

82ND GENERAL ASSEMBLY

REGULAR SESSION

JUNE 19, 1981

1. PRESIDENT:

2. The hour of twelve having arrived the Senate will please  
3. come to order. Will the members please be at their desks. Will  
4. our guests in the gallery kindly rise. Our prayer this afternoon  
5. by the Reverend Tom Sullivan, Saint Peter and Paul Catholic Church,  
6. Springfield, Illinois. Father.

7. REVEREND TOM SULLIVAN:

8. ( Prayer given by Reverend Sullivan )

9. PRESIDENT:

10. Thank you, Father. Reading of the Journal. Senator Johns.

11. SENATOR JOHNS:

12. Thank you, Mr. President. I move that reading and approval  
13. of the Journals of Thursday, June the 4th; Friday, June the 5th;  
14. Tuesday, June the 9th; Wednesday, June the 10th; Thursday, June the  
15. 11th; Friday, June the 12th; Monday, June the 15th; Tuesday, June  
16. the 16th; Wednesday, June the 17th; Thursday, June the 18th, in  
17. the year of 1981 be postponed pending arrival of the printed  
18. Journals.

19. PRESIDENT:

20. You've heard the motion as placed by Senator Johns. Any  
21. discussion? If not, all in favor signify by saying Aye. All  
22. opposed. The Ayes have it. The motion carries. So ordered.  
23. Committee reports.

24. SECRETARY:

25. Senator Buzbee, Chairman of Appropriations II Committee reports  
26. out the following House Bills:

27. 495, with the recommendation Do Pass.

28. 491, 492, 493, 494, and 588, with the recommendation Do Pass  
29. as Amended.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Message from the House.

32. SECRETARY:

33. A Message from the House by Mr. Leone, Clerk.

1. Mr. President - I am directed to inform the Senate the  
2. House of Representatives has concurred with the Senate in the  
3. passage of bills with the following titles, to-wit, along with  
4. House amendments:

5. Senate Bills 4...147, 430, 556, 591, 642, 644, 753, 755, 756,  
6. 805, 827, 875, 908, 913, 966, 992, 1007, 1104, 1124, and 1198.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Resolutions.

9. SECRETARY:

10. Senate Resolution 252, offered by Senator Marovitz, congratulatory.  
11.

12. Senate Resolution 253, offered by Senator Gitz, it's congratulatory.  
13.

14. And Senate Resolution 254, offered by Senator Davidson and  
15. all Senators, and it's a death resolution.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Resolutions Consent Calendar. We will now go to the Order  
18. of recalled bills. Senator Rock has had distributed upon your  
19. desks a list of all the bills that will be recalled. The first  
20. five or ten sponsors, so that you'll be aware that your bill  
21. has had an amendment placed upon it are, Nedza, Nedza, Nedza,  
22. Nedza, Bruce, Bruce, Maitland, Sangmeister, Bloom, Bloom, and  
23. Rock. That will handle the first ten or so bills. House  
24. Bill 109. Senator Nedza informs the Chair that Senator Berman  
25. has an amendment, he is not here today, we will hold that,  
26. Senator Berning, for a later date. We will get back to it.  
27. Senator Nedza is...is...House Bill 112. Senator Nedza, you  
28. do not wish to return? All right. The Secretary has amendments  
29. on 112. If you're not going to offer it..the Senate sponsors  
30. are not going to offer those...well, Senator Lemke, do you  
31. withdraw your amendment? All right. And Senator Berman still  
32. has an amendment down here. The Secretary cannot just dispose  
33. of those without sponsors permission. 289, Senator Weaver, are

1. you ready on your amendment? All right, Senator Rock asks leave  
2. to return House Bill 289 to the Order of 2nd reading for purposes  
3. of an amendment. Are there amendments, Mr. Secretary...is there  
4. leave? Leave is granted. Are there amendments, Mr. Secretary.  
5. SECRETARY:

6. Amendment No. 2 offered by Senator Weaver.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Weaver is recognized.

9. SENATOR WEAVER:

10. Thank you, Mr. President. This amendment would provide  
11. for retirement annuity for...participants with twenty years or  
12. more service as a police officer. The formula provides for  
13. retirement at age fifty with twenty-five years service, or at  
14. age fifty-five with twenty years service. Retirement would be  
15. computed on the two and a quarter percent of the final rate  
16. of earnings for the first ten years, and two and a half on the  
17. second ten years, and two and three-quarters for the years above  
18. twenty years service, a maximum of seventy-five percent of salary.  
19. The proposed increase...the rate would the...of the participants  
20. would increase to eight percent on January 1st, 1982. If there's  
21. any questions, I'll be happy to try to answer them. Otherwise,  
22. I would appreciate the adoption of the amendment.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Is there discussion? The motion is to adopt. All in favor  
25. say Aye. Opposed Nay. The Ayes have it. Amendment No. 1...  
26. Amendment No. 2 is adopted. Further amendments?

27. SECRETARY:

28. No...Amendment No. 3 by Senator Berning.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Berning is recognized.

31. SENATOR BERNING:

32. Thank you, Mr. President. Amendment No. 2...Amendment No.  
33. 3 makes a small increase in the contribution of both the employer

1. and the employee in those situations where there is early re-  
2. tirement taken.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Excuse me. May we have some order, please. If we can take  
5. our conferences off the Floor, we'll clear the aisles. We will  
6. all take our seats...we can see Senator Berning. Senator Berning  
7. on an explanation of Amendment No. 3 to House Bill 289.

8. SENATOR BERNING:

9. Thank you, Mr. President. Amendment No. 3 provides a very  
10. small percentage increase in the amount to be contributed by the  
11. employer and the employee in those cases where early retirement  
12. is taken. With this small increase...

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. May we have some order, please. Senator Berning.

15. SENATOR BERNING:

16. Thank you. With this small additional increase in the  
17. percentage of contribution, there would be no additional cost  
18. incurred by the State. In its current condition, the bill would  
19. actually cost, at least, two million dollars a year, it is projected.  
20. So, in an effort to further prevent a worsening of our financial  
21. situation, I offer Amendment No. 3. The cost per individual, or  
22. employer is miniscule.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Demuzio.

25. SENATOR DEMUZIO:

26. Thank you, Mr. President. Senator Berning, will you yield  
27. for a question?

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Indicates he will yield.

30. SENATOR DEMUZIO:

31. What is the contribution rate now to the...to the participant?

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Berning.

1. SENATOR BERNING:

2. It depends on the numbers of years still to be served. In  
3. other words, at age fifty-five the contribution would be thirty-  
4. five percent, at age fifty-nine, seven percent. And my amendment  
5. would change that seven percent to eight and one...8.4 percent.  
6. A minimal increase in each one of these contributions, both by  
7. the employee and by the employer. It has been estimated that  
8. with this small increase, there would be actually no increased  
9. cost, no loss to the State General Revenue Fund.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Is there further discussion? Senator Bruce.

12. SENATOR BRUCE:

13. I...I rise in opposition to Senator Berning's amendment. We  
14. have worked on a compromise proposal on 289. I know that he would  
15. like to add his amendment, I would like to run the bill without  
16. the proposal. The bill in its original form dealt with merely  
17. the allowance of people getting out on early retirement. We  
18. worked out a compromise position, which puts a fifteen percent  
19. cap, there is no cost at all to the systems. The...we've been  
20. very successful in the area of public school teachers. This  
21. extends that program for early retirement to those at the senior  
22. institutions of the State of Illinois, and they are very desirous  
23. of this. They testified in committee for it, there was no dis-  
24. cussion about any increase in qualification. Less than six  
25. percent of the teachers State-wide have taken advantage of it,  
26. I'm sure the college professors, even a smaller percent. The...  
27. the cost figures are just not there. This increases far more  
28. than would be needed to sustain the...any additional cost to the  
29. systems, and every system said they can handle it without any  
30. increase. I would certainly oppose this amendment.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Is there further discussion? If not, Senator Berning may  
33. close debate.

1. SENATOR BERNING:

2. Well, thank you, Mr. President. I repeat, that every time  
3. we make some additional concessions in any one of the systems  
4. there is a cost involved. We ought to be concerned about the  
5. mounting cost, and in this instance...by a very simple in-  
6. crease, very nominal increase in the amount of contribution  
7. there will be no additional debt involved by the system and the  
8. State of Illinois. Anyone retiring under the proposal here,  
9. is going to recover their contribution in the matter of a year  
10. or two at the most. This nominal increase of...for instance,  
11. instead of seven percent, 8.4 percent is practically nothing,  
12. but enough to prevent a deterioration in the total amount. This  
13. is an effort to stem the tide of loss to the systems. It should  
14. also be done with the other systems where this is now a fact.  
15. And I submit that the time has come for us to attempt to make  
16. these systems selfsupporting rather than continuing to deteriorate.  
17. Mr. President, Amendment No. 3 is a defensible amendment, and  
18. I would urge an Aye vote.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator...Senator Berning moves the adoption of Amendment  
21. No. 3 to House Bill 289. Those in favor indicate by saying  
22. Aye. Those opposed Nay. The Nays have it. Amendment No. 3  
23. is lost. Senator Berning requests a roll call. Will all the  
24. Senators be in their seats. The question is on the adoption  
25. of Amendment No. 3 to House Bill 289. Those in favor will vote  
26. Aye. Those opposed will vote Nay. The voting is open. Have  
27. all voted who wish? Have all voted who wish? Have all voted  
28. who wish? Take the record. On that question, the Ayes are 22,  
29. the Nays are 26, 1 Voting Present. Amendment No. 3, having  
30. failed to receive a majority vote is declared lost. Any further  
31. amendments?

32. SECRETARY:

33. No further amendments.

HB 293  
Recalled

- 1. PRESIDING OFFICER: (SENATOR SAVICKAS)
- 2. 3rd reading. Could we have your attention for a minute.
- 3. Senator Vadalabene has some special guests that he wishes to
- 4. introduce. Senator Vadalabene.
- 5. SENATOR VADALABENE:
- 6. Yes, we have the Honorable Larry DePrima here with us. I
- 7. don't know whether he's a special guest or not, but he is one of
- 8. us. However, we do have Mr. Edward...Ed Chaulk, the Grand
- 9. Chef deGar, of the Forty and Eighth, and also the past... A
- 10. commander of the American Legion, Mr. Ed Chaulk.
- 11. MR. ED CHAULK:
- 12. ( Remarks by Mr. Chaulk )
- 13. PRESIDING OFFICER: (SENATOR SAVICKAS)
- 14. On the Order of Recalls, House Bill 293, Senator Maitland.
- 15. Senator Maitland.
- 16. SECRETARY:
- 17. Amendment No. 2 offered by Senator Maitland.
- 18. PRESIDING OFFICER: (SENATOR SAVICKAS)
- 19. Senator Maitland.
- 20. SENATOR MAITLAND:
- 21. Thank you, Mr. President, and Ladies and Gentlemen of the
- 22. Senate. House Bill 293 now contains a formula which increases,
- 23. by fifty percent, the mandate on driver's education, raising
- 24. that price from fifty dollars to seventy-five dollars. We have
- 25. passed out of this Body legislation that changes the formula.
- 26. This formula is not consistent, quite frankly, it is more of
- 27. a mandate, it is not acceptable to me, and therefore, Amendment
- 28. No. 2 deletes the formula language that we have in House Bill
- 29. 293. I would move for its adoption.
- 30. PRESIDING OFFICER: (SENATOR SAVICKAS)
- 31. Is there any discussion? Senator Bruce.
- 32. SENATOR BRUCE:
- 33. I...I'd like Senator McMillan just to go through that

1. explanation just...

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator Maitland.

4. SENATOR BRUCE:

5. Maitland...Senator Maitland. They all look alike.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Maitland.

8. SENATOR MAITLAND:

9. I'm...I'm not sure I like that, Senator Bruce...I've got  
10. more hair. Senator Bruce, we passed out of this Body in one  
11. of those Senate Bills that had to do with driver's education,  
12. a formula, which...okay.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Is there further discussion? If not, Senator Maitland moves  
15. the adoption of Amendment No. 2 to House Bill 293. Those...  
16. those in favor indicate by saying Aye. Those opposed. The  
17. Ayes have it. Amendment No. 2 is adopted. 3rd reading. House  
18. Bill 405, Senator Sangmeister. Read the bill, Mr. Secretary.

19. SECRETARY:

20. Amendment No. 6 offered by Senator Sangmeister.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Sangmeister.

23. SENATOR SANGMEISTER:

24. Mr. President, and members of the Senate. Amendment No.  
25. 6 would merely allow an individual who is in the business of  
26. selling wild game to tag it on the outside of the parcel rather  
27. than opening up a frozen package and having to tag each and every  
28. bird that may be inside that frozen package. That's simply all  
29. it does. It allows them to affix the decal to the outside of the  
30. package rather than to the leg of the animal. That's as simple  
31. as it is. I move its adoption.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Is there any discussion? If not, Senator Sangmeister moves



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1. the adoption of Amendment No. 6 to House Bill 405. Those in  
2. favor will indicate by saying Aye. Those opposed. The Ayes  
3. have it. Amendment No. 6 is adopted. Any further amendments?

4. SECRETARY:

5. No further amendments.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. 3rd reading. House Bill 411, Senator Bloom. Read the  
8. bill, Mr. Secretary.

9. SECRETARY:

10. Amendment No...

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Bloom.

13. SENATOR BLOOM:

14. Yes, Mr. President. I believe there are a couple of motions  
15. filed on...this particular bill involving amendments.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Bloom, we have one other...one other amendment that's  
18. being offered, and that is by Senator Friedland.

19. SENATOR BLOOM:

20. Yes, well they...you also should have my amendment to take care  
21. of the municipalities with commission form of government and I  
22. think Senators Demuzio and Netsch...what we'd like to do is take  
23. off the two amendments that are on it, Mr. President.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Yes, Senator, the Secretary does have written motions.

26. SENATOR BLOOM:

27. If we could...if we could take the amendments off, and then  
28. start over, I'd be grateful.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. The Secretary will read the motions.

31. SECRETARY:

32. Having voted on the prevailing side, I move to reconsider  
33. the vote on Amendment No. 1 to Senate Bill 111. Signed, Senator  
Demuzio...or 411, I'm sorry.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Bloom.

3. SENATOR BLOOM:

4. Let's...reconsider, and then let's withdraw the amendment,  
5. and then get to the other...

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Demuzio moves to reconsider the vote by which  
8. Amendment No. 1 was adopted to House Bill 411. Those in favor  
9. indicate by saying Aye...for what purpose does Senator Weaver  
10. arise?

11. SENATOR WEAVER:

12. Senator Bloom apparently doesn't like my amendment. I  
13. thought it was a pretty good amendment. But the sponsor has  
14. a right to put the bill in the shape that he desires. But if  
15. it's the will of the Body.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Demuzio moves to reconsider the vote by which Amend-  
18. ment No. 1 was adopted. Those in favor indicate by saying Aye.  
19. Those opposed. The Ayes have it. The motion to reconsider pre-  
20. vails. Now, Senator we have Amendment No. 1 in front of us,  
21. do you wish to proceed by bringing the other amendment in front of  
22. us, and...Senator Demuzio.

23. SENATOR DEMUZIO:

24. I move to Table Amendment No. 1.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Demuzio moves to Table Amendment No. 1 to House Bill  
27. 411. Those in favor indicate by saying Aye. Those opposed. The  
28. Ayes have it. Amendment No. 1 is Tabled. Motion in Writing.

29. SECRETARY:

30. Having voted on the prevailing side I move to reconsider  
31. the vote by which Amendment No. 2 to House Bill 411 was adopted.  
32. Signed, Senator Netsch.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Netsch.

2. SENATOR NETSCH:

3. Having voted on the prevailing side, I move to reconsider  
4. the vote by which Amendment No. 2 to House Bill 411 was adopted.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. You've heard the motion. Is there any discussion? Senator  
7. Mahar.

8. SENATOR MAHAR:

9. Yes, thank you, Mr. President, and members of the Senate.  
10. Amendment No. 2 now, is the amendment that I placed on it, is  
11. this correct? Thank you. Well, I rise in opposition to this  
12. motion, Mr. President, and members of the Senate. And I...I  
13. don't know, maybe I'm in the wrong line, but it just seems to  
14. me what we're trying to do here, is we're trying to open up  
15. public meetings to the public. We want the...public needs to  
16. have the right to know, they want to know how money is being  
17. spent in local government; Whether it be the municipality, the  
18. school board, the park board, or whatever. And with the increasing  
19. amount of collective bargaining that's going on at the local  
20. level, and in view of the fact that it's recognized that that's  
21. where the money is, and that's where the major part of our funds  
22. are being spent, it just seems to me, that the public ought to  
23. have the right to know, and they ought to have the privilege  
24. of following the progress of collective bargaining. 'Cause we  
25. often times know that the collective bargaining process can  
26. last for months, and all we know is the final outcome. The  
27. people...Mr. President, could I have a little order, it seems  
28. to me that...

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Ladies and Gentlemen, we're debating now on a recall of a  
31. Amendment No. 2 to House Bill 411, which deals with...with the  
32. public's right to know. Could we have some order. Could we break  
33. up those conferences. In the back...conferences here up on the

1. front aisles. Could we have a little order back there. Senator  
2. Mahar.

3. SENATOR MAHAR:

4. Thank...thank you, Mr. President. Well, I'm...I'm amazed  
5. at the press, and I'm really amazed at the press, because while  
6. the press seems to want open meetings, they don't seem to want  
7. them completely open. Because they've been running around ...  
8. talking about this particular amendment as being the amendment  
9. that would kill the bill, that I'm out to kill the bill. I've  
10. been working under open meetings since 1967 when Senator or  
11. Representative Scariano first passed the Act. And it seems to  
12. me, that maybe the Attorney General is looking for a plank in  
13. his platform that is really a plank that may cave in on him,  
14. because it doesn't really do what he wants to do. It seems to  
15. me that the press ought to be behind this move, and if they're  
16. so magnanimous, that they're going to want to have everything open  
17. to the public, it ought to all be open to the public. I  
18. resist this amendment being Tabled, and I would ask for your  
19. support.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Is there further discussion on the motion? Senator Bruce.  
22. SENATOR BRUCE:

23. Thank you, Mr. President. I...I'm not sure Attorney General  
24. Rock has made this part of his platform in his campaign for  
25. election, but I would think that it would be very wise to take  
26. this out. Now, I'm not going to get into strong disagreement with  
27. Senator Mahar. I think he...he has a...a...a reason for putting  
28. this on, but I think that within a very short time, if you will  
29. think about what we are about to do, every unit of local government  
30. is going to be back in here wanting this exemption back in. I  
31. don't want to have any kind of closed meetings except where  
32. they're absolutely required for the conduct of business. And  
33. I think Senator Mahar and I just disagree mildly on...on this

1. particular amendment. You cannot conduct collective bargaining  
2. in the open, and this bill would require when you're going to  
3. talk about your school superintendent, and the problems they've  
4. had with him on his contract, to open up that whole business.  
5. It would require that everytime you talked about your city manager,  
6. any time you want to have disciplinary hearing with him, any  
7. time you're going to discuss his operation...oh, I think, Senator,  
8. it does, because when we start talking about collective bargaining  
9. it's the hiring and firing of individuals. And I just don't  
10. think that you want to get in to everytime you any kind of contrac-  
11. tual talk, with any of your organizing groups, that that has  
12. to be open. I don't think you want that, I know that you've  
13. put the amendment, but I...I dare say that within a year, you'll  
14. be back wanting the exemption. I think we ought just avoid that  
15. hassle, this is putting a tremendous burden on cities and counties  
16. and school boards throughout the State of Illinois. We...they  
17. have worked under the Act since 1965 with collective bargaining  
18. arrangements excluded. And the purpose of the Attorney General's  
19. bill as it's before us, is not to change that, but to improve it.  
20. And this is a substantial change, a substantial alteration that  
21. ought not to be in. If you would like to do this, I...you know,  
22. we ought to debate on a separate bill, but not on Senator Bloom  
23. and I's bill.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Is there further discussion? Senator Hall.

26. SENATOR HALL:

27. Well, I just want to ask for my edification, what amendment  
28. are we voting on? Who's...who's amendment is it?

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Hall, we're on...voting on a motion to reconsider  
31. Amendment No. 2 to House Bill 411. The motion was presented by  
32. Senator Netsch. Is there further discussion? Senator...Senator  
33. Berning.

1. SENATOR BERNING:

2. Thank you, Mr. President. I just want to respond to Senator  
3. Bruce when he says that collective bargaining is the hiring and  
4. firing, that is absolutely and categorically untrue, as you know,  
5. Senator Bruce. Collective bargaining is the whole working con-  
6. ditions and compensations, but does not entail the actual hiring  
7. of an individual or firing of an individual. I would like to  
8. urge all of you to resist the amendment...resist the motion to  
9. recall Amendment No. 2.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Is there further discussion? If not, Senator Netsch may  
12. close debate.

13. SENATOR NETSCH:

14. Thank you. I didn't even get to open it, as a matter of  
15. fact. Let me explain briefly, I voted yes on the amendment,  
16. and I know the argument...when it first came up. I know the  
17. argument that can be made, that any collective bargaining  
18. agreement obviously has a very large dollar impact, and so if  
19. anything ought to be out in the open, that ought to be it.  
20. Five minutes after I had voted Yes...and before anyone incidentally  
21. talked to me about it, I filed a motion because I realized that  
22. there is no way that you can reach resolution in collective  
23. bargaining negotiations if it is being done with television  
24. cameras and everything else shining in on it. That...it may  
25. or may not be literally the decision of who will or will not  
26. be fired in a very individual sense, as Senator Bruce was  
27. suggesting, but it certainly does involve it in a very general  
28. sense. And...and I just...it is not realistic, and it is not  
29. even necessarily desirable for that kind of hard negotiation  
30. to take place in a goldfish bowl, which it would if it were  
31. subject to the Open Meetings Act. I would like to say, also,  
32. Senator Mahar, that the other reason why I...I changed my mind  
33. on this, is that if this amendment, if your amendment stays on,

1. I have a feeling that may be the end of this Open Meetings  
2. Act, and I am strongly committed to the principle of open  
3. meetings, and I don't want to see it unduly burdened with  
4. something, that I think will, in fact, have that effect. That  
5. is my reasoning, and I would renew my motion to reconsider.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. The motion is to reconsider the vote by which Amendment  
8. No. 2 to House Bill 411 was adopted. Those in favor will in-  
9. dicate by saying Aye. Those opposed. A roll call has been  
10. requested. Those who wish to...reconsider the vote by which  
11. Amendment No. 2 was adopted will vote Aye. Those opposed will  
12. vote Nay. The voting is open. Have all voted who wish? Have  
13. all voted who wish? Have all voted who wish? Take the record.  
14. On that question, the Ayes are 31, the Nays are 24, none Voting  
15. Present. The motion to reconsider carries. Senator Netsch.

16. SENATOR NETSCH:

17. I would then move to Table Amendment No. 2.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. All...you've heard the motion. All those in favor indicate  
20. by saying Aye. Those opposed. A roll call has been requested.  
21. All those in favor of Tabling Amendment No. 2 to House Bill  
22. 411 will vote Aye. Those opposed will vote Nay. The voting  
23. is open. Have all voted who wish? Have all voted who wish?  
24. Have all voted who wish? Take the record. On that question,  
25. the Ayes are 35, the Nays are 19, none Voting Present. Amendment  
26. No. 2 to House Bill 411 has been Tabled. Is there further  
27. amendments?

28. SECRETARY:

29. Amendment No. 3 by Senator Bloom.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Bloom.

32. SENATOR BLOOM:

33. All right. That would be the...Kenny, is it the LRB amendment

1. or the...

2. SECRETARY:

3. I only have the one, Senator Bloom.

4. SENATOR BLOOM:

5. Okay.

6. SECRETARY:

7. LRB - GMKAMO3.

8. SENATOR BLOOM:

9. Very good. This amendment addresses the problem that  
10. was raised in committee, and that is, what do you do with mun-  
11. icipalities with a commission form of government, where you  
12. have your councilmen basically wearing two hats, their  
13. executive hat is the commissioner of the various department,  
14. and their legislative hat as they deliberate. Basically, it  
15. says that the Open Meetings Act does not prohibit the mayor  
16. and the commissioners of the municipality organized, from  
17. holding closed session to discuss matters related solely to  
18. the exercise of their executive or administration responsibilities.  
19. I would move its adoption.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Is there further discussion? Senator Mahar.

22. SENATOR MAHAR:

23. Thank you, Mr. President. Will the sponsor yield for a  
24. question? Will the...will the sponsor yield for a...

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. He indicates he'll yield. Senator Bloom.

27. SENATOR MAHAR:

28. Yes, Senator Bloom, I notice that your amendments prohibits  
29. ...does not prohibit the mayor and commissioners of municipalities.  
30. Now, what about the aldermanic form of government, what about the  
31. present board of trustees and other people in local government?  
32. Why are they not part of this?

33. PRESIDING OFFICER: (SENATOR SAVICKAS)



1. Senator Bloom.

2. SENATOR BLOOM:

3. Well, I thought I explained that when I offered the amendment.  
4. The amendment addresses the...the uniqueness of the commission  
5. form of government where your aldermen also are the chief exe-  
6. cutives of various co-departments like water commissioner, or  
7. streets and sanitation. The forms of government you described  
8. have clear differences, the trustees are not department heads.  
9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Mahar.

11. SENATOR MAHAR:

12. That is...that is not necessarily true, in many cases  
13. trustees do take over departments of public safety, public health,  
14. streets, zoning, and so forth. So, while it...it may not be  
15. in...written the same way in the Statutes, it's an ordinary  
16. function of local government when you have a mayor and a board  
17. of trustees.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Bloom.

20. SENATOR BLOOM:

21. Well, I'm reliantly informed and from what I've seen around  
22. the district, you do have trustees that are chairmen of committees  
23. that address that, but they're exerising their legislative  
24. function, and not the unique executive function that commissioners  
25. do in the commission municipalities.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator...is there further discussion? Senator Hall.

28. SENATOR HALL:

29. Well, my question is along the line of Senator Mahar, I think  
30. ...I can support your amendment, but I think some others ought to  
31. be included. I'm...are you sure that you are taking care of  
32. the...of what he asked you? What Senator Mahar asked?

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Bloom.

2. SENATOR BLOOM:

3. Yes, I'm sure it doesn't obtain in that instance. Commission  
4. organized municipalities are kind of unique, because the council-  
5. man is...also the department head.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Is there further discussion? If not, Senator Bloom may  
8. close debate.

9. SENATOR BLOOM:

10. I'd urge its adoption.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. The question is, shall Amendment No. 3 to House Bill 411  
13. be adopted. Those in favor indicate by saying Aye. Those  
14. opposed. The Ayes have it. Amendment No. 3 is adopted. Any  
15. further amendments?

16. SECRETARY:

17. Amendment No. 4 by Senator Friedland.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Friedland.

20. SENATOR FRIEDLAND:

21. Thank you, Mr. President, and Ladies and Gentlemen of the  
22. Senate. Amendment 4 would take the Illinois Commerce Commission  
23. out of the exemption section, and place it under the Act's re-  
24. quirements. I'd urge your favorable consideration of this im-  
25. portant amendment.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Is there any discussion? Senator Bloom.

28. SENATOR BLOOM:

29. Well, Senator Friedland, I'm...I'm in sympathy  
30. with what you are seeking to do. And I understand the linkage,  
31. and I'm with you on the slapsey maxey issue. However, this  
32. amendment has the same infirmity that Senator Mahar's amendment  
33. does, in that it would make...make it...

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Could we have a little order. Could we break up those con-  
3. ferences in the back.

4. SENATOR BLOOM:

5. It would make...it would make the bill unworkable. I...I...  
6. I reluctantly have to resist. I'm...I'm sorry, John.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Hall.

9. SENATOR HALL:

10. Well, I just wanted to ask...I can't find a copy of that  
11. amendment. Was the amendment passed out, Senator Friedland?

12. I...I don't see one on my desk. But...

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. The Secretary indicates that they've all been passed out.  
15. Senator Netsch.

16. SENATOR NETSCH:

17. I...I was attempting to identify it also. There is one  
18. amendment to House Bill 411 which contrary to our rules, does  
19. not have your name on it, Senator Friedland. Is...is it...is this it?

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator, it's only two lines, we'll let the Secretary read  
22. it so we'll all hear what it is.

23. SENATOR NETSCH:

24. Could we have it identified.

25. SECRETARY:

26. Amendment...House Bill 411, on page 2, line 7,"by deleting  
27. the Illinois Commerce Commission and inserting in lieu thereof,"  
28. and then it deletes the Illinois Commerce Commission.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Netsch.

31. SENATOR NETSCH:

32. All right, that is the one that I had. My copy happened not  
33. to have your name on it, but I gather the others did. I apologize,

1. Senator Friedland. Just on the merits, I would...I would speak  
2. in opposition. It seems to me that you simply cannot blanketly  
3. exclude the Illinois Commerce Commission as Senator Bloom in-  
4. dicated, that just makes no sense at all.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Is there further discussion? If not, Senator Friedland may  
7. close debate.

8. SENATOR FRIEDLAND:

9. Thank you, very much, Mr. President. To all the questions  
10. that have been raised, I just ask, why not. I urge your favorable  
11. support.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. The question is...shall Amendment No. 4 be adopted. Those  
14. in favor indicate by saying Aye. Those opposed Nay. A roll call  
15. has been requested. All those in favor indicate by voting Aye.  
16. Those opposed vote Nay. The voting is open. Have all voted who  
17. wish? Have all voted who wish? Senator, would you vote me Aye.  
18. Aye. Would you vote me Aye, Senator. Would...would you vote me  
19. Aye. Have all voted who wish? Have all voted who wish? Have  
20. all voted who wish? Take the record. On that question, the Ayes  
21. are 22, the Nays are 29, none Voting Present. Amendment No. 4,  
22. having failed to receive a majority is declared lost. Any further  
23. amendments?

24. SECRETARY:

25. Amendment No. 5 by Senator Bruce.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Bruce.

28. SENATOR BRUCE:

29. Thank you. This is...thank you, Gentlemen, this...this is  
30. a technical amendment...

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Could we have a little order. I know everybody's anxious  
33. to leave, if we're a little quiet, and we get these bills done,

HB 607  
Recalled

1. we can leave that much sooner.

2. SENATOR BRUCE:

3. Thank you...

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. ...we break up the conference there of Senators Walsh, Nedza,  
6. Philip, Nimrod, Buzbee, Egan, Carroll.

7. SENATOR BRUCE:

8. All right, thank you, Mr. President. This amendment, I  
9. believe is noncontroversial as the four we've had. This one  
10. is...is technical in nature, and it clarifies that the basis  
11. for closing a closed...for closing a meeting, shall be put  
12. in the minutes of the closed meeting, the exception under which  
13. you are going to close an open meeting must be put in the minutes  
14. of the open meeting. Now, if that doesn't confuse you, nothing  
15. will. And secondly, it corrects an inconsistency concerning when  
16. a court may declare an action null and void. Throughout the Act  
17. we used the word final action, in one particular paragraph they  
18. used the word official action, that is an error, this amendment  
19. strikes that, and makes sure that the courts are going to be  
20. involved only when the body has taken final action on any matter.  
21. And I would move the adoption of Amendment No. 5. I know of  
22. no opposition to it.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Is there any discussion? If not, Senator Bruce moves the  
25. adoption of Amendment No. 5 to House Bill 411. Those in favor  
26. indicate by saying Aye. Those opposed. The Ayes have it. Amend-  
27. ment No. 5 is adopted. Any further amendments?

28. SECRETARY:

29. No further amendments.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. 3rd reading. House Bill 438, Senator Rock. House Bill 508,  
32. Senator McLendon. House Bill 576, Senator Lemke. House Bill 607,  
33. Senator Demuzio. Senator...read the bill, Mr. Secretary. Senator

1. Demuzio.

2. SENATOR DEMUZIO:

3. Yes, thank you, Mr. President. On House Bill 607, I move  
4. to Table Amendment No. 1. Mr. Secretary, there's only one amend-  
5. ment on this bill as I recall...to Table Amendment No. 1. What  
6. this amendment will do, is make the appointees to the Farm  
7. Development Authority, all appointed by the Governor.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Demuzio having voted on the prevailing side on the  
10. adoption of Amendment No. 1 to House Bill 607, moves to reconsider  
11. the vote by which it was adopted. All those in favor indicate  
12. by saying Aye. Those opposed. The Ayes have it. The motion  
13. carries. Now, on...on the amendment itself, Senator Demuzio  
14. moves to Table Amendment No. 1 to House Bill 607. Those in  
15. favor indicate by saying Aye. Those opposed. The Ayes have  
16. it. Amendment No. 1 is Tabled. Any further amendments?

17. SECRETARY:

18. No further amendments.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. 3rd reading. House Bill 663, Senator Jerome Joyce. Read  
21. the bill, Mr. Secretary.

22. SECRETARY:

23. House Bill 663, that would be Amendment No. 2 offered by  
24. Senator Gitz.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Gitz.

27. SENATOR GITZ:

28. Thank you, Mr. President, and members of the Senate. Now  
29. this is an amendment which was originally... was supposed to be added  
30. in the Local Government Committee. This bill was on an agreed  
31. list of bills out of committee, so it was supposed to be added  
32. as a Floor amendment. It takes care of a problem in small com-  
33. munities with volunteer firemen. In two sections it states, that

1. such officer may serve as a volunteer fireman and receive  
2. compensation for such service, and also relates, in a separate  
3. section, that an alderman or board member may serve as a vol-  
4. unteer fireman and receive compensation for such service. This  
5. is addressed to small communities that have a problem because  
6. somebody may be in a volunteer fire department and subsequently  
7. become an alderman, and under the existing wording the bill  
8. would run into problems in terms of keeping those people  
9. active. And it's felt that we need this to help volunteer  
10. fire department operations.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Is there any...any discussion? If not, Senator Gitz moves  
13. the adoption of Amendment No. 2 to House Bill 663. Those in  
14. favor indicate by saying Aye. Those opposed. The Ayes have it.  
15. Amendment No. 2 is adopted. Any further amendments?

16. SECRETARY:

17. No further amendments.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. 3rd reading. House Bill 705, Senator Taylor. House Bill  
20. 723, Senator Nega. Read the bill, Mr. Secretary.

21. SECRETARY:

22. Amendment No. 1 offered by Senator Nega.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Nega.

25. SENATOR NEGA:

26. Mr. President, and members of the Senate. This amendment is  
27. drawn as a result..to the discussions between the Illinois Pharmacists  
28. Association and the AFL to remove the AFL opposition. And the  
29. effective date is also postponed until January 1, 1983. And...  
30. it amends on page 1, line 17, by amending after the following, "and  
31. who has successfully completed a program of practice, experience,  
32. assisting in the practice of pharmacy under the direct super-  
33. vision of a registered pharmacist in a pharmacy in this State,

1. or in any other state. The requirement for practice experience  
2. shall be fulfilled by the successful completion of a practice  
3. course offered by a school or college of pharmacy, or Department  
4. of Pharmacy, recognized and approved by the department, which  
5. is substantially equivalent to such course being offered by  
6. the University of Illinois College of Pharmacy, and shall be a  
7. minimum of one academic quarter in length. I ask for your  
8. approval of this amendment.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Is there any discussion? If not, Senator Nega moves the  
11. adoption of Amendment No. 1 to House Bill 723. Those...oh,  
12. Senator DeAngelis.

13. SENATOR DeANGELIS:

14. A question of the sponsor, please.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. He indicates he'll yield.

17. SENATOR DeANGELIS:

18. Senator Nega, does this change the amount of hours that  
19. are required?

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Nega.

22. SENATOR NEGA:

23. No.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator DeAngelis.

26. SENATOR DeANGELIS:

27. With...my apology, could you...Senator Rupp, is this amendment  
28. okay? What...okay, can I very...and I apologize for not listening  
29. intently, but what does it actually do?

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Nega.

32. SENATOR NEGA:

33. As far as I can gather, what they're doing is giving recip-  
rocal credit for students who graduate from another state as they



1. come into the State of Illinois to practice. This...this is  
2. what it does.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Is there further discussion? If not, Senator Nega moves  
5. the adoption of Amendment No. 1 to Senate...to House Bill 723.  
6. Those in favor indicate by saying Aye. Those opposed. The  
7. Ayes have it. Amendment No. 1 is adopted. Any further amend-  
8. ments?

9. SECRETARY:

10. No further amedments.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. 3rd reading. For what purpose does Senator Johns arise?

13. SENATOR JOHNS:

14. Mr. President, would I be out of order to ask to be hyphenated  
15. co-sponsor of the last bill, 663 that we just handled. Senator  
16. Joyce's bill.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Yes, you'd be out of order, but Senator Johns asks leave to be...asks  
19. to be a hyphenated co-sponsor with the approval of Senator Jerome Joyce.

20. SENATOR JOHNS:

21. Thank you.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Is leave granted? Leave is granted. Senate Bill...or House  
24. Bill 726, Senator Bruce. Read the bill, Mr. Secretary.

25. SECRETARY:

26. Amendment No. 2 offered by Senator Berning.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Berning.

29. SENATOR BERNING:

30. Thank you, Mr. President, and members of the Senate. Amend-  
31. ment No. 2 to Senate Bill 726 reestablishes what is now the  
32. current board, which has been in existence now, for 10, these  
33. many, many years. The membership of nine has been satisfactory

1. over the years, and has the advantage of being an unequal number.  
2. But in an effort to satisfy the requests of the annuitants, Amend-  
3. ment No. 2 would provide that one of the current four members  
4. would be an elected annuitant. This, I am sure, will satisfy  
5. those people from among the annuitants who feel there should  
6. be one member guaranteed, but it serves also the useful purpose  
7. of maintaining a balance in the membership. Further, this  
8. amendment puts the State Superintendent of Education back in  
9. as a member, which is his desire. He would prefer to stay on  
10. the board, rather than to be stricken as was done by Senate  
11. Bill 726. This is a clarifying, reaffirming amendment, and  
12. I would urge an Aye vote.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Is there any discussion? Senator Bruce.

15. SENATOR BRUCE:

16. Thank you, Mr. President, and members of the Senate.  
17. I rise in opposition to this amendment to my bill. I had  
18. an agreement with the committee, Senator Egan and others on  
19. that committee that I would draft an amendment which reduced  
20. the two...two requested annuitants to one, that is exactly  
21. what I did in Amendment No. 1. I kept my word to the committee,  
22. they...they debated the bill, and decided to go with one as  
23. opposed to two, that is the form of the bill. Senator Berning  
24. has another idea, if he wishes to put it in next year, we'll  
25. be here for business, but this was my legislation, and my  
26. proposal. It was approved by the committee, his bill did not  
27. make it out of committee, and he would...his idea did not make  
28. it out of committee, and he wants to put it on my bill. I  
29. just...prefer to run it just the way it is.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Is there further discussion? Senator Maitland.

32. SENATOR MAITLAND:

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

1. Senate. I rise in support of Amendment No. 2 to House Bill  
2. 726. First of all, it has been inaccurately circulated that  
3. the...that the superintendent did not want to serve on that  
4. board, and that's inaccurate. And so, this reestablishes  
5. his position on that board. And secondly, I think annuitants  
6. should have the opportunity to serve on that board. I've  
7. talked to a number of annuitants, and they would like to have  
8. an opportunity to serve. But the fact of the matter is, they  
9. should not serve on that board to make that board any heavier  
10. or stronger with either teachers or retired teachers. I  
11. believe that the annuitant position should be there, I believe,  
12. however, it should be filled from within the...the board, and  
13. therefore, I'm in strong support of Amendment No. 2 to House  
14. Bill 726.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Is there further discussion? If not, Senator Berning  
17. may close debate.

18. SENATOR BERNING:

19. Thank you, Mr. President. As I said, this board has operated  
20. efficiently, and expeditiously, for 10, these many years. There  
21. is no real justification for increasing the membership. The sole  
22. objective on the part of the annuitants was to be assured par-  
23. ticipation, and Amendment No. 2 does that. There will be one  
24. elected annuitant. I would urgently suggest that Amendment No.  
25. 2 be given an Aye vote, Mr. President.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Berning moves the adoption of Amendment No. 2  
28. to House Bill 726. Those in favor indicate by saying Aye.  
29. Those opposed. The Noes have it. Amendment No. 2...there's  
30. been a request for a roll call. Those in favor of adopting Amend-  
31. ment No. 2 will vote Aye. Those opposed will vote Nay. The  
32. voting is open. Have all voted who wish? Have all voted who  
33. wish? Have all voted who wish? Take the record. On that  
question, the Ayes are 27, the Nays are 28, none Voting Present.

1. Amendment No. 2 having failed to receive a majority is declared  
2. lost. House Bill 1020...is there further amendments?

3. SECRETARY:

4. Amendment No. 3 by Senator Maitland.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. For what purpose does Senator Berning arise?

7. SENATOR BERNING:

8. ...request a verification of the negative vote, Mr. President.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. A verification of the negative vote has been requested by  
11. Senator Berning. Will all the Senators please be in their seats.  
12. And will the Secretary call the negative vote.

13. SECRETARY:

14. The following voted in the negative:

15. Bruce, Buzbee, Carroll, Chew, Collins, D'Arco, Davidson,  
16. Dawson, Degnan, Demuzio, Hall, Johns, Jeremiah Joyce, Jerome  
17. Joyce, Lemke, Marovitz, McLendon, Nash, Nedza, Nega, Netsch,  
18. Newhouse, Sangmeister, Savickas, Schaffer, Taylor, Vadalabene,  
19. Mr. President.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Berning, do you question any of the negative votes?

22. SENATOR BERNING:

23. Senator Chew.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Is Senator Chew on the Floor? Senator Chew. Senator Chew.  
26. Strike his name from the record. Do you question any other...

27. SENATOR BERNING:

28. Is Senator McLendon on the Floor, Mr. President?

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator McLendon on the Floor? Is Senator McLendon on  
31. the Floor? Strike his name from the record.

32. SENATOR BERNING:

33. Senator Dawson.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)  
2. Senator Dawson is...  
3. SENATOR BERNING:  
4. Senator Netsch.  
5. PRESIDING OFFICER: (SENATOR SAVICKAS)  
6. Senator Netsch is...Senator Netsch on the Floor? Senator  
7. Netsch. Senator Netsch is running in the door now.  
8. SENATOR BERNING:  
9. Senator Sangmeister...there he is. Senator Nash.  
10. PRESIDING OFFICER: (SENATOR SAVICKAS)  
11. Is Senator Nash on...he's standing next to Senator Hall.  
12. Is there any further question? Are there any other questions?  
13. Senator Bruce.  
14. SENATOR BRUCE:  
15. Well, I think they're all there. I check every...everyone,  
16. even some on our side. So, I don't think we'll make you go  
17. through the verification of the affirmatives, because...who  
18. isn't? Well, maybe...well, I was going to say, let's  
19. verify it. They tell me there isn't one over there. All right,  
20. let's...let's...let's do it.  
21. PRESIDING OFFICER: (SENATOR SAVICKAS)  
22. Secretary...Senators, there's been a request by Senator  
23. Bruce to verify the affirmative vote. Will all the Senators  
24. be in their seats. And will the Secretary read the affirmative  
25. vote.  
26.  
27.  
28. (END OF REEL)  
29.  
30.  
31.  
32.  
33.

1. SECRETARY:
2. The following voted in the affirmative: Becker, Berning,
3. Bloom, Bowers, Coffey, DeAngelis, Egan, Etheredge, Friedland,
4. Geo-Karis, Grotberg, Keats, Kent, Mahar, Maitland, McMillan,
5. Nimrod, Ozinga, Philip, Rhoads, Rupp, Simms, Sommer, Thomas,
6. Totten, Walsh and Weaver.
7. PRESIDING OFFICER: (SENATOR SAVICKAS)
8. Senator Bruce, do you question any of the affirmative
9. votes?
10. SENATOR BRUCE:
11. Senator Becker.
12. PRESIDING OFFICER: (SENATOR SAVICKAS)
13. Is Senator Becker on the Floor? Senator Becker. Senator
14. Becker. Strike his name, Mr. Secretary.
15. SENATOR BRUCE:
16. Senator...Senator Philip.
17. PRESIDING OFFICER: (SENATOR SAVICKAS)
18. Is Senator Philip on the Floor? Senator Philip is...
19. SENATOR BRUCE:
20. Alright. Thank you.
21. PRESIDING OFFICER: (SENATOR SAVICKAS)
22. On that question, the Ayes are 26 and the Nays are 26.
23. Amendment No. 3 having failed to receive a majority vote is
24. declared lost. Any further amendments?
25. SECRETARY:
26. Amendment No. 3, by Senator Maitland.
27. PRESIDING OFFICER: (SENATOR SAVICKAS)
28. Senator Maitland.
29. SENATOR MAITLAND:
30. Thank you, Mr. President. I move to Table Amendment No. 3.
31. PRESIDING OFFICER: (SENATOR SAVICKAS)
32. Senator Maitland moves to withdraw Amendment No. 3. Any
33. further amendments?

1. SECRETARY:
2. No further amendments.
3. PRESIDING OFFICER: (SENATOR SAVICKAS)
4. 3rd reading. House Bill 1020, Senator Vadalabene. Read
5. the bill, Mr. Secretary.
6. SECRETARY:
7. Amendment No. 2, offered by Senator Vadalabene.
8. PRESIDING OFFICER: (SENATOR SAVICKAS)
9. Senator Vadalabene.
10. SENATOR VADALABENE:
11. Yes,...Mr. Chairman...or Mr. President and members of the
12. Senate, Amendment No. 1 to House Bill 1020 should be Tabled.
13. PRESIDING OFFICER: (SENATOR SAVICKAS)
14. Senator Vadalabene moves to reconsider the vote by which
15. Amendment No. 1 was adopted. Those in favor indicate by saying
16. Aye. Those opposed. The Ayes have it. The motion to re-
17. consider prevails. Now, on the...on the Amendment No. 1,
18. Senator Vadalabene moves to Table Amendment No. 1 to House
19. Bill 1020. Those in favor indicate by saying Aye. Those
20. opposed. The Ayes have it. Amendment No. 1 is Tabled.
21. Senator...further amendments?
22. SECRETARY:
23. Amendment No. 2, by Senator Vadalabene.
24. PRESIDING OFFICER: (SENATOR SAVICKAS)
25. Senator Vadalabene.
26. SENATOR VADALABENE:
27. Yes, Mr....Mr. President and members of the Senate, Amend-
28. ment No. 2 is identical to Amendment No. 1 that we just Tabled.
29. ...however, the language in Amendment No. 1 was not underlined
30. and in...in Amendment No. 2 the language will be underlined and
31. I move for its adoption.
32. PRESIDING OFFICER: (SENATOR BRUCE)
33. The motion is to adopt Amendment No. 2. Discussion of the

1. motion? All in favor say Aye. Opposed Nay. The Ayes have it.  
2. Amendment No. 2 is adopted. Further amendments?

3. SECRETARY:

4. No further amendments.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. 3rd reading. 1049...1263, Senator Nedza. 1263. 1359,  
7. Senator Lemke. Senator Lemke asks leave of the Senate to  
8. return House Bill 1359 to the Order of 2nd reading for the  
9. purpose of an amendment. Is there leave? Leave is granted.  
10. Are there amendments, Mr. Secretary?

11. SECRETARY:

12. Amendment...Amendment No. 2, by Senators Joyce and Lemke.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator D'Arco...Senator Joyce.

15. SENATOR JEREMIAH JOYCE:

16. Thank you, Mr. President and members of the Senate. Amend-  
17. ment No. 2 to House Bill 1359 is, in every respect, the same as  
18. Senate Bill 932, which we passed out of here on the Agreed Bill  
19. List. It provides that the affirmative defense of necessity  
20. will be a jury question. It is presently the only affirmative  
21. defense in our Criminal Code that is a question of law. I'd  
22. be happy to answer any questions. I ask for its favorable  
23. adoption.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Is there discussion? Is there discussion? The motion is  
26. to adopt Amendment No. 2. On that motion, all in favor say Aye.  
27. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted.  
28. Further amendments?

29. SECRETARY:

30. No further amendments.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. 3rd reading. Senator Egan on 1371 asks leave of the Senate  
33. to return the bill to the Order of 2nd reading. Is there leave?



1. Leave is granted. Are there amendments, Mr. Secretary?

2. SECRETARY:

3. Amendment No. 2, offered by Senator Egan.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Egan.

6. SENATOR EGAN:

7. Thank you, Mr. President and members of the Senate. If  
8. you'll remember the original bill allows park districts...to...  
9. deliver and sell alcoholic beverages under certain circumstances.  
10. It...the bill then was amended to include also forest preserve  
11. districts...outside of Cook, all of which were,...I think,  
12. adopted without any opposition. This bill allows, as it does  
13. presently,...as the present law allows for State universities,  
14. this would allow the community colleges. At their request,  
15. I'm offering the amendment,...Mr. President.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. The motion is to adopt. Discussion of the motion? All  
18. in favor say Aye. Opposed Nay. The Ayes have it. Amendment  
19. No. 2 is adopted. Further amendments?

20. SECRETARY:

21. No further amendments.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. 3rd reading. 1414, Senator Weaver. 1474, Senator McLendon.  
24. 1614, Senator Gitz. Senator Gitz asks leave of the Senate to  
25. return House Bill 1614 to the Order of 2nd reading for the  
26. purpose of an amendment. Is there leave? Leave is granted.  
27. Are there amendments, Mr. Secretary, please?

28. SECRETARY:

29. Amendment No. 1, offered by Senator Gitz.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Gitz on Amendment No. 1.

32. SENATOR GITZ:

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

1. contains the language for House Bill...686 which was originally  
2. in the Local Government Committee and at that time there was  
3. some problems in the interpretation of the legal reading. It  
4. was never called to a hearing. This is legislation desired  
5. by some local municipalities to give them the option in those  
6. ...rare situations where they actually would like to rebate  
7. for senior citizens some homestead money. It gives them that  
8. option to do it. It's permissive legislation and when we  
9. consulted the Reference Bureau they thought it was best put  
10. into this bill and it's now put in constitutional form.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. The motion is to adopt. Discussion of the motion? Dis-  
13. cussion? All in favor say Aye. Opposed Nay. The Ayes have  
14. it. Amendment No. 1 is adopted. Further amendments?

15. SECRETARY:

16. No further amendments.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. 3rd reading. Senator Rock.

19. SENATOR ROCK:

20. Thank you, Mr. President and Ladies and Gentlemen of the  
21. Senate. If I can have the attention of the membership, it is  
22. our intent...after discussions with Senator Weaver, when we  
23. close business, which I hope will be shortly,...to return to  
24. Springfield on Monday at the hour of four o'clock. Senator  
25. Weaver has indicated that...he will announce...a meeting of  
26. that side of the aisle for immediately after adjournment and  
27. to accommodate that schedule, I hope we will be adjourning...  
28. very shortly. We do have some items of...of business...yet  
29. remaining. On the Order of 3rd reading, Senate Bill 590, I  
30. am told by the administration is a...a necessity to...in  
31. order for the Department of Labor to meet their payroll and  
32. there are a couple of Senate Joint Resolutions that...the  
33. House has requested we try to get over there. And then, of

1. course, on the Order of Senate Bills 2nd reading,...Senators  
2. Lemke and Rhoads have amendments they wish to offer to the  
3. reapportionment bills, which I hope will be adopted with...in a  
4. civil manner with little or no controversy. They put their  
5. amendment on, we put our amendment on and move the bills and with  
6. the understanding they can and will be called back next week.  
7. So, if we can handle Senate Bill 590 at this time and then  
8. move to...Senate Bills 2nd and then handle the Joint Reso-  
9. lutions, then we can summarily adjourn and have a nice week-  
10. end.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Alright. Is there leave to go to the Order of Senate  
13. Bill 590 on the Order of House...to House Bill 590 on the  
14. Order of 3rd reading, page 9 of your Calendar. Is there  
15. leave? Senator Philip.

16. SENATOR PHILIP:

17. Thank you, Mr. President. I just wanted to make sure  
18. I heard you correctly, Senator Rock. There will be the  
19. opportunity to move these two bills back to 2nd reading for  
20. the purpose of amendments. Senator Rhoads has agreed that,  
21. everybody has...okay, fine. That's...

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Alright. Is there leave to go to House Bill 590? Leave  
24. is granted. On the Order of House Bills 3rd reading, on page  
25. 9 of your Calendar is House Bill 590 under the sponsorship of  
26. Senator Bloom. Read the bill, Mr. Secretary, please.

27. SECRETARY:

28. House Bill 590.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Bloom.

33. SENATOR BLOOM:

1. The temptation to Table this bill is strong. This...  
2. this also has become a Christmas tree or a Hanukkah bush,  
3. Senator Carroll. It includes the Law Enforcement Commission,...  
4. Banks and Trusts, School Problems Commission, the Institute  
5. of Natural Resources, a million to the Treasurer, State  
6. Scholarship Commission, and...the Institute of Natural Re-  
7. sources. Oh, it's tempting. However, here it is on 3rd,  
8. I commend it to you.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Further discussion? The question is, shall House Bill  
11. 590 pass. Those in favor vote Aye. Those opposed vote Nay.  
12. The voting is open. Have all voted who wish? Have all voted  
13. who wish? Take the record. On that question, the Ayes are  
14. 53, the Nays are none, 1 Voting Present. House Bill 590  
15. having received the required constitutional majority is  
16. declared passed. Is there leave to go to the Order of...is  
17. Senator Lemke on the Floor? Senator Lemke, are you ready on  
18. your Senate Bill? Senator Rhoads. Is there leave to go to  
19. the Order of Senate Bills on 2nd reading? Leave is granted.  
20. Senate Bills 2nd reading. Senate Bill 49, Senator Rhoads.  
21. Senator...read the bill, Mr. Secretary, please.

22. SECRETARY:

23. Senate Bill 49.

24. (Secretary reads title of bill)

25. 2nd reading of the bill. No committee amendments.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Are there amendments from the Floor?

28. SECRETARY:

29. Amendment No. 1, offered by Senator Rhoads.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Rhoads is recognized.

32. SENATOR RHOADS:

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

1. Amendment No. 1 to Senate Bill 49 is the first attempt...on  
2. my part to come up with...fifty-nine Senatorial districts  
3. pursuant to the 1980 census. The ideal population for a  
4. Senatorial district is a hundred and ninety-three thousand  
5. five hundred and thirty-three. The districts contained in  
6. this...amendment, according to the...population studies  
7. that we've looked at vary by the degree of 1.5 percent  
8. above and 1.4 percent below the...ideal population. Basically, the  
9. would be...seventeen Chicago-dominated districts and forty-  
10. two districts in the collar counties and downstate. The  
11. legal descriptions drawn by the Reference Bureau are referenced  
12. to census tracks as they existed...and as they are promulgated  
13. by the U.S. Bureau of the Census as of April the 1st, 1980  
14. so that any municipal boundaries that are later referred to  
15. by the State Board of Elections will be the boundaries as  
16. they existed on April the 1st, 1980 so that we don't run  
17. into the same problems that we have for the last ten years  
18. on municipal boundary changes. The amendment also provides  
19. ...that the State Board of Elections will have the respon-  
20. sibility for converting these...census track descriptions  
21. into physical real estate meets and bounds type descriptions.  
22. The amendment does not, I repeat, does not describe any single  
23. member House districts. There is shell language which pro-  
24. vides that House districts one and two shall fall within the  
25. first Senatorial district and so forth. The amendment further  
26. provides for a lottery to provide for staggered terms for  
27. members of the Senate. We simply update the entire process  
28. by ten years from 1971 to 1981. The districts will be  
29. thrown in a hat, the Secretary of State will pull out a...  
30. segregate the districts into thirds so that there will be a  
31. set of districts which has a two year term and two four year  
32. terms, a set of districts which has a four year, two year and  
33. four year term and then finally a set of districts which goes

four, four and two. That, basically, is what Amendment No. 1 does. I'd like to adopt it on the bill, give you a chance to look at it over...the weekend and I will promise to recall this from 3rd to 2nd for the purposes of further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 1. Discussion? All in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. 278, Senator Lemke. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 278.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1, by Senator Lemke.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke.

SENATOR LEMKE:

I ask for adoption of this amendment. This is the...first attempt by me, as the majority member of the Elections Committee, to come out with a redistricting map. The cryptologists have used the computers and have come up with this...map and I ask for a favorable adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 1. Discussion of the motion? All in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. 3rd reading. Is there leave to go to the Order of...366...
3. alright. Senate Bill 366. Mr. Secretary, read the bill a
4. second time please.
5. SECRETARY:
6. Senate Bill 366.
7. (Secretary reads title of bill)
8. 2nd reading of the bill. No committee amendments.
9. PRESIDING OFFICER: (SENATOR BRUCE)
10. Are there amendments from the Floor?
11. SECRETARY:
12. Amendment No. 1, offered by Senators Rock and Donnewald.
13. PRESIDING OFFICER: (SENATOR BRUCE)
14. Senator Rock...moves the adoption of Amendment No. 1.
15. On the motion to adopt, discussion? All in favor say Aye.
16. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted.
17. Further amendments?
18. SECRETARY:
19. No further amendments.
20. PRESIDING OFFICER: (SENATOR BRUCE)
21. 3rd reading. For what purpose does Senator Bloom arise?
22. SENATOR BLOOM:
23. Well, thank you, Mr. President and fellow Senators. Seated
24. in the...President's gallery is my better half, my wife Diane
25. accompanied...by...my aunt and uncle, Mr. and Mrs. Fred Bloom.
26. Mrs. Fred Bloom is returning to Springfield...whence she worked
27. many years ago in the State's attorney's Office. I wonder if
28. they'd stand and be recognized?
29. PRESIDING OFFICER: (SENATOR BRUCE)
30. Will our guests please stand and be recognized by the
31. Senate? Alright. Now, we have a lot of people up. Senator
32. Geo-Karis, what are we...where are we?
33. SENATOR GEO-KARIS:

1. Mr. President and Ladies and Gentlemen of the Senate, for  
2. a matter of...a point of personal privilege, I'm delighted  
3. to introduce to this Assembly today, the...the State's attorney  
4. of Lake County, Illinois and his wife, Fred Foreman and  
5. Stephanie Foreman and their two lovely children, Melissa and  
6. Christopher Foreman. They're...sitting up there in the  
7. President's gallery.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Will our guests please rise and be recognized? Senator  
10. Rock.

11. SENATOR ROCK:

12. Thank you, Mr. President. Also we are causing to be  
13. distributed a...a new...another Agreed Bill List, which...  
14. Senators Bruce and Weaver can determine when we'll call  
15. that...probably Wednesday or so of next week. In the mean-  
16. time everybody can take a look and see if there's any...  
17. with which they do not agree, but we'll pass those out right  
18. now and we can take them home over the weekend.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Yes. There are a hundred and seventeen bills on the  
21. Agreed...Tentative Agreed Bill List and they will be on the  
22. Calendar on that order of business on Monday. Senator Lemke.

23. SENATOR LEMKE:

24. Senator Bruce, on the recall list, they had Senate Bill  
25. 576. I was off the Floor with the press and Senator Keats  
26. had an amendment and Senator Savickas said it...he would get  
27. back to it at the end of the call and apparently it was over-  
28. looked, so we...could we just go to...back to that bill and  
29. put...the amendment is noncontroversial...put it on so we  
30. can get to that...get it out of the way.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Alright. Is there leave to return to that? Senator...  
33. Savickas was presiding, I took over and did not know of the



1. earlier agreement. Is there leave? Leave is granted. Senator  
2. Lemke asks leave of...to return it...return House Bill 576 to  
3. the Order of 2nd reading for the purpose of an amendment. Is  
4. there leave? Leave is granted. Are there amendments?  
5. Senator Keats is recognized on...on an amendment to Senate  
6. Bill 576...House Bill 576.
7. SECRETARY:
8. Amendment No. 1, offered by Senators Keats and Lemke.
9. PRESIDING OFFICER: (SENATOR BRUCE)
10. Senator Keats.
11. SENATOR KEATS:
12. Thank you. This amendment with Senate Bill 602 flew  
13. out of here about ninety to nothing, as usual died in the  
14. House Judiciary Committee. The...it has no opposition except  
15. from House Judiciary and would pass if we could get it in  
16. that manner and I'd appreciate your support. Senator Lemke  
17. and I have worked on it...
18. PRESIDING OFFICER: (SENATOR BRUCE)
19. The motion is to adopt. On...on the motion, all in  
20. favor say Aye. Opposed Nay. The Ayes have it. Amendment  
21. No. 1 is adopted. Further amendments?
22. SECRETARY:
23. No further amendments.
24. PRESIDING OFFICER: (SENATOR BRUCE)
25. 3rd reading. Senator Ozinga, for what purpose do you arise?
26. SENATOR OZINGA:
27. The end of the road...I'm waiting for the end of the road,  
28. whenever you're ready to quit. Announcement.
29. PRESIDING OFFICER: (SENATOR BRUCE)
30. Well, we're about...make it...make it, Senator, we're  
31. about there.
32. SENATOR OZINGA:
33. Republican...Republican caucus in Senator Shapiro's Office

1. immediately upon adjournment so that we can get on the road  
2. and go home.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Thomas.

5. SENATOR THOMAS:

6. Thank you, very much, Mr. President. Very quickly on  
7. a matter of...of personal nature, I would like to have this  
8. Body recognize...two of my most dear and loyal friends from  
9. East Moline and their family, back up over here, would  
10. you please meet Mr. and Mrs. Larry McCaw and their family.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Would they please stand and be recognized by the Senate?  
13. Senator Johns.

14. SENATOR JOHNS:

15. Mr....Mr. President, I'd like to be shown as a co-  
16. sponsor of House Bill 427, 682, hyphenated cosponsor of  
17. House Bill 494 and shown as a cosponsor of House Bill 1236.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Alright. You've heard the motion. Is there leave?  
20. Leave is granted. Senator Geo-Karis.

21. SENATOR GEO-KARIS:

22. Mr. President, this was on the recall list...and...that's  
23. one of the ones that,...you know, to recall then. Senator  
24. McLendon was out. It's by agreement with Senator McLendon to  
25. put this amendment onto 508. That was on the recall list.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Later, Senator. Senator Lemke had leave to do that.  
28. Senator McLendon...we...was not here at the time. Alright.  
29. Is there leave to go to the Order of Resolutions Consent  
30. Calendar? Leave is granted. Senator Philip, for what purpose  
31. do you arise?

32. SENATOR PHILIP:

33. For purpose of an announcement, Mr. President. I'd like

1. to remind everybody that the Senate-House softball game is  
2. on and it's on now on Sunday, June 28th at 5:00 p.m., the  
3. same place, Isles Park. Hope that everybody would bring  
4. down their equipment and...try to stay in good shape this  
5. weekend and do a little practicing and, quite frankly, the  
6. House is giving fifteen runs and I would suggest that you  
7. hesitate before you take that bet. Thank you.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Further...further announcements? Is there leave to  
10. go to the Resolutions Consent Calendar? Leave is granted.  
11. Mr. Secretary, have any objections been filed to any resolution  
12. upon the Resolutions Consent Calendar?

13. SECRETARY:

14. No objection has been filed, Mr. President.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Hearing no objection, the Senate has also added today,  
17. earlier,...Resolutions 252, 253 and 254 to that. Senator  
18. Johns moves the adoption of the Resolutions Consent Calendar.  
19. On the motion to adopt, all in favor say Aye. Opposed Nay.  
20. The Ayes have it. The resolutions on the Resolutions Consent  
21. Calendar are adopted. Any further business to come before the  
22. Senate? Senator D'Arco. Any further business? Senator Rock  
23. moves that the Senate stand...adjourned until Monday, June the  
24. 22nd at the hour of four o'clock. And the Chair would like to  
25. advise everyone that there is a tentative air controllers  
26. strike scheduled for Monday, so if you plan to fly, you won't.  
27. Well, there will be a tentative schedule...of all airlines, but  
28. it is...very much in the air.

29.

30.

31.

32.

33.