

81ST GENERAL ASSEMBLY

REGULAR SESSION

Reel #1

JUNE 29, 1979

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. The hour of ten o'clock having arrived, the Senate will come
3. to order. Will our guests in the Gallery please stand. The Prayer
4. will be by the Reverend Anthony G. Tzortzis, St. Anthony's Hellenic
5. Orthodox Church here in Springfield, Illinois.

6. REVEREND ANTHONY G. TZORTZIS:

7. (Prayer given by Reverend Tzortzis)

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Reading of the Journal.

10. SECRETARY:

11. Saturday, June 23rd, 1979, Sunday June the 24th, 1979.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator Johns.

14. SENATOR JOHNS:

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

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. You have heard the motion. All those in favor indicate by
20. saying Aye. Those opposed. The Ayes have it. The motion carries.
21. Senator Johns.

22. SENATOR JOHNS:

23. Mr. President, I move that reading and approval of the Journals
24. of Monday June the 25th, Tuesday, June the 26th, Wednesday, June the
25. 27th and Thursday, June the 28th in the year 1979 be postponed pending
26. arrival of the printed Journal.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. You have heard the motion. All in favor indicate by saying
29. Aye. All opposed. The Ayes have it. The motion carries. Messages
30. from the House.

31. SECRETARY:

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

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

1. House of Representatives has refused to concur with the Senate in
2. the adoption of Senate Amendments to House...the following House
3. Bills: Senate Amendment No. 2 to House Bill 4, Senate Amendment No.
4. 1 to House Bill 387, Senate Amendment No. 1 to House Bill 292,
5. Senate Amendment No. 1 to House Bill 525, Senate Amendment No. 1 to
6. House Bill 551, Senate Amendment No. 4 to House Bill 922, Senate
7. Amendments Nos. 1 and 2 to House Bill 961, Senate Amendments Nos.
8. 1 and 2 and 3 to House Bill 1170, Senate Amendment No. 1 to House
9. Bill 1461, Senate Amendment No. 1 to House Bill 1636, Senate Amendments
10. Nos. 1 and 3 to House Bill 1642, Senate Amendment No. 1 to House
11. Bill 1646, Senate Amendment No. 1 to House Bill 1681.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. That will be placed on the Secretary's Desk, non-concurrence.

14. PRESIDENT:

15. Senate will come to order. Messages from the House. Message
16. from the House with respect to Senate Bill 17, Senator Martin.
17. Read the Message, Mr. Secretary.

18. SECRETARY:

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

20. Mr. President - I am directed to inform the Senate that
21. the House of Representatives has refused to recede from House
22. Amendment No. 1 to Senate Bill 17 and request a first conference.
23. Speaker has appointed the members on the part of the House.

24. PRESIDENT:

25. Senator Martin moves to accede to the request for a Conference
26. Committee. The question is shall the Senate accede to the request
27. of the House that a Conference Committee be appointed. All in
28. favor signify by saying Aye. All opposed. The Ayes have it. The
29. motion carries and the Senate does accede to the request to appoint
30. a Conference Committee. 418.

31. SECRETARY:

32. House Amendment No. 1 to Senate Bill 418. They ask for a first
33. conference and the Speaker has appointed the members on the part of the
House.

1. PRESIDENT:

2. Senator Martin moves to accede to the request for a Conference
3. Committee. The question is shall the Senate accede to the request
4. of the House that a Conference Committee be appointed with respect
5. to Senate Bill 418. All in favor signify by saying Aye. All opposed
6. Nay...the motion carries and the Senate does accede to the request
7. to appoint a Conference Committee. 1335. Read the Message, Mr.
8. Secretary.

9. SECRETARY:

10. The House refuses to recede from House Amendment No. 1 to
11. Senate Bill 1335, ask for a first conference. Speaker has appointed
12. the members on the part of the House.

13. PRESIDENT:

14. Senator Daley moves to accede to the request for a Conference
15. Committee. The question is shall the Senate accede to the request
16. of the House that a Conference Committee be appointed. All in favor
17. signify by saying Aye. All opposed. The Ayes have it. The motion
18. carries and the Senate does accede to the request to appoint a Con-
19. ference Committee. Resolutions.

20. SECRETARY:

21. Senator Resolution 255 offered by Senator Mitchler. It's
22. congratulatory. Senate Resolution 256 offered by Senator Vadalabene
23. and all members. It's congratulatory. Senate Resolution 257 offered
24. by Senators Berman and Daley. It's congratulatory. Senate Resolution
25. 258 offered by Senator Newhouse and it's congratulatory.

26. PRESIDENT:

27. Consent Calendar. All right. We'll move to page 2 on the Cal-
28. endar, on the Order of the Secretary's Desk Concurrence. Senate Bill
29. 26, Senator Keats. On the Order of the Secretary's Desk Concurrence,
30. Senate Bill 26. Mr. Secretary.

31. SECRETARY:

32. Senate Bill 26 with House Amendment No. 2.

33. PRESIDENT:

Senator Keats.

1. SENATOR KEATS:

2. Mr. President and Ladies and Gentlemen of the Senate, I would
3. move that the Senate do concur with House Amendment No. 2 to Senate
4. Bill 26. The amendment offered by Representative Dan Pierce merely
5. specifies that the hearings held on the bill have to be public hear-
6. ings, a not unreasonable provision and I think we should accept it
7. so I move we do concur.

8. PRESIDENT:

9. Wait just a minute, Senator Keats. The Concurrence print-outs
10. from...LIS through Senator Regner have...are now going to be dis-
11. tributed. I'm told that in order to facilitate and make sure
12. everybody gets a copy of each or both, we're going to have different
13. colored covers and...so that even the pages can understand. All
14. right. Have all received a copy now? Senator Keats has moved that
15. the Senate concur with House Amendment No. 2 to Senate Bill 26. Is
16. there any discussion? If not, the question is shall the Senate concur
17. in House Amendment No. 2 to Senate Bill 26. Those in favor will vote
18. Aye. Those opposed will vote Nay. The voting is open. Have all
19. voted who wish? Have all voted who wish? Take the record. On that
20. question the Ayes are 53. The Nays are none. None Voting Present.
21. Senate does concur in House Amendment No. 2 to Senate Bill 26 and
22. the bill, having received the required constitutional majority, is
23. declared passed. 34, Senator Keats. On the Order of the Secretary's
24. Desk Concurrence is Senate Bill 34. Mr. Secretary.

25. SECRETARY:

26. Senate Bill 34 with House Amendment No. 1.

27. PRESIDENT:

28. Senator Keats.

29. SENATOR KEATS:

30. Thank you, Mr. President. I would move that the Senate do con-
31. cur with House Amendment No. 1 to Senate Bill 34. Senator Schlickman
32. changed one word...I can't remember the one word, but it's changing
33. like...Mr. Schlickman. I was just corrected...changed one word.

1. It's like of to is or it to the, but it's a one word change of
2. minor significance and I would ask that the Senate Do Concur.

3. PRESIDENT:

4. Senator Keats has moved that the Senate concur with House
5. Amendment No. 1 to Senate Bill 34. Is there any discussion? If not,
6. the question is shall the Senate concur in House Amendment No. 1
7. to Senate Bill 34. Those in favor will vote Aye. Those opposed
8. will vote Nay. The voting is open. Have all voted who wish?
9. Have all voted who wish? Take the record. On that question the
10. Ayes are 54. The Nays are none. None Voting Present. Senate
11. does concur in House Amendment No. 1 to Senate Bill 34 and the
12. bill, having received the required constitutional majority, is
13. declared passed. 47, Senator Lemke. 93, Senator Hall. 101, Senator
14. Schaffer. 244, Senator Joyce. On the Order of the Secretary's Desk
15. Concurrence is Senate Bill 244. Mr. Secretary.

16. SECRETARY:

17. Senate Bill 244 with House Amendment No. 6.

18. PRESIDENT:

19. Senator Joyce.

20. SENATOR JEREMIAH JOYCE:

21. Thank you, Mr. President and members of the Senate. I move
22. that the Senate concur with House Amendment No. 6 to Senate Bill
23. 244. House Amendment No. 6 does a number of things. It restricts
24. the original...the original bill, making it applicable only to
25. structures constructed prior to 1939. It also allows local units
26. of government, villages, cities, counties, home rule units to elect
27. not to participate in the program and it defines some of the tech-
28. nical language in the amendment...in the original bill. I would move
29. the adoption...the concurrence at this time.

30. PRESIDENT:

31. Is there any discussion? Senator Joyce has moved to...that the
32. Senate concur with House Amendment No. 6 to Senate Bill 244. Any
33. discussion? If not, the question is shall the Senate concur in House

1. Amendment No. 6 to Senate Bill 244. Those in favor will vote Aye.
2. Those opposed will vote Nay. The voting is open. Have all voted
3. who wish? Have all voted who wish? Take the record. On that question
4. the Ayes are 54. The Nays are none. 1 Voting Present. The Senate
5. does concur in House Amendment No. 6 to Senate Bill 244 and the bill,
6. having received the required constitutional majority, is declared
7. passed. 278, Senator Regner. On the Order of the Secretary's Desk
8. Concurrence is Senate Bill 278. Mr. Secretary.

9. SECRETARY:

10. Senate Bill 278 with House Amendments 1 and 2.

11. PRESIDENT:

12. Senator Regner.

13. SENATOR REGNER:

14. Yes, Mr. President. I'm going to move to concur in House
15. Amendments No. 1 and 2. What they do is they allow racing tracks
16. here in Illinois to contract with other racing entities in states
17. where they allow off-track betting to actually take the wagers in
18. those states on the...on the bets and the three and a half percent
19. comes to Illinois to the tracks that run the events. Seven and a
20. half percent of those wagers of the three and a half percent comes
21. to the State under the current formula and then the tracks and the
22. horsemen split the remainder. It will be a source of income. It's
23. really requested originally by the Hambletonian group and I would
24. move for the concurrence in Amendments 1 and 2.

25. PRESIDENT:

26. All right. Senator Regner has moved concurrence with House
27. Amendments 1 and 2 to Senate Bill 278. Is there any discussion?
28. Senator Buzbee.

29. SENATOR BUZBEE:

30. Yes, Senator, I'm sorry. I was trying to listen to you, but
31. I got distracted. Is this the same formula that we passed in a
32. Senate Bill which...in a House Bill that gives the fourth race as
33. well as the third race...the State's take on that? Okay, would

1. you explain this to me again, please?

2. PRESIDENT:

3. Senator Regner.

4. SENATOR REGNER:

5. No, it doesn't have anything to do with that other formula,
6. Senator Buzbee. What it does...allows an organized licensee...

7. PRESIDENT:

8. All right. Mr. Sergeant-at-Arms, will you clear the Floor of
9. all unauthorized persons. Will the members please be in their
10. seats.

11. SENATOR REGNER:

12. ...It authorizes organized...organization licenses of racing
13. events with the consent of the Racing Board to contract with duly
14. authorized and legal wagering entities of another state that does
15. allow off-track betting to permit such entity to accept wagers
16. solely within such other states on races conducted by the organization
17. licensee from Illinois.

18. PRESIDENT:

19. Further discussion? Senator D'Arco.

20. SENATOR D'ARCO:

21. Thank you, Mr. President. We had this bill in committee and
22. this is a very valid amendment. It will generate more money, Senator
23. Buzbee, to the State of Illinois. We're going to benefit by this
24. three percent of the purse that's in the off-track betting state will
25. come back to Illinois in terms of revenue so, you know, I think we
26. should support this amendment.

27. PRESIDENT:

28. All right. Senator Regner has moved that the Senate concur with
29. House Amendments 1 and 2 to Senate Bill 278. Any further discussion?
30. Senator Bruce.

31. SENATOR BRUCE:

32. Thank you, Mr. President. I'm curious about Amendment No. 2
33. which says they have to render unto the State seven and a half percent
within forty-eight hours. Then how does this shift the break between

1. the State and the tracks and at what point do we recover the remain-
2. ing ninety-three percent less their take?

3. PRESIDENT:

4. Senator Regner.

5. SENATOR REGNER:

6. Senator Bruce, as I said, the State gets seven and a half percent
7. and the remaining portion is split between the track and the horsemen.

8. PRESIDENT:

9. Senator Bruce.

10. SENATOR BRUCE:

11. Are you saying that they split ninety-three percent of the take
12. between the track and the owners?

13. PRESIDENT:

14. Senator Regner.

15. SENATOR REGNER:

16. It's ninety three percent of three and a half percent. They
17. get three and a half percent from the...outside the State organ-
18. ization so it's seven...of that three and a half percent, seven and
19. a half goes to the State and the tracks and the horsemen retain the
20. rest, but it's seven and a half percent of three and a half percent.

21. PRESIDENT:

22. Further discussion? Senator Bowers.

23. SENATOR BOWERS:

24. Sponsor yield to a question?

25. PRESIDENT:

26. Indicates he will yield, Senator Bowers.

27. SENATOR BOWERS:

28. I'm not totally sure I understand. There's been a lot of
29. noise around here...

30. PRESIDENT:

31. All right. We are going to start insisting that the pages please
32. be seated. Staff will please remove themselves from the Floor. All
33. unauthorized people better get off the Floor. We have but two days

1. remaining to conclude our business. Mr. Sergeant-at-Arms, let's
2. shape them up. Senator Bowers.

3. SENATOR BOWERS:

4. Thank you, Mr. President. Now this in effect or the effect of
5. this is to permit an off-track betting parlor outside the State of
6. Illinois for Illinois racing, is that correct?

7. PRESIDENT:

8. Senator Regner.

9. SENATOR REGNER:

10. Yes, to take bets and place wagers on the Illinois races and
11. like I said, it was primarily instituted by the Hambletonian group
12. which is the Kentucky Derby of harness racing, of course.

13. PRESIDENT:

14. Senator Bowers.

15. SENATOR BOWERS:

16. Well, okay, but it has nothing to do with the Kentucky Derby.
17. That's not run in Illinois. What I'm...what I'm really interested
18. in is it limited to surrounding states or is this throughout the
19. country or...

20. PRESIDENT:

21. Senator Regner.

22. SENATOR REGNER:

23. Throughout the country.

24. PRESIDENT:

25. Senator Bowers.

26. SENATOR BOWERS:

27. Does the state of origin...I presume has to permit these parlors
28. in the first place and...

29. PRESIDENT:

30. Senator Regner.

31. SENATOR REGNER:

32. Yes, it's spelled out in the amendment, Senator Bowers, to
33. another state to permit such entity and it would be only those entities

where they are permitted within the state, such as New York.

1. PRESIDENT:

2. Senator Bowers.

3. SENATOR BOWERS:

4. All right. Then...then what is the State's income from...from
5. this operation? As I understood...

6. PRESIDENT:

7. Senator Bruce, would you mind taking the caucus off the Floor?

8. SENATOR BOWERS:

9. As I understand it, we get seven...some percentage of seven
10. percent. Is that what it amounts to?

11. PRESIDENT:

12. Senator Regner.

13. SENATOR REGNER:

14. The three and a half percent comes back into Illinois. The
15. State of Illinois' take for General Revenue is seven and a half percent
16. of that three and a half percent and as far as the actual dollar is
17. concerned...you know, I have no way to estimate that.

18. PRESIDENT:

19. Further discussion? Question is shall the Senate concur in
20. House Amendments 1 and 2 to Senate Bill 278. Those in favor will
21. vote Aye. Those opposed will vote Nay. The voting is open. Have
22. all voted who wish? Have all voted who wish? Take the record. On
23. that question the Ayes are 37. The Nays are 16. 1 Voting Present.
24. Senate does concur with House Amendments 1 and 2 to Senate Bill 278
25. and the bill, having received the required constitutional majority,
26. is declared passed. 362, Senator Davidson. On the Order of Secretary's
27. Desk Concurrence is Senate Bill 362, Mr. Secretary.

28. SECRETARY:

29. Senate Bill 362 with House Amendments 2, 3, 7, 9, 10, 12 and 13.

30. PRESIDENT:

31. Senator Davidson.

32. SENATOR DAVIDSON:

33. Mr. President, I want to move to concur on House Amendment 2, 3,

1. 7, 9 and 12 and non-concur on 10 and 13.

2. PRESIDENT:

3. Senator Davidson.

4. SENATOR DAVIDSON:

5. Yes, Amendment No. 2 is a technical amendment correcting an
6. error from the Reference Bureau. No. 3 allows two members in the
7. House to buy in some time on Pension System. No. 7 is for another
8. member of the House to buy in a Pension System. No. 9 is another
9. amendment for a person to buy into the reciprocal agreement pension.
10. No. 12 is the vesting rights for firemen the same as policemen, that
11. we passed out of here last year.

12. PRESIDENT:

13. Senator Davidson has moved that the Senate concur with House
14. Amendments 2, 3, 7, 9 and 12 to Senate Bill 362. Any discussion?
15. Senator Regner.

16. SENATOR REGNER:

17. Question of the sponsor.

18. PRESIDENT:

19. Indicates he'll yield. Senator Regner.

20. SENATOR REGNER:

21. Senator Davidson, what is Amendment No. 12 and doesn't that have
22. a fiscal impact both on the State and the local governments to some
23. pretty big extent?

24. PRESIDENT:

25. Senator Davidson.

26. SENATOR DAVIDSON:

27. It's the vesting right in a pension for the firemen the same as
28. what we did for the policemen and it does have some cost, the amount
29. I don't know, but the Illinois Municipal League...with the agreement
30. that the House is going to recede from 10 and 13, they are willing to
31. accept 13 for the vesting right and the House is going to recede on...
32. I mean 12 and the House is going to recede from 10 and 13 which does
33. have the fiscal...the big fiscal impact.

1. PRESIDENT:

2. Senator Regner.

3. SENATOR REGNER:

4. Senator Davidson, I'd like to make a request that you withdraw
5. 12 from the over-all concurrence and...so that we can vote on the
6. 12...Amendment No. 12 concurrence by itself.

7. PRESIDENT:

8. Request is in order. Senator Davidson.

9. SENATOR DAVIDSON:

10. We'll divide the question.

11. PRESIDENT:

12. All right. Further discussion? Senator Egan.

13. SENATOR EGAN:

14. Thank you, Mr. President. Just for your information, Senator
15. Regner, that vesting provision is one of the reasons that Congress...
16. the lack of that vesting procedure, is the reason that Congress has
17. been breathing down our back and this will correct that situation
18. and admittedly there is...

19. PRESIDENT:

20. That...that...you are not quite yet in order. That question has
21. been removed. We are not...the question is Senator Davidson has moved
22. to concur with House Amendments 2, 3, 7 and 9. Any discussion? All
23. right. The question is shall the Senate concur with House Amendments
24. 2, 3, 7, and 9 to Senate Bill 362. Those in favor will vote Aye.
25. Those opposed will vote Nay. The voting is open. Have all voted who
26. wish? Have all voted who wish? Take the record. On that question
27. the Ayes are 39. The Nays are 13. 2 Voting Present. The Senate
28. does concur in House Amendments 2, 3, 7 and 9 to Senate Bill 362.
29. Senator Davidson.

30. SENATOR DAVIDSON:

31. I move to concur in House Amendment...I move to concur in House
32. Amendment No. 12. It covers what we debated...does the vesting right
33. answer...Senator Egan responded to one of the main reasons why this

1. is...agreed to and the other two come off which cost the big money.
2. I'd move to concur on Amendment No. 12.

3. PRESIDENT:

4. Any discussion? Senator Egan. Your remarks are now in order.

5. SENATOR EGAN:

6. Thank you. I just wanted to bring to the attention of every-
7. body that the...the Dent Bill in Congress...one of the objectives is
8. to correct a situation which we are correcting by Amendment 12. In
9. light of the fact...even in spite of the fact that there is a fiscal
10. impact, it's...it is one of those things that Congress wants to do
11. and having done it, we don't need them to do it for us.

12. PRESIDENT:

13. Further discussion? All right. Senator Davidson has moved
14. that the Senate concur in House Amendment No. 12 to Senate Bill
15. 362. If there is no further discussion, the question is shall the
16. Senate concur in House Amendment No. 12 to Senate Bill 362. Those
17. in favor will vote Aye. Those opposed will vote Nay. The voting
18. is open. Have all voted who wish? Have all voted who wish? Take
19. the record. On that question the Ayes are 37. The Nays are 18.
20. None Voting Present. The Senate does concur in House Amendment No.
21. 12 to Senate Bill 362. Senator Davidson.

22. SENATOR DAVIDSON:

23. Mr. President, I move to non-concur on Amendment 10 and 13.

24. PRESIDENT:

25. Senator Davidson has moved non-concurrence on House Amendments
26. 10 and 13 to Senate Bill 362. Those in favor will say Aye. Those
27. opposed. The Ayes have it. The motion carries and the Secretary
28. shall so inform the House. 484, Senator Coffey. On the Order of
29. Secretary's Desk Concurrence is Senate Bill 484. Mr. Secretary.

30. SECRETARY:

31. Senate Bill 484 with House Amendments 2, 3, 4, 5, 7 and 8.

32. PRESIDENT:

33. Senator Coffey.

1. SENATOR COFFEY:

2. Mr. President, I would like to split this question and act
3. upon Amendments 3, 5 and 7.

4. PRESIDENT:

5. You wish to concur in 3, 5 and 7?

6. SENATOR COFFEY:

7. I'd like to concur with those amendments.

8. PRESIDENT:

9. All right, Senator Coffey.

10. SENATOR COFFEY:

11. Mr. President and members of the Senate, House Amendment No.
12. 3 removes the twenty thousand unbudgeted funds for the studying
13. of market in Latin America. This money was...this amendment was
14. one of the amendments that Senator Knuppel was interested in and
15. Amendment No. 7 puts that money back in so they wash each other
16. out, 3 and 7. House Amendment No. 5 appropriates a new Federal
17. fund anticipation by the Department. I'd ask for a favorable roll
18. call.

19. PRESIDENT:

20. Any discussion? Senator Carroll. Senator Carroll.

21. SENATOR CARROLL:

22. Thank you, Mr. President and Ladies and Gentlemen of the
23. Senate. We concur in Senator Coffey's motion to concur.

24. PRESIDENT:

25. All right. Senator Coffey has moved that the Senate concur
26. with House Amendments 3, 5 and 7 to Senate Bill 484. Any discussion?
27. If not, the question is shall the Senate concur in House Amendments
28. 3, 5 and 7 to Senate Bill 484. Those in favor will vote Aye. Those
29. opposed will vote Nay. The voting is open. Have all voted who wish?
30. Have all voted who wish? Take the record. On that question the
31. Ayes are 50. The Nays are none. None Voting Present. The Senate
32. does concur with House Amendments 3, 5 and 7 to Senate Bill 484.
33. Senator Coffey.

1. SENATOR COFFEY:

2. Yes, Mr. President and members of the Senate. On...on the
3. following three amendments, I would like to separate that question
4. and act upon those separately and on House Amendment No. 2 I
5. would like to ask for concurrence. It adds fifty-five thousand
6. seven hundred dollars in grants to Soil and Water Conservation
7. District. It is money that puts it...the grant back in line with last
8. year's grant line item and I'd ask for a favorable roll call.

9. PRESIDENT:

10. Senator Coffey has moved to concur with House Amendment No. 2
11. to Senate Bill 484. Any discussion? Senator Sommer.

12. SENATOR SOMMER:

13. Mr. President and members, I would oppose this motion. We have
14. two amendments here involving the Soil and Water Districts and we
15. would like to discuss that matter, I believe, in the Conference
16. Committee.

17. PRESIDENT:

18. Further discussion? Senator Carroll or Senator Buzbee.

19. SENATOR BUZBEE:

20. I join Senator Sommer in his opposition.

21. PRESIDENT:

22. All right. Senator Coffey has moved to...that the Senate concur
23. with House Amendment No. 2 to Senate Bill 484. The question is shall
24. the Senate concur in House Amendment No. 2 to Senate Bill 484. Those
25. in favor will vote Aye. Those opposed will vote Nay. The voting is
26. open. Have all voted who wish? Have all voted who wish? Take the
27. record. On that question the Ayes are 13. The Nays are 30. 1 Voting
28. Present. The Senate does not concur in House Amendment No. 2 to
29. Senate Bill 484. The Secretary will so inform the House. Senator
30. Coffey.

31. SENATOR COFFEY:

32. House Amendment No. 4 we would like to non-concur with that and
33. ask for...

1. PRESIDENT:

2. What about 8?

3. SENATOR COFFEY:

4. ...Let's just non-concur with both of them and put them into
5. committee and discuss...

6. PRESIDENT:

7. That makes sense. Senator Coffey moves to non-concur in House
8. Amendments 4 and 8 to Senate Bill 484. Those in favor indicate
9. by saying Aye. Those opposed. The Ayes have it. Motion carries
10. and the Secretary shall so inform the House. 2, 4 and 8. If I
11. can have the attention of the Body, we have with us an honored guest.
12. The Chair will yield to Senator Weaver.

13. SENATOR WEAVER:

14. Thank you, Mr. President. It's a real privilege for me this
15. morning or this afternoon to introduce a great guy in the State of
16. Illinois. Ray Elliott started his coaching career at Illinois
17. College in Jacksonville. He came to the University of Illinois as
18. an assistant coach to the great Bob Zubke and in his tenure as coach,
19. head coach at the University of Illinois he brought us two Rose Bowl
20. winners in '47 and '52. I'd like for you all to greet Ray Elliott
21. and he has a few remarks.

22. MR. RAY ELLIOTT:

23. (Remarks by Mr. Elliott)

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. What purpose Senator Philip rise?

26. SENATOR PHILIP:

27. Mr. President, point of personal privilege.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. State your point.

30. SENATOR PHILIP:

31. I have in the back of our Chamber Mr. and Mrs. Ray Page who
32. as you are probably aware was the State Superintendent of Public
33. Instruction for Illinois for two terms and was truly a great

1. superintendent. Also, you may remember that he was the basketball
2. coach for Springfield High School and for six...six consecutive
3. year that high school was in the finals...State Finals and of course,
4. they won the State Championship. He's not only a good friend, good
5. American, he's a great guy and it gives me great pride and pleasure to
6. present to you Mr. and Mrs. Ray Page.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Happy to have you with us today. Senate Bill 487 with House
9. Amendments 1, 2, 3, 4, 5, 6 and 8. Senator Grotberg is recognized.

10. SENATOR GROTBORG:

11. Thank you, Mr. President. I would move to concur in Amendments
12. 2, 4...I'm sorry. 1, 2, 3, 6 and 8 in these minor adjustments to the
13. Local Government Affairs Committee...Department.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Grotberg.

16. SENATOR GROTBORG:

17. Yes, I move to concur in Amendments 1, 2, 3, 6 and 8 in these
18. minor adjustments to the Local Government Affairs Department.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Carroll. Motion is to concur in House Amendments 1, 2,
21. 3, 6 and 8.

22. SENATOR CARROLL:

23. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
24. I concur in the motion to concur in Amendments 1, 2, 3, 6 and 8.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. The question is shall the Senate concur in House Amendments 1,
27. 2, 3, 6, and 8 to Senate Bill 487. Those in favor vote Aye. Those
28. opposed vote Nay. The voting is open. Have all voted who wish?
29. Have all voted who wish? Take the record. On that question the Ayes
30. are 51. The Nays are none. None Voting Present. The Senate does
31. concur in House Amendments 1, 2, 3, 6 and 8 to Senate Bill 487. The
32. bill...further...Senator Grotberg on Amendments 4 and 5.

33. SENATOR GROTBORG:

1. Now, Mr. President, I move to non-concur in Amendments 4 and 5.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Motion is to non-concur in House Amendments 4 and 5 to Senate
4. Bill 487. Those in favor say Aye. Opposed Nay. Ayes have it and the
5. Senate non-concurs in the House...the Secretary shall so inform the
6. House. House...Senate Bill 490, Senator Nimrod, are you ready to
7. proceed with House Amendments 1, 2 and 3? Senator Nimrod is recognized.

8. SENATOR NIMROD:

9. Thank you, Mr. President. What I'd like to do is to take each
10. of these by themselves, if I may. On House Amendment No. 1 I would
11. move to concur and what that does, in fact, is...does not change the
12. monetary value at all and what it does is to set aside two hundred
13. thousand dollars for...of the Illinois Arts Council appropriation for the
14. ethnic art in Illinois. I guess this was done a couple years ago,
15. but was not done in this particular provision and the House has asked
16. to set that aside so I would move for concurrence in House Amendment
17. No. 1.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Motion is to concur in House Amendment 1. Is there discussion?
20. Senator Carroll.

21. SENATOR CARROLL:

22. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
23. I concur in Senator Nimrod's motion to concur. We have in the past
24. set aside approximately this amount for the ethnic art. It was
25. apparently an error in not having set it aside initially in the bill
26. and this just sets it aside as we have done each and every Session
27. in the last few Sessions. I would concur.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Further discussion? Senator Rhoads.

30. SENATOR RHOADS:

31. Well, as I recall, it may have been the last two Sessions, but
32. in 1977 we had the fifty thousand dollars for ethnic arts and it was
33. nowhere defined in the bill at that time. Just basically, Senator

1. Nimrod, what specifically is ethnic arts and what's the money spent
2. on?

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Nimrod.

5. SENATOR NIMROD:

6. Well, I think what we have done is left that open for the Board...
7. the Arts Council members themselves to decide on in their appropriations
8. and I imagine anything that has to do with ethnic arts is something
9. that is supported by one of our ethnic groups that are recognized
10. within our community. At least, that's what the Arts Council told
11. me. There are several ethnic groups that are recognized which do
12. present the various art projects. They are for either individuals or
13. for groups in this project for grants.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Rhoads.

16. SENATOR RHOADS:

17. Well, I'd just like to know what the money was spent on in the
18. last two years. You know, two years ago we approved it and I...I
19. asked for a definition then. I've never gotten a definition from the
20. Arts Council and I just want to know what the money is being spent on.
21. That's all.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Further discussion? Senator Netsch. Further discussion? Senator
24. Nimrod may close. Senator Netsch, do you wish to...Senator Netsch.

25. SENATOR NETSCH:

26. Yeah. I had a question. The particular motion at the moment,
27. Senator Nimrod, relates only to that item, the ethnic art item, is
28. that correct? There will be other non-concurrences or concurrence
29. motions to be made? Thank you.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Further discussion? Senator Nimrod may close.

32. SENATOR NIMROD:

33. I would ask for a concurrence in House Amendment No. 1.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. The question is shall the House...Senate concur in House
3. Amendment No. 1 to Senate Bill 490. Those in favor vote Aye.
4. Those opposed vote Nay. The voting is open. Have all voted who
5. Have all voted who wish? Take the record. On that question the
6. Ayes are 48. The Nays are 6. None Voting Present. Senate does
7. concur in House Amendment No. 1 to Senate Bill 490. Senator Nimrod
8. on Amendment No. 2 to Senate Bill 490. Senator Nimrod is recognized.
9. SENATOR NIMROD:

10. All right. On House Amendment No. 2, what this does is to add
11. in five hundred thousand dollars in additional monies to the approp-
12. riation for grants. It does encompass two other proposals. One is
13. to conduct a survey on a report of the grants that are being made
14. and the third thing it does is to provide for incentives for these
15. additional funds that they be let out...the program is on a matching
16. fund. Doesn't mean that all monies going to the Arts Council...their
17. recipients are going to be on a matching funds. It's for any of
18. the additional. On this, since I have not gotten any details or
19. anything on it, I would say that in this case, we'll put it up for
20. concurrence. The Arts Council itself supports it, but it is not
21. their amendment. I would think that maybe the best thing to do is
22. to see if it'll fly. If it doesn't fly, why it can go back and let
23. the House take it off. So I think my motion then would be to concur
24. and let's see what your decisions would be.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Okay. Is there discussion? Senator Sommer.

27. SENATOR SOMMER:

28. Mr. President and members, I oppose this motion. This adds
29. another half a million dollars to the Arts Council...I don't think
30. it's anything we want to do and we would...it's unbudgeted. The
31. Governor doesn't want it. I...I don't know who wants it and I oppose
32. it.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Further discussion? Senator Carroll.

2. SENATOR CARROLL:

3. Yes, I echo the comments of Senator Nimrod where he said
4. nobody knows where it's coming from and where it's going. I was
5. surprised by his...the juxtaposition he then made of then saying
6. let's concur. Obviously, we should non-concur, based on his own
7. statements. We don't know what it's going to be used for audits,
8. what's going to be used for grants. If there is a real need for
9. this, let's do it in conference and specify what's going where and
10. I would suggest we not concur in Amendment No. 2.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Further discussion? Further discussion? Senator Nimrod may
13. close.

14. SENATOR NIMROD:

15. Yeah, in light of the conversation since I am the sponsor was
16. the only reason I decided we would concur, but if we don't know the
17. facts, could I change this to a non-concurrence and see if we can
18. get them to give us some...can I have leave to do that?

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator, there's another amendment...is your motion....

21. SENATOR NIMROD:

22. Yeah, I know. Can I have leave for a non-concurrence in this...
23. in this particular...Amendment No. 2?

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Oh, sure. We've divided the question. If the motion is to
26. non-concur we can take it on 2.

27. SENATOR NIMROD:

28. Fine, thank you.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Motion is to non-concur on House Amendment No. 2 to Senate Bill
31. 490. Those in favor say Aye. Opposed Nay. Ayes have it and the
32. Senate non-concurs in Amendment No. 2 and the Secretary shall so
33. inform the House. House Amendment No. 3. Senator Nimrod is recognized.

1. SENATOR NIMROD:

2. Thank you, Mr. President. House Amendment No. 3, there's
3. something I think that's rather unique and it's a little different
4. for us here in the General Assembly. What I have been advised by
5. Mr. Mitch Koblinsky, who is the President of the National Heritage
6. Groups and in fact, is the Chairman of this program, which is...for
7. those of you who might be aware of the Gateway Theater in the North-
8. west part of Chicago. It's quite a landmark over there and what's
9. happened is that the Polish community has, in fact, agreed to purchase
10. this building and what they are doing is to make it an ethnic center
11. for the Polish Cultural and Arts Center and on a matching fund basis
12. they have asked this amendment, I understand...asked a two hundred
13. thousand dollar appropriation to be included in the Arts Council as
14. a pass-through through them to the...get the proper name here...The
15. Copernicus Foundation Community Center is what it's going to be called
16. and this is the two hundred thousand dollar appropriation for that.
17. They, in fact, are raising...they will match the funds. They, in
18. fact, are...have spent on this building or will be spending on it..
19. I understand, close to a million dollars in addition to that to
20. convert this theater to a center. If you are aware of Chicago and
21. it's make-up and it's transportation center, this is right at Jef-
22. ferson Park. Jefferson Park is a rail, bus and subway center within
23. about...about a hundred yards of that particular center so...

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator, your time has expired.

26. SENATOR NIMROD:

27. Thank you. I would, then, move to concur in House Amendment 3.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Motion is to concur. Is there discussion? Senator Buzbee.

30. SENATOR BUZBEE:

31. ...Yes, Mr. President. I'm sure this is a very worthwhile
32. project and there may be a time when the State of Illinois should
33. get involved in it. However, this is not the time nor the place.

1. This is the appropriation to the Arts Council and now we are going
2. to appropriate two hundred thousand dollars for the cost of remodel-
3. ing and furnishing the former Gateway Theater premises in Chicago
4. as a theater and center for Polish culture. Well, I've got some
5. abandoned theaters in my district that I'd like to remodel and fur-
6. nish for the promulgation of WASP culture and there are some good
7. Irish cultures that need to be promulgated. There are some...a lot
8. of cultures that need to be promulgated, but we don't...we have never
9. spent money through the Arts Council for remodeling and refurbishing
10. of a theater of any kind of a building. It is, in fact, money...the
11. President is whistling at me...It is, in fact, money that is to be
12. used to promulgate the arts, not to promulgate theaters, physical
13. buildings so for that reason I think we ought to oppose this motion.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Further discussion? Senator Lemke.

16. SENATOR LEMKE:

17. Thank you, Mr. President and fellow Senators. I rise in
18. support of the motion to concur. This is not a step to do anything.
19. It's a matching funds grant and the people have to come up with
20. the money on the other side and I'm sure they will. As far as saying
21. something about a WASP culture, there's no such thing...nationality
22. as a WASP. You're either a...if you're English or Irish or Scottish,
23. that's nationality and it...if it wasn't for some of these cultures
24. like the Italians and the Poles, Senator Buzbee, there'd be no coal
25. mines in Southern Illinois. There'd be no coal dug because none of
26. those WASPs wanted to dig the coal. It was the Poles, the Bohemians,
27. the Italians, the Lithuanians, the Slavonians and all the rest of
28. the Eastern Europeans that came here and dug that coal out of those
29. holes under bad conditions. I ask for...

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. All right, Senator Carroll.

32. SENATOR CARROLL:

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

1. Senator Buzbee said this is not the time nor the place to do this.
2. It may not be the time, but the place happens to be in my district.
3. There are two things interesting in this though, other than the place.
4. This is ethnic art and culture, but it's the old Clem Stone trick
5. and I think it's a good one...no disparagements of Clem Stone or Arthur
6. Rubloff of any of the great philanthropists, but many of them have
7. said to groups, I'll put in the second money. You come up with the
8. first. I'll put up a million if you put up a million or I'll put
9. up a hundred thousand if you put up a hundred thousand. Nine times
10. out of ten they never have to come up with the money because the
11. little groups never come up with it first, so it makes them great
12. philanthropists without always having to go into pocket. Here's one
13. where we are saying to a group you come up with the first two hundred
14. thousand. If you reach that, we'll then match it and it may not be
15. a bad idea. In fact, I think it's a good idea to say you come up
16. first, then if you really want to do it and you've got the money,
17. we will then match it. Maybe we should do this with all of the
18. Arts Council type grants and since it may...since that seems timely
19. and the place is in my district, I rise in support.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Well, now Gentlemen, we have Senators Berning, Ozinga, Regner
22. and Hall. I might remind you that...and Senator Washington. All
23. right. Senator Berning.

24. SENATOR BERNING:

25. Thank you, Mr. President. I'd just like to remind the Body that
26. yesterday we denied a hundred seventy thousand dollars to a school
27. to accommodate mentally retarded and mentally handicapped children, a
28. school which is being penalized by the under funding programs of our
29. State Department of Mental Health and Public Aid. If we cannot support
30. schools for the mentally retarded and mentally handicapped, we cer-
31. tainly can't justify putting it into a theater, laudable as that
32. building...enterprise may be and I would suggest a No vote.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Further discussion? Senator Ozinga.

2. SENATOR OZINGA:

3. Yep, this sounds like the beginning of fifty-nine speeches.

4. Results is that the ethnics like the Irish and the Dutch would now
5. move for the previous question.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. All right. The following Senators are already on the board,
8. Regner, Kenneth Hall and Senator Washington. Senator Regner.

9. SENATOR REGNER:

10. Well, Mr. President and members of the Senate, I guess on this
11. issue we are back to the big three, but based on what Senator Buzbee
12. said, I'm in total agreement with him and based upon what Senator
13. Sommer said on Amendment No. 2 that I would urge a No vote on this
14. additional expenditure which is unbudgeted and nobody knows where
15. the money is coming from.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Kenneth Hall.

18. SENATOR HALL:

19. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
20. I rise in support of Polish culture, but I also want to state that
21. when I asked for five thousand dollars the big three...the big
22. four at that time, headed by Senator Carroll, lopped off five thousand
23. dollars. It wasn't the time and it wasn't the place. It's the
24. place now, Senator Carroll and the reason I'm supporting this,
25. Senator Carroll, is because of Senator Lemke, but I'm glad to see
26. at long last a division is finally coming...at last, long at last,
27. a division is finally coming between the big four.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Washington.

30. SENATOR WASHINGTON:

31. Very briefly, Mr. PResident, I seldom agree with Leroy Lemke on
32. anything. As a matter of fact, I once thought there was nothing
33. I could agree with him on, but I would agree with him that we should

1. do everything to perpetuate the culture of one of the greatest
2. peoples on Earth, the Polish people. I'll vote for this.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Further discussion? Senator Nimrod may close...oh, UPI has
5. requested leave to shoot still photographs from the Press Box for
6. one hour. Is there leave? Leave is granted. Senator Nimrod.

7. SENATOR NIMROD:

8. Thank you, Mr. President. In...in my...can we have some order,
9. Mr. President?

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Very little, Senator.

12. SENATOR NIMROD:

13. In my conversation with...

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Ladies and Gentlemen, if we can just be a little quieter, perhaps
16. we can get our work done a little sooner. Senator Nimrod.

17.

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21.

(END OF REEL #1)

22.

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33.

1. SENATOR NIMROD:

2. Thank you. In my conversation with Mr. Koblinski, he has assured
3. me that these funds, if we should pass them, will not go
4. for the purchase of the property, they're not for that
5. ...the matching funds are for improving the stage and the
6. arts, and performing and being able to keep in line with
7. what's intended within the Arts Council Program. I ask for
8. a favorable roll call.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. The question is, shall the Senate concur in House Amendment
11. No. 3 to Senate Bill 490. Those in favor vote Aye. Those
12. opposed vote Nay. The voting is open. Have all voted who wish?
13. Have all voted who wish? Take the record. On that question,
14. the Ayes are 32, the Nays are 21. None Voting Present. The
15. Senate does concur in House Amendment No. 3 to Senate Bill
16. 490. Senator Mitchler has requested a verification. Will
17. the members please be in their seats. All right, there's
18. been a request for a verification. Secretary will call those
19. who voted in the affirmative.

20. SECRETARY:

21. The following voted in the affirmative: Berman, Carroll,
22. Chew, Collins, D'Arco, Daley, De Angelis, Demuzio, Donnewald,
23. Geo-Karis, Gitz, Hall, Johns, Jeremiah Joyce, Jerome Joyce,
24. Lemke, Maragos, McLendon, Merlo, Nash, Nedza, Nega, Netsch,
25. Newhouse, Nimrod, Rupp, Sangmeister, Savickas, Vadalabene,
26. Washington, Wooten, Mr. President.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Mitchler do you request...

29. SENATOR MITCHLER:

30. Senator...Senator De Angelis.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator De Angelis is in his seat.

33. SENATOR MITCHLER:

Senator Maragos.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Senator Maragos on the Floor?
3. SENATOR MITCHLER:
4. Senator...Senator...go ahead.
5. PRESIDING OFFICER: (SENATOR BRUCE)
6. Senator Maragos on the Floor? Strike his name.
7. SENATOR MITCHLER:
8. Senator Newhouse.
9. PRESIDING OFFICER: (SENATOR BRUCE)
10. Senator Newhouse on the Floor? Senator Newhouse on the
11. Floor? Strike his name.
12. SENATOR MITCHLER:
13. Jeremiah Joyce, Senator Jeremiah Joyce.
14. PRESIDING OFFICER: (SENATOR BRUCE)
15. Senator Jeremiah Joyce on the Floor? Is Senator Jeremiah
16. Joyce on the Floor? Strike his name.
17. SENATOR MITCHLER:
18. Take the record.
19. PRESIDING OFFICER: (SENATOR BRUCE)
20. Do you question the presence of any other member? On
21. that question, the Ayes are 29, the Nays are 21. The Senate
22. does not...the Senate does not concur in House Amendment No. 3
23. to Senate Bill 490, and the Secretary shall so inform the House.
24. Now, Senator Nimrod on...Senate Bill 494, Senator Davidson.
25. Senate Bill...for what purpose does Senator Rock rise?
26. SENATOR ROCK:
27. Thank you, Mr. President, and Ladies and Gentlemen of
28. the Senate. In a meeting a little earlier that I attended
29. with the Speaker of the House...
30. PRESIDING OFFICER: (SENATOR BRUCE)
31. Ladies and Gentlemen may we have some...may we have some
32. order.
33. SENATOR ROCK:
Thank you, Mr. President. In a meeting I attended a little

1. eariler with the Joint Leadership from both Houses , it was
2. suggested that the hour of 2:00 o'clock,we might recess,so
3. that those Conference Committees that have,in fact, already
4. been appointed would have the oppportunity for a couple of
5. hours to get together to attempt to work out the differences.
6. So, we will work until the hour of 2:00 o'clock,we will then
7. recess until the hour of 4:00 o'clock, we will then come
8. back in to Session, and probably go through' the same procedure,
9. work until about 6:00 o'clock and recess until about 8:00 o'clock.
10. We just simply don't have that much on the Calendar, but the
11. Conference Committees are hard at work. I would prefer,and
12. it was suggested in the meeting this morning with the
13. Joint Leadership, that it would be beneficial to both
14. Houses to have the members on the Floor, while we're in
15. Floor action, and then recess and go off the Floor,and up
16. to the committee rooms to attempt to work out our differences.
17. So, we'll work from now until 2:00 o'clock and then recess
18. until the hour of 4:00 o'clock. I might suggest, Mr. President,
19. that if,in fact, on the Secretary's Desk, . Non-concurrence
20. if somebody's going to request a Conference Committee we
21. might go to that order of business, so we can start the paper-
22. work, and get all the Conference Committees going that are
23. going to be going. Now, if somebody's going to try to recede
24. or wishes to recede, I'd ask them to hold that,but if...if
25. somebody's going to request a Conference Committee, we can
26. go through that procedure, let's get it done.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Is there leave to go to non-concurrences? Leave is granted.
29. I'll read them off quickly. House Bill 79, Senator Lemke.
30. For what purpose does Senator Vadalabene arise?

31. SENATOR VADALABENE:

32. Yes, I wanted to ask Senator Rock, or President Rock,
33. if I could at this particular time, there is going to be
a message sent up by the Governor, on appointments,and if I

1. could have leave to suspend the rules and have those heard,
2. and also confirmed since all of the Senators are on the
3. Floor, and so that they know what we're doing. Could I
4. have leave at this time, to ask for that?

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Rock.

7. SENATOR ROCK:

8. Yes, I understand there is a message with respect to
9. two appointments, I think once the message is here, and the
10. membership is aware of who, in fact, is to be anointed or
11. appointed or advised and consented to we can probably get to
12. it tomorrow, cause I'm sure everybody will be here tomorrow.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Lemke.

15. SENATOR LEMKE:

16. I want to non-concur in 1150, and have it go to Conference
17. Committee.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. No, Senator Lemke moves that the Senate refuse to recede
20. from Senate Amendment No. 1 and request the appointment of
21. a Conference Committee on that motion...Senator Lemke we're
22. on the Order of Non-concurrences at this point. You have the
23. first bill on Non-concurrence I thought...79, various acts and
24. ownership and disposition. Gentlemen if...if you will all
25. take a look at page 5 of your Calendar very quickly, Senators
26. Lemke, Schaffer, Lemke, Coffey, Maragos, and Jeremiah Joyce.
27. I you are going to request a Conference Committee and refuse
28. to recede, now would be the appropriate time. Do any of you
29. Gentlemen just named wish to...refuse to recede? Senator
30. Grotberg. for what purpose do you rise?

31. SENATOR GROTBORG:

32. A parliamentary inquiry. I understand there is a supplemental,
33. is it there too, but not been distributed?

PRESIDING OFFICER: (SENATOR BRUCE)

1. Is has not been yet...

2. SENATOR GROTEBERG:

3. It might speed things up.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. It is not yet done.

6. SENATOR GROTEBERG:

7. I have one on that...if we could speed up things...procedurally
8. we have to have a printed supplemental...

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator we are not going to handle bills unless they're
11. on a printed Calendar. I...we're just going to...that's going
12. to be the rule. You've have got to nonconcurrences analysis
13. of the bills presently on this Calendar on nonconcurrence.
14. We will have a new Calendar and a new LIS printout so that
15. everyone can take a look at what we are concurring or non-
16. concurring or receding or refusing to recede All right,
17. Senator Coffey.

18. SENATOR COFFEY:

19. Yes, Mr. President, and members of the Senate. On House
20. Bill 1325, Senate Amendment No. 1, I refuse to recede from
21. that amendment, and ask for a Conference Committee.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Coffey, has made the motion that we refuse to
24. recede from Senate Amendment No. 1 to House Bill 1325, and
25. that a Conference Committee be appointed. All in favor
26. say Aye. Opposed Nay. The Ayes have it, and the Secretary
27. shall so inform the House. Any other Senators on non-
28. concurrence. Senator Lemke, did you have one? 828.

29. SENATOR LEMKE:

30. And 79, I guess to.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. All right, Senator Lemke has moved that the Senate
33. refuse to recede from Senate Amendment No. 1 to House Bill
828, and that a Conference Committee be appointed. On that

1. motion, is there discussion? All in favor say Aye. Opposed
2. Nay. The Ayes have it, and the Secretary shall so inform
3. the House. Same motion on 7...79, Senator Lemke? Senator
4. Lemke moves that the Senate refuse to recede from Senate
5. Amendment No. 1 to House Bill 79, and that a Conference
6. Committee be appointed. On that motion, all in favor
7. say Aye. Opposed Nay. The Ayes have it, and the Secretary
8. shall so inform the House. Senator Maragos on the Floor?
9. Senator Schaffer?

10. SENATOR SCHAFFER:

11. Yes, Mr. President, on nonconcurrency?

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Yes.

14. SENATOR SCHAFFER:

15. 440?

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Rock's request is, that unless you plan to
18. refuse to recede that we would not go to that order of
19. business...

20. SENATOR SCHAFFER:

21. Well, that's what I plan on doing, is refuse to recede
22. and request a Conference Committee.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Motion is, that the Senate refuse to recede from Senate
25. Amendment No. 1, and that a Conference Committee be appointed.
26. On that motion, is there discussion? All in favor say Aye.
27. Opposed Nay. The Ayes have it, and the Secretary shall, so
28. inform the House. House Bill 2308, Senator Jeremiah Joyce,
29. or Senator Gitz what disposition you wish of that bill?
30. 2308. Oh, okay. For what purpose does Senator Gitz arise?

31. SENATOR GITZ:

32. It's my understanding that Senator Joyce wishes that
33. bill to be sent to Conference Committee, and if it were my
suggestion, I certainly would go along with him. There is some

1. technical problems that can be worked out.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. The motion is, by Senator Gitz, with the approval of
4. Senator Joyce who is on the podium, that we refuse to recede
5. from Senate Amendment No. 1 and 2 to House Bill 2308, and
6. there is a request that a Conference Committee be appointed.
7. On that motion, all in favor say Aye. Opposed Nay. The
8. Ayes have it, and the Secretary shall so inform the House.
9. All right, now is there leave to return to concurrences?
10. Leave is granted, on the Order of...for what purpose does
11. Senator Geo-Karis arise?

12. SENATOR GEO-KARIS:

13. I think I'm in order Mr. President. House Bill 1170,
14. we refused to recede from a Senate Amendment...

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator, where...where is it on the Calendar. I..

17. SENATOR GEO-KARIS:

18. I don't know, but I got the slip on it. I'm sorry. I'll
19. wait until it's on the Calendar.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Right, we...we are not going to handle bills until they
22. are printed a Supplemental Calendar, that can be distributed
23. to the membership. On the Order of Concurrences. We are...
24. Senate Bill 575, on page 3 of your Calendar. Senator Graham
25. do you wish to proceed. Senator Graham on House Amendments
26. 1, 2, and 5 to Senate Bill 575. Senator Graham is recognized.

27. SENATOR GRAHAM:

28. Mr. President, and members of the Senate. I move now that
29. we do in fact concur with House Amendment No. 1 No.2 and No. 5.
30. House Amendment No. 1 cut two hundred and sixty-nine thousand
31. two hundred dollars for long term vacancies over six months and
32. agreed to by the department. Amendment No.2 adds seven hundred
33. and fifty thousand dollars to the cost of defending inmates
accused of murder in the Pontiac riot last year. There'll be some

1. discussion on that, and there was some worry., Senator Washington
2. last year, prevailed upon me, and we added four hundred and
3. fifty thousand dollars for the same purpose, and only two
4. hundred and...two thousand was used by the proscution, and none
5. for the defense. So, I think this...is in the line of our
6. thinking. I also want to concur on that. No. 5 restores two
7. hundred and sixty-nine thousand, nine hundred dollars that
8. was held off of the original bill, by Senators Buzbee and
9. Regner, until we found out where these community based centers
10. were going to be placed, and they agreed with the House and
11. the department, and that amount was put back on in the House,
12. and I'm sure it's in full agreement with our committee. There
13. also is a possibility of a ninety thousand dollar difficiency as
14. a result of some miscalculation, that will be amended out by
15. the Governor, and I have a letter which Senator Buzbee and
16. other people have had that the Bureau of Budget will recommend
17. a reduction veto of ninety thousand dollars. I think that has
18. taken care of that, and I move that we do now concur in Amendments
19. 1, 2, and 5, Department of Corrections.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator, was your motion to non-concur in all...

22. SENATOR GRAHAM:

23. My motion was to concur.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. I'm sorry, I misundertood you. The motion is to concur, in
26. Amendments...House Amendments 1, 2, and 5 to Senate Bill 575, and
27. on that motion is there discussion? Senator Buzbee.

28. SENATOR BUZBEE:

29. Mr. President, after discussions with the Governor's Office,
30. the President of the Senate, the Department of Corrections, and
31. Senator Graham, about these amendments and various things other
32. ...other things in the bill, I now agree we ought to concur.

33. PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Wooten.

1. SENATOR WOOTEN:

2. Well, this may be a futile jester, but I rise in opposition
3. to concurrence to House Amendment 5, which contains the substance
4. of House Amendment No. 3. I will state my case Gentlemen and
5. then I suppose you're free to do as you will, but the point is
6. that this impinges on two departments, that the Department of
7. Corrections went around the State and decided on the basis of
8. what buildings might make good minimum security prisons, as to
9. what mental institutions should be closed down. They picked out
10. three, one of them is East Moline, which happens to be one of
11. the only two of accredited mental health institutions in the State.
12. They're going to shift to an unaccredited establishment...in
13. Galesburg, it is in terms of program the most bazaar decision
14. that has been made since they decided to shut down the Thudacrim
15. Research Lab at Galesburg, which was the reason for that place
16. to continue. Now, if Corrections is in the saddle and determines
17. priorities in mental health, well I guess, you know, then we
18. have a truly topsy-turvy government, and there's not much
19. we can do about it, but I certainly object to it. I don't
20. think all decisions ought to be made on where corrections can
21. most economically build a minimum security prison, without re-
22. gard to program. It's an absolute perversion of what the State
23. is supposed to do, and anything that contributes to that, I'm
24. against. I'm against Amendment 5, and I'd like a division of
25. the question.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. The question is for a division. We will divide...Senator
28. Wooten would...just to have 5 set out by itself, is that correct?
29. All right. Will be...the question will be divided. Further
30. discussion? Now, if the...we have before us House Amendments
31. 1 and 2 then. Senator Rhoads.

32. SENATOR RHOADS:

33. Well, a question of the sponsor, cause I don't know which
amendment the money is in.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Senator...

3. SENATOR RHOADS:
4. Senator...Senator Graham where...where is the money for
5. the leasing of the Concordia Seminary.

6. PRESIDING OFFICER: (SENATOR BRUCE)
7. Senator Graham.

8. SENATOR GRAHAM:
9. It's in none of the amendments, it's in the bill.
10. We're acting now on the concurrence of the amendments, that's all.
11. It's in the bill.

12. PRESIDING OFFICER: (SENATOR BRUCE)
13. Senator Rhoads.

14. SENATOR RHOADS:
15. Okay, well, then on that...

16. SENATOR GRAHAM:
17. I might also say to you Senator Rhoads, that this proposition
18. has gone not only through this committee, it gone through the
19. staff committees, its gone through the House, its gone through
20. their staff committees. They have indicated that it's okay
21. with them, and I don't...I'm tired of fighting the battle.

22. PRESIDING OFFICER: (SENATOR BRUCE)
23. Further discussion? Senator Rhoads.

24. SENATOR RHOADS:
25. Well, has the...has the director offered any explanation
26. for why we're...we're leasing that one million dollars a year
27. rather than...than purchasing the property. I...I thought that
28. question was going to be answered before final action took
29. place?

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

32. SENATOR GRAHAM:
33. Yes, I think I can explain this. I think it depends upon whose
newspaper you've been reading. The lease is based upon five dollars

1. and sixty-two cents per square foot as opposed to what the
2. EPA is now doing. The lease is proposed to last for two
3. years, and the Department of Corrections can within two
4. years opt to buy with a ninety day notice, and in the two
5. years we might say that we are picking up an institution
6. or...group of buildings, which the lessor would be forced to
7. renovate and get in condition. He will bear the expense
8. of that. If we run it through CDB and through all the
9. bureaus in the State of Illinois, we'll be...be about a
10. year late getting in there, and in the meantime, we'll be
11. paying leases and rents to all these other institutions
12. throughout the State, or buildings, for the Department of
13. Corrections, slowing up their paper flow. I think what we
14. should do, is disregard the possibility of leasing at this
15. time, possibly let them renovate and reconstruct, get this
16. building ready to go, and then if you're willing to cooperate
17. with us and come up with the money next year then we'll buy
18. it.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Rhoads.

21. SENATOR RHOADS:

22. It's...it's my understanding that the contract that the...
23. that Mr. Cellini has is contingent upon his acquisition
24. of the property. So, I have two questions, number one has he
25. acquired the property, and number two is the department committed
26. to the lease no matter what?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Graham.

29. SENATOR GRAHAM:

30. I...I have not...privileged to Mr. Cellini's business
31. dealings. I'm informed that he has an option.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Rhoads.

SENATOR GRAHAM:

1. He has not...he has an option, he has a lease...our provision
2. our lease, says that upon the exercise of this bill, then we
3. can enter into a two year lease for this property, and during
4. that two years, as I will say again, if the department so desires
5. within a ninety day notice they can say to him,we want to
6. buy it. We in the State of Illinois want to buy it from you,
7. and that's in the lease.

8. SENATOR RHODS:

9. Just...just one final question, Mr. President. One final
10. question and I appoint...is the department in any...under any
11. obligation to pay a commission, a real estate brokerage
12. commission or any other type of commission to Mr.Cellini
13. for the acquisition of the property?

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Graham.

16. SENATOR GRAHAM:

17. I am so informed that that is not true.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Further discussion? Senator Regner.

20. SENATOR REGNER:

21. Well, Mr. President, this Concordia College isn't part
22. of the discussion on these two amendments, as Senator Buzbee
23. said we had some questions when this bill went out of the
24. Senate. Since then they've been answered sufficiently and I
25. would urge a concurrence vote on Amendments 1 and 2.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Any further discussion? Senator Rhoads.

28. SENATOR RHODS:

29. I realize this is for the second time. Senator Regner, I
30. realize that the discussion is on concurrence in the amendments,
31. but this is final action on the bill, so I think that any discussion
32. ...germane to the bill, is...is frankly fair game and a lot of us
33. have found out things about the bill that we did not know the
first time through. So,that's the only reason I raised the point.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Channel 20 would like permission to film for one hour.

3. Is there leave? Leave is granted. All right, further discussion?

4. The question is, shall the Senate concur...Senator Graham did

5. you wish to close? All right, the question is, shall the

6. Senate concur in House Amendments 1 and 2 to Senate Bill 575.

7. On that question, those in favor will vote Aye. Those opposed

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

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

10. the Ayes are 40, the Nays are 7. 4 Voting Present. The

11. Senate does concur in House Amendments 1 and 2 to Senate

12. Bill 575. Senator Graham on House Amendment 5 to Senate Bill

13. 575.

14. SENATOR GRAHAM:

15. Yes, I at this time do...

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. May we have some order. Senator Carroll will you take

18. your caucus off the Floor? Well whatever it is, let's try

19. to keep our Conference Committee, and conferences off the

20. Floor. Senator Graham.

21. SENATOR GRAHAM:

22. I do now move, Mr. President, and members of the Senate,

23. that we do, in fact, concur to House Amendment No. 5, and in

24. reply to Senator Wooten. I think what the department has done

25. in this regard is to try to make use of an underused State

26. institution in the effort to save the State some money. I realize

27. he is concerned about this. I realize the concerns of the people

28. of the State of Illinois who say, let's put these people in jail,

29. but don't put them in our town. We're using an existing

30. proposing views, and an existing institution for the purpose of

31. use of the Department of Corrections. I move that we do

32. concur.

33. PRESIDING OFFICER: (SENATOR BRUCE)

Senator...Wooten.

1. SENATOR WOOTEN:

2. Thank you, Mr. President. I rise in opposition to this
3. amendment, as I've tried to opposed the whole process. Ladies
4. and Gentlemen of the Senate. What has happened is the Department
5. of...it's true, by the way we have a number of institutions
6. who are obviously going to have to close some down. No question
7. about that. I oppose the downgrading of the Galesburg State
8. Research Hospital, as you recall in this Chamber some time ago
9. and lost that, and the Galesburg Institution has gone downhill
10. from that point. We have maintained an excellent institution
11. at East Moline, we've been continuously credited in the whole
12. region. It is the only one that is accredited and that's the
13. one that is to be closed. Why, because Gayle Franzen has
14. found a building there that might work as a minimum security
15. prison, and I say to you that is a rotten way to make it a
16. decision, on whether or not institutions are to remain open or
17. closed. In our whole area, the East Moline Center is where the
18. people are, it's where we have an array of services you're going
19. to ask people to drive sixty miles. We apparently don't care
20. about the families of the patients, the patients, the support
21. services. Nothing, but there's a building there, there Gayle Franzen
22. can make a minimum security prison out of. Now, we have suggested
23. that perhaps we can make a campus that'll accommodate several
24. different purposes there. Quite frankly Corrections is only
25. interested in that one building, and that one building is built..
26. was built by our bonds, in 1960 for the mentally ill. I tell
27. you, if you want to move mentally ill patients to a DDA institution,
28. which has a minimal MI operation. They don't have the community
29. support that we have. It's an absolute, as I say, perversion of
30. values. If you want to go along with it, as you did with the
31. destruction of the Galesburg State Research Hospital, I can't
32. stop you, but I simply tell you that this is a shabby way to run
33. a government.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Any discussion? Is there further discussion? Senator
3. Graham may close.

4. SENATOR GRAHAM:

5. All I can say, it will cost millions of dollars of
6. additional taxpayers' money to build an institution similar
7. to the one we're trying to use at Moline. I ask for a favorable
8. roll call.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. The question is, shall the Senate concur in House Amendment
11. No. 5 to Senate Bill 575. Those in favor vote Aye. Those opposed
12. vote Nay. The voting is open. Have all voted who wish?
13. Have all voted who wish? Take the record. On that question,
14. the Ayes are 40, the Nays are 16. 1 Voting Present. The Senate
15. does concur in House Amendment No. 5 to Senate Bill 575, and the
16. bill having received the required constitutional majority is
17. declared passed. Senate Bill 576, with House Amendments 1, 2, 3,
18. and 4, Senator Sommer. Senate Bill 581, Senator De Angelis,
19. with House Amendments 1, 2, 3, 4, 5, 6, 7, and 8. Senator
20. De Angelis is recognized.

21. SENATOR DE ANGELIS:

22. Thank you, Mr. President, and memberpersons of the Senate.
23. I move not to concur with any of the amendments.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Motion is that the Senate...the Senate nonconcur in
26. House Amendments 1, 2, 3, 4, 5, 6, 7, and 8. Is there discussion,
27. on the motion to non-concur? All in favor say Aye. Opposed Nay.
28. The Ayes have it, and the Senate nonconcur in the House Amend-
29. ments, and the Secretary shall so inform the House. Senate
30. Bill 905, Senator Demuzio. Is Senator Demuzio on the Floor?
31. 906. 1037, Senator Rhoads. Senator Rhoads on Senate Bill
32. 1037, with House Amendment No. 3.

33. SENATOR RHOADS:

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

11-25
11-25

1. passed out a similar bill here yesterday, and there seems to
2. be an agreement in both parties, and both Houses that we
3. ought to work on this bill in a Conference Committee, so I
4. move that we nonconcur with House Amendment No.3.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. You've heard the motion to non-concur. Is there discussion?
7. All in favor say Aye. All opposed Nay. The Ayes have it.
8. The Senate non-concurs, and the Secretary shall so inform the
9. House. Senator Bill 1150, Senator Lemke. Is Senator Lemke
10. on the Floor? Senator Demuzio did you wish to call a concurrence
11. 905, 906? Senator Demuzio is recognized on Senate Bill 905, with
12. House Amendments 6, 7, and 8. Senator Demuzio.

13. SENATOR DEMUZIO:

14. Yes, thank you, Mr. President. I would like to concur
15. in Amendments...House Amendments 6 and House Amendment 6 and
16. 8. Amendment No...and I wish to non-concur on Amendment No.
17. 7. Now, Amendment No. 6 is an amendment that struck everything
18. after the enacting clause, simply because of the fact that
19. there was some technical changes that put back everything in
20. the language that passed out here...of the Senate with one
21. exception, that it also is designed to insure that State
22. savings and loans would be included in the provisions of the
23. legislation that would allow them their ownership, operation,
24. and sharing of ATM's, the same as the...as the banks, and
25. this in no way offers any substantive changes from the way
26. in which it left the Senate with the exception of that provision.
27. Amendment No. 8, defines the area within the City of Chicago,
28. which is...it says shall not be considered to have home office
29. protection, and this was put in specifically for the loop
30. area. It's designed to meet the special circumstances of the
31. central business district in the City of Chicago, and the
32. very compact nature of the commercial banking business in
33. what is generally known as the loop area. So, I would move
for concurrence on...on House Amendment 6 and 8.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. ...the motion is that the Senate concur on House Amendments
3. 6 and 8 to Senate Bill 905. Is there discussion? Senator
4. Bloom.

5. SENATOR BLOOM:

6. Yes. Mr. President, and fellow Senators. My feelings
7. about these two bills are...are matters of record, but I
8. would like the suburban members to take a good look at Amend-
9. ment No. 8, because basically that restores the language that
10. was in House Amendment No. 1, and as I understand that amendment,
11. it lets the loop banks...this is rather important. It lets
12. the loop banks put two of these things on a noncompetitive
13. ...two of their own, within the loop area, and then they can
14. put the rest out in the suburbs but the suburbs are not afforded
15. the same opportunity to put their machines downtown. Now,
16. this is important. That would be one of the bases of my
17. objections to the whole bill, but I would urge all the suburban
18. members to take a darn good look at Amendment No. 8. Thank you.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Further discussion? Senator Rock.

21. SENATOR ROCK:

22. Yes, thank you, Mr. President, and Ladies and Gentlemen
23. of the Senate. I too rise in opposition to the motion to
24. concur. I think we ought to nonconcur on all amendments
25. and send it to a Conference Committee. I'm, frankly, intrigued
26. as Senator Graham has so rightfully said a number of times, of
27. somebody fishing in somebody else's pond, when Representative
28. Stuffel offers an amendment to define and place the Chicago
29. Central Business District. I don't know that Representative
30. Stuffel has ever been up there, much less try to define it. I
31. think Amendment No. 8 is a terrible amendment.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Further discussion? Senator Bowers.

1. SENATOR BOWERS:

2. Me too, Mr....Mr. President. I...it seems to me that
3. this is a very complicated issue. I question whether or not
4. even half of the members on the Floor understand it. I'm
5. not even sure that I totally understand it, but it seems to
6. me written between the lines here, is a...is a real dinger
7. as far as the suburbs are concerned, and I would certainly
8. hope that we nonconcur in these amendments, possibly we could
9. get it in a Conference Committee, or at least the House could
10. recede. I would urge...vote.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Further discussion? Senator Demuzio may close.

13. SENATOR DEMUZIO:

14. Well, thank you, Mr. President. I am delighted to know
15. that there are no specific objections just the general objections
16. in an effort to get this into a Conference Committee. Amendment
17. No. 8, let me read it to you. It says it is established
18. when...within the Central Business District of Chicago, defined
19. as that part of the City of Chicago, bounded by the Chicago
20. River on the north, VanBuren Street on the south, Lake Michigan
21. on the east, and Canal Street on the west. Now, you know, I
22. don't know what the membership...those that have spoken are
23. talking about when they talk about the Central Business District,
24. but that appears to be the boundaries that appear to be the City
25. of Chicago, although I haven't been up there myself, Senator
26. Rock, to take the map. So, I would move for concur on Amendment
27. 6 and 8.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Further discussion? All right, the question is on...
30. Senator Demuzio has moved that the Senate concur with House
31. Amendment 6 and 8 to Senate Bill 905. Those in favor will vote
32. Aye. Those opposed will vote Nay. The voting is open. Have
33. all voted who wish? Have all voted who wish? Take the record.
On that question, the Ayes are 10, the Nays are 34. 3 Voting Present.

1. The Senate refuses to concur in House Amendment 6 and 8 to
2. Senate Bill 905, and the Secretary shall so inform the House.
3. Senator Demuzio.

4. SENATOR DEMUZIO:

5. I move to nonconcur in Amendment No. 7.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. The motion is to nonconcur in...House Amendment No. 7
8. in Senate Bill 905. Is there discussion? All in favor say
9. Aye. Opposed Nay. The Ayes have it. The Senate non-concurs,
10. and the Secretary shall so inform the House. 906, Senator
11. Demuzio.

12. SENATOR DEMUZIO:

13. A concurrence?

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. On the Order of Concurrence, Senate Bill 906, with
16. House Amendments 1 and 2. Senator Demuzio is recognized.

17. SENATOR DEMUZIO:

18. Yes, on House Amendments 1 and 2, what House Amendment
19. 1 does, it's a...it's a technical correction, it accomplishes
20. two major things. It allows those electronics...electronic
21. financial systems such as, Visa and American Express and
22. Sears credit card systems and et cetera, to operate terminals
23. at retail outlets without being the point of sale terminal.
24. Without being considered as one. As long as they are not
25. directly or indirectly connected to a financial institution,
26. if there are such agreements then all of the provisions of
27. the legislation, and the sharing aspects shall apply to the
28. financial transaction involving their systems. Secondly,
29. it provides that retail outlets shall be allowed to determine
30. the types and categories of services that shall be provided.
31. This is almost the similar language that was in 962 that was
32. defeated on the Floor of this Body, and, in fact, is put in it
33. at the request of the...of the retailers. Amendment No. 2, is
designed also to...what it does, there's some grammatical

1. corrections...that are corrected. It also indicated that if
2. there are any provisions of this legislation that were held
3. invalid, because of the conflicts with the Federal Homeowner's
4. Loan Act, of '33 or the Federal Home Loan Bank Act, then the
5. Federal Credit Union Act, shall...and the Federal...Federal
6. Credit Union Act, shall not make the entire Act invalid, rather
7. those sections shall be severed, it's a severability clause and
8. the main portion of the legislation shall not be effected, but
9. shall remain intact, and I would move to concur with House
10. Amendments 1 and 2.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Motion...the motion is to concur in House Amendments 1 and
13. 2 to Senate Bill 906, and on that motion is there discussion?
14. Senator Bloom.

15. SENATOR BLOOM:

16. Well, thank you, Mr. President, and fellow Senators. I think
17. we'd all agree that the finance industry is a special interest, but
18. what 906 does, even with the cosmetics, it's a special...special
19. interest bill, favoring the banks division of the finance industry,
20. and you can put a lot of make up on it and gussy it up, and make
21. it pretty, but it's still has severe Clayton Act and Sherman Act
22. problems, and the interests that want this bill, are aware of
23. their problems with conflicting Federal Statutes, that's why
24. Amendment No. 2 was written in, to try and cosmetize it,
25. but the sum and substance of this is that the bankers are fishing
26. in someone else's pond, and I think this ought to be put in a
27. Conference Committee, so that other people may have input, because
28. the retailers are not protected, in the manner in which they
29. think they are, in my judgment. I'd urge a No vote.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Further discussion? Senator Demuzio may close...sorry
32. Senator Rock. Too many papers Gentlemen, my apologizes.
33. Senator Rock.

1. SENATOR ROCK:

2. Thank you, Mr. President, and Ladies and Gentlemen of
3. the Senate. I, too, rise in opposition to the motion to concur.
4. Concurrence in this respect, with respect to this bill is final
5. action. I would ask that at some point a parliamentary ruling
6. as to how many votes are required.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Rock...

9. SENATOR ROCK:

10. My...my recollection is, that we ruled originally the
11. thirty-six affirmative votes were required and I would reflect
12. that on concurrence or final action the same amount would
13. be necessary. And I would urge the membership to non-
14. concur. This subject matter has been under discussion for
15. a while, I think, frankly, these bills are not in the
16. kind of shape they should be in. Apparently those various
17. members of the banking community have now all gotten together
18. in some unholy cabal and decided this is good for us, and
19. I'm suggesting very loudly and very strongly it is not good
20. and we should not concur.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Rock, on May 23rd, a ruling of the...on May 25th
23. 1979, there was a ruling from the Chair, in the Senate, that
24. a three-fifths vote was required, on June 26th in the House
25. a ruling of three-fifths vote required, when this bill passed
26. the House, a hundred and thirty-three to two, and under Section
27. 13...Article 13, Section 8, it is the ruling of the Chair, that
28. since this is final passage a two-thirds vote will be...a three-
29. fifths vote will be required for passage of those voting on the
30. question, but not less than a majority of those elected. Three-
31. fifths of those voting on the question, but not less than a
32. majority of those elected. Is there further discussion? Senator
33. Bowers.

SB 1320
Non-Concur.
6-29-79

1. SENATOR BOWERS:

2. Well, I too, Mr. President, rise in opposition. It seems
3. to me that, the sponsor made a very, very important concession
4. when he said that basically this amendment put the bill in
5. pretty much the form that was defeated in this Senate. I
6. think we ought to continue to defeat this particular proposition
7. in this Senate, and I would certainly hope that we would not
8. concur and rather the House recedes is one thing, but if they
9. don't then it ought to go to a Conference Committee. I would
10. urge a No vote.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Further discussion? Further discussion? Senator
13. Demuzio may close.

14. SENATOR DEMUZIO:

15. Yes, Mr. President, why don't we just take it out of
16. the record.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Is there leave to take it out of the record? Leave
19. is granted. It will be taken out of the record. Let's see,
20. Senator...Senate Bill 1320...no, Senate Bill 1183, Senator
21. Hall, with House Amendment No. 1. Senate Bill 1183, Senator
22. Hall is recognized.

23. SENATOR HALL:

24. Thank you, Mr. President, and Ladies and Gentlemen of
25. the Senate. I move to nonconcur with Senate Bill...with
26. House Amendment No. 1 to Senate Bill 1183, and I ask that
27. a Conference Committee be appointed.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Hall moves that the Senate nonconcur in House
30. Amendment No. 1 to Senate Bill 1183. On that motion, is there
31. discussion? All in favor say Aye. Opposed Nay. The Ayes
32. have it. The Senate non-concurs, and the Secretary shall
33. so inform the House. Senate Bill 1238...Senator D'Arco on the
Floor? Senate Bill 1320, Senator Rock, with House Amendment

1331
4/24/41
C. J. ...

1. No. 1. Senator Rock is recognized on Senate Bill 1320.

2. SENATOR ROCK:

3. Thank you, Mr. President. I would move to nonconcur
4. with House Amendment No. 1. This bill all of the sudden has
5. become a great vehicle, and I would move to nonconcur.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. The motion is to nonconcur. Is there discussion on the
8. motion? All in favor say Aye. Opposed Nay. The Ayes have it.
9. The Senate nonconcur, and the Secretary shall so inform the
10. House. Senate Bill 1331, Senator...for what purpose does
11. Senator Rock arise?

12. SENATOR ROCK:

13. I didn't mean to preempt Senator Wooten. 1342, I'm
14. going to ask leave to nonconcur on behalf of Senator Daley.
15. He is attending a meeting on my behalf.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Is there leave to go to 1342? You've heard the motion
18. by Senator Rock, that we nonconcur on House Amendment No. 1
19. to Senate Bill 1342. Is there discussion on the motion? All
20. in favor say Aye. Opposed Nay. The Ayes have it. The Senate
21. nonconcur with House Amendment No. 1 to Senate Bill 1342, and
22. the Clerk...and the Secretary shall so inform the House. Senate
23. Bill 1331, Senator Wooten, with House Amendment No.1. Senator
24. Wooten is recognized.

25. SENATOR WOOTEN:

26. Thank you, Mr. President. I, too, have to shuffle some
27. papers here. We sent from this Chamber Senate Bill 1331 on
28. a 50 to 1 vote to the House. There were no substantive amendments
29. adopted in the House, however, a technical amendment was
30. necessary, and it simply does five things which I will list for
31. you, and I'm going to move to concur in House Amendment No. 1.
32. It provides for rounding to the...this is on Unemployment Insurance,
33. the Agreed Bill. It provides for rounding to the higher dollar in
determining the prior average weekly wage when at the midpoint,

1. purely technical matter. It changes the date for benefit
2. years, backwards one day, from October 1st to September 30th,
3. and that's necessary since October 1st falls on a Sunday, and
4. that date should be the end of the week. So it's a one
5. day backwards shift. There's various grammatical changes
6. made in the bill, in our haste to get it put together, we
7. ...our English didn't always come out so well. It makes
8. proper reference to the Director of Labor, as custodian of
9. the Clearing Account. The fifth thing it does, in our
10. anxiety to give the fellow with no bad experience a break
11. and moving it down to .1, from one percent to .1, we in-
12. advertantly removed a group of employers in that area from
13. any obligation on the .3 percent surtax, and that was
14. certainly not the intent at any stage of the proceedings,
15. and it's not a fair process. So, this simply puts the
16. technical language back in so all classes of employers...
17. it is clear or liable for the Federally imposed surtax.
18. As I say that just applied to those of whom were attempting
19. to get real relief down to .1 percent. Those are the five
20. changes in the bill, otherwise, it's the bill we passed out
21. of here, and I would certainly ask for concurrence on
22. House Amendment No. 1.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Is there discussion? Senator Keats.

25. SENATOR KEATS:

26. Well, thank you, Mr. President, and Ladies and Gentlemen
27. of the Senate. 1331, was the bill that came out of the Agreed
28. Bill procedure. As a Republican spokesman on particular this issue
29. today, the Republican party is not saying we are in un-
30. animity or however that word went, voting 27 Noes, we're
31. leaving it up in the air, but we just want to explain the
32. position, because our position has been in basic opposition
33. to the bill, and I don't think anyone understands why, so I'm going
to take two minutes, very briefly and explain what our problem

1. with the bill is, even though there was the Republican
2. amendment accepted, which did have nonpartisan support
3. with quite a few Democrat votes on it, that did lower
4. the minimum tax rate to one-tenth of one percent, et cetera.
5. In plain and simple terms this bill has three portions. One
6. deals with financing, one deals with benefits, and one deals
7. with eligibility. Concerning the financing, this bill calls
8. for tax increase of somewhere between a hundred and eighty
9. and a hundred and ninety million dollars next year. With
10. the present UI Trust Fund, a billion dollars in arrears,
11. everyone agrees something has to be done. I won't get into
12. the argument right now as to why the Trust Fund is a billion
13. dollars in arrears, and who may or may not be at fault, that
14. is not what is involved in this bill. What we're saying, it
15. is a billion dollars in arrears, and we have to do something.
16. This particular bill; even with the Republican amendment, that
17. cut off the escalator clause, will still increase taxes a
18. hundred eighty to a hundred ninety million. We would have
19. had to do something, but we feel this will be too high when
20. you hear our thinking on the second two parts. The second
21. two parts of the program, after financing, deals with benefits
22. and eligibility, concerning benefits, this bill is a substantial
23. increase in benefits. It raises the average, or I should say
24. raise weekly benefits maximum from about a hundred thirty-
25. five or a hundred forty-nine a week depending on how it's
26. computed, and I won't confuse you with all those facts, to
27. about a hundred and seventy-three dollars, which is now sixty-
28. six and two-thirds percent.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator...Senator Keats your...your time has expired.

31. SENATOR KEATS:

32. Yes, I know, I thought we said we were going to take an
33. extra minute on this? Is there objection?

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is there...is there leave? Leave is granted. Senator
3. Keats for one more minute.

4. SENATOR KEATS:

5. Okay, thank you. The sixty-six and two-thirds is not
6. unreasonable. The Republicans do not oppose the position.
7. Maximum amount is a hundred and seventy-three dollars a week,
8. and when you're talking about an autoworker making nine
9. bucks an hour, who when he's not unemployed is making
10. three hundred to four hundred dollars a week, to have a
11. hundred and seventy-three dollars a week is not really un-
12. realistic. So, we don't oppose it, but that is an increase
13. of forty-eight million. So, then when we talk about the
14. third figure eligibilities, we say if we're going to
15. increase benefits forty-eight million, we have to tighten
16. eligibility to try and break even, and there are some tightenings
17. of the eligibility standards, but they only account for
18. eighteen million dollars. So, we tighten standards by
19. eighteen million, and increase expenses by forty-five million,
20. which is a net increase of twenty-seven million dollars. So,
21. in reality, instead of this tax increase, going to pay off
22. the billion dollar Trust Fund deficit, instead a portion of
23. this tax increase is simply going to pay for liberalized
24. benefits, and I have always sort of thought that a reform
25. bill did not call for an increase in benefits, and simply
26. more taxes to pay for it. The thrust is good, people have made
27. an honest effort. The only troubles we as the Republicans
28. are trying to say, that we find it hard to say that a reform
29. bill calls for a tax increase simply to pay for more liberalized
30. benefits, which is what the bill does. We hope there'll be
31. continued work in this area in the future, and they'll come up
32. with a bill that truly will be reformed, by helping to hold
33. down cost in the UI area in the future, which this bill does not
do, and then hopefully help us pay off the billion dollar debt

1. that has been caused by whatever reasons any of us may
2. care to believe. With that I ask the Republicans to vote
3. No, but we have not made this a caucus position.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Further discussion? Senator Maragos.

6. SENATOR MARAGOS:

7. Mr. President, and members of the Senate. I echo the
8. remarks of Senator Wooten, and the chief cosponsor of this
9. bill, and I'd like to say to you, that if we're ever going
10. to make it a viable process, this is the way to approach it,
11. and I ask for the support that we concur, and get this bill
12. on the Governor's Desk, so next year we can set up another
13. precedent, and maybe we'll not have this bickering back and
14. forth, which we've had since '75. As Senator Wooten stated,
15. these are minor amendments compared to the whole picture, and
16. I think we all should support it, and I ask for your support.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Further discussion? Senator Rock.

19. SENATOR ROCK:

20. Thank you, Mr. President, and Ladies and Gentlemen of the
21. Senate. I rise in support of Senator Wooten's motion to concur,
22. and I would suggest in contradistinction of what Senator Keats
23. has said, that this, it seems to me, is a great step forward. We
24. have invoked, the Governor has invoked at the request of the
25. speaker and myself, the Agreed Bill process. We have come out
26. I think with a package that is a good one, and I would urge the
27. support of everyone. The Governor has told me as late as yesterday,
28. that he is...that he intends and has, in fact, reinvoked the
29. process with respect to Workmen's Comp, and in order to give that
30. process any validity at all, we ought to have an Aye vote, and
31. I urge an Aye vote.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Further discussion? Senator Nimrod.

1. SENATOR NIMROD:

2. Mr. President, and Ladies and Gentlemen of the
3. Senate. I just think that, what we are indicating
4. here...I'd like to see this go into Conference Committee,
5. because, what we are doing, in fact, as Senator Keats
6. has indicated, we are putting a two hundred million dollar
7. increase in tax on the employers, at a time when we're
8. going to be proposing here to increase their income tax
9. by 2.85, what we're doing if they're telling us they're leaving
10. the State, we are not giving them the benefits that we
11. had originally intended to give them. What we're doing is in-
12. creasing the benefits for the employers...employees and
13. increasing the taxes. I believe that we could incorporate
14. those provisions, which this legislature agreed on, at
15. the end of last Session into this bill, and if we did that
16. then I think it would be a reasonable package. Now, that
17. is the ...Mautino Bill with Amendment No. 5, which
18. certainly seems to me to be the answer. We've not given any
19. relief in Workmen's Comp, and I would urge a No vote so
20. we can get it into Conference Committee, and at least, make
21. it a reasonable package, then have it be in onesided. This
22. is another rape of the employers and I hope that we could
23. have done something in Workmen's Comp, with that it would
24. have been alright, but this is now the way this package...it's
25. onesided, and I would urge us not to support this particular
26. concurrence.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Further discussion? Senator Wooten may close.

29. SENATOR WOOTEN:

30. I take some exception to the language used by Senator
31. Nimrod, that certainly is not the case. The most difficult
32. provisions of this bill, if you will recall, I offered in
33. a bill, without the labor...the benefit to labor in it, at
the request of industry spokesman, I'm a member who said

1. been derelict in accumulating money in this fund, we've
2. let it...we've let it run down. If we'd kept up we would
3. not be owing this money to the Federal Government. Now,
4. Ladies and Gentlemen, this would be a terrible thing if
5. an Agreed Bill, requested by us, suddenly turned out to
6. be a partisan issue. I would remind you that the Governor's
7. invoked the Workmen's Comp Committee, and working for
8. an Agreed Bill there. I have said in the very beginning
9. I would back whatever that process came up with, and let's
10. face it, what good does it do you for industry to delegate
11. negotiators if they're not going to back them up, what kind
12. of faith is that? If that were to happen, the whole system
13. would collapse. It seems to me that we have a reasonable bill,
14. it's not pleasant medicine, but it's necessary, and I think
15. we can move on to this to agreed areas in Workmen's Comp.
16. Now, if you want the problem, the problem...can continue
17. and we can reap political benefit on one side or the other.
18. Personally I think our primary obligation is to find solutions,
19. and this I believe is a solution. I would remind you that there
20. is a split in the business community, principally between the
21. Chamber and the IMA. I would remind you, that even in
22. the IMA some of its biggest members support this bill. So,
23. I ask that we keep the same kind of unanimity we had in
24. passing this bill out, and excepting these minor technical
25. corrections. So, I move that we concur in House Amendment
26. No. 1 to Senate Bill 1331.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. The question is, shall the Senate concur in House Amendment
29. No. 1 to Senate Bill 1331. On that question, those in favor
30. vote Aye. Those opposed vote Nay. The voting is open. Have
31. all voted who wish? Have all voted who wish? Have all voted
32. who wish? Take the record. On that question, the Ayes are 37,
33. the Nays are 21. 1 Voting Present. The Senate does concur
in House Amendment No. 1 to Senate Bill 1331, and the bill having

S.B. 1377
concurrency
6-29-79

1. received the required constitutional majority is declared
2. passed. For what purpose does Senator D'Arco arise?

3. SENATOR D'ARCO:

4. Well, I was...on Senate Bill...

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. 1238, Senator D'Arco.

7. SENATOR D'ARCO:

8. Yes, I was out of the Chamber when it was called. I
9. would request leave to call it back so I can nonconcur
10. on the amendment.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. The motion is that the Senate nonconcur in House Amendment
13. No. 1 to Senate Bill 1238. On that motion, is there discussion?
14. All in favor say Aye. Opposed Nay. The Ayes have it. The
15. Senate nonconcur, and the Clerk...Secretary shall so inform
16. the House. Senate Bill 1377, Senator Shapiro. Senate Bill
17. 1377, with House Amendments 1, 19, 40, 46, 59, 61, 63, 67, 76,
18. 77, 79, 85, 86, and 109. Senator Shapiro is recognized.

19. SENATOR SHAPIRO:

20. Mr. President, and Ladies and Gentlemen of the Senate.
21. There are approximately thirteen amendments to this very
22. famous bill, Senate Bill 1377. Some of them are controversial
23. and some of them are not. So, I think what I would like
24. with leave of the Body, is to divide the question. House
25. Amendment 19, is probably the most controversial and I
26. would like to take it first, and the other amendments I
27. will take in...in one roll call, but I would like to deal
28. with House Bill...House Amendment 19 first.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. The motion is to divide the question, and separate out
31. Amendment No. 17 and have it discussed first. Is there leave?
32. 19. Is there leave? Leave is granted. We are now Gentlemen
33. on the question...is it motion to concur, Senator? The
question is, on the concurrence with House Amendment No. 19

1. to Senate Bill 37, and Senator Shapiro is recognized.

2. SENATOR SHAPIRO:

3. Mr. President, and Ladies and Gentlemen of the Senate.

4. House Bill 19, to Senate Bill 1377, would require nation-

5. wide credit card companies to print separate applications

6. to be used in the State of Illinois. This is the same

7. bill or concept that was contained in House Bill 1053.

8. House Bill 1053, was defeated in committee, in the Senate,

9. and a motion to take the...to take from the Table was also

10. defeated on the Senate Floor. I am not real positive of

11. the ramifications of...of this amendment, and just exactly

12. what it entails, but I would like to make the motion now

13. that the Senate concur in House Amendment 19 to Senate

14. Bill 1377.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Is there discussion? Senator Nash.

17. SENATOR NASH:

18. Mr. President, and Ladies and Gentlemen of the Senate.

19. House Amendment No. 19 received a fair hearing in the Committee

20. of Finance and Credit Regulations. We spent an hour discussing

21. this issue. What we're imposing, rules on a national credit

22. card company, only to apply to Illinois, they're unreasonable.

23. We defeated this bill in the Floor, when the House sponsor

24. tried to take from the Table, take it from committee and have

25. it heard in here. I urge a No vote on this amendment...it's

26. a bad amendment.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. All right, Senator Rock.

29. SENATOR ROCK:

30. Yes, thank you, Mr. President, and Ladies and Gentlemen

31. of the Senate. I rise in opposition to the motion to concur

32. with House Amendment 19 to Senate Bill 1377. This is a very

33. significant piece of legislation. It is titled the Illinois

Human Rights Act, and I think it, frankly, goes a lot further than

1. most of us would wish to go, but Amendment No. 19, frankly
2. has nothing whatever to do with this, and I think it's an
3. abuse of the process to have a repealer of a significant
4. Act unrelated to this impinged on this bill. I'm surprised,
5. frankly, that Senator Shapiro would make a motion to concur,
6. but I urge strong and unequivocal...opposition.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Further discussion? Senator Geo-Karis.

9. SENATOR GEO-KARIS:

10. Mr. President, and Ladies and Gentlemen of the Senate.
11. I submit, denial of credit is a right affecting humans. I
12. hold in my hands the Visa credit card application, the
13. Mastercharge credit card application, and the Amoco credit
14. card application, which has the same language, which is
15. sought to be embodied in Amendment 19, in Senate Bill 1377.
16. If the language is there, and these are all national and
17. international credit card companies, if they can put it
18. in their application for credit, these very things, and
19. I'll quote to you what it says, that no applicant can be
20. denied a credit card on account of applicant's sex, or marital
21. status. The applicant request reason for rejection, these are
22. Federal...Federal Law now, and no person may reapply for
23. a credit card solely because of change of marital status
24. and a person may hold a credit card in any name permitted by
25. law, and et cetera, these are the very things that are in the
26. Federal Credit Card Law, and these three national, inter-
27. national companies already have them in their application. Now,
28. the ones who've been lobbying against it is the American Express
29. Company, and for Heaven sakes if they're going to be national
30. like Amoco, like Visa, and like Mastercharge, they should
31. follow the same rules, and I move for the adoption...concurrence
32. in this amendment.

33. PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Bloom.

1. SENATOR BLOOM:

2. Hello. I rise in opposition. No one's discussed what
3. the bill does. What the bill does is, repeal that section
4. of the Credit Act, that said you comply with the Federal
5. Credit Act, you don't have to do...you have to comply with
6. the Federal Act, as it's hereinafter amended. The important
7. part of sex discrimination, is when credit is denied, and you
8. have to tell them why you're denying credit. This is...it's
9. one of those things that make nonsubstantive changes that
10. somehow Representative Catania has become fixated on, and
11. has decided that this is some kind of symbolic issue. It
12. has no place in this kind of legislation, and I'd urge its
13. defeat.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Berman.

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(END OF REEL)

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1. SENATOR BERMAN:

2. A point of order, Mr. Chairman...Mr. President. I
3. question the germaness of the Amendment 19.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. We are already...we have anticipated your question,if
6. you will allow us a few moments. There's other discussion,
7. we will get back to your question on germaness.

8. SENATOR BERMAN:

9. Sure.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. It is not the smallest bill, with the fewest amendments
12. we've ever had. Is there further discussion? If we can just
13. stand at ease for a moment, while we check the germaness of
14. ...of House Amendment 19 to Senate Bill 1377. Senator
15. Bowers.

16. SENATOR BOWERS:

17. I'd like to rise to a point of order, Mr. President.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. ...state your point, Senator.

20. SENATOR BOWERS:

21. Well, I realize that in the House, that issue has been
22. raised on Senate Amendments, as to germanessand there's been
23. rulings in the past, and I understand a few coming up that
24. it's not germane, but it puts us in an untenable position,
25. it seems to me, to...to raise that question in something
26. other than the House of origin of the amendment,for instance,
27. if we have a House Bill over here, with an amendment on it,
28. that the House has put on it, and we raise the germaness here
29. and it's ruled non-germane, then there's no action can be
30. taken, it's non-germane, and it's not on there,and the bill
31. totally lies in limbo. Now, I understand another goofy ruling
32. that happened in the House, they then moved to non-concur, but
33. I don't know how you can move to nonconcur or to concur on
an amendment that's not germane. I think it's totally improper

1. to raise this issue in the House other than the origin of
2. the amendment. It gets us...

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Well, Senator Bowers the problem presents itself, is
5. we have several court opinions that indicate that it's
6. up to the Presiding Officer of each House to decide whether
7. or not a bill has been read three times by title. If within
8. the title of this bill, there is not the question raised
9. in Amendment 19, then the problem presents itself that the
10. bill has not been, in fact, read three times in either House,
11. and the court has clearly stated that it is our obligation to
12. make that determination. Senator Bowers.

13. SENATOR BOWERS:

14. Well, then I would...I would ask another point of inquiry.
15. If you rule, in fact, that...

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator...Senator Bowers, perhaps if you will just
18. give me a second to make the ruling, we will...we will have
19. resolved your question. In the original bill, page 54, there
20. is an amendment to Chapter 121½, Paragraph 385.2. Amendment
21. 19, in fact, amends Chapter 121½, Paragraph 385.3, amending
22. not only the same Chapter, by the preceding Paragraph,
23. and it's the ruling of the Chair that Amendment 19 is germane
24. to the subject matter contained in Senate Bill 1377. Senator
25. Bowers did you have further comment?

26. SENATOR BOWERS:

27. No, I...I certainly have no comments based on the ruling
28. of the Chair, but somewhere sometime, we've got to address this
29. issue, because if, as a matter of fact, you'd ruled it not
30. germane, it leaves us in an impossible situation.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. And it may still come up, Senator. Further discussion?
33. Senator Shapiro may...the question is, shall the Senate concur
in House Amendment No. 19 to Senate Bill 1377. Those in favor

1. vote Aye. Those opposed vote Nay. The voting is open.
2. Have all voted who wish? Have all voted who wish? Take
3. the record. On that question, the Ayes are 6, the Nays are
4. 45. 3 Voting Present. The Senate does not concur in
5. House Amendment 19 to Senate Bill 1377. Senator Shapiro.

6. SENATOR SHAPIRO:

7. I guess that's a good indication you can't win them all.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator, what is your pleasure on the remaining amendments?

10. SENATOR SHAPIRO:

11. Yes, Mr. President. Now, on the remaining amendments,
12. I would like to take them in one roll call, but I will
13. explain each amendment.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator your motion will be to concur, I take it. Can
16. we...

17. SENATOR SHAPIRO:

18. Yes.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. So that...okay.

21. SENATOR SHAPIRO:

22. Mr. President, and Ladies and Gentlemen of the Senate.
23. I move to concur, in House...House Amendments 1, 40, 46, 59,
24. 61, 63, 67, 76, 77, 79, 85, 86, and 109, to Senate Bill
25. 1377. Mr. President...

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Is there discussion of the motion to concur? Senator
28. Rock.

29. SENATOR ROCK:

30. Thank you, Mr. President, and Ladies and Gentlemen of
31. the Senate. I too, will rise in support of the...Senator
32. Shapiro's motion to concur. I think these amendments are
33. one, germane, and two, fit in the bill, and I would urge an
Aye vote.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Senator Netsch.
3. SENATOR NETSCH:
4. Thank you, my...my comment is a question really. I
5. was trying to follow my listing of them, as you read
6. them off, and I think I've got a note on everything except
7. ...did you say No. 40. Would you go through the list just
8. once more please?
9. PRESIDING OFFICER: (SENATOR BRUCE)
10. Senator...Senator Netsch, on page 4 of the Calendar,
11. are listed the amendments, that we will concur in, and
12. the motion is really to concur in all amendments except
13. 19, which we have taken action on already.
14. SENATOR NETSCH:
15. Could I ask...
16. PRESIDING OFFICER: (SENATOR BRUCE)
17. Senator Netsch.
18. SENATOR NETSCH:
19. I'm sorry. While I'm trying to look it up in the book.
20. Amendment No. 40, for some reason is off of my list, although
21. I see it on the Calendar. What is No. 40?
22. PRESIDING OFFICER: (SENATOR BRUCE)
23. Senator...
24. SENATOR SHAPIRO:
25. Senator Netsch, House Amendment 40, by Representative Taylor,
26. makes a technical correction, changing the word petition to
27. complaint.
28. PRESIDING OFFICER: (SENATOR BRUCE)
29. Further discussion? The question is, shall the Senate
30. concur in House Amendments 1, 4...40, 46, 59, 61,63, 67,76,
31. 77, 79, 85, 86, and 109 to Senate Bill 1377. 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.
On that question, the Ayes are 52, the Nays are 6. None Voting

1. Present. The Senate does concur in House Amendments 1,40, 46,
2. 59, 61, 63, 67, 76, 77, 79, 85, 86, and 109 to Senate Bill 1377,
3. and the bill having received the required constitutional majority
4. is declared passed. For what purpose does Senator Hall...Senator
5. Rock.

6. SENATOR ROCK:

7. Thank you, Mr. President. I think that's an appropriate
8. time...

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. No, Senator, excuse me. The Chair is in error. The
11. Chair declared it 1377 had passed, that is in fact in error.
12. We have nonconcurrred on the Amendment 19, and the Secretary
13. shall so inform the House. That was not final passage.

14. Now, Senator Rock.

15. SENATOR ROCK:

16. ...thank you...in pursuant to our agreement with the House.
17. There are a number of Conference Committees that have, in fact,
18. been scheduled. I would move and defer to announcements and so
19. forth, that the Senate stand in recess until the hour of 4:00
20. o'clock.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Announcements. Senator Netsch.

23. SENATOR NETSCH:

24. Thank you, Mr. President. I would like for the following
25. persons who are members of the Committee, the Senate Committee
26. on looking into DCFS, and Title 20, and we have got to decide
27. whether we ask to continue ourselves. To meet with me immediately
28. briefly in the...the room behind the Speakers podium, with
29. permission of Senator Rock. Senator Collins, Senator Johns,
30. Senator Buzbee, Senators Graham, Regner, Sommer, Schaffer, Bloom
31. and Wooten. It will take, I think, no more than three and a half
32. minutes. Behind the podium, immediately. Thank you.

33. PRESIDING OFFICER: (SENATOR BRUCE)

Further announcements? Senator Chew.

1. SENATOR CHEW:

2. Mr. President, for those of us, from Chicago, especially
3. on the Southside, and most sides of Chicago. I'd like to
4. announce the passing of Bishop Clarence A. Cobb of the
5. First Church of Deliverance of Chicago, who passed last
6. night. He has been a staunch Democrat all of his adult
7. life, and he's always served as an alternate delegate to
8. the Democratic convention, and I wanted to announce it here
9. in the room where all of us would be aware of it.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Rhoads.

12. SENATOR RHOADS:

13. Yes, Senators Nash, Nedza, Joyce, and Grotberg, and
14. others had received notices on a Conference Committee on
15. House Bill 14, please disregard them, the conferees have...
16. all ten conferees have already signed the report. The meeting
17. will not take place.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Further announcements? Senator Rock has moved that the
20. Senate stand in recess until the hour of 4:00 o'clock. On
21. that motion, is there discussion? All in favor say Aye. Opposed
22. Nay. The Ayes have it. The Senate stands in recess until 4:00
23. o'clock promptly.

24. RECESS

25. AFTER RECESS

26. PRESIDENT:

27. Senate will come to order. Will those not entitled to
28. the Floor please vacate. Will those not entitled to the
29. Floor please vacate. One more time, will those not entitled
30. to the Floor please vacate. Will the members please be in
31. their seats. There has been distributed Supplemental
32. Senate Calendar No. 1. On the Order of the Secretary's
33. Desk, nonconcurrence. On the Order of the Secretary's Desk
nonconcurrence, is House Bill 4, Senator Grotberg. Mr. Secretary.

1. SECRETARY:

2. House Bill 4, with Senate Amendment No. 2.

3. PRESIDENT:

4. Senator Grotberg.

5. SENATOR GROTEBERG:

6. Yes, Mr. President. I believe that we need a Conference
7. Committee, and it's all agreed and the proper procedure is
8. to refuse...

9. PRESIDENT:

10. Senator Grotberg moves that the Senate refuse to recede
11. from Amendment No. 2, and that a Conference Committee be
12. appointed. All those in favor signify by saying Aye. All
13. opposed. The Ayes have it. The motion carries, and the
14. Secretary shall so inform the House. 292, Senator Lemke.
15. 387, Senator Wooten. Yes, 292, Senator Lemke. On the
16. Order of the Supplemental Calendar, Secretary's Desk on
17. the Order of Nonconcurrency, House Bill 292. Mr. Secretary.

18. SECRETARY:

19. House Bill 292, with Senate Amendment No. 1.

20. PRESIDENT:

21. Senator Lemke moves that the Senate refuse to recede
22. from Senate Amendment No. 1 to House Bill 292, and ask that
23. a Conference Committee be appointed. All in favor signify by
24. saying Aye. All opposed. The Ayes have it. The motion carries,
25. and the Secretary shall so inform the House. 387, Senator
26. Wooten. On the Order of Secretary's Desk Concurrence, is
27. House Bill 387. Mr. Secretary.

28. SECRETARY:

29. House Bill 387, with Senate Amendment No. 1.

30. PRESIDENT:

31. Senator Wooten.

32. SENATOR WOOTEN:

33. Is Senator Pate Philip on the Floor?

PRESIDENT:

Senator Philip.

1. SENATOR WOOTEN:

2. I'd like to hold this until I have a chance to talk
3. to him, Senator.

4. PRESIDENT:

5. Leave is granted. 525, Senator D'Arco. On the Order
6. of Secretary's Desk Nonconcurrence, House Bill 525. Mr.
7. Secretary.

8. SECRETARY:

9. House Bill 525, with Senate Amendment No. 1.

10. PRESIDENT:

11. Senator D'Arco moves...moves that the Senate refuse
12. to recede from the adoption of Amendment No. 1 to House Bill
13. 525, and that a Conference Committee be appointed. All those
14. in favor signify by saying Aye. All opposed. The Ayes have
15. it. The motion carries and the Secretary shall so inform the
16. House. 551, Senator Buzbee. 922, Senator Knuppel. On the
17. Order of Secretary's Desk Nonconcurrence, is House Bill 922.
18. Mr. Secretary.

19. SECRETARY:

20. House Bill 922, with Senate Amendment No. 4.

21. PRESIDENT:

22. Senator Knuppel.

23. SENATOR KNUPPEL:

24. Well, we...we...we amended this bill up to twenty cents
25. a mile, and that's what they object to. Brummer says that he
26. wants it...it provides in the bill itself that it shall not
27. be less than seventeen cents and he says the committee on this
28. can move it up if they want to. I agreed to move to recede.
29. Seventeen cents a mile is what it was in the original bill and
30. it doesn't have to be twenty cents. There's another twenty
31. cent bill went out of here anyway.

32. PRESIDENT:

33. Senator Knuppel has moved to recede from Senate Amendment
No. 4. Is there any discussion? If not, the question is, shall

1. the Senate recede from Amendment No. 4 to House Bill 922.
2. Those in favor will vote Aye. Those opposed will vote
3. Nay. The voting is open. Have all voted who wish? Have
4. all voted who wish? Take the record. On that question, the
5. Ayes are 52, the Nays are none. None Voting Present. The
6. Senate recesses from Amendment No. 4 to House Bill 922, and
7. the bill having received the required constitutional
8. majority is declared passed.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. House Bill 387, Senator Wooten, with Senate Amendment
11. No. 1. Senator Wooten is recognized.

12. SENATOR WOOTEN:

13. Thank you, Mr. President. I move that we recede from
14. Senate Amendment No.1 to House Bill 387, and the amendment
15. was one that established a scholarship for children of Vietnam
16. veterans. I...we put this on the bill to give...to oblige
17. Senate Pate Philip. I believe that's dealt with, somewhere
18. else, in another piece of legislation, and where, I think, more
19. properly belongs. I would move that we recede then from the
20. Senate Amendment to House Bill 387.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. The is to recede. Is there discussion? The question
23. is, shall the Senate...Senator Walsh.

24. SENATOR WALSH:

25. Well, will the Gentleman yield for a question? I...I
26. understand Senator Philip that is an agreement with your motion.
27. Then my second question is, what...where does that leave us?
28. What's the...what's the bill then without the amendment?

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Wooten.

31. SENATOR WOOTEN:

32. I'm sorry Senator. I should have explained that. It
33. adds Junior Grade Officers to the National Guards Scholarship
Program. To accommodate those youngsters who go to junior high

1. pardon me, to junior colleges, receive a...it's a little
2. late already, a rank of second lieutenant, and thus are cut
3. off from the program, which right now is limited to enlisted
4. men, and it's giving us some difficulties in recruitment and
5. advancement. We'd like to extend it to Junior Grade Officers
6. only. I've run into this problem myself a couple of times,
7. and I think it's a reasonable adjustment.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Further discussion? Senator Walsh.

10. SENATOR WALSH:

11. Just briefly, Mr. President, and members of the Senate.
12. I'm one of those who does not believe that any scholarship
13. should be granted except for financial need, having been
14. established in this of course would give...a second lieutenant
15. who might be a very wealthy person, an opportunity to get
16. a scholarship free, and I am going to vote No for that reason.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Further discussion? Senator Wooten may close.

19. SENATOR WOOTEN:

20. Well, Senator Walsh, I think if you can recall the rationale
21. for this bill in the beginning, it was to give youngsters an
22. opportunity to earn their way through college. I, if you recall,
23. I said that I believe that scholarships should be for scholastic
24. ability, but I believe that we also need to afford middle class
25. families, children in middle class families some way in between,
26. and that was why I supported this program originally. We need
27. people in the National Guards. There is not the incentive for
28. them to join now that the draft is gone, and what we say by this,
29. is if they were...if they're in the Guard for a year, then they
30. are entitled to a scholarship, and that way they can work their
31. way through while serving the State of Illinois. This simply
32. extends what I think is an excellent program, to Junior Grade
33. Officers. It is unfairly discriminating against some youngsters.
I move then that we recede from Senate Amendment No. 1 to House

1. Bill 387.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. The question is, shall the Senate recede from Senate
4. Amendment No. 1 to House Bill 387. Those in favor will
5. vote Aye. Those opposed vote Nay. The voting is open.
6. Have all voted who wish? Have all voted who wish? Take
7. the record. On that question, the Ayes are 50, the Nays
8. are 8. None Voting Present. The Senate recedes from
9. Senate Amendment No. 1 to House Bill 387, and the bill
10. having received the required constitutional majority is
11. declared passed. House Bill 961, Senator D'Arco. Is
12. Senator D'Arco...Senator D'Arco you're recognized on Senate
13. Amendments 1 and 2 to House Bill 961.

14. SENATOR D'ARCO:

15. Thank you, Mr. President. I refuse to recede and ask that
16. a Conference Committee be appointed.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. You've heard the motion. Is there discussion? All in
19. favor say Aye. Opposed Nay. The Ayes have it. The Senate
20. refuses to recede from Amendments No. 1 and 2, and the
21. Secretary shall so inform the House. House Bill 1170, Senator
22. Geo-Karis, with Senate Amendments 1, 2, and 3. Senator
23. Geo-Karis.

24. SENATOR GEO-KARIS:

25. I...I...we refuse to recede from Senate Amendments...
26. what is it, 1, 2, and 3.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. The motion is to refuse to recede from Senate Amendments
29. No. 1, 2, and 3 and request the appointment of a Conference
30. Committee. On that motion is there discussion? All in favor
31. say Aye. Opposed Nay. The Ayes have it. The Senate..the
32. Secretary shall so inform the House. House bill 1461, Senator
33. Berman. Senator Berman is recognized on Senate Amendment No.1
to House Bill 1461.

1. SENATOR BERMAN:

2. I move that we refuse to recede and that a Conference
3. Committee...

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. You've heard the motion. Is there discussion? All in
6. favor say Aye. Opposed Nay. The Ayes have it. The Senate
7. refuse to recede, and the Secretary shall so inform the House.
8. House Bill 1636, Senator Nimrod. Is Senator Nimrod on the
9. Floor? 1636, Appropriation of the Racing Road, with Senate
10. Amendment No. 1.

11. SENATOR NIMROD:

12. Thank you, Mr. President. We would refuse to recede, and
13. call for a conference.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. You've heard the motion. Is there discussion? All in
16. favor say Aye. Opposed Nay. The Ayes have it. The Secretary
17. shall so inform the House. House Bill 1642, Senator Mitchler,
18. with Amendments 1 and 3. Senate Bill 1646, Senator Nimrod,
19. Industrial Commission Appropriation, with Senate Amendment 1.

20. SENATOR NIMROD:

21. We refuse to recede, and call for a Committee on Conference.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Is there...you've heard the motion. Is there discussion?
24. All in favor say Aye. Opposed Nay. The Ayes have it. The
25. Senate refuse to recede, and request appointment of a Conference
26. Committee, and the Secretary shall so inform the House. House
27. Bill 1681, Senator Mitchler. Special Registration Plates, POW's,
28. with Senate Amendment No. 1. Senator...Senator Buzbee, we
29. have 551, on registration of motor boats. Senate Amendment
30. 1. Senator Maragos, on the printed Calendar, on the Order of
31. the same Order we are on, Nonconcurrency, is House Bill 1357.
32. Evidentiary standards. Do you have a motion regarding that...
33. if you wish to recede or refuse to recede? Senator Maragos, on...
Gentlemen if I might have your attention, on page 5 of the Calendar,

1. is House Bill 1357, with Senate Amendment No. 1. Senator
2. Maragos.

3. SENATOR MARAGOS:

4. Mr. President, and members of the Senate. I promised the
5. sponsor of the...House sponsor of this bill, that I would move
6. to recede, even though there's been some objection in the
7. ...by some of the members in the Judiciary Committee, when
8. we put the Senate Amendment on. This sets the standards for
9. the hearings and the reason why the House sponsor did not
10. concur, is because of the fact, he said that the bill the
11. way it is now, would not be in agreement with other agencies
12. that have the evidentiary standards in the original hearings,
13. as compared to those that are in the appeals, or before the
14. court. So, the manifest weight of the evidence was put on
15. for the court, and on review, whereas, the preponderance
16. of the evidence was used as a test for the lower echelons.
17. So, I move to recede at this time.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. The motion is to recede from Senate Amendment No. 1 to
20. House Bill 1357. Is there discussion? Senator Walsh.

21. SENATOR WALSH:

22. Will the Gentleman yield?

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. He indicates he will yield. Senator Walsh.

25. SENATOR WALSH:

26. Sam, I haven't been able to find which one of our little
27. booklets that's in, but now does...do we by receding, leave it
28. at the manifest weight of the evidence standard, or the
29. preponderance standard?

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Maragos.

32. SENATOR MARAGOS:

33. By receding we leave it at the preponderance standard for
the original hearing, and the manifest weight of the evidence for the

1. review. The way our amendment went it put the manifest weight
2. of the evidence on both hearings. Both the initial hearing and
3. on the review, and that was the recommendation of our committee,
4. the Judiciary I Committee that we put manifest weight of the
5. evidence on both...on them both, the hearing and the review.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Further discussion? Senator Berman.

8. SENATOR BERMAN:

9. We got into this the other day, and I'm still not clear
10. on what it is. Senator Maragos, on the...if we recede then
11. what burden of proof is necessary to avoid a reversal of a
12. decision of the FEPC on a review?

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Maragos.

15. SENATOR MARAGOS:

16. Manifest weight of the evidence, and this will make it
17. uniform with all the other agencies, which came out of your
18. joint committee for the...this will make it uniform. That's
19. why the original sponsor of the House sponsor asked that this
20. be...that we recede and did not concur.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Berman.

23. SENATOR BERMAN:

24. So, as I understand it, if a case...if the case is proven
25. by anything less than...

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Gentlemen...Gentlemen...several of the members are complaining
28. about the noise level.

29. SENATOR BERMAN:

30. So, if the appellant must show that the evidence was
31. contrary to the manifest weight of the evidence, in order to
32. be sustained on review, is that correct?

33. PRESIDING OFFICER: (SENATOR BRUCE)

Senator Maragos.

1. SENATOR MARAGOS:
2. That is correct.
3. PRESIDING OFFICER: (SENATOR BRUCE)
4. Further discussion? Senator Rhoads. Senator Moore.
5. SENATOR MOORE:
6. Well, just so I...I understand this, if we recede, Senator
7. Maragos, we will then have the manifest weight of the evidence
8. at the hearing, and on review we will also have the manifest
9. weight of evidence, is that correct?
10. PRESIDING OFFICER: (SENATOR BRUCE)
11. Senator Maragos.
12. SENATOR MARAGOS:
13. No, it's not correct, we will have the preponderance of
14. the evidence, like the bill was in...if we recede it will be
15. like the bill was in its original form when it came over
16. from the House. That it had the preponderance of the evidence
17. at the original hearing, and manifest weight of the evidence
18. on review.
19. PRESIDING OFFICER: (SENATOR BRUCE)
20. Senator Moore.
21. SENATOR MOORE:
22. Well, then I'm going to have to...to oppose Senator
23. Maragos's motion. If we're going to be consistent, and use the
24. preponderance weight of the evidence at the hearing, and on
25. review, we should also use the preponderance weight. Why
26. should we make it greater on review? In my opinion as a
27. businessman's point of view, it would be to the detriment
28. of the businessman of the employer if we recede from the Senate...
29. Amendment...what ever amendment it is. No. 1 and I don't think
30. this is in the best interest to the business climate and the
31. business industry in Illinois. I think that we ought to oppose
32. Senator Maragos's motion to recede from Amendment No. 1.
33. PRESIDING OFFICER: (SENATOR BRUCE)
Is there further discussion? Senator Washington.

1. SENATOR WASHINGTON:

2. Mr. President, I support the motion to recede. I think
3. it's...eminently fair. You're simply trying to bring
4. some sanity to the Administrative Process, and on the
5. Administrative level...

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Excuse me, Senator Washington. Gentlemen and Ladies, if
8. we can keep the noise level down, please. Senator Washington.

9. SENATOR WASHINGTON:

10. On the Administrative level, if a complaint has been
11. screened and processed and you can prove a case by the
12. preponderance of the evidence, this bill as Mr. Maragos
13. wants it would say fine, but if you appeal and it applies
14. to anyone to upset that, you need a manifest weight, and I
15. see nothing wrong with that at all. Why label the court with
16. frivolous appeals, that's what you're really saying, if
17. you follow Senator Moore's objection. If you're going
18. to take it up, it seems to me that you should have...have a
19. higher weight of the evidence. Not, only that...when you
20. try to make a distinction between a preponderance and manifest
21. you're really playing with, you know, it's really sort
22. of a ball game you're playing. It's a judgment question.
23. We know a preponderance is over fifty percent and a manifest
24. weight is over fifty percent, plus, plus, plus, but when you're
25. dealing with individual cases those things come somewhat
26. blurred and not too clear, and I think it's a fine distinction.
27. It's recognized in large, and I think we should recede from
28. the amendment, which we should not have put on in the first
29. place.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Further discussion? Senator Maragos may close.

32. SENATOR MARAGOS:

33. As I stated earlier, the House sponsor want this to be...

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Excuse me, Senator Maragos. Senator Maragos. All right,
3. Senator Maragos.

4. SENATOR MARAGOS:

5. As I stated earlier, I promised the House sponsor I would
6. move to recede to the Senate Amendment, and now you have fully
7. discussed...it's up to you to wish...and I ask that you give
8. us a favorable vote.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. The question is, shall the Senate recede from Senate
11. Amendment No. 1 to House Bill 1357. Those in favor vote
12. Aye. Those opposed vote Nay. The voting is open. Have
13. all voted who wish? Have all voted who wish? Take the
14. record. On that question, the Ayes are 11, the Nays are
15. 45. None Voting Present. The Senate refuses to recede
16. from Senate Amendment No. 1 to House Bill 1357, and the
17. Secretary shall so inform the House. Senator Buzbee.
18. Gentlemen we will now return to Supplemental Senate Calendar
19. 1. On the Order of Nonconcurrences, is Senate...House Bill
20. 551, with Senate Amendment No. 1. Senator Buzbee is recognized.
21. Senator Buzbee.

22. SENATOR BUZBEE:

23. Thank you, Mr. President. I move that we recede on
24. Senate Bill 551, from Senate Amendment No. 1.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. The motion is to recede, and that a Committee on Conference
27. be appointed. Is there discussion? Senator Egan. Senator Buzbee.

28. SENATOR BUZBEE:

29. I moved that we recede from Senate Amendment No. 1, which
30. would then have the effect of final passage.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. The motion is to recede. Is there discussion? Senator
33. Egan.

SENATOR EGAN:

Yes, I'm sorry to interrupt, Senator Buzbee, but I'm confused,

1. and I'm sorry. You said that we are...were on the Supplemental
2. Calendar No. 1, and I understand that we're on the Supplemental
3. Calendar No. 4, and I just...

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Now Gentlemen, we've gone through this before, if I...

6. SENATOR EGAN:

7. Would you describe this. I don't know what this is.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Gentlemen there are two documents on your desk, the Calendar
10. and a Supplemental Calendar. You have four documents that are
11. put out by LIS, relating to description of the material on the
12. two separate Calendars.

13. SENATOR EGAN:

14. What do we call this?

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. That's an LIS report.

17. SENATOR EGAN:

18. LIS report No. 4.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. No. 4.

21. SENATOR EGAN:

22. All right.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Buzbee has made a motion that we recede from
25. Senate Amendment No. 1. Is there...is there discussion on
26. the motion to recede? The question is, shall the Senate
27. recede from Senate Amendment No. 1 to House Bill 551. Those
28. in favor vote Aye. Those opposed vote Nay. The voting is
29. open. Have all voted who wish? Have all voted who wish?
30. Have all voted who wish? Take the record. On that question,
31. the Ayes are 49, the Nays are 4. None Voting Present. The
32. Senate does recede from Senate Amendment No. 1 to House Bill
33. 551, and the bill having received the required constitutional
majority is declared passed. Senator Mitchler, on 1642. House

1. ...House Bill 1642, with Senate Amendments 1 and 3. Senator
2. Mitchler is recognized.

3. SENATOR MITCHLER:

4. Mr. President, and members of the Senate. Refuse to recede
5. and ask for a Conference Committee.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. You've heard the motion. Is there discussion? All in
8. favor say Aye. Opposed Nay. The Ayes have it. The Senate
9. refuse to recede and ask for the appointment of a Conference
10. Committee, the Secretary shall so inform the House. House Bill
11. 1681, Senator Mitchler, with Senate Amendment No. 1. Senator
12. Mitchler is recognized.

13. SENATOR MITCHLER:

14. Mr. President, and members of the Senate. I move to recede
15. from Senate Amendment No. 1 to House Bill 1681. This amendment
16. was for the Special Registration License Plates, for former
17. members of the General Assembly, and the House did not want
18. to go along with that.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Is there discussion? The motion is to recede. Senator
21. Netsch.

22. SENATOR NETSCH:

23. Would you explain the impact of...this is final action, and
24. so it would help if we knew what that would do to the bill.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Mitchler.

27. SENATOR MITCHLER:

28. Mr. President, and members of the Senate. In its original
29. form the bill provided for special registration license plates
30. for former prisoners of war and that is...would still be in
31. the bill. We added on for former members of the General Assembly,
32. the House did not like that part, but they do like the former
33. prisoners of war, and that's Representative Watson's original
bill, and I would ask for passage and support for that.

JB47
6-29-79
Concurrence

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is there further discussion on the motion to recede?

3. The question is, shall the Senate recede from Amendment No.

4. 1 to House Bill 1681. Those in favor vote Aye. Those opposed

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

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

7. who wish? Take the record. On that question, the Ayes are

8. 37, the Nays are 3. 13 Voting Present. The Senate does

9. recede from Amendment No. 1 to House Bill 1681, and the

10. bill having received the required constitutional majority

11. is declared passed. If I might have the attention of the

12. membership, we will now go to page 2 of the Regular Calendar,

13. and we will go to Senate Bill, on the Order of Concurrences,

14. on page 2, is Senate Bill 47, with House Amendments 2, 3, and

15. 4. Senator Lemke. Amends the Abortion Act, seventy-two

16. hour waiting period, with House Amendments 2, 3, and 4. Senator

17. Lemke is recognized.

18. SENATOR LEMKE:

19. I move to concur on Senate Bill 47.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Lemke.

22. SENATOR LEMKE:

23. I move to concur with all the amendments on 47.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. The motion is to concur with House Amendments 2,3, and 4

26. to Senate Bill 47. Is there debate? Senator Bowers.

27. SENATOR BOWERS:

28. Well, I'm having trouble finding them. What's it all about,

29. could we have them explained?

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Gentlemen...Gentlemen, so that we are all together, it

32. is report No. 3 from LIS blue cover. Report No. 3, blue cover.

33. For what purpose does Senator Egan arise? Gentlemen if we

might have some attention and Ladies? Senator Egan.

1. SENATOR EGAN:

2. Well, I...I think I understand, but I...I just want...
3. want to point out there is also a...a blue cover with
4. Senate crossed out, House written above it in non-
5. concurrence, and marked No. 3, and a blue cover with
6. Senate Bill Concurrence marked No. 3, which is a little
7. confusing, but...

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. One is on nonconcurrence, and one is concurrence, but
10. I understand that we are going to bring up different colored
11. sheets the next time around for concurrence versus non-
12. concurrence, so that there can be no confusion, and it
13. will also be printed in Spanish. Is there further discussion?
14. Further discussion on the motion to concur? Senator Bowers.

15. SENATOR BOWERS:

16. I haven't heard the Gentleman explain them yet. I wish
17. he would.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator...Senator...Senator Lemke it might help
20. if you would explain the impact of 2, 3, and 4. Several
21. Gentlemen have inquired.

22. SENATOR LEMKE:

23. Okay, House Amendment No. 2, it's the same as Senate Amendment
24. that we put on...Senate Amendment No. 3, what it does is just
25. changes the...some of the paragraphs and wording in taking out
26. some languages and putting in some constitutional language, but
27. identically it means the same thing. Senate Amendment No...I mean
28. House Amendment No. 3, that adds...allows...a father of an unborn
29. fetus to initiate a court proceedings by verified petitions
30. to injoin the women from carrying the fetus from obtaining an
31. abortion, or...or interrupting such pregnancy, and House Amendment
32. No.4 is mainly a technical amendment clarifying phasing and
33. terms...or addition requires physicians to provide each living

1. parent, guardian, husband, within seven days at the
2. time of abortion is preformed, in case of...added in case
3. of medical emergencies deemed by such physician. That's
4. all.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Is there discussion? Senator Martin.

7. SENATOR MARTIN:

8. I supported part of this package before, Senator Lemke,
9. but the one description of a House Amendment, and I do not
10. mean this facetiously. How is there proof that one is the
11. father, that they could initiate such a step?

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Lemke.

14. SENATOR LEMKE:

15. Well, this is...he's got to file a court proceeding, and
16. that's one of the grounds...on of the paragraphs he has to
17. set out, and the...and the allegations to prove he's the father.
18. He has to prove it.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Martin.

21. SENATOR MARTIN:

22. Again, just staying with it momentarily, if someone just
23. says they are, that unfortunately may not be true, what if the
24. women in question, says I'm sorry he's not. Is...is there a
25. way to out of that dilemma through...through your bill?

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Lemke.

28. SENATOR LEMKE:

29. Well, the court would rule on that. I mean just like
30. saying whether you're...you know when you allege, and you have
31. an automobile accident, you allege you're the owner of the automobile
32. you must prove that you're the owner of the automobile, in
33. order to collect the damages. This case the man that file-
a complaint, if he alleges himself as the father, he has to prove

1. that in court, and they can come in on a motion, to dismiss
2. the lawsuit on the grounds that he is not the father, and
3. the judge can rule on that immediately.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Further discussion? Further discussion? Senator Martin,
6. I'm sorry.

7. SENATOR MARTIN:

8. I guess, what I'm saying Senator Lemke, at that point of
9. a child's development, I'm not sure and I don't claim great
10. expertise, and that there is any way for someone to prove
11. they...he is the father, unless there is agreement by the...a
12. pregnant woman. If she would say he isn't, and I don't know
13. how he could in any way prove he was, and I...you know that
14. would be a problem, I'd think.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Lemke.

17. SENATOR LEMKE:

18. Well, it's...it's done on grounds...always. You can
19. prove if you're...blood tests, and scientific ways, to my
20. understanding. It's his burden to prove that he's the
21. father. If he can't prove it, what can he do?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Further discussion? Senator Bowers.

24. SENATOR BOWERS:

25. In this court proceeding, I presume that the defendant
26. then has thirty days to answer, so we got a thirty day
27. period going, then I suppose with the court Calendars, we
28. got another thirty to sixty days going before we can
29. possibly get to a hearing. I suppose I have a question to
30. the effect that is there any method set out in the bill to...
31. to expedite these hearings or is it just a simple way to take
32. it past the second trimester so there can't be an abortion.
33. The specific question is, are there any methods set up in
the amendment that would permit an expedited hearing?

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Bowers...Senator Lemke.

3. SENATOR LEMKE:

4. I don't think that we can get involved in Supreme Court
5. rules and...and court regulations of cases of how they're
6. filed. That should be left up to the...left to the...individual
7. courts, to determine what the rules should be and what
8. proceedings are going to have in this matter. We're just
9. saying in the law that he has the right to file the action.
10. It's up to the court to set the rules, how that action is
11. going to process through the courts.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Further discussion? Senator Carroll. Gentlemen I have the
14. following Senators have sought...if we could have a little...
15. if the members...I have Senator Rhoads, Senator...Geo-Karis,
16. Senator Egan, Senator Wooten, Senator Carroll, Senator Maragos.
17. I'm...Senator Bowers, it's...it's just barely able to see you
18. myself and hear what's going on, I apologize, Senator Bowers has
19. not concluded.

20. SENATOR BOWERS:

21. Well, thank you, Mr. President. I just merely want to
22. say that...that I try to vote for some of these types of regulations
23. that..that have some prayer of being constitutional, but there's
24. no way in the world this can be constitutional. It's obviously a
25. device to hold up the abortion until you get through the...the proper
26. period, the second trimester period and then there can't be an
27. abortion. Now, there's no way you can have a court proceeding within
28. the period of time required. We all know that and it's clearly an
29. unconstitutional bill and I think we ought to vote it down here and
30. in the words of Senator Keats, we might save a lot of money to
31. somebody to declare it unconstitutional.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Further discussion? Senator Egan.

1. SENATOR EGAN:

2. Yes, thank you, Mr. President and members of the Senate. Sen-
3. ator Bowers, you know, Senator Bowers, you know, it's not such a bad
4. idea for an unborn child if that unborn child wishes to be born to
5. have a court hearing, the Civil Practice Act applies as does
6. the preponderance of evidence and the proof. Now, when you consider
7. the fact that that unborn child is a human being, it's not such a
8. bad idea.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Geo-Karis.

11. SENATOR GEO-KARIS:

12. Mr. President and Ladies and Gentlemen of the Senate, my
13. church is against abortion. I, personally, am against it. In
14. thirty-six years of practice as a lawyer, I never sent a client
15. for an abortion. I wouldn't know where to send them, but this
16. bill is not only apparently unconstitutional, it's absolutely...
17. without question, unconstitutional. Several factors that were
18. already decided by the Federal courts are included in here in
19. Amendment 2. Already decided against, those bills that were passed
20. in the prior legislative Session which are now reincorporated. I
21. think we're costing the taxpayers a lot of unnecessary money in
22. fighting these cases in court and I feel that this is a very bad
23. amendment and I think that these amendments should be dropped so
24. we could vote for the bill. Therefore, I speak against the bill
25. with those amendments.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Regner.

28. SENATOR REGNER:

29. Yes, Mr. President and members. Just one quick comment. It
30. sounds like this bill is going to make a ton of money for lawyers.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Knuppel.

33. SENATOR KNUPPEL:

1. Well, abortion is constitutional so that argument that this
2. bill is unconstitutional doesn't move me very far because my Bible
3. tells me and so do the Fundamentalists that abortion is wrong,
4. whether it's unconstitutional or constitutional so I'll have to go
5. along with Senator Lemke on it. I don't give a damn whether it's
6. unconstitutional or not. It...it's something that...that I don't
7. believe the Supreme Court, if they read their Bibles, could say it
8. was constitutional to have. Unfortunately, I'm..I'm afraid we've
9. become an unchristian nation, all to our tragedy. Lutherans, Catholics,
10. and Fundamentalists, Baptists, all oppose...all oppose abortion
11. and the Supreme Court says it's constitutional. Well, if it's...if
12. that's what's unconstitutional...anything that...that's opposite,
13. I'm afraid I'll have to stay opposite.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Further discussion? Senator Rhoads.

16. SENATOR RHOADS:

17. Question of the sponsor if he will yield.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Indicate...indicates he will yield.

20. SENATOR RHOADS:

21. Senator, I also voted for the bill the first time through, but
22. I have a question about Amendment No. 3. If the husband, or father
23. rather, is successful in obtaining an injunction from the court
24. and the woman carrying the child violates that injunction what...
25. what penalty is there for the...for violating the injunction?

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Lemke.

28. SENATOR LEMKE:

29. It would be the same penalty of anything else. You'd be in
30. contempt of court. It would be up to a judge...a judge to set...
31. what would you do in regards to contempt of court. They would set
32. the penalty.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Rhoads. Further discussion? Senator Maragos.
2. Okay. Senator Carroll.
3. SENATOR CARROLL:
4. Thank you, Mr. President. A question of the sponsor. Assuming
5. an appropriate set of facts, would the purported father who enjoins
6. then be responsible for support?
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. Senator Lemke.
9. SENATOR LEMKE:
10. I think that would be correct because he would be correct,
11. because he would come out and he admitted himself to file and
12. the State could pursue him and collect the money that they
13. have to pay in regards to...to burden of raising the children.
14. He'd have to support them under the law.
15. PRESIDING OFFICER: (SENATOR BRUCE)
16. Senator Carroll.
17. SENATOR LEMKE:
18. In that frame it's a good bill.
19. PRESIDING OFFICER: (SENATOR BRUCE)
20. Senator Carroll.
21. SENATOR CARROLL:
22. Oh, I agree, in that condition. Isn't it also, within there
23. that the Department of Public Health, has to issue a brochure,
24. to everyone who comes in to seek this type of medical service,
25. that...that would say basically that Illinois strongly urges
26. that you not have an abortion, and that that statement by the
27. Illinois Department of Public Health has to be written in all
28. languages, in which there's any significant part of the Illinois
29. population?
30. PRESIDING OFFICER: (SENATOR BRUCE)
31. Senator Lemke.
32. SENATOR LEMKE:
33. That is not in the amendment, we're talking about fathers'.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Senator Lemke, I don't believe you've separated issue it's
3. 2, 3...we're on all three.
4. SENATOR LEMKE:
5. I thought he was talking about that amendment,we're
6. talking about the fathers. That's not in that amendment.
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. Senator Carroll.
9. SENATOR CARROLL:
10. Oh, I agree, it's not in that amendment,but it's in...
11. you've moved to concur, I assume on all the amendments.
12. PRESIDING OFFICER: (SENATOR BRUCE)
13. Senator Lemke.
14. SENATOR LEMKE:
15. That...that provision was in Senate Amendment...Senate
16. Amendment No. 3. That provision was in.
17. PRESIDING OFFICER: (SENATOR BRUCE)
18. Senator Carroll.
19. SENATOR CARROLL:
20. So, that is a correct statement of the bill as it's
21. presently before us, that the Illinois Department of Public
22. Health has to issue a statement,something in writing in
23. all languages to whomever should happen to come in for this
24. service, that says that Illinois basically strongly urges you
25. to not have an abortion, is that right?
26. PRESIDING OFFICER: (SENATOR BRUCE)
27. Senator Lemke.
28. SENATOR LEMKE:
29. They have to give out the information, but it doesn't say
30. that it has to be printed in...in...it says here,printed at least
31. in two languages. It doesn't say all these different languages,
32. it just says in at least two languages. They decide what languages
33. they want to print it in.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Carroll.

3. SENATOR CARROLL:

4. I think if you read it, it says, in all languages used
5. by a significant portions of the population of this State,
6. and I think the language, in which you are requiring to be
7. printed, says that it is Illinois policy to strongly urge
8. that you not obtain one. Rather than ask anymore questions,
9. as one who has not been supportive of this type of legislation
10. and who will not vote for it, I hope that it passes, it's so
11. bad.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Further discussion? Senator Wooten.

14. SENATOR WOOTEN:

15. Thank you, Mr. President. I...I'm afraid that, you know,
16. we are not theologians in here nor are we expected to be nor
17. is any part of our duty involve theology. Religion we generally
18. take to be a higher compulsion than Statutory law, and that
19. is why we have always granted that kind of exception. We are
20. compelled, I think to deal with what the law is, with the
21. Constitution interpretations; and so on, and I don't understand
22. why there's so many provisions in here, that have already been
23. declared unconstitutional. It's almost as if the House is
24. trying to kill the bill. I noticed that there's one thing in
25. here though that I had not noticed before, and this apparently
26. would outlaw IUD's, which seems to be...to be moving into a slightly
27. different area, and that's just one of many things in here.
28. It really is an amazing bill, is seems clearly designed to be
29. to quickly to declared . unconstitutional.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Further discussion? Senator Lemke may close.

32. SENATOR LEMKE:

33. Since, this isn't the Supreme Court, and since

1. I have talked to some lawyers that constitutional lawyers
2. and they tell me this bill is constitutional, and I...and
3. I rely on their constitutionality. As I look at every
4. case, and as it was taught as a lawyer in law school in
5. constitutional law. Every case is based in its own facts,
6. and its own word. These words are not exactly the same in
7. the intent, it's not...it's not...it does not mean the same
8. as other bill...other things that have been declared un-
9. constitutional. The intent of this was to revise the 1975
10. Act to make it constitutional. I feel that these provisions
11. make it the...are constitutional and I think the court would
12. should roll. I the only thing I disagree with, is the Federal
13. court selection...in...in northern Illinois district, because
14. every case goes to one judge, and I always thought the Federal
15. Court will operate on a lottery basis, and I don't know how always
16. the cases in regard are declared constitutionally go to
17. one judge. Does one judge decide what is constitutional
18. or unconstitutional, I don't think so. I think the burden's
19. on the Federal Court to have some fairness to give this to
20. other judges, to...in also gives their views, and to decide in the
21. case will be...and I ask for a roll call.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. The question is, shall the Senate concur with House
24. Amendments 2, 3, and 4 to Senate Bill 47. Those in favor
25. vote Aye. Those opposed vote Nay. The voting is open.
26. Have all voted who wish? Have all voted who wish? Take the
27. record. On that question, the Ayes are 35, the Nays are 17.
28. 3 Voting Present. The Senate does concur with House Amendments
29. 2, 3, and 4 to Senate Bill 47, and the bill having received the
30. required constitutional majority is declared passed. For what
31. purpose does Senator Rock rise?

32. SENATOR ROCK:

33. Thank you, Mr. President, and Ladies and Gentlemen of the
Senate. After consultation with the members of the House, and...

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1. particularly their leadership, and Senator Shapiro, we have
2. remaining on our Calendar, twelve matters with which we should
3. deal, and some messages. Earlier it was suggested that we
4. recess, and come back at a later time. My suggestion at
5. this point is we run the twelve and the messages and then
6. we adjourn until tomorrow morning, so I would hope that
7. everybody would bear that in mind. We could be out of
8. here in forty-five minutes, if everyting goes according
9. to schedule.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senate Bill 93, Senator Hall. Senator Hall with House
12. Amendment 4 and 5 to Senate Bill 93. Senator Hall is recognized.
13. Senate Bill 101, Senator Schaffer. Senate Bill 101, with House
14. Bills 1 and 6. Senator Schaffer is recognized.

15. SENATOR SCHAFFER:

16. Mr. President, House Bill 101 came back with two amendments
17. the first amendment, basically put Senate Bill 1310 in, which
18. was Senator Geo-Karis's bill. I think we're all familiar
19. with what it is, it's a bill I supported both in committee and
20. on the Floor. I would defer to Senator Geo-Karis for an explanation
21. of the bill, and urge concurrence in these two amendments and
22. I will be passing out a financial breakdown on this proposal.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Geo-Karis is recognized.

25. SENATOR GEO-KARIS:

26. Mr. President, and Ladies and Gentlemen of the Senate.
27. This past Monday the United States Supreme Court, affirmed the
28. decision of the Pennsylvania Supreme Court, and said that
29. transporting the non-public student...school students within
30. a mile of...I think it was a ten mile...was constitutional. Now,
31. the cost of this is not half as much as was reported to be, by
32. the Bureau of the Budget. I think...I submit that they threw
33. everything together. The cost of this, at the rate of a hundred
and twenty-five dollars per student, involves about approximately

1. no more than twenty-five thousand students, and that amounts
2. to about four million and the top cost should not be more
3. than five million dollars. We...I think it's a very good
4. bill, and a national survey has been taken, which shows
5. there are about twenty-five thousand students or less, and
6. it does not include the Chicago School District, districts
7. of five hundred thousand or more, and I certainly urge your
8. respectful consideration, because of parents of the...children
9. who go to the non-public students...schools rather, they pay
10. the same tax as the parents whose children go to public
11. schools, and yet they're entitled to some benefit to their
12. children. I think they're entitled to it because we benefit
13. by their taxes, and I think we owe it...

14. PRESIDENT:

15. Senator Geo-Karis has moved the adoption of House Amendment
16. ...or moved concurrence with House Amendments 1 and 6 to Senate
17. Bill 101. Any discussion? Senator Buzbee.

18. SENATOR BUZBEE:

19. Thank you, Mr. President. There has been a lot of discussion
20. about this bill over the last several days, and quite frankly,
21. I'm...regret the fact that it seems to have evolved down to a
22. question of one particular religious organization or group, as
23. opposed to all the others, because in my opinion that is simply
24. ...that has...that kind of talk has no place in this Chamber
25. and I quite frankly don't think that should be the argument at
26. all. The argument is the bussing of parochial students, paid for
27. by public taxpayers. Parochial schools are supported by several
28. religious organization in this State. I have several very
29. good parochial schools in my district, as a matter of fact, but
30. I think if we start raiding the State Treasury to pay for the
31. bussing of parochial students on the public bussing lines, we
32. are, in fact, going to run the school districts of this State
33. completely broke. Now, I have a copy of a letter which I
know several of you have received signed by Robert L. Mandeville,

1. SENATOR MAITLAND:

2. Thank you, Mr. President and Ladies and Gentlemen of the
3. Senate. Serving on the School Problems Commission, serving on
4. the Public Elementary and Secondary Committee of the Illinois
5. Senate, I have repeatedly heard from school districts across
6. this State about inability to fully fund the Transportation
7. Formula. Each one of us have heard from districts within our
8. own legislative districts about the very serious problems that
9. we have. We simply cannot allow this to happen. It's unknown
10. at this time what a serious impact this may have on our school
11. districts. As all of you know by now, I'm a strong supporter
12. of parochial education and I plead with those who support this
13. legislation, please don't permit...please don't permit this to
14. happen and wreck what now is a very good system in Illinois...
15. our parochial education. We something to be very proud of. This
16. is the first step in the deterioration of a very fine program.
17. Please don't let it happen.

18. PRESIDENT:

19. Further discussion? Senator Hall.

20. SENATOR HALL:

21. Thank you Mr. President and Ladies and Gentlemen of the
22. Senate. I wasn't going to speak on this, but since I've heard
23. from one of the "big four" that I have...you were talking about
24. cost, Senator Buzbee, and I'm looking at a sheet that was handed to
25. me and it said the total cost of this program is less than forty
26. cents per...per citizen. Now, that...and all of us agree right now
27. with the conservation of energy...what we're trying to do, rather
28. than people using cars, I think that the most expedient way is
29. to follow the program that is set out in this bill, so I rise
30. in support of it.

31. PRESIDENT:

32. Further discussion? Senator Knuppel.

33. SENATOR KNUPPEL:

1. Well, I just want to say one or two things. We're talking
2. about children and I hear this argument on the Floor of this
3. Senate here for ten years. The...seventy percent of the Public
4. Aid is for children and for that reason I've able to support it.
5. I don't believe in Public Aid and I...my people in my district...
6. a lot of them think there's a lot of "grafters" on Public Aid,
7. but I support Public Aid because seventy percent of the people
8. on it are children. They don't know the difference, Senator
9. Buzbee, whether their parents are paying or the taxpayer is
10. paying and you made this statement. You said something here
11. about you didn't want the...those people to raid the...the
12. money that was raised by the public taxpayer. Well, I'll tell
13. you something. The people that have parochial children and go
14. into parochial schools are also public taxpayers. That's the
15. term you used and they're also public taxpayers and they're not
16. raiding the State Treasury because they're children and if I
17. had to make my choice between whether I spent this money for some
18. buildings here for the State or for a payraise for the Legislators
19. or something else, I'd take that little girl or boy walking down
20. the dusty road, who doesn't know the difference but...between
21. whether he's really going to a parochial school or doesn't under-
22. stand the arguments you make and give that money to him for
23. education because to me, education stood above everything else
24. with my parents. When I was a baby on the floor, my mother said,
25. I want my boys to get an education. I understood that word, but
26. I didn't understand whether it was parochial or public and as I
27. told you before, the people who have those parochial school
28. children are public taxpayers.

29. PRESIDENT:

30. Further discussion? Senator Collins.

31. SENATOR COLLINS:

32. Thank you, Mr. President. I rise...I rise in opposition to
33. this motion also. When this bill was in committee, I think we gave

1. this bill a fair hearing. We did agree to get this bill out of
2. committee. Senator Schaffer, at that particular time, with the
3. agreement that...that an amendment would be put on this bill to
4. limit the mileage...the distance in terms of how far that...that
5. the people were...were...the school district was expected to
6. transport these...these children, but to talk...to speak in terms
7. of ten miles or nine miles now because this says less than ten.
8. It comes back. It did say ten miles, now it's saying less than
9. ten, so what you're saying that a school district would have to
10. transport a...a parochial student, at least, nine miles from the
11. distance from their home to school. I don't think this...I'm sure
12. that none of the districts have budgeted in their transportation
13. line item for this cost. The cost at this point, no one can tell
14. us how much it's going to cost the school districts and I think...
15. that we should defeat this amendment.

16. PRESIDENT:

17. Further discussion? Senator Demuzio.

18. SENATOR DEMUZIO:

19. Yeah, thank you, Mr. President and members of the Senate. I'd
20. like to ask Senator Schaffer a question, if he would yield.

21. PRESIDENT:

22. He indicates he will yield. Senator Demuzio.

23. SENATOR DEMUZIO:

24. Senator Schaffer, when the bill originally left the Senate,
25. did it have a population requirement? I notice by House Amend-
26. ment No. 6, that it deletes the qualification of population of
27. less than five hundred thousand.

28. PRESIDENT:

29. Senator Schaffer.

30. SENATOR SCHAFFER:

31. The City of Chicago was amended out in the House. I would
32. respectfully...submit to you that they do not have the same type
33. of school bus system we do. Their students travel on public

1. transportation and are subsidized by us and I believe...correct me,
2. if I'm wrong, but I think both public and private students are
3. subsidized on that system. So, in effect, we already have it in
4. the City of Chicago.

5. PRESIDENT:

6. Further discussion? Senator Gitz.

7. SENATOR GITZ:

8. Well, Mr. President and members of the Senate. I rise in
9. opposition to this bill. It is not easy for me to do so, given
10. the kind of situation we have at home, but I would remind the
11. members of the Senate, I would remind the members of the Senate,
12. that we have talked consistently throughout our six months of
13. proceedings about mandating local programs. Now, the fact remains
14. that many school districts in the State, right now, are going to
15. have difficulty under the existing Transportation Formula. Now,
16. you are asking them for this coming year to pick up the hundred
17. percent cost of this program. It means in my home community that
18. if they only have two parochial students, they will have to make
19. procedures to take them all the way into the city. It just does
20. not make sense that at a time like this, we would be mandating a
21. further program, which is even...expands beyond the single school
22. district involved. Nor, does it make sense that if they don't
23. have the additional transportation facilities, they have to acquire
24. them. I don't know what the situation is in each of the
25. individual Senator's districts, but in mine, they're financially
26. strapped today. I'm able to meet the needs that we've already
27. put upon them. I think it's very unwise legislation, even though
28. that I'm sure, Senator Geo-Karis has very good intentions.

29. PRESIDENT:

30. Further discussion? Senator Ozinga.

31. SENATOR OZINGA:

32. I just think that the bus should stop here and move the previous
33. question.

1. PRESIDENT:

2. Further discussion? Senator Bruce.

3. SENATOR BRUCE:

4. Thank you, Mr. President and members of the Senate. I rise
5. in opposition to this amendment. Now, let me...maybe take a
6. different tact and say some things that other people have not
7. said. We are talking about not just the nonpublic aspect of
8. student transportation. You are launching onto a new program
9. of...of transporting public school children, also because of
10. the unique problems we have with the First Amendment in this
11. country. You can't offer something that's not extended to all
12. and to those of you who are...concerned about your public school
13. students, let me remind you that this bill says that they can be...
14. your school district can be required to take a public school
15. student who resides ten miles north of your public school district...
16. if he doesn't want to go to your district and he wants to go to
17. a district ten miles south of there, he comes through your district
18. and goes ten miles south and in the evening you pick him up and
19. drive him thirty or forty miles back home. Now, that is just a
20. bad public policy. I remember Senator Gilbert and many of us
21. went through the question of whether we should have a mile or a
22. mile and a half from your home before we transported children.
23. This bill says you can be required to go ten miles outside of your
24. district to pick up a public school student or a nonpublic school
25. student. Now, that's just bad policy. I think that is...I just
26. cannot believe this bill is...wait a minute...I can believe this
27. bill is going to pass. It's going to pass by...I'm going to guess
28. 41 votes, but take it...40. John tells me 40. I'll take a bet
29. on 41.

30. PRESIDENT:

31. It could be 42, Senator Bruce, if you did the right thing.

32. SENATOR BRUCE:

33. Okay. It just...it seems to me the cost...thank you, Mr.

1. President and members and I think we all know how we're going to
2. vote. Thank you.

3. PRESIDENT:

4. Further discussion? Senator Regner.

5. SENATOR REGNER:

6. I move the previous question.

7. PRESIDENT:

8. Further discussion? Senator Egan.

9. SENATOR EGAN:

10. Thank you, Mr. President and members of the Senate. I would
11. like to address my remarks in my minute time to the attitude that
12. there's something wrong with sending your children to a private
13. school. What in the world is wrong with that? They're not raiding
14. the State Treasury. Don't bite the hand that feeds you, fellows.

15. PRESIDENT:

16. Further discussion? Senator Geo-Karis.

17. SENATOR GEO-KARIS:

18. Mr. President and Ladies and Gentlemen of the Senate. You've
19. heard all the arguments. I request a favorable consideration and
20. if Senator Schaffer is my...is the lead sponsor, I'm his hyphenated
21. sponsor, I think Senator Schaffer is...

22. PRESIDENT:

23. All right. Senator Schaffer may close the debate.

24. SENATOR SCHAFFER:

25. Mr. President and members of the Senate. We will send the
26. Governor in the next twenty-four hours two billion dollars for the
27. public school system. I cannot believe we cannot find this money
28. for the private school system. I don't believe the estimates from
29. the Bureau of the Budget are accurate. I believe this is a reason-
30. able bill and I believe it's one that ought to be passed. I don't
31. see how this type of bill scares the public school system with
32. their two billion dollar budget. If we fund that Transportation
33. Formula fully, which, regrettably, we haven't and I think we should,

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1. it won't cost the local school districts a dime. I urge to
2. support me on 101 and also to do what we can to fully fund that
3. transportation line item. Both of those...movements or votes
4. will be responsible ones.

5. PRESIDENT:

6. The question is, shall the Senate concur in House Amendments
7. No. 1 and No. 6 to Senate Bill 101. Those in favor will vote
8. Aye. Those opposed will vote Nay. The voting is open. Have
9. all voted who wish? Have all voted who wish? Have all voted who
10. wish? Take the record. On that question, the Ayes are 38, the
11. Nays are 16, 2 Voting Present. The Senate does concur in House
12. Amendments 1 and 6 to Senate Bill 101 and the bill having received
13. the required constitutional majority is declared passed. (Machine
14. cutoff)...14, Senator Davidson...Tomorrow or Sunday, perhaps. 696,
15. Senator Knuppel. Bottom of page 3, Senator Knuppel. House Amend-
16. ment No. 1 to 696. Do you wish to hold that until tomorrow? Okay.
17. 906, Senator Demuzio. On the Order of the Secretary's Desk,
18. Concurrence, top of page 4, Senate Bill 906. Mr. Secretary.

19. SECRETARY:

20. Senate Bill 906 with House Amendments 1 and 2.

21. PRESIDENT:

22. Senator Savickas. Senator Demuzio.

23. SENATOR DEMUZIO:

24. Thank you, Mr. President. 906 was taken out of the record
25. earlier today. I move to...to concur with Amendments No. 1 and 2.
26. Amendment No. 1 again, provides for the electronic financial systems,
27. such as the Visa and American Express and Sears Credit Card Systems
28. to operate at terminals and retail outlets without being considered
29. a point of sale terminal, as long as they are not directly or
30. indirectly connected to a financial institution. If there are such
31. agreements then all provisions of the legislation in the area of
32. sharing shall apply to the financial transactions involving the
33. use of their systems. It also provides that retail outlets shall

1. be allowed to determine the types and categories of services
2. that shall be provided. This amendment or Amendment No. 2 is
3. the severability clause, which provides that any provisions of
4. the legislation held in invalid because of conflicts with the
5. Federal Homeowners Loan Act of 1933, the Federal Home Loan Bank
6. Act and the Federal Credit Union Act shall not make the entire Act
7. invalid, rather those Sections shall be severed with the main
8. portions of the legislation not affected shall remain intact.
9. The sole purpose of 906 with the amendments is to attempt to
10. provide the system for the financial institutions throughout
11. the State of Illinois. It is a prudent...it is a cautiously
12. drafted proposal and I would move for concurrence of Amendments
13. 1 and 2 to 906.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Is there further discussion? Senator Bloom.

16. SENATOR BLOOM:

17. Could I have some order please?

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Could we have a little order. For what...

20. SENATOR BLOOM:

21. This is...

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Excuse me, Senator. For what purpose does Senator Ozinga
24. arise?

25. SENATOR OZINGA:

26. Parliamentary procedure. What kind of a vote on we going to
27. get on this one? ...will we need? This is a peculiar...

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. The ruling...I am informed, earlier, was three-fifths of
30. those voting on the question and not less than a majority of
31. those elected. Senator Bloom.

32. SENATOR BLOOM:

33. All right. Thank you. We had this bill before us earlier

1. today. This is, basically, a special, special interest bill.
2. The amendments don't make it any better. They just put a little
3. more makeup on it. It's still part of an unholy cabal among
4. one element of the finance industry, the banks. Two hundred banks
5. switch. Two hundred banks state-wide corporation. This is clearly
6. violative of the Clayton Act and the Sherman Act. What we have
7. here is one element of the finance industry...fishing in somebody
8. else's pond, as was said and also raiding somebody else's pond and
9. also creating their own very large pond and denying consumers the
10. kind of competitive access they deserve. I would strongly urge
11. that we not concur in this and I think that the weakness of the
12. concept behind this and the manipulation of the Illinois Bankers
13. Association through this process shows up in the fact that they
14. have to have a severability clause in case it violates other
15. Federal Acts that regulate their industry. I urge a No vote.
16. Thank you very much.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Is there further discussion? Senator D'Arco.

19. SENATOR D'ARCO:

20. I move the previous question.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Just a moment. We have three speakers that have sought
23. recognition. Senator Rock, Senator Berning and Senator Bowers.
24. Senator Berning.

25. SENATOR BERNING:

26. A question of the sponsor, please.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. He indicates he will yield.

29. SENATOR BERNING:

30. In fact, two short questions. Number one, according to the
31. information furnished me, there is an estimated cost to the
32. administration of about two hundred fifty thousand dollars. How
33. or in what fashion has there been provision made to cover that

1. expense?

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator Demuzio.

4. SENATOR DEMUZIO:

5. The fiscal note...as best of my recollection that was filed
6. by Commissioner Harris was in the amount of a hundred and ten
7. thousand dollars for the administration of both 905 and 906 and
8. as best of my recollection, the amendment was adopted by Senator
9. Weaver...Senator Weaver's amendment was adopted by the Senate.
10. That appropriation was in the bill that passed out of the Senate
11. and went to the House.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator Berning.

14. SENATOR BERNING:

15. Just for my own edification, if I quickly...in quickly reading
16. this, if I gather right, this says establishing points of service
17. in, what I interpret to be, grocery stores and that kind of
18. installation. Is that correct, and if so, what justification is
19. there for this type of service in that kind of a retail operation?

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Demuzio.

22. SENATOR DEMUZIO:

23. Well, Senator Berning, you're absolutely correct in the point
24. of sale terminals. I would point out to you that if this legislation
25. is not passed, most likely, the Federal legislation would be quickly
26. upon us and then, in...in fact, we would be subjecting ourselves
27. to...to those things that have been mandated to us by the Federal
28. Government.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Bowers.

31. SENATOR BOWERS:

32. Well, thank you, Mr. President. Of course, I rise in
33. opposition as I did earlier to this...to these amendments and I

1. would point out to the Body that these amendments, as far as I can
2. read them, have the grocery store amendments in them. In
3. addition to that, we...we would be in a rather unique position.
4. We did vote in to not concur on 905. 906 is the corporation that's
5. going to setup this tremendous system for everybody's benefit. It
6. would appear to me that if 905 doesn't go along with 906, we've
7. got the corporation. Nobody can use it but the Savings and Loans.
8. I think that ought to be kind of interesting to the banking
9. community. Now, I saw the banking lobbyists on the Floor during
10. the recess and I know all of you have been hammered, but I'll tell
11. you, it's going to be a bad day for, at least, the suburban area
12. if this bill passes and I would hope that we would nonconcur and
13. send it back to the House and possibly get it in a Conference
14. Committee and work it out.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Rock.

17. SENATOR ROCK:

18. Thank you, Mr. President...

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Could we have a little order.

21. SENATOR ROCK:

22. ...and Ladies and Gentlemen of the Senate. I, too, like
23. Senator Bowers stand as I'm...I'm usually...as a suburbanite.
24. These are bad amendments and we should not concur therein and I
25. would urge a No vote.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Demuzio may close the debate.

28. SENATOR DEMUZIO:

29. Yes, thank you, Mr. President. I've...I've heard several
30. things mentioned here, specifics, about special, special
31. interests. I think it's quite amazing from the standpoint that
32. this...these amendments and this Bill 906 is in similar posture...
33. similar posture that 962 was brought forth to the Floor of this

1. Body. I would like to point out that the...all of the financial
2. institutions, the banks, the savings and loans, the retailers and
3. the credit unions are involved in this legislation. I would point
4. out to the...to you, also, that both the small bankers and the
5. large bankers, the retailers, the savings and loans, the credit
6. unions and all of the various...interests that have been involved
7. in...in trying to divide this legislation are in favor of this
8. legislation and I would ask for...a favorable concurrence.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. The question is, shall the Senate concur in House Amendments
11. No. 1 and 2 to Senate Bill 906. Those in favor vote Aye. Those
12. opposed vote Nay. The voting is open. Have all voted who wish?
13. Have all voted who wish? Take the record. On that question, the
14. Ayes are 31, the Nays are 18, and the...4 Voting Present. House
15. Bill...Amendments 1 and 2 to Senate Bill 906 having failed to
16. receive the necessary three-fifths majority are declared defeated.
17. The Senate refuses to concur in House Amendments 1 and 2 to Senate
18. Bill 906. For what purpose does Senator Nash arise?

19. SENATOR NASH:

20. That's...Mr. President, that's three-fifths of those voting.
21. What number do we need to...how many votes do we need? It's not
22. 36, you've got 6 less...

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. There was...there was 53...53 people voting. You needed 32
25. Aye votes. For what purpose does Senator Demuzio arise?

26. SENATOR DEMUZIO:

27. The negatives.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. A verification of the negatives has been requested. Will
30. those please be in their seats. For what purpose does Senator
31. D'Arco arise?

32. SENATOR D'ARCO:

33. I want to verify the Presents.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. We'll take them one at a time, we'll take the negatives
3. and the presents. The...if you'll please be in your seats
4. Gentlemen. For what purpose does Senator Rock arise?

5. SENATOR ROCK:

6. Well, I might as well get into the pool, I want to verify
7. the affirmatives.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. We will take them in the order that they came up. The
10. ...the Nay votes will be first. The Present and the Ayes
11. votes. Will the Senators please be in their seats? The
12. Secretary will read the names, and you'll please answer
13. as your names are called.

14. SECRETARY:

15. Okay, the following voted in the negative: Berning,
16. Bloom, Bowers, Buzbee, Jerome Joyce, Martin, Merlo, Mitchler,
17. Philip, Regner, Rhoads, Rupp, Sangmeister, Schaffer, Shapiro,
18. Sommer, Walsh, Mr. President.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Is there a question of any of those that voted in the
21. negative? Senator Demuzio.

22. SENATOR DEMUZIO:

23. Is Senator Buzbee on the Floor?

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Buzbee on the Floor? Is Senator Buzbee on the
26. Floor? Take him off the record.

27. SENATOR DEMUZIO:

28. Senator Merlo on the Floor?

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Merlo is standing right in front.

31. SENATOR DEMUZIO:

32. Senator Regner on the Floor?

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Regner? Is Senator Regner on the Floor?
2. Remove him from the roll call. Are there...any further
3. questions, of the negative? Now,...now, we will move
4. to the verification of those voting Present.

5. SECRETARY:

6. The following voted Present: Collins, De Angelis,
7. Hall, Ozinga.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Excuse me Senator Demuzio, any question of those
10. voting Present?

11. SENATOR DEMUZIO:

12. Is Senator Hall on the Floor?

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Hall on the Floor? Senator Hall, yes, there he
15. is. He's on the Floor. Is there a question of any others
16. voting Present? Now, the Secretary will verify those voting
17. Aye. Will you please be in your seats? For what purpose
18. does Senator Knuppel arise?

19. SENATOR KNUPPEL:

20. Parliamentary Inquiry. I realize what the Constitution says,
21. but I don't think that a...that a Present vote is intended nor
22. is it constitutionally acceptable. You can verify whether they
23. are here or not, but they are not voting on the issue. When they
24. say Present, they are not voting on the issue and I think legally
25. in taking this, if...if three-fifths of those vote positively or
26. affirmatively, that is all the Constitution requires, that you can-
27. not count because they are not voting on the issue.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator, reading out of Mason's Manual of Legislative Proce-
30. dure, Chapter 46 on Vote Required, in Section 510, second para-
31. graph, it says where a majority or other proposition of votes is
32. required without specifying whether the vote refers to the entire
33. membership or to the members present or to the members present

1. and voting, the general rule is that the proportion refers to
2. the number present and voting. Senator Knuppel.

3. SENATOR KNUPPEL:

4. I would...I would respectfully disagree with that and I
5. want you to go ahead and verify the...the affirmative votes and
6. then I would like a...I'd like to challenge the ruling of the Chair.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. You'll be recognized as soon as we finish.

9. SENATOR KNUPPEL:

10. Sir?

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. You...you will be recognized as soon as we finish the
13. affirmative vote.

14. SENATOR KNUPPEL:

15. All right. Thank you.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. For what purpose Senator Geo-Karis arise?

18. SENATOR GEO-KARIS:

19. Just to let everyone know I have a very small amount of
20. bank stock and I...

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Well, Senator, we are right in the middle of verification.

23. SENATOR GEO-KARIS:

24. Just want you to know it, but I voted my conscience. That's
25. all.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Mr. Secretary, would you verify the affirmative vote.

28. SECRETARY:

29. The following voted in the affirmative: Becker, Berman, Bruce,
30. Carroll, Chew, Coffey, D'Arco, Daley, Davidson, Demuzio, Egan,
31. Geo-Karis, Gitz, Graham, Grotberg, Johns, Jeremiah Joyce, Knuppel,
32. Lemke, Maitland, Maragos, McLendon, McMillan, Moore, Nash, Nedza,
33. Nega, Newhouse, Savickas, Vadalabene, Weaver. That's it.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)
2. Is there a question of the presence of anyone? Senator
3. Rock.
4. SENATOR ROCK:
5. Thank you. Is Senator Moore on the Floor?
6. PRESIDING OFFICER: (SENATOR SAVICKAS)
7. Is Senator Moore on the Floor? Senator Moore? Strike his
8. name from the record.
9. SENATOR ROCK:
10. Senator Newhouse on the Floor?
11. PRESIDING OFFICER: (SENATOR SAVICKAS)
12. Is Senator Newhouse on the Floor? Senator Newhouse? Strike
13. his name from the record. Senator Demuzio.
14. SENATOR DEMUZIO:
15. Move for Postponed Consideration.
16. PRESIDING OFFICER: (SENATOR SAVICKAS)
17. We allowed Postponed Consideration yesterday. We will allow
18. Postponed Consideration today. For what purpose does Senator Rock
19. arise?
20. SENATOR ROCK:
21. I just want to let the record reflect this is all at Senator
22. Walsh's request.
23. PRESIDING OFFICER: (SENATOR SAVICKAS)
24. For what purpose Senator Demuzio arise?
25. SENATOR DEMUZIO:
26. Yes, before I move for Postponed Consideration, I would like
27. to know what the official roll call was, Sir. You didn't announce
28. it.
29. PRESIDING OFFICER: (SENATOR SAVICKAS)
30. The official...okay, the verified roll call is 29, 16 and 4.
31. Senator Demuzio moves to postpone consideration. For what purpose
32. Senator Weaver.
33. SENATOR WEAVER:

1. Yes, Mr. President. An inquiry.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. State your inquiry.

4. SENATOR WEAVER:

5. When did we start using Mason's rules here in the Senate?
6. I thought we...do we have any reference to Mason's rules in our
7. rules? I thought we had Robert's.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator, after we go through our rules, Robert's rules,
10. then we settled on Mason's. Senator Shapiro...Senator Weaver.
11. SENATOR WEAVER:

12. Excuse me, Mr. President. I'd rather you use Savickas'
13. rules rather than Mason's rules, but is Robert's silent on the
14. question?

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Yes. Senator Shapiro.

17. SENATOR SHAPIRO:

18. Mr. President, I just raise a question about you allowing
19. that to go on Postponed Consideration for a second time. Well,
20. it's...the Rule 36 says, "No motion being decided in the negative
21. shall again be allowed on the same day or at the same stage of
22. the bill or proposition."

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator, yesterday it did not go on Postponed Consideration.
25. It was taken out of the record...or this morning. I'm sorry,
26. this morning. For what purpose Senator Knuppel arise?

27. SENATOR KNUPPEL:

28. I'll withdraw my challenge since the bill has been placed
29. on Postponed Consideration, but I have some very grave doubts about
30. the correctness of the ruling or that...that it's applicable to
31. constitutional...constitutional questions. That's getting Mason's
32. up pretty high on the hog.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Chew, for what purpose do you arise?

2. SENATOR CHEW:

3. Correct me if I'm right. I don't recall the distinguished
4. President ever calling for a vote on anything in this Chamber
5. that he didn't first announce the difference in the vote that's
6. required and I did not hear you tell this Body that it would be
7. the majority of those voting.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator, had you been in your seat and listening when
10. Senator Ozinga raised the question, I answered it.

11. SENATOR CHEW:

12. Fine. I didn't hear it. That was my clarification. I said
13. correct me if I was right.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. You were corrected, Senator. Senate Bill 971, Senator
16. Knuppel. Read the bill, Mr...Senate Bill 1150, Senator Lemke,
17. 1150, Senator Lemke. Senate Bill 1171, Senator Bruce. Senate
18. Bill 1172, Senator Bruce. Senate Bill 1281, Senator Bruce.
19. Senate Bill 1357...that's been taken off. Messages from the
20. House.

21. SECRETARY:

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

23. Mr. President - I am directed to inform the Senate
24. the House of Representatives has concurred with the Senate in the
25. passage of the following Senate Bills together with the request
26. for concurrence in House Amendments:

27. Senate Bill 483 with House Amendments 1, 3, 5, 6, 9, 10,
28. 11, 15, 16 and 17.

29. Senate Bill 578 with House Amendments 1, 2, 3, 5 and 8.

30. Senate Bill 580 with House Amendments 1, 2 and 3.

31. Senate Bill 587 with House Amendments 1, 2, 3, 4, 5, 6,
32. 7, 8 and 9.

33. Senate Bill 588 with House Amendments 1, 2 and 4.

1. Senate Bill 1272 with House Amendments 1, 2, and 3.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Secretary's Desk Concurrence.

4. SECRETARY:

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

6. Mr. President - I am directed to inform the Senate
7. the House of Representatives has refused to concur with the
8. Senate in their amendments to the following House Bills:

9. House Bill 1168 with Senate Amendment No. 1.

10. House Bill 1477 with Senate Amendment No. 1.

11. House Bill 1986 with Senate Amendments 1 and 2.

12. House Bill 2004 with Senate Amendments 1 through 7,
13. 9 through 11, and 13 through 16.

14. House Bill 2420 with Senate Amendments 1 and 2.

15. House Bill 2545 with Senate Amendments...Senate
16. Amendment 1.

17. House Bill 2579 with Senate Amendments 1, 2 and 3.

18. House Bill 2679 with Senate Amendments 1 and 3.

19. House Bill 1382 with Senate Amendments 1, 2, 3 and 4.

20. House Bill 1768 with Senate Amendment 2.

21. House Bill 2210 with Senate Amendment 1.

22. And on your Message, Senator Vadalabene, that will say...2211.
23. That's a typo.

24. House Bill 2427 with House Amendments 1 through 14.

25. House Bill 2428 with Senate Amendments 1 through 6 and

26. House Bill 2578 with Senate Amendments 1 through 8.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. We'll place that on the Secretary's Desk Non-concurrence.
29. Message from the Governor.

30. SECRETARY:

31. A Message from the Governor by Jim Edgar, Director, Legis-
32. lative Affairs.

33. Mr. President - The Governor directs me to lay before

1. the Senate the following Message:

2. To the Honorable Members of the Senate, the 81st General
3. Assembly.

4. I have nominated and appointed the following named
5. persons to the offices enumerated below and respectfully ask
6. concurrence in and confirmation of these appointments by your
7. Honorable Body.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Executive appointments. For what purpose Senator Vadalabene
10. rise?

11. SENATOR VADALABENE:

12. Yes, first I'd like to have a little attention because I'm
13. calling for a meeting.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Vadalabene for the the purpose of an announcement.

16. SENATOR VADALABENE:

17. Yes, there will be a meeting of the Executive Committee on
18. Appointments and Administration at 1:00 o'clock tomorrow, at
19. 1:00 o'clock tomorrow in Room 212 and I'll give the announcement
20. again tomorrow morning.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. You have heard the motion. Is leave granted? Leave is
23. granted. Resolutions.

24. SECRETARY:

25. Senate Resolution 259 offered by Senator Merlo.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Consent Calendar. Is there any further business to come before
28. the Senate? Any announcements? If not, the Senate will stand
29. adjourned until 10:00 o'clock Saturday, June 30th...stands adjourned.

30.

31.

32.

33.