through election day, but not for the election next occurring?
25. Is that what you're saying?
26. PRESIDING OFFICER: (SENATOR BRUCE)
27. Senator Mitchler.
28. SENATOR MITCHLER:
29. Yes. That's the answer to that, yes.
30. PRESIDING OFFICER: (SENATOR BRUCE)
31. Is there further discussion? The...the question is, shall
32. Senate Bill...Senator Rock.
33. SENATOR ROCK:

1. Well, now...now, because of Senator Rhoads' question  
2. which was a good one, I, too, am a little confused. You mean  
3. there's no cut off for registration?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Mitchler.

6. SENATOR MITCHLER:

7. You can register for a future election coming up, but  
8. not for the election that is thirty-five days preceding...  
9. thirty-five days after the cut off date. Anybody can come  
10. into register for an election in the future, but you've got  
11. a cut off date before the election, and that...this...this  
12. makes it conformity with the other legislation that  
13. we have passed previously.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Rock.

16. SENATOR ROCK:

17. Well, two things. One, I...I think that can be done  
18. now and secondly, if it can't, it seems to me that the...the  
19. purpose of the cut off...any cut off date was to allow administra-  
20. tively the...the election officials to get their records in  
21. order. I'm...I'm...I'm frankly...either confused or I don't  
22. see the necessity for this.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Further discussion? Senator Hynes.

25. SENATOR HYNES:

26. Well, Mr. President, I'm not so sure that it...it is limited  
27. as Senator Mitchler indicated. Well, it may be, but I...I don't  
28. read it that way.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Is there further discussion? Senator Maragos.

31. SENATOR MARAGOS:

32. Mr. President, as I remember calling the committee  
33. I think we said that if this brings it from the twenty-eight day to

1. thirty-five day. That was the purpose of this bill. Now,  
2. if it's a...but if does more than that, I'd like to know about  
3. it.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Mitchler.

6. SENATOR MITCHLER:

7. That is my understanding what Senator Maragos just  
8. stated.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator...Senator Kosinski.

11. SENATOR KOSINSKI:

12. If I can suggest this, Senator Mitchler, why don't you  
13. pull it out of the record and let's look at it again.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Well, Gentlemen, the only problem with pulling this  
16. bill out of the record, it means that we will not get back to  
17. it today.

18. SENATOR KOSINSKI:

19. Well...

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Unless there is leave of the Body to return that, and  
22. once we start that, there will be no end. Senator Rhoads.

23. SENATOR RHOADS:

24. I've just been asking numerous members of the Elections  
25. Committee, both Republican and Democrat and...and a lot of us  
26. can't hearing any testimony on this bill, and we...I'm sorry.  
27. I'm just drawing a blank on it. Senator Glass, can you elucidate?

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Glass.

30. SENATOR GLASS:

31. Well, thank you, Mr. President, Ladies and Gentlemen.  
32. Taking a look at the bill, the only thing that's happened is  
33. there's a deletion of five lines, and those five lines used to...

1. do read, but there shall be no registration in the offices of the city,  
2. village, town...and town clerks during the thirty-five days  
3. immediately preceding the election. In other words, there  
4. ...there could only be registration in the office of the  
5. county clerk. So, what...what the amendment does is delete  
6. the...the...the prohibition against registration in...in the  
7. local town offices and...and would allow registration there  
8. on the same basis that registration could be had in the  
9. county office. As I read the bill, that's all it does. It  
10. just puts the township and the...the local registration clerks  
11. on the same basis as the county.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Is there further discussion? Senator Graham.

14. SENATOR GRAHAM:

15. I think...there was anything to be said for this bill,  
16. perhaps the county clerks...Senator Mitchler, have they voiced  
17. any concern about this relative to the administrative problems  
18. this might cause? Senator Mitchler.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Mitchler.

21. SENATOR MITCHLER:

22. I didn't get your question, Senator.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Graham.

25. SENATOR GRAHAM:

26. Have the county clerks voiced to you as they have to me  
27. some of their concerns about the administrative problems that  
28. the passage of this bill might cause?

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Mitchler.

31. SENATOR MITCHLER:

32. No. No.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Graham. Is there further discussion? The
2. question is, shall Senate Bill 1215 pass. Those in favor vote
3. Aye. Those opposed vote Nay. The voting is open. Have all
4. voted who wish? Have all voted who wish? Take the record. On
5. that question, the Ayes are 20, the Nays are 19, 11 Voting
6. Present. Senate Bill 1215 having failed to receive a consti-
7. tutional majority is declared lost. Senate Bill 1219, Senator
8. Mitchler. Read the bill, Mr. Secretary.
9. SECRETARY:
10. Senate Bill 1219
11. (Secretary reads title of bill)
12. 3rd reading of the bill.
13. PRESIDING OFFICER: (SENATOR BRUCE)
14. Is there discussion? Senator Washington.
15. SENATOR WASHINGTON:
16. Senator Mitchler...would he yield for a question?
17. PRESIDING OFFICER: (SENATOR BRUCE)
18. Indicates he will yield. Senator Washington. Senator Washington.
19. SENATOR WASHINGTON:
20. Would you describe the kind of assistance that is given
21. under this Act, Senator Mitchler?
22. PRESIDING OFFICER: (SENATOR BRUCE)
23. Senator Mitchler.
24. SENATOR MITCHLER:
25. Mr. President and members of the Senate, the Senate Bill
26. 1219 is an amendment to the Act regulating the assistance to
27. indigent war veterans and their families. Now, that's the
28. Veterans' Assistance Commission that...several of the counties
29. have. It isn't to all...it isn't operating in all counties.
30. And it adds a requirement that veterans must have at least
31. ninety days service in the Armed Forces and an honorable discharge to
32. be eligible for assistance under the Act. It merely brings it
33. into conformity with the provision that is now in operation for

1. benefits that are administered by the Veterans' Assistance Commission.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Washington.

4. SENATOR WASHINGTON:

5. The thing that bothers me about this Act is that we have  
6. a category of veterans loosely labeled less than honorable  
7. discharge veterans. Some of them may have served two, three  
8. and four years, and who received administrative discharges,  
9. many of which in civilian life would represent at most a  
10. misdemeanor. And there seems to be a pattern of cutting those  
11. veterans off from any benefits...whatsoever.  
12. Many of them fall in the indigent category, and many of them  
13. in civilian life would, perhaps, if anything gotten probation on  
14. a misdemeanor, yet and still they cannot gain the benefits  
15. that other veterans are receiving, and this kind of language in  
16. this kind of an Act simply seals that further into law and  
17. makes them a certain class of kaput gentlemen who just  
18. don't get any benefits. I wouldn't be disturbed about it if  
19. you were talking about someone in the Armed Forces for ninety  
20. days or maybe six months, but many of these gentlemen served  
21. in the Armed Forces for a year, year and a half, two years,  
22. and they're now just flotsam and jetsam out in the community. No  
23. one is concerned about them. They can get no educational  
24. benefits. They can't get jobs. We blanketed into the FEPC  
25. Act a qualification that no one could be denied a job solely  
26. on the basis that he has less than an honorable discharge. I  
27. don't think we should propound this sort of thing. It's a  
28. case by case category, and I'm simply saying that there are  
29. many people who fall in that category of less than honorable  
30. discharges who might well deserve the benefits of this  
31. legislation, and based on that, I can't support it.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Is there further discussion? Senator Newhouse.

1. SENATOR NEWHOUSE:

2. Senator, I would like to support this bill, but I  
3. ...with endorsed by reference everything that Senator Washing-  
4. ton said, I wonder if you would pull it out of the record  
5. and pull it back to 2nd and make that amendment.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Mitchler.

8. SENATOR MITCHLER:

9. No. This...I don't know...I have...quite understand  
10. your objections. If you're objecting to the fact that a man  
11. or woman serving in the military...they don't have an honorable  
12. discharge, you don't give them all these benefits. They  
13. qualify and earn these by honorable service. And ninety  
14. days is put into the Act so that it conforms to the program  
15. that we now have. If you want to open it up, they all have  
16. it...the possibility to have their discharges reviewed and this  
17. is being expanded under the Carter Administration, so there's  
18. no problem there.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Newhouse.

21. SENATOR NEWHOUSE:

22. Well, Senator, I see several problems. One is you  
23. eliminate the medical dischargees and secondly, you...you...you  
24. take a huge category that Senator Washington pointed out of  
25. people who are discharged after...after long and honorable...  
26. and combat service, if you will, who have been wounded, and  
27. who have been discharged under circumstances that may involve  
28. misdemeanors. It seems to me it's a complete disservice to those  
29. people.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Chew.

32. SENATOR CHEW:

33. Yes, since Senator Mitchler doesn't understand the objections, I'll

1. give him a classic example. Some of the men that Senator  
2. Washington spoke of were arbitrarily discharged with less than  
3. an honorable discharge simply because you had narrow-minded  
4. commanders to make the recommendations. As we find in civilian  
5. life, Senator, the majority tramples the minority. And what  
6. he's saying is if you want to get your bill in order, you  
7. would not exclude those persons with discharged less than  
8. honorable. Yes, there are expansions. President Carter  
9. recognized that. But the ordeal of going through the in-  
10. vestigations and hearings on these discharges is tremendous.  
11. What we're saying is, just simply pull the bill back and  
12. amend it to include these people. We're not saying include  
13. those with dishonorable discharges. We're saying that less  
14. than honorable which can be a variety of things. No real  
15. cause on the part of those that are receiving it, but again  
16. as we face everyday...maybe you don't know anything about this.  
17. As we face everyday, rules and regulations coming down for  
18. the oppressed and downtrodden and those people that went into  
19. service to try and serve their countries encountered hard-  
20. ships...the Vietamese War is an example as not being an honorable  
21. war. It's been recognized by the Supreme Court. It's been  
22. recognized by the Veterans. It was recognized by many, many  
23. generals and people participating in it. Just a so-called  
24. police action, but many men came back home with less than  
25. honorable discharges, Senator, and you know that as well as  
26. I do, and we're just asking you to include those persons  
27. if the benefits ever come forth...

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Is there...

30. SENATOR CHEW:

31. ...and we're asking you to pull it back to 2nd reading  
32. for the purpose of that amendment. We'll get leave from the  
33. Senate that you can call it again if you so desire doing what is

1. basically right.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. ...Is there further...further discussion? Senator Mitchler.

4. SENATOR MITCHLER:

5. In response to Senator Chew, the bill came out of the  
6. committee ten to nothing. The bill is in proper form as it is  
7. now in my opinion. If you want to put amendments on the  
8. House, you have got enough colleagues over there that you  
9. can talk to them. It goes through the same process, and I...  
10. it's in the form that I would like to have it passed in the  
11. House, and I'd ask for a favorable roll call.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Chew, for the second time.

14. SENATOR CHEW:

15. Not the second time, just to answer because my name was  
16. called. I would urge a No vote on this bill because it is  
17. not in shape that it should be. It...the purpose was not to  
18. serve those that were concerned. The purpose was to serve  
19. a personal benefit pertaining to all of the veterans' groups  
20. that he represent, so I'd urge...vote.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Washington, for the second time.

23. SENATOR WASHINGTON:

24. Yes, Senator Mitchler, this is a very, very serious  
25. problem. First of all, we're not talking about dishonorably  
26. discharged veterans. That's another category. We're talking  
27. about less than honorable discharge individuals whose violations  
28. in the Army didn't justify a court martial, and that was what  
29. we call an administrative discharge, and you find thousands  
30. of gentlemen all over the country and in Illinois in that  
31. category. They have been shut out of all government benefits.  
32. There have been procedures set up in the Federal Government whereby  
33. which these cases can be screened. We, in Illinois, recognize

1. this problem and we have amended the Fair Employment Practice  
2. Commission Act to provide that they cannot be denied employment  
3. solely because of that less than...dishonorable discharge. What  
4. we're saying here is that...that this is a serious problem.  
5. Any benefits given out should not categorically and absolutely  
6. shut these gentlemen out, and we're simply requesting that you  
7. hold the bill so that we can look at it and perhaps rectify it.  
8. PRESIDING OFFICER: (SENATOR BRUCE)

9. The question is, shall Senate Bill 1219 pass. Those in  
10. favor vote Aye. Those opposed vote Nay. The voting is open.  
11. Have all voted who wish? Take the record. On that question,  
12. the Ayes are 37, the Nays are 10, 3 Voting Present. Senate Bill  
13. 1219 having received the constitutional majority is declared  
14. passed. Senate Bill 1222, Senator Mitchler.

15. ACTING SECRETARY: (MR. FERNANDES)

16. Senate Bill 1222

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Mitchler.

21.

22.

23.

24.

(end of reel)

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33.

1. SENATOR MITCHLER:

2. Mr. President and members of the Senate. Senate  
3. Bill 1222 is a new Act which would provide that the  
4. unclaimed lottery money, won, but not claimed within  
5. one year, shall be deposited in a new fund to be  
6. known as the Park District's Distributive Fund instead  
7. of General Revenue. The money in the fund to be  
8. distributed to park districts on a per capita basis  
9. by the Department of Local Government Affairs. It  
10. also amends the Illinois Lottery Act. I would  
11. ask for a favorable roll call.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Is there discussion? Senator Demuzio. I'd like  
14. to ask the sponsor...what...what kind of money we  
15. talking in terms of dollars and cents. What has been  
16. the history of the unclaimed lottery money for the  
17. last twelve months?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Mitchler.

20. SENATOR MITCHLER:

21. The last fiscal year, 1976, there was three hundred  
22. thirty thousand dollars in unclaimed prize money. Which  
23. if this bill had been law, would come out of the General  
24. Revenue and been distributed in the various park  
25. districts on a population basis.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Demuzio.

28. SENATOR DEMUZIO:

29. Well, Mr. President, I just rise in opposition to  
30. this bill. I...I could think of several more important  
31. areas, not saying that park districts aren't important  
32. to the State of Illinois, that this money could very  
33. well go to. It's my understanding that it goes into  
34. the General Fund as of now and certainly when the

1. lottery was established way back when, before my time,  
2. I think most people in Illinois had the misconception  
3. that this money was going to be used for...the lottery  
4. money was going to be used for education. It has not  
5. been. It goes into the General Fund where probably  
6. should well and properly be. And I would suggest to  
7. you that this is a bad bill and I'm not going to  
8. support it.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Netsch.

11. SENATOR NETSCH:

12. Thank you, Mr. President. To add just a couple  
13. of points to that. It seems to me that by the time  
14. you spread three hundred thousand dollars among  
15. all of the park districts in the State, you are  
16. not giving them enough money to make it worth all  
17. of the bookkeeping that would have to go into  
18. creating a special fund and keeping count of it  
19. and distributing the funds therefrom. It's...it's  
20. absurd on that ground alone. But even if it were  
21. a larger amount, Senator Mitchler, the last thing  
22. in the world we ought to do to ourselves, is to  
23. start creating additional special funds and earmarking  
24. whatever receipts they might be into those special  
25. funds. We should have learned by now that that  
26. is one of the many problems of our...one of the  
27. many reasons for our fiscal difficulties. This is  
28. not an appropriate way to resolve these problems.  
29. The money should stay in General Revenue where  
30. it belongs.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Is there further discussion? Senator Berman.

33. SENATOR BERMAN:

1. My comments have been stated.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Is there further discussion? The question is  
4. shall Senate Bill 12...Senator Mitchler.

5. SENATOR MITCHLER:

6. I just want to respond to...in closing remarks,  
7. to Senator Demuzio. The...when the lottery was  
8. passed, originally introduced in the House, the Lottery  
9. Act. It was earmarked for education, but that was  
10. amended out when the Act was passed, the lottery was  
11. passed. It was passed simultaneous with the RTA Act,  
12. with the understanding that that would be providing  
13. into General Revenue about sixty to seventy, eighty  
14. million dollars, they didn't know that would be  
15. off setting the amount that was to be taken from the  
16. General Revenue of the State of Illinois in the  
17. form of the sales tax portion allocated from the  
18. RTA area to make up the State's original contribution  
19. of about seventy to eighty million dollars to the  
20. RTA, which incidently has grown to about a hundred  
21. and twenty, hundred and thirty million now. So, to  
22. get that misconception away. I did not want to have  
23. this diverted into any fund that I felt must rely  
24. on it because some day the lottery may become extinct  
25. and it could be phased out. I would ask for a favorable  
26. roll call.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. The question is shall Senate Bill 1222 pass.  
29. Those in favor vote Aye. Those opposed vote Nay.  
30. The vote...voting is open. Senator Carroll. ...would  
31. you vote me no. Have all voted who wish? Have all  
32. voted who wish? Take the record. On that question  
33. the Ayes are 25, the Nays are 25, 3 Voting Present.

1. Senate Bill 1222 having failed to receive the constitutional  
2. majority is declared lost. Senate Bill 1234, Senator Moore.  
3. Read the bill, Mr. Secretary, please.  
4. ACTING SECRETARY: (MR. FERNANDES)  
5. Senate Bill 1234.  
6. (Secretary reads title of bill)  
7. 3rd reading of the bill.  
8. PRESIDING OFFICER: (SENATOR BRUCE)  
9. Senator Moore.  
10. SENATOR MOORE:  
11. Thank you, Mr. President and members of the Senate.  
12. Senate Bill 1234 amends the Chicago Regional Port District  
13. Act and it adds the general description of land which the  
14. Port District may acquire. Specifically the hundred and  
15. ninety-five acres of land located at the mouth of the  
16. Little Calumet River and Lake Michigan. This land is  
17. essentially needed if we're going to have a viable  
18. containerization port in the State of Illinois. The  
19. bill came about as the result of a recommendation of  
20. the Commission on Economic Development. Be happy  
21. to answer any questions. Ask for a favorable roll  
22. call.  
23. PRESIDING OFFICER: (SENATOR BRUCE)  
24. Is there questions? Senator Johns.  
25. SENATOR JOHNS:  
26. Just like to voice my support for this bill.  
27. I'm Chairman of the Port Commission of the Economic  
28. Development Commission. We've traveled throughout the  
29. United States. We find this is desperately needed and  
30. I urge...I urge a favorable vote on this piece of  
31. legislation.  
32. PRESIDING OFFICER: (SENATOR BRUCE)  
33. Is there discussion, Senator...  
34. SENATOR JOHNS:  
35. It's bipartisan.

1. PRESIDING OFFICER: (SENATOR BRUCE)  
2. Senator Demuzio.  
3. SENATOR DEMUZIO:  
4. One quick question of the sponsor. Why...it's  
5. my understanding that this is the same as Senate Bill  
6. 1891 from the '75 Session. Got out of committee, went  
7. over to the House, got out of committee on the...in  
8. the House and was Tabled in the last few days of  
9. the Session in...in 1975 in the House. If this is  
10. so important, what happened to it over there.  
11. PRESIDING OFFICER: (SENATOR BRUCE)  
12. Senator Moore.  
13. SENATOR MOORE:  
14. Well, one, there were a lot of bills Tabled that  
15. day and two, I would imagine it was because of the  
16. differences that the former Governor had...the former  
17. Governor of our State had with the prior Mayor of the  
18. City of Chicago.  
19. PRESIDING OFFICER: (SENATOR BRUCE)  
20. Further discussion? The question is shall Senate  
21. Bill 1234 pass. Those in favor vote Aye. Those opposed  
22. vote Nay. The voting is open. Have all voted who wish?  
23. Take the record. On that question the Ayes are 43, the  
24. Nays are 3, 5 Voting Present. Senate Bill 1234 having  
25. ...having received a constitutional majority is declared  
26. passed. Senate Bill 1235, Senator Merlo. Read the bill,  
27. Mr. Clerk...Mr. Secretary.  
28. ACTING SECRETARY: (MR. FERNANDES)  
29. Senate Bill 1235.  
30. (Secretary reads title of bill)  
31. 3rd reading of the bill.  
32. PRESIDING OFFICER: (SENATOR BRUCE)  
33. Senator Merlo.

1. SENATOR MERLO:

2. Mr. President, I would like to yield to my  
3. esteemed colleague, Senator Carroll, for the explanation  
4. of this bill, please.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Carroll.

7. SENATOR CARROLL:

8. Thank you, Senator Merlo, I'll follow your words  
9. and think you described the bill very well. This is  
10. a twenty million dollar project for acquisition by  
11. the Capital Development Fund, through the Department  
12. of Conservation for parks that they pick, Department  
13. of Conservation picks in the urban areas of this  
14. State. We have provided before for them to pick and  
15. maintain parks in other areas of this State and felt  
16. that it was time that they also do the same within  
17. the urban areas so that the parks will be close to  
18. where the people are. There are three bills in the  
19. House that are apparently companion to this in that  
20. they establish the codes, changes necessary, to  
21. implement this and provide for the establishment  
22. and maintenance by the State of Illinois, Department  
23. of Conservation of parks in urban areas. I would  
24. ask for a favorable roll call.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Is there discussion? Senator Sommer.

27. SENATOR SOMMER:

28. Mr. President, I would suggest that this is not  
29. budgeted. The real cost of it is thirty-four million  
30. dollars by the time you get done. And here's what  
31. half of it goes for. It goes for the South Shore  
32. Country Club in Chicago. If you remember the East...  
33. Edgewater Beach Case, we bonded that and then transferred  
34. it to the City of Chicago. So I would anticipate that

1. the same thing was going to happen on this one and  
2. it's the same sort of bill. It's thirty-four million  
3. dollars of unbudgeted money.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Berman.

6. SENATOR BERMAN:

7. Thank you, Mr. Speaker...Mr. President, first I'd  
8. ask for leave to be added as a cosponsor. This bill  
9. is handled ably by Senators Merlo and Carroll. That's  
10. only because it was my bill two years ago and I  
11. think it's a bill that gives recognition to the need  
12. for additional recreational space in urban areas. I  
13. urge your support.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Further discussion? Senator Weaver.

16. SENATOR WEAVER:

17. Seems like the price tag on this bill is about  
18. the same as the price tag for Food Research Production.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Carroll.

21. SENATOR CARROLL:

22. To close, I assume.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Is there further discussion before Senator Carroll  
25. closes? Senator Carroll to close.

26. SENATOR CARROLL:

27. Thank you. Very quickly, this is a twenty million  
28. dollar project for all areas of the State that are  
29. urban areas. They put the parks where the people are  
30. and Senator Sommer made reference to a particular  
31. former golf club that it was said that since I couldn't  
32. get into while it was private, that maybe I was trying  
33. to get the State to buy it. There's no allocation in

1. this bill for any park or any area of the State. It  
2. is given to the Department of Conservation so to  
3. choose and I would ask for a favorable roll call.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Newhouse, Senator Carroll had closed.  
6. Senator Newhouse.

7. SENATOR NEWHOUSE:

8. A point of something or another, Mr. Chairman.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Newhouse.

11. SENATOR NEWHOUSE:

12. South Shore Country Club...South Shore happens to  
13. be my district. I'd just like to inform Senator  
14. Sommer that that is bought and paid for presently.  
15. Now is there's...no South...South Shore was specifically  
16. mentioned and it's my district. I'd love to have some  
17. more money for it so we can...rehab it and if that's in  
18. the bill, I'll vote for it two or three times, but I  
19. presently...that...that's already paid for.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. The question is shall Senate Bill 1235 pass.  
22. Those in favor vote Aye. Those opposed vote Nay. The  
23. voting if open. Have all voted who wish? Have all  
24. voted who wish? Take the record. On that question the  
25. Ayes are 32, the Nays are 23, none Voting Present.  
26. Senate Bill 1235 having received the constitutional  
27. majority is declared passed. There's been a request  
28. for verification. Secretary...will the members please  
29. be in their seats. Secretary will call those Gentlemen  
30. and Ladies who voted in the affirmative.

31. SECRETARY:

32. The following voted in the affirmative: Berman,  
33. Bruce, Buzbee, Carroll, Chew, Clewis, Collins, D'Arco,

1. Daley, Demuzio, Donnewald, Egan, Guidice, Kenneth Hall,  
2. Hickey, Johns, Joyce, Knuppel, Kosinski, Lane, Lemke,  
3. Maragos, Merlo, Leonard, Netsch, Newhouse, Rock, Savickas,  
4. Vadalabene, Washington, Wooten, Mr. President.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Weaver. Senator Weaver, are you questioning  
7. anyone, on the affirmative roll call? The roll call has  
8. been verified on that question. The Ayes are 32, the  
9. Nays are 23, none Voting Present. Senate Bill 1235  
10. having received a constitutional majority is declared  
11. passed. Senate Bill 1243. Senator Johns.

12. SECRETARY:

13. Senate Bill 1243.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Johns. For what purpose does Senator Regner  
18. arise? Oh, Senator Johns.

19. SENATOR JOHNS:

20. Senate Bill 1243 is an attempt to solve a three  
21. party problem in the City of Carbondale. And the reason  
22. I'm handling this particular bill is because the people  
23. that own the property came to me and they live in my  
24. home town of Marion. The Carbondale Armory, under  
25. control of the military and the Naval Department does not  
26. have parking facilities. Yet when meetings and weekend  
27. duty occurs, people must park on the city streets. Private  
28. citizens, whose property is adjacent to the armory, consistently  
29. have littering problems because the Armory, which upsets  
30. the neighbors. The man in Marion would like to sell his  
31. property to the Armory. The National Guard would like  
32. to have it. The City of Carbondale does not have the  
33. funds to buy the land or a large enough sewerage system

1. to handle commercial development. Additionally, the  
2. parking situation especially on weekends, creates  
3. quite a few traffic problems. Thus, Senate Bill 1253  
4. attempts to solve these problems by funding the land  
5. acquisition for the State agency. The Armory would  
6. have its parking facility, the private citizen would  
7. not have the littering problem and the City of  
8. Carbondale would be relieved of its traffic problem.  
9. I urge a favorable roll call and Senator Regner.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Is there...is there discussion? Senator Regner.

12. SENATOR REGNER:

13. A question for the sponsor. . .

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Indicates that he will yield. Senator Regner.

16. SENATOR REGNER:

17. Senator Johns, do you have a cash register going  
18. so you could tell us how much unbudgeted money you've  
19. gotten for your...downstate area so far.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Johns.

22. SENATOR JOHNS:

23. I left my guns at home today, boys. I'm just  
24. going to touch you slightly.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Grotberg. Senator Regner.

27. SENATOR REGNER:

28. Well, this...this is another request for monies  
29. that aren't in the budget. We've been doing a very  
30. heavy job so far today and the previous week of  
31. appropriating unbudgeted monies in excess of the budget.  
32. Now...and this is a program that's meant to satisfy a  
33. private citizen in Carbondale and when you take that

1. in conjunction with the fact that it's unbudgeted, I  
2. certainly think this bill should be defeated.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Grotberg.

5. SENATOR GROTBORG:

6. Yes, I rise in opposition to this bill because  
7. in debate in committee it was discovered and the  
8. sponsor has properly related some of that to you,  
9. but this parking lot is littered by National  
10. Guardsmen, who probably, with all of the wars going  
11. on in southern Illinois are so busy fighting wars  
12. they haven't got time to police the lot like we  
13. used to have to do when we were in the service.  
14. And it bothers me that the State of Illinois  
15. should take over that piece of property when just  
16. proper administration down there could keep it  
17. cleaned up. I...I rise in opposition to this bill.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Is there further discussion? Senator Kosinski.

20. SENATOR KOSINSKI:

21. Let me tell you, Senator, thank God for the National  
22. Guards. I am a former National Guardsman and I served  
23. in the Army. So don't go criticizing the National  
24. Guards.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. The question is shall Senate Bill...Senate  
27. Bill 1243 pass. Those in favor vote Aye. Those  
28. opposed vote Nay. The voting is open. Have all  
29. voted who wish? Have all voted who wish? Take the  
30. record. On that question the Ayes are 30, the Nays  
31. are 21, 2 Voting Present. Senate Bill 1243 having  
32. received a constitutional majority is declared passed.  
33. Senate Bill 1248, Senator Mitchler. Read the bill,

1. Mr. Secretary.

2. SECRETARY:

3. Senate Bill 1248.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Mitchler.

8. SENATOR MITCHLER:

9. Mr. President and members of the Senate. I'd like

10. to ask leave to have Senate Bill 1248 returned to 2nd

11. reading for the purpose of placing two amendments on

12. that Senator Savickas and I have been working on and

13. then I'm going to move that the bill be recommitted

14. to the committee.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Mitchler, might it be advisable just to

17. recommit the bill to committee.

18. SENATOR MITCHLER:

19. ...Well we're going to get the amendments on, if

20. we may.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. And then have the amendments put on in committee.

23. SENATOR MITCHLER:

24. No, put on here.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Mitchler asks leave of the Body to

27. return the bill to the Order of 2nd reading for the

28. purpose of amendment. Is there leave? Leave is granted.

29. Senator Mitchler, there has been objection to your

30. requesting suspension of the rules to return the bill to the

31. Order of 2nd reading. Senator Mitchler. Senator Mitchler

32. SENATOR MITCHLER:

33. ...I've asked leave and by all this time you're

1. wasting Mr. President, you could have the amendments  
2. on on the next order of business. Let's put the  
3. two amendments on as agreed to by Senator Savickas  
4. and...

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Rock. Gentlemen, we've done very well  
7. this morning, let's...Senator Rock.

8. SENATOR ROCK:

9. I think, you know, it's unusual for this Body to  
10. deny a sponsor leave to bring his bill back to 2nd  
11. for the purpose of an amendment. He does, in fact,  
12. have an agreement with the committee chairman that  
13. once these amendments are on the bill, it'll be  
14. recommitted. Why don't we get that done and let's  
15. keep moving.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Is there leave? Leave is granted. The bill is  
18. on the Order of 2nd reading.

19. SECRETARY:

20. Amendment No. 1 offered by Senator Mitchler.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Mitchler.

23. SENATOR MITCHLER:

24. These are grammatical...technical errors that were  
25. discovered in Enrolling and Engrossing. Move for adoption.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. You heard the motion to adopt. All in favor say  
28. Aye. All opposed Nay. The Ayes have it. ...Amendment  
29. No. 1 is adopted. Further amendments?

30. SECRETARY:

31. Amendment No. 2 offered by Senator Mitchler.

32. PRESIDING OFFICER: (SENATOR MITCHLER)

33. Senator Mitchler moves the adoption of Amendment No. 2.

1. All in favor say Aye. All opposed Nay. The Ayes have it.  
2. Amendment No. 2 is adopted. Senator Mitchler now moves  
3. that the bill be...any further amendments?

4. SECRETARY:

5. No further amendments.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. 3rd reading. Senator Mitchler now moves to  
8. recommit Senate Bill 1248 to the Senate Committee on  
9. Labor. All in favor say Aye. Opposed Nay. The Ayes  
10. have it. The bill is recommitted to committee. Senate  
11. Bill 125...Senate Committee on Labor and Commerce.  
12. Thank you, Senator Harber Hall. Senator Nimrod, Senate  
13. Bill 1251. Senator Nimrod on the Floor? Senate Bill  
14. 1257, Senator Schaffer. Read the bill, Mr. Secretary.

15. SECRETARY:

16. Senate Bill 1257.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDENT:

20. Senator Schaffer.

21. SENATOR SCHAFFER:

22. Mr. President, members of the Senate. This bill  
23. was before the Body once before and Senator Maragos  
24. had some concerns that these inspections would leave  
25. these various food establishments without inspections.  
26. I believe the Department of Public Health has assured  
27. him that that would not happen. This bill simply  
28. eliminates a...a...duplicatory inspection and it is...it is  
29. I think very much in order.

30. PRESIDENT:

31. Any discussion? Senator Maragos.

32. SENATOR MARAGOS:

33. I agree with the remarks. The department has

1. assured me that under the Sanitary Inspection Act these  
2. facilities are being inspected and therefore, I move  
3. for the adoption of this bill.

4. PRESIDENT:

5. Is there any further discussion? If not, the  
6. question is shall Senate Bill 1257 pass. Those in  
7. favor will vote Aye. Those opposed will vote Nay.  
8. The voting is open. Have all voted who wish? Have  
9. all voted who wish? Take the record. On that  
10. question the Ayes are 52, the Nays are none. None  
11. Voting Present. Senate...Senate Bill 1257 having  
12. received a constitutional majority is declared  
13. passed. Do we have leave to go to Senate Bill 1258?  
14. Senator Nimrod was in the telephone booth. 1251.  
15. Leave is granted. Senator Nimrod on 1251. Read the  
16. bill.

17. SECRETARY:

18. Senate Bill 1251.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDENT:

22. Senator Nimrod.

23. SENATOR NIMROD:

24. Yes, I would like leave to return this bill to  
25. 2nd order for purpose of amendment.

26. PRESIDENT:

27. Senator Nimrod has asked leave to bring the  
28. bill back to the Order of 2nd reading for the purpose  
29. of amendment. Is leave granted? Leave is granted.  
30. The bill is on 2nd reading. Senator Nimrod.

31. SECRETARY:

32. Amendment No. 1 offered by Senator Berman and  
33. Nimrod.

1. PRESIDENT:

2. Senator Nimrod.

3. SENATOR NIMROD:

4. Yes, Ladies and Gentlemen of the Senate. This  
5. amendment brings this in line as a result of the  
6. affect it'd have in Cook County as four quad...quadrants  
7. and their reassessment and what's happened is that  
8. every time this goes through for the first quadrant,  
9. we've had to adjust so that we can make sure that the  
10. schools do not lose the tax money that they have  
11. coming. So it guarantees them, at least, the same  
12. amount that they had in the past. This amendment  
13. brings...Senate Bill 1251 in line to provide for  
14. that item. I would move for the adoption of the  
15. amendment.

16. PRESIDENT:

17. Is there any discussion? If not, Senator  
18. Nimrod moves the adoption of Amendment No. 1.  
19. All those in favor signify by saying Aye. Opposed.  
20. The Ayes have it. The amendment is adopted. Any  
21. further amendments?

22. SECRETARY:

23. No further amendments?

24. PRESIDENT:

25. 3rd reading. Senate Bill 1258, Senator Don Moore.  
26. Read the bill.

27. SECRETARY:

28. Senate Bill 1258.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDENT:

32. Senator Moore.

33. SENATOR MOORE:

1. Thank you, Mr. President and members of the Senate.  
2. This was the adoption bill that we had up the other day  
3. that we took out of the record. I have worked with  
4. Senator Rock to remove the objections of Senator  
5. Knuppel, Senator Bruce, all of Section 8 dealing with  
6. the two Judicial determinations, the psychiatrists,  
7. psychologists, have been removed from the bill. I  
8. believe there's no objection to it. I'd ask for a  
9. favorable roll call.

10. PRESIDENT:

11. Is there any discussion? If not, the question  
12. is shall Senate Bill...Senator Glass.

13. SENATOR GLASS:

14. Thank you, Mr. President. I do...I would appreciate  
15. it, Senator Moore, if you could indicate, as amended,  
16. now what...what the bill does. Does it allow removal  
17. of children from their parents based on physical abuse  
18. only or are there other grounds?

19. PRESIDENT:

20. Senator Moore.

21. SENATOR MOORE:

22. Yes, Senator Glass, the controversial section of  
23. the bill, was a new section, Section 8, or it amended  
24. Section 8, dealing with the two Judicial determinations,  
25. et cetera. We add additional language of unfit persons  
26. to include two or more findings of physical abuse to  
27. any child under Section 4.8, habitual drunkenness or  
28. addiction to drugs other than those described by the  
29. physician, et cetera.

30. PRESIDENT:

31. Further discussion? If not, the question is shall  
32. Senate Bill 1258 pass. Those in favor will vote Aye.  
33. Those opposed will vote Nay. The voting is open.

1. (Machine cut-off) voted who wish? Have all voted who  
2. wish? Take the record. On that question the Ayes  
3. are 54, the Nays are none. None Voting Present.  
4. Senate Bill 1258 having received a constitutional  
5. majority is declared passed. Senate Bill 1259,  
6. Senator Shapiro.

7. SECRETARY:

8. Senate Bill 1259.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDENT:

12. Senator Shapiro.

13. SENATOR SHAPIRO:

14. Mr. President, and Ladies and Gentlemen of the  
15. Senate. Senate Bill 1259 as amended, provides for  
16. a new term for the Commissioner of Banks and Trust  
17. Companies and a Deputy Commissioners, beginning  
18. the third Monday of October in 1977. In addition  
19. it raises the salary of the Commissioner from thirty  
20. thousand to thirty-nine thousand. The First Deputy  
21. Commissioner from twenty-seven to thirty-seven  
22. thousand and the other two Deputy Commissioners from  
23. twenty-seven to thirty-five thousand. If there are  
24. any questions, I'd be more than glad to answer them,  
25. otherwise, I would appreciate a favorable roll call.

26. PRESIDENT:

27. Senator Walsh.

28. SENATOR WALSH:

29. Will the Gentleman yield?

30. PRESIDENT:

31. Indicates he will yield.

32. SENATOR WALSH:

33. It's either in the Digest or on the...on the

1. Calendar, it indicates that they're to be paid bimonthly,  
2. is that correct?

3. PRESIDENT:

4. Senator Shapiro.

5. SENATOR SHAPIRO:

6. That is not correct. They are paid equal monthly  
7. installments.

8. PRESIDENT:

9. Is there any further discussion? Senator Mitchler.

10. SENATOR MITCHLER:

11. In as much as this is establishing a...a new  
12. Chief Deputy Commissioner, a Deputy Commissioner,  
13. Chief Deputy Commissioner, at a salary of thirty-seven  
14. thousand, who is the new Chief Deputy? Is that a new...  
15. someone new...is that someone that's been in the  
16. employee of the State of Illinois for some time?

17. PRESIDENT:

18. Senator Shapiro.

19. SENATOR SHAPIRO:

20. That is not a new position and to the best of  
21. my knowledge, the Chief Deputy is a long time employee  
22. and has occupied this position for a good number of  
23. years.

24. PRESIDENT:

25. Senator Mitchler.

26. SENATOR MITCHLER:

27. I was wondering how many Deputy Commissioners  
28. we have then?

29. PRESIDENT:

30. Senator Shapiro.

31. SENATOR SHAPIRO:

32. There...there are three Deputy Commissioners.  
33. One designated as the first Deputy Commissioner and

1. the other two designated as Deputy Commissioners.

2. PRESIDENT:

3. Senator Shapiro.

4. SENATOR SHAPIRO:

5. Senator, I am not aware of their term of  
6. service. There is one vacancy in those two lesser  
7. spots, though, from what I understand and that there  
8. will be a new person hired for that.

9. PRESIDENT:

10. Senator Mitchler.

11. SENATOR MITCHLER:

12. Well, the reason I asked those questions,  
13. because we are getting rather sizable increases in  
14. salary and establishing that new higher level position  
15. for one of them as the...I believe they call it the  
16. Chief Deputy. And back in my district, when we have  
17. these sizable increases in salaries, it...it causes  
18. a tension of the people and now these are going to  
19. be locked in for a period of five years. Now, in  
20. order to give this increase in salary and lock them  
21. in for five years, you're going to terminate their  
22. term of office next October and then you're going  
23. to reappoint them. So, members of the General Assembly,  
24. those of you that have your salary locked in for any  
25. period of time, maybe there ought to be something in  
26. the Statutes that you can go back and run for reelection  
27. in the middle of your term so that you can get an  
28. increase in salary. There's a lot to this particular  
29. one and I want to bring it to your attention so you  
30. know what you're voting on. I personally am going  
31. to vote No.

32. PRESIDENT:

33. Senator Mitchler...is there any further discussion?

1. If not, the...Senator Rock.

2. SENATOR ROCK:

3. Thank you, Mr. President, Ladies and Gentlemen of

4. the Senate. I rise in wholehearted support of Senate

5. Bill 1259 as amended and would ask the members on

6. this side to support this legislation.

7. PRESIDENT:

8. Senator Bloom.

9. SENATOR BLOOM:

10. One question, or two questions.

11. PRESIDENT:

12. Indicates he will yield.

13. SENATOR BLOOM:

14. Is...is this bill put in with the...at the

15. request of our vibrant new Governor?

16. PRESIDENT:

17. Senator Shapiro.

18. SENATOR SHAPIRO:

19. Yes.

20. PRESIDENT:

21. Senator...the question is shall Senate Bill 1259

22. pass. Those in favor will vote Aye, those opposed

23. will vote Nay. The voting is open. Have all voted

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

25. On that question the Ayes are 38, the Nays are 9, 7

26. Voting Present. Senate Bill 1259 having received a

27. constitutional majority is declared passed. Senate

28. Bill 1264, Senator Shapiro. Read the bill.

29. SECRETARY:

30. Senate Bill 1264.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDENT:

1. Senator Shapiro.

2. SENATOR SHAPIRO:

3. Mr. President and Ladies and Gentlemen of the  
4. Senate. This bill was discussed very thoroughly several  
5. days ago and essentially what it does is allows the  
6. department through its advisory, the Real Estate  
7. Examining. Committee to contract for an independent  
8. outside testing service. At that time, a very valid  
9. question was raised concerning some confusing new  
10. language. By amendment we remove that language, I  
11. think the bill is in excellent shape and I would  
12. appreciate a favorable roll call.

13. PRESIDENT:

14. Is there any discussion? If not, the question  
15. is shall Senate Bill 1264 pass. Those in favor will  
16. vote Aye. Those opposed will vote Nay. The voting  
17. is open. Have all voted who wish? Have all voted  
18. who wish? Take the record. On that question the  
19. Ayes are 52, the Nays are none, none Voting Present.  
20. Senate Bill 1264 having received a constitutional  
21. majority is declared passed. Senate Bill...Senate  
22. Bills 1274 and 1275 are related and part of the...the  
23. package with Senate Bill 165. With leave of the Body,  
24. we will pass those bills now and consider them in  
25. connection with Senate Bill 165 when it is called.  
26. Is leave granted? Leave is granted. Senate Bill  
27. 1280, Senator Schaffer.

28. SECRETARY:

29. Senate Bill 1280.

30. (Secretary reads title of bill)

31. 1st reading of the bill.

32. PRESIDENT:

33. Senator Schaffer.

1. SENATOR SCHAPPER:

2. Senate Bill 1280 as amended provides a procedure  
3. whereby a local school board can request a hazardous  
4. situation, be certified by the Office of Education in  
5. consultation with the Department of Transportation and  
6. that that child can then be picked up and that school  
7. district reimbursed. I know of no opposition to  
8. the bill as amended and would appreciate a favorable  
9. roll call. I believe Senator Berman is with me  
10. on this bill and I think we've got it in good shape.

11. PRESIDENT:

12. Is there any discussion? If not, the question  
13. is shall Senate Bill 1280 pass. Those in favor will  
14. vote Aye. Those opposed will vote Nay. The voting  
15. is open. Have all voted who wish? Have all voted  
16. who wish? Take the record. On that question the  
17. Ayes are 47, the Nays are none, none Voting Present.  
18. Senate Bill 1280 having received a constitutional  
19. majority is declared passed. Senate Bill 1284,  
20. Senator Roe. Read the bill.

21. SECRETARY:

22. Senate Bill 1284.

23. (Secretary reads title of bill)

24. PRESIDENT:

25. Senator Roe.

26. SENATOR ROE:

27. Mr. President, I know this is going to break a  
28. lot of hearts, but I'm going to move to recommit  
29. the bill to Appropriations.

30. PRESIDENT:

31. Senator Roe moves to recommit Senate Bill 1284  
32. to the Senate Committee on Appropriations. All those  
33. in favor signify by saying Aye. Opposed. The Ayes

1. have it. The bill is recommitted. Senate Bill 1285,  
2. Senator Roe. Read...read...Senator Roe moves to  
3. recommit Senate Bill 1285 to the Committee on...  
4. Judiciary...to the Committee on Judiciary I. All in  
5. favor signify by saying Aye. Opposed. The Ayes have  
6. it. So ordered. Senate Bill 1290, Senator Nimrod.  
7. Read the bill.

8. SECRETARY:

9. Senate Bill 1290.

10. (Secretary reads title of bill)

11. 1st...3rd reading of the bill.

12. PRESIDENT:

13. Senator Nimrod.

14. SENATOR NIMROD:

15. This bill, Ladies and Gentlemen of the Senate, is  
16. just to bring conformity with the State Board of Elections  
17. that which was required by the Secretary of State before.  
18. It transfers the authority from Secretary of State to  
19. the State Board of Elections for filing your forms for  
20. delegates for National Convention. Ask for a favorable  
21. roll call.

22. PRESIDENT:

23. Is there any discussion? Senator Kenneth Hall.

24. SENATOR KENNETH HALL:

25. Will the sponsor yield to a question?

26. PRESIDENT:

27. Indicates he will yield.

28. SENATOR KENNETH HALL:

29. Then evidently the synopsis that's shown on the  
30. Calendar is not correct. It says that you have to  
31. tell your preference for presidential... is that still  
32. in the bill?

33. PRESIDENT:

1. Senator Nimrod.

2. SENATOR NIMROD:

3. Yes, Senator Hall, the only thing is that the  
4. synopsis doesn't go far enough. It just says that...  
5. it tells where you file for that particular provision.  
6. Instead of filing with the Secretary of State, you  
7. file with the State Board of Elections. That's all  
8. it does, it doesn't change it at all.

9. PRESIDENT:

10. Is there any further discussion? If not, the  
11. question is shall Senate Bill 1290 pass. Those in  
12. favor will vote Aye. Those opposed will vote Nay.  
13. The voting is open. Have all voted who wish? Have  
14. all voted who wish? Take the record. On that  
15. question the Ayes are 52, the Nays are 1, none Voting  
16. Present. Senate Bill 1290 having received a constitutional  
17. majority is declared passed. Senate Bill 1297, Senator  
18. Coffey. Read the bill.

19. SECRETARY:

20. Senate Bill 1297.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDENT:

24. Senator Coffey.

25. SENATOR COFFEY:

26. Mr. President and members of the Senate. Senate  
27. Bill 1297 addresses itself to the collection by the  
28. Capital Development Board to collect an inventory of  
29. all real property owned and operated by the State,  
30. except highway right of ways. This bill was up the  
31. other day. We took this bill back to amend it to  
32. ...to...from the Capital Development Board to the  
33. Department of General Services. So that...I'm sorry,

1. I said Capital Development Board but it's from the Capital  
2. Development Board to the Department of General Services.  
3. And they will collect the legal description of real  
4. property, the approximate value of the real property,  
5. the agency that has jurisdiction over the real  
6. property, the present and future plans the agency has  
7. for such real property. I ask for a favorable roll  
8. call.

9. PRESIDENT:

10. Is there any discussion? Senator Collins.  
11. Your light is on, did you wish to speak? Is there  
12. any discussion? If not, the question is shall Senate  
13. Bill 1297 pass. Those in favor will vote Aye. Those  
14. opposed will vote Nay. The voting is open. Have all  
15. voted who wish? Have all voted who wish? Take the  
16. record. On that question the Ayes are 54, the Nays  
17. are none, 1 Voting Present. Senate Bill 1297 having  
18. received a constitutional majority is declared passed.  
19. Senate Bill 1298, Senator Netsch. Read the bill.

20. SECRETARY:

21. Senate Bill 1298.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDENT:

25. Senator Netsch.

26. SENATOR NETSCH:

27. Thank you, Mr. President. This bill was recommended  
28. by the Economic and Fiscal Commission. It was amended  
29. the other day to take account of a modest objection that  
30. the Bureau of the Budget had and now has, I believe it's  
31. accurate to say, their full approval. Basically, what  
32. it will do is to give additional information to those  
33. of us who are members of the General Assembly by requiring

1. that the Governor's budget book present fiscal data  
2. to us for three years prior to the current year for  
3. which the budget is being prepared in a performance  
4. form. It, also, and this is perhaps now, the most  
5. important part of the bill, for the first time, it  
6. will require the budget to contain a Capital Development  
7. section which is going to give us the estimated  
8. principal and interest costs and fiscal implications  
9. throughout of all of the Capital projects that are  
10. approved by us and are a part of the budget. So that  
11. we have some idea over a long period of time of what  
12. kind of interest and principal payments we are  
13. developing for the State of Illinois. I am informed  
14. that the Bureau of the Budget is already starting to  
15. work with respect to that part of this bill and is  
16. quite happy to do it and believes that it will  
17. indeed give us all information that we need to have.  
18. I would...

19. PRESIDENT:

20. Is there any discussion? Senator Regner.

21. SENATOR REGNER:

22. Yes. I just rise in support. This is an excellent  
23. bill. It'll make the budget book much more comprehensive  
24. and easier for us to use and more useable for appropriations  
25. and I would encourage a unanimous roll call.

26. PRESIDENT:

27. Senator Johns.

28. SENATOR JOHNS:

29. Just like to be cosponsor. With leave of the  
30. sponsor.

31. PRESIDENT:

32. You heard the request. Is leave granted? Leave  
33. is granted. The question is shall Senate Bill 1298  
34. pass? Those in favor will vote Aye. Those opposed

1. will vote Nay. The voting is open. Have all voted who  
2. wish? Have all voted who wish? Take the record. On  
3. that question the Ayes are 55, the Nays are none, none  
4. Voting Present. Senate Bill 1298 having received a  
5. constitutional majority is declared passed. Senate  
6. Bill 1300, Senator Maragos. Read the bill.

7. SECRETARY:

8. (Machine cut-off) 1300.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDENT:

12. Senator Maragos.

13. SENATOR MARAGOS:

14. Mr. President and members of the Senate. This is  
15. also another bill from the Economic Fiscal Commission  
16. which has been recommended. It gives a better handle  
17. on the legislative process to be fully informed before  
18. any pension laws are changed and therefore I ask  
19. for your favorable support.

20. PRESIDENT:

21. Is there any discussion? Senator Schaffer.

22. SENATOR SCHAFFER:

23. Senator Maragos, does this bill have any impact  
24. on amendments on bills on the Floor. Some of the  
25. sneakiest and dirtiest things that have ever been done  
26. to our pension systems, have been done on amendment  
27. stage.

28. PRESIDENT:

29. Senator Maragos.

30. SENATOR MARAGOS:

31. No, it does not, excepting that the fact that  
32. you'd have the input before the amendments came  
33. out, we'd be better informed whether we should  
34. be for these amendments or not. So I think this

1. is a step in the right direction.

2. PRESIDENT:

3. Is there any further discussion? If not, the question  
4. is shall Senate Bill 1300 pass. Those in favor will  
5. vote Aye. Those opposed will vote...Senator Lane, for  
6. what purpose do you arise?

7. SENATOR LANE:

8. Yes, question of the sponsor.

9. PRESIDENT:

10. He indicates he will yield.

11. SENATOR LANE:

12. Senator Maragos, does your provisions provide for  
13. recommendation of the bill, as well as the fiscal impact.

14. PRESIDENT:

15. Senator Maragos.

16. SENATOR MARAGOS:

17. No. It states that the...that the commission...will  
18. forward the bill to...with which shall prepare a note  
19. within seven calendar days, as it presently does. It  
20. changes the law that says that its mandatory that they  
21. give us a note, a fiscal note...of the effect.

22. PRESIDENT:

23. The question is shall Senate Bill 13 pass...1300  
24. pass. Those in favor will vote Aye. Those opposed  
25. will vote Nay. The voting is open. Have all voted who  
26. wish? Have all voted who wish? Take the record. On  
27. that question the Ayes are 49, the Nays are 2, 1 Voting  
28. Present. Senate Bill 1300 having received a constitutional  
29. majority is declared passed. Senate Bill 1301, Senator  
30. Bruce. Read the bill.

31. SECRETARY:

32. Senate Bill 1301.

33. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDENT:

3. Senator Bruce.

4. SENATOR BRUCE:

5. Thank you, Mr. President and members of the Senate.  
6. This would legalize in Illinois the use of mopeds. They  
7. are defined in the legislation as they are defined in  
8. twenty-two other states as two wheeled vehicles having  
9. less than two brake horsepower or fifty centimeters of  
10. displacement, having a maximum total speed of thirty  
11. miles...forty miles an hour. The amendment removed  
12. the requirement that they have a distinctive plate,  
13. which was an objection by the Secretary of State. It  
14. also added that...that they be licensed as a motorcyclist,  
15. it excludes them from any road where the posted speed  
16. limit is greater than thirty miles an hour and requires  
17. that they have distinctive headlamps and taillamps  
18. The bill as amended meets the Federal requirements,  
19. which are presently proposed by the Department of  
20. Transportation under 49CFR-Part 571. Twenty-two other  
21. states have already enacted legislation legalizing  
22. mopeds. At the present time the cost is reasonable.  
23. They run anywhere from two hundred to four hundred  
24. dollars, plus they usually get a maximum miles  
25. per gallon of approximately two hundred miles per  
26. gallon. I would be willing to answer any questions.

27. PRESIDENT:

28. Senator Davidson.

29. SENATOR DAVIDSON:

30. Yes, will the sponsor yield?

31. PRESIDENT:

32. Indicates he will yield.

33. SENATOR DAVIDSON:

1. Senator Bruce, I did not hear clearly when you stated  
2. in your presentation. Did the amendment remove the  
3. Secretary of State's objection to this bill when they  
4. testified in committee?

5. PRESIDENT:

6. Senator Bruce.

7. SENATOR BRUCE:

8. The Secretary of State had an objection to the  
9. distinctive plate. That was removed. He also stated  
10. that they should be licensed, which they are now, as  
11. a motorcyclist. I'm told by the Secretary of State's  
12. people, Type L, whatever that is, I do not operate  
13. motorcycles. You would have to be a licensed motor-  
14. cycle operator and evidently there are two types.

15. PRESIDENT:

16. Senator Knuppel.

17. SENATOR KNUPPEL:

18. Well, I...I assume this is the way of the future,  
19. but when I read the newspapers about the way they  
20. wipe them out on...on motorcycles and you get these  
21. out here, they're slower, with less protection. I  
22. hope when you read the newspapers about the youngsters  
23. that are riding them and the way they...the way they're  
24. being slaughtered, that you'll appreciate this, particularly  
25. in west central Illinois, where the roads are narrow and  
26. unsafe even for automobiles at any speed.

27. PRESIDENT:

28. Is there any further discussion? If not, the  
29. question is shall Senate Bill 1301 pass. Those in  
30. favor will vote Aye. Those opposed will vote Nay.  
31. The voting is open. Have all voted who wish? Have  
32. all voted who wish? Take the record. On that  
33. question the Ayes are 46, the Nays are 4, none Voting

1. Present. Senate Bill 1301 having received a constitutional  
2. majority is declared passed. Senator Harber Hall asks  
3. leave to be shown as a cosponsor. Is leave granted?  
4. Leave...and Senator Wooten. Leave is granted. And Senator  
5. Nimrod. Is leave granted? Leave is granted. Senate  
6. Bill 1302, Senator Donnewald.

7. SECRETARY:

8. Senate Bill 1302.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDENT:

12. Senator Donnewald.

13. SENATOR DONNEWALD:

14. Yes, Mr. President. I would ask leave of the Body  
15. to return this bill to the Order of 2nd reading for the  
16. purpose of Tabling an amendment.

17. PRESIDENT:

18. You've heard the request. Is leave granted?  
19. Leave is granted. The bill is on the Order of 2nd  
20. reading. Senator Donnewald.

21. SENATOR DONNEWALD:

22. Yes, now Mr. President, I move that we Table Amendment  
23. No. 1 to Senate Bill 1302.

24. PRESIDENT:

25. Senator Donnewald moves to Table Amendment No. 1.  
26. All those in favor...no, Senator Donnewald moves to  
27. reconsider the vote by which Amendment No. 1 was adopted.  
28. All those in favor signify by saying Aye. Opposed.  
29. The Ayes have it. The vote is reconsidered. Senator  
30. Donnewald moves to Table Amendment No. 1. All those  
31. in favor signify by saying Aye. Opposed. The Ayes  
32. have it. The amendment is Tabled. Are there any  
33. further amendments?

1. SECRETARY:

2. No further amendments.

3. PRESIDENT:

4. 3rd reading. Senate Bill 1309, Senator Regner.

5. Read the bill.

6. SECRETARY:

7. Senate Bill 1309.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDENT:

11. Senator Regner.

12. SENATOR REGNER:

13. Mr. President and members. I'd like to have leave  
14. to return this to 2nd reading for the purpose of amend-  
15. ment.

16. PRESIDENT:

17. Is leave granted? Leave is granted. The bill is  
18. on the Order of 2nd reading. Senator Regner.

19. SENATOR REGNER:

20. The amendment that I have on the Secretary's Desk  
21. right now is to replace Amendment No. 1, which was  
22. adopted, was a Committee Amendment that had several  
23. technical errors in the bill and having voted on the  
24. prevailing side, I would now like to move to Table  
25. Amendment No. 1 to Senate Bill 1309.

26. PRESIDENT:

27. Senator Regner moves to reconsider the vote by  
28. which Amendment No. 1 was adopted. All those in  
29. favor signify by saying Aye. Opposed. The Ayes have  
30. it. The vote is reconsidered. Senator Regner moves  
31. to Table Amendment No. 1. All those in favor signify  
32. by saying Aye. Opposed. The Ayes have it. The  
33. amendment is Tabled.

1. SECRETARY:  
2.           Amendment No. ...  
3. PRESIDENT:  
4.           Excuse me.  
5. SECRETARY:  
6.           Amendment No. 2 offered by Senator Regner.  
7. PRESIDENT:  
8.           Senator Regner.  
9. SENATOR REGNER:  
10.           As I stated prior to Tabling No. 1, this is a  
11. replacement and it's the same amendment, but it does  
12. have the technical problems that were in Amendment  
13. No. 1 corrected and I would move to adopt Amendment  
14. No. 2 to Senate Bill 1309.  
15. PRESIDENT:  
16.           Senator Regner moves the adoption of Amendment  
17. No. 2. All those in favor signify by saying Aye.  
18. Opposed. The Ayes have it. The amendment is adopted.  
19. Senator Regner.  
20. SENATOR REGNER:  
21.           I, this...this bill pertains to State employee  
22. indemnification. There's another bill, Senate Bill  
23. 1356 sponsored by Senator Shapiro. Mine is the  
24. Attorney General's version, Senator Shapiro's is the  
25. Governor's version. They're not totally compatible  
26. and there are problems and I would now like to move  
27. to recommit Senate Bill 1309 to the Executive Committee  
28. for further study and come back with it in the fall.  
29. PRESIDENT:  
30.           The same motion with 1356? Senator Shapiro.  
31. SENATOR SHAPIRO:  
32.           Mr. President, I...I need to amend it and then  
33. send it back to committee.

1. PRESIDENT:

2. All right. Why don't...fine. Senator...Senator  
3. Regner moves to...recommit Senate Bill 1309 to the  
4. Committee on Executive. All those in favor signify  
5. by saying Aye. Opposed. The Ayes have it. So  
6. ordered. Senate Bill 1302. Senator Donnewald.

7. SECRETARY:

8. Senate Bill 1302.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDENT:

12. Senator Donnewald.

13. SENATOR DONNEWALD:

14. Does exactly what the Calendar says. It's the  
15. appropriation for space Needs. I would appreciate  
16. a favorable roll call.

17. PRESIDENT:

18. Any discussion? Senator Walsh.

19. SENATOR WALSH:

20. Will the Gentleman yield?

21. PRESIDENT:

22. He indicates he will yield.

23. SENATOR WALSH:

24. I wonder if he'll just explain that amendment  
25. process we just went through and the amount of the  
26. appropriation.

27. PRESIDENT:

28. Senator Donnewald.

29. SENATOR DONNEWALD:

30. There...there was an appropriation of two hundred  
31. and ten thousand dollars for the...for the purchasing  
32. of furniture for the new offices that we' having  
33. ...for the Majority and Minority offices, plus the

1. offices downstairs. It was put in to the space needs.  
2. We felt that that is a new concept, they deal only  
3. with real estate, we want that in Senate Operations,  
4. so we took it out.

5. PRESIDENT:

6. If there's no further discussion, the question is  
7. shall Senate Bill 1302 pass. Those in favor will vote  
8. Aye. Those opposed will vote Nay. The voting is open.  
9. Have all voted who wish? Have all voted who wish?  
10. Take the record. On that question the Ayes are 52,  
11. the Nays are none, none Voting Present. Senate Bill  
12. 1302 having received a constitutional majority is  
13. declared passed. Senate Bill 1312, Senator Egan.  
14. Read the bill.

15. SECRETARY:

16. Senate Bill 1312.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDENT:

20. Senator Egan.

21. SENATOR EGAN:

22. Yes, I'd like to ask leave to bring it back to  
23. 2nd reading, Mr. President, for an amendment.

24. PRESIDENT:

25. You've heard the request. Is leave granted?  
26. Leave is granted. The bill is on 2nd reading. Senator  
27. Egan.

28. SENATOR EGAN:

29. Yes, the amendment would...

30. PRESIDENT:

31. What is the number of the amendment, Mr. Secretary.

32. SECRETARY:

33. Would be Amendment No. 2.

SB 1317  
5/27/77  
3rd reading

1. PRESIDENT:

2. Amendment No. 2, Senator Egan.

3. SENATOR EGAN:

4. It would clarify the extent of the bill to require  
5. only Illinois colleges to be included. And I move  
6. its adoption.

7. PRESIDENT:

8. Is there any discussion? Senator Egan moves the  
9. adoption of Amendment No. 2. Those in favor will  
10. signify by saying Aye. Those opposed, Nay. The Ayes  
11. have it. The amendment is adopted. Any further  
12. amendments?

13. SECRETARY:

14. No further amendments?

15. PRESIDENT:

16. 3rd reading. As was previously indicated, Senator  
17. Egan, we will come back to all of these bills on 3rd  
18. reading that were amended when we finish the Calendar.  
19. May I say, any member who has a bill on 3rd reading  
20. that intends to bring it back for amendment, would  
21. you notify the Secretary in advance please, so that  
22. we can bring the bills back. Senate Bill 1315, Senator  
23. Bloom. Excuse me. Senate Bill 1317, Senator Philip.  
24. Senator Bowers, is that the bill on which you were  
25. granted leave? Senator Bruce, were you designated to...

26. SENATOR BRUCE:

27. Yes, and I thought Senator Philip was back. Sorry,  
28. I will handle that bill.

29. PRESIDENT:

30. Senator Bruce, or read the bill, Mr. Secretary.  
31. Senate Bill 1317.

32. SECRETARY:

33. Senate Bill 1317.

34. (Secretary reads title of bill)

SB 1317  
5/27/77  
3rd Reading

1. 3rd reading of the bill.

2. PRESIDENT:

3. Senator Bruce.

4. SENATOR BRUCE:

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

6. Senate Bill 1317 as amended allows municipal officers

7. and other public officials to be involved...corrects, I

8. should say, what their conflict of interest can be and

9. still involve themselves in the proceedings of the

10. Body. For example, they can purchase equipment,

11. merchandise, property, services or labor, if they

12. still award the contract to the lowest bidder. That

13. they approve the contract by three-fifths vote. If

14. awarding the contract would not exceed twenty-five

15. hundred dollars to the interested officer. That the

16. interested officer discloses the nature and the extent

17. of his interest and he abstains from voting on...on the

18. issue. In addition to that, we have an emergency provision

19. which allows emergency allocation of public funds not

20. to exceed two hundred and fifty dollars on...in any

21. one item and not to exceed five hundred dollars in a

22. year. Additionally, it relates to a seven and a half percent

23. limitation on...on being a conflict of any...and having

24. stock of a financial institution. Also a seven and a

25. half percent limitation on public utilities. I know of no

26. objection to the legislation as amended.

27. PRESIDENT:

28. Is there any...Senator Bowers.

29. SENATOR BOWERS:

30. Thank you, Mr. President. I just want to rise

31. very briefly in support of the legislation. In DuPage

32. County we have a State's Attorney's opinion that

33. says a man can't serve on the Board of Trustees and

1. if he works for Bell Telephone Company. And...and of course  
2. his interest...because the municipality uses Bell  
3. Telephone System. That's really too restrictive and  
4. we've cut out a lot of good people in downstate where  
5. we have small towns. Sometimes somebody on the Board  
6. of Trustees is the only member that provides, in the  
7. community, that provides any particular service. Now,  
8. this is not opening the door to conflicts of interest.  
9. It's simply trying to get at what is a real problem  
10. in the municipalities based on the broad aspects of  
11. the present conflict of interest Statute. And I  
12. would urge a favorable vote. Thank you.

13. PRESIDENT:

14. Senator Bruce.

15. SENATOR BRUCE:

16. Somewhere along the way, Mr. President, it should  
17. show Bruce...or Philip-Bruce on this particular piece of  
18. legislation. Ask for a favorable roll call.

19. PRESIDENT:

20. You heard the request. Is leave granted? Leave  
21. is granted. The question is shall Senate Bill 13...1317  
22. pass. Those in favor will vote Aye. Those opposed will  
23. vote Nay. The voting is open. Have all voted who  
24. wish? Have all voted who wish? Take the record. On  
25. that question the Ayes are 54, the Nays...Nays are  
26. none, none Voting Present. Senate Bill 1317 having  
27. received a constitutional majority is declared passed.  
28. Senate Bill 1318, Senator Coffey. Read the bill.

29. SECRETARY:

30. Senate Bill 13...

31. PRESIDENT:

32. Read the bill.

33. SECRETARY:

34. Senate Bill 1318.

1. (Secretary reads title of bill)

2. 3rd reading of the bill.

3. PRESIDENT:

4. Senator Coffey.

5. SENATOR COFFEY:

6. Mr. President, I'd like leave to recommit Senate  
7. Bill 1318 to Agriculture, Conservation and Energy.

8. PRESIDENT:

9. You heard the motion by Senator Coffey. Those in  
10. favor signify by saying Aye. Opposed. The Ayes have  
11. it. The motion carries. The bill is recommitted.  
12. Senate Bill 1326, Senator Bloom. Read the bill.

13. SECRETARY:

14. Senate Bill 1326.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDENT:

18. Senator Bloom.

19. SENATOR BLOOM:

20. Thank you very much, Mr. President. As originally  
21. introduced, this bill made five major changes in the  
22. Public Utilities Act. There was some consternation  
23. with the utilities and after some long consultations  
24. ...consultations with them, three were removed. Some,  
25. but not all the utilities are satisfied with the  
26. amendments embodied in Amendment No. 2, what is left  
27. in is the commission can order a management audit, but and  
28. this is the language after consultation with People's  
29. Light and Gas for a good cause, after consultation...  
30. consultation with the utility. It allows them to use  
31. the operating expense for the rate base for that  
32. cost. On advertising it does not prohibit it, it merely  
33. changes pockets, instead of passing on to the rate payer,

1. their advertising, it says you can do that if it is for  
2. the purpose of an economic benefit to the consumer. It  
3. does not impinge upon sponsoring things like the State  
4. Basketball Tournament or a political documentary, that  
5. would be fine, so long as the spots would be like nine  
6. eleven, how to use nine eleven and how to use your  
7. phone. Try and answer your questions.

8. PRESIDENT:

9. Senator Kenneth Hall.

10. SENATOR KENNETH HALL:

11. Will the sponsor yield to a question?

12. PRESIDENT:

13. Indicates he will yield.

14. SENATOR KENNETH HALL:

15. Senator, are you telling me now, one of my questions  
16. I wanted to ask you is, what's the purpose is served by  
17. restricting legislation that advertising cannot be  
18. done by a public utility. What's the purpose of this?

19. PRESIDENT:

20. Senator Bloom.

21. SENATOR BLOOM:

22. Well, in the first place, it doesn't restrict,  
23. it doesn't say advertising cannot be done. It changes  
24. pockets on whose pay. In the past, we, you and I, the  
25. rate payers and the consumer, have paid for heavy  
26. advertising, getting us to consume more. The change  
27. says we should pay for advertising that tells us how  
28. to use our phones and how to conserve energy. But  
29. advertising solely just to promote a utilities image,  
30. they should bear the cost. There's no prohibition  
31. in there anywhere.

32. PRESIDENT:

33. Senator Hall.

34. SENATOR HALL:

1. Well, I have letters that some of my area newspapers  
2. down there is very vitally concerned about this, because  
3. this has said, this would restrict them from taking  
4. any advertisement and they would not be able to even  
5. advertise from some of their agencies that they now  
6. receive advertisement from.

7. PRESIDENT:

8. Senator Bloom.

9. SENATOR BLOOM:

10. Thank you, Mr. President. The language says the  
11. commission shall consider as an operating expense for  
12. the purpose of determining whether a rate or other  
13. charge of classification is sufficient advertising,  
14. which have no economic benefit to the utility  
15. consumer. The language does not prohibit taking  
16. ads out in papers or anything. It changes pockets.

17. PRESIDENT:

18. Senator Kenneth Hall.

19. SENATOR KENNETH HALL:

20. Well, I have...I have another question. I don't  
21. know whether you alluded to it or not. I heard you  
22. mention something like this. Now, you know we have  
23. an emergency number, 911, and it has no economic  
24. benefit for the customer. Now, do you mean to say  
25. that that couldn't be advertised?

26. PRESIDENT:

27. Senate...Senator Bloom.

28. SENATOR BLOOM:

29. Would you leave my microphone on so we can just  
30. speed this up a little. On the contrary, it does have  
31. benefit to the consumer. To teach him how to better  
32. use his instrument. How to get emergency things. I  
33. would disagree quite strongly, Senator, I think that

1. does provide a benefit for them and it certainly wouldn't  
2. be prohibited and in my conversations with representatives  
3. of the commission when we sat down with representatives  
4. of the utility industry, this was used as an example  
5. of what, indeed, was a benefit to the rate payer or  
6. consumer.

7. PRESIDENT:

8. Senator Kenneth Hall, would you conclude your  
9. remarks. Your time has expired.

10. SENATOR KENNETH HALL:

11. Yes, I just wanted to have...there was some  
12. conversation going on and I just couldn't hear too...

13. Now, if you would just...and I'm sorry that I have  
14. to ask you this question, but would you tell me  
15. again, what purpose is served by this?

16. PRESIDENT:

17. Senator Bloom.

18. SENATOR BLOOM:

19. What purpose is served by the language we've  
20. been discussing? Well, for one thing...

21. SENATOR KENNETH HALL:

22. By restricting legislation that advertising can't  
23. be done by utilities. That's...what purpose...

24. SENATOR BLOOM:

25. Well, it doesn't...in the first place, Senator Hall,  
26. I...I, you know, as I stated before, it does not say  
27. advertising cannot be done by a utility. It says you  
28. shall not consider...it changes pockets. It's an  
29. economic benefit to the rate payer. We're paying their  
30. costs of advertising right now, a lot of it image. . .  
31. Saying, unless it's of economic benefit, like 911 or  
32. the number to call if you're going dig and you want  
33. to be apprised of where underground line is. That can be

1. of economic benefit, which is just changing pockets. There  
2. is no prohibition on advertising.

3. PRESIDENT:

4.       Senator Bowers.

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8.                       (End of Reel)

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1. SENATOR BOWERS:

2. ...Ladies and Gentlemen of the Senate. It's some  
3. reluctance that I rise to oppose this legislation.  
4. I'm not particularly concerned in those parts of the bill  
5. that have to do with advertising or those parts of the bill  
6. that have to do with investigation. But it's the  
7. reorganization of the commission that really bothers me  
8. and I'd like to just briefly tell you why. I've been  
9. chairman of an administrative agency and this bill puts  
10. all of the power of that agency in the chairman. It does  
11. away with the office of the secretary. Now, I expressed  
12. that concern and there is an amendment on there that  
13. says that the commissioners may have access to the records  
14. but that isn't the whole problem. The problem is that  
15. you're making, I think, this a one man commission. Now,  
16. historically, the Commerce Commission has been bipartisan  
17. and I assume that it will continue to be so. I think that  
18. when you put the administrative duties plus the chairmanship  
19. duties, plus the secretary's duties all in one individual,  
20. you are, in fact, going to have a one man commission and the  
21. commissioners are not going to be equal insofar as the  
22. operation of this commission is concerned. It bothers  
23. me considerably and for those of you on this side of the aisle,  
24. think about it a minute. One of the things that has concerned  
25. us about the RTA is that very problem where you put the  
26. chairmanship and the administrative duties in the same person.  
27. I think it's wrong conceptually. This bill was soundly  
28. defeated during the Kerner administration. I don't think  
29. it's any better under this administration and therefore, I have  
30. to oppose it.

31. PRESIDENT:

32. Senator Berman.

33. SENATOR BERMAN:

1. Thank you, Mr. President, Ladies and Gentlemen.  
2. I rise in support of this bill. I think that there's one  
3. aspect that we are not giving due recognition to and that  
4. is the consumer advocate role that this bill can play.  
5. One of the most complex areas is in rate making and the  
6. allowance of utility rates. I think that one of the  
7. important parts of this bill will allow...the public  
8. through what will be called the utility consumer advocate,  
9. to understand the impact of these very complex rate  
10. requests that come in from utilities. I think it's a  
11. function that the public needs and deserves and for those  
12. reasons, I'm going to support Senate Bill 1326.

13. PRESIDENT:

14. Is there any further discussion? If not, the question  
15. is shall Senate Bill 1326 pass. Those in favor will vote  
16. Aye. Those opposed will vote Nay. The voting is open.  
17. Have all voted who wish? Have all voted who wish?  
18. Take the record. On that question the Ayes are 38, the  
19. Nays are 5, 1 Voting Present. Senate Bill 1326  
20. having received a constitutional majority is declared  
21. passed. Senator Howard Carroll, for what purpose do you  
22. arise?

23. SENATOR CARROLL:

24. I'm sorry, Mr. President. I was away from my switch  
25. when 1326 was called. I would have voted Aye had I been at  
26. my switch.

27. PRESIDENT:

28. The record will so reflect. Senate Bill 1328, Senator  
29. Nimrod. Read the bill.

30. SECRETARY:

31. Senate Bill 1328.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDENT:

2. Senator Nimrod.

3. SENATOR NIMROD:

4. Thank you, Mr. President, Ladies and Gentlemen of the  
5. Senate. This bill is...addresses the plan...the State  
6. plan that has been submitted by the Governor involving  
7. the State of Illinois in the Energy Conservation Act of  
8. 1975 and what...one part of that plan requires that the  
9. State's mandate for particular provisions which need  
10. legislation. One of those provisions we have already  
11. complied with and is a prior legislation and that's a right  
12. turn on red. But it does require that those who want to be  
13. involved in Energy Conservation Act Federal program  
14. that we at least have some standards which establish  
15. thermal standards uniformly throughout the State  
16. and also that the...we have some lighting standards...  
17. lighting efficiency standards established throughout the  
18. State and also requires local governments to cooperate  
19. on procurement of those items which are energy users and  
20. consumers on a cooperative basis. To address this  
21. program, this bill is in one package. This is in the  
22. Governor's plan which has been escalated. This  
23. has been discussed with many groups and agencies. This  
24. has involved all the Municipal League, the National  
25. and State Building Associations, has involved architects,  
26. has involved local legislators, the Energy Commission  
27. and also many agencies within the Government. Also has  
28. the involvement of the City of Chicago and the utilities.  
29. This is a compromise measure and it has demonstrated that  
30. we can, on these kind of bases, do one thing, that is, not  
31. disturb the structure of our local governmental procedures  
32. when we are following Federal mandates. This particular  
33. bill provides for enforcement of these standards to be done at the

1. local governments, either by the municipalities or by the  
2. counties. Also, the administration of those particular  
3. functions. And it doesn't disturb the building codes at  
4. all. It does, however, require them to adopt a ASHRAE 90-75  
5. or its equivalent, not to exceed that, which is the  
6. general market standard for complying for installation  
7. standards and building structures. On far as lighting is  
8. concerned, what happens in that area since most of our  
9. buildings have been overlit, it does require that  
10. there be no more than approximately four watts per square  
11. foot where the builder and the owner can determine where  
12. they want to put that lighting. 'The schools...'

13. PRESIDENT:

14. Senator Nimrod, your time has expired.

15. SENATOR NIMROD:

16. Thank you.

17. PRESIDENT:

18. Would you conclude your remarks.

19. SENATOR NIMROD:

20. Be glad to answer any questions on this very important  
21. and critical legislation.

22. PRESIDENT:

23. Senator Rock.

24. SENATOR ROCK:

25. Thank you, Mr. President and Ladies and Gentlemen of the  
26. Senate. As the farmers in my district say, this is a horse  
27. that is soon curried. Senate Bill 1328 establishes a thermal  
28. and lighting code, pursuant to Federal standards which must  
29. and I emphasize must, be adopted by municipalities throughout  
30. this State within their own local building codes within  
31. six months. And if it's not adopted, the thermal and  
32. lighting code automatically become part of the municipality's  
33. building code, an obvious infringement on home rule.

1. If the municipality is found not conforming to the thermal  
2. and lighting standards or not conforming with this law,  
3. then the Attorney General can come in and enforce the  
4. State law. This Act applies specifically among other things  
5. wrong with it, to home rule units and I would ask the  
6. Chair for such a ruling and rise in strong opposition  
7. to Senate Bill 1328.

8. PRESIDENT:

9. The Chair will rule that the bill is preemptive  
10. and...and therefore, under the Constitution, does require a  
11. three-fifths vote. Senator Bruce.

12. SENATOR BRUCE:

13. Just in addition to that, under miscellaneous  
14. provisions, this may apply to home rule units, but the  
15. legislation goes on to say that it...as applies as well  
16. to all municipalities and counties which are not home  
17. rule units. I think that includes just about everybody.

18. PRESIDENT:

19. Thirty-six votes will be required. Is there any  
20. further discussion? If not, the question is shall Senate  
21. Bill 1328 pass. Senator Nimrod.

22. SENATOR NIMROD:

23. Well, I would like to, in closing, just remark that  
24. no one...the bill very clearly states that this does  
25. preempt. But I want you to know that if we are going to be  
26. involved ourselves in energy, and require our buildings  
27. to meet these standards, then we have to take that  
28. preemption away at the State level. This does not  
29. really disturb anything, but it does make us face  
30. the fact that public buildings and that those buildings  
31. which are used for the public and privately owned, must  
32. ...must be involved in this area. The Municipal League  
33. has been involved in program, had thus support it. The...  
34. the...Mr. Connelly of the City of Chicago and the Building

1. Authority has been a part of the person that's drafted this  
2. bill. The...the Assistant Director of Purchasing  
3. within the City of Chicago has been a part of this bill  
4. so what I am saying to you is that if we want to get Illinois  
5. inline with the Energy Conservation Act and have us be able  
6. to have buildings that are built within those areas and  
7. these are very minimum standards which any legitimate  
8. builder and which most people...most municipalities already  
9. have these standards in their codes. It does provide  
10. for those that do not meet this. This one is far below the  
11. standards, for example, that are presently required by the  
12. City of Chicago and most of the other municipalities.

13. PRESIDENT:

14. Senator Nimrod, your time has expired. Would you  
15. conclude your remarks?

16. SENATOR NIMROD:

17. Yes. I do, however, urge you to...this case certainly  
18. is a justified measure for preemption and I do urge  
19. a favorable roll call.

20. PRESIDENT:

21. Is there any further discussion? If not, the question  
22. is shall Senate Bill 1328 pass. Those in favor  
23. will vote Aye. Those opposed will vote Nay.  
24. The voting is open. Have all voted who wish? Have all voted  
25. who wish? Take the record. On that question the Ayes  
26. are 21, the Nays are 28, 8...2 Voting Present. Senate Bill  
27. 13...Senator Nimrod moves to postpone consideration.  
28. Consideration will be postponed. Senate Bill 1331, Senator  
29. Weaver. Read the bill.

30. SECRETARY:

31. Senate Bill 1331.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDENT:

2. Senator Weaver.

3. SENATOR WEAVER:

4. Thank you, Mr. President. Senate Bill 1331 provides  
5. for the discontinuance of the Metropolitan Fair  
6. and Exposition Authority Reconstruction Fund and the  
7. Service Recognition Bond Interest and Retirement Fund.  
8. Both of these funds were created to provide special funds for  
9. retirement of bonds which were issued to finance the  
10. reconstruction of McCormick Place and the issuance of the  
11. World War II Veterans' Bonuses. The State's commitment  
12. in retiring both of these bonds has now been met and  
13. these references are effectively obsolete. The Governor's  
14. budget was predicated on passage of this bill. If this bill  
15. is not enacted by this General Assembly, it will mean  
16. approximately a twenty-two million dollar reduction in the  
17. Governor's budget. So, I would ask for a favorable roll  
18. call and try to answer any questions.

19. PRESIDENT:

20. Is there any discussion? Senator Rock.

21. SENATOR ROCK:

22. Thank you, Mr. President and Ladies and Gentlemen of  
23. the Senate. I rise in opposition to Senate Bill 1331.  
24. I do not share the belief that the Governor's entire  
25. budget presentation of ten billion dollars is predicated  
26. on the passage or failure of Senate Bill 1331.  
27. We have talked for the past week or so about a couple of  
28. proposed amendments. Senator Weaver had a proposal,  
29. Senator Carroll had a counter proposal. I think the best  
30. course of action would be to defeat this bill here today,  
31. there are other bills what have come over from the House with  
32. respect to these funds and their ultimate disposition and I  
33. think we would be better served to continue the discussion

1. and to defeat this bill. So, I urge opposition to Senate  
2. Bill 1331.

3. PRESIDENT:

4. Senator Netsch.

5. SENATOR NETSCH:

6. Except for reasons which I don't understand, I still  
7. have not really heard why this fund should be kept alive.  
8. The bonds were paid off last October. In fact, as I recall,  
9. I was guaranteed that that was the end of McCormick Place  
10. financing or I would not have voted Yes then. I...the  
11. two sources of the funding that goes into the...the fund  
12. as I understand it, includes the parimutuel money which  
13. does have a spillover effect once McCormick Place bonds  
14. are out of the way and cigarette tax money which would go  
15. into the General Revenue Fund. It seems to me that for the  
16. latter reason alone, that there is no point in allowing  
17. the cigarette tax to...to continue to accumulate in an  
18. earmarked fund where it is not available for  
19. general purposes. If those in Chicago want to expand  
20. McCormick Place or if they want to obtain a continuing  
21. State subsidy of an even larger proportion for the operations  
22. of McCormick Place, then it ought to be done straight out  
23. and in the form of a direct appropriation from the State for  
24. that purpose. I don't think it ought to be done in this kind  
25. of back door fashion. The...I've never felt it was  
26. legitimate for the State's money to be used for this  
27. purpose, but at least, there was some explanation for it  
28. perhaps. There no longer is and it seems to me that the  
29. fund ought to be discontinued and the State ought to have the  
30. use of the General Revenue Funds...or the Cigarette Tax Funds,  
31. I mean.

32. PRESIDENT:

33. Senator Shapiro.

1. SENATOR SHAPIRO:

2. Well, Mr. President and Ladies and Gentlemen of the  
3. Senate. I'll be very brief. I just want to point out to the  
4. Body that without passage of this bill, there's going to  
5. be approximately twenty-two million dollars less spending  
6. by the State. This bill is absolutely necessary to the  
7. General Revenue Funds, the amount of money that will be  
8. freed up and it should be passed by this Body and by the  
9. House.

10. PRESIDENT:

11. ...Weaver.

12. SENATOR WEAVER:

13. Well, just in closing, Mr. President and members  
14. of the Senate. The State of Illinois has prepaid  
15. forty million dollars in the McCormick Place Reconstruction  
16. Fund. Our obligation has been met. We've paid off all the  
17. World War II bonuses. That was the only purpose this...these  
18. funds were established and I would move for a favorable  
19. roll call.

20. PRESIDENT:

21. Is there any further discussion? If not, the question  
22. is shall Senate Bill 1331 pass. Those in favor will vote  
23. Aye. Those opposed will vote Nay. The voting is open.  
24. Have all voted who wish? Have all voted who wish? Take the  
25. record. On that question the Ayes are 29, the Nays are  
26. 16, none Voting Present. The sponsor has moved to postpone  
27. consideration. Consideration will be postponed.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senate Bill 1356, Senator Shapiro. Read the bill,  
30. Mr. Secretary.

31. SECRETARY:

32. Senate Bill 1356.

33. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Shapiro.

4. SENATOR SHAPIRO:

5. Mr. President, I would like leave of the Body to

6. return Senate Bill 1356 for purposes of an amendment and

7. then I will ask to recommit the bill to Executive Committee.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Is there leave? Leave is granted. The bill is on

10. 2nd reading. Senator Shapiro.

11. SECRETARY:

12. Amendment No. 1 offered by Senator Shapiro.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Shapiro.

15. SENATOR SHAPIRO:

16. Mr. President and Ladies and Gentlemen of the Senate.

17. This amendment to Senate Bill 1356 makes it an entirely

18. different bill than what it was introduced. I would now

19. urge adoption of the amendment, then I will ask the Body to

20. have the bill recommitted to Executive Committee.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Question is shall Amendment No. 1 to Senate Bill

23. 1356 be adopted. Those in favor indicate by saying

24. Aye. Those opposed. The Ayes have it. Amendment No.

25. 1 is adopted. Senator Shapiro. Are there further

26. amendments?

27. SECRETARY:

28. No further amendments.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Shapiro.

31. SENATOR SHAPIRO:

32. ...I would now ask...

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Just a moment. It would be returned to 3rd reading.  
2. Senator Shapiro now moves that the Senate Bill 1356 be  
3. recommitted to the Committee on Executive. Those in  
4. favor indicate by saying Aye. Those opposed. The Ayes  
5. have it. The motion carries. Senate Bill 1361, Senator  
6. Schaffer. Read the bill, Mr. Secretary.  
7. SECRETARY:  
8. Senate Bill 1361.  
9. (Secretary reads title of bill)  
10. 3rd reading of the bill.  
11. PRESIDING OFFICER: (SENATOR DONNEWALD)  
12. Senator Schaffer.  
13. SENATOR SCHAFFER:  
14. Mr. President, I ask leave to bring this bill back  
15. to 2nd reading, put an amendment on.  
16. PRESIDING OFFICER: (SENATOR DONNEWALD)  
17. Is there leave? Leave is granted. The bill is on  
18. 2nd reading.  
19. SENATOR SCHAFFER:  
20. Mr. Secretary, I believe you have an amendment up there.  
21. Well, let me explain the amendment. The amendment suggested  
22. by Senator Rock, it deletes the elimination of Senate  
23. confirmation prior to...that would have allowed a person  
24. to vote prior to confirmation, establishes a seven man  
25. quorum and I believe with the amendment on, puts the bill  
26. in shape that's acceptable to everyone.  
27. PRESIDING OFFICER: (SENATOR DONNEWALD)  
28. The Secretary advises that he does not have the  
29. amendment, Senator.  
30. SECRETARY:  
31. It wasn't in my folder this morning, because I  
32. list all amendments on my Calendar.  
33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Well, Senator, let's...let's take it from the record.  
2. Just a moment. All right. Amendment No. 1.  
3. SECRETARY:  
4. Two.  
5. PRESIDING OFFICER: (SENATOR DONNEWALD)  
6. Amendment No. 2. Senator Schaffer moves the  
7. adoption to Amendment No. 2 to Senate Bill 1361.  
8. Those in favor indicate by saying Aye. Those opposed  
9. Nay. The Ayes have it. Amendment No. 2 is adopted.  
10. Are there further amendments?  
11. SECRETARY:  
12. No further amendments.  
13. PRESIDING OFFICER: (SENATOR DONNEWALD)  
14. 3rd reading. Senate Bill 1378, Senator Berman.  
15. Read the bill, Mr. Secretary.  
16. SECRETARY:  
17. Senate Bill 1378.  
18. (Secretary reads title of bill)  
19. 3rd reading of the bill.  
20. PRESIDING OFFICER: (SENATOR DONNEWALD)  
21. Senator Berman.  
22. SENATOR BERMAN:  
23. Thank you, Mr. President. This is a bill that  
24. allows persons that move within thirty days of the election,  
25. to go back to the old polling place and vote by affidavit.  
26. Senator Rhoads had raised some questions the other  
27. day. We took it out of the record. Some of his objections  
28. were well-founded and I'm asking for leave to bring  
29. this back to 2nd reading for purpose of an amendment.  
30. PRESIDING OFFICER: (SENATOR DONNEWALD)  
31. Senator...just a moment. Do we have leave to return  
32. to the Order of 2nd reading? Leave is granted. The bill is  
33. on 2nd reading. Amendment No. 2.

1. SECRETARY:

2. Amendment No. 2 offered by Senator Berman.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Berman.

5. SENATOR BERMAN:

6. Thank you. I move the adoption of Amendment No. 2.

7. It does nothing more than to clarify what the intent of the

8. bill is, namely that the voter must go back to the

9. old polling place, sign an affidavit in order to vote.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Is there further discussion? Senator Rhoads.

12. SENATOR RHOADS:

13. Well, I...I rise in support of the amendment.

14. Senator Berman has been most gracious. He has shown this

15. to me and we've...we've worked on it. There's only

16. one further mechanical problem I see remaining with this

17. bill and it...again, it's an administrative type of problem

18. that I...I don't really know how to get at and that's the

19. fact that we've just got...it applies State-wide. We've

20. got ten thousand election districts in the State and

21. I...I see problems of cross checking with Cook County and

22. downstate counties and so forth. I...I think as a practical

23. matter, that kind of cross checking for fraud probably won't

24. happen. I don't know and I'm not going to suggest this now,

25. Senator Berman, but it might suggest it to some of the

26. Republican House members, that we might consider an amendment

27. over in the House to limit this within a county. I don't know

28. how...what your attitude on that would be, but I think it

29. is one further safeguard we could put into the bill.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Berman.

32. SENATOR BERMAN:

33. I move the...

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Is there further discussion?

3. SENATOR BERMAN:

4. I move the adoption of Amendment No. 2.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Motion is...Senator Netsch.

7. SENATOR NETSCH:

8. Thank you, Mr. President. I had raised a question  
9. with Senator Berman when we were considering this bill before.  
10. It seemed to me that it was not just ambiguous, actually did  
11. the opposite of what was intended in terms of where the  
12. person could vote. I'm attempting to find out whether that

13. has been corrected, cause I had not seen the amendment before.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Berman.

16. SENATOR BERMAN:

17. I'm sorry, Senator Netsch. I...if you recall, I came  
18. over and I told you where I was going to change the wording.  
19. We've all been busy. I...I did address that. I think it  
20. is clear. They must go back to the old polling place  
21. and that's all been specified in Amendment 2.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Netsch.

24. SENATOR NETSCH:

25. You did clarify that in the amendment that you are now  
26. offering? Okay.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Is there further discussion? The question is shall  
29. Amendment No. 1...2 to Senate Bill 1378 be adopted. Those  
30. in favor indicate by saying Aye. Those opposed Nay. The  
31. Ayes have it. Amendment No. 2 is adopted. Are there  
32. further amendments?

33. SECRETARY:

1. No further amendments.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. 3rd reading. Now, it's the...I've been advised  
4. that we had leave to return to Senate Bill 1177. Senator  
5. Roe. Senator Roe. Read the bill, Mr. Secretary.

6. SECRETARY:

7. Senate Bill 1177.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Roe.

12. SENATOR ROE:

13. Mr. President and members of the Senate. This bill  
14. does, as the synopsis describes, and I would be willing  
15. to answer any questions. Appreciate a favorable roll call.

16.

17.

18. The following typed previously.

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SB 1060  
3rd Reading  
5/27/77

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Is there further debate? The question is shall Senate Bill 1177  
3. pass. Those in favor vote Aye. Those opposed Nay. The voting is open.  
4. Have all those voted who wish? Have all those voted who  
5. wish? Take the record. On that question the Ayes are  
6. 48, the Nays are none, 2 Voting Present. Senate Bill 1177,  
7. having received the constitutional majority is declared  
8. passed. We will now proceed to those Senate Bills that  
9. have been pulled back for amendment and now are back on  
10. 3rd reading. They are...and if the membership will listen,  
11. they are 1060...just...Senate Bill 1060, 1092, 1155, 1251,  
12. 1312, 1361 and 1378. Senator Nimrod.

13. SENATOR NIMROD:

14. Yes. I have Senate Bill 744, I mean 944 that has  
15. a amendment waiting. Can I bring that back and include it  
16. with that list. It was requested from before.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. We...we're not that far yet, Senator. We started  
19. after that order. Then we'll go back to the beginning  
20. after we completed this procedure. Senate Bill 1060.  
21. Mr. Secretary, read the bill.

22. SECRETARY:

23. Senate Bill 1060.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Berman.

28. SENATOR BERMAN:

29. Thank you, Mr. President. Ladies and Gentlemen of  
30. the Senate. Senate Bill 1060 as amended would set up  
31. Illinois Health Finance Authority Act. This is a...is the  
32. bill that will try to keep a lid on and a review upon  
33. hospital rates throughout the State of Illinois. By the

1. bill, it will set up a nine member authority, five voting  
2. members, two who will be hospital trustees, one representative  
3. of labor and two other public members. There are four nonvoting  
4. members that will also be on that nine member board. The  
5. set up of this authority will be the rate review of rates  
6. involving the hospitals throughout the State of Illinois.  
7. This bill, as amended, is the product of lengthy discussions  
8. and debate between a...most of the parties involved in the  
9. operations of our hospitals throughout the State of  
10. Illinois. The Governor's offices of the Department of  
11. Public Aid, the office of Health; Finance, the Department  
12. of Insurance, the Department of Public Health, the Health  
13. Care Service Corporation, Blue Cross of Rockford, Blue  
14. Cross of Chicago, the Illinois Hospital Association, member  
15. of the medical schools and hospital, teaching hospitals,  
16. along with a long list of other participants, were the  
17. ones that have put together in substance, the way this  
18. bill presently exists. It is similiar, but not identical  
19. to, a bill that is presently in the House, House Bill 2339.  
20. I want to acknowledge the work of the Minority Staff of  
21. the Committee on...Public Health, Welfare and Corrections  
22. along with the Majority Staff. I've discussed this with  
23. Senator Schaffer. There are some areas of...of further  
24. discussion that will be taking place on Senate Bill 1060.  
25. I am the sponsor of Representative Tipsword bill in the  
26. House and he has indicated he will pick up this bill  
27. if we pass it over to the House so that we can continue  
28. to discuss any of the problem areas in this bill.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator, your time has expired.

31. SENATOR BERMAN:

32. I solicit your Aye vote.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Wooten.

2. SENATOR WOOTEN:

3. Mr. President and colleagues, I rise in opposition  
4. to this bill as I opposed it last Session and the Session  
5. before. This bill simply vests too much power in the  
6. Illinois Hospital Association. The nine member authority  
7. will be completely dominated by the Illinois Hospital  
8. Association. Four of the nonvoting members must be  
9. actively engaged in hospital administration and they're  
10. selected after consultation with the Illinois Hospital  
11. Association. That's the nonvoting members. The voting  
12. members, two of them, must be in administration of  
13. hospitals. One must be employed by hospitals. And  
14. that leave only two of five voting members, two of nine who  
15. are truly public members. Now, please remember that this  
16. becomes the authority in the State that determines what  
17. all third party payers must pay and that includes State  
18. and Federal Government. Now, I understand that representa-  
19. tions have been made that this is to be worked on further  
20. in the House and the Senate, but in its present form,  
21. I for one do not wish to hand over to the Illinois Hospital  
22. Association that kind of authority in saying what the  
23. State's going to pay.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Moore.

26. SENATOR MOORE:

27. Thank you very much, Mr. President and members of  
28. the Senate. I was happy to hear Senator Berman state that  
29. both of these bills, 2339 and Senate Bill 1060 would  
30. require further study, et cetera. This bill, although  
31. there has been considerable time spent upon the bill by  
32. all of the groups, including the Department of Public  
33. Aid, it's still not what we could call an agreed bill.

1. I think Senator Carrol's Amendment No. 3 is a bad amendment.  
2. I hope the House in its wisdom or the Conference Committee  
3. sees fit to take it off because we could have complete  
4. domination of the board by the two hospital trustees  
5. and the union member that would compose three of the five  
6. members. I do, however, feel that we do need some type of  
7. prospective paying of our health facilities in Illinois.  
8. I am going to vote for the bill and I'd urge the members  
9. on this side to vote for it, so there are vehicles available.  
10. In the event the vehicles are not amended and the bills do  
11. pass we still have the final vehicle of the Governor's Veto.  
12. Thank you, very much.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Shapiro. We have many members that wish to  
15. address themselves to this subject, so keep that in mind.  
16. Senator Shapiro.

17. SENATOR SHAPIRO:

18. Well, Mr. President and Ladies and Gentlemen of  
19. the Senate. I will be as brief as I possibly can. But  
20. I am rising to oppose this bill purely on philosophical  
21. reasons. Over the past eight years since I've been a  
22. member of the General Assembly, I have supported every  
23. bureaucratic scheme that has come down the pike in order  
24. to keep our hospital and medical costs down. I have  
25. supported comprehensive health planning in the hopes  
26. that we could do something with rising medical costs  
27. and to the best of my knowledge, nothing has been accomplished.  
28. I have supported certificate of need in hopes that the  
29. building rate of hospital beds and nursing home beds would  
30. be reduced so that the present institutions could operate  
31. at near capacity. I have supported health facility's  
32. planning in the hopes that we could do something to keep  
33. medical costs down, but here I draw the line. I am not

1. going to support rate review no matter who presents it,  
2. no matter how much work is put into it, for the very plain  
3. and simple reason that this will not help our not-for-profit  
4. hospitals throughout the State of Illinois and in the nation.  
5. I am well aware that there are those who say that the  
6. Federal Government will force it upon us. I have heard  
7. this argument for four years now and I say let them do it.  
8. Supposedly, there are incentives built into this for  
9. efficiency in that after the rate has been established, a  
10. hospital who keeps their cost below the rate are allowed  
11. to keep the so-called difference. I submit to you that  
12. all this will do will make those hospitals...will make  
13. those hospitals who are efficient, suffer. Because they  
14. will never be able to get an increase in their rates  
15. purely because the planning board will say you don't  
16. need it, you're doing an excellent job. And I submit  
17. one further fact. All this will do will help the State  
18. of Illinois when it comes to judging how much they will  
19. pay for the wards of the State that need medical care.  
20. Philosophically, I think this is probably the worst scheme  
21. that's ever come down the pike to keep medical costs down.  
22. And I would urge everyone in this Body to oppose the bill.  
23. It just will not work.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Glass. Senator Glass.

26. SENATOR GLASS:

27. Thank you, Mr. President and Ladies and Gentlemen.  
28. This bill is not in the form that I would like to see it.  
29. I think primarily for the reasons that Senator Wooten  
30. mentioned. That is the composition of the board. It is  
31. my belief that the board should be comprised of truly  
32. public members. We ought to have outside public members  
33. doing the rate review. I think if that happens, this can

1. be an effective cost saving method. I...I know a lot of  
2. work has gone into this and I am satisfied that work,  
3. as Senator Berman has mentioned, will continue to be  
4. done and that we will have either a good product, by  
5. the time the Governor signs it, or it won't be signed.  
6. I...I don't like to see this bill die after all the  
7. work that's been done and I am going to support it.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Grötberg.

10. SENATOR GROTBORG:

11. Thank you, Mr. President. Very briefly, I am a  
12. cosponsor of this bill and I share some of the remarks  
13. that have been made before. I would only add to my  
14. concern for the bill, three sections that I question,  
15. and I hope, Mr. Berman, that the agreed bill can take  
16. care of those. But the board members at a hundred and  
17. fifty dollars a day up to a maximum of twenty thousand  
18. dollars a year bothers me. There's a section that  
19. states if there's a conflict between this Act and the  
20. Illinois Administrative Procedures Act, this Act shall  
21. control. I think that's terribly strong language. And  
22. it also provides that an authority may not initiate a  
23. review or an investigation of the rate of any hospital  
24. within twelve months immediately following such a  
25. facility's most recent rate review. What happens if  
26. that rate review is wrong in the first place. And I  
27. question those things and I would urge that we do get  
28. this out on the House Floor, but that conference on the  
29. two bills better take care of some of those things or  
30. we'll lose a sponsor.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Schaffer.

33. SENATOR SCHAFFER:

1. Mr. President, Senator Berman and I have been working  
2. on this bill and I share many of the concerns of Senator  
3. Shapiro and Senator Glass and Senator Grotberg. The House  
4. Bill is in...now in the Senate. Representative...Tipsword's  
5. bill and Senator Berman and I have an agreement that this  
6. bill will, the Senate Bill, will end up in the same shape  
7. as the House Bill. I had a phone call earlier today from  
8. Director Quern of the Department of Public Aid, expressing  
9. his deep concern about the passage of this type of legislation.  
10. He feels it's needed, he feels Illinois has to do it to  
11. help...hold down the costs of...of Public Aid. Unfortunately,  
12. I do share Senator Shapiro's cynicism, but I think we ought  
13. to try and I intend to support this bill.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Is there further discussion? Senator Berman may  
16. close the debate.

17. SENATOR BERMAN:

18. Thank you, Mr. President.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Just...just a moment. Senator Berning.

21. SENATOR BERNING:

22. I haven't been able to determine from the conversations  
23. and debate going on when you...what the definition of facility  
24. is. Does this include a little medical center, health care  
25. center, of one or two persons that operate it for a community?

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Berman.

28. SENATOR BERMAN:

29. The...the bill applies to hospitals and hospitals are  
30. defined, Senator Berning, as follows: any place, building,  
31. agency, public or private, whether organized for profit or  
32. not for profit, except Federally owned facilities, which are  
33. subject to be licensed by the Department of Public Health...

1. Health, under the Hospital Licensing Act.
2. PRESIDING OFFICER: (SENATOR DONNEWALD)
3. Senator Berning.
4. SENATOR BERNING:
5. That's what I was afraid of, Mr. President and members
6. of the Senate. There are many small medical centers, as they
7. are called, operated by one or two people, maybe a medical
8. doctor, a dentist and perhaps a psychiatrist or psychologist
9. or one or more others. Here we would have the authority
10. granted to totally control this business. Gentlemen and
11. Ladies of the Senate, it appears to me that this is a
12. totally ill-advised approach to what we normally have
13. come to expect as the right of an individual to conduct
14. his life and his affairs and his business as he sees.
15. No one mandates that anybody enter any health care facility
16. against his will. That being true, we ought to have the
17. right to determine for ourselves, what we are going to
18. be charged by...
19. PRESIDING OFFICER: (SENATOR DONNEWALD)
20. Senator...
21. SENATOR BERNING:
22. ...selecting the ones that we want to patronize.
23. This appears to me to be an intrusion on private rights.
24. PRESIDING OFFICER: (SENATOR DONNEWALD)
25. Is there further debate? The question is shall
26. Senate Bill 1060 pass. Those in favor vote Aye. Those
27. opposed Nay. The voting is open. Have all those voted
28. who wish? Have all those voted who wish? Take the record.
29. On that question the Ayes are 34, the Nays are 16. Senate
30. Bill 1060 having received the constitutional majority is
31. declared passed. Senate Bill 1092. Senator Mitchler.
32. Read the bill, Mr. Secretary.
33. SECRETARY:

1. Senate Bill 1092.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Just a moment. Senator Berman.

4. SENATOR BERMAN:

5. Having voted on the prevailing side by which Senate

6. Bill 1060 did pass, I move to reconsider the vote.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. You've heard the motion. Maragos moves to Table.

9. You've heard the motion. Those in favor indicate by saying

10. Aye. Those opposed. The Ayes have it. The motion is

11. Tabled. Senate Bill 1092. Read the bill, Mr. Secretary.

12. SECRETARY:

13. Senate...Senate Bill 1092.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Mitchler.

18. SENATOR MITCHLER:

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

20. 1092, I ask leave to take it back to 2nd reading to Table

21. Amendment No. 1 and adopt Amendment No. 2.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Well, now, are you going to take the bill back

24. again, Senator?

25. SENATOR MITCHLER:

26. Yes.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Do we have leave to return the bill to the Order of

29. 2nd reading? Leave is granted. The bill is on 2nd reading.

30. Senator Mitchler.

31. SENATOR MITCHLER:

32. Mr. President and members of the Senate. I move to

33. Table Amendment No. 1.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)  
2. Heard the motion. Motion is to Table Amendment No. 1.  
3. Those in favor indicate by saying Aye. Those opposed Nay.  
4. The Ayes have it. Amendment No. 1 is Tabled.  
5. SECRETARY:  
6. Amendment No. 2 offered by Senator Mitchler.  
7. PRESIDING OFFICER: (SENATOR DONNEWALD)  
8. Senator Mitchler.  
9. SENATOR MITCHLER:  
10. Mr. President and members of the Senate, I move  
11. to adopt Amendment No. 2 which basically adds a home  
12. rule amendment onto the bill.  
13. PRESIDING OFFICER: (SENATOR DONNEWALD)  
14. Is there further discussion? Question is shall Amendment  
15. No. 2 to Senate Bill 1092 be adopted. Those in favor indicate  
16. by saying Aye. Those opposed. The Ayes have it. Amendment  
17. No. 2 is adopted. Are there further amendments?  
18. SECRETARY:  
19. No further amendments.  
20. PRESIDING OFFICER: (SENATOR DONNEWALD)  
21. 3rd reading.  
22.  
23. The following typed previously.  
24.  
25.  
26.  
27.  
28.  
29.  
30.  
31.  
32.  
33.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)  
2. Senate Bill 1155. Senator Harber Hall.  
3. SECRETARY:  
4. Senate Bill 1155.  
5. (Secretary reads title of bill)  
6. 3rd reading of the bill.  
7. PRESIDING OFFICER: (SENATOR DONNEWALD)  
8. Senator Harber Hall.  
9. SENATOR HALL:  
10. Mr. President and fellow Senators, this bill is  
11. the unemployment compensation corrective...corrective  
12. legislation for the bill known as Senate Bill 285 in the  
13. 1975 General Assembly. You will recall that on that  
14. occasion, that particular bill passed without one  
15. Republican vote on...in favor of it. In 1976, we came  
16. back and tried to make some changes and these were  
17. rejected. Now, I feel that we must hear the voice and  
18. the cry from the business community in this State wherein  
19. they are telling us that with the increases in the benefits  
20. for workers"compensation and unemployment compensation  
21. they may not be able to longer do business in Illinois.  
22. I know you've had letters. I won't go into all that.  
23. I know personally, people that are contemplating my  
24. ...Firestone plant in Bloomington has sent me a letter  
25. this week suggesting that they are recommending to the home  
26. office in Dayton, Ohio, that they do no more expansion in  
27. Illinois with either new plants or expanding their present  
28. plants. Now, Ladies and Gentlemen, the former Senator  
29. McCarthy was an excellent lawmaker. He got what he  
30. wanted, but he got too much and I was impressed at a meeting  
31. of the subcommittee of the Committee on Labor and Commerce  
32. ten days ago when Union Representative Stanley Johnson  
33. in testimony admitted that the pendulum had swung too far,...

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator...
3. SENATOR HALL:
4. ...that more correction...
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. ...your time is expiring.
7. SENATOR HALL:
8. ...that correction was needed. I'm going to offer
9. today this bill, 1155, that makes a few changes in the
10. eligibility only, not...not dollar figures.
11. PRESIDING OFFICER: (SENATOR DONNEWALD)
12. Senator, we've observed the rule very rigidly
13. today. Would you conclude your remarks?
14. SENATOR HALL:
15. There were sixteen votes yesterday who voted Present
16. to discharge this committee...the Committee on Labor and
17. Commerce to discharge this bill for consideration.
18. I hope they won't vote Present. I mean, there were
19. sixteen who voted Present. I hope you will either
20. vote for this measure or against it. When you vote
21. for it, you can go back to the labor people who you
22. represent and tell them, these were needed corrections.
23. You don't want to see people quitting their jobs
24. and being paid unemployment compensation while you...
25. PRESIDING OFFICER: (SENATOR DONNEWALD)
26. Senator...
27. SENATOR HALL:
28. ...stay on the job.
29. PRESIDING OFFICER: (SENATOR DONNEWALD)
30. Your time...your time has...
31. SENATOR HALL:
32. You can be proud for voting Yes on this bill.
33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Savickas.

2. SENATOR SAVICKAS:

3. Yes, Mr. President, members of the Senate. In  
4. discussing the eligibility section of this unemployment  
5. compensation bill, I would like to point out to you that  
6. this section would basically discriminate against women.  
7. If women marry, but meet all other requirements, which  
8. are A: they must register for work and thereafter be  
9. ...meet all the reporting regulations; B: make a claim;  
10. and, C: be able to work and be available for work and  
11. actively seeking work. They would be discriminated  
12. against and forced to not accept unemployment because  
13. they marry and must move with their husband to another  
14. location. I think this is a very strong factor and  
15. a strong tool to break up and erode the family life.  
16. We talk about other eligibility provisions. In the  
17. case of labor disputes, in the section for labor  
18. disputes, in a lock out where an employer locks out  
19. the people from reporting to work and claims it's  
20. a labor dispute, they would be precluded from  
21. drawing unemployment compensation benefits and I think  
22. this section is intended basically to break down the  
23. worker's will and force him to go back to work  
24. under conditions that he normally wouldn't. Refusing to  
25. cross a picket line in the same area in labor dispute, this  
26. is a basic, basic tenet of unionism. And to force a worker  
27. to use this excuse to force him against his will and  
28. on the basic principle of unionism, is wrong to say that  
29. if you cross a picket line, you're uneligible for  
30. benefits. In the children's allowance section, it says,  
31. now in any household, the husband who earns a dollar  
32. more than his wife, he will obviously be declared the one  
33. who is contributing fifty percent or more. This would be

1. detrimental to the support of the children and the family  
2. in it.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator, your time has expired.

5. SENATOR SAVICKAS:

6. Well, Ladies and Gentlemen, this bill would really  
7. be regressive in nature, regressive way back before  
8. 1955. It would put many of our people more on a welfare  
9. program than unemployment insurance. Remember,  
10. unemployment insurance is not welfare. It is based  
11. upon need. It is based upon meeting certain principles  
12. and certain conditions of employment that they have  
13. contributed, people that are available for employment  
14. but due to economic conditions, aren't able to find work.  
15. And I don't think they should be penalized. I think this  
16. bill...and it goes further yet, but since we don't have time...

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator, Senator...

19. SENATOR SAVICKAS:

20. ...I would suggest a No vote.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Grotberg.

23. SENATOR GROTEBERG:

24. I'll yield my time to Bradley Glass or Stanley  
25. Weaver.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Rock.

28. SENATOR ROCK:

29. Thank you, Mr. President, Ladies and Gentlemen of the  
30. Senate. I rise in opposition to Senate Bill 1155  
31. and would just point out, as Senator Harber Hall so  
32. aptly illustrated in his memorandum distributed to all  
33. Senators, as amended this morning. Now, it just seems to

1. me and I, frankly, was not on the Floor when this was  
2. discharged the other night or last night, that we acted  
3. in haste again in discharging this and we are willy-  
4. nilly throwing amendments around to try to...so that we  
5. can, in fact, go back home over the weekend and say, see  
6. I am in fact, doing something. The better course, it  
7. seems to me and one that we have discussed at some  
8. length in this Chamber, at least on the Democratic side,  
9. is that we, too, will readily admit that some  
10. modifications should, in fact, take place. Senator  
11. Savickas and the Committee on Labor and Commerce  
12. will readily admit that and are, in fact, working on that  
13. and have asked me, as a matter-of-fact, to hold onto  
14. House Bill 236 which is a House Bill on 3rd reading as  
15. a vehicle for the changes that can and should be made.  
16. I think to act in this hasty fashion is a mistake. I  
17. think that we do have adequate time. I am the Senate  
18. sponsor of House 236 and will, in fact, accept  
19. amendments that are agreed to and that will, in fact,  
20. remedy the problem. But, to act in haste with amendments  
21. submitted only this morning, I think is a mistake.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Weaver.

24. SENATOR WEAVER:

25. Question of the sponsor, Mr. President.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Indicates he'll respond.

28. SENATOR WEAVER:

29. Senator Hall, one of the biggest complaints I get  
30. is employers filing objections and never getting a hearing  
31. on it. What is the problem with the Department of Labor  
32. and will your bill make any corrections in this area?

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Harber Hall.

2. SENATOR HALL:

3. Well, yes it will. It puts back in there that  
4. an employer will have the right to object or to question  
5. the availability for work of any employee who claims  
6. unemployment and the reasons for that claim.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Glass.

9. SENATOR GLASS:

10. Well, thank you, Mr. President. I again, disagree  
11. with Senator Rock that we ought to be evading what is  
12. clearly a responsibility of this General Assembly and  
13. that is to make some meaningful changes in unemployment  
14. compensation. Senator Hall has had this bill introduced  
15. the entire Session. There is a summary of what it does  
16. that is clear. It's on everybody's desks. I don't  
17. think there's any question about the details of what he  
18. is seeking to do. I think one of the...the single most  
19. important features of the bill and where I have received  
20. complaints is that people who quit their jobs.  
21. voluntarily right now can qualify for unemployment  
22. compensation. That certainly is not the intention of  
23. ...of unemployment comp. This bill would correct that  
24. situation among a number of others. I think it's time that  
25. we acted upon this and we ought to do it now.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Nimrod.

28. SENATOR NIMROD:

29. I would only say, Mr. President and fellow Senators,  
30. that this amendment that was put on today, eliminated  
31. three of the provisions and it does not change any of the  
32. other basis. I think this bill very well addresses itself  
33. and restores the ability to...employers to challenge  
34. the availability of work. It sets a uniform ten weeks

1. and it certainly does address itself to...stops the  
2. eligibility of voluntary quits and I think this is a  
3. very important bill. It's been debated and it's had  
4. a chance to have all its exposure in the committees  
5. and I would think it's time for its support.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Wooten.

8. SENATOR WOOTEN:

9. Mr. President and colleagues, I hate to keep  
10. harping on the difficulty of dealing in these areas  
11. where so many changes affecting so many people can  
12. be made quickly here and we live to regret it.  
13. My personal conviction is that we have spent a good  
14. deal of time, many of us, on workmen's comp, for example  
15. and we've come up with what I think the bill probably  
16. would have been two years ago if we would have debated  
17. it. There's some specific problems in unemployment  
18. compensation and the real problem is the worker who  
19. leaves his job voluntarily. There are some cases where  
20. a man can be driven off and that keeps you from just  
21. making any kind of blanket statements even in that area.  
22. But, I can't go with this list that has just been handed  
23. me and I...I am anxious to do something on unemployment  
24. compensation, but I feel that I'd be in the same posture  
25. here that I was two years ago, taking action on something  
26. I did not understand and living to regret it.  
27. I realize the pendulum is swinging back and we do want  
28. to get it in some kind of balance, but I cannot be certain  
29. in my own mind that this is not pushing that pendulum  
30. just a little bit too far.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Graham.

33. SENATOR GRAHAM:

1. Mr. President and members of the Senate, I think I can  
2. remember what happened and I think I can see what is going  
3. to happen. Last year when...in 1975 when we inflicted  
4. this upon the employers of the State of Illinois, since  
5. that time and up to and beyond the last election, we gave  
6. them lip service. We gave them the lip service, even  
7. those that opposed this bill were going to do something  
8. about it. We're giving them the same kind of lip service  
9. this year and I can predict...I don't believe there's any  
10. sincerity to this lip service and we're going to keep  
11. on inflicting the damage we did in 1975 upon the  
12. employers of the State of Illinois. Let's be honest  
13. one time. Let's quit giving them lip service. If  
14. you don't want to change it, tell us.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Knuppel.

17. SENATOR KNUPPEL:

18. I'd like to ask the sponsor a question.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Indicates he'll respond.

21. SENATOR KNUPPEL:

22. Senator Hall, does this take away any of the  
23. benefits of someone who is just flat, out right fired?

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Hall.

26. SENATOR HALL:

27. No. This...nothing in here that reduces the  
28. unemployment compensation he would...he would receive  
29. if he were fired.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Knuppel.

32. SENATOR KNUPPEL:

33. In other words, what you're telling me and I've got to

1. rely on your...on your statements here on this record
2. is that the conditions of drawing are changed, but
3. not the benefits of a man is actually out right fired?
4. PRESIDING OFFICER: (SENATOR DONNEWALD)
5. Senator...Harber Hall.
6. SENATOR HALL:
7. That is absolutely right.
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. Senator Grotberg.
10. SENATOR GROTBURG:
11. Will the sponsor yield.
12. PRESIDING OFFICER: (SENATOR DONNEWALD)
13. Indicates he will.
14. SENATOR GROTBURG:
15. Senator Hall, when you and I put this bill in,
16. one of the main thrusts was the job hopper who rips
17. off the system. Is that still in, the amendment to correct
18. that?
19. PRESIDING OFFICER: (SENATOR DONNEWALD)
20. Senator Harber Hall.
21. SENATOR HALL:
22. This eliminates the possibility of a person
23. quitting his job and not being penalized for quitting
24. his job without cause.
25. PRESIDING OFFICER: (SENATOR DONNEWALD)
26. Senator Grotberg. Is that it? Is there further discussion?
27. Senator Berning.
28. SENATOR BERNING:
29. Thank you, Mr. President, Ladies and Gentlemen of the
30. Senate. We've heard a good deal of hand ringing over what
31. is implied to be a discrimination against the working man,
32. a giminution of benefits, but I'd like to reflect with you
33. on what unemployment compensation was meant to be and I

1. remind you that this is something that the working  
2. man does not pay for. In that sense, he does not have  
3. a built in right. This is something that is bought and  
4. paid for for him. But, unemployment compensation was for  
5. only one thing and I well remember when it was established,  
6. a temporary help for the person who desperately needed it.  
7. Never by any stretch of the imagination was it intended  
8. to be a welfare system and unfortunately, Mr. President  
9. and members of the Senate, that is exactly what it has  
10. been perverted into. We have an opportunity here with  
11. this bill, to bring it back a little bit more into the line  
12. of temporary legitimate justified help and not a great  
13. big boon doggle.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Harber Hall may close the debate.

16. SENATOR HALL:

17. In closing, Mr. President, I would like to answer  
18. a couple of points that Senator Savickas made.  
19. He implied that it was only for the man who  
20. was going to marry someone and take her away with him  
21. and it doesn't say anything about man, it's either spouse.  
22. And we know that crossing a picket line has been the  
23. cause of thousands and thousands of people being paid  
24. unemployment compensation who didn't even want to be off  
25. work just because of the union orders to not cross  
26. a picket line and then the State Unemployment Fund is charged  
27. for that and they are paid to stay home and not cross  
28. a picket line when they want to work and they won't  
29. let them. So that takes care of that. And then, we...  
30. Senator Savickas, you probably recall that I did amend  
31. out the...the part about the child support. We put that  
32. back in so they only have to account for twenty-five  
33. percent of the cost of the child to get the additional

1. child support so you had no arugment on that. And now,  
2. Ladies and Gentlemen, let's talk about Illinois in  
3. comparison with other states, I have here a newspaper  
4. account of a state that is broke because of over  
5. spending. Do you know what their rate of unemployment  
6. compensation is? Let me read you. "Governor Carey's  
7. proposal to increase unemploymnt benefits substantially  
8. on September 1 and then study the effects of the added  
9. cost on New York's economy is the case of putting  
10. the cart before the horse. Boosting the maximum  
11. weekly payment from ninety-five dollars to one hundred  
12. and fifteen dollars may be justified on the grounds of  
13. inflation. However, it would be almost certainly mean  
14. hiking the tax employers pay, et cetera, and driving  
15. business out" is what that says. They only pay  
16. ninety-five dollars and we're paying a hundred and  
17. thirty-five dollars and it's going up on July 1st.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator, your time is up.

20. SENATOR HALL:

21. This is a good bill and I suggest we all support it.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. The question is shall Senate Bill 1155 pass.

24. Those in favor vote Aye. Those opposed Nay. The voting  
25. is open. Have all those voted who wish? Have all those  
26. voted who wish? Take the record. On that question,  
27. the Ayes are 29, the Nays are 19, 1 Voting Present. Senate  
28. Bill 1155...Senator Hall wishes to Postpone Consideration.  
29. Consideration is postponed.

30.

31. End of reel.

32.

33.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senate Bill 1251. Senate...Senator Nimrod. Senator  
3. Harber Hall, for what purpose do you arise?

4. SENATOR HALL:

5. I'd like leave of the Body to withdraw my motion to  
6. postpone this bill. We just don't have time.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Well, then, I'll have to announce...Senator, the  
9. roll is not announced.

10. SENATOR HALL:

11. ...been urging all of us and I want to abide by that  
12. I...I would just like to have you announce the roll call  
13. and let it go.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Just a moment. Senator Rock.

16. SENATOR ROCK:

17. Well, once...once the request for postponed  
18. consideration has been made, there...there is effect,  
19. a taking out of the record. The only thing you can do now  
20. is make a commitment to yourself and ourselves that you will  
21. not call it again.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. That's absolutely correct. Senator Nimrod as to  
24. Senate Bill 1251. Read the bill, Mr. Secretary.

25. SECRETARY:

26. Senate Bill 1251.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Nimrod.

31. SENATOR NIMROD:

32. Yes, Mr. President and fellow Senators.

33. As...as amended, this bill will have an impact on the schools  
34. of about seventeen million dollars or so in the suburbs and about

1. the same...

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Just a moment, Senator. Could we have order.

4. Proceed.

5. SENATOR NIMROD:

6. Thank you, Mr. President. And about...about seventeen

7. million dollars for the City of Chicago. Be happy to answer

8. any questions. If not, I call for a favorable roll call.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Is there further discussion? Question is shall Senate

11. Bill 1251 pass. Those in favor vote Aye. Just a moment.

12. Senator Berman.

13. SENATOR BERMAN:

14. I rise in support of the passage of this bill. Thank

15. you.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Question is shall Senate Bill 1251 pass. Those in

18. favor vote Aye. Those opposed Nay. The voting is open.

19. Have all those voted who wish? Take the record.

20. On that question the Ayes are 39, the 8's are...the Nays

21. are 8. Senate Bill 1251 having received a constitutional

22. majority is declared passed. Senate Bill 1312,

23. Senator Egan. Read the bill, Mr. Secretary.

24. SECRETARY:

25. Senate Bill 1312.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Egan.

30. SENATOR EGAN:

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

32. This bill modifies the Veteran's Affairs Act to allow

33. scholarships to be used at all colleges in Illinois, accredited

1. by the North Central Association. Presently, they're just  
2. State controlled colleges and this would broaden that  
3. to include all colleges accredited by the North Central  
4. Association. I recommend the bill to your favorable consideration.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Regner.

7. SENATOR REGNER:

8. Sponsor yield to a couple questions?

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Indicates he will.

11. SENATOR REGNER:

12. Senator Egan, what would be the total cost of  
13. this?

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Egan.

16. SENATOR EGAN:

17. A very minimum two and a half million dollars.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Regner.

20. SENATOR REGNER:

21. Well, I don't...I don't call that a minimum amount  
22. if it's unbudgeted. Is it contained anywhere in any  
23. budget right now, the dollars for this program?

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Egan.

26. SENATOR EGAN:

27. Well, let me say this, Senator, that when you're  
28. talking about the expenditure of this money, you're  
29. talking about an increased number of students that will be  
30. eligible because of the...their determination to go to a  
31. private school. Now, if...if, in fact, the...this, of course,  
32. is an estimate based on the existing number of students.  
33. If, in fact, that figure is...is incorrect, if that assumption is

1. incorrect, it will...it could theoretically cost nothing,  
2. but I...I know of...I know of no opposition to budgeting  
3. this money. It's...it hasn't been demonstrated to me  
4. that there is opposition to spending the money in this  
5. manner.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator...Senator Regner.

8. SENATOR REGNER:

9. Well...well, I guess you're answering the question  
10. in a way, Senator Egan, saying that it's going to cost two  
11. and a half million dollars which was your opening response  
12. to my initial question and I assume you're saying that as  
13. far as you know, there's no provision for it in the budget  
14. anywhere but maybe with a little luck, people won't take  
15. advantage of it and therefore, won't cost anything. But  
16. could you tell me how old this program is and when it was  
17. first established?

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Your time is about up, Senator...Senator Regner.

20. Senator Egan.

21. SENATOR EGAN:

22. I don't know. These are veterans' scholarships. They're  
23. for veterans. I don't know how far back it goes, I think  
24. World War II, I'm not sure, Senator.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Weaver. Senator Kosinski.

27. SENATOR KOSINSKI:

28. Just one question, Mr. President. Senator Egan,  
29. these private universities...or colleges you're talking  
30. about. Are they within the State of Illinois?

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Egan.

33. SENATOR EGAN:

1. I...I locked that in by the last amendment.

2. Yes.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. There further...Senator Bruce.

5. SENATOR BRUCE:

6. Would just rise in opposition to this particular  
7. piece of legislation. I understand there are about six thousand  
8. of these scholarships available. If all the gentlemen  
9. converted from public schools to private institutions,  
10. we would pick up the tab and it is unbudgeted.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Buzbee.

13. SENATOR BUZBEE:

14. Well, unfortunately here, we go with the seemingly  
15. endless battle between those advocates of private higher  
16. ed and public higher ed and I hate that it...that it comes  
17. to that sort of confrontation. But I think Senator Bruce's  
18. point is an excellent one, that whereas now at the  
19. University of Illinois, we are paying a veteran's scholarship  
20. something to the tune of approximately six hundred dollars  
21. a year. At Southern Illinois University, we're paying  
22. his scholarship something to the tune of four hundred and  
23. fifty dollars a year and the various other systems,  
24. or somewhere thereabouts. As soon as we pass this kind of  
25. legislation, everybody that can and wants to go to  
26. Northwestern can convert immediately and then we're going to  
27. be paying about twenty thousand dollars a year or whatever  
28. the tuition is to Northwestern for a...for a veteran's  
29. scholarship. That was not the intention of this kind of  
30. legislation originally. I think it came, Senator Regner,  
31. right after World War II, I believe, I'm not sure, that  
32. we started the veterans scholarships for those...those  
33. residents of Illinois who were residents prior to their entering

1. the military. It came out because of the service to their  
2. county. We said we're going to do a little bit extra  
3. for you and let you attend a public university on us  
4. and it seems to me that the cost...the estimated cost  
5. of two and a half million dollars is literally the  
6. tip of the iceberg because we get all these kids  
7. converting over, they're going to be going a lot more  
8. than two and a half million dollars.  
9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Egan. Just a moment. Senator Walsh.

11. SENATOR WALSH:

12. Well, Mr. President and members of the Senate.  
13. Just to speak briefly in support of this legislation.  
14. The last gentleman indicated, Senator Buzbee, that  
15. the cost of sending a student to a private institute...  
16. or college of higher learning would be much in excess of the...  
17. of the public and that just is not the case. The tuition  
18. at Southern may be four fifty and the tuition at the U of  
19. I may be six hundred, but the cost of the education is more  
20. in the twenty-five hundred to three thousand dollar bracket.  
21. And we appropriate that money from General Revenue Funds.  
22. So, every veteran who takes advantage of this scholarship  
23. is costing the State the entire tuition plus the amount  
24. that's underwritten for every other student that goes  
25. to one of those schools. And the tuition at Loyola,  
26. DePaul, Roosevelt is in the fifteen hundred to two thousand  
27. dollar bracket. So, actually, we'd be saving the taxpayers'  
28. money if they went to private schools rather than public  
29. schools. This is a good bill and should pass.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Is there further discussion? Senator Egan may close  
32. the debate.

33. SENATOR EGAN:

1. Yes, and I would add to that that there is built into  
2. the bill, by amendment, a lid on the amount of money that  
3. can be awarded to each individual recipient. And that is  
4. the average amount that is paid in the public supported  
5. schools. So, it's not going to cost any more money just  
6. because the veteran, who is going to a private school.  
7. I solicit your favorable support.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Question is shall Senate Bill 1312 pass. Those  
10. in favor vote Aye. Those opposed Nay. The voting is open.  
11. Have all those voted who wish? Have all those voted who wish?  
12. Have all those voted who wish? Take the record. On that  
13. question, the Ayes are 32, the Nays are 16, 1 Voting Present.  
14. Senate Bill 1312 having received a constitutional  
15. majority is declared passed. Senate Bill 1361,  
16. Senator Schaffer. Read the bill, Mr. Secretary.

17. SECRETARY:

18. ...1361.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Schaffer.

23. SENATOR SCHAFFER:

24. Mr. President, this is a clean up Act that  
25. brings the Illinois Health Facilities Planning Act  
26. up to date. You'll recall, we passed it a couple of years  
27. ago on the basis of a couple of years of activity.  
28. These are suggested changes. I believe with the amendment that  
29. Senator Rock and I put on a few minutes ago, this bill is not  
30. controversial. I'd appreciate a favorable roll call.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Is there further discussion? Question is shall Senate  
33. Bill 1361 pass. Those in favor vote Aye. Those opposed  
34. Nay. The voting is open. Have all those voted who wish?

1. Take the record. On that question the Ayes are 48, the Nays  
2. are 5. Senate Bill 1361 having received a constitutional  
3. majority is declared passed. Senate Bill 1378, Senator  
4. Berman. Read the bill, Mr. Secretary.

5. SECRETARY:

6. ...1378.

7. (Secretary reads title of bill)

8. 3rd reading of the bill.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Berman.

11. SENATOR BERMAN:

12. Thank you, Mr. President, Ladies and Gentlemen of the  
13. Senate. Senate Bill 1378, as amended, is the bill to  
14. accommodate those people that move within thirty days of  
15. an election. They can go back to the old polling place  
16. and vote by affidavit. I have tried to accommodate  
17. the minority questions...the minority side's questions that  
18. were raised. I think it's a good bill and ask your favorable  
19. support.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Graham.

22. SENATOR GRAHAM:

23. Senator Berman, Like to ask you a question, please.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. He indicates he will respond.

26. SENATOR GRAHAM:

27. I know your dedication to honesty and integrity and  
28. I believe that and I understand it. Do you really, in fact,  
29. believe that a person who moves less than thirty days  
30. before the election, but, in fact, knows where the new  
31. address is going to be, is prohibited from registering in  
32. both places and voting in both places?

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Berman.

2. SENATOR BERMAN:

3. There's no question in my mind that if a person  
4. is under the Code as it exists today, if I have  
5. moved before that election, there is no way that I could  
6. vote in that election because the affidavit that I sign  
7. ...the signature card that I sign when I go into vote,  
8. says that I am fully qualified to vote and I am a resident  
9. of that precinct. That is...that is contrary to the  
10. law. I'm guilty of purjury I can't vote in the new  
11. place because I wasn't a resident there for thirty days.  
12. So, that is the gap that this bill tries to fill.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Graham.

15. SENATOR GRAHAM:

16. There is no ironclad prevention, though, that  
17. they couldn't vote in two places.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Berman.

20. SENATOR BERMAN:

21. The same rules that prevent you from voting in  
22. two places now, prevents this person who has moved from  
23. voting in two places. Namely, the penalties of purjury,  
24. of vote...vote fraud, et cetera. Those are the same penalties  
25. that would apply to this bill as applies to every other  
26. portion of our Election Code.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Graham.

29. SENATOR GRAHAM:

30. Just in conclusion, I, as you do, believe in the  
31. penalties that are provided in for...for filing false  
32. affidavits. I am suggesting to you that all people in the  
33. country don't believe the same way as you and I do in that regard.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Rhoads.

3. SENATOR RHOADS:

4. Sponsor yield to a question?

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Indicates he will.

7. SENATOR RHOADS:

8. Senator Berman, during the debate on Amendment No. 2,

9. I asked you if you would be agreeable to an amendment in the

10. House which would restrict this to within the county

11. or within an election authority's jurisdiction. Would you

12. be agreeable to such an amendment?

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Berman.

15. SENATOR BERMAN:

16. I...Senator Rhoads, I don't want to give you a firm

17. commitment one way or another. I'll be happy to discuss

18. it with you. If it's workable, I would have no, you know,

19. no solid objections. I'll be glad to discuss it with you.

20. But I think the bill is in line with the objections you

21. raised the other day. I think it is a good bill, at least

22. as far as all the facts that I'm aware of at the moment.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Rock. Senator Rhoads, excuse me.

25. SENATOR RHOADS:

26. Well, then, I'm in a quandry because as I say,

27. Senator Berman has worked very hard and did get this bill in

28. much better shape than it was originally. On the other hand,

29. I share some of the concerns that Senator Graham has about

30. cooperation of the Chicago Board of Election Commissioners

31. with the suburban Cook County Clerk and cooperation of that

32. clerk with other downstate counties. Mechanically, this would

33. be a very, very difficult type of bill to administer. Simply,

1. for the reason that we do have over ten thousand precincts  
2. in this State. After a vote goes on a machine, after it goes  
3. on a paper ballot, after it goes on a punch card, there's  
4. no way to remove it or to isolate a fraudulent vote from those  
5. which were cast honestly. The only thing you can do or try  
6. to do is prosecute people after the effect. I...I still think  
7. this bill needs one further safeguard, the one that I mentioned.  
8. For that reason, I don't think I can support it at this time.  
9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Rock.

11. SENATOR ROCK:

12. Thank you, Mr. President, Ladies and Gentlemen of the  
13. Senate. I rise in unequivocal support for Senate Bill  
14. 1378 and would suggest to the two prior speakers that while  
15. their concerns and their judgment might be well taken, their  
16. emphasis is totally misplaced. We are talking about here  
17. an effort to reenfranchise one who is for economic or  
18. personal or family reasons, finds himself disenfranchised  
19. because he is unable to vote having moved. I don't think we  
20. should be looking at the aspect of possible fraud or lack  
21. of cooperation between the Chicago Board of Election Commissioners  
22. and Stanley Cusper's office or any other office. We should  
23. be making a legitimate attempt and Senate Bill 1378 does,  
24. in fact, do that, to allow every citizen in our State  
25. the right to vote. I think it's an excellent bill and I urge  
26. support.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Shapiro.

29. SENATOR SHAPIRO:

30. Well, Mr. President and Ladies and Gentlemen of the Senate.  
31. I'm going to be very brief, but I do want to point out one  
32. thing to you. I honestly think that this bill would open up  
33. the registration polls to fraud and as far as I am concerned,  
34. all the objections raised to the so-called instant voter

1. registration on the day of election, in other words, any  
2. voter or any citizen of this State being able to walk into  
3. any polling place, registering the day of election and voting  
4. that election, that that concept is no better than what we  
5. are doing here. It invites fraud. The bill should be defeated.  
6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Ozinga.

8. SENATOR OZINGA:

9. I rise in support of this bill. It actually happened  
10. to us. My daughter got married, got back from her  
11. honeymoon, was registered in our precinct right next door  
12. to us, and she moved a week before election to another  
13. precinct within the township. Thinking that her card had  
14. been transferred, she went to the first...second polling  
15. place. They said, we don't have you in our register.  
16. Result, they wouldn't let her vote. She went back to our  
17. own precinct, said, is my card here? Result, they said  
18. you moved and having very friendly Democratic judges  
19. at the place, I did not want to start a row because they  
20. were actually right. This is a good bill and I would  
21. support it.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Berman.

24. SENATOR BERMAN:

25. Senator Ozinga closed my debate. Thank you.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Is there further debate? No, there isn't. The  
28. question is shall Senate Bill 1378 pass. Those in favor  
29. vote Aye. Those opposed Nay. The voting is open.  
30. Have all those voted who wish? Have all those voted who wish?  
31. Take the record. On that question the Ayes are 37, the  
32. Nays are 15. Senate Bill 1378 having received a constitutional  
33. majority is declared passed. Now, the next order of business,

1. if the Senate will give me their attention, we're going to  
2. recall the following Senate Bills for the purpose of  
3. amendment, calling them from the Order of 3rd reading  
4. to 2nd reading. They are, Senate Bill 165, 233, 487,  
5. 496, 718, 1356, 1361. Strike 1361.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. All right. Just to repeat, we're moving along  
8. pretty well. Let's attempt, at least...Senator Bruce,  
9. for what purpose do you arise?

10. SENATOR BRUCE:

11. Well, I certainly don't want to call back 489 and  
12. 490, but I would just alert the sponsors of the amendments  
13. that they had, that I said that I would call it back, but  
14. I don't know whether that was my obligation to request that  
15. it be called back or not. Those...and 830 are the  
16. community college bills that we had leave of the Body to  
17. go through last night...

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Well,...

20. SENATOR BRUCE:

21. ...since Senator Regner was not here.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Why don't we wait till we get on that order? I  
24. understand that the procedure will be we will recall these  
25. following two, four, six bills, 165, 233, 487, 496,  
26. 718 and 944, after which we will begin with the beginning  
27. of the Calendar and attempt to go straight through. Senator  
28. Regner.

29. SENATOR REGNER:

30. What about 489? I did have an amendment on that.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Sponsor...Senator Sommer indicated yesterday that he would  
33. ask leave to bring that back.

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1. SENATOR REGNER:

2. 489 is Senator Bruce is chief sponsor.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Oh, I see. All right. Well, then let's wait till  
5. we get there. If he asks you to bring it back, it's up  
6. to you. Senator Sommer.

7. SENATOR SOMMER:

8. Well, I did indicate yesterday that we would bring  
9. this back, but we possibly may have some amendments of our  
10. own and we're not ready to go. Can we do this...

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Yes.

13. SENATOR SOMMER:

14. ...as we get into the business later on?

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Yes, yes. Yes, indeed. That's the appropriation  
17. bill?

18. SENATOR SOMMER:

19. Yes.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Yes. Yeah, we'll get to that. All right. Senator  
22. Egan asks leave of the Body to bring back Senate Bill 165  
23. to the Order of 2nd reading for purpose of an amendment.  
24. Is leave granted? On the Order of Senate Bills 2nd reading,  
25. Senate Bill 165. Mr. Secretary.

26. SECRETARY:

27. Amendment No. 2 offered by Senator Egan.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Egan.

30. SENATOR EGAN:

31. Thank you, Mr. President and members of the Senate.  
32. I have two amendments to offer to bring the bill into  
33. the condition that in my opinion, the people that have been

1. working on it on both sides of the aisle have agreed to.  
2. The first amendment which I am now offering would remove  
3. the provision from the bill to allow the State a substitution  
4. of judges and the second amendment would be only that  
5. ...only a corrective typographical error amendment. I offer  
6. the adoption of Amendment No. 2 which removes the  
7. State's right to a substitution of judges.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Egan has moved the...Senator Egan has moved  
10. the adoption of Amendment No. 2 to Senate Bill 165.  
11. Is there any discussion? Senator Buzbee.

12. SENATOR BUZBEE:

13. Thank you, Mr. President. I frankly, wish that  
14. Senator Egan were not offering this amendment. I'm  
15. not an attorney which probably makes me the most qualified  
16. to...to speak on the subject. You know, I...I know the  
17. defense procedure is always one in a criminal case, is one  
18. of delay and of substitution of judges, et cetera and...and I really  
19. don't quite understand why the prosecution should not have the  
20. chance once in a while just to say, I don't want that judge,  
21. because, I know that judge lets everybody off with probation.  
22. And I don't think this particular person that I'm trying right  
23. now should be let off with probation so therefore, I want to get  
24. rid of that judge. And...and I just have the feeling that  
25. this...this should stay in there and I'm sorry to see that  
26. the sponsor is offering the amendment to take it out.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. All right. Senator Egan has moved the adoption of  
29. Amendment No. 2 to Senate Bill 165. Is there any discussion?  
30. All those in favor signify by saying Aye. All those opposed.  
31. The Ayes have it. The amendment is adopted. Any further  
32. amendments?

33. SECRETARY:

1. Amendment No. 3 offered by Senator Egan.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Egan.

4. SENATOR EGAN:

5. Yes, as I indicated, Mr. President and members,

6. this is to correct a typographical error, only there

7. is no substance to the amendment.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Egan offers the adoption of Amendment No.

10. 3 to Senate Bill 165. Is there any discussion?

11. All those in favor signify by saying Aye. All those opposed.

12. The Ayes have it. The amendment is adopted. Any further

13. amendments?

14. SECRETARY:

15. No further amendments.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Any...3rd reading. Senator Clewis has asked leave

18. to bring Senate Bill 233 back to the Order of 2nd reading

19. for the purpose of an amendment. Is leave granted? On the

20. Order of Senate Bills, 2nd reading, Senate Bill 233.

21. SECRETARY:

22. Amendment No. 1 offered by Senator Clewis.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator Clewis.

25. SENATOR CLEWIS:

26. Mr. President and members of the Senate. Amendment

27. No. 1 makes several word and language change in the bill.

28. There's no significant change with the exception of line

29. 22, 23, 24, and 25 of the amendment, which adds those

30. words to the section of the bill which defines when an action

31. is considered terminated against the defendant. I move for

32. the adoption of Amendment No. 1.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Clewis has moved the adoption of Amendment No.  
2. 1 to Senate Bill 233. Is there any discussion? All those  
3. in favor signify by saying Aye. All those opposed. The  
4. Ayes have it. Amendment is adopted. Any further amendments?

5. SECRETARY:

6. No further amendments.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. 3rd reading. Senator Don Moore has asked leave to bring  
9. Senate Bill 487 back to the Order of 2nd reading for  
10. purpose of an amendment. Is leave granted? On the  
11. Order of Senate Bills, 2nd reading, Senate Bill 487.  
12. Mr. Secretary. All right. Take it out of the record.  
13. How about 496? You want to hold that one. All right.  
14. Hold that one up. 718, have you got that one? Well,  
15. it's not back from Enrolling and Engrossing yet. That's  
16. our problem. I will get...we'll get back to it.  
17. All right. We took 487 out of the record. Senator Maragos  
18. has asked leave to bring Senate Bill 718 back to the  
19. Order of 2nd reading for purpose of an amendment. Is  
20. leave granted? On the Order of Senate Bills, 2nd reading,  
21. Senate Bill 718. Mr. Secretary.

22. SECRETARY:

23. Amendment...Amendment No. 1 offered by Senator Maragos.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Maragos.

26. SENATOR MARAGOS:

27. I move for the adoption of Amendment No. 1, Mr.  
28. President. What it does, Mr. President and members of the  
29. Senate, this amendment makes sure that the acquisition  
30. will be for the whole parcel if this bill passes rather  
31. than just taking it in piecemeal which would, in the long  
32. run, cost the State more money and this amendment was agreed  
33. to by Senator Moore who is also cosponsor of the bill.

1. PRESIDING OFFICER: (SENATOR ROCK)  
2. Senator Maragos has moved the adoption of Amendment  
3. No. 1 to Senate Bill 718. Is there any discussion?  
4. All those in favor signify by saying Aye. All those opposed.  
5. The Ayes have it. Amendment is adopted. Any further  
6. amendments?  
7. SECRETARY:  
8. No further amendments.  
9. PRESIDING OFFICER: (SENATOR ROCK)  
10. 3rd reading. Senator Nimrod asks leave to bring  
11. back Senate Bill 944 to the Order of 2nd reading for the  
12. purpose of an amendment. Is leave granted? On the Order  
13. of Senate Bills, 2nd reading, Senate Bill 944. Mr.  
14. Secretary.  
15. SECRETARY:  
16. Amendment No. 2 offered by Senator Nimrod.  
17. PRESIDING OFFICER: (SENATOR ROCK)  
18. Senator Nimrod.  
19. SENATOR NIMROD:  
20. Yes, Mr. President and fellow Senators. This amendment  
21. deletes the provisions which Senator Bruce had referred to  
22. and also the severability clause and I would ask for the  
23. adoption of this amendment.  
24. PRESIDING OFFICER: (SENATOR ROCK)  
25. Senator Buzbee.  
26. SENATOR BUZBEE:  
27. Well, you know, this...this one has been around the  
28. horns several times, now, Senator. The other day, the  
29. bill was taken out of the record on the...at the request  
30. of Senator Rock cause you completely struck everything  
31. after the enacting clause on the 2nd reading and put in a  
32. whole new bill and we'd had a lot of controversy in committee  
33. on the bill to start with. 944, is the bill...

1. PRESIDING OFFICER: (SENATOR ROCK)  
2. 944, Mr. Secretary, change the board.  
3. SENATOR BUZBEE:  
4. And...and so you took it out of the record at the  
5. request of Senator Rock. Now, you have another amendment  
6. and I'm quite frankly, a little taken aback at this late  
7. date that we continue to...that we...I'm not chagrined  
8. or appalled yet, no. But I'm...I'm taken aback.  
9. And I'm just questioning what you're doing at this late date.  
10. PRESIDING OFFICER: (SENATOR ROCK)  
11. Senator Nimrod.  
12. SENATOR NIMROD:  
13. Yes, I am removing one paragraph at the request of  
14. Senator Bruce. Otherwise, there are no other changes in the  
15. bill. I would ask for the adoption of this amendment.  
16. PRESIDING OFFICER: (SENATOR ROCK)  
17. Senator Buzbee.  
18. SENATOR BUZBEE:  
19. Well, may I ask what that one paragraph is? Is it  
20. the enacting clause or what?  
21. PRESIDING OFFICER: (SENATOR ROCK)  
22. Senator Nimrod.  
23. SENATOR NIMROD:  
24. No, Senator Buzbee, what this did...did was to  
25. remove one paragraph that provided for the local  
26. laws that this Act would supercede any of the local Acts when  
27. they were in conflict and it removes that and also it  
28. requested. I remove the severability paragraph which we  
29. already have provisions for in the State Statute.  
30. So, it's just eliminated the paragraph that he requested  
31. and the severability clause.  
32. PRESIDING OFFICER: (SENATOR ROCK)  
33. Senator Nimrod moves the adoption of Amendment No. 2

1. to Senate Bill 944. Is there any further discussion?  
2. All those in favor signify by saying Aye. All those  
3. opposed. The Ayes have it. The amendment is adopted.  
4. Any further amendments?

5. SECRETARY:

6. 3rd reading.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Weaver seeks leave of the Body to bring  
9. Senate Bill 894 back to the Order of 2nd reading for the  
10. purpose of Tabling an amendment. Is leave granted?  
11. On the Order of Senate Bills, 2nd reading, Senate Bill  
12. 894. Senator Weaver.

13. SENATOR WEAVER:

14. Thank you, Mr. President. I'd like to reconsider  
15. the vote by which Amendment No. 1 to Senate Bill  
16. 894 was adopted.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Weaver moves to reconsider the vote by  
19. which Amendment No. 1 to Senate Bill 894 was adopted. All  
20. those in favor signify by saying Aye. All those opposed.  
21. The Ayes have it. The vote is reconsidered.

22. Senator Weaver, now, moves to Table Amendment No. 1.  
23. All those in favor signify by saying Aye. All those  
24. opposed. The Ayes have it. The amendment is Tabled.  
25. Any further amendments?

26. SECRETARY:

27. No further amendments.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. 3rd reading. All right. With respect...if I can have  
30. your attention. With respect to some of those bills which were  
31. just amended, they are on their way up to and will be in  
32. Enrolling and Engrossing and we will not be in a position  
33. to call those bills until they have returned from Enrolling and

1. Engrossing. So, we may well have to go out of Order  
2. here momentarily. All right. Ring the bell, Mr. Secretary.  
3. With leave of the Body, we'll go back to the Order of  
4. 3rd reading. Start at the beginning on page 2 of the  
5. Calendar, Senate Bill...Senator Graham.

6. SENATOR GRAHAM:

7. In my capacity as a highly paid chairman of the  
8. Republican caucus, I would now request the Senate  
9. will stand in recess for the purpose of a caucus.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. That...that request is in order, Senator.

12. Can you indicate the time, please.

13. SENATOR GRAHAM:

14. I...I hope we can get our act together in less  
15. than a half an hour and we'll all certainly try.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. All right. Senate...Senator Graham has...

18. SENATOR GRAHAM:

19. Room 400.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Graham has requested a recess for the purpose  
22. of an immediate Republican caucus. The Senate will stand in  
23. recess for approximately one half hour.

24. Recess

25. After Recess

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senate Bills on 3rd reading. Senate Bill 23,  
28. Senator Washington.

29. SECRETARY:

30. Senate Bill...

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Secretary, read the bill.

33. SECRETARY:

1. Senate Bill 23.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Washington.

6. SENATOR WASHINGTON:

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

8. should be 23 on the board.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senate Bill 23.

11. SENATOR WASHINGTON:

12. Mr. President and members of the Senate.

13. Senate Bill 23 is the last of the series in the currency

14. exchange bills. It is similar to, in a sense, Senate

15. Bill 440, which we passed out, but goes a bit further.

16. It adds additional sanctions for violation of the Act.

17. The present law provides only for revocation. This provides

18. for fine and suspension. It also provides for an alternate

19. method of setting the rates. In a sense, it's in conflict

20. with Senate Bill 440 which we passed out, but it was

21. agreed by all parties that both bills should go to the House

22. and if there were any differences, they iron out the

23. differences between this bill and Senate Bill 440.

24. I ask for your support for Senate Bill 23.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Is there further discussion? Question is shall

27. Senate Bill 23 pass. Those in favor vote Aye. Those opposed

28. Nay. The voting is open. ...those voted who wish?

29. Have all those voted who wish? Take the record. On that

30. question the Ayes are 42, the Nays are 1, 3 Voting Present.

31. Senate Bill 23 having received a constitutional majority

32. is declared passed. Senate Bill 69, Senator Lemke.

33. Secretary will read the bill.

1. SECRETARY:

2. Senate Bill 69.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Lemke.

7. SENATOR LEMKE:

8. What...what this bill does is amends the Workmen's  
9. Compensation Occupational Disease Acts to provide that franchise  
10. or distributors are liable to pay compensation to employees  
11. of a franchisee or leasee respectively unless such  
12. franchisee or leasee provides therefore. What we're  
13. doing here is the fact that we have a hundred and forty  
14. franchisers outside of the State of Illinois, not one is  
15. incorporated or does business in the State and what we're  
16. trying to do here is to provide some coverage for some  
17. employees of franchisees that go out of business and end  
18. up not having insurance coverage to protect them. What we're  
19. saying here is that if a franchisor who has control over  
20. his franchisee, almost exclusive control, we're asking him  
21. to mandate that he puts a requirement in that they comply  
22. with the financial laws of...in regard to Workmen's Compensation  
23. or he'll be liable. I ask for a favorable roll call.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Glass.

26. SENATOR GLASS:

27. Thank you, Mr. President, Ladies and Gentlemen. I stand  
28. in opposition to Senate Bill 69. Illinois recently adopted,  
29. I think, at the last Session, a very extensive Franchise  
30. Registration Act and that governs the subject very effectively,  
31. but the relationship between franchisee and franchisor  
32. is that of independent contractor. The franchisor does not  
33. have the kind of control over the franchisee that this bill

1. would suggest. It's a contract between the two parties and  
2. once the franchisee is given the franchise, he's virtually  
3. on his own and...except for the terms of that contract. I think  
4. this would be an unreasonable burden to place on the  
5. franchisor and as I see it, totally unnecessary. I move  
6. to...I would urge opposition.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Knuppel.

9. SENATOR KNUPPEL:

10. It's a very simple thing. I draw private contracts,  
11. you know, for contractual services every day in my law  
12. office and one of the standard clauses is is that the person  
13. who is going to render the services shall secure  
14. and maintain and force in effect, a policy of Workmen's  
15. Compensation and liability insurance. There's nothing at all  
16. here that would prevent the franchisor from requiring  
17. the independent contractor who is taking over the franchise  
18. from performing that and seeing that it's done.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Is there further debate? The question is shall Senate  
21. Bill 69...you wish to close? Senator Lemke may close the  
22. debate.

23. SENATOR LEMKE:

24. What we're dealing here, is putting the burden  
25. on out of State people who do not incorporate, do not pay  
26. their taxes in Illinois, do nothing for Illinois but  
27. come here and milk this State for their money and they're  
28. pretty profitable franchisees. If they like Illinois so  
29. much for business, they should incorporate here. But these  
30. are a hundred and forty franchisors that are not incorporated  
31. in here, have their home offices other places, and pay no  
32. corporate tax or pay anything here. We're putting the burden  
33. where it should be, on out of State people that are coming to

1. Illinois and milking the business out of here. So, I ask  
2. for a favorable roll call.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Is there further...the question is shall Senate  
5. Bill 69 pass. Those in favor vote Aye. Those opposed  
6. Nay. The voting is open. Have all those voted who wish?  
7. Have all those voted who wish? Take the record. On that  
8. question the Ayes are 23, the Nays are 26. Request that  
9. consideration be postponed. Consideration will be  
10. postponed. Senate Bill 86, Senator Demuzio. Read the bill, Mr. Secretary.  
11. Senate Bill 92, Senator Buzbee. Read the bill, Mr. Secretary.

12. SECRETARY:

13. Senate Bill 92.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Buzbee.

18. SENATOR BUZBEE:

19. Thank you, Mr. President. Mr. President, this bill is a  
20. part of the package that came out of the Judiciary II  
21. Committee. The bill was entered at the request of a judge  
22. who lives in my area who used to be a State's Attorney.  
23. And he had an experience as State's Attorney of prosecuting  
24. a...an admitted rapist - murderer...murderer, in fact,  
25. openly bragged of several other rapes and murders and  
26. the man was convicted, sentenced. Later his sentence was  
27. reduced somewhat by the appellate court. And at one point,  
28. the warden of the penitentiary where he was incarcerated  
29. called the State's Attorney and said...who now by this  
30. point was a judge, and said, this man is getting out  
31. today or tomorrow under the provisions of the Statutory good  
32. time. And I don't think he ought to be out, but under the  
33. system as it's set up, he's getting out. Subsequently,

1. the man got out, went to Chicago, raped and murdered two  
2. more women and is now incarcerated, hopefully, forever.  
3. But this brought to light, at least to this judge, brought  
4. to his attention, the fact that there is such a thing  
5. as Statutory good time which would allow the Director of the  
6. Department of Corrections to award good time and, in fact,  
7. let a criminal out on the streets long before the judge  
8. had intended through his sentencing provisions and  
9. sentencing powers. Now, what I wanted to do with this bill  
10. as I originally put it in at the request of the judge,  
11. who now hears, I think, almost exclusively criminal cases...

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator, your time has expired.

14. SENATOR BUZBEE:

15. I'll conclude, Mr. President. That ten minutes went  
16. by awfully fast. The...what the bill has done now is the...  
17. it has been rewritten by the Director of the Department of  
18. Corrections. Not exactly to my satisfaction, I might add,  
19. but I accepted the amendment because I think it's the only  
20. thing that I can get passed and what it does, it limits  
21. the Director's powers of awarding Statutory good time to a  
22. maximum of three months for every year of...of sentence  
23. and the Director says he can live with that. He wrote the  
24. amendment. It does address the problem. It doesn't completely  
25. solve it, in my mind, but it's better than it was and I would  
26. ask for a favorable vote...roll call.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Graham.

29. SENATOR GRAHAM:

30. I think what you're doing here and...I don't...I'm not  
31. in real opposition with Senator Buzbee on this, but we're  
32. trying to pass a bill here to conform with a situation that  
33. existed in one district. There's been no great hue and cry for

1. this and we may be, as a result of abolishing good time on  
2. maximum sentences, placing the Department of Corrections  
3. in a position that they can't handle and may create more  
4. problems than is trying to avoid and look carefully  
5. at this bill before you vote for it.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Merlo. Senator Kenneth Hall.

8. SENATOR HALL:

9. Will the sponsor yield to a question?

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Indicates he will.

12. SENATOR HALL:

13. One question. Senator, how much time do you get now?

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Buzbee.

16. SENATOR BUZBEE:

17. It used to be ten minutes, now it's down to  
18. about a minute and a half, Senator. Oh, no, I'm sorry.  
19. The Director can award...

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. It's going to keep going down, too.

22. SENATOR BUZBEE:

23. The Director can award up to a maximum of eight months,  
24. the Director so informs me. This is not written in the  
25. Statutes, but is in his rules and regulations and he, frankly,  
26. says he can live with this three months and...and he wrote  
27. the amendment.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Egan.

30. SENATOR EGAN:

31. Thank you, Mr. President. Would you yield, Senator?

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Why don't you just ask him? Go ahead. He will.

1. He says he will not.

2. SENATOR EGAN:

3. Well, I...I have a problem insofar as the consequence  
4. that this has on the determinant sentencing provisions  
5. in Senate Bill 165. I'm told it does not apply to determinant  
6. sentences, only to indeterminant sentences. However,  
7. when we...when this bill went through the committee,  
8. we had not, at that time, yet considered removing the  
9. ratio that a judge must comply with to...to give a,  
10. in fact, maximum sentence. But the ratio in Class 3  
11. felonies, for example, requires that the judge sentence  
12. up to only one-third of the maximum. Now, if we remove  
13. that provision and the judge makes a determinant sentence  
14. out of a Class 3 felony in which, in fact, is what he is  
15. going to be able to do, he can sentence up to ten years, for  
16. example, for aggravated battery and if he gives a defendant  
17. a six year term, knowing that he will get good time off,  
18. doesn't your bill limit the good time and isn't your  
19. bill specifically designed to eliminate the automatic good  
20. time? We may be in conflict, we may not be. But I'm  
21. curious.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Well, you didn't yield for the question. Well, his  
24. time is up, Senator. His time is up. Proceed for thirty  
25. seconds.

26. SENATOR BUZBEE:

27. Well, let me just...let me just quote the amendment,  
28. Senator. I think your...your fears are, frankly, not  
29. ...not justified. The amendment says, every person  
30. serving a term of imprisonment under Section 5-8-1 which  
31. I understand is the section dealing with indeterminant  
32. sentences, shall be entitled...shall be entitled to a reduction  
33. of sentence for good behavior not to exceed three months per

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2nd reading

1. year of the sentence imposed by the courts. Now, the  
2. problem, as I understand it, has been that the Federal  
3. courts have ruled that when you have Statutory good time  
4. provisions, that you must award it unless there's some  
5. other reason not to. So, this would tell the Director,  
6. you can award it, but you can only award up to three  
7. months maximum for every year of sentence.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator D'Arco. Well, there's only one more  
10. speaker. It's Senator...the previous question has been  
11. moved. Senator...all those in favor indicate by saying  
12. Aye. Those opposed. The Ayes have it. Senator Buzbee  
13. may close the debate, or take a roll call.

14. SENATOR BUZBEE:  
15. Roll call.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Question is shall Senate Bill 92 pass. Those in  
18. favor vote Aye. Those opposed Nay. The voting is open.  
19. Have all those voted who wish? Have all those voted who  
20. wish? Take the record. On that question the Ayes  
21. are 22, the Nays are 23, 2 Voting Present. Senate Bill  
22. 92 not having received a constitutional majority is  
23. declared lost. Senate Bill 157, Senator Harber Hall.  
24. Senate Bill 165. Senator Egan, are you handling that  
25. legislation? I think that earlier...

26. SENATOR EGAN:  
27. Yes, if...

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. ..today...just a moment...earlier today, I think  
30. the President indicated that this would be considered with  
31. the 1274 and 1275. We did have leave for consideration  
32. of those three measures. So, with that, we will start with  
33. Senate Bill 165. Senator Egan.

1. SECRETARY:

2. Senate Bill 165.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Egan.

7. SENATOR EGAN:

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

9. Yesterday, we passed out the amendment with an explanation  
10. and I'm sure everyone has it. I will be brief. This bill  
11. will create a new class of felonies. There are eight enumerated  
12. crimes, the definition and status of which exist in today's  
13. criminal code that will become Class X felonies for which  
14. the minimum sentence will be six years to the life  
15. of the defendant. They are not probationable, rather they're  
16. not parolable. They can get a reduction for good time only.  
17. You have the explanation sheet. Everybody in the room  
18. has seen it and if desirable, I'll read it but not now,  
19. only if asked. Also, the bill provides that the State's  
20. Attorney must file a certificate for a reason or reasons  
21. if he, in fact, reduces a crime from a Class X felony  
22. to a lesser crime. There's an...there is an increase in  
23. Class 1 and 2 felony minimum mandatory terms, Class 1 from  
24. four to six years, Class 2 from two to three years.  
25. The elimination of the ratio that I just discussed and finally  
26. on...more importantly, I think, is the creation of a commission  
27. that will study determinant sentencing, in fact, the entire  
28. Criminal Code and the Criminal Code of Procedure. A well  
29. structured commission, three members to be appointed by the  
30. Governor, three by the House, three by the Senate and three  
31. by the Supreme Court. If there are no questions, I ask for  
32. your favorable consideration.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Berman.

2. SENATOR BERMAN:

3. Senator Egan, for my edification, the Governor came  
4. out with a statement the other day about Special Sessions  
5. because of not responding to crime. Could you comment on  
6. that statement of the Governor in relation to this bill or  
7. your...or the work of you and Senator Bowers and the  
8. Judiciary II...II Committee?

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Egan.

11. SENATOR EGAN:

12. Yes, I'll...I...I'm glad you asked the question  
13. because I was surprised to see the report that the Governor  
14. had volunteered this information at the time because  
15. it was toward the end of the negotiations and the work  
16. and the deliberations on his bills and the other  
17. forty-two bills that were in Judiciary II. I...I think  
18. that his press conference was not called for that subject.  
19. I think that he was asked in the event that we could not come  
20. to at least a...an agreement of most of the people involved  
21. in the deliberations and in the work that he would do this.  
22. Now, I know that he...he expressed that...that concept to me  
23. when we began discussing his bills along with all the other  
24. bills. I think that that question was asked of the  
25. press and I think he answered it, but I don't think he  
26. intended to highlight that in any...any way because our  
27. negotiations and our deliberations and our...and our work  
28. was proceeding without any problems and consequently  
29. I think it was out of context.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Daley.

32. SENATOR DALEY:

33. Will the sponsor yield to a question?

34. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Indicates he will.

2. SENATOR DALEY:

3. Are the individual indicted on a Class X felony,  
4. is it considered an X or are they indicted for murder,  
5. armed robbery, or rape or what is it?

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Egan.

8. SENATOR EGAN:

9. They...they can be indicted for any one of the  
10. eight enumerated crimes, not for...in that...they are  
11. categorized simply in that category for punishment  
12. purposes.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Daley.

15. SENATOR DALEY:

16. For their official record, are they considered a  
17. Class X felonies...felons?

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Egan.

20. SENATOR EGAN:

21. Well, just like they would be considered a Class  
22. 1 felon if the crime for which they were indicted  
23. fell within that category.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Daley.

26. SENATOR DALEY:

27. Also, does the State's Attorney have to file  
28. a certified statement in reducing a criminal indictment?

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Egan.

31. SENATOR EGAN:

32. If the...if the...if the plea bargain arrangement was  
33. such that an indictment of a felony falling within Class X  
34. was reduced to let's say, Class 3, he would have to file a

1. certificate and an affidavit.
2. PRESIDING OFFICER: (SENATOR DONNEWALD)
3. Senator Daley.
4. SENATOR DALEY:
5. What is the effect of this...it's called a certified
6. statement? Is there...is there perjury involved if the
7. State's Attorney files it improperly?
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. Senator Egan.
10. SENATOR EGAN:
11. He swears to the reason for the reduction.
12. PRESIDING OFFICER: (SENATOR DONNEWALD)
13. Senator Daley.
14. SENATOR DALEY:
15. Then, that's the individual State's Attorney or is
16. it the elected State's Attorney?
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. Senator Egan.
19. SENATOR EGAN:
20. That...that is, I think that has been determined
21. by the courts to mean an assistant, also.
22. PRESIDING OFFICER: (SENATOR DONNEWALD)
23. Senator Daley.
24. SENATOR DALEY:
25. Also, in the Criminal Sentencing Commission, is there
26. a conflict whereby a separate branch of government, the Judiciary
27. is appointed three trial judges to this Commission?
28. PRESIDING OFFICER: (SENATOR DONNEWALD)
29. Senator Egan.
30. SENATOR DALEY:
31. If so, are the trial judges in the criminal court
32. or the civil court?
33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Egan.

2. SENATOR EGAN:

3. The recommendation is that they be trial judges with  
4. experience hearing criminal cases. I don't think there is  
5. a...a conflict between branches.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Daley.

8. SENATOR DALEY:

9. You don't believe there's a conflict whereby, if  
10. they're trial judges in the criminal field, they're going to  
11. be sitting on the Criminal Sentencing Commission?

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator, your time is expired. You may respond  
14. to that question. Senator Egan.

15. SENATOR EGAN:

16. I don't believe so.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Netsch.

19. SENATOR NETSCH:

20. Thank you, Mr. President. With considerable respect  
21. for the members of Judiciary II and some others involved,  
22. I would really like to say that I think that this bill is  
23. not the product of a broad deliberation by the members of the  
24. Senate on...with respect to what should happen in the  
25. criminal justice area. It...the bill that is now before  
26. you is essentially Senator Egan's product. It essentially  
27. is a patchwork quilt of various legislative proposals.  
28. It covers such matters as penalties and punishment, some  
29. procedural matters and a study commission all thrown together  
30. in one bill. I will assume for the moment that it does not  
31. have a constitutional problem because it covers more than one  
32. subject. But it is, indeed, a patchwork quilt. I would also  
33. point out that it addresses some matters which the members of the

1. committee never really discussed at all. For example,  
2. in Senator Egan's bill, arson is raised from a Class  
3. 2 felony, which it is at the present time, to his Class  
4. X felony. At the same time, the committee on Judiciary  
5. was creating a new crime of aggravated arson which it  
6. did increase in category from Class 2 to Class 1, but,  
7. in fact, we never discussed whether simple arson, if I may  
8. use that expression, should be put into this most serious  
9. of all categories, the Class X category. I might point  
10. out that Senator Egan's bill also removes the sawed-off  
11. shotgun from the dangerous weapon category. Now, that may  
12. well be a good thing. But I don't quite know why  
13. it is done because I was never sure why it was an exception  
14. in the first place. In any event, it certainly is something  
15. that was not discussed by the members of the committee.  
16. I should also point out something else. That in Senator  
17. Egan's bill, unlike the Governor's bill that was before us,  
18. he has increased the mandatory minimums, not just for certain  
19. Class 1 felonies, but...

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator, your...

22. SENATOR NETSCH:

23. ...for all Class 1 and Class 2 felonies. There is no  
24. question that this means an increase in the prison population.  
25. And there is...there is no question that it also is going  
26. to eliminate an enormous area of discretion from the judge's  
27. hands. Judge...

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator, your time...just a moment. For what purpose  
30. do you arise, Senator D'Arco.

31. SENATOR D'ARCO:

32. Point of order, are we using the timer?

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. We are, indeed, and I've expressed the...the Chair  
2. has stated that the time is expired several times.  
3. You may conclude your remarks, Senator.

4. SENATOR NETSCH:

5. That was not five minutes. I know you have it on a  
6. fast timer, today. Let me...

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Let's conclude.

9. SENATOR NETSCH:

10. ...if I may finish, Senator D'Arco. There are  
11. differences, even among Class 1 felonies, as well as Class  
12. X felonies and this is something that Judge Wolfson and  
13. others representing tough law and order positions, pointed  
14. out to us. Even the crime of indecent liberties, for example,  
15. covers a broad range of activities. It sounds like a grim  
16. crime under all circumstances. As Judge Wolfson pointed  
17. out to us, it is not always that. I think what we should  
18. be clear about is that we are increasing.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Just a moment. Senator D'Arco. Senator Netsch indicated  
21. she would close her remarks. Senator D'Arco.

22. SENATOR D'ARCO:

23. No, I am...I am not...I am deliberately not  
24. speaking on the merits of this bill because I know  
25. that the bill is going to fly anyway and that's what people  
26. want. Now, in the interest of time, I suggest she conclude  
27. her remarks because her time has expired.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. You're...you're correct, Senator D'Arco.  
30. We've...we've observed the rule throughout the day and I  
31. think that we have to continue to do that. Senator Netsch,  
32. would you conclude.

33. SENATOR NETSCH:

1. I will be happy to conclude. I think it's important  
2. enough, Senator D'Arco, that a few things ought to be said  
3. about it, though. Let me just point out one final  
4. thing. No one who has testified before the committee, and  
5. we have not have enough testimony, has suggested that  
6. longer imprisonment is going to serve any deterrent  
7. effect. If we do not have toughness at the front end, if there  
8. is not certainty in getting people who have committed  
9. crimes...

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Just a moment...

12. SENATOR NETSCH:

13. ...putting them into prisons for a longer time, is  
14. not...

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Just...

17. SENATOR NETSCH:

18. ...going to stop it.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator...please conclude your remarks. Just...

21. Senator Netsch will conclude, please.

22. SENATOR NETSCH:

23. Thank you, Mr. President. I am in the process of  
24. concluding, if I...

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Well, Senator...

27. SENATOR NETSCH:

28. ...would not be interrupted so many times.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Well, I realize, but please do conclude.

31. SENATOR NETSCH:

32. I will, thank you. What I am attempting to point out is  
33. that we have created here a bill that is going to increase  
34. enormously the number of people who are going to be spending

1. periods of time, in some cases, long periods of time  
2. in prison. That is not going to contribute to deterrence.  
3. It will keep some people off the streets, that is quite  
4. correct. But I think before we adopt this kind of an  
5. approach, we ought to be awfully sure what it is that we  
6. really want to get at in changing the entire prison sentencing  
7. program and this, I think, has not...

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Rock.

10. SENATOR ROCK:

11. Point of order. Would it be helpful if we cleared  
12. the press box?

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Well, let's...let's continue. Let's continue.

15. Senator Newhouse. Senator Newhouse.

16. SENATOR NEWHOUSE:

17. Thank you, Mr. President. I wonder if in the interest  
18. of time, if the sponsor would yield to a couple of  
19. questions, if you would just leave both mikes on, perhaps  
20. we can dispose of it quickly.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. That would help.

23. SENATOR NEWHOUSE:

24. Senator Egan, is there a fiscal note on this bill?

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Egan.

27.

28. End of reel.

29.

30.

31.

32.

33.

1. SENATOR EGAN:

2. No.

3. SENATOR NEWHOUSE:

4. Senator, can you give us an idea of what the present  
5. statistics are? How many people we're talking about?  
6. What the rate of recidivism happens to be, so we can  
7. get some notion of how many more jails we're going to  
8. have to build?

9. SENATOR EGAN:

10. Well, let me say this Senator. I really can't give  
11. you a definitive answer, but if we need them, I think  
12. we'll build them.

13. SENATOR NEWHOUSE:

14. But, Senator, your...your bill calls for the building  
15. of jails, by its very nature. You're saying that people in  
16. certain categories, it seems to me your research would have  
17. indicated some kind of...recidivism rate, so that we'd have  
18. some notion of what we're getting into.

19. SENATOR EGAN:

20. Well, in Chicago Senator, as you're well aware, the  
21. crime is decreasing and it may very well be, that this will  
22. take care of the severe criminals in a more severe way.  
23. All be it, there are, maybe, fewer.

24. SENATOR NEWHOUSE:

25. So there hasn't been research to back up any of this.  
26. You don't know where we're going.

27. SENATOR EGAN:

28. Well, there's been a lot of research and there's been  
29. a lot of speculation. But, as I say I...am not going to  
30. give you a definitive answer. You may believe what I tell  
31. you.

32. SENATOR NEWHOUSE:

33. May I ask you this one question? Do you expect the

1. passage of this bill to create any pressure on the jails?

2. Do you expect more people to go to jail?

3. SENATOR EGAN:

4. ...Yes, as a matter of fact, I do and as I stated

5. earlier, if we need more jails we'll build them.

6. SENATOR NEWHOUSE:

7. You will, Senator. Who's going to furnish the money?

8. And if so, what is the fiscal note for that? I think that

9. this bill needs a fiscal note.

10. SENATOR EGAN:

11. I think that the people that are protected by this

12. type of legislation will be willing to pay the price.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. The time has expired. Senator Washington.

15. SENATOR WASHINGTON:

16. Mr. President and members of the House. I agree,  
17. minds have...Senate, rather. Minds have, perhaps, been  
18. made up, but one thing we must do in a situation like this,  
19. where we're dealing with revolutionary legislation and that  
20. is a drastic departure from the existing criminal code and  
21. code of corrections, is at least make a legislative record  
22. of intent, as to what we're talking about here. And, if  
23. we rush through this matter as we're doing now and don't  
24. make that record we may live to regret it when the courts  
25. begin to interrupt what, to me, is already an extremely  
26. ambiguous piece of legislation. Senator Netsch...Netsch  
27. pointed out that this bill, 165 was hastily put together  
28. without the prerequisite...thought and instead of going  
29. into it. And I think part of it, the bill, demonstrates  
30. it. Insofar as I'm concerned the only good part of this  
31. bill is that part which deals with setting up a commission.  
32. And what would that commission do? May we have some order,  
33. Mr. Speaker. That commission would study the very things

1. which 165 says we should do. It should study the entire  
2. criminal code in terms of substance and procedural law. It  
3. should study the whole penal code system in terms of sentenc-  
4. ing. In other words, what they're asking us to put forward  
5. here is a pilot program and then go back and say to the  
6. pilot. Well, it seems to me that's a very tragic and raw  
7. and horrible thing to do. We're going to use people in  
8. this State for guinea pigs and then we're going to study it  
9. to see whether or not it works. It seems to me that the  
10. requisite thing to do is to study the field before we pass  
11. the legislation and it has not been done. These bills  
12. languished in this House for some two odd months. We never  
13. thoroughly investigated and studied them. They studied  
14. for a year and a half in the House. They haven't come up  
15. with any adequate answers. But, if you look at this bill  
16. what it is doing, you have two philosophies clashing here.  
17. One is fundamental rehabilitation...

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator, your time has expired.

20. SENATOR WASHINGTON:

21. I've only talked for twenty seconds.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Proceed.

24. SENATOR WASHINGTON:

25. You threw me off my game now. As I was saying, this  
26. bill calls for mandatory sentencing, no parole in some  
27. cases, no probation other cases. It changes and increases  
28. penalties in other cases. It seems to me it cries for  
29. study. I think that this Body would be best advised to  
30. send out of this House, only one part of that bill and that  
31. is the study. And the study is carefully drafted and drawn  
32. and it points in the direction in which we should go in.  
33. If you do anything less than that, without a thorough and

1. intensive debate, I think you're doing a disservice to this  
2. House.
3. PRESIDING OFFICER: (SENATOR DONNEWALD)  
4. Senator Guidice.
5. SENATOR GUIDICE:  
6. Thank you, Mr. President. I move the previous question.
7. PRESIDING OFFICER: (SENATOR DONNEWALD)  
8. Previous question has been moved. Those in favor indicate  
9. by saying Aye, those opposed. The Ayes have it. Senator Egan  
10. will conclude his...will conclude debate.
11. SENATOR EGAN:  
12. Yes, just to briefly answer the criticism of Senator  
13. Netsch. I do not...I do not quarrel with your philosophy  
14. although I, it is usually diametrically opposed to my own,  
15. but there's one thing I do quarrel with in your statement,  
16. Senator, and that is that this is a patchwork. It is not  
17. a patchwork. It is a carefully conceived and well worked  
18. out increase in penalties for serious crimes for the people  
19. of the State and we ask for the support of everybody here  
20. in support of the...what the people are asking for.
21. PRESIDING OFFICER: (SENATOR DONNEWALD)  
22. Question is, shall Senate Bill 165 pass. Those in favor  
23. vote Aye, those opposed Nay. The voting is open. Have all  
24. those voted who wish? Have all those voted who wish? Take  
25. the record. On that question, the Ayes are 46, the Nays are  
26. 4, 3 Voting Present. Senate Bill 165, having received the  
27. constitutional majority is declared passed. Just a moment,  
28. Senator Shapiro. For what purpose do you arise?
29. SENATOR SHAPIRO:  
30. Yes, Mr. President. With leave of the sponsor I  
31. would like to be added as a co-sponsor to Senate Bill 165.
32. PRESIDING OFFICER: (SENATOR DONNEWALD)  
33. Leave is granted. Senator Hall, I understand I skipped

1. over the bill. You were not present. I understand that  
2. you want to make a motion concerning Senate Bill 157.

3. SENATOR HARBER HALL:

4. I'd like leave of the Body to have 157 recommitted  
5. to the committee.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Heard the motion. Those in favor indicate by saying  
8. Aye, those opposed Nay. The Ayes have it. The bill is  
9. recommitted. Senate Bill 12...74. Senator Bowers. Read  
10. the bill, Mr. Secretary.

11. SECRETARY:

12. Senate Bill 1274.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Bowers.

17. SENATOR BOWERS:

18. Well, thank you, Mr. President and Ladies and Gentlemen  
19. of the Senate. Twelve bills...Senate Bill 1274 is an addit-  
20. ional provision in the package that was submitted by the  
21. Governor to this Body. It addresses itself to the question  
22. of...of to what the judge may inquire when he's setting bail  
23. of...it...there were certain provisions in the...in the bill  
24. that were objectionable in the committee. They were stricken.  
25. I think the bill has eliminated many of the objections, if  
26. not all of them. Now, what the bill does, is, is permit  
27. permit the judge to look into the question of the defendants...  
28. likelihood that he may commit another crime when he's deter-  
29. mining the amount of bail. I can go on through the...the  
30. specific provisions with the amendment, which was laid on  
31. everyone desk...clearly sets them out. The additional in-  
32. formation that I should point out to the Body is contained  
33. at the end of the amendment, which provides for supervision

1. of the person who is on bail if the court desires it. Now,  
2. it was mandatory in the original bill. It's been switched  
3. to May. I'll be glad to answer any questions.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Is there further debate? Question is, shall Senate  
6. Bill 1274 pass. Those in favor vote Aye, those opposed  
7. Nay. The voting is open. Have all those voted who wish?  
8. Take the record. On that question the Ayes are 46, the  
9. Nays are none, 2 Voting Present. Senate Bill 1274, having  
10. received the constitutional majority is declared passed.

11. Senator Regner, for what purpose do you rise?

12. SENATOR REGNER:

13. Mr. President and leaders of the Senate. I'd like to  
14. be included as a co-sponsor of Senate Bills 1274 and 1275.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Leave is granted. Senate Bill 1275. Senator Bowers.  
17. Read the bill, Mr. Secretary.

18. SECRETARY:

19. Senate Bill 1275.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Bowers.

24. SENATOR BOWERS:

25. Thank you, Mr. President and Ladies and Gentlemen of  
26. the Senate. Senate Bill 1275 is another portion of that  
27. package...with considerable amendments. As the package was  
28. originally introduced there was considerable objection from  
29. the testimony in committee. So it was amended down to the  
30. point and...and incidentally its attempts to get at the  
31. question of continuances and continuances and continuances  
32. as we all know is a problem in our courts in this State.  
33. So, what it merely says now is that for anyone to obtain a

1. continuance after the trial date has been set, they must  
2. file a verified affidavit of counsel setting forth the  
3. reason by which a...a justice would not be served unless  
4. there is a continuance. I would be glad to answer any  
5. questions.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Is there further debate? Senator Netsch.

8. SENATOR NETSCH:

9. In this case, Senator Bowers, I rise to join you in  
10. support of the bill. It was a...an abomination in its  
11. original form, when providing among other things for  
12. automatic appeal of all grants of continuances. But,  
13. Senator Bowers good judgment has prevailed and the bill  
14. has been put in a form where, I think, it is an attempt  
15. to deal with what we all acknowledge to be an extremely serious  
16. problem, and that is the proliferation of grants of  
17. continuances.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Is there further discussion? Question is, shall  
20. Senate Bill 1275 pass. Those in favor vote Aye, those  
21. opposed Nay. The voting is open. Have all those voted  
22. who wish? Have all those voted who wish? Take the record.  
23. On the question, the Ayes are 48, the Nays are 4, 2 Voting  
24. Present. Senate Bill 1275, having received the constitut-  
25. ional majority is declared passed. Senator Mitchler, for  
26. what purpose do you arise?

27. SENATOR MITCHLER:

28. I'd like to ask leave to be added as a co-sponsor  
29. to Senate Bill 1274 and 1275.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Is there leave? Leave is granted. There are several  
32. that are requesting making that request. Would they please  
33. approach the Secretary's Desk? Senator Graham.

1. SENATOR GRAHAM:

2. On a point of inquiry, when people are doing this,  
3. where does this joining as a co-sponsor show up on, the  
4. tape?

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Probably. ....

7. SENATOR GRAHAM:

8. I suggest, probably, two or three thousand people a  
9. day read that tape. It never shows up in the journals.  
10. It doesn't show up on the bill, does it?

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. It does show up on the journal. Senate Bill 233.

13. Senator Clewis. Read the bill, Mr. Secretary.

14. SECRETARY:

15. Senate Bill 233.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Clewis.

20. SENATOR CLEWIS:

21. Mr. President, members of the Senate. Senate Bill 233  
22. amends and creates a new Section in the Criminal Identifi-  
23. cation and Investigation Act by codifying the requirements  
24. for the return of photographs, fingerprints and like  
25. identification records to the accused where there has been  
26. a termination of a criminal action or proceeding against  
27. him in his favor. This bill, also, sets up circumstances  
28. which defines when an action is considered terminated  
29. in favor of the defendant. A person who's proceedings has  
30. turn out favorable to him is restored and compleplation  
31. of the law to the status he occupied before the arrest  
32. and prosecution and his prosecution should be deemed  
33. annulity. In addition, it amends the Fair...Employment

1. Practices Act to provide that it shall be unlawful or  
2. discriminatory practice to make any inquiry about or to  
3. act adversely about an individual based upon his arrest  
4. for the action, which was followed by a termination of  
5. that criminal action in the favor of that individual.  
6. It further goes on to amend the Civil Administration  
7. Code of the State of Illinois to provide that the  
8. Department of Law Enforcement shall comply with the new  
9. provisions relating to Criminal and...Identification and  
10. Investigation. I think it's a good bill. I think it's  
11. a fair bill. A necessary bill and I would ask for a  
12. favorable roll call.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Is there further debate? Question is, shall Senate  
15. Bill 233 pass. Those in favor vote Aye, those opposed  
16. Nay. The voting is open. Have all those voted who wish?  
17. Take the record. On that...just in case the...on that  
18. vote the Ayes are 54, the Nays are none. Senate Bill 233,  
19. having received the constitutional majority is declared  
20. passed. Senate Bill 234. Senator Lemke. Read the bill,  
21. Mr. Secretary.

22. SECRETARY:

23. Senate Bill 234.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Lemke.

28. SENATOR LEMKE:

29. What this bill does, is set up the Consumer Price  
30. Marking Regulation Act. Prohibits Retail Food and Sundry  
31. dealers from raising the prices of goods already marked  
32. and displayed in public shelf areas of retail stores. We  
33. amended the bill that they can...to take care of the sales

1. part of it. That they can make...they can raise the price  
2. once in a period of seven days. I ask for a favorable  
3. adoption of this...

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Is there further debate? Question is, shall Senate  
6. Bill 234 pass. Those in favor vote Aye, those opposed  
7. Nay. The voting is open. Have all those voted who wish?  
8. Have all those voted who wish? Take the record. On that  
9. question, the Ayes are 25, the Nays are 26. Senate Bill  
10. 234, not having received the constitutional majority is  
11. declared lost. Senate Bill 235. Senator Chew. Senate  
12. Bill 243. Senator Lemke. Read the bill.

13. SECRETARY:

14. Senate Bill 243.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Lemke.

19. SENATOR LEMKE:

20. What this bill does, it sets up the...legalization of  
21. raffle and chances in the State of Illinois. I think it'll  
22. bring in...income into the State of Illinois and will con-  
23. form us to doing something that is being done...and bring  
24. ...and least we can have some regulation over it, so the  
25. people aren't ripped off during raffles and chances. I ask  
26. for a favorable roll call.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Is there further debate? Senator Mitchler.

29. SENATOR MITCHLER:

30. ...Mr. President and members of the Senate. I think  
31. you're all up to your own conscience now you want to vote  
32. on this. How you think what you're doing is going to  
33. satisfy those. I would like to make this one statement.

1. In the form that this bill is in now, if it would ever  
2. become law, you'd have more problems from the very people  
3. that you think you are helping. Because, like this week-  
4. end, if they'd want to hold a raffle out in the woods, the  
5. Elks, or the Moose or the Legion or the V.F.W. they'd have  
6. to account for all this and there'd be more book work  
7. and red tape and you'd find more guys getting into trouble  
8. so just vote your conscience.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Is there further debate? Senator Lemke, do you wish  
11. a roll call or do you want to close the debate? Roll call  
12. is requested. On that...those in favor of the passage of  
13. Senate Bill 243, vote Aye, those opposed Nay. The voting  
14. is open. Have all those voted who wish? Have all those  
15. voted who wish? Take the record. On that question, the  
16. Ayes are 24, the Nays are 27, 3 Voting Present. Senate  
17. Bill 243, not having received the constitutional majority  
18. is declared lost. Senate Bill 246. Senator Glass. Read  
19. the bill, Mr. Secretary. Senator Glass, for what purpose  
20. do you arise?

21. SENATOR GLASS:

22. Mr. President, I move that Senate Bill 246 be Tabled.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator...Senator Glass moves that Senate Bill 246  
25. be Tabled. All those in favor indicate by saying Aye,  
26. those opposed Nay. The Ayes have it. The bill is Tabled.  
27. Senate Bill 277. Senator Glass. Read the bill, Mr.  
28. Secretary.

29. SECRETARY:

30. Senate Bill 277.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Glass.

2. SENATOR GLASS:

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

4. This is the personalized license plate bill. I have  
5. amended it. This is a bill, Ladies and Gentlemen, as I  
6. explained several days ago that would authorize anyone to  
7. apply for a license plate with up to six letters or a  
8. combinations of letters and numbers. So, as I indicated  
9. anyone with a six letter name or less could probably  
10. have their name on their license plate or some other  
11. word. This is a...a bill that is similar to legislation  
12. passed in many other states. California, as far as I  
13. know is the first State to adopt this type of a law and  
14. it's been very successful as far as revenue raising and  
15. popular with the people. The initial cost is twenty-five  
16. dollars. Renewals are ten dollars. Now, I do ask for your  
17. attention and I want to make this clear because I put an  
18. amendment on the bill that preserves all existing license  
19. plate series in combinations of numbers and letters. And,  
20. as to those and as to any additional new combinations that  
21. become available of three letters or two letters and a  
22. number, those are still available without cost and so the  
23. present system is not affected. It...it imposes a new  
24. ...system on, on the present law. I think this has elim-  
25. inated the objection that the Secretary of State's Office  
26. raised specifically. I know Senator Rock did say and I  
27. think he's getting ready to say again when I offered this  
28. amendment that the Secretary is still opposed to the bill.  
29. But, I would say to you, the amendment that I put on the  
30. bill did eliminate the specific objection, which he raised.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Rock.

33. SENATOR ROCK:

1. Thank you, Mr. President and Ladies and Gentlemen of  
2. the Senate. I do, in fact, rise in opposition to Senate Bill  
3. 277. The Office of the Secretary is opposed and I think  
4. for a very good reason. As I indicated previously, in  
5. discussing this bill there are currently about one point  
6. two million people in this State, who have pursuant to  
7. their own request or the request of some of us on their  
8. behalf, secured what is called or can be called personali-  
9. zed license plates. Additionally, there are fifty nine of  
10. us in this Body who have secured, pursuant to our request  
11. and election, personalized license plates. The amendment  
12. which Senator Glass attempted to offer to cure that  
13. problem, that problem being that these persons would,  
14. upon this becoming a law probably have to pay an addit-  
15. ional twenty-five dollars for this personalized plate.  
16. That amendment, in my judgment, and in the judgment of the  
17. Secretary does not cure the problem. I think the bill is  
18. ...is ill drawn and should be defeated.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Kenneth Hall.

21. SENATOR KENNETH HALL:

22. Well, Mr. President and Ladies and Gentlemen of the  
23. Senate. It's been so finely put by Senator Rock. I just  
24. wanted to call to Senator Glass' attention, also, that  
25. and I think you alluded to it, Senator, that we have  
26. personalized license plates in your districts. So, you  
27. would probably get an increase, also.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Hickey.

30. SENATOR HICKEY:

31. Thank you, Mr. President. I want to...ask Senator  
32. Glass. I understood him to say exactly the opposite of  
33. what Senator Rock said. That it would not affect, at all,

1. all the combinations, which are today, in existence. This  
2. was only be specialized plates beyond that. But, I want  
3. to ask if the Secretary of State has said that twenty-five  
4. dollars per specialized license plate, as you have describ-  
5. ed them, would be sufficient to pay the cost.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Glass.

8. SENATOR GLASS:

9. Well, Senator Hickey... Your observation is correct  
10. and I will...will allude to that further and give the  
11. specific language by which we exempt and protect all  
12. existing license plate letters and combinations. But, I  
13. answer your second question no. I have not received...  
14. an indication from the Secretary of State on that point,  
15. but the price charged, as I've indicated...is similar to  
16. what California charged...and they made three million  
17. dollars on the program. So, I...I don't think there is...  
18. there is any objection on the cost...the Secretary of State  
19. has not opposed the bill on that ground.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Knuppel.

22. SENATOR KNUPPEL:

23. I just wanted to make a correction. Senator Rock said  
24. there were fifty-nine others used these legislative plates.  
25. I don't use them. My ego doesn't require it.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Is there further debate? Senator Glass may close  
28. the debate.

29. SENATOR GLASS:

30. ...Thank you...Thank you...Mr. President, Ladies and  
31. Gentlemen. In closing, inclosing I want to reiterate the  
32. point that it seems to be important in this debate and  
33. that is that all present combinations of letters or numbers

1. or both are protected. Now, Senator Rock mentioned he didn't  
2. think the amendment did that, I...I will say to the Body, that  
3. I went back several times to the Reference Bureau request-  
4. ing that this be drawn as precisely as possible. And  
5. Stanley, Stan Johnson, who is, I think, an excellent drafts-  
6. man has worked on this. I think it does the job. Certainly  
7. if it doesn't, I 'm willing to correct it in the House.  
8. But, there is no intent to...to effect or...in any way  
9. ...take away the right to have existing plates without  
10. existing numbers without charge. I think it's a good bill,  
11. would urge a favorable roll call.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Question is, shall Senate Bill 277 pass. Those in favor  
14. vote Aye, those opposed Nay. The voting is open. Have all  
15. those voted who wish? Have all those voted who wish? Take  
16. the record. On that question, the Ayes are 26, the Nays are  
17. 18, 3 Voting Present. Senate Bill 277, not having received  
18. the constitutional majority is declared lost. Senate Bill  
19. 319. Senator Harber Hall. Read the bill, Mr. Secretary.  
20. Senator Hall.

21. SENATOR HARBER HALL:

22. Could you hold this up a little bit. I'm waiting on  
23. some staff work to try and justify this.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. ...After midnight. Senate Bill 327. Senator Grotberg.  
26. Read the bill, Mr. Secretary.

27. SECRETARY:

28. Senate Bill 327.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Grotberg.

33. SENATOR GROTBORG:

1. Thank you, Mr. President. Senate Bill 327 is a very  
2. simple bill. In fact, there's nothing left of it and having  
3. been a proponent...

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Just...just a moment. Senator Rock, for what purpose  
6. do you arise?

7. SENATOR ROCK:

8. Well, I'm gong to suggest that this one be held, because  
9. I'm waiting for my staff to justify the existence of this  
10. department.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Grotberg. Just...just a moment. Senator Carroll,  
13. for what purpose do you arise?

14. SENATOR CARROLL:

15. I, too, will request the sponsor to hold it, because of  
16. all the phone calls we've gotten of offices to be closed. We  
17. are itemizing another amendment. We may ask you to bring it  
18. hck to take out some more.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Grotberg.

21. SENATOR GROTBORG:

22. I think the sponsor...I thought we were all through  
23. with all of that. I'd be glad to hold it for the ...till  
24. July 2...no...

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Grotberg, do you wish to proceed? Let's...  
27. let's ...if the Gentlemen were wariious in their request,  
28. I think that's a courtesy that we should extend each other  
29. and I've...I've never seen it dishonored yet. I'm in no  
30. hurry for this bill. Senator Rock.

31. SENATOR ROCK:

32. I am quite serious.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Rock. Senator Grotberg, you wish to take it  
2. from the record?

3. SENATOR GROTBORG:

4. I will always defer to Senator Rock on his request.

5. Certainly. ...We'll call it back tonight, I suppose, right.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Take it from the record. Senate Bill 329. Senator  
8. Walsh. Senator Carroll.

9. SENATOR CARROLL:

10. I would ask that that be held, too. We have staff work-  
11. ing on some amendments.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Walsh.

14. SENATOR WALSH:

15. ...I had asked that this bill be called...seven or eight...

16. I don't know how many ays when it was on 2nd Reading. We finally  
17. got it called. It's now on the order of third reading. It's  
18. the appropriation for the Department of Revenue and I can't  
19. think of any reason why it should be hold...held and I re-  
20. quest that the bill be called.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Walsh, if you wish to call the bill, we'll  
23. call it.

24. SENATOR WALSH:

25. ...Mr. President, I...it's the first I've heard of  
26. any new amendments.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Well, is it your desire to call the bill, Senator?

29. SENATOR WALSH:

30. Call the bill, please.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Secretary will read the bill.

33. SECRETARY:

1. Senate Bill 329.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Walsh.

6. SENATOR WALSH:

7. ...Mr. President and members of the Senate. This is

8. the annual appropriation for the Department of Revenue. It's

9. been worked on in the Appropriations Committee since it's

10. introduction many months ago. The...the amendment that was...

11. that was adopted was adopted at the request of the Chairman

12. of the Committee...reducing the appropriation by some one

13. million dollars...The department was not happy with it, but

14. agreed to accept it. ...I...I would urge the support of

15. the...excuse me a minute, Mr. ...

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Just a moment. Have you completed?

18. SENATOR WALSH:

19. I've been...it's been suggested to me that Senator

20. Hall has a bill that...pardon me...

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Just a moment. Have you completed your presentation,

23. Senator Walsh?

24. SENATOR WALSH:

25. ...If you could wait for just a minute, Mr. President,

26. I'm conferring with my leader.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Carroll, for what purpose do you arise?

29. SENATOR CARROLL:

30. I only...request to have you hold the bill, as

31. apparently our staff has been meeting with Senator Harber

32. Hall's staff, in an attempt to explain his bill to them.

33. And our staff hasn't gotten back yet because they've been

1. with Harber Hall's staff. So, that's why we weren't  
2. ready on your bill. As soon as the two staffs get back,  
3. maybe we can get through all these bills.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)  
5. Senator Walsh.

6. SENATOR WALSH:  
7. Mr....Mr. President. My...my only problem here now  
8. ...

9. PRESIDING OFFICER: (SENATOR DONNEWALD)  
10. Just...just a moment. Let's have order. Senator  
11. Vadalabene, for what purpose do you arise?

12. SENATOR VADALABENE:  
13. Yes, if Senator Harber Hall...if it's too much work  
14. for him to handle that bill, I am the co-sponsor. I'll  
15. take it away from him and relieve him of all that work.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)  
17. Let's get on with the business. Senator Harber Hall,  
18. for what purpose do you arise?

19. SENATOR HARBER HALL:  
20. I wouldn't like to ..interrupt my good colleague,  
21. Richard Walsh, but if I could go back into the order of these  
22. bills, numeric order, I would like to have a...a bill called.  
23. Now, that I have the full explanation of all the justifi-  
24. able expense of it.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)  
26. We're...we're on the order of Senate Bills and we're going  
27. in rotation. Senator Walsh, you may complete your debate,  
28. ...your presentation.

29. SENATOR WALSH:  
30. Well, I...I would...Mr. President, may I just state  
31. this. If...so long as we don't miss sequence, if we're  
32. going to go back to an earlier number that's fine, but I  
33. don't want to go by this one and possibly not get back to it.

1. So, I'd be happy to take it out of the record if you're going  
2. to get back to me in the next bill or two.
3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. Take it out of the record. Now, Senator Harber Hall, are  
5. you ready to present...Senate Bill 319. Read the bill, Mr.  
6. Secretary.
7. SECRETARY:
8. Senate Bill 319.  
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 and fellow Senators. 319 is appropriation  
15. for the ordinary and contingent expenses on one of the finest  
16. projects in the State of Illinois, the St. Louis Metropolitan  
17. Area Airport Authority...I'd appreciate a favorable roll call.
18. PRESIDING OFFICER: (SENATOR DONNEWALD)
19. Senator Buzbee. The question is, shall Senate Bill  
20. 319 pass. Those in favor vote Aye, those opposed Nay. The  
21. voting is open. Have all those voted who wish? Take the  
22. record. On that question, the Ayes are 43, the Nays are  
23. 11. Senate Bill 319, having received the constitutional  
24. majority is declared passed. Now, Senate Bill 327.  
25. Senator Grotberg. Read the bill, Mr. Secretary.
26. SECRETARY:
27. Senate Bill 327.  
28. (Secretary reads title of bill)
29. 3rd reading of the bill.
30. PRESIDING OFFICER: (SENATOR DONNEWALD)
31. Senator Grotberg.
32. SENATOR GROTBORG:
33. I just wanted to clear with Senator Rock and Senator

1. Carroll that all of those amendments have been explained
2. in full to my staff.
3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. Senator Rock.
5. SENATOR ROCK:
6. The department is still objectionable, but I have
7. withdrawn from my objection.
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. Question is, shall Senate Bill 327 pass. Those in
10. favor vote Aye, those opposed Nay. The voting is open.
11. Have all those voted who wish? Take the record. On that
12. question, the Ayes are 41, the Nays are 8, 3 Voting Present.
13. Senate Bill 327, having received the constitutional majority
14. is declared passed. Senate Bill 329. Senator Walsh.
15. Read the bill, Mr. Secretary.
16. SECRETARY:
17. Senate Bill 329.
18. (Secretary reads title of bill)
19. 3rd reading of the bill.
20. PRESIDING OFFICER: (SENATOR DONNEWALD)
21. Senator Walsh.
22. SENATOR WALSH:
23. Mr. President and members of the Senate. I...I
24. can explain this bill. It is the annual appropriation for
25. the Department of Revenue. I request your support.
26. PRESIDING OFFICER: (SENATOR DONNEWALD)
27. Question is, shall Senate Bill 329 pass. Those in
28. favor vote Aye, those opposed Nay. The voting is open.
29. Senate Bill 385. Senator Berman. On that question...
30. have all voted who wish? Take the record. On that question,
31. the Ayes are 51, the Nays are 2. Senate Bill 329, having
32. received the constitutional majority is declared passed.
33. I need...relief. Senate Bill 385. Senator Berman. Read

SB 385  
3rd Reading  
5/27/77

1. the bill, Mr. Secretary.

2. SECRETARY:

3. Senate Bill 385.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDENT:

7. Senator Berman.

8. SENATOR BERMAN:

9. Thank you, Mr. President and Ladies and Gentlemen  
10. of the Senate. Senate Bill 385 as amended, requires a  
11. census to be taken of all children between the ages of  
12. three and twenty-one, who are receiving special education  
13. and related services in the State of Illinois. This bill  
14. is necessary, however, for us to get a handle on the  
15. number of handicapped children that we have in Illinois  
16. because of the programs and mandates that are...imposed  
17. upon us by Federal Legislation. I ask your favorable  
18. support.

19. PRESIDENT:

20. Senator Buzbee.

21. SENATOR BUZBEE:

22. Well, Mr. President, I want to call to the membership's  
23. attention what we are about to embark upon. We are embark-  
24. ing upon what could end up being, and I'm not saying this  
25. because of...the sponsors put in an awful lot of hard work  
26. on this I know. He knows of my basic disagreement. We're  
27. about to embark upon a brand-new federally mandated special  
28. education program, that if you think some of the pork that  
29. you've seen passed out of here in the next few days is going  
30. to be...is expensive. Wait until you see what this baby  
31. cost. We're going to spend a minimum of one hundred to five  
32. hundred million dollars the first year if we  
33. implement this so-called federally mandated public law...

1. PRESIDENT:

2.           Excuse me, Senator Buzbee, you can plan your remarks  
3. ...there'll be no time limit because the Senate...Secretary has  
4. run out of roll calls and he's fixing up the machine, so  
5. you can proceed at length.

6. SENATOR BUZBEE:

7.           Thank you. I thought I'd never get this opportunity.  
8. Public Law 94-142, which mandates the programs and the bills  
9. that we are embarking upon this time, is going to cost this  
10. State a minimum of one hundred to five hundred million  
11. dollars the first year and about that kind of amount  
12. every year, thereafter. Now, quite honestly, the Federal  
13. Congress was hoodwinked which isn't the first time, but  
14. they have told us that we have to provide special educa-  
15. tional opportunities and facilities way above and beyond  
16. what we provide in the State of Illinois right now. They  
17. did not look at the fact that the State of Illinois has  
18. one of the best special ed programs in existence today.  
19. Now, other states are beginning to wake up to what this  
20. is going to cost and they, quite frankly, are telling the  
21. no...the Feds that they can just go take their program  
22. and fly with it because they're not going to implement it.  
23. Let me tell you what Florida did. The Florida House  
24. Committee on Federal State appropriations on March the  
25. 9th of this year voted to refuse financial assistance  
26. under the Act until such time as the Federal Government  
27. recognizes that unless the civil or legal rights of  
28. individuals are violated the State, the State and not  
29. the Federal Government is best qualified to direct it's  
30. total system of Public Education. New Jersey, Pennsylvania,  
31. Massachusetts and Minnesota are also considering not  
32. complying with the Federal law. The states, if they choose  
33. to do nothing about Public Law 94-142, will only lose the

1. minimal amounts of Federal money they would have received  
2. had they implemented the law. And let me tell you something  
3. else. The Office of Education, now you laugh...you laughing  
4. but, let me tell you, all of you conservatives that are  
5. sitting over there, always crying about the amount of money  
6. spent. The Office of Education can not even give us an  
7. estimate, as to how much this money is going to spend, is  
8. going to cost. We are estimating one hundred to five hun-  
9. dred million dollars on the basis of what other states  
10. have estimated.

11. PRESIDENT:

12. Senator Buzbee, will you conclude your remarks, please.

13. SENATOR BUZBEE:

14. I will conclude my remarks, Mr. President. I'm just  
15. wanting to point out, don't go into this blind. Senator  
16. Berman, as a matter of fact, I understand testified in  
17. front of the Federal Committee that he thought that it  
18. was not needed in Illinois and that we shouldn't have  
19. it. But since they did mandate it, he is bringing about  
20. legislation now to try to implement the mandate. I'm  
21. saying what we ought to do, is stand up, thumb our nose  
22. at the Feeds and say we don't want your money, we don't  
23. want your mandates and if fifty states do that we won't  
24. have to spend five hundred million dollars out of our  
25. treasury this next year.

26. PRESIDENT:

27. Senator Davidson.

28. SENATOR DAVIDSON:

29. Mr. President and members of the Senate. I arise in  
30. support of this bill, not only this one, but the next  
31. three. This is what nineteen bills have been compromised  
32. down into. These are ones, which, in the opinion of those  
33. involved on the School Problems Commission and the Senate

1. Education Committee were ones that 941...94-142 did  
2. mandate. We did have to do something about all the  
3. others that was any doubt about were sent back to  
4. committee. I urge everybody to vote a favorable roll  
5. call.

6. PRESIDENT:

7. Is there any further discussion? Senator Berman  
8. may close the debate.

9. SENATOR BERMAN:

10. I want to put this bill and the next three bills  
11. into proper perspective. Senator Buzbee's remarks may  
12. have been proper about two weeks ago. They are totally  
13. out of context and totally, well, I was going to say,  
14. irresponsible, but, I won't say that. It has...his  
15. tirade has nothing to do with the four bills that I'm  
16. going to ask you to vote affirmatively on. The bills  
17. that involved a price tag of any substance have all  
18. been recommitted to the Committee on Elementary and  
19. Secondary Education. I testified in front of a Federal  
20. Committee to indicate that the mandates that they were  
21. imposing could be highly expensive and overly restrictive  
22. for the State of Illinois. The bills that would have  
23. carried out that mandate have been sent back to committee,  
24. Ladies and Gentlemen. This bill does what Senator  
25. Buzbee is saying that we ought to know, namely taking  
26. a count of the number of children in Illinois between  
27. the ages of three and twenty-one that either, that  
28. receive or require special education services. If we're  
29. going to get any kind of a handle on who has to be served  
30. and what those ultimate costs are and not take figures  
31. out of the air, we've got to have a head count. That's  
32. all this bill does. We are giving services at the present  
33. time to the children that are going to be counted by this

1. bill. It is a nominal bill, yet it has a nominal fiscal  
2. cost next to nothing and I ask your support for a reason-  
3. able approach to take a census of the handicapped children  
4. in Illinois. Senator Buzbee's remarks do no apply to this  
5. bill.

6. PRESIDENT:

7. The question is, shall Senate Bill 385 pass. Those  
8. in favor will vote Aye, those opposed will vote Nay. The  
9. voting is open. Have all voted who wish? Have all voted  
10. who wish? Take the record. On that question, the Ayes  
11. are 33, the Nay are 14, 4 Voting Present. Senate Bill  
12. 385 having received the constitutional majority is de-  
13. clared passed. Senate Bill 391. Senator Berman. Read  
14. the bill.

15. SECRETARY:

16. Senate Bill 391.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDENT:

20. Senator Berman.

21. SENATOR BERMAN:

22. Thank you, Mr. President. Ladies and Gentlemen of  
23. the House, let me give you a little background of this  
24. bill. What this bill does...

25. PRESIDENT:

26. Senator Berman. The Senate.

27. SENATOR BERMAN:

28. Thank you. Ladies and Gentlemen of the Senate,  
29. let me give you a little background of what this bill  
30. does and where it comes from. It changes the categories  
31. of handicapped children so that the categories that we  
32. presently have are substituted with the following  
33. categories: A. Children with learning and behavioral

1. problems, B. Children with moderate learning handicaps,  
2. C. Children with a visual impairment, D. Children with  
3. a hearing impairment, E. Children with a speech and  
4. language impairment, and F. Children with severe or  
5. profound learning handicaps. This bill, as amended,  
6. came out of a subcommittee chaired by Representative Gene  
7. Hoffman of the House, dealing with the categorization  
8. of handicapped children. This bill is not mandated by  
9. 94-142. It is a shift in the classification of handicapped  
10. children. Now, there are a number of people that came down  
11. today, some of whom spoke to me and a number of whom spoke  
12. to other members of the Senate Body. They represent a large  
13. segment of the professionals, very qualified, very serious  
14. and conscientious people who take issue with this suggested  
15. new categorization. I am not expert in this field and I  
16. cannot tell you whether this category...suggested new  
17. categories is better or not better than the existing cate-  
18. gories. My suggestion was and this bill was kept alive  
19. at the...request of Representative Gene Hoffman, who put  
20. in an awful of time and work on this bill and on this sub-  
21. ject. My suggestion and request to you today is this.  
22. That this bill be passed out and sent over to the House.  
23. I think that all of you know that Gene Hoffman is a level  
24. headed, serious, conscientious legislator and allow him, who  
25. as a sponsor of this bill in the House, to review the  
26. recommendations here and to hold the kind of discussions  
27. and hearings in the House with the, apparently, two  
28. categories of the professional the psychologist and  
29. psychiatrist and the caseworkers that work with these  
30. children to determine whether this is a better bill than  
31. we have at the present time or whether it's not. I'm not  
32. qualified to say whether it is or isn't. I suggest to you  
33. that a lot of work has been done. It's a suggested shifting

1. Representative Hoffman thinks it's better. Some professionals  
2. thinks, think it's worse. I would allow and submit to you  
3. that we allow the House under the sponsorship of Representa-  
4. tive Hoffman and this bill to listen to both sides and deter-  
5. mine it and that the...this subject be determined in the  
6. House rather than here. I solicit your Aye vote on this  
7. bill under that representation.

8. PRESIDENT:

9. Senator Newhouse.

10. SENATOR NEWHOUSE:

11. Thank you, Mr. President. And thank you, Senator  
12. Berman. There are several problems. First of all, Senate  
13. Bill 391 that I have simply deletes a provision for...  
14. that requires handicapped children or rather...special ed  
15. training for all children. So, apparently, I don't have  
16. the full bill and the amendment is where the problem lies.  
17. I realize, also, that this is the eleventh hour. I have  
18. a good deal of faith in Representative Hoffman and in his  
19. judgment. I would suggest, however, as a matter of public  
20. record that their notice and a full hearing be given  
21. to this bill and that particularly some attention be paid  
22. to such agencies as the Council for Exceptional Children,  
23. the Illinois Advisory Council for Special Education, the  
24. Illinois Administratives of Special Education so that  
25. there input will be part of whatever it is that we do  
26. come up with. It seems to me that in this very, very  
27. delicate area where we're concerned not solely with the  
28. education of children, but, also with their protection.  
29. That there needs be a concerted effort to make certain  
30. that all who are concerned and that includes the legis-  
31. lators, as well as those who do the day to day job in  
32. the trenches. Those for whom we both have a great deal  
33. of respect. That all of those views be taken into

1. consideration until we wind up with a bill that every one  
2. of us can be proud of. On your representation, Senator,  
3. I will support this bill ut I think it important that  
4. everyone know that those agencies do have some problems  
5. at present and that we do expect Representative Hoffman  
6. to have a full and complete hearing on the bills. Thank  
7. you.

8. PRESIDENT:

9. Senator Hickey.

10. SENATOR HICKEY:

11. Thank you, Mr. President. I'd like to...

12. PRESIDENT:

13. Excuse me, Senator Hickey. I...I would like to remind our  
14. guests in the galleries that the Senate rules prohibit any  
15. demonstration of support or opposition to a speaker or a  
16. proposition before the Senate. Senator Hickey.

17. SENATOR HICKEY:

18. Thank you, Mr. President. I'd like to point out that  
19. those three organizations which Senator Newhouse mentioned  
20. are opposed to this bill. And one of the reasons for it  
21. is, that they feel more generalized definitions, which this  
22. bill does provide for, is what happened with the gifted  
23. in a shift in that direction. And eventually, people  
24. forgot what the gifted really meant, because it wasn't  
25. specifically...defined. I'll vote for this bill, however,  
26. even though I have some reservations since Senator Berman  
27. tells us that Representative Hoffman has worked very hard  
28. and long on it. I wonder if he's going to be very, very  
29. pleased about new considerations. But, if Senator Berman  
30. will tell me that he, himself, will see to it that there are  
31. long considered hearings for all these opposed have a  
32. chance to voice their views. Then I'll vote for the bill  
33. today.

1. PRESIDENT:

2. Is there any further discussion? Senator Berman may  
3. ...Senator Johns.

4. SENATOR JOHNS:

5. Well, I...I listed as co-sponsor because of my deep  
6. concern for the madadjusted child. And based on what  
7. Senator Newhouse and Senator Hickey have agreed upon  
8. with Senator Berman, I as co-sponsor am not going to  
9. withdraw, but I'm going to support the bill through be-  
10. cause I know Senator Berman's a man of his word. But  
11. I'll be watching very closely to see that this is  
12. happening. In the House, in the House, you know over  
13. there, it's a little different story. But, because of  
14. Senator Berman, I think his influence will be strong  
15. enough to take care of it. Thank you.

16. PRESIDENT:

17. Senator Berman. Senator Carl Berning.

18. SENATOR BERNING:

19. Thank you, Mr. President and members of the Senate.  
20. This we have before us emphasizes what...the opinion of  
21. many of us, I'm sure, is an example of the...very diffi-  
22. cult situation that we find ourselves in. Now, this bill  
23. has a nineteen page amendment on it and I defy anyone of  
24. us, other than the sponsor and perhaps his staff, to be  
25. able to define what's in it. I think it's an imposition.  
26. It's unjust. It's unfair to ask any of us to vote on  
27. any such legislation.

28. PRESIDENT:

29. Senator Berman may...Senator Buzbee.

30. SENATOR BUZBEE:

31. Very briefly, Mr. President. First of all, my  
32. apologies to Senator Berman. I did not realize you'd  
33. sent the monied portions back to committee. However,

1. I still think that we are making major changes here that  
2. as you have already indicated. We're not really quite sure  
3. of what impact they're going to have on our present special  
4. ed programs. And so I'm going to continue to vote No on...  
5. on the...those, these bills, Senator.

6. PRESIDENT:

7. Senator Berman may close the debate.

8. SENATOR BERMAN:

9. To afford the people that have concern I think the  
10. best way for them to get the fair and full hearing is to  
11. have this bill fully heard in the House, which I will  
12. certainly indicate to the sponsor and do my best to make  
13. sure that everyone is justly heard in the House. I ask  
14. your support.

15. PRESIDENT:

16. The question is, shall Senate Bill 391 pass. Those  
17. in favor will vote Aye, those opposed will vote Nay. The  
18. voting is open. Have all voted who wish? Have all voted  
19. who wish? Take the record. On that question, the Ayes are  
20. 36, the Nays are 10, 9 Voting Present. Senate Bill 391  
21. having received the constitutional majority is declared  
22. passed. Senate Bill 392. Senator Berman. Read the bill.

23. SECRETARY:

24. Senate Bill 392.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDENT:

28. Senator Berman.

29. SENATOR BERMAN:

30. Thank you, Mr. President and Ladies and Gentlemen of  
31. the Senate. Senate Bill 392 does in the Statutes what we  
32. are presently doing in the classrooms and that eliminates  
33. the statutory provision, which allows trainable mentally

1. handicapped children to be excluded from special education  
2. programs. We do not wish to exclude them...they are...the...  
3. the school districts are...hopefully not excluding them.  
4. The better districts I know are not and I ask that our  
5. Statute be brought into conformity with the requirements  
6. of the needs of these children. I ask your support.

7. PRESIDENT:

8. Is there any discussion? If not, the question is,  
9. shall Senate Bill 392 pass. Those in favor will vote  
10. Aye, those opposed will vote Nay. The voting is open.  
11. Have all voted who wish? Have all voted who wish? Take  
12. the record. On that question, the Ayes are 40, the Nays  
13. are 6, 6 Voting Present. Senate Bill 392 having received  
14. the constitutional majority is declared passed. Senate  
15. Bill 399. Senator Berman. Read the bill.

16. SECRETARY:

17. Senate Bill 399.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDENT:

21. Senator Berman.

22. SENATOR BERMAN:

23. Thank you. Mr. President and Ladies and Gentlemen  
24. of the Senate. Senate Bill 399 corrects the Statutes in  
25. relation, again to, handicapped children. Currently,  
26. hospital or home instruction is limited to physically  
27. handicapped children. This bill would expand this in-  
28. struction to all handicapped children who, because of  
29. one reason or another, are absent from the regular school  
30. classes for more than two consecutive weeks. I ask your  
31. support on this bill.

32. PRESIDENT:

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

1. shall Senate Bill 399 pass. Those in favor will vote  
2. Aye, those opposed will vote Nay. The voting is open.  
3. Have all voted who wish? Have all voted who wish? Take  
4. the record. On that question, the Ayes are 44, the Nays  
5. are 3, 6 Voting Present. Senate Bill 399 having received  
6. the constitutional majority is declared passed. Senate  
7. Bill 464. Senator Davidson. Read the bill.

8. SECRETARY:

9. Senate Bill 464.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDENT:

13. Senator Davidson.

14. SENATOR DAVIDSON:

15. Mr. President and members of the Senate. It does  
16. exactly what the synopsis says. It's a codification  
17. bill. It puts the word regional superintendent in place  
18. of county superintendent in the Statutes. I appreciate  
19. a favorable roll call.

20. PRESIDENT:

21. Is there any discussion? If not, the question is,  
22. shall Senate Bill 464 pass. Those in favor will vote  
23. Aye, those opposed will vote Nay. The voting is open.  
24. Have all voted who wish? Have all voted who wish? Take  
25. the record. On that question, the Ayes are 50, the Nays  
26. are none, one Voting Present. Senate Bill 464 having  
27. received the constitutional majority is declared passed.  
28. Senate Bill 475. Senator Glass. Senate Bill 487. Senator  
29. Don Moore. Read the bill. Senator Moore.

30. SENATOR MOORE:

31. Thank you, Mr. President. At the request of several  
32. of the members I'd ask leave of the Body to return Senate  
33. Bill 487 to the order of second reading for the purposes

1. of some amendments.

2. PRESIDENT:

3. You've heard the request. Is leave granted? Leave  
4. is granted. It goes on 2nd reading. Senator Moore.

5. SENATOR MOORE:

6. I will yield to Senator Regner.

7. SECRETARY:

8. Amendment No. 4 offered by Senator Regner.

9. PRESIDENT:

10. Senator Regner.

11. SENATOR REGNER:

12. Mr. President and members of the Senate. This is...  
13. an amendment that was agreed to in committee, but we  
14. didn't have the correct figures from the department at  
15. that time. And what it does, it takes the lump sum out  
16. that was in for EDP and at line items that...  
17. the same as we did in last years...fiscal year 1976's  
18. budget for Public Aid and I would move it's adoption.

19. PRESIDENT:

20. Is there any discussion? Senator Buzbee.

21. SENATOR BUZBEE:

22. Pardon me just a second here, Mr. President, but I  
23. believe we put that amendment on yesterday, did we not?  
24. Wait...wait one...

25. PRESIDENT:

26. Senator Don Moore.

27. SENATOR DON MOORE:

28. Senator Buzbee, I believe that amendment was on the  
29. table, but Senator Regner was not here and therefore, we  
30. advanced the bill to 3rd with...so that he could have the  
31. opportunity to present his own amendment. I have no ob-  
32. jection to the amendment, Mr. President.

33. PRESIDENT:

1. Senator Regner moves the adoption of Amendment No. 4.  
2. All those in favor signify by saying Aye, opposed. The Ayes  
3. have it. The amendment is adopted. Any further amendments?

4. SECRETARY:

5. Amendment No. 5 offered by Senator Regner.

6. PRESIDENT:

7. Senator Regner.

8. SENATOR REGNER:

9. Mr. President and members of the Senate. Due to the  
10. line iteming of this Amendment No. 5 corrects the total  
11. lines for the redistribution that we did and I would move  
12. it's adoption. No dollar change.

13. PRESIDENT:

14. Is there any discussion? Senator Regner moves the  
15. adoption of Amendment No. 5. All those in favor signify  
16. by saying Aye. Opposed. The Ayes have it. The amendment  
17. is adopted. Any further amendments?

18. SECRETARY:

19. Amendment No. 6 offered by Senator Grotberg.

20. PRESIDENT:

21. Senator Grotberg.

22. SENATOR GROTBURG:

23. Thank you, Mr. President. Amendment No. 6 adds another  
24. two hundred and fifty thousand dollars to the camping program  
25. of Public Aid kids for all over the State of Illinois. This  
26. is a fund that's been underclaimed for so many years. This is  
27. the last year we can claim it. I've heard so many times on  
28. this Floor that we send money to Washington and never get it  
29. back. This is the chance because there's no state funds in  
30. it. Yours and my Community Fund, Boy Scout, Girl Scout and  
31. other matching funds. Twenty-five cents on a dollar go to  
32. this account matched by seventy-five percent by the Title  
33. 20 funds going into the Public Aid Trust Fund. There are

1. plenty of kids out there. July and August will soon be here  
2. and if it is not all used, it will not all be spent. It  
3. can only be spent when it's claimed with the home-town  
4. match. Now, I recommend the adoption.

5. PRESIDENT:

6. Senator Buzbee.

7. SENATOR BUZBEE:

8. Mr. President. I arise in opposition to this amendment.  
9. I thought we had worked out...in the committee to the point  
10. where I think we had even neutralized, anyhow, Senator  
11. Regner's opposition to the...to the portion on the Camping  
12. Amendment to start altogether. Now, the fact of the matter  
13. is, we have already added two hundred and twenty-five thou-  
14. sand dollars for this line...with the previous amendment  
15. and, as a matter of fact, that's all that the people who  
16. run this program say they can spend. So here's a case  
17. of, well, we've done a lot for you, but we'd like to do  
18. something else, even though you can't handle it. And...  
19. and I'm opposed to the amendment and...and I just really  
20. don't understand why the department, nobody from the  
21. Camping Association or from the private charities that  
22. run these, even ask for this amount of money and I would  
23. urge it's defeat.

24. PRESIDENT:

25. Senator Regner.

26. SENATOR REGNER:

27. Senator Buzbee is absolutely correct. I, too, rise in  
28. opposition to this amendment and just to make one further  
29. statement. The statement we hear so often on the Floor that  
30. these are federal dollars and they don't cost us anything  
31. is so much malarky. Because we are taxpayers and that is  
32. our money they are spending. I would urge it's defeat.

33. PRESIDENT:

1. Is there any further discussion? Senator Grotberg  
2. may close .

3. SENATOR GROTBORG:

4. Well, thank you, Mr. President. Two or three fallac-  
5. ies. This is probably one of the best private enterprise  
6. bills that there is here. You keep thinking of it in terms  
7. of Public Aid. It's yours and my dollars that are being  
8. recycled. What it'll do. It'll send kids to camp, yes.  
9. It will hire camp counselors. Your kids and my kids are  
10. looking for those jobs all summer. It'll buy meat and  
11. bacon...for at local camp sites for kids that are going  
12. to eat it. You know where it's going to be spent. There's  
13. no profit involved in it. It's probably one of the best  
14. private enterprise bills that we've got. We can get money  
15. back into the State of Illinois. July and August are going  
16. to be hot and you'll be damn glad you did this. Thank you.

17. PRESIDENT:

18. The question is, shall Amendment No. 6 be adopted.  
19. All those in favor signify by saying Aye. Opposed. The  
20. Nays have it. The amendment is defeated. Roll call has  
21. been requested. Those in favor of the adoption of Amend-  
22. ment No. 6 will vote Aye. Those opposed will vote Nay. The  
23. voting is open. Have all voted who wish? Have all voted  
24. who wish? Take the record. On that question, the Ayes are  
25. 27, and the Nays are 23. None Voting Present. Amendment  
26. No. 6 is adopted. Any further amendments?

27. SECRETARY:

28. Amendment No. 7 offered by Senator Buzbee.

29. PRESIDENT:

30. Senator Buzbee.

31. SENATOR BUZBEE:

32. Mr. President. This was an amendment to restore nine  
33. hundred thousand dollars that the department had requested

1. with the justification. I now move to table Amendment No. 7.

2. PRESIDENT:

3. Senator Buzbee moves to withdraw Amendment No. 7. Are  
4. there...any further amendments?

5. SECRETARY:

6. No further amendments.

7. PRESIDENT:

8. 3rd reading.

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1.

2. Senate Bill 489, Senator Bruce. Read the bill.

3. Senator Bruce, Senate Bill 489. Read the bill.

4. Senator Bruce for what...

5. SENATOR BRUCE:

6. I wouldn't mind reading the bill and just going  
7. on without all this harangue over the amendments, but  
8. I...I did say that if anyone really wanted to put on an  
9. amendment, we could, but I think Senator Regner had  
10. such a good time last night, we handled some of his  
11. bills, I thought he might have reconsidered his  
12. idea about amending this:

13. PRESIDENT:

14. Senator Bruce requests leave to bring the bill  
15. back to the Order of 2nd reading for the purpose of  
16. amendment. Leave is granted. It goes on 2nd reading.  
17. Senator Regner.

18. SECRETARY:

19. Amendment No. 4 offered by Senator Regner.

20. SENATOR REGNER:

21. Mr. President and members of the Senate. The  
22. appropriation for the basic credit hour grants is  
23. reduced by 9.4 million dollars with this amendment  
24. and the separate line item restoring five million  
25. dollars of this reduction is established to provide  
26. special credit hour grants in excess of the total  
27. resource requirement recommended by the community  
28. colleges and by the Board of Higher Education.  
29. Current estimates of increases in assessed valuation  
30. in vocational and technical grants indicate that  
31. community colleges could receive an additional  
32. 9.4 million dollars in excess of the total resource  
33. requirements recommended by the Board of Higher  
34. Education. Given the net reduction of 4.4 million

1. dollars in the appropriation for credit hour grants,  
2. the total resources with this amendment on it available  
3. to community colleges will still exceed Board of  
4. Higher Education recommendation by approximately  
5. five million dollars. Both the Board of Higher  
6. Education and the Community College Board agree that  
7. the total local tax resources and grants are under-  
8. stated in their original estimates and therefore, if  
9. we don't put this amendment on, they will receive  
10. 9.4 million dollars in excess of what the original  
11. requirements were. And I would move its adoption.

12. PRESIDENT:

13. Is there any discussion? Senator...Senator  
14. Demuzio, did you wish? Senator Bruce.

15. SENATOR BRUCE:

16. Well, I rise in opposition to the amendment.  
17. Part of the problem that we have had throughout  
18. on this particular piece of legislation is the  
19. amount of equalized assessed valuation which will  
20. come to community colleges next year. And the...the  
21. problem is to explain to everyone that raises in  
22. equalized assessed valuation do not fall equally  
23. throughout the State of Illinois. For example, the  
24. increase in the City of Chicago is less than the  
25. State rate of 8.9. In fact, it's 4.4. So to say  
26. that the City of Chicago or Cook County is going  
27. to get additional money from local sources is false.  
28. That is the first problem. Not every community  
29. college in the State of Illinois got an increased  
30. levy that approached 8.9. Now, some of them did,  
31. some of them didn't. We're not talking about State  
32. money distributed equally, we're talking about locally  
33. raised resources. Secondly, the amendment assumes

1. that even if all the equalized assessed valuations went  
2. up that every community college was able to levy their  
3. maximum and get all of that increase in EAV. That  
4. too is false. There are fifty-one campuses and thirty-  
5. nine community colleges throughout the State of Illinois.  
6. Of those thirty-nine campuses...thirty-nine community  
7. college districts, only fourteen, only fourteen levied  
8. the maximum amount to get the increase in the EAV. Which  
9. means twenty-five campuses will not receive the money  
10. that Senator Regner says they will receive, because  
11. the levy is not high enough. I cite you the one  
12. example here of the community college in Springfield.  
13. Lincoln Land levied a high rate. They didn't levy  
14. enough to get all the increase so that they lost  
15. two hundred thousand dollars that is presumed, thank  
16. you for giving me a very short count, Mr. President,  
17. they will lose two hundred thousand dollars, that  
18. would have been cranked into the formula that Senator  
19. Regner says they will have received. It's just false,  
20. they didn't receive it, it's not there. You're cutting  
21. 4.6 million dollars out of the community colleges.  
22. It affects twenty-four or twenty-five campuses very  
23. adversely. It affects fourteen of them by reducing  
24. the amount of money that's going to come from the  
25. State of Illinois. I think it's an amendment that  
26. goes beyond and below the Governor's level of funding.  
27. It will...these campuses, the last two years, have been  
28. underfunded to the tune of twenty-six million dollars  
29. at the BHE rates. And I would think that this amendment  
30. ought to be defeated.

31. PRESIDENT:

32. Is there any further discussion? If not, the  
33. question is shall Amendment No. 4 be adopted...Senator

1. Regner.

2. SENATOR REGNER:

3. Just answer a couple of items. The Board of  
4. Higher Education and the Community College Board  
5. as I stated originally, agree that the total tax  
6. resources and grants are understated in their  
7. requests. They do not take into account that the...  
8. what the total is that is available, and only six  
9. campuses levied less. The total resources were  
10. understated by 3.5 percent last year and that is  
11. still higher than the 1.4 percent projected for  
12. all campuses. I think it's a good amendment and  
13. it will bring the budget in line to a good extent  
14. and they'll still receive five million dollars  
15. more than the total resources that were requested.  
16. And I would urge the adoption of this Amendment  
17. No. 4.

18. PRESIDENT:

19. The question is shall Amendment No. 4 be  
20. adopted. Those in favor will vote Aye. Those  
21. opposed will vote Nay. The voting is open.  
22. Have all voted who wish? Have all voted who wish?  
23. Take the record. On that question the Ayes are 18,  
24. the Nays are 36, none Voting Present. The amendment  
25. fail...having failed to receive the majority of the  
26. votes cast is defeated. Any further amendments?

27. SECRETARY:

28. No further amendments.

29. PRESIDENT:

30. Senator Buzbee has an amendment up on the Secretary's  
31. Desk, I believe.

32. SECRETARY:

33. Amendment No. 5 offered by Senator Buzbee.

1. PRESIDENT:

2. Senator Buzbee.

3. SENATOR BUZBEE:

4. Thank you, Mr. President. I concur completely  
5. with what Senator Regner said about the 9. some, 9.4  
6. million dollars of local revenue that is available  
7. to the Community College Board that was not shown  
8. in their...in their budgetary request. Unfortunately,  
9. the politics of higher education, as such, that there  
10. are people that are trying to portray this as a  
11. battle between those who are advocates of the senior  
12. institutions as opposed to those who are in favor or  
13. who have a special interest in the community colleges.  
14. That simply is not the case. I...I think...well I  
15. know every Senator in this district has at least one  
16. community college district in his case, in his district  
17. rather. We are politically aware, politically sensitive  
18. to their wants and needs and I consider myself to be  
19. very supportive of the community college program.  
20. However, with Amendment No. 5, what I do is take that  
21. 9.4 million dollars that Senator Regner just spoke  
22. about and if anybody happened to notice, I voted NO  
23. on his amendment, because I have decided not to try  
24. to take any of that extra money away from them, but  
25. I do want it delineated. I want it red-flagged, I  
26. want it brought out in the open that the 9.4 million  
27. dollars is money that was not...was not shown in  
28. their budget. I don't want them to be able to come  
29. back next year and include that 9.4 million in their base.  
30. So, my amendment would show that that nine million,  
31. four hundred and sixty-six thousand, three hundred  
32. dollars is for special basic and enrollment growth  
33. credit hour grants. So that next year it will not

1. be built into their base. I think it's also necessary  
2. to point out that we have already approved and it was  
3. in the Governor's request, in the community college  
4. request and approved by the Board of Higher Education  
5. that 6.8 million be given them because of deficiencies  
6. in the past year or two. So, we've already built in  
7. 6.8 above their normal formula type monies, now we're  
8. going to build in another 9.4 and...and...and it's  
9. been my decision to go ahead and give that to them,  
10. but we want it delineated, so that next year they  
11. will not be able to build that into their base.

12. PRESIDENT:

13. Senator Buzbee, would you conclude your remarks.

14. SENATOR BUZBEE:

15. Yes, I certainly will, Mr. President. And I  
16. would like to point out one thing about the levy  
17. question that Senator Bruce brought up. They...the  
18. Community College Board says that...that the average  
19. levy increase in the State-wide aggregate for community  
20. colleges last September was only 3.5 percent for  
21. operating funds, which is true. However, that's from  
22. levy to levy. The reduction in levy came because they  
23. over levied in '75, therefore, they reduced their '76  
24. levy which...

25. PRESIDENT:

26. Senator Buzbee, would you conclude please.

27. SENATOR BUZBEE:

28. ...would make it more realistic in terms of their  
29. maximum tax rates and I would move the adoption of  
30. Amendment No. 5.

31. PRESIDENT:

32. Senator Hickey.

33. SENATOR HICKEY:

1. Mr. President, I'd like to ask the sponsor two  
2. questions.  
3. PRESIDENT:  
4. Indicates he will yield.  
5. SENATOR HICKEY:  
6. Senator Buzbee, is it not true that the calculations  
7. which you say were made in error, were made because of  
8. available information at the time they were made being  
9. different than information which is now available to  
10. us? On equalized assessed valuation?  
11. PRESIDENT:  
12. Senator Buzbee.  
13. SENATOR BUZBEE:  
14. That is absolutely true, Senator. And the fact of  
15. the matter is they're still nine and a half million  
16. over and all...is delineating it.  
17. PRESIDENT:  
18. Senator Hickey.  
19. SENATOR HICKEY:  
20. My second question, Senator Buzbee, is it not  
21. true that they have to maintain a certain enrollment  
22. in order to get this 9.4? If they don't maintain it,  
23. they won't have it, if this...if this amendment passes.  
24. PRESIDENT:  
25. Senator Buzbee.  
26. SENATOR BUZBEE:  
27. That will depend on what the credit hour rates are.  
28. PRESIDENT:  
29. Senator Hickey.  
30. SENATOR HICKEY:  
31. The...the...a straight answer yes or no is really  
32. yes, isn't it?  
33. PRESIDENT:

1. Senator Buzbee.

2. SENATOR BUZBEE:

3. There is no such thing as a yes or no answer,  
4. because it depends on what the credit hour rates  
5. are.

6. PRESIDENT:

7. Senator Bruce may close. Oh...it's Senator  
8. Buzbee's amendment, excuse me. Senator Bruce, did  
9. you wish to speak?

10. SENATOR BRUCE:

11. Well, part of the problem we've had all along  
12. is...is the fact that as of this morning there are  
13. no final equalized assessed valuations available  
14. from any unit of government from the State of  
15. Illinois and I defy anyone to tell me what they're  
16. going to be next year. By this amendment you are  
17. reducing the base for community colleges 9.4 million  
18. dollars below the Governor's level, below the Governor's  
19. level. And we don't know what they're going to get,  
20. but let me tell you some things that they don't tell  
21. you that they won't get. Now, BHE figures an average  
22. tuition and that they will receive an average twelve  
23. dollar median tuition. That's the median tuition and  
24. that's supposed to raise sixty-six million dollars.  
25. Now, everyone on the Appropriation Committee keeps  
26. telling me we've got to stay with the BHE formula  
27. because that tells you you're going to get sixty-six  
28. million dollars. We've brought in time after time,  
29. the median tuition is only ten seventy-seven. That  
30. raises sixty million dollars. I want to take that  
31. six million dollars off. No one ever says anything  
32. about the six million dollars we don't get. Everyone  
33. wants to tell me about the 9.4 million that they

1. estimate that we will get and we're not going to get it.  
2. Twenty-six campuses throughout this State didn't levy  
3. enough to get the additional money. That's the facts.  
4. The levy is gone. They had to file it in September.  
5. They didn't...a lot of them know because our Department  
6. of Local Government Affairs, which I've complained  
7. about again and again, has not given the multiplier  
8. to some counties until January, February and March.  
9. How are they going to know what money is available?  
10. Only fourteen districts in this State levied enough  
11. and of those, don't want to give a wrong figure, I  
12. think it's twenty, will not levy even to the highest  
13. rate, the amount of money that's anticipated in  
14. this bill in the...in the amendment. And I would  
15. be opposed to this amendment.

16. PRESIDENT:

17. Any further discussion? If not, the question  
18. is shall Amendment...Senator Grotberg.

19. SENATOR GROTEBERG:

20. I would ask the previous speaker to articulate  
21. the counties that he's talking about that didn't  
22. get their multiplier in time that has him so exercised  
23. by the Department of Local Government Affairs. What  
24. counties, Senator Bruce?

25. SENATOR BRUCE:

26. As I understand in two, two problems I've had to go,  
27. there were fifty-six counties in Illinois that got  
28. their...their multiplier after September the 1st. That's  
29. the fifty-six counties that affect school districts. I  
30. ask just for the thirteen counties that I represent,  
31. everyone of them got them after September. Four got  
32. them in March, and they were supposed to be out to  
33. them before the September levy. That's...in my thirteen

1. counties everyone of them was late, one hundred percent.

2. SENATOR GROTBORG:

3. Mr. President, what the gentleman forgot to say  
4. was that everyone of them were turned around in six  
5. weeks time after the local department sent their...their  
6. abstracts in and it has nothing to do with the Department  
7. of Local Government Affairs in those thirteen counties,  
8. Senator.

9. PRESIDENT:

10. Senator Graham.

11. SENATOR GROTBORG:

12. But it will have.

13. SENATOR GRAHAM:

14. I...I just wonder if that's the reason we cut  
15. the guts out of the appropriation, so they'll be in  
16. 1979 before we get the next ones.

17. PRESIDENT:

18. Senator Regner.

19. SENATOR REGNER:

20. Mr. President and members of the Senate. I think  
21. this is an excellent amendment. It's going to help  
22. the Community College Board to be a little more  
23. honest next year and it should be adopted.

24. PRESIDENT:

25. The question is shall Amendment No. 5 be adopted.  
26. Those in favor will vote Aye. Those opposed will vote  
27. Nay. The voting is open. Have all voted who wish?  
28. Have all voted who wish? Take the record. On that  
29. question the Ayes are 26, the Nays are 25, 1 Voting  
30. Present. The amendment is adopted. Any further  
31. amendments?

32. SECRETARY:

33. No further amendments.

1. PRESIDENT:            7  
2.            3rd reading. Senate...Senate Bill 490, Senator  
3. Bruce. Senate Bill 495, Senator Sommer.  
4. SECRETARY:  
5.            Senate Bill 495.  
6.            (Secretary reads title of bill)  
7.            3rd reading of the bill.  
8. SENATOR SOMMER:  
9.            Mr. President and members, this is the Capital  
10. Reappropriation Bill.  
11. PRESIDENT:  
12.            Is there any discussion? If not, the question  
13. is shall Senate Bill 495 pass. Those in favor will  
14. vote Aye. Those opposed will vote Nay. The voting  
15. is open. Have all voted who wish? Have all voted  
16. who wish? Take the record. On that question the  
17. Ayes are 53, the Nays are none, none Voting Present.  
18. Senate Bill 495 having received a constitutional  
19. majority is declared passed. Senate Bill 496, Senator  
20. Sommer. Senator Sommer.  
21. SENATOR SOMMER:  
22.            Could you hold this for a few minutes.  
23. PRESIDENT:  
24.            Senate Bill 548, Senator Regner. Senate Bill  
25. 554, Senator Bowers. Senate Bill 556, Senator Netsch.  
26. Read the bill.  
27. SECRETARY:  
28.            Senate Bill 556.  
29.            (Secretary begins reading title of bill)  
30. PRESIDENT:  
31.            For what purpose does Senator Daley arise?  
32. SENATOR DALEY:  
33.            Point of personal privilege, Mr. President

1. and fellow Senators. Now, continuing the bill, do that  
2. automatically goes on postponed consideration?

3. PRESIDENT:

4. No it does not.

5. SENATOR DALEY:

6. Are we eventually going to come back to it or  
7. we just going to finish the ...

8. PRESIDENT:

9. Only if...only if the sponsor asks for leave  
10. to come back to it.

11. SENATOR DALEY:

12. It will go postpone consideration. Right.

13. PRESIDENT:

14. No, it will stay on the Calendar or it will  
15. be subject to any motion that a member might wish,  
16. as to recommitting it to committee and so on. This  
17. is our third time through the Calendar and unless...  
18. unless a member asks for leave to come back to a  
19. bill when he passes it, it will not be called again.

20. SECRETARY:

21. Senate Bill 556.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDENT:

25. Senator Netsch.

26. SENATOR NETSCH:

27. Thank...thank you, Mr. President. This bill deals  
28. with investigative consumer credit reports. And what  
29. it is intended to do is to provide some protections for  
30. those who, when they apply for credit for insurance  
31. or for employment, are going to be subjected to what  
32. is called an investigative consumer report. That is  
33. not the simple credit report that involves the exchange

1. of information about whether you pay your bills on time.  
2. This is when the investigative people actually go out  
3. into the field, interview your neighbors, your friends  
4. and others and find out very personal information. It  
5. is the area that has been the subject of the greatest  
6. abuse by those who do this kind of reporting and some  
7. of the horror stories that you have heard and many  
8. which are very true, most of which are very true, have  
9. occurred in this field, not in the normal exchange of  
10. credit information. Basically, the bill provides two  
11. protections. One is that before, at the time someone  
12. applies for the insurance or credit or whatever, they  
13. will be notified that they are to be subjected to  
14. this kind of a...of an investigative consumer report  
15. and to whom that information will be made available.  
16. So that they have an opportunity to decline to pursue  
17. that application if they do not want that investigative  
18. report made. If they go ahead with it, then the  
19. second protection will come into effect. And that is  
20. basically that they will have access to the contents  
21. of that report. By the amendment that we added, the  
22. informants themselves will have their own privacy  
23. protected. Their names will not be disclosed. These  
24. aspects of protection which are in this bill, are not  
25. presently covered by the Federal Fair Credit Reporting  
26. Act. The prior notice provision is not there and the  
27. right to know the contents of the information that has  
28. been obtained about you is not in the Federal Act at  
29. the present time. I have had discussions with members  
30. of the Federal Privacy Commission and also with Senator  
31. Proxmire's staff to determine whether there's any  
32. possibility that the Federal Law may be revised to  
33. include these protections. The best estimate is that

1. such a recommendation is very likely to be made, but  
2. they have no idea when or if, indeed, that recommendation  
3. is made, whether Congress, will, in fact, enact it. So  
4. that at best, we are looking probably a couple of years  
5. in the future if any relief is to be provided at the  
6. Federal level. I would repeat that this does not...I  
7. repeat that this does not...thank you.

8. PRESIDENT:

9. Will the members please be in their seats. May  
10. we have some order. Senator Netsch.

11. SENATOR NETSCH:

12. This does not deal with the normal credit agency.  
13. It does not involve the ordinary exchange of credit  
14. information. It leaves out almost all of the credit  
15. companies who have objected to such legislation in the  
16. past and deals only with those who are going to  
17. engage in this very extensive personal interviewing  
18. type of field investigation. And, as I said before,  
19. it provides basically two forms of protection. The  
20. prior notice and the right to have access to the  
21. information so that it can be corrected if indeed,  
22. decisions are to be made on the basis of it. I'll  
23. be happy to answer any questions.

24. PRESIDENT:

25. Is there any discussion? Senator Don Moore.

26. SENATOR MOORE:

27. Thank you, Mr. President, members of the Senate.  
28. I think this is a bad bill and should be defeated.  
29. As Senator Netsch has stated, the Federal Government  
30. is already in this field with the Federal Fair Credit  
31. Reporting Act. There is a Congressional Committee  
32. that is studying any proposed changes. What we're  
33. doing here again is going beyond Federal regulations.

1. We're becoming an additional burden to...to industries  
2. in the State of Illinois. The bill as amended, brought  
3. about substantial objections from the insurance industry.  
4. The Independent Insurance Agents of Illinois opposed the  
5. bill, the National Association of Independent Insurers,  
6. the American Insurance Company, The Illinois Life  
7. Underwriters Association, Allstate, Continental, Franklin  
8. Life, State Farm, I could go on and on. I think all  
9. we're doing is going beyond what the Federal Government  
10. has mandated this industry to do, not only in Illinois  
11. but throughout the country. Their regulations have  
12. worked well.

13. PRESIDENT:

14. Will the members please be in their seats. May  
15. we have some order. Senator Moore.

16. SENATOR MOORE:

17. The requirements of the additional cost that is  
18. involved to industry, which will run into millions  
19. to mail out these reports, before and after, I think  
20. this is a bad bill and should be defeated.

21. PRESIDENT:

22. Is there any further discussion? Senator Knuppel.

23. SENATOR KNUPPEL:

24. Senator Netsch, would this apply to a newspaper  
25. that was going to write an indepth story about a  
26. politician?

27. PRESIDENT:

28. Senator Netsch.

29. SENATOR NETSCH:

30. Unless they were...unless someone was also applying  
31. for credit or insurance or employment, it would not.

32. SENATOR KNUPPEL:

33. Well, I'd hoped it did, cause I wanted to...  
34. Journal Star and the Springfield Journal Register. I...  
35. I wanted to vote for this bill.

SB600  
5/27/77  
3rd

1. PRESIDENT:

2. Is there any discussion? Any further discussion?  
3. If not, the question is shall Senate Bill 55...556  
4. pass. Those in favor will vote Aye. Those opposed  
5. will vote Nay. The voting is open. Have all voted  
6. who wish? Have all voted who wish? Take the record.  
7. On that question the Ayes are 20, the Nays are 15, 7  
8. Voting Present. Senate Bill 556 having failed to  
9. receive a constitutional majority is declared lost.  
10. I wish to repeat again to the members, we are not going  
11. to return again to any bills on...on 3rd reading, Senate  
12. Bills on 3rd reading except where the member has asked  
13. for leave to pass it momentarily or with respect to those  
14. appropriation bills that were passed, so if you are...if  
15. you wish to have your bill called, the time to call it  
16. is now. Senate Bill 600, Senator Nimrod, do you wish  
17. to pass the bill, Senator? Senator Nimrod on Senate  
18. Bill 600. Read the bill.

19. ACTING SECRETARY: (MR. FERNANDES)

20. Senate Bill 600.  
21. (Secretary reads title of bill)  
22. 3rd reading of the bill.

23. PRESIDENT:

24. Senator Nimrod.

25. SENATOR NIMROD:

26. Mr. President and fellow Senators. This issue  
27. has certainly been long debated and I will attempt to be  
28. very brief, but I do want to just remind you of the  
29. importance of this particular bill. We have talked about  
30. the problems of increasing and escalating insurance  
31. premiums. We've talked about business leaving the State  
32. of Illinois. We've talked about the abuses that have  
33. taken place as a result of Senate Bills 234 and 235.  
34. Here's our chance to do something meaningful. Here's

1. our opportunity to put a bill into the House that is  
2. certainly going to give them some choices and something  
3. to work with. You've sent back two...two attempts  
4. of two bills, two House bills over that came to us,  
5. two labor bills that are over there now from the Senate.  
6. I think it's only proper and well that we put a bill  
7. there that certainly addresses itself to the problems.  
8. I would be happy to answer any...any questions. If not,  
9. I think the time has come and that I ask for your favorable  
10. support on this very crucial and probably the most important bill  
11. to come before us in this particular Session.

12. PRESIDENT:

13. Senator Savickas.

14. SENATOR SAVICKAS:

15. Yes, Mr. President and members of the Senate.  
16. This bill does not address itself to the problems  
17. as we think it does. We talk about the panel of  
18. physicians that has been created in this bill or as  
19. we have been told it's been created, what it does  
20. is require physicians, surgeon or hospital to be certified  
21. by the Industrial Commission. If a doctor is not certified  
22. by the Industrial Commission, and he treats an injured  
23. employee, he may have a problem being paid for his services.  
24. The amendment states that an employee may secure the services  
25. of his own physician at the employers expense if the physician  
26. is certified. If he is not certified, the employer is not  
27. obligated for...for payment. If an injured employee goes  
28. to his family physician for treatment of his injuries  
29. and his family physician was not certified by the Industrial  
30. Commission, the injured employee would probably have to  
31. pay the bill himself. The provisions of Senate Bill 720,  
32. in fact, provide for a panel of physicians upon agreement  
33. between the employer and the employee. I think it's a more

1. equitable way. We talked last night about the widow  
2. and some children. A widow whose husband was earning  
3. three hundred and fifty dollars a week at the time of his  
4. death would only receive seventy-eight hundred dollars  
5. per year. Not only would she have lost her husband who  
6. earned about eighteen thousand dollars a year, but she  
7. would lose the dignity of being monetarily self-sufficient.  
8. Under 720, the same widow would receive close to twelve  
9. thousand a year which would at least provide her to live  
10. with some dignity. When we talk about standards that  
11. are in Senate Bill 620, we must realize that standards  
12. denied the injured worker the opportunity to introduce  
13. objective testimony to explain what effect his  
14. injury has had upon him as an individual or his ability  
15. to function in a productive working capacity in the  
16. future. We should remember that there is a difference  
17. between a fractured leg of a twenty-one year old man  
18. or woman who has a benefit of the faster and stronger  
19. healing processes of youth and the same fracture that  
20. occurs to a man or woman of sixty years of age or over  
21. with arthritis, less complete healing powers and the  
22. infirmities associated with old age. How about the  
23. craftsman who loses a finger compared to a janitor who  
24. loses a finger or breaks a finger. The janitor can  
25. go back to work the next day and push his broom, the  
26. craftsman cannot and may eventually not be able to work  
27. at all. And yet under standards, the craftsman and the  
28. janitor would be reciprocated in the same amount of  
29. money. Is this fair? I say it isn't. We talk about standards  
30. on hearing and the hearing standards of this bill, every  
31. person is assumed to have a twenty-five percent hearing loss  
32. and is not entitled to be compensated on that loss. Hearing  
33. losses further reduce what age regardless of actual

1. condition.

2. PRESIDENT:

3. Your time has expired, Senator. Would you  
4. conclude your remarks.

5. SENATOR SAVICKAS:

6. Yes. A man of forty years of age is assumed to  
7. lose his hearing at the rate of one-half decibel a year  
8. and his compensation is reduced accordingly. So,  
9. automatically in this bill, a man is assumed to be in  
10. poor hearing condition. I think this isn't fair. I think  
11. it isn't proper. One point, before I close, when we  
12. talk under the old standards prior to July of 1975,  
13. in an injury computed on a fractured leg, a man earns  
14. that three hundred dollars a week, the comp rate would...  
15. would have been eighty dollars and ninety cents times  
16. fifty weeks or twenty-five percent disability, he would  
17. have got four thousand dollars.

18. PRESIDENT:

19. Senator Savickas, would you conclude your remarks.

20. SENATOR SAVICKAS:

21. Yes. After July...after '75, he would have got ten.  
22. Under these standards under this bill, he'll only get  
23. two to three thousand. So, it's very regressive.  
24. He gets less money than he did in 1975 before the McCarthy  
25. bills.

26. PRESIDENT:

27. Senator Knuppel.

28. SENATOR KNUPPEL:

29. Well, I'm...I'm terribly concerned coming from a  
30. rural community about this certification of doctors.  
31. I get the Canton Daily Ledger, for example, here today  
32. there were two doctors that left a little town of Avon  
33. and went over to London Mills which had a clinic.  
34. Now I see in today's paper, doctors are leaving London

1. Mills. We have four physicians and doctors in the town  
2. of Petersburg, Illinois, and I had a Workmen's Comp  
3. case recently and I wanted these people to examine  
4. this man. They said he's from Mason County and we're  
5. not taking any patients from outside of the county at  
6. this time. Now, I'm telling you people are...that are  
7. from rural communities, stop and think about this and  
8. your people because there are not...at the present  
9. time, you can hardly get a doctor to examine a patient  
10. or to even look at him if he thinks there's going to  
11. be either a lawsuit or a Workmen's Compensation case.  
12. Now, these doctors damn well aren't going to bother to get  
13. certified. Because, if they're certified, they're going  
14. to be subject to call and what are you going to do...now,  
15. I'm serious, but I'm talking to you people from Olney  
16. who...who aren't listening, who never tried a  
17. Workmen's Compensation case who talk about your  
18. experience yesterday. I'm talking about those people  
19. in those twelve counties you represent. How in the hell  
20. are they going to prove their case in court? I'm concerned  
21. about a lot of things. I'm concerned, very frankly,  
22. Senator Savickas, about the way you guys handle these  
23. bills by putting them all in committee and thinking  
24. you could force an agreed bill. I'm not happy with  
25. way either side has handled this. But, I'll tell you who  
26. the hell is going to suffer, it's going to be the guy  
27. that's hurt and this bill doesn't...this bill doesn't  
28. serve those people at least in my community, it doesn't  
29. because there are no doctors in...in Mt. Sterling  
30. there are no doctors in London Mills. The doctors that  
31. live in Petersburg won't examine anybody if they come  
32. outside Menard County. We don't have a doctor in  
33. Virginia. Now, I just wonder...I just wonder if there

1. aren't some things here we better stop and start thinking  
2. about: Sure there's a power plan on between industry  
3. and labor. I'm not that committed to either one.  
4. I don't ever intend to run for reelection to this Body,  
5. Gentlemen, and I declare that here on the Floor today  
6. and I can afford...I can afford to tell either group  
7. to go to hell, because I want to see my people served.  
8. This bill doesn't serve the people and the way the committee  
9. and labor has acted in this thing this year, they have  
10. not served the people and the tragic thing is, is we're  
11. not getting the problem solved. A man sixty-  
12. five years old whose killed under this bill is still  
13. entitled to receive two hundred and fifty thousand dollars  
14. or twenty years and by God, he would have quit tomorrow.  
15. You know...you know, fellows, this isn't fair. This is  
16. not a good bill and I'm not saying what the...what the  
17. committee did in this instance was fair or that what  
18. they did is good, but we, the members of this Body,  
19. ought to be very careful about what we do here.

20. PRESIDENT:

21. Senator Guidice.

22. SENATOR GUIDICE:

23. Thank you, Mr. President. I rise in opposition  
24. to this bill. Senate Bill 600, on page 19, intimates...  
25. intimates that the only way a credit for prior loss  
26. can be compensated, is if the worker had an amputation.  
27. This is false. The case law in Illinois has always given  
28. credit for prior determinable specific loss. If there has  
29. been a prior award or settlement, the employer would receive  
30. a full credit. A worker who has received a twenty percent  
31. award or settlement for loss of use of the right  
32. arm now receives a thirty percent award for the right arm  
33. as a result of the reinjury would receive payment

1. representing only a ten percent increase. Senate Bill  
2. 600 further strips away benefits due the injured worker  
3. by allow the employer to assert a credit for prior  
4. physical conditions. An employer may, therefore,  
5. assert a credit against an award merely because of a  
6. man's age or a prior disease or congenital defect.  
7. This is contrary to the National Commission's recommendation  
8. on Workmen's Compensation which stated, no waivers of  
9. worker's compensation should be permitted for any  
10. preexisting condition when employees are hired.  
11. Thank you.

12. PRESIDENT:

13. Is there any further discussion? Senator Nimrod  
14. may close the debate. ...Graham, I did not see you.  
15. Senator Graham.

16. SENATOR GRAHAM:

17. Very briefly, I hear from the other side and  
18. I presume that they have some reason to state their side  
19. of this picture. They're saying there's regression  
20. and excesses on the part of the people that have  
21. this bill introduced. They are people that says...that  
22. there is excesses in the bills...whether we passed in  
23. 1975. And I submit to you that we haven't come close  
24. to an agreement and I submit to you also we never will  
25. as long as Greenfield is writing the amendments.

26. PRESIDENT:

27. Senator Newhouse.

28. SENATOR NEWHOUSE:

29. Thank you, Mr. President.

30. PRESIDENT:

31. Senator Newhouse. May we have some order. Senator  
32. Newhouse has the Floor.

33. SENATOR NEWHOUSE:

1.           Would you start me all over, please, Mr. President?

2.   PRESIDENT:

3.           Senator Newhouse.

4.   SENATOR NEWHOUSE:

5.           Thank you very much, Mr. President, Senators.

6.   I'd like to incorporate by reference much of what  
7.   Senator Knuppel had to say about this bill and about the  
8.   ...the contenders on either side. I had a few words to say  
9.   yesterday about what I saw as the deficiencies from the  
10.   labor side and I was a little harsh and that...that was  
11.   intended. I don't apologize for a word of it. The  
12.   only problem is that I could say the exact same words  
13.   and substitute management for labor and come right down  
14.   to the same position. I'm concerned about a monumental  
15.   indifference on the side of management as I see it.  
16.   We've had one person to come down here in the past  
17.   week, Chuck Wilsey who has been scuffling around  
18.   trying to do a heck of a job for some people  
19.   who don't seem to care one way or the other. I don't  
20.   know whether they think that by sitting somewhere writing  
21.   letters that they can convince us of something...a subject  
22.   as complicated as this. Personally, I want to send a  
23.   message back to both sides and I think you know what that  
24.   message is. I think one of the persons that I do not...do not  
25.   admire that much, George Wallace, said the same kind of a language.  
26.   I don't see either one of these doing the kind of homework  
27.   that they ought to be doing down here in this Legislature...  
28.   there...Legislature. There are Legislators just like  
29.   me who want to come down with something fair who simply  
30.   aren't getting the kind of information from both sides  
31.   that they would like to get. I'd like to get it from  
32.   my neighbors, from the people who are in my district  
33.   and what...I get some are letters directing me to do X and Y and

1. Z, well they can forget it. If they want to come down here,  
2. if they want to catch me in my district, if they want  
3. to explain what the problems are, I'm perfectly willing  
4. to listen. I am going to vote against this bill and I  
5. hope my message gets back to the management people  
6. that they ought to be taking care of their homework  
7. and they're not doing it.

8. PRESIDENT:

9. Senator Berman.

10. SENATOR BERMAN:

11. Thank you, Mr. President. I rise in opposition  
12. to this bill. I want to point out one critical area.  
13. This bill calls for standards. That's a deceptive  
14. word for relegating the status and importance of the  
15. individual and his particular injury and the effect of that  
16. injury upon his personal life relegating that condition  
17. to a chart. Under standards, all your're going to have to  
18. do is look on a piece of paper to determine how much  
19. compensation somebody is going to get. For example,  
20. two people both have a fracture, one is twenty-one  
21. years old, has a good healing process, they will get  
22. the same amount of money, whether it be high or low,  
23. the same amount of money that a sixty-five year old  
24. person with the same fracture is going to get, whose  
25. healing process won't be able to take place because of  
26. his age and physical ability. Take it...take a fractured  
27. finger. The same standards and compensation will apply  
28. to the artisan or craftsman who requires the adept  
29. use of that...those fingers as to the person who is going  
30. to be compensated the same rate, the person who pushes  
31. a broom and really won't make any difference to a great  
32. extent whether that fracture was there or wasn't there.  
33. That's what standards mean. You are taking away the dignity

1. and uniqueness of the individual through the imposition of  
2. standards. I'm not going to support any bill that relegates  
3. any person and his physical condition to a chart.

4. PRESIDENT:

5. Senator Nimrod may close the debate. Senator Bruce.

6. SENATOR BRUCE:

7. Thank you, Mr. President and members of the Senate.  
8. I'll confine my remarks to the two major issues here and  
9. that is the panel of physicians. For those of  
10. you who have the time to read 1205 or 720 and allege  
11. that a panel of physicians is involved in that bill,  
12. I would just ask you to read with me when it says,  
13. the employee may at any time select, elect or secure  
14. his own physician, surgeon or hospital services  
15. at the employer's expense, or...the comma or then tells  
16. you about the fact that if he agrees, he and the employer  
17. can set up a panel of physicians or if he and his  
18. exclusive bargaining agent and the employer agree, they  
19. will set up a panel of physicians. But, it...the  
20. first sentence says that if he doesn't want to  
21. agree, he can go to any physician he wishes and still  
22. get all the treatment he wants at the employers  
23. expense. That is not what I call a panel. And I don't  
24. think anyone ought to foist it off on us as a panel.  
25. Now, the panel that is in Senate Bill 600 is certainly  
26. not perfect. But, it does say for every physician in the  
27. State of Illinois that wishes to be reimbursed by employers,  
28. he shall submit periodic status reports. That doesn't seem  
29. to be an unreasonable requirement. I've seen no real  
30. complaint in other states where this is required. It just  
31. says that if you're going to treat a guy for six  
32. or eight months, you have some obligation to the person  
33. that's going to pay the bills, namely employer, to tell him

1. what you're doing, when he sought treatment and what his  
2. current status is. So, I'm not worried about the panel  
3. of physicians. Now, we hear about standards and the  
4. fact that age and physical ability and agility  
5. will not be considered. Where does that come from?  
6. The standards can say, in any claim for compensation  
7. the age of the petitioner and his physical status  
8. will be given consideration. Handles all that problem.  
9. These standards aren't a chart. You don't say, well,  
10. here's a...here's a guy, we treat everybody twenty  
11. to two hundred the same way. The standards are developed  
12. in a very scientific fashion to treat everyone equally  
13. relative to the injury that they have sustained and what  
14. is so wrong about having an arbitrator in Rock Island  
15. or an arbitrator in Lawrenceville or an arbitrator  
16. in Chicago to decide what an injury to a hand is to be  
17. compensate...the rate of compensation for that. Doesn't  
18. seem to be anything wrong to me that we develop standards.  
19. Every...many other states have them, I think twenty-  
20. two already, the major industrial states. We just  
21. don't happen to have them. And Senator Hickey points  
22. out, standards are floors and not ceilings to benefits.  
23. Thank you, Mr. President.

24. PRESIDENT:

25. Senator Glass.

26. SENATOR GLASS:

27. I move the previous question, Mr. President.

28. PRESIDENT:

29. Well, we have one additional request. Senator  
30. Wooten, do you wish to...Senator Wooten, then, will be the  
31. last speaker and Senator Nimrod. If you will withhold  
32. the motion, Senator Nimrod will close the debate.  
33. Senator Wooten.

1. SENATOR WOOTEN:

2. Just briefly, I rise in somewhat reluctant support  
3. of this bill because I recognize that it is in many  
4. ways still uncertain. Until the bill is tested by the  
5. Commission, we won't know precisely what it means. However,  
6. my own conscience is satisfied that if all the amendments  
7. had been pulled out the drawer two years ago, the bill  
8. we would have passed then would be the bill that we have  
9. right now or something very close to it. I'm also  
10. convinced that unless this particular bill goes  
11. across the rotunda, there will be no meaningful changes  
12. at all. When I look at the sheet explaining another  
13. bill and I see that it calls for a panel of physicians  
14. but read the bill and find out there isn't a panel really,  
15. and when I see that guidelines are established and I read  
16. the bill and see that there are no guidelines really,  
17. I understand the complaints that are made about us that  
18. you're foisting off on us cosmetic changes rather than  
19. real changes. I'm under no illusions that what we pass  
20. today, if it goes out of this Chamber, will, in fact,  
21. be the final product of this Legislature. But I'm convinced  
22. that unless this bill goes out with its imperfections  
23. and the hesitations we feel, there will be no meaningful  
24. changes in this area. And that, I think, would be a  
25. serious mistake.

26. PRESIDENT:

27. Senator Nimrod.

28. SENATOR NIMROD:

29. Yes, Mr. President and fellow Senators. I want  
30. to remind you that this bill will, if adopted and  
31. passed, will leave Illinois number one in benefits to the  
32. employees on this continent. This will stabilize the  
33. premiums that have been escalating. It's going to stop  
34. the movement. I have asked and I am preparing papers

1. right now to go to the National Rating Bureau  
2. of Insurance Companies that's going to take Senate  
3. Bill 600, 720 and 1019 and ask them to give us a  
4. report as to what effect they're going to have so when  
5. these three bills are in the House, we will all know...  
6. we will all know what effect...or the effect they're  
7. going to have. So, on that basis, you will have a chance  
8. to judge it. We will stop the movement of jobs from  
9. the State of Illinois. We will certainly say to business  
10. that there is not an anti-business climate. I would  
11. hope and ask that you would do what is responsible,  
12. what is morally right and I would ask the doorkeeper,  
13. Mr. President, if he might ring the bells so that all the  
14. Senators will have an opportunity to get to their  
15. seats on this most critical and very important vote  
16. which they'll cast on Senate Bill 600. Thank you.

17. PRESIDENT:

18. The question is shall Senate Bill 600 pass.  
19. Those in favor will vote Aye. Those opposed will vote  
20. Nay. The voting is open. Have all voted who wish?  
21. Have all voted who wish? Take the record. On that  
22. question the Ayes are 30, the Nays are 20, 1 Voting  
23. Present. Senate Bill 600 having received a constitutional  
24. majority is declared passed. There is a request for  
25. a verification. The Secretary will verify the affirmative  
26. votes.

27. SECRETARY:

28. The following voted in the affirmative: Berning,  
29. Bloom, Bowers, Bruce, Buzbee, Coffey, Davidson, Donnewald,  
30. Glass, Graham, Grothberg, Harber Hall, Hickey, Johns,  
31. Joyce, McMillan, Mitchler, Moore, Nimrod, Ozinga, Regner,  
32. Rhoads, Roe, Rupp, Schaffer, Shapiro, Sommer, Walsh,  
33. Weaver, and Wooten.

1. PRESIDENT:

2. Senator Buzbee is on the Floor, is in his seat.

3. SENATOR SAVICKAS:

4. How about Senator Coffey?

5. PRESIDENT:

6. Senator Coffey. Senator Coffey is on the Floor.

7. SENATOR SAVICKAS:

8. Senator Roe?

9. PRESIDENT:

10. Senator Roe is in his seat.

11. SENATOR SAVICKAS:

12. Oh, he slouched down. He's teasing us a little  
13. bit, I think.

14. PRESIDENT:

15. The roll has been verified. On that question  
16. the Ayes are 30, the Nays are 20, 1 Voting Present.  
17. Senate Bill 600 having received a constitutional  
18. majority is declared passed. Senator Harber Hall  
19. moves to reconsider. Senator Nimrod moves  
20. to Table. All those in favor signify by saying  
21. Aye. Opposed. The motion carries. Senate Bill  
22. 628, Senator Sommer.

23. SENATOR SOMMER:

24. Mr. President, this is the authorization  
25. bill. We have some other appropriations bills  
26. behind it and I would ask leave that we call  
27. these bills and then also call the major appropriation  
28. and the authorization bill at...in that sort of  
29. sequence as we go through the Calendar.

30. PRESIDENT:

31. Senator, would you repeat the request? I'm  
32. sorry, I was distracted for a moment.

33. SENATOR SOMMER:

1. I'm asking leave that since this is the authorization  
2. bill and we don't know what level it'll be at when it  
3. goes out and we have other bills behind it that would  
4. affect the level that we would bypass this and...  
5. PRESIDENT:

6. Call it after the appropriation bills? Is  
7. leave granted? Leave is granted. Senate Bill 633,  
8. Senator Rupp.

9. SECRETARY:  
10. Senate Bill 633.

11. (Secretary reads title of bill)  
12. 3rd reading of the bill.

13. PRESIDENT:  
14. Senator Rupp.

15. SENATOR RUPP:  
16. Thank you, Mr. President. This deal...this bill  
17. deals with the provisions in the insurance policy in  
18. the event of a cancellation for nonpayment. What it  
19. does, basically, is to put both the company and the  
20. insured back in to the same position they were  
21. before the policy was lapsed. I ask for favorable  
22. roll call.

23. PRESIDENT:  
24. Senator Berman.

25. SENATOR BERMAN:  
26. Will the sponsor yield?

27. PRESIDENT:  
28. Indicates he will yield.

29. SENATOR BERMAN:  
30. Senator Rupp, in a policy in which preexisting  
31. conditions was covered, but during the lapsed period  
32. a preexisting condition was discovered. Upon reinstatement  
33. would those...would the preexisting conditions...

1. PRESIDENT:

2. Excuse me Senator Berman, may we have some order.

3. Senator Berman.

4. SENATOR BERMAN:

5. Upon reinstatement, would the preexisting conditions  
6. be able to be excluded or would they be covered?

7. PRESIDENT:

8. Senator Rupp.

9. SENATOR RUPP:

10. Mr. President, in that instance that you gave,  
11. I would say that it would not be covered. What this  
12. does as far as the...it goes back, if nothing happened,  
13. say there was a ten day period when the policy was  
14. lapsed, if there was no accident during that period,  
15. then immediately following the reinstatement, there  
16. would not be any change, there wouldn't be any  
17. question if there was a...an illness that took place  
18. during that period, that would not be covered. But  
19. once the policy was reinstated, there would not be  
20. any opportunity for the company to go back and say  
21. we will change the policy this way, this way, this way  
22. or this way.

23. SENATOR BERMAN:

24. Then it is my understanding that the conditions  
25. and coverages that existed on the lapsed, on the last  
26. date of...that payment was due, is the condition to  
27. which they would revert. Thank you.

28. SENATOR RUPP:

29. Yes sir, that's what would happen.

30. PRESIDENT:

31. (Machine cut-off) Berman, have you...is there  
32. any further discussion? If not, the question is shall  
33. Senate Bill 633 pass. Those in favor will vote Aye.  
34. Those opposed will vote Nay. The voting is open.

1. (Machine cut-off) voted who wish? Have all voted who  
2. wish? Take the record. On that question the Ayes are  
3. 47, the Nays are none, none Voting Present. Senate Bill  
4. 633 having received a constitutional majority is declared  
5. passed. Senate Bill 683, Senator Rupp. Read the bill.  
6. Senator Rupp.

7. SENATOR RUPP:

8. Ask that this, Senate Bill 683 be...

9. PRESIDENT:

10. Was that Pensions Committee?

11. SENATOR RUPP:

12. Insurance Committee.

13. PRESIDENT:

14. Senator Rupp moves that Senate Bill 683 be recommitted  
15. to the Committee on Insurance. All those in favor signify  
16. by saying Aye. Opposed. The Ayes have it. So ordered.

17. Senator Berman.

18. SENATOR BERMAN:

19. On 683 it appears that it was to Personnel and  
20. Pensions.

21. PRESIDENT:

22. Excuse me. It was in Pensions? Senator Rupp  
23. moves to discharge the Committee on Pensions...or the  
24. Committee on Insurance from...from further consideration  
25. of Senate Bill 683 and that the bill be referred to  
26. the Committee...excuse me, I...I have stated the motion  
27. back...it...it, we sent it to Insurance and it should  
28. be in Pensions. All right. Senator Rupp moves to  
29. discharge the Committee on Insurance from further  
30. consideration of Senate Bill 683 and that the bill be  
31. re-referred to the Committee on Pensions, Personnel.  
32. All those in favor signify by saying Aye. Opposed.  
33. The Ayes have it. So ordered. Senate Bill 718,

1. Senator Maragos. Read the bill.

2. SECRETARY:

3. Senate Bill 718.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDENT:

7. Senator Maragos.

8. SENATOR MARAGOS:

9. Mr. President, and members of the Senate. Senate  
10. Bill 718 is the appropriation bill for the two bills  
11. that passed out of this Senate, Senate Bill 16 and  
12. Senate Bill 1234, which is Senator Moore's bill. As  
13. I stated previously, I doubt if all of it has to be  
14. used in the coming fiscal year. The Governor has  
15. been advised of this fact and he's approved the  
16. appropriation and I would ask at this time that we  
17. appropriate the ten million dollars authorized in  
18. this bill.

19. PRESIDENT:

20. Is there any discussion? Senator Sommers.

21. SENATOR SOMMERS:

22. Senator Maragos, I'm pleased to know that he's  
23. approved it. He did not communicate that to us. At  
24. the present time this is not in the budget.

25. PRESIDENT:

26. Senator Maragos. Senator Maragos.

27. SENATOR MARAGOS:

28. I would like to state for the record, Senator Sommers,  
29. that, if having discussed this with the BOB and others in  
30. conference with him, we had twenty-five people in which  
31. Senator Moore was present before the Governor. We had at  
32. that time advised him that we would not use this, all we  
33. wanted was his authorization for this appropriation this

1. year to the Capital Development Board.

2. PRESIDENT:

3. Senator Sommer.

4. SENATOR SOMMER:

5. I think this is not a budgeted item. It does not,  
6. as far as I know, have the approval of the Governor at  
7. this time, no matter whether you use it or not.

8. PRESIDENT:

9. Senator Maragos.

10. SENATOR MARAGOS:

11. Mr. President, I'll...I'll stand corrected if that's  
12. the position, Mr. Sommers, but I wanted you to know that  
13. this...this is the bill that will do the appropriating for  
14. that purpose.

15. PRESIDENT:

16. Is there any further discussion? If not, the question  
17. is shall Senate Bill 718 pass. Those in favor will vote  
18. Aye. Those opposed will vote Nay. The voting is open.  
19. Have all voted who wish? Have all voted who wish? Take  
20. the record. On that question the Ayes are 34, the Nays  
21. are 17, 2 Voting Present. Senate Bill 718 having  
22. received a constitutional majority is declared passed.  
23. Senate Bill 750. Senator Berman. What purpose does  
24. Senator Carroll arise?

25. SENATOR CARROLL:

26. On Senate Bill 718 having voted on the prevailing  
27. side, I would move to reconsider the vote by which it  
28. passed.

29. PRESIDENT:

30. Senator Carroll moves to reconsider. Senator  
31. Kosinski moves to Table. All those in favor signify  
32. by saying Aye. Opposed. The Ayes have it. The  
33. motion carries. Senate Bill 750, Senator Berman.

1. Read the bill.

2. SECRETARY:

3. Senate Bill 750.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDENT:

7. Senator Berman.

8. SENATOR BERMAN:

9. Thank you, Mr. President. This is the appropriation  
10. for the Illinois State Scholarship Commission. In the  
11. critical area of awards and grants, there is a 16.4  
12. percent increase over last fiscal year of...meaning  
13. eleven million dollars, from sixty-seven million to  
14. seventy-eight million dollars. I ask for your favorable  
15. support.

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End of Reel

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1. PRESIDENT:

2. Any discussion? If not, the question is shall Senate  
3. Bill 750 pass. Those in favor will vote Aye. Those opposed  
4. will vote Nay. The voting is open. The voting is open.  
5. Have all voted who wish? Have all voted who wish?  
6. Take the record. On that question the Ayes are 50, the  
7. Nays are 3, none Voting Present. Senate Bill 750  
8. having received a constitutional majority is declared passed.  
9. Senate Bill 752, Senator Egan.

10. SECRETARY:

11. Senate Bill 752.

12. PRESIDENT:

13. Excuse me, Senator Egan. Senator Egan.

14. SENATOR EGAN:

15. Yes, Mr. President and members of the Senate.  
16. This is the omnibus bill. I do believe there may be  
17. an amendment and I..I'd appreciate it if we  
18. could pass this and come back.

19. PRESIDENT:

20. Is leave granted? Leave is granted.  
21. Senate...Senate Bill 767, Senator Joyce. Senator Joyce.

22. SENATOR JOYCE:

23. Thank you, Mr. President, members of the Body.

24. PRESIDENT:

25. Read the bill.

26. SECRETARY:

27. Senate Bill 767.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. SENATOR JOYCE:

31. Thank you, Mr. President. This bill is...it is designed  
32. to put a million five hundred thousand dollars or whatever  
33. of that part is necessary to clean the Mazon River.  
34. It's about twenty-four miles of river and creek in Grundy  
35. County. Now, this...there's been...the Department of

1. Conservation, the Soil and Water Conservation, have  
2. studied this bill...or this river since 1971.  
3. Now, the reason I put this in is more...more to let the  
4. Department of...Division of Waterways be aware that  
5. ...of the proximity of several nuclear cooling lakes  
6. to this...to this stream. There's one plant that's  
7. being built right now, the Braidwood Station, by  
8. Commonwealth Edison. They are having the plans...  
9. future plans that call for a...a lake that is six  
10. miles long and two miles wide and the spillway on  
11. this lake, the overflow, if you will, would drain into  
12. the Mazon River. Now, this is a perched lake. It's  
13. thirteen feet above the ground. And I just...I would like  
14. to have a...a good way for that water to get out of there  
15. in case something would ever happen, for instance, the dike  
16. break, which has happened and at the Dresden cooling lake,  
17. so that's the reason for the bill. It's...I might answer  
18. any questions if there are any.

19. PRESIDENT:

20. Senator Regner.

21. SENATOR REGNER:

22. Just to point out to the members, this is a million  
23. and a half dollars of General Revenue money that is  
24. not in the budget and the fiscal condition of this State  
25. being as it is, I would suggest a No vote on this bill.

26. PRESIDENT:

27. Senator Sommer. There's no further discussion? The  
28. question is shall...Senator Carroll.

29. SENATOR CARROLL:

30. I just wanted to join with Senator Joyce in supporting  
31. this legislation. We don't know what that total division's  
32. budget is going to be when it ever gets to us. I think this is  
33. a good and needed project and would hope we would all vote Aye.

1. PRESIDENT:

2. The question is shall Senate Bill 767 pass. Those  
3. in favor will vote Aye. Those opposed will vote Nay.  
4. The voting is open. Have all voted who wish? Have all  
5. voted who wish? Take the record. On that question the  
6. Ayes are 30, the Nays are 22, none Voting Present. Senate  
7. Bill 70...767 having received a constitutional  
8. majority is declared passed. Verification has been  
9. requested. The Secretary will verify the affirmative  
10. votes. The Secretary will read the affirmative votes.

11. SECRETARY:

12. The following voted in the affirmative: Berman,  
13. Bruce, Buzbee, Carroll, Chew, Clewis, Collins, D'Arco,  
14. Daley, Demuzio, Donnewald, Egan, Guidice, Kenneth Hall,  
15. Hickey, Johns, Joyce, Kosinski, Lane, Maragos, Merlo,  
16. ...Leonard, Netsch, Newhouse, Rock, Savickas, Vadalabene,  
17. Washington, Wooten, Mr. President.

18. PRESIDENT:

19. Is Senator Chew...Senator Chew is not on the Floor.  
20. Take his name from the roll call. The roll has been  
21. verified. The Ayes are 29,...Senator Joyce moves to  
22. postpone consideration. The Ayes are 29, the Nays are  
23. 22, none Voting Present. Senate Bill 767 having  
24. failed to receive a constitutional majority is declared lost.  
25. Senate Bill 828, Senator Bruce.

26. SECRETARY:

27. Senate Bill 828.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDENT:

31. Senator Bruce.

32. SENATOR BRUCE:

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

1. Senate Bill 828 is a very simple bill which allows school  
2. boards throughout the State of Illinois to enter into  
3. contracts with their employees for periods up to  
4. three years. In the present Statute under Chapter 12234-  
5. 49, the Chicago school board has the power to enter  
6. into an employment contracts for any period not to exceed  
7. three years. This would allow the downstate school  
8. districts to do the same. I understand that testimony  
9. in the Education Committee, two hundred and forty-one  
10. districts presently do this in the State of Illinois.  
11. It will allow them to enter into contracts longer  
12. than one year. It's beneficial to both parties.  
13. The...I think the major discussion over this particular  
14. piece of legislation is the fact that in the House,  
15. a similar bill was amended in to collect a bargaining  
16. agreement. That is not my intention. This bill will not  
17. be amended into a collective bargaining bill in the House.  
18. I want to have the authorization for the three year  
19. contract.

20. PRESIDENT:

21. Senator Harber Hall.

22. SENATOR HALL:

23. Mr....Mr. President, fellow Senators. I have  
24. to point out as Minority Spokesman on the Labor and Commerce  
25. Committee that this bill was heard in the Education Committee  
26. and it was...it undoubtedly and unquestionably should have  
27. been heard in the Labor and Commerce Committee. It is, in  
28. fact, an authorization to bargain between school boards and  
29. their teachers. It is, in fact, a bill that would eliminate  
30. the two year period before teachers are authorized tenure.  
31. It does permit three years of collective bargaining  
32. between the school board and the teachers and further  
33. than that, it is found in the duty section of the School Code

1. and therefore, it is mandatory that school boards, in my  
2. opinion, that school boards would enter into three year  
3. bargaining agreements with the school teachers. In  
4. any case, this bill should not pass and I would prefer that  
5. the sponsor would authorize us to send it back to the Labor  
6. and Commerce Committee.

7. PRESIDENT:

8. Is there any further discussion? Senator Glass.

9. SENATOR GLASS:

10. Thank you, Mr. President and Ladies and Gentlemen.  
11. I didn't realize during committee that, in fact, what  
12. Senator Hall says is correct and that is that this  
13. bill, although I know what Senator Bruce is shooting for,  
14. is a three year authorization for three year contracts,  
15. in fact, this bill does appear in the duty section of the  
16. Statutes and let me read to the membership the language  
17. of Section 10-20 of the School Code. "The School Board  
18. has the duties enumerated in Sections 10-20-1 through  
19. 10-20-30." If this bill were passed, the language of the  
20. bill, therefore, would fall within that section of the  
21. Code and as Senator Hall has mentioned, would make a duty  
22. upon the School Boards to enter into contracts with its  
23. employees or their representatives up to periods of  
24. three calendar years. And I...and I think therefore, Senator  
25. Bruce, that it goes further than even you intended and  
26. it...it would be a collective bargaining bill and I think  
27. for that reason, it should be defeated. And I would just add  
28. that there are already seems to me, is ample authorization  
29. for entering into multi-year contracts and I know it is  
30. done in some instances.

31. PRESIDENT:

32. Further discussion? Senator Bruce. Close the debate.

33. SENATOR BRUCE:

1. I would just point out, even though it appears in a  
2. duty section, it says that they can enter into the contract  
3. for periods up to three years. So, I would suppose that that  
4. would allow them the duty to enter into contract for three  
5. days or four months, so it seems to me that the duty certainly  
6. is not a very great one if they can only enter into contracts  
7. up to three years. They didn't wish to, they don't have to,  
8. Senator Glass. As to tenure and selection, Senator Harber Hall,  
9. if you would read the bill, it says that nothing in this  
10. ...in any contract would be enforceable if it violated the  
11. right to tenure or the rights of the school boards to hire  
12. and fire employees. So, I think that was resolved in the bill  
13. itself and I ask for a favorable roll call.

14. PRESIDENT:

15. The question is shall Senate Bill 828 pass. Those in  
16. favor will vote Aye. Those opposed will vote Nay. The  
17. voting is open. Have all voted who wish? Have all voted  
18. who wish? Take the record. On that question the Ayes  
19. are 24, the Nays are 17, 3 Voting Present. Senate Bill  
20. 828 having failed to receive a constitutional majority is  
21. declared lost. Senate Bill 830, Senator Bruce.  
22. Senator Bruce, is this...

23. SENATOR BRUCE:

24. I think there was agreement...Senator Regner or Senator  
25. Nimrod to bring this bill back to 2nd reading for the purpose  
26. of an amendment. I ask leave to do that.

27. PRESIDENT:

28. Request for leave to go back to the Order of 2nd  
29. reading. Leave is granted. The bill is on 2nd reading.  
30. We'll stand at ease for a moment until the Secretary gets  
31. the number of the amendment. ...number Senator. We have  
32. the amendment but not what number it should be. Should  
33. be Amendment No. 2. All right. Senator Nimrod on Amendment

1. No. 2.

2. SENATOR NIMROD:

3. Mr. President and fellow Senators. This amendment  
4. would bring Senate Bill 830 and the Statutes in conformity  
5. with the appropriation bill which is Senate Bill 489 and this  
6. bill then allows the Illinois Community College Board to pay  
7. out the nine million four hundred and sixty-six thousand  
8. three hundred dollars which is a special grant and what's  
9. intended to do here is to bring the credit hour rates  
10. to the level where we are paying the full cost and not in  
11. excess of the credit hour grants. Distributed on your  
12. desks is this amendment with an explanation of this particular  
13. program. What happens is this particular bill is the  
14. authorization to pay out the money and all we're doing is  
15. asking that the base hour rates be made in conformity so that  
16. we are paying the full cost and not in excess.

17. PRESIDENT:

18. Is there any discussion? Senator Bruce.

19. SENATOR BRUCE:

20. Thank you, Mr. President. I stand in opposition to this  
21. amendment which will affect each community college district  
22. in the State by cutting the rates that will go to those  
23. community colleges by uniform one dollar and seventy-nine  
24. cents per line item. We have spent a great deal of time in  
25. the community college area at the request of this Legislature  
26. determining the actual cost of...of educating children in the  
27. community colleges. We have done a unit cost study and those  
28. ...the rates that are in the bill as it stands. To say  
29. arbitrarily we are going to reduce the dollar seventy-nine  
30. does several things. So, Senator Netsch and Senator Rock and  
31. those in the City of Chicago who are worried about the  
32. three lowest rates, to reduce those by a dollar seventy-  
33. nine has severe and adverse impact on the lowest rates. The

1. percentage reduction in those are greater. In the higher cost  
2. rates, the percentage rate is...reduction is less. Would  
3. point out, also, that the amendment does not consider any  
4. DVTE money that will be distributed across this rate structure.  
5. These rates go below the Governor's rates, below the Governor's  
6. rates. Now, in the particular legislation before you,  
7. we have put in BHE rates. This amendment is not supported  
8. by the Board of Higher Education. They want to stay  
9. at their rates. They don't even want to go to the Governor's  
10. rates. This would reduce the rates to levels of 1972  
11. and I don't think anyone in this Chamber thinks that  
12. we are spending money and educating people in the community  
13. colleges for 1972 costs. Now, we've got a lot of problems  
14. in the community colleges and I don't think we need the kind  
15. of help that Senator Nimrod is going to give us by this  
16. amendment.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Is there further discussion? Question is shall Senate  
19. Bill...Senator Nimrod.

20. SENATOR NIMROD:

21. Mr. President, just in closing, I would remind us that  
22. this question came up before when Senator Hickey was  
23. questioning Senator Buzbee and he indicated depend...on what  
24. the rates would be. Well, we didn't know what the rates  
25. were going to be until we know what money there is and  
26. the reason for this amendment is this, is that there is nine  
27. million dollars more that are...that's available. The rates  
28. in this bill are the Board of Higher Education rates and they  
29. did not adjust or include the extra nine million dollars.  
30. And another thing that's not expected, we've gotten these  
31. records very recently where that these rates were based  
32. on enrollments of one hundred and eighty-four thousand and  
33. actually the rates...the enrollments will not exceed one hundred

1. and seventy-six thousand, probably closer to a hundred and  
2. seventy. We are covering the full cost. There is extra  
3. money there and it's only proper that we adjust these rates  
4. so that we are paying the full cost. We should not be  
5. leaving extra money at a time when it's so critical  
6. in a budget for the community college.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Wooten, I skipped past you. Please forgive  
9. me. And the Chair recognizes Senator Wooten.

10. SENATOR WOOTEN:

11. Thank you, Mr. President. It is difficult to explain  
12. to community colleges back home why the Legislature continues  
13. to gut their programs. They ask me in some innocence,  
14. you know, why is it that we keep putting more and more  
15. into our major colleges and we keep cutting back  
16. in community colleges? We've done some terrible things  
17. to the whole financial structure of community colleges  
18. in the space of an hour this afternoon. You can offer  
19. all kinds of facile reasons. But the plain fact is, you  
20. are really attacking the higher ed program that serves  
21. the great bulk of our people in this State. I don't care  
22. how you juggle figures. There's just no justification  
23. for it. You know, this amendment should be defeated and  
24. we really ought to go back and restore some of the money that  
25. we have cut. But at the very least, we ought to keep to the  
26. Governor's level of funding.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Nimrod.

29. SENATOR NIMROD:

30. Mr. President, I would also remind everyone that  
31. this amendment also includes the authorization for paying  
32. out the nine million dollars and it's highly questionable  
33. whether you can pay out the nine million dollars, if you don't

1. adopt this amendment.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Is there further discussion? The question is shall

4. Amendment No. 2....oh, I'm sorry. Senator Hynes.

5. SENATOR HYNES:

6. Well, to make a long story short, I think it's a bad  
7. amendment.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Is there further discussion? The question is shall

10. Amendment No. 2 be adopted. Those in favor indicate by

11. saying Aye. Those opposed. The Noes have it. The

12. amendment fails. Is there a serious request for a roll call?

13. Are there further amendments?

14. SECRETARY:

15. No further amendments.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. 3rd reading. The amendment failing, the bill being

18. on 3rd reading now, the bill should be read a third

19. time. Mr. Secretary, read the bill.

20. SECRETARY:

21. Senate Bill 830.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Bruce.

26. SENATOR BRUCE:

27. Thank you, Mr. President. As amended, and as it is

28. before this Body, Senate Bill 830 sets the rates for

29. reimbursement to the community colleges throughout the

30. State at the IBHE...at the Governor's recommended levels.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Is there further discussion? The question is shall

33. Senate Bill 8...Senator Bruce.

1. SENATOR BRUCE:

2.           These are at the BHE rates. I'm sorry. I just  
3. want to make clear it's at the BHE rates, not the  
4. Governor's level.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6.           Is there further discussion? The question is shall  
7. Senate Bill 830 pass. Those in favor vote Aye. Those  
8. opposed Nay. The voting is open. Have all those  
9. voted who wish? Have all those voted who wish? Take the  
10. record. On that question the Ayes are 46, the Nays  
11. are 3. Senate Bill 830 having received a constitutional  
12. majority is declared passed. Senate Bill 851, Senator  
13. Bloom. Read the bill, Mr. Secretary. Oh, Senator Bloom,  
14. for what purpose do you arise?

15. SENATOR BLOOM:

16.           To expedite matters, because 851, 2, and 3 are kind of  
17. a matched set, if we could read all three a third time  
18. and have the debate on them and maybe we could dispose of  
19. them in one roll call. I don't know whether mechanically  
20. it can be done. I...I offer it to expedite.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22.           Parliamentarian advised me that that would be  
23. proper. So, the Secretary will read all three bills and  
24. then the discussion will be pertaining to all three.  
25. And a vote will be taken individually.

26. SECRETARY:

27.           Senate Bill 851.

28.                       (Secretary reads title of bill)

29.           3rd reading of the bill.

30.           Senate Bill 852.

31.                       (Secretary reads title of bill)

32.           3rd reading of the bill.

33.           Senate Bill 853.

1. (Secretary reads title of bill)
2. 3rd reading of the bill.
3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. Senator Bloom.
5. SENATOR BLOOM:
6. Well, thank you very much, Mr. President and fellow
7. Senators. This is not a yellow file bill, per se. It's
8. the result of county superintendents of highways, township
9. people, DOT, agricultural people, railroads, both
10. management and labor and school officials. Basically,
11. 851...851 excuse me, allocates fifteen...amends the Motor
12. Fuel Tax Law and provides commencing upon becoming
13. law for the transfer each month of 1.2 million to the local
14. Bridge Fund and two hundred and fifty thousand to the
15. Grade Crossing Improvement Fund and raises to two-
16. fifteenths the amount initially transferred, that's off
17. the top, to the Road Fund from the Motor Fuel Tax Fund.
18. 852 sets up the two funds, that is the Grade Crossing
19. Improvement Fund and the local Bridge Fund and, can I have
20. a little less noise behind me, please? Empowers...853
21. empowers the Department of Transportation to act as the
22. funnel through which these monies go. Now, basically,
23. the Grade Crossing Program is continued, but the
24. projects will be determined by IDOT after consultation
25. with the Commerce Commission and your units of local government
26. and the school districts. Basically, the three bills, the
27. genesis of the three bills are from the old adage that
28. there ain't no such thing as a free lunch. Last year, the
29. General Assembly set a priority for local bridge funding
30. with the passage and override of Senate Bill 750...1750.
31. Now, at the time presently, as I understand it, there are
32. no new funds available for this program. 851, 2 and 3
33. basically, make the program solvent. Now, the provisions

1. specifically, 851, as amended, as I said, increases  
2. to two-fifteenths, the amount of gross MFT revenues.  
3. Okay. Now, the way this would operate is that your...  
4. your townships would tell the county superintendent what  
5. bridges are necessary and this would be forwarded on.  
6. The mechanics are, there would be fifteen million dollars  
7. a year that would follow basically the same formula as the  
8. township and the Motor Fuel Tax money. The priorities  
9. created for repairing these deteriorated bridges, and  
10. this was demonstrated to the satisfaction of this Body  
11. in the 79th General Assembly is your school bus routes  
12. would have first priority, agricultural routes, second,  
13. mail routes, third and general traffic, fourth. Think  
14. perhaps to speak things along, I'd try and field  
15. questions.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Rock.

18. SENATOR ROCK:

19. Thank you, Mr. President and Ladies and Gentlemen  
20. of the Senate. I rise in opposition to Senate Bill 851.  
21. Over the past few years there has been a lot of discussion  
22. and finally some success in some legislation which would...  
23. which would at that time and did at that time, decrease from  
24. two-fifteenth to one-fifteenth, the amount of gross Motor  
25. Fuel Tax revenues to be transferred monthly into the Road  
26. Fund. That was done deliberately and at great expense, I might  
27. add, in terms of work and compromise in order to allow  
28. the municipalities and the counties to have a larger share.  
29. Now, what we are doing by virtue of Senate Bill 851 as  
30. amending...as amended is restoring the old allocation  
31. and so I would hope that everybody would take note that under  
32. 851 as amended, the municipalities stand to lose thirteen  
33. and a half million dollars, the counties of a hundred thousand

1. or more stand to lose four and a half million dollars.  
2. The counties of a hundred thousand or less stand to lose  
3. five million dollars. Now, admittedly with all the work  
4. that we have done and did in the past Session with respect  
5. to Senate Bill 1750 of the last Session, to set up this  
6. local bridge improvement. This is a pressing problem,  
7. but it seems to me more than regressive to tinker with the  
8. allocation and distribution of these Motor Fuel Tax monies.  
9. When we discussed the bill the other day, I suggested to the  
10. cosponsor that perhaps he ought to readdress the Department  
11. of Transportation and I understand as recently as this  
12. morning, that they do not wish to amend this bill.  
13. But note well that it does, in fact, take money from every  
14. municipality and county to fund this Bridge Fund.  
15. Additionally, I might add, that there is an alternative.  
16. The road program publication circulated by the Department  
17. states that the funding of this local bridge program can  
18. be funded by Series A bonds if the General Assembly so  
19. authorizes. I just think this bill is ill-advised and  
20. I rise in opposition.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Is there further discussion? Senator Hynes.

23. SENATOR HYNES:

24. Mr. President, I join Senator Rock in opposition to this  
25. bill. I think it's an extraordinarily bad idea and what  
26. it will do is to reduce significantly by several millions of  
27. dollars the allocation of funds to every municipality  
28. in this State, every county in this State and every township  
29. in this State. And let me tell you, I do not believe  
30. there is any awareness at the township, county and city level  
31. of this bill and what its impact will be and if it passes  
32. this Body, you're going to hear from every township  
33. road commissioner, every highway road commissioner in every

1. county and city in this State because they have a very,  
2. very serious problem trying to maintain the roads that they  
3. have now and if this money is taken away, they simply  
4. will be unable to do it. I think that...that this bill  
5. ought to be funded, it ought to be funded, however, as a  
6. separate appropriation on its own and not...not take  
7. a share away from someone else.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Knuppel.

10. SENATOR KNUPPEL:

11. Well, we thought enough of the bridge program  
12. a year ago and the need for it that we mandated fifteen  
13. million dollars a year to repair these...these bridges.  
14. Last year, it was done with bonds. This year it's not  
15. been done in that manner. It's my understanding that  
16. the Department of Transportation and a lot of those fellows  
17. were here yesterday walking around, feel that this is  
18. serious enough that even if they have to take it from  
19. the Fuel Tax...Motor Fuel Tax Fund that they get,  
20. Gentlemen, that that was still preferable to passing it  
21. up. It's become very, very serious and it's going to  
22. take approximately twenty years to restore these bridges.  
23. We...we talked to the...at length, to the Department of  
24. Transportation and I don't know if there's any way to...  
25. to correct it or to go to the bonding method but I just  
26. know that the Department of Transportation talked to these  
27. people, these people were here yesterday, some of the township  
28. officials and they were willing to accept this as an alternative.  
29. I know they need...they need money to restore the roads  
30. from a hard winter and that the farm to market roads are  
31. deteriorated. But the Department of Transportation  
32. has made no move to fund this in another manner. Any of these  
33. bills die, I hope that we can find some way yet to revive them

1. because if we don't, we're going to have a lot more people  
2. that are driving around twenty to thirty miles to get their  
3. kids to school, et cetera.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Is there further discussion? Senator Wooten.

6. SENATOR WOOTEN:

7. I would just want to note that the case Senator  
8. Knuppel makes is a most persuasive one and unfortunately,  
9. the Road Fund was hit, as I recall, by President Hynes  
10. last Session. We got an extra twelfth out of the  
11. Road Fund and municipalities and the immediate result  
12. was that...of that was that I got half a Chadwick slab.  
13. I'd hate to think I'd be missing another half of anything  
14. else, so although the cause that Senator Knuppel  
15. espouses is just, the Road Fund has just been hit too many  
16. times and I reluctantly must oppose this bill.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator...is there further discussion? Senator  
19. Bloom may close the debate.

20. SENATOR BLOOM:

21. In the first place, less than one percent of the  
22. bridges in the State are in the municipalities. Forty  
23. percent are in the township; forty percent are, you know,  
24. State administered roads and the other twenty are county  
25. approximately, in terms of dollar needs. And there's  
26. a problem, the pie is only so big and as I said, unfortunately  
27. in government, there ain't no such thing as a free lunch.  
28. And I'd appreciate a favorable vote.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. All right. The question on Senate Bill 851.  
31. Those in favor vote Aye. Those opposed Nay. The voting  
32. is open. ...voted who wish? Have all those voted who wish?  
33. Take the record. On that question the Ayes are 30, the Nays

1. are 17, 1 Voting Present. Senate Bill 851 having received
2. a constitutional majority is declared passed. A verification
3. is requested. A verification will be had. Will the
4. Secretary read the affirmative votes?
5. ACTING SECRETARY: (MR. FERNANDES)

6. The following voted in the affirmative:

7. Berning, ...Berning, Bloom, Buzbee, Coffey, Davidson,
8. Demuzio, Egan, Glass, Graham, Grotberg, Guidice, Harber
9. Hall, Kenneth Hall, Johns, Joyce, Knuppel, Lemke,
10. McMillan, Mitchler, Moore, Ozinga, Regner, Rhoads,
11. Roe, Schaffer, Shapiro, Sommer, Vadalabene, Walsh,
12. Weaver.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Rock.

15. SENATOR ROCK:

16. Senator Egan on the Floor?

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Is Senator Egan on the Floor? Remove his name from
19. the record. On that question the Ayes are 29, the
20. Nays are 17, 1 Voting Present. Senate Bill 851
21. not having received a constitutional majority is declared
22. lost. Senate Bill 852. Senator Bloom.

23. SENATOR BLOOM:

24. Welcome back, Mr. Egan. It's always nice to see

25. you on the Floor. I'll yield to whatever Senator Egan has to say.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Egan.

28. SENATOR EGAN:

29. Yes, could the Journal show please, that if I had

30. voted on that last bill, I would have voted No.

31. PRESIDING OFFICER: (SENATOR DONNEWALD).

32. Senator Bloom.

33. SENATOR BLOOM:

1. Well, to expedite the process, without 851, the  
2. other two are...are invalid. Therefore, I would move  
3. to put those two on the Table...to Table those two.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Motion is to Table House Bill...Senate Bill 852  
6. and Senate Bill 853. Those in favor indicate by saying  
7. Aye. Those opposed. The Ayes have it. The bills are  
8. Tabled.

9. SENATOR BLOOM:

10. And I'd like to point out that there goes the Bridge  
11. Program, guys.

12.

13.

14.

15.

16. The following typed previously.

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1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senate Bill 888, Senator Buzbee. Senate Bill 894,  
3. Senator Weaver. Senator Weaver, Senate Bill 894. Read  
4. the bill, Mr. Secretary.

5. SECRETARY:

6. Senate Bill 894.

7. (Secretary reads title of bill)

8. 3rd reading of the bill.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Weaver.

11. SENATOR WEAVER: ..

12. Thank...thank you, Mr. President, and members of  
13. the Senate. This bill has been bouncing around for  
14. the last two or three days. We Tabled the amendment  
15. and I think I've answered everybody's objection. I'd  
16. appreciate a favorable roll call.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Netsch.

19. SENATOR NETSCH:

20. Senator Weaver, a question. Did you Table the  
21. amendment that Senator Washington had requested? All  
22. right. I would just like to say then that this...this  
23. is a complex series of statutes, but putting it all  
24. together, it is quite clear to me that both home rule  
25. units and nonhome rule units, although neither has  
26. the power to regulate or license real estate brokers,  
27. once this bill is passed, each continues to have the  
28. power to enact fair housing ordinances. That is  
29. the problem with which we are concerned. We have  
30. read the statutes back and forth and it is quite  
31. clear that that authority continues to exist, although,  
32. fair housing ordinances will not be tied into the  
33. licensing of real estate brokers. On that basis, it

1. seems to me that it is perfectly appropriate for Senator  
2. Weaver's bill to be passed. It really does clarify the  
3. statutes with respect to nonhome rule units.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Is there further discussion? The question is shall  
6. Senate Bill 894 pass. Those in favor vote Aye, those  
7. opposed Nay. The voting is open. Have all those voted  
8. who wish? Have all those voted who wish? Take the  
9. record. On that question the Ayes are 41, the Nays  
10. are 5, 2 Voting Present. Senate Bill 894, having  
11. received a constitutional majority is declared passed.  
12. And I want the record to show if my seatmate had  
13. voted my switch, it would have also been an Aye.  
14. Senate Bill 944, Senator Nimrod. Read the bill, Mr.  
15. Secretary.

16. SECRETARY:

17. Senate Bill...Senate Bill 944.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Nimrod.

22. SENATOR NIMROD:

23. This bill has been amended to take care of all of  
24. the objections. You've heard the explanations before.  
25. Ask for a favorable roll call. I know of no opposition  
26. to the bill.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Lemke.

29. SENATOR LEMKE:

30. Mr. President, had I been here on...on Senate Bill  
31. 894, I would have voted not green, but No. I'd  
32. like the record to so show.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. The record will so show. Is there further discussion  
2. as to Senate Bill 944? Question is shall Senate Bill 944  
3. pass. Those in favor vote Aye. Those opposed Nay. The  
4. voting is open. Have all those voted who wish?  
5. Take the record. On that question the Ayes are 37,  
6. the Nays are 3. Senate Bill 944 having received  
7. a constitutional majority is declared passed. We will now  
8. proceed to the Order of appropriation measures, Senate  
9. Bill 487. On the Order of 3rd reading, Senator Don Moore.  
10. Read the bill, Mr. Secretary.

11. SECRETARY:

12. Senate Bill 487.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Moore.

17. SENATOR MOORE:

18. Thank you, Mr. President and members of the Senate.  
19. This is the FY '78 appropriation bill for the ordinary  
20. and contingent expenses of the Department of Public Aid  
21. of which two billion one hundred and twenty-four million  
22. six hundred and ninety-six thousand five hundred and six  
23. dollars: It's General Revenue money. Three million one  
24. hundred and sixty-nine thousand five hundred dollars from  
25. the Special Service Trust Fund making a total appropriation  
26. of two billion one hundred and twenty-seven million eight  
27. hundred and sixty-six thousand six dollars. I would appreciate  
28. a favorable roll call.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Is there...Senator Schaffer.

31. SENATOR SCHAFFER:

32. Mr. President, as a member of the Appropriations Committee  
33. and the subcommittee with...chaired this bill, I'd like to commend

1. Senator Buzbee and the other members of the subcommittee.  
2. I think this is the first time in the five years I've  
3. been here that I really even begin to comprehend this  
4. two billion dollar budget and for that reason, I'm  
5. voting No.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Is there further discussion? The question is shall  
8. Senate Bill 487 pass. Those in favor vote Aye.  
9. Those opposed No. The voting is open. ...all those voted  
10. who wish? Have all those voted who wish? Take the  
11. record. On that question the Ayes are 35, the Nays are  
12. 17, 1 Voting Present. Senate Bill 487 having received  
13. a constitutional majority is declared passed. Senate  
14. Bill 489, Senator Bruce.

15. SENATOR BRUCE:

16. Thank you, Mr. President.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Read the bill.

19. SENATOR BRUCE:

20. No,...

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Just a minute.

23. SENATOR BRUCE:

24. There's evidently an error in Amendment No. 5  
25. which was offered by Senator Buzbee. It is identical  
26. in nature to the amendment offered by Senator Regner  
27. when I checked at the Secretary's office. And...

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. You wish to take it from the record for the time being,  
30. Senator?

31. SENATOR BRUCE:

32. Well, if someone could move to reconsider on that one,  
33. perhaps we...

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Savickas moves...

3. SENATOR BRUCE:

4. Well, I ask leave to return the bill to the Order of  
5. 2nd reading.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Do we have leave to return to the Order of 2nd reading?  
8. Just...just a minute. Senator Buzbee. Senator Buzbee.

9. SENATOR BUZBEE:

10. I beg to differ. There was...it was not identical  
11. to the one that Senator Regner offered. Mine said  
12. nine million four hundred and eighty some odd thousand dollars,  
13. whereas Senator Regner's said five million dollars.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Bruce.

16. SENATOR BRUCE:

17. For whatever purpose the Secretary's office has  
18. identical amendments, No. 4 and 5. I don't know...that  
19. is my understanding. The community college individuals  
20. went back, asked for a copy of the amendment that we adopted.  
21. It is identical to the amendment that Senator Regner had  
22. which we defeated. That's part of the problem.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Well, why can't...

25. SENATOR BRUCE:

26. And that...that...that, in our official record,  
27. shows us cutting 4.6 million dollars out of community  
28. colleges.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Here for the...can we take this from the record for  
31. the time being, see...see what can be done with it and then  
32. we can return it to the Order of 2nd reading, if it need  
33. be done. Is that all right with the sponsor? Take it from the

1. record. The bill...the bill is still on the Order of  
2. 2nd reading. Senate Bill 490, Senator Bruce. Senate  
3. Bill 496, Senator Sommer. Senator Sommer.

4. SENATOR SOMMER:

5. I would request leave of the Body to...to hold  
6. this bill in the...and the authorization bill until such  
7. time as we do Consideration Postponed because there are  
8. some of these Capital appropriations in there.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Do we have leave? Senate Bill 752, Senator Egan.  
11. Just a moment. Senator...Senator Hynes.

12. SENATOR HYNES:

13. Mr. President, I understand the sponsor has passed  
14. Senate Bill 496.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. He did.

17. SENATOR HYNES:

18. We are only going to go through the Calendar one  
19. more time to Consideration Postponed, and then we're  
20. going to adjourn, so if you want to call...

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Sommer.

23. SENATOR SOMMER:

24. Mr. President and Senator Hynes, I...I asked leave of  
25. the Body and when that leave was granted to consider these  
26. bills after Consideration Postponed. You granted leave.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Hynes.

29. SENATOR HYNES:

30. Mr. President, it was previously announced that we were  
31. going to call these bills, go to the Order of Consideration  
32. Postponed and then we are going to adjourn. And I think that  
33. we ought to stick with that order of business and if the

1. sponsor wants his bill called, he ought to call it while we're  
2. on 3rd reading.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Sommer.

5. SENATOR HYNES:

6. Otherwise, we can continue until next Tuesday.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Sommer, what's your pleasure?

9. SENATOR SOMMER:

10. Well, I suspect we'll need a big league conference  
11. here. Let...let me discuss this with our leadership  
12. and determine what we wish to do.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Hynes.

15. SENATOR HYNES:

16. It is getting late and everyone is anxious to leave.  
17. But we have been moving very well in the last few days  
18. and there have been no problems. I do not believe that a  
19. ...a request of that kind which...obviously distorts the  
20. entire order of business that we've set up, should  
21. just perfunctorily be put through and I do not think it is  
22. in order and I think we ought to call this bill as we are  
23. all others on the...while we're on the Order of 3rd reading.  
24. Now, let's just take a vote and move the bills.  
25. If there is a problem with this bill, we can go by it now  
26. and...for a moment and come back to it but lets move  
27. the bills and I don't think there is a problem.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Well, the Chair will...the Chair will proceed  
30. if...for...for momentarily to the next bill and then we  
31. will come back to that Order of Senate Bill 496 after  
32. I complete...after I complete 752. Senator Egan.  
33. Read the bill, Mr. Secretary. Senator Egan.

1. SENATOR EGAN:

2. Well, this is the...as I stated earlier, I...I would  
3. like, if I could, to call this the last of the appropriation  
4. bills. I don't think that disrupts any order. I don't  
5. think that that changes the intent of what...Senator  
6. Hynes has just said. It may accommodate everybody and I would  
7. suggest that that would be all right and...

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. All right. Now, here's what the Chair will do.  
10. There is a bill, 1092, Senator Mitchler's bill, which we  
11. did promise to come back to after he had amended it twice  
12. and removed an amendment and then put another one on.  
13. We're going to call 1092. I'm going to return to the Order  
14. of 496 and go from there. Senator Mitchler, are you...

15. SECRETARY:

16. Senate Bill 1092.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Mitchler.

21. SENATOR MITCHLER:

22. Senate Bill 1092 is now in its proper form with  
23. the two amendments today. I move for a favorable roll call.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Is there further discussion? Question is shall  
26. Senate Bill 1092 pass. Those in favor vote Aye. Those  
27. opposed. The Ayes have...strike that. The question is shall  
28. ...question is shall Senate Bill 1092 pass. Those in  
29. favor vote Aye. Those opposed Nay. The voting is open.  
30. Have all those voted who wish? Take the record. On that  
31. question the Ayes are 51, the Nays are none. Senate Bill 1092  
32. having received a constitutional majority is declared passed.  
33. I've been advised that the only bill remaining other than

1. an appropriation bill is Senator Sommer's bill which is  
2. 628. Senator Sommer. That's correct. It's not an  
3. appropriation bill. It's the last bill on the Calendar.  
4. Senator, you want to call the bill? Senator Sommer.

5. SENATOR SOMMER:

6. I would request leave to place this after the  
7. appropriations bills pass...pass because we have to set  
8. the level of the authorization, that's traditional practice  
9. here and I don't see any reason to deviate from that.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator...Senator Sommer requests leave. Is leave  
12. granted? Just a minute. Senator Hynes wants to  
13. question Senator Sommer.

14. SENATOR HYNES:

15. Senator Sommer, are you ready to proceed on 496?

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Sommer.

18. SENATOR SOMMER:

19. What appropriation bills do we have on the  
20. Calendar? I think I see, what, 496 and 752, 489,  
21. I'm willing to call the...the...the appropriation for  
22. Capital Projects when we get all the rest of the  
23. Capital...all the rest of the Capital appropriations  
24. called and it's settled and we can set the level and  
25. do all that. No problem.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Bruce. I mean, Senator Rock. Sorry.

28. SENATOR ROCK:

29. Yeah, we all look alike.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. That's what I was going to say.

32. SENATOR ROCK:

33. Okay. As my Calendar would indicate to me with all  
34. these marks that I have that there are five bills remaining

1. on the Order of 3rd reading, dealing with the subject of  
2. appropriations.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. That's correct. They are...

5. SENATOR ROCK:

6. 489, 490...

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. That's right.

9. SENATOR ROCK:

10. Then there's 496 and 628 and then there's 752.  
11. Traditionally, here, under long established or at least  
12. established procedures, the omnibus bill was the last to go  
13. out. The one immediately prior to that, traditionally,  
14. has been the bond authorization so that hopefully we can  
15. correlate the bottom line figures and totals. Then, the  
16. Capital appropriation and the two bills about which Senator  
17. Bruce is concerned, are merely being held here because  
18. there's a mix up apparently, with respect to the amendments.  
19. So, I would suggest that we are in the proper position,  
20. if Senator Bruce is ready, to go with 489 and 490, then  
21. 496, then 628 and then 752 and we're finished with the  
22. 3rd reading bills.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Bruce, are you prepared to proceed?

25. SENATOR BRUCE:

26. Just give us a moment, if we might, Mr. President, to...

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Egan.

29. SENATOR EGAN:

30. Yes, Mr. President, I do have an amendment for the  
31. omnibus bill. I'd like to have leave to return it to the  
32. Order of 2nd reading.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Do we have leave? Leave is granted. The bill is on  
2. 2nd reading. Senator Carroll.

3. SENATOR CARROLL:

4. Yes, thank you, Mr. President. This is on Senate  
5. Bill 752. Mr. Secretary, could you advise me what  
6. amendment number this would be?

7. SECRETARY:

8. Amendment No. 4, Senator Carroll.

9. SENATOR CARROLL:

10. Thank you. Amendment No. 4 would appropriate the  
11. sum of one million five hundred thousand or so much  
12. thereof, that may be necessary, Department of Transportation  
13. for expenditures by the Division of Water Resources for  
14. channel cleaning and improvements of the Mazon River  
15. located in Grundy County and I would move the  
16. adoption of the amendment.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Is there further discussion? Question is shall  
19. Amendment No....Amendment No. 4 pass...be adopted?  
20. Those in favor indicate by saying Aye. Those opposed.  
21. The Ayes have it. Roll call is requested. All right.  
22. Will the members please be in their seats. The question  
23. is shall Amendment No. 4 be adopted. Those in favor vote  
24. Aye. Those opposed Nay. The voting is open. Have all  
25. those voted who wish? Take the record. On that question  
26. the Ayes are 31, the Nays are 21. Senate Bill 752...  
27. just a moment. Amendment No. 4 to Senate Bill 752 is  
28. adopted. Are there further amendments?

29. SECRETARY:

30. No further amendments.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. 3rd reading. Senator Rock.

33. SENATOR ROCK:

1. Thank you, Mr. President. I now, suggest as I did  
2. before, that we can go in the traditional order if we  
3. start with 489 and go right through 489, 490, 496,  
4. 628 and 752 and we will have completed the Order of 3rd  
5. reading.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Bruce, are you prepared to proceed? All right.  
8. Do we have leave to return to the Order of 2nd reading?  
9. Leave is granted. Senator Savickas.

10. SENATOR SAVICKAS:

11. ...President, having voted on the prevailing side  
12. I move, now, to reconsider the vote by which Amendment No.  
13. 5 was adopted.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. You've heard the motion. Those in favor indicate by  
16. saying Aye. Those opposed. The Ayes have it. Just a moment.  
17. Senator Buzbee.

18. SENATOR BUZBEE:

19. For the edification of Senator Weaver and several other  
20. Senators that are wondering what's going on here, let me  
21. edify you. This is the amendment, where on the Community  
22. College Board, we broke out the nine and a half million dollars  
23. extra that they are going to get because of local revenue  
24. increases and we just broke it out and set it aside  
25. in a separate line item. We didn't take it away from them  
26. and now Senator Bruce has prevailed at least one person to  
27. change his mind and so he has asked for reconsideration of  
28. that amendment and I would stand by my original position  
29. that that money ought to be so identified as extra money  
30. which they did not...did not need in their original request.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. The question is to reconsider that particular amendment  
33. at this time. Now, if you want a roll call, we'll have it.

1. All right. Senator Regner.

2. SENATOR REGNER:

3. Just like to reiterate what I said about a half hour  
4. ago, Senator Buzbee is absolutely correct and we should  
5. defeat the motion to reconsider on this amendment. It's  
6. a good amendment and it should stay on the bill.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. All right. Senator Bruce. Senator Bruce.

9. SENATOR BRUCE:

10. Thank you, Mr. President. I stand in favor of  
11. reconsidering the vote by which this amendment was adopted.  
12. It was adopted on a 26 to 25 vote. I think some of the  
13. members may not have understood what we were doing to the  
14. community colleges throughout the State by reducing the base  
15. for next year by some 9.4 million dollars and I'm  
16. asking that we reconsider the vote by...or at least, I am  
17. supporting Senator Savickas' motion that we reconsider the  
18. vote by which that is adopted.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. All right. Now, the question before us is  
21. to reconsider the motion by which Amendment No. 5 was  
22. adopted. Those in favor of reconsidering the vote will  
23. vote Aye. Those opposed will vote No. The voting is open.  
24. Have all those voted who wish? Take the record. On that  
25. question the Ayes are 29, the Nays are 19. Amendment No.  
26. 5 is reconsidered. Now, the motion...the motion now  
27. before us...just a moment. Well, the next order of business  
28. is to consider whether...Senator Savickas.

29. SENATOR SAVICKAS:

30. I would now move to Table Amendment No. 5.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. All right. The motion is...Senator...Senator Buzbee.

33. SENATOR BUZBEE:

1. I would like a ruling from the Chair as to how  
2. many votes it takes to reconsider a motion by...which lost, rather...  
3. PRESIDING OFFICER: (SENATOR DONNEWALD)  
4. It's a majority of those voting.  
5. SENATOR BUZBEE:  
6. Now, who...  
7. PRESIDING OFFICER: (SENATOR DONNEWALD)  
8. Same...same as it would be to adopt an amendment.  
9. SENATOR BUZBEE:  
10. Very well. Very well. Now, my second parliamentary  
11. inquiry is who has the authority and the ability to...rather  
12. the authority to Table an amendment which was offered by  
13. somebody who doesn't want it Tabled?  
14. PRESIDING OFFICER: (SENATOR DONNEWALD)  
15. Any Senator in the Chamber. All right. The question  
16. is shall Amendment No. 5 be Tabled. Those in favor  
17. indicate by saying Aye. Those opposed. The Ayes have  
18. it. The amendment is Tabled. Are there further  
19. amendments?  
20. SECRETARY:  
21. No further amendments.  
22. PRESIDING OFFICER: (SENATOR DONNEWALD)  
23. 3rd reading. Senate Bill 490, Senator Bruce. Senate  
24. Bill 490, Senator Bruce. Senator Bruce.  
25. SENATOR BRUCE:  
26. Well, can't we take 489 first since we have...  
27. whatever...whatever you decide, Mr....  
28. PRESIDING OFFICER: (SENATOR DONNEWALD)  
29. Been advised that it has to go to Enrolling...Enrolling  
30. and Engrossing to remove that amendment from the bill.  
31. Senator Bruce.  
32. SENATOR BRUCE:  
33. Well, I would still like to move both these bills at

1. the same time, they're companions and I don't want to delay  
2. the Body here, but...

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Well, the only basis on which we can proceed...

5. Senator Bruce. Senator Bruce.

6. SENATOR BRUCE:

7. I'm advised that we can run with 490, then, Mr.

8. President.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. All right. Read the bill. Senate Bill 490.

11. Read the bill, Mr. Secretary.

12. SECRETARY:

13. Senate Bill 490.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Bruce.

18. SENATOR BRUCE:

19. Thank you, Mr. President. This is the 3.5  
20. million dollar transfer bill for the Illinois community  
21. colleges. They had twenty-five thousand more FTE  
22. than we had appropriated under the Governor's rates...  
23. Legislative rates, there was a twenty-six million  
24. dollar deficiency or a 16.8 million dollar deficiency  
25. even at the Governor's rates. At seventy percent of funding  
26. which is the agreement the community colleges have, that  
27. would bring to them eleven million dollars. They, by agreement  
28. and by the BHE, received a 6.8 million dollar increase  
29. in Fiscal '78.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Proceed.

32. SENATOR BRUCE:

33. This additional 3.5 million will help meet the eleven  
34. million dollars as set forth in their Fiscal '77 appropriation.

1. They were appropriated a million seven hundred thousand  
2. dollars. They agreed to return under our arrangements  
3. made last fall, 2.7 million dollars. This has been lapsed.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Have you concluded, Senator?

6. SENATOR BRUCE:

7. Well, let me just conclude, but this leaves  
8. ninety-eight million dollars. They will only spend  
9. 94.5. So, that the 3.5 million dollars is a transfer.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Regner.

12. SENATOR REGNER:

13. Mr. President and members of the Senate.  
14. First of all, this is in excess of the Governor's budget.  
15. It is not approved by BHE. The 1977 revenues are understated  
16. by three and a half million dollars. For Fiscal Year  
17. '78, they are getting 6.8 million dollars in restoration.  
18. And apparently after what happened a few minutes ago,  
19. regarding Senate Bill 489, they're going to have another  
20. 9.4 million dollars which we just discussed in excess  
21. monies. The original enrollment assumption for '77  
22. was a hundred and seventy-seven thousand full-time  
23. students. Credit out instructional rates were based on the  
24. flat rate support provided by local resources, taxes  
25. and tuition at an enrollment of a hundred and seventy-  
26. seven thousand. But the actual enrollment for FY '77 is  
27. one hundred and sixty-eight thousand. There is no...there  
28. is greater local support for credit hour than originally  
29. calculated and as a credit hour rates remain constant, the  
30. State is already funding the credit...

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Just...just a moment, Senator. For what purpose do  
33. you arise, Senator Bruce?

1. SENATOR BRUCE:

2. Thank you, Mr. President. We've had a chance to  
3. discuss in some detail this bill in the last two or three  
4. seconds and several of us conclude that this bill needs  
5. a great deal more study by the Senate Appropriations  
6. Committee and I would ask that we recommit that bill to  
7. that committee for that purpose.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Motion is to recommit the bill to Appropriations II.  
10. Do we have leave? Leave is granted. Senate Bill...  
11. Senator Bruce, now do you wish to proceed with 490?  
12. 489, I'm sorry. Senator Bruce. Read the bill.

13. SENATOR BRUCE:

14. Well, I hate to...

15. PRESIDING OFFICER (SENATOR DONNEWALD)

16. Read the bill, Mr. Secretary.

17. SECRETARY:

18. Senate Bill 489.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21.

22.

23.

24.

End of reel.

25.

26.

27.

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32.

33.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Bruce.

3. SENATOR BRUCE:

4. Thank you, Mr. President. I think that was a very  
5. ingenious way on my part to get intervening business and  
6. now I would like to have a roll call on 489.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Is there any discussion? Senator Regner.

9. SENATOR REGNER:

10. Well, I'm just going to explain my vote. I intend to  
11. vote No, and I'm certainly not voting No in relation to my  
12. feeling to the community college program. I'm voting No in  
13. ...not retaliation, but my feelings towards the...towards  
14. the Community College Board who are either incapable of giving  
15. correct figures or they're less than truthful, and I don't  
16. know which it is, but I'm going to vote No on the community  
17. college strictly because of their board.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Any further discussion? Senator Bruce. All right. Senator  
20. Shapiro.

21. SENATOR SHAPIRO:

22. Well, Mr. President, I would just ask the members of this  
23. side of the aisle to refrain from voting for this bill.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Any further discussion? The question is, shall Senate  
26. Bill...Senator Bruce.

27. SENATOR BRUCE:

28. Well, I just want to defend the Community College Board and  
29. I certainly don't want to be critical of any of the Appropriations  
30. Committee in this Body, but I don't know any time that they  
31. requested information that it was not given by their staff. Now,  
32. we've had a lot of controversy over what it is the going to  
33. be the equalized assessed valuation next year, and I told you

1. in my opening remarks, and I will conclude by saying that  
2. no one can tell today what those are going to be, and all I  
3. hear from many members is that Community College Board has  
4. lied, has told untruths, and the problem is that they don't  
5. have hard data. They developed their formula six months ago  
6. on estimated equalized assessed valuation. They have a better  
7. figure now, but it is still estimated equalized assessed  
8. valuation. And all I'm saying is that I think some people are  
9. being extremely critical of the Community College Board.  
10. They've worked very hard to get this bill in shape. They  
11. have just moved to Table 490 and we're ready to go with 489.  
12. I do not know the reluctance on the part of the Republicans to  
13. support this bill.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Question is, shall Senate Bill 489 pass. Those in favor will  
16. vote Aye. Those opposed will vote Nay. The voting is open.  
17. Have all voted who wish? Have all voted who wish? Take the  
18. record. On that question, the Ayes are 29, the Nays are 2,  
19. none Voting Present. Postponed Consideration has been requested.  
20. Consideration will be postponed. On the Order of Senate Bills  
21. 3rd reading, Senate Bill 496. Read the bill, Mr. Secretary.

22. SECRETARY:

23. Senate Bill 496

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, I would move that we return this bill to the  
30. Order of 2nd reading.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Sommer seeks leave to return Senate Bill 496 to the  
33. Order of 2nd reading. Is leave granted? On the Order of Senate

1. Bills 2nd reading, Senate Bill 496. Mr. Secretary.

2. SECRETARY:

3. Amendment No. 14 offered by Senator Regner.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Regner.

6. SENATOR REGNER:

7. Yes, Mr. President and members of the Senate, what this  
8. amendment does is it...actually an amendment to Amendment No.  
9. 1 which has already been adopted and it restores a million  
10. dollars that was in the original bill for projects for the  
11. Department of Law Enforcement. The Governor's Office has  
12. indicate they do support this particular restoration. I'd  
13. move its adoption.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Regner has moved...Senator Regner has moved the  
16. adoption of Amendment No. 14 to Senate Bill 496. Is there any  
17. discussion? Senator Carroll.

18. SENATOR CARROLL:

19. Thank you, Mr. President, members of the Senate. If the  
20. Republicans desire to take the money away from downstate roads  
21. and put into buildings, I will not oppose that.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Question is, the adoption of Amendment No. 14 to Senate  
24. Bill 496. All those in favor signify by saying Aye. All those  
25. opposed. The Ayes have it. The amendment is adopted. Any  
26. further amendments?

27. SECRETARY:

28. Amendment No. 15 offered by Senator Weaver.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Weaver.

31. SENATOR WEAVER:

32. Thank you, Mr. President. Amendment No. 15 is a somewhat  
33. reduced amendment. It has to do with a food production

1. research program at the University of Illinois in the amount  
2. of two million five hundred and seventy thousand two hundred  
3. dollars. It seems that another university that was interested  
4. in this program really isn't interested in it, and so we've  
5. amended them out and so, reduced this program from 3.3 million  
6. down to two million seven hundred and...five hundred and  
7. seventy thousand dollars. And I'd appreciate a favorable  
8. roll call.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Weaver has moved the adoption of Amendment No.  
11. 15 to Senate Bill 496. Is there any discussion? Senator  
12. Carroll.

13. SENATOR CARROLL:

14. Thank you, Mr. President. I could very easily...play  
15. the tape from the discussions of yesterday and several times  
16. before. I don't think we need to spend this money as I  
17. understand it now. The future cost of these projects alone  
18. without the other ones is thirty-two million plus interest for  
19. 54.6 using the standard formula we've used before. I think  
20. this is just as bad as it was yesterday. We're still talking  
21. about only seven percent going into total large animal care.  
22. I don't think this is the way we want to go right now, and I  
23. would urge a defeat of this amendment today as we did yesterday.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Any further discussion? Senator Weaver, you wish to close?

26. SENATOR WEAVER:

27. As of...the same story as yesterday, Senator Carroll is  
28. a little loose with his figures. But I see no reason to try to  
29. correct him every time he speaks. The amount of money going  
30. into research for large animal, small animal, I think, is  
31. irrelevant. We made the argument yesterday that much of the  
32. research due the fact that the large animal clinic is now in  
33. service will be directed towards large animal clinics. Two of

1. the buildings in this project are to house research programs  
2. are to house research programs for large animals, and I think  
3. it's a spacious argument. Appreciate a favorable roll call.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. All right, the question is the adoption of Amendment No.  
6. 15 to Senate Bill 496. Those in favor of the adoption of the  
7. amendment will vote Aye. Those opposed will vote Nay. The  
8. voting is open. Have all voted who wish? Have all voted who  
9. wish? Take the record. On that question, the Ayes are 23,  
10. the Nays are 30, none Voting Present. The amendment fails.  
11. Further amendments?

12. SECRETARY:

13. Amendment No. 16 offered by Senator Buzbee.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Buzbee. Amendment No. 16 is...is being withdrawn.

16. SECRETARY:

17. Amendment No. 16 offered by Senator Sommer.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Sommer.

20. SENATOR SOMMER:

21. Mr. President and members, this simply clarifies the  
22. section numbers due to all the amendments. They got out of  
23. sequence and this is agreed to, I believe.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Sommer has moved the adoption of the Amendment  
26. No. 16 to Senate Bill 496. Is there any discussion? All those  
27. in favor signify by saying Aye. All those opposed. The Ayes  
28. have it. The amendment is adopted. Any further amendments?

29. SECRETARY:

30. No further amendments.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. 3rd reading. On the Order of Senate Bills 3rd reading,  
33. Senate Bill 628. Read the bill, Mr. Secretary.

1. SECRETARY:
2. Senate Bill 628
3. (Secretary reads title of bill)
4. 3rd reading of the bill.
5. PRESIDING OFFICER: (SENATOR ROCK)
6. Senator Sommer.
7. SENATOR SOMMER:
8. I request a favorable roll call, Mr. President.
9. PRESIDING OFFICER: (SENATOR ROCK)
10. Any dicussion? Senator Carroll.
11. SENATOR CARROLL:
12. In as much as this no longer balances, I would assume
13. that this side of the aisle would not be favorable to vote
14. for the bill at this time. I would think you would want to
15. bring it back so that the level of authorization is the
16. same as we have allocated. As I've said before, I just think
17. we just not vote for it now. Why we should wait and put it
18. on in the House. And I would ask our side not to vote then.
19. PRESIDING OFFICER: (SENATOR ROCK)
20. Question is, Senate Bill 628 pass. Those in favor will
21. vote Aye. Those opposed will vote Nay. The voting is open.
22. Have all voted who wish? Have all voted who wish? Have all
23. voted who wish? Take the record. On that question, the Ayes
24. are 4, the Nays are 3, 32 Voting Present, 20 Voting Absent.
25. Senate Bill 628 having failed to receive a constitutional
26. majority is declared lost. On the Order of Senate Bills 3rd
27. reading, Senate Bill 496. Read the bill, Mr. Secretary.
28. SECRETARY:
29. Senate Bill 496
30. (Secretary reads title of bill)
31. 3rd reading of the bill.
32. PRESIDING OFFICER: (SENATOR ROCK)
33. Senator Sommer.

1. SENATOR SOMMER:

2. Mr. President, this is the Capital appropriation and

3. I would request a favorable roll call.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Is there any discussion? Senator Carroll.

6. SENATOR CARROLL:

7. I think it's a good bill.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Question is, shall Senate Bill 496 pass. Those in  
10. favor will vote Aye. Those opposed will vote Nay. The voting  
11. is open. Have all voted who wish? - Have all voted who wish?  
12. Take the record. On that question, the Ayes are 49, the Nays  
13. are 2, 2 Voting Present. Senate Bill 496 having received the  
14. constitutional majority is declared passed. On the Order of  
15. Senate Bills 3rd reading, Senate Bill 752. Read the bill,  
16. Mr. Secretary.

17. SECRETARY:

18. Senate Bill 752

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Egan. Senator Shapiro, for what purpose do you  
23. arise?

24. SENATOR SHAPIRO:

25. Mr. President, a point of order.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. State your point, Sir.

28. SENATOR SHAPIRO:

29. Senate Bill 752 as it is now amended with the sum of  
30. one and half million dollars appropriated to the Department of  
31. Transportation, I would like a ruling of the Chair as to its  
32. germaness because it is not mentioned in the title of the bill  
33. which states, an Act making appropriations for the ordinary and

1. contingent expenses of various commissions of State Government.  
2. This is not an appropriation to any commission of State  
3. Government.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Well, the...the Chair is of the opinion that such an  
6. amendment is germane. I think you may technically correct  
7. with respect to the title. The title may well have to be  
8. amended along with these...other amendment, but it is an  
9. appropriation to a agency of State Government. We have done  
10. that before. Do you...am checking that now. You may be  
11. technically correct with respect to the title. Senator  
12. Glass, for what purpose do you arise?

13. SENATOR GLASS:

14. Mr. President, on the same point. Are you then ruling  
15. that...that the...the title is...is not correct, that the...the  
16. title has not been amended?

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Well, that...that's my point...

19. SENATOR GLASS:

20. Yeah...

21. PRESIDING OFFICER: (SENATOR ROCK)

22. ...I'm having the amendment in its pristine form checked,  
23. and I...Senator Shapiro may well be correct that the title may  
24. well have to be amended. Senator...Senator Knuppel, for what  
25. purpose to you arise?

26. SENATOR KNUPPEL:

27. Well, if there's any question about this, I'll move to  
28. reconsider 767, having voted on the prevailing side.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. That motion is in order. All right, Senator...Senator  
31. Knuppel has moved to reconsider the vote by which...Senate  
32. Bill 767 was declared lost. All those in favor will vote  
33. Aye. Those opposed will vote Nay. The voting is open.

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

2. SENATOR SHAPIRO:

3. We are reconsidering a vote on bill that has been up  
4. for final passage. What is the ruling of the Chair the  
5. number of votes required?

6. PRESIDING OFFICER: (SENATOR ROCK)

7. It will require thirty votes.

8. SENATOR SHAPIRO:

9. And one other thing, I did make a previous point of -  
10. order which there was no ruling on.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. The ruling was held in abeyance. You are quite correct.  
13. I did not make a final ruling with respect to the title because  
14. I have not had an opportunity yet to read the title. Have all  
15. voted who wish? Have all voted who wish? Take the record.  
16. On that question, the Ayes are 31, the Nays are 15, none  
17. Voting Present. The vote by which Senate Bill 767 was declared  
18. lost is now reconsidered. Senator Shapiro has requested a  
19. verification of the roll call. Will all the members please be  
20. in their seat. Mr. Sergeant-at-Arms, ring the bell. The  
21. ...the Secretary will read the affirmative votes.

22. SECRETARY:

23. The following voted in the affirmative: Berman...

24. PRESIDING OFFICER: (SENATOR ROCK)

25. State...state your point.

26. SENATOR DALEY:

27. Is...

28. PRESIDING OFFICER: (SENATOR ROCK)

29. All right. Will...will all the members please be in their  
30. seats. The Secretary will read the affirmative votes.

31. SECRETARY:

32. The following voted in the affirmative: Berman, Bruce,  
33. Buzbee, Carroll, Clewis, Collins, D'Arco, Daley, Demuzio, Donnewald,

1. Egan, Guidice, Kenneth Hall, Hickey, Johns, Joyce, Knuppel,
2. Kosinski, Lane, Lemke, Maragos, Merlo, Leonard, Netsch, New-
3. house, Rock, Savickas, Vadalabene, Washington, Wooten, and
4. Mr. President.
5. PRESIDING OFFICER: (SENATOR ROCK)
6. Senator Lane on the Floor? Senator Lane on the Floor?
7. Strike Senator Lane's name from the roll.
8. SENATOR SHAPIRO:
9. Anybody else?
10. PRESIDING OFFICER: (SENATOR ROCK)
11. ...Do you wish the opinion of the Chair? The roll has
12. been verified. The Ayes are 30, the Nays are 15, none Voting
13. Present. Senator Knuppel's motion carries. Senate Bill 767
14. is now on the back on the Order of 3rd reading. Senator Egan,
15. for what purpose do you arise?
16. SENATOR EGAN:
17. Well...
18. PRESIDING OFFICER: (SENATOR ROCK)
19. You wish to take 752 back to the Order of 2nd reading for
20. the purpose of Tabling an amendment?
21. SENATOR EGAN:
22. Yes.
23. PRESIDING OFFICER: (SENATOR ROCK)
24. Is leave granted? On the Order of Senate Bills 2nd reading,
25. Senate Bill 752. Senator Egan has moved to reconsider the vote
26. by which Amendment No. 4 to Senate Bill 752 was adopted. All
27. those in favor signify by saying Aye. All those opposed. The
28. Ayes have it. The vote is reconsidered. Senator Egan.
29. SENATOR EGAN:
30. Thank you. Are...are we now on 3rd?
31. PRESIDING OFFICER: (SENATOR ROCK)
32. No. We're going to entertain a motion to Table Amendment
33. No. 4.

1. SENATOR EGAN:
2. I'm moving to Table Amendment No. 4 to...Senate Bill
3. 752.
4. PRESIDING OFFICER: (SENATOR ROCK)
5. Senator Egan has moved to Table Amendment No. 4 to Senate
6. Bill 752. All those in favor signify by saying Aye. All
7. those opposed. The Ayes have it. The amendment is Tabled.
8. Any further amendments?
9. SECRETARY:
10. No further amendments.
11. PRESIDING OFFICER: (SENATOR ROCK)
12. 3rd reading. Senator Joyce, you wish to go with 767?
13. On the Order of Senate Bills 3rd reading, Senate Bill 767.
14. Read the bill, Mr. Secretary. While we're waiting, Senator
15. Shapiro, do you wish a ruling now on 752? All right, Mr.
16. Secretary, read the bill.
17. SECRETARY:
18. Senate Bill 767
19. (Secretary reads title of bill)
20. 3rd reading of the bill.
21. PRESIDING OFFICER: (SENATOR ROCK)
22. Senator Joyce.
23. SENATOR JOYCE:
24. Mr...Mr. President, you don't suppose I should Table this
25. now? Why don't we just do it again.
26. PRESIDING OFFICER: (SENATOR ROCK)
27. The question is, shall Senate Bill 767 pass. Those in
28. favor will vote Aye. Those opposed will vote Nay. The voting
29. is open. Have all voted who wish? Have all voted who wish?
30. Take the record. On that question, the Ayes are 31, the Nays
31. are 20, 1 Voting Present. Senate Bill 767 having received a
32. constitutional majority is declared passed. Senator Carroll,
33. for what purpose do you arise?

1. SENATOR CARROLL:

2. Having voted again on the prevailing side, I would move  
3. to reconsider the vote by which that bill passed. Senator  
4. Knuppel moves to Table.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Carroll moves to reconsider the vote. Senate  
7. Knuppel moves to lie that motion upon the Table. All those  
8. in favor signify by saying Aye. All those opposed. The Ayes  
9. have it. So ordered. On the Order of Senate Bills 3rd reading,  
10. Senate Bill 752. Read the bill, Mr. Secretary.

11. SECRETARY:

12. Senate Bill 752

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Egan.

17. SENATOR EGAN:

18. Thank you, Mr. President. The most perfect of all the  
19. appropriation bills, the Omnibus bills, in its pristine form now,  
20. Senator Shapiro. Actually, just wanted to mention one thing  
21. that this was the first time to my knowledge that the conscientious  
22. and hard working subcommittee held hearings and standardized the  
23. expenditures for all the commissions, and I...and I commend it  
24. to your approval.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. ...Is there any discussion? Senator Berning.

27. SENATOR BERNING:

28. That being the case, Mr. Chairman, I commend you, but I  
29. somewhat doubt your veracity when you are willing to accept an...  
30. an amendment which totally destroys the intent of the whole  
31. thing.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Regner.

1. SENATOR REGNER:

2. I think we can safely say we'll see this back to us in  
3. another form in about another two weeks.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Question is, shall Senate Bill 752 pass. Those in favor  
6. will vote Aye. Those opposed will vote Nay. The voting is  
7. open. Have all voted who wish? Have all voted who wish?  
8. Take the record. On that question, the Ayes are 40, the Nays  
9. are 13, 2 Voting Present. Senate Bill 752 having received a  
10. constitutional majority is declared passed. Senator Nimrod,  
11. for what purpose do you arise?

12. SENATOR NIMROD:

13. Yeah; Mr. President, while we have a lull and I might just  
14. make an announcement for next week when we come back on Thursday,  
15. June the 2nd, on Diamond 4 at Lincoln Park, we have game, the  
16. Senators versus the Press, Captain Dave Fields versus the  
17. Senators, and Captain...Pate Philip and Captain Phil Rock, don't  
18. forget to bring your equipment for next week.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. ...Senator Berning, for what purpose do you arise?

21. SENATOR BERNING:

22. In the event that no one is aware that we are through  
23. with this Calendar...

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Well, now, wait...wait...

26. SENATOR BERNING:

27. ...since nothing...

28. PRESIDING OFFICER: (SENATOR ROCK)

29. ...wait...I...rather than let you get to your conclusion,  
30. your premise is wrong.

31. SENATOR BERNING:

32. I move we adjourn, Mr. President.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Your premise is wrong, Senator Berning. Senator Hynes.
2. SENATOR HYNES:
3. Mr. President, I...I would suggest that we go to the
4. Order of Postponed Consideration to consider the bills that...
5. PRESIDING OFFICER: (SENATOR ROCK)
6. Senator Hynes.
7. SENATOR HYNES:
8. ...I am informed there is a motion on the Secretary's
9. Desk. The motion by Senator...by Senator Johns.
10. PRESIDING OFFICER: (SENATOR ROCK)
11. Well, we...we didn't get there yet. We are...I was
12. kind of waiting for some direction from the President.
13. SENATOR HYNES:
14. Mr. President, I suggest we go to the Order of Postponed
15. Consideration and the procedure with leave of the Body will
16. be as follows that the sponsor of the bill will be given one
17. minute to explain the bill and then one opponent will be
18. allowed to speak for one minute in opposition to the bill.
19. In that manner, I think we can move through the list with...
20. with dispatch.
21. PRESIDING OFFICER: (SENATOR ROCK)
22. Is leave granted to go to the Order of Consideration
23. Postponed? Leave is granted. We will operate, with leave of
24. the Body, under the rules as temporarily adopted by the President
25. and the Minority Leader. Is leave granted? All right, on the
26. Order of Consideration Postponed, Senate Bill 9. Read the
27. bill, Mr. Secretary.
28. SECRETARY:
29. Senate Bill No. 9
30. (Secretary reads title of the bill)
31. 3rd reading of the bill.
32. PRESIDING OFFICER: (SENATOR ROCK)
33. Senator Ozinga.

1. SENATOR OZINGA:

2. Mr...Mr. President and members of the Body, it's yellow  
3. before I start. You better give me a little better time than  
4. that.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Well, it...that's because that's the one minute warning.  
7. You used up half...

8. SENATOR OZINGA:

9. Mr....Mr...President...

10. PRESIDING OFFICER: (SENATOR ROCK)

11. ...of your time...

12. SENATOR OZINGA:

13. ....Mr. President and members of the Senate, this is the  
14. bill that started off with just to correct some vandalism and  
15. some mischief that was in my neighborhood. You know what the  
16. bill is all about. All that it does is raise the liquor drink-  
17. ing age back to twenty-one which has been lowered...the  
18. illegal drinking age has been lowered because of the situation  
19. now. The illegal drinking age is lowered. Alcohol is still  
20. America's most destructive drug. By whatever standard we  
21. assess a drug problem, extent of use and abuse, availability  
22. cost and dollars, disease, crime and death, alcohol is still  
23. number one. The...proportion of American youths who drink  
24. has been increasing so fast that currently it is almost universal  
25. and members of the Body, you know what this bill is all about.  
26. It would have passed once before if we had had a couple of  
27. members that had committed for it. I plead-with you to cast  
28. a favorable vote. Your constituents I am sure want this bill,  
29. and you are aware of the problems that are being created in the  
30. local territories and in the school districts right now.  
31. Thank you, and I would appreciate a very favorable vote.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Is there any discussion? Question is, shall Senate Bill 9

1. pass. Those in favor will vote Aye. Those opposed will vote  
2. Nay. The voting is open. Have all voted who wish? Have  
3. all voted who wish? Have all voted who wish? Take the  
4. record. On that question, the Ayes are 28, the Nays are  
5. 25, Voting Present. Senate Bill 9 having failed to receive  
6. a constitutional majority is declared lost. On the...Order of  
7. Consideration Postponed is Senate Bill 19. Read the bill,  
8. Mr. Secretary.

9. SECRETARY:  
10. Senate Bill 19  
11. (Secretary reads title of bill)  
12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR ROCK)  
14. Senator Wooten.  
15. SENATOR WOOTEN:  
16. Mr. President and colleagues, I've...attempted to explain  
17. this bill when it was before us. There were several mis-  
18. conceptions which quite frankly have come from a single source.  
19. I have attempted to speak to individual Senators to explain in  
20. great detail what the bill actually does. It is a complicated  
21. bill but I believe it avoids duplication, keeps the authority  
22. for the bill in the local agency. It gives the industry the  
23. input it wants and regulation. I think I honestly tried to  
24. everyone's concern in all aspects of putting this bill together  
25. and more than that, I cannot do. I offer it for your consideration.

26. PRESIDING OFFICER: (SENATOR ROCK)  
27. Any discussion? Senator...is there any discussion?  
28. Question is, shall Senate Bill 19 pass. Those in favor will vote  
29. Aye. Those opposed will vote Nay. The voting is open. Have all  
30. voted who wish? Have all voted who wish? Take the record.  
31. On that question, the Ayes are 44, the Nays are 5, 1 Voting  
32. Present. Senate Bill 19 having received the constitutional  
33. majority is declared passed. Senator Graham, for what purpose

1. do you arise?

2. SENATOR GRAHAM:

3. Where am I? I rise just briefly to say to you that  
4. pretty soon Senate Bill 1337 will be coming up. I have cause  
5. to be distributed on all the Senators desk an explanation  
6. that will alleviate a lot of conversation.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Thank you, Senator. On the Order of Consideration  
9. Postponed is Senate Bill 69. Read the bill, Mr. Secretary.

10. SECRETARY:

11. Senate Bill 69

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Lemke.

16. SENATOR LEMKE:

17. This is the bill that deals with franchises and I ask  
18. for a favorable...

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Is there any discussion? Question is, shall Senate Bill  
21. 69 pass. Those in favor will vote Aye. Those opposed will  
22. vote Nay. The voting is open. Have all voted who wish?  
23. Have all voted who wish? Take the record. On that question,  
24. the Ayes are 20, the Nays are 31, none Voting Present. Senate  
25. Bill 69 having failed to receive a constitutional majority is  
26. declared lost. Senator Bruce, for what purpose do you arise?

27. SENATOR BRUCE:

28. Well, I take it, Mr. President, you're going to just go  
29. numerically. I...

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Numerically...

32. SENATOR BRUCE:

33. ...just wonder if the suggestion might be better if some

1. of these gentlemen on Postponed Consideration have not even  
2. had a first shot today on their legislation. If you're going  
3. to go in numerical order, some fellows are going to get two  
4. shots before anyone has even got one shot at a bill on Post-  
5. poned.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. It's the ruling of the Chair we're going to go in...in  
8. numerical order.

9. SENATOR BRUCE:

10. All right...

11. PRESIDING OFFICER: (SENATOR ROCK)

12. ...On the Order of Senate Bills...

13. SENATOR BRUCE:

14. ...no...

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Bruce.

17. SENATOR BRUCE:

18. ...If you're going to do that, it would help some of us  
19. if you would give us your list of...of the bills. At least  
20. a couple down.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. On the Senate Bills...on the Order of Consideration  
23. Postponed Senate Bills 3rd reading, Senate Bill 161. Read the  
24. bill, Mr. Secretary.

25. SECRETARY:

26. Senate Bill 161

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Glass.

31. SENATOR GLASS:

32. Thank you, Mr. President and Ladies and Gentlemen. This  
33. may be one of the more important bills for your district in

1. special education this year. It would extend an existing  
2. tax of two cents which was due to expire and would allow the  
3. tax to be used for purposes other than strictly building  
4. purposes. I think it is a measure that will help every district  
5. in special. Is very much needed. I'd appreciate a favorable  
6. roll call.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Is there any discussion? Question is, shall Senate Bill  
9. 161 pass. Those in favor will vote Aye. Those opposed  
10. will vote Nay. The voting is open. Have all voted who wish?  
11. Have all voted who wish? Take the record. On that question,  
12. the Ayes are 31, the Nays are 11, none Voting Present. Senate  
13. Bill 161 having received the constitutional majority is  
14. declared passed. On the Order of Consideration Postponed  
15. Senate Bills 3rd reading, Senate Bill 181. Read the bill,  
16. Mr. Secretary.

17. SECRETARY:

18. Senate Bill 181

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Vadalabene.

23. SENATOR VADALABENE:

24. Yes, thank you, Mr. President, I tried to get your  
25. attention. I would like to have Senate Bill 181 recommitted  
26. to the Committee on Licensing and Regulations.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. You've heard the request. Is leave granted? So ordered.

29. On the Order of Consideration Postponed, Senate Bills 3rd  
30. reading, Senate Bill 187. Read the bill, Mr. Secretary.

31. SECRETARY:

32. Senate Bill 187

33. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Regner.

4. SENATOR REGNER:

5. Mr. President and members of the Senate, this bill is  
6. supported by the various community mental health centers  
7. and it requires that if through the Department of Mental  
8. Health's program to deinstitutionalize patients, their...  
9. their cliental increase is by over three percent per year,  
10. the Department shall pay those excessive cost and help the  
11. local taxpayer by not putting a burden upon him.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Is there any discussion? Question is, shall Senate  
14. Bill 187 pass. Those in favor will vote Aye. Those opposed  
15. will vote Nay. The voting is open. Have all voted who wish?  
16. Have all voted who wish? Take the record. On that question,  
17. the Ayes are 42, the Nays are 2, 3 Voting Present. Senate  
18. Bill 187 having received a constitutional majority is declared  
19. passed. On the Order of Senate...Consideration Postponed,  
20. Senate Bills 3rd reading, Senate Bill 244. Read the bill,  
21. Mr. Secretary.

22. SECRETARY:

23. Senate Bill 244

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Glass.

28. SENATOR GLASS:

29. Thank you, Mr. President, Ladies and Gentlemen. This is  
30. a bill that does something about the mandated programs that the  
31. State has forced upon school districts, and...regarding which  
32. we have heard so much complaining. It is a modest approach at  
33. the problem but one that I think is extremely sound. It takes

1. three programs that the State now funds, and by funds I mean  
2. provide some of the funding to the local districts - transporta-  
3. tion, school lunches and driver's ed, and...and simply says  
4. that the local districts may modify those programs if the  
5. State does not deliver on its commitment to provide the  
6. funding. I think it's a beginning for Illinois to do something  
7. about mandated programs. I'd appreciate a favorable roll call.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Any discussion? Senator Berman.

10. SENATOR BERMAN:

11. Thank you, Mr. President. I rise in opposition of this  
12. bill. First, it's premature. We...the Governor has appointed  
13. a committee to evaluate the mandated programs. That...that  
14. committee is holding hearings. As a matter of fact, there's  
15. another meeting in Chicago for testimony...from interested  
16. persons. I think that the Governor and his commission should  
17. be given the opportunity to review these. Secondly, you're  
18. going to find that many programs that we have worked long and  
19. hard will go down the drain by the whims of local boards because  
20. of the question of inability perhaps to not fully fund the  
21. School Aid Formula. I don't think one should follow the other  
22. necessarily. I oppose this bill.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Question is, shall Senate Bill 244 pass. Those in favor  
25. will vote Aye. Those opposed will vote Nay. The voting is  
26. open. Have all voted who wish? Have all voted who wish?  
27. Take the record. On that question, the Ayes are 25, the Nays  
28. are 10, 8 Voting Present. Senate Bill 244 having failed to  
29. receive a constitutional majority is declared lost. On the  
30. Order of Consideration Postponed Senate Bills 3rd reading,  
31. Senate Bill 297. Read the bill, Mr. Secretary.

32. SECRETARY:

33. Senate Bill 297

1. (Secretary reads title of bill)
2. 3rd reading.
3. PRESIDING OFFICER: (SENATOR ROCK)
4. Senator Buzbee.
5. SENATOR BUZBEE:
6. Thank...
7. PRESIDING OFFICER: (SENATOR ROCK)
8. Clear...clear the board, Mr....
9. SENATOR BUZBEE:
10. ...thank you, Mr. President. Mr. President, this is
11. the bill that would require the biennial audit by the Auditor
12. General of the Illinois High School Association, and as
13. Senator Schaffer very aptly point out the other day, he wonders
14. why all the opposition when all we're asking that we be
15. able to audit their books, and...and I think it could be aptly
16. summed up by saying me thinks they protest it too much.
17. PRESIDING OFFICER: (SENATOR ROCK)
18. Any discussion? ...Senator Harber Hall.
19. SENATOR HARBER HALL:
20. I oppose this, Mr. President. We...we authorize expendi-
21. tures on many different other than governmental programs, ex-
22. penditures of money that we give in grants and et cetera and
23. we should not begin asking that everyone of them...have require
24. annial...or...or annual audits and this is no exception. I...I
25. oppose this bill.
26. PRESIDING OFFICER: (SENATOR ROCK)
27. Senator Weaver. I thought we were only going to...
28. SENATOR WEAVER:
29. Senator...
30. PRESIDING OFFICER: (SENATOR ROCK)
31. ...have one apiece...all right...
32. SENATOR WEAVER:
33. ...Senator Buzbee, you didn't amend that bill. You didn't

1. put that amend I gave you on the bill? Well, I can't support  
2. it, then.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Question is, shall Senate Bill 297 pass. Those in favor  
5. vote will Aye. Those opposed will vote Nay. The voting is  
6. open. Have all voted who wish? Have all voted who wish?  
7. Take the record. On that question, the Ayes are 27, the Nays  
8. are 19, 1 Voting Present. Senate Bill 297 having failed to  
9. receive a constitutional majority is declared lost. Senator  
10. Collins, the Secretary informs me there's an amendment on  
11. your bill. Do you wish it...return to the Order of 2nd  
12. reading. Senator Collins seeks leave to take Senate Bill 370  
13. back to the Order of 2nd reading for the purpose of an amend-  
14. ment. Is leave granted? On the Order of Senate Bills 2nd  
15. reading, Senate Bill 370.

16. SECRETARY:

17. Amendment No. 1 offered by Senator Collins.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Collins.

20. SENATOR COLLINS:

21. Purpose of this amendment is to clear up some of the  
22. confusions in reference to employees hired by the Board...  
23. Board of Election on election day, so this amendment is  
24. simply delete those employees from the provisions of...of  
25. the bill, and I move its adoption.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Collins has moved the adoption of Amendment No.  
28. 1 to Senate Bill 370. Is there any discussion? All those in  
29. favor signify by saying Aye. All those opposed. The Ayes have  
30. it. The amendment is adopted. Any further amendments.

31. SECRETARY:

32. No further amendments.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. 3rd reading. We'll have to have intervening business
2. and then get back to it. On the Order of Consideration
3. Postponed Senate Bills 3rd reading, Senate Bill 380.
4. Read the bill, Mr. Secretary.

5. SECRETARY:

6. Senate Bill 380

7. (Secretary reads title of bill)

8. 3rd reading of the bill.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Kenneth Hall.

11. SENATOR KENNETH HALL:

12. Thank you, Mr. President and Ladies and Gentlemen of  
13. the Senate. What this simply does, it just changes the...to  
14. the appointment of the trustees of the community college  
15. board and the Governor makes the appointments approved by the  
16. Senate, and this is...the Governor is in accord with this  
17. along with the Illinois Community College Board, the Illinois  
18. Community College Trustees Association, the Illinois Community  
19. College Faculty Association, the Illinois Council of Public  
20. College...College Presidents, the Illinois Organization of  
21. Community College Students. I'd ask your most favorable  
22. support of the bill.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Any discussion? Senator Walsh.

25. SENATOR WALSH:

26. Well, Mr. President and members of the Senate, now this  
27. is the bill that would eliminate the...the elective board for  
28. the community college of East St. Louis and replace it with an  
29. appointed board. This is the experimental community college  
30. that was established some six years that levies no property  
31. tax, that is financed in excess of ninety percent by State funds.  
32. If they don't want to run for the office, the office isn't worth  
33. holding. I suggest that this bill be defeated.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Question is, shall Senate Bill 380 pass. Those in
3. favor will vote Aye. Those opposed will vote Nay. The voting
4. is open. Have all voted who wish? Have all voted who wish?
5. Take the record. On that question, the Ayes are 32, the Nays
6. are 22, none Voting Present. Senate Bill 380 having received
7. a constitutional majority is declared passed. Senator Grotberg,
8. for what purpose do you arise?
9. SENATOR GROTBORG:
10. ...Parliamentary inquiry of the Chair.
11. PRESIDING OFFICER: (SENATOR ROCK)
12. State...state your...
13. SENATOR GROTBORG:
14. On postponed bills that are brought back and amended, we've
15. ...after intervening business go back and pick them up again?
16. PRESIDING OFFICER: (SENATOR ROCK)
17. That is correct.
18. SENATOR GROTBORG:
19. Thank you.
20. PRESIDING OFFICER: (SENATOR ROCK)
21. On the Order of Consideration Postponed Senate Bills 3rd
22. reading, Senate Bill 370. Read the bill, Mr. Secretary.
23. SECRETARY:
24. Senate Bill 370
25. (Secretary reads title of bill)
26. 3rd reading of the bill.
27. PRESIDING OFFICER: (SENATOR ROCK)
28. Senator Collins.
29. SENATOR COLLINS:
30. Mr. President and members of the Senate, you've heard extensive
31. debate on Senate Bill 370. The purpose of this bill as I said
32. before is to hopefully to eliminate any impression or the im-
33. propriety on the part of the State Board of Election and also on

1. the part of any employee employed by that Board. What appears  
2. ...what to be happening right now that some of the Board  
3. employees have access to materials before any other person and  
4. they provide consultants to candidates in...preparations for  
5. elections and then turn around and represent those clients  
6. before the boards or other boards under the jurisdiction of  
7. that Board. The purpose of this bill hopefully is to correct  
8. what I think is...is unjust to other candidates running in  
9. the races.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Any discussion? Question is, shall Senate Bill 370 pass.  
12. Those in favor will vote Aye. Those in opposed will vote Nay.  
13. The voting is open. Have all voted who wish? Have all voted  
14. who wish? Take the record. On that question, the Ayes are  
15. 28, the Nays are 14, none Voting Present. Senate Bill 370  
16. having failed to receive the constitutional majority is de-  
17. clared lost. On the Order of Consideration Postponed Senate  
18. Bills 3rd reading, Senate Bill 403. Read the bill, Mr. Secretary.

19. SECRETARY:

20. Senate Bill 403

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator...Senator Guidice.

25. SENATOR GUIDICE:

26. Thank you, Mr. President and members of the Senate. The  
27. present law provides that the lead car in a funeral procession  
28. can have a yellow flashing light on it. This has caused quite  
29. a bit of problems in the fact that the yellow light is not  
30. authorized to go through traffic signals or stop signs and the  
31. like. What we're trying to do here is to amend the bill by  
32. allowing a purple light to be used to distinguish it, which  
33. would allow the...Mr. President, I...I...

1. PRESIDING OFFICER: (SENATOR ROCK)

2. All right, let's go. We're moving pretty good. Let's  
3. keep moving.

4. SENATOR GUIDICE:

5. ...I'm...I'm trying to, Mr. President. And what we're going  
6. ...we're trying to do here is stop the accidents that are  
7. happening in the middle and at the end of these funeral  
8. processions. So, with the...with the lights that would be  
9. able to be used and at least this is permissive legislation.  
10. It is not mandatory. The funeral directors can use it or not  
11. use it at their own desire and command. I appreciate a favor-  
12. able roll call.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Any discussion? Senator Kosinski. Senator Kosinski.

15. SENATOR KOSINSKI:

16. Will this permit night funerals?

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Rhetorical question, I'm sure. The question is, shall  
19. Senate Bill 403 pass. Those in favor will vote Aye. Those  
20. opposed will vote Nay. The voting is open. Have all voted  
21. who wish? Have all voted who wish? Take the record. On  
22. that question, the Ayes are 51, the Nays are 3, none Voting  
23. Present. Senate Bill 403 having received a constitutional  
24. majority is declared passed. Senator Hynes.

25. SENATOR HYNES:

26. Mr. President, if I could break in for just a moment,  
27. so that...with Senator Savickas' leave, just...so that when  
28. we...we do finish that in the...in our haste to...to leave the  
29. Chambers, we don't overlook one item. We have prepared the  
30. schedule which hopefully we can stick to for the balance of  
31. the Session, and it is presently being distributed, so I would  
32. ask that you take a look at it and make plans accordingly.  
33. The...it...it is a very heavy schedule, but we do have an awful

1. lot of work to do. The...we will come back...or Tuesday at  
2. 1:00 p.m. for Session. Also, a...I would ask the committee  
3. chairmen to please take a look at the workload in the...in  
4. ...in each committee in order to be able to properly schedule  
5. the bills. We've...the number of...of meetings that you  
6. have will be listed on that...on the schedule and you are  
7. going to get a separate letter on the subject, so please  
8. arrange to be able to handle the bills. Thank you, Mr. President.  
9. PRESIDING OFFICER: (SENATOR ROCK)

10. All right. On the Order of Consideration Postponed  
11. Senate Bills 3rd reading, Senate Bill 462, Senator Davidson.  
12. Senator Davidson. Senator Davidson.  
13. SENATOR DAVIDSON:

14. Thank you. Mr. President, I'd like leave of the Body to  
15. recommit Senate Bill 462 to the Education Committee...Elementary  
16. ...Education Committee.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. You've heard the request. Is leave granted? So ordered.  
19. 466. On the Order of Consideration Postponed, Senate Bills  
20. 3rd reading, Senate Bill 466. Read the bill, Mr. Secretary.  
21. SECRETARY:

22. Senate Bill 466

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. SENATOR DAVIDSON:

26. Mr. President and members of the Senate, this is the bill  
27. we discussed the other day. This is a bill that will help  
28. control or keep down health cost. This is the...keep down the  
29. malpractice cost insurance for hospitals. Appreciate a favor-  
30. able roll call.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Any discussion? The question is, shall Senate Bill 466  
33. pass. Those in favor will vote Aye. Those opposed will vote

1. Nay. The voting is open. Have all voted who wish? Have  
2. all voted who wish? Take the record. On that question, the  
3. Ayes are 41, the Nays are 3, 4 Voting Present. Senate Bill  
4. 466 having received a constitutional majority is declared  
5. passed. Senator Graham, for what purpose do you arise?  
6. SENATOR GRAHAM:

7. I've been sort of put upon by some of my colleagues, do  
8. you think this would be a proper time to have a Republican  
9. Caucus? You don't? We won't.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. I thought you were really going to leave the fate of  
12. the Republicans in my hands. ...I've got a couple of other  
13. ideas, John. On the Order of Consideration Postponed Senate  
14. Bills 3rd reading, Senate Bill 489. Read the bill, Mr.  
15. Secretary.

16. SECRETARY:

17. Senate Bill 489

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Bruce.

22. SENATOR BRUCE:

23. Thank you, Mr. President and members of the Senate. This  
24. is the annual appropriation to the thirty-nine community  
25. colleges throughout the State of Illinois. I hope that we can  
26. work out any problems that we may have in the House if they still  
27. exist. I think that it's certainly been very well aired here  
28. the problems of determining equalized assessed valuation. As  
29. the bill moves through the Chambers, I'm sure that we will  
30. get increasingly more accurate data as the Department of Local  
31. Government Affairs develops it. I would ask for a favorable  
32. roll call.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Is there any discussion? Senator Regner.
2. SENATOR REGNER:
3. Just a quick comment, members of the Senate, Mr. President.
4. The total appropriation is 9.4 million dollars over the total
5. resources budgeted by the Governor, and I think we should take
6. serious consideration before voting on this bill, and the
7. remarks I made earlier regarding the Community College Board,
8. I still feel the same way.
9. PRESIDING OFFICER: (SENATOR ROCK)
10. Question is...Senator Bruce, for what purpose do you
11. arise?
12. SENATOR BRUCE:
13. I don't want anyone to think that the 9.4 million
14. dollars that Senator Regner is talking about is unbudgeted.
15. This bill conforms with the Governor's budget as it...as
16. it has been presented.
17. PRESIDING OFFICER: (SENATOR ROCK)
18. Point is well taken. ...Question is, shall Senate Bill
19. 489 pass. Those in favor will vote Aye. Those opposed will
20. vote Nay. The voting is open. Have all voted who wish?
21. Have all voted who wish? Take the record. On that question,
22. the Ayes are 33, the Nays are 15, 1 Voting Present. Senate
23. Bill 489 having received a constitutional majority is declared
24. passed. We'll stand at ease for just a minute while the
25. machine clears itself. Senator Shapiro, for what purpose do
26. you arise?
27. SENATOR SHAPIRO:
28. A verification of that last roll call.
29. PRESIDING OFFICER: (SENATOR ROCK)
30. All right, we will...Senator Shapiro has requested a
31. verification. Will all the Senators please be in their seats.
32. The President is on the Floor over near Senator Shapiro. Will
33. all the members please be in their seats. The Secretary will

1. read the affirmative votes.
2. SECRETARY:
3. The following voted in the affirmative: Berman, Bruce,
4. Carroll, Clewis, Coffey, Collins, D'Arco, Daley, Demuzio,
5. Donnewald, Egan, Guidice, Kenneth Hall, Hickey, Johns, Joyce,
6. Knuppel, Kosinski, Lane, Lemke, Maragos, Merlo, Mitchler,
7. Leonard, Netsch, Newhouse, Rock, Savickas, Vadalabene, Walsh,
8. Washington, Wooten, and Mr. President.
9. PRESIDING OFFICER: (SENATOR ROCK)
10. Senator Shapiro.
11. SENATOR SHAPIRO:
12. Senator Lane.
13. PRESIDING OFFICER: (SENATOR ROCK)
14. Senator Lane on the Floor? Strike...strike Senator Lane's
15. name from the Floor?
16. SENATOR SHAPIRO:
17. Senator Walsh.
18. PRESIDING OFFICE: (SENATOR ROCK)
19. Well, now I saw Senator Walsh...Senator Walsh on the
20. Floor? Strike his...strike his name from the roll.
21. SENATOR SHAPIRO:
22. Senator Coffey.
23. PRESIDING OFFICER: (SENATOR ROCK)
24. Senator Coffey on the Floor? Strike his name from the
25. roll.
26. SENATOR SHAPIRO:
27. Senator Mitchler.
28. PRESIDING OFFICER: (SENATOR ROCK)
29. Senator Mitchler on the Floor? Strike his name from the
30. roll.
31. SENATOR SHAPIRO:
32. That's all.
33. PRESIDING OFFICER: (SENATOR ROCK)

1. The roll call has been verified. The Ayes are 29, the  
2. Nays are 15, 1 Voting President. Senate Bill 489 having failed  
3. to receive a constitutional majority is declared lost. There  
4. are four additional sets of amendments at least on the Secretary's  
5. Desk. In order to keep everybody apprised of what's going on  
6. around here, I hope, why don't we go to that order, Mr.  
7. Secretary. Pull those amendments, and we'll put the amendments  
8. on and then give your office time to put them together.  
9. There is an amendment to Senate Bill...on the Order of...is  
10. there leave to bring back Senate Bill 579 to the Order of 2nd  
11. reading for purpose of an amendment. Leave is granted. On  
12. the Order of 2nd reading, Senate Bill 579.

13. SECRETARY:

14. Amendment No. 2 offered by Senator Harber Hall.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Hall.

17. SENATOR HARBER HALL:

18. This amendment takes out the reference of CB's and the  
19. offense under the Criminal Code entirely. It...it just  
20. eliminates any reference in the Criminal Code, therefore, it  
21. would only be...we leave in the portion applicable to the  
22. Vehicle Code only. I move...I move adoption.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator Harber Hall has moved the adoption of Amendment  
25. No. 2 to Senate Bill 579. Is there any discussion? All those  
26. in favor signify by saying Aye. All those opposed. The Ayes  
27. ...all right. Senator...the question was asked...can we have  
28. some order now, please. We're trying to amend these bills for  
29. their run at glory. Senator Harber Hall, to explain the amend-  
30. ment.

31. SENATOR HARBER HALL:

32. By way of...I hope a better explanation, Senator. You  
33. recall the CB radio as a component part of an automobile.

1. State's Attorneys were having trouble getting convictions  
2. that would stick and...and they wanted something more than  
3. burglary, so they put it in two sections the way I had it  
4. drafted under the Criminal Code, the words "except the  
5. offenses relating to articles not included within the definition  
6. of component part of a motor vehicle." Then we also put it  
7. in the Motor Vehicle Code this phraseology, "for purposes  
8. of this section, component, components, or component part  
9. does not include a citizen's band radio or tape deck which  
10. articles are included within the offense punishable under  
11. Section 19.1 of the Criminal Code." This...this will make  
12. it easier. It will give State's...State's Attorneys more  
13. flexibility in possibly getting a stiffer fine and getting  
14. a conviction for theft rather than just burglary, a mis-  
15. demeanor.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. All right, Senator Harber Hall has moved the adoption of  
18. Amendment No. 2 to Senate Bill 579. Any further discussion?  
19. All those in favor signify by saying Aye. All those opposed.  
20. The Ayes have it. The amendment is adopted. Further amendments?

21. SECRETARY:

22. No further amendments.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. ...3rd reading. Senator Grotberg seeks leave to bring  
25. Senate Bill 687 back to...back to the Order of 2nd reading for  
26. the purpose of an amendment. Is leave granted? On the Order  
27. Senate Bills 2nd reading, Senate Bill 687.

28. SECRETARY:

29. Amendment No. 2 offered by Senator Grotberg.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Grotberg.

32. SENATOR GROTBORG:

33. To explain the amendment, Senator Graham, who was the

1. objector in the first place. Senator...
2. PRESIDING OFFICER: (SENATOR ROCK)
3. Senator...
4. SENATOR GROTBORG:
5. ...Graham amendment.
6. PRESIDING OFFICER: (SENATOR ROCK)
7. ...Senator Grotborg yields to Senator Graham. Senator
8. Graham.
9. SENATOR GRAHAM:
10. Thank you very much. I was the person that caused it to
11. be where it is and I'm glad I did. We have an amendment now
12. that tightens up this whole procedure, establishes the qualifi-
13. cation and the guidelines for those making...these inspections,
14. and sets up the reporting date, and I move its adoption.
15. PRESIDING OFFICER: (SENATOR ROCK)
16. Senator Graham...Senator Graham has moved the adoption
17. of Amendment No. 2 to Senate Bill 687. Is there any discussion?
18. All those in favor signify by saying Aye. All those opposed.
19. The Ayes have it. The amendment is adopted. Any further amendments?
20. SECRETARY:
21. No further amendments.
22. PRESIDING OFFICER: (SENATOR ROCK)
23. 3rd reading. Senator Bowers, are you handling 807? All
24. right. Senator Bowers seeks leave to...seeks leave to bring
25. back Senate Bill 807 to the Order of 2nd reading for the purpose
26. of an amendment. Is leave granted. On the order of Senate Bills
27. 2nd reading, Senate Bill 807.
28. SECRETARY:
29. Amendment No. 2 offered by Senator Bowers.
30. PRESIDING OFFICER: (SENATOR ROCK)
31. Senator Bowers.
32. SENATOR BOWERS:
33. Mr. President and members, I think you will recall when

1. this bill was called first by Senator Philip, there was  
2. some question raised as to the notice of the referendum  
3. provisions. That's been taken care of in the amendment,  
4. and also there was question about how many were...were needed  
5. on a petition for a backdoor referendum. That's been...reduced  
6. from five percent to two and a half. I would now move the  
7. adoption of the amendment.

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10. (end of the reel)

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1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Bowers moves the adoption of Amendment No. 2  
3. to Senate Bill 807. Is there any discussion? All those  
4. in favor signify by saying Aye. All those opposed. The  
5. Ayes have it. The amendment is adopted. Any further  
6. amendments?

7. SECRETARY:

8. No further amendments.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. 3rd reading. Senator Lemke seeks leave of the  
11. Body to bring Senate Bill 810 back to the Order of  
12. 2nd reading for the purpose of an amendment. Is  
13. leave granted? On the Order of Senate Bills 2nd  
14. reading is Senate Bill 810.

15. SECRETARY:

16. Amendment No. 1 offered by Senator Lemke.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Lemke.

19. SENATOR LEMKE:

20. What this amendment does is relieve some of the  
21. objections by Senator Berning and Senator Bowers. It  
22. says that the officer must be during and win in the  
23. scope and performance of his or her duty if he...of  
24. employment when he seeks reimbursement. I ask for  
25. the adoption.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Is there any discussion? The question is the  
28. adoption. Senator Lemke has moved the adoption of  
29. Amendment No. 1 to Senate Bill 810. All those in  
30. favor signify by saying Aye. All those opposed.  
31. The Ayes have it. The amendment is adopted. Any  
32. further amendments?

33. SECRETARY:

1. No further amendments.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. 3rd reading. The Chair has been informed that  
4. there is an amendment being prepared for Senate Bill 5,  
5. pardon me, 540. With leave of the Body we'll move on  
6. and get back to 540 when the amendment is placed on  
7. the Secretary's Desk. On the Order of Consideration  
8. Postponed, Senate Bills 3rd reading, Senate Bill 579.  
9. Read the bill, Mr. Secretary.

10. SECRETARY:

11. Senate Bill 579... :

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Harber Hall.

16. SENATOR HARBER HALL:

17. Mr. President and fellow Senators. This is the  
18. bill involving CB radios being considered something  
19. besides just the internal part of a car so that  
20. State's Attorneys' can try and get a conviction of  
21. theft if it...particularly if it's over a hundred  
22. and fifty dollars and therefore a felony. There was  
23. objection from the Floor at the time we called this  
24. on 3rd and that objection I have taken care of, I  
25. hope. Senator D'Arco informs me that he will support  
26. the bill now that I have this amendment in here that  
27. ...takes out the reference in the Criminal Code and  
28. only leaves it in the Vehicle Code, so that it  
29. provides the flexibility that if it's over a hundred  
30. and fifty dollars, it can be considered theft and  
31. a felony and if it's under that, why it can be  
32. charged as it has been up to now, a burglary and a  
33. misdemeanor.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Any discussion? Senator D'Arco indicates his  
3. approval. The question is shall Senate Bill 579 pass.  
4. Those in favor indicate by saying Aye. Those in favor  
5. will vote Aye. Those opposed will vote Nay. The  
6. voting is open. Senator Bruce, will you vote me Aye  
7. please. Have all voted who wish? Have all voted who  
8. wish? Take the record. On that question the Ayes  
9. are 39, the Nays are 4, 1 Voting Present. Senate  
10. Bill 579 having received a constitutional majority  
11. is declared passed. On the Order of Senate Bills...  
12. on the Order of Consideration Postponed, Senate  
13. Bills 3rd reading, Senate Bill 580. Read the bill,  
14. Mr. Secretary.

15. SECRETARY:

16. Senate Bill 580.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Lemke.

21. SENATOR LEMKE:

22. What this bill does, is protects the unborn from  
23. felons that injure them while they're in their mothers  
24. womb. I ask for a favorable adoption.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Is there any discussion? The question is shall  
27. Senate Bill 580 pass. Those in favor will vote Aye.  
28. Those opposed will vote Nay. The voting is open.  
29. Have all voted who wish? Have all voted who wish?  
30. Take the record. On that question the Ayes are 26,  
31. the Nays are 20, 1 Voting Present. Senate Bill 580  
32. having failed to receive a constitutional majority  
33. is declared lost. On the Order of Consideration

1. Postpone, Senate Bills 3rd reading. Senate Bill 620.

2. Read the bill, Mr. Secretary.

3. SECRETARY:

4. Senate Bill 620.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Vadalabene.

9. SENATOR VADALABENE:

10. Thank you, Mr. President and members of the  
11. Senate. This bill has been discussed in thorough,  
12. however, I would like to make this brief statement.  
13. There is no, no increase in the vehicle length, there  
14. is no, no increase in the vehicle weight laws and  
15. there are currently twenty-five surrounding states  
16. who have this provision and I would appreciate a  
17. favorable vote.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Any discussion? Senator Bloom.

20. SENATOR BLOOM:

21. But it still has the triple saddle mount.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. The question is shall Senate Bill 620 pass.  
24. Those in favor will vote Aye. Those opposed will vote  
25. Nay. The voting is open. Have all voted who wish?  
26. Have all voted who wish? Take the record. On that  
27. question the Ayes are 27, the Nays are 16, 3 Voting  
28. Present. Senate Bill 620 having failed to receive  
29. a constitutional majority is declared lost. On the  
30. Order of Consideration Postponed, Sente Bills 3rd  
31. reading, Senate Bill 687. Read the bill, Mr. Secretary.

32. SECRETARY:

33. Senate Bill 687.

1. (Secretary reads title of bill)

2. 3rd reading of the bill.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Grotberg.

5. SENATOR GROTEBERG:

6. Yes, the synopsis is correct. It's the attempt by  
7. the Department of Corrections to have the Department  
8. of Health inspect annually each of our jails to try  
9. to keep up with the lawsuits that are going on and  
10. be ahead of the game. Mr. Graham's amendment makes  
11. it an even better amendment because it puts lots  
12. of control in the hands of our wardens in the Department  
13. of Corrections about who inspects and who goes with  
14. him when they do. I would ask for a favorable roll  
15. call.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Is there any discussion? The question is shall  
18. Senate Bill 687 pass. Those in favor will vote  
19. Aye. Those opposed will vote Nay. The voting is  
20. open. Senate...Have all voted who wish? Have  
21. all voted who wish? Take the record. On that  
22. question the Ayes are 40, the Nays are 7, 2 Voting  
23. Present. Senate Bill 687 having received a consti-  
24. tutional majority is declared passed. Senator  
25. Nimrod, for what purpose do you arise?

26. SENATOR NIMROD:

27. Mr. President, I would like the record to show  
28. that had I been present, I was off the Floor, I  
29. would have voted Yes on Senate Bill 580 as I did  
30. when it was first called before it came to post-  
31. poned consideration.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. The...the record will so indicate. On the  
34. Order of Senate Bills, on Consideration Postponed,

1. Senate Bills 3rd reading, Senate Bill 762. Read the bill,
2. Mr. Secretary.
3. SECRETARY:
4. Senate Bill 762.
5. (Secretary reads title of bill)
6. 3rd reading of the bill.
7. PRESIDING OFFICER: (SENATOR ROCB)
8. Senator Ozinga.
9. SENATOR OZINGA:
10. This...this bill was requested by the Optometric
11. Association in an...in an attempt to help them clean
12. up their own industry, where and if needed. And I
13. would request a favorable roll call.
14. PRESIDING OFFICER: (SENATOR ROCK)
15. Is there any discussion? The question is shall Senate Bill
16. 762 pass. Those in favor will vote Aye. Those opposed will
17. vote Nay. The voting is open. Have all voted who wish? Have
18. all voted who wish? Take the record. On that question the
19. Ayes are 32, the Nays are 11, none Voting Present. Senate Bill
20. 762, having received a constitutional majority is declared passed.
21. On the Order of Consideration Postponed, Senate Bills 3rd
22. reading, Senate Bill 807. Read the bill, Mr. Secretary.
23. SECRETARY:
24. Senate Bill 807.
25. (Secretary reads title of bill)
26. 3rd reading of the bill.
27. PRESIDING OFFICER: (SENATOR ROCK)
28. Senator Bowers.
29. SENATOR BOWERS:
30. Thank you, Mr. President. This bill raises the tax rate
31. for downstate forest preserve districts from .025 to .075 as
32. was pointed out. This has not been changed since 1913, I believe
33. it was. There were two objections...

1. raised in committee. I think those...or at the first  
2. hearing, and I think those have been corrected by the  
3. amendment we just placed on and I would ask for a  
4. favorable roll call.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Is there any discussion? The question is shall  
7. Senate Bill 807 pass. Those in favor will vote  
8. Aye. Those opposed will vote Nay. The voting is  
9. open. Have all voted who wish? Have all voted who  
10. wish? Take the record. On that question the Ayes  
11. are 32, the Nays are 11, 2 Voting Present. Senate  
12. Bill 807 having received a constitutional majority  
13. is declared passed. On the Order of Consideration  
14. Postponed, Senate Bills 3rd reading, Senate Bill 810.  
15. Read the bill, Mr. Secretary.

16. SECRETARY:

17. Senate Bill 810.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Lemke.

22. SENATOR LEMKE:

23. This is a bill for the policemen in the line of  
24. duty. I think it's a good bill with the amendment. I  
25. ask for a favorable adoption.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Any question? Senator Glass.

28. SENATOR GLASS:

29. Thank you, Mr. President. In talking to Senator  
30. Lemke it's my understanding he will be amending out  
31. the portion in the House about reimbursement for criminal  
32. proceedings where the individual is found not guilty  
33. or uninnocent. It...that understanding, I think it's

1. a good bill and plan to support it.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. The question is shall Senate Bill 810 pass.  
4. Those in favor will vote Aye. Those opposed will  
5. vote Nay. The voting is open. Senator Buzbee, will  
6. you vote me Aye please. Senator Donnewald, Aye. Have  
7. all voted who wish? Take the record. On that question  
8. the Ayes are 40, the Nays are 7, 3 Voting Present.  
9. Senate Bill 810 having received a constitutional  
10. majority is declared passed. Senator Buzbee, for  
11. what purpose do you arise?

12. SENATOR BUZBEE:

13. Mr. President, I would like to move at this  
14. time to recommit Senate Bill 837 to the Committee  
15. on Agriculture, Conservation and Energy.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Buzbee seeks leave to recommit Senate  
18. Bill 837 to the Committee on Agriculture. Is leave  
19. granted? So ordered. All right. On the Order of  
20. Consideration Postponed, Senate Bills 3rd reading,  
21. Senate Bill 839. Read the bill, Mr. Secretary.

22. SECRETARY:

23. Senate Bill 839.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Maragos.

28. SENATOR MARAGOS:

29. Mr. President and members of the Senate. Since  
30. this was originally considered, I have spoken to several  
31. members on the other side of the aisle who had voted  
32. against it and they now have changed their mind, including  
33. Mr. Rupp, who is a former mayor. The county sometimes

1. cannot get in his municipalities with a small areas of  
2. ten acres or less and therefore it becomes impossible  
3. and it becomes a hindrance and therefore I ask for  
4. your favorable support.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Is there any discussion? The question is shall  
7. Senate Bill 839 pass. Those in favor will vote Aye.  
8. Those opposed will vote Nay. The voting is open. Have  
9. all voted who wish? Have all voted who wish? Take  
10. the record. On that question the Ayes are 39, the  
11. Nays are 12, none Voting Present. Senate Bill 839  
12. having received a constitutional majority is declared  
13. passed. On the Order of Consideration Postpone,  
14. Senate Bills 3rd reading, Senate Bill 841. Read the  
15. bill, Mr. Secretary.

16. SECRETARY:

17. Senate Bill 83...841.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Schaffer.

22. SENATOR SCHAFFER:

23. Mr. President, because I think President Hynes is  
24. sincere in trying to work this problem out on one of  
25. the House Bills over here now, I move to Table Senate  
26. Bill 841.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Schaffer moves to Table. All in favor  
29. signify by saying Aye. All opposed. The Ayes have  
30. it. The bill is Tabled. On the Order of Consideration  
31. Postponed, Senate Bills 3rd reading, Senate Bill 878.  
32. Read the bill, Mr. Secretary.

33. SECRETARY:

1. Senate Bill 878.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Regner.

6. SENATOR REGNER:

7. Mr. President and members of the Senate. Currently  
8. in the Municipal Code and the Township Code there is  
9. a restriction of ten percent of total wages for hospitalization  
10. insurance or other benefit types of insurance. In  
11. many cases, there are low salaried people, three, four,  
12. five hundred dollars a month and as we all know, hospital-  
13. ization insurance costs considerably more than ten percent  
14. of that kind of a salary. And it removes this ten  
15. percent restriction.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Is there any discussion? The question is shall  
18. Senate Bill 878 pass. Those in favor will vote Aye.  
19. Those opposed will vote Nay. The voting is open.  
20. Have all voted who wish? Have all voted who wish?  
21. Take the record. On that question the Ayes are 30,  
22. the Nays are 6, 2 Voting Present. There were 30.  
23. The machine has gone tilt, Senator Regner. We will  
24. have to ask for another roll call. All right. The  
25. question is shall Senate Bill 878 pass. Those in  
26. favor will vote Aye. Those opposed will vote Nay.  
27. The voting is open. Senator Buzbee, vote me Aye,  
28. will you. Have all voted who wish? Have all voted  
29. who wish? Take the record. On that question the  
30. Ayes are 34, the Nays are 11, 5 Voting Present. Senate  
31. Bill 878 having received a constitutional majority  
32. is declared passed. On the Order of Consideration  
33. Postponed, Senate Bills 3rd reading, Senate Bill 884.

1. Read the bill, Mr. Secretary.

2. SECRETARY:

3. Senate Bill 884.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Knuppel.

8. SENATOR KNUPPEL:

9. ...Senate Bill 884 is designed for...prevent  
10. the employment of illegal aliens except in seasonal  
11. work on agricultural products and this bill is good  
12. for not only the employer, but the people who  
13. could be unemployed here in the State of Illinois  
14. as well as the aliens who won't be taken advantage  
15. of. All they have to do is sign a slip that says  
16. they're a U. S. citizen or show a card and they can  
17. be employed..

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Is there any discussion? Senator Berman.

20. Senator Berman.

21. SENATOR BERMAN:

22. The purpose of the bill is laudatory, but I don't  
23. think it can work. We ought to let...the Federal  
24. Government do their job as far as sending these  
25. illegal aliens back instead of allowing what will  
26. really be a discrimination against any person who  
27. has any accent or different color of skin or any type  
28. of indication that he might be a foreigner. I think  
29. the bill is going to create more problems than it  
30. solves.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. The question is shall Senate Bill 884 pass.

33. Those in favor will vote Aye. Those opposed will

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 27, the Nays are 18, 4 Voting Present.  
4. Senate Bill 884 having failed to receive a constitutional  
5. majority is declared lost. On the Order of Consideration  
6. Postponed, Senate Bills 3rd reading, Senate Bill 921.  
7. Read the bill, Mr. Secretary.

8. SECRETARY:

9. Senate Bill 921.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Berman.

14. SENATOR BERMAN:

15. This may be...this may turn out to be the Knuppel-  
16. Berman act, reversed. This is a bill that requires the  
17. pay phones in nursing homes, sheltered care homes and  
18. homes for the aged that...house public assistance  
19. people to be only ten cents instead of twenty cents.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Knuppel.

22. SENATOR KNUPPEL:

23. This is a lousy bill.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. The goose and the gander have now spoken. The question  
26. is Shall Senate Bill 921 pass. Those in favor will vote  
27. Aye. Those opposed will vote Nay. The voting is open.  
28. Have all voted who wish? Have all voted who wish? Take  
29. the record. On that question the Ayes are 21, the Nays  
30. are 30, none Voting Present. Senate Bill 921 having  
31. failed to receive a constitutional majority is declared  
32. lost. On the Order of Consideration Postponed, Senate  
33. Bills 3rd reading, Senate Bill 950. Read the bill,

1. Mr. Secretary.

2. SECRETARY:

3. Senate Bill 950.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Knuppel.

8. SENATOR KNUPPEL:

9. This is the only true no-fault divorce bill that's  
10. in the Senate. It just provides another ground, the  
11. same as adultery, impotency, or some...something else.  
12. It isn't hedged around with a lot of embroidery about  
13. waiting a year, which you could have gotten on desertion  
14. and they do anyway by lying a little bit. This is a  
15. straight, honest, forward approach to no-fault divorce.  
16. It doesn't talk about counseling, it doesn't talk about  
17. all the other things. The court has all the powers to  
18. determine custody and property rights that they have  
19. in any other case. Now, this is where we're going to  
20. be ten years from now, why not tonight.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Any discussion? The question is shall Senate  
23. Bill 950 pass. Those in favor will vote Aye. Those  
24. opposed will vote Nay. The voting is open. Have all  
25. voted who wish? Have all voted who wish? Have all  
26. voted who wish? Take the record. On that question  
27. the Ayes are 27, the Nays are 19, 1 Voting Present.  
28. Senate Bill 950 having failed to receive a constitutional  
29. majority is declared lost. On the Order of Consideration  
30. Postponed, Senate Bills 3rd reading, Senate Bill 962.  
31. Read the bill, Mr. Secretary.

32. SECRETARY:

33. Senate Bill 962.

34. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Buzbee.

4. SENATOR BUZBEE:

5. Thank you, Mr. President. This is the bill for  
6. the planning money for...permanent facilities for the  
7. SIU Law School. I was asked a question last night by  
8. Senator Maragos as to whether this would increase the  
9. size of the law school. At the time I did not know  
10. the answer. I have since been informed by Mary Lou  
11. Lowder that it will increase it, about double it.  
12. There are approximately two hundred and forty law  
13. students there now. It will go up to about four  
14. eighty, if and when they ~~were~~ ever get the building  
15. built. Again the principal reason for the bill at  
16. this time, the principal reason for asking for the money  
17. is to show the American Bar Association that we do  
18. have plans in the works for the building of the  
19. permanent building and the permanent library so that  
20. we can retain our accreditation, otherwise they have  
21. threatened to withdraw the accreditation of the law  
22. school and I don't think that any of us want to spend  
23. all that money only to have an unaccredited law  
24. school, so I would ask for a favorable roll call.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Sommer.

27. SENATOR SOMMER:

28. Mr. President and members. This is not budgeted.

29. PRESIDING OFFICER: (SENATOR ROCK)

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

31. SENATOR WOOTEN:

32. Well, I simply wanted to speak in some opposition to  
33. the bill. In the somewhat relaxed fiscal atmosphere

1. we've enjoyed on this side this season I'm...I have freely  
2. and happily voted for everything I could think of for  
3. Southern Illinois University, but the present posture,  
4. the only higher ed institution I have in my district is  
5. in, a community college, lacking funds, I feel I have  
6. to be somewhat more careful the way we spend money.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. The question is shall Senate Bill 9...

9. SENATOR WOOTEN:

10. Pardon me, or as Senator Partee used to say,  
11. everything that goes around, comes around.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. The question is shall Senate Bill 962 pass. Those  
14. in favor will vote Aye. Those opposed will vote Nay,  
15. the voting is open. Have all voted who wish? Have all  
16. voted who wish? Take the record. On that question the  
17. Ayes are 25, the Nays are 20, 3 Voting Present. Senate  
18. Bill 962 having failed to receive a constitutional  
19. majority is declared lost. On the Order of Senate  
20. Bills 3rd...Consideration Postponed, Senate Bills 3rd  
21. reading. Senate Bill 966. Read the bill, Mr. Secretary.

22. SECRETARY:

23. Senate Bill 966.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Lemke.

28. SENATOR LEMKE:

29. This is a good bill to help small businesses in  
30. the State of Illinois. I ask for a favorable adoption.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Walsh.

33. SENATOR WALSH:

34. Senator Harber Hall mentioned a while ago next...next

1. Session, he's going to ask that his bills be referred  
2. immediately to Postponed Consideration. They've got  
3. a much better chance here. This...this is a bill that  
4. ...let's...let's remember that, you know, these bills  
5. have all lost once and probably all should have lost  
6. a second time. This one especially, this is a bill that  
7. would probably chase all the casualty companies out  
8. of Illinois. I think it should be defeated as soundly  
9. as it was yesterday.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. The question is shall Senate Bill 966 pass.  
12. Those in favor will vote Aye. Those opposed will  
13. vote Nay. The voting is open. Have all voted who  
14. wish? Have all voted who wish? Take the record.  
15. On that question the Ayes are 24, the Nays are 27,  
16. none Voting Present. Senate Bill 966 having failed  
17. to receive the constitutional majority is declared  
18. lost. On...on the Order of Consideration Postponed,  
19. Senate Bills 3rd reading, Senate Bill 982. Read the  
20. bill, Mr. Secretary.

21. SECRETARY:

22. Senate Bill 982.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Hickey.

27. SENATOR HICKEY:

28. I want you to remember that this is simply permissive  
29. legislation which allows county boards to make a decision  
30. as to whether they will enforce the...the proper scheduling  
31. of tax collections. I want to quote Maurice Scott, who said  
32. this would tend to help tax bills get out in time for the  
33. good of the taxpayer and the tax district and he says we've

1. got to address this problem of enforcing scheduling for  
2. tax collectors. Remember if you really want to save money  
3. for the taxpayers in your district so that they don't  
4. have to buy tax anticipation warrants for the schools.  
5. Vote for both of these bills. Thank you.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Any discussion? The question is shall Senate  
8. Bill...Senate Bill 982 pass. Those in favor will  
9. vote Aye. Those opposed will vote Nay. The voting  
10. is open. Have all voted who wish? Have all voted  
11. who wish? Take the record. On that question the  
12. Ayes are 29, the Nays are 15, none Voting Present.  
13. Senate Bill 982 having failed to receive a consti-  
14. tutional majority is declared lost. Do you wish 9...983  
15. called? Is that a...oh, all right. On the Order of  
16. Consideration Postponed, Senate Bills 3rd reading,  
17. Senate Bill 983. Read the bill, Mr. Secretary.

18. SECRETARY:

19. Senate Bill...Senate Bill 983.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Hickey.

24. SENATOR HICKEY:

25. Thank you, Mr. President. This doesn't have the  
26. county board do anything. This allows the...the township  
27. assessor to request help from the supervisor of assessments  
28. and for the township to pay the bill if he...so does. I  
29. request a favorable roll call.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Is there any discussion? The question is shall  
32. Senate Bill 983 pass. Those in favor will vote Aye.  
33. Those opposed will vote Nay. The voting is open. Have

1. all voted who wish? Have all voted who wish? Take the  
2. record. On that question the Ayes are 30, the Nays  
3. are 16, none Voting Present. Senate Bill 983 having  
4. received a constitutional majority is declared passed.  
5. On the...on the Order of Consideration Postponed,  
6. Senate Bills 3rd reading, Senate Bill 1031. Read  
7. the bill, Mr. Secretary.  
8. SECRETARY:  
9. Senate Bill 1031.  
10. (Secretary reads title of bill)  
11. 3rd reading of the bill.  
12. PRESIDING OFFICER: (SENATOR ROCK)  
13. Senator Kenneth Hall.  
14. SENATOR KENNETH HALL:  
15. Thank you, Mr. President and Ladies and Gentlemen  
16. of the Senate. This bill simply allows downstate the  
17. same time that Cook County has for...erasure of names  
18. during election time. They have two weeks upstate,  
19. we just simply ask them for two weeks downstate, we  
20. only have one week. It's a good bill and I'd ask  
21. your support.  
22. PRESIDING OFFICER: (SENATOR ROCK)  
23. Any discussion? The question is shall Senate  
24. Bill 1031 pass. Those in favor will vote Aye. Those  
25. opposed will vote Nay. The voting is open. Have all  
26. voted who wish? Have all voted who wish? Take the  
27. record. On that question the Ayes are 26, the Nays  
28. are 18, none Voting Present. Senate Bill 1031, having  
29. failed to receive a constitutional majority is declared  
30. lost. Senate Bill 1051. As the sponsor, I would ask  
31. leave to recommit that to Senate Committee on Finance.  
32. Is leave granted? So ordered. On the Order of Consideration  
33. Postponed, Senate Bills 3rd reading, Senate Bill 11...1133.

1. Read the bill, Mr. Secretary.

2. SECRETARY:

3. Senate Bill 1133.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Berman.

8. SENATOR BERMAN:

9. Thank you, Mr. President. This is the bill  
10. that would allow the Illinois Housing Development  
11. Authority to purchase rehabilitation loans from banks  
12. and savings and loans. It will mean a low interest  
13. loans available to all of our constituents for  
14. rehabilitating the older neighborhoods and older  
15. homes throughout the State of Illinois. I've talked  
16. to...we've amended the bill originally in request  
17. by Senator Weaver so there's no General Revenue Fund  
18. impact. I've discussed this further with Senator  
19. Glass in the Illinois Housing Development Authority  
20. to assure that their...that the construction guarantees  
21. ...contractor guarantees will be in the bill and that  
22. the IHDA will only be purchasing and not servicing  
23. these loans. I ask for your favorable vote.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Any discussion? Senator Regner.

26. SENATOR REGNER:

27. One quick question. What's the total dollars  
28. involved, Senator Berman.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Berman.

31. SENATOR BERMAN:

32. This will call for a twenty million dollar bond  
33. authorization with IHDA.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Regner.

3. SENATOR REGNER:

4. Well, we had a long debate on this bill when  
5. it was originally heard on 3rd reading. It didn't  
6. receive sufficient votes at that time and I don't  
7. think it should receive sufficient votes at this  
8. time.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. The question is shall Senate Bill 1133 pass.  
11. Those in favor will vote Aye. Those opposed will  
12. vote Nay. The voting is open. Have all voted who  
13. wish? Have all voted who wish? Take the record.  
14. On that question the Ayes are 29, the Nays are 17,  
15. none Voting Present. Senate Bill 1133 having failed  
16. to receive a constitutional majority is declared  
17. lost. On the Order of Consideration Postponed,  
18. Senate Bills 3rd reading, Senate Bill 1155. Read  
19. the bill, Mr. Secretary.

20. SECRETARY:

21. Senate Bill 1155.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Harber Hall.

26. SENATOR HARBER HALL:

27. Mr. President and fellow Senators.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. May we have some order please.

30. SENATOR HARBER HALL:

31. This is a biggie. Not a biggie for me, but a  
32. biggie for all the people in Illinois. The working  
33. people, the business people and all the citizens who  
34. pay taxes. This is Workmen's Compensation. If there

1. are two...if there is one big bill in Workmen's Compensation,  
2. there are two big bills in Workmen's Compensation and Unemploy-  
3. ment Compensation. This is the Unemployment Compensation.  
4. I have made amendments to this after talking to members  
5. of the other side of the aisle to try and adhere to some  
6. of their requests to temper down some of the changes that  
7. we would of liked to have had. These include the removal  
8. of the eighty percent salary back to a hundred percent  
9. salary as a basis of computation. We took off the  
10. cap of a hundred and thirty-five dollars a week. Remember  
11. I told you New York now pays ninety-five, the big spending  
12. New York only pays ninety-five dollars. We will now  
13. let ours go up above a hundred and thirty-five. It's  
14. estimated that next month, one month from today, it'll  
15. go up to a hundred and forty-six dollars. We took that  
16. off. It can go ahead and go up. We removed the  
17. parental responsibility in respect to children from  
18. fifty percent. We moved it back down to twenty-five  
19. percent, is all they have to have to get the additional  
20. aid. We removed the variable benefits scale. So  
21. now it's in...in an order that it's acceptable to  
22. us and it should be acceptable to you. I would like  
23. to have Senator Rock as the principle sponsor of this  
24. and I would be glad to remove my name for that purpose.  
25. In any case, I would...surely like to have your vote  
26. to pass this bill.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Rock declines. Senator Savickas.

29. SENATOR SAVICKAS:

30. The hours that have passed haven't made this bill  
31. any better. It still is in bad shape. I would suggest  
32. that we not support Senate Bill 1155.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. The question is shall Senate Bill 1155 pass. Those  
2. in favor will vote Aye. Those opposed will vote Nay.  
3. The voting is open. Have all voted who wish? Have all  
4. voted who wish? Take the record. On that question the  
5. Ayes are 30, the Nays are 15, 1 Voting Present. Senate  
6. Bill 1155 having received a constitutional majority is  
7. declared passed. Senator Hynes has requested a verification.  
8. Will all the Senators please be in their seats. All  
9. right. Will the members of the Senate be in their  
10. seats. Those not entitled to the Floor, please vacate.  
11. Secretary will read the affirmative votes.  
12. SECRETARY:

13. The following voted in the affirmative: Berning,  
14. Bloom, Bowers, Bruce, Buzbee, Coffey, Davidson, Demuzio,  
15. Glass, Graham, Grotberg, Harber Hall, Johns, Joyce,  
16. Knuppel, McMillan, Mitchler, Moore, Nimrod, Ozinga, Regner,  
17. Rhoads, Roe, Rupp, Schaffer, Shapiro, Sommer, Walsh,  
18. Weaver and Wooten.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Bloom on the Floor? Senator Bloom is on  
21. the Floor. Senator Bowers is on the Floor. The roll  
22. has been verified. The Aye...the Ayes are 30 the Nays  
23. are 15, Senate Bill 1155 having received the constitutional  
24. majority is declared passed. Senator Nimrod moves to  
25. reconsider. Senator Rhoads moves to Table. All in favor  
26. signify by saying Aye. So ordered. Senator Hickey, for what  
27. purpose do you arise?

28. SENATOR HICKEY:

29. Well, Mr. President, I was engaged in conversation  
30. and did not press any button and if I had been able to, I  
31. would have pressed a green one and I want it so recorded.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. The record will so indicate. On the Order of

1. Consideration Postponed, Senate Bills 3rd reading, Senate  
2. Bill 1209. Read the bill, Mr. Secretary.

3. SECRETARY:

4. Senate Bill 1209.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Grotberg.

9. SENATOR GROTBURG:

10. Thank you, Mr. President. This is the school  
11. equity bill for those two hundred school districts in  
12. Illinois who are on the Strayer-Hague formula because  
13. it brings them some more money, but they, without this  
14. bill they've been restricted to using it only for the  
15. educational fund, all of the resource equalizer schools  
16. can use it across any other fund. These schools are now  
17. in a position of borrowing and issuing tax warrants.  
18. They do get the money one way or the other. This  
19. would allow them the freedom of spreading that money  
20. across any one of their funds within the school districts  
21. and I seek a favorable roll call.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Berman.

24. SENATOR BERMAN:

25. I stand in opposition to the bill. We discussed  
26. it fully the other day. The question was whether there  
27. should be...the money should go to the Education Fund or  
28. not. I think this is a bad policy. I urge a No vote.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. The question is shall Senate Bill 1209 pass.  
31. Those in favor will vote Aye. Those opposed will vote  
32. Nay. The voting is open. Have all voted who wish?  
33. Have all voted who wish? Take the record. On that

1. question the Ayes are 32, the Nays are 14, 1 Voting Present.
2. Senate Bill 1209 having received a constitutional majority
3. is declared passed. 1328, Senator Nimrod. Senator Nimrod.
4. SENATOR NIMROD:
5. Yes, I would seek leave to return this to Energy...
6. Agriculture and Energy.
7. PRESIDING OFFICER: (SENATOR ROCK)
8. Senator Nimrod seeks leave of the Body to recommit
9. Senate Bill 1328 to the Committee on Agriculture. Is
10. leave granted? So ordered. On the Order of Consideration
11. Postponed, Senate Bills 3rd reading, Senate Bill 1331.
12. Read the bill, Mr. Secretary.
13. SECRETARY:
14. Senate Bill...Senate Bill 1331.
15. (Secretary reads title of bill)
16. 3rd reading of the bill.
17. PRESIDING OFFICER: (SENATOR ROCK)
18. Senator Weaver.
19. SENATOR WEAVER:
20. Thank you, Mr. President. Senate Bill 1331 provides
21. for the discontinuance of the Metropolitan Fair and
22. Exposition Authority Reconstruction Fund and the Service
23. Recognition Bond and Interest Retirement Fund. Both of
24. these funds were created for special...purposes of
25. retiring the bonds on the McCormick Place, which have
26. been paid off...prepaid I should say, to the tune of
27. forty million dollars. Our State's commitment for
28. retiring the World War II Veteran's Bonds have been
29. met and there's no reason to continue these two
30. funds. Twenty-two million dollars revenue from these
31. two sources are built into this years budget and I'd
32. appreciate a favorable roll call.
33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Hynes. Senator Hynes.

2. SENATOR HYNES:

3. This is a very bad bill, Mr. President, and I...it  
4. should be defeated summarily.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. The question is shall Senate Bill 1331 pass.

7. Those in favor will vote Aye. Those opposed will vote

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

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

10. question the Ayes are 30, the Nays are 16, none Voting

11. Present. Senate Bill 1331, having received a consti-

12. tutional majority is declared passed. Senator Hynes

13. request a verification. Will all the members please

14. be in their seats and those not entitled to the Floor,

15. please vacate. Secretary will read the affirmative

16. votes.

17. SECRETARY:

18. (Machine cut-off) following voted in the affirmative:

19. Berning, Bloom, Bowers, Bruce, Coffey, Davidson, Glass,

20. Graham, Grotberg, Harber Hall, Hickey, Johns, McMillan,

21. Mitchler, Moore, Netsch, Newhouse, Nimrod, Ozinga, Regner,

22. Rhoads, Roe, Rupp, Schaffer, Shapiro, Sommer, Walsh,

23. Washington, Weaver and Wooten.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. The roll has been...pardon me...Don Moore, Senator

26. Don Moore is on the Floor. Senator Davidson is in his

27. seat. One of the few at his seat. The roll has been

28. verified. The Ayes are 30, the Nays are 16, none Voting

29. Present. Senate Bill 1331 having received a constitutional

30. majority is declared passed. Senator Glass moves to

31. reconsider the vote by which that bill is passed. Senator

32. Weaver moves to have that motion lie upon the Table. All

33. those in favor signify by saying Aye. All those opposed.

1. The Ayes have it. So ordered. On the Order of Consideration
2. Postponed, Senate Bills 3rd reading, Senate Bill 1335.
3. Read the bill, Mr. Secretary.
4. SECRETARY:
5. Senate Bill 1335.
6. (Secretary reads title of bill)
7. 3rd reading of the bill.
8. PRESIDING OFFICER: (SENATOR ROCK)
9. Senator Vadalabene.
10. SENATOR VADALABENE:
11. Mr. President, and members of the Senate. Senate
12. Bill 1335 provides that the administrative review is
13. to be in the circuit court of the county in which the
14. cause of the action rose. It is now goes directly to
15. the Appellate Court and I would appreciate your second
16. chance on giving this good bill a favorable vote.
17. PRESIDING OFFICER: (SENATOR ROCK)
18. Any discussion? The question is shall Senate Bill
19. 1335 pass. Those in favor will vote Aye. Those opposed
20. will vote Nay. The voting is open. Senator Donnewald,
21. vote me Aye please. Have all voted who wish? Have
22. all voted who wish? Take the record. On that question
23. the Ayes are 35, the Nays are 11, 1 Voting Present.
24. Senate Bill 1335 having received a constitutional majority
25. is declared passed. On the Order of Consideration Post-
26. poned, Senate Bills 3rd reading, Senate Bill 1337. Read
27. the bill, Mr. Secretary.
28. SECRETARY:
29. Senate Bill 1337.
30. (Secretary reads title of bill)
31. 3rd reading of the bill.
32. PRESIDING OFFICER: (SENATOR ROCK)
33. Senator Graham.

1. SENATOR GRAHAM:

2. Thank you, Mr. President and members of the Senate.  
3. Part probably due to the title being misleading on the  
4. synopsis on this bill and my ability to not explain it  
5. correctly, in view of that fact, I did have circulated  
6. to all of you today, a memo submitted to me and conceived  
7. and printed by the Illinois Department of Transportation,  
8. who wants this bill very badly and I trust to the  
9. ability of my colleagues to read and understand the memo  
10. and I ask for a favorable roll call.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Is there any discussion? The question is shall  
13. Senate Bill 1337 pass. Those in favor will vote Aye.  
14. Those opposed will vote Nay. The voting is open.  
15. Senator Hynes. Have all voted who wish? Have all  
16. voted who wish? Take the record. On that question  
17. the Ayes are 22, the Nays are 23, 3 Voting Present.  
18. Senate Bill 1337 having failed to receive a constitutional  
19. majority is declared lost. On the Order of Consideration  
20. Postponed, Senate Bills 3rd reading, Senate Bill 1353.  
21. Read the bill, Mr. Secretary.

22. SECRETARY:

23. Senate Bill 1353.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Berman.

28. SENATOR BERMAN:

29. Thank you, Mr. President. This is the bill that  
30. will allow a cross that is not entirely within the box  
31. to be counted as the indication of the vote by the  
32. person who is voting in the election. I solicit your  
33. Aye vote to carry out the indication and the intent of

1. the voter.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Any discussion? Senator Rhoads. Senator Rhoads.

4. SENATOR RHOADS:

5. Just want to point out to members on both sides  
6. that judicial retention ballots are paper ballots and  
7. those squares can be very close together. It's not  
8. easy to recognize the intent of the voter. The current  
9. law is clear, but this law might make a very subjective  
10. judgment on the part of election judges.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. The question is shall Senate Bill 1353 pass.  
13. Those in favor will vote Aye. Those opposed will vote  
14. Nay. The voting is open. Senator Bruce, will you vote  
15. Senator Donnewald and I, Aye, please. Have all voted  
16. who wish? Take the record. On that question the Ayes  
17. are 27, the Nays are 25, none Voting Present. Senate  
18. Bill 1353 having failed to receive a constitutional  
19. majority is declared passed...lost. I tried Art.  
20. Earlier on we...Senator Glass, we will get right back  
21. to you, earlier on we indicated that there was an  
22. amendment, with leave of the Body we skipped Senate  
23. Bill 540 on the Order of Consideration Postponed, Senate  
24. Bills. Senator Knuppel now seeks leave to bring Senate  
25. Bill 540 back to the Order of 2nd reading for the purpose  
26. of an amendment. Is leave granted? On the Order of  
27. Senate Bills 2nd reading, Senate Bill 540.

28. SECRETARY:

29. Amendment No. 2 offered by Senator Carroll.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Carroll.

32. SENATOR CARROLL:

33. Thank you, Mr. President. This amendment is to

1. balance the authorization amount. Apparently, the prior  
2. bill that was on this and which the sponsor had indicated  
3. he would bring it back to 2nd when we moved it yesterday  
4. for the purpose of amendment. Apparently, he forgot, so  
5. rather than worry about it, we've decided to offer this  
6. amendment to Senator Knuppel's bill. It will balance  
7. the actions we have taken with the authorization bill  
8. so that we can have a bill alive that authorizes bonds  
9. for the State of Illinois and I would move the adoption  
10. of the amendment.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Carroll has moved the adoption of Amendment  
13. No. 2 to Senate Bill 540. Is there any discussion?  
14. If not, all those in favor signify by saying Aye. All  
15. those opposed. The Ayes have it. The amendment is  
16. adopted. Any further amendments?

17. SECRETARY:

18. No further amendments.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. 3rd reading. On the Order of Consideration  
21. Postponed, Senate Bills 3rd reading, Senate Bill 1369.  
22. Read the bill, Mr. Secretary. Senator Glass.

23. SENATOR GLASS:

24. Mr. President, I would ask leave to consider  
25. Senate Bills 1369 and 1370 together and on one roll  
26. call. They are companion bills.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Well, we can...we can read them together and  
29. discuss them together and we might have to take two  
30. separate roll calls. All right. Read the bills, Mr.  
31. Secretary. Is there leave?

32.

33.

1.  
2. Leave is granted. Read the bills, Mr. Secretary.

3. SECRETARY:

4. Senate Bill 1369.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. Senate Bill 1370.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Glass.

12. SENATOR GLASS:

13. Thank you, Mr. President. Ladies and Gentlemen,  
14. these bills increase the penalty for bootlegging  
15. cigarettes. The Department of Revenue believes it  
16. now has all the enforcement powers that it needs to  
17. do a good job of enforcement of bootlegging of  
18. cigarettes, but it's investigators in the Department  
19. has indicated that this penalty, that is the penalty  
20. for bootlegging cigarettes, ought to be brought in  
21. line with a comparable penalty for motor fuel tax  
22. violations and it believes that the increase in the  
23. severity of these penalties are necessary to deter  
24. what have become increasing profitable circumvention  
25. of Illinois Cigarette Taxes. In fact, they're not  
26. interested in individuals who smuggle a few cartons  
27. across the line, but in the large bootlegg operator.  
28. And there is an estimate, and I didn't have this  
29. figure before, that these operations do cost the  
30. State as much as twenty-five million dollars annually  
31. in cigarette taxes, so I would urge a favorable roll  
32. call.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Is there any discussion? The question is shall  
2. Senate Bill 1369 pass. Those in favor will vote Aye.  
3. Those opposed will vote Nay. The voting is open. Have  
4. all voted who wish? Have all voted who wish? Take the  
5. record. On that question the Ayes are 20, the Nays are  
6. 13, 1 Voting Present. Senate Bill 1369 having failed to  
7. receive the constitutional majority is declared lost.  
8. Is there leave to apply the same roll call to Senate  
9. Bill 1370? Leave is granted. Senator Buzbee.  
10. SENATOR BUZBEE:

11. Just like the record to show that I was off the  
12. Floor when that vote was taken and I had I been here,  
13. I'm not sure how I would have voted.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. That's good. The record will so show. On the  
16. Order of Consideration Postponed, Senate Bills 3rd  
17. reading, Senate Bill 540. Read the bill, Mr. Secretary.

18. SECRETARY:

19. Senate Bill 540.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Knuppel.

24. SENATOR KNUPPEL:

25. Since the bill is now the amendment, I defer to  
26. Senator Carroll.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. All right. Senator Knuppel yields to Senator Carroll.

29. Senator Carroll.

30. SENATOR CARROLL:

31. Thank you, Mr. President. This is now the authorization  
32. bill for the Capital Development Board at the level at which  
33. we have appropriated funds or as close thereto as we could

1. figure and I would ask for a favorable roll call.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Is there any discussion? Senator Weaver.

4. SENATOR WEAVER:

5. How many votes will this take, Mr. President?

6. PRESIDING OFFICER: (SENATOR ROCK)

7. The Chair will rule that under Section, under Article 9,  
8. Section 9, it will require a three-fifths of the members  
9. elected. Any further discussion? The question is shall  
10. Senate Bill 540 pass. Those in favor will vote Aye. Those  
11. opposed will vote Nay. The voting is open. Have all  
12. voted who wish? Have all voted who wish? Have all voted  
13. who wish? Take the record. On that question the Ayes  
14. are 31, the Nays are 5, 15 Voting Present. Senate Bill  
15. 540 having failed to receive the constitutional majority  
16. is declared lost. Senator Hynes.

17. SENATOR HYNES:

18. Mr. President, I would move the Senate stand  
19. adjourned until Tuesday, May 31st at 1:00 p.m.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. You've heard the motion. All those in favor signify  
22. by saying Aye. All those opposed. The Ayes have it. The  
23. Senate stands adjourned.

24.

25.

26.

27.

28.

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33.