

80TH GENERAL ASSEMBLY

GENERAL SESSION

JUNE 29, 1978

1. PRESIDING OFFICER: (SENATOR JOHNS)

2. The hour of eleven having arrived the Senate will now
3. come to order. We will have the prayer by the Reverend
4. Eugene A. Frost, Cherry Hills Baptist Church, Springfield,
5. Illinois. Will all the visitors please rise. Reverend Frost.

6. REVEREND FROST:

7. (Prayer given by Reverend Frost)

8. PRESIDING OFFICER: (SENATOR JOHNS)

9. The reading of the Journal by Senator Kenneth Hall.
10. Senator Hall.

11. SENATOR KENNETH HALL:

12. Mr. President, I move that reading and approval of the
13. Journals of Tuesday, June 20th, Wednesday, June 21st,
14. Thursday, June 22nd, Friday, June 23rd, Saturday, June 24th,
15. Sunday, June 25th, Monday, June 26th, Tuesday, June 27th
16. and Wednesday, June 28th, in the year 1978 be postponed
17. pending arrival of the printed Journals.

18. PRESIDING OFFICER: (SENATOR JOHNS)

19. You've heard the motions. All those in favor say Aye.
20. All those opposed say Nay. The Ayes have it, the motion
21. is adopted. So ordered. Messages from the House.

22. SECRETARY:

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

24. Mr. President - I am directed to inform the Senate
25. the House of Representatives has adopted the following
26. report on House Joint Resolution Constitutional Amendment
27. No. 29 in the adoption of which I am instructed to ask the
28. concurrence of the Senate, to-wit.

29. PRESIDING OFFICER: (SENATOR JOHNS)

30. Secretary's Desk.

31. SECRETARY:

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

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

1. the House of Representatives refused to recede from their
2. Amendment No. 1 to a bill with the following titles:
3. Senate Bill 1555 with...with House Amendment No. 1 and
4. they request a Conference...First Conference Committee and the
5. Speaker has appointed the members on the part of the House.

6. A like message on Senate Bill 1562 with Senate Amend-
7. ment No. 1 and they request a First Conference and the
8. members have been appointed by the Speaker of the House.

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

10. Mr. President - I am directed to inform the Senate
11. the House of Representatives has passed a bill with the
12. following title, in the passage of which I am instructed
13. to ask the concurrence of the Senate to-wit:

14. House Bill 3403.

15. PRESIDING OFFICER: (SENATOR JOHNS)

16. Okay, now for your information, please. All Senators
17. please pay particular attention. You have a handout on
18. your desk, a...synopsis of legislation, bills on concurrence.
19. The first one, Senate Bill 0082, June the 23rd, 1978. That
20. identifies it. The other one that you have with the orange
21. covering is obsolete, I repeat, obsolete. I just had the
22. question asked, they are being passed out and you'll have
23. them on your desk practically right now, Senator Coffey.
24. The one with the yellow...or orange covering is obsolete.
25. You have a new one with a white front sheet. It's being
26. passed out by the Pages at this time.

27. PRESIDING OFFICER: (SENATOR KENNETH HALL)

28. For what purpose does Senator Don Moore arise?

29. SENATOR MOORE:

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

31. PRESIDING OFFICER: (SENATOR KENNETH HALL)

32. State your point.

33. SENATOR MOORE:

1. Thank you, Mr. President and members of the Senate. I
2. believe that all the members are aware that the State of
3. Illinois about two and a half or three years ago, established
4. an office in San Paulo, Brazil. I'm happy to have as our
5. guest here today, the man who assumed that position about
6. two and a half years ago, as the managing director of our
7. San Palo. office, Mr. Henry Smallwood standing behind me.
8. Henry, would you stand and be recognized by the Senate.
9. PRESIDING OFFICER: (SENATOR JOHNS)

10. Mr. Smallwood, glad to have you with us, sir. Thank
11. you, Senator. Senator Don Moore again.

12. SENATOR MOORE:

13. In addition to Brazil, of course, there is...the office
14. for the edification of the membership consists of a staff
15. of three, Mr. Smallwood and two secretaries. He covers
16. twenty-two... Central and South American Countries and I'm
17. happy to announce that after two and a half years of
18. operation, for the last year, we have broken even and
19. showed a little profit down there in our San Palo office.
20. So it has been a success. Thank you, Mr. President.

21. PRESIDING OFFICER: (SENATOR JOHNS)

22. Very good, thank you. Senator Graham.

23. SENATOR GRAHAM:

24. I think it would be the best, if we're going to proceed,
25. that the Chair either advise or do not advise the membership
26. if we are at ease or not at ease, because some Conference
27. Committees are getting ready to meet and I think we ought
28. to know where we are.

29. PRESIDING OFFICER: (SENATOR JOHNS)

30. I think by its natural stance today, we are at ease
31. and we will advise you of any impending procedures right
32. away. For what purpose does Senator Netsch arise, please?
33. Little order, please. Senator Netsch.

1. SENATOR NETSCH:

2. Thank you Mr...while we're at ease, I wonder if I
3. might take care of a piece of housekeeping business which
4. I had promised members of the Special Joint Committee on
5. the Mental Health Code I would do a long time ago and
6. neglected to do. I will...

7. PRESIDING OFFICER: (SENATOR JOHNS)

8. State your business.

9. SENATOR NETSCH:

10. ...ask leave to add some people as joint and...and
11. cosponsors of those bills and then I'll give you a list
12. so that you can get your records straight, if you will.
13. On Senate Bill...

14. PRESIDING OFFICER: (SENATOR JOHNS)

15. Wait just a moment. Is leave granted? Leave is
16. granted. Thank you, Senator.

17. SENATOR NETSCH:

18. ...on Senate Bill 250 we would be adding Senators
19. Daley and Schaffer as joint sponsors. Senator Nimrod's
20. name is not on that list and so he should be added as
21. a cosponsor as should Senator Collins. On Senate Bill
22. 252 simply add as...which shows Senators Nimrod and Daley
23. as joint sponsors, add the other members of the Joint
24. Committee just as cosponsors, that would be myself,
25. Senator Schaffer and Senator Collins. On Senate Bill 253
26. add Senator Schaffer as a joint sponsor and add Senators
27. Netsch and Collins as cosponsors. I'll get this to you
28. in writing. And on Senate Bill 255 add Senators Schaffer
29. and Collins as cosponsors. May we have leave to make those
30. changes?

31. PRESIDING OFFICER: (SENATOR JOHNS)

32. Is leave granted? Leave is granted. Senator Bruce.
33. Senator Bruce. Will you take care of the measure you and

1. I just talked about while ago. I cannot do it from here.
2. 1357, Senator Bruce.
3. SENATOR BRUCE:
4. I would ask leave to have Senator Johns added as a
5. joint cosponsor to House Bill 1357.
6. PRESIDING OFFICER: (SENATOR JOHNS)
7. Is there leave? Leave is granted. The Chair recognizes
8. Senator Hynes.
9. SENATOR HYNES:
10. Mr. President, there are a number of bills pending on
11. the...the Calendar on the Order of Concurrence or on the
12. Order of Nonconcurrence that members have indicated they
13. wish to move in order to get Conference Committees in
14. operation and I would ask they do that now. I know
15. Senator Regner has one. But we'd like to get some of
16. this paper work moving and then...and then in a...a brief
17. period of time we will recess so that some of these Con-
18. ference Committees can get under way.
19. PRESIDING OFFICER: (SENATOR JOHNS)
20. Senator Hynes.
21. SENATOR HYNES:
22. Mr. President, with respect to Senate Bill 1555 of
23. which I am a joint chief sponsor, I would move that the
24. Senate accede to the request of the House that a...a
25. Conference Committee be appointed. Senate Bill 1555.
26. PRESIDING OFFICER: (SENATOR JOHNS)
27. Senate Bill 1555. Senator Hynes moved to concur...
28. Senator Hynes. Mr. Secretary, do you wish to give him
29. that explanation? Oh, he's made his request, okay.
30. He moves to concur in House Bill...
31. SENATOR HYNES:
32. No...no...no...no...
33. PRESIDING OFFICER: (SENATOR JOHNS)

1. No...to accede to the request.

2. SENATOR HYNES:

3. To accede to the request of the House that a Conference

4. Committee be appointed.

5. PRESIDING OFFICER: (SENATOR JOHNS)

6. To...Senate Bill 15...5...55. All in favor say Aye.

7. All those opposed say Nay. The motion is adopted. The...

8. Senate...accedes to request to the House Conference Committee.

9. Senator Leonard, for what purpose you...arise?

10. SENATOR LEONARD:

11. I would like leave of this Body to correct a typographical

12. error. I had requested permission to be listed as sponsor

13. on 3279, House Bill 3279. I find I'm listed as sponsor

14. on House Bill 3270 and I'd like leave to change it.

15. PRESIDING OFFICER: (SENATOR JOHNS)

16. Senator Leonard...

17. SENATOR LEONARD:

18. Simply...simply asking leave of the Body that I might

19. be changed from being listed as sponsor of 3270 to 3279

20. which I believe is my original request.

21. PRESIDING OFFICER: (SENATOR JOHNS)

22. Does he have leave? Leave is granted. Senator Hynes.

23. SENATOR HYNES:

24. Mr. President, on the Secretary's Desk on the Order of

25. Concurrence, Senate Bill 1786 with House Amendment No. 1.

26. That amendment is technically incorrect and I would move

27. that the Senate nonconcur in the amendment so that we may

28. get it into a Conference Committee and rewrite the amend-

29. ment.

30. PRESIDING OFFICER: (SENATOR JOHNS)

31. You've heard the motion. All those in favor say Aye.

32. All those opposed say Nay. He will accede to the request...

33. we nonconcur...1786, Amendment No. 1. All those in favor

1. say Aye. All those opposed say Nay. The motion carries
2. and the Secretary shall...so inform the House. Senator
3. Hickey.

4. SENATOR HICKEY:

5. Thank you, Mr. President. I move that we accede to
6. the request for a Conference Committee from the House for
7. Senate Bill 1562.

8. PRESIDING OFFICER: (SENATOR JOHNS)

9. The question is shall the Senate accede to the request
10. of the House that a Conference Committee be appointed. All
11. those in favor say Aye. All those opposed say Nay. The
12. motion carries and the Senate accedes to the request to
13. appoint a Conference Committee. What bill was that Senator,
14. Senator Hickey? Senator Hickey? 1562?

15. SENATOR HICKEY:

16. 1562. Thank you.

17. PRESIDING OFFICER: (SENATOR JOHNS)

18. It is not on the Calendar, just read it in. Senator
19. Ozinga.

20. SENATOR OZINGA:

21. Mr. President, on House Bills 2986 we...I believe on
22. the Secretary's Desk is a Message from the House wherein the House
23. does concur in an amendment, Senate Amendments 2, 3 and 4.

24. PRESIDING OFFICER: (SENATOR JOHNS)

25. Hold it, Senator. Forgive me, hold it. We have not
26. read that into the...

27. SENATOR OZINGA:

28. Oh, hasn't it been in there?

29. PRESIDING OFFICER: (SENATOR JOHNS)

30. No. Senator Hynes.

31. SENATOR HYNES:

32. Mr. President and members of the Senate. I have in my
33. possession three boxes of very fine cigars and I'm going

1. to ask the Pages to distribute. Senator Daley, who is not
2. with us today, asked that they be given to...to the members
3. in honor of the birth of his new son, Kevin Corbett Daley.
4. So I'm going to ask the Pages to distribute them to you.

5. PRESIDING OFFICER: (SENATOR JOHNS)

6. Any more bills on concurrences so that we can get
7. to...to the Conference Committees, et cetera? Senator
8. Coffey is coming to the...to his seat. Concurrence.
9. Senator Coffey is recognized and he'll be with you in just
10. a moment. Senator Grotberg, for what purpose do you arise?

11. SENATOR GROTBORG:

12. A point of personal privilege.

13. PRESIDING OFFICER: (SENATOR JOHNS)

14. State your point please.

15. SENATOR GROTBORG:

16. I'm reminded of Senator Daley's baby, I would like to
17. announce this morning the...my fifth grandchild was born
18. last nite and I have no cigars, but...are you listening,
19. Howard Carroll? Would you...Howard Carroll and...and...and
20. others, I would like to welcome to the world, Joseph James
21. Weinberg, my newest grandson.

22. PRESIDING OFFICER: (SENATOR JOHNS)

23. Senator Coffey.

24. SENATOR COFFEY:

25. Mr. President and members of the Senate. I'd like to
26. move to concur with...on Senate Bill 1859 with amendments...
27. House Amendments No. 1 and No. 2. Amendment No. 1 is a...is
28. only a correction in the...in the bill. Amendment No. 2 adds
29. to that bill a transfer that one dollar cost of less than
30. one half acre of land back in St. Clair County for...to
31. the municipality and I'd like to ask this Body concur with
32. Amendments No. 1, No. 2 to Senate Bill 1859.

33. PRESIDING OFFICER: (SENATOR JOHNS)

1. Any discussion? You've heard the motion. The...the
2. ...the question is shall the Senate concur in House Amend-
3. ments No. 1 and No. 2 to Senate Bill 1859. Those in favor
4. vote Aye. Those opposed vote Nay. The voting is open.
5. Gentlemen, the voting is open. All right. This is the
6. first one, I'm going to give you a little time. Have all
7. voted who wish? Have all voted who wish? This is the
8. first one, I'm giving you just a little leeway here. Let's
9. be in our seats. All right. Take the record. Have all...
10. on that question the Ayes are 43, the Nays are none, those
11. Voting Present, zero. The Senate does concur in House Amend-
12. ments No. 1 and No. 2 to Senate Bill 1859 and the bill having
13. received the required constitutional majority is declared
14. passed. Any other members? Senator Regner. All right.
15. Senator David Regner.

16. SENATOR REGNER:

17. Mr. President and members of the Senate. I move that
18. the Senate nonconcur in House Amendment, the House Amend-
19. ment to Senate Bill 1523. It's nonconcur.

20. PRESIDING OFFICER: (SENATOR JOHNS)

21. Senator Regner moves to nonconcur in House Amendments
22. No. 2 to Senate Bill 1523. All those in favor say Aye.
23. All those opposed say Nay. The motion carries and the
24. Secretary shall so inform the House. Senator...Nimrod.

25. SENATOR NIMROD:

26. Thank you, Mr. President. I would ask that we not
27. concur on Senate Bill 1861 on House Amendments 6, 7, 9,
28. 11, 12, 13 and 14. And the reason for this, there are
29. some technical changes that have to be made within that
30. bill and request a Conference Committee report.

31. PRESIDING OFFICER: (SENATOR JOHNS)

32. Senator Ozinga...I mean Senator Nimrod moves to non-
33. concur on House Amendments 6, 7, 9, 11, 12, 13, 14 to

1. Senate Bill 1861. All those in favor say Aye. All those
2. opposed say Nay. The motion carries and the Secretary shall
3. so inform the House. Senator Rock.

4. SENATOR ROCK:

5. Thank you, Mr. President, Ladies and Gentlemen of the
6. Senate. There are a number of Conference Committees now
7. beginning to assemble and it is my intent that to make a
8. motion the Senate will stand in recess until the hour
9. of two-thirty. At which time we will begin on the Order
10. of Concurrence and then hopefully have some Conference
11. Committee reports which can be addressed. So I would
12. ask the membership to attend to those Conference Com-
13. mittee meetings as soon as possible and please return
14. to the Floor promptly at 2:30 so that we may commence
15. to work on the Calendar.

16. PRESIDING OFFICER: (SENATOR JOHNS)

17. Senator Rock moves to stand in...

18. SENATOR ROCK:

19. Wait...do you have something you should read in.

20. SECRETARY:

21. No sir. I just wanted to know if you want those Con-
22. ference Committees that are finalized put on the Senators'
23. Desks.

24. SENATOR ROCK:

25. Yes, that's...Gentlemen, if I can have your attention
26. for a moment, we...we have provided in the past and will
27. provide on a daily basis a Supplemental Calendar of Con-
28. ference Committee Reports that have been filed along with
29. copies of the reports. Now they will be placed upon the
30. Desk, but it seems to me the responsibility of each
31. member to kind of hang on to those until we get to them.
32. Hopefully in the next number of hours.

33. PRESIDING OFFICER: (SENATOR JOHNS)

1. Senator Glass.

2. SENATOR GLASS:

3. Thank you, Mr. President. I have a question of Senator

4. Rock or the Chair. I've noticed at least on one occasion

5. that there was a Conference Committee this morning where

6. notice had not been received by any of the Senate members.

7. Could you again announce the method by which notice of

8. these Conference Committees will be transmitted to the

9. members.

10. PRESIDING OFFICER: (SENATOR JOHNS)

11. Senator Rock.

12. SENATOR ROCK:

13. Well, we have provided, at least for Conference Com-

14. mittees on Senate Bills, as you know the Senate sponsor

15. is...is ex officio the Chairman. And we have provided

16. notice forms so that all members can be notified. Now

17. frankly, with respect to House Bills, we have asked

18. the House to do the same, but it appears that they are

19. doing it by telephone. I, frankly, have importuned the

20. House, but that's...I've been doing that for days and

21. it doesn't seem to work.

22. PRESIDING OFFICER: (SENATOR JOHNS)

23. Senator Shapiro. Senator Shapiro.

24. SENATOR SHAPIRO:

25. Mr. President, it is my understanding that there are

26. several messages on the Secretary's Desk that probably

27. should be read so we can get the Conference Committees

28. and that going. How come they're not calling them?

29. PRESIDING OFFICER: (SENATOR JOHNS)

30. Senator Rock, do you have the answer to that?

31. SENATOR ROCK:

32. Well, we don't read messages requesting anything until

33. the sponsor is here. Who's here?

1. PRESIDING OFFICER: (SENATOR JOHNS)
2. Does that answer your question, Senator Shapiro?
3. SENATOR ROCK:
4. Which...which messages are there, with sponsors present?
5. SECRETARY:
6. Savickas, he's not on the Floor. 2554, ...Senator
7. Maragos is on the Floor. 2946, Senator Berman. 2979,
8. Senator Rupp. 29...
9. SENATOR ROCK:
10. Senator Maragos, you want your message called? Go.
11. PRESIDING OFFICER: (SENATOR JOHNS)
12. The Chair recognizes Senate...message from the House.
13. Mr. Secretary.
14. SECRETARY:
15. A Message from the House by Mr. O'Brien, Clerk.
16. Mr. President - I am directed to inform the Senate
17. that the House of Representatives has concurred with the
18. Senate in the adoption of their...amendments to a bill
19. with the following title:
20. House Bill 2554. They move to concur with Senate
21. Amendments 2 and 4 and move to refuse to concur in Senate
22. Amendments 3, 5 and 7.
23. PRESIDING OFFICER: (SENATOR JOHNS)
24. Senator Maragos.
25. SENATOR MARAGOS:
26. Mr. President and members of the Senate. I move that
27. we do not recede from Amendments 3, 5 and 7 and ask for
28. a Conference Committee.
29. PRESIDING OFFICER: (SENATOR JOHNS)
30. You've heard the motion. Senator Maragos moves that
31. the Senate refuse to recede from the adoption of Amendments
32. to House Bill 2554 and that a Conference Committee be
33. appointed. All those in favor say Aye. All those opposed

1. say Nay. The motion carries and the Secretary shall so
2. inform the House. Senator Rock.
3. SENATOR ROCK:
4. Thank you, Mr. President. I now move that the Senate
5. stand in recess until the hour of 2:30.
6. PRESIDING OFFICER: (SENATOR JOHNS)
7. You heard the motion. All those in favor say Aye.
8. All those opposed say Nay. The motion is adopted.
9. The...the Senate will stand in recess until 2:30, 2:30,
10. Thank you. Senator Ozinga, for what purpose do you arise?
11. SENATOR OZINGA:
12. A few minutes ago I asked for a...refuse to recede on
13. 2978 and you said it wasn't read in yet. Is it in there
14. now? Would you read it in.
15. PRESIDING OFFICER: (SENATOR JOHNS)
16. That will be the first order of our business when we
17. return, Senator Ozinga.
18. SENATOR OZINGA:
19. Why?
20. PRESIDING OFFICER: (SENATOR JOHNS)
21. We're in recess now.
22. SENATOR OZINGA:
23. I wanted to get...
24. PRESIDING OFFICER: (SENATOR JOHNS)
25. We're in recess now, you know, we just got that intervening
26. type action.
27. RECESS
28. AFTER RECESS
29. PRESIDENT:
30. Message from the House. The Senate will please come
31. to order. Message from the House.
32. SECRETARY:
33. A Message from the House by Mr. O'Brien, Clerk.

1. Mr. President - I am directed to inform the Senate
2. that the House of Representatives has refused to recede
3. from their Amendments 1, 8 and 19 to a bill with the
4. following title:
5. Senate Bill 250. And request a First Conference
6. and the Speaker has appointed the members of the Conference.
7. A like message on Senate Bill 252 with House Amend-
8. ments 1, 4 and 5. And the Speaker has appointed the
9. committee of the First Conference.
10. A like message on Senate Bill 253 on Senate Amend-
11. ment No. 1. Request a First Conference and the Speaker
12. has appointed the members of the House on the part of
13. that Conference.
14. A like message on Senate Bill 255 with House Amend-
15. ments 1 and 2. Request a First Conference Committee
16. and the Speaker has appointed the members of the House
17. ...a part of the House.
18. A like message on Senate Bill 393 with House Amend-
19. ment No. 1. Requesting a First Conference Committee
20. and the Speaker has appointed the members on the
21. part of the House.
22. A like message on Senate Bill 395 on House Amend-
23. ments 1 and 3. Requesting a First Conference Committee
24. and the Speaker has appointed the members on the part
25. of the House.
26. A like message on Senate Bill 736 with House Amend-
27. ment No. 5. Requesting a First Conference Committee
28. and the Speaker has appointed the members on the part
29. of the House.
30. A like message on Senate Bill 1725 with House Amend-
31. ments 1, 2 and 3. And they request a First Conference
32. Committee and the speaker has appointed the members
33. on the part of the House.

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

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

6. House Joint Resolution 56 and House Joint Resolution 95.

7. PRESIDENT:

8. Executive. For what purpose does Senator Rock arise?

9. SENATOR ROCK:

10. Thank you, Mr. President, Ladies and Gentlemen of
11. the Senate. We are in receipt of messages from the House
12. requesting the appointment by this Senate of a Committee
13. on Conference with respect to the following bills. And with
14. leave of the Body I will leave the bills and ask that we
15. accede to the request of the House so that we can get the
16. Conference Committees in...in motion. Senate Bill 395,
17. Senator Berman. Senate Bill 393, Senator Berman, Senate
18. Bill 255, Senator Daley, Senate Bill 253, Senator Daley,
19. Senate Bill 250, Senator Daley, Senator 252, Senator Daley,
20. Senate Bill 1725, Senator Philip and Senate Bill 736, Senator
21. Egan.

22. PRESIDENT:

23. Is leave granted for Senator Rock to put the motion
24. as to all of those bills? Leave is granted. For what purpose
25. does Senator Soper arise?

26. SENATOR SOPER:

27. Mr. President, in order to inquire whether or not there
28. are...any other messages from the House on the Secretary's
29. Desk at this time.

30. PRESIDENT:

31. There are with respect to House Bills and we will get
32. to those shortly.

33. SENATOR SOPER:

1. Well, could I ask that they...

2. PRESIDENT:

3. Those are the only messages dealing with Senate Bills.

4. SENATOR SOPER:

5. Could I ask that they be read in?

6. PRESIDENT:

7. We will do that as soon as we can...

8. SENATOR SOPER:

9. ...are there any other Senate Bills there?

10. PRESIDENT:

11. Those are the only Senate Bills. All right, Senator...

12. Senator Rock has moved that the Senate accede to the request

13. of the House for a Conference Committee with respect to

14. Senate Bills 250, 252, 253, 255, 393, 395, 736 and 1725.

15. And that a Conference Committee be appointed as to each

16. of these bills. All those in favor of the motion signify

17. by saying Aye. Opposed. The Ayes have it. The motion

18. carries. The Senate accedes to the request of the House

19. to appoint a Conference Committee. Message from the House.

20. SECRETARY:

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

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

23. ...that the House of Representatives has refused to concur

24. with the Senate in the adoption of their amendment to a

25. bill with the following title:

26. House Bill 2946 with Senate Amendment No. 1. Senator

27. Berman is the sponsor of this bill.

28. PRESIDENT:

29. Senator Berman.

30. SENATOR BERMAN:

31. Take it out of the record, please.

32. PRESIDENT:

33. Well the message has been read in, Senator, you need

34. not take any action at this time. What purpose does Senator

1. Ozinga arise?

2. SENATOR OGINGA:

3. It has...House Bill 2986 been read in? That's the
4. one I started on this morning.

5. PRESIDENT:

6. We're just getting...the Secretary, I believe, has it
7. and will read it in a moment.

8. SECRETARY:

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

10. Mr. President - I am directed to inform the Senate
11. the House of Representatives concurred with the Senate in
12. the adoption of their amendments to a bill with the following
13. title:

14. House Bill 2986. They concurred in...in Senate Amend-
15. ments 2, 3 and 4. And nonconcurred in 5...refused to concur
16. in 5 and 6.

17. PRESIDENT:

18. Senator Ozinga.

19. SENATOR OZINGA:

20. Now, Mr. President, I would move that we do not...that
21. we do not recede from Senate Amendment Numbers 5 and 6
22. and ask that a Conference Committee be named.

23. PRESIDENT:

24. Senator Ozinga has moved that the Senate refused to
25. recede from the adoption of Amendments...Senate Amendments
26. 5 and 6 to House Bill 2986. Is there any discussion? If
27. not, all those in favor signify by saying...saying Aye.
28. Opposed. The Ayes have it. The motion carries and the
29. Secretary shall so inform the House.

30. SECRETARY:

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

32. Mr. President - I am directed to inform the Senate
33. that the House of Representatives has concurred with the

1. Senate in the adoption...adoption of their amendments to
2. a bill with the following title:
3. House Bill 2979. They concur in Amendments 2, 3, 4 and
4. 6 and refuse to concur in Amendment No. 5.
5. PRESIDENT:
6. Senator Rupp.
7. SENATOR RUPP:
8. I move that we refuse to recede from Amendment No. 5
9. and ask that a Conference Committee be set up.
10. PRESIDENT:
11. Senator Rupp moves that the Senate refuse to recede
12. from the adoption of...Senate Amendment No. 5 to House
13. Bill 2979 and a...Conference Committee be appointed. Is there
14. any discussion? All those in favor of the motion signify
15. by saying Aye. Opposed. The Ayes have it. The motion
16. carries and the Secretary shall so inform the House.
17. We have a like message from the House on House Bill
18. 2987. They concurred in Amendments 2, 3 and 5 and non-
19. concurred in 4 and 7. Senator Davidson is sponsor of
20. this bill.
21. PRESIDENT:
22. Senator Davidson.
23. SENATOR DAVIDSON:
24. Mr. President and members of the Senate. I, excuse me,
25. move that the Senate not recede from Senate Amendment 4 and 7
26. and ask for a Conference Committee.
27. PRESIDENT:
28. Senator Davidson moves that the Senate refuse to recede
29. from the adoption of Amendments 4 and...Senate Amendments 4
30. and 7 to House Bill 2987 and a Conference Committee be appointed.
31. All those in favor of the motion signify by saying Aye. Opposed.
32. The Ayes have it. The motion carries. The Secretary shall so
33. inform the House.

1. SECRETARY:

2. A like message on House Bill 3177 and the House refuses
3. to concur with the Senate in their Amendment Numbers 1, 2,
4. 3 and 5. Senator Savickas is the sponsor of this bill.

5. PRESIDENT:

6. Senator Savickas. Senator Savickas moves that the
7. Senate refuse to recede from the adoption of Senate Amend-
8. ments 1, 2, 3 and 5 to House Bill 3177 and that a Conference
9. Committee be appointed. All those in favor of the motion
10. signify by saying Aye. Opposed. The Ayes have it. The
11. motion carries and the Secretary shall so inform the House.

12. SECRETARY:

13. A like message on House Bill 3274. The Senate...the
14. House refuses to concur with Senate Amendments 1 and 2.
15. Senator Rock is the sponsor of this bill. Take that out
16. of the record. ...House Bill 3374, the House refuses to
17. concur with Senate Amendments 1, 2,3,4,5, 6, 7, 8, 9, 10, 11,
18. 12 and 13. Senator Schaffer is the sponsor of this bill.

19. PRESIDENT:

20. Senator Schaffer.

21. SENATOR SCHAFFER:

22. Mr. President, I move that we refuse to recede and
23. request a Conference Committee.

24. PRESIDENT:

25. Senator Schaffer moves that the...Senator Schaffer
26. moves that the Senate refuse to recede from the adoption
27. of Senate Amendment Numbers 1 through 13 inclusive to
28. House Bill 3374 and that a Conference Committee be appointed.
29. All those in favor of the motion signify by saying Aye.
30. Opposed. The Ayes have it. The motion carries and the
31. Secretary shall so inform the House. For what purpose
32. does Senator Rupp arise?

33. SENATOR RUPP:

1. Mr...Mr. President, I would like to ask that we reconsider
2. the vote on that 2979.
3. PRESIDENT:
4. All right. Senator Rupp having voted on the prevailing
5. side moves to reconsider the vote by which the motion to
6. refuse to recede from the adoption of Senate Amendment No. 5
7. to House Bill 2979 carried. All those in favor of the motion
8. of Senator Rupp to reconsider...signify by saying Aye.
9. Opposed. The Ayes have it. The vote is reconsidered. The
10. Motion to Refuse to Recede is now before the Body and
11. Senator Rupp withdraws that motion to...to refuse to recede.
12. All those...Senator Rupp. Senator Rupp has asked leave to
13. withdraw thē Motion...
14. SENATOR RUPP:
15. Yes sir.
16. PRESIDENT:
17. ...to Refuse to Recede. Is leave granted? Leave is
18. granted. The message from the House is...is on the Secretary's
19. Desk.
20. PRESIDING OFFICER: (SENATOR DONNEWALD)
21. The Senate will come to order. The Senate will resolve
22. itself into Executive Session. Senator Vadalabene. ...reports.
23. SENATOR VADALABENE:
24. Yes, Mr...
25. SECRETARY:
26. Senator Vadalabene, Chairman of the Committee on Executive
27. Appointments and Administration, to which was referred the
28. Governor's Message of May the 17th, 1978, May the 23rd, 1978
29. and June the 22nd, 1978, reported the same back with the
30. recommendation that the Senate advise and consent to the
31. following appointments.
32. PRESIDING OFFICER: (SENATOR DONNEWALD)
33. Senator Vadalabene.

1. SENATOR VADALABENE:

2. Yes, Mr. President, I move that the Senate resolve itself
3. into Executive Session for the purpose of acting on the
4. Governor's Appointments set forth in the Governor's Messages
5. of May 17th, May 23rd and June 22nd, 1978.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. You heard the motion. Those in favor indicate by
8. saying Aye. Those opposed Nay. The Ayes have it. Proceed.

9. SENATOR VADALABENE:

10. Yes, thank you, Mr. President and members of the Senate.
11. With respect to the Governor's Messages of May 17th and
12. May 20th and June 22nd, 1978, I will read the names of the
13. unsalaried appointments that the Committee on Executive
14. Appointments and Administration recommends that the Senate
15. advise and consent to. After reading the names, I intend
16. to ask leave to consider all of the unsalaried appointments
17. on one roll call unless any Senator has objection to any
18. particular name.

19. To be a member of the Illinois Commission on Delinquency
20. Prevention for a term expiring January 15th, 1979, William
21. S. White of Chicago. And to be a member of the Illinois
22. Commission on Delinquency Prevention for a term expiring
23. January 17th, 1983, Howard Lee White of Jerseyville.

24. And to be a member of the Illinois State Board of
25. Investment for a term expiring January 19th, 1981, Donald
26. A. Belgrad, Highland Park. And to be a member of the
27. Illinois State Board of Investment for a term expiring
28. January 18, 1982, Joseph Butler of Flossmoor.

29. To be Public Administrator, Conservator and Guardian
30. of Iroquois County for a term expiring December 2nd, 1981,
31. Leo M. Rice of Onargo, Charles L. McNeil of Mason City,
32. John D. McMillan of Adair, John C. Reznick from Vandalia,
33. Michael K. Fawell of West Chicago, E. Carney Gilkerson,
34. Crystal Lake, Harry C. Bulkeley, Galesburg, Lucille K.

1. Henning from Dixon, W. J. Martin, Aurora, William F. Tracy the
2. II from Bement, Hugh A. Henry, Jr. of Bloomington, William
3. Stanley White, Petersburg, Cressie Ragan, Golconda, Barbara
4. Sue Dyer, Pittsfield, Gregory H. James, Harrisburg, Robert E.
5. Winston, East Peoria, Harlan R. Hosch, Danville, Terry C.
6. Kaid, Mt. Carmel, Richard Vierling, Nauvoo, Larry Kleber,
7. Belvidere. And Mr. President, having read the names of the
8. unsalaried appointments, I now seek leave to consider these
9. names on one roll call unless some Senator has objection
10. to a specific name.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Do we have leave? Leave is granted.

13. SENATOR VADALABENE:

14. Mr...Mr...go ahead.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. The question is shall the Senate advise and consent to
17. the nominations just made. Those in favor vote Aye. Those
18. opposed Nay. The voting is open. Have all those voted who
19. wish? Take the record. On that question the Ayes are 54,
20. the Nays are none. The Senate does advise and consent to
21. the nominations just made. Senator Vadalabene.

22. SENATOR VADALABENE:

23. Yes, Mr. President, I now move we arise from Executive
24. Session.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Those in favor indicate by saying Aye. Those opposed Nay.
27. The Ayes have it. The Senate does now arise. Senator
28. Sangmeister, for what purpose do you arise?

29. SENATOR SANGMEISTER:

30. Thank you, Mr. President. The reason I rise, as long as
31. we're sitting here in limbo, I've had a motion lying up on
32. the Desk there for quite awhile and...Senate Joint Resolution,
33. Constitutional Amendment No. 102. And the motion has been placed

1. in writing and I was wondering while we're sitting here,
2. why don't we call that motion.
3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. I...we...we are, Senator, we're not in that order of
5. business at this time.
6. SENATOR SANGMEISTER:
7. Well, I am suggesting to you we have nothing else to
8. do that we ought to go to that order of business.
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. We would have to have leave of the Body for that to
11. occur.
12. SENATOR SANGMEISTER:
13. Well, do we have leave?
14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. Senator Rock.
16. SENATOR ROCK:
17. Now, frankly, I'd object to that.
18. PRESIDING OFFICER: (SENATOR DONNEWALD)
19. Senator...Sangmeister. Leave is not granted because
20. there was objection. Senator Sangmeister.
21. SENATOR SANGMEISTER:
22. Well, how about at least...a date certain for a hearing
23. on that motion. Can I...I would like to at least have that.
24. I would certainly like a day before July 1st, which kinda
25. leaves tomorrow. Can we set that motion down for a date
26. certain for hearing?
27. PRESIDING OFFICER: (SENATOR DONNEWALD)
28. Just a moment. In order to set a time certain for
29. the consideration of that...Constitutional Amendment we
30. had to be on the Order of Motions. And we did have objection
31. to going to that order of business and therefore the Chair
32. rules that there could...a date certain can not be set
33. until we are on that order of business. Senator...Senator Walsh...

1. or Senator...Senator Bowers.

2. SENATOR BOWERS:

3. Well, Mr. President, I think this is probably what's
4. been called the Taxpayers Rights Amendment. It seems to
5. me that obviously the House isn't going to call it unless
6. we do something and it seems to me that we've kinda hit
7. the taxpayers pretty hard and we ought to get started on
8. that subject. Now, we have some amendments lying on
9. a bill that's not being called that has some benefits to
10. the taxpayers and this also has some benefits to the
11. taxpayers and I think we've got plenty of time, this
12. Body ought to get at it and I agree with Senator Sangmeister,
13. there's no reason why we can't go to that order of business.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator D'Arco. Your light is on. The Senate will
16. stand at ease.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. The Senate will come to order. Senator Hynes.

19. SENATOR HYNES:

20. Mr. President and members of the Senate. As you can
21. see from our Calendar we are in very, very good shape.
22. There are a few items left to be called, but it is our
23. judgment while we are waiting for the House to move the
24. rest of the bills over that we need, that we would be
25. better off to recess so that the Conference Committees
26. that have been appointed already can complete their
27. work. So it is our intention to recess now until 7:00
28. p. m. at which time we would ask you to be back on the
29. Floor. We're going to run our Calendar and we will be
30. out of...we will be finished no later than 9:00 and
31. hopefully earlier than that. So we will recess until
32. 7:00 o'clock and then work this evening to complete
33. our...our Calendar and any other material that the House

1. in its wisdom decides to send us. And I would ask any
2. member who has a...a bill with the message on the Secretary's
3. Desk and wishes to get a Conference Committee in motion to
4. do that now before we recess.

5. PRESIDENT:
6. What purpose does Senator Savickas arise?

7. SENATOR SAVICKAS:
8. Mr. President and members of the Senate. I would
9. move that...

10. PRESIDENT:
11. Senator Savickas does this...is this House Bill 1264?

12. SENATOR SAVICKAS:
13. Yes.

14. PRESIDENT:
15. The Secretary will read the message in first. Mr.
16. Secretary, messages from the House.

17. SECRETARY:
18. A Message from the House by Mr. O'Brien, Clerk.
19. Mr. President - I am directed to inform the Senate
20. that the House of Representatives has refused to concur
21. with the Senate in the adoption of their amendments to
22. a bill with the following title:
23. House Bill 1264 with Senate Amendments 1 and 2.

24. PRESIDENT:
25. Senator Savickas.

26. SENATOR SAVICKAS:
27. Yes, Mr. President, I would move that the Senate do
28. not recede from its amendments and that a Conference
29. Committee be appointed.

30. PRESIDENT:
31. Senator Savickas has moved that the Senate refuse to
32. recede from the adoption of Senate Amendments 1 and 2
33. to House Bill 1264 and that a Conference Committee be

1. appointed. All those in favor signify by saying Aye.
2. Opposed. The Ayes have it. The motion carries and the
3. Secretary shall so inform the House.

4. SECRETARY:

5. A like message on House Bill 29, or 297 with Senate
6. Amendments 2 and 3. Senator Knuppel is the sponsor of
7. that bill.

8. PRESIDENT:

9. Is Senator Knuppel on the Floor? Is Senator Knuppel
10. on the Floor? Senator Knuppel, do you wish to refuse to
11. ...Senator Knuppel moves that the Senate...the Senate refuse
12. to recede from Senate Amendments 2 and 3 to House Bill
13. 297 and that a Conference Committee be appointed. All
14. those in favor of the motion signify by saying Aye. Opposed.
15. The Ayes have it. The motion carries and the Secretary shall
16. so inform the House. Resolutions. Message from the House.

17. SECRETARY:

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

19. Mr. President - I am directed to inform the Senate
20. that the House of Representatives has adopted the following
21. Joint Resolution in the adoption of which I am instructed
22. to ask the concurrence of the Senate to-wit:

23. House Joint Resolution 96.

24. PRESIDENT:

25. Executive. Does any other member have a motion
26. with respect to any of the messages received. If not,
27. the Senate will stand in recess until the hour of 7:00 p. m.

28. RECESS

29. AFTER RECESS

30. PRESIDENT:

31. Resolutions. The Senate will please come to order.
32. Resolutions. Resolutions.

33. SECRETARY:

1. Senate...Senate Resolution 465 offered by Senator Shapiro
2. and all Republican Senators, its congratulatory.

3. PRESIDENT:

4. Consent Calendar. For what purpose does Senator Nimrod
5. arise?

6. SENATOR NIMROD:

7. For...thank you, Mr. President. I would take leave
8. to discharge Committee on Executive for House Joint Resolution
9. No. 79, which was inadvertently looked over...overlooked in
10. that committee. And what it is, it's a Respect Life Week
11. for October 1st and 7th. And this has been done in the
12. past and I would seek leave to discharge that committee and
13. place this on the Consent...Resolution Consent Calendar.

14. PRESIDENT:

15. Is there any discussion of the motion? If not, Senator
16. Nimrod...Senator Nimrod has moved to discharge House Joint
17. Resolution 79 from further consideration by the Committee
18. on Executive and to have the resolution placed on the
19. Resolutions Consent Calendar. Senator Nimrod, would you
20. explain the resolution again, please.

21. SENATOR NIMROD:

22. Yes it...it's hereby resolved that we request the
23. Governor of the State of Illinois to proclaim the week
24. of October 1st through 7th as the Respect Life Week.

25. PRESIDENT:

26. You've heard the motion. Is there any discussion?
27. If not all those in favor signify by saying Aye. Opposed.
28. The Ayes have it. So ordered.

29. SECRETARY:

30. Resolution 46...

31. PRESIDENT:

32. Resolutions.

33. SECRETARY:

1. Resolution 468 offered by Senator Davidson and all
2. Senators and its congratulatory.
3. PRESIDENT:
4. Consent Calendar.
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20. End of Reel Number 1
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1. PRESIDENT:

2. A Message from the House.

3. SECRETARY:

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

5. Mr. President - I am directed to inform the Senate
6. the House of Representatives refused to recede from their
7. Amendments 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13,
8. and 15 to a bill with the following title:

9. Senate Bill 1672.

10. They requested the first Conference Committee and the
11. Speaker has appointed the members on the part of the House and
12. Senator Shapiro is the sponsor of this bill. 1672.
13. They request...they request the first conference.

14. PRESIDENT:

15. Senator Shapiro moves that the Senate accede to the request
16. of the House that a Conference Committee be appointed.
17. All those in favor of the motion signify by saying Aye. Opposed.
18. The Ayes have it. The motion carries and the Senate accedes to the
19. request to appoint a Conference Committee. Message from the
20. House.

21. SECRETARY:

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

23. Mr. President - I am directed to inform the Senate
24. the House of Representatives refused to concur with the Senate in their
25. adoption of their amendments to a bill with the following
26. title:

27. House Bill 2929 with Senate Amendments 1 and 2.

28. Senator McMillan is chief sponsor of this bill.

29. PRESIDENT:

30. Senator McMillan.

31. SENATOR McMILLAN:

32. I would move that the Senate refuse to recede from the
33. amendments and that we request that a Conference Committee be
appointed on House Bill 2929.

1. PRESIDENT:

2. Senator McMillan moves that the Senate refuse to recede
3. from the adoption of Senate Amendments 1 and 2 to House Bill
4. 2929 and that a Conference Committee be appointed. Those in
5. favor of the motion signify by saying Aye. Opposed. The Ayes
6. have it. The motion carries and the Secretary shall so inform
7. the House.

8. SECRETARY:

9. A like message on House Bill 3394 with Senate Amendment
10. Nos. 2 and 3 and Senator Shapiro is the sponsor of this bill.

11. PRESIDENT:

12. Senator Shapiro.

13. SECRETARY:

14. They...they concurred with Senate Amendment No. 1, Senator
15. Shapiro, and refused to concur with 2 and 3.

16. SENATOR SHAPIRO:

17. Well, Mr. President, I would move that the Senate
18. refuse to recede from Amendments 2 and 3, that a Conference
19. Committee be formed.

20. PRESIDENT:

21. Senator Shapiro moves that the Senate refuse to recede from the
22. adoption of Senate Amendments 2 and 3 to House Bill 3394, that a
23. Conference Committee be appointed. All those in favor of the motion
24. signify by saying Aye. Opposed. The Ayes have it. The motion
25. carries and the Secretary shall so inform the House.

26. A Message from the House.

27. SECRETARY:

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

29. Mr. President - I am directed to inform the
30. Senate that the House of Representatives refused to concur
31. with the Senate in the adoption of their amendments to a bill
32. with the following title:

33. House Bill 3113 with Senate Amendments 1 and 2.

1. PRESIDENT:

2. Senator Rock.

3. SENATOR ROCK:

4. Thank you, Mr. President. With leave of the Body, Senator
5. Lane is in a Conference Committee. He has indicated that he will
6. refuse to recede from those Senate amendments and request the House
7. to have a Conference Committee.

8. PRESIDENT:

9. All right. Senator Rock moves that the Senate refuse to
10. recede from the adoption of Senate Amendments 1 and 2 to House
11. Bill 3113 and that a Conference Committee be appointed.
12. All those in favor of the motion signify by saying Aye.
13. Opposed Nay. The Ayes have it. The motion carries and the
14. Secretary shall so inform the House. If the Chair may have the
15. attention of the membership. The Pages are distributing
16. the reports of the committees with respect to House Joint
17. Resolution Constitutional Amendment 21 which is the personal
18. property tax constitutional amendment and House Joint Resolution
19. Constitutional Amendment 29, which is the veterans post
20. exemption constitutional amendment. They are being distributed
21. to you now and it is our intention to call those reports for
22. approval or disapproval before we adjourn this evening.
23. A Message from the House.

24. ACTING SECRETARY: (MR. FERNANDES)

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

26. Mr. President - I am directed to inform the Senate
27. that the House of Representatives has refused to concur
28. with the Senate in the adoption of their amendment to a bill
29. with the following title:

30. House Bill 3274 with Senate Amendments No. 1 and 2.
31. Senator Rock is the sponsor.

32. PRESIDENT:

33. Senator Rock.

SENATOR ROCK:

1. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
2. In order to get this evening's proceedings started, I will now
3. move you, Mr. President and Ladies and Gentlemen of the Senate, that
4. do recede from Senate Amendments 1 and 2 to House Bill
5. 3274. As you will recall, the House Bill 3274 is an amendment to the
6. Community College Act whereby it provides that a community
7. college district which has, in fact, established a working
8. cash fund and I am reliably informed that eighteen of the
9. thirty-nine community colleges have done so, may also abolish
10. its working cash fund upon the adoption of a resolution so
11. providing and directing the transfer of any balance to the
12. operating fund. The way the bill came over from the House, it
13. provided that if a community college district elects to abolish
14. its working cash fund under this provision, it shall not
15. and it's mandatory that it shall not establish another one unless
16. approved by a...a front door referendum, that is by the voters
17. of the community college district in the manner provided by
18. Article III which is a front door referendum. The bill left
19. the Senate with two amendments, one was an immediate effective
20. date and secondly, it took off the front door referendum
21. and allowed the community college district to do the abolition
22. and the reestablishment without that kind of referendum.
23. The House sponsor had neither the intellectual nor intestinal
24. fortitude to pursue the Senate amendments so I would move you,
25. Mr. President, that the Senate do recede from Senate Amendments
26. 1 and 2 to House Bill 3274 and request final action.

27. PRESIDENT:

28. Any discussion? If not, Senator Rock...Senator Glass.

29. SENATOR GLASS:

30. Well, Mr. President, I would...I would commend the lack
31. of intestinal fortitude of the House sponsor and I...I think
32. he...he has accomplished something that is very desirable
33. because as I understand it, Senator Rock, this would leave a front
door referendum on the bill for reestablishment of the working cash

1. fund and I take it also that there would not be an immediate
2. effective date, am I correct in that assumption?

3. PRESIDENT:

4. Senator Rock.

5. SENATOR ROCK:

6. You are correct on both counts.

7. PRESIDENT:

8. The question is shall the Senate recede from Senate Amendments
9. 1 and 2 to House Bill 3274. Those in favor will vote Aye. Those
10. opposed will vote Nay. The voting is open. Have all voted
11. who wish? Take the record. On that question the Ayes are
12. 51, the Nays are none, none Voting Present. The Senate does
13. recede from Senate Amendments 1 and 2 to House Bill 3274 and the
14. bill having received the required constitutional majority is declared
15. passed.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senate Bill 82, Senator Regner. On the Order of Concurrences
18. on page 5.

19. SENATOR REGNER:

20. Mr. President and members of the Senate, I move
21. that we nonconcur in House Amendment No. 1 to Senate
22. Bill 82.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Is there discussion? The question is...Senator Regner moves
25. to nonconcur in House Amendment...there...there is two amendments
26. 1...No. 1 and No. 3, Senator.

27. SENATOR REGNER:

28. 3.

29.

30. The following typed previously.

31.

32.

33.

SB 1455
Conc.
6/29

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. All right. Senator Regner moves to nonconcur on House
3. Amendments 1 and 3 to Senate Bill 82. All those in favor...
4. indicate by saying Aye. All those opposed Nay. The Ayes
5. have it. The Secretary shall so inform the House. On the
6. Order of Secretary's Desk, concurrence on page 5. 1455,
7. Senator Shapiro.

8. SENATOR SHAPIRO:

9. Well Mr. President and Ladies and Gentlemen of the
10. Senate. Senate Bill 1455 as it originally left the Senate
11. was the bill to make sure that only summer school special ed
12. would be paid for, reimbursed by the State. We have to pass
13. this bill every year to insure that the non...mandated regular
14. summer school districts do not apply for this money because it
15. is a limited amount. In the House the Memorial Day Amendment
16. was added to the bill and what that does is allows the school
17. boards to...it just...it just amends the School Code because
18. school boards are setting their schedules for next year and
19. it states that the day...designated as Memorial Day by Federal
20. law shall be the law as far as school districts are concerned.
21. It does not apply to any other type of entity throughout the
22. State, so I would now like to move that the Senate nonconcur
23. in House Amendment No. 2 to Senate Bill 1455.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Rock.

26. SENATOR ROCK:

27. Thank you, Mr. President and Ladies and Gentlemen of the
28. Senate. Seldom, if ever, do I rise against a motion put by
29. Senator Shapiro but this one I have to. He is moving to
30. nonconcur in a House Amendment which would provide some...
31. relief for beleaguered public officials who have fouled up
32. Memorial Day. This will amend the law to delete May 30 as
33. the legal holiday traditionally observed as Memorial Day

1. and provides that Memorial Day will be observed on the day
2. as prescribed by Federal law. It is a long sought relief and
3. I would hope that we would concur with House Amendment No. 1
4. to Senate Bill 1455 and thus resist Senator Shapiro's motion.
5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Schaffer.

7. SENATOR SCHAFFER:

8. Seldom, if ever, do I rise in support of Senator Rock
9. particularly against Senator Shapiro but I honestly think
10. the time has come for us to arrive at this reasonable con-
11. clusion. It's clear to me that the Federals are not going
12. to change. I know Memorial Day I gave a speech and I spoke
13. to a bunch of wives and childrens, the husbands were all off
14. working. I think it's time for us get...to get Memorial Day
15. back to one day, put the families together and return it to
16. its significant place in Illinois.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Mitchler.

19. SENATOR MITCHLER:

20. Well Mr. President and members of the Senate, this is an
21. amendment to a bill that passed this House that was not related
22. in any way to the subject of the amendment. Now earlier this
23. year in both this Chamber and the House bills were introduced
24. to alter the Memorial Day. The Senate bill did not get out
25. of Rules Committee. The House bill did get out of the House
26. Rules Committee, was referred to the House Executive Committee.
27. It was defeated on a vote of 20 to 2 when testimony was presented
28. before that committee. Now this is a devious tactic by a teacher
29. in the special interest of the teachers because it does not
30. change Memorial Day back to May 30 rather back to the Monday
31. holiday to conform with the Federal in its entirety. That
32. takes two pieces of legislation. Now this would confuse things
33. even more than they're confused now because you'd have your

1. School Code setting up in system, you'd have your financial
2. institutions in the State set up in another. Now to come at
3. this late hour when there's no testimony on the opponents of
4. this legislation have done their lobbying, have appeared
5. before the committee, you know what they think. The surveys
6. have been taken right here in Springfield. The State-Journal
7. Register took an outside poll consisting of polling three
8. hundred people over the age of eighteen both men and women.
9. Sixty-one percent expressed the desire to retain it on the
10. traditional day to May 30 regardless of what day it turned up
11. on. Polls are being taken and have been taken all over the
12. State on this. Now it's just too bad that we have Congress
13. out there that doesn't get in step with the people and as I've
14. told you many, many times they're out of step including the
15. Congressman who represents Senator Schaffer. Probably out of
16. step more than any of them. He's the one that originated it
17. and they've got to come back and face the music. Now there will
18. be a roll call on this and I haven't asked you for anything all
19. Session but this is one...No, I haven't. You haven't heard me
20. over there begging for votes on that side or over here to do this
21. or do that. I don't do that but this is one I'm representing
22. a group in speaking here today. They want it and that is the
23. veteran's organizations and the patriotic organizations, not only
24. ...not only those in the veterans but many of the patriotic
25. organizations and the people. They recognize that this is a day
26. of prayer. It's a religious holiday. It's not a day that you're
27. just to toss aside. If Monday is a good day to have holidays
28. then let's change Christmas to 4th of July and all of them.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator, you're time is up.

31. SENATOR MITCHLER:

32. Thank you. I'm going to ask for support for Senator Shapiro's
33. motion to nonconcur with Amendment 2 to his bill, Senate Bill 1455.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator Weaver.
3. SENATOR WEAVER:
4. Thank you, Mr. President. A question of Senator Mitchler.
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. Senator Mitchler indicates he will respond.
7. SENATOR WEAVER:
8. Senator Mitchler, what are the Federals about to do on this?
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. Senator Mitchler.
11. SENATOR MITCHLER:
12. Well, Senator Weaver, all I can respond in that regard is that
13. each and every national convention of the nationally chartered
14. veterans organizations they have adopted resolutions over the
15. past years to have Congress change back to the traditional date
16. of May 30 for Memorial Day. They went through the same problem
17. with Veteran's Day. Finally after forty-six states changed
18. Veteran's Day back to November 11, did Congress finally wake up
19. to the fact what the people wanted back home and then it changed
20. it back and this year I might say will be the first year that the
21. Federal and the States coincide on Veteran's Day being on November
22. the 11th. It's a hard time. It is tough to get through to those
23. knuckleheads in Washington. You know it, I know it. Now there's
24. fourteen states that don't observe Memorial Day, the Southern
25. states, so President Carter he...he isn't concerned about this.
26. They lost that war because it was in 1868 on May 30 down in
27. Carbondale that they had the very first Memorial Day. That's why
28. it's sacred to the State of Illinois but the nationally chartered
29. veteran's organizations and other patriotic organizations are
30. working hard with Congress to get them to change. I have personally
31. contacted the twenty-four Congressmen, the two United States
32. Senators representing the State of Illinois and we have written
33. pledges from them that they will support that legislation. It has

1. been introduced and I expect that we will be able to change them
2. but it's a little more difficult to get to them that are out of
3. touch.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Weaver. That was a long question...

6. SENATOR WEAVER:

7. ...Yes, it was...

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. ...for an answer.

10. SENATOR WEAVER:

11. ...Mr. President. I just wondered how Colonel Buzbee
12. felt about this being from Carbondale?

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. He indicates he will vote and his speech will be his vote.
15. Senator Buzbee. Your time is about up, Senator Weaver.

16. SENATOR BUZBEE:

17. Well in response to Senator Weaver's question I intend to
18. vote No, Senator.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator D'Arco.

21. SENATOR D'ARCO:

22. Thank you, Mr. President. A bill came over from the House
23. to change the date of Memorial Day to the Federal date and that
24. bill was sponsored by Larry DiPrima and Larry has shown that he
25. is a very forward thinking legislator by doing that. The problem
26. was that we couldn't comply with the deadlines in the Senate and,
27. therefore, we couldn't get it read a second and third time in
28. order to pass it but I just want you to know that Larry really
29. believes that we should change the date for everybody. Not only
30. for the schools but for all the legislators and all the
31. municipalities and all the people in Illinois and that's what
32. we're going to do in November. We're going to change the date and
33. we won't have two holidays anymore. We'll only have one so my

1. feeling about this is bill is very indecisive right now.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Knuppel.

4. SENATOR KNUPPTEL:

5. Well, I think there's three Marines in this Body and
6. there's two of us going to vote the same way. Now for those
7. others like Senator Mitchler that weren't in the service but
8. who's the last surviving veteran of the Civil War, be that as
9. it may, I'm in favor of putting the family back together.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Shapiro may close. Senator Shapiro moves to
12. nonconcur in House Amendment No. 2 to Senate Bill 1455. Those
13. infavor vote Aye. Those opposed Nay. The voting is open.
14. Have all those voted who wish? Take the record. On that
15. question, the Ayes are 13, the Nays are 39. The motion fails.
16. Senator Rock.

17. SENATOR ROCK:

18. Parliamentary inquiry.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. You may inquire.

21. SENATOR ROCK:

22. Is the motion to concur now in order?

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. It is.

25. SENATOR ROCK:

26. I would so move.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. All right. The question is...Is there discussion? The
29. question is, shall the Senate concur in House Amendment No. 2
30. to Senate Bill 1455. Those in favor vote Aye. Those opposed
31. Nay. The voting is open. Have all those voted who wish?
32. We're...we're on the Order of...The Secretary will correct it.
33. It is corrected. Have all those voted who wish? Have all those

1. voted who wish? Take the record. On that question, the Ayes
2. are 41, the Nays are 12, 1 Voting Present. The Senate does
3. concur in Amendment No. 2...House Amendment No. 2 to...Senate
4. Bill 1455 and the bill having received the required constitutional
5. majority is declared passed. Senate Bill 1570. On the...On the
6. Order of Concurrence on the Secretary's Desk, page 5. Senator
7. Grotberg. Senate Bill 1570, do you wish to proceed? (Machine
8. cutoff) tomorrow. On the Order of...the Secretary's Desk on
9. concurrence on page 6, Senate Bill 1827, Senator Graham.

10. SENATOR GRAHAM:

11. Mr. President...Mr. President and members of the Senate.
12. I move that we do concur in House Amendments No. 4 and 6.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Is there discussion? The question is, shall the Senate
15. concur in House Amendments 4 and 6 to Senate Bill 1827. Those
16. in favor vote Aye. Those opposed Nay. The voting is open.
17. Have all those voted who wish? Have all those voted who wish?
18. Take the record. On that question, the Ayes are 46, the Nays
19. are None. The Senate does concur in House Amendments 4 and 6
20. to Senate Bill 1827 and the bill having received the required
21. constitutional majority is declared passed. For the attention
22. of the membership earlier on this legislative day House Joint
23. Resolutions 95 and 96 were read into the record here. Inadvertently
24. the House let them come over before they were being voted on which
25. is par for the course at this time for the House. They have been
26. returned to the House for final consideration. On the Order of
27. the Secretary's Desk, Nonconcurrence, House Bill 2851, Senator Ozinga.
28. Senator Regner. House Bill 2851, on the Order of Nonconcurrence on
29. the Secretary's Desk, on page 6 of your Calendar. Senator Ozinga.

30. SENATOR OZINGA:

31. That we do not recede from the amendments as...

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Well now...you want...

1. SENATOR OZINGA:

2. Refuse to recede.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Is there discussion? Senator Ozinga moves that the Senate
5. refuse to recede from Amendments...House Amendments No. 1 and
6. 2 to...Senate Amendments 1 and 2 to House Bill 2851 and that a
7. Conference Committee be appointed. Those in favor indicate by
8. saying Aye. Those opposed. The Ayes have it. The Secretary
9. shall so inform the House. On the Order of Nonconcurrency on the
10. Secretary's Desk, page 6, House Bill 2950, Senator Collins.

11. SENATOR COLLINS:

12. Mr. President, I move not to accede from the amendment and that
13. a Conference Committee be appointed.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Is there discussion? The question is...Senator Collins moves
16. that the Senate refuse to recede from Amendment No. 1 to House
17. Bill 2950. Those in favor...that a Conference Committee be appointed.
18. Those in favor say Aye. Those opposed say Nay. The motion carries
19. and the Secretary shall so inform the House. Any member wishing to
20. take action on a Conference Committee Report should so advise the
21. Secretary immediately. Senator Glass.

22. SENATOR GLASS:

23. Mr. President, I'm prepared to proceed on a Conference
24. Committee Report on House Bill 841.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Well, just...just a moment. I'm advised...I think we should
27. go with the Senate Bill first, Senator. Be right with you next.
28. Senate Bill 1546, Senator Bloom.

29. SENATOR BLOOM:

30. Thank you, Mr. President. Senate Bill 1546 was amended in
31. the House and turned into Representative Robinson's bill.
32. The Conference Committee met and recommended that the House
33. recede from their Amendment No. 2 which the Conference Committee
recomends and turns it back into the Senate Bill. I might add that

1. the bill that Representative Robinson had that came over to the
2. Senate was turned over to the Senate Bill and the House accepted
3. this. This is the gas curtailment preference bill.

4. So, the House...we're recommending that the House recede from
5. their amendments and leave the bill in the form it was when it
6. left the Senate. I ask a favorable roll call.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Is there discussion? ...the motion, then, Senator, is not
9. to accept the Conference Committee Report. Senator Bloom.

10. SENATOR BLOOM:

11. No, my motion is to accept the Conference Committee Report
12. because it recommends that the House recedes from its amendment that
13. turned it into the other bill.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Is there further discussion? Is there...Senator Demuzio.

16. SENATOR DEMUZIO:

17. Senator Bloom, do I understand that you're asking...pardon me,
18. to...your motion is to...is to nonconcur with...with House Amendment
19. No. 2 and this is the one that makes the revision for preference
20. of national...of natural gas service shall be given to residential
21. customers? No?

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Bloom.

24. SENATOR BLOOM:

25. My motion is that we concur in the Conference Committee Report
26. wherein the House recedes from the amendment they put on which
27. restores the bill to its original shape when it left the Senate.
28. The House has accepted the Senate amendment on a similar bill
29. accepting the Senate language.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Is there further discussion? The question is shall the Senate
32. adopt...Senator Berman.

33. SENATOR BERMAN:

AB 1468
e.c.r. #2
6-29-78

1. Parliamentary inquiry. Is this on the Calendar?

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. You...there...Conference Committee Reports are not placed on the
4. Calendar, Senator. A copy is on your desk.

5. SENATOR BERMAN:

6. Thank you.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. The question is shall the Senate adopt the Conference Committee
9. Report on Senate Bill 1546? Those in favor vote Aye. Those
10. opposed Nay. The voting is open. ...voted who wish? Take the
11. record. On that question the Ayes are 54, the Nays are none.
12. Senate...the Senate does adopt the Conference Committee Report on
13. House...Senate Bill 1546 and the bill having received the
14. required constitutional majority is declared passed. Senate
15. Bill 1468, Senator Rupp. What...I'm sorry. That's...I'm advised
16. that that's a House Bill.

17. SENATOR RUPP:

18. Yes, Sir. It's House Bill 1468. Mr. President, I would like
19. to move to adopt the Second Conference Committee Report.
20. It's the same as the first one and...had some conversation about
21. it and it has been agreed that that report will be the one
22. that will be adopted, recommended. This bill covers the public tort
23. question as far as the...many of the counties, many of the
24. governmental units were having trouble getting insurance. This
25. provides a chance for them to set up a selfinsurance type
26. arrangement for covering their exposure. I ask for adoption of the
27. Conference Report.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Is there discussion? Senator Philip. Senator Philip.

30. SENATOR PHILIP:

31. Thank you, Mr. President. Will the sponsor yield for a
32. question?

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

Indicates he will.

1. SENATOR PHILIP:

2. Does this allow for a tax rate for insurance for municipalities
3. and counties?

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Rupp.

6. SENATOR RUPP:

7. Yes, it does.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Is there further discussion? Senator Demuzio.

10. SENATOR DEMUZIO:

11. A quick question. Is it by referendum or is it nonreferendum?
12. I can't read my copy.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Rupp.

15. SENATOR RUPP:

16. It does not require a referendum. What it is...and it's not a...
17. this is not an additional amount of money involved. They have been
18. paying this money for premium insurance..on the premiums on the
19. insurance. They have not been able to secure the insurance.
20. Now, what this does is to permit them to set up their self-
21. insurance or join a reciprocal and it's the same money that we're
22. talking about.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Bowers.

25. SENATOR BOWERS:

26. Mr. President, I'd like to rise in support of this motion
27. by Senator Rupp. As he indicates, this is not a new tax. We
28. already permit the municipalities to tax for insurance. The point
29. is they can't get insurance so they can use that money for self-
30. insurance program and I think it's a good idea and I would ask
31. for a favorable roll call.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Ozinga.

1. SENATOR OZINGA:
2. I, too, rise in support of this because I think all that this
3. does is legalizes what they're already doing.
4. PRESIDING OFFICER: (SENATOR DONNEWALD)
5. Is there further discussion? The question is shall the Senate
6. adopt the Conference...the Second...just a moment. Senator Lane.
7. SENATOR LANE:
8. Yes, Sir, Mr. President. I, too, favor this type of
9. a concept.
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. The question is shall the Senate adopt the Second Conference
12. Committee Report on Senate Bill... House Bill...strike that,
13. House Bill 1468. Those in favor vote Aye. Those opposed
14. Nay. The voting is open. Have all those voted who wish?
15. Have all those voted who wish? Take the record. On that question
16. the Ayes are 56, the Nays are none. The Senate does adopt the...
17. the Second Conference Committee Report on House Bill
18. 1468 and the bill having received the required constitutional
19. majority is declared passed. A Message from the House.
20. SECRETARY:
21. A Message from the House by Mr. O'Brien, Clerk.
22. Mr. President - I am directed to inform the Senate
23. the House of Representatives refused to concur with the Senate
24. in the adoption of their amendment to a bill with the following
25. title:
26. House Bill 3108 with Senate Amendment No. 3.
27. PRESIDING OFFICER: (SENATOR DONNEWALD)
28. Senator Roe. Senator Roe.
29. SENATOR ROE:
30. Mr. President and members of the Senate. I move that the
31. Senate recede from Senate Amendment No. 3, which is the RV
32. amendment.
33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Is there discussion? Is there discussion? The question
2. is shall the Senate recede from Amendment No....Senate Amendment
3. No. 3 to House Bill 3108. Those in favor vote Aye. Those
4. opposed Nay. The voting is open. Have all those voted who wish?
5. Have all those voted who wish? Take the record. On that
6. question the Ayes are 42, the Nays are 4, 3 Voting Present.
7. The Senate recesses from Amendment No. 3 to House Bill 3108
8. and the bill having received the required constitutional
9. majority is declared passed. On the Order of Secretary's
10. Desk on Concurrences on page 6 of your Calendar,
11. Senate Bill 1785, Senator Hynes.

12. SENATOR HYNES:

13. Mr. President, Senate Bill 1785, as it left the Senate,
14. provided that repair and maintenance, ordinary repair and
15. maintenance of residential property was not to be included
16. as an assessible item to cause an increase in assessed
17. valuation. At the time the bill was called up in the Senate,
18. there was some reference to the existing law downstate which
19. put a seventy-five hundred dollar limitation on the amount of
20. repair and maintenance that could be excluded. Many members
21. felt that it ought to be the same downstate as in Cook County
22. and I indicated at that time that I would amend the bill if that
23. was the desire in the House and...and it has been done and
24. this is the amendment which makes the downstate section the same
25. as the section for Cook County and therefore, it takes off
26. the...the cap and I would move that the Senate concur in House
27. Amendment No. 1 to Senate Bill 785...1785.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. The...the Calendar indicated Amendment No. 2, Senator.

30. SENATOR HYNES:

31. Excuse me. Move that we concur in Amendment No. 2.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Is there discussion? The question is shall the Senate
concur in House Amendment No. 2 to Senate Bill 1785. Those in favor

1. vote Aye. Those opposed Nay. The voting is open. Have all those
2. voted who wish? Take the record. On that question the Ayes are
3. 53, the Nays are 3. The Senate does concur in Amendment...House
4. Amendment No. 2 to Senate Bill 1785 and the bill having
5. received the required constitutional majority is declared
6. passed. Senator Kenneth Hall, for what purpose do you arise?

7. SENATOR KENNETH HALL:

8. I rise on a point of personal privilege.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. State your point.

11. SENATOR KENNETH HALL:

12. We're honored this evening, Ladies and Gentlemen of the Senate,
13. by having the presence of Miss Michelle Caronis. She's
14. Executive Director for the National Conference of Black Mayors
15. who have been meeting here in Springfield. I'd like...she's
16. sitting here at my desk. I'd like for her to stand and be
17. recognized by the Senate.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Please stand and be recognized. The Senate will
20. stand at ease. Senator Lane, for what purpose do you
21. arise?

22. SENATOR LANE:

23. Point...point of personal privilege, Mr. President.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. State your point.

26. SENATOR LANE:

27. Mr. President, and members of the Senate. Standing to the
28. right of me, is the good friend of mine and Mayor of
29. East Chicago Heights, Saul Beck.

30.
31. The following typed previously.

32.
33.

File 168
1/15/77

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Please stand and be recognized. Senator Savickas, for what
3. purpose do you arise?

4. SENATOR SAVICKAS:

5. Well, Mr. President, while we're in a lull here, I do have
6. a bill up there for concurrence that dates back to 1977 and
7. I would ask that you call it.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Savickas, what's the number of the bill, please?

10. SENATOR SAVICKAS:

11. It's House Bill 168. There are Conference Committee Reports
12. ~~that~~ have been passed out to every member. House Bill 168.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Oh, this is a Conference Committee Report?

15. SENATOR SAVICKAS:

16. Yes, it's...

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. House Bill...you may...you may proceed.

19. SENATOR SAVICKAS:

20. Yes. Yes, Mr. President...

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Just a moment. Just a moment. Senator Rock, for what
23. purpose do you arise?

24. SENATOR ROCK:

25. Thank you. Parliamentary inquiry, Mr. President.

26. Might I ask that the Secretary read the report in full so that
27. we're all sure we have the same report, including the date?

28. Would he mind reading the date?

29. SECRETARY:

30. Conference Committee Report on House Bill 168.

31. (Secretary reads Conference Committee Report on HB 168)

32. SENATOR ROCK:

33. Thank you.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Savickas.

3. SENATOR SAVICKAS:

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

5. We have found that due to inaction of the Senate on June
6. 29th, 1977, that House Bill 168 is still alive and active and
7. ready for final passage through our concurrence with the House
8. ...or with the committee report. The House has concurred.
9. All members...all ten members of the committee have concurred
10. in the Conference Committee Report which at this...for this
11. particular bill, was to remove the home rule amendment for
12. House Bill 168. So, at this time, I would ask...I would ask that
13. the Senate concur with the Conference Committee Report and those
14. that are concerned with home rule amendment, I would like to
15. remind you that just two days ago, Senator Clewis passed
16. his bill which would remove our concern about home rule amendments
17. on these...type of legislation. If there are any questions,
18. I'd be glad to answer them.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Bloom.

21. SENATOR BLOOM:

22. Point of parliamentary inquiry. Assuming we nonconcur
23. in this, then this goes back to a Conference Committee, is that
24. correct, Mr. President? Which means that it could then...

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. His motion, as I understand, was to concur with Conference
27. Committee Report No. 1.

28. SENATOR BLOOM:

29. All right. But, let's...yeah, I'm asking if we don't,
30. then another Conference Committee is formed and it's Katy, bar the
31. door?

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. This is the first...well, there would be...there would...if there

1. is a request for a second, yes, there would be another Conference
2. Committee. Senator Grotberg.

3. SENATOR GROTBORG:

4. Question...question of the sponsor, if he'll yield.
5. Have we talked about what the bill does at all, Senator?
6. We're still talking about the Smoking Act...the Public Smoking
7. Act and if we vote this up, we can't smoke anymore and all those
8. things? The same idea? A year hasn't changed the body of
9. the legislation?

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Savickas.

12. SENATOR SAVICKAS:

13. Yes, Senator Grotberg, we're talking about concurring
14. with the Conference Committee Report for House Bill 168 which
15. would remove the home rule amendment provision for the City of
16. Chicago. You're right, this is the Act that creates the
17. Public Smoking Act and it would prohibit persons from smoking
18. in designated public places that are now...that are now, by
19. city ordinance, usually prohibited. We're talking about hospital
20. patient rooms, elevators, indoor theatres, libraries,
21. art museums, concert halls, buses and so on, and that
22. reasonable portions of a place to be designated as smoking
23. areas in other physical facilities. Yes, this is the bill
24. to allow those of us who do not wish to smoke, the enjoyment of
25. a free, clear atmosphere.

26. SENATOR GROTBORG:

27. Well, as long...I think I'm still turned on, am I?
28. Am I...

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator...Senator Grotberg.

31. SENATOR GROTBORG:

32. Well, I think this would be a good time, Ladies and Gentlemen,
33. if we nonconcur. We might be able...everything in this Act is
now happening. Every year it gets better. The public is being

1. more attentive and public administration of public buildings
2. are being more attentive to designating spaces without this Act.
3. I think it turns out to be just too much meddling around with the
4. administration of public space to create a law that you can
5. arrest people for such things and I think if we nonconcur
6. then maybe the bill will die a nice, natural death and we won't
7. have to kick it around anymore.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Guidice.

10. SENATOR GUIDICE:

11. Will the sponsor yield to a question?

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Indicates he will.

14. SENATOR GUIDICE:

15. Senator Savickas...Senator Savickas.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Indicates he will.

18. SENATOR GUIDICE:

19. I know he will, but he's...there we are. Senator Savickas,
20. you said that the municipalities are already doing this?
21. And you indicate that they were...that was previously by ordinance
22. and the like that they were already participating in these
23. type of programs? You said that the municipalities were already
24. participating in these types of program by passing ordinances
25. and the like. I think that's what Senator Savickas said in his
26. explanation. Is that correct? Senator Savickas hasn't answered.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Savickas.

29. SENATOR SAVICKAS:

30. Yes, Senator Guidice, municipalities...there are some
31. municipalities that have instituted ordinances in the locations
32. that I have enumerated. Our concern is that this is being
33. done piecemeal and not for the benefit of the whole public and

1. at this time, I would appreciate that the whole State of Illinois
2. honor the commitment to those people who refuse
3. smoke or to inhale those obnoxious fumes that are distributed
4. through the tobacco industry.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Guidice.

7. SENATOR GUIDICE:

8. Senator Savickas, do you know of any municipalities
9. or villages or the like that do not have any of these
10. ordinances? You don't know of any? You're not doing this for
11. any particular village or town or anything like that, then?

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Savickas.

14. SENATOR SAVICKAS:

15. Well, I'm doing it for all of the people of the State of
16. Illinois and since I live in Chicago, primarily in the Chicago
17. area.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Guidice.

20. SENATOR GUIDICE:

21. But Chicago has these type of ordinances, don't they?
22. I didn't hear you, Senator.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Savickas.

25. SENATOR SAVICKAS:

26. I don't know.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Wooten.

29. SENATOR WOOTEN:

30. Thank you, Mr. President. I...it's been some time since
31. we've discussed this bill. Senator Guidice...Senator Guidice,
32. this simply gives the rest of the State the benefits of the protection
33. now enjoyed in Chicago. It's quite a reasonable and limited

1. approach. The...the places that are enumerated by
2. Senator Savickas are the only ones affected and Senator
3. Grotberg, if you're concerned about a private restaurant, it
4. simply says you may designate such a space. So, it is a
5. minimal effort and I think quite a reasonable bill and now that
6. the City of Chicago has discovered that it will not really
7. change anything there, why I noticed that Senators Daley,
8. Savickas and Lemke signed the Conference Committee Report and
9. I hope that we would concur in it.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Further discussion? Senator Netsch.

12. SENATOR NETSCH:

13. Thank you, Mr. President. I would like to rise strongly in
14. support of this bill and I do it even though I am myself
15. a smoker. I became conscious of the importance to those
16. who are nonsmokers and particularly to those who suffer really
17. very serious allergic effects to cigarette smoke sometime ago
18. and I recall Senator Mitchler, I'm sorry you're not on the Floor,
19. the first time that you had this bill in the Senate. I cosponsored
20. it for you and I think it's fair to say that we were sort of
21. hooted and howled down. But I think what's happened in the
22. interim is that...and I also sponsored the bill myself the
23. following Session and it was amendatorily vetoed, I think
24. mistakenly so by the Governor and we were not able to rectify
25. that wrong. I think what's happened in the interim is
26. that a very substantial number of people have come to
27. recognize that the...the serious problem that cigarette smoke
28. presents to many people who are nonsmokers and particularly
29. to those who may actually have physical ill effects from it.
30. That is quite apart from the fact that many researchers in the
31. area have now indicated that even for those who do not smoke,
32. the inhalation of cigarette smoke can often present a health
33. hazard. This is now a very serious matter and it is a very

1. serious bill. It is modest. It doesn't prohibit smoking
2. in vast numbers of public places. But it does at least make a
3. reasonable beginning and I think all of us and perhaps particularly
4. those of us who...ourselves smoke, owe it to the rest of
5. humanity to try to recognize the severe problems that they
6. face from our terrible habit. I really would strongly
7. urge that we support this bill.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Further discussion? Senator Leonard.

10. SENATOR LEONARD:

11. Mr. President, I would ask the members of this Body to
12. consider how ludicrous we will appear if we can't take action
13. on this. Look it over. What we are saying is we would
14. prohibit smoking in a hospital patient's room, an elevator, in an
15. indoor theatre, in a library, or on a bus and I think most
16. of us would agree that those are areas that, that through the
17. decency to our fellow human, we shouldn't smoke. There is a
18. certain absurdity in not acting and I...I think society on this
19. has passed us by and I think the...the most prudent thing we can
20. do is kind of get in line and not be absurd by refusing to take
21. action on a very common thing.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Further discussion? Senator Weaver.

24. SENATOR WEAVER:

25. Well, like Senator Rock, I just wonder where this Conference
26. Committee Report has been for the last year.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator...I was told by the Secretary yesterday...

29. SENATOR WEAVER:

30. Seems like it was signed on the 29th of June, 1977 a year ago
31. today.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. I am told by the Secretary that it was filed in his office

1. on that date and the Chairman of the Conference Committee
2. never called it for a vote. And under our rules, that is not
3. barred. That is correct, Senator Weaver. It has been in the
4. Secretary's office since last June. For what purpose does
5. Senator Mitchler arise?

6. SENATOR MITCHLER:

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

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. May we have some order, please.

10. SENATOR MITCHLER:

11. I don't recall the exact year or what Session it was that
12. I first introduced a bill relating to the rights of nonsmokers
13. to be protected but I do recall in the Senate Executive
14. Committee that there was a quite a bit of laughter and it was sort
15. of a joking atmosphere and it...it was going to be voted
16. unanimously Do Not Pass until Senator Fawell said wait a minute.
17. Let's...let's listen to the arguments that Senator Mitchler
18. may have for the reason for putting in this bill. And I
19. presented them to the Executive Committee. They gave me the
20. courtesy of doing that and at the time, Senator Fawell said
21. I think this bill is a little bit premature. It hasn't developed
22. enough among the public to be accepted. It's ahead of its time.
23. I don't recall exactly what year but that's many years ago.
24. Probably at least ten or twelve years ago. Now this bill has
25. been bandied around a number of different occasions. It's reached...
26. reached passage stage on a number of occasion. I recall when the
27. tobacco industry had their two lobbyists sitting in the center
28. up here when I had the bill on 3rd reading one time and I held them
29. up there for two weeks and I got quite a kick out of them.
30. They would sit up there and wait, the tobacco lobbieists.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Yellow light, Senator.

33. SENATOR MITCHLER:

I see it. The Chair can admonish me when I finish. You don't

1. have to give me the yellow light unless you give that to
2. everybody, Mr... Now, the time has come, if you want to listen
3. to what the public out there is saying, you know how it is on
4. the airlines and everyplace else. Vote the way the people
5. want that elected you, not the way your...some municipality
6. wants to tell you or...or in that direction. This is a good
7. bill and I ask for you to support the Conference Committee
8. Report.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Further discussion? Senator Rock. Senator Nimrod.

11. SENATOR NIMROD:

12. Just one quick question. Reading the Digest, it just
13. comes to my attention that this calls, Mr. President,
14. attention...it says a hospital patient room and I don't know whether
15. the Digest is right or not. Doesn't a hospital usually regulate
16. that in a patient's room...I might ask of Senator Savickas?

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Savickas.

19. SENATOR SAVICKAS:

20. Yes, it would be up to the hospital to designate
21. if that particular patient room should...should be a smoking
22. area or not. The hospital would have that discretionary
23. authority.

24.

25.

26. The following typed previously.

27.

28.

29.

30.

31.

32.

33.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Further discussion? Senator Rock.

3. SENATOR ROCK:

4. Thank you, Mr. President, Ladies and Gentlemen of the Senate.

5. I rise in opposition to House Bill 168 and the Conference
6. Committee Report thereon. This is, in my judgment, a terrible
7. bill and one that is, aside from the fact that it appears
8. on its face to be in the best interest of the people, it goes
9. a little deeper than that because there is no question in
10. my mind but that it is preemptive, constitutionally preemptive.
11. Under Section 6, Article VII of the Local Government section of
12. the Constitution of the State of Illinois, the General
13. Assembly may, by a law, approve, limit the power or function
14. of a home rule unit. This kind of restrictive power or function
15. belongs to each and every home rule unit in this State and I
16. would seek a ruling of the Chair, since, in fact, the Conference
17. Committee Report calls for us to recede from Senate Amendment
18. No. 1 which was, in fact, the home rule amendment and since the
19. passage of this Conference Committee would constitute final
20. action, I would ask the Chair for a ruling as to whether or
21. not the vote before us is preemptive under Section 6,
22. Article VII, Subsection G of the Constitution of the State of
23. Illinois and if it is, it will require, of course, a three-
24. fifths vote.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Under Section 6 of Article VII, paragraph (a), are set
26. forth the powers of home rule units and...in the Constitution
27. which it says "they shall have the power to regulate
28. for the protection of the public health, safety, morals and
29. welfare." It would be the ruling of the Chair that the power
30. to regulate for the protection of public health is delegated
31. to home rule units under the Constitution Section 6...Article...
32. Article VII, Section 6 and since this would be a limitation upon
33. that power, it will require a three-fifths vote as stated in
34.

1. Section G of Section 6 of Article VII.
2. Further discussion? Senator Glass.
3. SENATOR GLASS:
4. Mr. President...
5. PRESIDING OFFICER: (SENATOR BRUCE)
6. Senator Rock, did you wish to continue? The Chair did
7. not wish to preclude you. Senator Glass.
8. SENATOR GLASS:
9. Well, Mr. President, in debate on this issue...
10. PRESIDING OFFICER: (SENATOR BRUCE)
11. May we have some order, please?
12. SENATOR GLASS:
13. In debate on this...this issue, I believe it's also
14. clear in the Constitution that unless there is a specific
15. preemption, and this is supported by court decision by our
16. Supreme Court, unless there is a specific preemption, that
17. there is not preemption by the...by the bill and I would just
18. ask if there is anything in this bill which specifically preempts
19. home rule units.
20. PRESIDING OFFICER: (SENATOR BRUCE)
21. For what purpose does Senator Rock arise?
22. SENATOR ROCK:
23. That was the point against which Senator Glass so eloquently
24. argued the other night with respect to Senator Clewis's bill,
25. 1468.
26. PRESIDING OFFICER: (SENATOR BRUCE)
27. Senator Glass, in the review of the bill, it seems that
28. this is a State Act involving the regulation of public
29. smoking and a finding by the General Assembly that they
30. may regulate it as to place, designated area and defining
31. smoking department and proprietor and since under the
32. Constitution...and there is nothing, I might add, saying that this is
33. not applied to home rule units, the assumption then under our

1. statutory construction is, in fact, it does apply to
2. home rule units and since the Constitution allows
3. home rule units the right to regulate for the protection of
4. the public health and safety of its citizens, that this would
5. be preemptive and require a three-fifths vote.

6. Senator Glass.

7. SENATOR GLASS:

8. Well, Mr. President, it may be academic, the bill may
9. well get thirty-six votes, but I would take issue with you
10. and...and point out that the Constitution does require
11. the General Assembly, in order to deny or limit the power
12. to tax or any other power or function of a home rule unit,
13. may take this action, but it...but the preemption must
14. be specific and I would simply take issue with you.

15. I don't think there's anything specifically stated in
16. this bill that does...does preempt home rule units.

17. But, if you have ruled, so be it. I...I would suggest that
18. under the decision of the Supreme Court, more specific
19. language would be required.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Further discussion? Senator Netsch.

22. SENATOR NETSCH:

23. On your parliamentary ruling, I disagree, respectfully.
24. There is no question, I think, that under the concurrent powers
25. section, which is Subsection I, that home rule units
26. may exercise and perform concurrently with the State any
27. power or function of a home rule unit to the extent that the
28. General Assembly, by law, does not specifically
29. limit the concurrent exercise or specifically declare the
30. State's exercise to be exclusive. There is nothing in this bill
31. which declares the State's exercise of the function of
32. regulating smoking in designated areas, to be exclusive.

33. It is, therefore, a concurrent exercise of power and by a simple
34. majority, or constitutional majority vote, the General Assembly

1. may enact a law on the same subject which partially limits
2. the...that which is to be done in this area of the...of
3. public health. But it is not, I repeat, it is not an
4. exclusive preemption by the State. The...the concurrent
5. exercise is clearly permitted within the confines of this
6. bill. So, it requires only a majority vote to pass it.
7. PRESIDING OFFICER:(SENATOR BRUCE)

8. Well, I have ruled and I would just conclude, Senator,
9. that if a city wished to allow smoking in a hospital room,
10. they would be precluded and that is not concurrent, but
11. exclusive jurisdiction of the State. And it is not concurrent
12. to say that they could allow smoking in a...I've made the
13. ruling that it requires three-fifths. Senator Knuppel.
14. SENATOR KNUPPEL:

15. Well, I'm glad that Senator Mitchler returned to speak.
16. I was afraid he was away celebrating Memorial Day and I'm
17. glad he's back here for the vote. But this doesn't really
18. involve public health. This involves the individual health of
19. a lot of people and for someone who has had a heart condition,
20. someone who doesn't smoke, for someone who is offended by
21. people who do drink and smoke and impose upon those of us who
22. do not, and who have endured it, I think that those of you who
23. do, would be courteous enough to want this to be passed and I
24. seldom disagree with...with Senator Rock, but when he puts the
25. interest of home rule above the individual rights of a citizen
26. of that...a citizen who may be suffering and who has tolerated
27. to the...with forbearance for years breathing the same
28. dirt that comes out of his lungs after he smokes a cigarette, that
29. it's time that this becomes legislation. And I don't...I just...
30. I just don't see it as a public health issue at all. I see it as
31. a personal one and I think it's a lot of trivia to argue at this
32. particular point whether the City of Chicago has the right to say
33. you do or don't smoke in an elevator or a hospital room

1. of some patient who's suffering from an illness. That's just
2. a lot of bushwa.
3. PRESIDING OFFICER: (SENATOR BRUCE)
4. Further discussion? Senator Netsch, did I cut you off?
5. I'm...the Chair apologizes. Senator Netsch.
6. SENATOR NETSCH:
7. Yes, you did. I...I was going to attempt to summarize.
8. PRESIDING OFFICER: (SENATOR BRUCE)
9. Please accept the apology of the Chair.
10. SENATOR NETSCH:
11. I...I...I may not put you to the embarrassment of
12. protesting the ruling of the Chair, but I am very serious,
13. Mr. President. I think it is a very bad ruling and has very
14. dangerous implications in terms of future legislation. I
15. genuinely protest your ruling.
16. PRESIDING OFFICER: (SENATOR BRUCE)
17. Further discussion? Senator Savickas may close.
18. SENATOR SAVICKAS:
19. Yes, Mr. President and members of the Senate.
20. I don't think we should argue constitutional questions on a...
21. issues that affects our health, our own comfort, comfort of
22. our friends and relatives. This is a bill that was introduced
23. to alleviate the problem that the nonsmoker must contend with
24. constantly in our society and our smoking society and to give him
25. a reasonably free area where he can enjoy the social activities.
26. When we consider hospitals and we consider other public facilities,
27. these areas can be designated as smoking areas or not. It would
28. be up to each individual area. I would ask your favorable support
29. for House Bill 168.
30. PRESIDING OFFICER: (SENATOR BRUCE)
31. The question is shall the Senate adopt the Conference
32. Committee Report on House Bill 168. Those in favor vote
33. Aye. Those opposed vote Nay. The voting is open.

1. Have all voted who wish? Have all voted who wish?
2. Take the record. On that question the Ayes are
3. 38, the Nays are 15, 1 Voting Present. The Senate does
4. adopt the Conference Committee Report on House Bill 168
5. and the bill having received the required three-fifths
6. constitutional majority is declared passed. For what
7. purpose does Senator Guidice arise?

8. SENATOR GUIDICE:

9. Thank you, Mr. President. I have a Conference Report
10. I'm ready to go with 1792.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator, I think there are some other Senators that
13. have sought recognition. There is a list that the Secretary
14. is preparing of Senators who are ready to go with their
15. Conference Committees. Senator Berman, are you prepared
16. on 393 and 395? Senate Bill 393, the Conference
17. Committee Report thereon. Senator Berman is recognized.

18. SENATOR BERMAN:

19. Thank you, Mr. President. Senate Bills 393 and
20. 395 are the last two of the five bills dealing with the
21. special education requirements to conform with the Federal
22. mandate under 94-142. There were some questions on both
23. these bills. On Senate Bill 393, the House had spelled out
24. the extent of the medical services for diagnostic and
25. evaluation purposes for special...for special education for
26. handicapped children. The Conference Committee recommends
27. that the Senate concur in House Amendment No. 2 which spelled
28. out the nature of the physicians that would be qualified to
29. give these diagnostic and evaluative tests. I move
30. for acceptance of Conference Committee Report on Senate Bill
31. 393.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Is there discussion? Senator Buzbee.

1. SENATOR BUZBEE:

2. Thank you, Mr. President. First of all, parliamentary
3. inquiry. In the past it has been the tradition of this Body
4. that Conference Committee Reports be placed upon our desks before
5. we're asked to vote upon them. I am looking and I can find no
6. such reports nor can I find any kind of a legislative synopsis.
7. Well, Mr. President, all we have is, apparently, even though I
8. couldn't find it at my desk. It says we the undersigned committee
9. on the conference appointed to consider the differences between
10. the two Houses in relation to the House amendment to Senate Bill
11. 393 and recommend that the Senate concur in House Amendment No. 2.
12. Now I quite frankly don't know what House Amendment No. 2 is. We
13. have had it and I would like to...if the Chair would care to listen
14. to the parliamentary inquiry...

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Proceed, Senator Buzbee.

17. SENATOR BUZBEE:

18. ...If the Chair would listen to the parliamentary inquiry, my
19. inquiry is...

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. May we have some order, please so that I might hear the
22. inquiry. Senator Buzbee.

23. SENATOR BUZBEE:

24. ...My inquiry is in the past Senator Regner's organization
25. of Legislative Information Service has put out...computer print-
26. outs on what we're voting on. Now, I think everybody in this
27. Chamber knows I've been opposed to this whole concept all along
28. and yet now we're asked to vote upon something and I don't quite...
29. quite frankly don't have the slightest idea what we're voting on
30. and I would ask the Chair to rule if we're going to be required
31. to vote on this till we know what the hell we're doing.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Buzbee, under our rules the only requirement is that

1. a Conference Committee be signed by six members, approved by
2. the majority leader, minority leader and be distributed to the
3. membership. Senator Buzbee, the rule is Rule 56 and no report
4. of any Conference Committee shall be considered unless the bill
5. report has been printed in its final form and placed on the
6. desks of the members.

7. SENATOR BUZBEE:

8. I'm sorry. I didn't hear you, Mr. President. Would you
9. mind to state that again.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. The rule requires that no report of any Conference Committee
12. shall be considered unless the bill to report has been printed
13. in its final form and placed on the desks of the members.

14. SENATOR BUZBEE:

15. Has that been...has that obligation been met in this case,
16. Mr. President? Mr. President, let me make one more inquiry of
17. you.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Are we on Rule 56, Senator Buzbee?

20. SENATOR BUZBEE:

21. Are we in the same book Mr. President?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. I...I believe you have the old book, Senator.

24. SENATOR BUZBEE:

25. As I read Rule 56 in the green book...

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. That is our current rules.

28. SENATOR BUZBEE:

29. ...It says that no subject shall be included in any Conference
30. Committee Report on an appropriation bill unless such matter directly
31. ...

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Read the second sentence, Senator, I believe.

1. SENATOR BUZBEE:

2. No appropriation bill shall be passed and no report of any
3. Conference Committee in any appropriation bill shall be considered
4. unless the bill to report has been printed in its final form and
5. placed on the desks of the members of at least legislative days
6. prior to the final passage of the bill and the consideration of
7. the report. First of all, this is not an appropriation bill, Mr.
8. President and the rule is inoperative. I'd like to have you
9. rule on that.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. You are correct, Senator. It only applies to appropriation
12. bills. I had...I had read it as if it applied to regular bills.
13. I thought there was an additional "or" and under our rules there
14. are no rules then attaching to Conference Reports although our
15. custom has been that...having had approval of the minority and
16. majority leader and the Conference Committee Report having been
17. distributed to the membership it at that point could be brought
18. up for consideration. Senator Buzbee.

19. SENATOR BUZBEE:

20. Mr. President, I'm not trying to be dilatory, obstreperous,
21. or iconoclastic, however, I would like to know...I would like to
22. know exactly what rule we operate under as to the Conference
23. Committee Reports. This is a subject in which I have a great
24. deal of interest and I have absolutely nothing to refer to as far
25. as I can tell at this point upon my desk to which to speak to the
26. subject matter.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. For what purpose does Senator Buzbee arise?

29. SENATOR BUZBEE:

30. Well, Mr. President, I really am quite serious. I'm not
31. trying to be dilatory...dilatory. I don't even know how to
32. pronounce the word, that's why I'm not trying to be that.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator, the material in the...in Senate Bill 393 would
2. be in your bill book. All amendments attached thereto would be
3. in your bill book and any changes new to that would be contained
4. in the Conference Committee Report itself.

5. SENATOR BUZBEE:

6. Roll call.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. The only difficulty would be is the adoption of House amend-
9. ments to Senate Bills in which the House...that we would not
10. necessarily have a House amendment. Senator Buzbee.

11. SENATOR BUZBEE:

12. Mr. President, may I now speak to the subject matter then?

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. All right. I...perhaps...Senator Netsch on...on this question
15. then...we'll get back to Senator Buzbee on the subject of the
16. Conference Committee Report. Senator Netsch.

17. SENATOR NETSCH:

18. Thank you, Mr. President. A suggestion. I remember quite
19. distinctly that last year we did adopt something in addition to
20. what you read in Rule 56 dealing with appropriations bills that
21. governed the procedure on Conference Committees because it is
22. quite correct. Our rules do not cover very much about Conference
23. Committees generally and the procedures thereon. Unfortunately,
24. I do not have my complete set of the rules with me at the moment.
25. I think they're over in my office but I am reasonably certain that
26. they...that we did that, that it was part of our temporary rules
27. and should be continued since we are still operating under our
28. temporary rules.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. It is the recollection of the Chair that we circulated such
31. a rule but that it was not adopted. It was proposed by Representative
32. Shea and the rule was not adopted in the Senate. That was a detailed
33. proposal relating to new material, old material and agreed on material

1. and I do not believe that the Senate adopted that and it has not
2. shown up in our rule books.

3. SENATOR NETSCH:

4. My recollection is not the same, but I think it is an
5. extremely important matter quite apart from Senator Buzbee's
6. objection here. We...then we really do not have proper procedures
7. governing our Conference Committee.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. The Chair indicated that the rule on Conference Committee
10. relates to appropriation bills and...

11. SENATOR NETSCH:

12. I...I...

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. ...and therefore this being a substantive legislative item
15. that rule 56 would not apply and we would go then to custom and
16. practice of the Body and that has been that once the minority
17. and majority leaders have approved and the Conference Committee
18. Report has been, in fact, distributed on the desks that the bill
19. can be called up for final passage. Now on the substantive issues
20. in Senate Bill 393 and that Conference Committee Report thereon.
21. Is there discussion? Senator Buzbee.

22. SENATOR BUZBEE:

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

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. He indicates that he will yield.

26. SENATOR BUZBEE:

27. You are moving that...that the Senate concur in House Amend-
28. ment No. 2 to Senate Bill 393. How would House Amendment No. 2
29. delimit Senate Bill 393 as we passed it from this Body?

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Berman.

32. SENATOR BERMAN:

33. All right. Senator Buzbee, the Conference Committee Report

1. suggests that the bill, as amended, read as follows: That in the
2. Section 14-108 of the School Code in which Special Education
3. facilities is itemized that the language that we passed out of
4. the Senate that said that added the provision medical services
5. only for diagnostic and evaluation purposes be further expanded
6. to provide so that it reads as...in total as follows: Medical
7. services only for diagnostic and evaluation purposes provided
8. by a physician licensed to practice medicine in all its branches
9. to determine a child's need for Special Education and related
10. services.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Buzbee.

13. SENATOR BUZBEE:

14. Thank you, Mr. President. I would point out to the Body
15. that once again we are implementing something that the Federal
16. Government has told us that we will do without the Federal
17. dollars following. The cost of this is probably going to end
18. up being somewhere and nobody knows exactly, as a matter of fact,
19. but somewhere in the neighborhood of fifty million dollars
20. minimum. There is not money, it's my understanding, in the
21. categorical grant bill this year nor was it in the Governor's
22. request...sufficient money to fund this. We are now saying that
23. it will be a function of the school system that we provide medical
24. care for all of those children who fit this definition. We'll
25. provide medical services for diagnostic and evaluation purposes
26. and including sign language interpreters and we're now going to
27. say that...that we're going to get the doctors involved in the
28. Special Education system that we provide to our children. I have
29. opposed this bill from the start and I continue my opposition.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Further discussion? Senator Davidson. Senator Davidson on this.
32. Did you seek recognition on 393?

33. SENATOR DAVIDSON:

1. I did but I'll yield to Senator Berman because he's going
2. to make the statement in the closing argument in relation to
3. any other section of the Statutes.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Is there further discussion? Senator Mitchler.

6. SENATOR MITCHLER:

7. Mr. President and members of the Senate. Senator Buzbee
8. just made a statement that this is a program mandated by the
9. Federal Government without money following. Are we mandating
10. this on the local school districts without providing the necessary
11. funding from the State?

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Berman.

14. SENATOR MITCHLER:

15. ...you answer that, Senator Berman or Senator Buzbee?

16. SENATOR BERMAN:

17. Senator Mitchler, this bill being one of a package of five
18. bills has been worked out with the local school board association,
19. with local administrators, with parents of handicapped children,
20. with the handicapped children associations, with the whole
21. spectrum of the handicapped and non-handicapped education
22. community. They are all in agreement with and in support of
23. the passage of these bills, 393 included. As far as the funding
24. is concerned, in the categorical grant bill there is an
25. appropriation for thirty-six million dollars of Federal money
26. that will be coming into Illinois to fund this and it is the
27. estimate of IOE that that level of funding will be sufficient
28. to pay all of the costs imposed upon by the State and the formula
29. that has been worked out with the local school boards regarding
30. the obligations of this Federal program which we are required to
31. comply with.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Mitchler.

1. SENATOR MITCHLER:

2. That's a very good explanation, Senator Berman. I appreciate
3. your explaining it to me and I'm...I'm going to understand that
4. the Federal Government is providing the necessary Federal funds
5. that will be coming into Illinois and we, in turn, for the
6. categorical grants are providing them to the local school
7. districts and therefore, this in no way will reflect a cost
8. burden on the local school districts that they have to pay through
9. their local real estate taxes. Now is that correct?

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Berman.

12. SENATOR BERMAN:

13. I'm not sure how to answer your question and let me tell you
14. why. It goes back to the basic explanation of what the Federal
15. Government has done and what we are required to do in order to...
16. provide an equal educational opportunity for all handicapped
17. children in Illinois. This morning we passed out of this Body...
18. I'm sorry, yesterday morning...three of the five bills involved
19. in this package. This bill probably has no cost or minimal cost
20. implications. I mean this is not one of the biggies. The biggies
21. have already gone out. As a matter of fact, the next bill up
22. is the one that helps the local districts in meeting the obligations.
23. Now if you want, I'll be glad to go into a full explanation of the
24. funding mechanisms of this package of bills but I'm not sure it's
25. really relevant to 393. I'll...I'll leave that up to you, Senator.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Mitchler: Further discussion? Senator Wooten.

28. SENATOR WOOTEN:

29. Senator Mitchler, I think there is...Senator Mitchler, I
30. think there's another answer to that. Congress has appropriated
31. no money for this program. None. We're supposed to be getting
32. some Federal money in here in a general sense, but no money and
33. further, I believe, that if they ever do get around to appropriating

1. money for this they'll pay up to fifty percent of the costs. That's
2. as I understand it, that's it. This is an enormous burden on the
3. State because now we will have to pick up one hundred percent of
4. the cost. Congress in its generosity mandated the program but
5. neglected to back it up with any money and until they do I think
6. we ought to just wait until they're ready to...to second their
7. words with some substantial financial deeds. Also I just wanted
8. to check that...2nd amendment says that I only have the digest
9. here that medical services and diagnostic programs must be
10. handled by doctors licensed to practice medicine and all of its
11. branches. Does that mean all diagnostic tests must be conducted
12. by doctors? All tests?

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Berman.

15. SENATOR BERMAN:

16. The purpose of this bill is to indicate that when a child
17. is to be evaluated for placement in Special Education Services
18. that...diagnosis and evaluation shall be done by a physician
19. licensed to practice medicine in all its branches. Now the
20. purpose of this...this being put into our School Code is so that
21. if that is done that cost can be reimbursed under the other sections
22. and other obligations imposed on State...State agencies for the
23. handicapped children and while I've got the microphone, Senator
24. Wooten, your statement regarding no Federal money is absolutely,
25. positively false. I don't know where you've gotten your
26. information but last year Illinois got...fourteen million dollars
27. and this year we'll get thirty million dollars for funding under
28. 94-142. I don't know where in the world you come up with no
29. Federal money.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Wooten.

32. SENATOR WOOTEN:

33. I thought I got that information from you when we first debated

1. this bill. While...

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator...

4. SENATOR WOOTEN:

5. ...I have the mike, let me expand a little bit
6. on my question about the doctors. In the Evaluative Services
7. do you mean, for example, if such evaluation has to do with
8. things like hearing and vision and so on that a medical doctor
9. must conduct that evaluation or that a medical doctor is in charge
10. and farms this out to other specialists. How exactly is that
11. to work? Why is the medical doctor...precisely, why is he in
12. there? Is he to run the whole evaluation or must a medical
13. doctor conduct all evaluations including those that could be
14. done by a technician?

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Berman.

17. SENATOR BERMAN:

18. I believe the last part of your question is the correct one.
19. This only indicates that if the services require a medical
20. diagnosis it must be done by a doctor. That doesn't limit the
21. usage of non-medical personnel in the...in the procedure. I...I'm
22. not sure...Is that your question? That...that's the answer if
23. that's your question.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Leonard.

26. SENATOR LEONARD:

27. I just had my question answered. Thank you.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Further discussion? Senator Buzbee.

30. SENATOR BUZBEE:

31. Well, in response to Senator Mitcher's question earlier...
32. Senator Mitchler, in response...in response to your question
33. earlier concerning the costs, it's my understanding there are

1. some Federal dollars that will follow, however, not nearly sufficient
2. Federal dollars to fund these programs...to fund this program.
3. There will be a decided burden on the local school district, as
4. Senator Berman stated the next bill up in this package is the one
5. that puts the cap on how much the local school district has to
6. provide but they will have to provide quite a bit of money from
7. the local property tax and then on top of that the State is going
8. to have to provide one heck of a lot more money. There will not
9. be nearly enough adequate. There will not be nearly adequate
10. funds from the Federal Government to fund these required
11. programs. That has been my opposition to the...this legislation
12. which implements Public Law 94-142 all along. As the Feds tell
13. us what to do then they don't give us the money to do it and so
14. I have been opposed to this package from the very inception...from
15. its very inception and I continue my opposition.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Is there further debate? Senator Berman may close...Senator
18. Berning.

19. SENATOR BERNING:

20. Yes, Mr. President, just one question to Senator Buzbee and/
21. or Senator Berman. What option do we have? Do we have any option?
22. Are we not under the gun? Have we not a Federal mandate over our
23. heads, despicable and reprehensible as it is, what is the end
24. result if we don't take this action, is what is concerning me
25. in my school districts who ask that we...that I support this
26. package of bills because they find themselves in the position
27. of a Federal mandate and they're concerned about how to meet it
28. without the implementing legislation here. Do we have an option?

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Berman.

31. SENATOR BERMAN:

32. Do you want to respond?

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Buzbee.

2. SENATOR BUZBEE:

3. I would only say, Senator Berning, that Senator Berman and
4. I probably disagree on the answer to that question. I think that
5. he would probably agree with the conclusion that you had already
6. reached even though you asked a question for information and then
7. reached your conclusion before you got the answer. His response
8. would probably be that he agrees with you. I say that we take
9. the stance of telling the Feds to go stick their programs. We
10. know how to run our educational systems in the State of Illinois.
11. We provide the money and we'll just fight it out in the courts.
12. Of course, what they've held over our heads is the threat of the
13. loss of all Federal funds and all educational programs, not only
14. because of the enactment of Federal Law, Public Law 94-142 but
15. also because of the Section 504 of the Civil Rights Act that they
16. say that we will be in noncompliance and therefore, they're
17. going to cut off of our Federal funds for education and perhaps,
18. even further and the fact...the fact is in the past the Feds have
19. threatened many times to withhold Federal funds from us including
20. the famous highway safety thing when they...they mandated the
21. wearing of helmets for motorcycle riders. When the State of
22. Illinois said we're not going to comply with your request they
23. did not withhold those funds. I submit that we ought to tell
24. the Feds you're not going to tell us how to run our State
25. educational system, especially when you don't provide the funds
26. to do it and, therefore, we be in noncompliance. Let them try
27. to withhold the funds and we can fight it out in the courts.
28. Otherwise we're going to be this is just a drop in the bucket
29. this year. Next year and...it's going to be a geometrical
30. progression. We're going to continue...it will go on and on and
31. on in...in having to pay for these programs and by the way, it's
32. not exactly as though we're not doing anything in Illinois for
33. the children who meet the...meet the definition of Special Education

1. because we're spending close to a quarter of a billion dollars.
2. Close to a quarter of a billion dollars by line item for Special
3. Education in the State of Illinois already. That's at the State
4. level. That does not include the local support that's provided
5. by the local property taxpayer. That does not include the amount
6. of monies that are provided by the State for...in the General
7. Distributive Formula which will be the supportive money that
8. goes underneath that whole educational system so I submit that
9. we ought to tell Congress and HEW that we'll run our educational
10. system. We'll provide the funding. We'll provide the mandates
11. if there's going to be any but Congress, you don't tell us how
12. to do it.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Further discussion? Senator Berning. Senator Berning.

15. SENATOR BERNING:

16. My initial reaction is essentially identical with Senator
17. Buzbee's but I submit that unless we are willing to go all the
18. way, Senator, including every other kind of Federal fund
19. designation and I would be happy to join you. Title I, Title XX,
20. Motor Fuel, anything else if we, the...General Assembly of the
21. State of Illinois would stand up and say from here on out we're
22. going to run our own affairs and if the Federal Government is
23. going to withhold funds on the basis of our own initiative sobeit.
24. We'll still run our own affairs. We might very well, Senator,
25. we might very well initiate the same kind of popular reaction and
26. popular support that...California has done with its Proposition
27. 13 and perhaps the time is here when we ought to be saying to
28. the Federal Government you run your affairs, we'll run ours.
29. Leave us alone. I'm willing to join you if you go that far.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Further discussion? Senator Berman.

32. SENATOR BERMAN:

33. I think it's quite interesting, Mr. President, that Gentlemen

1. like Senator Buzbee want to...take a stand in the courthouse
2. door when it comes to a mandate that we have recognized since
3. 1969 and have done a very fine job in this State and that is
4. to provide an opportunity for handicapped children to get an
5. education. I didn't hear that argument when it came to turning
6. down the Federal Government for road funds. I didn't hear that
7. argument when it comes down to taking a stand on every other
8. bit program that the Federal Government tells us to do. We're
9. quick to...to subscribe to their policies and to take their money
10. but Senator Buzbee and others want us to take the stand when
11. this is merely a recognition of something that Illinois is
12. already doing and that is to give an opportunity for an education
13. to our handicapped children. This is not a great new program.
14. This is a program that we've been doing for years and we've been
15. doing it proudly. These are minimal changes in the program that
16. Illinois has already undertaken. This package of bills, of which
17. 393 is one of them and three of which already were passed out
18. with votes and I believe there were over fifty votes on each
19. of the bills yesterday morning, are programs that Illinois is
20. already doing. These are technical changes so that we won't
21. be cut off from Federal funds that we're already receiving. This
22. package of bills and the one that's to follow was started two
23. years ago in evaluation by the School Problems Commission. We
24. have done in the past two years the most intensive evaluation and
25. broadest based concentration and consensus of opinion with
26. everybody involved in these programs. Everybody. There isn't
27. one segment of the community...State agencies, local agencies,
28. school children, parents of handicapped children, the public
29. facilities, the private facilities and the list is endless that
30. doesn't subscribe to the passage of these bills. I urge an Aye
31. vote but let me point out that for purposes of discussion and
32. this legislation and as a recommendation and respect to Senator
33. Davidson's position on these bills which I would point out is in

1. concurrence with the passage of these...of this package of bills
2. that the language that is in this Section, 14-108 and Senate Bill
3. ...393 is not to be construed as a precedent in this language
4. for any other section of the School Code. Accordingly, Mr.
5. President, I ask for an affirmative vote on Senate Bill 393.
6. PRESIDING OFFICER: (SENATOR BRUCE)
7. Senator Leonard.
8. SENATOR LEONARD:
9. Yes, you know I...I would like a...I'd like a chance to
10. speak.
11. PRESIDING OFFICER: (SENATOR BRUCE)
12. Wait a minute. Hold on now. Now just...let's have a
13. little order.
14. SENATOR LEONARD:
15. I've...
16. PRESIDING OFFICER: (SENATOR BRUCE)
17. ...Wait. Senator Leonard, if you'll hold one moment so
18. that the confusion can be eradicated. Senator Berning asked
19. a question and Senator Berman closed thinking that that was closing
20. argument as opposed to answering any question of Senator Berning.
21. To Senator Vadalabene, Senator Leonard has been on my list since
22. before Senator Buzbee rose to speak. You are on my list after
23. Senator Leonard. Senator...Vadalabene, for what purpose do you
24. arise?
25. SENATOR VADALABENE:
26. Senator Leonard said his question had been answered when
27. Senator Wooten got up.
28. PRESIDING OFFICER: (SENATOR BRUCE)
29. And he rose again, Senator, to speak.
30. SENATOR VADALABENE:
31. And I wanted to speak before Senator Berman closed.
32. PRESIDING OFFICER: (SENATOR BRUCE)
33. I did not know that Senator Berman was going to close. That's

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- 1. what I tried to explain to you...
- 2. SENATOR VADALABENE:
- 3. 'Cause there's been some allegations made...Senator Berman
- 4. has done some hard work on this legislation and he wanted to know
- 5. where Senator Wooten got all his information which we said was
- 6. wrong. He said Senator Buzbee's information was wrong and I think
- 7. we who want to vote on this legislation should get the facts and
- 8. not what they think.
- 9. PRESIDING OFFICER: (SENATOR BRUCE)
- 10. Now, Senator Leonard.
- 11. SENATOR LEONARD:
- 12. Okay. I won't take long. I passed the time before because
- 13. my question had been answered. Another issue has arisen here.
- 14. This is not a question between the State and the Federal Govern-
- 15. ment. This is a question of Special Education and should we
- 16. require a medical diagnosis. That makes good sense. It's good
- 17. procedure. The easiest cases to solve are those we can solve
- 18. medically. Every child that comes in ought to be examined by a
- 19. physician because they can be treated medically. It's simple.
- 20. We don't have to keep them in Special Education. It is good
- 21. procedure and that's why we ought to support it.
- 22. PRESIDING OFFICER: (SENATOR BRUCE)
- 23. Further discussion? Senator Vadalabene. The question is,
- 24. shall the Senate adopt the Conference Committee Report to Senate
- 25. Bill 393. Those in favor vote Aye. Those opposed vote Nay. The
- 26. voting is open. Have all voted who wish? Have all voted who wish?
- 27. Take the record. On that question, the Ayes are 50, the Nays
- 28. are 6, none Voting Present. The Senate does adopt the Conference
- 29. Committee Report on Senate Bill 393 and the bill having received
- 30. the required constitutional majority is declared passed. Conference
- 31. Committee Report on Senate Bill 395. Senator Berman is recognized.
- 32. SENATOR BERMAN:
- 33. Thank you, Mr. President. I'm going to make my explanation

1. short because I think that roll call was in line with the votes
2. that we passed out yesterday. This is the bill that the school
3. boards in your districts are very interested in. It puts a cap
4. on their exposure for the costs of Special Education under these
5. programs. The only changes that the Conference Committee Report
6. made was in technical language concerning the...the Governor's
7. purchase of Care Review Board which is in this bill. The amend-
8. ments that are in here are in response. They were put on in the
9. House on response to requests that came from the Governor's Office.
10. We have complied with their requests. This bill is in...essentially
11. the same shape formula wise as it left the Senate and the changes
12. were in order to comply with requests from the Governor's Office
13. in order to smoothly operate the funding...proposals of 94-142
14. and this package of Special Education bills. I solicit your Aye
15. vote.

16. PRESIDENT:

17. Is there any discussion? Senator Davidson.

18. SENATOR DAVIDSON:

19. Yes, Mr. President and members of the Senate. I rise in
20. support of this Conference Committee Report. It was sent from...
21. when we had it here...sent it back to Conference Committee to
22. correct a technical error. The thing that most school districts
23. ...all school districts that communicated me are particularly
24. interested in this 'cause this puts a lid on and the amendment
25. in the House that was written was so that an audit could be
26. asked and required if the private facility was doing what they
27. were charging for. This allowed it to be done. It was in the
28. wrong order when it went in in the amendment. This is a good
29. bill. I'd recommend a Yes vote.

30. PRESIDENT:

31. Senator Buzbee.

32. SENATOR BUZBEE:

33. Thank you, Mr. President. I am being completely consistent

1. with what I did in the past when it became obvious to me that
2. the package of bills was going to pass. I did vote for 395 then
3. and I plan to now because as Senator Davidson just said and
4. Senator Berman this does put a cap on the local districts' costs.
5. The State is going to have to pick up the difference. I would
6. much prefer the State pick up the difference over the local...local
7. districts and even though I am still adamantly opposed to the
8. imposition of 94-142 on the taxpayers of Illinois this is a method
9. of putting a cap on what the local property taxpayers are going to
10. have to pay to provide those services and I do support this bill.

11. PRESIDENT:

12. Any further discussion? Senator Berman may close the debate.

13. SENATOR BERMAN:

14. Roll call.

15. PRESIDENT:

16. The question is, shall the Senate adopt the Conference Committee
17. Report on Senate Bill 395. Those in favor will vote Aye. Those
18. opposed will vote Nay. The voting is open. Have all voted who
19. wish? Have all voted who wish? Take the record. On that question,
20. the Ayes are 56, the Nays are None, none Voting Present. The
21. Senate does adopt the Conference Committee Report on Senaté Bill
22. 395 and bill having received the required constitutional majority
23. is declared passed. If I may have your attention there is one
24. additional Conference Committee Report that a member has requested
25. that we call and then we will go to the two reports on the
26. Constitutional Amendments that we...that we adopted and approved
27. for submission to the voters and then we will adjourn. On the
28. Secretary's Desk is a Conference Committee Report on Senate Bill
29. 1792. Senator Guidice.

30. SENATOR GUIDICE:

31. Thank...thank you, Mr. President and members of the Senate.
32. I would move to accept the First Conference Committee Report
33. regarding House...Senate Bill 1792. What we did in the conference

1. was to put back the language we had in the original bill regarding
2. the number of members that would be on the Fair Plan Board. That it
3. would be a nine member board now with four consumer advocates on
4. that board. The House Amendments 1 and 4, 1 was cleanup language
5. and 4 was the adaptation of the availability of homeowners insurance
6. under the Fair Plan. I would move to adopt that report.

7. PRESIDENT:

8. Is there any discussion? If not, the question is, shall the
9. Senate adopt the Conference Committee Report on Senate Bill 1792.
10. Those in favor will vote Aye. Those opposed will vote Nay. The
11. voting is open. Have all voted who wish? Have all voted who wish?
12. Take the record. On that question, the Ayes are 51, the Nays are
13. 5, 1 Voting Present. The Senate does...adopt the Conference Committee
14. Report on Senate Bill 1792 and the bill having received the re-
15. quired constitutional majority is declared passed. (Machine cutoff)
16. the Secretary's Desk is the report of the joint committee on the
17. proposed constitutional amendment regarding the...Personal
18. Property Tax, House Joint Resolution and Constitutional Amendment
19. 21. Senator Maragos.

20. SENATOR MARAGOS:

21. Mr. President and members of the Senate. Pursuant to House
22. Joint Resolution 94 which was adopted by this Body as well as the
23. House. A joint committee was created, one of which is for the
24. Personal Property Tax Amendment and there was...the report stated
25. there would be two committees and the resolution said there would
26. be two committees to proceed, study and give their reports as to
27. how this Constitutional Amendment No. 21 Resolution will appear
28. on the ballot in November. The report has been passed out to all
29. the members of this Body several days ago and it has fully been
30. adopted by the House and since there was a House Joint Resolution and
31. the report as it is on your desks and which gives both arguments
32. of the pros and cons and which also gives an explanation of the
33. proposed amendment as that is going to be on the ballot and the

1. actual proposed amendment to be voted on is all before you.
2. This Senate several weeks ago adopted several joint resolution
3. constitutional amendments that we withdrew that now we have
4. before us and they passed for November consideration and referendum
5. House Joint Resolution No. 21. I urge your support of the report
6. of the joint committee for both pro and con and ask for your
7. support at this time.

8. PRESIDENT:

9. Senator Glass.

10. SENATOR GLASS:

11. Thank you, Mr. President and members of the Senate. I'm
12. rising to speak in opposition to this report and before I do
13. it I would ask if each member would find his and her copy of
14. this report and look at it and in particular take a look at the
15. form of the ballot. Now we are placing before the voters of
16. Illinois a very important constitutional amendment. We're asking
17. them to vote on whether to abolish the requirement or...that the
18. Personal Property Tax on corporations be abolished and replaced
19. by other taxes. It's...it's an extremely important amendment and
20. I submit to you that the form of this ballot is not going to
21. inform any of the voters what they are voting on. First of all,
22. take a look at the vote itself. It says simply Yes or No for the
23. proposed amendment to Section 5 of Article IX of the Constitution.
24. If you will then look at the explanation that will appear above
25. that and read it you will not find out what you're voting on until
26. you get to third paragraph if you can understand that language.
27. Now I think this is much too confusing. That we can do a better
28. job of explaining to the voter what the issue is. I...I don't
29. think the voters are going to be informed at all on what they're
30. voting on with this explanation and this form of the ballot and
31. I would, therefore, urge a No vote on this motion and force the
32. committee to come up with a clearer explanation.

33. PRESIDENT:

1. Senator Guidice.

2. SENATOR GUIDICE:

3. Thank you, Mr. President. Just a point of information regarding
4. this particular matter that I was the...the Chairman of the
5. opponents on this particular piece of...on this particular
6. resolution. According to the Constitution, what appears in that
7. box is what we have to put in the box. There were three different
8. versions that were submitted to both the...the pro committee and
9. the opponents. I think this is probably the worst of the three.
10. I think the second version which should be the one that we
11. adopt because it would make clear exactly what the people, in
12. fact, would be voting for so I, too, would ask as Senator
13. Glass asked to take a look at that and possibly look at the
14. second version there too.

15. PRESIDENT:

16. Senator Maragos.

17. SENATOR MARAGOS:

18. Mr. President, at this time...as each member arises to speak
19. on the report I would like to get...receive from them another...
20. a statement to the Body whether they are for the adoption of
21. the referendum and the constitutional amendment or not. I think,
22. therefore, we know where they come from and when they are speaking
23. on the issue and, therefore, we understand what their reasons
24. for the opposition may be. Do you understand me 'cause they're
25. like...I don't know whether Senator Glass is going to be...is
26. speaking eventually for the adoption...of the referendum and
27. adopting the constitutional amendment in...in November or not and
28. I think we...that's the basis upon which we can make a better
29. judgment.

30. PRESIDENT:

31. Senator Mitchler:

32. SENATOR MITCHLER:

33. Yes, Mr. President and members of the Senate. I'd like to have

1. a clarification if...if the language contained in the report is
2. contrary to what a member believes should be in the proposition
3. as it's put to the people...rather to the Secretary of State to
4. be put out to the people, is it proper to introduce an amendment
5. through the Secretary to the report? Is that done at this time?
6. We don't have these questions before us at all times but in the
7. event that a member objected to some language in the report which
8. is actually the language that we're going to transmit to the
9. Secretary of State to be printed and sent out to every registered
10. voter. Now, is it at this time that we should submit amendments
11. to the report and how is that done?

12. PRESIDENT:

13. Senator, the...the procedure that the Chair intends to follow
14. is that the report will be voted up or down as it is.

15. SENATOR MITCHLER:

16. Thank you, Mr. President. I...I just want to put that in-
17. to clarification. I certainly concur with the ruling of the
18. Chair in that respect. I am going to support the report of the
19. proposed constitutional amendment and this is the reason that I
20. am going to support it. I'm not really concerned about the
21. language in the arguments for and against unless there was
22. language in there that was absolutely in error but the arguments
23. for and against could be debated and debated and debated but the
24. whole idea of whether this proposition and the following
25. proposition that are going to be put to the electorate on
26. November 7 of this year is how the propositions are treated by
27. organizations throughout the State, how they're treated by the
28. news media and what support they garner between the time the
29. information is put out to the people and the time they vote
30. because just stop and think. How many people really knew what
31. they were voting on when they voted either for or against the new
32. 1970 Illinois Constitution? They bought a pig in a poke. That's
33. what they bought. Otherwise there wouldn't have been fifty-six

1. amendments introduced already in the House and the Senate during
2. this 80th Illinois General Assembly. I apologize and I would
3. reword my statement they bought a chicken in the poke so I think
4. we ought to adopt this and get on with the business and then go
5. out and either sell or defeat the proposition, however you or
6. your organization will see fit and it's going to be interesting
7. to watch again which of the State organizations are for and
8. which are against. I still got a record of those that were for
9. and those that were against the new Constitution and every now
10. and then I review them and chuckle. Thank you.

11. PRESIDENT:

12. Senator Wooten.

13. SENATOR WOOTEN:

14. Mr. President and colleagues. I am not sure what other
15. language we should use but as one who has spend his adult years
16. in television and media work and I've done an awful lot of survey-
17. ing and I know that no matter how good a campaign you launch across
18. the State you're going to get a significant, a significant
19. proportion of people going to these polls knowing absolutely
20. nothing about these propositions. I submit that it is extremely
21. important that this thing pass and if we can put some language
22. that is just a little bit clearer than this for the proposed
23. amendment to Section 5 of Article IX of the Constitution, is there
24. not some language we could put there to give someone a hint as to
25. what this is all about? Some Constitutional lawyers are saying
26. that even if this doesn't pass we can still get that local tax
27. but you know darn good and well it's going to be tied up in court
28. cases. We could cripple our units of local government if this
29. doesn't pass and if there is some way to make it a little clearer
30. in what may be the only thing the voter will see about this, I'm
31. all for it. Quite frankly, I don't know what else we can do but
32. I would certainly like to be enlightened because I'm afraid for
33. a significant number of voters that will be the only thing they

1. see or know about this proposition.

2. PRESIDENT:

3. Senator Rhoads.

4. SENATOR RHOADS:

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

6. of all, Mr. President, on a point of parliamentary inquiry, please.

7. PRESIDENT:

8. State your point.

9. SENATOR RHOADS:

10. Mr. President, we have on our desks a report labeled MH-

11. 1316 from the Clerk of the House. It is a report that I did

12. not sign and there are no signatures on the report. Can the

13. Secretary inform us who signed the report and how many signatures

14. are necessary for this report to be...acted upon?

15. PRESIDENT:

16. Yeah, MH-1316 is a Message from the House. Senator Maragos.

17. A question has been asked of the Chair how many members of the

18. joint committee for the Personal...for in favor of the Personal

19. Property Tax Amendment, in fact, signed the report?

20. SENATOR MARAGOS:

21. The report before the Secretary Desk should show that. I

22. think there's at least seven...

23. PRESIDENT:

24. No. All the Secretary has on his Desk is a Message from

25. the House which does not contain any signatures.

26. SENATOR MARAGOS:

27. They all signed it to my knowledge.

28. PRESIDENT:

29. (Machine cutoff) I've got a copy at my desk. Senator

30. Maragos.

31. SENATOR MARAGOS:

32. I can verify that every member of the Committee for the...for

33. the proposition on this committee voted...signed it. I don't know

1. what the opponents to that did.

2. PRESIDENT:

3. All right. Senator Rhoads.

4. SENATOR RHOADS:

5. Thank you, Mr. President and members of the Senate. As
6. Senator Maragos stated, I was on the committee in opposition
7. ...for writing the argument. I did vote against the bill. I
8. am in opposition to it and that, frankly, was our role,
9. Senator Maragos, to write the arguments in opposition. Now
10. I'm rising in opposition to this report at this time for the
11. same reasons stated by Senator Guidice and Senator Glass.
12. Number one is that the form of the ballot is misleading and gives
13. absolutely no information. Now I will agree with you, Senator
14. Maragos, that the Constitution and the Statutory Law which
15. governs this is rather vague and doesn't require us to put any
16. more information than what we have contained in this report.
17. But the second point that Senator Glass mentioned is even more
18. important which is that you have to read to the third paragraph
19. of the explanation simply to find out what you're voting on.
20. Now whatever the merits of this extension of the Personal Property
21. Tax may be we, at least, ought...Mr. President, if I could get
22. some order. Thank you. Whatever the merits of the proposal
23. are we, at least, have a responsibility to be informative to
24. let the voters know exactly what they're voting on. I don't
25. think this report accomplishes that. Certainly the form of
26. the ballot does not accomplish it. Certainly the explanation
27. does not accomplish it, therefore, this report ought to be rejected
28. until it can be redrafted. Thank you.

29. PRESIDENT:

30. Further discussion? Senator Collins.

31. SENATOR COLLINS:

32. I would just like to echo what Senator Rhoads has says. The
33. merits or demerits has nothing to do with it but I think the public

1. have a right to know clearly what it is that they are voting for
2. and this...the form of the ballot just doesn't address that properly
3. and I think we should reject this report until such time that it
4. can be clarified and I don't see the problem with...with really
5. clarifying it. It is absolutely misleading to put that paragraph
6. ...the very last paragraph and expect the voters out there to read
7. it and to understand it. You should state it from the beginning.
8. The first line should say exactly what it is and then you can go
9. into the other things. That's only fair.

10. PRESIDENT:

11. Senator Knuppel.

12. SENATOR KNUPPEL:

13. Mr. President, as so many people have already aptly said,
14. this is very redundant and obfuscates the issue, however, I just
15. wanted to respond to Senator Mitchler. Naturally, the 1870
16. Constitution was adopted only two years after Memorial Day was
17. established and he would...he would prefer anything of that age
18. and...and maybe on the second hand he's jealous because he
19. didn't get to serve in the Constitutional Convention or would
20. it be because one of the Constitutional Convention delegates
21. ran against him in the primary at the next succeeding election.

22. PRESIDENT:

23. Senator Netsch.

24. SENATOR NETSCH:

25. Thank you...Thank you, Mr. President. As one of the members
26. of the opponent team I would echo what Senator Glass has pointed
27. out. We tried very, very hard to get particularly the form of
28. the proposition on the ballot changed...Senator Guidice also
29. was a part of that. We just simply were not successful and I
30. would point out one reason why we were not successful is that
31. the resolution that the two Houses adopted creating the committees
32. to...to write both the proponent and opponent statements also
33. specifically gave the task of writing what goes on the ballot

1. itself. That is the official explanation and the form of the
2. ballot to the proponent team so that our...our concerns that
3. ...that it was misleading and certainly not informative simply
4. went for naught. We were not able to prevail and it was not
5. within our power to...to compel a change in the statement. I
6. think there is no question that it is inadequate, particularly,
7. the form of the proposition on the ballot. That is the actual
8. part that will be voted on. The explanation is a little more trouble-
9. some question. Senator Glass has tried several redrafts and it...
10. it's a very...it's a very complicated amendment because it has
11. sort of a triple negative involved in it and it is very difficult
12. to get a very clear explanation although I think his attempt,
13. which I have a draft of in front of me right now was far prefer-
14. able to what is here but it was not within our prerogative to
15. make those changes and that's why we simply had to allow the
16. proponents to have their way in terms of drafting both the
17. official explanation and the form of the statement on the ballot
18. itself.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Further discussion? Senator Grotberg.

21.

22. (END OF REEL)

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1. PRESIDING OFFICER: (SENATOR ROCK)

2. Further discussion? Senator Grotberg.

3. SENATOR GROTBORG:

4. I think, Mr. President...and thank you, that something
5. constructive should be offered at this time and I would...I
6. don't know whether to put it in the form of a motion, but I
7. think we should reject and go to a Second Conference Committee
8. and I submit to you that the...down in the press room, Serati and
9. others, I think down in the press room, if we had them select the
10. guy or gal that writes the most briefs and the best for the
11. people to read. This is not for legislators, we want something
12. the people can read. Commission them to digest it. Everything
13. is in here, it just is not understandable. And that is classic
14. of the drafters of this type of thing. But I think if we could
15. find somebody that could say the same thing in eighth grade
16. language, a nonlawyer, right, Mr. Philip. But I would like to
17. offer that everything be said the same. Everything is fine.
18. I could support the whole concept, but I, too, would like to
19. see brevity...understanding and commission somebody to do it.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Well, when...then my suggestion...suggestion of the Chair would
22. be that when the question is put, you will vote in the negative,
23. I assume. All right. Any further discussion? Senator Maragos
24. to close the debate. I beg your pardon. Senator Hynes.

25. SENATOR HYNES:

26. Mr. President, I would like to just speak briefly in
27. support of the adoption of this report. I think perhaps
28. the difficulty arises from the fact that this report was
29. prepared in the true sense of participatory democracy
30. with a great number of individuals having input into the report
31. and to the language in it and to the arguments that
32. were made. The unfortunate thing is that if this report is not
33. adopted, then we will have to start all over again with the committee

1. meetings and that might cause some delay so I would take that into
2. account when you are casting your vote.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Berning.

5. SENATOR BERNING:

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

7. I...I, too, rise in...

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Berning.

10. SENATOR BERNING:

11. Thank you, Mr. President. I, too, rise in support of the
12. proposition we have before us for this reason, Mr. President
13. and members of the Senate. I call your attention to Article
14. XIV, Section 2, paragraph (b), the last sentence, a proposed
15. amendment shall become effective as the amendment provides if
16. approved by three-fifths of those voting on the question or a
17. majority of those voting in the election. Now, why is that
18. important, why do I call it to your attention? I want to just
19. remind you, Mr. President and the members of the Body, that this
20. magnificent document that we're seeking to amend only generated
21. a nineteen percent of the electorate in favor of it.
22. I think it's all an exercise in futility. Our amendment, no matter
23. how it's stated, is not going to generate the number of votes
24. necessary to become effective.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Harber Hall.

27. SENATOR BERNING:

28. I support the amendment.

29. SENATOR HARBER HALL:

30. I, too, rise in support of the amendment. This is obviously
31. a case of legal ease being presented to the people wherein we
32. cannot find two lawyers who will disagree with it. Therefore, it has
33. to be perfect. Maybe for the first time in the history of the law
in this...in this great edifice. All...all the people who are

1. objecting to it are nonlawyers.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Further discussion? Senator Shapiro.

4. SENATOR SHAPIRO:

5. Well, Mr. President and Ladies and Gentlemen of...of the Senate.

6. After listening to the arguments here tonight pro and con,

7. I've come to the conclusion that the opponents seem to feel

8. that an explanation pro or con will not be sent out with the

9. ...with the information that the Secretary of State will mail

10. to every voter in the State of Illinois. In other words, if

11. the opponents to this resolution want to have the explanation on the

12. ballot, then I think they are way out of line. It appears to me

13. that most of the people who go in and vote on this subject

14. will be fairly well informed from the explanations sent to them

15. and to the rest of them, it will not make any difference at all.

16. So, I would urge an Aye vote on this resolution.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Any further discussion? Senator Maragos to close the debate.

19. SENATOR MARAGOS:

20. Mr. President and members of the Senate. This debate tonight

21. reminds me of Aesop's Fable about the man who had an oven

22. and he wanted to say which way the oven door should face and

23. everyone...the first one said it should face north, another

24. one said it should face west, the other one said east and the

25. other one said south. So, the point is that he had to put it on

26. a wheel so therefore he had to turn...spin the oven around in order

27. to comply with every visitor's and every man's request.

28. This amendment was discussed...this report was discussed as...

29. as was pointed out by...in the form of participatory democracy,

30. Senator Netsch and as a result, every man of the...every person on

31. that committee had an opportunity to give his or her ideas

32. as to way this thing would be on the ballot. I would like to state

33. to you that we did amend that proposition on the ballot as the...as

1. it said yes or no. We had an extra sentence but the opponents
2. decided that it was in favor too much for the abolition
3. of the...the personal property tax. We used the best we knew
4. how from everybody else's participation. I personally was not
5. satisfied...the form, but this is the form that we could get out the
6. most votes in order to give you a report. I would like to state
7. to all of you so you understand this, thirty days prior, at least
8. thirty days prior to the referendum, November 7 election, the
9. Secretary of State has to give both the explanation and the
10. arguments in favor and against. So that the voters will have an
11. opportunity to digest this much better. So, as a result, I ask
12. for your support in voting for this report.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. The question is shall the Senate adopt the...Senator
15. Rhoads, for what purpose do you arise?

16. SENATOR RHOADS:

17. Just on a point of parliamentary inquiry.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. State your point, Sir.

20. SENATOR RHOADS:

21. The...what is the required number of votes for adoption...

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Constitutional majority..

24. SENATOR RHOADS:

25. Thank you.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Question is shall the Senate adopt the report of the joint
28. committee on preparation of arguments for and against
29. the constitutional amendment HJR-CA 21. Those in favor
30. will vote Aye. Those opposed will vote Nay. The voting is open.
31. ...voted who wish? Have all voted who wish? Take the record.
32. On that question the Ayes are 40, the Nays are 13, none voting
33. present. The Senate does adopt the report of the joint committee

1. for the preparation of arguments for and against the constitutional
2. amendment HJR-CA 21. Has the Message been read, Mr. Secretary?
3. All right.. The question before the House is the...is...before
4. the Senate shall the Senateadopt the report of the joint committee
5. on the preparation of arguments for and against the constitutional
6. amendment HJR-CA 21. ...29. I beg your pardon. Who is going to
7. speak for this? ...Maragos.

8. SENATOR MARAGOS:

9. Mr. President and members of the Senate. I was not a member
10. of the committee that drafted this report, but I was the sponsor
11. of the amendment when it was adopted by this Body and I ask
12. at this time for a favorable vote of this report so that it can
13. be brought before the voters in November.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Any further discussion? If not, the question is shall the
16. Senate adopt the...Senator Sangmeister.

17. SENATOR SANGMEISTER:

18. Thank you, Mr. President. Well, for what it's worth, I...
19. we're on 29, are we not? Yes.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. 29.

22. SENATOR SANGMEISTER:

23. I'm looking at...the pages aren't numbered, but I'm looking
24. at page 3. Unless I got a bad copy, where it says arguments
25. against the proposed amendment, the first paragraph and the
26. last paragraph say exactly the same thing. Is that what we want
27. this to say? It says this amendment attempts to take more property
28. off the tax rolls which would increase the property tax burden
29. on homeowners and commercial properties, then it ends up saying the
30. same thing on the last paragraph. Is this the part that's going to
31. on the ballot or the explanation? If it is, we don't want to
32. ...well what's the story on having the same thing twice?

33. PRESIDING OFFICER: (SENATOR ROCK)

1. I...I would assume...I would assume that's a good marketing
2. device, but I didn't write the report.

3. SENATOR SANGMEISTER:

4. They want it that way? Well, okay, if they want it that way.
5. I just thought somebody doubled up. I...

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Maragos.

8. SENATOR MARAGOS:

9. Mr. President, that's the way the committee wanted it.
10. The...the arguments do not appear on the ballot that way. The
11. arguments...pamphlet that goes with the constitutional amendment.
12. As I say, I had nothing to do with the draftsmanship. We have
13. Senator Netsch and some of the others who did help draft this and
14. if they could explain why they did it.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator...Senator Maragos yields to Senator Netsch.

17. SENATOR NETSCH:

18. Thank you, Mr. President. That is exactly the way we wrote
19. it and I think your...

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Didn't I say that?

22. SENATOR NETSCH:

23. That's right. I am agreeing with you. That is exactly the
24. way we wrote it and we wrote it for...that way for approximately
25. the reason that you suggested. We thought that was our most
26. potent argument and so we said it at the beginning and just in
27. case anyone missed it, we repeated it in the last paragraph.
28. And I would also just simply point out that if you'll look
29. at the way in which the ballot proposition is stated here, you will
30. see that it is possible to be more informative to the voters
31. without at the same time being terribly verbose. It is, I think,
32. a reasonably accurate statement of the proposition and we could have
33. done that on the first one, too.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Any further discussion? If not, the question is shall
3. the Senate adopt the report of the joint committee on the preparation
4. of arguments for and against the constitutional amendment HJR-
5. CA 29. Those in favor will 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 49, the Nays are none, none Voting Present. The Senate
9. does adopt the report of the joint committee on the preparation of
10. arguments for and against the constitutional amendment HJR-
11. CA 29. Messages from the House.

12. SECRETARY:

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

14. Mr. President - I am directed to inform the Senate that
15. the House of Representatives has refused to concur with the
16. Senate in the adoption of their amendments to a bill with the
17. following title:

18. House Bill 3276 with Senate Amendments Nos. 1, 2,
19. 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 16, 17, 18, 19, 20, 21,
20. 22, 23, 24, 25, 26, 28, and 29.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Coffey.

23. SENATOR COFFEY:

24. Mr. President, I would like to refuse to recede from the
25. House report on Senate Amendments 1 through 29 on House
26. Bill 3276.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. You've heard the motion. Is there any discussion? Senator
29. Coffey has moved that the Senate refuse to recede from Amendments
30. 1 through 29 on House Bill 3276. All those in favor
31. signify by saying Aye. All those opposed. The Ayes have it.
32. The motion carries and the Secretary shall so inform the House.

33. SECRETARY:

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

1. Mr. President - I am directed to inform the Senate
2. that the House of Representatives has concurred with the Senate
3. in the passage of a bill with the following title:

4. Senate Bill 1587 along with Amendments...House
5. Amendments 2, 3, and 8.

6. A like message on Senate Bill 1601 with Senate Amendments...
7. House Amendments Nos. 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12,
8. 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 28,
9. 30, 31, 33, 35, and 36.

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

11. Mr. President - I am directed to inform the Senate
12. that the House of Representatives has refused to concur with the
13. Senate in the adoption of their amendment to a bill with the
14. following title:

15. House Bill 3237. The House concurred with the
16. Senate Amendment No. 1 and...they concur in Amendment No. 2
17. and refuse to concur in Amendment No. 1.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Shapiro.

20. SENATOR SHAPIRO:

21. Mr. President, I would like to move that the Senate
22. refuse to recede from Senate Amendment No. 1 to House Bill
23. 3237 and that a Conference Committee be formed.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Shapiro has moved that the Senate refuse to recede
26. from the adoption of Amendment No. 1 to House Bill
27. 3237 and that a Conference Committee be appointed. All those in
28. favor signify by saying Aye. All those opposed.

29. The Ayes have it. The motion carries and the Secretary shall
30. so inform the House. Resolutions.

31. SECRETARY:

32. Senate Resolution 469 offered by Senator Buzbee and all
33. members of the Senate. It's congratulatory.

1. Senate...

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Consent...oh, go ahead.

4. SECRETARY:

5. Senate Resolution 470 offered by Senator Hynes and all
6. Democrat Senators and it's congratulatory.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Consent Calendar. Any further business to come before the
9. Senate? If not, Senator Vadalabene moves that the Senate
10. stand adjourned until Friday, June 30 at the hour of 10:30
11. a.m. The Senate stands adjourned.

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