

81st GENERAL ASSEMBLY

REGULAR SESSION

MAY 24, 1979

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. The hour of nine having arrived, the Senate will come to
3. order. Will the guests in our galleries please rise. Prayer
4. by Father Hugh F. Cassidy of Blessed Sacrament Church, Springfield,
5. Illinois. Father Cassidy.

6. FATHER CASSIDY:

7. (Prayer by Father Cassidy)

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Reading of the Journal.

10. SECRETARY:

11. Friday, May the 18th, 1979.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Johns.

14. SENATOR JOHNS:

15. Mr. President, I move that the Journal just read by the Secretary
16. be approved unless some Senator has additions or corrections to offer.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Heard the motion. Those in favor indicate by saying Aye. Those
19. opposed. The Ayes have it. The motion carries. Senator
20. Johns.

21. SENATOR JOHNS:

22. Again, Mr. President. I move that reading and approval of the
23. Journals of Monday, May the 21st, Tuesday, May the 22nd, and
24. Wednesday, May the 23rd in the year 1979 be postponed pending
25. arrival of the printed Journals.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Heard the motion. Those in favor indicate by saying Aye. Those
28. opposed. The Ayes have it. The motion carries. Messages from the House.

29. SECRETARY:

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

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

1. House Bills 140, 224, 226, 317, 530, 602, 681, 882, 982,
2. 1019, 1039, 1142, 1143, 1187, 1210, 1223, 1287, 1324, 1334, 1345,
3. 1393, 1408, 1541, 1619, 1620, 1841, 1852, 1853, 1912, 1915,
4. 1996, 2093, 2097, 2194, 2420, 2547, 2590, 2615, 2664 and 2736.
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. Resolutions.
7. SECRETARY:
8. Senate Resolution 177 offered by Senator Egan, it's congratulatory.
9. Senate Resolution 178 offered by Senators Nash and Maragos
10. and others and it's a death resolution.
11. PRESIDING OFFICER: (SENATOR DONNEWALD)
12. Consent Calendar. House Bills, 1st reading.
13. SECRETARY:
14. House Bill No. 8, Senator Egan is the Senate sponsor.
15. (Secretary reads title of bill)
16. House Bill No. 389, Senator Bruce is the Senate sponsor.
17. (Secretary reads title of bill)
18. House Bill 445, Senator Maragos is the Senate sponsor.
19. (Secretary reads title of bill)
20. House Bill 702, Senator Hall is the Senate sponsor.
21. (Secretary reads title of bill)
22. House Bill 552, Senator D'Arco is the Senate sponsor.
23. (Secretary reads title of bill)
24. House Bill 1038, Senator McLendon is the Senate sponsor.
25. (Secretary reads title of bill)
26. House Bill 1158, by the same sponsor.
27. (Secretary reads title of bill)
28. House Bill 1168, Senator Geo-Karis and Chew are the Senate sponsors.
29. (Secretary reads title of bill)
30. House Bill 1170, by the same sponsors.
31. (Secretary reads title of bill)
32. House Bill 1205, Senator Demuzio is the Senate sponsor.
33. (Secretary reads title of bill)

1. House Bill 1235, Senators Rupp and Shapiro are the Senate sponsors.
2. (Secretary reads title of bill)
3. House Bill 1236 by the same sponsors.
4. (Secretary reads title of bill)
5. House Bill 1269, Senator Bowers is the Senate sponsor.
6. (Secretary reads title of bill)
7. House Bill 1468, Senators Martin and Sangmeister are the
8. Senate sponsors.
9. (Secretary reads title of bill)
10. House Bill 1477, Senator Knuppel is the Senate sponsor.
11. (Secretary reads title of bill)
12. House Bill 1484, Senator McLendon is the Senate sponsor.
13. (Secretary reads title of bill)
14. House Bill 1499, Senators McLendon and Geo-Karis are the
15. Senate sponsors.
16. (Secretary reads title of bill)
17. House Bill 1595, Senator McMillan is the Senate sponsor.
18. (Secretary reads title of bill)
19. 3rd reading of the bill.
20. House Bill 1630.
21. (Secretary reads title of bill)
22. House Bill 1639, Senator Bloom is the Senate sponsor.
23. (Secretary reads title of bill)
24. House Bill 1641, Senator Sommer is the Senate sponsor.
25. (Secretary reads title of bill)
26. House Bill 1645, Senator Rupp is the Senate sponsor.
27. (Secretary reads title of bill)
28. House Bill 1648, by the same sponsor.
29. (Secretary reads title of bill)
30. House Bill 1652, Senator Grothberg is the Senate sponsor.
31. (Secretary reads title of bill)
32. House Bill 1656, Senator Nimrod is the Senate sponsor.
33. (Secretary reads title of bill)

1. House Bill 1686, Senator Schaffer is the Senate sponsor.
2. (Secretary reads title of bill)
3. House Bill 1690.
4. (Secretary reads title of bill)
5. House Bill 1693, Senator Lemke is the Senate sponsor.
6. (Secretary reads title of bill)
7. House Bill 1758, Senator McMillan is the Senate sponsor.
8. (Secretary reads title of bill)
9. House Bill 1770, Senator Lemke is the Senate sponsor.
10. (Secretary reads title of bill)
11. House Bill 1776, Senator Knuppel is the Senate sponsor.
12. (Secretary reads title of bill)
13. House Bill 1901, Senator Lemke is the Senate sponsor.
14. (Secretary reads title of bill)
15. House Bill 1902, by the same sponsor.
16. (Secretary reads title of bill)
17. House Bill 1953,...1937...1937, Senator Davidson and Daley are
18. the Senate sponsors.
19. (Secretary reads title of bill)
20. 3rd...1st reading of the bill.
21. House Bill 1953, Senator McLendon is the Senate sponsor.
22. (Secretary reads title of bill)
23. House Bill 1954 by the same sponsor.
24. (Secretary reads title of bill)
25. House Bill 2014, Senator Jeremiah Joyce is the Senate sponsor.
26. (Secretary reads title of bill)
27. House Bill 2016, Senator Jerome Joyce is the Senate sponsor.
28. (Secretary reads title of bill)
29. House Bill 2146, Senator Jeremiah Joyce is the Senate sponsor.
30. (Secretary reads title of bill)
31. House Bill 2180, Senator Lemke is the Senate sponsor.
32. (Secretary reads title of bill)
33. House Bill 2202, Senator Buzbee is the Senate sponsor.
- (Secretary reads title of bill)

1. House Bill 2212, Senator Lemke is the Senate sponsor.
2. (Secretary reads title of bill)
3. House Bill 2234, Senator D'Arco is the Senate sponsor.
4. (Secretary reads title of bill)
5. House Bill 2373, Senator Weaver is the Senate sponsor.
6. (Secretary reads title of bill)
7. House Bill 2426, Senator Sommer is the Senate sponsor.
8. (Secretary reads title of bill)
9. House Bill 2436, Senator Demuzio is the Senate sponsor.
10. (Secretary reads title of bill)
11. House Bill 2446, Senator Knuppel is the Senate sponsor.
12. (Secretary reads title of bill)
13. House Bill 2450, Senator McLendon is the Senate sponsor.
14. (Secretary reads title of bill)
15. House Bill 2462, Senator Chew is the Senate sponsor.
16. (Secretary reads title of bill)
17. House Bill 2485, Senator Daley is the Senate sponsor.
18. (Secretary reads title of bill)
19. House Bill 2486, by the same sponsor.
20. (Secretary reads title of bill)
21. House Bill 2487, Senator Daley is the Senate sponsor.
22. (Secretary reads title of bill)
23. House Bill 2575, Senator Weaver is the Senate sponsor.
24. (Secretary reads title of bill)
25. House Bill 2577, Senator Rupp is the Senate sponsor.
26. (Secretary reads title of bill)
27. House Bill 2578, Senator Schaffer is the Senate sponsor.
28. (Secretary reads title of bill)
29. House Bill 2597, Senator Vadalabene is the Senate sponsor.
30. (Secretary reads title of bill)
31. House Bill 2618, Senator Philip is the Senate sponsor.
32. (Secretary reads title of bill)
33. House Bill 2652, Senator Nash is the Senate sponsor.
- (Secretary reads title of bill)

1. House Bill 2680, Senator Buzbee is the Senate sponsor.
 2. (Secretary reads title of bill)
 3. House Bill 2777, Senator Daley is the Senate sponsor.
 4. (Secretary reads title of bill)
 5. House Bill 2176, Senator Gitz is the Senate sponsor.
 6. (Secretary reads title of bill)
 7. House Bill 1580, Senator Knuppel is the Senate sponsor.
 8. (Secretary reads title of bill)
 9. House Bill 1134, Senator Gitz is the Senate sponsor.
 10. (Secretary reads title of bill)
 11. 1st reading of the bills.
 12. PRESIDING OFFICER: (SENATOR DONNEWALD)
 13. May I have the attention of the Senate. As per agreement,
 14. yesterday evening, prior to adjournment, we were going to the Order of
 15. Recalls from 3rd to 2nd for the purposes of amendment and the
 16. purposes of striking amendments and the bills that will be
 17. considered in the first round is Senate Bill, Senator Knuppel's
 18. 51, Senator Carroll, 157, Senator Maragos, 263, Senator Weaver,
 19. 317, Senator Weaver, 318, Senator Shapiro, 483, Senator Regner
 20. 588, Senator Davidson, 773, Senator Philip, 781, Senator Bruce,
 21. 828, Senator DeAngelis, 1164, Senator Wooten, 1331, Senate...Senate
 22. Bill...Senator Buzbee, 298, Senator Bloom 1350, Senator Nimrod,
 23. 1435 and on the Order of Postponed Consideration for the purposes
 24. of amendment is Senator DeAngelis, 997. Senator Philip.
 25. SENATOR PHILIP:
 26. Mr. President, I don't know who made the request for 781, but
 27. I am the sponsor of that bill and I wish it removed from the list.
 28. PRESIDING OFFICER: (SENATOR DONNEWALD)
 29. There was no agreement to bringing it back. It will be
 30. removed. Senator Philip.
 31. SENATOR PHILIP:
 32. Thank you, Mr. President and Ladies and Gentlemen. If I might
 33. have leave to put myself on as the main sponsor on House Bill 725.
- Senator Berning is the sponsor now. He has agreed to that. He'll go

1. on as the second sponsor and I'll go on the main sponsor.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Is...is there leave? Leave is granted. All right. There...

4. Senate Bill 51, 157, 263, 483, 588, 773, 828, 1164,

5. 1331, 298, 1350, 1435, and 997. Do we have leave to return those

6. bills from 3rd reading to the Order of 2nd reading for the

7. purposes of amendment? Leave is granted. Senate Bill 51, Senator

8. Knuppel.

9. SENATOR KNUPPEL:

10. Yes, Sir, the bill was read a second time...

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Just...just a minute. Just a minute.

13. SECRETARY:

14. Amendment No. 2 offered by Senator Knuppel.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Knuppel.

17. SENATOR KNUPPEL:

18. Well, the amendment I had yesterday was in such poor condition
19. and I have acceded to Senator Rupp's suggestion and have made
20. two verynoticeable corrections. One is is that the original
21. bill provided that the insurance be for the duration of the certificate
22. and I can realize that was a problem, so I left that language out
23. and struck it and so now it's just in manner and form prescribed by
24. the Secretary of State and the amount and then he called attention to
25. the fact that there was no way of knowing whether a party would
26. or wouldn't pay his premium and I just had it in case of cancellation
27. so I put in that the insurance carrier on each vehicle shall have
28. the duty of notifying the Secretary of State of any policy
29. expiration or cancellation at least thirty days in advance of such
30. expiration or cancellation. I think that meets his two principal
31. objections that he raised yesterday and I would move the adoption
32. of Amendment No. 2.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? Senator Rupp.

1. SENATOR RUPP:

2. Thank...thank you, Mr. President. The main one that he didn't
3. take my suggestion was to scuttle the whole thing, so...but I think
4. the...I will not bother talking about the amendment, but I will
5. talk about the bill when it comes up. Thank you.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Is there further discussion? The question is shall Amendment
8. No. 2 to Senate Bill 51 be adopted. Those in favor indicate by saying
9. Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted.
10. Are there further amendments?

11. SECRETARY:

12. No further amendments.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. 3rd reading. Senate Bill 157, Senator Carroll.

15. SECRETARY:

16. Amendment No. 6 offered by Senator Carroll.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Carroll.

19. SENATOR CARROLL:

20. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
21. This deals with the Economic Development Commission.
22. It takes out some money from contractual and adds a person
23. that they have on board and extends a phase-in. I would move
24. adoption of Amendment No. 6.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Is there discussion? The question is shall Amendment No. 6 to
27. Senate Bill 157 be adopted. Those in favor indicate by saying Aye.
28. Those opposed. The Ayes have it. Amendment No. 6 is adopted.
29. Are there further amendments?

30. SECRETARY:

31. No further amendments.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. 3rd reading. Senate Bill 263, Senator Maragos.

SECRETARY:

1. Senate Bill 263, Amendment No. 2 offered by Senator Maragos.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Maragos.

4. SENATOR MARAGOS:

5. Mr. President and members of the Senate. I first have to Table
6. Amendment No. 1 which has been adopted and put Amendment No. 2
7. on it if I may at this time.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Your motion is having voted on the prevailing side...

10. SENATOR MARAGOS:

11. ...prevailing side, to reconsider the vote by which Amendment
12. No. 1 was adopted.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Heard the motion. Those in favor indicate by saying Aye.

15. Those opposed. The Ayes have it. The matter is reconsidered.

16. Senator Maragos now moves to Table Amendment No. 1 to Senate Bill 263.

17. Those in favor indicate by saying Aye. Those opposed. The Ayes

18. have it. Amendment No. 1 is Tabled. Senator Maragos.

19. SENATOR MARAGOS:

20. Mr. President and members of the Senate. I move for the adoption
21. of Amendment No. 2. The difference between this amendment and the
22. one we just Tabled is that it removes the genealogical and only allows
23. for medical records of the adoptee and I ask for its adoption.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Is there discussion? The question is shall Amendment No. 2 to

26. Senate Bill 263 be adopted. Those in favor indicate by saying Aye.

27. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Are there
28. further amendments?

29. SECRETARY:

30. No further amendments.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Buzbee as to Senate Bill 298. As to Senate Bill 263,
33. the bill is now on 3rd reading. Senator Buzbee, are you prepared?

1. SENATOR BUZBEE:

2. Yes, thank you, Mr. President.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Just a minute, Senator. All right. Senator Buzbee.

5. SENATOR BUZBEE:

6. I am prepared today as opposed to yesterday. Yesterday I had No.
7. 2 adopted without Tabling No. 1. So, at this time...No. 2 was to
8. replace No. 1, so I would move to reconsider the vote by which Amendment
9. No. 1 was adopted and then have that amendment lie upon the Table.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Heard the motion. Those in favor indicate by saying Aye. Those
12. opposed. The Ayes have it. The matter is reconsidered. Senator
13. Buzbee now moves to Table Amendment No. 1. Those in favor indicate
14. by saying Aye. Those opposed. The Ayes have it. Amendment No. 1
15. is Tabled. Are there further amendments?

16. SECRETARY:

17. No further amendments.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. 3rd reading. Senate Bill 483, Senator Shapiro.

20. 3rd reading. Senate Bill 588, Senator Regner. Senator Regner, 588.

21. Senator Regner.

22. SENATOR REGNER:

23. I think that...Senator Carroll or Senator Rock have an amendment
24. to this.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Carroll.

27. SENATOR CARROLL:

28. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
29. This would switch part of the funding from Road Fund to GRF. This is
30. based on the Auditor General's recommendations. It would...the divisions
31. are budget...for a total of twenty-five million three hundred and
32. forty thousand nine hundred dollars. Of this amount, currently
33. seven million is GRF. The amendment would shift an additional ten
million five hundred eighty-five thousand six hundred to GRF for a

1. total of seventeen million five, roughly. This is in compliance
2. with the suggestions of our Auditor General and I would move adoption
3. of Amendment No. 4.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Is there discussion? Senator Regner. Senator Shapiro.

6. SENATOR SHAPIRO:

7. Mr. President, would the sponsor yield for a question?

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Indicates he will.

10. SENATOR SHAPIRO:

11. Senator Carroll, how much is involved in this amendment?

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Carroll.

14. SENATOR CARROLL:

15. Being repetitious because of the noise level of the Chamber having
16. just gone through it, Senator Shapiro, I'll be happy to go through it
17. again. In the area of administration, for example, the current
18. formula is ninety percent road, ten percent GR. We would propose
19. eighty percent Road and twenty percent GR. That would shift about
20. a half a million dollars to GR. In EDP it's ninety-ten. We would
21. go to eighty-twenty. That would shift four hundred and some thousand.
22. In Investigation, it was seventy-thirty. We could consider a hundred
23. percent to be GR and that would shift some six and a half million.
24. In Support Services, it was fifty-fifty. We would go to a hundred
25. percent, that would shift some three million. In the Merit Board,
26. it was a hundred percent Road, we would go eighty-twenty shifting some
27. thirty thousand, a total of ten million five hundred and eighty-
28. five thousand six hundred dollars being shifted into GR in addition
29. to the existing seven million...so the shift would be ten million five
30. roughly, five eighty-five six.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator...Senator Shapiro.

33. SENATOR SHAPIRO:

Mr. President, if I may, I'd like to speak to the amendment.

1. I understand that this is a very popular issue but I want to point
2. out just a few things to the Body on these...

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Just...just a moment, Senator. We would all like to listen
5. if all of our constituents would also try to listen. Would the members
6. please be in their seats. Proceed.

7. SENATOR SHAPIRO:

8. I just want to point out a few things to the Body that I think
9. are pertinent to the argument. We all know that anti-diversion measures
10. this year are very popular and I am in total support of doing
11. something to stop the diversion and reverse the trend. I've
12. been working with the Governor's Office for approximately two years on a
13. measure that is incorporated in Senate Bill 889. I can assure you
14. that...the Body that that's the only anti-diversion measure that the
15. Governor will consider and that he will sign. Everything else beyond
16. that is really taking money that we may not have to stop the diversion.
17. We did it in a sizable sum, I think of almost fifty million
18. yesterday in the Department of Transportation bill. There's at least
19. one other bill in which...may have amounted to only a half a
20. million dollars. This one which will raise the total to approximately
21. sixty, sixty-one million dollars. The anti-diversion measure
22. in Senate Bill 889 involves approximately a hundred and twenty-
23. six million dollars. It is phased-in over a period of four fiscal
24. years and three calendar years. I would urge everyone just based
25. on the principle, that these anti-diversion measures that are
26. incorporated into these appropriation bills really place these
27. appropriation bills in jeopardy of being vetoed and puts this Body in
28. jeopardy of being here in a Special Session immediately after the
29. Regular Session has convened...or adjourned on June 30th. I'm not
30. saying that as a idle threat or anything. I have been in constant
31. contact with the Governor's Office and I am positive
32. that these measures that do not conform to the schedule that he
33. has approved in 889 are not going to be approved by him. I can say that
with authority and I can also say with authority that the anti-

1. diversion measure in 889 will be signed. So, I would ask you
2. to resist this amendment.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Regner.

5. SENATOR REGNER:

6. Well, Mr. President and members of the Senate. I don't always
7. like to arise in the opposite side from our leader on our side, but
8. I have to in this instance. I think mainly because I started the
9. entire conversation last week regarding the usage of Road monies
10. verses General Revenue monies. I have an amendment up there which I
11. will withdraw. It does provide for about seven million dollars more of
12. anti-diversion monies. I think very seriously this is the only way
13. it's going...we can assure that these monies that have been used
14. out of Road Fund are going to be General Revenue and we're going
15. to shore up the Road Fund is by doing it by the appropriation process,
16. otherwise we're gambling whether or not it will happen with legislation.
17. We have no assurance the Governor will sign it, because I'm sure the
18. people on the second floor would like to have more money in General
19. Revenue to use for whatever programs they want rather than programs
20. that are always necessary which is the current problems we have with
21. the road...road situation. We have to resolve this. The only
22. way to resolve it is to appropriate the money in that manner and I
23. would urge the passage of this amendment. There are several bills
24. that are still in the House that have the same recommendation from the
25. Auditor General and I'll support amendments on those bills when they
26. come over from the House where we provide for more money for the Road
27. Fund and...

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Gitz.

30. SENATOR GITZ:

31. Mr. President, I would like to rise in support of Senator
32. Regner's amendment and I would like to point out to the distinguished
33. Minority Leader that it is the Governor who has stated to us...

1. I'm sorry, it's Senator Carroll's...that it is the Governor of
2. this State that is asking this Body to approve a gasoline tax.
3. Now, everytime I've asked the Department of Transportation about
4. major roads in my area, some of which were constructed in the 1920's
5. and 1930's and have had very little repair since, they have suggested
6. that the only avenue for these necessary repairs and construction
7. to be carried out is to increase the Road Fund. It makes very little
8. sense to ask us to approve a gasoline tax increase if they're going
9. to continually ignore the diversions that total some two hundred
10. million dollars a year. I think it is time that this Body address
11. the issue and for the suggestion that the Governor will
12. veto these appropriations, I'd like to suggest that apparently
13. somebody doesn't understand what the Illinois Constitution says.
14. It's my understanding that it is this Body that is vested with the
15. authority to appropriate the funds and if the Governor wants to
16. play that kind of roulette and run that kind of a shell game about
17. how our motor fuel taxes are going to be done, then fine, sobeit.
18. Let's play that game and let's take him to task, let him go forth
19. and explain to the taxpayers of this State why the gasoline taxes
20. are going through the ceiling, he wants to tax them even more, but
21. he doesn't want to use that money for the roads, he wants to use
22. it for funding his Teamster agreements and for funding all the other
23. State bureaucracy. I suggest that Dr. Bob can implement some of those
24. task force recommendations, can look through that budget
25. as we have been doing and we can find some of that money which is
26. necessary for the programs. But last night we were here until quite
27. late on this whole question of how we couldn't possibly
28. cut DOT. It wasn't fair to phase-in some of these employees. Now, we're
29. faced with the situation today while they're telling us that we've
30. got to use General Revenue funds to pick up the tab for these things
31. that nobody believes should be funded with Road Funds
32. in the first place. It's time to put an end to it and the time is now.
33. PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there further discussion? Senator Carroll may close.

1. SENATOR CARROLL:

2. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
3. I don't consider this Body to be a rubber stamp for the second
4. floor or any other floor in this city or any other city in the State.
5. And I think I am...I am shocked and appalled that the Minority Leader
6. would suggest that we must listen to a man in Japan who can't
7. even give us an answer while over in Japan telling us how to vote
8. on legislation. When he comes back and I was not nonsupportive
9. of his trip to Japan, it's a nice place to be while the Legislature
10. is in Session. I think he feels safer there than he would be were
11. he here on the second floor. But aside from all that, aside from all
12. that, Dr. Shapiro, this is not to be a rubber stamp General Assembly.
13. We have the obligation to determine the course of the future of this
14. State when it comes to legislative process and when it comes to the
15. appropriation process. I remind you of your two charts from the Ror-
16. shak test from what they call the Road Fund and the diversions from the
17. Road Fund, the fueling of the Road Fund. And the trickle that is
18. on either the spring forward fall back program which means announce
19. every spring just like when you move the clocks up, you announce
20. every spring this great Road program, in the fall when the clocks
21. go back, so does the Road program, nothing gets done and part of that
22. is that under this Rorshak test ink blot that they call the Road
23. Fund twenty million dollars out of some eight hundred million
24. trinkles down as available for construction. It's actually the residue
25. that's left after you've diverted everything else. It's the residue
26. that's left at the bottom of the chart. Twenty million. You're
27. diverting more for administrative functions of this department,
28. you're diverting more than you are spending on construction in the
29. State of Illinois in State funds. I think it is totally appropriate
30. that we stop this diversion, that we, the General Assembly, make
31. some decisions in what's going to happen with our highways and byways
32. in this State. I think it is totally appropriate that we decide
33. what will and will not be diverted from General Revenue and put it on
the Governor's desk as a wise decision of the General Assembly

1. and maybe an alternative to his spring forward fall back program,
2. the program he's had for all the years he's been in office.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. The question is shall Amendment No. 4 to Senate

5. Bill 588 be adopted. Those in favor indicate by saying Aye.

6. Those opposed. There is a request for a roll call. The question

7. is shall Amendment No. 4 to Senate Bill 588 be adopted. Those in

8. favor vote Aye. Those opposed vote Nay. The voting is open.

9. Have all those voted who wish? Have all those voted who wish?

10. Take the record. On that question the Ayes are 33, the Nays are 15.

11. Amendment No. 4 to Senate Bill 588 is adopted. Are there

12. further amendments?

13. SECRETARY:

14. No further amendments.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. 3rd reading. Senate Bill 773, Senator Davidson.

17. SECRETARY:

18. Amendment No. 2 offered by Senator Davidson.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Davidson.

21. SENATOR DAVIDSON:

22. Mr. President, I have to move to reconsider the vote on which
23. Amendment No. 1 was adopted so we can Table 'cause it was written in
24. error by the Reference Bureau.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Heard the motion. Those in favor indicate by saying Aye. Those
27. opposed. The Ayes have it. The motion is reconsidered. Senator
28. Davidson now moves to Table Amendment No...

29. SENATOR DAVIDSON:

30. 1.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. ...1 to Senate Bill 773. Those in favor indicate by saying
33. Aye. Those opposed. The Ayes have it. Amendment No. 1 is Tabled.
Senator Davidson.

1. SENATOR DAVIDSON:

2. I move to adopt Amendment No. 2. It's identical to Amendment No.1
3. except it's now in the right section of the Statute that it should
4. be. The prior one was amending the wrong section. Move to adopt
5. Amendment No. 2.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

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

11. SECRETARY:

12. No further amendments.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. 3rd reading. Senator Bruce, Senate Bill 828. Senate Bill 1164,
15. Senator DeAngelis.

16. SECRETARY:

17. Amendment No. 3 offered by Senator DeAngelis.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator DeAngelis.

20. SENATOR DeANGELIS:

21. Mr. President, having voted on the prevailing side, I vote...
22. I move for the Tabling of Amendment No. 2...reconsidering.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Heard the...you've heard the motion. Those in favor indicate
25. by saying Aye. Those opposed. The Ayes have it. The matter is
26. reconsidered. Senator DeAngelis now moves to Table Amendment No. 2.
27. Those in favor indicate by saying Aye. Those opposed Nay. The
28. Ayes have it. Amendment No. 2 is Tabled. Senator DeAngelis.

29. SENATOR DeANGELIS:

30. Thank you, Mr. President. Amendment No. 3 is the same amendment
31. as Amendment No. 2 except that it is inserted in the proper location.
32. I move for its passage.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Is there discussion? The question is shall Amendment No. 3
2. to Senate Bill 1164 be adopted. Those in favor indicate by saying
3. Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted.
4. Are there further amendments?

5. SECRETARY:

6. No further amendments.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Do we have leave to have Senator...3rd reading, I'm sorry.
9. 3rd reading as to Senate Bill 1164. Do we have leave for Senator
10. Rock to take over 828 in lieu of Senator Bruce? Leave is granted.
11. Senate Bill 828.

12. SECRETARY:

13. Amendment No. 2 offered by Senator Bruce.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Rock.

16. SENATOR ROCK:

17. Thank you, Mr. President and Ladies and Gentlemen of the
18. Senate. This is an easement bill which was on the Agreed Bill List
19. and was found to be technically deficient. Amendment No. 2 makes one
20. change, it says the release of easements provided for shall not affect
21. any existing easement and it changed two...technically changes two
22. section numbers and I would move adoption of Amendment No. 2.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Is there discussion? The question is shall Amendment No. 2 to
25. Senate Bill 828 be adopted. Those in favor indicate by saying
26. Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted.
27. Are there further amendments?

28. SECRETARY:

29. No further amendments.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. 3rd reading. Senator Wooten, 1331.

32. SECRETARY:

33. Amendment No. 3 offered by Senator Wooten.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Wooten.

3. SENATOR WOOTEN:

4. Thank you, Mr. President. Amendment No. 3 strikes everything
5. after the enacting clause but that doesn't mean that we're really
6. juggling much in the bill. Amendment No. 2 simply had some
7. technical errors in it and this seemed to be the cleanest way to
8. correct those technical errors. Amendment No. 3, then, is the bill
9. as proposed by the Governor's committee, the agreed bill on
10. unemployment insurance and I ask the adoption of Amendment No. 3.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Keats.

13. SENATOR KEATS:

14. No, all I was going to say on this is that this is the Agreed
15. Bill package and while we have a great deal of dispute involved,
16. we've got to put this amendment on 'cause the other bill we can't
17. do anything with anyway because of its error. We have got to
18. put this amendment on so I would urge all Republicans to support
19. putting this amendment on.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Is there discussion? The question is shall Amendment No. 3 to
22. Senate Bill 1331 be adopted. Those in favor indicate by saying
23. Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted.
24. Are there further amendments?

25. SECRETARY:

26. Amendment No. 4 offered by Senator Keats and it's the one you have
27. labelled A.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Keats.

30. SENATOR KEATS:

31. As you are aware, there has been a little bit of minor
32. disagreement on the Agreed Bill process and so, Mr. President and
33. Ladies and Gentlemen of the Senate, I had offered this amendment to
highlight where some of the disagreements are. I won't go into the

1. history of unemployment insurance because we all know as much
2. as we want to know, anyway. But what we have to do now, now that
3. the Agreed Bill process has come forth, is say if we have disagreements
4. with this bill...

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Will the Senate be in order. Will the members be in their
7. seats and terminate the caucuses. Proceed.

8. SENATOR KEATS:

9. If we have some disagreements over this bill, we have got to
10. highlight where those disagreements are. Rather than simply kill
11. an entire package just run pell-mell down the hill destroying
12. everything, we have to say where are the points of controversy and
13. highlight them. The point of this amendment is to do that. This
14. amendment deletes everything after the enacting clause, but again
15. is not a tremendous change in the bill. It really deals with a couple
16. of changes. Number one, it takes off the automatic annual escalator
17. on the taxable wage base. Number two, it lowers the minimum em-
18. ployer contribution rate from one percent to .1. As many of you
19. remember Senate Bill 6 of the last Session where we had to come
20. into compliance with that stupid Federal law that virtually no one,
21. Republican or Democrat supported, we had to change the minimum
22. taxable wage base from one...or from .1 percent, which was
23. traditional in Illinois for the good employer who practiced good
24. labor relations policies, and raise that to one percent, go ten
25. times simply because the Federal Government in their stupidity had
26. mandated something new. This says if we correctly handle it, we can
27. go back to .1. Now, it's an intricate process and I will make no
28. attempt to explain it here, but we could go back, but it would
29. be quite intricate. But to say to the good employer, and remember
30. the seven hundred and fifty million dollars a year that comes into
31. the Trust Fund, only about fourteen million comes in from this minimum
32. figure. We go back from the 1.0 to .1 for the good employer and then we
33. raise the maximum...the third change, we raised the maximum employer
contribution rate...okay, raised the employer contribution rate from the

1. four percent in today's law, to 6.5 percent. That brings in an
2. additional hundred million dollars, but I'll tell you what it does.
3. In surrounding states like Wisconsin, Indiana, et cetera, the top
4. end of their taxable wage base is essentially 6.5 percent. Ours is
5. four. We've been protecting the bums and sticking it to the good guys.
6. Well, this now protects the good guys and sticks it to the bums.
7. So, that's what these amendments do. What I am saying is this amendment
8. while it deletes everything after the enacting clause, leaves most
9. of it in tact, does not get into penalty clauses, disqualification
10. clauses, et cetera, even though I'm not totally happy with the Agreed
11. Bill process, we could...we could live with those. It was an
12. honest attempt. So, this amendment says this is where the problems are,
13. this is where it must be discussed. Now, I say let's put some
14. votes on the board to let people see the areas we have questions
15. about and then in the long run, pass out some form of vehicle that will
16. allow us to come up with a negotiated bill that will solve the
17. interests of the State of Illinois. I would appreciate a roll call.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Rock.

20. SENATOR ROCK:

21. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
22. I rise in opposition to Amendment No. 4 and would urge the membership
23. on this side at least, to honor the commitment that was made when
24. the process started. We had represented at the behest of the Governor
25. to the representatives of both organized labor and management that
26. in the event that they were able to come up with a...an agreed bill,
27. that we would do our level best to pass it in the form in which they
28. agreed to it. Now, it seems to me this flies right in the face of that
29. process which we, as a legislative policy, began anew this year.
30. And to completely disregard and attempt at this point to change their
31. recommendations, it seems to me, is the death knoll of any
32. future agreed bill process and I would urge a No vote, a vociferous
33. No vote to this Amendment No. 4.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Wooten.

3. SENATOR WOOTEN:

4. A question of the sponsor of the amendment.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. He indicates he will respond.

7. SENATOR WOOTEN:

8. Senator Keats, I'm not quite sure I followed your logic. Are
9. you saying that you want a vote on this but you don't really want
10. the amendment adopted? Is...is that it? You just like some kind
11. of record, but you don't really want the amendment adopted?

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Keats.

14. SENATOR KEATS:

15. No, if that's what you heard, I certainly did not intend
16. to say that. What I am saying is this amendment is better than the
17. agreed bill. What I am saying is that we must highlight where the
18. disagreements are. I want this amendment on the bill because
19. it's a bill all of us could live with with this amendment on.
20. If it doesn't go on, that does not mean that we can never work out
21. a bill. It simply says we have an inferior bill that's going to take
22. a heck of a lot of work.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Wooten.

25. SENATOR WOOTEN:

26. I think, Senator Keats, there's a...something has gone seriously
27. wrong here, then. It seems to me, I was just looking over the list
28. of the people who work on this process, all skillful, knowledgeable
29. people in the field, the Governor's consent to this, it seems to
30. me that their product is something we should honor. I think
31. what you're doing has serious consequences. I believe all of us
32. in this Chamber, yourself included, Senator, indicated that you wanted
33. an agreed bill. I believe implicit in all the statements we made,
explicit in many things that people on both sides of the aisle have

1. written to their constituents, given talks before Rotary clubs,
2. we want the Agreed Bill process. I'll admit that some of the things
3. you have mentioned, those three changes sound pretty good to me,
4. and if they were made by the committee, I would back them.
5. But they are not made by the committee. It is a breach of faith
6. and I think that ought to be the point made here. Are we going to
7. kick the Agreed Bill process? I believe as early as the first
8. part of this week, you said to your colleagues that if the agreed bill
9. was not accepted it will seriously jeopardize the future of the
10. process and will mark the end of the Employment Security Advisory Board.
11. I think you ought to take your own words seriously and the commitment
12. I believe all of us have, to stick with the agreed bill
13. and so I will resist this amendment.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Maragos.

16. SENATOR MARAGOS:

17. I would just echo the remarks of Senator Rock and Senator
18. Wooten that either we have an Agreed Bill process or we don't.
19. There's many aspects we don't like and many aspects that we could
20. add to this bill if we wanted from this side of the aisle.
21. But I feel that we have this Agreed Bill process, we have to honor
22. our commitment and let us proceed and not...and not approve of this
23. amendment and leave the bill as the sponsor of the bill wants it
24. at the present time.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Daley.

27. SENATOR DALEY:

28. Mr. President and fellow Senators. I am not one who participates in
29. an Agreed Bill process. I think it takes away the...our legislative
30. duties that we're elected for. If we're going to allow special interests
31. outside this Body, to tell us what to do, I think we're really
32. making a mistake. The Agreed Bill process is a process where industry
33. and supposedly labor agrees on a bill. We don't follow suit on it.
We don't have to accept it a hundred percent. We put this amendment on

1. if we want to do it. We can vote it up or down and the House will take
2. care of it.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Keats may close.

5. SENATOR KEATS:

6. Thank you, Mr. President. Senator Daley has highlighted a
7. point concerning the Agreed Bill process and I want to run through
8. a couple things, just so it's in everyone's mind. The
9. commitment to the Agreed Bill process was mentioned. Perhaps
10. I missed something, but I'll be damned if I remember a commitment.
11. And I can tell you one thing, the Agreed Bill process was called
12. for by Senator Rock and Speaker Redmond and was agreed to by the
13. Governor, in terms of an Agreed Bill process acceptance, I don't
14. see any writing on this side and I don't see any writing on your
15. side of members saying whatever these other guys come up with,
16. I'll abdicate my responsibility and just carry their tune. That
17. never happened. Perhaps there's a misunderstanding, but I think
18. the misunderstanding is not with us. Okay. In terms of going with the
19. present Agreed Bill, you have got the votes to pass that present
20. Agreed Bill and if you should decide to pass it, I would say that is
21. your decision. You have got the votes on your own. In terms of a
22. real breach of faith, we have tried to work out a bill. There were
23. negotiations going on within the Legislature that perhaps
24. led to the decision to reinstitute a process that had not worked in
25. years and had not been used in years. But we must also ask
26. of the group who signed off on the Agreed Bill process and of those
27. nine members, it was a good faith agreement. But those
28. nine members excluded two groups. One was small employers and the
29. other was public employers. And they both are strongly affected
30. by this bill. The City of Chicago, to put it mildly, is going to
31. take it when this one goes through. But, the last one is something
32. called linkage. If we're talking Agreed Bill, we're saying we'll
33. agree in more than one area. To simply agree in one area where it
was obvious we had the votes to reform it anyway, does little.

1. What we have to say is if you want an Agreed Bill and I'm not
2. saying no to Agreed Bill, but if you want it, solve all the problems,
3. don't just solve this fire and that fire. Get off your posterior
4. and solve them all because simply taking the heat off yourself
5. in one area does not solve the big problem. So, I say I would
6. appreciate your support for this amendment which does highlight
7. the areas that probably need change on this bill. I thank you.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Question is shall Amendment No. 4...Senator D'Arco, for
10. what purpose do you arise?

11. SENATOR D'ARCO:

12. What does posterior mean? I don't know.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. The question is shall Amendment No. 4...Senator Buzbee, for
15. what purpose do you arise?

16. SENATOR BUZBEE:

17. Has debate been closed, Mr. President.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Yes, it has. Senator Keats closed and there was no other person
20. requesting debate prior to his closing. We have to enforce the rules.

21. SENATOR BUZBEE:

22. Thank you, Mr. President. I'll just vote with Senator Keats then.
23. Thank you.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. The question is shall Amendment No. 4 to Senate Bill 1331 be
26. adopted. Those in favor indicate by voting Aye. Those opposed Nay.
27. The voting is open. Have all those voted who wish? Have all those
28. voted who wish? Take the record. On that question the Ayes are
29. 35, the Nays are 22. Amendment No. 4 to Senate Bill 1331 is adopted.
30. Are there further amendments?

31. SECRETARY:

32. Amendment No. 5 offered by Senator Keats.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Keats.

1. SENATOR KEATS:

2. May we please Table Amendments 5 and 6?

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. You wish to withdraw them?

5. SENATOR KEATS:

6. Please.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Amendments No. 5 and 6 are withdrawn. Are there further
9. amendments?

10. SECRETARY:

11. No further amendments.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. 3rd reading. Just a moment. I had...Senator Berning asked for
14. recognition. State...what is your...Senator Berning.

15. SENATOR BERNING:

16. Thank you, Mr. President, on a point of personal privilege.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. State your point.

19. SENATOR BERNING:

20. Seated in the gallery immediately behind me are the seventh
21. and eighth graders along with their advisors from the Milbourn
22. School up near Wadsworth, Illinois. And I'd like to have them rise and
23. be recognized by the Senate.

24.

25.

26.

27.

End of reel.

28.

29.

30.

31.

32.

33.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Please rise and be recognized. Senator Wooten.

3. SENATOR WOOTEN:

4. Just on a point of personal privilege.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. State your point.

7. SENATOR WOOTEN:

8. I will not Table Bill 1331 until tomorrow.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Buzbee.

11. SENATOR BUZBEE:

12. Well, Mr. President...

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. ...For what purpose do you arise?

15. SENATOR BUZBEE:

16. ...I rise on a point of personal privilege, Mr. President.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. State your point.

19. SENATOR BUZBEE:

20. Since debate had already been closed a...a few minutes ago,
21. I would like to point out to some of my colleagues, including
22. Senator Wooten, that my concern is that that so-called Blue
23. Ribbon Committee that...that was on the agreed bill process,
24. organized labor was represented on there by two representatives
25. from the AFLCIO and one from the United Auto Workers. Now there
26. was nobody on there from the United Mine Workers from my area.
27. That happens to be one of the big ones, the Teamsters, several
28. other groups were excluded. I understand that everybody can't
29. have a representative. But I would also point out that the
30. so-called business representatives came from Sears Robuck,
31. John Deere and one other large manufacturer, Illinois Bell.
32. There was not one person on there that represented the interest
33. of Ma and Paw Grocery Store or represented the interest of

1. the small manufacturer who has twenty or thirty or forty
2. employees. And those were the folks that were going to take
3. it in the ear on this bill the way it was written previously,
4. as worked out by those folks who have their own...biggest
5. interest to protect.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator, just a moment, well, you are not speaking on a
8. point of personal privilege...

9. SENATOR BUZBEE:

10. I certainly am, Mr. President. Because I...

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. I'm sorry, the Chair rules you are not. Senate Bill
13. 1350, Senator Bloom. Senator Bloom, the Chair recognizes.

14. SENATOR BLOOM:

15. Thank you, Mr. President, could we...oh, it is on 2nd.
16. All right, I mistakenly forgot to Table Amendment 2 before
17. I put Amendment 3 on. I'd seek...I'd move to reconsider
18. the vote by which Amendment 2.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. You heard the motion. Those in favor indicate by saying
21. Aye. Those opposed? The Ayes have it. The motion is
22. reconsidered. Senator Bloom now moves to Table Amendment
23. No. 2. Those in favor indicate by saying Aye. Those opposed?
24. The Ayes have it, Amendment No. 2 is Tabled. Are there further
25. amendments?

26. SECRETARY:

27. No further amendments.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. 3rd reading. Senate Bill 1435, Senator Nimrod. Senator
30. Nimrod.

31. SENATOR NIMROD:

32. Yes, Mr. President, what happened, I also put on Amendment
33. No 3 which made Amendment No. 2 ineffective and I would now

1. move to reconsider the vote, and vote on the prevailing side,
2. to reconsider the vote by which Amendment 2 was adopted.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. You heard the motion. Those in favor indicate by saying
5. Aye. Those...those opposed. The Ayes have it, the motion
6. carries. Senator Nimrod now moves to Table Amendment No. 2.
7. Those in favor indicate by saying Aye. Those opposed?
8. The Ayes have it, Amendment No. 2 is Tabled. Are there further
9. amendments?

10. SECRETARY:

11. No further amendments.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. 3rd reading. Do we have leave at this time to go to the
14. Order...Order of Consideration Postponed to consider an amend-
15. ment for Senate Bill 997, Senator DeAngelis? Leave is granted.

16. SECRETARY:

17. Amendment No. 2 offered by Senator DeAngelis.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator DeAngelis.

20. SENATOR DeANGELIS:

21. Thank you, Mr. President. Senate Bill 997 failed to
22. get a constitutional majority by one vote. One of the strong
23. objections presented was the fact that it violated due process
24. by permitting a revocation without hearing. We are striking
25. that part, the amendment strikes that part out of the bill
26. and retains the old...the old language. I urge its favorable
27. passage and hopefully passage for this bill.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Is there discussion? The question is shall Amendment No. 2
30. to Senate Bill 997 be adopted. Those in favor indicate by saying
31. Aye. Those opposed. The Ayes have it, Amendment No. 2 is
32. adopted. Are there further amendments?

33. SECRETARY:

1. No further amendments.
2. PRESIDING OFFICER: (SENATOR DONNEWALD)
3. 3rd reading. The bill will...will return to the Order of
4. Consideration Postponed. Senator Rhoads, as to Senate Bill
5. 546. Senator Rhoads.
6. SENATOR RHOADS:
7. Mr. President, ...another amendment is being drafted for
8. that. Could we get back to it? I've very sorry.
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. Do we have leave to return to the Order of Postponed Consider-
11. ation? Strike that. Do we have leave to return to the Order
12. of 3rd reading to 2nd for the purpose of an amendment? Leave
13. is granted. On the following bills, 891, Senator Carroll.
14. 1166, Senator Joyce, Jeremiah. 1390, Senator Bruce. And Senate
15. Bill 546, Senator Rhoads. Leave again is granted. 891, Senator
16. Carroll. Senate will stand at ease, momentarily.
17. SECRETARY:
18. Amendment No. 15 offered by Senator Carroll.
19. PRESIDING OFFICER: (SENATOR DONNEWALD)
20. Senator Carroll.
21. SENATOR CARROLL:
22. Thank you, Mr. President, Senator Keats et al. First of
23. all I think it will be appropriate, Amendment No. 8 was...
24. PRESIDING OFFICER: (SENATOR DONNEWALD)
25. Just a moment. Senator Coffey, for what purpose do
26. you arise?
27. SENATOR COFFEY:
28. Who's bringing this bill back to 2nd reading?
29. PRESIDING OFFICER: (SENATOR DONNEWALD)
30. Senator Carroll.
31. SENATOR COFFEY:
32. Certainly wasn't by my request.
33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Do you object, Senator?
2. SENATOR COFFEY:
3. Yes, I do.
4. PRESIDING OFFICER: (SENATOR DONNEWALD)
5. There is objection. Senator Carroll.
6. SENATOR CARROLL:
7. Thank you, Mr. President. Let me just say that I...of
8. Senator Coffey, are you going to, you're not going to have
9. the bill ever brought back to 2nd? Is that correct?
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. Senator Coffey.
12. SENATOR COFFEY:
13. Well, Mr. Chairman, no one is even talked to me about that
14. bill and I'm not bringing it back until someone at least
15. discusses something with me and then we'll decide at that time.
16. PRESIDING OFFICER: (SENATOR DONNEWALD)
17. There is objection. Take it from the record. Senator Carroll.
18. SENATOR CARROLL:
19. The purpose of the amendment which had been discussed on
20. your side, Senator Coffey, and it's your privilege, you're
21. the sponsor. I...I don't object to your saying yes or no.
22. The bill is technically defective now in as much as several
23. of the amendments that were attempted yesterday were not
24. successful. The bill will have the effect of having no construc-
25. tion in Illinois and if that's the way your side wants it, that's
26. fine with me, for roads and highways and so on because all is
27. now appropriated to a construction fund that doesn't exist.
28. That's not my concern. All I'm trying to do is clean it up
29. so we can build highways, spring forward and fall back.
30. PRESIDING OFFICER: (SENATOR DONNEWALD)
31. Senator Coffey.
32. SENATOR COFFEY:
33. Well, Mr. President and members of the Senate. I think I

1. recall yesterday that I, and others, mentioned that the amend-
2. ments was technical incorrect because some of the amendments
3. were not passed and if they have an amendment, they can bring
4. that amendment over and give us some time to take a look at
5. it and decide whether we're coming back to 2nd reading.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Desire to hold the bill? Take it out of the record.
8. Senate Bill 1166, Senator Jeremiah Joyce. As for...for the
9. record, 891 is back to the Order of 3rd reading. Just one
10. moment, Senator.

11. SECRETARY:

12. Amendment No. 4 offered by Senator Jeremiah Joyce.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Jeremiah Joyce.

15. SENATOR JEREMIAH JOYCE:

16. Mr. President and members of the Senate. Having voted on
17. the prevailing side, I move to reconsider the vote by which
18. Amendments No. 2 and No. 3 were adopted, for the purpose of
19. Tabling these amendments.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. You heard the motion. Those in favor indicate by saying
22. Aye. Those opposed? The Ayes have it. The matter is reconsidered.
23. Senator Joyce now moves to Table Amendments No. 2 and 3 to
24. Senate Bill 1166. Those in favor indicate by saying Aye.
25. Those opposed. The Ayes have it. Amendments No. 2 and 3 are
26. Tabled. Amendment No. 4, Senator Jeremiah Joyce.

27. SENATOR JEREMIAH JOYCE:

28. Mr. President and members of the Senate. Amendment No. 4
29. to Senate Bill 1166 seeks to do what Amendment No. 2 and 3
30. which were just Tabled which will accomplish. This amend-
31. ment will, No. 1, comply with the agreement reached during
32. committee that there would be, that the program would only
33. be in effect for one year and No. 2, it would reduce from

1. three hundred and fifty dollars to the daily...current daily
2. rate, the maximum that Department of Children and Family
3. Services would pay to the agency. If there are no objections,
4. I move the adoption of this amendment at this time.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Is there discussion? The question is shall Amendment No. 4
7. to Senate Bill 1166 be adopted. Those in favor indicate by
8. saying Aye. Those opposed. The Ayes have it, Amendment No. 4
9. is adopted. Are there further amendments?

10. SECRETARY:

11. No further amendments.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. 3rd reading. Senator Bruce.

14. SECRETARY:

15. Amendment No. 1 offered by Senator Bruce.

16. SENATOR BRUCE:

17. Thank you, Mr. President. This is a foreign farm ownership
18. bill and this amendment corrects a problem that was brought
19. to my attention by some of the canners. And this would exclude
20. agriculture land acquired for and used for cultivation of
21. perishable horticultural products, fresh corn, beans and the
22. other aspects they...they have long term contracts that be in-
23. volved. I would move the adoption of Amendment No. 1 to Senate
24. Bill 1390.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. For the sake of the record, all of the bills had been brought
27. back from 3rd to 2nd at an earlier time and it is the bill under
28. consideration is Senate Bill 1390. Is there discussion? Senator
29. Jerry Joyce...Senator J. J. Joyce.

30. SENATOR JEROME JOYCE:

31. Yes, would the sponsor of the amendment yield for a
32. question?

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Indicates he will.
2. SENATOR JERRY JOYCE:
3. Would you exempt corn and soybeans and alfalfa and everything
4. else too, Senator?
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. Senator Bruce.
7. SENATOR BRUCE:
8. Well, not today; but I'll be happy to talk to you about it.
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. Is there further discussion? The question is shall Amendment
11. No. 1 to Senate Bill 1390 be adopted. Those in favor indicate
12. by saying Aye. Those opposed. The Ayes have it. Amendment
13. No. 1 is adopted. Are there further amendments?
14. SECRETARY:
15. No further amendments.
16. PRESIDING OFFICER: (SENATOR DONNEWALD)
17. 3rd reading. Senator Rhoads. Senator Rhoads.
18. SENATOR RHOADS:
19. Mr. President, I don't know what to do, there's too much
20. money in this amendment. Can we, can we get back to it later
21. or do we have to run it now?
22. PRESIDING OFFICER: (SENATOR DONNEWALD)
23. Only with leave of the Body. We do have an awful lot of
24. business to transact between now and midnight tomorrow.
25. SENATOR RHOADS:
26. Oh, it's...it's coming...it's coming...it's coming, just
27. in the nick of time.
28. SECRETARY:
29. Amendment No. 4 offered by Senator Rhoads.
30. PRESIDING OFFICER: (SENATOR DONNEWALD)
31. Senator Rhoads.
32. SENATOR RHOADS:
33. Thank you, Mr. President and members of the Senate. Senate

SB 1320
3rd Reading
5-24-79

1. Bill 1306 which is also on the Calendar, appropriates the
2. sum of one million, one hundred and eleven thousand, four
3. hundred dollars to the comptroller for the purpose of
4. implementing...implementing the provisions of the Seven
5. p. m. Bill which is Senate Bill 80. We won't need that
6. much money. In Fiscal Year '80, we'll only need half that
7. amount, assuming we have a primary election in the spring
8. of 1980. So this appropriates the sum of five hundred
9. and fifty-five thousand, seven hundred to the State Board
10. of Elections for their budget for Fiscal Year 1980 to
11. take care of that primary election. I would ask for its
12. adoption.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Is there discussion? The question is shall Amendment No. 4
15. to Senate Bill 546 be adopted. Those in favor indicate by
16. saying Aye. Those opposed. The Ayes have it, Amendment
17. No. 4 is adopted. Are there further amendments?

18. SECRETARY:

19. No further amendments.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. 3rd reading. For the sake of the record...yes...all bills
22. that have been recalled are now back on the Order of 3rd reading.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Is there leave to go to the Order of Senate Bills 3rd
25. reading? Leave is granted. We concluded business yesterday
26. on the Order of Senate Bill 1320 will be our starting point
27. today. Senate Bill 1320, Senator Rock. Read the bill, Mr.
28. Secretary.

29. SECRETARY:

30. Senate Bill 1320.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Rock.

2. SENATOR ROCK:

3. Thank you, Mr. President, Ladies and Gentlemen of the
4. Senate. Senate Bill 1320 is an amendment to the act which
5. regulates and controls the office of the circuit court
6. or circuit clerk...as introduced did three things. It raised
7. the present existing fifty dollar charge for civil jury
8. trial to seventy-five dollars. It added a fee for expungment
9. petitions of fifteen dollars and a dollar for each certified
10. copy and added a new ten dollar fee for persons...failing
11. to appear in criminal and quasi criminal cases. It was
12. amended here on the Floor of the Senate by Senator Grotberg
13. to include a provision in...applicable to counties in less
14. than a million to install for the first time a fee of
15. fifty dollars in every civil jury. I know of no objection, I
16. would ask for a favorable roll call.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Is there discussion? The question is shall Senate Bill
19. 132...all right. Gentlemen, if you will attract my attention,
20. I'm sorry, we're trying to move along. Senator Knuppel.

21. SENATOR KNUPPEL:

22. Now, did...did I understand correctly, that this has been
23. amended on the Floor here to include couties of less than
24. five hundred thousand? A fee for a jury of fifty dollars?
25. This is the same bill that...Grotberg had that was amended
26. in to your bill. And we voted to kill that because there's
27. no reason that a person who is unable to afford it, shouldn't
28. be entitled to jury trial regardless. Now, this is one of
29. the things it looks like we got to watch from here on out
30. in the closing days of this Senate. That somebody gets a
31. bill beaten fair and square here on the Floor and somebody
32. else makes a deal to let it be amended in there. I cannot
33. vote for your bill because I cannot put my people who want

1. a jury trial to the expense of having to pay a fifty dollar
2. fee to get it.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Further discussion? The question is shall Senate Bill
5. 1320 pass. Those in favor will vote Aye. Those opposed
6. vote Nay. The voting is open. ...voted who wish? Have
7. all voted who wish? Take the record. That question the Ayes
8. are 45, the Nays are 7, 1 Voting Present. Senate Bill 1320
9. having received the required constitutional majority is
10. declared passed. Senate Bill 1325, Senator Regner. Read the
11. bill, Mr. Secretary, please.

12. SECRETARY:

13. Senate Bill 1325.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Regner.

18. SENATOR REGNER:

19. Yes, Mr. President and members of the Senate. This is a
20. bill which provides that the Department of Administrative
21. Services, the sole disposer of all surplus real property.
22. It was a problem that was discussed in Appropriations
23. Committees the last couple of years and the Department of
24. ...Administrative Services requested that the bill do
25. be introduced. And the reason for it is to allow the
26. Department of Administrative Services to begin the five
27. month disposal process of surplus real property sooner than
28. what it is now, which is a three year waiting period. And
29. some of the surplus property is deteriorating very rapidly and
30. as each day goes by it's worth less in the State, therefore
31. receives less revenue on the sale of surplus property. I
32. ask for a favorable roll call.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Is there discussion? The question is...is there discussion...
2. the question is shall Senate Bill 1325 pass. Those in favor
3. vote Aye. Those opposed vote Nay. The voting is open. Have
4. all voted who wish? Have all voted who wish? Take the record.
5. On that question the Ayes are 55, the Nays are none, none Voting
6. Present. Senate Bill 1325 having received the required constitu-
7. tional majority is declared passed. Senate Bill 1328. Read the
8. bill, Mr. Secretary, please.

9. SECRETARY:

10. Senate Bill 1328.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDENT:

14. Senator Bruce.

15. SENATOR BRUCE:

16. Thank you, Mr. President. This bill was introduced to re-
17. institute a program which this General Assembly has been in
18. favor of in the past. It has been amended to meet the approval
19. of both the Enviromental Protection Agency and the Department
20. of Public Health. It'll reinstitute grants to public health
21. hazards through the EPA for people designated to have a public
22. health hazard that will be subject to an appropriation by the
23. General Assembly as it has in the past. I think the department
24. will be offering an amendment to their appropriation to include
25. this program and I would ask for your favorable vote.

26. PRESIDENT:

27. Is there any discussion? If not, the question is shall
28. Senate Bill 1328 pass. Those in favor will vote Aye, those
29. opposed will vote Nay. The voting is open. Have all voted
30. who wish? Have all voted who wish? Take the record. On that
31. question the Ayes are 53, the Nays are none, none Voting Present.
32. Senate Bill 1328, having received a constitutional majority
33. is declared passed. 1335, Senator Daley. On the Order of

1. Senate Bills 3rd reading, Senate Bill 1335. Read the bill,
2. Mr. Secretary.
3. SECRETARY:
4. Senate Bill 1335.
5. (Secretary reads title of bill)
6. 3rd reading of the bill.
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. Senator Daley.
9. SENATOR DALEY:
10. Mr. President and fellow Senators. This is the Court of
11. Claims, increases their salaries which they haven't had for
12. many years. It increases the chairman from twenty-one to
13. twenty-five and nineteen to twenty-three for the associates.
14. It's greatly needed and I would ask for a favorable roll
15. call.
16. PRESIDING OFFICER: (SENATOR BRUCE)
17. Is there discussion? The question is shall Senate Bill
18. 1335 pass. Those in favor vote Aye. Those opposed vote
19. Nay. The voting is open. Have all voted who wish? Take
20. the record. On that...have all voted...on that question
21. the Ayes are 36, the Nays are 17, none Voting Present.
22. Senate Bill 1335 having received a constitutional majority
23. is declared passed. Senate Bill 1336, Senator Egan. Senator
24. Egan. Read the bill, Mr. Secretary, please.
25. SECRETARY:
26. Senate Bill 1336.
27. (Secretary reads title of bill)
28. 3rd reading of the bill.
29. PRESIDING OFFICER: (SENATOR BRUCE)
30. Senator Egan.
31. SENATOR EGAN:
32. Thank you, Mr. President and members of the Senate. Senate
33. Bill 1336 increases the penalty for divulging confidential

1. information under the Cigarette and Use Tax Act from a Class B
2. to a Class A misdemeanor. This is consistent with the same
3. provision in the Income Tax Act. And I ask for your favorable
4. consideration.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. ...discussion? The question is shall Senate Bill 1336
7. pass. Those in favor vote Aye. Those opposed vote Nay.
8. The voting is open. ...voted who wish? Have all voted
9. who wish? Take the record. On that question the Ayes
10. are 39, the Nays are 10, 1 Voting Present. Senate Bill 1336
11. having received a constitutional majority is declared
12. passed. Senate Bill 1337, Senator Egan. For what purpose
13. does Senator Egan arise?

14. SENATOR EGAN:

15. Would you call 1340 please.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator, you expect to not get back to 37 and 38?

18. SENATOR EGAN:

19. Well, I hope to some day, I...

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. All right...all right. 1340. Read the bill, Mr. Secretary,
22. please.

23. SECRETARY:

24. Senate Bill 1340.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Egan.

29. SENATOR EGAN:

30. Thank you, Mr. President, members of the Senate. Senate
31. Bill 1340 provides that persons selling tangible personal
32. property for human consumption through vending machines,
33. shall be liable for sales tax on their own purchases at the

1. wholesale level and not at the retail level, which shifts
2. the point of taxation from one to the other. This...vending
3. operators cannot pass that collection increment on to their
4. customers through a machine because the practicality of
5. the situation and it's obvious that they...they must be treated
6. differently and that's what this bill requests of you, Ladies
7. and Gentlemen and I seek your support.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Is there discussion? Senator Ozinga.

10. SENATOR OZINGA:

11. I'd like to go back to relating to Hudson Sours when he
12. used to be here and say, who wants this bill?

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Egan.

15. SENATOR EGAN:

16. I don't know.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Further discussion. Senator McMillan.

19. SENATOR McMILLAN:

20. Mr. President, members of the Senate. I would rise in
21. opposition to this particular bill. Those of us that end
22. up paying the freight anyway, if we're buying a candy bar,
23. whether it be over the counter or from the stand downstairs,
24. are going to end up having to pay. And...I see absolutely
25. no reason why something sold through a vending machine
26. which, in fact, is a retail sale, should be exempt from...
27. from that particular tax and I would...would ask for a
28. No vote on it.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Further discussion? Senator Grotberg.

31. SENATOR GROTEBERG:

32. Question of the sponsor.

33. PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield.

1. SENATOR GROTBORG:

2. Senator Egan, for my own information, I...does the vendor

3. now...supposedly skim five percent off of his daily take

4. and send it to the State? So it isn't that there's nothing

5. being paid, it's just that we worry about it, is that it?

6. Thank you.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Egan.

9. SENATOR EGAN:

10. Well, to close.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Is there further discussion? Senator Egan may close.

13. SENATOR EGAN:

14. Well, there's...there's, Senator McMillan, there is no

15. total exemption. The fact is they do pay the tax at the

16. wholesale level. It's just a matter of practicality, you

17. can't ask a...a purchaser to put pennies into the machine,

18. that's the problem. I seek your favorable consideration.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Question is shall Senate Bill 1340 pass. Those in favor

21. vote Aye. Those opposed vote Nay. The voting is open.

22. ...voted who wish? Have all voted who wish? Take the

23. record. On that question the Ayes are 27, the Nays are 21,

24. 4 Voting Present. The bill having failed to receive a

25. constitutional majority is declared lost. Senate Bill 1342,

26. Senator...Senator Daley, 1342. Senate Bill 1347, Senator

27. Knuppel. Read the bill, Mr. Secretary, please.

28. SECRETARY:

29. Senate Bill 1347.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Knuppel.

1. SENATOR KNUPPEL:

2. It's a very simple bill. It's been brought about by some
3. abuses, I feel, in the...on the the part of some of these
4. people who examine our disclosure statements, giving facetious
5. reasons and saying it's for research, et cetera. We feel
6. we have to make a disclosure, the person looking at it ought
7. to be honest enough to say why he's looking at it, who he is.
8. This requires him to furnish...identifying number...identifying
9. name, address and telephone number of the persons and associations
10. for whom he works and why he's examining it. I think this
11. is good legislation, it's fair both ways, we'll know who's
12. examining them and why. I think we're entitled to know that,
13. we've...we've put it on the line and...and told them what
14. our disclosure was. I think it's good legislation. I'll
15. appreciate a favorable roll call.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Is there discussion? The question is shall Senate Bill
18. 1347 pass. Those in favor vote Aye. Those opposed vote Nay.
19. The voting is open. Have all voted who wish? Have all voted
20. who wish? Take the record. On that question the Ayes are
21. 48, the Nays are 4, 1 Voting Present. Senate Bill 1347 having
22. received the required constitutional majority is declared
23. passed. Senate Bill 1348, Senator Knuppel. Read...read the
24. bill, Mr. Secretary, please.

25. SECRETARY:

26. Senate Bill 1348.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Knuppel.

31. SENATOR KNUPPEL:

32. Mr...Mr. President, a bill analysis has just been passed
33. out by Senator Rupp, which I think correctly identifies
34. what has happened, except I want to explain one thing. It

1. says under comments, this bill is allegedly occasioned by
2. personal experience, that's true. However, it won't correct
3. the situation for me, it's not a personal bill, I have no
4. personal...interest in it because I have secured other
5. insurance through the Farm Bureau. I'm a member of the Farm
6. Bureau. But what happens, is these small, some of these
7. small insurance companies come around, they sell you insurance
8. and then you have a catastrophe, either a storm, wind, fire
9. and because you have large losses, they cancel you. It's like
10. health insurance or anything else. I think if you're going
11. to write insurance, you ought to write it and this business
12. of saying you're poor because you don't have reserves, it's
13. all reinsured through the larger companies. You'll notice
14. under Legislative history that most other policies, they
15. cannot cancel you on fire and extended coverage and that's
16. what these mutual companies write and solely because they've
17. had to pay claims. Now I can appreciate an auto insurance
18. company, you can go to an assigned risk pool, I don't know
19. where I would have gotten insurance had...had I not been
20. a member of the Farm Bureau where they write you because you're
21. a member. But somebody can be canceled out through no fault
22. of their own because they've had a fire, they've had a loss,
23. they may not have been negligent or anything else. Now the
24. whole purpose of insurance is to give you that protection and
25. once you've been canceled you don't have anywhere else to go
26. unless you happen to be a member like I was, at the Farm
27. Bureau to get insurance. I think that's a bad situation. The
28. very purpose of...of insurance is frustrated. The fact that
29. they're small, that fact that...the fact that they want out
30. from under something, I don't think is a...is a justification
31. for canceling solely on loss. I think this is good legislation.
32. It applies to all of the companies and it ought to apply to the
33. mutual companies.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Further discussion? Senator Rupp.

3. SENATOR RUPP:

4. Thank you, Mr. President. I would like to point up the
5. fact that one of the...in the history...in the history of
6. the insurance business, the small local mutuals, at some
7. particular point where the only source, the only way that
8. folks could secure their insurance. It seems that what
9. we're doing now, is sort of penalizing again some of the
10. smaller companies who have provided a service and there
11. just doesn't seem to be anything fair about, just because
12. they're in the insurance business, that once they get a
13. customer, they have to keep them. I think if the same
14. idea was applied to all businesses there would be an
15. awful lot of noise around here. I just cannot understand
16. why the business of insurance should be selected that
17. they have to do business with every customer. I've asked
18. one or two of the attorneys if they have taken all clients
19. who have walked in their office and they said, no, they didn't
20. take that one chap there, remember, because he didn't pay the
21. other attorney and then it was a bad case. There wasn't
22. any case there. And this is a similar thing because these
23. are bad cases. You just don't have a case. I ask for a
24. No vote on this particular bill.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Is there further discussion? Senator Knuppel may close.

27. SENATOR KNUPPEL:

28. This isn't a case where somebody hasn't paid their premium,
29. like somebody who didn't pay another attorney. The comparison
30. isn't even, doesn't even analyze, it doesn't come close. What
31. we've done here is said that when you have an insurance
32. company by any other kind under Senate Bill 473 last year by
33. Collins and Kosinski, that if they write the insurance, they

1. come in, they stay in. Because if you're negligent or some-
2. thing, there's some reason other than the loss, fine, I'll
3. agree with that. If...if you didn't pay your premiums,
4. hell, yes, you ought to be canceled. But I'm talking about
5. the guy that gets the policy and he has a loss because of
6. 'a storm or something and they say, well there's no other
7. reason except you had larger losses than the man down the
8. road, therefore, we're going to cancel you. The whole
9. idea of calling it mutual is is that they'll share the loss.
10. I think this is good legislation and I'll appreciate a
11. favorable roll call.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. The question is shall Senate Bill 1348 pass. Those in
14. favor vote Aye. Those opposed vote Nay. The voting is open.
15. Have all voted who wish? Have all voted who wish? Take the
16. record. On that question the Ayes are 31, the Nays are 23,
17. 1 Voting Present. Senate Bill 1348 having received the
18. constitutional majority is declared passed. Senate Bill 1350,
19. Senator Bloom. Read the bill, Mr. Secretary, please. Senator,
20. that was recalled and we are not going to call bills that were
21. amended today. All right. Senate Bill 1355, Senator Schaffer.
22. Read the bill, Mr. Secretary, please.

23. SECRETARY:

24. Senate Bill 1355.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Schaffer.

29. SENATOR SCHAFFER:

30. Senate Bill 1355 simply requires that a copy of your, of
31. a local campaign disclosure report be filed with the State
32. Board of Elections. It's a State Board bill. They found an
33. awful lot of committees are filing that don't have to. They

1. found some simple clerical errors that they can assist the
2. local committees on, but unfortunately, they really don't
3. have these files available to them. I think it's a good
4. bill. Appreciate a favorable roll call.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Is there discussion? The question is shall Senate Bill
7. 1355 pass. Those in favor vote Aye. Those opposed vote Nay.
8. The voting is open. Have all voted who wish? Have all voted
9. who wish? Take the record. On that question the Ayes are 41,
10. the Nays are 5, 1 Voting Present. Senate Bill 1355 having
11. received the required constitutional majority is declared
12. passed. Senate Bill 13...Senate Bill 1357, Senator Davidson.
13. Read the bill, Mr. Secretary.

14. SECRETARY:

15. Senate Bill 1357.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Davidson.

20. SENATOR DAVIDSON:

21. Yes, Mr. President, members of the Senate. This bill does
22. exactly what it says on the synopsis. This would give the
23. companies which are transporting students an opportunity to
24. be exempt from the Motor Fuel Tax on the State level the
25. same as it's done on the...Federal level and will help cut
26. down the transportation costs to school districts. Appreciate
27. a favorable roll call.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Is there discussion? The question is...Senator Demuzio.

30. SENATOR DEMUZIO:

31. Just a quick question of the sponsor. Is this for public
32. or is this for private individuals who transport students.

33. PRESIDING OFFICER: (SENATOR BRUCE)

34. Senator Davidson.

1. SENATOR DAVIDSON:

2. It's for both and it's locked in so that if it is a private
3. it's only pertains to those gasoline that they use in trans-
4. porting the public or school kids.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Demuzio.

7. SENATOR DEMUZIO:

8. How do you...how do you determine how many gallons are...are
9. utilized just for the transportation of students and not for
10. other business?

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Davidson.

13. SENATOR DAVIDSON:

14. Two ways, one is the money has to be paid and they have to
15. ask for a refund just like the farmers and...do and the airplane
16. pilots and secondly, it says, if it's a private contractor,
17. they must have a contract for one or more years with such
18. schools with such vehicles are used to provide transportation
19. service to students to and from schools.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator...further discussion? Senator Demuzio.

22. SENATOR DEMUZIO:

23. One additional question is what's the total cost then
24. to the State of Illinois for the exemption?

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Davidson.

27. SENATOR DAVIDSON:

28. It's estimated...depending on who you talk to from ten
29. to fourteen million dollars.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Further discussion? Senator Mitchler.

32. SENATOR MITCHLER:

33. Well, Mr. President and members of the Senate. This is
34. going to exempt from the RTA Gas Tax, the schools from paying

1. for their transportation, is that correct?

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Mitchler, would you repeat your question, please.

4. SENATOR MITCHLER:

5. Question of the sponsor, Mr. President. The RTA Gas Tax
6. is exempt from school districts for their transportation
7. of school...children, is that what this bill does?

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Davidson.

10. SENATOR DAVIDSON:

11. The RTA Tax is exempt as far as gasoline part of the tax
12. is concerned for either the public school district and or a
13. private contractor who contracts with a year or more contract
14. with a public school district to transport their children.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Mitchler.

17. SENATOR MITCHLER:

18. Well, the City of Aurora is going to be jeopardized and
19. Downers Grove and Glen Ellyn and all the RTA area by taking
20. away this funding. Because, you know, the City of Aurora
21. gets three hundred and sixty thousand dollars for the
22. deficit operation of their RTA buses that they run empty all
23. over the...city and without this additional revenue, they're
24. going to be in jeopardy. And I think you're disrupting the
25. RTA up in my district and this is...this is a terrible bill.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Further discussion? Senator Netsch.

28. SENATOR NETSCH:

29. Thank you. Let me just clarify something, Senator Davidson.
30. You said that the, depending on to whom you talked, the cost
31. is ten to fourteen or more million and that cost is to the
32. Motor Fuel...is a Motor Fuel Tax Fund and so we are, in effect,
33. at the same session we are trying to build up the Motor Fuel

1. Tax Fund and the Road Fund and prevent " diversion." We're
2. in a sense also taking away with the other hand. Now that's
3. a slightly loaded question now, but if you would go back to
4. the first part of it, my...my factual premise is correct, is
5. it not?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator...Senator Davidson.

8. SENATOR DAVIDSON:

9. Well, let me load the question more. It's a washes that
10. that we are furnishing transportation costs to the school
11. districts at the year end claim and those costs that they
12. claimed IOE for reimbursement for transportation includes
13. this. So when this is off then it's not that cost to the
14. ...to the school district, therefore the claim to the IOE
15. is less and you reduce that amount of money claim off of
16. the General Revenue Fund.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Further discussion? Senator Daley.

19. SENATOR DALEY:

20. Mr. President and fellow Senators. Witnesses before the
21. Education Committee explained to us that the State is paying
22. for the transportation, in turn, we're paying the tax. This
23. is greatly needed, there are many suburban school districts
24. that came down, asked for this concept because what we're
25. doing, we're appropriating money to the local school districts
26. for them to pay this and it's really ridiculous, it's just
27. a big circle coming around. It's a bill that's greatly
28. needed in those school districts.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Further discussion? Senator Rhoads.

31. SENATOR RHOADS:

32. Question of the sponsor.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Indicates he will yield, Senator Rhoads.

2. SENATOR RHOADS:

3. Senator Davidson, just to follow-up on Senator Mitchler's
4. question. If a school bus from my district, which is a Cook
5. and DuPage County District, pulls into a gasoline station
6. to fill up, they will, at...at the pump, not be charged motor
7. fuel? You...you're shaking your head no.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Davidson.

10. SENATOR DAVIDSON:

11. It's...you're apparently not aware of the refund situation
12. that's done and we amended this bill so that the tax is paid.
13. If you pull in to a pump, a school bus pulls into a pump,
14. they're going to pay the full amount. Then the school district
15. will claim a refund from the Department of Revenue just the
16. same as the other people such as farmers and aviation people
17. and all the other.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Rhoads.

20. SENATOR RHOADS:

21. All right, and that refund, in the RTA area, will also
22. include a refund on the five percent sales tax on gasoline.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Davidson.

25. SENATOR DAVIDSON:

26. Not the sales tax, we took the sales tax out because
27. we had them in six other sections of the Statute to make
28. the sales tax apply to people who were trying to do this.
29. The school transportation people to reduce their cost,
30. said the most important of the cost is the Motor Fuel Tax.
31. Do for us state-wide what the Federal Government already
32. does for us. These are already exempt from the Federal
33. Motor Fuel Tax and accessories.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Rhoads.

3. SENATOR RHOADS:

4. Well, just to finish then, that's not the most important
5. part of a...of a...the burden that they have. Frankly, that
6. RTA Sales Tax is a major...major portion of it and it's just
7. another way of...of the State further subsidizing the RTA.
8. So I...I would stand in opposition to the bill.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Further discussion? Senator Mitchler.

11. SENATOR MITCHLER:

12. Well, I'm...I'm going to ask the sponsor a question. Who
13. gave you this bill, who wants this bill?

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Davidson.

16. SENATOR DAVIDSON:

17. Well, the second time around and once you...you talked
18. about something which didn't even apply to this earlier
19. when you talked about the RTA Tax. The school transportation
20. people, both public and private and the contractors came
21. to me with this bill to try to get some relief on the transportation
22. costs. The most important cost is not five percent sales tax,
23. which amounts to five cents on the dollar. The highest cost
24. is the seven and a half cents per gallon. Now, even when it
25. gets to a dollar, that's still two and a half cents more than
26. any sales tax. This is some possibility for us to quit collecting
27. taxes from one taxing body to pay through another taxing body
28. for reimbursement of cost and give the school district an
29. opportunity to try to meet the cost of transportation.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Mitchler.

32. SENATOR MITCHLER:

33. We had a bill in Revenue Committee that would exempt taxi

1. cabs from...paying the seven and a half cent State Gasoline
2. Tax. We defeated it. Now you're coming in, you're going
3. to give an exemption to the School Transportation buses
4. for the seven and a half cents and jeopardize about fourteen
5. million dollars into the road fund here and then you're going
6. to turn right around and vote for a penny and a half increase
7. in the Gas Tax on other people. Somebody ought to get their
8. act together someplace in this State government to find out
9. where you're going to take away money and where you're going
10. to put money into it. And get a total package before you
11. come down here. How can I exempt one time, taxi cabs, they
12. asked me to exempt them, school buses on the other hand, and this,
13. and I know a lot of times it sounds legitimate, you got a good
14. bill, Senator Davidson, I'm not picking on you. But one time
15. you're going to exempt and then the next time you're going...
16. you're going to increase gas taxes. Get the total package
17. together and come down here. You make us look like boo-boo's
18. when you go back to your district to tell them what you did.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Schaffer.

21. SENATOR SCHAFFER:

22. Just like to quickly point out that the one School Formula
23. ...that we don't fund fully, is the Transportation Formula.
24. I think those of us from downstate, in particular, have taken
25. a tremendous amount of heat from our school boards because
26. that was not funded. This is a step in the direction of
27. funding it or at least finding some way for them to run
28. their transportation systems at a break even point. I think
29. it's a good bill.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Further discussion? The question is shall...Senator Davidson
32. may close.

33. SENATOR DAVIDSON:

Just give me thirty plus green lights. Thank you.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. The question is shall Senate Bill 1357 pass. Those in
3. favor vote Aye. Those opposed vote Nay. The voting is open.
4. Have all voted who wish? Have all voted who wish? Take the
5. record. On that question the Ayes are 47, the Nays are 7,
6. 2 Voting Present. Senate Bill 1357, having received a constitu-
7. tional majority is declared passed. Senate Bill 1359, Senator
8. Nimrod. Read the bill, Mr. Secretary, please.

9. SECRETARY:

10. Senate Bill 1359.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Nimrod.

15. SENATOR NIMROD:

16. Yes, Mr. President and Ladies and Gentlemen of the Senate.
17. What this bill does is satisfies a void in the Election Code
18. and also...clarifies the situation, whether it can be a conflict
19. on the Electoral Board. And what, in fact, it does at this
20. time, it says that any...anyone who is a member of an Electoral
21. Board now is prohibited from serving for various reasons. And
22. one of the conditions that, I think, ought to be added to that
23. in discussion with everyone is that if...if a man is indicated
24. to be a...signs as a circulator of a petition, that certainly
25. should make him invalid to serve as a member of that Electoral
26. Board. Number two is, there's a void in the law pertaining
27. to a fact where the committeeman or the county chairman make
28. a replacement for a candidate due to either where they...the
29. candidate has been found, his petition found insufficient or
30. he's replaced due to death or resignation of some other sort.
31. That, in fact, the question is whether or not that can be
32. contested by a second Electoral Board and what this does
33. is say, no, it cannot be contested, but that the election authority

1. must, in fact, be able to verify that the person is eligible
2. to receive that office. The third thing that was done, was
3. Senator Philip put an amendment on...on this bill and what
4. that covered was that, in the case of party offices, it makes
5. it the same as for all the elected officials, where an individual
6. who...a party office, holds a party office...convicted of...of
7. infamous crime, a violation oath of office is...is ineligible
8. to hold office. Be happy to answer any questions, if not then
9. I ask for a favorable roll call.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Is there discussion? Senator Rhoads.

12. SENATOR RHOADS:

13. Question of the sponsor.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Indicates he will yield, Senator Rhoads.

16. SENATOR RHOADS:

17. Senator...Nimrod, as you indicated, this was amended several
18. times on 2nd reading. At least one of those amendments and
19. possibly two were not germane to Chapter 46, the Election
20. Code. Now have those amendments been Tabled, or withdrawn?

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Nimrod.

23. SENATOR NIMROD:

24. Yes, Senator Rhoads, that was Amendment 2 and it had been
25. withdrawn because amendment...it had been withdrawn from the
26. bill.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Rhoads.

29. SENATOR RHOADS:

30. Well, on the merits of...of the first part of the bill,
31. the assumption is that someone who circulates a nominating
32. petition on behalf of a candidate, is therefore, so prejudice
33. that that person is ineligible to serve on an Electoral Board.

1. And I don't think that's a valid assumption. Our whole system
2. isn't based on...on making people political ...unics or...or
3. removing them from the political process. It's based on
4. getting a fair balance and a fair representation of all
5. the concerns of contested parties. For example, when we
6. walk into a precinct polling place, we have an evenly or
7. divided Board of Election Judges, three Republicans and
8. two Democrats or three Democrats and two Republicans, whatever
9. the case may be in that particular precinct polling place.
10. The idea is that these people will serve as a check and a
11. balance on each other. Now, all of those people have probably
12. participated in political activity. In my area, I hope that
13. they would. That they have circulated petitions for public
14. office, that they have donated money, that they have in some
15. other way, been active in the political process rather than
16. inactive. To say that one of those people shouldn't be
17. able to sit as...as a judge of election, simply because
18. they circulated a petition, we wouldn't even consider a bill
19. like that. But with this bill, we're saying that because
20. a person has circulated a petition on behalf of some candidate
21. somewhere on the ballot or at least for the office under
22. consideration, they cannot serve on the Electoral Board. I
23. don't see the sense in it.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Further discussion? Senator Lemke.

26. SENATOR LEMKE:

27. Mr. President, members of the Senate. I...I think that this
28. is a very bad bill, it excludes certain people that in areas
29. where there's very few participants of one particular party
30. from circulating petitions. It's hard enough to find judges.
31. I know in the...I'm surprised that Senator Nimrod is sponsoring
32. this thing because in Cook County the Republicans are crying
33. that they can't find election judges to serve on the...on

1. ...in the various precincts and therefore we're short of
2. election judges. This bill would make the shortage even
3. worse. And there's certain areas in the State, whether they
4. be Democrat or Republican where the minority party has a hard time
5. to find people to man precincts and even circulate petitions.
6. And I think this would impede the process of participation
7. by many people in the election. And also, circulating petitions
8. for what they consider their favorite candidate, whether it
9. be a State Representative or a county official or someone else.
10. If you circulate a petition, even for your son, you can't
11. serve on the Election Board, even though you served on the
12. Election Board for twenty years. I had asked for the defeat
13. of this bill.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Further discussion? Senator Nimrod may close.

16. SENATOR NIMROD:

17. Yeah...thank you, Mr. President. I'm sorry to see that
18. there seems to be some misunderstanding on the purpose of this
19. bill. There happens to be that the basic reason for this is
20. necessary because officials who...this only would affect the
21. suburbs and some of our downstate small communities where you
22. have two parties that are running for office and...and general
23. in the community. When they have an Electoral Board, it's
24. those local officials, the president of that board and the
25. ...and the trustee, right now if he's a candidate for office
26. he's ineligible to serve on the Electoral Board. Most of
27. these men are the chairman or the presidents of those local
28. opposing parties and they, in fact, are the ones that are
29. sitting in judgment against their opponents. So it's very
30. convenient for them to remove their opponents. All I'm saying

31.

Continued on next page.

32.

33.

1. is that, in fact, you are circulating a petition and signing
2. it and it only affects, this will only affect the local areas.
3. Has no jurisdiction in the...in the larger communities, such
4. as City of Chicago or any of our large urban areas because
5. there we have the Electoral Boards are made up of the county
6. representatives and there are no...no particular problems, but
7. the important thing is here is that judges sit on those areas
8. and the county clerk sits in those areas. The important thing
9. is that this is needed for our smaller communities where
10. you have the infighting of small parties and, in fact, one
11. party denies the other candidates from running, then they're
12. forced to run down to the big electoral boards in the county
13. seat and fight another battle. It certainly...it discourages
14. people from being able to be elected to office and I think
15. it's in the best interest of the citizens of our State. I
16. would urge an Aye vote.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. The question is shall Senate Bill 1359 pass. Those in
19. favor vote Aye. Those opposed vote Nay. The voting is open.
20. ...voted who wish? Have all voted who wish? Take the...record.
21. On that question the Ayes are 5, the Nays are 38...sponsor,
22. on that question the Ayes are 5, the Nays are 38. The bill
23. having failed to receive a constitutional majority is declared
24. lost. Senate Bill 1360, Senator Berning. Read the bill, Mr.
25. Secretary, please.

26. SECRETARY:

27. Senate Bill 1360.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Berning.

32. SENATOR BERNING:

33. Thank you, Mr. President, members of the Senate. This is the

1. bill about which many of you received a great deal of corres-
2. pondence. Let me reassure you that by means of the amendment,
3. all of the objections by the police and fire organizations
4. have been removed. The bill now does only one thing. It
5. extends the period for the amortization by the municipalities
6. of the unfunded liability of the Pensions Systems, in other
7. words, it extends for an additional forty years, beyond
8. January 1st, 1980, the period for amortization. It now is
9. supported by the Pensions Systems and the...the League of
10. ...Municipal League. I know of no objection any longer and
11. I would solicit your favorable vote.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Is there discussion? The question is shall Senate Bill
14. 1...Senator Schaffer.

15. SENATOR SCHAFFER:

16. Senator Berning, is this bill likely to be amended in the
17. House?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Berning.

20. SENATOR BERNING:

21. I can't speak for the House, but it is not my intention
22. and if it were amended in the House it would have to come
23. back here and I would resist any amendments.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Mitchler.

26. SENATOR MITCHLER:

27. Mr. President and members of the Senate, this bill has generated
28. more mail from my district and other districts than any bill
29. this Session. And no matter what we amend it to or what we
30. ...what posture we put it into, the only way that I can answer
31. my constituents that didn't like the bill the way it was put
32. in is to give a No vote. And let's bury it right here so you
33. can tell them it's a No vote and if they got any other idea

1. about coming in...come in with that bill. Not a dastardly
2. bill like they came in with first place and then amend it into
3. something that they think is good, so that I get to write those
4. thousands of people back home. Let's defeat this and clear it
5. off the books and then you just tell them you voted No and
6. you responded to them and if they got some idea there they
7. want, come in with that bill, originally, not with something
8. like they came in then hood-wink it that they made it into a
9. good bill. You know I got hundreds of letters on it and you
10. did too and the best way to tell them that you'll vote it
11. like they wanted to and you bet the bill, if you got another
12. idea, come in with that bill, not try to subterfuge it in
13. that. Vote No, wipe it off the books.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Is there further discussion? Senator Egan. May we have
16. some order please. Senator Egan is recognized.

17. SENATOR EGAN:

18. Thank you, Mr. President, members of the Senate. I...this
19. ...this is an agreed bill. It is, as a matter of fact, an
20. agreed bill. That...this posture has been amended and the fire
21. and police have agreed that this bill is acceptable to them
22. and all of those letters were on the original bill, not on this
23. bill. This bill has been amended. They agree to passage of
24. this bill. This is an agreed bill.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Is there further discussion? Senator Mitchler, for a
27. second time.

28. SENATOR MITCHER:

29. Well, that's what I'm alluded to, Senator Egan. If...if
30. it was an agreed bill they should have come in with an agreed
31. bill instead of amending this. I've got to write hundreds
32. of people and waste all the taxpayers postage to tell them
33. that's it's an agreed to bill. Now, when they came in with
that dastardly thing that they came in with, they ought to

1. be ashamed of themselves to amend it.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Egan, for the second time.

4. SENATOR EGAN:

5. Senator, I'll write to them for you, how's that.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. And is there further discussion? Senator Berning may close.

8. SENATOR BERNING:

9. Than you, Mr. President. It's amazing what triggers some
10. peoples emotional outbreaks. Let me remind all of you that
11. there are very, very few bills under consideration which have
12. not been amended. They've all been subject to scrutiny and
13. revision. This now before us, 1360, has been amended to
14. accomodate the wishes of the people involved. There isn't
15. any objection to it by anyone other than my seatmate so far
16. as I know. And as far as his answering his mail throughout
17. the State of Illinois, that is strictly his prerogative. I
18. personally never answer any mail outside of my district and
19. I'm not even going to answer the mail on this bill, because
20. you better believe the police and fire associations know
21. full well what the bill does and...the word has gotten all
22. over to them without any one of us sitting down advising
23. them of what we are doing. I urge a favorable vote, Mr. President.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. The question is shall Senate Bill 1360 pass. Those in
26. favor vote Aye. Those opposed vote Nay. The voting is open.
27. ...voted who wish? Have all voted who wish? Take the record.
28. On that question the Ayes are 49, the Nays are 4, 3 Voting
29. Present. Senate Bill 1360 having received the required consti-
30. tutional majority is declared passed.

31.

32.

33.

End of Reel #2

1. Senate Bill 1363, Senator Grotberg. Read the bill, Mr.

2. Secretary, please.

3. SECRETARY:

4. Senate Bill 1363.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Grotberg.

9. SENATOR GROTBORG:

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

11. This is one of those bills everybody can vote for gleefully.

12. It makes the simultaneous board service of township trustees

13. and village board members serving on the county board legal.

14. We already did the township supervisors. I'd be pleased to

15. answer any questions but from where I come from the reason I

16. sponsored these bills is I don't care how many offices someone

17. is elected to as long as they run and get elected.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Is...is there discussion? The question is, shall Senate...Senate

20. Bill...Senator Joyce.

21. SENATOR JEROME JOYCE:

22. Yes, thank you, Mr. President. I...I kind of reluctantly...

23. rise in opposition to this. I...you know...if we put the town-

24. ship trustees on the county boards anything dealing with town-

25. ships in that area they're not going to be able to vote on.

26. Is that not right, Senator?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Grotberg.

29. SENATOR GROTBORG:

30. You're always right, Senator.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Joyce.

33. SENATOR JEROME JOYCE:

1. The problem being we could fill up the county board with
2. trustees and supervisors and they wouldn't be able to vote on...
3. on anything that would be affecting them. I...I...you know...
4. I think maybe that's a little farfetched, but it could happen,
5. so I...I rise in opposition to this bill.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Further discussion? Senator Wooten.

8. SENATOR WOOTEN:

9. Just a note that in the Amendment No. 2 where you enable
10. a village trustee to hold concurrently the offices of village
11. trustee and township trustee, you grandfather in a person who
12. after the first of this year holds both office...holds both
13. offices illegally and validate all of his actions as a village
14. trustee. I think that is going way overboard.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Any further discussion? Senator Martin.

17. SENATOR MARTIN:

18. Senator Joyce brings up one very correct problem with
19. the bill, but there is an additional problem. It took a lot
20. of time to separate those functions and one of the, at least,
21. supposed strengths of township government is its separateness
22. from other forms of government. I do not think this is a good
23. idea. Our board had to lose some very good people when this
24. went into effect, but we had seen inherent conflicts of interest
25. not just on the votes as Senator Joyce puts out, but on just
26. philosophy and where money was going to come from and in the
27. case, too, of Federal Revenue sharing money and although it is
28. well meant...meant, I do not think this is particularly
29. legislation.

30. PRESIDING OFFICER: (SENATOR BRUCE)

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

32. SENATOR GROTBORG:

33. Well, thank you. I respect the opinion of both of the

1. people who spoke against this fine bill. The problem is
2. real, Ladies and Gentlemen of the Senate...Mr. President,
3. they're out there and they are being elected. The township
4. trustees portion is prospective in nature. There is not yet
5. an Attorney General's opinion on that. It was only on township
6. supervisors. The law was signed last year to make the super-
7. visors simultaneous tenure legal. The Association of Township
8. Officials seeing the boogie man that may be inherent in the
9. trusteeship desire that one and if you met that fine young man
10. about seventy-five years old from the small town in Illinois
11. where they can't get anybody to run for the damn offices.
12. It's a town of three hundred and sixty people and the mayor
13. won't let the guy take his seat on the city council because
14. he's a township supervisor. It's just plain stupid. Now, what
15. is local government about. I'll take all the conflicts involved in
16. this, but for God's sake, let's get the monkey off their back.
17. They depend on us to do these things and people wonder where
18. you get these silly bills, three pages of them on your printouts,
19. it's because of little problems like this that we meet a couple
20. times every generation to clean up this Statutes and I say let's
21. clean it up and let the little township guys be able to serve
22. the public and get elected or unelected, fired or hired by the
23. people and forget about the conflict because there is none. I
24. ask for a favorable roll call.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. The question is, shall Senate Bill 1363 pass. Those in
27. favor vote Aye. Those opposed vote Nay. The voting is open.
28. Have all voted who wish? Have all voted who wish? Take the
29. record. On that question, the Ayes are 19, the Nays are 28,
30. 8 Voting Present. Senate Bill 1363 having received...failed to
31. receive the constitutional majority is declared lost. Senate
32. Bill 1364, Senator Berning. Read the bill, Mr. Secretary, please.

33. SECRETARY:

1. Senate Bill 1364.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Berning.

6. SENATOR BERNING:

7. Thank you, Mr. President. This bill is now as amended
8. exclusively affecting Lake County, possibly DuPage County, if
9. they are inclined to be interested. The purpose of the bill is
10. to authorize the township to, by ordinance, duly enacted control
11. the activities on private lakes. It does not affect forest
12. preserves. It doesn't affect public property but is in response
13. to the request of some citizens in my district who have a
14. serious problem with intrusions on the private lake and there
15. is no way of controlling the type or degree of activity. Lake
16. Villa Township supervisor and board are asking that this legis-
17. lation be adopted because of the restriction to just this
18. county by the amendment, I would suspect that there should be
19. no real objection to it and I'd appreciate your favorable vote.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Is there discussion? Senator Martin.

22. SENATOR MARTIN:

23. I'm sorry to speak on two bills this morning, but this
24. bill gives police powers to township officials and although
25. certainly protect in Lake County is not a big priority to open
26. the door to this maybe the single greatest mistake we can make.
27. There are, unfortunately, townships in this State when this bill
28. might finally be opened where some of us on the Local Government
29. Committee could picture them buying their Chriscraft with
30. machine guns and on private lakes they're having a wonderful
31. time. I would suggest that there is a problem in Lake County that can
32. be solved again by intergovernmental cooperation agreement.
33. That's why it's there and to open this one up is begging for nice

1. jokes but incredible trouble.
2. PRESIDING OFFICER: (SENATOR BRUCE)
3. Is there further discussion? Senator Buzbee.
4. SENATOR BUZBEE:
5. Thank you, Mr. President...am I to understand from the
6. sponsor that this has been restricted just to Lake County now?
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. Senator Berning.
9. SENATOR BERNING:
10. Yes, for all intents and purposes. It's over three hundred
11. seventy-five thousand population and under one million. I think
12. that would restrict it almost exclusively to Lake County.
13. PRESIDING OFFICER: (SENATOR BRUCE)
14. Senator Buzbee.
15. SENATOR BUZBEE:
16. Thank you.
17. PRESIDING OFFICER: (SENATOR BRUCE)
18. Is there...Senator Jerome Joyce.
19. SENATOR JEROME JOYCE:
20. It just seems to me that the sheriff in that area could do
21. this. I...I...you know, maybe Lake County needs Chriscrafts with
22. machine guns, I don't know, but...
23. PRESIDING OFFICER: (SENATOR BRUCE)
24. Further discussion? Senator Schaffer.
25. SENATOR SCHAFFER:
26. Mr. President, it occurs to me that this might, in fact, be
27. an appropriate roll for the Naval Militia.
28. PRESIDING OFFICER: (SENATOR BRUCE)
29. Further discussion? Senator...Sangmeister.
30. SENATOR SANGMEISTER:
31. Will the sponsor yield for a question? Will he yield for a question?
32. PRESIDING OFFICER: (SENATOR BRUCE)
33. He...he will yield. Senator Sangmeister.

1. SENATOR SANGMEISTER:

2. Yes, I...I must have missed one of the Local Government
3. Committee meetings. I remember this...remember this bill
4. coming up in there and one of the questions we had at that
5. time is...this is a private lake and I never did get the
6. answer to the question, Senator Berning, as...is to...if this
7. is a private lake why aren't the citizens that own this lake
8. doing their...their own enforcement or buying...their own
9. equipment? Why...why should the township taxpayers pay for
10. supervising illegal activities on a private lake?

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. The...excuse me, Senator Berning. One moment...Channel
13. 20 has sought leave to record the proceedings of the Body.
14. Is...is there leave? Leave is granted. All right. There's
15. been a request for a roll call. We'll hold the roll call in
16. abeyance until we...finish the debate on this bill. Senator
17. Berning.

18. SENATOR BERNING:

19. Well, Senator Sangmeister and to the rest of the members
20. who, for some reason seem to believe that this is a very
21. facetious matter, the topic of ribaldry, whereas, it's a very
22. serious matter for my district where there are a great many
23. very small lakes. They may not be any bigger than the clock
24. on which this building sits, but they are within the confines
25. of a group of private individuals and there is no direct
26. authority for anyone to control the activities of anyone else
27. who happens to be able to get on there with a boat. Now, there
28. isn't any intention for anybody to have a gun or a big speed
29. boat. The township would not be interested in that...

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Berning, remember you are answering a question
32. from Senator Sangmeister and this is not closing debate...Senator Berning.

33. SENATOR BERNING:

1. Very well. There isn't any known avenue at this point
2. for the individual homeowners around these small lakes to
3. control the unfortunate uses that are being made of...of their
4. lake at this point and that's all this is intended to do.
5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Sangmeister.

7. SENATOR SANGMEISTER:

8. Well, Senator, really...really my question was not facetious
9. and I'm not...you've got a problem in your district. We all
10. have that and I can appreciate that, but wouldn't another
11. avenue be for the...for the owners around the lake to enter
12. into a contract with...with the...the sheriff's office to...to
13. patrol the lake rather than...than doing it the avenue that you
14. are proceeding under?

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Berning.

17. SENATOR BERNING:

18. No, the sheriff would have to put a boat on there of his.
19. The township would be willing and able to do this with volunteers
20. that are authorized by the township. There would be no costs,
21. whereas the county would incur a cost if the lake would even
22. support the kind of a boat that the sheriff has. Most of them wouldn't
23. even accomodate a high speed good sized boat...

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Further discussion? Senator Weaver.

26. SENATOR WEAVER:

27. Thank you, Mr. President. Senator Berning has a serious
28. problem. He tried to work this out. He's been willing to take
29. any amendments that were suggested. I think we should try
30. this and if it doesn't work we can repeal it next year, but
31. he does have a serious problem and he's trying to deal with it
32. and I think he...deserves our support.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Further discussion? Senator Egan.

2. SENATOR EGAN:

3. Yes, I...you know...having...I'm from Chicago. I've been
4. on these lakes in the summertime and there's a real need for
5. this kind of a bill...you know...don't laugh. Have you ever
6. been up on Blarney Island in Grass Lake in the summertime,
7. you'd welcome all the police help you can get. I...let me
8. tell you something. I...I support your bill, Senator. I
9. like the idea. It's the only way to do it.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Demuzio.

12. SENATOR DEMUZIO:

13. Well, thank you, Mr. President. I...I might point out that
14. I was the subcommittee chairman that heard this bill and it was
15. recommended back to the Local Government Committee and...and
16. we passed it out 10 to nothing. Frankly, we thought it was a
17. serious enough problem that ought to be debated by the full
18. Senate and, frankly, I sort of agreed with Senator Berning
19. this morning and I intend to support his bill.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Geo-Karis.

22. SENATOR GEO-KARIS:

23. Mr. President and Ladies and Gentlemen of the Senate. I,
24. too, live in Lake County and although we have Lake Michigan
25. we have many small lakes and we've had some horrible accidents
26. where youngsters were killed because of motorboat mishandling
27. and I certainly would urge a favorable consideration of this
28. bill.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Further discussion? Senator Berning may close.

31. SENATOR BERNING:

32. I'd appreciate a favorable roll call.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. The question is, shall Senate Bill 1364 pass. Those in
2. favor vote Aye. Those opposed vote Nay. The voting is open.
3. Have all voted who wish? Have all voted who wish? Take the
4. record. On that question, the Ayes are 31, the Nays are 15,
5. 1 Voting Present. Senate Bill 1364 having received the
6. constitutional majority is declared passed. Senate Bill 1370...
7. for what purpose does Senator Regner arise?

8. SENATOR REGNER:

9. Do you want to finish that? Oh, you passed it. Okay.
10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Regner, for what purpose do you arise?

12. SENATOR REGNER:

13. Mr. President and members of the Senate. I had just come
14. on the Floor when Senate Bill 1360 was being considered...1359
15. and I realize now that the bill wasn't fully explained and
16. having voted on the prevailing side, I would now move to
17. reconsider the vote by which Senate Bill 1359 lost.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator, we're not on the Order of Motions. If you'd put
20. your...your motion in writing and bring it to the Desk. One
21. other Senator has already asked for that procedure and we will
22. handle those motions in the proper proceedings...in the Senate.
23. Now, Channel 20 has asked leave to record the...the proceedings.
24. Is there leave? Leave is granted. There has been a request
25. for a roll call on...on Channel 20. Senator Weaver, are you
26. joined by another Senator? Senator Graham. There's been a
27. request on the roll call. Now, Gentlemen, this is the question
28. of whether or not Channel 20 should be allowed to record the
29. proceedings. Those in favor will vote Aye...film the proceedings.
30. Those in favor will vote Aye. Those opposed will vote Nay. The
31. voting is open. Have all voted who wish? Have all voted who
32. wish? Take the record. On that question, the Ayes are 34, the
33. Nays are 12 and Channel 20 is granted leave to record the proceedings.

1. Senate Bill 1370, Senator Walsh. For what purpose does Senator
2. Ozinga arise?

3. SENATOR OZINGA:

4. Mr. President, why don't we just declare about a ten minute
5. recess. Let everybody get up and talk for the cameras and then
6. limit debate to no debate on any bill thereafter.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. 1370. Read the bill, Mr. Secretary, please.

9. SECRETARY:

10. Senate Bill 1370.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Walsh. May we have some order, please, Gentlemen
15. and Ladies. Senator Walsh.

16. SENATOR WALSH:

17. Mr. President and members of the Senate. In closing I
18. request a favorable roll call.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. The question...is there debate? Senator Walsh.

21. SENATOR WALSH:

22. This...this bill is accurately described in the digest
23. and it would authorize non-home rule municipalities to issue
24. Revenue Bonds for residential home financing. It just basically
25. extends to non-home rule units the same authority and power
26. presently enjoyed by home rule units and would...would authorize
27. people seeking mortgages for residential purposes to obtain
28. favorable interest rates. I urge a favorable roll call.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Is there discussion? Senator Vadalabene.

31. SENATOR VADALABENE:

32. Yes, Senator Walsh, is that identical to Senate Bill 1200,
33. if I recall that did the same thing?

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator...Senator Walsh.

3. SENATOR WALSH:

4. No, it is not. Senator Davidson joins me in sponsoring
5. this bill which is also supported by the Municipal League.
6. Senator Davidson's bill provided for a referendum, I believe,
7. and I did not feel it was necessary in view of the fact that
8. this is Revenue Bond financing rather than General Obligation
9. Bond financing.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Further discussion? Senator Buzbee.

12. SENATOR BUZBEE:

13. Thank you, Mr. President. A question to the sponsor.
14. I...I am wondering, Senator...how does this sort of situation
15. work? I know that's been home rule units have it now, but I'm...
16. I'm not quite...don't quite understand exactly how it works. How
17. does this work as opposed to a person going out and applying
18. for a mortgage loan with a savings and loan, let's say?

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Walsh.

21. SENATOR WALSH:

22. Well, this would be especially beneficial in...in, while in...
23. in many of the older communities both downstate and upstate where
24. maybe...one town might require...have demand for a million
25. dollars in such financing, a neighboring town might have demand
26. for another million dollars or two million dollars. You...they
27. could all join together after adopting the ordinance and...and
28. then have the bonds issued. There would be an underwriter,
29. probably from St. Louis or Chicago. Have the bonds issued and
30. then the money would be available through a...sponsoring agency,
31. probably a local bank that would handle the mortgage applications,
32. et cetera and the advantages that because these are municipal
33. bonds you would be able to secure mortgages at maybe eight or

1. eight and a half percent interest where the mortgage rate
2. presently in the State of Illinois, I think, is at about eleven
3. percent for residential financing.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Buzbee.

6. SENATOR BUZBEE:

7. I'm just wondering, isn't this kind of an unfair...competition
8. with people in private enterprise, such as savings and loans or
9. banks?

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Walsh.

12. SENATOR WALSH:

13. Well, I don't think so. As a matter of fact, you'll find
14. savings and loans and banks are...are saying no to mortgage
15. applicants much more frequently than they are saying yes. The
16. money just isn't available at the high rates of interest that
17. they must charge.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Buzbee. Further discussion? Senator...Jerome Joyce.

20. SENATOR JEROME JOYCE:

21. Yes, thank you, Mr. President. I rise in support of this.
22. I think it's an excellent concept. It will keep the smaller
23. communities alive and it will provide financing for the younger
24. people to stay in that community, so I think it's an excellent
25. concept and would urge an Aye vote.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Further discussion? Senator Netsch.

28. SENATOR NETSCH:

29. First of all, a question of Senator Walsh and I guess I'm...
30. I'm a little surprised at his sponsorship of legislation that
31. would intrude us further into the bonding market. Have you
32. checked on the present status of the legislation pending in
33. Congress that would, in effect, make this whole program of using

1. Revenue Bond financing for private mortgages, in effect, ineffective?

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Walsh.

4. SENATOR WALSH:

5. I know that there is in Washington some consideration of
6. that and, of course, my effort is merely to extend this opportunity
7. throughout the State rather than to just home rule communities.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Netsch.

10. SENATOR NETSCH:

11. Thank you. I think, as everyone knows, there is legislation
12. pending which we are led to believe is likely to pass in Congress
13. that would deny the...the tax exemption on such bonds and,
14. therefore, presumably make it ineffective as a program. That is
15. the desirability of the program basically is that they are tax
16. exempt bonds and, therefore, have a more favorable interest rate.
17. I would have to say on the merits, I have very mixed feelings or
18. as Senator Palmer used to say, I'm ambivalent. It...on the one
19. hand, it does help to provide some mortgage money and, heaven knows,
20. that that is for...for other than very expensive housing and that
21. is very much needed in a number of communities because there...
22. there is a real problem in getting decent interest rates,
23. particularly right now to continue the private housing market
24. going. On the other hand, it is another form of using the
25. State's name and the State's power or the municipality, in this
26. case, to float bond issues and even though they are Revenue
27. Bond issues it begins to weigh heavily on the credit rating of
28. the State and of its subunits of government and that's something
29. that I think is a matter of very grave concern for all of us in
30. the years to come, so that you have a...a very good, well
31. motivated program, probably financed in a way that is, at the
32. very best, doubtful. I don't know how you'd come out on that.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Further discussion? Senator Geo-Karis.

2. SENATOR GEO-KARIS:

3. Mr. President and Ladies and Gentlemen of the Senate. Home
4. rule municipalities have this right, right now. I come from a
5. non-home rule municipality and there are many of us here in this
6. Senate Body that come from non-home rule municipalities and I
7. think non...non-home rule...municipalities should have the same
8. right. After all Revenue Bonds...completely under payment of
9. bonds sold. They're not based on General Obligations...of the
10. city or anything and I think this is a good concept and we
11. are trying to help people and I don't see why we cannot do it
12. with the non-home...rule municipalities when we do it with the
13. home rule and I certainly urge a favorable consideration of this
14. bill.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Further discussion? Senator Grotberg.

17. SENATOR GROTBORG:

18. Yes, a question of the sponsor.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. He indicates he will yield. Senator Walsh, a question.

21. SENATOR GROTBORG:

22. Senator Walsh...

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Grotberg.

25. SENATOR GROTBORG:

26. I don't have the bill in front of me, but is it all housing
27. or is it restricted to multi-family dwellings or...

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Walsh.

30. SENATOR WALSH:

31. That's single family...single family residential units.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Grotberg.

1. SENATOR GROTEBERG:

2. I...I would just remind the Body and I probably will vote
3. for this one too, but I want you to know that the Governor
4. signed three weeks ago Senator Shapiro's bill to allow non-home
5. rule communities...we amended the Blighted Areas Act, which is
6. already on the books to sell Commercial Revenue Bond Acts and
7. we...and Senator Walsh, we...we added housing to it. Just
8. housing. No definition of housing is needed as well as commercial.
9. It is already law. There are many restrictions in it, so that
10. the proper procedures have to be gone through, but it is already
11. law to that degree. Now, if yours is for single family homes
12. and something like the Chicago plan...I'm trying to get your eye,
13. Senator Walsh...I'm trying to get your eye, Senator Walsh...if
14. it is only single family dwellings...you know...I would urge
15. the support of it, but other than that we've got a pretty good
16. law on the books for housing.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Walsh.

19. SENATOR WALSH:

20. I'm sorry, Senator, I stand corrected. Home in the bill is
21. defined as "real property and improvements thereon located within
22. the municipality consisting of not more than four dwelling units"
23. so it...it...it's residential, but not more than four units.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Further discussion? Senator Demuzio.

26. SENATOR DEMUZIO:

27. Yes, thank you, Mr. President and Ladies and Gentlemen
28. of the Senate. We did, indeed, pass Senate Bill 1200 out of
29. here yesterday or the day before. Senate Bill 1370 is also
30. worthy of our support. It would give the option to the Governor
31. downstairs as to whether or not he would want to sign a proposal
32. with a front door referendum or simply to have the city council,
33. by ordinance, to go ahead and get into the program. It is...this

1. program is of vital interest to all of us in Southern Illinois.
2. There is...of substantial interest in it, particularly in this
3. area as well as in downstate. I think it is a good proposal and
4. I think it ought to be supported.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Further discussion? Senator Walsh may close.

7. SENATOR WALSH:

8. Mr. President and members of the Senate. I request a
9. favorable roll call.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. The question is, shall Senate Bill 1370 pass. Those in
12. favor vote Aye. Those opposed vote Nay. The voting is open.
13. Have all voted who wish? Have all voted who wish? Take the
14. record. On that question, the Ayes are 28, the Nays are 18,
15. 3 Voting Present. The bill having failed to receive the
16. constitutional majority is declared lost. Senate Bill 1371,
17. Senator Mitchler. Read the bill, Mr. Secretary, please.

18. SECRETARY:

19. Senate Bill 1371.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Mitchler.

24. SENATOR MITCHLER:

25. Mr. President and members of the Senate. Senate Bill 1371
26. amends the Horse Racing Act to require the Racing Board to
27. adopt rules regulating the possession and use of chemical
28. substances. Now, the illegal use of drugs on racing horses has
29. been a serious problem and with this bill, the trainer will be
30. responsible for the condition of the horse, regardless of the
31. implication of a third party. The Racing Board indicates this
32. bill is necessary to curb the illegal use of drugs in the horse
33. racing industry and I'd like to defer to Senator Vadalabene, who

1. is more knowledgeable about the horse racing business than I am.
2. I really think he should probably be sponsoring this bill, but
3. I discussed it with him and he's in full compliance with this
4. and Senator Vadalabene, if you have any remarks to make relating
5. to this bill, I'd appreciate your informing the legislature.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Gentlemen, I would remind you we're rolling along here.
8. Senator Vadalabene.

9. SENATOR VADALABENE:

10. Yes, it doesn't take me very long to say anything. It's
11. sort of timely, Senator Mitchler, that you...that you should
12. mention my name in regard to race horse. After all, there is
13. a race horse named after me, Senator Sam, and incidently, it
14. is racing tonight for the first time this year. Now, maybe
15. you do have something there. Maybe, something has happened
16. to that horse. It's only won one race in twenty starts and
17. something has to be drastically wrong, so if anything can improve
18. his status, I'll vote for this bill.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Is there further debate? Senator Rock.

21. SENATOR ROCK:

22. Thank you, Mr. President. A question of the sponsor, if
23. he will yield.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. He indicates he will.

26. SENATOR ROCK:

27. Is this a product...a work product of the Racing Board
28. itself, Senator?

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Mitchler.

31. SENATOR MITCHLER:

32. If somebody asks me who wanted this bill, I couldn't tell
33. you. I don't know I...I had to go to the staff here to find

1. out. I think it did come from...looking my file, I have a
2. note here from Jewell Cline from the Racing Board and she is
3. interested and she says this...the Racing Board would like this.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator...Senator Rock.

6. SENATOR ROCK:

7. Well, I...I have two problems. One, I think, we...we are
8. taking a dramatic step forward in making the trainer the
9. absolute insurer. That means if I as a third party, cause
10. something untoward with respect to somebody's horse, that the
11. trainer is somehow, liable for my action and secondarily, you...
12. you say that the board may in its discretion, impose a civil
13. penalty. What in the world is that?

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Mitchler.

16. SENATOR MITCHLER:

17. That I'll have to refer again to Doctor Vadalabene for my
18. legal consultation.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Is there further discussion? Senator Mitchler may close,
21. if you so desire. The question is, shall Senate Bill 1371 pass.
22. Those in favor vote Aye. Those opposed Nay. The voting is
23. open. Would you vote...that's it. Have all those voted who
24. wish? Take the record. On that question, the Ayes are 24,
25. the Nays are 18, 5 Voting Present. Senate Bill 1371 not having
26. received the constitutional majority is declared lost. Senate
27. Bill 1374, Senator Walsh. Do you wish the bill called? Read
28. the bill, Mr. Secretary.

29. SECRETARY:

30. Senate Bill 1374.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Walsh.

2. SENATOR WALSH:

3. Mr. President and members of the Senate. We appear to be
4. in kind of a losing streak and I...I hope that maybe this...
5. this bill could be treated a little more kindly. This bill
6. merely provides the individual income tax exemption for Illinois
7. income tax payers be increased from one thousand dollars to
8. fourteen hundred dollars for the year 1979. The net fiscal
9. effect is approximately one hundred million dollars and it has
10. been rumored about the...the Chambers in the Springfield area
11. that from the figures the Comptroller supplies us with that
12. this much money may well be available at the end of this fiscal
13. year, so that it would give us an opportunity to...to, in effect,
14. refund to the Illinois income tax payers one hundred million
15. dollars through increase in the income tax exemption. I think
16. it's a good bill and I urge your support.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Is there discussion? Senator Regner.

19. SENATOR REGNER:

20. A question of the sponsor.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. He indicates he will yield.

23. SENATOR REGNER:

24. Senator Walsh, don't you think it would be much better if
25. we did not pass this. I know it will give each individual in
26. the State about ten dollars on a one shot basis this year, which
27. isn't a whole...whole lot of help with an individual and I don't
28. think it's going to make that much difference, but wouldn't it
29. be better if we used this money to shore up the road program?

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Walsh.

32. SENATOR WALSH:

33. Well, Senator, actually...you know...my answer to that would

1. be no and it...it's more than ten dollars per person. I happen
2. to have six kids, so it would mean eighty dollars to me and my
3. elderly seatmate here, it would mean twenty to him since he's
4. over sixty-five and would get a double exemption.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Is there further discussion? The question is, shall...
7. Senator Walsh may close, if he so desires.

8. SENATOR WALSH:

9. Mr. President and members of the Senate. I...I think the
10. membership should give this bill a...a very deep consideration.
11. This is the most recent tax enacted by the General Assembly
12. imposed on the people of Illinois. We've had discussion in
13. the Chamber here how if the income tax exemption had kept pace
14. with inflation it would currently be at a nineteen hundred dollar level,
15. so this doesn't put it where it would have been, but it does
16. recognize that the people are entitled to some tax relief. I
17. think it's good tax relief and I urge your support.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. The question is, shall Senate Bill 1374 pass. Those in
20. favor vote Aye. Those opposed Nay. The voting is open. Have
21. all those voted who wish? Have all those voted who wish? Take
22. the record. On that question, the Ayes are 49, the Nays are 4.
23. Senate Bill 1374 having received the constitutional majority
24. is declared passed. Senate Bill 1375, Senator Mitchler. Read
25. the bill, Mr. Secretary.

26. SECRETARY:

27. Senate Bill 1375.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Mitchler.

32. SENATOR MITCHLER:

33. Mr. President and members of the Senate. Senate Bill 1375

1. is a bill that makes technical changes and clarifies the
2. language of the original Act of the Illinois Commission on
3. Delinquency Prevention. It mentions specific references so
4. there will be no confusion over the Statutory authority. The
5. bill does not call for any changes in what the commission
6. currently does in its day to day operations in activities and
7. I would appreciate a favorable roll call.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Is there discussion? Senator Wooten.

10. SENATOR WOOTEN:

11. Then a question, Senator Mitchler. Our analysis here
12. says that your bill repeals this section, which authorizes
13. the commission to consider and study the entire field of
14. juvenile delinquency and advise the Governor and the General
15. Assembly. It also repeals the Administrative Procedures Act
16. provisions. How does that help anything? Is that really what
17. your bill does and if so...

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Mitchler.

20. SENATOR MITCHLER:

21. No, Senator Wooten, I don't believe that is true. The...
22. the bill and I'm...I'm looking right at the...right at the
23. bill. It adds the section 5.13 and all it says is...this is new
24. language"to provide technical assistance to public and private
25. agencies, community organizations and individuals for the purpose
26. of strengthening existing programs and developing new programs
27. aimed at...at the reduction and prevention of delinquency." It
28. really does not strike anything like that.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Wooten.

31. SENATOR WOOTEN:

32. Section 2, it says sections 5.11 and 10 of said Act are repealed.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Mitchler.

2. SENATOR MITCHLER:

3. Oh, I...I see. That...well, that's in the...in the regular

4. language today. That's...that's not new language.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Wooten. That's in...

7. SENATOR WOOTEN:

8. Well, I...I suggest maybe you want to look at this because

9. if our analysis is correct I wonder why you want to repeal the

10. responsibilities to study juvenile delinquency and advise...

11. advise the Governor and the General Assembly. What do you

12. want to do that for?

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Mitchler.

15. SENATOR MITCHLER:

16. Well, that line 24 is in the Act at this time...this bill

17. has nothing to do with line 24, section 2, sections 5 through

18. 11 and 10 of said Act being repealed. That's...that's in the

19. Statute right now.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Wooten.

22. SENATOR WOOTEN:

23. Okay then. I'm just...I'm just looking at our analysis

24. and it mentions that point and...

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Washington.

27. SENATOR WASHINGTON:

28. I think Senator Mitchler is right. We...we looked at that

29. in committee, Senator Wooten and we were...we came to the same

30. conclusion that Senator Mitchler did.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Is there further discussion? If not, Senator Mitchler may

33. close the debate.

1. SENATOR MITCHLER:
2. A roll call.
3. PRESIDING OFFICER: (SENATOR SAVICKAS)
4. The question is, shall Senate Bill 1375 pass. Those in
5. favor vote Aye. Those opposed vote Nay. The voting is open.
6. Have all voted who wish? Have all voted who wish? Take the
7. record. On that question, the Ayes are 53, the Nays are none.
8. None Voting Present. Senate Bill 1375 having received the
9. constitutional majority is declared passed. For what purpose
10. does Senator Graham arise?
11. SENATOR GRAHAM:
12. I rise on a point of personal privilege.
13. PRESIDING OFFICER: (SENATOR SAVICKAS)
14. State your point.
15. SENATOR GRAHAM:
16. I think the rules of the Senate provides that lobbyists
17. are barred from being with inside the Senate. I notice with
18. great frequency here lately that from one to three lobbyists
19. representing one organization that are within the well out...
20. just outside...inside the door of the Senate. I don't think
21. they are anymore privileged to have that privilege than anyone
22. else and I ask that they be ordered to withdraw their persons
23. from the inside of this Senate.
24. PRESIDING OFFICER: (SENATOR SAVICKAS)
25. Sergeant-at-Arms, will you enforce the standing rules?
26. Senate Bill 1386, Senator Nimrod. Read the bill, Mr. Secretary.
27. SECRETARY:
28. Senate Bill 1386.
29. (Secretary reads title of bill)
30. 3rd reading of the bill.
31. PRESIDING OFFICER: (SENATOR SAVICKAS)
32. Senator Nimrod.
33. SENATOR NIMROD:

1. Yes, thank you, Mr. President and Ladies and Gentlemen of
2. the Senate. This amends the Fair Employment Practice Act and
3. authorizes for orders for reinstatement on hiring back and paying
4. costs for attorneys fees and plaintiffs in certain proceedings
5. under the Act, but it also awards of the defendant attorneys fees
6. when the complaint is frivolous and is persistent rather than
7. becoming...becoming so. I'd be glad to answer any questions.
8. I know of no opposition to this bill and ask for a favorable
9. roll call.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Is there further discussion? Senator Washington.

12. SENATOR WASHINGTON:

13. Mr. President, it is a fair bill. I had one in just
14. providing fees for the plaintiff's attorneys and Senator
15. Mitchler had one providing fees for both for the defense under
16. certain very narrow situations. I think it's a good bill and
17. we know of no opposition to it either.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. If not, the question is, shall Senate Bill 1386 pass.
20. Those in favor vote Aye. Those opposed vote Nay. The voting
21. is open. Have all voted who wish? Have all voted who wish?
22. Take the record. On that question, the Ayes are 52, the Nays
23. are none. None Voting Present. Senate Bill 1386 having
24. received the constitutional majority is declared passed. Senate
25. Bill 1389. Senator Maragos. Read the bill, Mr. Secretary.

26. SECRETARY:

27. Senate Bill 1389.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Maragos.

32. SENATOR MARAGOS:

33. Mr. President and members of the Senate. Senate Bill 1389

1. is intended to continue to give relief on the Homestead exemption,
2. which we adopted last year when Senator Hynes was our President
3. and now the Assessor and Senator Berman was a cosponsor of that
4. bill and what is a...Revenue Act to provide
5. for an increase in the annual Homestead exemption and like an
6. indexing approach. I think as a fair market value of homes
7. increases from time to time and the...the inflation that's
8. taken its toll, I think we should have a fortunate Homestead
9. exemption as we allotted last year and I ask for its adoption
10. and passage.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Is there further discussion? Senator McMillan.

13. SENATOR McMILLAN:

14. Mr. President, a question of the sponsor, please.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. He indicates he will yield.

17. SENATOR McMILLAN:

18. Senator Maragos, do you have estimate of...of the cost
19. and...and who would bear whatever that cost might be?

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Maragos.

22. SENATOR MARAGOS:

23. No, Mr. McMillan, I don't have. Excepting that I
24. would...because it depends on what the...the...I have no figures
25. from all the counties. This is...going to be applied locally
26. and it would not have a State...State revenue affect and that's
27. why I did...could not obtain any...figures from LGA in order to
28. support it.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Is there further discussion? If not, the question...the
31. question is, shall Senate Bill 1389 pass. Those in favor vote
32. Aye. Those opposed vote Nay. The voting is open. Have all
33. voted who wish? Have all voted who wish? Take the record. On

1. that question, the Ayes are 34, the Nays are 20, 1 Voting
2. Present. Senate Bill 1389 having received the constitutional
3. majority is declared passed. Senate Bill 1391. Senator Netsch.
4. Read the bill, Mr. Secretary.

5. SECRETARY:

6. Senate Bill 1391.

7. (Secretary reads title of bill)

8. 3rd reading of the bill.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Netsch.

11. SENATOR NETSCH:

12. Thank you, Mr. President. This bill, as amended, and the
13. amendment, of course, is the bill now represents another form
14. of providing the kind of tax relief for hardpressed lower and
15. middle income citizens that we have obviously already this
16. morning expressed some concern about. This is the expanded
17. Circuit Breaker. It is very similar to House Bill 3279, which
18. we passed last year...both Houses passed last year and which
19. was vetoed by Governor Thompson. The basic theory of it is
20. that the property tax is still a major form of oppressive
21. tax on everyone and that there should be some pressure relief
22. from the high property tax which combined with, of course,
23. the high assessed valuation these days, has put a great deal
24. of pressure on a great many people. The advantage of the
25. Circuit Breaker, which I have always believed, is one of the
26. more rational forms of...of tax relief that public figures have
27. devised is several fold. One, it is available to renters as
28. well as the homeowners and particularly for those of us in
29. urban areas that's a very important point. Secondly, it does
30. not create additional pressure on local units of government
31. because the payment is made at the State level. That also is
32. right because the State has the broader based taxes and we are
33. simply creating a...a round robin of additional problems if we

1. take additional revenue away from local governments, so that
2. is another advantage of the Circuit Breaker as a major form
3. of tax relief. Let me call attention to the principal
4. differences between this bill and last year's because that may
5. help tell you what it does. There is...literally, there is
6. no income limit in this bill, but the formula works out such
7. that the practical limit is between thirty-two and thirty-three
8. thousand dollars a year of household income. That simply is
9. the way the formula works. Secondly, this proposal does include
10. a provision which was debated in, as I recall, finally eliminated
11. from last year's bill and that is to include up to a hundred
12. and sixty acres of farm so that those who are part of family
13. farms would get the full benefit of this. Finally, and I think
14. this is a major advantage over last year's bill, and one of the
15. points in last year's, it did give me some pause was that this
16. takes the form of an income tax credit, so that it cuts down
17. the cost of administration considerably. It uses all of the
18. built-in mechanism, all of those who are currently receiving
19. grants under the senior citizen and disabled program would, of
20. course, continue to receive those except with these new...the
21. new limits built-in and everyone else would be added to that same
22. mechanism. If you were paying an income tax you would get a
23. credit. If you had a rebate coming, your...your rebate would
24. be added to that rebate and if you were not filing at all and
25. there are not many people who are not required to file at all
26. then you could, of course, file a separate form as is true with
27. senior citizens right now. The bill obviously has a major
28. financial impact. The fiscal note provided by the Bureau of
29. the Budget so we are basically not having a great dispute
30. over the cost of it as we did last year indicates that the first
31. year costs is seventy-one million dollars. The second year, a
32. hundred and forty-one million, the third year, a two hundred and
33. twelve million and the fourth year, that is when it is fully phased

1. in two hundred and eighty-two million dollars. The...my only
2. criticism of the fiscal note prepared by the Department of
3. Revenue and the Bureau of the Budget is that they do assume
4. one hundred percent participation. The State of Michigan
5. which has a very similar form of...of income tax credit
6. Circuit Breaker does not realize one hundred percent participation.
7. They have never gone above about an eighty percent participation
8. according to my information, so that in that sense I think the
9. BOB figure is somewhat high, but there is no question that it
10. does have a major cost impact. I genuinely believe and I did
11. last Session also, that if we are to provide a rational form of
12. relief to taxpayers, particularly recognizing the problems that
13. property taxation creates that the Circuit Breaker is the most
14. sensible, rational form that we have devised and that an expanded
15. Circuit Breaker is a reasonable way to proceed. I'll be happy to
16. answer questions.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Is there further discussion? Senator McMillan.

19. SENATOR McMILLAN:

20. Mr. President and members of the Senate...we did yesterday,
21. agree to allow the amendments to go on without any...objection
22. and I think the primary objection I would have is...is one of
23. very considerable costs and I...I feel some obligation also to...
24. to make a comment about the one hundred and sixty acre farm. You
25. won't find me very often wanting to go counter to many of the
26. farmers in my...my district, but I think it should be reminded
27. that a hundred and sixty acre farm of good land...land is worth
28. a quarter of a...three quarters of a million dollars and that
29. particular part...maybe it's because I come from tenant farmer
30. families rather than landowner farmers, I think that may be one
31. of the flaws in...in the thing and I would seek a favorable...
32. a negative roll call because of it's...it's cost and some of the
33. structure of it.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Egan.

3. SENATOR EGAN:

4. Thank you, Mr. President and members of the Senate. I
5. think...Senator McMillan, I think you make a good point. The
6. fact that a hundred and sixty acre farm is worth a quarter or
7. a half a million dollars is, indeed, significant, but you cannot
8. produce enough income from a hundred and sixty acres to sustain
9. the kind of livelihood that is necessary in this current situation
10. and...and in our standards of present day society. That's why
11. this is a good bill. Specifically, because every fireman and
12. policeman in Chicago, for example, fits well within this
13. category. Those are the people that this helps. It helps the
14. people that need the help and it stabilizes neighborhoods as
15. it will stabilize the farmer from selling his hundred and sixty
16. acre farm just to make a profit on the land. That's the real
17. inherent value of this program. Now, if you voted for the
18. income tax exemption increase you sure as heck can vote for
19. this one.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Is there further discussion? Senator Bloom. If not, Senator
22. Netsch may close the debate. Netsch.

23. SENATOR NETSCH:

24. N E T S C H. Thank you. The...I think everyone understands
25. basically, what is involved in the bill. It is the Circuit
26. Breaker. I have indicated very forthrightly the cost implications.
27. I think everyone realizes the...the provisions because they are
28. essentially similar to those of last year's Circuit Breaker. I
29. would repeat only and very briefly that I...I do believe that
30. if we are to provide a form of tax relief this year, that the
31. Circuit Breaker...the expanded Circuit Breaker has proved to be
32. the most rational form of tax relief for those people who are
33. in the lower to middle income brackets and on that basis I would

1. solicit your support.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. The question is, shall Senate Bill 1391 pass. Those in
4. favor vote Aye. Those opposed vote Nay. The voting is open.
5. Have all voted who wish? Have all voted who wish? Take the
6. record. On that question, the Ayes are 26, the Nays are 30,
7. none Voting Present. Senate Bill 1391 having failed to receive
8. a constitutional majority is declared lost. For what purpose
9. does Senator Maragos arise?

10. SENATOR MARAGOS:

11. My switch was erroneously pressed. I want to vote Aye on
12. that last bill 1391...

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. The record will so indicate. Senate Bill 1394, Senator
15. McMillan. Read the bill, Mr. Secretary.

16. SECRETARY:

17. Senate Bill 1394.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator McMillan.

22. SENATOR McMILLAN:

23. In the last Session, we passed House Bill 2928, which would
24. provide for the formation of waste water management zones...in
25. municipalities. At that time, that bill was specifically
26. written so that it did not provide that kind of opportunity
27. for a sanitary district that happened to be outside of the
28. municipality. The purpose of 1394 is to allow a sanitary
29. district to form a waste water disposal zone for purposes of
30. qualifying for EPA grants and other such things in order that
31. they might do a more complete job of...of really following the
32. kind of safe water and clean water standards that...that we have
33. implemented. This bill was amended at the request of the

1. Municipal League to make sure that we're talking about only
2. a sanitary district that happens to be...have as...as its
3. outside boundary, at least, one and a half mile from a
4. municipality to make sure that we don't interfere with reasonable
5. and meaningful planning for a municipality.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Is there further discussion? Senator Grotberg.

8. SENATOR GROTBORG:

9. A question of the sponsor.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. He indicates he will yield.

12. SENATOR GROTBORG:

13. Senator, where does the...this fit into those good bills
14. you passed yesterday with no more local units of government?

15. Is it consistent with that?

16. PRESIDING OFFICER: (SENATOR GROTBORG)

17. Senator McMillan.

18. SENATOR McMILLAN:

19. It seems to me that it does not call for the formation of
20. a new unit of government. It allows the sanitary district to
21. form this zone.

22. PRESIDING OFFICE: (SENATOR SAVICKAS)

23. Senator Grotberg.

24. SENATOR GROTBORG:

25. Does it need a referendum? I'm not attacking the bill.

26. I'm just asking the questions. Does it need a referendum? I
27. don't see that it has that provision.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator McMillan.

30. SENATOR McMILLAN:

31. This zone, as the zone that we provided for by law in the
32. action that we took last year can be formed either by referendum
33. or by an ordinance.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Is there further discussion? Senator Wooten.

3. SENATOR WOOTEN:

4. Senator McMillan, do you place any limits on tax levies
5. or bonding power?

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator McMillan. Senator McMillan.

8. SENATOR McMILLAN:

9. The...first of all, the limit is...is the same as on those
10. zones that the municipalities can now form. Other than that
11. there is no outside limit. This is...there isn't any limit
12. on this one...on these waste water disposal zones that there is
13. not on the zones that we authorized to be formed last year.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Wooten.

16. SENATOR WOOTEN:

17. Well, would you not think it prudent to provide some kind
18. of tax limitation or bonding limitation?

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator McMillan.

21. SENATOR McMILLAN:

22. I think that would be very much in order only if it were
23. done consistent with the waste water disposal zone authority
24. that we granted last year. This...this certainly has no
25. intention of providing new additional units of government that
26. can levy taxes. It is to allow a sanitary district to have the
27. authority that we...that we granted to municipalities last year.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Demuzio.

30. SENATOR DEMUZIO:

31. I have a question for the sponsor if he will yield.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. He indicates he will yield.

1. SENATOR DEMUZIO:

2. Your amendment limits the application of the bill to
3. the sanitary districts which are located, at least, one and
4. one half miles from the municipality. Why did you come to the
5. one and one half miles of the municipality?

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator McMillan.

8. SENATOR McMILLAN:

9. There was considerable objection on the part of cities
10. and municipalities with regard to the confusion that might
11. result if there happens to be an area just right over the line
12. from the city that purposely wants to avoid being in the city
13. and, therefore, sets up their own sewer system outside it and
14. their objection was that that would not lead to very orderly
15. planning, zoning or development. Because the sanitary districts
16. that were left without the authority last...last year were
17. those that were organized without being contiguous to any
18. municipality. I, very clearly, agreed to go along with that
19. so that we would not be creating any additional problems.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Demuzio.

22. SENATOR DEMUZIO:

23. I...you indicated that this amendment was put on at the
24. request of the Municipal League. Is that correct?

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator McMillan.

27. SENATOR McMILLAN:

28. The Municipal League had the objections. There were also
29. objections from farm organizations and others, so I worked with
30. ...with all of them in developing this particular one.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Demuzio.

33. SENATOR DEMUZIO:

1. Well, thank you very much. I think it's an excellent idea
2. and I call Senator Grotberg's attention to the amendment on the
3. one and a half miles on the...on the amendment recommended by
4. and suggested by the Municipal League. Thank you.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Is there further discussion? Senator DeAngelis.

7. SENATOR DeANGELIS:

8. Thank you, Mr. President. I think there's...there was a
9. little attempt on the...to bring a chicken home to roost, but
10. if this works the way my sanitary district works, there is
11. really a tax on the user, not a tax on the whole unit of
12. government. In other words, anybody who ties into the unit
13. pays his fair share of it.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Further discussion? Senator Gitz. Senator Gitz.

16. SENATOR GITZ:

17. A question of the sponsor.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. He indicates he will yield.

20. SENATOR GITZ:

21. I noticed that the way you disapprove of this creation of
22. a new taxing district is by getting fifty-one percent of the
23. people to oppose it. Yesterday, I had the feeling when I was
24. listening to the debate, you were, number one, very concerned
25. about the creation of new districts...new taxing districts and
26. secondly, you wanted to make sure that they were so hard to
27. form that you wanted a two-thirds vote. Now, that seems some-
28. what at odds with the provisions in your bill and also you seemed
29. to have a backdoor approach by requiring fifty-one percent of
30. the people to disapprove before it can be knocked out of the
31. box.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator McMillan.

1. SENATOR McMILLAN:

2. Let me...let me respond by...by merely saying this does
3. not call for the formation of a new district. This calls for
4. an existing district which is in the business of dealing with
5. sanitation and waste to have the same authority, which
6. municipalities were granted by this legislature last year.
7. I was hesitant at that time to support that extension of
8. authority, but it...it seems grossly unfair and...and the
9. whole purpose of my offering this bill was to allow one Body
10. whose responsibility is to deal with waste and waste water
11. the same authority to have access to grants and loans as
12. others do. Not to form a new district which this does not do.
13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Gitz.

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(END OF REEL)

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1. SENATOR GITZ:

2. ...My apologies if I misinterpreted it, then. This does
3. authorize, then, to form an on-site Waste Water Treatment Zone.
4. And now a proposal to form that Zone is initiated by ten
5. percent of the voters in the district, and I also notice that
6. if at the end of the hearing, the district finds that Written
7. Protest filed represent less than fifty-one percent of either
8. the number of voters in the Zone, or the number of owners of
9. real estate who own fifty-one percent of the Assessed Valuation
10. the Zone may be established. Would you please speak to the
11. fact that that seems what...somewhat in congress with your
12. position yesterday that you wanted limitations on these kind
13. of authorities. You wanted overwhelming approval. Now this
14. bill seems to be at odds with that.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator McMillan.

17. SENATOR McMILLAN:

18. Senator Gitz is absolutely right, in that this particular
19. authority doesn't have the same authority or the same requirement
20. that we discussed yesterday with formation of a new district.
21. But I would merely reiterate that this is...number one, not
22. forming a new district and number two, putting the opportunity
23. available for the...this group of Sanitary Districts in the
24. same line with authority that we granted elsewhere.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Is there further discussion? If not, Senator McMillan
27. may close the debate.

28. SENATOR McMILLAN:

29. I think the subject's been debated fully. I would seek
30. a favorable roll call.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. The question is shall Senate Bill 1394 pass. Those in
33. favor vote Aye. Those opposed vote Nay. The voting is open.
Have all voted who wish? Have all voted who wish? Take

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1. the record. On that question, the Ayes are 28, the Nays
2. are 21. 2 voting Present. Senate Bill 1394, having failed
3. to receive a constitutional majority, is declared lost. Senate
4. bill 1395, Senator Maragos. Read the bill, Mr. Secretary.

5. ACTING SECRETARY: (MR. FERNANDES)

6. Senate Bill 1395.

7. (Secretary reads title of bill)

8. 3rd reading of the bill.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Maragos.

11. SENATOR MARAGOS:

12. Mr. President, members of the Senate. This bill amends
13. the Election Consolidation Implementation Act, and it provides
14. that Notices of Odd Year Elections shall be published by the
15. County Clerk and the Board of Election Commissioners, responsible
16. for the conduct of such elections, and it...also gives on other
17. things which have not been, so there'll be adequate notice
18. in the local newspapers in the districts, and I ask for its
19. passage.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Is there further discussion? Senator Rhoads.

22. SENATOR RHOADS:

23. One quick question. Senator Maragos, is this part of
24. that Advisory Commission series of bills? Senator Maragos,
25. is this part of the State Board of Elections Advisory Committee
26. series?

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Maragos.

29. SENATOR MARAGOS:

30. That is correct, Senator Rhoads.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Is there further discussion? If not, the question is
33. shall Senate Bill 1395 pass. Those in favor vote Aye. Those
opposed vote Nay. The voting is open. Have all voted who

1. wish? Have all voted who wish? Take the record. On that
2. question, the Ayes are 57, the Nays are none and none voting
3. Present. Senate Bill 1395, having received the constitutional
4. majority, is declared passed. Senate Bill 1396, Senator Maragos.
5. Read the bill, Mr. Secretary.
6. ACTING SECRETARY: (MR. FERNANDES)
7. Senate Bill 1396.
8. (Secretary reads title of bill)
9. 3rd reading of the bill.
10. PRESIDING OFFICER: (SENATOR SAVICKAS)
11. Senator Maragos.
12. SENATOR MARAGOS:
13. Mr. President, members of the Senate. 1396 is the
14. Appropriation bill for Senate Bill 1247, which passed out
15. of here on the Agreed Bill list. It is a...implementation
16. of allowing a certain amount of money to each area to conduct
17. the Consolidation Election, and I ask for its adoption.
18. PRESIDING OFFICER: (SENATOR SAVICKAS)
19. Is there further discussion? Senator Rhoads.
20. SENATOR RHOADS:
21. Thank you, Mr. President, members of the Senate. A
22. question of the sponsor, if he will yield.
23. PRESIDING OFFICER: (SENATOR SAVICKAS)
24. Indicates he will yield.
25. SENATOR RHOADS:
26. Senator Maragos, I think the Body needs a little fuller
27. explanation of this. The...this is a one time cost, is that
28. correct, applicable only to this fiscal year?
29. PRESIDING OFFICER: (SENATOR SAVICKAS)
30. Senator Maragos.
31. SENATOR MARAGOS:
32. Yes.
33. PRESIDING OFFICER: (SENATOR SAVICKAS)
Further discussion. Senator Rhoads.

1. SENATOR RHOADS:

2. And the amount of money involved in the bill as amended
3. is now two point two million dollars?

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Maragos.

6. SENATOR MARAGOS:

7. I...let me get my...I think you're correct...yes, that's
8. the answer...yes, and the Appropriation Committee says yes,
9. also.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Rhoads.

12. SENATOR RHOADS:

13. And there will be an additional two point two million
14. in FY-1981, is that correct?

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Maragos.

17. SENATOR MARAGOS:

18. That is correct, and I'd like to state that this also is
19. an Election Commission Bill.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Is there further discussion? If not, the question is
22. shall Senate Bill 1396 pass. Those in favor indicate by
23. voting Aye. Those opposed vote Nay. The voting is open.
24. Have all voted who wish? Have all voted who wish? Take the
25. record. On that question, the Ayes are 55, the Nays are none.
26. None voting Present. Senate Bill 1396, having received the
27. constitutional majority, is declared passed. Senate Bill 1403,
28. Senator Daley. Read the bill, Mr. Secretary.

29. ACTING SECRETARY: (MR. FERNANDES)

30. Senate Bill 1403.

(Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Daley.

1. SENATOR DALEY:

2. Mr. President, fellow Senators. This is a section of
3. the new Products Liability Act which we passed in the last
4. session, was signed into law, requires that carriers of Product
5. Liability Insurance report to the Director of Insurance the types
6. of products which they are insuring with their Product Liability
7. coverage. This was not added last year. This was an Agreed
8. Bill by the Trial Lawyers and also by the Industry. I would
9. ask for a favorable roll call.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Is there further discussion? If not, if not, the question
12. is shall Senate Bill 1403 pass. Those in favor indicate by
13. voting Aye. Those opposed vote Nay. The voting is open.
14. Have all voted who wish? Have all voted who wish? Take the
15. record. On that question, the Ayes are 55, the Nays are 1.
16. None voting Present. Senate Bill 1403, having received the
17. constitutional majority, is declared passed. Senate Bill 1404,
18. Senator Gitz. Read the bill, Mr. Secretary.

19. ACTING SECRETARY: (MR. FERNANDES)

20. Senate Bill 1404.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Gitz.

25. SENATOR GITZ:

26. Senate Bill 1404 refers to a policy presently existing
27. in the state of mandatory chlorination, regardless of the
28. local conditions of the communities. This is a special
29. concern. There are roughly one hundred communities in the
30. state that are relatively small in nature, that historically
31. have had a record of very clean water supplies, and which have
32. resisted the implementation of Rule 305 of the
33. EPA Act. Now I noticed in the background of this bill, and
I'd like to quote from the Environmental Protection Act itself,

1. Section 27. Quote: "In promulgating regulations under
2. this Act, the Board shall take into account the existing
3. physical conditions, the character of the area involved, including
4. the character surrounding land uses, zoning classifications,
5. the nature of existing air quality, the receiving body of water,
6. etc." The point being that the Act itself indicated that they
7. were to make special considerations and take into account where
8. chlorination, for example, would be necessary where it is not.
9. That, in fact, has not been the situation. They have insisted
10. upon implementing the rule, which is contrary to the wishes
11. and the history of local water supplies in my area. In addition,
12. I would also submit to you, I noticed a quote from a letter
13. to our local village Mayor in Orangeville. He's had quite a
14. run-in with the EPA. Quote: "The American Water Works Association,
15. this is a national association, said it does not support the
16. mandatory disinfection that is being imposed upon you, namely
17. chlorination, but rather we support the self-determination
18. based on scientific consideration of the potential for problems
19. both with and without chlorinated water supply." That was by
20. John Debor, a Water Quality Engineer of the National Association
21. of Water Works. In fact, the Federal Government itself does
22. not require chlorination, merely safe water. That's what we're
23. saying. If there's a problem of contamination, then fine-
24. chlorinate. This is the situation in Wisconsin, which is very
25. close to Northern Illinois in that community. In addition,
26. the President of the Well Drillers Association of Illinois is
27. noted that they themselves feel there's no necessity for a
28. mandatory chlorination, unless there's a problem. That's all
29. this bill does.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Is there further discussion? Senator Geo-Karis.

32. SENATOR GEO-KARIS:

33. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

1. He indicates he will.

2. SENATOR GEO-KARIS:

3. Were there any amendments put onto this bill?

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Gitz.

6. SENATOR GITZ:

7. No, there were no amendments in this bill. If there were
8. problems, no one, including the EPA, the Pollution Control
9. Board, any representatives have ever come to me and discussed
10. this bill.

11. SENATOR GEO-KARIS:

12. In other words, what your bill really is saying, the
13. fact that the EPA Board, is that correct, would have the
14. right not to require certain municipalities to chlorinate
15. their water?

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Gitz.

18. SENATOR GITZ:

19. What it means is that they shall not adopt regulations
20. which they've done, requiring municipalities of less than
21. ten thousand inhabitants to mandatory chlorinate their water
22. supplies, even when there's no existing problem.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Geo-Karis.

25. SENATOR GEO-KARIS:

26. Mr. President and Ladies and Gentlemen of the Senate.
27. I feel sometimes we're overregulated, and I think this is
28. a good bill. I'd like to speak in favor of this bill.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Is there further discussion? Senator Berning.

31. SENATOR BERNING:

32. Thank you, Mr. President. Just a comment. I support
33. this bill, and just have one criticism. It doesn't go far enough,
Senator. I wish you had put in there to provide for the

1. elimination of no...what's that other thing we were...fluoride
2. ...that fluoride. That I thought was a travesty, Senator,
3. and I agree with you on this, and I just wish you had
4. included the fluoridation in this.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Nimrod.

7. SENATOR NIMROD:

8. Thank you, Mr. President. Senator Gitz, I...like your
9. bill. I just want to ask one question to make sure we're
10. protected here. Does the bill apply where the water is
11. safe for drinking for a community to the water system itself,
12. the piping system, as well as the well? Where is this test to
13. make sure it's safe is taken? Is it at the well where the
14. water comes from, or is it at the point of where the delivery
15. goes to the homes, because that was one...

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator...

18. SENATOR NIMROD:

19. ...question. If we get some cholera or some outbreak,
20. we pass a bill here and we get some contamination in the
21. distribution system, I wonder if we're just kind of protecting
22. ourselves?

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Gitz.

25. SENATOR GITZ:

26. Our interpretation in drafting this bill is that the
27. distribution system would be part of the municipality's
28. water supply. I mean, it...all the regulations have always
29. covered not only the point of origin but the distribution
30. system, and if there was, for any reason to arise a question
31. of that, I'd be happy to clarify.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Nimrod.

SENATOR NIMROD:

1. Yes. With that understanding, I think it would give
2. everybody the protection. I think we want to do what's
3. right, and I do want to support your bill.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Is there further discussion? If not, Senator Gitz may
6. close the debate.

7. SENATOR GITZ:

8. I think that most of the issues involved here have been
9. aired. No one is saying we want contaminated water. If it
10. has to be chlorinated, fine. If it is proven safe until there
11. is a test that proves otherwise, and I don't think we should
12. compel it, and I ask for a favorable roll call.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. The question is shall Senate Bill 1404 pass. Those in
15. favor vote Aye. Those opposed vote Nay. The voting is open.
16. Have all voted who wish? Have all voted who wish? Take the
17. record. On that question, the Ayes are 47, the Nays are 6.
18. None voting Present. Senate Bill 1404, having received the
19. constitutional majority, is declared passed. Senate Bill 1406,
20. Senator Daley. Read the bill, Mr. Secretary.

21. SECRETARY:

22. Senate Bill 1406.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Daley.

27. SENATOR DALEY:

28. Mr. President, fellow Senators. This increases the
29. time period of notification from ten days to twenty days for
30. advertising. That's all the bill does.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Is there further discussion? Senator Walsh.

33. SENATOR WALSH:

Senator, is the...original bill contained a hundred and

1. fifty million dollar Bond Authorization? Has that been deleted?

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator Daley.

4. SENATOR DALEY:

5. It never contained that. This is Senate Bill 1406.

6. It extends the period of advertising from ten to twenty days.

7. It never had any bonding authority in it. That's all it did.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Is there further discussion? Senator Walsh.

10. SENATOR WALSH:

11. Yes, my seatmate asks if this is a vehicle looking for

12. a body. What is the purpose of this...this legislation? I

13. don't understand why it's needed.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Daley.

16. SENATOR DALEY:

17. The purpose of this legislation is that it increases

18. the awareness for the bidding process, and it allows more

19. individuals to participate. Presently, it's ten days right

20. before the bid is open. This gives it a twenty day period.

21. That's all the bill does. It's not a vehicle. It gives

22. a twenty day...in other words, the advertising in the news-

23. papers in Chicago and the one in Springfield, instead of

24. ten days, it needs twenty days. That's all the bill does.

25. PRESIDENT:

26. Senator Walsh.

27. SENATOR WALSH:

28. Well, Senator, I don't see this as a problem, and I'm just

29. kind of wondering...it's the amending one of our Acts that

30. you know, sometimes we see flying back here late in the evening

31. on...at the end of June. Is this the way it's going to remain

32. throughout the legislative process, or are we going to be getting

33. another look at this in a different form?

1. PRESIDENT:

2. Senator Daley.

3. SENATOR DALEY:

4. I would hope that it would remain the same. We know
5. about the House. What's going to happen in the House. I
6. doubt if the bill would ever be heard. I hope it will be
7. heard. That's all the bill does, and I'm going to keep it
8. as is.

9. PRESIDENT:

10. Senator Walsh.

11. SENATOR WALSH:

12. So that you're...as far as you're concerned, your...
13. House sponsor is not going to amend it, and I'm sure you'll
14. have adequate control over who handles it over there, and he's
15. going to leave it in exactly this form?

16. PRESIDENT:

17. Senator Daley.

18. SENATOR DALEY:

19. I would hope so.

20. PRESIDENT:

21. Is there any further discussion? Senator Walsh.

22. SENATOR WALSH:

23. Well, I would just wonder if maybe you could be a little
24. bit more, you know, definitive in...you know, it just, it's
25. just one of those bills, Senator, amending the Capital Development
26. Bond Act. I haven't heard of any need for it. It's...usually
27. these acts are amended with administration bills, and...because
28. they've had some complaints and feel it's necessary, and if
29. you say that's all it's going to be, fine, and the Governor
30. can decide ten or twenty, but I sure don't want to have to be
31. looking at this in a different form later on.

32. PRESIDENT:

33. Senator Daley.

SENATOR DALEY:

1. I would say that all the bills on the Calendar that
2. had been passed out, that if we ask the sponsor what's going
3. to happen in the House, I would say we'd never get finished
4. with our legislative process. If this is going to be the
5. ...if this is going to be now the agreement, that no one
6. can pass a bill without saying is it going to be amended in
7. the House, then I think we're really defeating the purpose
8. of the Senate. I've always held the Senate in esteem. I
9. think we have good Senators here. Qualified men of character
10. and qualified women of character and honesty and dedication,
11. and I would say that this bill will carry on the same tradition
12. as always been in the past, especially in the Senate.

13. PRESIDENT:

14. All right. Senator Walsh.

15. SENATOR WALSH:

16. All right. Just briefly in closing. Having been a member
17. of the House for many years, and I know that things that can
18. happen over there. However, I also know that if the Senate
19. sponsor tells the House sponsor run with the bill as it is,
20. he runs with it as it is, and so the sponsor in the House
21. of Origin has control of the bill, and I'm just afraid that
22. the...what they might do, and for that reason, Mr. President,
23. I'm going to vote No, and would hope everyone do likewise.

24. PRESIDENT:

25. Any further discussion? Senator Daley...Senator Buzbee.

26. SENATOR BUZBEE:

27. Just a quick question of the sponsor. Senator Daley,
28. are we going to be voting on your bill or your last speech?
29. I'll vote either way, both of them.

30. PRESIDENT:

31. Any further discussion? All right, Senator Daley may
32. close the debate.

33. SENATOR DALEY:

I would ask for a roll call.

PRESIDENT:

1. The question is shall Senate Bill 1406 pass. Those
2. in favor will vote Aye. Those opposed will vote Nay. The
3. voting is open. Have all voted who wish? Have all voted who
4. wish? Take the record. On that question, the Ayes are 32,
5. the Nays are 9. One voting Present. Senate Bill 1406, having
6. received a constitutional majority, is declared passed. Senator
7. Rhoads, for what purpose do you rise?

8. SENATOR RHOADS:

9. Request a verification of the Affirmative votes, please?

10. PRESIDENT:

11. Senator Rhoads has requested a verification of the Affirmative
12. votes. Will the members please be in their seats. Will the
13. members please be in their seats? Will the members please be
14. in their seats and respond in the...to the query of the Secretary.
15. Secretary will call the Affirmative votes.

16. SECRETARY:

17. The following voted in the Affirmative: Berman, Bruce,
18. Buzbee, Carroll, Chew, D'Arco, Collins, Daley, Demuzio, Donnewald,
19. Egan, Gitz, Hall, Johns, Jeremiah Joyce, Jerome Joyce, Knuppel,
20. Lenke, Maragos, McLendon, Merlo, Nash, Nedza, Netsch, Newhouse,
21. Nimrod, Sangmeister, Savickas, ...

22. PRESIDENT:

23. Request for a verification has been withdrawn. On the order
24. of Senate Bills, 3rd reading, Senate Bill 1412. Read the bill,
25. Mr. Secretary.

26. SECRETARY:

27. Senate Bill 1412...

28. PRESIDENT:

29. Yes...Hold it. Senator Johns, for what purpose do you rise?

30. SENATOR JOHNS:

31. ...on the prevailing side...

32. PRESIDENT:

33. Senator Johns, having voted on the prevailing side, moves

1. to reconsider the vote by which Senate Bill 1412 was declared
2. passed. Senator Lemke moves to lay that motion on the Table.
3. All in favor say Aye. All opposed. The Ayes have it. It is
4. so ordered. 1406, I beg your pardon. On the order of Senate
5. Bills, 3rd reading, Senate Bill 1412. Read the bill, Mr. Secretary.
6. SECRETARY:

7. Senate Bill 1412.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDENT:

11. Senator Washington.

12. SENATOR WASHINGTON:

13. Mr. President, members of the Senate. This is the Currency
14. Exchange Rate Regulation bill. As you recall, last session, we
15. passed out a similar bill with approximately fifty votes.
16. The bill was more or less in the same form as the one we are having...
17. presenting to you today. That bill was contested in the Supreme
18. Court of the State of Illinois. The Court said yes, we do have
19. the power to establish rates for Currency Exchanges, but stated
20. that the bill was defective, the law was defective in that
21. it did not set out clearly the purpose for which we were establishing
22. giving that authority to the Department of Financial Institutions
23. and furthermore, it was defective in that we did not set out
24. adequate standards. In other words, there was an illegal delegation
25. of legislative authority to the Department of Financial Institutions.
26. We have cleared those two hurdles, which were really drafts-
27. manship problems, and have set out the purposes of the bill
28. and the class of people that they were designed to protect. We
29. have furthermore extended the standards which determine the
30. rates which will govern the actions of the Department of
31. Financial Institutions, so I'm satisfied that in every way, it
32. complies with the Supreme Court mandate. The reason for that
33. bill exists today as much as it did two years ago, or vice
versa. The same problem exists. Nothing has been done in

1. this field. I think we all know that Currency Exchanges
2. represent for poor people in poor communities their only
3. banking institution. They are, in short, vitally affected
4. with the public interest, and that cannot be gain-saved.
5. This is a reasonable approach, I think, to a very complicated
6. and serious industry which is vital, which is needed, in
7. which we want to maintain in our communities, but which must
8. remain in terms of their rates, within some reasonable guide-
9. lines so that the people who must use them will not be gouged.
10. It's a protective device. We have the authority. The Supreme
11. Court has recognized it. We're simply trying to implement
12. that, and I think we have a very good bill for your consideration
13. today.

14. PRESIDENT:

15. Any discussion? Senator Bloom.

16. SENATOR BLOOM:

17. Yes, Senator Washington, there was some discussion about
18. the whereas language, etc., in Committee. Has that been taken
19. out?

20. PRESIDENT:

21. Senator Washington.

22. SENATOR WASHINGTON:

23. The problem was that the language was somewhat perjorative.
24. That's admitted, and I apologize to the Committee for it. We
25. have cleaned that up entirely. We've maintained the whereas's
26. so that we could comply with the Supreme Court's standards. We
27. simply solved the problem. If I may enumerate very briefly-
28. one, it is a vital institution, two, it caters to the public,
29. three, the public must be protected against excessive rates
30. in this field, like in the field of insurance or the field
31. of utilities, etc., and so forth. It's strictly a protective
32. device. The whereas's clause, I'm certain, Senator Bloom,
33. and Senator Weaver will now meet your objection.

PRESIDENT:

1. Senator Bloom.

2. SENATOR BLOOM:

3. Well, thank you, Senator, and I would support your
4. legislation.

5. PRESIDENT:

6. Any further discussion? Senator Keats.

7. SENATOR KEATS:

8. Thank you, Mr. President, Ladies and Gentlemen of the
9. Senate. It's always politically not a particularly bright
10. thing to do to get up and defend an industry that is as often
11. maligned and sometimes fairly maligned as a Currency Exchange
12. industry, but there are times we have to say that there's
13. more than simply the emotional problem of this is an...this
14. is a group that works in an area where many of our other
15. institutions won't go. Some of you are aware that I have a
16. relationship with a bank which is a complementary financial
17. service. We can't get our banks into the areas that Currency
18. Exchanges go, because the profit is not there. We...our
19. bank couldn't make it in the areas that Currency Exchanges work,
20. so we have a different entity that exists simply because there
21. is not enough profit in those areas to put any major financial
22. institution. And so what we're bumping into now is how do we
23. regulate an industry that is in an area where the profits are
24. not sufficient to bring any larger, more full-service financial
25. institution? What we do here by having the government become
26. involved in regulating and setting those fees is let an outside
27. bureaucracy decide what should be the fees charged for service
28. in the private sector? We do not, at this time, allow the
29. government to set fees for lawyers. I have my days when I
30. might think that's a good idea. We also do not...although I...
31. excuse me, didn't introduce a bill on that...I don't want
32. to get any lawyers with guns around here, but I didn't introduce
33. a bill there, but there are areas where we have to ask can

1. the government set reasonable fees? Does the government
2. have the information to set those fees, and the answer,
3. ninety-nine point nine nine nine nine percent of the time
4. is no. Each time you see the government...becoming involved
5. in the regulatory process, what eventually happens is the
6. government becomes the tool of the regulator, and after a
7. while, not only does the government no longer serve the
8. interests of those it's alleging interest, it ends up
9. probably going in the opposite direction, and what we'll bump
10. into with the Currency Exchange industry is that the government
11. will set fees that will be so ridiculous and so unreasonable
12. that one of two things will happen. Either those fees will
13. rise so high that no one in their right mind will dare to
14. darken the doorstep of a Currency Exchange, or those fees
15. will be held so low that no Currency Exchange makes any money,
16. and they'll leave the area, at which point those people we
17. are attempting to help will end up without any financial
18. assistance in their area, and that's exactly what we're
19. talking about. If we set unreasonable rates, we're going to
20. have nothing, and if we set them too high, which is what may
21. end up happening, the government is noted for its regulatory
22. agencies being unable to site a reasonable price, what we'll
23. decide is that price will be so high that it will be oppressive
24. to those people we are supposedly trying to help, and so as
25. each Currency Exchange, which is a separate entity and works
26. in a different market than do any of the other, if we work with
27. that sort of thought in mind, we have to say can we safely set
28. prices for Currency Exchange that works in an area where their
29. insurance rates are lower, their rent is lower, and they don't
30. have the same type of problems as in other areas, where simply
31. security on the building, those costs are triple what they
32. are at a different Currency Exchange. You can't set the same
33. rate, because the cost of doing business is different. In

1. addition, then, we get into the free services of the Currency
2. Exchange. What can the Currency Exchange in an area where
3. the overall costs are lower offer its free services as compared
4. to those where the costs are higher? I would say to you,
5. while this legislation is well-intentioned, and I am not
6. opposed to the idea of trying to protect the consumer, this
7. consumer protection will end up in the long run hurting
8. the consumer and leave the consumer in either one of two
9. straits, with no services offered or with prices so high that
10. they simply cannot afford the service any longer. I would solicit
11. a No vote. Thank you.

12. PRESIDENT:

13. Further discussion. Senator Collins.

14. SENATOR COLLINS:

15. Thank you, Mr. President. I rise in support of this
16. legislation, because I think it is absolutely necessary. As
17. Senator Washington stated before, this is an attempt to address
18. a very serious problem in a poor area, where these people have
19. really no access to other kinds of institutions with...financial
20. institutions with, except the Currency Exchange. Several years
21. ago, I'm sure all of you know, that there was a bill passed
22. here that mandated that ADC recipients checks go to local
23. Currency Exchanges. This happened, and there was nothing that
24. the Currency Exchange had to do or to put back into the community.
25. I regret that at that time, that something was not put in that
26. law to say that some kind of financial relief or some kind of
27. reduced rates within the community would be granted to those
28. people. That did not happen. Year after year, we could see
29. that the rates not only were unjustifiably high, but they were
30. also discriminatory. This bill is an attempt to deal with
31. that problem, and I think it's a good bill, and I ask for
32. your support.

33. PRESIDENT:

1. Further discussion. Senator Hall.

2. SENATOR HALL:

3. Thank you, Mr. President and Ladies and Gentlemen of
4. the Senate. Contrary to what Senator Keats says, that this
5. legislation improves the consumer positions. The Department
6. of Financial Institutions has developed a technical system
7. to administer this, and this bill is supported by consumer
8. groups. It's good legislation, and it should be passed. I'd
9. ask your most...vote for this.

10. PRESIDENT:

11. Further discussion. Senator Egan.

12. SENATOR EGAN:

13. Yes, thank you, Mr. President and members of the Senate.
14. Senator Washington, I certainly do not wish to address any
15. comments relative to this bill in an ad hominem fashion. I
16. certainly don't mean to be perjorative, and I'll try not to
17. be sesquipedalian, but I...there are just a couple of questions
18. that I have.

19. PRESIDENT:

20. The sponsor indicates he will yield. Senator Egan.

21. SENATOR EGAN:

22. Does the Department now have the total regulatory jurisdiction
23. of the Currency Exchanges?

24. PRESIDENT:

25. Senator Washington.

26. SENATOR WASHINGTON:

27. The answer is yes, they do, and as a matter of fact, if
28. I may use that question to respond to Senator Keats, they have
29. done exactly what Senator Keats is afraid they couldn't do.
30. They have taken all the information from all of the...from
31. the industry, they've checked with other states, they've checked
32. with comparable financial institutions, and they came up with
33. some rates. The issue didn't go up on the rates, it went up on
the question of illegal delegation of power, so this is something

1. that they can handle and they do handle and it would simply
2. be an addendum to the power that they now have, Senator Egan.

3. PRESIDENT:

4. Senator Egan.

5. SENATOR EGAN:

6. All right. Now, that...you know, I'm...I think that it's
7. a good bill, and I've...I want to support it, but didn't the
8. Secretary of State have jurisdiction at one time, and has it
9. been transferred? I'm...not knowledgeable.

10. PRESIDENT:

11. Senator Washington.

12. SENATOR WASHINGTON:

13. I'm not an authority on the history of Currency Exchanges,
14. but I think they were established in nineteen forty-eight, and
15. were always, to my knowledge, under the Department of Financial
16. Institutions.

17. PRESIDENT:

18. Senator Egan.

19. SENATOR EGAN:

20. Well, I thought the Secretary of State had something to
21. do with the regulations, and I'm...

22. PRESIDENT:

23. Is there any further discussion? Senator Carroll.

24. SENATOR CARROLL:

25. Thank you, Mr. President and Ladies and Gentlemen of
26. the Senate. I rise also in opposition to this legislation.
27. While I understand the concern of Senator Washington, and I might
28. add I think he has attempted to deal with the problems that
29. the Court had raised in that part that went to the Court. Senator
30. Washington had a few bills in dealing with this topic this year.
31. The first of which was the one I think Senator Bloom was referring
32. to, which had within its whereas clauses some statements that
33. I think Senator Washington did not wish to make, and when that
bill failed to receive favorable support from the Committee,

1. Senator Washington remembered that somebody had introduced
2. this bill under his name, and decided to move with this one,
3. and I think he is attempting to accomplish what the Court had
4. said in his opinion. I don't think he's doing it, however. I
5. think the defects in this legislation include in part the whereas's
6. where there is a statement that there are the potential for
7. the types of rates that would be abusive and discriminatory,
8. etc., and I don't think we as one want to say that as a finding
9. of the General Assembly. Secondly, I personally think the
10. criteria with which Senator Washington has established the
11. rate-making power in the Department is a criteria that does not
12. take into account anything that happens within this industry.
13. He talks, for example, as we had suggested, that maybe you look
14. at what the postal service charges, but he does not take into
15. account what the postal service gets by way of subsidies from
16. the Federal Government for operating their shop, so while I
17. recognize he attempted to deal with that, and I...and Harold,
18. I mean this sincerely, the postal service is a criteria for
19. money orders if you also take into account, it would seem
20. to me, what the postal service is being subsidized and not
21. only what they are charging, to look at only one-half of the
22. issue does not give due consideration to what the real costs
23. are, even to the postal service for offering this type of
24. service, and I might say that, you know, I have probably more
25. owners of Currency Exchanges who live within my district than
26. any other district in the State of Illinois, and that's one of
27. the reasons I hear so much about it from them, and amongst
28. the things they have mentioned to me is their own differences
29. in operating costs in each of their individual Currency Exchanges.
30. Some of them have costs that could have lived well within the
31. guidelines set by the Director last time. Others would have
32. been closed down by that same arbitrary guideline. Some loved
33. it. They thought they could raise their rates to the level set

1. by the Director, because they were well below that, and liked
2. the opportunity to raise them to that level and say that this
3. was set by the Director. Others, as I say, said that they would
4. just simply close that facility and either go into that or some
5. other business somewhere else, and I think that would be counter-
6. productive to what your neighborhoods, from what you tell me seem
7. to need, and that is they need some type of financial institution
8. who is willing to serve that community. That community is
9. not being served by banks or savings and loans, and when savings
10. and loans were given the chance to branch and move in there, they
11. moved out. There was a net impact of a negative nature on
12. those communities of financial service. I don't think you have
13. yet, though, taken into account what is a realistic way of
14. setting a rate, whether or not the Department does, and maybe
15. the General Assembly should set rates like we have attempted
16. to do in other areas. Maybe that would be a better solution.
17. I don't know, but I think your whereas's are still defective,
18. and I think the mechanism by which you allow the Director to
19. set the rates do not take any consideration of the actual
20. charges and costs of that industry, and I think you have not
21. given even the Director the tools he would really need to set
22. a legitimate rate.

22. PRESIDENT:

23. Is there any further discussion? Senator Chew.

24. SENATOR CHEW:

25. Thank you, Mr. President. Ladies and Gentlemen, the
26. reason for this legislation is simply because the Supreme
27. Court ruled that the legislation we passed in the last
28. session was unconstitutional. I think the sponsor has attempted
29. to correct that wrong. Now it is a myth for anybody to stand
30. here and say that financial institutions are not sufficient
31. in certain areas of Chicago that would serve the needs of
32. people. That is simply not true. In "poor communities",
33. we have banks and we have other financial institutions. Nowhere

1. in any part of the district that I represent that we fail
2. to have banks, and savings and loan associations that can
3. serve the same purposes that a Currency Exchange serves. I
4. don't want to see a Currency Exchange close its door. By the
5. same token, I don't want to see Currency Exchanges abusing
6. the public as they have done. It has been documented that
7. in poor communities, that operators of Currency Exchanges
8. have taken total advantage of its public, through ignorance
9. of the public, and smart tactics of the operators. What this
10. legislation is purported to do is to correct that and set
11. the rates that one can charge for rendering certain services.
12. We have some pretty bad operators in Currency Exchanges. Some
13. that take Utility bills and fail to submit them. Some that
14. take advantage of people that cannot read and write. So the
15. Currency Exchange is not on good paper all over this state,
16. and I'm not one to want to run them out of business. I just
17. want them to get their acts together and have uniform rates
18. for uniform service, and if they're going to make a difference
19. according to a zip code, then I'd be first in line to close
20. them up. So we're not saying they're not necessary, and
21. certainly I'm not saying that other institutions could not
22. serve the purpose. I think in private enterprise, everybody
23. ought to have a chance, but by the same token, in private
24. enterprise, everybody should conform and everybody should be
25. treated equal. And there was a story in one of the newspapers,
26. and I don't believe in newspapers too much, that a pensioner
27. was being taken advantage of each time he went to the Currency
28. Exchange. That was documented. Right in a "black community".
29. And there are other abuses that go on every day. When I first
30. came to this Senate thirteen years ago, there was an investigation
31. on Currency Exchanges. There have been allegation after allegation
32. after allegation of their wrongdoing, and their ability to buy
33. legislators. I don't know whether this is true or false. I
do know I have not been bought by the Currency Exchange industry,

1. nor has anyone offered it. So if the Currency Exchange
2. has its black bags that has been reported in newspapers,
3. buying votes, I have not been approached. And if I were
4. approached, that would not stop me from voting what I think
5. is right and that's for the people that are using, and I
6. choose my word, and I don't say must use, I said are using,
7. these facilities. Regulate them. If they don't like the
8. regulations, let them get out of the business. So I support
9. this legislation wholeheartedly.

10. PRESIDENT:

11. Senator Daley.

12. SENATOR DALEY:

13. Mr. President, fellow Senators. Due to the condition
14. that's happening to the industry, accusations being made
15. on this Floor, I will vote Present.

16. PRESIDENT:

17. Is there any further discussion? Senator Washington
18. may close the debate.

19. SENATOR WASHINGTON:

20. Thank you, Mr. President. First of all, let me answer
21. Senator Carroll. He says that more Currency Exchange owners
22. live in his district than in any other district. They may
23. live in his district, but they have Currency Exchanges in
24. my district. We have the problem. I assume his community
25. reaps the benefits of the rates that are charged in my
26. community. Secondly,...NO...Secondly, secondly, this
27. industry is not bleeding. We in the state have done everything
28. for them that conceivably...could conceivably be done. Right
29. now, Public Aid checks are mailed, ninety-nine percent of them,
30. to Currency Exchanges, and the reason is that to protect the
31. people so that they won't be stolen out of the mailbox. But in
32. a sense, we have delivered them a clientele which they couldn't
33. get otherwise. If you go in and cash a check, you...if you
go in and pick up your check, you're inclined to cash it, and

1. they send money orders, and etc., and so forth. They are
2. flourishing in our community. As to cost, most of the
3. costs are industry-wide. Insurance is industry-wide. Those
4. cages they work behind are pre-fab things, which are just
5. set into certain...installation. The rental costs in my
6. community are considerably lower than in some others. There
7. are no attendant costs, and all these things the Department
8. of Financial Institutions went into clearly, and discovered
9. based on what they saw, that rates were discriminatory in
10. various communities, depending upon the level of income in
11. those people. There was a long series of articles in the
12. Sun-Times a year or so ago, which detailed the BGA-supported
13. detailed, chronologically and geographically what was happening.
14. They took a tour down Ashland Avenue in Chicago, and as you
15. got into the poor Latino Black communities, the rates went
16. up, up, up, up, and they couldn't justify before the Department
17. of Financial Institutions. The Department of Financial Institutions
18. came out after numerous hearings, came out with reasonable
19. rates, and as I said before, the only thing that happened
20. is that the legislation was defective. This is a good bill.
21. There is no longer scurrelous, perjorative language in there.
22. If you have the amendment, you can look at the whereas's. It
23. simply sets out the kinds of people and the kinds of injuries
24. which we, as the legislature, want to protect and how we protect
25. them. As to standards, we took into consideration based upon
26. the suggestion of the Currency Exchange people that we include
27. postal rates in there. We did that. We're not trying to job
28. the industry. We're simply trying to keep from getting job.
29. This is an excellent bill. It is, as Senator Knuppel says, a
30. people's bill. Thank you.

31. PRESIDENT:

32. The question is shall Senate Bill 1412 pass. Those in
33. favor will vote Aye. Those opposed will vote Nay. The voting
is open. Have all voted who wish? Have all voted who wish?

1. Take the record. On that question, the Ayes are 33, the
2. Nays are none. 13 voting Present. Senate Bill 1412, having
3. received the constitutional majority, is declared passed.
4. Senator Sangmeister, for what purpose do you rise?

5. SENATOR SANGMEISTER:

6. Point of Personal Privilege, if I may.

7. PRESIDENT:

8. Yes, state your point.

9. SENATOR SANGMEISTER:

10. I would like to introduce to the Senate my home grade
11. school from the Mokena Grade School here with their instructor,
12. Mr. Quinn, from the Village of Mokena, Illinois, and we would
13. like them to rise in the Gallery and be recognized by this.
14. Body. Thank you.

15. PRESIDENT:

16. Will our guests please rise and be recognized. Thank you.
17. Yes, Senator Washington.

18. SENATOR WASHINGTON:

19. I was seeking recognition. Having voted on the prevailing
20. side, I move that we reconsider...

21. PRESIDENT:

22. Senator Washington moves to reconsider, Senator Wooten
23. moves to Table. All in favor signify by saying Aye. All opposed.
24. The Ayes have it. It is so ordered. Senator Maragos, for
25. what purpose do you rise?

26. SENATOR MARAGOS:

27. ...Senator Sangmeister answered my question.

28. PRESIDENT:

29. All right. On the order of Senate Bills, 3rd reading,
30. Senate Bill 1423. Read the bill, Mr. Secretary.

31. SECRETARY:

32. Senate Bill 1423.

(Secretary reads title of bill)

33. 3rd reading of the bill.

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PRESIDENT:

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President and members of the Senate. Senate Bill 1423 is designed to solve a problem in relation to County Homes. Currently, townships have the only authority to levy a tax for any type of general assistance. Counties, however, are required to maintain the County Home, and a problem has arisen in towns...where townships fail to make payments for patients in County Homes which are...which they are really responsible for. This bill gives the county the authority to levy the tax to support the County Home at a rate of point oh-two-five, and removes the tax. The Township Act is amended, then, to state that the counties which levy the tax for the support of the County Home, townships are limited to a rate of point oh-seven-five. This bill is limited to counties of...from six hundred thousand to one million. I'd hope that maybe if this works in basically this one county, that it can be extended Downstate if it's shown to be advantageous. Basically, the taxpayers pay these costs under any circumstances. If anybody has any questions, I'll be happy to try to answer them.

PRESIDENT:

Is there any discussion? Senator Wooten.

SENATOR WOOTEN:

Senator Weaver, do I get it right? This bill simply enables DuPage County to levy a new tax?

PRESIDENT:

Senator Weaver.

SENATOR WEAVER:

This is a tax that would be shifted from the township to the county. A new tax for the county, a lessening of the tax to the township. The township now has a rate of one cents... or ten cents. It would be reduced to seven and a half cents.

1. PRESIDENT:

2. Senator Wooten.

3. SENATOR WOOTEN:

4. But the new tax can only be levied in DuPage, no place
5. else?

6. PRESIDENT:

7. Senator Weaver.

8. SENATOR WEAVER:

9. That's true, at this point. Personally, I feel it should
10. be made applicable to all townships or all counties, but at
11. this point, there was some opposition. DuPage County wanted
12. to try it. If it works out in Dupage County, certainly
13. we'll be back to extend it to other counties.

14. PRESIDENT:

15. Senator Wooten.

16. SENATOR WOOTEN:

17. I'm surprised Senator Philip isn't on his feet objecting.
18. I believe I had a bill that had some application to DuPage
19. County a little bit earlier. Does this have a referendum
20. on it at all for this new tax?

21. PRESIDENT:

22. Senator Weaver.

23. SENATOR WEAVER:

24. No, I don't believe it has, Senator. The rate, county-wide,
25. would remain the same, only the differential would be point
26. oh-two-five for the county, and a reduction to point oh-seven-five
27. from point one-oh in the township.

28. PRESIDENT:

29. Further discussion. Senator Maragos.

30. SENATOR MARAGOS:

31. Senator Weaver, does the affect the other bills that I
32. happened to sponsor with the County Problems Commission in
33. any way, as to the authority of the counties to operate their
nursing homes?

1. PRESIDENT:
2. Senator Weaver.
3. SENATOR WEAVER:
4. No Senator, this wouldn't affect your standards, etc.,
5. that you've sponsored this year or that I sponsored a few years
6. back.
7. PRESIDENT:
8. Senator Maragos.
9. SENATOR MARAGOS:
10. Are there any townships now that operate their own nursing
11. homes separate from the County?
12. PRESIDENT:
13. Senator Weaver.
14. SENATOR WEAVER:
15. I don't believe there are any township nursing homes or
16. County Homes.
17. PRESIDENT:
18. Senator Maragos.
19. SENATOR MARAGOS:
20. I'm curious, because how...why would...why do they have
21. the authority to levy tax if they were not given that service?
22. That's...I agree with what you're trying to do here, as long
23. as DuPage wants it, but I was just wondering why the townships
24. were allowed to do that if they hadn't...didn't give a service.
25. PRESIDENT:
26. Senator Weaver.
27. SENATOR WEAVER:
28. Townships are allowed to levy the tax for General Assistance
29. whereby they ship patients to other facilities and pay the cost
30. of that general assistance.
31. PRESIDENT:
32. Any further discussion? Senator Bruce. Senator Bruce.
33. SENATOR BRUCE:

1. Senator Weaver, I just wonder. You mentioned that this
2. would not increase the tax rate in a county without a referendum...
3. first of all, the bill does not require a referendum, and
4. second of all, you said it would be equal to the rate already
5. in existence but in reading Amendment No. 2 on lines nine
6. through twelve, it says, "...the tax shall be in addition to
7. all other taxes which the county's authorized to levy" the
8. additional twenty-five cents. I'm sorry...two-and-a-half
9. cents. Senator Weaver.

10. PRESIDENT:

11. Senator Weaver.

12. SENATOR WEAVER:

13. Well, let me clarify a little bit, Senator Bruce. The
14. township now has a ten cent levy. We're reducing that levy
15. to seven and a half cents. We're shifting to the county
16. levy point oh-two-five. Now you can...certainly state that
17. there might be an implication of a tax raise, because of the
18. assessed valuation of the county being much greater than that
19. of any individual township, but actually, the county taxpayers
20. are paying the bill one way or another, or the township taxpayers.
21. They're all taxpayers of the county, and they all participate
22. and are equally...have equal accessability to the nursing home
23. or the County Home, whichever. It's a lower rate on a greater
24. assessed valuation.

25. PRESIDENT:

26. Is there any further discussion? Senator Bowers.

27. SENATOR BOWERS:

28. First of all, Mr. President, I should rise and explain
29. what happened here. This bill was put in the last night because
30. it was printed under my name, it was put in under my name, and
31. it applied to all counties in the state. Because of the fact
32. that I have an associate in my law office that represents one
33. of the townships in DuPage County, I didn't think it was

1. appropriate for me to sponsor the legislation. As a matter
2. of fact, I intend to vote Present. But let me just state
3. that it does solve a problem, the problem being that number
4. one, when you get contributions from the township, you run
5. into that state mandated...well, it really comes from the
6. Federal Government, so much a bed cost, that they can't exceed,
7. that is, they can't exceed the Public Aid cost, so we run
8. into a problem there. If the county, in fact, levies the tax
9. and supports the County Home, we avoid that problem because
10. the townships no longer contribute the dollars. Secondly,
11. as far as it is limited to DuPage County, I support it,
12. Senator Philip supports the idea, I talked to Speaker Redmond.
13. He thinks it's a good idea, so as far as the DuPage County
14. representatives, I think we're all behind it.

15. PRESIDENT:

16. Is there any...further discussion? Senator Weaver, do
17. you wish to close the debate?

18. SENATOR WEAVER:

19. I'd appreciate a favorable roll call.

20. PRESIDENT:

21. The question is shall Senate Bill 1423 pass. Those in
22. favor will vote Aye. Those opposed will vote Nay. The voting
23. is open. Have all voted who wish? Would you vote Senator
24. Donnewald Aye, please. Have all voted who wish? Have all
25. voted who wish? Take the record. On that question, the Ayes
26. are 49, the Nays are 2. 7 voting Present. Senate Bill 1423,
27. having received a constitutional majority, is declared passed.
28. 1425, Senator Grotberg. On the order of Senate Bills, 3rd reading,
29. Senate Bill 1425. Read the bill, Mr. Secretary.

30. SECRETARY:

31. Senate Bill 1425.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDENT:
2. Senator Grotberg.
3. SENATOR GROTBORG:
4. Yes. Yes, Senator Nimrod, I voted. Senate Bill 1425
5. really is a Merely bill. In the racing parimutuel skim by
6. the state, it's on a graduated scale, from three point seventy-
7. five percent to nine point seventy-five. Charitable racing
8. was locked in at a full eight percent, regardless of the
9. daily parimutuel handle. This just puts the Charitable
10. Racing Privilege Tax in line with the regular Operators Tax.
11. It means, I think, about five thousand dollars to the Chicago
12. Community Fund, who benefit from the...like the Sun-Times
13. Charity Race, etc. I would ask for a favorable roll call.
14. PRESIDING OFFICER: (SENATOR BRUCE)
15. Is there discussion? The question is shall Senate Bill
16. 1425 pass. Those in favor vote Aye. Those opposed vote Nay.
17. The voting is open. Have all voted who wish? Have all voted
18. who wish? Take the record. On that question, the Ayes are 54,
19. the Nays are none. None voting Present. Senate Bill 1425,
20. having received a constitutional majority, is declared passed.
21. Senate Bill 1429, Senator Rock. Read the bill, Mr. Secretary,
22. please.
23. SECRETARY:
24. Senate Bill 1429.
25. (Secretary reads title of bill)
26. 3rd reading of the bill.
27. PRESIDING OFFICER: (SENATOR BRUCE)
28. Senator Rock.
29. SENATOR ROCK:
30. Thank you, Mr. President, Ladies and Gentlemen of the
31. Senate. I was looking for Senator Mitchler. Is he on the
32. Floor?
33. PRESIDING OFFICER: (SENATOR BRUCE)
Is Senator Mitchler on the Floor? Senator Rock.

1. SENATOR ROCK:

2. Thank you, Mr. President, Ladies and Gentlemen of the
3. Senate. Senate Bill 1429 would increase the members annual
4. office allowance by three thousand dollars. It seems to me
5. that we're all painfully aware, even though I personally, in
6. fact, lapse a good portion of my District Office allowance,
7. because I have made other arrangements, frankly. It seems
8. to me that the membership is under some fiscal constraint.
9. Rent, utilities, telephone, everything is going up, and in
10. order to adequately provide the services that are demanded
11. by our constituency, it seems to me a raise in this allowance
12. is warranted, and so I offered this 1429 for your consideration.
13. The bill, however, was amended last week or earlier this week,
14. at the request of Senator Mitchler, and I readily agreed as
15. I do with most members to afford them the opportunity to present
16. their views, and so with respect to the amendment, I will yield
17. to Senator Mitchler.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Mitchler.

20. SENATOR MITCHLER:

21. Mr. President, members of the Senate. The history of
22. the District Allowance goes back when it started out at a figure
23. of about five hundred dollars, and I was in the Senate at that
24. time. At the time that was put in, it was when the members
25. of the Illinois General Assembly received fifty dollars at
26. the start of a two-year period, and that fifty dollars covered
27. their printing, postage and stationery, and all the other
28. expenses they had with their constituents. Now it's almost an
29. unbelievable figure. I know one time the IRS checked on me,
30. and they wanted to know what that fifty dollars was I was reporting
31. as income, and I told them. The girl looked at me and she
32. shook her head and could not understand it, and I said "It's
33. the truth. Fifty dollars for printing, postage and stationery."
I recall that when I was on the Fifth floor up there with Senator

1. Fayewell and we wanted a pencil sharpener, and we couldn't
2. even get from the Legislative...from the Senate Appropriation
3. a pencil sharpener to share. I had a stapler on my desk
4. that I got from John Gollew over at the Division of Water
5. Resources, because there was no appropriation to the General
6. Assembly that we could draw a stapler or a pencil sharpener
7. and the like. Now the responsibilities and the attitudes
8. of constituents has increased considerably, and there's been
9. a great change. Many of us have been against that change,
10. many of us have been for, but nevertheless, it's here with
11. us today. We now have a seventeen thousand District Allowance,
12. and I think the record will show that I've possibly opposed
13. every increase in that as I have pay raises and the like, but
14. we are all together in the same boat here, and we're swimming
15. together. Now the increase to twenty thousand for those that
16. have District Offices is a justification, because you can't operate
17. if you're going to have a District Office on that type of a...
18. an allowance. Personally, I do not have a District Office.
19. My District Office is my home, and I do that for a reason,
20. because I think that if they want me, my name's in the telephone
21. directory, and they call up and they say "Bob, I've got a
22. problem", and that's the way I operate in my district. Everybody
23. has a different way of operating in their district, but one
24. of the things that we have on it, that I think is ridiculous,
25. and it was put on for a reason by Senator Arrington, when we put
26. on the five hundred dollars, and I sat next to him in this chamber.
27. He felt that that five hundred dollars that we were putting on
28. as a gratuity, to help the legislators with their district...you
29. could use it for postage, and printing, and a few things like
30. that, that he actually thought it was unconstitutional, and to
31. protect that, we put through the deal that your aunt and uncle
32. and sister-in-law and brother-in-law and anybody like that
33. couldn't participate, and he thought if we had that in there,
then there'd be no problems, but many instances, I've found

1. out over the years, I know one Senator, he and his cousin had
2. some property. His cousin was in the Real Estate business.
3. He was in the Insurance business. They had adjoining offices,
4. and they worked together on their business operation. They
5. also had a small office adjoining that portion of the building
6. and when he ran, elected to the Senate, he opened that office,
7. kicked the tenant out, and put in his legislative office, because
8. it was handy, best to serve his constituents. But he could
9. not charge the rent that he was getting on that, because
10. his cousin was in the...part-ownership in the building. Now
11. that's all this amendment does. You're on your own in your
12. district. If you want to put somebody on the payroll in your
13. district, that's up to you...

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. For what purpose does Senator Philip rise?

16. SENATOR PHILIP:

17. Yeah. I'm just wondering if the Senator on our side of
18. the aisle will explain his amendment? I got everything but
19. what the amendment did. Let me ask you this question then,
20. Senator. Would this amendment...

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Philip, now you were recognized. There are
23. several Senators who have sought recognition on this bill.
24. I thought you were rising to a Point of Order. I will put
25. you on the list. The following Senators have sought recognition:
26. Senators Wooten, Gitz, Sommer, Daley, Netsch, Carroll, and
27. Philip. Senator Wooten.

28.
29.
30.
31. End of Reel
32.
33.

1. SENATOR WOOTEN:

2. I simply would suggest that the amendment places that whole
3. process in jeopardy. The amendment strikes the anti-nepotism
4. provisions of the law. We have enough difficulty now trying to make
5. clear to the press that this money in no way is used for the
6. personal advantage of a legislator. It is, in the strictest sense,
7. money spent for the district on behalf of the district, to provide
8. district services. If we remove the anti-nepotism provisions, then
9. all the mistakes that the press has made in talking about this
10. suddenly become true and I suggest that in its amended form, the
11. bill simply cannot pass. As badly as we need this this is the one
12. thing I have always supported and would go almost double the amount
13. that's on the face of the bill right now. But we cannot stand to have
14. the anti-nepotism provision stricken. So, I think that amendment
15. has to come off.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Gitz.

18. SENATOR GITZ:

19. Well, Senator Wooten has echoed my sentiments precisely and I would
20. like to congratulate the sponsor of the original bill in the intent.
21. My own legislative district is so large that even dumping some three
22. thousand dollars a year of my own money into it it still isn't
23. sufficient to cover that kind of an area. But I'm disappointed.
24. I wish I'd known this amendment was coming up originally. I think this
25. is a terrible amendment which jeopardizes the intention of the bill.
26. As much as I would like to see sufficient monies so that we could
27. run a halfway decent district office and discharge our responsibilities
28. in a fashion which will serve our constituents, there is no possible
29. way you can justify repealing these nepotism provisions. I personally
30. want that protection. I want to be able to say to any of my cousins or
31. relatives, you know, no matter how nice it must be, it's prohibited
32. by the Statute. I think this is a terrible amendment. It
33. jeopardizes a good idea.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Sommer.

3. SENATOR SOMMER:

4. Mr. President and members. I would agree with the criticisms
5. of the anti-nepotism provision. It just does...an idea that invites
6. endless criticism of those of us in the General Assembly at a time
7. when it's not needed. I also oppose the three thousand dollars..
8. I've had an office in my district ever since I got here and
9. I notice that also in my district and in surrounding districts that
10. nobody else or very few other people ever had them and yet they
11. manage to spend all of the money. And it's an interesting
12. phenomena and when that occurs and it would seem to me that in the
13. event that this money is provided, people should provide the service
14. that that is provided for.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Daley.

17. SENATOR DALEY:

18. Mr. President and fellow Senators. I'd like to remind each and
19. everyone of us just three months ago, we went through a great pay
20. raise debate and those that stood up for the pay raise
21. voted for it, we got the heat for it, those are the other ones
22. that srammed through the halls, and talked about their districts, hid,
23. and of course, they went down to the Floor to take their paychecks
24. as soon as possible. This bill is a pay raise bill. The people
25. know it. Let's not kid ourselves. This is a bad bill. Let's
26. vote No.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Further discussion? Senator Netsch.

29. SENATOR NETSCH:

30. For someone who has a ward office from which to maintain his
31. legislative business, it's easy to say that, Senator Daley. For
32. some of us who do not, it is not so easy. My legislative office
33. costs me about ten thousand dollars of my own money every year. I would
like very much to have some additional help. I have never found that

1. any of my constituents begrudge me that at all. The pay raise, yes.
2. They were a little unhappy about that. But I have never had any
3. objection to maintaining a legislative office and in fact, I've
4. had strong encouragement to do that. It is really a tragedy,
5. Senator Mitchler, that you have done a great disservice to all of
6. us by putting an amendment on this bill which makes it impossible
7. for the bill to be supported. I would hope that if something goes
8. wrong and the bill does not pass, that you might think about removing
9. that amendment so that we would have a chance to face squarely
10. the issue of what is an adequate level for maintaining a legislative
11. office.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. For what purpose does Senator Daley arise?

14. SENATOR DALEY:

15. Mr. President, point of personal privilege. In my...all my
16. debates I did not refer to one Senator. It's too bad that Senator
17. Netsch has taken it personally, but I did not refer to her.
18. But let's not kid ourselves. You can't take it through the pay raise,
19. we want to spend it in the offices. It's the same thing. You
20. can't kid the people. I've heard Senators tell about we're kidding
21. the people on the pay raises. This is a pay raise. We're going to
22. spend it in our districts. It's going to cost the taxpayers some
23. money. That's what you're doing.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Carroll. Senator Carroll on the Floor? Senator Philip.
26. Senator Johns.

27. SENATOR JOHNS:

28. Thank you, Mr. President. As most of all of you know, at no
29. time did I ever vote for the pay raise, but I am in support of this.
30. Nothing has been more beneficial to my area than my office. I've had
31. it for eight years. One of the pledges I made to my people was that
32. I would be responsive and available. I would be in that office when
33. I wasn't here. I have been. It's been of a tremendous value to an
area where I have twelve counties, drive hundreds of thousands of miles.

1. But my people stream into that office, they call that office, we
2. give them help to break down the bureaucratic red tape. It's been
3. of invaluable resource to me and my people. The rent has gone up.
4. The lights have gone up. The postage has gone up. The help
5. needs more money. The janitor even needs more money. This is
6. ...vital bill as far as I am concerned. I don't think it's a pay
7. raise for the simple reason that the IRS does not consider this as
8. money for us but for the people that serve us and serve my people.
9. I think it's a tremendous thing that we need and I'm going to vote
10. accordingly which will be Aye.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. For what purpose does Senator Rock arise?

13. SENATOR ROCK:

14. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
15. One does not have to be a seer to understand that apparently...in the
16. condition the bill is in it's not going to pass in this form
17. and I would suggest with leave of the Body, I have afforded as I will
18. to any member in this Body, a courtesy, an opportunity to place
19. an amendment on a bill of mine. It's just pretty apparent that it's
20. not going to pass, Senator, and I think we've...we've given it its
21. run and it's just not going anywhere. So, with leave of the Body,
22. I would ask that the bill be brought back to the Order of 2nd
23. reading for the purpose of removing this amendment.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Is there leave? Leave is granted. The bill is on the Order of
26. 2nd reading. Senator Rock for the purpose of a motion.

27. SENATOR ROCK:

28. Yes, I would now at this time, move to reconsider the vote by
29. which Amendment No. 1 was adopted.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. The motion is to reconsider. All in favor say Aye. Opposed
32. Nay. The Ayes have it. The motion is reconsidered. Senator
33. Rock now on a motion.

SENATOR ROCK:

1. Well, I would now move and I certainly won't put Senator Mitchler
2. in a position of attempting to Table his own amendment, but I would
3. move that Amendment No. 1 lie upon the Table.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. The motion is to Table Amendment No. 1. Is there discussion?
6. All in favor say Aye. Opposed Nay. The Ayes have it.
7. Amendment No. 1 is Tabled. Are there...are there floor amendments?

8. SECRETARY:

9. No further amendments.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. 3rd reading. Senator Rock, do you wish to take...since
12. we did not adopt amendment...all right. Senate Bill 1431, Senator
13. Berman. Read the bill, Mr. Secretary, please.

14. SECRETARY:

15. Senate Bill 1431.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Berman.

20. SENATOR BERMAN:

21. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
22. This bill creates the Illinois Landmark Finance Act under which a
23. authority is created composed of seven members, appointed by the
24. Governor with the advise and consent of the Senate, bipartisan
25. membership including two experts in architectural...as architectural
26. historians. The purpose of the bill is to allow this authority
27. to issue bonds, revenue bonds for the purpose of making loans for the
28. purpose of maintaining Illinois landmarks. Throughout the State,
29. there are buildings and facilities of great historic precedence
30. and great historic importance. The trouble is many of these
31. buildings are in depressed areas where commercial types of loans
32. are just not available. The purpose of this bill would make that type
33. of financing available. It...in discussing the technicalities of
the bill, I...with the minority spokesman...with the Minority Leader,

1. there was one question that arose as to subordinating these bonds
2. from the Landmark Authority to the CDB. I think that that point
3. wasn't raised before. I think the Minority Leader's point is well
4. taken. I've agreed to amend this bill in the House to prevent any
5. type of that subordination. I'd be glad to respond to any
6. questions. I think it's an important bill to maintain Illinois's
7. historic heritage. I solicit your Aye vote.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Is there discussion? Senator Schaffer.

10. SENATOR SCHAFFER:

11. If the President would yield.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Berman.

14. SENATOR SCHAFFER:

15. Sponsor, I mean.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Schaffer.

18. SENATOR SCHAFFER:

19. Senator Berman, I was just looking over an analysis of this...
20. this bill and I do notice it amends the Capital Development Act and
21. this board...could this board conceivably, oh, for instance, declare
22. Soldier Field a national or State landmark, use its bonding power to
23. provide for the rebuilding and renovation of that historic building
24. into something historically appropriate like, say, a dome stadium,
25. for instance? I just wonder what in the Act would prohibit
26. that type of activity?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Berman.

29. SENATOR BERMAN:

30. I think within the four corners of the Act, that would not be
31. within its purpose, but let me say in a more direct way, unless the
32. Gentleman on the second floor whose office is on the second floor
33. who is in Japan, wanted to cooperate with that, it's his appointees
who are the members of this authority and I think that that's your...

1. essentially your best safeguard. It is not the purpose of this to
2. make Soldier's Field a domed stadium. I don't think the dome
3. stadium would be the preservation of an historic landmark.
4. So, I think it would be beyond the context of this authority to do so.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Schaffer.

7. SENATOR SCHAFFER:

8. I believe the Governor, by the way, is in a gas line in California
9. at this moment. What you're saying to us is that our line of
10. defense that will prevent this mechanism from building a dome
11. stadium on Chicago's historic Soldier's Field site is the Governor
12. of this State. That is our last and only line of defense.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Berman.

15. SENATOR BERMAN:

16. No. If you look at the definitions...I wasn't sure if your
17. question was serious or facetious. It is not the sponsor's intention
18. to use this as a vehicle for a dome stadium, number one. Number
19. two, the...the Mayor of the City of Chicago has indicated that that
20. is not one of her priorities but going to the...within the context
21. of this, if you look at the definitions, I submit to you that
22. under definition of local landmark and landmark structure, this
23. would not be possible.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Schaffer.

26. SENATOR SCHAFFER:

27. Well, Senator, I'm not sure I'm against the dome stadium.
28. I just think it's something we ought to negotiate a little more
29. thoroughly and you'll pardon me if I'm a little leary to trust the
30. fate of this issue to our friends in the Executive Branch and I vaguely
31. recall that the Mayor of the City of Chicago was at one time against
32. the Chicagofest, also.

33. PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Shapiro.

1. SENATOR SHAPIRO:

2. Mr. President, will the sponsor yield for a question?

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Indicates that he will yield. Senator Shapiro.

5. SENATOR SHAPIRO:

6. Senator Berman, why was the amendment involving the Capital

7. Development Board placed on the...in the bill?

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Berman.

10. SENATOR BERMAN:

11. I am not sure, Senator. The bill...the amendment came up...
12. apparently there were discussions between some of the supporters of
13. this bill outside of this Body and Capital Development Board.

14. I...I was not a party to it and I've indicated to you that I have
15. no objections to removing that type of amendment. Apparently
16. CDB may have...may be able to give you a more direct answer than I.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Shapiro.

19. SENATOR SHAPIRO:

20. Senator Berman, there's no hesitation on your part
21. or interpretation that this authority, if enacted, could subordinate
22. any of its obligations to any Federal, State or local agency, am I
23. not correct?

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Berman.

26. SENATOR BERMAN:

27. That's the power in the bill now.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Shapiro.

30. SENATOR SHAPIRO:

31. I'd like to speak to the bill, then. Mr. President and Ladies
32. and Gentlemen of the Senate. I can see a lot of good in the bill as it's
33. drafted. It may not be necessary and it may just add another unnecessary
layer to the bureaucracy that already exists. In other words, we

1. have Acts on our lawbooks that could very easily be amended
2. to do approximately the same thing that this new Act calls for.
3. But the fact that the authority has power in this bill to subordinate
4. any mortgage or other security interest it may obtain in connection
5. with the loan to any Federal, State or local agency and the fact
6. that the bill was amended to take away the power and authority of
7. the Capital Development Board, and vest any jurisdiction that the
8. Capital Development Board might have in supervising a restoration project
9. whatever it may be, renovation of Soldier Field into a sport
10. stadium or something like that and that is not prohibited
11. as long as this society or authority designates it as a historic
12. landmark. But it takes away the authority of the Capital Development
13. Board to monitor the project. Somehow or other when I tie this
14. amendment in with the powers of this new authority, I just can't
15. bring myself to vote for the bill at this particular time.
16. I think it's...it needs a lot of cleaning up. I think the best
17. place to do it would be back in committee.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Further discussion? Senator Berman may close.

20. SENATOR BERMAN:

21. Thank you. I've indicated to the...to the Minority Leader that
22. if there was a question regarding CDB I would be glad to address
23. that by amendment in the House. But I think and I'm not sure of the
24. reason, why people from parts of this State that have what many of
25. us believe are great historic Illinois landmarks would be speaking
26. against this bill. It is a method by which those landmarks can,
27. in fact, be preserved. When we talk...and I think that all they
28. have done is to raise a red herring here, which has no basis or merit
29. when you look at the bill. On page two of the bill, lines 17
30. through 34, it is specifically stated the requirements in order to be
31. considered as a landmark structure. Under no circumstances could
32. you have a dome stadium under this interpretation and under the
33. requirements that are set forth in there. I don't understand that type
of objection. I do understand that in Illinois, we have many historic

1. landmarks. The only way you're going to preserve those landmarks
2. is by making some type of financing available to people that want
3. to preserve them. Now, this is not a give away program. The bill
4. will not cost the State any money, but instead will increase the
5. revenue of the State of Illinois. Each one million dollar of
6. rehabilitation construction activity would directly create about
7. fifty jobs per year. The State income tax revenue on these jobs
8. is about twenty-five thousand dollars. I submit to you that in
9. many parts of our State, landmark buildings are in depressed areas.
10. The only way to maintain them is to create the type of authority
11. that's suggested in Senate Bill 1431. I will still be willing to
12. work with the minority in amending it to a more acceptable manner
13. as far as the technicalities of subordination is concerned in the House.
14. I solicit your Aye vote.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. The question is shall Senate Bill 1431 pass. Those in favor
17. vote Aye. Those opposed vote Nay. The voting is open. Have all
18. voted who wish? Have all voted who wish? Take the record.
19. On that question the Ayes are 29, the Nays are 12...the Nays are
20. 19. The sponsor asks that further consideration of Senate Bill 1431
21. be postponed. It will be placed on the Order of Postponed Consideration.
22. Senator Nimrod on 1435. I'm sorry, Senator. It was amended today.
23. We will not be able to call it. We will now return to Senate Bills
24. on 3rd reading. On page 2 of your Calendar. For what...for what
25. purpose does Senator Rock arise?

26. SENATOR ROCK:

27. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
28. I have just spent a few moments conversing with Senator Shapiro
29. with respect to the program. It seems in our best interest that at
30. this point in time, we will again, return to the Order of 3rd
31. reading and attempt to plow through the Calendar again and we will
32. work, I think, straight through. The House has indicated to me, at
33. least, that they're going to work straight through till about 9:00
o'clock and I think it's in our best interest that we do the same

1. thing. But at this point in time, as long as we have now
2. been through the Calendar one time, there are Motions in Writing
3. pending and I think in fairness to the membership who have filed
4. those motions, we ought to consider those at this time and in
5. the event that the motion prevails and the bill is read a second
6. time, it can then be properly advanced to 3rd and we can deal with
7. it tomorrow. And then we will again start right at the beginning
8. on Senate Bills, 3rd reading, with Senate Bill 6 and move as
9. rapidly as possible through the remainder of the Calendar so that
10. hopefully we can finish relatively early tomorrow.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. We will go to...with leave of the Body we will go to the Order
13. of Motions in Writing. Leave is granted. It's on page 39 of
14. your Calendar, the last page of your Calendar, Senate Bill 68.
15. Senate Bill 68, Senator Bloom. All right. Now, rather than the
16. Secretary read all these motions that are on the Calendar, if
17. the sponsor will quickly explain them, rather than have the Secretary
18. read them, we can proceed more quickly. Senate Bill 68, Senator
19. Bloom, Motion in Writing.

20. SENATOR BLOOM:

21. Thank you, Mr. President. This would take 68, Senate Bill 68
22. and put it on the Calendar. Senate Bill 68 is identical
23. to...almost identical to Senate Bill 1326 which passed out of the
24. Senate 35 to 8 two years ago. It provides management tools to the
25. Commerce Commission in order to better perform their regulatory
26. function. Without getting deeply into the merits of the bill, it's
27. been cussed and discussed and I think it's going to be cussed again.
28. I see Senator Rock arising, but it's a good bill and it merits the
29. consideration and the Commerce Commission wants it.
30. Try and answer any questions.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Rock.

33. SENATOR ROCK:

Well, I would hope that the debate on all these motions will be

1. relatively brief. I would point out to the membership that this
2. was reported out of committee with a Do Not Pass recommendation
3. 5 to 2. And I think it had an adequate hearing in that committee,
4. in the Committee on Agriculture, Conservation and Energy and it
5. should...its fate should have been sealed at that point.
6. I think to move it out now is not in our best interest and I would
7. urge a No vote.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Is there further discussion of the motion? Senator McMillan.
10. SENATOR McMILLAN:

11. Mr. President and members of the Senate. I would echo Senator
12. Rock's comments. It was given a very, very complete hearing in
13. committee and it was turned down by a substantial vote. I think
14. the bill includes authority that's beyond what is really needed by
15. the commission and I would also ask that the motion be denied.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Further discussion? Senator Bloom may close.

18. SENATOR BLOOM:

19. I'd appreciate a favorable roll call. The commission wants
20. it and I think that it would...passed out 35 to 8 two years ago
21. in substantially the same form. I don't see any reason why it should
22. not become law. Thank you.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. The motion is to take Senate Bill 68 from the Table and
25. be...have it placed on the Order of 2nd reading on the Calendar.
26. Those in favor will vote Aye. Those opposed will vote Nay.
27. The voting is open. It will require thirty affirmative votes.
28. Have all voted who wish? Have all voted who wish? Take the record.
29. On that question the Ayes are 20, the Nays are 20, 3 Voting Present:
30. The motion to take from the Table is lost. Senate Bill 565, Senator
31. Netsch.

32. SENATOR NETSCH:

33. Thank you...thank you, Mr. President. There was some confusion,
I think, when the bill was heard in committee. There was a provision in

1. it which all the members of the committee wanted and in just a...
2. all of the discussion back and forth, it ended up being sort of
3. buried along with the bill. Both Senator Moore and Senator Daley
4. have been consulted, the Chairman and Minority Spokesman on the
5. committee that heard the bill and I...although I can't find
6. Senator Daley right at the moment, I think Senator Moore can confirm
7. that they agree that the bill should be brought out and that
8. one provision that they...that the committee agreed, should be
9. passed, put in the bill, substituted for the rest of the bill,
10. the amendment has been pending to do that. I would like Senator
11. Moore to comment, if he would.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Is there discussion? Senator Moore.

14. SENATOR MOORE:

15. Thank you, Mr. President and members of the Senate. I concur with
16. Senator Netsch. There was a misunderstanding between her and the
17. members of the committee or between us and her, one of the two.
18. There was an amendment she prepared that is acceptable and I would
19. move a Yes vote on this bill that there was this misunderstanding
20. on.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Is there further discussion of the motion? The motion
23. is to take from the Table and have Senate Bill 565 placed on the Order
24. of 2nd reading. Those in favor vote Aye. Those opposed vote Nay.
25. The voting is open. All voted who wish? Have all voted who wish?
26. Take the record. On that question the Ayes are 39, the Nays are 7,
27. 4 Voting Present. The motion to take from the Table and have the
28. bill placed on the Order of 2nd reading prevails. Senate Bill 656,
29. Senator Johns. Senator, do you wish to withdraw your motion?
30. Senator Johns requests leave to withdraw his motion. Leave is granted.
31. Senate Bill 999, Senator Knuppel.

32. SENATOR KNUPPEL:

33. Yes, Sir. Senate Bill 999 was a bill to provide a method to
replace the corporate personal property tax. It was in Revenue.

1. It was a duplicate bill to a bill that was introduced earlier way
2. back in 1977. It's a different concept than the bill that was
3. discharged from committee. I notice in the paper this morning
4. that a bill was amended...guttled and amended in the House last
5. night with respect to this concept. I have the distinct feeling
6. that anyone who had a bill in there that had a different concept
7. than the one bill that came out should have had the bill released
8. so that at least the people here would have some choices when it
9. came...when it comes to a matter of voting on the method by which
10. the corporate personal property tax would be replaced. There's a new
11. concept, as I say, in the House. There's a concept that's in Senator
12. McMillan's bill. There's a concept that's in Senator Egan's bill.
13. I just feel that more than one bill because they had different
14. concepts, ought to have been discharged from committee so that the
15. people had some choice with respect to the alternatives they had,
16. here on the Floor of the Senate.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Is there discussion of the motion? Senator Rhoads.

19. SENATOR RHOADS:

20. Briefly, Mr. President I rise in favor of the motion. Senator
21. Knuppel, of the four bills that were discussed thoroughly in
22. committee that day, Senator Knuppel's idea was the most different
23. and unfortunately received the least discussion and I would support
24. him in his motion.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Further discussion? Senator Egan.

27. SENATOR EGAN:

28. Yes, Mr. President and members of the Senate. I...I certainly
29. don't want to thwart anybody's effort, but I think that the effort
30. that the committee made in view of all the testimony, in view of
31. all the people that were there and in view of the factual situation
32. as it presently exists, we don't...you know, there are too many cooks
33. spoil the brew, if you'll pardon the expression, Senator. But, the
fact is that we...we have enough with which to advance and I'm...

1. I don't mean to demean your effort. I just think it's unnecessary.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Further discussion? Senator McMillan.

4. SENATOR McMILLAN:

5. Mr. President and members of the Senate. I...I would concur with
6. Senator Egan. I think the bill did have careful consideration and
7. there were other bills that did not get out of committee also and
8. I think we have alive the concepts and possibilities that we need and
9. I, too, would urge a No vote.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Is there further discussion? Senator Knuppel may close.

12. SENATOR KNUPPEL:

13. Mr. President and members of the Body. That may be true. I think
14. it's a poor policy and ought not to be encouraged because
15. I happen to be Chairman of the Agricultural Committee. If I don't
16. agree with somebody's bill, I let my bill out and keep theirs in
17. there. I have not resorted to that. I say right here on this Floor
18. with respect to the State Fair last week. I showed the openness
19. and fairness to say to Senator Graham, there are two different
20. concepts about how the State Fair Agency ought to be handled and I
21. voted for his bill, he voted for mine and the Governor will have
22. the right to make a choice. Now, Gentlemen, if your committee
23. chairmen are going to be allowed or your committees are going to be
24. allowed to write committee bills, the sponsorship of legislation
25. is going to become unimportant. I think the Body, when it's as
26. different as the personal property tax replacement and I think
27. if you don't do it, you're going to find out that when you've got to
28. go to the one guy that's got the bill, you don't have the appropriate
29. amount of leverage you should have here, and I think it's a bad
30. policy and a bad precedent: But do what you what with it.
31. I...I gave you the opportunity to discharge it so you would have
32. some alternatives. If you don't want those alternatives, fine. That
33. will be the will of the Body.

PRESIDING OFFICER: (SENATOR BRUCE)

S.B. - 1377
motion
5/24/99

1. The motion is to discharge the Committee on Revenue from
2. further consideration of Senate Bill 999 and have the bill placed
3. on the Calendar on the Order of 2nd reading. On that question
4. those in favor will vote Aye. Those opposed will vote Nay. The
5. voting is open. On a motion to discharge it will require thirty
6. affirmative votes. Have all voted who wish? Have all voted who
7. wish? Take the record. On that question the Ayes are 26, the Nays
8. are 13, 4 Voting Present. The motion to discharge is lost. Senate
9. Bill 243, Senator Collins.

10. SENATOR COLLINS:

11. Mr. President, Senate Bill 243 is one of the insurance rate
12. regulation bills. The reason I've filed this motion because I was told
13. that all of the bills would be held in committee at that time and
14. since subsequently a bill did come out on the Floor. Yesterday, however,
15. the bill was submitted back to...back to the committee. I will
16. withdraw this motion at this time because I feel that I have
17. the votes to get it out. However, I do feel that the insurance
18. rate...rate bills are important and they should be out on this Floor
19. for the Body to discuss, but I will withdraw the motion at this time.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Collins asks leave to withdraw her motion. Is there
22. leave? Leave is granted. The motion will be withdrawn. Senate
23. Bill 1377, Senator Shapiro.

24. SENATOR SHAPIRO:

25. Mr. President and Ladies and Gentlemen of the Senate. This
26. motion is to discharge Senate Bill 1377 from the Committee on Re-
27. organization of State Government and to be placed on the Calendar
28. on the Order of 2nd reading where it will be amended prior
29. to 3rd reading. What the bill does is it's a consolidation...a bill
30. that implements the consolidation of various civil rights
31. organizations into an agency called the Illinois Human Rights Act.
32. I would appreciate a favorable roll call on the discharge motion.

33. PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Netsch.

1. SENATOR NETSCH:

2. As Chairman of the Committee, I concur in the motion
3. and support it.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Further discussion? Senator Washington.

6. SENATOR WASHINGTON:

7. As it is, it's a simple bill. A slight amount of cleaning up is
8. necessary. I think it's a meaningful tool and very timely. I think
9. it will add some kind of sanity to this whole picture of civil
10. rights in this State and I think Senator Shapiro should be commended
11. for working so assiduously on it and I think it will be in line
12. with what you want on 3rd reading. I support the motion.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Is there further discussion? Senator Shapiro may close.
15. Senator Shapiro, did you wish...did you wish to close? Oh.
16. Roll call. All right. The question...the motion is to discharge the
17. Committee on Reorganization of State Government from further
18. consideration of Senate Bill 1377 and have the bill placed on the
19. Order of 2nd reading. On that motion, those in favor vote Aye.
20. Those opposed vote Nay. The voting is open. Have all voted
21. who wish? Take the record. On that question the Ayes are
22. 50, the Nays are 1, 2 Voting Present. The motion to discharge is...
23. prevails and the bill will be placed on the Order of 2nd reading.
24. Senate Bill 900, Senator Keats.

25. SENATOR KEATS:

26. Senate Bill 900 was my bill that originally was the industry
27. supported unemployment insurance reform package. It was defeated in
28. committee on a partisan roll call, 6 to 4 and at this time since
29. we hopefully are working on a compromise position, I will not call
30. this bill to force undue crisis at this moment. Thank you.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Do you withdraw your motion, Senator? Motion...Senator Keats
33. asks leave to withdraw his motion on Senate Bill 900. Is there leave?
Leave is granted. Is there leave to go to the Order of Secretary's

1. Desk for the consideration of two other motions in writing?
2. Leave is granted. Senate Bill 925, Senator Nimrod.
3. SENATOR NIMROD:
4. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
5. Senate Bills 925 and 926, if I may have permission to discuss them
6. together, Mr. President, since they are companion bills.
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. Well, Senator, we tried that a couple of days ago. If you
9. persist...
10. SENATOR NIMROD:
11. No, I don't persist.
12. PRESIDING OFFICER: (SENATOR BRUCE)
13. But we got in more trouble trying to do that on one of Senator
14. Keats's bills and I think we...discuss them separately.
15. SENATOR NIMROD:
16. Fine.
17. PRESIDING OFFICER: (SENATOR BRUCE)
18. Your option, though, Senator.
19. SENATOR NIMROD:
20. These...these bills, in particular, are the ones dealing
21. with Workmen's Compensation which the Senate gave leave to allow
22. them to remain on the Calendar. I think we are all well aware of the
23. importance of the Workmen's Compensation Bills, the situation
24. that exists in the State of Illinois and I have, in fact, on the
25. Secretary's Desk now, the amendments which we hope would be able
26. to make this bill be very similar in nature and conform to Senate
27. Bill 600 which was passed by this Senate in the last Session. It's
28. very urgent, I think, for the health of this State, for certainly
29. the area involved that we have Workmen's Compensation package at
30. least something meaningful that we can present to the public to attract
31. business and...I'd be happy to answer any questions. If not, I would
32. ask for a favorable roll call to discharge these bills and place
33. them on the reading of 2nd reading.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is there discussion? Senator Maragos.

3. SENATOR MARAGOS:

4. Mr. President and members of the Senate. I rise in opposition
5. to this motion. This bill was fully heard in committee and the vote
6. was taken on it and I think it is a...a...it's a thing on our
7. system here. It's a...I'm even floundering for words because I'm
8. surprised this motion was brought up at this late date, at the hour
9. of confusion at the end of the season and the end of the time that
10. we have to do this. It is really not doing the job promised
11. ...this bill had a full hearing and the sponsor knew and he had all
12. this time prior to do this but he's doing this at the last hour
13. and I think it should be defeated.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Further discussion? Senator Nimrod may close.

16. SENATOR NIMROD:

17. I would just call your attention...thank you, Mr. President. I
18. would just call your attention that these bills are being
19. discharged, are being amended in conformity with what...not similar
20. bill that's been in committee and I would urge your favorable
21. consideration so that we may have some meaningful bills on
22. Workmen's Compensation since the Agreed Bill process on Workmen's
23. Compensation has been totally dissolved, there's not...going to have
24. any bills at all this Session. Thank you.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. The motion is to take from the Table and have Senate Bill 925
27. placed on the Calendar on the Order of 2nd reading. On that
28. motion those in favor will vote Aye. Those opposed will vote Nay.
29. The voting is open. Have all voted who wish? Have all voted
30. who wish? Take the record. On that question the Ayes are
31. 31, the Nays are 19, 2 Voting Present. The motion to take from the
32. Table and have the bill placed on the Order of 2nd reading prevails.
33. For what purpose does Senator Maragos arise?

1. SENATOR MARAGOS:

2. Verification of the roll call.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. All right. There's been a request for a verification. Will the
5. members please be in their seats. The Secretary will call those
6. who voted in the affirmative.

7. SECRETARY:

8. The following voted in the affirmative: Becker, Berning,
9. Bloom, Bowers, Buzbee, Coffey, Davidson, DeAngelis, Egan,
10. Geo-Karis, Graham, Grotberg, Keats, Maitland, Martin, McMillan,
11. Mitchler, Moore, Nimrod, Ozinga, Philip, Regner, Rhoads,
12. Rupp, Sangmeister, Schaffer, Shapiro, Sommer, Vadalabene,
13. Walsh, Weaver.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Maragos do you question the presence of any member who
16. voted in the affirmative? No, Jeremiah Joyce is not recorded as
17. voting in the affirmative. Now, Gentlemen, let...Senator Maragos is
18. verifying the roll call. Senator Maragos, if you would speak to
19. your microphone we'll...

20. SENATOR MARAGOS:

21. Senator Vadalabene, please.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Vadalabene is at Senator Carroll's desk.
24. On a verified roll call, the Ayes are 31, the Nays are 19, 2
25. Voting Present. The motion to take from the Table prevails.
26. Senate Bill 926. Senator Nimrod.

27. SENATOR NIMROD:

28. Yes, Mr. President. The 926 is the Occupational Disease Act
29. of the Workmen's Comp and I would ask for a very favorable discharge
30. vote on this bill.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Is there discussion? Senator Lemke.

33. SENATOR LEMKE:

Well, this bill directly attacks those people in southern Illinois
that have coal mines, 'cause the coal miners are affected by this Act

1. and they are the only ones that file claims on the occupational
2. disease. So, those Senators on this side of the aisle that want to
3. vote against the United Mine Workers, can vote against them.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Is there further discussion? Further discussion? Senator
6. Nimrod may close.

7. SENATOR NIMROD:

8. Mr. President and members of the Senate. The Occupational
9. Diseases Act is not geared for the coal miners or anyone else.
10. No one more supportive of the coal miners and the coal industry
11. than I am and what this does is allows a suitable definition
12. of occupational diseases and I wouldask for a favorable roll call.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. The question is on the motion to take from the Table and have
15. Senate Bill 926 placed on the Calendar on the Order of 2nd
16. reading. Those in favor will vote Aye. Those opposed will vote
17. Nay. The voting is open. Have all voted who wish? Have all
18. voted who wish? Take the record. On that question the Ayes are 30,
19. the Nays are 16, 3 Voting Present. Senate Bill...the motion on
20. Senate Bill 926 having received thirty affirmative votes is declared
21. passed and the bill will be placed on the Order of 2nd reading.
22. For what purpose does Senator Regner arise?

23. SENATOR REGNER:

24. I think there is one more up there, Mr. President...
25. 1359. I had a Motion in Writing there.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. All right. Now, when we left the Order of Motions in Writing
28. there were two Motions in Writing which were not printed on the
29. Calendar. Is there...is there leave to go back to that Order of
30. Business? Leave is granted. In addition...there are two bills...
31. if I may have the attention of the Senate, two motions to reconsider
32. on bills considered today, Senate Bill 1340, has been filed by Senator
33. Nash, a motion to reconsider on 1359 has been filed by Senator Regner
and Senator Knuppel, if we might have your attention, we inadvert ntly

1. missed your motion to discharge on Senate Bill 1100 since it is on
2. the Order of Consideration Postponed, but we would like to consider
3. all motions at this time, so we will get to that after we have
4. handled their...the two motions. Senator Nash on Senate Bill 1340.
5. SENATOR NASH:

6. Mr. President and Ladies and Gentlemen of the Senate. Having
7. voted on the prevailing side, I move to reconsider the vote by which
8. Senate Bill 1340 lost.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. The motion is to reconsider. Is there discussion of the motion?
11. For what purpose does Senator Walsh arise? All right. Is there
12. discussion of the motion to reconsider? All in favor say Aye.
13. All right. It will require a recorded roll call. Those in favor
14. will vote Aye. Those opposed will vote Nay. The voting is open.
15. Have all voted who wish? Have all voted who wish? Take the
16. record. On that question the Ayes are 33, the Nays are 18, none
17. Voting Present. The motion to reconsider the vote prevails and the bill
18. is on the Order of 3rd reading, is that right? All right.
19. Senator Regner on the motion to reconsider on Senate Bill 1359.
20. Senator Regner.

21. SENATOR REGNER:

22. Mr. President and members of the Senate. Having voted on the
23. prevailing side on the vote by which Senate Bill 1359 was
24. declared lost, I move to reconsider the vote by which 1359 was
25. lost.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. The motion is to reconsider. Those in...is there discussion?
28. Senator Rhoads.

29. SENATOR RHOADS:

30. Yes, Mr. President. I am supporting this motion. I spoke
31. in opposition to the bill on debate the first time around.
32. There was a provision in the bill that is a good provision, was
33. not fully explained and Senator Philip wasn't on the Floor. It was
his amendment and I think we ought to give him a fair shot at

1. explaining it so I support the motion.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Is there further discussion? Senator Wooten.

4. SENATOR WOOTEN:

5. Yes, I opposed the bill and I still do. I think

6. the provision to which Senator Rhoads makes reference is a very

7. good one, one that could well be amended on another bill.

8. But, I don't think we should be forced to take the substance

9. of a bill with which we disagree to get a good idea contained in

10. an amendment thereto.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Further discussion? Senator Philip.

13. SENATOR PHILIP:

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

15. I might explain the amendment that I put on Senator Nimrod's

16. bill and what this amendment does, it would prevent a convicted

17. public official from serving as a party official. Under...under the

18. present law now, if you were indicted and convicted, you couldn't

19. run for the House, the Senate or any public office. But you

20. could run for a party office and be elected in a primary. And all

21. this does is prevent that. I think if you should be disqualified

22. to run for public office, you ought to be disqualified to run for

23. party office.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Further discussion? The motion is to reconsider the vote by which

26. Senate Bill 1359 was lost. Those in favor vote Aye. Those opposed

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

28. all voted who wish? Take the record. On that question the Ayes

29. are 28, the Nays are 19. The motion to reconsider is lost.

30. If I may call the attention of the Body. Is there leave to go to the

31. Order of Consideration Postponed for the consideration of a motion?

32. Leave is granted. On page 37 of your Calendar, is Senator Knuppel's

33. motion on Senate Bill 1100. Senator Knuppel is recognized.

1. SENATOR KNUPPPEL:

2. Senate Bill 1100 was the bill with respect to judicial salaries
3. and pensions and it was designed to try to prevent what occurred
4. in the last pay raise when we raised our salaries on the 30th
5. day of November. There were judges who had been beaten for
6. retention. There were judges who were retiring who were never paid
7. the salary which we voted for but whose pensions were computed on
8. that. If this bill is released, I will amend the bill so that it
9. will provide that no judge will be entitled to that type of a
10. bonanza again but that if he has served for at least seven months
11. in the position at a salary then he qualifies for the increased
12. salary. It will prevent this finding it in the street.
13. We can raise judicial salaries while they're in office. We have to...
14. we cannot raise our own salary. It seems only fair, it seems only
15. fair to me that...that they should not get the benefit of retiring
16. when they've already indicated their retirement or when they've
17. been voted out of office of getting a pension that's larger than the
18. salary which they had drawn and it will also take care of any of those
19. pay increases should we have them, between the end of the Session
20. by a lame duck General Assembly. It will be people who are voting before
21. they run in June if we give them such a pay raise. I think this is
22. fair. Those men sit in judgment on other people who take public funds,
23. embezzling or otherwise and I think that I would be...would feel like
24. I was taking something I did not deserve if I had retired, then got a
25. pay raise on the last day of my job and my pension was larger
26. than my salary. I say this is good legislation. It should...the
27. bill should be discharged. We should have the opportunity to
28. amend it and vote on it so that this never happens again.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Is there discussion? The motion is to discharge the Committee
31. on Pensions and Personnel from further consideration of Senate Bill
32. 1100 and have the bill placed on the Order of 2nd reading. Those in
33. favor will vote Aye. Those opposed will vote Nay. The voting is open.
Have all voted who wish? Have all voted who wish? Take the record.

1. On that question the Ayes are 35, the Nays are 11, 1 Voting
2. Present. The motion to discharge prevails and the bill will be placed
3. on the Order of 2nd reading. Senator Rock, is it your desire
4. to now read these bills that are on 2nd reading, or go right
5. back to 3rd reading and start through the Calendar?
6. Senator Rock.

7. SENATOR ROCK:

8. My suggestion is that they be read a second time so that they
9. are properly in the process and I...I don't think this is the
10. opportune time to bring up amendments. We ought to just read them and
11. move them and if there are amendments that have to be circulated
12. and distributed and discussed, we can get back to that later.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. The Secretary already has them here so we will...is there
15. leave to go to the Order of Senate Bills, 2nd reading? Leave
16. is granted. For what purpose does Senator Knuppel arise?

17. SENATOR KNUPPEL:

18. We're going to 2nd reading and I'm having an amendment prepared
19. for the bill that was just taken off and I don't want to hold you up
20. so that if we go off this, I'd like to ask leave to come back to that
21. with the amendment when it's prepared.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. All right. Is there leave to...for that procedure? Leave
24. is granted. Senate Bills, 2nd reading. Senate Bill 565, Senator
25. Netsch. Read the bill, Mr. Secretary, please.

26. SECRETARY:

27. Senate Bill 565.

28. (Secretary reads title of bill)

29. 2nd reading of the bill. The Committee on Judiciary I offers
30. one amendment.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Netsch.

33. SENATOR NETSCH:

There was some question whether we would proceed with the amendments

1. at this time, but you've already read it. Do you want me to...
2. would you...
3. PRESIDING OFFICER: (SENATOR BRUCE)
4. We will have to consider the committee amendments, but
5. no Floor amendments. That was the suggestion of the President.
6. SENATOR NETSCH:
7. All right. I would...I think the committee amendment...
8. PRESIDING OFFICER: (SENATOR BRUCE)
9. Why don't you...
10. SENATOR NETSCH:
11. ...is probably no longer valid, 'cause I think I take all of that
12. out. Yeah. I'll move to Table Committee Amendment 1 and...
13. PRESIDING OFFICER: (SENATOR BRUCE)
14. Motion is to Table...motion is to Table Committee No. 1. Is
15. there discussion of the motion to Table? All in favor say Aye. Opposed
16. Nay. The Ayes have it. The motion to Table prevails. Any
17. further amendments?
18. SECRETARY:
19. No further amendments.
20. PRESIDING OFFICER: (SENATOR BRUCE)
21. 3rd reading. Senate Bill 925, Senator Nimrod. Read the bill,
22. Mr. Secretary, please.
23. SECRETARY:
24. Senate Bill 925.
25. (Secretary reads title of bill)
26. 2nd reading of the bill. No committee amendments.
27. PRESIDING OFFICER: (SENATOR BRUCE)
28. Are there amendments from the Floor?
29. SECRETARY:
30. No Floor amendments.
31. PRESIDING OFFICER: (SENATOR BRUCE)
32. 3rd reading. Senate Bill 926, Senator Nimrod. Read the bill,
33. Mr. Secretary, please.
SECRETARY:

SB 1377
2nd Reading
5-24-79

1. Senate Bill 926.
2. (Secretary reads title of bill)
3. 2nd reading of the bill. No committee amendments.
4. PRESIDING OFFICER: (SENATOR BRUCE)
5. Are there amendments from the Floor?
6. SECRETARY:
7. No Floor amendments.
8. PRESIDING OFFICER: (SENATOR BRUCE)
9. 3rd reading. Senate Bill 1377, read...Senator Shapiro. Read
10. the bill, Mr. Secretary, please.
11. SECRETARY:
12. Senate Bill 1377.
13. (Secretary reads title of bill)
14. 2nd reading of the bill. No committee amendments.
15. PRESIDING OFFICER: (SENATOR BRUCE)
16. Are there amendments from the Floor?
17. SECRETARY:
18. No Floor amendments.
19. PRESIDING OFFICER: (SENATOR BRUCE)
20. 3rd reading. Senate Bill 1100. Read the bill, Mr. Secretary,
21. please.
22. SECRETARY:
23. Senate Bill 1100.
24. (Secretary reads title of bill)
25. 2nd reading of the bill. No committee amendments.
26. PRESIDING OFFICER: (SENATOR BRUCE)
27. Are there amendments from the Floor?
28. SECRETARY:
29. No Floor amendments.
30. PRESIDING OFFICER: (SENATOR BRUCE)
31. 3rd reading. Leave to go to the Order of Senate Bills, 3rd
32. reading, beginning at the...is there leave? Leave is granted.
33. Membership would turn to page 2 of your Calendar, Senate Bills,
3rd reading, we will begin with Senate Bill 6. Senator D'Arco.

1. Do you wish the bill read, Senator? Read the bill, please, Mr.
2. Secretary.
3. SECRETARY:
4. Senate Bill 6.
5. (Secretary reads title of bill)
6. 3rd reading of the bill.
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. Senator D'Arco.
9. SENATOR D'ARCO:
10. Thank you, Mr. President and my fellow Senators.
11. This is the appropriation bill for the Hospice Commission. We all
12. know what a Hospice is now. I've told you all about them. They
13. are hospitals for terminally ill people and John Grotberg and myself
14. are both vitally interested in this concept and where it's going
15. and how it's going to be funded and St. John's Hospital here in
16. Springfield has a section where they are going to put a Hospice in.
17. So, I would appreciate a favorable vote.
18. PRESIDING OFFICER: (SENATOR BRUCE)
19. Further discussion? The question is shall Senate Bill 6 pass.
20. Those in favor vote Aye. Those opposed vote Nay. The voting is open.
21. Have all voted who wish? Have all voted who wish? Take...take the
22. record. On that question the Ayes are 48, the Nays are none, none
23. Voting Present. Senate Bill 6 having received a constitutional
24. majority is declared passed. Senate Bill 17, Senator Martin. Read
25. the bill, Mr. Secretary, please.
26. SECRETARY:
27. Senate Bill 17.
28. (Secretary reads title of bill)
29. 3rd reading of the bill.
30. PRESIDING OFFICER: (SENATOR BRUCE)
31. Senator Martin.
32. SENATOR MARTIN:
33. Mr. President and members of the Senate. This bill sponsored
by Senator Savickas and myself amends the Illinois Minimum Wage

1. Code, brings it into compliance with the Federal Code. It comes
2. as a request from the Girl Scout Camps so that they will be able
3. to stay open this summer. I guarantee you it is not a vehicle.
4. It will not be allowed to be amended and I ask your support.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Is there discussion? The question is shall Senate Bill 17
7. pass. Those in favor vote Aye. Those opposed vote Nay. The voting
8. is open. Have all voted who wish? Have all voted who wish?
9. Take the record. On that question the Ayes are 57, the Nays are
10. none, none Voting Present. Senate Bill 17 having received the
11. required constitutional majority is declared passed. Senate Bill
12. 30, Senator Keats. Senator Keats on the Floor? Read the bill,
13. Mr. Secretary, please.

14. SECRETARY:

15. Senate Bill 30.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Keats.

20. SENATOR KEATS:

21. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
22. I had thought this bill was on the Agreed Bill List, but it turned
23. out it was not. So, I will run with it today. What this does is
24. technically it is in the area of unemployment compensation but it
25. is not really taking away or increasing benefits for anyone. Right
26. now, in a situation where a company has a changeover of their
27. facilities, you have people who can be drawing vacation pay and
28. unemployment comp at the same time. But you have a situation where
29. someone can be on vacation, a vacation known in advance, where in
30. reality they're drawing more money than if they were working.
31. And so we had a court ruling, I believe it was Judge Curry there in
32. Cook County, was one, who said look, we don't want to take...from
33. anybody and we aren't. We're just saying you can draw your full pay
but you can't be drawing more so this corrects an inequity in the law

1. and it overrides what was bureaucratic interpretation which the
2. judges have straightened out and it was Judge Curry from Cook
3. County and what it really is is our oversight function of the
4. Legislature. There has been an honest mistake on how to handle
5. this situation and this just codifies the situation to...in the
6. way the judges found was appropriate. With that, I would solicit
7. an Aye vote. Okay. And the other thing was some people were worried
8. that this might be a vehicle bill because of the area and I have
9. guaranteed under no circumstances will this be a vehicle and if
10. amended, I will Table the bill.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Is there discussion? Senator Maragos.

13. SENATOR MARAGOS:

14. That is correct. He promised it would not be a vehicle bill and
15. it got out of committee by 9 to nothing.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Further discussion? Senator Hall.

18. SENATOR HALL:

19. Would the sponsor yield to a question? Senator Keats.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Indicates he will. Senator Hall.

22. SENATOR HALL:

23. I can't see him, Senator Lemke. Senator Keats. My
24. question is this, if...I'm not familiar with this piece of legislation.
25. If you take your vacation pay and there's a holiday within that
26. vacation pay, you don't get the extra time for the holiday?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Keats.

29. SENATOR KEATS:

30. No. You get all your benefits from work. You don't lose
31. anything on that. Yeah. To finish that off, the way that applies
32. ...see, but the interpretation was different in Cook County and
33. downstate, that's why we were doing this. We had to clear up the
difference between Cook County and downstate due to the judicial

1. interpretation.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Further discussion? The question is shall Senate Bill 30 pass.
4. Those in favor vote Aye. Those opposed vote Nay. The voting is
5. open. Have all voted who wish? Have all voted who wish? Take
6. the record. On that question the Ayes are 52, the Nays are none,
7. none Voting Present. Senate Bill 30 having received a constitutional
8. majority is declared passed. Senate Bill 41, Senator Lemke.
9. Read the bill, Mr. Secretary, please.

10. ACTING SECRETARY:

11. Senate Bill 41.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Lemke.

16. SENATOR LEMKE:

17. What this bill does is require the Department of Public Aid
18. to make at least six inspections of ambulatory surgical treatment
19. centers each year, and report such investigation; but not to
20. disclose publicly or identify the treatment center or
21. individuals unless the proceedings to deny, suspend or revoke
22. a license. In effect, this license is in regard...this bill is in the
23. series of bills regards to the articles and the recent exposure of
24. the abuses of abortion clinics in the various parts of the State.
25. I ask for its adoption.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Is there discussion? The question is...Senator DeAngelis.

28. SENATOR DeANGELIS:

29. Mr. President, I'm going to make the following comments
30. at considerable political risk. But I'm going to make these
31. comments and I'm only going to make them on this bill, but they
32. apply to the series of all the bills that have been introduced
33. regarding what we call the abortion issue. I would feel very remiss
if I didn't make these because part of the basis of my running

1. was to dispell some of the things that are going on in this
2. country and one is that if you choose to speak out against something
3. that's irrational, you are, in fact, considered to be against
4. the concept itself. We talk about Workmen's Comp and those of us
5. who oppose the abuses are considered to be anti-worker when in
6. reality we're trying to create more jobs. When we oppose the abuses
7. of welfare, we're accused of being against the welfare recipients
8. when, in fact, we're more concerned about the needy. The issue
9. of abortion for those of you who have gone through the campaign
10. is probably the most emotional issue that we are currently facing.
11. And that issue, or the emotionalism of it, is heightened
12. by the political hoaxes that we pull in the Legislature.
13. The fact of the matter is that most of these pieces of legislation
14. smack of two things. Either illegality or overreaction.
15. I do not charge Senator Lemke with bad intentions. I only charge
16. him with bad judgment. And this particular instance on Senate
17. Bill 41, there are many ambulatory surgical care centers in the
18. State of Illinois that are run in a very legitimate fashion who have
19. absolutely nothing to do with abortion who are clinic operated, who
20. are even hospital operated and the overreaction of trying to impose
21. upon them legislation which is not imposed upon hospitals or other
22. groups who perform the safe service...is an overreaction.
23.
24.
25.
26. End of reel.
27.
28.
29.
30.
31.
32.
33.

pages
misnumbered

1. I would ask you to watch the bills that come up because some
2. of them are good bills, but look for the ones that are
3. illegal and overreactive. Thank you.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Further discussion? Senator Netsch.

6. SENATOR NETSCH:

7. Senator Lemke, as I...understand the bill and read it,
8. this bill deals only with the required number of inspections
9. to be made by the Department of Public Health of all of the
10. licensed ambulatory surgical treatment centers. Isn't that
11. correct?

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Lemke.

14. SENATOR LEMKE:

15. Senate Bill 41, which is this bill and...and Senate
16. Bill 42 are companion bills. Senator, Senate Bill 42 is
17. the appropriation for the inspections. This is just purely
18. an inspection bill. It requires six inspections. I...the
19. Medical Society is in...in agreeance with it, the newspapers,
20. everybody. There's no conflict on this bill, even the ACLU,
21. surprisely.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Netsch.

24. SENATOR NETSCH:

25. I'm...I'm withholding what I am tempted to say in response
26. to that, Senator Lemke. Just one other question. Did you
27. ask the department about the number of inspections? I have...
28. I personally think that the idea of six inspections is not
29. unreasonable at all, particularly because we know we have
30. been through a very troubled period with, at least, some of
31. those who are subject to this licensing Act. Did you consult
32. the department?

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Lemke.

2. SENATOR LEMKE:

3. We had the department...they...they didn't...they were
4. undetermined how many inspections. I mean the least inspections
5. would be the best for them. You give them the figure of...of
6. eight, you give them one a month, you give them...you keep
7. going down and you...you try to meet a figure and we derived
8. at six inspections on the basis that it would allow an
9. inspection every sixty days unannounced as they're presently
10. they're making an inspection once a year announced and in
11. some cases they can't even get in the clinic. They make an
12. appointment and the guy shuts them out and what we're doing
13. here is saying they have to be inspected and everything should
14. be allowed if they're...if they're going to get a license,
15. they should be inspected. It's true that...you know...we
16. can talk about this, but this is all it does, is allow six
17. inspections and I don't see anything wrong with inspecting
18. clinics. Since...since the Chicago Board of Health and the
19. other people cannot inspect it where they can inspect hospitals.

20. PRESIDING OFFICER:(SENATOR BRUCE)

21. Senator Netsch.

22. SENATOR NETSCH:

23. Thank you. I...I certainly concur that that is all that
24. the bill does and I think that it is a supportable bill,
25. possibly the only one of the package that is, but I do agree
26. that I suspect down the road we will not want to have six
27. inspections a year. That is a very dose of inspections and
28. is going to cause a fairly substantial sum of money. I think
29. for the moment, it is not unreasonable that a group of
30. facilities, some of which have had some very serious problems
31. in the last...well, since they have been opened, that they be
32. subjected to a very intensive scrutiny for a period of time
33. and I...I would support this bill.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Further discussion? Senator Ozinga.

3. SENATOR OZINGA:

4. Mr. President and members of the Senate. I sat on this
5. subcommittee with Senator Lemke and I agree with Senator
6. DeAngelis when he says sometimes we overreact, but in this
7. particular case we had the department there. They testified
8. and if you listened to that department they would rather go
9. South than even think about making inspections. When they
10. testified on this bill or on this very circumstances abortion
11. was possibly in the minds of people, but the answer to it is
12. they have these ambulatory institutions around right now and
13. wherever possible they are not and I repeat, they are not
14. even looking, let alone inspecting and this was finally agreed
15. upon by people that testified at that subcommittee that this
16. was a fair and reasonable reaction that they should be, at
17. least, inspect if not only for abortion purposes but for all
18. other medical purposes and this is a good bill.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Further discussion? Senator Washington.

21. SENATOR WASHINGTON:

22. Not to labor the point too long, but Senator Lemke, will
23. you...yield to a question?

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. He indicates he will yield. Senator Washington.

26. SENATOR WASHINGTON:

27. Senator, how does this compare to Senate Bill 207, which
28. came through the Public Health Committee?

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Lemke.

31. SENATOR LEMKE:

32. 207 reveals the...is...is only a bill, that if there's
33. a complaint filed the...the results of the investigation can be

1. made public, not the name of the individual that the...the
2. patient, but the results of that investigation on that
3. particular clinic, if a complaint is made. That's the
4. only thing 207 does.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Washington. Further discussion? Senator Lemke may close?

7. SENATOR LEMKE:

8. I ask for a favorable adoption of the bill.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. The question is, shall Senate Bill 41 pass. Those in favor
11. vote Aye. Those opposed vote Nay. The voting is open. Have
12. all voted who wish? Have all voted who wish? Take the
13. record. On that question, the Ayes are 55, the Nays are 2,
14. none Voting Present. Senate Bill 41 having received the
15. required constitutional majority is declared passed. Senate
16. Bill 42, Senator Lemke. Read the bill, Mr. Secretary, please.

17. ACTING SECRETARY: (MR. FERNANDES)

18. Senate Bill 42.

19. (Acting Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Lemke.

23. SENATOR LEMKE:

24. This bill is the appropriation for the additional inspec-
25. tions by the Department of Public Health. I ask for its adop-
26. tion.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Is there discussion? Senator Carroll.

29. SENATOR CARROLL:

30. Thank you, Mr. President. I rise in opposition to this
31. bill, even though I was supported the last and I don't believe
32. that's inconsistent for this reason. The last says that there
33. shall be a certain number of inspections, namely six each and

1. every year. I agree with that concept. The department has
2. told us one, they do not need this money; two, this is a
3. supplemental for this year. This has nothing to do with
4. next year's budget. They have already budgeted for these
5. positions for next year and three, they have the people on
6. board, should Senate Bill 41 become law before the end of
7. this fiscal year. They have the people on board who could
8. within the month of June provide these services by making the
9. inspections. This is absolutely, in my opinion, a...an
10. unnecessary piece of legislation that cannot be used. It
11. cannot be spent...and there's no reason for it whatsoever.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Further discussion? Senator Lemke may close.

14. SENATOR LEMKE:

15. I think the separation of this from the budget is...is
16. necessary due to the fact that maybe the...the bill that's
17. been passed...that amendment might be made in the House and
18. I ask for this adoption of this bill.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. The question is, shall Senate Bill 42 pass. Those in
21. favor vote Aye. Those opposed vote Nay. The voting is
22. open. Have all voted who wish? Have all voted who wish?
23. Take the record. On that question, the Ayes are 26, the
24. Nays are 28. Senate Bill 42 having failed to receive the
25. required constitutional majority is declared lost. Senate
26. Bill 44, Senator Lemke. Read the bill, Mr. Secretary, please.

27. ACTING SECRETARY:

28. Senate Bill 44.

29. (Acting Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Channel 20 has sought leave to...to film the proceedings.
33. Is there leave? Leave is not granted. Senate Bill 44, Senator

1. Lemke is recognized.

2. SENATOR LEMKE:

3. What this bill does is allows that only physicians may
4. make application for a license to operate and...and operate and
5. own an abortion clinic. It requires that the licenses of these
6. doctors who...who perform the abortions be displayed in a...
7. conspicuous place. Allows that forty-eight hours before the
8. abortion is performed the patient is given the names of two
9. doctors who...who may have...who may perform these abortions
10. and it's a...a bill that we try to remedy and situate. It
11. also has the amendment in there that says that in medical
12. necessity the forty-eight hours is waived. I ask for its
13. adoption.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Is there discussion? Senator Keats.

16. SENATOR KEATS:

17. Thank you, Mr. President and Ladies and Gentlemen of the
18. Senate. Not to specifically say you ought to be for or against
19. the bill, that's your own business, but sometimes we have to
20. ask if we're introducing a bill, what's going to happen with
21. it. The provisions in this bill have been declared
22. unconstitutional time and again. I'm sitting here in my hand
23. with a copy of Chicago Tribune, Wednesday, May 23rd and you
24. saw the headline, Court Upholds Illegality...they left out a
25. word in the title, but parts the State Abortion Law. It's
26. specifically in here concerning the...the waiting period or
27. whether it's forty-eight hours or seventy-two hours or what-
28. ever, the court says it's unconstitutional. As soon as the
29. bill passes somebody is going to take them to court and do you
30. know what the court fees were last time. It appears they were
31. around a quarter of a million dollars and who do you think
32. paid that quarter of a million dollars? We did, so when you're
33. introducing these bills, I'm not saying good point or bad point,

1. but it's clearly unconstitutional. There's no way in the
2. world it can take effect. All we'll do is pay lawyers to sue
3. other lawyers so that all the lawyers can be happy. I mean
4. fine if...if this bill is simply introduced to keep more
5. lawyers off welfare than be straight up for it and I'll say
6. fine. You know...keep them off welfare, but that's not the
7. point. The bill is unconstitutional. The courts have ruled
8. that on more than one occasion and now all we're going to
9. do is pay the court costs to learn that this bill was
10. unconstitutional, too. For that reason I'm going to vote
11. No and try and save us a quarter to a half a million dollars
12. worth of court costs.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator DeAngelis.

15. SENATOR DeANGELIS:

16. Thank you, Mr. President. I said I was only going to
17. speak once. I did omit something from my...in my...my own
18. emotionalism, I did omit something and that something I was
19. going to say is I would be willing to work with Senator Lemke
20. at any time to produce good legislation, but this piece
21. indicates what I'm talking about. There are three elements
22. to this legislation, two of them are very good, one of them
23. is unconstitutional. Senator...Lemke is willing to risk the two
24. good things that he could do by allowing the third thing to
25. be in there, which is going to destroy all three things.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Further discussion? Senator Lemke may close.

28. SENATOR LEMKE:

29. Mr. President and fellow Senators. We hear about we can
30. work things out. Senator Guidice, Senator Ozinga and myself
31. sat on the committee. We held many hearings last Session...
32. former Senator Guidice. We sat down in...in risk. We heard
33. about sitting down now and working things out. If they wanted

1. to work things out, these hearings were publicized in the
2. television and in the news media. Where were these Senators
3. who weren't Senators, but who could have come forth as public
4. individuals? The hearings were open, pro and con, to listen to
5. everyone. We invited the departments. We had long hearings.
6. We spent at those hearings consistently from about nine in the
7. morning to sometimes eight...nine at night. We worked hard on
8. these bills to come up with a solution and whether we talk
9. about constitutionality and from the newspaper, the Sun Times,
10. if you read the article carefully, it doesn't declare unconstitutional
11. the forty-eight hours, it just indirectly puts that in the article.
12. What it declared unconstitutional was there was not a Supreme
13. Court in the United States, there was the Federal Appellate
14. Court who said a parent had no permission to interfere with
15. the minor giving consent for an abortion, which I agree...
16. disagree with totally 'cause I...I disagree with anything
17. that interferes with the family. The mother and father should
18. have control over their child and they should have the right
19. to consent and they should have the knowledge whether to give
20. that consent, but this bill does not do that. This bill says
21. it's trying to set up some protection. It's trying to set up
22. protection from these fourteen and fifteen year old girls that
23. are being butchered...butchered in clinics. They come in for
24. advice at ten in the morning and at two o'clock in the afternoon
25. they end up in the recovery blooming...bleeding and the next
26. day their parents find out and the next day their parents find
27. out that they're...their daughters weren't even pregnant. We're
28. allowing a handful of butchers and moneygrabbers and profiteers
29. in this State...that's what you're talking about and we're trying
30. to regulate and protect the majority and sure, some individuals
31. must suffer and wait the inconvenience of not having an
32. abortion. It that's too much to ask for forty-eight hours to
33. protect the citizenry of this then we might as well say that no

1. one can disallow at any contract within three days and when
2. you sign something that's it. It's ridiculous. It's...I'm
3. sick and tired of hearing this stuff when we're trying to protect
4. the public. I sat down and tried to work these things out. All
5. the objections have been worked out. I think people must know
6. who's going to perform the abortion. Who's going to perform
7. the surgery. I think they should know this. They have an
8. option of two people and I don't think with the cause of medical
9. necessity that the forty-eight hours is going to cause any delay
10. on something that's an emergency matter and those people that
11. have emergency abortions do not go to ambulatory treatment
12. centers, they go to hospitals 'cause it's an emergency. That's
13. where they end up, so whether you vote Yes or No, you examine
14. your conscience, but in this State if you vote Yes you're
15. protecting the citizenry and if you vote No you're protecting
16. the butchers and the profiteers, that's what you say and I ask
17. for a favorable vote.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. The question is, shall Senate Bill 44 pass. Those in
20. favor vote Aye. Those opposed vote Nay. The voting is open.
21. Have all voted who wish? Have all voted who wish? Take the
22. record. On that question, the Ayes are 42, the Nays are 12,
23. none Voting Present. Senate Bill 44 having received the
24. required constitutional majority is declared passed. Senate
25. Bill 43...46, Senator Lemke. Read the bill, Mr. Secretary, please.

26. SECRETARY:

27. Senate Bill 46.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Lemke.

32. SENATOR LEMKE:

33. What this bill does is separates the pregnancy test from

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1. the abortion clinic and the reason for this is very simple.
2. We have found in our investigations...Senator Ozinga can repeat
3. and also said this. We sat down where girls have gone in for
4. a pregnancy test, have been bullwinked and counseled into having
5. abortions and before they know it, they're bleeding and dying
6. and then...after they got out of the recovery room they find out
7. they're not even pregnant and what we have done here is we've
8. cut down the seventy-two hours or forty-eight hours. Now, this
9. is not too much to ask and we're talking about medical necessities
10. there's also a clause in here, so it's not too much to wait
11. forty-eight hours to find out whether you're pregnant and not
12. to be bullwinked into rushing in. We do it in regards to any other
13. contract. We can do it in this circumstance. I don't think it's
14. too much to wait and to separate...to have the laboratory verify
15. that she thinks she's pregnant from the clinic that's going to
16. perform is a good measure. I don't think anything else can be
17. said. I ask for its adoption.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Is there discussion? The question is, shall Senate Bill
20. 46 pass. Those in favor vote Aye. Those opposed vote Nay.
21. The voting is open. Have all voted who wish? Have all voted
22. who wish? Take the record. On that question, the Ayes are 43,
23. the Nays are 11, none Voting Present. Senate Bill 46 having
24. received the required constitutional majority is declared passed.
25. Senate Bill 47, Senator Lemke. Read the bill, Mr. Secretary,
26. please. For what purpose does Senator Lemke arise?

27. SENATOR LEMKE:

28. Before we get into this bill, I'd like to go to 48 and then
29. come back to this.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Is there leave for that procedure? Leave is granted. Senate
32. Bill 48. Read the bill, Mr. Secretary, please.

33. SECRETARY:

1. Senate Bill 48.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Lemke.

6. SENATOR LEMKE:

7. What this bill does is it gets at the crutch of the problem
8. that we're read is still occurring after the clinics have been
9. shut down and that's regards to referrals and kickbacks. What
10. we make here is a...a Class 4 felony for those that have referrals
11. and kickbacks to other than doctors. We don't prohibit doctors
12. from referring cases to each other, which is an established
13. practice...but we do prohibit doctors from paying nondoctors
14. kickbacks for referring fees, like we read about the twins and
15. so forth. I ask for its favorable adoption.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Is there discussion? Senator Wooten.

18. SENATOR WOOTEN:

19. A question of the sponsor. My memory does not serve me
20. well. I thought in the original bill, which was passed in '73
21. there is such an...a provision. A...if not, is there not some-
22. thing like this in the bill? As I...I say, I don't remember
23. precisely the details of it.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Lemke.

26. SENATOR LEMKE:

27. That possibly could be, but the Appellate Court has...has
28. held the enforcement of some of those provisions under the new
29. Act. That...this is what Senate 47...Senate Bill 47 is a
30. revisionary of that Act. That's why I asked to call this bill
31. out of...out of turn and go back to 47. There's no provision
32. to make it a Class 4 felony in that bill. The...they're still
33. operating. There's no way we can put them out. I think there's

1. no fine for it and there's no...no grounds for it. This sets
2. forth the...the crime sets forth the penalty and the reason we
3. make it a felony is very simple. When a guy can get put in jail
4. for...for getting bribed twenty dollars for seven years, a guy
5. can get put in jail for a lot of other thefts, this is no different
6. than decept by...fraud by deceptive practices. I mean here's
7. what we're talking about. We're talking about kickbacks and I
8. think the only way we're going to put a stop to kickbacks and to...
9. to eliminate these twins that are referring people out...innocent
10. people that don't know any better, are uneducated, are usually
11. in distress, have mental problems. They send them out and they
12. make themselves a profit and live like kings and queens. I think
13. this is not too much to ask for a Class 4 felony. I ask and...
14. this I don't know if it's in the bill or not 'cause the bill has
15. been changed so many times through court procedures.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Wooten.

18. SENATOR WOOTEN:

19. Well, I believe the bill I passed in '73 all portions of
20. it are still held constitutional. It's true, I don't know much
21. what's happened to it since then, but I believe in that original
22. bill there was a provision of this sort. It didn't have the
23. penalty attached, at least not of this magnitude, but I...I
24. feel reasonably sure that that provision was in the original
25. bill and...and that we still have that protection, so I guess
26. the question comes down as to how harsh you think the penalty
27. should be.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Further discussion? Senator Netsch.

30. SENATOR NETSCH:

31. Two questions of the sponsor. One, are there criminal
32. penalties for kickback arrangements with respect to physicians
33. in other areas?

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Lemke.

3. SENATOR LEMKE:

4. Senator Netsch, I don't know if there are or not. I'm...
5. I'm only...at this time we only got involved in regards to the
6. abuses in the abortion clinics. I know some of my investigations
7. ran into facial...minor facial surgery and other procedures
8. where this is going on. I mean I don't know if we want to get...
9. we try to stay in the realm of abuses,that abortion clinics try
10. to come up with some valid type of regulations. We didn't get
11. into other fields. They're probably going on, I do not know
12. what the things are as far as kickbacks. The only thing I know
13. is that the Medical Society has discipline actions against
14. doctors that pay fees to nonlawyers. This is...I don't know
15. if this is on their own or what it is, but what we're doing here
16. is making it a Class 4 felony...lessening it from a Class 2
17. felony. Now, there is some...I'm just going over the Act
18. briefly. Now, there's something about performing abortions in
19. violations of this Act makes it a Class 2 felony, Senator Wooten,
20. so I mean I don't know anything about other kickbacks. I know
21. that we got laws as far as government employees taking kickbacks
22. and...other people taking kickbacks and bribery and so forth. I
23. mean that's there. This is specifically in regards to kickbacks
24. from...to nondoctors from doctors and it...it gives sanctions
25. against those doctors that give kickbacks to referral agencies
26. and those referral people that take kickbacks and I think as a
27. felony this causes the doctor to worry because under...under the
28. Registration Act if he does this he can be...he can be suspended
29. from practicing medicine in this State. That's how serious it
30. can get if he keeps doing it and...and he can be suspended and
31. eventually revoked whatever the procedure in R and E is. This
32. gives it some feat and some meaning to try to clear up abuses
33. that have been taking place. We're still reading about the abuses

1. and the people are still...have the audacity and to...to go
2. against what the people want. This is why we put that in.
3. PRESIDING OFFICER:(SENATOR BRUCE)
4. Senator Netsch. Senator Buzbee.
5. SENATOR BUZBEE:
6. A question of the sponsor, Mr. President.
7. PRESIDING OFFICER:(SENATOR SAVICKAS)
8. He indicates he will yield.
9. SENATOR BUZBEE:
10. Senator Lemke, you've indicated that you're specifically
11. aiming at people who get for...for money or for fee kickbacks.
12. Would this in any way reflect or rather affect those counseling
13. services where somebody might say, I know a doctor that
14. if you go to them and so forth, if they get no fee for that...
15. PRESIDING OFFICER: (SENATOR SAVICKAS)
16. Senator Lemke.
17. SENATOR LEMKE:
18. This only calls for what we call kickback and referrals
19. fee. If the agency did not charge anything...did not get anything
20. in return there's no fee...there's no penalty, I'm sorry.
21. PRESIDING OFFICER: (SENATOR SAVICKAS)
22. Senator Buzbee.
23. SENATOR BUZBEE:
24. Thank you. That answers my question.
25. PRESIDING OFFICER: (SENATOR SAVICKAS)
26. Senator Geo-Karis.
27. SENATOR GEO-KARIS:
28. Will the sponsor yield for one question?
29. PRESIDING OFFICER:(SENATOR SAVICKAS)
30. He indicates he will.
31. SENATOR GEO-KARIS:
32. Your original bill, Senate Bill 48 said that if any person
33. referring a woman to a certain doctor for an abortion without

1. referring to kickbacks you...this only refers to kickbacks. Is
2. that correct?

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Lemke.

5. SENATOR LEMKE:

6. This bill refers to referral fees or kickbacks to nondoctors
7. from doctors. It...it...at the request of the committee this
8. amendment was adopted plus reducing the...the felony to a Class 4
9. from a Class 2...

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Geo-Karis.

12. SENATOR LEMKE:

13. ...that was at Don...Senator Moore had suggested that and we
14. had...we had done this and I think you were also interested in it,
15. but we had considered making it a Class 4 felony because of the
16. license suspension and revocation hearings.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Geo-Karis.

19. SENATOR GEO-KARIS:

20. Mr. President and Ladies and Gentlemen of the Senate. I
21. speak in favor of this bill because abortion chasers are like
22. ambulance chasers in personal injury cases and I do not think
23. there should be any referral fee to people who just gloat
24. in trying to push people into an abortion. Whatever a person
25. wants is their business, but I think this is a good bill in that
26. instance because certainly, the bill that was passed in '73, if
27. I...remember correctly and I voted for it was splitting fees
28. between doctors, but this bill relates to a doctor giving part
29. of his fee as a...because he got a case for an abortion to who-
30. ever referred it to him and I think it's a good bill to stop some
31. of these vicious, entrepreneurish practices of abortion chasers.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Martin. Senator Ozinga.

1. SENATOR OZINGA:

2. I've got to support Senator Lemke on this. When you voted
3. for Senate Bill 46, this has come about because of this. There
4. are people out there that are just preying on other people that
5. think they might be pregnant and then get a fee for having done
6. it. It's no difference than a...an ambulance chaser in a
7. personal injury case that doesn't know what he's talking about.
8. I would respectfully suggest that we pass this bill.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Is there further discussion? If not, Senator Lemke may close
11. the debate.

12. SENATOR LEMKE:

13. I ask for the favorable adoption of this to rid the State
14. of...of what we call ambulance chasing in the legal fee but this
15. is also ambulance chasing or referral fees in the Medical Society
16. and we ask this and I think the Medical Society would like it and
17. it puts them off the hook and I ask for its adoption.

18.

19. (The following typed previously)

20.

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33.

SB 47
5/24/79
3rd Reading

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. The question is, shall Senate Bill 48 pass. Those in
3. favor vote Aye. Those opposed vote Nay. The voting is open.
4. Have all voted who wish? Have all voted who wish? Take the
5. record. On that question, the Ayes are 52, the Nays are none,
6. 3 Voting Present. Senate Bill 48 having received the
7. constitutional majority is declared passed. Senate Bill 47,
8. Senator Lemke. Read the bill, Mr. Secretary.

9. ACTING SECRETARY: (MR. FERNANDES)

10. Senate Bill 47.

11. (Acting Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Lemke.

15. SENATOR LEMKE:

16. What Senate Bill 47 does, is revise the 1974 Illinois
17. Abortion Laws containing major changes. The reason for this
18. is certain provisions have been stricken down and we are coming
19. up with provisions to...to...to change them and provisions that
20. I feel and that the people that have advised me...constitutional
21. lawyers feel are constitutional. The other people feel they
22. may not be constitutional. That is not my decision. My decision
23. is based on what I think is constitutional and what my people
24. have advised me is constitutional. These changes are very
25. simple...requires spousal notification that an abortion is
26. going to be performed. A twenty-four hour waiting period
27. after the pregnancy test results...before getting the abortion.
28. Contains a section dealing not only with protection for viable
29. fetuses but for the possible viable fetuses. Provides for no
30. kickbacks to any person who refers women to abortion clinics.
31. They've put a ban on saline abortion if it is not as safe as
32. another method for the woman. This bill is needed. We call
33. for this bill very simple. We're not saying that a minor can't

1. have an abortion, but we're saying that the parent must be
2. notified that the minor is having an abortion since they are
3. the legal guardian under the control of this parent. If the
4. parent should know what his child is doing. We passed the
5. law here to make them responsible for what the child does as
6. far as damaging property. They should know what their...their
7. ...their offspring is doing. If they are the guardian and they
8. are the parents of that child. I think that the saline abortion
9. provision is the worst type of abortion anybody can have and
10. it has caused the most injuries to the person its performed on.
11. It should be abandoned and I think under the Preamble of the
12. U.S. Constitution, which calls for public...health and safety
13. that it can be declared constitutional. This is where my
14. reasoning comes. All these provisions, I believe, are
15. constitutional. I ask for the favorable adoption of this bill.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Is there further discussion? Senator Keats.

18. SENATOR KEATS:

19. Thank you, Mr. President and Ladies and Gentlemen of the
20. Senate. This is the bargain basement legal fee bill. The
21. last one, Senate Bill 44, is probably only a quarter to a
22. half a million dollars worth of legal fees, but this one is
23. going to save us...this is about ten cents worth of legal fees.
24. There will be an injunction on the bill tomorrow. Monday at
25. the latest. The lawyers won't even take five minutes to get
26. it done so that will cost about ten cents, so if you're thinking
27. in terms of being responsible, here's a good one. This is
28. only going to cost us ten cents, but you sort of have to ask
29. that twenty-four hour provision has been declared unconstitutional
30. so many times by now that it seems almost silly to try and
31. reiterate it. There are parts of that bill that are not unreasonable
32. but when you tack together four or five provisions, several of
33. which are clearly...clearly unconstitutional...unconstitutional

1. and have been declared as such several times, it just plain
2. seems sort of silly to waste the legislatures time, the
3. peoples time, the courts time, the judges time, the lawyers
4. time, of course, we're paying for the lawyers time, but we
5. can't complain about that because we're the ones who have
6. initiated it but this is the bargain basement. This will cost
7. about ten cents 'cause the injunction will be tomorrow.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator DeAngelis.

10. SENATOR DeANGELIS:

11. Will the sponsor yield to a question?

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. He indicates he will.

14. SENATOR DeANGELIS:

15. Senator Lemke, again many of the provisions of this
16. particular bill are good, but I am really disturbed over the
17. fact that you're willing to see it defeated because of an
18. uncompromising position. Very simply put, you said, that you
19. were not concerned about the constitutionality because you
20. determined in your own wisdom that the bill is constitutional
21. and you're only dealing with your own feeling of constitutionality.
22. Now, let me ask you a question. You want someone who goes to
23. a clinic to be sure they're pregnant before they get there. Is
24. that correct?

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Lemke.

27. SENATOR LEMKE:

28. That's correct.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator DeAngelis.

31. SENATOR DeANGELIS:

32. Then why not simply rather than creating all these
33. constitutional obstructions that you have in these bills, simply

1. permit that the person that goes to that clinic have a slip
2. that they're pregnant.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Knuppel.

5. SENATOR KNUPPTEL:

6. Well, all I wanted to say is some of these people are
7. saying there are good things in these bills and there's bad
8. things in these bills and there is such as thing as severability
9. and I understand that automatically applies in these bills so
10. that if there is two good things in them and one bad thing, it's
11. unconstitutional. The bad thing will be declared but the rest
12. of the bill will be valid.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Wooten.

15. SENATOR WOOTEN:

16. Thank you, Mr. President. This is a difficult subject
17. to deal with, particularly if you have strong feelings on
18. it as I do. It was a problem for me back in '73 to even
19. consider taking abortion bills because I...I just didn't
20. even want to think about the subject, but I was convinced
21. that someone had to present some bills that were clearly
22. constitutional in order to give some safeguards and since then
23. we have had a proliferation of bills, which have been mostly
24. unconstitutional. I would suggest to you, that I assume this
25. bill will pass as all these bills passed, good and bad and
26. there have been a couple today I've been happy to vote for,
27. but I think the...the longer we continue to vote for bills,
28. which are unconstitutional the more we'll have to deal with
29. and we really at some point ought to turn down an unconstitutional
30. bill if nothing else just to begin to narrow our focus on
31. legitimate concerns. Concerns that we can deal with because
32. this will just continue every year until we finally reject one.
33. I...I certainly applaud Senator Lemke's efforts and I deeply

1. share his feelings, but I don't think we ought to pass
2. unconstitutional bills.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Washington. Is there further discussion? If
5. not, Senator Lemke may close the debate.

6. SENATOR LEMKE:

7. Mr. President and members of the Senate. This bill, in
8. my opinion, and the constitutional lawyers that have advised
9. me, in their opinion, it's constitutional. Being a lawyer, I
10. could assure you that it is constitutional. As we all know, in
11. the field of law there's always two opinions as to what is
12. constitutional, what is not constitutional. This bill has a
13. severability clause, but we must do something to correct and
14. control abortions. I am not saying to you, you should vote
15. for this bill. That's up to you to say to yourself. The only
16. I'm putting before you is an opportunity to search your
17. consciences, your morals and yourself what you feel is just
18. and what you feel is fair. This bill is fair under the
19. circumstances until the wisdom of the U.S. Congress wants to
20. change the law and pass a constitutional amendment. When you
21. talk about costs, when you go home you look at your son or
22. your grandson or your niece or your nephew and you ask me
23. if he's not worth a million dollars. Whether he's not or he's
24. worth ten cents, that's your justification and your evaluation
25. but in my opinion, any life is worth all the gold that this
26. earth can create because you can't take that with you. You
27. come into this world with nothing and when you leave, you leave
28. the same way but it's what you do here and it's what steps you
29. take to better this society and when you look around and you
30. see the progressions against morality and conscience and you
31. see a systematic performance of genocides on certain people
32. because of the almighty dollar, you can think of all the gold
33. and cash that can be offered in the old Testament and I want

1. to tell you this, to me it's more important to do something
2. about it. I have taken criticize and abuse and you say work
3. things out. Our committee staff and I have sat down with the
4. ACLU to work out amendments, only to find out that the ACLU
5. has worked in trickery with our staff and screwed up bills and
6. then to insist that the amendments...they're not going to be
7. for the bill with the amendments, so why sit down with someone
8. that's fiercely against something and really is not willing to
9. sit down and work. I'm saying to you this, before you vote
10. on this bill. You close your eyes in meditation and you wonder
11. what is moral and what is not and what steps forward we take
12. because I don't ask this for myself I ask this for the people
13. that are not here yet. The people that are to be born. The
14. people that are going to carry on this great democracy and
15. this great system of justice. That's who we're talking about
16. right here and whether these kids are born or whether they're
17. not born or whether the Pope is in...is born or not born or
18. whether the minister is not born or born, that's up to you to
19. decide, but you've got to remember one thing. This is a moral
20. issue and we step to our own drums as to what we feel is
21. morality. We don't step to anybody else's beat and we question
22. whatever is that and I will fight to the last minute to
23. declare this law constitutional. I ask for the adoption of
24. this bill.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. The question is, shall Senate Bill 47 pass. Those in
27. favor vote Aye. Those opposed vote Nay. The voting is open.
28. Have all voted who wish? Have all voted who wish? Take the
29. record. On that question, the Ayes are 40, the Nays are 15,
30. none Voting Present. Senate Bill 47 having received the
31. constitutional majority is declared passed. Senate Bill 49,
32. Senator Knuppel. Read the bill, Mr. Secretary.

33. SECRETARY:

1. Senate Bill 49.
2. (Secretary reads title of bill)
3. 3rd reading of the bill.
4. PRESIDING OFFICER: (SENATOR SAVICKAS)
5. Senator Knuppel.
6. SENATOR KNUPPEL:
7. Mr. President and members of the Body. Senate Bill 49 as
8. amended very closely parallels the bill that we call the Bakalis
9. Tax Relief or Circuit Breaker Bill last Spring. It has one
10. large change and that is that instead of having to file a claim
11. for a refund as a separate matter you can claim a credit against
12. your income tax. If your income tax is not sufficient you will
13. be entitled then to a refund. I assured Senator Walsh yesterday
14. when he withdrew his request for a fiscal note that I would give
15. him some facts on this. Its' phased in over a four year period.
16. It would cost fifty-nine million dollars the first year, a
17. hundred and nineteen million would be the total the second year,
18. a hundred and seventy-nine million the third year and two hundred
19. and thirty-three million the fourth year. Now, the Illinois
20. Public Action Counsel has estimated that it at a lower rate or
21. a hundred and sixty-six million to a hundred and ninety-three
22. million dollars. This, in my opinion, increases the relief to
23. the elderly. I realize that it was a political issue last Spring.
24. I nevertheless believe that this was good legislation. It was
25. patterned in...to some degree after legislation that had been here
26. in various pieces before. The Circuit Breaker Act of which I was
27. one of the original sponsors plus another bill which didn't get
28. articulated too well in 1975, but I think this is the way to give
29. relief to the beleaguered homeowner and we've talked here in this
30. Body about them...those being the people who are really getting
31. the crunch in...in taxes. Now, what it is, is people who make
32. less than twenty-five thousand dollars will be entitled to qualify
33. for this credit if they pay more than three and one half percent

1. of their income in reality taxes. At the full implementation
2. they will get half of the amount that they pay in excess of
3. three and a half percent, but not to exceed six hundred and
4. fifty dollars. I think that this...most of you who were here
5. before are well acquainted with the bill. It had three
6. amendments on it last year that I helped put on. One that said that
7. a married couple could draw...they had to split the credit. You
8. could only use it on one residence. We excluded the one acre or
9. part of an acre where the resident's property was. It doesn't
10. include a hundred and sixty acres, as we were talking about this
11. morning, it includes only the acre where the resident's property
12. is, so that only the resident's property qualifies for the Circuit
13. Breaker credit. I think that if you want to start on tax relief
14. on a program and a plan that's been before this Body for a number
15. of years and has had work done on it. It's been considered and
16. reconsidered, but this is a good place to start. I would request
17. a favorable roll call.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Is there further discussion? Senator McMillan.

20. SENATOR McMILLAN:

21. Mr. President and members of the Senate. I would rise only
22. very briefly to say that I think Senator Knuppel has indicated
23. how costly the program would be. I just don't think at this point
24. that we can...can afford it and I'm going to vote No.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Is there further discussion? If not...Senator Berning.

27. SENATOR BERNING:

28. A question of the sponsor. I gather from this that you are
29. talking strictly about the State Income Tax. Is that correct?

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Knuppel.

32. SENATOR KNUPPEL:

33. That is correct. This is State relief for local taxpayers.

1. Yes, Sir.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator Berning.

4. SENATOR BERNING:

5. ...Senator, I must admit that I haven't had a chance to...
6. digest this and the amendment is rather extensive, but give me
7. a for instance. A person has an income...a State Income Tax of
8. say a thousand dollars and a real estate tax on his home or her
9. home of twenty-five hundred dollars and now, what...what are you
10. going to do here...that individual's thousand dollars income tax
11. is offset by a reduction in the...the real estate tax is offset
12. by a reduction in the income tax. Is that what you're saying?

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Knuppel.

15. SENATOR KNUPPEL:

16. That is correct, Sir. It would be limited to...to the
17. maximum would be...first of all, he would have to be making
18. less than twenty-five thousand dollars or he and his wife would
19. have to be making less than twenty-five thousand, but the most
20. that he could get would be six hundred and fifty dollars and the
21. first year it would be no more than a fourth of that because it's
22. phased in over a four year period but that's correct. It...it's
23. a credit for the...just like the Circuit Breaker. It works on
24. the same principle. It's a credit on your...on your income tax
25. for the property taxes you've paid. If you're paying more
26. proportionately than the...than three and a half percent.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Berning.

29. SENATOR BERNING:

30. Well, now take it a step further. My...let's say that this
31. is my real estate tax bill of two thousand dollars, my State
32. Income Tax is a thousand dollars, I am relieved of a thousand
33. dollars of real estate tax bill, as I understand. That would leave

1. me a thousand dollars.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator Knuppel.

4. SENATOR KNUPPTEL:

5. No. No, Sir, the first year it would be one-fourth of
6. six hundred and fifty dollars. That would be the most that you
7. could get and then the next year you could get a half of six
8. hundred and fifty or three hundred and twenty-five dollars
9. relief and the next year you could get as much as six hundred
10. and fifty dollars or the fourth year you could get as much as
11. six hundred and fifty dollars relief, but you could never get
12. a thousand dollars relief.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Berning.

15. SENATOR BERNING:

16. What method do you propose then, to offset the loss of
17. income to the local levels of government?

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Knuppel.

20. SENATOR KNUPPTEL:

21. What was the question, specifically?

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Berning.

24. SENATOR BERNING:

25. How do you offset the loss of revenue to the local levels
26. of government?

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Knuppel.

29. SENATOR KNUPPTEL:

30. There...Sir, there is no loss. You pay your local income
31. tax or your local property tax, the loss is from the State. We're
32. ...we have a growth factor of about four hundred million dollars
33. a year in the income tax just because of the inflation in...in

1. not larger number of earners and so forth, but they collect
2. the full amount of the local property tax. When you go to fill
3. out your income tax at the end of the year just like in the
4. Circuit Breaker you put in there what your income was and among
5. the things that you get credit for is what you paid for your...
6. your real estate tax, so local units of government don't lose
7. a dime. They get it all, but part of what the payer has paid
8. comes back from here...

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Berning. Your time is running out.

11. SENATOR BERNING:

12. One last question then. Is there any offsetting factor
13. for the Circuit Breaker benefits that are already provided for
14. certain homeowners?

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Knuppel.

17. SENATOR KNUPPEL:

18. Those are taken into consideration. Yes, Sir, but the...they
19. are increased for those people who are disabled and over age now.
20. They would get larger benefits and it also applies to a larger
21. sum of money, but it does increase it, so they don't get two.
22. They can't figure them both. One ties into the other. Yes, Sir.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Is there further discussion? If not, Senator Knuppel may
25. close the debate.

26. SENATOR KNUPPEL:

27. I...I'd just like a favorable roll call. I think it's the
28. most extensively thought out, worked out over a period of years
29. in this Body of any tax relief program that's proposed and if you
30. can vote for the enlarged exemption on the income tax that we
31. voted for this morning, realizing that a man who makes a hundred
32. thousand dollars gets the benefit of that whether he really needs
33. it or not, this helps the people who really are paying the bill.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. The question is, shall Senate Bill 49 pass. Those in favor
3. vote Aye. Those opposed vote Nay. The voting is open. Have all
4. voted who wish? Have all voted who wish? Take the record. On
5. that question, the Ayes are 23, the Nays are 23, none Voting
6. Present. Senate Bill 49 having failed to receive the constitutional
7. majority is declared lost. Senate Bill 53, Senator Knuppel.
8. Read the bill, Mr. Secretary.

9. SECRETARY:

10. Senate Bill 53.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Knuppel.

15. SENATOR KNUPPEL:

16. We...51 was amended this morning. That's the reason we
17. can't go to it. Is that right?

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. That's correct.

20. SENATOR KNUPPEL:

21. All right. Senate Bill 53, Gentlemen, is a bill to increase
22. the salaries of state's attorneys in counties of less than thirty
23. thousand and to require that they devote full time to their
24. duties. I distributed an extensive amount of material here this
25. morning. Originally, when we separated the counties of over
26. thirty thousand and under thirty thousand and provided that those
27. under thirty thousand would be part time. We...we did this because
28. there was a shortage of attorneys in the State of Illinois. The
29. opening of SIU Law School and other law schools has provided a...a
30. bountiful group of lawyers to practice. Now, there are some
31. arguments that we're going to lose professionalism. The charts
32. that I passed out show exactly the opposite here. They show that
33. sixty-four of the one hundred...state's attorneys elected in 1976

1. had less than five years experience. If you'll look at that
2. chart you'll notice that there...that I took some twelve, I
3. think it is, central Illinois counties and not...and not of
4. those counties did the elected state's attorney have more than
5. seven years experience at the time of his election in counties
6. of less than thirty thousand. In actuality, there is no longer
7. a shortage of lawyers. They had a vacancy in Cass County in
8. the state's attorneys office and more than six...more than
9. six applicants for the job, none of whom had private practices
10. when they applied for the job and moved to Cass County, so that
11. people...there are lawyers available who are more than willing
12. to work for the thirty thousand dollars. In fact, they're
13. willing to work for the twenty-five thousand five hundred that's
14. paid now and I would say to you that thirty thousand dollars
15. represents about twice what a young lawyer getting out of law
16. school with the amount of service these men had before running
17. gets in downstate Illinois. Another thing that's happened, as
18. a result of this, is that most of these people now are running
19. into a lot of conflicts because of the Class X situation, as
20. you know, the discretion in sentencing was taken away from the
21. judge with the result that you have a lot more discretion in
22. the state's attorney in choosing the...the...the charge that he
23. will place on any particular crime. I...this concept of a full
24. time prosecutor will bring about professional prosecutors who will
25. remain in office, who will learn what the job is about and do a
26. better job with more experience. People favoring this are the
27. American Bar Association, the National Association of Attorney's
28. General, the National District Attorney's Association, the
29. National Advisory Commission on Law Enforcement and the present...
30. President's Commission on Law Enforcement. Gentlemen, if you've
31. looked over the material, which I passed out, it contains most
32. of the arguments in favor of full time prosecutors. There will
33. be no problem in filling those positions and you will have or

1. should have as is indicated by those in counties of over thirty
2. thousand full time prosecutors of greater experience. I solicit
3. a favorable roll call.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Weaver.

6. SENATOR WEAVER:

7. Senator Knuppel, I think it's been a few years back you
8. used to talk about the small county judges spending the after-
9. noons fishing. I just wonder whether maybe the judge wants some-
10. body to go with him now. Is that what your intent is to allow
11. the state's attorney to go fishing with the judge in the after-
12. noon?

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Knuppel.

15. SENATOR KNUPPEL:

16. Well, Sir, I'm not raising the salary so much that he could
17. afford to go fishing. I...I'd hope that he would spend his time
18. on his cases rather than having so much plea bargaining that he
19. would look into the matters and the need for the type of legal
20. expertise that he can furnish. I certainly don't think that
21. either the...that either the judges or the state's attorneys
22. if they do their job should have the time to go fishing.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Weaver.

25. SENATOR WEAVER:

26. Well, I have a couple of small counties in my district, then
27. I've...I know that they're not interested in being prohibited
28. from practicing law. They do a pretty good job of...of prosecuting
29. and I really don't see any need for it unless, as I said, maybe
30. the judge needs somebody to go fishing with.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Geo-Karis.

33. SENATOR GEO-KARIS:

1. Mr. President and Ladies and Gentlemen of the Senate.
2. Having been a prosecutor myself I can tell you that this is
3. a good bill. I think a state's attorney represents a...the
4. whole county and he represents a whole county and he has no
5. business in private practice and I think by raising his salary
6. to thirty thousand dollars a year is more than adequate because
7. most...most in the small counties don't know which end is up
8. in a petition and what have you and they're making it at
9. the...at the people's expense...and the people...their mistakes
10. are covered by the people's tax money and I think thirty thousand
11. is a very fair salary and I speak in...in support of the bill.
12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Is there further discussion? Senator Grotberg.

14. SENATOR GROTEBERG:

15. I wasn't going to speak to this issue, but I'm reminded of
16. my attitude about part time legislators. I think we're the
17. best kind. I'm not at all sure that part time state's attorneys
18. aren't the best state's attorneys. One of our small counties
19. in the 38th District is just such a state's attorney. One of
20. the best in the State of Illinois and also one of the best
21. private practitioners and I think that we would be remiss to
22. disenfranchise that particular special human being that I am
23. thinking of or anyone else like him in the State of Illinois
24. by voting Aye for this bill. I recommend a No vote.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Sangmeister.

27. SENATOR SANGMEISTER:

28. Yes, Mr. President and members of the Senate. I have to
29. agree with some of the previous speakers except for Senator
30. Geo-Karis and that is what you're doing here is...well, what
31. Senator Knuppel says is true. There are a lot of young
32. prosecutors around. There's all kinds of young men and women
33. coming out of law school, I think that would love to jump into this

1. kind of a job and learn their profession because after all, we
2. have no way of training people except right out into the field
3. of law. They would love to have these jobs, earn that kind of
4. money, but I think you better think about the type of representation
5. you're going to get out of your state's attorneys' office and I
6. think those of you in the downstate counties ought to really be
7. concerned about this. A part-time state's attorney downstate
8. allowed to practice law and make the living that he's entitled
9. to make down there and being a good prosecutor is far more
10. important than giving him a few more thousand dollars and say
11. he can't practice law.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Is there further discussion? If not, Senator Knuppel may
14. close the debate.

15. SENATOR KNUPPEL:

16. Well, of course, I realize a lot of the men who have
17. spoken here have small counties in their districts and the
18. state's attorneys have leaned on them, but the fact is, that
19. the system we have does not provide better prosecutors. All you
20. have to do is look at the table, Gentlemen, that's passed out.
21. Most of these men are less than five years out of law school.
22. Most of them are less...like a year or two years out of law
23. school. There's letters in that package from three different
24. downstate attorneys ...downstate attorneys, two of them state's
25. attorneys in small counties who support this concept and...and
26. the conflict that exists. Now, you're...you're going to find it
27. very interesting that these people not only want to be part-time
28. they're going to be over here with a bill that's...circulating
29. around the...the House and they're going to be asking for a pay
30. raise and to also practice part-time and a Senator...as
31. State's Attorney Stone said, any...any lawyer worth his salt can
32. make thirty thousand dollars so these people who have less than
33. five years out of law school expect to...to take twenty-five

1. thousand dollars out of the taxpayers pocket or thirty or
2. forty and also make another thirty or forty thousand practicing
3. law. They get their offices paid and the people raise hell about
4. our payraise but, at least, we have to come to Springfield, they
5. sit there is their office. I...I...I submit...you know...
6. there's a lot of ways to...to get ahead on this thing and...and
7. I have no quarrel with the young lawyer who wants to do that and
8. that's what the people want, but the fact is, when sixty-four
9. out of a hundred downstate state's attorneys' have less than five
10. years experience the day they're...the day they're elected and
11. they...none of them and seventy-five to eighty percent of them
12. expect only to be in the state's attorneys' office for four
13. years. I submit the facts do not bear anyone who says they're
14. getting the best of available lawyers. There may be an exception
15. in...of one or two cases in Senator Grotberg's district or some-
16. place like that, but this just isn't true, Gentlemen. I had a
17. young man in...in Cass County who graduated. He got his...he got
18. his...got his certificate and was written in as state's attorney
19. two weeks after he got the news he passed the bar. Now, if
20. you're getting the best lawyers, I'll put in with you. I think
21. that...that statistics show that when a guy is a professional,
22. that's his business that he is better, that he stays there longer
23. and he knows his business better.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. The question is, shall Senate Bill 53. Those in favor vote
26. Aye. Those opposed vote Nay. The voting is open. Have all
27. voted who wish? Have all voted who wish? Take the record. On
28. that question, the Ayes are 28, the Nays are 24. Senator Knuppel
29. moves to postpone consideration of Senate Bill 53. Consideration
30. will be postponed. Senate Bill 65, Senator Joyce. Read the
31. bill, Mr. Secretary.

32. SECRETARY:

33. Senate Bill 65.

1. (Secretary reads title of bill)
2. 3rd reading of the bill.
3. PRESIDING OFFICER: (SENATOR SAVICKAS)
4. Senator Joyce.
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1. SENATOR JEROME JOYCE:

2. Yes, thank you, Mr. President. Senate Bill 65 would delay
3. the implementation of the "911" emergency telephone system until
4. financial assistance is made available. What this means is that
5. the local governments would...receive...be relieved of the respon-
6. sibility of implementing the "911" system until after the General
7. Assembly has provided funding for both the implementation and
8. maintenance. I'd be happy to answer any questions about this.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Is there further discussion? Senator Sommer.

11. SENATOR SOMMER:

12. Mr...Mr. President and members. I'd just remind the members
13. here that this...this has a potential great cost, perhaps, forty,
14. fifty, sixty million, we don't know. And it'd probably be unwise
15. to...to burden the State with such a great cost. There are
16. other ways to approach this problem, I think.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Maitland.

19. SENATOR MAITLAND:

20. Thank you, Mr. President and Ladies and Gentlemen of the
21. Senate. I rise in support of Senate Bill 65. I think it's
22. probably unfortunate that a little more careful thought wasn't
23. given to this legislation when it was originally brought forward.
24. My own county of McLean, for example, the cost to them is going
25. to be in excess of a million dollars, mandated to them by the
26. State of Illinois. The State Legislature in our infinite wisdom,
27. and I think and agree with Senator Joyce, this is good legislation
28. and we should vote Aye.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Grotberg.

31. SENATOR GROTEBERG:

32. Well, thank you, Mr. President. As the chief cosponsor of
33. this exciting legislation I rise to support my colleague who

1. recently defeated me on a bigger issue. But the distinguished
2. spokesman for the Appropriations Committee is wrong. Now a
3. fiscal note was asked for, it could have been a hundred million
4. dollars, I don't care, two hundred million dollars. This Body
5. will decide through the appropriation process whether there's
6. going to be anymore "911's". And I hope for stringency's
7. sake we never okay anymore because this is exactly what it
8. does. It...leaves the act alone and only adds that if we pay
9. for it, they can do it, am I correct? Nod you head, Senator.
10. Thank you. And...and to duck that provision. We mandated
11. it to them, we now have a golden opportunity to take it back
12. and say that if there's going to be anymore "911" it's going
13. to go right through this Body, that's the only place it can
14. go. And I appreciate the Governor and his distinguished staff
15. coming down and asking for a fiscal note, bpt I don't really
16. care whether the fiscal...what the size of the fiscal note
17. was. This could be the best bill for downstate Illinois that
18. ever camethrough the General Assembly and if you don't believe
19. it go to a few problems hearings for counties, municipalities
20. that are getting along rather well, God knows it would be nice
21. if we all had "911", but in this day of mandated programs,
22. that's one place we made a mistake when we drafted the legisla-
23. tion, this is a chance to cure the problem, put it in here
24. every year and...and don't worry about it, vote Aye.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Wooten.

27. SENATOR WOOTEN:

28. Thank you, Mr. President. I had prepared an extensive
29. amendment to this bill, which after consultation with Senator
30. Joyce, I decided to withhold. It would put it in approximately
31. the same posture as Representative Katz bill, which directly
32. addresses the matter of funding. I think we have to come to
33. grips with that. In the meantime, Senator Joyce's bill is a

1. good intermediate step and I endorse it.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Is there further discussion? Senator Berning has a question.

4. SENATOR BERNING:

5. Question of the sponsor. Is there any provision in the bill
6. for any kind of reimbursement for those municipalities which
7. have already undertaken to implement the "911" system?

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator...Joyce.

10. SENATOR JEROME JOYCE:

11. Yes, this bill requires that the General Assembly provide
12. financing for both implementation and maintenance of a system,
13. thus will be fairer to communities which have already imple-
14. mented "911". They may have missed out on the initial state
15. funding for implementation, but they will participate in funds
16. made available for maintenance.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Berning.

19. SENATOR BERNING:

20. For maintenance only? In other words, the initial cost
21. they will not be reimbursed for?

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Joyce.

24. SENATOR JOYCE:

25. That is right as I see it, Senator.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Berning.

28. SENATOR BERNING:

29. Well, Mr. President and members of the Senate. I think this
30. bill does address a very serious problem and I intend to vote
31. for it, but I would most respectfully point out that it does
32. discriminate against those municipalities which have seized
33. the initiative that was thrust upon them and have spent dollars,

1. rather sizable sums of dollars in some instances, in my county.
2. And now we're going to say to others which have not met their
3. responsibility that we did direct toward them and say, well
4. you don't have to spend your money, we'll...we'll now make
5. it available to you. I believe that this weakness in the bill
6. ought to be corrected and I respectfully am directing the
7. question to the sponsor then. Will you, will you agree to
8. an amendment in the House which will reimburse the expenditures
9. of those municipalities which have already embarked on this?

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Joyce.

12. SENATOR JOYCE:

13. Yes, I will, Senator. It is in Katz...Representative Katz's
14. bill that is coming over here. It is in that bill. So the amend-
15. ment would be relatively easy to put on. I would definitely
16. agree to that.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator, your time is up. Is there further discussion?
19. Would Senator Joyce close the debate.

20. SENATOR JEROME JOYCE:

21. Well I...I would just like to point out that...right now
22. there are thirty-nine percent of the state's population is
23. covered, but in land area it is only five percent covered.
24. So the easy areas are done and that's fine, but when you
25. get in downstate Illinois you have so many overlapping fire
26. districts and different telephone systems that it makes it
27. very expensive and virtually impossible to...to work with...
28. with the funding available. So I'd ask for a favorable...
29. vote.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. The question is shall Senate Bill 65 pass. Those in favor
32. vote Aye. Those opposed vote Nay. The voting is open. Have
33. all voted who wish? Have all voted who wish? Take the record.

1. On that question the Ayes are 48, the Nays are 4, none Voting
2. Present. Senate Bill 65 having received the constitutional
3. majority is declared passed. Senate Bill 80, Senator Rhoads.
4. Read the bill, Mr. Secretary.

5. SECRETARY:

6. Senate Bill 80.

7. (Secretary reads title of bill)

8. 3rd reading of the bill.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Rhoads.

11. SENATOR RHOADS:

12. Thank you, Mr. President and Ladies and Gentlemen of the
13. Senate. Senate Bill 80 is the bill which would extend the
14. polling hours for elections from the current closing time of
15. 6:00 p. m. to a closing time of 7:00 p. m. There are approximately,
16. there are exactly, rather, thirty-four states in the union now
17. which have longer polling hours than the State of Illinois.
18. We have had the present twelve hour period for the last twenty-
19. one years. During that time, voting methods have changed, voting
20. patterns have changed. In the suburban area, we have three
21. hundred and twenty-two thousand daily commuter trips from the
22. suburbs to the City of Chicago and two hundred and ten thousand
23. reverse commuting trips. Because of the bus and the train
24. schedules, because of the traffic jams and other reasons in
25. the metropolitan areas, it is difficult for many persons, both
26. suburban and City of Chicago residents to get to the polls
27. within that twelve hour time. The extra hour would give them
28. additional time. Two years ago, both the House and Senate
29. passed this bill in House Bill 1706, which had a drafting
30. error in it, corrected by an amendatory Veto of the Governor
31. and then was lost in the fall in the House. One of the objections
32. at that time was that we were creating a new state mandated
33. program without providing for additional compensation. I agreed

1. with that objection this time around, which is why I accepted
2. an amendment which was offered by Senator Nedza on 2nd reading
3. providing for a ten dollar increase in the pay of election
4. judges and that would be borne by the state. The appropriation
5. for that is, I have now placed on the appropriation bill for
6. the State Board of Elections. It's, for this Fiscal Year,
7. five hundred and fifty-five thousand, seven hundred dollars.
8. So the county clerks would bill the state and get reimbursed
9. ten dollars per judge for this additional hour. I think it's
10. a fair bill, I think it would...broaden the franchise for a
11. great many Illinois residents and I would ask for favorable
12. consideration.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Any further discussion? Senator Collins.

15. SENATOR COLLINS:

16. Mr. President, I rise in support of this bill. I think
17. closing of the polls earlier are actually disenfranchise those
18. people who have to travel long distance to the suburb; but not
19. only in the suburbs, for those people who leave home early
20. in the morning and have to rely on public transportation, parti-
21. cularly in the winters. Because this Body have not found within
22. its wisdom the necessity for moving the Primary from the...from
23. the spring, early spring. There's a lot of people just cannot
24. make it home in time to get to the polls and for that reason
25. I think we should extend the voting hours. And I ask all of
26. you to vote for this bill.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Is there further discussion? If not, the question is shall
29. Senate Bill 80 pass. Those in favor vote Aye. Those opposed
30. vote Nay. The voting is open. Have all voted who wish? Have
31. all voted who wish? Take the record. On that question the
32. Ayes are 52, the Nays are 4, none Voting Present. Senate Bill
33. 80, having received the constitutional majority is declared

1. passed. Senate Bill 85, Senator Knuppel. Read the bill, Mr.
2. Secretary.

3. SECRETARY:

4. Senate Bill 85.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Knuppel.

9. SENATOR KNUPPEL:

10. Mr. President and members of the Body, this is my bill that
11. I'm going to enjoy watching when we get all done with our gas
12. tax and road program. Do you realize since this bill was filed,
13. that the amount of money that it would have produced with the
14. increase in...in taxes, it was figured at about what seven and a
15. half percent was of what the gasoline was priced at then. That
16. if you put on an eight and a half or a nine or even a ten cent
17. tax, you won't produce the same revenue. That we've actually
18. moved backwards and believe this, fellows, you're going to be
19. out in the street being laughed at and I'm serious about it,
20. when we done voting a...a...a road package here that calls for
21. eight and a half or nine or nine and a half or even ten cents
22. a gallon. Because first of all there's a shortage of gasoline,
23. people are buying smaller cars, they're starting to conserve
24. and as a result of that, you people that think you're going
25. to get your roads built or even the Governor, are going to
26. have to laugh out of the side of your mouth because the revenues
27. are shrinking, not growing. In the time that this bill's been
28. filed, the revenues have shrunk up because seven and a half
29. cents a gallon has...has...as the use has shrunk, you're getting
30. a smaller percentage, you're getting less out of eight and a
31. half than you would have gotten out of twelve and a half so that
32. your...that your revenues have really shrunk up. What this did
33. was change the tax on gasoline to ad valorem and it...and it

1. pegged it at one eighth of the price or twelve and a half percent,
2. which was just about what seven and a half percent was of...of
3. seventy cents or seventy-three cents a gallon gasoline at the
4. pump at the time it was introduced last January or February. I
5. ...I don't expect, because all of you got your big ideas about
6. your road programs and about your tax. I suspect that I won't
7. get too many votes on it. But I'm going to tell you something,
8. next year, next year, when you, when you look at what's happened
9. to the road program even with an increase in your gas tax, you're
10. going to be appalled It just doesn't do it. It should...we
11. should have an ad valorem tax on gasoline. It should be realistic.
12. If we'd had put it on when gasoline was thirty or forty cents
13. and the OPEC countries have been goring us ever since, we'd have
14. had money for our roads, they wouldn't have been in the state of
15. disrepair that they're in. And a...and a bandaaid by raising
16. the gas tax one cent a gallon when the usage goes down from a
17. hundred, the allotment goes down from a hundred percent to
18. eighty percent, we're just kidding ourselves. Nobody has taken
19. a calculator or a pencil to figure it out. This bill would
20. relieve you and I don't know how you're going to vote on it.
21. It won't, it won't make a great deal of difference to me, but
22. I do think, and I put it in here for this purpose, I do think
23. you people are sitting around here with pencils figuring the
24. millions of dollars and what's going to happen are just crazy
25. as hell, you aren't going to have it.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Is there further discussion? If not, the question is shall
28. Senate Bill 85 pass. Those in favor vote Aye. Those opposed
29. vote Nay. The voting is open. Have all voted who wish? Have
30. all voted who wish? Have all voted who wish? Take the record.
31. On that...Senator Knuppel?

32. SENATOR KNUPPEL:

33. Postponed consideration, but I want a copy of that roll call

1. 'cause I sure as hell want to show it to some of you guys a
2. year from now.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. On that question the Ayes are 8, the Nays are 42, none
5. Voting Present. Senate Bill 85 having failed to receive a
6. constitutional majority is declared lost. For what purpose
7. does Senator Carroll arise?

8. SENATOR CARROLL:

9. Just for the record. Had I been in my seat I would have
10. voted No.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. The record will so indicate. Senate Bill 88, Senator
13. Knuppel. Read the bill, Mr. Secretary.

14. SECRETARY:

15. Senate Bill 88.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. ...Senator Knuppel.

20. SENATOR KNUPPEL:

21. Senate Bill 88 is designed to provide that where the state
22. is not required to furnish a...or the public defender that the
23. ...that the...that then the State Appellate Prosecutors do
24. not either. And what has happened, there's been a recent case
25. in the United States Supreme Court saying that unless a jail
26. sentence is anticipated or...or apt to follow that a defendant
27. doesn't need an attorney and that the state doesn't have to
28. furnish an attorney on appeal if the defendant is not entitled
29. to one. And I've been in some of the courts now and they're
30. asking the State's Attorneys specifically, do you intend...
31. do you intend to ask for a jail sentence and if he says no,
32. they...they advised the defendant that he's not entitled to
33. a...to a public defender. And what will happen here, is we'll

1. save quite a lot of money at the appellate level on...since
2. the person that doesn't have a public defender is not entitled
3. to...then the state's not entitled to a public prosecutor.
4. The amendment was worked out in agreement with the Appellate
5. Prosecutor's program. As far as I know, they're satisfied
6. with the bill under those provisions.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Further discussion? If not, the question is shall Senate
9. Bill 88 pass. Those in favor will vote Aye. Those opposed
10. vote Nay. The voting is open. Have all voted who wish?
11. Have all voted who wish? Take the record. On that question
12. the Ayes are 32, the Nays are 12, 2 Voting Present. Senate
13. Bill 88 having received the constitutional majority is declared
14. passed. For what purpose does Senator Rock arise?

15. SENATOR ROCK:

16. Thank you, Mr. President, Ladies and Gentlemen of the Senate.
17. In order to expedite the business of the Senate and to afford
18. the members an opportunity to be heard at...at length and with
19. some, as early as possible with respect to some of the sub-
20. stantive bills, I've discussed with Senator Shapiro and the
21. Appropriations Chairman and Minority Spokesman, respectively.
22. And it's our suggestion that the appropriation bills will be
23. held until later this evening so that we can take them all
24. at once. There appears to be, with respect to virtually all
25. of them, little...little or no remaining controversy and...and
26. I think if we can just move through the substantive bills,
27. we'd be...have a better chance of finishing early tomorrow.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. With that thought in mind, we'll move to Senate Bill 105.
30. Senate Bill 105, Senator Sangmeister. Read the bill, Mr. Secretary.

31. SECRETARY:

32. Senate Bill 105.

33. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator Sangmeister.

4. SENATOR SANGMEISTER:

5. Thank you, Mr. President and members of the Senate. If you
6. will look at your Calendar and read what it says in there as
7. far as Senate Bill 105 is concerned, I would assure you that
8. you that the caption in your Calendar is one hundred percent
9. accurate. What the bill does, very simply, is that it allows
10. disconnection from the Regional Transportation Authority by
11. action of a county board or by the action of the township
12. board of trustees. If they should pass such an ordinance
13. by a majority vote on those boards and it be approved, it
14. would then go to the voters in that particular district and
15. by way of referendum, if they, in fact, felt that it should
16. be approved and voted favorably by a majority of more than
17. fifty percent, then that area could disconnect from the RTA.
18. That's simply what the bill does. Now, what is the reasons
19. and justification for the bill. I would first say to you to
20. ask the question, think around as to how many other taxing
21. bodies there are that do not not have some method of disconnection
22. from that taxing body. I don't care if you're talking about
23. cities, villages, tax mosquito abatement districts, you name
24. whatever it is, a library district, those people have a right
25. under the law that we have established here to somehow disconnect
26. from that district if they follow certain legal procedures.
27. And that's all that we want to establish here. I think it
28. is particularly important that people have a right to disconnect
29. from the RTA for the additional reason that you're disconnecting
30. from a board that is not even an elected board. This is an
31. appointed board with the rights of taxation. Certainly people
32. who do not agree in sufficient numbers with the decisions of
33. those...that board, should, in fact, have the right to disconnect

1. from the RTA. I would assure you that the arguments you are
2. going to here on anyone who practices law does not do him-
3. self any favor if he does not anticipate the agruments that
4. will be presented against the bill. The first thing that's
5. going to be argued is that we are now back into a gas shortage
6. again and you know you're going to need mass transportation out
7. in those outlaying areas and if you vote for this bill, you
8. may be distroying the RTA because we'll need it now because
9. of the gas shortage. Well, those of you that were around in
10. 1973 or '74 when the original act was passed, I would say to
11. you that you will find a similar ring to what we heard back
12. then. If you recall we had lines at gas stations and of
13. course that may happen again now and we can use that...hysteria
14. to try to defeat this bill. I would say to you that that is
15. a separate problem and one that perhaps when the price is right
16. will resolve itself as it did the last time. There are those
17. that will tell you that if you vote for this bill, that you're
18. going to destroy the RTA because presumably if this becomes
19. law, that the counties and the townships are going to elect
20. to opt out. Well I would say to you, what is wrong with that.
21. The basics of Democratic Government provide that people have
22. the right to rule themselves and if they feel that they want
23. to get out of the RTA, I think they ought to have the right
24. to do that. How can we justify to our people back home by
25. saying you have to belong to a political body when they don't
26. want to. Certainly we should...we should have provided that
27. right for them when the act was passed. It was deliberately
28. left out and now it should be returned to the people so that
29. they can govern their own destiny. There will arguments
30. presented to you that, you know, transportation does not stop
31. at the county line and what are you going to do about that.
32. My answer to that is that Speaker of the House, William Redmond,
33. passed a bill some years ago that allows a county to organize

1. its own mass transit system. There's no reason why those counties
2. who want to do that should be able to do it and certainly they
3. can then contract with the RTA if they so feel they want to do
4. that. So there's no reason and that is an invalid answer or
5. response to why we shouldn't pass this bill. As usual to further
6. emphasize why we need this,, you know the RTA is always handy
7. to have the right thing at the right time and as you know when
8. we move to discharge on this, they had their ties.
9. which were I thought were very timely in argument, and now, of
10. course, all of you have been presented with an RTA map, it's
11. a very nice work. I ask all of you who haven't looked at it,
12. you don't need to look at it now, but look at it sometime. You
13. will note on this map that there are some very large black
14. areas. Senator Joyce wanted to indicate that a good portion
15. of that is his district. But you know, if you're going to
16. vote against this bill, I would like to see you talk to the people
17. in Hampshire, Pingree Grove, Gilberts, Burlington, Manhattan,
18. Frankfort, Symerton, Wilmington, Paradedwood, Peotone, Beecher.
19. I can go on and name them all. These people have a right to
20. be represented down here also. And I'll tell you one thing,
21. they've lost faith in the legislative process. I can't
22. go back home anymore and explain to them what we're doing down
23. here when there's millions of people want this relief and we
24. can't get it through the General Assembly. I'm telling you
25. people from downstate, you better stick with us this time, we
26. need you. You know, this map can be extended and if certain
27. people around here would...had the rights to do it, they'd
28. extend it down to your district too. Give us the right to
29. do what we want. If...if the people in areas don't want out,
30. they don't have to vote themselves out. This is an option and
31. a Democratic right they've got a right to. Let's give it to
32. them.
33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Shapiro.

2. SENATOR SHAPIRO:

3. Mr. President, I'd like to have my name removed as a cosponsor
4. of this bill.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Is leave granted? Leave is granted. Senator Coffey.

7. SENATOR COFFEY:

8. Yes, Mr. President and members of the Senate. I have a
9. question of the sponsor.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. He indicates he will yield.

12. SENATOR COFFEY:

13. On Senate Bill 889 yesterday, there was what I refer to
14. as a Sangmeister amendment and I recall in the...the debate
15. that he just asked the downstaters to support this bill and
16. I just wondered if...if he feels that that amendment is a
17. downstate amendment that he had yesterday?

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Sangmeister.

20. SENATOR SANGMEISTER:

21. That...that's not a downstate amendment, that was an
22. amendment again to somehow out of this Body get some relief
23. for the people who presently pay more Motor Fuel Tax than
24. anybody else in the State of Illinois. That was the purpose
25. of that amendment.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Coffey.

28. SENATOR COFFEY:

29. Well, Mr. President and members of the Senate. I recall
30. many, many votes in...in the line with the RTA against some of the RTA
31. legislation that's been here before and I've been with the collar
32. counties many times. But then I recall yesterday on a bill
33. that's very much of interest to me when I see just the reverse

1. happening. So for someone to tell me they want to vote from
2. downstate and put an amendment on like that, don't want my
3. vote.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Schaffer.

6. SENATOR SCHAFFER:

7. Mr. President, members of the Senate. If you'll bear
8. with me for a little bit, I think most of you know, I feel
9. pretty strongly on this subject. Senator Coffey, I...I don't
10. believe this issue and the issue of roads and projects and
11. creek bills really can be put on the same plateau. I think
12. you're talking about human rights and justice on the one hand,
13. on the other hand, I think you're talking about practice...
14. politics as practiced by all of us. And will...there'll be
15. the same type of practices that will go on a hundred years
16. from now after Coffey and Schaffer and Sangmeister are gone.
17. The simple fact is that the people of my district did not
18. ask to be included in the RTA, vehemently opposed being in
19. the RTA, voted my home county, ninety-three percent no, in
20. the largest voter turn-out in history in a primary election.
21. You would think with that type of a message that our friends
22. in the RTA would have made some conciliatory moves. Would
23. have attempted to convince the people of the collar counties
24. and the outer suburbs that they were, in fact, interested
25. in the well-being of those areas and that they were, in fact,
26. interested in providing mass transit as is needed, which is
27. fairly limited in our area. On the contrary, they have taken
28. an arrogant position and at times done things that just flew
29. in the face of...of rational behavior. I think of Milton
30. Picarski coming out the day the gas tax took effect in a
31. limo out to the McHenry County Courthouse to rub salt in the
32. wound. We are not against mass transit, I personally have
33. supported subsidizes for the CTA before the RTA was created.

1. We are not against the City of Chicago. We recognize the
2. inner relationship of the whole northern part of the state.
3. The simple fact of the matter is that the RTA has become
4. a festering...sore on the body politic in this state. It
5. has caused dissention, unrest, unhappiness and frustration.
6. This bill would alleviate that, if you will, it's a bill
7. of rights, an important document. A document I think if
8. we can pass it into law that will be remembered by the
9. people of this state for a long, long time. An extremely
10. important vote for all of us. The people of the collar
11. counties and the outer suburbs want a chance to exercise
12. an option, which they should have. With this bill passed,
13. perhaps the RTA leadership would, in fact, become conciliatory.
14. Would become interested in providing the services and with
15. the price of gas and a new attitude on the leadership
16. of the RTA, you may never even see a referendum. But I'm
17. convinced without this bill, without this type of reform, this
18. sore must continue to afflict political...

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator, would you bring your remarks to a close, your
21. time...is up.

22. SENATOR SCHAFFER:

23. ...politics at every level in this state. Thank you, Mr.
24. Chairman. In seven years, that's the first time I ever saw
25. a red light.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Rhoads.

28. SENATOR RHOADS:

29. Thank you, Mr...Mr. President and members of the Senate.
30. A...previous speaker had asked to have his name removed as
31. a cosponsor. I would ask leave of the Body to have mine added
32. as a cosponsor at this time. I would further suggest that
33. when this bill gets over to the House that it be amended to

1. provide opt out provisions for all the downstate counties outside
2. the six county area because I have a feeling there's going to
3. be an amendment offered to some bill that will include the
4. entire State of Illinois in the RTA. Every single one of the
5. one hundred and two counties. I think that's the only way our
6. downstate colleagues are ever going to learn what this is all
7. about. We are either going to be two states or one. If we're
8. going to have a situation where only one region of the state
9. has a sales tax imposed on it and the other region of the state
10. doesn't, then we might as well not have one State of Illinois.
11. There are two states, the six county area and the rest of the
12. state and if one region of the state wants to constantly conspire
13. with the City of Chicago to the detriment of another region of
14. this state and do it repeatedly, then I think what they need to
15. do to fully appreciate what they're doing is to be included in
16. the RTA. Let's have one mass transit district for the entire
17. State of Illinois, one hundred and two counties. And then we'll
18. see how popular the RTA is, downstate.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator Geo-Karis.

21. SENATOR GEO-KARIS:

22. Mr. President, Ladies and Gentleman of the Senate. I come
23. from one of those collar counties. I had a survey taken just
24. a few weeks ago at a home show and I can tell you, seventy-four
25. percent of the people said scrap the RTA. I'm not for scraping
26. it. I think like Senator Rhoads said, we should have a mass
27. transportation system for the whole state. However I do feel
28. it's rather rigorous for us in the six collar counties to be
29. saddled with a gasoline tax and to be saddled possibly with
30. a sales tax and what have you when, after all, we are part
31. of the same state. I might also add that perhaps the...the...the
32. referendum in my county might pass in favor of the RTA because
33. we are getting some bus service. However the people feel in that

1. instance where they were indiscriminately taxed to the tune of
2. which they have been taxed, only six counties out of a hundred
3. and two, that it is much too much when you belong to the same
4. state. And therefore I speak in favor of this fine bill.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Rock.

7. SENATOR ROCK:

8. Thank you, Mr. President, Ladies and Gentlemen of the
9. Senate. I rise in obvious opposition to Senate Bill 105
10. and one of the things when the sponsor so deftly was marshalling
11. the arguments that he expected to hear was he forgot about the
12. Federal money. There is approximately ninety million dollars
13. annually coming for operations of mass transit from the Federal
14. Government to the six county region and there is approximately
15. an additional hundred million dollar in capital grants. We
16. have been advised by the Department of Transportation people
17. in Washington that if, in fact, there are moves to disconnect
18. or opt out that that money could very well be jeopardized.
19. And I will readily admit to you that nobody has given me, at
20. least, a definite answer. The fact of the matter is that that
21. six county region has been designated by the Federal Government
22. through Congressional action as the recipient of this...these
23. monies. So that, if, in fact, a county or two counties or a
24. township or two townships opt out, there is a good chance
25. that we will stand to lose that kind of money. Now, I would
26. also encourage all of you to take a look at that map. There
27. are, in fact, commuter rail lines that run into every one of
28. those counties and I'm not sure, frankly, what the people really
29. want. Do they wish that service to stop at the county line?
30. Because we have set up this authority as the operations control
31. for mass transit in that area in terms of scheduling and every
32. other operation that it takes to adequately run a railroad. And
33. so who in the world is going to determine when the train leaves

1. from Kane County and arrives in Union Station or wherever it
2. comes into unless you have one single overall agency. I think
3. ...under the new leadership that has been afforded to the RTA
4. and since the board, will, in fact, have to be reapportioned
5. after the 1981 census, the chairman has assured me and assured
6. many others that there will be an even more dedicated effort
7. to afford transportation to those areas that heretofore had
8. not enjoyed it. They have been holding a number of public
9. hearings and meetings out in those areas and I think to take
10. this action at this time is simply peremptory and I would
11. urge a no vote.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Is there any further discussion? If not, Senator Sangmeister
14. may close the debate.

15. SENATOR SANGMEISTER:

16. Well, I probably should sit down to close this debate
17. because I could feel it coming. I would like to answer Senator
18. Rock's argument about the use of Federal monies. I would like
19. to have the answer as to how come the Atlanta Transit Corporation
20. and the City of San Francisco can operate and they have authority
21. in both of their acts for people to disconnect from that mass
22. transit district. How come they can have that in their mass transit
23. act and we can't? Senator Rock was very clear, he made you
24. understand they he isn't sure whether or not that's the situation.
25. Well, I say to you, what's going to happen to Atlanta and San
26. Francisco if that's what would happen. So there's no basis
27. in argument that we're going...that the district is going to
28. lose those funds. I am rather surprised though over on the
29. other side to hear the Minority Leader take his name off of
30. that bill. I went over to him, I, maybe to begin with I was
31. a little surprised that he was willing to be a cosponsor. But
32. now that he's taken his name off the bill, I presume without
33. going to the vote at this point that he is not now in support

1. of that bill. So, again I've been able to provide for people
2. and at least I...I serve some service down here, I at least
3. put a bill out on the Floor that everybody can trade with and
4. work with and do their things. Well I just want the people
5. back in Will County to understand, want them to understand
6. clearly in my county and the other collar counties that the
7. Minority Leader in the Republican Party has divorced himself
8. from this bill and if this bill fails to pass and if the
9. justice and equity that the people have been screaming about
10. since 1973, back in those districts does not come to them,
11. take a look at the roll. That's all I can say to you. Take
12. a look at the party whose minority leader divorced himself
13. from this legislation. Take a look at it, see where the
14. responsibility comes. Now, you got to expect the people from
15. Chicago to vote the way they're going to. So you can't blame
16. the Chicago Democrats. Take a look at who you can blame if
17. this bill doesn't pass. The deal has obviously been made.
18. Let's see, let's call for the vote and I would say you ought
19. to get your hand on the switch one way or the other right now
20. because we are going to call for the vote so if everybody's
21. ready let's have the roll.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. The question is shall Senate Bill 105 pass. For what
24. purpose does Senator Shapiro arise?

25. SENATOR SHAPIRO:

26. Mr. President, a point of personal privilege.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. State your point.

29. SENATOR SHAPIRO:

30. I resent the remarks that the last speaker made in closing
31. in his arguments. I merely removed my name as a cosponsor and
32. it came as a second thought because I am not involved in the
33. Regional Transit Authority. Up to this point, I have not changed

1. my vote, but when I think of the arguments of the last speaker,
2. I'm damned tempted to.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. The question is shall Senate Bill 105 pass. Those in favor
5. vote Aye. Those opposed vote Nay. The voting is open. Have
6. all voted who wish? Have all voted who wish? Take the record.
7. On that question the Ayes are 28, the Nays are 18, 3 Voting Present.
8. Senate Bill 105 having failed to receive a constitutional
9. majority is declared less...lost. Senate Bill 115, Senator...
10. for what purpose does Senator Donnewald arise?

11. SENATOR DONNEWALD:

12. Yes, I would like to call to the attention of the membership
13. that we have approximately two hundred and forty more bills
14. to consider on the Order of 3rd reading before midnight tomorrow
15. night. Now, it's physically impossible to do that, I think
16. we all realize. And I would propose, Mr. President, I think
17. that...before I put a question or a motion, I think that every-
18. one in the Body that has a bill on the Order of 3rd reading
19. should have the opportunity to present that...his argument
20. for or against the bill. I'm going to move and to suspend
21. Rule 26-G of the Rules of the Senate and to adopt the following
22. Temporary Rule which will apply for all the remainder of the
23. Session on Thursday, May 24th and Friday, May the 25th as
24. follows: One, no Senator shall speak for more than one minute
25. on the same question without leave of the Senate nor more
26. than twice on that question, no Senator shall speak more than
27. once until every Senator choosing to speak shall have spoken,
28. no Senator may explain his vote; Two, on the matter of the
29. Order of Postponed Consideration debate shall be strictly
30. limited as follows: The sponsor may open for one minute,
31. one opponent may speak against the measure for one minute
32. and the sponsor shall be given one minute for the rebuttal
33. and closing. I so move that this Temporary Rule be adopted.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. You've heard the motion. Senator Egan.

3. SENATOR EGAN:

4. Thank you, Mr. President, members of the Senate. I very
5. much appreciate the limitation on the right of a Legislator
6. to argue his bill or his bills. When I was a freshman, I
7. proposed an amendment to the rules which would allow us to
8. introduce only ten bills each. Let committees introduce
9. all the bills they wish. And the administration through
10. the leadership could have its privilege, but if we're
11. going to limit ourselves on debate time, we sure as hell
12. can limit ourselves on the number of bills we can introduce.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Wooten.

15. SENATOR WOOTEN:

16. Well, thank you, Mr. President. There is only one problem,
17. Senator Donnewald, with all respect, I certainly want to get
18. through the list too. But just consider the avalanche of amend-
19. ments which have been added on to bills. And the substance
20. of some of the issues before us on the Calendar. I don't know
21. that we can realistically have that kind of limitation and
22. come even close to doing a responsible job. Maybe there are a
23. lot of...lot of times we're dilatory and frivolous, but it's
24. going to be necessary, I think, on some of these bills to find
25. out just what's been done to a bill by amendment. And as I
26. say, some of these issues are not simple issues. I hate to
27. see us get locked in to that kind of a situation. I would
28. prefer that we all just make an...an effort to be as rapid
29. as possible, but to put us in that kind of lock step I think
30. can lead us into making some real mistakes.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Any further discussion? You heard the motion. Senator
33. Donnewald has moved to suspend the rules and adopt the

1. Temporary Rules. All those in favor will vote Aye. Those
2. opposed vote Nay. The voting is open. Have all voted who
3. wish? Have all voted who wish? Take the record. On that
4. question the Ayes are 33, the Nays are 20, none Voting Present.
5. The Temporary Rules are adopted.

6. PRESIDENT:

7. Yes, Senator Schaffer for what purpose do you arise?

8. SENATOR SCHAFFER:

9. Ironically, I don't think Senator Donnewald's motion
10. outlawed as it probably should, the motion...the statement
11. I'm just about to make on a point of personal privilege. I'd
12. like to introduce the kids from the eighth grade class in
13. Fox River Grove, kids just by about five minutes you missed
14. seeing an RTA opt out bill go down.

15. PRESIDENT:

16. Will our guests in the Gallery please rise and be recognized.
17. Senator Lemke on 115. On the Order of Senate Bills 3rd reading,
18. bottom of page 3, Senate Bill 115. Read the bill, Mr. Secretary.

19. SECRETARY:

20. Senate Bill 115.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDENT:

24. Senator Lemke.

25. SENATOR LEMKE:

26. What this bill as...as it explains, creates an act in relation
27. to a work-study program for high school students, grades 11 and 12
28. living in areas of nine percent or more work force and unemployed,
29. as by the State or the U. S. Department of Labor. Provides for
30. one half of the salary reimbursed up to two dollars per hour.
31. This is to be administered by the State Superintendent of Education. I
32. ask for this establishment of this pilot program by voting for
33. this bill.

1. PRESIDENT:

2. Any discussion? Senator Keats.

3. SENATOR KEATS:

4. Thank you, Mr. President, Ladies and Gentlemen of the Senate.
5. As Minority Spokesman on Labor and Commerce, we dealt with this
6. bill and there was a minor technical problem in this bill that
7. when I explain you'll realize why the bill can't work. When
8. you're talking about area of unemployment over nine percent, area
9. is not defined. Nothing in the City of Chicago will count. I
10. don't care if you've got a ward in Chicago where unemployment
11. is a hundred percent. According to the statistics this bill
12. will use, it doesn't apply. Therefore, in the City of Chicago
13. where unemployment is at its worst it won't apply. That would
14. be true for the City of East St. Louis unless the entire City
15. of East St. Louis had unemployment rate of nine percent, it
16. wouldn't work there. In addition the cost of the bill is
17. ridiculous, I won't get into that, but the fact is the bill
18. simply can't work whether it's intentions are good or not.

19. PRESIDENT:

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

21. SENATOR LEMKE:

22. I ask for the adoption of the bill. As far as the area, that
23. is determined...determined by the Superintendent of...Public
24. Instruction in the State. We don't set standards in areas. That's
25. to be determined by the...the department. We don't say what procedures,
26. Public Aid or anybody follows. The department decides that. This
27. is just a pilot program to start it in the state so children that
28. in high unemployment area can get their feet on the ground and
29. lift themselves up by their bootstrap. I ask for its approval.

30. PRESIDENT:

31. The question is shall Senate Bill 115 pass. Those in favor
32. will vote Aye. Those opposed will vote Nay. The voting is
33. open. Have all voted who wish? Have all voted who wish? Have

1. all voted who wish? Take the record. On that question the
2. Ayes are 26, the Nays are 26, none Voting Present. Sponsor
3. has requested further consideration be postponed. So ordered.
4. 118, Senator Lemke. On the Order of Senate Bills 3rd reading,
5. Senate Bill 118. Read the bill, Mr. Secretary.

6. SECRETARY:

7. Senate Bill 118.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDENT:

11. Senator Lemke.

12. SENATOR LEMKE:

13. What this bill does is amends the Vehicle Code to require
14. motor carriers to file proof of complaints with financial respon-
15. sibility provisions of Workmen's Comp and Workmen's Occupational
16. Disease. The reason for this bill is very simple. I've talked
17. to the Illinois Trucker's Association, I talked to the Teamster's
18. Association. What we have is what we call wildcat trucking
19. outfits coming into the state and competing on the basis of
20. rate. Our trucking...industry takes Workmen's Compensation
21. Insurance, also...self insured. This would say that you have
22. to comply in order to get an IC permit. Before you can get
23. that in the State of Illinois you must furnish proof of Workmen's
24. Compensation Insurance carrier. The bill...the bill is supported,
25. as I said, by the...by the Tracking Association and by labor.
26. I ask for its adoption.

27. PRESIDENT:

28. Is there any discussion? Senator Keats.

29. SENATOR KEATS:

30. Again in Labor and Commerce Committee, this bill came up.
31. It has a few minor problems, not the least of which the Governor
32. has Vetoed the exact same bill in the past, but that's not a
33. reason not to pass the bill. It puts the Industrial Commission

1. and the Commerce Commission in conflict with each other and
2. it's opened to question that the two of them can solve who
3. is responsible for what. In addition, due to drafting problems,
4. what will happen is we will automatically extend Workmen's
5. Compensation coverage to owner operator outfits that are
6. presently not now covered. Also new covered...only new carriers
7. are covered by this bill. The vast majority, who you would
8. want to be talking about are in operation today, are not
9. covered by the bill, therefore the bill cannot accomplish
10. what people would like it to do. Those individuals are exempted,
11. those companies. In addition it makes no provision to require
12. Workmen's Comp coverage after the permits are received. You
13. merely need to have Workmen's Comp coverage to get it, once you're
14. got it, you can drop it and there's enforcement mechanism. It
15. might not be a bad idea, but how you get it to work, I really
16. don't know. I'd appreciate a No vote. Thank you.

17. PRESIDENT:

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

20. SENATOR LEMKE:

21. There's no conflict between the administration of the Industrial
22. Commission and the ICC. Because before the IC issues their permit,
23. the man gets a Certificate of Insurance from the Industrial
24. Commission. The Industrial Commission is notified...before
25. the policy is canceled. There's a provision in the Statute which
26. says it takes ten days. It gives the ICC enough leverage to pick
27. up that permit when they don't comply with the act. I think it's
28. a good provision and if it applies only to new trucking...industry
29. that's coming into the state, it least protects people in the
30. State of Illinois that are business in trucking and trying to
31. comply with the Workmen's Compensation laws in this state and
32. it also protects their workers and I can see nothing wrong with
33. it. The...Trucking Association is for it and I think, in fact,
the...they're...they're more for it than...than the Teamsters,

*B123
3rd Reading
5-24-77*

1. because the Teamsters can do it through contract. And I ask
2. for its adoption.

3. PRESIDENT:

4. The question is shall Senate Bill 118 pass. Those in favor
5. will vote Aye. Those opposed will vote Nay. The voting is
6. open. Have all voted who wish? Have all voted who wish? Take
7. the record. On that question the Ayes are 22, the Nays are 32,
8. none Voting Present. Senate Bill 118 having failed to receive
9. a constitutional majority...the sponsor has requested further
10. consideration be postponed. So ordered. 121, On the Order
11. of Senate Bills 3rd reading, Senate...123. On the Order of
12. Senate Bills 3rd reading, Senate Bill 123. Read the bill,
13. Mr. Secretary.

14. SECRETARY:

15. Senate Bill 123.
16. (Secretary reads title of bill)
17. 3rd reading of the bill.

18. PRESIDENT:

19. Senator Lemke.

20. SENATOR LEMKE:

21. This bill...this bill is not what it says on the synopsis.
22. It has been amended on the Floor here. What it...the amendment
23. contains, is it would eliminate the current thousand dollar
24. limit on the Department of Labor's ability to assist the
25. worker who has not been paid wages due. It would provide that
26. the deductions may not be made from a worker's wages unless
27. the deductions are required by law or for the benefit of the
28. worker. This amendment, the 2nd Amendment that we have on
29. this bill, removes any objection that the Illinois Manufacturer's
30. Association, the Retail Merchants have. I think it's a good
31. bill, I think it gives the Department of Labor some provisions to...
32. to check things. It also protects the working man from having
33. deductions from his pay that are not legal and are not to his

SB 133
5/24/79
2nd reading

- 1. benefit.
- 2. PRESIDENT:
- 3. Is there any discussion? Senator Keats.
- 4. SENATOR KEATS:
- 5. Thank you, Mr. President, Ladies and Gentlemen of the Senate.
- 6. The bill in committee originally did have some problems. As was
- 7. stated, Senator Lemke did an excellent job in terms of amending
- 8. out all the problem provisions and I personally intend to support
- 9. the legislation.
- 10. PRESIDENT:
- 11. Any further debate? Senator Lemke may close.
- 12. SENATOR LEMKE:
- 13. I ask for a favorable consideration of the bill.
- 14. PRESIDENT:
- 15. The question is shall Senate Bill 123 pass. Those in favor
- 16. will vote Aye. Those opposed will vote Nay. The voting is
- 17. open. Have all voted who wish? Have all voted who wish?
- 18. Take the record. On that question the Ayes are 53, the Nays
- 19. are none, none Voting Present. Senate Bill 123, having received
- 20. the constitutional majority is declared passed. 128, Senator
- 21. Lemke. 132. 133, Senator Nimrod. On the Order of Senate Bills
- 22. 3rd reading, Senate Bill 133. Read the bill, Mr. Secretary.
- 23. SECRETARY:
- 24. Senate...excuse me, Senate Bill 133.
- 25. (Secretary reads title of bill)
- 26. 3rd reading of the bill.
- 27. PRESIDENT:
- 28. Senator Nimrod.
- 29. SENATOR NIMROD:
- 30. Thank you...thank you, Mr. President and Ladies and Gentlemen
- 31. of the Senate. This bill deals with the unfit to stand trial
- 32. and it's part of the Mental Health Code that was put in last
- 33. year. We held it up until this year. I know of no objections
- to it, in fact, this very day the Supreme Court made a ruling

1. in the Donald Lane case and I've talked to Judge Snyder and
2. he is asked getting a ruling so that if there are any inconstit-
3. enties this bill can be corrected. But however, it's because
4. of this bill that the Supreme Court made rulings that are
5. consistent with the provisions of this bill, what they've been
6. looking for to answer this question. I would ask for a favorable
7. roll call.

8. PRESIDENT:

9. There any discussion? If not, the question is shall Senate
10. Bill 133 pass. Those in favor will vote Aye. Those opposed will
11. vote Nay. The voting is open. Have all voted who wish? Have
12. all voted who wish? Take the record. On that question the
13. Ayes are 55, the Nays are none, none Voting Present. Senate
14. Bill 133, having received a constitutional majority is declared
15. passed. Senator Demuzio, 137. Senator Davidson l...okay.
16. 140. On the Order of Senate Bills 3rd reading, Senate Bill 140.
17. Read the bill, Mr. Secretary.

18. SECRETARY:

19. Senate Bill 140.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDENT:

23. Senator Davidson.

24. SENATOR DAVIDSON:

25. Mr. President and members of the Senate. The bill does exactly
26. what it says on the Calendar with one exception. It's been
27. amended from the seven hundred to eight hundred so the people
28. at the top end of income could qualify for results. This is
29. a bill that we sent out of here last Session and we over-rode the
30. Governor's Veto fifty some odd to nothing and went on over
31. to the House and it was held, not called to override the
32. Veto over there in a fiasco that happened. I'd appreciate
33. a favorable roll call.

SB 147
3rd reading
5-24-79

1. PRESIDENT:
2. Is there any discussion? If not the question is shall
3. Senate Bill 140 pass. Those in favor will vote Aye. Those
4. opposed will vote Nay. The voting is open. Have all voted
5. who wish? Have all voted who wish? Take the record. On
6. that question the Ayes are 54, the Nays are none, none Voting
7. Present. Senate Bill 140, having received the constitutional
8. majority is declared passed. 147, Senator Berman. On the Order
9. of Senate Bills 3rd reading, Senate Bill 147. Read the bill,
10. Mr. Secretary.

11. SECRETARY:
12. Senate Bill 147.
13. (Secretary reads title of bill)
14. 3rd reading of the bill.

15. PRESIDENT:
16. Senator Berman.

17. SENATOR BERMAN:
18. Thank you, Mr. President, Ladies and Gentlemen of the Senate.
19. Senate Bill 147 is a bill that will allow tenure to be provided
20. to community college faculty. As amended, and there has been
21. amendments put on in response to objections that were voiced
22. in committee and by some of the junior college board members.
23. As amended the bill will provide that teacher, after three
24. years of service would be entitled to notice of the reasons
25. for dismissal and entitled to a hearing on that dismissal.
26. The board can extend that probationary period to four years
27. if it so desires. All that this bill does, I believe, is
28. to provide some fairness, due process and equity to persons
29. who dedicate their lives to the teaching of young people in
30. our community colleges. There are ten, the reason for the
31. bill, I would point this out, there are still ten community
32. college districts in the State of Illinois that have no
33. tenure policies whatsoever. Theoretically, under that kind

1. of a...program, a teacher could teach for five, ten, twenty
2. years, be dismissed overnite without any reasons or without
3. any due process provided to that teacher. I think that's
4. unconscionable. This bill is a reasonable approach to provide
5. some safeguards to the teachers in our community colleges.
6. I'll be glad to respond to any questions and solicit an
7. Aye vote.

8. PRESIDENT:

9. Is there any discussion? Senator Maitland.

10. SENATOR MAITLAND:

11. Thank you, Mr. President, Ladies and Gentlemen of the Senate.
12. I rise in opposition to Senate Bill 147. I believe once again
13. it's an erosion of local control. As you all know, the trustees
14. of the community college districts are local...are elected locally
15. and I think this is a decision that they should make. Yes, there
16. are ten that do not have tenure now. But I think this is a local issue
17. and once again erosion of local control. I urge a No vote.

18. PRESIDENT:

19. Further discussion? Senator Buzbee.

20. SENATOR BUZBEE:

21. Thank you, Mr. President. Very briefly, I opposed this
22. bill in committee for the reason that community colleges
23. are a point of a higher education community. And all of
24. the senior institutions across the state, not by law, but
25. by agreement between the administration and the faculty,
26. there's a seven year waiting period before one is granted
27. tenure. I believe that community colleges should...should
28. have tenure regulations. I believe the teachers there are
29. entitled to that. I think they also should be treated as
30. all our other members of the higher education community
31. and if they wanted to wait for a seven year tenure period
32. then I would favor it, but in the present stance, present
33. form, I cannot favor this legislation.

1. PRESIDENT:

2. Further discussion? Senator Nimrod.

3. SENATOR NIMROD:

4. Thank you, Mr. President. As Minority Spokesman on
5. Higher Education this bill was heard was heard and I think
6. that Senator Bruce certainly hit on a very important point.
7. I think we're starting a precedent here, we're taking a
8. secondary education, Senator Buzbee, I'm sorry, we're taking
9. a secondary education...provision bill and we're moving it
10. into the community colleges and I think it's inconsistent with
11. the present university practices.

12. PRESIDENT:

13. Further discussion? Senator Washington.

14. SENATOR WASHINGTON:

15. Mr. President, very briefly. This bill was heard throughly
16. on at least three different occasions in the Higher Education
17. Committee. There were numerous witnessess, pro and con. Mr.
18. Berman made himself amenable and available to everyone who had
19. input. The committee voted it out. It was our considered opinion
20. that the time had come that...these institutions simply had to
21. deal fairly with...with these teachers. I think it's a good
22. bill and I support it.

23. PRESIDENT:

24. Further discussion? Senator DeAngelis.

25. SENATOR DeANGELIS:

26. Mr. President, I...I want to reiterate what Senator Washington,
27. but add one thing, and that is that I'm not asking anybody to vote
28. whatever way they want to, but I want to say that Senator Berman
29. was amenable to every amendment that we requested to be put on
30. this bill.

31. PRESIDENT:

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

33. SENATOR GRAHAM:

1. On a point of personal privilege. My unfavorable Lobbyist
2. from IEA are still pestering out in the...near the door.

3. PRESIDENT:

4. They have taken the hint. Further discussion? If not,
5. Senator Berman may close the debate.

6. SENATOR BERMAN:

7. Thank you. Mr. President and Ladies and Gentlemen of
8. the Senate. I think there is a substantial difference between
9. the community college faculties and our Higher Education Facilities
10. in the senior universities. The faculty in our senior universities
11. are judged not only on teaching, but also on research, on writing
12. ability. I think it is a completely...different atmosphere. In
13. fact, I think that the analogy is a much closer one between
14. our elementary and secondary education schools and the community
15. colleges. This is a reasonable approach. Three years with a
16. one year extension available to the board before granting tenure.
17. And all that the tenure means is that there has to be reasons
18. and a hearing upon dismissal. I don't think it's imposing any great
19. burden. This bill has been introduced before, I would point
20. out, and yet there are still community colleges throughout
21. our state that are unwilling to give any, any type of consideration
22. to faculty members who dedicate themselves to the betterment
23. of our young people in these community colleges. I urge an
24. Aye vote in favor of Senate Bill 147.

25. PRESIDENT:

26. The question is shall Senate Bill 147 pass. Those in favor
27. will vote Aye. Those opposed will vote Nay. The voting is open.
28. Have all voted who wish? Have all voted who wish? Take the record.
29. On that question the Ayes are 40, the Nays are 16, none Voting
30. Present. Senate Bill 147 having received a constitutional
31. majority is declared passed.

32.

End of Reel #7

33.

*SB 154
3rd Reading
5-24-79*

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...154, Senator Martin. On the order of Senate Bills, 3rd reading, Senate Bill 154. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 154.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Martin.

SENATOR MARTIN:

This creates the Criminal Victims Escrowed Account Act. Most simply stated in one minute, it says that if you commit murder, if you hurt someone else in this way, you may not profit by it. If you write a book, describing, in effect, how much fun it is to murder and kill, the profits of that book go to the victim and/or their families. It sets up the technical means, the mechanical means necessary for it. I think it is a fine bill. I seek you help with its passage.

PRESIDENT:

Is there any discussion? If not, the question is shall Senate Bill 154 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none. None voting Present. Senate Bill 154, having received a constitutional majority, is declared passed. 158, Senator Maitland. On the order of Senate Bills, 3rd reading, Senate Bill 158. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 158.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Maitland.

1. SENATOR MAITLAND:

2. Thank you, Mr. President, Ladies and Gentlemen of the
3. Senate. I think once again, the time has come for the
4. legislature to have the opportunity to at least view the
5. possibility of whether or not we have studded tires in
6. the State of Illinois. Currently in this nation, most all
7. the states do allow tire studs. Twelve states only do not
8. honor these tire studs. Many other states do have some
9. restrictions on the time in which they will be used. That's
10. the subject of this legislation also. It would prohibit the
11. use during the summer months. I would submit to you that even
12. though we do bar the use of tire studs in Illinois, there are
13. many out of state residents who daily traverse our state with
14. snow tires. I think it's a safety factor. I think those of
15. us who have family who progress from a stop sign into a main
16. thoroughfare need the extra traction that's afforded to them
17. through the use of tire studs. I submit this to you as good
18. legislation, legislation that's a safety factor and a feature,
19. and one that I think deserves an Aye vote. I would appreciate
20. your support.

21. PRESIDENT:

22. Is there any discussion? If not, the question is shall
23. Senate Bill 158 pass. Those in favor will vote Aye. Those
24. opposed will vote Nay. The voting is open. Have all voted
25. who wish? Have all voted who wish? Take the record. On that
26. question, the Ayes are 24, the Nays are 24. None voting
27. Present. Senate Bill 158, having failed to receive a constitutional
28. majority, is declared lost. 167, Senator Vadalabene. On the
29. order of Senate Bills, 3rd reading, top of page five, Senate
30. Bill 167. Read the bill, Mr. Secretary.

31. SECRETARY:

32. Senate Bill 167.

33. (Secretary reads title of bill)

3rd reading of the bill.

1. PRESIDENT:

2. Senator Vadalabene.

3. SENATOR VADALABENE:

4. Yes, Mr. President, members of the Senate. Senate Bill
5. 167 does just what the Digest says. It provides that funds
6. accumulated from the Special Education Facilities Tax of a
7. school district may be transferred to the district's Operation
8. Building and Maintenance Fund, if approved by the people in
9. that community by a referendum, and I would appreciate a
10. favorable vote.

11. PRESIDENT:

12. Is there any discussion? Senator Wooten.

13. SENATOR WOOTEN:

14. Thank you, Mr. President. I believe this bill was supposed
15. to be amended. We talked about in Committee, and we discussed
16. the fact that I think it was the concensus on the Committee
17. that we felt it could be done if an amendment were to be put
18. on to give the voters a true option, that is whether or not
19. the money would be used for this purpose or returned to them,
20. and since the bill has not been amended, I would assume that
21. the Committee would no longer endorse that...this particular
22. bill.

23. PRESIDENT:

24. Further discussion. Senator Berman. Senator Davidson.

25. SENATOR DAVIDSON:

26. I rise in support of this. This was brought up in Committee
27. and discussed and in the discussion, it was deemed that this
28. was a one time only, it applied only to that district and if
29. they want a referendum vote to transfer it there...In the
30. intervening discussion, the part of giving the option of turning
31. it back to the taxpayer, it...the amount of money involved was
32. going to amount to such a less amount that they decided...or
33. we decided, I thought, in the discussion, it was not necessary
and...the bill would be supported as it is. It applies...it's

1. a one time shot only. It applies to money they have accumulated.
2. It's sitting there right now. I think it's seventy or eighty
3. thousand dollars only.

4. PRESIDENT:

5. Senator Philip.

6. SENATOR PHILIP:

7. Would the sponsor yield for a question?

8. PRESIDENT:

9. Indicates he will yield. Senator...Vadalabene.

10. SENATOR PHILIP:

11. Yes, Senator...

12. PRESIDENT:

13. Hold it...Senator Vadalabene.

14. SENATOR VADALABENE:

15. I would like to have Senate Bill 167 referred back to
16. Committee.

17. PRESIDENT:

18. All right. Senator Vadalabene as the sponsor moves to
19. re-refer Senate Bill 167 to the Committee on Elementary and
20. Secondary Education. Is leave granted? Leave is granted.
21. It is so ordered. 172, Senator Regner. On the order of
22. Senate Bills, 3rd reading, Senate Bill 172. Read the bill,
23. Mr. Secretary.

24. SECRETARY:

25. Senate Bill 172.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDENT:

29. Senator Regner.

30. SENATOR REGNER:

31. Mr. President, members of the Senate. This is the bill
32. which earmarks the Sales Tax on gasoline sales to the Road
33. Program. It was amended yesterday, that it has a four year
phase-in, starting for fiscal year nineteen eighty. It will

1. generate approximately forty million dollars of new money in
2. the depleted Road Fund. I'd ask for a favorable roll call.

3. PRESIDENT:

4. Is there any discussion? If not, the question is shall
5. Senate Bill 172 pass. Those in favor will vote Aye. Those
6. opposed will vote Nay. The voting is open. Have all voted
7. who wish? Have all voted who wish? Take the record. On
8. that question, the Ayes are 54, the Nays are none. One voting
9. Present. Senate Bill 172, having received a constitutional
10. majority, is declared passed. 174, Senator Wooten. On the
11. order of Senate Bills, 3rd reading, Senate Bill 174. Read
12. the bill, Mr. Secretary.

13. SECRETARY:

14. Senate Bill 174.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDENT:

18. Senator Wooten.

19. SENATOR WOOTEN:

20. Thank you, Mr. President. This bill would abolish a Township
21. Road District of less than...that had less than twenty miles,
22. unless the residents of that district decided, by referendum,
23. to maintain the district. That was an amendment placed on
24. the bill, which I think enabled it to come out of Committee
25. unanimously. I'd be glad to answer any questions, and request
26. a favorable roll call.

27. PRESIDENT:

28. Is there any discussion? Senator Grotberg.

29. SENATOR GROTBORG:

30. Yes, Mr. President and members of the Senate. This is
31. the first step toward...abolishing Township Road Districts
32. and Township Road Commissioners, and the sponsor is absolutely
33. correct. He put a referendum on it, and is this the one that
does the five to twenty mile one?

1. PRESIDENT:
2. Senator Wooten.
3. SENATOR WOOTEN:
4. Yes, and I made an error. It did not come out unanimously.
5. Sorry.
6. PRESIDENT:
7. Senator Grotberg.
8. SENATOR GROTBORG:
9. In fact, it came out so unanimously, if there is a bill
10. in Local Government that has upset all of the townships whether
11. large or small, this is the one, and I would certainly urge a
12. No vote.
13. PRESIDENT:
14. Further discussion. Senator Nimrod.
15. SENATOR NIMROD:
16. Yes, thank you, Mr. President. I think that I just want
17. to call attention to Senator Wooten. In the Cook County area
18. in the Suburban Townships, it would affect every one of our
19. ...most every one...all...I think all but two of our townships,
20. and I don't think that's really your intention. I think to
21. do away with those smaller sized townships, that bill that
22. was passed here from the six million to the ten million assessed
23. valuation will take care of that consolidation, and I would
24. urge you to not put this to a vote at this time, because I
25. think it's doing some damage that you don't even want to do, and I
26. would...if they do persist...I would vote against the bill.
27. PRESIDENT:
28. Is there any further discussion? Senator Philip.
29. SENATOR PHILIP:
30. Thank you, Mr. President and Ladies and Gentlemen of the
31. Senate. The original bill that allowed to abolish Township
32. Road Commissions at five miles was my bill, when I first
33. termed in the House. Senator Wooten, you're absolutely correct.

1. We have some townships that have more than one piece of
2. equipment for each mile of road, and when they get down that
3. small, we ought to do something about it, very honestly, and
4. I think this is a good bill, and we ought to support it.

5. PRESIDENT:

6. Further discussion. Senator Berning.

7. SENATOR BERNING:

8. Just to comment that there isn't anything at this time
9. to prevent the voters by referendum from doing just exactly
10. what you're proposing here. We don't need this bill. I
11. suggest a No vote.

12. PRESIDENT:

13. Further discussion. Senator Joyce.

14. SENATOR JOYCE:

15. Just to be brief, I would support this bill.

16. PRESIDENT:

17. Any further discussion? If not, Senator Wooten may close
18. the debate.

19. SENATOR WOOTEN:

20. Thank you. The bill was introduced to enable us to save
21. some money at the local level. The Township Board of Auditors
22. really controls the destiny of the Road Program. They can
23. contract with an independent person to do this. If they want
24. to have a Road Commissioner, they can certainly do so by
25. referendum. I think it is a reasonable bill. It came out of
26. the Committee in a close vote without an amendment. I think
27. the amendment, calling for a referendum, truly makes it a
28. reasonable bill, and I'll accept the verdict of my colleagues,
29. and I ask for a favorable vote.

30. PRESIDENT:

31. The question is shall Senate Bill 174 pass. Those in
32. favor will vote Aye. Those opposed will vote Nay. The voting
33. is open. Have all voted who wish? Have all voted who wish?

1. Have all voted who wish? Take the record. On that question,
2. the Ayes are 29, the Nays are 22. None voting Present. Senate
3. Bill 174, having failed to receive a constitutional majority,
4. is declared lost. 180, Senator Schaffer. On the order of
5. Senate Bills, 3rd reading, Senate Bill 180. Read the bill,
6. Mr. Secretary.

7. SECRETARY:

8. Senate Bill 180.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Schaffer.

13. SENATOR SCHAFFER:

14. Mr. President, members of the Senate. Senate Bill 180
15. is the same bill that passed out of the Senate this last year,
16. I believe with forty-two votes. It's an RTA bill. It simply
17. provides that the RTA Board at their discretion, may impose
18. the Gas Tax at different rates in different areas, hopefully
19. reflecting different levels of service. I am informed, and
20. have talked to the four gentlemen. I think there is total
21. support from the Suburban Board members. We talked to Lou
22. Hill last week, and he at least indicated that it was negotiable,
23. the concept of differential. It does not mandate the RTA Board
24. to do anything. I would point out that the Gas Tax collected
25. has to be spent in each of the seven areas. Therefore, it
26. does not take one dime, not one thin nickel from the CTA, but
27. simply would give the RTA Board the option if they chose, to
28. impose the Gas Tax at different rates, hopefully, as I stated,
29. reflecting levels of service. Be happy to answer any questions,
30. appreciate a favorable roll call.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Is there discussion? Senator Rock.

33. SENATOR ROCK:

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

1. Senate. I think the Senator has adequately stated or reflected
2. or characterized the thinking of the present Board. I think
3. their position, frankly, is one of neutrality. I, however,
4. stand opposed to Senate Bill 180. It just seems to me that
5. when we...when we discussed, for instance, the amendment...or
6. were discussing the amendment which I attempted to place on
7. 889 the other night, concerning the new source of funding for
8. the RTA, or proposed new source of funding, the question of
9. differential was discussed at some length with a number of
10. pretty respectable and preeminent legal authorities in the
11. field, and it just seems to me that we are opening ourselves
12. up, or the Board could conceivably open itself up to a lot
13. of unnecessary litigation. I'm not convinced, frankly, that
14. the differential is at all legally possible, and to afford
15. the Board this opportunity and almost foist it upon them, I
16. think is a mistake on our part. I stand opposed.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Further discussion. Senator Sangmeister.

19. SENATOR SANGMEISTER:

20. Yes, Mr. President, members of the Senate. Obviously, I
21. rise in support of this bill, and again, you know, this is tokenism,
22. compared to my bill, but it's something I would ask the people
23. who stayed with me on this side of the aisle, you know, if you
24. can't give us this, I don't know what you can give us, but I
25. would appreciate those who voted with me on my bill would also
26. support Senator Schaffer on this.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Is there further discussion? Senator Schaffer may close.

29. SENATOR SCHAFFER:

30. Briefly, Mr. President, this is an area to open the door
31. to compromise, to open the negotiations to hopefully end the
32. hostility in the outer counties and the outer suburbs on the
33. RTA. As Senator Rock has stated, the RTA Board is not violently
opposed to this. I don't know that they're neutral. I wouldn't

1. categorize them that way. Certainly, the Suburban members
2. support it. I would appreciate a favorable roll call.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. The question is shall Senate Bill 180 pass. Those in
5. favor vote Aye. Those opposed vote Nay. The voting is open.
6. Have all voted who wish? Have all voted who wish? Take the
7. record. On that question, the Ayes are 34, the Nays are 14.
8. 3 voting Present. Senate Bill 180, having received a constitutional
9. majority, is declared passed. Senate Bill 181, Senator Schaffer.
10. Read the bill, Mr. Secretary, please.

11. SECRETARY:

12. Senate Bill 181.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Schaffer.

17. SENATOR SCHAFFER:

18. Mr. President, this act would simply provide that the
19. Department of Revenue on an annual basis tell us how much money
20. is collected in each of the seven RTA areas, so that we can
21. see that that money is in fact being expended as required
22. by law in each of the areas. As introduced, it had some clumsy
23. language which caused a rather expensive fiscal note. The
24. Department of Revenue had problems with it, and then I reminded
25. them that it was their language, and they came up with an
26. amendment that cleaned it up, and dramatically reduced the cost.
27. I think that there is great suspicion in the outlying areas,
28. that in fact we are not getting an honest count on the Gas Tax
29. money. I don't know whether that's true or not. Certainly,
30. this bill will give us that information and put those suspicions
31. to rest. Happy to answer any questions, appreciate a favorable
32. roll call.

33. PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Is there discussion? The question is

1. shall Senate Bill 181 pass. Those in favor vote Aye. Those
2. opposed vote Nay. The voting is open. Have all voted who
3. wish? Have all voted who wish? Take the record. On that
4. question, the Ayes are 39, the Nays are 12. None voting
5. Present. Senate Bill 181, having received a required
6. constitutional majority, is declared passed. Senate Bill
7. 190, Senator Lemke. Is Senator Lemke on the Floor. Senate
8. Bill 193, Senator Carroll. 195, Senator Carroll. Senate
9. Bill 203, Senator Sommer. Read the bill, Mr. Secretary,
10. please.

11. SECRETARY:

12. Senate Bill 203.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Sommer.

17. SENATOR SOMMER:

18. Mr. President, members. This bill does exactly as the
19. calendar reads. It asks the Department of Transportation to
20. determine whether salt damages our highways, and whether there's
21. other things that we could use in our municipalities and in the...
22. on our state highways.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Is there discussion? Senator Chew.

25. SENATOR CHEW:

26. Mr. President, we heard this bill in Committee, and the
27. Department of Transportation was represented, and they explained
28. to the sponsor that there were records out to the Department
29. of Transportation which he agreed to furnish the sponsor or
30. any other member of the General Assembly, but there's no
31. allocation made in the budget for this additional burden on
32. the Department of Transportation. Consequently, to ask them
33. to do it and not attach a fiscal note or to include it in the
budget means that some other part of the Transportation Department

1. would suffer in the event they're mandated by this General
2. Assembly to ascertain what, and I really can't see any physical
3. good it's going to do us to know what damage salt does to a
4. highway or other chemicals. It just to me, is a piece of legislation
5. that is designed to do nobody any good. The General...

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Time.

8. SENATOR CHEW:

9. What?

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Your time has expired, Senator. Under our new rules...

12. SENATOR CHEW:

13. How many minutes am I supposed to talk?

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. You have one minute, under our new rule, Senator...

16. SENATOR CHEW:

17. Okay, okay. I'm not arguing with it. I just didn't hear
18. you. Okay, so I'll wind it up. So I don't think the bill
19. is necessary. It's just an additional burden on the Department
20. of Transportation. I'd ask a No vote on it.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Further discussion. Senator Coffey.

23. SENATOR COFFEY:

24. Well Mr. President and members of the Senate, I would agree
25. to a certain extent with the previous speaker, with one exception.
26. I've requested and I know the Department of Transportation
27. already has had studies on the effect of salt and other chemicals
28. put on the roads, I haven't seen any of those reports and also
29. know for a fact that we've sent people out of state to schools
30. to study this problem, and I think that that information should
31. have been already available to Senator Sommer and others, and
32. I think it's time that they get that information to us, so
33. they have the information. If they have it, they should study
it. If they have the information, they should get it to us

1. Right away, and maybe we should pass this bill until they do
2. get us some information.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Further discussion. Senator Sommer may close. The question
5. is shall Senate Bill 203 pass. Those in favor vote Aye. Those
6. opposed vote Nay. The voting is open. Have all voted who wish?
7. Have all voted who wish? Take the record. On that question,
8. the Ayes are 41, the Nays are 12. None voting Present. Senate
9. Bill 203, having received a required constitutional majority, is
10. declared passed. Senate Bill 204, Senator Sommer. Read the
11. bill, Mr. Secretary, please.

12. SECRETARY:

13. Senate Bill 204.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Sommer.

18. SENATOR SOMMER:

19. Mr. President, this bill is exactly as the calendar indicates,
20. and it's one of the few bills in which the, I'm sure the major
21. interests, manufacturers, business people, labor people, can
22. all agree on, and they probably all dislike it, but I think
23. it's not a bad idea. I would like to know in many instances,
24. who puts forward bills. Sometimes, it's very difficult to
25. get at that, and it's my own idea and I submit it for your
26. approval or disapproval.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Is there discussion? Senator Kenneth Hall.

29. SENATOR HALL:

30. Thank you, Mr. President, Ladies and Gentlemen of the
31. Senate. The question has just been asked, who wants this bill?

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Sommer.

SENATOR SOMMER:

1. Nobody but me, apparently, Senator Hall.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Further discussion...Senator Hall.

4. SENATOR HALL:

5. On that, I'll say roll call, red lights.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Is there further discussion? Senator Sommer may close.

8. The question is shall Senate Bill 204 pass. Those in favor
9. vote Aye. Those opposed vote Nay. The voting is open. Have
10. all voted who wish? Have all voted who wish? Take the record.

11. On that question, the Ayes are 26, the Nays are 22. None voting
12. Present. Senate Bill 204, having failed to receive a required
13. constitutional majority, is declared passed...lost. Senate
14. Bill 207, Senator Lemke. Senate Bill 226, Senator Knuppel.
15. Senate Bill 228, Senator Rhoads. Read the bill, Mr. Secretary,
16. please.

17. SECRETARY:

18. Senate Bill 228.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Martin. Senator Rhoads.

23. SENATOR RHOADS:

24. Thank you, Mr. President, members of the Senate. During
25. the last session of the General Assembly, former Senator Bob
26. Lane at the request of Senator Hynes, had introduced Senate
27. Bill 1555, which amended the Higher Education Student Assistance
28. Section on Payments to Institution, and permitted the Scholarship
29. Commission to make advance payments to an institution not to
30. exceed seventy-five percent of the announced awards to that
31. institution. It passed both Houses of the General Assembly,
32. went to the Governor, and because of some problems that the
33. BOB had at the time with cash flow, it was Ammendatorily Vetoed,
and Senator Lane never got another chance to override that veto

1. in this chamber. This started out essentially as the same
2. bill. It was requested for those who are interested in
3. group information, by the Federation of Independent Colleges
4. and Universities, and pretty much the problems of the BOB
5. ...

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Time, Senator...

8. SENATOR RHOADS:

9. ...worked out. There is an amendment on it also to,
10. that Senator Maitland put on, to help out a problem at Illinois
11. State University. I would ask for its favorable adoption.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Is there discussion? The question is shall Senate Bill
14. 228 pass. Those in favor vote Aye. Those opposed vote Nay.
15. The voting is open. Have all voted who wish? Have all voted
16. who wish? Take the record. On that question, the Ayes are
17. 48, the Nays are 3. None voting Present. Senate Bill 228,
18. having received the required constitutional majority, is declared
19. passed. Is there leave to return to Senate Bill 226? Leave
20. is granted. Senate Bill 226. Read the bill, Mr. Secretary,
21. please.

22. SECRETARY:

23. Senate Bill 226.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Knuppel.

28. SENATOR KNUPPEL:

29. Senate Bill 226 passed out of here last year, and out of
30. the House as well. It's a bill that provides that if you're
31. going to offer Accident and Health Insurance policies to person,
32. you must also...that are cancelable, you must also offer that
33. person a non-cancelable policy. What this bill really does is
to Statutorize...put in Statute form the provisions that they

1. now have down in the Department of Insurance. I thought I
2. had the bill worked out a year ago, and long after it went
3. through, why, something happened, and the Department of
4. Insurance took a change of positions. But what it does
5. is it makes into Statute the regulations that have to do
6. with Health Insurance Policies, concerning pre-existing
7. conditions and it defines what pre-existing conditions
8. are in the policy that can be used, and most policies today
9. are being printed with those provisions in them, but not
10. all. This is legislation that should be in the law, not
11. only in the regulations of the Department.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Is there further discussion? The question is shall
14. Senate Bill 226 pass. Those in favor vote Aye. Those opposed
15. vote Nay. The voting is open. Have all voted who wish? Have
16. all voted who wish? Take the record. On that question, the Ayes
17. are 28, the Nays are 19. None voting Present. Senate Bill
18. 226, having failed to receive a constitutional majority, is
19. declared lost. Senate Bill 235, Senator Netsch.

20. SECRETARY:

21. Senate Bill 235.

(Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Netsch.

25. SENATOR NETSCH:

26. Thank you, Mr. President. This bill is one of a series
27. of bills that resulted from the Special Joint Committee to
28. Investigate Revenue Losses, generally known as the Mirage Committee.
29. As originally introduced, the bill would have reinstated the
30. annual information return for all those who filed...who...tax
31. returns with the state. We did not want to impose an undue
32. burden, however, on businessmen, and just have useless, needless
33. pieces of paper filed, and so after considerable deliberation with

1. the Department of Revenue and with the Illinois Retail
2. Merchants Association, who had expressed not opposition,
3. but some question about it, initially, we worked out a provision,
4. which is very satisfactory to the Department of Revenue, and
5. certainly, I think, achieves our purposes. It does not
6. require everyone to file annually. It requires only that
7. the Department may require these returns when it works out
8. a computer program so that it does indeed have back-up
9. information to help it audit those who may be, in fact,
10. ripping off the state in...with respect to their tax
11. returns. I think in this form, I think it has no opposition...

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Time, Senator.

14. SENATOR NETSCH:

15. ...and I would solicit your support.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Is there discussion? The question is shall Senate Bill
18. 235 pass. Those in favor vote Aye. Those opposed vote Nay.
19. The voting is open. Have all voted who wish? Have all voted
20. who wish? Take the record. On that question, the Ayes are 51,
21. the Nays are 2. None voting Present. Senate Bill 235,
22. having received a constitutional majority, is declared passed.
23. Senate Bill 237, Senator Netsch. Read the bill, Mr. Secretary,
24. please.

25. SECRETARY:

26. Senate Bill 237.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Netsch.

31. SENATOR NETSCH:

32. Thank you. This is a second in the series of Mirage bills,
33. Mr. President. As it is in its present form, it does only two
things. This has to do with the Coin Operated Amusement Device

1. Tax. In its present form, it increases the Privilege Tax,
2. the annual License Tax to...from ten dollars per slot to
3. twenty-five dollars per machine, the first increase in this
4. fee since nineteen sixty-three, and along with that, because
5. the penalties are tied in to the basic fee, we have also
6. increased the penalties for failure to have a license, and
7. for redemption after a machine has been confiscated. It
8. has no other provisions. I think it is reasonable in its
9. present form, and I would solicit your support. It will help
10. Revenue to have additional supportive devices for checking
11. these people out, and again, we have people who have been
12. cheating the state. Not all of them, of course, but a number
13. of them for a long period of time.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Further discussion? Senator Geo-Karis.

16. SENATOR GEO-KARIS:

17. A question for the sponsor, if she will yield.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Indicates she will yield. Senator Geo-Karis.

20. SENATOR GEO-KARIS:

21. Did your bill originally had an increase in fees, did it not? Did
22. you remove the increase in fees?

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Netsch.

25. SENATOR NETSCH:

26. No. As I indicated, the original increase in fee has
27. been toned down considerably, but there is still a modest
28. increase in the fee, from ten dollars per slot to twenty-five
29. dollars per machine.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Geo-Karis.

32. SENATOR GEO-KARIS:

33. But...in other words, your bill...the essence of your
bill is really an increase in fees then, isn't it, Senator

1. Nash...Senator Netsch, I mean. I really need a tune-up...

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Netsch.

4. SENATOR NETSCH:

5. Yes, I'm Netsch. Nash sits back there. It also increases
6. the penalty for violation, two forms of violation. One is
7. where a machine is displayed without a license, which is a all
8. too common practice. We have increased the penalty on that,
9. and we've increased the penalty for machines that have been
10. confiscated and redeemed.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Further discussion. Senator Netsch may close. Senator
13. Walsh.

14. SENATOR WALSH:

15. Mr. President, just...and members of the Senate. Just
16. briefly, I sponsored similar legislation at the last session,
17. and Senator Netsch has worked on this a great deal and I think
18. this bill is better than the one that I sponsored at the last
19. session, and I would hope it would get the support of the Senate.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Further discussion. Senator Netsch may close. Senator Netsch.
22. SENATOR NETSCH:

23. I can only say it once more. It is now only an increase
24. only from ten dollars per slot to twenty-five dollars per machine,
25. which is a modest increase, the first since nineteen sixty-three,
26. and along with that, increases in penalties for failure to
27. observe the law. I think it will help, and I solicit your
28. support.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. The question is shall Senate Bill 237 pass. Those in
31. favor vote Aye. Those opposed vote Nay. The voting is open.
32. Have all voted who wish? Have all voted who wish? Take the
33. record. On that question, the Ayes are 29, the Nays are 19.
1 voting Present. Senate Bill 237, having failed to receive...

1. All right. Senator Netsch has asked that further consideration
2. of Senate Bill 237 be placed on...be postponed. The bill
3. will be placed on the order of Postponed Consideration. Senator...
4. Senate Bill 244, Senator Jeremiah Joyce. Read the bill, Mr.
5. Secretary, please.

6. SECRETARY:

7. Senate Bill 244.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Jeremiah Joyce.

12. SENATOR JEREMIAH JOYCE:

13. Thank you, Mr. President, members of the Senate. Senate
14. Bill 244 provides that the assessed valuation on property located
15. in Historical Districts shall be established as that established
16. in nineteen seventy-nine for a period of ten years. This
17. bill is amended, and is applicable as amended:only to single-
18. family residential units, owner-occupied detached dwellings.
19. What you see is what it is. It is not going to be amended
20. anywhere else. If that were to happen, I would move that
21. it be Tabled. The bill comes to me from the Landmark Preservation
22. Council. It does a number of things. I believe that it is
23. one of the most important tools presently available to combat
24. urban blight. We have, in the State of Illinois at the present
25. time, sixty-three Historical Districts located in over forty
26. counties in this state. If there are any questions, I'll be
27. pleased to answer them. If not, I move your favorable adoption...
28. consideration of this bill.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Is there discussion? The question is shall Senate Bill
31. 244 pass. Those in favor vote Aye. Those opposed vote Nay.
32. The voting is open. Have all voted who wish? Have all voted
33. who wish? Take the record. On that question, the Ayes are
51, the Nays are 1. None voting Present. Senate Bill 244,

1. having received the constitutional majority, is declared
2. passed. Senate Bill 245, Senator Regner. Read the bill,
3. Mr. Secretary, please.

4. SECRETARY:

5. Senate Bill 245.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Regner.

10. SENATOR REGNER:

11. Mr. President, members of the Senate. This is one of
12. those strange RTA bills that passed out of the Transportation
13. Committee eleven to nothing. What it does is it provides that
14. if any of the appointing authorities to the Metropolitan Area
15. Transportation Council don't make their appointments within
16. sixty days from this proposal becoming law, and it doesn't
17. ...and they don't have a quorum, that the members that
18. were appointed can meet, appoint a Chairman, and discuss
19. the future of RTA and what the needs are in the RTA area, and
20. I'd ask for a favorable roll call.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Is there discussion? The question is shall Senate Bill...
23. Senator Rock.

24. SENATOR ROCK:

25. Well, I just would call the attention of the membership
26. frankly, I don't think the bill is that objectionable in its...
27. in this form, except that it establishes, I think, a terrible
28. precedent for this Body to be establishing. Now let's rescind,
29. if you can, from the emotion that surrounds the RTA and its
30. Board and its workings, and we will pass a bill, why don't we
31. just pass a general bill, that says any appointing authority,
32. if he doesn't make the proper appointments, and that includes
33. the Chief Executive of this state, then those who have been
appointed or are still serving can do whatever they want, whether

1. or not the vacancies exist. It's just a nutty, damn principle,
2. and I think it ought to be defeated.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Is there further discussion? Senator Regner may close.

5. SENATOR REGNER:

6. 'We've been waiting for six years for Chicago to make their
7. appointments, and I think six years is a long time to wait,
8. and if we want any goodwill with the Suburban area and the
9. rest of the RTA area, we certainly should be able to have
10. this Council meet, discuss the problems, and make proposals
11. to improve and not only improve the RTA, but improve the
12. public relations of the RTA, and I'd ask for a favorable
13. roll call.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. The question is shall Senate Bill 245 pass. Those in
16. favor vote Aye. Those opposed vote Nay. The voting is open.
17. Have all voted who wish? Have all voted who wish? Take the
18. record. On that question, the Ayes are 28, the Nays are 24.
19. None voting Present. Senate Bill 245, having received...having
20. failed to receive a constitutional majority, is declared lost.
21. Senate Bill 245...249...Senate Bill 250, Senator Berning.
22. Read the bill, Mr. Secretary.

23. SECRETARY:

24. Senate Bill 250.

(Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Berning.

28. SENATOR BERNING:

29. Thank you, Mr. President, members of the Senate. This
30. bill has been amended from the requirement of a two percent
31. line item of salaries for pensions down to one-half percent.
32. It is in conformity with the Appropriation bill, which we passed
33. recently, Senate Bill 356. This is a Substantive bill. We

1. need this to start down that road of getting our pension
2. systems into an actuarially sound condition, and I would
3. urge a favorable vote.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Is there discussion? Senator Egan.

6. SENATOR EGAN:

7. Thank you, Mr. President and members of the Senate. Just
8. to vote...or to voice support for the bill, Senator. It's a
9. historical day, today. Mark it in your calendar. This is
10. the first time in forty years that we have taken the step. I
11. commend it.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Further discussion? The question is shall Senate Bill
14. 250 pass. Those in favor vote Aye. Those opposed vote
15. Nay. The voting is open. Have all voted who wish? Have all
16. voted who wish? Take the record. On that question, the Ayes
17. are 52, the Nays are none. None voting Present. Senate Bill
18. 250, having received a constitutional majority, is declared
19. passed. Senate Bill 261. Senate Bill 263, Senator Maragos.
20. Senate Bill 273, Senator Gitz. Senator Maragos on...it was
21. amended today, Senator, I'm told. Senate Bill 273, Senator
22. Gitz. Read the bill, Mr. Secretary, please.

23. ACTING SECRETARY: (MR. FERNANDES)

24. Senate Bill 273.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Gitz.

29. SENATOR GITZ:

30. Mr. President, I would call attention to the Body that
31. when the Transportation Study Commission made its series of
32. recommendations, which is a bi-partisan legislative commission
33. as we all know, one of the things they incorporated when this
bill had already been introduced, was the idea that Road Fund

1. money should be held accountable to be delivered for the
2. program. This is an Accountability bill. What it does is
3. that it means that when we appropriate money, a percentage
4. worked out on ten-forty-forty-ten will be transferred in
5. monthly increments by the Comptroller out of the Road Fund
6. into this account. It insures that the money will be there.
7. Now many times, the Construction Program of the Department
8. of Transportation may take a shorter period of time. The
9. Amended form, and I would call attention to the amendment,
10. that changed the bill quite a bit, provides that the Comptroller
11. at the request of the Secretary of Transportation to meet
12. rate expenditures which exceed the aforesaid schedule may adjust
13. it. If you want to take this inkblot chart, and you want
14. to turn it around and make construction the priority, this
15. is the bill to do it. If you want to take the Governor
16. at his word that he's serious about delivering on the program,
17. this will insure that we can do it. The Transportation Study
18. Commission has endorsed this kind of a proposal. In fact, it
19. was one of their recommendations, and I would suggest that
20. any Senator here who's been disturbed at the fact that Road
21. Fund monies are not there when they're needed to execute
22. a construction program, take a very serious look at this bill.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Is there discussion? Senator Shapiro.

25. SENATOR SHAPIRO:

26. Mr. President, would the sponsor yield for a question?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Indicates he will yield. Senator Shapiro.

29. SENATOR SHAPIRO:

30. Senator Gitz, in the series of the three bills, how much
31. money are we talking about?

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Gitz.

1. SENATOR GITZ:

2. I would prefer that we deal with the money questions
3. one at a time, because Senate Bill 273 is a separate item.
4. It's an Accountability bill. Whether you're talking about
5. one dollar, whether you're talking about four hundred million
6. dollars, this merely is a mechanism to insure that Road Fund
7. monies are there, proportional to what we appropriate.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Shapiro.

10. SENATOR SHAPIRO:

11. Well, then I want to speak to the bill. That answer was
12. really not a proper one, because it does set up a new fund, a
13. Road and Bridge Construction Fund, which eventually is going
14. to receive approximately three hundred million dollars in
15. re-allocated funds, basically Sales Tax money out of General
16. Revenue, that will go into this fund. I really think it's
17. just a little bit too much. I would urge everyone to vote
18. not only against this bill, but the other two in the series.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Is there further discussion? Senator Gitz may close.

21. SENATOR GITZ:

22. Well, the Minority Leader's decisions on this are very
23. evasive, insofar as they don't speak to the bill. Look, if
24. you appropriate one hundred million dollars, whatever the money
25. is, I'm sure that you want to see that the money is there to
26. execute the program. If you vote this bill down, what you're
27. saying is that the Department's numbers that they give us mean
28. nothing, because if the money isn't there, then the program
29. won't be executed. If you want honest numbers instead of
30. funny numbers, and if you want the money to be applied to
31. construction, this is the bill that does it. That's why this
32. bill has been widely applauded by other agencies that have looked
33. at it. That's why it was even part of the amendment that the
President incorporated yesterday in his amendment, to see that the

1. money is there for construction. It's that simple. If you
2. want roads, we all know that you've got to have the money
3. there to see that the program is delivered, no matter whether
4. it's a large amount of money or a small amount of money, and
5. that's what this does. It takes that inkblot chart that all
6. of us are familiar with, and turns it around and starts applying
7. the money as a first priority to construction, in whatever
8. numbers you appropriate.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. The question is shall Senate Bill 273 pass. Those in
11. favor vote Aye. Those opposed vote Nay. The voting is
12. open. Have all voted who wish? Have all voted who wish?
13. Take the record. On that question, the Ayes are 31, the
14. Nays are 22. None voting Present. Senate Bill 273, having
15. received a constitutional majority, is declared passed. Senator
16. Weaver requests verification of those who voted in the Affirmative.
17. Will the members please be in their seats? The Secretary will
18. call those who voted in the Affirmative.

19. ACTING SECRETARY: (MR. FERNANDES)

20. The following voted in the Affirmative: Berman, Bruce,
21. Buzbee, Carroll, Chew,

22. SENATOR WEAVER:

23. Oh, I'm sorry...

24. ACTING SECRETARY: (MR. FERNANDES)

25. Berman, Bruce, Buzbee, Carroll, Chew, Collins, D'Arco,
26. Daley, Demuzio, Donnewald, Egan, Gitz, Hall, Johns, Jeremiah
27. Joyce, Jerome Joyce, Keats, Lemke, Maragos, Martin, McLendon,
28. Merlo, Nedza, Netsch, Newhouse, Sangmeister, Schaffer, Vadalabene,
29. Washington, Wooten, Mr. President.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Weaver, do you question the presence of any member?

32. SENATOR WEAVER:

33. Senator Nedza.

PRESIDING OFFICER: (SENATOR BRUCE)

1. Is Senator Nedza on the Floor? Nedza. Strike his
2. name.
3. SENATOR WEAVER:
4. Senator Lemke.
5. PRESIDING OFFICER: (SENATOR BRUCE)
6. Is Senator Lemke on the Floor? Senator Lemke? Strike
7. his name.
8. SENATOR WEAVER:
9. Senator Daley.
10. PRESIDING OFFICER: (SENATOR BRUCE)
11. Is Senator Daley on the Floor? Strike his name. On
12. the verified roll call, the Ayes are 28, the Nays are 22.
13. The sponsor asks that further consideration of Senate Bill
14. 273 be postponed. It will be placed on the order of Postponed
15. Consideration. 274, Senator Gitz.
16. SENATOR GITZ:
17. Senate Bill 274 has been extensively amended.
18. PRESIDING OFFICER: (SENATOR BRUCE)
19. Read the bill, Mr. Secretary, please.
20. ACTING SECRETARY: (MR. FERNANDES)
21. Senate Bill 274.
22. (Secretary reads title of bill)
23. PRESIDING OFFICER: (SENATOR BRUCE)
24. Senator Gitz.
25. SENATOR GITZ:
26. Senate Bill 274 is very simple. It's a diversion amendment.
27. I would remind the members of this Body that I had assumed
28. that one of the things we do is we look at the bills, and
29. we look at the sponsorship and we look at what they do, and
30. we kind of put aside some of our partisan considerations.
31. PRESIDING OFFICER: (SENATOR BRUCE)
32. Senator Gitz, have you concluded?
33. SENATOR GITZ:
Take it out of the record.

1. Is there leave to take it out of the record? Leave
2. is granted. The bill will be taken out of the record. Senate
3. Bill 296, Senator Hall. Read the bill, Mr. Secretary, please.

4. ACTING SECRETARY: (MR. FERNANDES)

5. Senate Bill 296.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Kenneth Hall.

10. SENATOR HALL:

11. Thank you, Mr. President, Ladies and Gentlemen of the
12. Senate. The bill now states that it should...the Housing
13. Authority will have...maintain a branch office in Springfield,
14. along with the regular office in Chicago. This is the seat
15. of government. I feel that there should be one here. That's
16. all it does. The other things have been deleted.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Is there discussion? The question is shall Senate Bill
19. 296 pass. Those in favor vote Aye. Those opposed vote Nay.
20. The voting is open. Have all voted who wish? Have all voted
21. who wish? Take the record. On that question, the Ayes are 40,
22. the Nays are 12. None voting Present. Senate Bill 296, having
23. received a constitutional majority, is declared passed. Senate
24. Bill 298, Senator Buzbee. Read the bill, Mr. Secretary, please.
25. Senator Buzbee, the bill is not before us since today you took
26. off an amendment, and the bill had been enrolled and engrossed
27. and it has been returned to Enrolling and Engrossing to remove
28. the language of the amendment. We don't have it in our possession
29. at this time. Senator Buzbee.

30. SENATOR BUZBEE:

31. Yes. I'm waiting for your guidance, Mr. President. I
32. want to call the bill. I...it's not my intention to hold up
33. the proceedings, but...

PRESIDING OFFICER: (SENATOR BRUCE)

1. Well, we have not allowed, I guess, even though the
2. amendment...we're having a little discussion, but even though
3. the amendment was Tabled, it in effect altered the bill, and
4. we have not called bills that were altered, either by amendment
5. or Tabling them, so we'll have to take it up tomorrow. Senate
6. Bill 300. Senate Bill 301, Senator D'Arco. Read the bill,
7. Mr. Secretary, please.

8. ACTING SECRETARY: (MR. FERNANDES)

9. Senate Bill 301.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator D'Arco.

14. SENATOR D'ARCO:

15. That wasn't me, no...let me say this...this bill provides
16. that monies of estates of wards may be invested in accounts
17. or certificates of Financial Institutions, in excess of the
18. maximum amount insured, when such investment is authorized
19. by a Court of competent jurisdiction. Up to a level of
20. one hundred thousand dollars, it doesn't have to be federally
21. insured. We provided that the guardian could get a bond in
22. lieu of the insurance for the difference between forty and one
23. hundred thousand. Don Moore suggested that amendment. Everybody's
24. in accord, and I move for a favorable vote.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Is there discussion? Senator Moore.

27. SENATOR MOORE:

28. Yes, just briefly to rise in support of the bill. The
29. bond provision would put in at the request of the Committee.
30. This is now a good bill, and I would urge favorable consideration.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Further discussion? The question is shall Senate Bill
33. 301 pass. Those in favor vote Aye. Those opposed vote Nay.
The voting is open. Have all voted who wish? Have all voted

1. who wish? Take the record. On that question, the Ayes are 52,
2. the Nays are none. None voting Present. Senate Bill 301,
3. having received the required constitutional majority, is declared
4. passed. Senate Bill 305, Senator Geo-Karis. Senate Bill 306,
5. Senator Netsch. Read the bill, Mr. Secretary, please.

6. ACTING SECRETARY: (MR. FERNANDES)

7. Senate Bill 306.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Netsch.

12. SENATOR NETSCH:

13. Thank you, Mr. President. As amended, the bill would
14. prohibit...so-called confessions of judgement in consumer
15. transactions only. As the...excuse me...as amended, the bill
16. does not have any effect on commercial transactions. A
17. confession of judgement is a device by which when you sign
18. an agreement for example, in a consumer purchase contract,
19. you agree that if you default once, they may go into court
20. and get a judgement against you, without notice and without
21. hearing. It always had had severed due process questions.
22. It has been invalidated by the courts in some states, and
23. questioned seriously in other states, including this one.
24. Indeed, the Illinois Supreme Court has asked the legislature
25. please to abolish this, because it is such a...of such serious
26. and doubtful validity. We are the approximately the only state
27. left in this country that still uses confessions of judgement.
28. Every other state, except one, has abolished them in whole or
29. in part, and there has been no adverse effect on consumer credit.
30. I would solicit your support.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Is there discussion? Senator Moore.

33. SENATOR MOORE:

Thank you, Mr. President. I think that the fact that

1. Illinois is one of two states that has not done this shows
2. how credible and how far-sighted we are by having a confession
3. of judgement. I think that this is a bad bill. It was a bad
4. bill in Committee. I'm sorry I wasn't present at the time it'd
5. come up, or I would've voted No on it, and I think that this
6. is a step in the wrong direction, from an attorney's point
7. of view, from the, not only the creditor's point of view but
8. the lender's point of view. I think this is a bad bill and
9. it should be defeated.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Ozinga.

12. SENATOR OZINGA:

13. I agree with Senator Moore. This is one of the worst bills.
14. This is what we might call just a deadbeat's bill. All he
15. does is sign the paper, and then runs, and then you have to
16. look for him. There's adequate provision in the Statute right
17. now to keep this confession of judgement perfected in the
18. proper manner, and then go after them. This is a bad bill
19. and should be defeated.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Is there further discussion? Senator Netsch may close.

22. SENATOR NETSCH:

23. There is no effect on those who are genuinely deadbeats
24. who default on something. They...it is still possible to go
25. in court and even get a default judgement in many cases. The
26. problem with the confession of judgement is that it lacks the
27. basic due process rights that we have always considered an
28. essential part of our legal system. There is no notice and
29. no hearing, and there are many people who have been seriously
30. damaged by the entry of a confession, and they may learn
31. about it only much later. I repeat, every study that has
32. been made of the now almost unanimous number of states that
33. have abolished it, has demonstrated that it has no adverse
effect at all on the availability of credit, on the creditors,

1. and it does help the consumers.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Is there...The question is shall Senate Bill 306 pass.
4. Those in favor vote Aye. Those opposed vote Nay. The voting
5. is open. Have all voted who wish? Have all voted who wish?
6. Take the record. On that question, the Ayes are 24, the Nays
7. are 23. None voting Present. Senate Bill 306, having
8. failed to receive a constitutional majority, is declared lost.
9. Senate Bill 311, Senator Netsch. Senator Netsch. Read the
10. bill, Mr. Secretary.

11. ACTING SECRETARY: (MR. FERNANDES)

12. Senate Bill 311.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Netsch.

17. SENATOR NETSCH:

18. Thank you, Mr. President. As amended, the bill provides only
19. that the Department of Children and Family Services shall
20. accept for counseling and advocacy, only for counseling and
21. advocacy, any child who has been adjudicated a MINS, a Minor
22. in need of supervision, if the Department finds that there
23. are not other appropriate facilities or services available
24. through the usual local probation service, which is where
25. most MINS end up. The...it also, at the suggestion of the
26. Department, it was added that the acceptance of a Minor for
27. counseling does not require the Department to accept custody
28. and guardianship. The original idea of the bill was to require
29. the Department to accept all MINS, because there are many of
30. them who are just left floating around, with basically no
31. services and no supervision. The Department felt that it
32. was not ready to accept that obligation, because there...it
33. potentially is a fairly heavy obligation, and so we considerably
restricted the kind of services that they would have to provide to

1. those who at the present time, are basically not provided
2. for at all. I should add quickly that the Department does...
3. can accept MINS voluntarily, and must accept those who have
4. violated a Court Order, so that it does already have some
5. MINS under its general jurisdiction. I am not prepared to
6. say that the Department supports this amendment, although it
7. was worked out with their full cooperation and original support,
8. which has subsequently been withdrawn.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Is there further discussion? The following Senators have
11. sought recognition on this bill, Senators Buzbee, Maragos,
12. Grotberg, Martin and DeAngelis. Senator...Buzbee.

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End of Reel

1. SENATOR BUZBEE:

2. Thank you, Mr. President. Senator, I plan to support your bill,
3. but on an extremely serious note, I would point out to you that
4. we appropriated an additional five million dollars to this department
5. this spring for the express purpose of hiring additional social
6. workers expressly to address the question of child abuse.
7. In this morning's Chicago Sun Times and without trying to be...or not
8. wanting to be demagogic...in this morning's Chicago Sun Times,
9. there was the story of a thirteen year old boy who was burned to
10. death while chained to a bed and we have in here, I'm quoting
11. now from the paper, "police acting on a complaint had found the
12. boy similarly chained to the bed on April the 20th and notified
13. the Department of Children and Family Services." He said the
14. police had received a letter from the Department on Tuesday, the
15. day of the fire, stating that the department had investigated
16. the situation and had "action planned." But they were a little too
17. late with their planned action because the boy died that day in a fire
18. while chained to his bed. Now, if we're going to keep spending
19. money no this department, and we hired a new director, the Governor
20. hired a new director recently...

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator...

23. SENATOR BUZBEE:

24. ...we said to him, thank you, Mr. President. We said to him,
25. Mr. Director, we're going to give you some time to get that house in
26. order, but I submit to you that there is no more time for one more
27. child's death when the case has already been reported to the Department
28. of Children and Family Services. I am willing to make substantial
29. cuts in that department's budget at any time including the director's
30. salary. If he...he or his employees cannot prevent the death of
31. children that have already been admitted to that...

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator, your time has expired.

SENATOR BUZBEE:

1. Well, thank you, Mr. President. So was the young boy
2. who was found dead this morning chained to his bed.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Maragos.

5. SENATOR MARAGOS:

6. Will the sponsor yield to a question? Terry, I can't see
7. through you. Senator Netsch, has the amendment been put in that
8. the...the children that are involved with the Juvenile Delinquency
9. Prevention Commission are not going to be overlapping in their
10. jurisdiction...I'm talking about the status offenders.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Netsch.

13. SENATOR NETSCH:

14. No, it does not in any way, impinge on that. The
15. commission, the Juvenile Commission on Delinquency Prevention
16. deals with status offenders only up to the time of adjudication.
17. The people that we are talking about, the young people in this bill,
18. are those who have been adjudicated.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator...all right. Senator Grotberg.

21. SENATOR GROTEBERG:

22. Because of the limitation of time, I thought this side of the
23. aisle would take comfort to know that I am a key cosponsor on
24. this and have been working diligently with the commission and with
25. Senator Netsch, but because of the legal qualifications of this Act,
26. I deferred to her and she explained it very well. It's a much
27. needed Act and I would appreciate your cooperation.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Martin.

30. SENATOR MARTIN:

31. I realize this is a highly emotional area and there is certainly
32. no one in this Chamber that isn't horrified by the stories, but
33. Senator Netsch, how much is this going to cost?

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Netsch.

3. SENATOR NETSCH:

4. It is my intention, and as I say, this was originally with the
5. department's approval, although they've kind of backed down, I think,
6. at the present time, to offer an amendment to the DCFS appropriation
7. in the amount of two hundred thousand dollars.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator DeAngelis.

10. SENATOR DeANGELIS:

11. Thank you, Mr. President. The director of this particular
12. agency has serious doubts as to whether they're capable of
13. implementing this program. A good intention with a bad implementation
14. is a poor bill.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Regner.

17. SENATOR REGNER:

18. Well, Mr. President, members of the Senate. Senator Buzbee did
19. make some statements that the department has an expansion going on
20. in their Child Abuse Program. We have the Statewide Registry Program
21. which has been passed and signed into law by the Governor
22. with the appropriation that's necessary. Senator Netsch did say
23. that the bill was amended down to the cost only being estimated
24. two hundred thousand now from two and a half million. I
25. think that was the number, two and a half million before. But that
26. was only for a five month period that we're talking about that two
27. and a half million. I see this as one of those programs that's going
28. to be put forth, we don't even know if it's really necessary
29. with the new programs we've already approved for the Department of
30. Children and Family Services, if it's going to grow and grow and
31. grow and we're going to keep asking how do we ever let this happen
32. to us, that we're now committed to providing millions of new
33. dollars each and every year for our program.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Knuppel.

3. SENATOR KNUPPEL:

4. Well, Mr. President and members of the Body. I'm not going to get
5. in a...in a rile over the Department of Children and Family Services
6. and I told you here when we were approving the five million
7. dollars what was happening. Senator Buzbee has verified this by a
8. newspaper article this morning. I was called two days ago from Fulton
9. County and was told that the Department of Children and Family
10. Services, knowing from the family myself, and the State's
11. Attorney of Menard County, that a person was a known homosexual
12. approved him as a foster parent. Now, I'm telling you people,
13. you know, when you get into this thing it it just horrible.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Johns.

16. SENATOR JOHNS:

17. I've been telling this Body for nine years what about this
18. department. I'm for this bill because...but I'm not sure that
19. once we require...that they'll do what they're supposed to do.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Netsch may close.

22. SENATOR NETSCH:

23. Senator Regner, the original bill was very different from this
24. one and so that the reduction in the amount that is to be requested
25. is not just a reflection in the fact that this has a delayed
26. effective date. This is a very much more limited responsibility.
27. All it says is that the Department shall accept for counseling
28. and advocacy the MINS who otherwise have no place to go and no
29. services available. The Cook County already has sufficient
30. counseling services and probably would not be able to function at
31. all under this, but there are some areas of the State where at least
32. it would begin to provide a...a very limited service for those
33. MINS who, in fact, receive no services otherwise because they
simply are not available. It is a responsibility that is going to have

1. to be met. We would prefer to do it in this very modest fashion.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. The question is shall Senate Bill 311 pass. Those in favor vote
4. Aye. Those opposed Nay. The voting is open. Have all those voted who
5. wish? Have all those voted who wish? Take the record. On that question
6. the Ayes are 26, the Nays are 22. Senate Bill 311 not having received
7. a constitutional majority is declared lost. Senate Bill 312,
8. Senator Netsch. Do you wish the bill called? Read the bill,
9. Mr. Secretary.

10. SECRETARY:

11. Senate Bill 312.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Netsch.

16. SENATOR NETSCH:

17. Thank you, Mr. President. This bill has to do with the
18. treatment of official court files and other records of juveniles.
19. As amended, and the amendment was worked out at Senator Keats's
20. suggestion and with his cooperation, it permits the sealing of records
21. but not...but not when the minor has been adjudicated a
22. delinquent based on an Act, which if committed by an adult, would
23. constitute a series of crimes of violence at the adult level.
24. The...the point is that the records should not follow a minor for the
25. rest of his life and haunt him when there has been no serious
26. adjudication, but when there indeed has been, as Senator Keats has
27. suggested, then there is some justification in having the records
28. available. I would solicit your support.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Is there discussion? Question is shall Senate Bill 312
31. pass. Those in favor vote Aye. Those opposed Nay. The voting is
32. open. Have all those voted who wish? Have all those voted who wish?
33. Take the record. On that question the Ayes are 43, the Nays are 7.
Senate Bill 312 having received a constitutional majority is declared

1. passed. Senate Bill 313. Read the bill, Mr. Secretary.

2. SECRETARY:

3. Senate Bill 313.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Netsch.

8. SENATOR NETSCH:

9. Thank you, Mr. President. Again, the bill has been amended from
10. its original form. In its present form, it contains two provisions,
11. one is the so-called no fault dependency. That is where a child
12. becomes dependent through no fault of the parents and the courts
13. do not like to have to be in the position of, in effect, accusing
14. the parents of neglect, which they often have to do in order
15. to find some way to take care of the child temporarily. It is not a
16. terribly common thing, but it is very tragic when it happens.
17. The second part of it, which had caused the department some concern
18. has now been amended into a form that is acceptable and it simply
19. provides that rights of wards under the court...I'm sorry, rights
20. of wards are enforceable against any public agency by petition for
21. writ of mandamus and all that means is that where State agencies
22. simply will not accept or fulfill their obligation, there is a method
23. for the court to pursue it.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Is there discussion? Question is shall Senate Bill 313 pass.
26. Those in favor vote Aye. Those opposed Nay. The voting is open.
27. Have all those voted who wish? Take the record. On that question
28. the Ayes are 47, the Nays are 2. Senate Bill 313 having received
29. a constitutional majority is declared passed. Senate Bill 331,
30. Senator Walsh. Senator Becker, 350. Read the bill, Mr. Secretary.

31. SECRETARY:

32. Senate Bill 350.

33. (Secretary reads title of bill)

3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Becker.

3. SENATOR BECKER:

4. Thank you, Mr. President and members of the Senate. Senate Bill
5. 350 will allow domestic insurance companies to deposit their
6. own securities with a trust company which may deposit them in a
7. clearing house. This bill passed in the Insurance and Licensing Committee
8. 11 to nothing. It was also approved by the Department of Insurance.
9. I ask for a favorable vote.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Is there further discussion? The question is shall Senate Bill 350
12. pass. Those in favor vote Aye. Those opposed Nay. The voting is
13. open. Have all those voted who wish? Have all those voted who wish?
14. Take the record. On that question the Ayes are 49, the Nays are none.
15. Senate Bill 350 having received a constitutional majority is
16. declared passed and congratulations. Senate Bill 360, Senator
17. Vadalabene. Read the bill, Mr. Secretary.

18. SECRETARY:

19. Senate Bill 360.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Vadalabene.

24. SENATOR VADALABENE:

25. Yes, thank you, Mr. President and members of the Senate. Senate
26. Bill 360 amended, permits a municipality to annex an unincorporated
27. area of any size acreage when it is the only municipality that
28. entirely surrounds the area. Under present law, unincorporated areas
29. of sixty acres or less are also subject to annexation when bordered
30. wholly or by a municipality and either a water body or the Illinois
31. State boundary or State owned property other than highway right of ways
32. or forest preserve districts. Amendment No. 1 and 2 takes care of the
33. forest preserve districts and any farmland. It has the approval now of
the Illinois...the Illinois Agriculture Association does not

1. object to the bill anymore. The Municipal Problems supports the
2. legislation and also the Municipal League.
3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. Senator Rhoads.
5. SENATOR RHOADS:
6. Thank you, Mr. President. A question of the sponsor if he will
7. yield.
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. Indicates he will.
10. SENATOR RHOADS:
11. Senator Vadalabene, Norwood Park Township in Cook County is
12. wholly surrounded by the City of Chicago or enveloped in an
13. unincorporated area. Would this permit the City of Chicago to take in
14. the unincorporated area of Norwood Park Township without its
15. permission?
16. PRESIDING OFFICER: (SENATOR DONNEWALD)
17. Senator Vadalabene.
18. SENATOR VADALABENE:
19. Well, the legislation says may, yes.
20. PRESIDING OFFICER: (SENATOR DONNEWALD)
21. Senator Rhoads.
22. SENATOR RHOADS:
23. I'm sorry. May I hear shall?
24. PRESIDING OFFICER: (SENATOR DONNEWALD)
25. Senator Rhoads.
26. SENATOR RHOADS:
27. Do they really want to take in John Gacy's home?
28. PRESIDING OFFICER: (SENATOR DONNEWALD)
29. Senator Vadalabene.
30. SENATOR VADALABENE:
31. Well, that's a 10-4. I'm back on the boulevard. I don't know.
32. PRESIDING OFFICER: (SENATOR DONNEWALD)
33. Senator Grotberg.

1. SENATOR GROTEBERG:

2. Thank you. I am just reminded of the last response. I see a lot
3. of shalls in here and I would like for us to be sure that we're
4. an unincorporated area, regardless of the number of acres
5. contained, did we amend it to may? It's shall all the way through
6. and the whole idea of this Act was for once and for all, instead
7. of from five acres every year, we come down and raise the size of it
8. by law, everything that's unincorporated...an island would be in-
9. corporated. I just...it's an answer to your question, Senator
10. Rhoads. My minute is almost up. But this went out unanimously
11. almost, and we recommend it highly for your consideration. Excellent
12. bill. Excellent bill.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Berning.

15. SENATOR BERNING:

16. Well, Mr. President, I have a question.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Indicates he'll respond.

19. SENATOR BERNING:

20. Senator, is it not true that a municipality may annex
21. a roadway?

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Vadalabene. Senator Berning, your time is running.

24. SENATOR BERNING:

25. Yes, thank you, Mr. President and members of the Senate. It is
26. possible and is frequently a fact. A municipality will annex
27. a roadway just to reach a shopping center, for instance. By so doing,
28. the municipality can encompass a sizable parcel of ground or many,
29. many parcels of a sizable number of acres simply the ruse of
30. annexing a road or two, if necessary, just to surround some
31. territory. Now, I submit to you that what we would be doing here with
32. this bill would be allowing the municipalities by ruse or otherwise
33. to totally annex any property, any individual's property with that
individual having any right to say aye, yes, or no. I think this is

1. a serious mistake. We would be totally eroding the right of the
2. property owner even to express his dissatisfaction with this.
3. He would be preempted. I...

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Schaffer.

6. SENATOR BERNING:

7. ...respectfully suggest this is illadvised.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Walsh. Senator Buzbee.

10. SENATOR BUZBEE:

11. Thank you, Mr. President. Mr. President, you will recall that I
12. got into a defugilty with you over a similar bill last spring. I
13. happen to live in an area and I have an awful lot of neighbors in an area
14. who do not want to be annexed into a...or have the authority of the
15. local municipality to come out and zone our area where we live and
16. I just think that anytime a citizen lives anywhere, they ought to have
17. the right to say whether they want to be annexed into that city or
18. not and I just don't think this is a very good idea.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Bowers.

21. SENATOR BOWERS:

22. Mr. President, I'm going to vote for this bill, but I...there is
23. a problem in here that bothers me a little bit and I think everyone
24. ought to understand it. The agricultural amendment...in the first
25. place if the property is totally surrounded, it automatically becomes
26. part of the city or village as the case may be. Let's get that clear.
27. There's no may about it. It shall be part of the municipality.
28. Now, the agriculture...unless it's used for agriculture purposes.
29. And that's what gives me a little bit of a problem because the county
30. clerk, when he extends the taxes now becomes a factfinding body
31. because this is automatically in the village or city unless
32. it's used for agriculture purposes. Now, I don't know how sitting up
33. in the county clerk's office, he's going to determine

1. whether or not it's being used for agricultural purposes. I realize
2. it's a technical problem, but it does cause a problem.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Is there further discussion? Senator Vadalabene may close.

5. SENATOR VADALABENE:

6. Yes, I may close by saying the Illinois Firefigher's Association
7. supports this bill, Tom Bestudik, the fire chief here
8. of the Springfield area is in favor of this bill and I would
9. appreciate a favorable vote and what Senator Berning says is
10. already in the existing law.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. The question is shall Senate Bill 360 pass. Those in favor
13. vote Aye. Those opposed vote Nay. The voting is open. Have
14. all those voted who wish? Have all those voted who wish?
15. Take the record. On that question the Ayes are 30, the Nays are
16. 19, 1 Voting Present. Senate Bill 360 having received a constitutional
17. majority is declared passed. Senator Buzbee.

18. SENATOR BUZBEE:

19. Mr. President, I request a verification of the affirmative
20. votes.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. A verification has been requested of the affirmative votes.
23. The Secretary will call the roll of the affirmative voting...voters.

24. SECRETARY:

25. The following voted in the affirmative: Becker, Berman,
26. Bloom, Bowers, Chew, Coffey, Collins, D'Arco,...

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Just a moment. Senator Buzbee, for what purpose do you arise?

29. SENATOR BUZBEE:

30. Thank you, Mr. President. I think we can save everybody a lot of
31. time. We all know there is a vote or two missing. I think Senator
32. Vadalabene is going to move to put it on postponed, if I'm...
33. if I'm not badly mistaken, save us some time.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Do you...
3. SENATOR BUZBEE:
4. Senator Daley or Senator Coffey.
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. Senator Coffey is in his seat.
7. SENATOR BUZBEE:
8. Senator Daley.
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. Is Senator Daley on the Floor? Take his name from the record.
11. Senator Vadalabene moves to postpone consideration. Postponed...
12. consideration will be postponed. Senate Bill 366, Senator
13. Geo-Karis. Read the bill, Mr. Secretary.
14. SECRETARY:
15. Senate Bill 366.
16. (Secretary reads title of bill)
17. 3rd reading of the bill.
18. PRESIDING OFFICER: (SENATOR DONNEWALD)
19. Senator Geo-Karis.
20. SENATOR GEO-KARIS:
21. Mr. President and Ladies and Gentlemen of the Senate. Senate Bill
22. I don't think, is quite adequately described in the synopsis. All it
23. does, it reflects that if a person is on an original entrance roster
24. in an exam for the fire department and becomes overage, he may still
25. be admitted to the pension system as it reflected in those sections
26. of the Civil Service Act as long as...but he is not eligible to
27. participate in the Firemen's Pension Fund until he is appointed.
28. I amended the bill, if Senator Rock will recall, to reflect exactly that
29. so there would be no question about it.
30. PRESIDING OFFICER: (SENATOR DONNEWALD)
31. Is there discussion? Senator Wooten.
32. SENATOR WOOTEN:
33. Senator Geo-Karis, I suggest that unless there is something that supercedes Amendment No. 2, you still have a strange bill. It says

1. if someone gets on an eligibility list, then becomes overage, he
2. somehow still qualifies for the pension. That's what Amendment No. 2
3. says and I think that is a strange situation.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Geo-Karis.

6. SENATOR GEO-KARIS:

7. Senator Wooten, I had Tabled Amendments No. 1 and No. 2.
8. There's Amendment No. 3 that's part of the bill and if you like,
9. I'll be glad to read the Amendment No. 3. Do you want me to read it?
10. Or, you said...all right. If a person is placed on an eligibility
11. list for service in a fire department and becomes overage before he
12. is appointed to a fire department, he remains eligible for participation
13. of Firemen's Pension Fund as created by this Article until such
14. eligibility list is abolished. However such person is not
15. eligible to participate in the Firemen's Pension Fund until he is
16. appointed. Now, those lists are sometimes two and three years old. He
17. cannot be eligible unless he is actually appointed to the fire
18. department. But he takes the exam before he is of age...before
19. he is the final qualifying age.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Wooten.

22. SENATOR WOOTEN:

23. It...it makes sense, that's minimal sense, Senator. That's still
24. a strange bill in all honesty.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Is there further discussion? Senator Geo-Karis may close if
27. she so desires.

28. SENATOR GEO-KARIS:

29. I request favorable consideration of this bill
30. because it is a companion bill to Senate Bill 6...365 which
31. you passed earlier in this Session and the Firefighters...the Illinois
32. Associated Firefighters have requested this bill. It's cleared
33. the Pension Commission and the amendment was put on at the request of
the Pension Commission.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Question is shall Senate Bill 366 pass. Those in favor vote Aye.
3. Those opposed Nay. The voting is open. Have all those voted
4. who wish? Take the record. On that question the Ayes are 44, the
5. Nays are 4. Senate Bill 366 having received a constitutional majority
6. is declared passed. Senate Bill 367, Senator Geo-Karis.
7. Read the bill, Mr. Secretary.

8. SECRETARY:

9. Senate Bill 367.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Geo-Karis.

14. SENATOR GEO-KARIS:

15. Mr. President and Ladies and Gentlemen of the Senate. Senate Bill
16. 367 creates the Criminally Dangerous Persons Act. It provides for
17. what is in effect, a civil commitment hearing for persons who have
18. a preexisting mental or...disordered coupled with a propensity to
19. commit crimes of violence against persons. It is a bill that has
20. become necessary because it establishes safeguards which do not
21. currently exist in situations where a defendant is found not guilty
22. by reason of insanity and experiences a so-called miraculous
23. recovery after six weeks in the psychiatric ward. A defendant
24. seeking release must be approved by a preponderance of the
25. evidence that he is no longer dangerous to people. By the same token
26. the State under the Supreme Court decision in this State a few
27. years ago, the State has to prove that he is criminally dangerous
28. beyond a reasonable doubt. I might tell you there's been a Federal
29. case in the United States Supreme Court, the Addington case from
30. Texas, just recently decided a couple of months ago, which doesn't
31. even require proof beyond a reasonable doubt to consider a defendant
32. criminally dangerous, mentally dangerous to the point where he would
33. be a danger to other people. I would request this because in many
cases people who go in and are found not guilty by reason of insanity

1. and the next thing you know, they're out back in the streets,
2. and create more crime. I request your consideration.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Jeremiah Joyce.

5. SENATOR JEREMIAH JOYCE:

6. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
7. At first blush Senate Bill 367 seems to be a bit extreme, but
8. upon further examination for those of you who have had any kind of
9. experience, whether first hand or other experiences with situations
10. where the court and prosecution is faced with a defendant who...
11. cannot meet the requirements of the profession to be adjudicated
12. insane and yet, in fact, it is not amenable to prosecution
13. at least from a legally ethical standard. Senate Bill 367 provides a
14. viable alternative and I would support this bill and I would urge
15. you to do so.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Don Moore.

18. SENATOR MOORE:

19. Very briefly in support. I want to commend Senator Geo-Karis
20. for this innovative piece of legislation. It is a different approach
21. to the insanity defense question. It provides a prosecutor with an
22. alternative route to criminal prosecution. I think it's a good bill,
23. a very novel approach. It's much needed.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Geo-Karis, you may close if you wish.

26. SENATOR GEO-KARIS:

27. Ladies and Gentlemen of the Senate. Mr. President and Ladies
28. and Gentlemen of the Senate. I request favorable consideration.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. The question is shall Senate Bill 367 pass. Those in favor vote
31. Aye. Those opposed Nay. The voting is open. Have all those voted who wish?
32. Have all those voted who wish? Take the record. On that question the
33. Ayes are 47, the Nays are 3, 1 Voting Present. Senate Bill 367 having
received a constitutional majority is declared passed. Senate Bill

AB 375
3rd reading
5/24/79

1. 375, Senator Schaffer. Read the bill, Mr. Secretary.

2. SECRETARY:

3. Senate Bill...excuse me...375.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Schaffer.

8. SENATOR SCHAFFER:

9. Mr. President, Senate Bill 375, as amended, is a very different
10. bill from the one that reached the committee. The bill simply
11. provides a mechanism whereby a teacher, after thirty years of
12. service can retire at age 55. Currently, they're required
13. to pay...or to take a substantial reduction in the percentage of
14. their ending salary that would then become their pension annuity.
15. This bill provides that they can, in fact, retire and instead of
16. taking the reduction in percentage they can make a substantial
17. one time payment. The bill, also, I might add, has included the
18. Chicago School System and it also, I think, has one very other
19. important change, it also prohibits and puts a cap on the
20. procedure that is evidently becoming very widespread in this State of
21. endloading the pension, in other words, having a...the school give a
22. teacher they would like to encourage to retire, a massive one
23. year pay raise to improve their retirement percentage.
24. I detect a series of questions and I'd be happy to answer them. I think
25. it is an innovative step in the right direction.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Mr. President and members of the Senate. I hate to keep on making a
28. nuisance of myself, my unfavorable lobbyists are hanging around out
29. there again and I wish they would get the word. Everytime I see them,
30. I'm going to rise and ask that they be taken from within the Senate.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Will the Sergeant-at-Arms will clear the Senate of unauthorized
33. personnel. Senate...Senator Egan.

1. SENATOR EGAN:
2. Yes, thank you, Mr. President and members of the Senate.
3. I just would like to say this, that relative to the concept of this
4. bill, it has not had the approval of any of the...of the experts.
5. We are desirous of getting that approval because the industry,
6. the teaching, so-called industry is in a bind. There...something has
7. arisen recent...in recent years that has not in the past in the
8. teaching industry and that is that these teachers after twenty and
9. thirty years are ready to quit. It never happened before. It's
10. happening now in great numbers. In order to facilitate that desire,
11. if the school districts are willing to pay for the current cost
12. of the retirement, then I think you will get the approval of the
13. experts because of the particular problems that they have.
14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. Senator Buzbee.
16. SENATOR BUZBEE:
17. I think Senator...
18. PRESIDING OFFICER: (SENATOR DONNEWALD)
19. Just a minute. Senator Johns, for what purpose do you arise?
20. SENATOR JOHNS:
21. Point of personal...point of personal privilege.
22. PRESIDING OFFICER: (SENATOR DONNEWALD)
23. State your point.
24. SENATOR JOHNS:
25. There are other lobbyists sitting over here...that have not been
26. removed.
27. PRESIDING OFFICER: (SENATOR DONNEWALD)
28. I asked...I asked them all. Just a moment. I asked that all...
29. SENATOR JOHNS:
30. ...get them all out of here.
31. PRESIDING OFFICER: (SENATOR DONNEWALD)
32. All unauthorized personnel be removed. I made no exceptions.
33. SENATOR JOHNS:
I understand, Mr. President, but somebody failed to heed your

1. warning. Let's get them all out of here.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. All right. Senator Buzbee.

4. SENATOR BUZBEE:

5. Thank you, Mr. President. In the seven years that I have been
6. here I have consistently opposed the concept of having a twenty
7. year retirement plan...oh, I'm sorry. Senator Egan says he's not
8. finished.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Egan, your time is up.

11. SENATOR BUZBEE:

12. You're not...you're not going to charge this to my time, are you,
13. Mr. President?

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. You've had your one minute. Senator Buzbee, your time will
16. start.

17. SENATOR BUZBEE:

18. My time will start. Thank you. Mr. President, in the seven
19. years that I have been here, I have consistently opposed the concept
20. of twenty years and out in pension systems because of the impact that
21. they have...that this has on the...the figures...the pension system.
22. I have respect...my colleague, my seatmate's opinion as to the
23. experts have continued to withhold their opinion. However. I think this
24. is finally a concept that I can support. After four years on the Pensions
25. and Personnel Committee serving my time in hell and...and voting
26. against most of the pension liberalization bills. This is a bill
27. that I think I can support because this does put the onus
28. on the individual and makes them pay major amounts of money
29. and makes their employer pay major amounts of money into the
30. system immediately but in the long run, in fact, even in
31. the short run, it saves the employer a considerable amount
32. of money from this perspective, and I am closing, Mr.
33. President. A new teacher hired in a system today

1. with a bachelor's degree and no experience will probably start
2. somewhere around nine thousand dollars a year. But that teacher
3. at twenty or twenty-five or thirty years later, with that much
4. experience and with a masters or perhaps half of a PhD degree
5. will be making twenty or twenty-two thousand dollars a year and it's
6. a great savings to the school district if that teacher will retire
7. and let them make it a one time payment and I think this is a good
8. concept. It will save the school districts money. It will let
9. those teachers out who need to get out because they can't take the
10. kids anymore.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator, your time is up. Senator Gitz.

13. SENATOR GITZ:

14. A question of the sponsor.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Indicates he will respond.

17. SENATOR GITZ:

18. I am in favor of the concept, but I am concerned about the
19. financial ramifications of your amendment and I would appreciate it
20. if you would explain how this burden is going to be borne, both
21. by the individual, the school boards and the State.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Schaffer.

24. SENATOR SCHAFFER:

25. I...I...in my opening remarks, did'nt have time. Let me give you
26. a for instance. Let's say a teacher with thirty years experience is
27. making a salary of twenty thousand and...and they desire to retire
28. at fifty-five. There's an individual payout or from them personally
29. of six thousand from the employer of twelve for eighteen thousand.
30. The implications of allowing them to retire five years early costs
31. the pension system sixteen thousand two hundred dollars.
32. The question now and the actuaries from the commission and the Pension
33. Fund agree that the dollar figures are there, the fiscal implications

1. are favorable particularly in view of ending the practice of
2. endloading. The question that remains unresolved that Senator
3. Egan mentioned was the concept and the commission meets on June
4. 6th and we would hope the bill would be before them and at that time
5. we can...they can react to it...

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Wooten.

8. SENATOR SCHAFFER:

9. ...but obviously, to be alive it has to go forward today.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Wooten. Senator Maitland. Senator Schaffer may close.

12. Oh. I'm sorry. Senator Collins lit her light.

13. SENATOR COLLINS:

14. Before...

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. I beg your pardon.

17. SENATOR COLLINS:

18. Thank you, Mr. President. I think this is a very good idea.
19. It has a lot of positive features about it including allowing
20. new blood to come into the education assistant. As all of you know
21. that teachers now...they're so many graduating from school until...
22. there's difficulty in really finding job openings for teachers.
23. This would allow new people to come into the system, therefore
24. bringing new ideas into the system. This will be...would relieve
25. some of the financial burdens from the school district by allowing
26. those people to come out early. As Senator Buzbee so adequately
27. explained it, it would be a savings to the school district, to
28. the...to the teaching profession itself and I think it would add a
29. little more quality to the whole system and I think it's a good
30. concept and we should all vote for it.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Berman.

33. SENATOR BERMAN:

Thank you, Mr. President. Would the sponsor yield?

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Indicates he will.

3. SENATOR BERMAN:

4. Regrettably the details of this bill only came to my attention
5. yesterday and I think it does have some merit. One of the things
6. that caused me some concern, especially for a city like Chicago,
7. is although they can recoup the cost of this early out option,
8. the initial payment could be astronomical to a system such as that.
9. If you have thousands of teachers asking for it. I'm will to help
10. you get it out of here so we can keep it alive, if I have a commitment
11. that it would be held in the House and not moved out of their
12. committee for at least two weeks.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Schaffer.

15. SENATOR SCHAFFER:

16. My commitment is that it goes to the House and then it goes
17. to the Pension Laws Commission and rises and falls on their
18. perusal. I don't think it can be passed without their favorable
19. perusal on June 6th. I don't know if that's two weeks, it just
20. about is and there's no rush job on this. If the commission
21. doesn't like the concept, well, fine.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Rock.

24. SENATOR ROCK:

25. Thank you, Mr. President, Ladies and Gentlemen of the Senate.
26. I have frankly just discussed with Senator Berman and Senator Egan
27. this...I think the idea is a good one and one that we ought not let
28. die here. The cost ramifications, frankly, I am not convinced they're
29. insurmountable, but I...there are some very heavy costs involved.
30. I'd suggest an Aye vote with the understanding that we can
31. stop it in the House if need be.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Schaffer may close if he so desires. The question is
shall Senate Bill 375 pass. Those in favor vote Aye. Those opposed

1. Nay. The voting is open. Have all those voted who wish? Have all-
2. those voted who wish? Take the record. On that question the Ayes
3. are 41, the Nays are 9. Senate Bill 375 having received a
4. constitutional majority is declared passed. Senate Bill 377,
5. Senator Regner. Senator Regner.

6. SENATOR REGNER:

7. Mr. President and members of the Senate. I'd like to re-
8. refer this bill back to the Executive Committee.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Motion is to recommit to the Committee on Executive. Those in
11. favor indicate by saying Aye. Those opposed.

12. The Ayes have it. Senate Bill 377 is recommitted. 391 is part of
13. the Transportation package. Senate Bill 414, Senator Merlo.
14. Senator Bruce, just a moment. Oh, I'm sorry. 384.

15. SENATOR BRUCE:

16. Well, I assume that 384 since it's really a companion to
17. 383 we would move those both at the same time. We always have, but
18. if someone wants...if...with leave, I'd like to move 383 and 384
19. together when we get to appropriation bills.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Is there leave? Leave is granted. Senate Bill 414, Senator
22. Merlo. Do you wish to call the bill? Read the bill, Mr. Secretary.

23. SECRETARY:

24. Senate Bill 414.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Merlo.

29. SENATOR MERLO:

30. Thank you, Mr. President and members of the Senate. In the
31. 80th General Assembly, this Senate passed nineteen significant
32. pieces of legislation in the area of condominium. The most
33. significant in my opinion, was the passage of a bill that gave to
the tenants occupying an apartment, the right of first refusal

1. to purchase his apartment that was being placed up for sale by the
2. owner for converting processes. What Senate Bill 414 would do, it would
3. extend the same principle or concept to the tenants of that
4. building to purchase the building. In other words, to be given the
5. right of first refusal if the building were going to be sold for
6. converting into a condominium. This proposed plan, Ladies and
7. Gentlemen, would help those that have resided in a community for
8. many, many years, the opportunity to buy the building and then
9. sell it, of course, to their tenants at an affordable price.
10. For example, there was a group in my district here in Chicago,
11. ...time already? Well, all right. I'll tell you...I'm going to give
12. you the real crux of this thing here.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. You've got a minute to close, also, Senator.

15. SENATOR MERLO:

16. Well, let me give...this point may solve a lot of the problems
17. that are pending. I want to tell you this that the first
18. amendment to this bill was written and approved by the Chicago
19. Title and Trust Company who felt that there were complications
20. that might lead to leal proceedings and it was amended to conform
21. to their suggestions. I also want to tell you that there was a
22. printed sheet that was put out by the Illinois Association of
23. Realtors that took a neutral position and the reason being of course,
24. to give us an opportunity to work out in detail further...further
25. points that would make this bill acceptable to them in the House.
26. I can only tell you that this is truly giving those that need an
27. opportunity to stay in the community to stay there by making the
28. prices of these condominiums affordable to them and I ask your
29. favorable consideration.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Berman.

32. SENATOR BERMAN:

33. I yield my time to Senator Merlo.

PRESIDING OFFICER: (SENATOR DONNEWALD)

1. You just did. Senator Egan.

2. SENATOR EGAN:

3. I'll yield my time to Senator Merlo.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Merlo may close. I'm sorry. Senator Coffey.

6. SENATOR COFFEY:

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

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Indicates he will yield.

10. SENATOR COFFEY:

11. Senator Merlo, do I understand this correctly, if the...if I
12. am the owner of this complex and I choose to sell this building,
13. I have to give the opportunity as a whole, in other words, I
14. want to sell the whole complex, do I have to go around to each
15. individual and give them an opportunity to buy that part of that
16. condominium or do I have the right to offer the whole building,
17. if that's the way I want to sell the unit?

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Merlo.

20. SENATOR MERLO:

21. Senator Coffey, if you have a purchaser for your building,
22. and the intent of that purchaser is to convert the building and only
23. in the instance where he intends converting, then the owner
24. would give notice, thirty days, anytime within thirty days
25. to the tenants of the building that they would have to have the
26. opportunity of purchasing the building at the stipulated
27. price that the new purchaser had offered for the building
28. and this is all it does. He does not lose his opportunity to sell
29. because in reality he has two opportunities. He has an opportunity
30. to sell to the tenants as well as the new purchaser.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Coffey.

33. SENATOR COFFEY:

Yes, then, I think I understand you but let me just go through

1. this real quickly. If...if I choose to make the complex into
2. condominiums, I have to give the right to each of those individual
3. owners to purchase that condominium first?

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Well, we've expired the...the time has expired. Just a
6. moment. Senator Rhoads. Senator Merlo, you could respond to that
7. on your closing statement. All right.

8. SENATOR MERLO:

9. This is my biggie to be perfectly honest with you and there
10. isn't too many times that I get up on the Floor of this Senate and
11. speak.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator, the rule adopted this afternoon...

14. SENATOR MERLO:

15. Well, that's why I came to you and I don't think it's
16. fair.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. If you...if...if you...no, if you understood the rule as
19. we explained it...

20. SENATOR MERLO:

21. Well, all I can tell you is I do want an opportunity to
22. get it over to the House and to work further with the Illinois
23. Realtors and if you want to vote for it, fine. Thank you.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Rhoads.

26. SENATOR RHOADS:

27. To speed things up, Senator Merlo could also answer my
28. questions in closing, but I have two principal concerns, one has
29. to do with existing condominiums whether or not they would have to
30. give right of first refusal to a tenant's association
31. and the second concern is that in residential real estate
32. right of first refusal has often been used as a subterfuge
33. for restrictive covenant, which has excluded certain minority
groups and ethnic groups from various areas by giving a right

1. of first refusal back to the original developer and I think
2. that's a very touchy area that we don't want to
3. embark on if we can. I'm not saying this bill does that
4. and I'd like to hear Senator Merlo's response in closing.
5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Is there further discussion? Senator Merlo may close.
7. SENATOR MERLO:

8. Well, in answer to your questions, Senator Rhoads,
9. absolutely not where a building has already been converted, no.
10. This is only in the event that a person sells to someone that's
11. going to convert. If the person that is going to buy it
12. is not going to convert, then there's no problem.
13. Okay. Number two, as far as the minorities are concerned, this is
14. going to help many of them. In Hyde Park they have a problem,
15. where these speculators get in they just double the price, so
16. therefore, they can't afford to pay. What you are doing here is trying
17. to help the person to stay in his community to be able to afford
18. to buy the apartment. Now, this doesn't necessarily mean that
19. they're going to be able to do it. They may not agree to do
20. it and incidently, you need fifty-one percent of those
21. tenants in order to purchase. It's a good bill.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. The question is shall Senate Bill 414 be passed. Those in
24. favor vote Aye. Those opposed Nay. The voting is open. Have all
25. those voted who wish? Have all those voted who wish? Have all those
26. voted who wish? Take the record. On that question the Ayes are
27. 37, the Nays are 6. Senate Bill 414 having received a constitutional
28. majority is declared passed. Senator Newhouse, did you wish
29. recognition? Senate Bill 425, Senator Hall. Read the bill,
30. Mr. Secretary.

31. SECRETARY:

32. Senate Bill 425.

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

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Hall. Senator Hall.

3. SENATOR HALL:

4. Put me on. Okay. Senate Bill 425 provides for the establishment
5. of the Illinois Community Development Finance Corporation
6. which would promote economic development in the Illinois
7. depressed areas. Now to understand this bill, it's necessary
8. to understand that a community development corporation under this
9. Act is a community mechanism set up to permit memberships of the
10. broad community to decide which businesses and community development
11. projects shall receive help through equity and depth finance
12. and loans. This would, of course, be subject to appropriation
13. under a separate appropriation. Now, the Community Development
14. Finance Corporation shall have a director of nine that should be
15. appointed by the Governor. The board shall establish a subsidiary
16. small business investment corporation which would be eligible
17. for ninety percent guaranteed loans from the SBA. The bill
18. would increase the opportunities for the poor to participate
19. in those areas that economic life which has been far out of reach.
20. I...there is no fiscal impact on Senate Bill 425. There is
21. no definite amount of...as specified in this bill. I'd be happy
22. to answer any questions.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Collins.

25. SENATOR COLLINS:

26. I rise in support of Senate Bill 425 because I think it is
27. absolutely necessary if we are going to seriously address the
28. problem of community development within poor areas, particularly
29. in your metropolitan areas. I think the only realistic way
30. for dealing with the problems of the poor and decaying communities
31. is to provide a mechanism whereby the community itself can
32. establish economic base...sound basis within their community,
33. through local selfinitiative programs designed for the sole
purpose of capital formation and job creation within the various

1. communities. This bill provides a foundation, I think, for that
2. kind of program to develop in the future. I ask your favorable
3. support of this bill.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Regner.

6. SENATOR REGNER:

7. Mr. President and members of the Senate. This bill is the
8. first time it's been introduced in the Senate, but I'll
9. tell you how bad this bill is. It couldn't even pass the House in
10. previous Sessions. Senator Hall didn't have to handle a House
11. Bill this year, he tried one on his own. He made the
12. comment that it doesn't cost anything now, but it will cost
13. something because the State Treasurer to issue ten million
14. dollars in bonds to be used as funding for the Community Development
15. Finance Corporation. Now, that's not counting what the cost of
16. the operation of this corporation would be and if it failed, the
17. State would lose the ten million dollars that it has to issue,
18. plus whatever the operating costs are for that short period of
19. time. It's a bad bill and should be soundly defeated.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Hall may close. Excuse me. Senator Washington.

22. SENATOR WASHINGTON:

23. Nothing that Senator Regner has said makes this a bad bill.
24. It's not implicit in community development that you're going to fail
25. or flunk. This operation wouldn't take funds and just willy-nilly
26. disperse them out through the Heavens like manna. They will have
27. standards. You know, you have to have credit references, you
28. have to be a sound person. I think it is a very good bill. Ten
29. million in dollars is a minimal cost to try to stimulate some kind
30. of economic development as Senator Collins has pointed out, in
31. some of these inner cities. What are we going to do, sit and let
32. them grow stagnant and let the tax base just erode completely
33. without some seed money which we're talking about to stimulate
growth development so they can in turn pay taxes. It's

1. just that simple. Don't complicate it by presuming that poor
2. people in poor communities don't have the intelligence to take
3. State money and use it fruitfully. That's a horrible, horrible
4. proposition to propound out here and I think Senator Regner has
5. definitely done nothing but confuse the issue. It's a good bill.
6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Is there further discussion? Senator Hall may close.

8. SENATOR HALL:

9. Thank you, Mr. President and Ladies and Gentlemen. Contrary
10. to what Senator Regner has just said, I have here from the
11. Illinois Department of Business and Economic Development,
12. a fiscal note which was requested by Senator Schaffer. And
13. it says this, there is no fiscal impact of Senate Bill 425
14. inasmuch as no definite dollar amounts are specified in the bill
15. and all funds are subject to appropriation by the General Assembly
16. or the authorization of the sale of bonds. Now here, however
17. are the State factors that can be set here. The State Treasurer
18. is authorized to purchase shares up to ten million, although after
19. an eight year period, these shares may be sold by the Treasurer
20. and replenished to the Treasurer. The State...the shares cannot
21. be sold. Operating expenses of CDFC are not readily determinial
22. but the salary and others on the...along with the regular...
23. although the above is possible expense, it must also be remembered
24. that it is subject to appropriation or the fail...or the sale of
25. bonds. I respectfully ask for your favorable support of this bill.
26. It will bring encouragement, it will bring employment and it will
27. get people off of welfare rolls.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. The question is shall Senate Bill 425 pass. Those in favor
30. vote Aye. Those opposed Nay. The voting is open. All those
31. voted who wish? Have all those voted who wish? Take the record.
32. On that question the Ayes are...Senator Hall requests that
33. consideration be postponed. Consideration will be postponed.

1. Senate Bill 447, Senator Wooten. Read the bill, Mr. Secretary.

2. SECRETARY:

3. Senate Bill 447.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Wooten.

8. SENATOR WOOTEN:

9. Thank you, Mr. President. This bill has been before this Body
10. in the last Session where it passed with 46 affirmative votes.
11. It is a Sanitary Inspection Act for retail food establishments.
12. It does several basic things. It applies uniform standards
13. across the State but it divides that authority, the State will
14. enforce it where no local authority is interested in it, where
15. the local authority wishes to enforce the Act, it does the
16. whole show, collects the money. It gives local units maximum
17. flexibility. I believe it has been very carefully worked out.
18. This is the result of cooperative efforts of local health boards,
19. the Restaurant Association, the Motel Association, the Illinois
20. Retail Merchant's Association was in here against this bill, but
21. I have spoken to them and reminded them that they were going to
22. remain neutral. I think that we're in pretty good posture. I'll
23. be glad to answer any questions.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Is there discussion? The question is...Senator DeAngelis.

26. SENATOR DeANGELIS:

27. I think this thing has been beat up pretty bad, but
28. I do want to call the attention of the Body that the bill does
29. exempt certain units of local government, namely those in counties
30. over a million, but it does not permit the same right to other
31. units of local government.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Is there further discussion? Senator Grotberg.

SENATOR GROTBORG:

1. Only to state to the Body that I have in my possession a House
2. Bill allowing the county board chairmen of the downstate counties
3. to appoint a health inspector rather than go through all of the
4. district referenda and everything we've had all these problems
5. with and I think it's an excellent concept and I've got the bill
6. and I'd be glad to put you on as a cosponsor as I gladly vote against
7. this one.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Is there further discussion? Senator Weaver.

10. SENATOR WEAVER:

11. Thank you, Mr. President. I think this is a good bill. There
12. are real problems in the Department of Public Health trying to
13. enforce any out of district areas out on the highways where
14. you might stop and get a bite to eat. I know firsthand that the
15. only way you can correct these situations is go to the State's
16. Attorney and have him close the place down for...for unhealthful
17. situations. Now, if you want to continue to put up with this State-
18. wide, we've let the City of Chicago out, we've let local health
19. districts out to do their own inspection, but there's many, many
20. areas of the State that don't have a health district. They have
21. no inspection. They have to depend upon the Department of Public
22. Health and they have no power to enforce decent health regulations
23. Statewide. This bill should pass.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Geo-Karis.

26. SENATOR GEO-KARIS:

27. Just one question of the sponsor.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Indicates he will respond.

30. SENATOR GEO-KARIS:

31. If he would. Senator Wooten, it's been amended several times
32. so I...is this the last amendment, Senate Amendment No. 5 or
33. do you have some more after that?

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator Wooten.
3. SENATOR WOOTEN:
4. I don't remember what the last number of the amendment was.
5. What is it, Mr. Secretary? 6? Number 6. Right.
6. PRESIDING OFFICER: (SENATOR DONNEWALD)
7. Senator Geo-Karis.
8. SENATOR GEO-KARIS:
9. Was the amendment put on by Senator DeAngelis still on?
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. Senator Wooten.
12. SENATOR WOOTEN:
13. No, number 6 has the effect of cancelling Amendment No. 5,
14. putting the bill back substantially in its original shape.
15. PRESIDING OFFICER: (SENATOR DONNEWALD)
16. Senator Geo-Karis.
17. SENATOR GEO-KARIS:
18. That's all.
19. PRESIDING OFFICER: (SENATOR DONNEWALD)
20. Senator Berning.
21. SENATOR BERNING:
22. Just briefly, Mr. President. I know that the Department of
23. Public Health and people in the department whom I happen to know
24. personally are much interested in this being passed in its present
25. condition. I echo what Senator Weaver has said. There are areas where
26. there is no public health enforcement. At the same time, there isn't
27. anything that will prevent any municipality or county with a
28. Department of Public Health from being qualified to enforce
29. the ordinance under the Statute and so for that reason, I too, urge
30. that this bill now pass.
31. PRESIDING OFFICER: (SENATOR DONNEWALD)
32. Is there further discussion? Senator Wooten may close.
33. SENATOR WOOTEN:

1. I think this issue, really, is not a partisan one. It goes
2. beyond philosophies, really. I have tried to bring together over
3. the last four years, every divergent element in the State,
4. to work out a consistent, reasonable program. The people of
5. Illinois think they have the protection that this bill affords and
6. they do not have now. We have accommodated every objection that
7. we reasonably can and all the contending parties are in agreement
8. now. I would earnestly solicit, once again, a favorable vote
9. for this bill.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Question is shall Senate Bill 447 pass. Those in favor vote Aye.
12. Those opposed Nay. The voting is open. Have all those voted
13. who wish? Have all those voted who wish? Take the record.

14. On that question the Ayes are 38, the Nays are 9. Senate Bill 447
15. having received a constitutipnal majority is declared passed.

16. Senate Bill 449, Senator Graham.

17. SENATOR GRAHAM:

18. Mr. President and members of the Senate. I know all of you have
19. been waiting for this bill. To save the Secretary the time of
20. reading of it, I'm still working with the Mobile Home Park Owners
21. Association. I've talked with Senator Wooten. At this time I know
22. that you will be delighted to have me request that I might
23. rerefer it to this committee for an active study committee and come
24. back this fall and see what we can do with it.

25. That is the Committee on Executive.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Graham requests tht Senate Bill 447 be rereferred to the
28. Committee on Executive. Those in...I'm sorry. Oh. Senate Bill 449
29. be rereferred to the Committee on Executive. Those in favor
30. indicate by saying Aye. Those opposed. The Ayes have it. The bill
31. will be rereferred.

32.

33.

End of reel.

1. Senate Bill 482, Senator Regner. Read the bill, Mr. Secretary.

2. SECRETARY:

3. Senate Bill 482.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Regner.

8. SENATOR REGNER:

9. Mr. President and members of the Senate. This bill was up
10. for consideration last week and Senators Bruce and Netsch had
11. a question on it and I held the bill at that time. We since
12. have amended it to clarify the problems they had with it at
13. that time. It's a bill that was put forth by the joint committee
14. on Administrative Rules and it clarifies the Statutory language
15. regarding the scope of coverage of special records and privacy
16. provisions of the Department of Children and Family Services.
17. Specifically excluding from coverage persons who apply for
18. services and persons subject to licensing by the department.
19. They have it in their rules and regulations. This clarifies
20. it, statutorially and I'd ask for a favorable roll call.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Is there discussion? Senator Bruce.

23. SENATOR BRUCE:

24. I just rise in support of the legislation that Senator
25. Regner pointed out. The bill is now amended...solves the...
26. answered the questions that we had about the juvenile court out
27. in...court Act and the confidentiality. In fact, I think the
28. amendment improves the bill, substantially and I would request
29. a favorable vote.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Is there further discussion? The question is, shall
32. Senate Bill 482 pass. Those in favor vote Aye. Those opposed
33. Nay. The voting is open. Have all those voted who wish?

*SB 495
5/24/79
2nd reading*

- 1. Have all those voted who wish? Take the record. On that
- 2. question, the Ayes are 49, the Nays are none. Senate Bill 482
- 3. having received the constitutional majority is declared passed.
- 4. Senate Bill 492, Senator Maragos. Read the bill, Mr. Secretary.
- 5. SECRETARY:

- 6. Senate Bill 492.
- 7. (Secretary reads title of bill)

- 8. 3rd reading of the bill.
- 9. PRESIDING OFFICER: (SENATOR DONNEWALD)

- 10. Senator Maragos.

- 11. SENATOR MARAGOS:

- 12. Mr. President and members of the Senate. This is a bill
- 13. that provides for the county boards shall make uniform rules
- 14. regarding the regulations for admission and discharge of the
- 15. patients in the county shelter care homes and nursing homes.
- 16. We have also put an amendment on it, which has been agreed
- 17. upon by the Illinois Health Care Association and the Illinois
- 18. County Nursing Home Association. I think its a good bill and I
- 19. ask for your support.

- 20. PRESIDING OFFICER: (SENATOR DONNEWALD)

- 21. Is there discussion? The question is, shall Senate Bill
- 22. 492 pass. Those in favor vote Aye. Those opposed Nay. The
- 23. voting is open. Have all voted who wish? Have all those
- 24. voted who wish? Take the record. On that question, the Ayes
- 25. are 51, the Nays are none. Senate Bill 492 having received the
- 26. constitutional majority is declared passed. Senate Bill 495,
- 27. Senator Bloom. Read the bill, Mr. Secretary.

- 28. SECRETARY:

- 29. Senate Bill 495.
- 30. (Secretary reads title of bill)

- 31. 3rd reading of the bill.
- 32. PRESIDING OFFICER: (SENATOR DONNEWALD)

- 33. Senator Bloom.

1. SENATOR BLOOM:

2. Thank you, Mr. President and fellow Senators. Can I have
3. a little...could you try and hold it down there. Okay.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Will the caucus immediately to the speakers left adjourn?

6. SENATOR BLOOM:

7. Basically, this...this is a Regulatory Reform Act of '79
8. prepared as an outgrowth of the blue ribbon committee on
9. licensing that was chaired by Dean Hertzog of the John Marshall
10. Law School. I have caused to be passed out amongst you a copy
11. of his letter to Senator Rock. The view towards the Occupational
12. Licensing Statutes have found that when they're not necessary to
13. the public health safety and welfare they would tend to reduce
14. competition and increase the costs of goods and services to
15. people. Now, a good example is in the health field with the
16. fragmentation of services. The bill basically sets up a select
17. joint committee and as a member of the joint committee reviewing
18. administrative rules I think this is necessary 'cause we have
19. trouble even keeping abreast of what's being cranked out newly.
20. It sets up seven legislators, five public members and the Bureau
21. of the Budget so the General Assembly membership on this
22. committee would control the review unless the regulatory functions
23. would be recommended to be continued, they would be appealed under this
24. Act and then if they were elected to be continued they would
25. continue on five year bites with five year review. I'd try
26. and answer any questions and I'd urge a favorable roll call.
27. This is...this is good legislation and merits...

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Netsch.

30. SENATOR NETSCH:

31. Thank you, Mr. President. I also would speak briefly in
32. support of the bill. I think that one of the things that most
33. legislators have come to understand is that we have overlicensed

1. and overregulated and this, at least, provides a mechanism
2. for allowing us to reexamine some of the premises. I think
3. it is something that while it's not, perhaps, the final step
4. and not as strong as, perhaps, it ought to be, I think it is
5. a very good step in the right direction.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Is there further discussion? Senator Grotberg.

8. SENATOR GROTBORG:

9. A question of the sponsor.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. He indicates he will respond.

12. SENATOR GROTBORG:

13. Senator Bloom, wouldn't a simple amendment to the Administrative
14. Rules Committee solve the whole thing and empower them to do the
15. same thing with our creating a separate regulatory body?

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Bloom.

18. SENATOR BLOOM:

19. In my judgment, no. As a member of the joint Committee on
20. Administrative Rules our hands are full just trying to keep
21. abreast of new rules that are cranked out by all the agencies
22. of State Government. What Dean Hertzog's group did is draw
23. together something that provides an orderly regulatory review
24. within the purview of the Department of Registration and Education.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Wooten.

27. SENATOR WOOTEN:

28. Thank you, Mr. President. As many of you know, as Chairman
29. of the Executive Committee, I've been holding up all sunset bills
30. because of the serious question as to whether or not they would
31. actually save money, however, it seems to me that this bill can
32. function well and efficiently and I believe that in this one area
33. a sunset function is definitely needed and I certainly endorse the

1. bill.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Weaver. Senator Graham. Is there further discussion?

4. Senator Berman.

5. SENATOR BERMAN:

6. A question of the sponsor.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. He indicates he will respond.

9. SENATOR BERMAN:

10. In our synopsis we show a...a sort of a schedule starting

11. with June 30th of 1981 and each year thereafter of a series of

12. Acts that are going to be automatically repealed. Is that still

13. in the bill?

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Bloom.

16. SENATOR BLOOM:

17. Absolutely. That's the trigger that makes that committee

18. function efficiently and actually do something. This is modeled

19. after what they did in Minnesota and Colorado.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Berman.

22. SENATOR BERMAN:

23. Then let me understand. The commission will be...created

24. now and by the time that these Acts are repealed they will be

25. coming back with recommendations...as to whether they should be

26. reenacted or not. Is that the way this will be working?

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Bloom.

29. SENATOR BLOOM:

30. The select joint committee would be appointed immediately

31. and by June 30th of '81 they would have to decide on whether or

32. not athletic exhibitions, barbers, beauticians, collection agencies,

33. horseshoers, tree experts and weather modifiers should continue to

1. be licensed. Then by June '82 and so on and so forth. See what
2. I mean.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Your time has expired, Senator Berman. Senator Moore.

5. SENATOR MOORE:

6. I can appreciate what the sponsor said, but as I read the
7. synopsis and correct me if I'm wrong, that assuming you don't
8. want horseshoers that this select committee can provide for
9. the automatic termination without legislative process or without
10. legislative action of Acts which are laws that provide for the
11. regulation of professions and occupations. Is that correct?

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Bloom.

14. SENATOR MOORE:

15. Are we delegating the...our legislative authority to repeal
16. Acts to this commission?

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Bloom.

19. SENATOR BLOOM:

20. Subsection D of paragraph 6 says, that if they decide to
21. recommend legislative action then the et cetera, et cetera and then
22. the joint committee shall have drafted and introduced into either
23. House of the General Assembly appropriate legislation to implement
24. the recommendations of the committee. The General Assembly is
25. still the final arbiter of this.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator D'Arco.

28. SENATOR D'ARCO:

29. Would this...when you say the General Assembly is still the
30. final arbiter of this so if they decide...let's say that they
31. decide to repeal the Barbers Act and then everybody can cut
32. hair without being licensed for that purpose, they would still
33. have to come back to us and we would either have to repeal it or

1. keep the law as it is. Is that what you're saying?

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Bloom.

4. SENATOR BLOOM:

5. Let me...let me just read this. If the select committee
6. decides to recommend legislative action either in the case of
7. a new regulatory proposal or for the continuation, modification
8. or termination they shall have...do you follow what I'm saying...
9. Oh, existing...then that they shall have drafted and introduced
10. into either House of the General Assembly appropriate
11. legislation to implement the recommendations of the committee.
12. If they don't do anything then the regulatory functions would,
13. obviously, die on that date unless some member of the General
14. Assembly put it in. I mean ultimately we're the final arbiter.
15. Okay, John?

16. SENATOR D'ARCO:

17. Well, I mean...but our inaction could mean...inaction
18. creates the situation where the Acts are repealed. If we...

19. SENATOR BLOOM:

20. Correct.

21. SENATOR D'ARCO:

22. ...don't do anything the Acts will be repealed.

23. SENATOR BLOOM:

24. Correct and that's the whole point to have the trigger at
25. that...at the head of the Reviewing Committee, so that they make
26. a recommendation and I'm sure if they don't that some members...

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Your time is up, Senator.

29. SENATOR BLOOM:

30. ...would put some...some member would put in legislation
31. to continue that function, John. I...I think I've explained
32. that to you.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Egan.

2. SENATOR EGAN:

3. Yes, Mr. President and members of the Senate. I...Senator
4. Bloom, I...this comes as a surprise to me. I didn't...I haven't
5. ...I'm not on the committee, I didn't know the bill was here. I
6. ...and it...it occurs to me that what you're doing in...in many
7. of licensed operations is...you're not providing for the void
8. after the license is not necessary and...and I don't think that's
9. a good idea for the public health.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Bloom.

12. SENATOR BLOOM:

13. I would recommend that you read Section 9 of that because
14. there...there is a provision for transitional use of personnel
15. or appropriations. It will be on page 7 of your bill.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senate...Senator Ozinga.

18. SENATOR OZINGA:

19. I'd like to follow up on what Senator D'Arco started here.
20. Did you say that where a commission recommends...let's say the
21. abolishment of a certain profession or whatever it might be...
22. and the legislature does not act that the edict of that
23. commission takes effect.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Bloom.

26. SENATOR BLOOM:

27. No, the Act takes effect...the commission doesn't tell you
28. whether the select joint committee doesn't tell you whether or
29. not to continue it. If they don't do anything and the General
30. Assembly doesn't do anything then that regulatory function would
31. be repealed. That's the onus on the select committee and the
32. General Assembly to take some kind of action.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Washington.
2. SENATOR WASHINGTON:
3. One question, Senator Bloom.
4. PRESIDING OFFICER: (SENATOR DONNEWALD)
5. Senator Bloom.
6. SENATOR WASHINGTON:
7. You...you named a list of disciplines of the professions,
8. which would be phased out first. What was the basis of the
9. selection in terms of time? Who imposed the priorities on
10. the time factor?
11. PRESIDING OFFICER: (SENATOR DONNEWALD)
12. Senator Bloom.
13. SENATOR BLOOM:
14. Looking at the listing I would say it was alphabetical.
15. SENATOR WASHINGTON:
16. One further question.
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. Senator Washington.
19. SENATOR WASHINGTON:
20. I didn't get your response to Senator Egan's question,
21. that as a hiatus between the phase out and the meeting of the
22. General Assembly, I gather...have you provided for that?
23. PRESIDING OFFICER: (SENATOR DONNEWALD)
24. Senator Bloom.
25. SENATOR BLOOM:
26. Section 9 says that, the General Assembly by law may
27. provide for transitional use of personnel or appropriations
28. affected by repeal of regulatory functions or programs under
29. this Act and then it goes on to specify how they do it.
30. PRESIDING OFFICER: (SENATOR DONNEWALD)
31. Senator Maragos.
32. SENATOR MARAGOS:
33. Will the...will the sponsor yield for a question?

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. He indicates he will.

3. SENATOR MARAGOS:

4. While I have a high regard for the writer of the letter
5. who I know personally and a wonderful lawyer and a wonderful
6. dean, my question is aren't we, in effect, creating an
7. unconstitutional bill here by the fact that we are legislating
8. ...legislative authority to a nonlegislative body or a non-
9. regulatory agency?

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Bloom.

12. SENATOR BLOOM:

13. In my judgment no. I can repeat subsection D of Section 6.
14. It says if the select joint committee decides to recommend
15. legislative action either in the case of new, et cetera, et
16. cetera. What they're saying is, by putting in these various
17. trigger dates, it forces that committee to do...or the General
18. Assembly...it forces the committee to make recommendations
19. and in any case the General Assembly will act. Otherwise,
20. it's repealed, so it's not putting anything in the hands of
21. a committee who says, thou shalt live or thou shalt die.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Maragos.

24. SENATOR MARAGOS:

25. Well, the question I have is, why shouldn't the cart be
26. put around the other way and put the horse before the cart, in
27. other words, why don't you have that committee recommend the...
28. legislative assembly that therefore we take a positive action
29. rather than a negative approach and that's why I'm saying
30. whether there's a constitutional action.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator...Is there further discussion? Senator Bloom
33. may close.

1. SENATOR BLOOM:

2. Well, irrespective of what the...the select joint committee
3. would say, the Act on its own term says, if you don't act by
4. these dates to either say continue or don't continue then these
5. various functions are phased out, so the burden is not on the
6. committee, Senator Maragos. I think this is...I think this is
7. good, modest, one bite at a time approach to regulatory reform
8. and review of the bureaucratic functions of State Government.
9. I would urge an Aye vote. Thank you.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. The question is, shall Senate Bill 495 pass. Those in
12. favor vote Aye. Those opposed Nay. The voting is open. Have
13. all those voted who wish? Have all those...Have all those voted
14. who wish? Take the record. On that question, the Ayes are 38,
15. the Nays are 6, 5 Voting Present. Senate Bill 495 having
16. received the constitutional majority is declared passed. Senate
17. Bill 501, Senator Demuzio. Senate Bill 503, Senator Chew. Senate
18. Bill 509, Senator Demuzio. Read the bill, Mr. Secretary.

19. SECRETARY:

20. Senate Bill 509.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Demuzio.

25. SENATOR DEMUZIO:

26. Yes, thank you, Mr...thank you, Mr. President and Ladies
27. and Gentlemen of the Senate. The last Session of the General
28. Assembly Senator Bloom and I sponsored the amendments to the
29. Consumer Finance Act. What we left out of there was the having
30. any reference to the...State Statute and State control over the
31. penalty provision in the Act. We only referred it to...we did
32. not refer it all to the Truth in Lending Act. What this does
33. is it puts in the penalty provisions that are the same as the Federal

1. Truth in Lending Act and I, frankly, know of no opposition
2. and ask for your support.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Further discussion? The question is, shall Senate Bill 509
5. pass. Those in favor vote Aye. Those opposed vote Nay. The
6. voting is open. Have all voted who wish? Have all voted who
7. wish? Take the record. On that question, the Ayes are 36, the
8. Nays are 7, none Voting Present. Senate Bill 509 having received
9. the constitutional majority is declared passed. For what purpose
10. does Senator Rock arise?

11. SENATOR ROCK:

12. Thank you, Mr. President and Ladies and Gentlemen of the
13. Senate. We have, frankly, been moving at a pretty clip. I
14. have just again conferred with the Minority Leader and it might
15. be wise at this point to revert to the beginning of the Calendar
16. and handle those appropriation bills and we'll go right through
17. with appropriation bills. I'm also advised that a number of
18. members have additional technical amendments and there are some
19. amendments pending to those bills that were read a second time
20. today. If we can do the appropriations and those amendments, I
21. think we can call it a day.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Is there leave to follow that procedure? Leave is granted.
24. We will now call the appropriation bills on the Calendar. We
25. will start with Senate Bill 95, Senator Maragos. Read the bill,
26. Mr. Secretary, please.

27. SECRETARY:

28. Senate Bill 95.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Maragos.

33. SENATOR MARAGOS:

1. Mr. President and members of the Senate. Senate Bill 95
2. is the appropriation bill for the ordinary and contingent
3. expenses of the Economical and Fiscal Commission. This bill
4. has met with the approval of the...both sides of the bipartisan
5. effect of the...Appropriation No. I Committee. It has been
6. reduced sufficiently to meet their objections and I ask for
7. its adoption.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. The question is, shall Senate Bill 95 pass. Those in
10. favor vote Aye. Those opposed vote Nay. The voting is open.
11. Have all voted who wish? Have all voted who wish? Take the
12. record. On that question, the Ayes are 42, the Nays are none,
13. none Voting Present. Senate Bill 95 having received the
14. constitutional majority is declared passed. Senate Bill 19...
15. 161. Read the bill, Mr. Secretary, please.

16. SECRETARY:

17. Senate Bill 161.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Rock.

22. SENATOR ROCK:

23. Thank you, Mr. President and Ladies and Gentlemen of the
24. Senate. This is FY '80 annual appropriation for the Office of
25. the Auditor General in the amount of six million dollars. I
26. would ask a favorable roll call.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. The question is, shall Senate Bill 161 pass. Those in
29. favor vote Aye. Those opposed vote Nay. The voting is open.
30. Have all voted who wish? Have all voted who wish? Take the
31. record. On that question, the Ayes are 46, the Nays are none,
32. none Voting Present. Senate Bill 161 having received the
33. constitutional majority is declared passed. Senate Bill 317,

1. Senator Weaver. Read the bill, Mr. Secretary, please.

2. SECRETARY:

3. Senate Bill 317.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Weaver.

8. SENATOR WEAVER:

9. Thank you, Mr. President. This is the appropriation to
10. the State University Civil Service Merit Board in the amount
11. of five hundred and twenty-four thousand six hundred and forty
12. dollars and I'd appreciate a favorable roll call.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Is there discussion? The question is, shall Senate Bill 317
15. pass. Those in favor vote Aye. Those opposed vote Nay. The
16. voting is open. Have all voted who wish? Have all voted who
17. wish? Take the record. On that question, the Ayes are 46, the
18. Nays are 3, none Voting Present. Senate Bill 317 having received
19. the constitutional is declared passed. Senate Bill 318, Senator
20. Weaver. Read the bill, Mr. Secretary, please.

21. SECRETARY:

22. Senate Bill 318.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Weaver.

27. SENATOR WEAVER:

28. Thank you, Mr. President. This is the employer's contribution
29. to the State Universities Retirement System amended to sixty
30. million forty-two thousand two hundred dollars and I appreciate
31. a favorable roll call.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. The question is, shall Senate Bill 318 pass. Those in favor

1. vote Aye. Those opposed vote Nay. The voting is open. Have
2. all voted who wish? Have all voted who wish? Take the record.
3. On that question, the Ayes are 45, the Nays are 3, none Voting
4. Present. Senate Bill 318 having received the constitutional
5. majority is declared passed. Senate Bill 355, Senator Bloom.
6. Read the bill, Mr. Secretary, please.
7. SECRETARY:
8. Senate Bill 355.
9. (Secretary reads title of bill)
10. 3rd reading of the bill.
11. PRESIDING OFFICER: (SENATOR BRUCE)
12. Senator Bloom.
13. SENATOR BLOOM:
14. This is the appropriation for the, I think, Downstate
15. Teacher's Retirement System. It's twenty-seven million dollars
16. six hundred and twelve thousand. I appreciate a roll call.
17. PRESIDING OFFICER: (SENATOR BRUCE)
18. The question is, shall Senate Bill 355 pass. Those in favor
19. vote Aye. Those opposed vote Nay. The voting is open. Have all
20. voted who wish? Have all voted who wish? Take the record. On
21. that question, the Ayes are 48, the Nays are none, none Voting
22. Present. Senate Bill 355 having received the constitutional
23. majority is declared passed. Senate Bill 356, Senator Rhoads.
24. Read the bill, Mr. Secretary, please.
25. SECRETARY:
26. Senate Bill 356.
27. (Secretary reads title of bill)
28. 3rd reading of the bill.
29. PRESIDING OFFICER: (SENATOR BRUCE)
30. Senator Rhoads.
31. SENATOR RHOADS:
32. Thank you, Mr. President and members of the Senate. This
33. started out as the appropriation for the Judges Retirement System.

1. We have added in by virtue of committee amendment the five percent
2. payroll to each retirement system for the Judges Retirement
3. System, for the General Assembly Retirement System, for the
4. Teacher's Retirement System and the State Employee's Retirement
5. System for a total of fourteen million two sixty-three added on
6. to the original bill and brings the grand total amount to
7. twenty-one million eight hundred and eighty-eight...eighty-seven
8. thousand and five hundred dollars. I would ask for its adoption.
9. PRESIDING OFFICER: (SENATOR BRUCE)

10. The question is, shall Senate Bill 356 pass. Those in favor
11. vote Aye. Those opposed vote Nay. The voting is open. Have all
12. voted who wish? Have all voted who wish? Take the record. On
13. that question, the Ayes are 42, the Nays are 5, 1 Voting Present.
14. Senate Bill 356 having received the constitutional majority is
15. declared passed. Senate Bill 379, Senator Buzbee, Shapiro,
16. Weaver, Carroll, Vadalabene. Read the bill, Mr. Secretary, please.
17. SECRETARY:

18. Senate Bill 379.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Buzbee.

23. SENATOR BUZBEE:

24. Thank you, Mr. President. This is the ordinary and contingent
25. expenses for the Board of Higher Education for their operations
26. and grants for FY '70...FY '80 in the amount of some thirty-two
27. and three quarter million dollars and I would ask for your
28. favorable consideration.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. The question is, shall Senate Bill 379 pass. Those in favor
31. vote Aye. Those opposed vote Nay. The voting is open. Have all
32. voted who wish? Have all voted who wish? Take the record. On
33. that question, the Ayes are 38, the Nays are 6, 2 Voting Present.

1. Senate Bill 379 having received the constitutional majority is
2. declared passed. Senate Bill 380, Senator Weaver. Read the
3. bill, Mr. Secretary, please.

4. SECRETARY:

5. Senate Bill 380.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Weaver.

10. SENATOR WEAVER:

11. Thank you, Mr. President. This is an appropriation for the
12. University of Illinois in the amount of three hundred and thirty
13. million four hundred and four thousand dollars six hundred and
14. thirty-four dollars and appreciate a favorable roll call.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. The question is, shall Senate Bill 380 pass. Those in favor
17. vote Aye. Those opposed vote Nay. The voting is open. Have all
18. voted who wish? Have all voted who wish? Take the record. On
19. that question, the Ayes are 40, the Nays are 9, none Voting Present.
20. Senate Bill 380 having received the constitutional majority is
21. declared passed. Senate Bill 381, Senator Vadalabene-Buzbee.
22. Read the bill, Mr. Secretary, please.

23. SECRETARY:

24. Senate Bill 381.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Vadalabene.

29. SENATOR VADALABENE:

30. Yes, thank you, Mr. President and members of the Senate.
31. Senate Bill 381 is the appropriated funds for the ordinary and
32. contingent expenses of Southern Illinois University at Edwards-
33. ville and Carbondale to the tune of one hundred and thirty-four

1. point six million dollars...and Springfield.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. The question is, shall Senate Bill 381 pass. Those in favor
4. vote Aye. Those opposed vote Nay. The voting is open. Have all
5. voted who wish? Have all voted who wish? Take the record. On
6. that question, the Ayes are 37, the Nays are 8, none Voting Present.
7. Senate Bill 381 having received the constitutional majority is
8. declared passed. Senate Bill 382, Senator Shapiro. Read the
9. bill, Mr. Secretary, please.

10. SECRETARY:

11. Senate Bill 382.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator...Senator Shapiro.

16. SENATOR SHAPIRO:

17. Mr. President, Senate Bill 382 is the annual appropriation
18. to the Board of Regents in the total amount of a hundred and
19. twenty-seven point six million dollars. I would appreciate a
20. favorable roll call.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Is there further...is there discussion? The question is,
23. shall Senate Bill 382 pass. Those in favor vote Aye. Those
24. opposed vote Nay. The voting is open. Have all voted who wish?
25. Have all voted who wish? Take the record. On that question,
26. the Ayes are 47, the Nays are 1, none Voting Present. Senate
27. Bill 382 having received the constitutional majority is declared
28. passed. Is there leave for Senator Davidson to handle Senate
29. Bills 383 and 384? Leave is granted. Senate Bill 383...Mr.
30. Secretary, please.

31. SECRETARY:

32. Senate Bill 383.

33. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Davidson.

4. SENATOR DAVIDSON:

5. I'd like leave of the House...I mean the Senate to take

6. 384 first and that's the substantive bill and then the

7. appropriation so we don't get in the shindig like we did the

8. other day when they wanted to take...

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Is there leave? Leave is granted.

11. SENATOR DAVIDSON:

12. Thank you.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Take it out of the record. Senate Bill 384. Read the bill,

15. Mr. Secretary, please.

16. SECRETARY:

17. Senate Bill 384.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Davidson.

22. SENATOR DAVIDSON:

23. It does exactly what the Calendar says. This is the...revise

24. on the grants...hourly grants. I'd appreciate a favorable roll

25. call.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Is there discussion? The question is, shall Senate Bill 384

28. pass. Those in favor vote Aye. Those opposed vote Nay. The

29. voting is open. Have all voted who wish? Have all voted who

30. wish? Take the record. On that question, the Ayes are 46, the

31. Nays are 2, none Voting Present. Senate Bill 384 having received

32. the constitutional majority is declared passed. Senate Bill 383.

33. Read the bill, Mr. Secretary, please.

1. SECRETARY:

2. Senate Bill 383.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Davidson.

7. SENATOR DAVIDSON:

8. This is the annual appropriation for the...exactly what the
9. Calendar says. Appreciate a favorable roll call.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. The question is, shall Senate Bill 383 pass. Those in favor
12. vote Aye. Those opposed vote Nay. The voting is open. Have all
13. voted who wish? Have all voted who wish? Take the record. On
14. that question, the Ayes are 42, the Nays are 5, none Voting Present.
15. Senate Bill 383 having received the constitutional majority is
16. declared passed. Senate Bill 38...389, Senator Carroll. Is there
17. leave for Senator Buzbee to handle that bill? In Senator Carroll's
18. absence, leave is granted. Read the bill, Mr. Secretary, please.

19. SECRETARY:

20. Senate Bill 389.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Buzbee.

25. SENATOR BUZBEE:

26. This is the ordinary and contingent for the Board of
27. Governor's for FY '80 in the...to the tune of one hundred and
28. thirteen point six million and I'd ask for your favorable consideration.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. The question is, shall Senate Bill 389 pass. Those in favor
31. vote Aye. Those opposed vote Nay. The voting is open. Have all
32. voted who wish? Have all voted who wish? Take the record. On
33. that question, the Ayes are 42, the Nays are 6, 1 Voting Present.

1. Senate Bill 389 having received the constitutional majority is
2. declared passed. Senate Bill 398, Senator Bloom. Read the
3. bill, Mr. Secretary, please.
4. SECRETARY:
5. Senate Bill 398.
6. (Secretary reads title of bill)
7. 3rd reading of the bill.
8. PRESIDING OFFICER: (SENATOR BRUCE)
9. Senator Bloom.
10. SENATOR BLOOM:
11. This bill is the annual appropriation for the ordinary and
12. contingent expenses for the Savings and Loan Commission. The
13. current amount of the bill is nine hundred and fifty-four
14. thousand six hundred dollars. It's General Revenue.
15. PRESIDING OFFICER: (SENATOR BRUCE)
16. The question is, shall Senate Bill 398 pass. Those in
17. favor vote Aye. Those opposed vote Nay. The voting is open.
18. Have all voted who wish? Have all voted who wish? Take the
19. record. On that question, the Ayes are 44, the Nays are 4,
20. none Voting Present. Senate Bill 398 having received the
21. constitutional majority is declared passed. Senate Bill 499,
22. Senator Grotberg. Read the bill, Mr. Secretary, please. 399.
23. Read the bill, Mr. Secretary, please.
24. SECRETARY:
25. Senate Bill 399.
26. (Secretary reads title of bill)
27. 3rd reading of the bill.
28. PRESIDING OFFICER: (SENATOR BRUCE)
29. Senator Grotberg.
30. SENATOR GROTBURG:
31. The Prison Review Board, five hundred and ninety-three
32. thousand five hundred dollars in General Revenue.
33. PRESIDING OFFICER: (SENATOR BRUCE)

1. The question is, shall Senate Bill 399 pass. Those in favor
2. vote Aye. Those opposed vote Nay. The voting is open. Have
3. all voted who wish? Have all voted who wish? Take the record.
4. On that question, the Ayes are 44, the Nays are 5, none Voting
5. Present. Senate Bill 399 having received the constitutional
6. majority is declared passed. Senate Bill 406, Senator Weaver.
7. Read the bill, Mr. Secretary, please.
8. SECRETARY:
9. Senate Bill 406.
10. (Secretary reads title of bill)
11. 3rd reading of the bill.
12. PRESIDING OFFICER: (SENATOR BRUCE)
13. Senator Weaver.
14. SENATOR WEAVER:
15. Thank you, Mr. President. This is an appropriation of
16. a million dollars for the Illinois Development Authority and
17. I'd appreciate a favorable roll call.
18. PRESIDING OFFICER: (SENATOR BRUCE)
19. The question is, shall Senate Bill 406 pass. Those in favor
20. vote Aye. Those opposed vote Nay. The voting is open. Have all
21. voted who wish? Have all voted who wish? Take the record. On
22. that question, the Ayes are 40, the Nays are 9, none Voting...
23. none Voting present. Senate Bill 406 having received the
24. constitutional majority is declared passed. Senate Bill 483,
25. Senator Regner. Read the bill, Mr. Secretary, please.
26. SECRETARY:
27. Senate Bill 483.
28. (Secretary reads title of bill)
29. 3rd reading of the bill.
30. PRESIDING OFFICER: (SENATOR BRUCE)
31. Senator Regner.
32. SENATOR REGNER:
33. Mr. President and members of the Senate. This is the ordinary

1. contingent expenses for the Department of Administrative Services.
2. Total one hundred and fourteen thousand three hundred and fifty-
3. two thousand one hundred dollars. It...one...which is four
4. hundred and sixteen thousand three hundred dollars under the
5. Governor's budget.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. The question is, shall Senate Bill 483 pass. Those in favor
8. vote Aye. Those opposed vote Nay. The voting is open. Have all
9. voted who wish? Have all voted who wish? Take the record. On
10. that question, the Ayes are 46, the Nays are 2, none Voting
11. Present. Senate Bill 483 having received the constitutional
12. majority is declared passed. Senate Bill 484, Senator Coffey.
13. Read the bill, Mr. Secretary, please.

14. SECRETARY:

15. Senate Bill 484.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Coffey.

20. SENATOR COFFEY:

21. Mr. President and members of the Senate. This is the
22. appropriation of the ordinary and contingent expenses for the
23. Department of Agriculture for the fiscal year July 1st, 1979
24. for twenty-six million nine hundred and thirty-two thousand
25. eight hundred and forty dollars and I'd ask for a favorable
26. roll call.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. The question is, shall Senate Bill 484 pass. Those in
29. favor vote Aye. Those opposed vote Nay. The voting is open.
30. Have all voted who wish? Have all voted who wish? Take the
31. record. On that question, the Ayes are 46, the Nays are 2,
32. none Voting Present. Senate Bill 484 having received the
33. constitutional majority is declared passed. Senate Bill 487,

1. Senator Grotberg. Read the bill, Mr. Secretary, please.

2. SECRETARY:

3. Senate Bill 487.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Grotberg.

8. SENATOR GROTBORG:

9. The Department of Local Government Affairs appropriation
10. appropriates six million one hundred and sixty-six thousand
11. nine hundred dollars out of General Revenue and a hundred and
12. ninety-five million in other kinds of funny money.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. The question is, shall Senate Bill 487 pass. Those in
15. favor vote Aye. Those opposed vote Nay. The voting is open.
16. Have all voted who wish? Have all voted who wish? Take the
17. record. On that question, the Ayes are 34, the Nays are 14,
18. none Voting Present. Senate Bill 487 having received the
19. constitutional majority is declared passed. Senate Bill 488,
20. Senator Ozinga. Read the bill, Mr. Secretary, please.

21. SECRETARY:

22. Senate Bill 488.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Ozinga.

27. SENATOR OZINGA:

28. ...various expenses for the department of two million seven
29. hundred and forty thousand three hundred dollars.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. The question is, shall Senate Bill 488 pass. Those in favor
32. vote Aye. Those opposed vote Nay. The voting is open. Have all
33. voted who wish? Have all voted who wish? Take the record. On

1. that question, the Ayes are 43, the Nays are 4, none Voting Present.
2. Senate Bill 488 having received the constitutional majority is
3. declared passed. Senate Bill 490, Senator Nimrod. Read the bill,
4. Mr. Secretary, please.
5. SECRETARY:
6. Senate Bill 490.
7. (Secretary reads title of bill)
8. 3rd reading of the bill.
9. PRESIDING OFFICER: (SENATOR BRUCE)
10. Senator Nimrod.
11. SENATOR NIMROD:
12. Provisions for two...two million nine hundred and forty-
13. four thousand and eight hundred dollars for the ordinary and
14. contingent expenses for the...Illinois Arts Council.
15. PRESIDING OFFICER: (SENATOR BRUCE)
16. Is there discussion? Senator Rhoads.
17. SENATOR RHOADS:
18. Just to ask the sponsor...how much over the Governor's
19. budget is involved in the grants line item?
20. PRESIDING OFFICER: (SENATOR BRUCE)
21. Senator Rhoads or Senator Nimrod.
22. SENATOR NIMROD:
23. The difference is twenty-four thousand dollars.
24. PRESIDING OFFICER: (SENATOR BRUCE)
25. Further discussion? Senator Philip. Senator Berning.
26. SENATOR BERNING:
27. A question of the sponsor...
28. PRESIDING OFFICER: (SENATOR BRUCE)
29. He indicates he will yield. Senator Berning.
30. SENATOR BERNING:
31. How much, if any, does this exceed last year's appropriation?
32. PRESIDING OFFICER: (SENATOR BRUCE)
33. Senator Nimrod.

1. SENATOR NIMROD:

2. All right. Let me correct, Senator Rhoads, it's forty-four
3. thousand dollars more in grants and Senator Berning, are you the
4. one that's asking this question...it's twenty thousand five
5. hundred dollars above the Governor's budget and last year...well,
6. a...a hundred and twenty-seven thousand dollars.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Further discussion? Senator...Berning.

9. SENATOR BERNING:

10. Well, without impinging too much on the time of the Senate,
11. Mr. President and members, in my opinion this is an area where
12. we ought to very...carefully examine this appropriation. We are
13. in a period of straiten circumstances. The Arts is something that
14. the history will remember us by, but right now our citizens are
15. more interested in what we're doing with their taxpayers dollars
16. and I would suggest that this ought to be rejected.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Further debate? Senator Buzbee...Gentlemen. We...we have
19. not spent a great deal of time in debate, so if we will pay
20. attention we can go through these. Senator Buzbee.

21. SENATOR BUZBEE:

22. Thank you, Mr. President. Senator Nimrod is correct in
23. saying that there were twenty-four thousand dollars over in
24. grants...over the...the Governor's budgetary request, however,
25. ...this is exactly the same figure that was spent in FY '79 in...
26. in the grants line. The twenty-four thousand overage is just
27. exactly the same figure. I think it's kind of humorous that we
28. have been voting out of here without...with nary a question...
29. one hundred and fifty, two hundred and fifty, three hundred million
30. dollar appropriations and now we're beginning to haggle over
31. twenty-four thousand dollars.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Is there further discussion? Senator Philip.

1. SENATOR PHILIP:

2. Thank you, Mr...I just might answer that. I can tell you
3. the reason why we corrected...questioned the Arts Council. If
4. we look at the results of how this budget...when I first came
5. down here it was like twenty-five thousand dollars. Now, it's
6. over two million and I'll tell you some of the things they've
7. done. They've done painting of viaducts in the City of Chicago.
8. They have made a film on Viet Nam war deserters. They have had
9. sidewalk plays. Sidewalk musicals. Some of the stuff they do...
10. is very hard to justify on anybody's standard. You know what
11. we ought to give them, a big red light.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Is there...is there further discussion? Senator Nimrod
14. may close...Senator Buzbee, a second time.

15. SENATOR BUZBEE:

16. One...one last thing. I forgot to say that Senator Berman's
17. wife would appreciate if you'd vote for this also.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Further discussion? Senator Nimrod may close.

20. SENATOR NIMROD:

21. Roll call.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. The question is, shall Senate Bill 490 pass. Those in
24. favor vote Aye. Those opposed vote Nay. The voting is open.
25. Have all voted who wish? Have all voted who wish? Take the
26. record. On that question, the Ayes are 36, the Nays are 13,
27. none Voting Present. Senate Bill...490 having received the
28. constitutional majority is declared passed. Senate Bill 508.
29. Is there leave for Senator Rock to handle that in the absense
30. of Senator Nash. Leave is granted. Read the bill, Mr.
31. Secretary, please.

32. SECRETARY:

33. Senate Bill 508.

1. (Secretary reads title of bill)
2. 3rd reading of the bill.
3. PRESIDING OFFICER: (SENATOR BRUCE)
4. Senator Rock.
5. SENATOR ROCK:
6. Thank you, Mr. President and Ladies and Gentlemen of the
7. Senate. Senate Bill 508 is the FY '80 appropriation for the
8. Office of State Treasurer. Two point four million dollars in
9. operations and some two hundred and fifty million dollars in
10. debt service and I would urge a favorable roll call.
11. PRESIDING OFFICER: (SENATOR BRUCE)
12. The question is, shall Senate Bill 508 pass. Those in
13. favor vote Aye. Those opposed vote Nay. The voting is open.
14. Have all voted who wish? Have all voted who wish? Take the
15. record. On that question, the Ayes are 49, the Nays are 1,
16. none Voting Present. Senate Bill 508 having received the required
17. constitutional majority is declared passed. Senate Bill 513,
18. Senator Weaver. Read the bill, Mr. Secretary, please.
19. SECRETARY:
20. Senate Bill 513.
21. (Secretary reads title of bill)
22. 3rd reading of the bill.
23. PRESIDING OFFICER: (SENATOR BRUCE)
24. Senator Weaver.
25. SENATOR WEAVER:
26. Mr. President, this is an appropriation of thirty-nine
27. thousand a hundred and seventy dollars. I appreciate a favorable
28. roll call.
29. PRESIDING OFFICER: (SENATOR BRUCE)
30. The question is, shall Senate Bill 513 pass. Those in
31. favor vote Aye. Those opposed vote Nay. The...for what purpose
32. does Senator Buzbee arise?
33. SENATOR BUZBEE:

1. Wait just a minute. I...I got lost on that one. Would...
2. would you mind to give me that one once again, please.
3. PRESIDING OFFICER: (SENATOR BRUCE)
4. Senator Weaver.
5. SENATOR WEAVER:
6. This is an appropriation of thirty-nine thousand one hundred
7. and seventy dollars to pay for the effect of Senate Bill 511,
8. which...takes care of paying those employees who were not granted
9. that forty dollar a month payment in fiscal year '78.
10. PRESIDING OFFICER: (SENATOR BRUCE)
11. Senator Buzbee.
12. SENATOR BUZBEE:
13. Yes, I understand now and I am in support of the bill. I
14. would like to point out that on the last bill we had two
15. hundred and fifty million dollars in debt service. That's the
16. ones we ought to be worrying about, folks. I think this is a
17. good one that Senator Weaver's got.
18. PRESIDING OFFICER: (SENATOR BRUCE)
19. The question is, shall Senate Bill 513 pass. Those in favor
20. vote Aye. Those opposed vote Nay. The voting is open. Have all
21. voted who wish? Have all voted who wish? Take the record. On
22. that question, the Ayes are 47, the Nays are 1, none Voting Present.
23. Senate Bill 513 having received the constitutional majority is
24. declared passed. Senate Bill 530, Senator Maragos. Read the
25. bill, Mr. Secretary, please.
26. SECRETARY:
27. Senate Bill 530.
28. (Secretary reads title of bill)
29. 3rd reading of the bill.
30. PRESIDING OFFICER: (SENATOR BRUCE)
31. Senator Maragos.
32. SENATOR MARAGOS:
33. Mr. President and members of the Senate. 530 is a...appropriates

1. nineteen thousand dollars for a...a bill that is owed by the
2. State Board of Elections and had lapsed because of the period.
3. It has been approved by the State Board of Elections and by
4. the Appropriations I Committee. I'd ask for your...your approval.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Is there discussion? Senator Rhoads.

7. SENATOR RHOADS:

8. A question of the sponsor if he will yield.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. He indicates he will yield. Senator Rhoads.

11. SENATOR RHOADS:

12. Senator Maragos, would any current employee of State Govern-
13. ment receive money from this appropriation either directly or
14. indirectly?

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Maragos.

17. SENATOR MARAGOS:

18. I have been assured by the recipients to be that there is
19. no one in the present State Government that will be a recipient
20. and I also made that allegation and it's also in testimony before
21. the Appropriations I Committee. That was also verified. No one
22. will receive any money that's in present State Government.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Is there further discussion? The question is...Senator Rhoads.

25. SENATOR RHOADS:

26. The question was either directly or indirectly. Could it
27. be funneled through a law firm to some individual now in State
28. Government?

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Maragos.

31. SENATOR MARAGOS:

32. I have been assured that the answer is no because I asked
33. the same question.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Further discussion? Senator Philip. The question is,
3. shall Senate Bill 530 pass. Those in favor vote Aye. Those
4. opposed vote Nay. The voting is open. Have all voted who wish?
5. Have all voted who wish? Take the record. On that question,
6. the Ayes are 36, the Nays are 6, 6 Voting Present. Senate Bill
7. 530 having received the constitutional majority is declared
8. passed. Senate Bill 537, Senator Regner. Read the bill, Mr.
9. Secretary, please.
10. SECRETARY:
11. Senate Bill 537.
12. (Secretary reads title of bill)
13. 3rd reading of the bill.
14. PRESIDING OFFICER: (SENATOR BRUCE)
15. Senator Regner.
16. SENATOR REGNER:
17. Mr. President and members of the Senate. This is the ordinary
18. and contingent expenses for the Legislative Information System, a
19. total of two million thirty-six thousand two hundred and ninety-
20. three dollars.
21. PRESIDING OFFICER: (SENATOR BRUCE)
22. Is there discussion? The question is, shall Senate Bill 537
23. pass. Those in favor vote Aye. Those opposed vote Nay. The
24. voting is open. Have all voted who wish? Have all voted who
25. wish? Take the record. On that question, the Ayes are 39, the
26. Nays are 8, none Voting Present. Senate Bill 537...having
27. received the required constitutional majority is declared passed.
28. Senate Bill 542, Senator Regner. Read the bill, Mr. Secretary,
29. please.
30. SECRETARY:
31. Senate Bill 542.
32. (Secretary reads title of bill)
33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Regner.

3. SENATOR REGNER:

4. Mr. President and members of the Senate. This is the ordinary
5. and contingent expense of the Scholarship Commission. The total
6. appropriation ninety-one million six hundred and eighty-six
7. thousand three hundred dollars. Three hundred and forty-six
8. thousand eight hundred dollars under the Governor's allocation
9. and about ten million dollars under what was introduced.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. The question is, shall Senate Bill 542 pass. Those in favor
12. vote Aye. Those opposed vote Nay. The voting is open. Have all
13. voted who wish? Have all voted who wish? Take the record. On
14. that question, the Ayes are 44, the Nays are 4, none Voting Present.
15. Senate Bill 542 having received the required constitutional
16. majority is declared passed. Senate Bill 546, Senator Rhoads.
17. Senator Rhoads.

18. SENATOR RHOADS:

19. Mr. President, I request leave of the Body to...suspend
20. Rule 15. This has been amended today.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator, the bill is not back from Enrolling and Engrossing.
23. If...if we can call the bill up we may be able...

24. SENATOR RHOADS:

25. Do it tomorrow.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. All right. Take it out of the record. Senate Bill 549. Is
28. there leave for Senator Rock...Senator Buzbee to handle that bill...
29. for Senator Rock to handle that bill in the absence of Senator
30. Carroll. Leave is granted. Senate Bill 549. Read the bill, Mr.
31. Secretary, please.

32. SECRETARY:

33. Senate Bill 549.

1. (Secretary reads title of bill)

2. 3rd reading of the bill.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Rock.

5. SENATOR ROCK:

6. Thank you, Mr. President and Ladies and Gentlemen of the
7. Senate. Senate Bill 549 is the...annual appropriation of 4.8
8. million dollars from the Cigarette Tax collection to be deposited
9. in the Metropolitan Fair Exposition Authority Reconstruction Fund
10. for the reconstruction and rehabilitation of the Reuben H.
11. Donnelley building. This annual deposit is statutorially set
12. and its expenditure is included in the Governor's budget and I
13. would urge a favorable roll call.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Is there discussion? The question is, shall Senate Bill 549
16. pass. Those in favor vote Aye. Those opposed vote Nay. The
17. voting is open. Have all voted who wish? Have all voted who
18. wish? Take the record. On that question, the Ayes are 41, the
19. Nays are 5, 1 Voting Present. Senate Bill 549 having received
20. the constitutional majority is declared passed. Senate Bill 575,
21. Senator Graham. Read the bill, Mr. Secretary, please.

22. SECRETARY:

23. Senate Bill 575.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Graham.

28. SENATOR GRAHAM:

29. ...ordinary and contingent expenses for the Department of
30. Corrections a hundred and seventy-nine million seven hundred and
31. fifty-seven thousand dollars. I urge a favorable roll call.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. The question is, shall Senate Bill 575 pass. Those in favor

1. vote Aye. Those opposed vote Nay. The voting is open. Have
2. all voted who wish? Have all voted who wish? Take the record.
3. On that question, the Ayes are 49, the Nays are none, none
4. Voting Present. Senate Bill 575 having received the required
5. constitutional majority is declared passed. Senate Bill 576,
6. Senator Sommer. Read the bill, Mr. Secretary, please.

7. SECRETARY:

8. Senate Bill 576.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Sommer.

13. SENATOR SOMMER:

14. This is 2.2 million dollars for the ordinary and contingent
15. expenses of the Bureau of the Budget.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. The question is, shall Senate Bill 576 pass. Those in favor
18. vote Aye. Those opposed vote Nay. The voting is open. Have
19. all voted who wish? Have all voted who wish? Take the record.
20. On that question, the Ayes are 35, the Nays are 14, none Voting

21. Present. Senate Bill 576 having received the required
22. constitutional majority is declared passed. Senate Bill 577,

23. Senator McMillan. Read the bill, Mr. Secretary, please.

24. SECRETARY:

25. Senate Bill 577.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator McMillan.

30. SENATOR McMILLAN:

31. This appropriation bill is in the amount of twenty-six
32. million seventy-one thousand eight hundred dollars for the
33. ordinary and contingent expenses of the Institute of Natural

1. Resources.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Is there discussion? The question is, shall Senate Bill 577
4. pass. Those in favor vote Aye. Those opposed vote Nay. The
5. voting is open. Have all voted who wish? Have all voted who
6. wish? Take the record. On that question, the Ayes are 41, the
7. Nays are 7, 1 Voting Present. Senate Bill 577 having received
8. the required constitutional majority is declared passed. Senate
9. Bill 578, Senator Davidson. Read the bill, Mr. Secretary, please.

10. SECRETARY:

11. Senate Bill 578.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Davidson.

16. SENATOR DAVIDSON:

17. This is the annual appropriation for the Department of
18. Aging of fifty million five hundred and eighty-eight thousand
19. seven hundred dollars.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. The question is, shall Senate Bill 578 pass. Those in favor
22. vote Aye. Those opposed vote Nay. The voting is open. Have all
23. voted who wish? Have all voted who wish? Take the record. On
24. that question, the Ayes are 46, the Nays are 2, none Voting
25. Present. Senate Bill 578 having received the required constitutional
26. majority is declared passed. Senate Bill 579, Senator Davidson.
27. Read the bill, Mr. Secretary, please.

28. SECRETARY:

29. Senate Bill 579.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Davidson.

1. SENATOR DAVIDSON:

2. This has been amended, so it's a hundred and fifty thousand
3. dollars. Appreciate a favorable vote.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Is there discussion? Senator Grotberg.

6. SENATOR GROTBORG:

7. Just a question of the sponsor for everybody. What do they
8. do?

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Davidson.

11. SENATOR DAVIDSON:

12. This was a board created under the Special Education Act...
13. a series of bills that we passed out to get Illinois Special
14. Education in line with 94.142 Special Education Act to the
15. Federal Government. These people will set...review the rates
16. on where the school board...public school has to send a child
17. to a private institution for care because it's beyond the effort
18. of the...whatever is available at the local public school district
19. and this reviews the rates charged by those private individuals...
20. private institutions to the school boards.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Is there further discussion? The question is, shall Senate
23. Bill 579 pass. Those in favor vote Aye. Those opposed vote
24. Nay. The voting is open. Have all voted who wish? Have all
25. voted who wish? Take the record. On that question, the Ayes
26. are 40, the Nays are 8, none Voting Present. Senate Bill 579
27. having received the required constitutional majority is declared
28. passed. Senate Bill 580, Senator DeAngelis. Read the bill, Mr.
29. Secretary, please.

30. SECRETARY:

31. Senate Bill 580.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator DeAngelis.

3. SENATOR DeANGELIS:

4. ...those ordinary and contingent expenses are three hundred
5. and ninety-eight million four hundred and forty-eight thousand
6. three hundred and three dollars.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Is there discussion? Senator Maragos.

9. SENATOR MARAGOS:

10. Can the sponsor answer if they're allowed in this particular
11. budget, funding for any personal property tax replacement duties
12. that they're going to assume?

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator DeAngelis.

15. SENATOR DeANGELIS:

16. The answer is we don't know, but we don't think so.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Maragos.

19. SENATOR MARAGOS:

20. Are they going to come from the deficiency appropriation
21. in the near future then or what's the...what's their attitude?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator DeAngelis.

24. SENATOR DeANGELIS:

25. If you keep that up I'm going to vote against this bill.
26. I don't know.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Is there further discussion? The question is, shall Senate
29. Bill 580 pass. Those in favor vote Aye. Those opposed vote Nay.
30. The voting is open. Have all voted who wish? Have all voted who
31. wish? Take the record. On that question, the Ayes are 40, the
32. Nays are 6, 1 Voting Present. Senate Bill 580 having...having
33. received the constitutional majority is declared passed. Senate

1. Bill 581, Senator DeAngelis. Read the bill, Mr. Secretary, please.

2. SECRETARY:

3. Senate Bill 581.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator DeAngelis.

8. SENATOR DeANGELIS:

9. Those ordinary and contingent expenses amount to fifteen
10. million two hundred and eighty-one thousand seven hundred and
11. one dollars and sixty-seven cents.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Is there discussion? The question is, shall Senate Bill 581
14. pass. Those in favor vote Aye. Those opposed vote Nay. The
15. voting is open. Have all voted who wish? Have all voted who
16. wish? Take the record. On that question, the Ayes are 43, the
17. Nays are 6, none Voting Present. Senate Bill 581 having received
18. the constitutional majority is declared passed. Senate Bill 583,
19. Senator Martin. Read the bill, Mr. Secretary, please.

20. SECRETARY:

21. Senate Bill 583.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Martin.

26. SENATOR MARTIN:

27. Having lost my conservative reign forever with the sponsor-
28. ship of this bill, this is Public Aid, 2.3 billion dollars.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. The question is...is there discussion? The question is,
31. shall Senate Bill 583 pass. Those in favor vote Aye. Those
32. opposed vote Nay. The voting is open. Have all voted who wish?
33. Have all voted who wish? Take the record. On that question,

1. the Ayes are 26, the Nays are 22. The sponsor asks that further
2. consideration of Senate Bill...583 be postponed. It will be
3. placed on the Order of Postponed Consideration. Senator Martin.
4. SENATOR MARTIN:
5. Either that or I may Table it...you know...fun and games
6. could be over that...
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. The bill will be placed on the Order of Postponed Consideration.
9. For what purpose does Senator Buzbee arise?
10. SENATOR BUZBEE:
11. I just want to inform the sponsor she...if she Tables the
12. bill, I have the vehicle over here. It's the...it's the
13. commission bill on...on aging, I think or something like that.
14. PRESIDING OFFICER: (SENATOR BRUCE)
15. Where is Mary Orkis when you really need her? Senate Bill
16. 584, Senator Rhoads. Read the bill, Mr. Secretary.
17. SECRETARY:
18. Senate Bill 584.
19. (Secretary reads title of bill)
20. 3rd reading of the bill.
21. PRESIDING OFFICER: (SENATOR BRUCE)
22. Senator Rhoads.
23. SENATOR RHOADS:
24. Thank you, Mr. President and members of the Senate. The
25. current bill amount in this bill is two million and five hundred
26. and two thousand dollars of which the bill is nineteen thousand
27. nine hundred dollars over the Governor's originally proposed
28. budget due to the AFSCME agreement and for that reason, the
29. sponsor will be voting No, but I hope the rest of you put enough
30. lights on to pass it.
31. PRESIDING OFFICER: (SENATOR BRUCE)
32. Is there discussion? Senator Rock. Gentlemen. Senator Rock.
33. SENATOR ROCK:

1. Is that amendment...was that amendment...amendment successful
2. which broke down the funding for the Community Services Division
3. into regions?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Rhoads.

6. SENATOR RHOADS:

7. Yes.

8. SENATOR ROCK:

9. That is currently on the bill?

10. SENATOR RHOADS:

11. Yes.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Further discussion? The question...the question is, shall
14. Senate Bill 584 pass. Those in favor vote Aye. Those opposed
15. vote Nay. The voting is open. Have all voted who wish? Have
16. all voted who wish? Take the record. On that question, the
17. Ayes are 31, the Nays are 18, none Voting Present. Senate Bill
18. 584 having received the required constitutional majority is
19. declared passed. Senate Bill 585, Senator Mitchler. Read the
20. bill, Mr. Secretary, please.

21. SECRETARY:

22. Senate Bill 585.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Mitchler.

27. SENATOR MITCHLER:

28. Annual appropriation for the Department of Veteran's Affairs,
29. twenty-one million two hundred and ninety-eight thousand six
30. hundred dollars.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. The question is, shall Senate Bill 585 pass. Those in favor
33. vote Aye. Those opposed vote Nay. The voting is open. Have all

1. voted who wish? Have all voted who wish? Take the record. On
2. that question, the Ayes are 49, the Nays are none, none Voting
3. Present. Senate Bill 585 having received the constitutional
4. majority is declared passed. Senate Bill 587, Senator Regner.
5. Read the bill, Mr. Secretary, please.

6. SECRETARY:

7. Senate Bill...Senate Bill 587.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Regner.

12. SENATOR REGNER:

13. Mr. President and members. This is the ordinary and
14. contingent expenses for the Governor's Office of Manpower and
15. Human Development, total one hundred and fourteen million five
16. hundred and forty thousand one hundred dollars. This is three
17. million one hundred sixty-seven thousand under the agency's
18. original request, so one of the things we did is took five
19. hundred...about five hundred and eight thousand dollars out of
20. this budget for the Interagency Cooperation Division and that
21. will be placed in the Governor's budget because those are
22. employees that do report to the Governor. I ask for a favorable
23. roll call.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Is there discussion? The question is, shall Senate Bill
26. 587 pass. Those in favor vote Aye. Those opposed vote Nay.
27. The voting is open. Have all voted who wish? Have all voted
28. who wish? Have all voted who wish? Take the record. On that
29. question, the Ayes are 30, the Nays are 18, 1 Voting Present.
30. Senate Bill 587 having received the constitutional majority is
31. declared passed. Senate Bill 588, Senator Regner. Read the
32. bill, Mr. Secretary, please. Senator Regner, that bill was
33. amended today. We'll have to hold it for...for consideration

1. tomorrow. Senate Bill 590, Senator Grotberg. Read the bill,
2. Mr. Secretary, please.
3. SECRETARY:
4. Senate Bill 590.
5. (Secretary reads title of bill)
6. 3rd reading of the bill.
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. Senator Grotberg.
9. SENATOR GROTBORG:
10. Yes, this is the Dangerous Drug Commission appropriation
11. for eight million six hundred and ninety-five thousand in
12. General Revenue and seven million three hundred and thirty-
13. four thousand in Federal grant money.
14. PRESIDING OFFICER: (SENATOR BRUCE)
15. Is there discussion? The question is, shall Senate Bill
16. 590 pass. Those in favor vote Aye. Those opposed vote Nay.
17. The voting is open. Have all voted who wish? Have all voted
18. who wish? Take the record. On that question, the Ayes are 41,
19. the Nays are 7, none Voting Present. Senate Bill 590 having
20. received the constitutional majority is declared passed. Senate
21. Bill...Senate Bill 830, Senator Bloom. Read the bill, Mr.
22. Secretary.
23. SECRETARY:
24. Senate Bill 830.
25. (Secretary reads title of bill)
26. 3rd reading of the bill.
27. PRESIDING OFFICER: (SENATOR BRUCE)
28. Senator Bloom.
29. SENATOR BLOOM:
30. This is the annual appropriation for the Court of Claims
31. for FY '81. The total is three thousand or three million eight
32. hundred and seventy-two thousand two hundred dollars of which
33. one hundred thousand is Road Fund. This is thirty-three thousand

1. five hundred dollars below the Governor's budget.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. The question is, shall Senate Bill 830 pass. Those in
4. favor vote Aye. Those opposed vote Nay. The voting is open.
5. Have all voted who wish? Have all voted who wish? Take the
6. record. On that question, the Ayes are 45, the Nays are 3,
7. none Voting Present. Senate Bill 830 having received the
8. required constitutional majority is declared passed. Senate
9. Bill 864, Senator Donnewald. Read the bill, Mr. Secretary,
10. please.

11.

12. (END OF REEL)

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1. SECRETARY:

2. Senate Bill 864.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Donnewald.

7. SENATOR DONNEWALD:

8. Does exactly what it says. I would appreciate a favorable
9. roll call.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. The question is shall Senate Bill 864 pass. Those in
12. favor vote Aye. Those opposed vote Nay. The voting is open.
13. Have all voted who wish? Have all voted who wish? Take
14. the record. On that question, the Ayes are 50, the Nays are
15. none. None voting Present. Senate Bill 864, having received
16. a required constitutional majority, is declared passed.
17. Senate Bill 884...all right. Senate Bill 1272 on page 21
18. of your calendar. Is there leave for Senator Buzbee to handle
19. the bill in the absence of Senator Carroll? Leave is granted.
20. Read the bill, Mr. Secretary, please. Senate Bill 1272.

21. SECRETARY:

22. Senate Bill 1272.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Carroll...Senator Buzbee.

27. SENATOR BUZBEE:

28. Thank you, Mr. President. This is an appropriation of
29. approximately six hundred and sixteen thousand dollars for
30. the payment of Claims. I would move its adoption.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Is there discussion? The question is shall Senate Bill
33. 1272 pass. Those in favor vote Aye. Those opposed vote
Nay. The voting is open. Have all voted who wish? Have all

1. voted who wish? Take the record. On that question, the Ayes
2. are 49, the Nays are 1. None voting Present. Senate Bill
3. 1272, having received the required constitutional majority,
4. is declared passed. For what purpose does Senator Buzbee rise?
5. SENATOR BUZBEE:

6. For the edification of my friends who might have some
7. interest, I am reliably informed that Medly Movers was not
8. in that bill you just voted for.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. We have concluded all the Appropriation bills on the
11. order of 3rd reading. For what purpose does Senator Rhoads
12. rise?

13. SENATOR RHOADS:

14. First, on a Point of Personal Privilege, Mr. President,
15. and then I'll make a motion. The Point of Personal Privilege
16. is that, as some of you know, I serve on the Board of Directors
17. of the Illinois Conservative Union, who are the people who
18. publish an annual aggregate Appropriations index of the
19. Appropriations bills, and some members have expressed to
20. me a concern as to what their ratings might be on that particular
21. thing. Really, the bad marks only come for votes over the
22. budget. You don't get credit for three and four billion dollars
23. under the budget, and we do need the Public Aid Appropriation,
24. so having voted on the prevailing side, I move to reconsider
25. the vote by which Senate Bill 583 was defeated.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. The motion is out of order, in that there was no roll
28. call taken. The bill is on the order of Postponed Consideration
29. at the request of the sponsor. For what purpose does Senator
30. Buzbee rise?

31. SENATOR BUZBEE:

32. Well, also on a Point of Personal Privilege, Mr. President.
33. I appreciate what Senator Rhoads just said. However, it shows
you how goofy we all are, in relation to the Illinois Conservative

1. Union. We stand around here and make votes against various
2. ordinary and contingent expenses, when we all know we want
3. to see them pass, but these things are passed out to our
4. small town newspaper editors, who don't know anything about
5. how the ratings came about, and they say "Oh my goodness,
6. look how that legislator voted to spend eleven or twelve
7. billion dollars," without any idea how we came about getting
8. to that point, and they publish in their papers, and so we
9. all get excited and we cast No votes on the operation of
10. State Government, and hoping all along...hope to hell that
11. the bill passes, because otherwise we'd close down government.
12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Rock.
14. SENATOR ROCK:

15. Thank you, Mr. President and Ladies and Gentlemen of
16. the Senate. I think if we can have everybody's attention
17. and cooperation, we can probably wrap this up...in an hour
18. or less, but there are a number of members who have indicated
19. that they do have amendments to bills either on 3rd reading,
20. and there were a number of bills that today were discharged
21. and read a second time. Mr. Secretary, had those been moved,
22. or Mr. President, have those bills been moved to 3rd also? Is
23. it a question of calling everything back from 3rd to 2nd?

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. We moved all the bills that were discharged from 2nd to
26. 3rd, so we can recall all the bills from...
27. SENATOR ROCK:

28. Well, my suggestion then, is if members have amendments,
29. they should get them up there and get them filed, and let's
30. just go right down the line and call these bills back and...
31. PRESIDING OFFICER: (SENATOR BRUCE)

32. All right. Senator Weaver, for what purpose do you rise?
33. SENATOR WEAVER:

Point of Personal Privilege. When you're talking about

1. the Illinois Conservative Union, I just wonder what responsible
2. legislator gives a damn about what their rating is with the
3. Conservative Union.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Berning. For what...Senator Berning, for what
6. purpose do you rise?

7. SENATOR BERNING:

8. Well, Mr. President...On an entirely separate matter, Mr.
9. President, but one which was touched on by the President. I
10. just wanted to inform the President that in the absence of
11. Senator Egan, I will be asking that Senate Bill 927 be brought
12. back from 3rd to 2nd for the purpose of an amendment which
13. was overlooked. Whenever you get to it, Mr. President.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. If the amendment is with the Secretary, we will take
16. it in rotation. Gentlemen and Ladies, if you have bills on
17. the order of 3rd reading that you wish to recall, now is the
18. time and the last day that you will probably be afforded that
19. opportunity, because under Rule 15, bills amended tomorrow
20. cannot be moved without leave of the Senate or suspension
21. of that Rule. Senator Rock.

22. SENATOR ROCK:

23. I might also, Mr. President, if we have leave of the
24. Body, also suggest that we might just quickly run through
25. Senate Bills 2nd. This is in fact the last crack anybody
26. will have, and we ought to afford them that opportunity. If
27. you just want to move to that order of business, we'll run down
28. that list, and if they don't wish to move them, that's fine,
29. but I think we ought to afford them the opportunity.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. All right. We will...is there leave to go the order of
32. Senate Bills, 2nd reading? Leave is granted. Exercising
33. the prerogative of the Chair and at a lull, we have in our

DB 689
2nd reading
5-24-79

1. Galleries former State Representative Rolland Tipsword. We're
2. happy that he has come back to be punished along with us.
3. Please stand and be recognized. We are on the order of Senate
4. Bills, 2nd reading. Senate Bill 664, Senator Hall. Senate
5. Bill 689, Senator D'Arco. Read the bill, Mr. Secretary,
6. please.

7. SECRETARY:

8. Senate Bill 689.

9. (Secretary reads title of bill)

10. 2nd reading of the bill. No Committee Amendments.

11. PRESIDING OFFICER: (SENATOR BRUCE)

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

13. SECRETARY:

14. No...No Floor Amendments.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator D'Arco.

17. SENATOR D'ARCO:

18. ...amendment. Where's Kelley? There's an amendment.

19. We've been looking at it for four hours.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. All right. The bill is on the order of 2nd reading.

22. SENATOR D'ARCO:

23. Thank you...

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. ...There's a Floor Amendment. Can you explain...

26. SECRETARY:

27. Amendment No. 1, offered by Senator D'Arco.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator D'Arco, to explain the amendment.

30. SENATOR D'ARCO:

31. What the amendment does is strikes everything after the
32. enacting clause, then it says "...All designated insurance
33. policies, which provide coverage for optometric service, must

1. be accompanied by a notice that the insured may elect to receive
2. his optometric services from a physician, licensed in...to
3. practice medicine in all of its branches, or from a licensed
4. optometrist." I move...to adopt the amendment.
5. PRESIDING OFFICER: (SENATOR BRUCE)
6. Is there discussion? All in favor say Aye. Opposed
7. Nay. The Ayes have it. The amendment is adopted. Are
8. there further Floor Amendments?
9. SECRETARY:
10. No further amendments.
11. PRESIDING OFFICER: (SENATOR BRUCE)
12. 3rd reading. Senate Bill 704, Senator Jerome Joyce.
13. Senate Bill 831, Senator Nimrod. Read the bill, Mr. Secretary,
14. please.
15. SECRETARY:
16. Senate Bill 831.
17. (Secretary reads title of bill)
18. 2nd reading of the bill. No Committee Amendments.
19. PRESIDING OFFICER: (SENATOR BRUCE)
20. Are there amendments from the Floor?
21. SECRETARY:
22. No Floor Amendments.
23. PRESIDING OFFICER: (SENATOR BRUCE)
24. 3rd reading. Senate Bill 832, Senator Nimrod. Read the
25. bill, Mr. Secretary, please.
26. SECRETARY:
27. Senate Bill 832.
28. (Secretary reads title of bill)
29. 2nd reading of the bill. No Committee Amendments.
30. PRESIDING OFFICER: (SENATOR BRUCE)
31. Are there amendments from the Floor?
32. SECRETARY:
33. No Floor Amendments.
PRESIDING OFFICER: (SENATOR BRUCE)

1. 3rd reading. Senate Bill 872, Senator Newhouse.
2. Senator Newhouse, there is a request for a fiscal note,
3. which has not been complied with. Senator Newhouse.
4. SENATOR NEWHOUSE:
5. Mr. President, I don't have that fiscal note yet, but
6. I would ask leave to move it to 3rd, and I'll produce the
7. fiscal note tomorrow. I won't call the bill. Senator Schaffer.
8. PRESIDING OFFICER: (SENATOR BRUCE)
9. Is Senator Schaffer on the Floor? Senator Schaffer,
10. you have a fiscal note attached to Senate Bill 872, which has
11. not yet been complied with, and Senator Newhouse would...I
12. think the only appropriate procedure, since it is Statutory
13. nature, we cannot suspend the Statute, is to whether or not
14. you would wish to withdraw it, subject to Senator Newhouse
15. complying with it tomorrow. Senator...Schaffer.
16. SENATOR SCHAFFER:
17. The intent of the fiscal note was not to delay the bill,
18. just to get us some information. I'll certainly withdraw it
19. with that understanding.
20. PRESIDING OFFICER: (SENATOR BRUCE)
21. Senator Newhouse, for the record. Senator Newhouse.
22. SENATOR NEWHOUSE:
23. Yes, for the record, that's agreeable with me. I will
24. discuss it with Senator Schaffer before anything happens.
25. PRESIDING OFFICER: (SENATOR BRUCE)
26. Senator Schaffer withdraws his request for a fiscal note
27. from Senate Bill 872. 872, 2nd reading of the bill, Mr. Secretary,
28. please.
29. SECRETARY:
30. Senate Bill 872.
31. (Secretary reads title of bill)
32. 2nd reading of the bill. No Committee Amendments.
33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Are there amendments from the Floor?

2. SECRETARY:

3. No Floor Amendments.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. 3rd reading. Senate Bill 1081, Senator Rupp. We will
6. now go to the order of those bills on 3rd reading that sponsors
7. wish to recall for the purpose of an amendment. If I might
8. have the attention of the Body, so that you might listen for
9. your name for bills that have been...that we have amendments
10. for. Senate Bill 157, Hall. 565, Netsch. 667, Senator
11. Vadalabene. 689, Senator D'Arco. Senate Bill 773, Senator
12. Davidson. Senate Bill 891, Senator Carroll. Senate Bill
13. 925, Senator Nimrod. 926, Senator Nimrod. Senate Bill 1100,
14. Senator Knuppel. 1164, Senator DeAngelis. Senate Bill 1331,
15. Senator Wooten. And Senate Bill 1377, Senator Washington. If
16. your name was not called, you are not on the list for recalls
17. today. For what purpose does Senator Berning rise?

18. SENATOR BERNING:

19. Well, Mr. President, I have the amendment on the desk, and
20. I ask that, in the absence of Senator Egan, 927 be recalled. This
21. is with his approval.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Well, Senator Berning, we will put 927 on the list. We
24. have finally found the amendment. There was some discussion
25. whether or not the amendment is here. It is here, and we will
26. call that at the appropriate time. For what purpose does
27. Senator D'Arco rise?

28. SENATOR D'ARCO:

29. Mr. President, take 689 off the list, because that was on
30. 2nd, and we just moved it to 3rd. We're not recalling it back.
31. Okay?

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Hall. For what purpose does Senator Rock rise?

1. SENATOR ROCK:

2. Well, I think, again, if a sponsor is not here, I
3. don't think we ought to take the liberty of moving his bill
4. backward or forward or at all. I just think, you know, that
5. will have to wait until tomorrow. We'll have to suspend the
6. appropriate rule at the appropriate time.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. All right. Several sponsors have indicated, and our
9. list is shortening as we go by here, so the first bill called
10. will be Senate Bill 565. Is there leave to...Is there leave
11. to return to bills that the Chair has read back to the order
12. of 2nd reading for the purpose of amendment? Leave is granted.
13. The bills are returned to the order of 2nd reading. The first
14. bill is Senate Bill 565 on the order of 2nd reading. Are there
15. amendments, Mr. Secretary.

16. SECRETARY:

17. Amendment No. 2, offered by Senator Netsch.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Netsch is recognized.

20. SENATOR NETSCH:

21. Thank you, Mr. President. This amendment complies with
22. the commitment I made in having the bill brought out of Committee.
23. It deals with deficiency, judgement, and it deals...and it
24. provides only for a redemption period. It does not do all
25. of the other things that the bill originally did. This was
26. in accordance with my commitment, and I move its adoption.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. The question is on the motion to adopt Amendment No. 2.
29. Is there discussion? All in favor say Aye. Opposed Nay.
30. The Ayes have it. Amendment No. 2 is adopted. Are there further
31. amendments?

32. SECRETARY:

33. No further amendments.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. 3rd reading. Senate Bill 667, Senator Vadalabene.
3. Read the bill, Mr. Secretary. Are there amendments, Mr.
4. Secretary?
5. SECRETARY:
6. Amendment No. 2, offered by Senator Vadalabene.
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. Senator Vadalabene is recognized.
9. SENATOR VADALABENE:
10. Yes, thank you, Mr. President and members of the Senate.
11. Amendment No. 2 to Senate Bill 667 corrects an omission in
12. Amendment No. 1, and clarifies that funds for the state program
13. of Assistance to Downstate Civic Centers will come from Horserace
14. Privilege Taxes, now deposited in a Downstate Civic Center Fund,
15. rather from the Cigarette Taxes, which are now placed in a
16. General Revenue Fund, and second, restores an immediate Effective
17. Date, deleted by Amendment No. 1, and I move for the adoption
18. of Amendment No. 2 to Senate Bill 667.
19. PRESIDING OFFICER: (SENATOR BRUCE)
20. The motion is to adopt Amendment No. 2. Is there discussion?
21. All in favor say Aye. Opposed Nay. The Ayes have it.
22. Amendment No. 2 is adopted. Are there further amendments?
23. SECRETARY:
24. No further amendments.
25. PRESIDING OFFICER: (SENATOR BRUCE)
26. 3rd reading. Senate Bill 891 was returned to 2nd reading.
27. Senator Carroll is not on the Floor. We will...3rd reading.
28. Senate Bill 773, Senator Davidson. On the order of 2nd reading.
29. Are there amendments, Mr. Secretary?
30. SECRETARY:
31. Amendment No. 3, offered by Senator Davidson.
32. PRESIDING OFFICER: (SENATOR BRUCE)
33. Senator Davidson.

1. SENATOR DAVIDSON:

2. Yes, Mr. President. I move the adoption of Amendment
3. No. 3. This is a technical correction, because there was
4. some doubt about the...we're counting real students, and
5. making sure no ghost students...this is a...caught by the
6. Reference Bureau after the first amendment. Move the adoption.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Motion is to adopt. Is there discussion? All in favor
9. say Aye. Opposed Nay. The Ayes have it. Amendment No. 3
10. is adopted. Are there further amendments?

11. SECRETARY:

12. No further amendments.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. 3rd reading. Senate Bill 925, Senator Nimrod. Are
15. there amendments, Mr. Secretary?

16. SECRETARY:

17. Amendment No. 1, offered by Senator Nimrod.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Nimrod.

20. SENATOR NIMROD:

21. Yes, thank you, Mr. President, Ladies and Gentlemen
22. of the Senate. Amendment No. 1 makes the necessary changes
23. to have it conform to those amendments which I have distributed
24. ...which...amendments which I have distributed to each of
25. the Senators, and what it basically does is cover eight
26. points and brings in line with those provisions which were
27. similar to our Senate Bill 600, which affect the employee
28. choice of...the credit for pre-existing conditions, hearing
29. loss, a standard to...adopt medical standards within one
30. year by the Commission, affects the Benefit Differential,
31. Statute of Limitations, changing it from three to two years,
32. requiring written arbitrator's decisions and a lump sum
33. payment interest change, from three to seven percent. And

1. this is in accordance with my discussion with those Senators
2. on the proposed changes. I would move for the adoption of
3. the amendment.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Is there discussion on the motion? Senator Maragos.

6. SENATOR MARAGOS:

7. Mr. President and members of the Senate. I, at this
8. time, ask whether this is germane to the bill at issue,
9. because this is a very lengthy amendment, and I don't know
10. if it's technically correct in its present form, and I ask
11. for a ruling of the Parliamentarian, first of all, on the
12. germaneness, and secondly, whether it's technically correct.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. For what purpose does Senator Buzbee rise?

15. SENATOR BUZBEE:

16. Well, while the Parliamentarian is checking that, I
17. wonder if we might have...this is an item that a lot of us
18. have a lot of interest in, and I wonder if we might have
19. some written explanation for our perusal over the course
20. of the evening. What did I say? Perusal. I'm sorry.
21. I meant to say perusal. I'd like to read it. I wonder
22. if we could have a written explanation of this, Senator,
23. over the course of the evening, for...we are asked to vote
24. on this whole thing tomorrow.

25. PRESIDENT:

26. All right. Senator, I wonder... well, I...we're going
27. to have to take it out of the record. The original bill is
28. not here. There is no way the Chair can rule as to whether
29. it's in proper form or whether it's germane until we have
30. the original bill in front of it. We will get back to it,
31. is that fair? We'll take it out of the record. 927. On
32. the order of Senate Bills, 2nd reading, Senate Bill 927,
33. Mr. Secretary.

1. SECRETARY:

2. Amendment No. 1, offered by Senator Berning.

3. PRESIDENT:

4. Senator Berning.

5. SENATOR BERNING:

6. Thank you, Mr. President. Amendment No. 1 increases the
7. Contribution Rate by the judges to cover the cost of the
8. Annual Increment Increase, which is the bill itself. This
9. was part of the original agreement when the bill was to...left
10. the Committee, but it was an oversight that the amendment didn't
11. go on before, and so I hereby offer the amendment and urge an
12. approval of it.

13. PRESIDENT:

14. Senator Berning has moved the adoption of Amendment No. 1
15. to Senate Bill 927. Is there any further discussion? If not,
16. all in favor signify by saying Aye. All opposed. The Ayes
17. have it. The amendment is adopted. Further amendments.

18. SECRETARY:

19. No further amendments.

20. PRESIDENT:

21. 3rd reading. On the order of Senate Bills, 2nd reading,
22. Senate Bill 1100. Mr. Secretary.

23. SECRETARY:

24. Amendment No. 1, offered by Senator Knuppel.

25. PRESIDENT:

26. All right. Senator Knuppel's moved the adoption of
27. Amendment No. 1 to Senate Bill 1100. Is there any discussion?
28. If not, all in favor signify by saying Aye. All opposed. The
29. Ayes have it. The amendment is adopted. Further amendments.

30. SECRETARY:

31. No further amendments.

32. PRESIDENT:

33. 3rd reading. On the order of Senate Bills, 2nd reading,
Senate Bill 1164, Senator DeAngelis. Mr. Secretary.

AB 1331
Recalled
5-27-79

1. SECRETARY:

2. Amendment No. 4, offered by Senator DeAngelis.

3. PRESIDENT:

4. Senator DeAngelis.

5. SENATOR DeANGELIS:

6. Thank you, Mr. President. Amendment No. 4 is a technical
7. amendment, and I would urge members of the Body to pay
8. particular attention to this bill tomorrow, because we've
9. consumed four trees in getting it in its proper shape.

10. PRESIDENT:

11. All right. Senator DeAngelis has moved the adoption of
12. Amendment No. 4 to Senate Bill 1164. Is there any discussion?
13. If not, all in favor signify by saying Aye. All opposed.
14. The Ayes have it. The amendment is adopted. Further amendments.

15. SECRETARY:

16. No further amendments.

17. PRESIDENT:

18. 3rd reading. 1331, Mr. Secretary. On the order of Senate
19. Bills, 2nd reading, Senate Bill 1331. Read the bill, I mean,
20. Mr. Secretary, any amendments?

21. SECRETARY:

22. Amendment No. 5, offered by Senator Wooten.

23. PRESIDENT:

24. Senator Wooten.

25. SENATOR WOOTEN:

26. Thank you, Mr. President. Earlier today, Senator Keats
27. offered Amendment No. 4 to 1331, and at least a portion of
28. that amendment upset the basic balance in the Agreed Bill
29. process. However, I must admit, as I did at that time, that
30. some of the changes Senator Keats made were really pretty good.
31. He and I chatted about this, about an hour and a half ago, and
32. I'm offering Amendment No. 5 in an attempt to keep what I
33. think is good in his amendment, and still restore the balance.

1. The real problem comes in the escalation feature. That
2. was one of the...the key components of the agreement between
3. Labor and Management, and I am satisfied that if we do not
4. have some kind of parody there, we simply...we have a nullity.
5. We don't have an agreed bill. Now Amendment No. 4 took the
6. escalator out of the taxable wage base. What my amendment
7. would do would be to take the escalator out of the Base
8. Period Earnings Requirement, and that, I believe, would
9. keep everybody in some kind of stable situation. Also,
10. Senator Keats in Amendment No. 4, raised the Maximum Employer
11. Contribution Rate to six point five, which is like being
12. hit in the seat with a banjo. If you're...if you've had
13. a bad experience factor, and I think we both agree, perhaps
14. that ought to be dropped down one percentage point. The
15. one aspect I'm not going to touch is the one that lowers
16. the Minimum Contribution Rate. That really does help the
17. small businessman who doesn't have bad experience. I think
18. that's really good, and I'm glad to keep that in. If we can
19. just put the escalation feature back in balance, then we'll
20. keep that good feature, and I think we still have what
21. we can present as an Agreed Bill, so I move the adoption
22. of Amendment No. 5 to Senate Bill 1331.

23. PRESIDENT:

24. Is there any discussion? Senator Keats.

25. SENATOR KEATS:

26. Mr. President, Ladies and Gentlemen of the Senate. When
27. we attach this bill...attached to the bill this morning an amendment,
28. the amendment was not perfect, but it did, in my estimation,
29. improve a bill that we probably could not live with, because
30. of the escalation clause on the Wage Rate. We just couldn't
31. afford it. It was a fifty percent tax increase by nineteen
32. eighty-five, and I just don't think anyone was willing to
33. live with that. This amendment cleared up some of that. What
I am now asking you to do is to leave this amendment on the

1. bill, not to put on a new amendment, which changes it. While
2. Senator Wooten and I have discussed this amendment, and Senator
3. Wooten is in...is clearly making a good faith agreement to
4. better the bill, I just, the more I think about it, don't
5. think this amendment betters the bill, and I think it is the
6. responsibility of the legislature to have the best bill
7. we can. We have to be looking after the taxpayers of the
8. state, the working men and women of the state, the businesses
9. of the state, and I think the bill in its present form is
10. about as good as we can do right now. That's not to say
11. we can't continue to talk in the future, but for the moment,
12. I think the bill as it stands today is in the best shape
13. we can hope for. I would appreciate it if you would resist
14. placing this amendment on Senator Wooten's bill.

15. PRESIDENT:

16. All right. Further discussion. Senator Maragos.

17. SENATOR MARAGOS:

18. Mr. President, one of the concerns I voiced earlier
19. when this amendment succeeded to be put on Senator Wooten's
20. and my bill, if I may use it, because I am a hyphenated
21. sponsor, is the fact that we are for the first time again
22. breaching the Agreed Bill Process, and I think Senator Wooten
23. is in good faith trying to bring this within the framework
24. that was allegedly done by the Committee. Again, it is not
25. what the Committee's responded. It is not as bad or it doesn't
26. go as far philosophically as Senator Keats wants it, but I
27. think this is an honest, good faith attempt to bring it within
28. the framework and to make it as...possibly acceptable by both
29. sides of the Agreed Bill Process, without too much heartaches
30. and headaches and bad faith coming out of this, and I say to
31. you, Senator Keats, in all sincerity, if you...you've only been
32. in this chamber two...not even a year, and you've only been
33. in the House only three or four years at the most, but one of

1. the big problems that management has had and business has
2. had is because in the Early Seventies, they broke up the
3. Agreed Bill Process and the Seventy-five debacle came as
4. far as they were concerned. I plead with you in good faith
5. to please honor the commitment that has been made here by
6. Senator Wooten, and have this amendment put on and then
7. the House is going to do its own handiwork anyways, and
8. it'll probably end up in a Conference Committee, but at
9. this time I would suggest to you, and ask you in good faith
10. not to object to this amendment at this time.

11. PRESIDENT:

12. Further discussion. Senator Rhoads.

13. SENATOR RHOADS:

14. Mr. President, I support Senator Keats on almost all
15. matters, all the time, when it comes to this type of legislation,
16. but Senator Keats, I'm beginning to wonder about the
17. negotiating process that's gone on here. Now, Senator
18. Wooten felt he had an agreement. Now you say that there is
19. no agreement. What's going on here?

20. PRESIDENT:

21. A rhetorical question, I assume. Further discussion.
22. Senator Keats, for the second time.

23. SENATOR KEATS:

24. So people understand. Senator Wooten, in my estimation,
25. is making a good faith effort to do what he thinks improves
26. the bill. We have discussed it, there is no question about
27. it. I have considered that amendment. I don't think it's
28. an improvement. Senator Wooten and I thought we might go
29. with that. I went back to him and said, "Senator Wooten, I
30. just don't think so." To me, if you say you want to do
31. something, fine, you do it. If you aren't going to do it,
32. you tell somebody, and the two of us sat down again, and I
33. said "I just don't think this amendment does the job."

PRESIDENT:

1. Is there any further discussion? Senator Wooten
2. may close the debate.

3. SENATOR WOOTEN:

4. All right, let me speak plainly. There is a suspicion
5. abroad in the land to which I have subscribed. That there
6. is in the part of certain individuals within the IMA, if
7. not the entire IMA, no inclination to solve the problem
8. but to have the issue. And I hope my colleagues on the
9. other side of the aisle will listen to this, because I'm
10. speaking in all seriousness. If we do not deliver here, I
11. think it is clear that there is no desire to solve the problem.
12. That there is no motivation to get the job done now, but
13. rather have the issue for the campaign in nineteen eighty.
14. Now if that's what you want, you're certainly entitled to that.
15. I am not sufficiently a partisan, yet, to believe in that. I
16. really believe our principal obligation is to solve a problem.
17. No question about it. I got out the debate on this and the
18. Workmen's Comp issue back in Seventy-three, or Seventy-five,
19. and read it over, to see how we could've gotten so off-kilter.
20. What was said, what was not said. I'm perfectly willing to
21. agree that we made a mistake. The question is whether or not
22. we are going to try to put together an Agreed process to correct
23. what we all know is wrong, or would you rather take it into
24. the election in nineteen eighty, and deal with it that way?
25. Now as far as I'm concerned, Senator Keats and I had an agreement.
26. Now I want to emphasize that, Senator Keats. I believe we had
27. an agreement. It was when I had your consent to two features
28. that I had the amendment drafted, an amendment your people
29. were working on. I know you were banged around out there by
30. people who don't want this problem solved. I put that to you
31. clearly. The people who pressured you to back out of this
32. don't want the problem solved. It's as simple as that. I
33. think there are features in here that are good, in your

1. amendment. I'm willing to keep them. But if we are at
2. all serious about the Agreed process, we have to keep
3. with the big thing, the big item, the thing they fought
4. over, and that was parody in escalation. Amendment No. 5
5. simply restores that and reduces the Maximum Employer
6. Contribution Rate, which...with which they're not too happy
7. anyway, and I move the adoption of the amendment. I can't
8. do any more than that, and I'll tell you, I cannot move
9. this bill, if it is not in some way close to the Agreed process.
10. The way it is now, there is no agreement, and you all know
11. it. We all know it. I move the adoption of the amendment.

12. PRESIDENT:

13. All right. Debate has been closed. Senator Keats, for
14. what purpose do you rise?

15. SENATOR KEATS:

16. I only rise for a Point of Personal Privilege or
17. clarification. There is some question as to why I have
18. changed my mind, and I will be completely candid with every
19. member of the Senate. Some of the people I work with, I
20. didn't think they had the nerve to push for a heavy bill.
21. The bill we're pushing for is not this particular bill, in
22. this form, it's not a particularly strong bill, but it is
23. stronger than the Agreed bill. I think we as a legislature
24. are responsible enough to get a bill that was a little better,
25. both for the workers and for the business groups than the
26. Agreed Bill Process came up with, but I didn't think some
27. of the business groups were willing to take a chance on it.
28. As it turns out, they were willing. And if they were willing...

29. PRESIDENT:

30. All right. Senator Maragos, for what purpose do you rise?

31. SENATOR MARAGOS:

32. The...Senator Keats is now debating. I think's a Point
33. of Order...

PRESIDENT:

1. You are correct. Your point is well taken. Is there
2. any further discussion? Senator Wooten has moved the adoption
3. of Amendment No. 5 to Senate Bill 1331. Those in favor...all
4. those in favor indicate by saying Aye. All opposed. Roll
5. call vote has been requested. Those in favor of the adoption
6. of Amendment No. 5 will vote Aye. Those opposed will vote
7. Nay. The voting is open. Have all voted who wish? Have all
8. voted who wish? Take the record. On that question, the
9. Ayes are 23, the Nays are 23. None voting Present. The
10. amendment fails. Senator Wooten has requested a verification
11. of the Negative votes. Will the members please be in their
12. seats. Mr. Secretary, read the Negative votes.

13. SECRETARY:

14. The following voted in the Negative: Becker, Berning,
15. Bloom, Bowers, Coffey, Davidson, DeAngelis, Geo-Karis, Grotberg,
16. Keats, Maitland, Martin, McMillan, Mitchler, Moore, Ozinga,
17. Philip, Regner, Rupp, Schaffer, Shapiro, Sommer, Walsh

18. PRESIDENT:

19. Do you question the presence of any member, Senator?
20. Senator Wooten.

21. SENATOR WOOTEN:

22. Senator Regner.

23. PRESIDENT:

24. Is Senator Regner on the Floor? Is Senator Regner on
25. the Floor? Strike his name from the roll, Mr. Secretary.
26. On that question, the Ayes are 23, the Nays are 22...Senator
27. Keats, for what purpose do you...pardon me, yes..

28. SENATOR WOOTEN:

29. Is Senator Walsh on the Floor?

30. PRESIDENT:

31. Senator Walsh is on the Floor. I understand. Do you
32. question the presence of any other member? Senator Graham
33. is recorded in the Affirmative vote.

1. SENATOR WOOTEN:
2. Is Bloom there? Senator Bloom?
3. PRESIDENT:
4. Is Senator Bloom on the Floor? Senator Bloom is
5. on the Floor. Senator Keats, for what purpose do you rise?
6. All right. Senator Keats has requested a verification of
7. the Affirmative roll call. Will the members please be in
8. their seats. Mr. Secretary, read the Affirmative roll.
9. SECRETARY:
10. The...
11. PRESIDENT:
12. Senator Regner has been stricken. The Ayes are 23, the
13. Nays are 22. None voting Present. Amendment No. 5 is
14. adopted. Request for the verification of the Affirmative
15. votes. The Affirmative votes will be...read the Affirmative
16. votes, Mr. Secretary. Read the Affirmative roll call.
17. SECRETARY:
18. The following voted in the Affirmative: Berman, Bruce,
19. Buzbee, Collins, D'Arco, Demuzio, Donnewald, Gitz, Graham,
20. Hall, Johns, Jeremiah Joyce, Maragos, Merlo, Netsch, Newhouse,
21. Rhoads, Sangmeister, Vadalabene, Washington, Weaver, Wooten,
22. Mr. President.
23. PRESIDENT:
24. Question the presence of any member, Senator Keats?
25. SENATOR KEATS:
26. Senator Graham.
27. PRESIDENT:
28. Is Senator Graham on the Floor? Is Senator Graham on
29. the Floor? Strike his name.
30. SENATOR KEATS:
31. Senator Weaver.
32. PRESIDENT:
33. Is Senator Weaver on the Floor? Strike his name, Mr.
Secretary.

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SENATOR KEATS:

May I request the question of the roll.

PRESIDENT:

Mr. Secretary. All right. The roll has been verified. On that question, the Ayes are 21, the Nays are 22. None voting Present. The amendment fails. Further amendments.

SECRETARY:

No further amendments.

PRESIDENT:

Yes, Senator Buzbee, for what purpose do you rise?

SENATOR BUZBEE:

Point of Personal Privilege, Mr. President. Earlier today, I voted with Senator Keats, because I felt that the Agreed Bill Process had not produced a bill that was quite sufficient enough to meet the problem. So therefore, I voted with him earlier today, because I thought that his amendment, in fact, addressed that a little more adequately. Now in...later on this afternoon, negotiations have been going on. Senator Wooten in all good faith, and Senator Keats got together and worked out what was considered at the time to be a better amendment. Now late this evening, we are told by the same Senator Keats that yes, we did negotiate in good faith, and yes, this is a good amendment, but I have now since decided that what we ought to do is something a little bit more, and I concur with Senator Wooten completely. I have, as I think everybody on this Floor realizes, lost every bit of Labor support that I could ever have, because of actions I've taken on these two issues, but I'm quite frankly getting sick and tired of the continual effort to subvert and do everything possible to sabotage the correction of the problem. The fact of the matter is it is much more popular, it is much more popular...

PRESIDENT:

Yes, Senator Walsh...

1. SENATOR BUZBEE:

2. ...to make a political issue, instead of solving the
3. problem.

4. PRESIDENT:

5. Senator Walsh, for what purpose do you rise?

6. SENATOR WALSH:

7. I hate to interrupt the gentlemen, but he's apologizing
8. for a vote he made, and we all make votes we wish we didn't
9. make. He hasn't been named in debate, and I think maybe
10. we should proceed.

11. PRESIDENT:

12. Your point is well taken. On the order of...is there
13. any further amendments?

14. SECRETARY:

15. No further amendments.

16. PRESIDENT:

17. Senator Wooten.

18. SENATOR WOOTEN:

19. No, I simply want to, on a Point of Personal Privilege,
20. explain to my colleagues that this is the difficulty we're
21. having, and as I told you all, I would see what happened in
22. unemployment before I committed myself on Workmen's Comp,
23. Scaffolding, anything, because I suspected we could not deal
24. in honor, and we are not dealing in honor, and in that atmosphere,
25. nothing can be done.

26. PRESIDENT:

27. 3rd reading. On the order of Senate Bills, 2nd reading...

28. Yes, Senator Keats, for what purpose do you rise?

29. SENATOR KEATS:

30. If someone wishes to question my integrity, that is
31. certainly available. We discussed an amendment. I told everyone
32. on this Floor we discussed an amendment, and I went back
33. to Senator Wooten, and said Senator Wooten, that amendment

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2nd Reading

1. doesn't cut it. What is dishonorable about saying that
2. an amendment we discussed just didn't cut it? Did
3. I come out and do something...did you expect me to vote
4. Yes? Did I not come over and tell you that I didn't think
5. I could live with that amendment, and that I didn't think
6. that was an appropriate bill?

7. PRESIDENT:

8. Senator Walsh, remake you Point of Order, would you?

9. SENATOR WALSH:

10. The same point...

11. PRESIDENT:

12. Yes, and it's well taken. On the order of Senate
13. Bills, 2nd reading, Senate Bill 1377. I did say on the
14. prior bill, we did move it back to 3rd reading. Yes.
15. Senator...Mr. Secretary.

16. SECRETARY:

17. Amendment No. 1, offered by Senator Washington.

18. PRESIDENT:

19. Senator Washington.

20. SENATOR WASHINGTON:

21. Mr. President, members of the Senate. The Amendment
22. No. 1 is the bill, and it places it in the exact condition
23. that the sponsor of the bill, Senator David Shapiro, wants
24. it into. It should go to 3rd, and we can debate it there,
25. but it puts the bill in the shape he wants it, and I move
26. its adoption.

27. PRESIDENT:

28. Senator Washington has moved the adoption of Amendment
29. No. 1 to Senate Bill 1377. Is there any discussion? If not,
30. all in favor signify by saying Aye. All opposed. The Ayes
31. have it. The amendment is adopted. Any further amendements?

32. SECRETARY:

33. Amendment No. 2, offered by Senator Washington.

PRESIDENT:

1. Senator Washington.

2. SENATOR WASHINGTON:

3. Amendment No. 2 was only drafted at the behest of the
4. President, because of an inadvertent inclusion in the rewriting
5. of the Amendment No. 1. I move its adoption.

6. PRESIDENT:

7. All right. Senator Washington has moved the adoption
8. of Amendment No. 2 to Senate Bill 1377. Is there any discussion?
9. If not, all in favor signify by saying Aye. All opposed. The
10. Ayes have it. The amendment is adopted. Any further amendments?

11. SECRETARY:

12. No further amendments.

13. PRESIDENT:

14. 3rd reading. Senator Nimrod, on 925. All right. Mr.
15. Secretary.

16. SECRETARY:

17. Amendment No. 1, offered by Senator Nimrod.

18. PRESIDENT:

19. Senator Nimrod, the Enrolled and Engrossed copy of the
20. bill has now been delivered to the Secretary's desk. It is
21. the opinion of the Chair that the amendment as offered is
22. technically incorrect, and simply will not fit. Senator
23. Nimrod.

24. SENATOR NIMROD:

25. Mr. President, I called down to the Reference Bureau,
26. and I talked to Mr. Anderson, who is the one who drafted
27. the amendment in the Reference Bureau, and he is preparing
28. another, the first seven-line change on that, which is the
29. problem, so it tracks right, and he'll have it up here
30. right away, so I...so you'd have it by the time you'd call
31. it.

32. PRESIDENT:

33. Well, if I can suggest, perhaps we ought to move it
back to 3rd, and you can try it again tomorrow.

1. SENATOR NIMROD:

2. Would I have leave to bring...

3. PRESIDENT:

4. Well, there would obviously have to be a motion to
5. suspend the applicable rule, with respect to waiting one
6. day after a bill is amended.

7. SENATOR NIMROD:

8. Can we seek leave to have permission to do that
9. now, Mr. President?

10. PRESIDENT:

11. Well, you can seek leave, but it doesn't frankly, look
12. like it would prevail. Well, I'm prepared to entertain a
13. motion to adjourn, so

14. SENATOR NIMROD:

15. ...It's on the typewriter, if you can wait a few minutes,
16. or can you not? If not, we'll have to go back to 3rd reading,
17. but...

18. PRESIDENT:

19. All right. Are you going to withdraw the amendment?

20. SENATOR NIMROD:

21. If that's your ruling, I will have to withdraw the
22. amendment, and...

23. PRESIDENT:

24. All right. The amendment has been withdrawn.

25. SENATOR NIMROD:

26. How about 926, then?

27. PRESIDENT:

28. Yes, Senator Buzbee?

29. SENATOR BUZBEE:

30. Mr. President, I move we adjourn.

31. PRESIDENT:

32. There's been a motion to adjourn. All in favor signify
33. by saying Aye. All opposed. The Ayes have it. The Senate

1. stands adjourned until...a roll call has been...all right,
2. I understand, Senator Graham. Roll call has been requested.
3. Pardon me? Yeah, I know you have an announcement, too.
4. All right. Roll call has been requested. The motion is
5. to adjourn until Friday at the hour of nine A.M. Those in
6. favor of the motion to adjourn will vote Aye. Those opposed
7. will vote Nay. The voting is open. Have all voted who
8. wish? Have all voted who wish? Have all voted who wish?
9. Take the record. On that question, the Ayes are 23, the
10. Nays are 26. None voting Present. The motion fails.
11. Senator Nimrod.

12. SENATOR NIMROD:

13. On 926, Mr. President, can we continue that bill...

14. PRESIDENT:

15. All right. On the order of Senate Bills, 2nd reading,
16. Senate Bill 926. Mr. Secretary.

17. SENATOR NIMROD:

18. Is 925 back on 3rd reading, since I withdrew the amendment?

19. PRESIDENT:

20. No, it's stayed right where it was.

21. SENATOR NIMROD:

22. Can we move that to 3rd reading?

23. PRESIDENT:

24. Certainly may. On the order of Senate Bills, 2nd reading,
25. Senate Bill 925. Mr. Secretary.

26. SENATOR NIMROD:

27. Well...why don't we just...I guess, finish this, and
28. then we'll go to the other one. I'll call you right back
29. on that, if you will.

30. PRESIDENT:

31. 926, Mr. Secretary.

32. SECRETARY:

33. Amendment No. 1, offered by Senator Nimrod.

PRESIDENT:

1. Senator Nimrod.

2. SENATOR NIMROD:

3. Yes, Senate Bill 926. The amendment redefines the Occupational
4. Diseases, and I would move for adoption of the amendment.

5. PRESIDENT:

6. Senator Nimrod has moved the adoption of Amendment No. 1
7. to Senate Bill 926. Is there any discussion? Senator Buzbee.

8. SENATOR BUZBEE:

9. Mr. President, I question a quorum, I question whether
10. the Senate has the ability to conduct any business at this
11. time.

12. PRESIDENT:

13. There has been a request for a call of the quorum. The
14. Secretary will call the roll.

15. SECRETARY:

16. Becker, Berman, Berning, Bloom, Bowers, Bruce, Buzbee,
17. Carroll, Chew, Coffey, Collins, D'Arco, Daley, Davidson, DeAngelis,
18. Demuzio, Donnewald, Egan, Geo-Karis, Gitz, Graham, Grotberg,
19. Hall, Johns, Jeremiah Joyce, Jerome Joyce, ...Gitz, Keats,
20. Knuppel, Lemke, Maitland, Maragos, Martin, McLendon, McMillan,
21. Merlo, Mitchler, Moore, Nash, Nedza, Nega, Nash...Netsch,
22. Newhouse, Nimrod, Ozinga, Philip, Regner, Rhoads, Rupp, Sangmeister,
23. Savickas, Schaffer, Shapiro, Sommer, Vadalabene, Walsh, Washington,
24. Weaver, Wooten, Mr. President.

25. PRESIDENT:

26. Senator Moore, for what purpose do you rise?

27. SENATOR MOORE:

28. How am I recorded, Mr. President?

29. PRESIDENT:

30. How is Senator Moore recorded?

31. SECRETARY:

32. He's not recorded.

33. SENATOR MOORE:

I am present.

1. PRESIDENT:
2. Senator Moore wants to be recorded as present...
3. SENATOR MOORE:
4. I also have a Parliamentary Inquiry, Mr. President.
5. PRESIDENT:
6. State your inquiry, Senator.
7. SENATOR MOORE:
8. What is the ruling of the Chair as far as a quorum is
9. concerned? Is it this chamber, this...bounded by these
10. four rooms? Is it out upon the balcony, where there are
11. several Democratic Senators? This question came up in the
12. House of Representatives some ten or twelve years ago, and
13. at that time, the ruling of the Speaker of the House was
14. that around the Rotunda on the third floor was also
15. considered as far as a quorum call was concerned, and
16. I would appreciate a ruling of the Chair on that point,
17. and then I have another point.
18. PRESIDENT:
19. The ruling of the Chair is that a majority of the
20. Senators elected shall constitute a quorum, pursuant to
21. Rule 3. What is the count, Mr. Secretary? Yes, Senator
22. Walsh.
23. SENATOR WALSH:
24. I don't know that you responded to Senator Moore's question,
25. but before you actually do rule as to whether we can conduct
26. any further business, I would move that the Sergeant-at-Arms
27. be directed to compel the attendance of a majority of the
28. members. It's under Rule 3, Mr. President.
29. PRESIDENT:
30. I'm aware of the rule. There's been no announcement
31. as to whether or not there's a quorum present. Senator Moore.
32. SENATOR MOORE:
33. Could I please have a ruling of the President of the
Senate as far as to what bounds are concerned, as far as a

1. quorum of the membership is concerned.

2. PRESIDENT:

3. I think the bounds are the same as that necessary to do
4. business within the Senate Chamber.

5. SENATOR MOORE:

6. In other words, these four walls that we are presently
7. embodied in?

8. PRESIDENT:

9. That's why we're here. All right, the Secretary has
10. informed me that 29 have answered present. It is a ruling
11. of the Chair that a quorum is not present. Senator Buzbee.

12. SENATOR BUZBEE:

13. Mr. President, I move we adjourn.

14. PRESIDENT:

15. Senator Buzbee has moved that we adjourn until Friday
16. at nine o'clock. The Senate stands adjourned. Yes, Senator
17. Graham, after the adjournment, for the purpose of an announcement.

18. SENATOR GRAHAM:

19. Yeah,...we're adjourned, and I have an announcement.
20. We're going to have a Republican caucus at eight...a caucus
21. at eight-thirty in the morning in Senator Shapiro's office,
22. and we're going to find out if we can find those killer
23. bees. You know, we're getting pretty close to Texas right
24. now, and the last time we ordered the Sergeant-at-Arms to
25. go out and find our people, he went to Jerseyville and
26. got lost, and he couldn't even find him, so...coffee and
27. rolls will be served, and that's where I was the moment the
28. excitement happened. I was getting the coffee and rolls.
29. Shapiro's office.

30.
31.
32.
33.