

78TH GENERAL ASSEMBLY

MAY 22, 1973

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. The Senate will be in order. Invocation will be given
3. by Reverend James Ellerbrook of the Union Avenue Christian
4. Church, Litchfield, Illinois. Will our guest rise with
5. our members in this invocation.

6. (Prayer given by Reverend Ellerbrook)

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. Thank you Reverend Ellerbrook. Senator Soper.

9. SENATOR SOPER:

10. Mr. President I move that we postpone the reading
11. of the Journals of May 16, 17, and 21 the approval of
12. the same and pending the arrival of the printed Journals.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Senators you have heard the motion of Senator Soper.
15. All in favor will signify by saying aye. Opposed. The
16. ayes have it and the motion carries. Committee Reports.

17. SECRETARY:

18. (Secretary reads Committee Report)

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. Introduction of bills. Message from the House.

21. SECRETARY:

22. (Secretary reads Message from the House)

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. We have some bills for introduction. They will
25. automatically be referred to the Rules Committee.
26. Senator Merritt has some corrected bills and we hopefully
27. will be able to meet today and take action on those
28. bills, Senator. House Bills on 1st Reading. Do you
29. think we'll have enough membership here to go on House
30. Bills 1st? The Senate Bills on 2nd reading. See if
31. we can get something moving here. Rather than us to
32. go through the laborious task of reading this list,
33. let's try this just for this morning. Do any Senators

1. have any bills on 2nd reading that they would like to
2. advance? I think Senator Daley might. Senator Course
3. for what purpose do you arise?

4. SENATOR COURSE:

5. Yes Mr. President I have SB 762 on the order of
6. 2nd reading. I'd like it moved to 3rd reading with
7. the understanding if there are any amendments, I'll
8. return it to the order of 2nd reading for the amendments.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Thank you Senator. We shall read it a 2nd time.
11. SB 762.

12. SECRETARY:

13. SB 762 (Secretary reads title of bill)

14. 2nd reading of the bill. No Committee Amendments.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Are there amendments from the Floor? No Amendments.
17. 3rd reading. Any other Senator have a Senate Bill on
18. 2nd reading? We have a Resolution, Mr. Secretary.

19. SECRETARY:

20. Senate Resolution 165 by Senator Scholl and it's
21. Congratulatory.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. ...The leadership on the other side have seen a
24. copy Senator.

25. SENATOR SCHOLL:

26. Mr. President this Resolution congratulates
27. Jim Smilgoff who is one of the outstanding baseball
28. coaches in the Chicago area. And it congratulates
29. him on his retirement. I ask for the immediate
30. consideration of this Resolution.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Senator Scholl moves for the suspension of the
33. rules. All in favor of the motion will signify by saying

1. aye. Opposed. The ayes have it and the rules are suspended.
2. Senator Scholl now moves for the immediate adoption of
3. the Resolution. All in favor will signify by saying aye.
4. Opposed. The ayes have it and the Resolution is adopted.
5. Senators we have some House Bills on 1st reading. Let's...
6. rather than go through the list, let's try this. Do any
7. members on the Floor have a House Bill on 1st reading
8. that you want to be the Senate sponsor of? Would you
9. please look at your Calendar, third page, and the
10. Chair recognizes Senator Johns.

11. SENATOR JOHNS:

12. Mr. President...Mr. President, I'd like to be
13. the sponsor of House Bill on first reading, number 1033.

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. House Bill...1033.

16. SENATOR JOHNS:

17. Yes sir.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Senator Johns.

20. SECRETARY:

21. HB 1033 (Secretary reads title of bill).

22. 1st reading of the bill.

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. The Secretary informs me that we are confusing his
25. task by letting you signify when you want a House Bill
26. on first reading. So we shall go down the list. It's
27. easier for the Secretary's office. The Secretary will
28. call the numbers and you please signify if you want the
29. bill.

30. SECRETARY:

31. HB 430, Bradley and Tipsword. 430. HB 444 Fennessey
32. and Matijevich. 448, Hanahan and Giorgi. 458, Juckett.
33. 464, Stone and R. A. Walsh. 579 Rayson and B. B. Wolfe.

1. 598 DiPrima, Choate. 616 Kelley, Choate. 630 Gibbs,
2. Duff. 675 Rayson and Rose. 749 Catania, Washington.
3. PRESIDING OFFICER (SENATOR GRAHAM):
4. Senator Rock it looks like we're going to have
5. to discuss these bills in caucus some day and assign
6. some of them ourselves or...
7. SECRETARY:
8. 598 Senator Bell. HB 598.
9. (Secretary reads title of bill)
10. 1st reading of the bill.
11. 755 North and Craig. 778 Calvo and Kennedy.
12. PRESIDING OFFICER (SENATOR GRAHAM):
13. Vadalabene...
14. SECRETARY:
15. HB 778 (Secretary reads title of bill)
16. 1st reading of the bill.
17. 814 W. T. Simms and Sevcik.
18. PRESIDING OFFICER (SENATOR GRAHAM):
19. For what purpose does Senator Course rise?
20. SENATOR COURSE:
21. Yes, Mr. President, I'll take 775 please.
22. PRESIDING OFFICER (SENATOR GRAHAM):
23. 755, Senator Course. Thank you.
24. SECRETARY:
25. HB 755 (Secretary reads title of bill)
26. 1st reading of the bill.
27. PRESIDING OFFICER (SENATOR GRAHAM):
28. Senator Rock, did you seek recognition?
29. SECRETARY:
30. HB 853 Schraeder and Stedlin. 859 Senator Saperstein.
31. HB 859 (Secretary reads title of bill)
32. 1st reading of the bill.
33. HB 865 Blair and Dyer. HB 869 Kosinski and Choate.

1. PRESIDING OFFICER (SENATOR GRAHAM):
2. Chew.
3. SECRETARY:
4. HB 869. (Secretary reads title of bill)
5. 1st reading of the bill.
6. 902. HB 920. HB 965. Sharp.
7. HB 965. (Secretary reads title of bill)
8. 1st reading of the bill.
9. HB 972 Day and North. HB 985, Katz and Day.
10. HB 986 Katz and Day. HB 995 Choate, Blair.
11. PRESIDING OFFICER (SENATOR GRAHAM):
12. Partee. Senator Rock.
13. SENATOR ROCK:
14. I wonder Mr. President if I could ask leave of
15. the Body to have that bill assigned to Senator Partee
16. and ask that it be advanced to the order of 2nd reading
17. without reference. It is of an emergency nature.
18. PRESIDING OFFICER (SENATOR GRAHAM):
19. Senator McBroom. There's been a request to advance
20. House Bill 995 to 2nd reading if...280,000 for completion
21. of the Rehabilitation Executive Mansion. Leave.
22. SECRETARY:
23. HB 995. (Secretary reads title of bill)
24. 1st reading of the bill.
25. PRESIDING OFFICER (SENATOR GRAHAM):
26. It has been advanced to the order of 2nd reading
27. without reference to a Committee by leave of the Senate.
28. SECRETARY:
29. HB6 McCormick and Choate.
30. PRESIDING OFFICER (SENATOR GRAHAM):
31. Johns.
32. SECRETARY:
33. HB 996 (Secretary reads title of bill).
1st reading of the bill.

1. HB 1008 and 1009, R.K. Hoffman and Tuerk. HB 1012
2. Leinenweber and Palmer.
3. HB 1012 (Secretary reads title of bill)
4. 1st reading of the bill.
5. HB 1062 Kenneth Hall.
6. (Secretary reads title of bill)
7. 1st reading of the bill.
8. HB 1068 Leon and Lechowicz.
9. PRESIDING OFFICER (SENATOR GRAHAM):
10. Senator Rock.
11. SECRETARY:
12. HB 1068 (Secretary reads title of bill)
13. 1st reading of the bill.
14. HB 1086 Londrigan and Duff. HB 1087 Londrigan
15. and Duff. HB 1088 Londrigan and Duff. HB 1089 Londrigan
16. and Duff. HB 1104 Pierce and Hill. HB 1247 Madigan
17. McAuliffe. HB 1251 Londrigan and Choate.
18. HB 1251 (Secretary reads title of bill)
19. 1st reading of the bill. Senator Davidson.
20. PRESIDING OFFICER (SENATOR GRAHAM):
21. Senator Saperstein...
22. SECRETARY:
23. HB 1104 (Secretary reads title of bill)
24. 1st reading of the bill.
25. 1289 Maragos and Rose.
26. PRESIDING OFFICER (SENATOR GRAHAM):
27. Dougherty.
28. SECRETARY:
29. HB 1289 (Secretary reads title of bill)
30. 1st reading of the bill.
31. HB 1300.
32. PRESIDING OFFICER (SENATOR GRAHAM):
33. Savickas.

1. SECRETARY:
2. HB 1300 (Secretary reads title of bill)
3. 1st reading of the bill.
4. HB 1616 Brinkmeier.
5. PRESIDING OFFICER (SENATOR GRAHAM):
6. Is that one on the School Problems Commission?
7. SECRETARY:
8. HB 1631 Giorgi and Choate.
9. PRESIDING OFFICER (SENATOR GRAHAM):
10. McCarthy.
11. SECRETARY:
12. HB 1631 (Secretary reads title of bill)
13. 1st reading of the bill.
14. PRESIDING OFFICER (SENATOR GRAHAM):
15. We are picking up some membership and I suggest that
16. we go through 1st reading, House again. We are trying
17. to get our calendar in shape so perhaps we can find some
18. more Senate sponsors. Will you please Mr. Secretary.
19. SECRETARY:
20. 43C HB 430.
21. PRESIDING OFFICER (SENATOR GRAHAM):
22. House Bills on 1st reading. Dougherty.
23. SECRETARY:
24. HB 430 (Secretary reads title of bill)
25. 1st reading of the bill.
26. HB 444 Representative Fennessey. HB 448 Representative
27. Hanahan.
28. PRESIDING OFFICER (SENATOR GRAHAM):
29. Saperstein did you want that bill...?
30. SECRETARY:
31. 448. HB 448. (Secretary reads title of bill)
32. 1st reading of the bill.
33. HB 456...458 Representative Juckett.

1. PRESIDING OFFICER (SENATOR GRAHAM):
2. Senator Glass.
3. SECRETARY:
4. HB 458. (Secretary reads title of bill)
5. 1st reading of the bill.
6. PRESIDING OFFICER (SENATOR GRAHAM):
7. Did you now want that bill Senator? Were you
8. seeking recognition?
9. SENATOR GLASS:
10. Mr...Mr. President, I was seeking recognition because
11. I believe Senator Nimrod would like to sponsor that bill
12. and if he doesn't I'll be happy to. That's 458?
13. PRESIDING OFFICER (SENATOR GRAHAM):
14. If you believe it strongly enough we'll put
15. he...he and you both on it.
16. SENATOR GLASS:
17. All right.
18. SECRETARY:
19. HB 464 Representative Stone. HB 579 Representative
20. Rayson. HB 580 Representative Rayson. HB 616 Representative
21. Kelley. HB 630 Representative Gibbs. HB 675 Representative
22. Rayson. HB 749 Representative Catania. HB 814 Representative
23. W. T. Simms.
24. PRESIDING OFFICER (SENATOR GRAHAM):
25. Senator Rock.
26. SECRETARY:
27. HB 814 (Secretary reads title of bill)
28. 1st reading of the bill.
29. HB 853 Representative Schraeder.
30. PRESIDING OFFICER (SENATOR GRAHAM):
31. Who is Representative Schraeder's Senator? In hiding.
32. Shall we give that to Senator Donnewald and let him be mad
33. at us? Donnewald on...Senator Rock just did.

1. SECRETARY:
2. HB 853 (Secretary reads title of bill)
3. 1st reading of the bill.
4. 865 Representative Blair.
5. PRESIDING OFFICER (SENATOR GRAHAM):
6. Senator Bell are you interested in that? Proceed.
7. SECRETARY:
8. Representative 920 Representative Berman.
9. PRESIDING OFFICER (SENATOR GRAHAM):
10. Senator Nimrod are you interested in that?
11. SECRETARY:
12. Representative...HB 972 Representative Day.
13. PRESIDING OFFICER (SENATOR GRAHAM):
14. Senator Sours. Not here.
15. SECRETARY:
16. HB 985 Representative Katz.
17. PRESIDING OFFICER (SENATOR GRAHAM):
18. Any former members of the old Katz Commission?
19. SECRETARY:
20. Clarke on 985 and 6.
21. PRESIDING OFFICER (SENATOR GRAHAM):
22. Senator Clarke.
23. SECRETARY:
24. HB 985 (Secretary reads title of bill)
25. 1st reading of the bill.
26. HB 986 (Secretary reads title of bill.)
27. 1st reading of the bill.
28. HB 1008 and 1009 Representative R.K. Hoffman.
29. HB 1086 Representative Londrigan. HB 1087 Representative
30. Londrigan. 1088 Representative Londrigan. 1089
31. Representative Londrigan. HB 1247 Representative Madigan.
32. And HB 1616 Representative Brinkmeier.
33. PRESIDING OFFICER (SENATOR GRAHAM):
...We will be on the order of motions now and the...

1. Chair will recognize Senator Knuepfer. This order
2. is where we can clean up some of the amended bills,
3. 3rd to 2nd, and so forth. So will you check your
4. records? Senator Knuepfer.

5. SENATOR KNUEPFER:

6. I have three amendments to SB 476...

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. I think...you have to make the proper motion first.

9. SENATOR KNUEPFER:

10. Yeah. Oh, I would like to move to...take SB 476
11. from the order of 3rd reading to the...back to the order
12. of 2nd reading for the purpose of making amendments.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Senator Knuepfer ask leave of the Senate to return
15. 476 to the order of 2nd reading. All in favor will
16. signify by saying aye. Opposed. The ayes have it.
17. The bill is now on 2nd reading for the purpose of
18. considering amendment. And will you please explain
19. your amendment?

20. SENATOR KNUEPFER:

21. The amendments were agreed...were amendments that I
22. was to put on in Committee. They...we didn't have them
23. available but the bill was passed out of Committee with
24. the agreement that these were put on. The first amendment,
25. and I'll just give them a number, is one that exempts
26. Cook County...

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. Please, this is sort of an important bill, gentlemen.
29. You might be interested.

30. SENATOR KNUEPFER:

31. This is...reads the county board of any county except
32. a county of a population of 300...3 million or more. And
33. I would move the adoption of Amendment No. 1. This comes,

1. incidentally, from Cook County, Mr. Green.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. This exempts Cook County. All in favor will signify
4. by saying aye. Opposed. The ayes have it and Amendment
5. No. 1, is that, is adopted.

6. SENATOR KNUEPFER:

7. The second amendment makes it apply only to counties
8. of 300,000 or less than 3 million in effect. So it only
9. applies to two counties in the State. And it adds a front
10. door referendum rather than a back door referendum. And I
11. would move the adoption of Amendment No. 2.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. This is the Lake and DuPage County Amendment with a
14. front door referendum. All in favor of the adoption
15. will signify by saying aye. Opposed. Senator Dougherty
16. aye has it and the amendment is adopted.

17. SENATOR KNUEPFER:

18. And Amendment No. 3 puts a limitation on the tax
19. that may be extended. This is the amendment that the
20. Illinois Agricultural Association wanted and that amend-
21. ment...know conforms into the Sanitary District Act. And I
22. would move the adoption of Amendment No. 3.

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. Senator, what is the amount of the money taken?

25. SENATOR KNUEPFER:

26. ...20%.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. All in favor of the adoption of the Amendment No. 3
29. will signify by saying aye. Opposed. The ayes have it.
30. The amendment is adopted. And are there any further
31. amendments from the Floor? The bill will be returned
32. to the order of 3rd reading. Senator Knuepfer.

33. SENATOR KNUEPFER:

I have another bill know that I would like leave to

1. ...to take...to take back from the order of 3rd reading
2. to 2nd reading for the purpose of amendment. That's
3. SB 241.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. Senator Knuepfer ask leave of the Senate to return
6. SB 241 to the order of 2nd reading for the purpose of
7. considering an amendment. All in favor signify by saying
8. aye. Opposed. The ayes have it. The bill's on 2nd
9. reading. Senator Knuepfer.

10. SENATOR KNUEPFER:

11. The amendment is on the Secretary's desk. What it
12. does is maintain...this is the bill that provides an
13. option for counties to have their elections at the
14. regular general election. This bill keeps the present
15. option that presently exist in the law for a county
16. board to have either a caucus primary or a primary
17. election. I would move the adoption of the amendment.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. I think this is the amendment that Senator Dougherty
20. and you and Senator McBroom and many of us have worked
21. on during the past. He moves the adoption of amendment
22. No. 1 to SB 241. All in favor of the adoption will signify
23. by saying aye. Opposed. The ayes have it. The amendment
24. is adopted. Any further amendments from the Floor? The
25. bill will be returned to 3rd reading. Senators, any other
26. members have motion has this time. This is the time.

27. SENATOR KNUEPFER:

28. Mr. President...

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. Oh you have another one? I'm sorry...

31. SENATOR KNUEPFER:

32. I have one more.

33. PRESIDING OFFICER (SENATOR GRAHAM):

What is your motion, Senator?

1. SENATOR KNUEFFER:

2. This motion is leave of the Body to take SB 769
3. from the order of 3rd reading to the order of 2nd reading
4. for the purpose of adding an amendment.

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. Senator Knuepfer has requested leave of the Body to
7. return 769...SB 769 to the order of 2nd reading. Is
8. leave granted? It is. The bill is on 2nd reading.
9. Senator Knuepfer will explain his amendment.

10. SENATOR KNUEFFER:

11. This amendment relates to the County Executive Act
12. ...at the moment no counties have adopted it. But the
13. problem in the Executive Act as we had it...originally
14. had it was that we didn't...there was no provision in
15. the bill that could say that the county couldn't flip-
16. flop every other county board meeting and go from the
17. elected chairman to the elected executive. And this
18. simply suggests and says that once the county board makes
19. up its mind whether it wants to elect the chairman from
20. its own ranks or utilize the elected county executive
21. in this post, that decision will...stay firm for two
22. years. And I would move the adoption of the amendment.

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. Any questions? Senator Knuepfer moves the adoption
25. of Amendment No. 1 to SB 769. All in favor will signify
26. by saying aye. Oppose. The ayes have it. The Amendment
27. is adopted. The bill...any amendments from the Floor?
28. The bill will be returned to 3rd reading. Senator Don
29. Moore, you have a motion?

30. SENATOR (DON) MOORE:

31. Yes Mr. President. Appearing on the Senate calendar
32. under the order of postponed consideration, is SB 384. I
33. would like leave of the Body to bring this bill back to the

1. order of Senate Bills 2nd reading for the purpose of
2. an amendment.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. Ladies and Gentlemen, you've heard the request of
5. Senator Mohr. Is leave granted? Leave is granted and
6. the bill is now on the order of 2nd reading.

7. SECRETARY:

8. Amendment No. 1 by Senator Moore.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Senator Moore will please explain his amendment.

11. SENATOR (DON) MOORE:

12. Thank you, Mr. President. What this amendment does
13. it came out of the debate when I received 29 votes on it
14. the other day where a valid point was raised as to the
15. units of government that are to appear on the face of a
16. voters identification card. This amendment states units
17. of government from which public officials are elected
18. and also gives the county clerks or the board of election
19. commissioners the authority to put this information on
20. the face or the back of the card. I believe this will
21. remove some of the objections that came out of the debate
22. and I would at this time move its adoption Mr. President.

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. All in favor of the adoption of Amendment No. 1 is
25. that? To SB 384 will signify by saying aye. Opposed.
26. The ayes have it and the bill will be returned to the
27. order of consideration postponed. Further motions?
28. Now is the time. We're going to be reluctant to go back.
29. Senator Berning.

30. SENATOR BERNING:

31. Mr. Chairman...I beg leave of the Body to take
32. SB 321 from 3rd reading back to 2nd reading for the purpose
33. of amendment and I think the amendment is on the Secretary's

1. desk.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. Senator Berning request leave to return 321 to the
4. order of 2nd reading for the purpose of considering an
5. amendment. All in favor. Opposed. The bill's on 2nd
6. reading. You will explain your amendment Senator.

7. SENATOR BERNING:

8. Thank you Mr. President. This is an agreed amendment
9. that has been worked out with both sides of the aisle and
10. also incorporates suggestions that were generated as a
11. result of a conference early one morning between the various
12. persons who have expressed an interest or a concern in
13. SB 321. Senator Partee and Senator Davidson collaborated
14. on this amendment and I...am convinced that now we have
15. a bill that meets most, if not all, objections. Senator
16. Smith I'm sure will concur that we are now in agreement
17. and I would like to see this amendment adopted.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. How early is early, Senator?

20. SENATOR BERNING:

21. 7:45.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. All in favor of the adoption of the amendment...
24. Senator Fred Smith recognized for discussion.

25. SENATOR SMITH:

26. Mr. President, members of the Senate, those of you
27. have looked at SB 321 you have no doubt observed that it's
28. apparently emanated from SB 24. That was sponsored in the
29. last Session by the then Majority Whip, Senator from over
30. in the Northeastern part of the State, Senator Coulson.
31. This bill was, in its original shape, highly controversial.
32. In Committee I offered various and sundry amendments. I
33. later placed on Senator Berning's desk some 17 or 18

1. amendments to this bill. Now various and sundry groups
2. in the State that strenuously objected to this bill. The
3. optometrist and the nurses and others. Senator has been
4. very, very kind and courteous in our dealings with regards
5. to this bill. And it's our honest belief and it has
6. been verified by contact with the various groups, that
7. on page 4, the amendment offered to page 4 reads as
8. follows if I may rule. "The Department shall not
9. adopt any rule or regulation which allows a physician's
10. assistant to perform an act, task or function primarily
11. performed in the lawful practice of a licensed health
12. care profession." That eliminates the use and the practice
13. of the so-called assistant to do the work that is done
14. now by men who have studied for the various professions
15. and who are licensed. That removes the objections in
16. short that we had to the bill and for...for the sake
17. of...information of the members on this side of the aisle,
18. may I say that as controversial as the bill was in its
19. original form, with the amendments, we think and the
20. various groups, medical groups think, that the bill is
21. now in workable shape. And I endorse the statement
22. the position assumed by the Senate sponsor of the bill,
23. Senator Berning.

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. Senator Berning moves and Senator Smith seconds the
26. adoption of Amendment No. 2 to SB 321. All in favor will
27. signify by saying aye. Opposed. The ayes have it and
28. the amendment is adopted. Are there further amendments?
29. 3rd reading. Senators do we have any further motions?
30. We're getting about ready to proceed, hopefully, to
31. the order of 3rd reading. We have some more business
32. on the Secretary's desk we will have to have cleaned up and
33. their printing presses can get moving. Senator Knuepfer

1. has some business at hand. The Chair recognizes the
2. Senator from Elmhurst.

3. SENATOR KNUEPFER:

4. Sorry, when I was explaining 241 I should have done
5. the same thing on 240. ...I would like leave of the
6. Body to with...withdraw SB 240 from 3rd reading to
7. 2nd reading for the purpose of an amendment.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. You have heard the request of Senator Knuepfer. Is
10. leave granted? Leave is granted. And we will know...it is
11. now on 2nd reading for the consideration of Amendment
12. No. 1. Senator Knuepfer.

13. SENATOR KNUEPFER:

14. This amendment simply changes two words from delegate
15. to the contract with...it...it actually is a matter of
16. cleaning up the language in this bill. It was suggested
17. by the other side of the aisle and would move the adoption
18. of the amendment.

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. Senator Knuepfer moves the adoption of Amendment No.
21. 1 to SB 240. All in favor will signify by saying aye.
22. Opposed. The ayes have it. The amendment is adopted.
23. Are there further amendments on 240? Senator Netsch we...
24. Senator Netsch we have gone through House Bills first
25. and we are now in the order of motions for the recall
26. of any bills on 3rd reading that you might be interested
27. in amending. Senator Regner you have an amendment up
28. here on 1040. Do you want to consider that now? Senator
29. Regner moves...is this on 3rd reading?

30. SECRETARY:

31. Yes.

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. Senator Regner asks leave of the Body to have SB 1040

1. returned to the order of 2nd reading for the purpose of
2. considering his amendment. And the Senator will explain
3. his amendment.

4. SENATOR REGNER:

5. Thank you Mr. President, members of the Senate. The
6. first thing I'd like to do is take off the amendment I
7. put on last week and...having voted on the prevailing
8. side I move to reconsider the vote by which Amendment No.
9. 1 passed or was adopted on SB 1040.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. All in favor of the motion of Senator Regner will
12. signify by saying aye. Opposed. The ayes have it.
13. And Amendment No. 1 is Tabled. We are now considering
14. Amendment No. 2 and the Senator will explain his amendment.

15. SENATOR REGNER:

16. Mr. President and members of the Senate, Amendment No.
17. 2 reduces the appropriation on this bill to \$50,000 which
18. is the amount of money that is in the Governor's budget
19. and also the amount of money estimated by the Division of
20. Waterways that they will be able to expend this year on
21. the Weller Creek Flood Control Project. And I move for
22. the adoption of Amendment No. 2 to SB 1040.

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. I think you'll have no problem with this amendment.
25. All in favor of this amendment signify by saying aye.
26. Opposed. The ayes have it. The amendment is adopted.
27. Are there further...further amendments to Senator Regner's
28. bill? They're back to 3rd reading Senator. Senator Fawell
29. 401. Senator Fawell would ask leave of the Body to return
30. SB 401 to the order of 2nd reading for the purpose of
31. considering an amendment. Is leave granted? Leave is
32. granted. The bill is now on the order of 2nd reading.
33. Senator Fawell.

1. SENATOR FAWELL.

2. Yes...the amendment, Mr. President, reduces
3. the appropriation to \$50,000 in accordance with
4. the Governor's budget. And I do move the adoption
5. of Amendment No. 1.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. All in favor of the motion of Senator Fawell to
8. adopt Amendment No. 1...is that to SB 401...will
9. please signify by saying aye. Opposed. The ayes have
10. it. The amendment is adopted. Is there further amendments?
11. The Chair would like leave of the Body to return SB 404
12. to the order of 2nd reading for the purpose of considering
13. an amendment. Senator Welsh you might be interested in
14. this amendment. Senator Raymond Welsh you might be
15. interested in this amendment. Is leave granted to
16. return 404 to the order of 2nd reading for the purpose...
17. Leave is granted. The bill is now on the order of 2nd
18. reading. This bill having...aroused some controversy
19. throughout the State has been suggested that the
20. word non-athletic be added to this bill with regards
21. to the Illinois State High School Athletic Association.
22. And I think we're pretty well agreed that this amendment
23. is acceptable. All in favor of the adoption of the
24. amendment will signify by saying aye. Opposed. The
25. ayes have it and SB 404 will be placed back on the order
26. of 3rd reading. Any further amendments? Further motions?
27. ...I'd like leave of the Body to...we're getting...we're
28. getting along in real good shape cleaning up our book
29. work, leave of the Body to revert to the order of Senate
30. Bills on 2nd reading and see if we can move those up on
31. the Calendar or attach amendments. Is leave granted?
32. We will now be on the order of Senate Bills, 2nd reading.
33. And the Secretary will take them in order as they go right

1. down the line.

2. SECRETARY:

3. SB 1, Senator Merritt. SB 55 and 57 Senator McBroom.

4. SB 150, Senator Conolly.

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. He's not here.

7. SECRETARY:

8. SB 191, Senator Berning.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Senator Berning, SB 191 on 2nd reading. Hold it.

11. SECRETARY:

12. SB 286, Senator Bruce.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Senator Bruce. Senator Rock do you know anything

15. about this bill? SB 286. Hold it.

16. SECRETARY:

17. SB 299, Senator Smith.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Senator Fred Smith. Senator Swinarski would you

20. ask Senator Fred Smith if wants to do anything with

21. SB...?

22. SECRETARY:

23. SB 299, Senator Smith.

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. He has an amendment...

26. SECRETARY:

27. SB 536, Senator Roe.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. I can understand why he...don't want to consider it.

30. SECRETARY:

31. SB 566, Senator Sours. SB 597, Senator Latherow.

32. SB 632, Senator Savickas. SB 652, Senator Romano. SB 652,

33. Senator Romano.

1. PRESIDING OFFICER (SENATOR GRAHAM):
2. Hold it.
3. SECRETARY:
4. SB 731, Senator Savickas.
5. PRESIDING OFFICER (SENATOR GRAHAM):
6. I think we have generally agreed Senator McBroom.
7. Senator McBroom had an interest in these. I think he
8. and Senator Savickas had agreed to hold this entire
9. series.
10. SECRETARY:
11. SB 811, Senator Hynes. SB 905, Senator Fawell.
12. 2nd readings.
13. SENATOR FAWELL:
14. Mr. President, the...
15. PRESIDING OFFICER (SENATOR GRAHAM):
16. Senator Fawell.
17. SENATOR FAWELL:
18. ...these bills...these bills are the...the Ogilvie
19. Capital Development Bond Bills for school construction
20. facilities. There is the major appropriation bill that's
21. still in Appropriations Committee. For that reason I
22. thought I just would not call them. That bill will be
23. heard this evening and then tomorrow I would expect
24. hopefully, to be able to move all of the five in that
25. set onto third reading. So at this time I would just
26. ask that they remain on 2nd reading.
27. PRESIDING OFFICER (SENATOR GRAHAM):
28. Thank you, Senator.
29. SECRETARY:
30. SB 1055, Senator Hynes.
31. PRESIDING OFFICER (SENATOR GRAHAM):
32. Senator Hynes, hold it.
33. SECRETARY:
SB 1082, Senator Latherow. SB 1084, Senator Bartulis.

1. SB 1096 Senator Bartulis. SB 1103 Senator Harris.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. Why don't we move that up to 3rd reading and with
4. the agreement that the Senator is not here. If there
5. are amendments to be offered we'll do it at that time.

6. SECRETARY:

7. SB 1103 (Secretary reads title of bill)

8. 2nd reading of the bill. No Committee Amendments.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Hold the next two. There were no amendments offered
11. for 1103 so therefore it was moved to 3rd reading. Now
12. Ladies and Gentlemen, now is the time...Senator Roe.

13. SENATOR ROE:

14. Could 536...

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Could you do something with 536? You want it moved
17. Senator? Is that...? It will be read a 2nd time.

18. SECRETARY:

19. SB 536 (Secretary reads title of bill)

20. 2nd reading of the bill. No Committee Amendments.

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. Are there amendments from the Floor? 3rd reading.

23. Any other motions? Miscellaneous business? 2nd
24. reading bills before we proceed to third? When we
25. get there I'd like to stay for awhile. We will know
26. be on the order of Senate Bills on 3rd reading. And
27. we will start with SB 429. Senator Bell.

28. SECRETARY:

29. SB 429 (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Senator Bell will explain his bill. SB 429.

33. SENATOR BELL:

Right. Good morning Mr. President.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. Good morning.

3. SENATOR BELL:

4. Fellow Senators, SB 429 addresses itself to the
5. problem of the citizen and his personal security.
6. It is in answer to the needs of our citizens. This
7. legislation addresses itself to the problem, as they
8. say, personal security. The right of every citizen
9. to be able to enjoy what the Bill of Rights guarantees,
10. the right to feel secure in your person...personal
11. property. I don't think it's necessary to remind you
12. that the streets and the homes have become increasingly
13. dangerous. How many of you let your wife or daughter
14. travel somewhere at night without that element of fear
15. coming to your throat. And it's that little bit of
16. tension that asserts itself when you are concerned about
17. their safety. Crime has become epidemic. It's not
18. news anymore. It knows no limits to race, creed or
19. color. Our court system seems unable to remove the
20. habitual offenders from the streets with our present
21. laws. And as you well know the habitual offender
22. commits a crime only to be released again, again,
23. and yet again. To prey on society while he waits
24. for trial. He's out on bond or on his own personal
25. recognizances. SB 429 addresses itself to this
26. problem by increasing the cost of bail to those
27. habitual offenders. The first offense and the cost
28. is still the 10% of the amount of bond. The second
29. offense in a twelve month period it now goes to
30. 20%. And the third offense...

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. May the Senator have your attention please?

33. SENATOR BELL:

And the third offense and after in a twelve month

1. period and the cost of that bond now goes to 30%. The
2. cost of the offense is now being born in this case by
3. the habitual offender where it rightfully belongs. If
4. he can't make his 30% bond he stays in jail to await
5. trial. Now fellow Senators, I feel, and I believe the
6. people of the State of Illinois feel, that the Scales
7. of Justice have too long been tipped in favor of that
8. social pariah, that anit-social being who preys on
9. society by committing crime. This bill is an honest
10. attempt to move those Scales of Justice ever so slightly
11. back in favor of the local citizenry and if you will,
12. in favor of the safety and needs of your wives and
13. daughters and every other citizen of this State. The
14. right to be secure in your person and property is a right
15. that should not be infringed on. And the people of the
16. State of Illinois will thank you for an aye vote.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Senator Rock.

19. SENATOR ROCK:

20. Mr. President, members of the Senate, I don't
21. think we have to spend a lot of time on this. This
22. bill in a word or two subverts the whole concept of
23. bail. It calls for an increase in the percentage
24. amount, not upon people who have been prior...or had
25. been convicted preceding to this arrest but just had
26. been arrested. For one of the few times in my memory
27. I am in agreement with the League of Women Voters.
28. They are diametrically opposed to this and for the
29. first time in a long time I'm on the side of the
30. angels apparently. The object of bail is not to
31. punish but to insure the presence of the defendant.
32. This is a strictly punitive measure for people who
33. have had the misfortune to be arrested. And I would

1. strongly urge our members to oppose it.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. Senator Karl Berning seeks to get in the debate.

4. SENATOR BERNING:

5. Thank you Mr. President. I rise in support of this
6. bill. Some of you may recall one of the statistics I
7. ...cited in support of a measure that came within one
8. vote of passing on this Floor last week. Namely between
9. 60 and 70% of the repeat offenders actions in the city
10. of Washington D.C. are those on probation or on parole.
11. Gentlemen, the time as come for us to be more realistic
12. in imposing the restrictions on the activities of those
13. with criminal bent.

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. Senator Wooten.

16. SENATOR WOOTEN:

17. Mr. President and colleagues, I simply must comment
18. that this doesn't address the situation that the Senator
19. just raised. It really does not address itself seriously
20. to the problem of crime control. And I can't understand
21. why it is presented in that contexts.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. Senator Johns.

24. SENATOR JOHNS:

25. Mr. President, several members approached me and
26. said, you know, what about this bill? I'd like to
27. say this, it's high time that a message such as this
28. was sent to the courts and to the people that we are
29. concerned about habitual offenders roaming loose
30. repeatedly destroying lives and property and not going
31. into any type of punishment. I am concerned...

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. Gentlemen please.

1. SENATOR JOHNS:

2. ...that a person that would be declared innocent
3. on the first offense might have to post 20% on the
4. second time around. I like what Senator Jim Bell's
5. trying to do. He's trying to get across the message
6. that we're, as the people are, sick and tired of
7. habitual offenders running loose. I am too. I may
8. not vote for the bill but I sure like the concept.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Senator Knuppel.

11. SENATOR KNUPPEL:

12. I'd like to answer...the sponsor a question.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. He indicates he will yield, Senator. May we
15. have some order now, please?

16. SENATOR KNUPPEL:

17. After reviewing the bill I'm concerned about the
18. one feature that's been pointed out by Senator Johns.
19. And if this bill is passed out of here would you
20. follow it and try to amend it to alleviate that? Where
21. an offender has been found not guilty prior to this
22. ...prior to the second time he's charged, he ought
23. not to have it applied. In other words, there should
24. be a provision in there that this shall not apply if he
25. is found innocent of any of the previous charges. This
26. is just limited to charges.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. Senator Bell.

29. SENATOR BELL:

30. Yes. Senator Knuppel, I appreciate your comment there.
31. That is very, very pertinent and it would be my personal
32. guarantee that the bill would be amended in that manner
33. because it is right that it be done that way. I will

1. attest to that.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. Senator Netsch.

4. SENATOR NETSCH:

5. May I ask the sponsor a question please, Mr. President?

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. The sponsor indicated he will yield, Senator.

8. SENATOR NETSCH:

9. Senator Bell is the amendment still attached to the

10. bill? That dealt with medical cost.

11. SENATOR BELL:

12. No. No. I moved...that amendment got on that bill

13. by accident and last week I moved it to 475. It's...it

14. belongs properly with SB 475. And it's...I don't know,

15. somehow or other we got it on 429 and I moved. There

16. are no amendments on this bill at present but I will

17. put the amendment that Senator Knuppel has asked for.

18. SENATOR NETSCH:

19. Which would change the language from anyone who

20. previously had been charged, to anyone who'd previously

21. been convicted.

22. SENATOR BELL:

23. Well he's a lawyer. He knows how...as you are...how

24. to state that language. I don't. I know what he's got

25. in mind. And I'm willing to do that.

26. SENATOR NETSCH:

27. ...Would that still embrace, even if you change it

28. to conviction rather than simply just charge? Do you

29. intend to include conviction of a misdemeanor?

30. SENATOR BELL:

31. No. This...this addresses itself to...well I'm

32. not sure of that Senator. I'd have to...I'll have to

33. pull the legislation up and take a look at it. I thought

1. I had it pretty well in mind. I...as I...as I recall it
2. it limits itself strictly to felony, but I'm not sure.

3. SENATOR NETSCH:

4. No. I think, as written at the present time, it
5. does not. And apart from any philosophical difference
6. I might have with the bill, and that is enormous, it
7. seems to me the way in which it is written makes it
8. really a very terrifying piece of legislation because
9. if you're embracing misdemeanor convictions, which I think
10. you were at the present time, that could be anything which
11. has nothing to do with at all with any kind of serious
12. criminal conduct. So it seems to me that you may well have
13. gone far beyond that you intended to in the light of your
14. own comments.

15. SENATOR BELL:

16. Yes, well I might mention to you Senator Netsch,
17. that misdemeanors can truly be serious, very serious
18. to the people to which they're committed upon and
19. that I...as I said when I introduced the bill this
20. morning, that this is a serious bill. It brings some
21. serious problems into being that are trying to be corrected.
22. I know of...I know of no other way to start tipping these
23. scales back. I know of no other way, at this time, to
24. tell the judges that...that we want to get the habitual
25. offender in a twelve month period, the guy that's
26. constantly being released to go out and commit crime
27. after crime and being released back to the streets,
28. off those streets, so that the people can enjoy some
29. security and safety. Now I know that the bleeding
30. hearts are concerned about this and I...I truly
31. wish it didn't have to be this way. But it's time
32. in my humble opinion, Senator, it's time that this
33. Body addresses itself to what a great number of

1. people want. They want some measure out of this Senate
2. that's going to address itself to bringing about some
3. increased security to their persons and property. I
4. happen to think that the bail bond provision is something
5. that will initially, as I say, tip those scales ever so
6. slightly back to allow us to accomplish this.

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. Any further discussion? Before we start the roll
9. call, Senator Hall for what purpose do you arise?

10. SENATOR (KENNETH) HALL:

11. I just have a point of personal privilege. I'd
12. like to at this time introduce to the Senate a group
13. of students from St. Joseph School in East St. Louis
14. and I'd like for them to stand and be recognized by
15. the Senate.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. You might tell them that you introduced them
18. before you were granted a point of personal privilege,
19. too, Senator. The question now is shall SB 429 pass.
20. The main question being put, the Secretary will call
21. the roll.

22. SECRETARY:

23. Bartulis, Bell,

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. Senator Bell.

26. SENATOR BELL:

27. One further word. I want to again assure Senator
28. Knuppel that I look to his help in drafting this
29. amendment. Because it's a good amendment. I think
30. the bill is basically a good bill but it's going to
31. be a better bill with this amendment. And I...definitely
32. plan to follow through with that.

33. PRESIDING OFFICER (SENATOR GRAHAM):

You solicited good help. Continue with the

1. roll call.

2. SECRETARY:

3. Berning, Bruce, Buzbee, Carroll, Chew, Clarke,
4. Conolly, Course, Daley,

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. Senator Course.

7. SENATOR COURSE:

8. Mr. President and members of the Senate, with
9. the understanding that Senator Bell will put this
10. amendment on the bill, I think it makes it a better
11. bill and I will support it. I vote aye.

12. SECRETARY:

13. Daley, Davidson, Donnewald, Dougherty, Fawell,
14. Glass, Graham, Harber Hall, Kenneth Hall, Hynes,
15. Johns, Keegan, Knuepfer, Knuppel, Kosinski, Latherow,
16. McBroom, McCarthy, Merritt, Mitchler, Howard Mohr,
17. Don Moore, Netsch

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Senator Netsch.

20. SENATOR NETSCH:

21. Mr. President my vote is no. With all due
22. respect to the amendment which Senator Bell has
23. indicated he will accept it seems to me it does
24. not really solve the basic problem of the bill.
25. And one other element that might be pointed out
26. is that somehow I do not consider, maybe we should,
27. but someone who receives several traffic violations
28. or even one, an habitual criminal. And as the bill
29. is written and even with Senator Bell's amendment that
30. is exactly what would happen. That person the next
31. time picked up even on the traffic offense would be
32. required to put up 20% cash bail and the next time
33. 30%. I don't really think that's what you're after

1. Senator Bell. My vote is no.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. Continue the roll.

4. SECRETARY:

5. Newhouse

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Senator Newhouse.

8. SENATOR NEWHOUSE:

9. My vote is no. I can suspect that most of

10. us here in the course of a campaign have picked

11. up a number of parking violations and that might

12. put us in the category of...of the kind of habitual

13. criminal that this bill is aimed at. I think the

14. intent is good and...it just works out to be a bad

15. bill. And I vote no.

16. SECRETARY:

17. Nimrod, Nudelman, Ozinga, Palmer, Partee, Regner,

18. Rock, Roe, Romano, Saperstein, Savickas, Schaffer,

19. Scholl, Shapiro, Smith, Sommer, Soper

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Senator Sommer.

22. SENATOR SOMMER:

23. I think the comment has been made here that

24. if a person got a parking ticket then if he got

25. a second parking ticket his bail money would go

26. up. I'm not so sure that's true. Have you read

27. the bill closely gentlemen and have you looked at it

28. and determined whether that's the case? It's not

29. the case. We have to do something. The people are

30. afraid. They don't like to go outside at night and

31. it happens in the city more than in the country

32. where I'm from and I can't imagine why people

33. wouldn't want to support legislation such as this. It's

1. beneficial legislation, it's good legislation, and
2. it may keep the habitual offender in jail. It may
3. keep him in...in jail because he can't make bond
4. and that's what we want. I would solicit those
5. persons who have not voted on this to vote please.
6. I vote aye.

7. PRESIDING OFFICER (SENATOR GRAHAM)

8. Continue the roll.

9. SECRETARY:

10. Soper, Sours, Swinarski, Vadalabene, Walker, Weaver,
11. Welsh, Wooten, Mr. President.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. Senator Hall voting no. He has requested a call of
14. the absentees. The absentees will be called.

15. SECRETARY:

16. Bart...Bruce, Chew, Daley, Donnewald, Fawell, Kenneth
17. Hall, Johns, Keegan, Kosinski, Latherow, Ozinga, Roe, Romano,
18. Savickas, Soper, Sours, Swinarski, Vadalabene, Mr. President.

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. Mr. President is voting aye. Latherow recorded aye.
21. Ozinga recorded aye. Senator Bell.

22. SENATOR BELL:

23. Mr. President I'd like to postpone consideration
24. for 429.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Moves that this bill be placed on the order of
27. consideration postponed. Leave is granted. It's
28. on consideration postponed. Would you like to try
29. SB 430 Senator Bell? Senator Bell. Would you like
30. to...430? SB 431 Senator Regner. SB 432 Senator
31. Regner. Senator Regner. SB 434. SB 440 Senator
32. Berning.

33. SECRETARY:

SB 440 (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. As soon as we have some order Senator, you can
4. explain your bill. Please Ladies and Gentlemen we've
5. been doing so wonderfully well, may we continue? Senator
6. Berning.

7. SENATOR BERNING:

8. Thank you Mr. President. SB 440 does just exactly
9. what the digest indicates. The Des Plaines River has had
10. no attention forever as far as I know. It is silting
11. in badly. There are even islands of silt developed
12. within the channel. It's filled with a dozen kinds
13. of debris, all which tend to seriously impede the flow,
14. create flooding in residential areas along the river.
15. It is a justifiable creek bill and I would solicit your
16. favorable vote.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Any discussion? Senator Hynes. And Senator Hynes
19. would like your attention too, please. He just asked me
20. to ask you.

21. SENATOR HYNES:

22. Mr. President, members of the Senate, this...this is
23. not a budgeted item. It's similar to many other bills
24. that are on the Calendar. There is no deadline for any
25. of these bills. I would like to ask that this bill and
26. those like it be held until we can come up with some
27. kind of an agreed approach to handle all of them. I'd
28. like to ask if Senator Partee on the...Senator Partee
29. this...this is the matter we discussed yesterday. I
30. believe he was going to discuss it with Senator Harris.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Senator Berning...Senator Partee do you wish to...
33. may we have some order in the gallery too please.

1. SENATOR PARTEE:

2. Now I want Senator Berning and everybody to know
3. that we are not being obstreperous here, we just simply
4. believe that all of these creek bills ought to be held
5. until we can formulize a policy and determine what's
6. going to happen with the department. And it's going
7. to be probably a waste of time to call them individually
8. until we can make that judgment. Now chances are you
9. are not going to get the votes unless you have 30 over
10. there for it. I just don't think you're going to get
11. them. And I don't think anybody wants to waste time
12. and that's just my suggestion.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Senator Berning do you wish to respond? Discretion
15. might be the better part of valor.

16. SENATOR BERNING:

17. I recognize the validity of the distinguished
18. Minority Leader's comments. My position would be the
19. same on this as all the rest if there is agreement
20. that they can...can and should all be held and then
21. will be given a fair and in depth examination. I would
22. abide by the determination of the...of the committee
23. so assigned. I don't want mine just to die at the
24. expense of others but if we're all going to be treated
25. alike and if the leadership on both sides of the aisle
26. are of the opinion that these should be held, I will
27. defer. And...respectfully request then that this bill
28. be...that the bill be held and be stricken from the
29. record at this point.

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. Senator Berning the leadership on both sides particularly
32. on your side have an interest in several bills of this type
33. and I think we will certainly indicate that there will be

1. a willingness that these bills do get attention. That's
2. all I can tell you. It'll be taken from the record.
3. SB 441 Senator Berning.

4. SECRETARY:

5. SB 441 (Secretary reads title of bill)
6. 3rd reading of the bill.

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. Senator Berning will explain his bill please.

9. SENATOR BERNING:

10. Thank you Mr. President. I have an idea that
11. any bill this morning is going to be tenuous insofar
12. as attempted passage is concerned. I see a great many
13. vacant seats on both sides of the aisle, however, that's
14. the name of the game I suppose. I would hope that there
15. would be enough people present to at least give the
16. semblance of serious consideration of SB 441. And all
17. other bills that follow this. SB 441 is very restricted
18. in its application since it applies only to the North
19. Shore Sanitary District which was established by action
20. of the Legislature many years ago and is effective only
21. within the confines of that North Shore Sanitary District.
22. What I'm saying is that SB 441 effects very, very little of
23. the area of the State and certainly very, very few of the
24. people represented by the members of this Body. SB 441
25. has only one objective, to allow the municipalities
26. lying within the confines of the district to exercise
27. some control over the usage of the municipalities' property
28. and improvements as the North Shore Sanitary District
29. seeks to expand its operations. There is on...on the
30. second page, there is the gist of the whole matter provided
31. that the powers granted shall not authorize the taking of
32. any property in the possession or under the control or
33. jurisdiction of any municipality without the approval of

1. the corporation authorities thereof. Gentlemen...
2. Gentlemen and Ladies of the Body this is merely an
3. effort to further implement what I interpret to be
4. the constitutional intent for municipalities greater
5. autonomy and greater control over their destiny,
6. greater home rule. I solicit your support.

7. PRESIDING OFFICER (SENATOR GRAHAM):
8. Discussion. Senator Savickas.

9. SENATOR SAVICKAS:
10. Would the Senator yield to a question or two?
11. PRESIDING OFFICER (SENATOR GRAHAM):
12. He indicates that he will.

13. SENATOR SAVICKAS:
14. Senator, I was just reading in the digest the North
15. Shore Sanitary District...is merely a body unto themselves
16. and now to...according to the digest, if they want to main-
17. tain their own sewers and drains...
18. PRESIDING OFFICER (SENATOR GRAHAM):
19. Senator Savickas, may I interupt you just for a moment
20. so all of us can say welcome to Betty Keegan? Betty my
21. dear, that shows you the esteem in which you're held by
22. your colleagues. And God bless you. We're glad you're
23. here. Senator Savickas may continue.

24. SENATOR SAVICKAS:
25. Yes, and back to my point here, that since the
26. North Shore District is a municipal body in itself,
27. you are asking that they must go now to the local
28. mayor so that they can work and maintain their
29. sewers and drains...and any other public property
30. that they may have. Since they are created to do
31. this and by statute must do this, why now do you want
32. them to seek permission from some other municipal body?
33.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. Senator Berning.

3. SENATOR BERNING:

4. Senator, when this district was established in 1911
5. this area was essentially a rural, undeveloped, open area.
6. Even the municipalities within the confines were quite
7. small. In light of todays change and the enlarged
8. population with the attendant additional responsibilities
9. therefrom devolving upon the municipalities including
10. the tremendous expenditures for the improvement of streets,
11. highways, parks, walkways, etc. It seems it is only right
12. and justified that these municipalities then at least have
13. the right as is indicated on the 2nd page of the bill,
14. provided that the powers granted shall not authorize...
15. authorize the taking of any property in the possession
16. or under control or jurisdiction of any municipality without
17. the approval of the corporate authorities. Senator, you
18. are one of the strongest proponents of Home Rule and
19. local autonomy. That is essentially what this is all
20. about.

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. Senator Savickas.

23. SENATOR SAVICKAS:

24. Well, am I correct in assuming that the trustees of
25. the North Shore Sanitary District are elected officials?

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. Senator Berning.

28. SENATOR BERNING:

29. No sir, they are appointed..

30. SENATOR SAVICKAS:

31. Who are they appointed by?

32. SENATOR BERNING:

33. The Chairman of the County Board, who indiciently

1. doesn't reside in the district.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. Senator Berning. I remind you gentlemen we've been
4. 45 minutes and we're on our 2nd bill, so Senator Berning
5. you may answer the question.

6. SENATOR BERNING:

7. I did.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Senator Savickas.

10. SENATOR SAVICKAS:

11. Well, I think here again is a good cause to provide
12. for election of people that have the responsibility of
13. handling the huge amounts of money and taking care of
14. the responsibility here, as such as the waste treatment
15. plants of a whole...not only a municipality but a county.
16. But it seems to me that to set a precedent that the
17. trustees of a sanitary district do not know what they
18. are doing in maintaining their own property, I think
19. then...the president of the board who is appointing
20. these people should be called upon to replace these
21. people with more competent individuals. It would be my
22. assumption that people that have this...are appointed
23. to this board, and have this responsibility should be
24. allowed to exercise it. They're the ones that should
25. make the decision as far as the maintenance of their
26. own sewers, drains and equipment and I would urge that
27. you'd defeat this type of legislation.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. Senator Conolly.

30. SENATOR CONOLLY:

31. Mr. President, I rise to oppose this bill. 80% of
32. the North Shore Sanitary District lies within the 31st
33. District and the remainder is in the 32nd District.

1. There are 18 municipalities within the North Shore Sanitary
2. District. Only one of those municipalities is asking
3. for this, let's say veto power over providing adequate
4. sewers for the...eastern part of Lake County. The other
5. 18...17 municipalities are happy the way the system is
6. going. We are improving...the sewage treatment up
7. there, spending...120 million dollars and this would only
8. curtail some of this work. It is a local matter. It's
9. a fight that's going on in local areas so therefore I
10. would urge that the members of this Senate do not pass
11. this bill.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. Senator Berning may...Senator Dan Dougherty.

14. SENATOR DOUGHERTY:

15. Mr. President, members of the Senate, when these
16. bills were in the Local Government Committee as the
17. Minority spokesman I suggested to our membership that
18. we avoid being involved in a controversy of an area
19. which is represented by two Senators and since they
20. are not in complete agreement on these bills I...I'm
21. going to ask our people to refrain from voting on this
22. because it was...the mayor of only one municipality
23. testified. Mayor of Highland Park, Mayor Geraci. And
24. I myself asked what was the feeling of the mayors of the
25. other cities and he indicated that he didn't know but
26. I have since learned taht various mayors of other...
27. situations of other cities in the area are in opposition
28. to these bills. So I'm going to suggest to the members
29. on our side that...we lay off this bill for the reason
30. that two Senators are involved and they are not in agreement.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. If we let only the two Senators involved vote,
33. there would be a tie vote and Senator Berning may close

1. the debate.

2. SENATOR BERNING:

3. Thank you Mr. President, Gentlemen and Ladies of the
4. Body. Let me emphasize that there is no effort here on
5. the part of the City of Highland Park to infringe upon
6. the prerogatives of the...of the North Shore Sanitary
7. District, or to place unreasonable restrictions upon their
8. activities. However, it would appear that no public
9. body should be given unlimited power to do as it pleases
10. in the jurisdiction of another public body. And I submit
11. that with the case of the Metropolitan Sanitary District
12. the City of Chicago would object vigorously if the
13. district decided to tear up any one of the streets of
14. the City of Chicago for the expressed purpose of making
15. some installations.. Certainly the City of Chicago ought
16. to have the right to approve, to give approval before
17. the Metropolitan Sanitary District proceeded. All that
18. SB 441 really does, and remember that with todays heavy
19. duty equipment there can be serious damage done in crossing
20. municipal streets and parkways, all this SB 441 really
21. does is give the municipality the same prerogatives that
22. ...that Chapter 42, paragraph 289 now rightfully gives
23. the State through the Governor, which is the right to
24. approve the extent and location of the lands and waters
25. of the State to be used by the sanitary districts. That's
26. all. Extending to a home rule unit some of the prerogatives
27. that the State now has in determining where these kinds of
28. improvements can be installed. Those of you who have been
29. vociferous in the support of home rule prerogatives I
30. earnestly solicit your support.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. The Chair would like to recognize the presence on
33. the east rail of the former dean in years of the Illinois
State Senate, the genial gentleman from DeKalb, Senator

1. Denny Collins. Den will you wave to the... It hasn't
2. changed much. The players are different Denny. The
3. question is shall SB 441 pass? Upon that question
4. the Secretary will call the roll.

5. SECRETARY:

6. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
7. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
8. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
9. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
10. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
11. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
12. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
13. Saperstein, Savickas, Schaffer, Scholl, Shapiro,
14. Smith, Sommer, Soper, Sours, Swinarski, Vadalabene,
15. Walker, Weaver, Welsh, Wooten, Mr. President.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. Senator Berning there has been a request for a
18. call of the absentees. That's practically a new roll
19. call. Will you call the absentees please?

20. SECRETARY:

21. Bartulis, Berning, Bruce, Carroll, Chew, Course,
22. Daley, Davidson, Donnewald, Dougherty, Fawell, Glass,
23. Harber Hall, Kenneth Hall, Hynes, Johns, Keegan, Knuppel,
24. Kosinski, Latherow, McBroom, McCarthy, Merritt, Howard
25. Mohr, Netsch, Newhouse, Nudelman, Ozinga, Palmer, Partee,
26. Rock, Roe, Romano, Saperstein, Savickas, Smith, Sommer,
27. Sours, Swinarski, Vadalabene, Welsh, Wooten, Mr. President.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. On this question the yeas are 17 the nays are 5. The
30. bill having failed to receive the constitutional majority
31. is therefore declared lost. SB 442. Is that in the same...?
32. Senator Partee are you...? Senator Berning.

33. SENATOR BERNING:

In light of the great attention directed toward SB 441,

1. may I just briefly emphasize the difference in contexts
2. between 441 and 442? 442 will only allow the...expression
3. of the voters preference on annexation. As many of you
4. know, the question of annexation now does not take into
5. consideration those residents within the district. It
6. seems unreal, particularly in the light of the difficulty
7. that the North Shore Sanitary District is having in
8. meeting the requirements of the EPA regulations for
9. the existing residents, that the district should be
10. allowed to take in additional territory thereby increasing
11. the burden and ultimately the cost to the present
12. residents without giving those residents a chance to
13. vote yes or no. The only change that 442 makes is to
14. allow the voters of the district the right to vote.
15. Gentelmen, I don't see how, I don't see how we can deny
16. the residents the right to vote on a matter of critical
17. importance to them. A very simple amendment to the
18. existing statute. Those of you who are committed to
19. the right of the citizen to be heard, to vote on those
20. issues that effect him greatly and directly, ought to
21. support SB 442.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. There are no further debate upon...the question is
24. shall SB 442 pass? And upon that question the Secretary
25. will call the roll.

26. SECRETARY:

27. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
28. Chew, Clarke, Conolly,

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. Senator Conolly.

31. SENATOR CONOLLY:

32. To briefly explain my vote and not take time of
33. this Body, this is once again an effort to show down the

1. program. It would cost at least 10,000 to 35,000
2. everytime an adjoining lot to the district would
3. be annexed. The county has been divided into one
4. area that...would ultimately be served by the North
5. Shore Sanitary District, the other by the county.
6. This is a...City of Lake Forest has already put
7. 250,000...2 1/2 million dollars underground in
8. sewer work that has not annexed to this district
9. but is intended to. It's within their corporate
10. limits. It would cause hardships like that. That
11. area would not be able to hook up and soforth. There
12. is a master plan for the area. The people of the area
13. voted a 35 million dollar referendum to pay for the
14. original start of this new program. It's...we're going
15. along fine. We do not need legislation like this. I
16. urge the Senate not to adopt this bill.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Continue the roll.

19. SECRETARY:

20. Course, Daley, Davidson, Donnewald, Dougherty,
21. Fawell, Glass, Graham, Harber Hall, Kenneth Hall, Hynes,
22. Johns, Keegan, Knuepfer, Knuppel, Kosinski, Latherow,
23. McBroom, McCarthy, Merritt, Mitchler, Howard Mohr,
24. Don Moore, Netsch, Newhouse, Nimrod, Nudelman, Ozinga,
25. Palmer, Partee, Regner, Rock, Roe, Romano, Saperstein,
26. Savickas, Schaffer, Scholl, Shapiro, Smith, Sommer, Soper,
27. Sours, Swinarski, Vadalabene, Walker, Weaver, Welsh,
28. Wooten, Mr. President.

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. While we're counting the votes, some of you former
31. House members, Representative Ed Lehman is going down
32. these aisle and he's had a great problem and we're glad
33. to have him back. Senator Berning.

1. SENATOR BERNING:

2. Thank you Mr. President, I think a bit of clarification
3. is in order. May I remind you, or call to your attention,
4. that the present law says, the question to be submitted
5. to the legal voters of such proposed additional territory
6. obviously one lot owner is not going to be given a
7. referendum. But when a sizable piece of property is
8. going to be annexed the annexees now have the right of
9. referendum. Why should not the residents of the existing
10. district, those already in there, not also have the right
11. of referendum at the same time? That's all that SB 442
12. does. Gives the people the right to make their wishes
13. known on a matter that is vital to them. Will involve
14. the expenditure of their tax dollars. Those of you who
15. have not voted I urge you to seriously reconsider and
16. to cast your aye vote for SB 442. This is not a serious
17. transgression from the normal...accepted pattern of
18. allowing citizens to vote. Mr. President would you
19. call the absentees? And I will vote aye.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Absentees will be called.

22. SECRETARY:

23. Bruce, Buzbee, Carroll, Chew, Course, Daley, Davidson,
24. Donnewald, Dougherty, Harber Hall, Kenneth Hall, Hynes,
25. Johns, Keegan, Knuppel, Kosinski, Latherow, McCarthy,
26. Howard Mohr, Netsch, Newhouse, Nimrod, Nudelman, Ozinga,
27. Palmer, Partee, Regner, Rock, Romano, Saperstein, Savickas,
28. Smith, Sommer, Soper, Sours, Swinarski, Vadalabene, Welsh,
29. Mr. President.

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. On this question the yeas are 17, the yeas are 16, the
32. nays are 4. Those voting present are one. The bill having
33. failed to receive the constitutional required majority is

1. therefore declared lost. SB 450 Senator Vadalabene.
2. Now what we're intending to do Ladies and Gentlemen,
3. since we have prepared our agreed list, so to speak,
4. as much as it can accommodate us I think it should
5. be larger the way we're going. We're going to continue
6. right on down the Calendar.

7. SECRETARY:

8. SB 450 (Secretary reads title of bill)
9. 3rd reading of the bill.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Senator Vadalabene.

12. SENATOR VADALABENE:

13. Thank you Mr. President and members of the Senate.
14. SB 450 will amend the Medical Practice Act to provide
15. for the exemption from civil liability for doctors who in
16. good faith provide emergency medical care to a person.
17. For generation after generation physicians have courageously
18. rushed in to render emergency medical care to the best
19. of their ability and available equipment, assuming that
20. if their efforts were honest for the community would be
21. grateful and they would be free of liability for civil
22. damages. And Mr. President and members of the Senate
23. there is not one of us, should our life be in danger,
24. who would not happily grant a free hand to anyone who
25. might help. And for this reason I would appreciate your
26. favorable vote.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. For what purpose does Senator Wooten arise?

29. SENATOR WOOTEN:

30. Mr. President I rise in opposition to this bill. It
31. is with a great deal of reluctance that I do so. I have
32. great admiration for the doctors in our State and I'm
33. fully aware of the difficulties they labor under with what

1. is said to be the proliferation of malpractice suits.
2. This is more than just a fear it is an actuality, but
3. I cannot in conscience, agree that this is the way to
4. fight that. I believe that the only way to meet the
5. threat of malpractice suits, is to fight those suits out
6. as they occur and win them. I understand the motivations
7. of our medical community in this regard but I have great
8. difficulty in departing from a deeply felt personal
9. conviction and this is that every person ought to be
10. responsible for his actions, as an individual citizen,
11. as a professional. And even though this places him at
12. some disadvantage in certain situations, every citizen
13. ought to be answerable for his acts. It seems to me
14. that the present statute is about as far as we ought to
15. go. We have an amendment on this bill which attempts
16. to define an emergency and I think in dealing with that
17. very elusive term it probably is reasonably successful.
18. I don't know the feelings of my colleagues in this matter,
19. and it may be as someone has suggested that we are not
20. swayed by statements made on the Floor. But I suggest
21. that it is a serious step to relieve a person of legal
22. liability for his acts. I understand the doctors plight,
23. I sympathize with it. I simply believe this is the wrong
24. way to go, and believe me gentlemen if we continue along
25. this path we will have more and more requests which are
26. as reasonable as this one to exempt professionals and
27. other citizens from liability. I believe that the citizens,
28. that every citizen is entitled to recourse under the law for
29. an injustice, for slipshot work and I simply don't think it
30. is a safe or responsible position for us to toss those rights
31. aside. I must remain opposed to this bill.

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. Senator John Davidson.

1. SENATOR DAVIDSON:

2. Mr. President and Ladies and Gentlemen of the Senate,
3. I'd like to rise in support of this bill. Now, there's
4. already a part of this law in the book relating to an
5. accident. We're now talking about an emergency where
6. treatment is given under some very adverse situation.
7. And I had not planned to speak on this bill but when the
8. Senator just got through speaking saying everyone should
9. be held responsible for their actions, then he in essence
10. is making a speech against his own bill of the Newsmens
11. Shield Bill where everybody's held responsible for their
12. own actions. This is a good bill. This is a bill that
13. is of necessity when someone's held responsible for doing
14. an act of mercy and we had this happen. As many of you
15. who remember back when Otto Kerner was Governor he
16. vetoed this and said, no one would sue someone doing
17. an act of mercy and the next week we had a \$100,000
18. suit against one of the practicing licensed physicians
19. in Illinois for rendering emergency care at the scene
20. of an auto accident. This not only covers auto accidents
21. this covers emergency which treatment or emergency first
22. aid is given under adverse conditions, very adverse
23. conditions where it's a matter of life and death of many
24. people. Now, if you want to then give the person the
25. opportunity to sue the person for saving his life even
26. though he may still have a permanent injury then vote
27. against this bill. But this is a good bill and I urge
28. all of you to vote for it.

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. Senator Fawell.

31. SENATOR FAWELL:

32. I...I am in opposition too, but I have a question first
33. that I would like to put to the sponsor and it is in regard

1. to Amendment No. 1. As I read Amendment No. 1 Senator
2. Vadalabene, it deletes line 12 and insert in lieu
3. of line 12 the words and without prior notice of the
4. illness or the injury. And what you have done therefore
5. is to also, it appears to me, delete the word now shown
6. on the bill in line 12 which says, provides emergency
7. care without fee to a person. Was it your intention
8. to also delete those words?

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Senator...Senator Vadalabene.

11. SENATOR VADALABENE:

12. Well Senator Fawell wasn't that explained to you
13. in the Committee hearing?

14. SENATOR FAWELL:

15. No. I was not...I was...I was in the committee when
16. the committee refused to pass the bill the first time but
17. I wasn't in the committee subsequent to the Illinois
18. Medical Society having all the doctors write on the
19. subject. At which time the bill seemed to get out of
20. committee. I wasn't there when that amendment was put
21. on. But it seems to me that...that you didn't...you do
22. not mean to take out the words, provides emergency care
23. without fee to a person. It would seem to me that you
24. only want to add the word and without prior notice of
25. the illness or injury, because it looks to me as though
26. the sentence basically lacks the verb and the basic
27. intent of the bill. What...what you're saying I gather,
28. is that if one provides emergency care without fee to
29. a person and without prior notice of the illness or injury
30. he cannot be held for his negligent conduct. And I think
31. this is the intent. Is that right?

32. SENATOR VADALABENE:

33. Yes sir.

1. SENATOR FAWELL:

2. Yeah. Well, I would suggest the amendment...makes
3. the bill rather unintelligible. And I...Mr. President
4. would address myself to the bill in the form in which
5. it was...it is intended to be and I would assume that
6. perhaps it could be corrected if it were to get out of
7. this Body in the House or be taken back to 2nd reading
8. before we actually debate the bill. But may I say to
9. the Body that the effect of this legislation is to go
10. far beyond the so-called good Samaritan Law which
11. Senator Jack Lanigan, I think was...sponsored during
12. the last Session. And in that bill it carefully defined
13. what an emergency was. In the form in which this bill
14. is now, in effect it states, that a doctor is not going
15. to be liable for his negligence so long as you have a
16. treatment being rendered during an emergency, without
17. defining what the emergency is at all. It could be an
18. emergency that occurs on the operating table, at the
19. hospital, at the office, any place where an emergency
20. may occur. As long as he doesn't send out a bill, he
21. is not responsible for his negligence. Now obviously
22. any malpractice insurance company can then simply advise
23. a doctor that if you think you really butchered up the
24. job and did a very poor job in a given situation, don't
25. send out a bill. A doctor can actually, after an operation
26. say, nurse I can't find my watch, do you think I might have
27. left it in the patient? You better not send out a bill
28. because under those circumstances then I can't be held
29. liable for my negligence. Now that's how this bill...the
30. effect of this bill actually is. I had the medical...
31. the Illinois Medical Society had most of the doctors in
32. my district write to me because I spoke against this bill
33. in committee. I want to share with you just one or two

1. letters from my doctors. One, for instance, from
2. Glen Ellyn, Illinois where he said thank you for your
3. recent letter in regard to SB 450. Your explanation
4. of the ramifications of this bill lead me to agree
5. with you. Now, I wonder what the Illinois Medical
6. Society has in mind when they recommend a yes vote
7. for legislation like this. I am going to forward
8. your letter to them and ask for an explanation. Another
9. letter from the Wolfe Medical Group in Naperville,
10. Illinois where he states, that I personally am inclined
11. to agree with you in regard to SB 450. Thank you. This
12. may be counter to the opinions of the Medical Society
13. but I do not...but I do recognize the business and
14. ethical behavior patterns as outlined in your letter.
15. I think this is very poor legislation, and in addition
16. I think that the bill is in improper form because the
17. amendment which was attached to it makes it completely
18. unintelligible.

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. Senator Schaffer.

21. SENATOR SCHAFFER:

22. With all deference to my colleague from DuPage
23. County, I suspect if his analysis of the bill that he
24. sent to the doctors was as accurate as the one he just
25. gave us, I'm not surprised he got those responses.
26. This bill does not abdicate responsibility for a doctor.
27. If he does a bad job of gross negligence there, he's
28. still legally responsible. This bill only gives a doctor
29. a safeguard that if he comes upon an emergency situation
30. if one of us falls down the stairs and rolls to the foot
31. of the stairs here and a doctor treats us, and this is
32. on the spot, not in his doctor's office or in the hospital
33. on the operating table, that he has a little protection

1. that if we have bad effects because he wasn't able to
2. do the things he might do in a hospital, he would be
3. somewhat protected. This bill addresses itself to a
4. real problem in this State. I see all my lawyer friends
5. here and after watching the vote on the No Fault Insurance,
6. I'm a little nervous about this. This...there's two
7. questions here, legal responsibility and human lives.
8. We had within three weeks an incident in Chicago where
9. a gentleman had an accident across the street from a
10. hospital, 20 yards from the door of that hospital and
11. no one from that hospital would cross that street and
12. pick that man up. They waited for an ambulance to pick
13. him up. And why? Because they didn't want to risk
14. the legal entanglements. And they knew that the
15. ambulance service was insured for this type of thing.
16. There is a problem. I'm not a lawyer. The lawyers
17. can debate the legal ethical entanglements relating to
18. this type of situation, probably through August. But
19. I'll tell you Gentlemen there are...and Ladies there are
20. a lot of doctors that when they see those red flashing
21. lights and see somebody sprawled on a sidewalk are just
22. driving right on by or walking right on by because they
23. do not wish to become involved. I think we should encourage
24. them to become involved. I think this is a question of...
25. of saving human lives and I hope that if I or some member
26. of my family ever has an accident and a doctor is on
27. the scene that he will open that medical bag and come
28. to their assistance and not quietly walk by. I urge an
29. aye vote on this bill.

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. Senator Course. I'll try to alternate the sides of
32. the aisle here now. For what purpose do you arise?

33. SENATOR COURSE:

Yes Mr. President, I think this bill has been fully

1. debated and I think everybody has made up their minds
2. so I move the previous question.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. Senator we have...I have acknowledged on the list
5. that several Senators were going to be recognized. I
6. would suggest perhaps that you hold the amendment...
7. or your motion for at least momentarily and I will
8. suggest to those debators that have indicated the desire
9. that they be as willing to make their discussion brief
10. as you are willing to withhold your motion. Senator
11. Netsch.

12. SENATOR NETSCH:

13. Thank you Mr. President. Mine will be very brief.
14. Even without a good Samaritan Statute at all, we are asking
15. only that the doctor...doctors exercise that do care. No
16. one has ever held them to any standrad greater than one
17. of do care and that is a do care that relates to the
18. practice of medicine and the prevailing standarads in
19. the community. It seems to me that any doctor who is
20. unwilling to...to give emergency care to a human being
21. who has been injured and who is unwilling to be
22. responsible for...for the exercise of do care, does
23. not deserve to be a doctor in the first place.

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. Senator Sours, then Senator Newhouse, and then Senator
26. Glass.

27. SENATOR SOURS:

28. Mr. President, Ladies and Gentlemen of the Senate,
29. the doctors today have every reason to be very apprehensive.
30. They've been whipsawed, knocked around, pilloried, sued,
31. and given the full treatment, mostly out in the State of
32. California which is Alice in Wonderland and a carnival
33. most of the time from Hollywood on down to Hollywood on up.

1. Now the only trouble with this bill, Mr. President and
2. Senators, is the lack of a definition. The lawyers
3. here are familiar with do care, gross misconduct, and
4. all that goes into acts of wanton and willful but until
5. there is a definition of do care this bill has an
6. infirmity which ought to cause it to fail. I can't
7. support it. I'm going to oppose it and vote no.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Senator Newhouse and then Senator Glass.

10. SENATOR NEWHOUSE:

11. Thank you Mr. President. I'll be brief. Mr.
12. President, Senators, it seems to me that this is a
13. classic case of overkill. I don't think anybody
14. can disagree with the intent of this bill. The problem
15. is, an awful lot of nuisances law suits in which insurance
16. companies become involved and settle for sums that really
17. don't amount to anything but encourage lawyers to put
18. suits in. Now I share Senator Schaffers apprehensiveness
19. about lawyers and disregard. It seems to me this is
20. the improper kind of remedy to make. What ought to
21. happen is a matter of fact is we ought to put this
22. bill in a subcommittee and come up with something that
23. makes it more difficult to file a lawsuit under the
24. conditions that we express here. Now if it were made
25. so that the profit that we're taking out...taking out
26. of nuisances law suits then I think we would have
27. the solution that we desire. Doctors are apprehensive
28. and rightly so. The...the answer I would suggest is
29. not this bill which is an overkill bill, it's a bill
30. which nobody...which laymen simply are not going to
31. understand. We talk about do care, gross negligence,
32. you know, what do those terms mean until a court
33. defines them. It seems to me we need to go to the

1. heart of the problem and make it extremely difficult
2. to file a nuisance law suit in cases of medical mal-
3. practice. And I would have to vote no on this bill
4. but would hope that the theory behind the bill goes
5. into some kind of study group so that we can come up
6. with some kind of measure to put doctors back into a
7. comfortable position to respond to emergency calls.
8. Thank you.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Senator Glass. May we have some order please.
11. I know the debate is getting lengthy, but it's still
12. important to those who are debating.

13. SENATOR GLASS:

14. Thank you Mr. President and Senators, briefly
15. in response to some of the opponents of the bill
16. at the present time we have the good Samaritan Act
17. for accident situations only. Nuclear attack and
18. accidents, and I think a legitimate extension of this
19. law would be to include bonafide emergency situations
20. where a doctor renders emergency care and I'm concerned
21. that the definition of emergency is not adequate in
22. the bill. I'm going to support it on the strength of
23. my assurance from the sponsor that that definition
24. would be clarified in...in the House. The bill does
25. pass. But I would suggest to you that the malpractice
26. insurance that physicians carry today is becoming
27. extremely exorbitant in...in price. ...The...the need
28. for doctors to render emergency care without fear
29. of serious suits against them is...is very real and
30. I believe we should observe it. I would, finally say,
31. the standard of do care is simply what any jury wants
32. to make of it and they can very easily find negligence
33. on behalf of doctors in situations like this. So I

1. suggest that we...we do hold this bill out.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. As for my agreement I recognize Senator Course
4. for reinstatement of his motion.

5. SENATOR COURSE:

6. I move the previous question Mr. President.

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. ...The previous question has been moved by
9. Senator Course. All in favor will signify by saying
10. aye. Opposed. The motion carries and Senator
11. Vadalabene may either close the debate or ask for
12. a roll call. The latter will be suggested.

13. SENATOR VADALABENE:

14. I would appreciate a favorable roll call, Mr.
15. President.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. The main question now shall be put. Shall SB 450
18. pass. And upon that motion the Secretary will call
19. the roll and we need some quiet so the Secretary
20. can hear your response to the roll call, please.

21. SECRETARY:

22. Bartulis, Bell,

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. Senator Bell.

25. SENATOR BELL:

26. Mr. President I hesitate to get up and take more time,
27. but I'm going to use at least a few moments here to read
28. a very, very short letter that addresses itself to this
29. need, the need of SB 450. Says: "Dear Senator Bell,
30. SB 450 provides a realistic approach to a real problem.
31. Physicians should receive no special consideration,
32. however, the threats of malpractice are real. As a
33. physician specializing in allergy, I know more about

1. emergency medical care than the average layman. However,
2. without this extension of the good Samaritan law I would
3. be very reluctant to provide any emergency care. What
4. I did in good faith and with a moderate degree of expertise
5. would leave me wide open to malpractice litigation. I
6. urge your continued support of SB 450". Now as I've
7. listened to the debate here this morning I've heard
8. several times the comments being made about this being
9. basically a good idea. Well the same thing was mentioned
10. in reference to my bill earlier, basically it's a good
11. idea. But some Senators say that they'll have to
12. vote no even though basically it's a good idea. Now
13. it seems that we continually keep putting off what is
14. basically a good idea for another time. Fellow
15. Senators, I think it's time to...let's take some of these
16. good ideas and move them out of the Senate with a Do
17. Pass. I vote aye.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Continue the roll.

20. SECRETARY:

21. Berning...Berning, Bruce, Buzbee, Carroll, Chew,
22. Clarke, Conolly, Course, Daley, Davidson, Donnewald,
23. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
24. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
25. Latherow, McBroom, McCarthy, Merritt,

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. I'm sorry, Senator Merritt.

28. SENATOR MERRITT:

29. Mr. President, I know this issue has been belabored a
30. long time. I'll confine my remarks to less than a half
31. minute perhaps. If I had one of my loved ones or any
32. of my colleagues die here, lying along a highway knowing
33. full well that I could have done something about it toward

1. maybe preserving their life by having voted for this
2. legislation. I could never forgive myself for not
3. doing so. I vote aye.

4. SECRETARY:

5. Mitchler, Howard Mohr, Don Moore, Netsch, Newhouse,
6. Nimrod, Nudelman, Ozinga, Palmer, Partee, Regner, Rock,
7. Roe, Romano, Saperstein, Savickas, Schaffer,

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Senator Schaffer.

10. SENATOR SCHAFFER:

11. I'm not sure whether we're going to have 30 votes
12. but I hope we do. But in the event that we don't
13. I hope the members who chose not to support this bill
14. will forgive me for sending them newsclippings in the
15. next two years of all people who died because we don't.
16. I vote aye.

17. SECRETARY:

18. Scholl, Shapiro, Smith, Sommer, Soper, Sours,
19. Swinarski, Vadalabene, Walker, Weaver, Welsh, Wooten,
20. Mr. President.

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. For what purpose does Senator Fawell arise?

23. SENATOR FAWELL:

24. Just to briefly explain my vote. One...one...

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Is the Senator recorded?

27. SENATOR FAWELL:

28. I...I've not cast my vote. One point that I think
29. is confusing and that is that some of us are assuming that
30. we don't have a good Samaritan law right now. We've had
31. references to the fact that at the scene of an accident
32. there may be a death because a doctor won't give aid. He
33. has that type of exemption right now. If you'll read the

1. bill you'll find that the existing law right now refers to
2. victims of an accident at the scene of an accident. So the
3. doctor right now in those instances has exemption completely
4. so any doctor that today is walking away from the scene of
5. an accident and fails to give aid on the assumption that he
6. might get sued is doing so even though he has the full
7. exemption granted to him. What we're trying to do here
8. is to grant to any emergency and pay attention to the fact
9. that as long as you don't send out a bill you can't get
10. sued. And obviously the poorer people in the areas of
11. the State of Illinois are the ones that can be hardest
12. hit on something like this. There's no foundation for
13. this. As Senator Glass has indicated if they would come
14. in and define the emergency as we now have done that
15. might be something else. But we're not even doing that.
16. We're just saying as long as it's an emergency you can't
17. be held for your negligent conduct as long as you don't
18. send out a bill. That just isn't rational. And I vote
19. no.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Senator Vadalabene, aye. Senator Nudelman, no. Senator
22. Bruce, no. On this question the yeas are 31. The nays are
23. 13. The bill having received the constitutional majority
24. is therefore declared passed. Senator Vadalabene moves,
25. that having voted on the prevailing side, the vote by
26. which this bill was passed be reconsidered. Senator Course
27. moved to Table Senator Vadalabene's motion. On...in favor
28. of the motion will signify by saying aye. Opposed. The
29. ayes have it. Then the motion is Tabled. SB 458.

30. SECRETARY:

31. SB 458. (Secretary reads title of bill).
32. 3rd reading of the bill.

33. PRESIDING OFFICER (SENATOR GRAHAM):

The Chair recognizes Senator Merritt.

1. SENATOR MERRITT:

2. Yes, Mr. President, members of the Senate. This...
3. this is the annual appropriation bill for the Commission for
4. Economic Development for fiscal year 74. Carries an
5. appropriation of 45 thousand. It does have complete
6. bipartisan support from the five members of the Commission
7. here in the Senate, namely, Senator Weaver, Senator Partee,
8. Senator Dougherty, Senator Johns and myself. I know of
9. no objection to it. I would rather than belabor the time
10. I'd just ask for a favorable roll call vote.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. The main question shall be put, if there's no further
13. discussion, shall SB 458 pass. And upon that question
14. the Secretary will call the roll.

15. SECRETARY:

16. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll, Chew,
17. Clarke, Conolly, Course, Daley, Davidson, Donnewald,
18. Dougherty, Fawell, Glass,

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. Gentlemen, we cannot hear your response to the roll
21. call. Please. Senator Glass.

22. SECRETARY:

23. Graham, Harber Hall, Kenneth Hall, Hynes, Johns,
24. Keegan, Knuepfer, Knuppel, Kosinski, Latherow, McBroom,
25. McCarthy, Merritt, Mitchler, Mohr...Howard Mohr, Don
26. Moore, Netsch, Newhouse, Nimrod, Nudelman, Ozinga, Palmer,
27. Partee, Regner, Rock, Roe, Romano, Saperstein, Savickas,
28. Schaffer, Scholl, Shapiro, Smith, Sommer, Soper, Sours,
29. Swinarski, Vadalabene, Walker, Weaver, Welsh, Wooten,
30. Mr. President.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Senator Saperstein voting aye. Senator Romano voting
33. aye. Senator Regner, aye. Senator Sours voting aye. Senator

1. Nimrod voting aye. Senator Buzbee voting aye. Senator
2. Berning voting aye. Senator Partee voting aye. Senator
3. Keegan voting aye. You didn't ask to call the absentees
4. did you? .No. On this question the yeas are 37 the nays
5. are none. The bill having received its constitutional
6. required majority is therefore declared passed. SB 459,
7. Senator Johns.

8. SECRETARY:

9. SB 459. (Secretary reads title of bill)
10. 3rd reading of the bill.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Senator Johns.

13. SENATOR JOHNS:

14. Mr. President, the staff for Senator Knuepfer and
15. myself are working out the details to assure him there
16. are no gimmicks. We're not going to call these bills
17. till I have complete assurance that there are no gimmicks
18. in the bills and if what has been said is true, I think
19. Senator Knuepfer will...will support them later on. But
20. we will not call those bills until he has that assurance.
21. Thank you Mr. President.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. Thank you Senator Johns. Then we will proceed...
24. we'll take that out of the record. We will proceed to
25. SB 463, Senator Esther Saperstein.

26. SECRETARY:

27. SB 463 (Secretary reads title of bill)
28. 2nd...3rd reading of the bill.

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. Senator Saperstein would desire to discuss her bill.

31. SENATOR SAPERSTEIN:

32. Mr. President, thank you , and Ladies and Gentlemen of
33. the Senate. This is an appropriation for the permanent commission

1. on the status of women. We have from time to time issued
2. our report, we have from time to time presented legislation
3. which we believe acted in the best interest of the citizens
4. of the State of Illinois. And I solicit your support.

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. Senator Sours.

7. SENATOR SOURS:

8. Mr. President, Ladies and Gentlemen of the Senate,
9. I'd like to ask the Senator a question.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. She indicates that she will yield.

12. SENATOR SOURS:

13. Senator, if the ERA were to...if the ERA Amendment
14. were to pass would there be any justification for this
15. bill?

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. Senator Saperstein.

18. SENATOR SAPERSTEIN:

19. The...in the event, and I hope it eventually comes
20. true, the ERA will not become effective until two years
21. after it is ratified by 38 States and I think at that
22. time we can dispense with the Commission on the Status
23. of Women.

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. You should thank Senator Sours for...additional
26. commercial. Senator Glass. No, Course, I'm sorry.
27. Senator Course, for what purpose do you arise?

28. SENATOR COURSE:

29. I'd like to ask the sponsor a question Mr. President.
30. How many...are there any men on this Commission, Senator
31. Saperstein?

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. Could we have some order...desires to finding out if you

1. any of the opposite sex on the commission? Senator
2. Saperstein.
3. SENATOR SAPERSTEIN:
4. Senator Schaffer, Senator Walker, Senator Kosinski
5. from the Senate, and some gentlemen from the House.
6. PRESIDING OFFICER (SENATOR GRAHAM):
7. Senator Course.
8. SENATOR COURSE:
9. Are they authorities on the status of women?
10. PRESIDING OFFICER (SENATOR GRAHAM):
11. Senator Saperstein.
12. SENATOR SAPERSTEIN:
13. The remarkable part of this is that they have
14. become, if they weren't, they have become authorities
15. on women.
16. PRESIDING OFFICER (SENATOR GRAHAM):
17. Senator Kosinski.
18. SENATOR KOSINSKI:
19. Mr. Chairman and Senators, Senator Course you know
20. better than to put that question to me for instance
21. I have five daughters and the mother is the queen of
22. the house. So you know I have experience with the
23. female sex. They're just beautiful.
24. PRESIDING OFFICER (SENATOR GRAHAM):
25. Senator Mitchler:
26. SENATOR MITCHLER:
27. I have a question to ask the sponsor.
28. PRESIDING OFFICER (SENATOR GRAHAM):
29. Senator Mitchler is desirous of you answering a
30. question Senator. And she indicates she would be
31. glad to yield.
32. SENATOR MITCHLER:
33. To date, how much has the commission expended in

1. this fiscal year.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. Senator Saperstein. May we have some order please. ...

4. SENATOR SAPERSTEIN:

5. The commission, up to this point, is committed to
6. 50 dollars more than it has in its budget. This was
7. evaluated by the Appropriation Committee the other day
8. and this is the information I gave them.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Senator Mitchler.

11. SENATOR MITCHLER:

12. Can you explain to me why you have to double the
13. appropriation of this commission from 5000 dollars in
14. the current fiscal year to a 10 thousand dollar
15. appropriation for the fiscal year of 74.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. Senator Saperstein.

18. SENATOR SAPERSTEIN:

19. Be very very happy to do so. As a former member
20. of the commission I think you are aware that we have
21. operated, quote, on a shoe string. We pay...we have
22. paid our secretary less than any other secretary of
23. any commission on the...in the State of Illinois.
24. That we have literally hundreds of women and men who
25. contribute their services without any compensation.
26. And we hope in the next Session, the next fiscal year
27. to be able to give the secretary a slight increase.
28. We hope that members of the commission can attend
29. meetings. At the present time there are national
30. meetings from place to place in Minneapolis and in
31. Philadelphia, and we cannot afford to send any
32. member of the commission to these meetings. And
33. I believe that the commission is entitled to operate

1. as a full commission. If it is the wish of the Illinois
2. Legislature.

3. SENATOR MITCHLER:

4. Well, Senator, you didn't really answer my question.
5. You talked about all the volunteer help and the number
6. of hundred of women that like to attend the meetings of
7. the Commission but where you account for actually doubling
8. from 5000 dollars to 10,000 dollars for the Commission.
9. I served on it for a number of years and you never had
10. to spend the 5,000. I don't see why you have to double
11. it up to there. I would be willing to go along for
12. another appropriation to continue the Commission at a
13. 5,000 figure but to double the amount there to 10,000
14. I can only see that it'll just be expanded into just
15. a lot of expenses. I know the Commission is operated
16. like you say, on a shoe string and...but I can't see
17. doubling and getting an appropriation for 10,000 dollars
18. over your previous year...

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. For what purpose does Senator Soper arise?

21. SENATOR MITCHLER:

22. If we all did that with our commissions then
23. we'd all have increases. Now we're not increasing
24. our Water Pollution Commission at all. We're holding
25. the line. But here's another 5,000 dollar increase that's
26. unnecessary. Unless it goes back to 5,000 I'm going to
27. withhold my vote on this.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. For what purpose does Senator Soper arise?

30. SENATOR SOPER:

31. Well, Mr. President, seeing that they're operating
32. on shoe string before and shoes are higher they need
33. longer shoe strings and I think if we keep on talking
this thing to death it's going to cost us more more to

1. debate this no nothing bill so let's get on with it.

2. I move the previous question.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. All in favor of the motion of Senator Soper's will
5. signify by saying aye. Opposed. The ayes have it. The
6. motion prevails. The main question shall now be put shall
7. SB 463 pass? And upon that motion the Secretary will call
8. the roll.

9. SECRETARY:

10. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
11. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
12. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
13. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
14. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
15. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman, Ozinga,
16. Palmer, Partee, Regner, Rock, Roe, Romano, Saperstein,
17. Savickas, Schaffer, Scholl, Shapiro, Smith, Sommer,
18. Soper, Sours, Swinarski, Vadalabene, Walker, Weaver, Welsh,
19. Wooten, Mr. President.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Carroll, aye. Sours, aye. Latherow, aye. Smith, aye.
22. Newhouse, aye. Harber Hall, no. I can't see out there,
23. my eyes are going bad. On this question the yeas are
24. 46. The nays are 1. The bill having received a con-
25. stitutional required majority is therefore declared passed.
26. And for what purpose does the Senator from Waukegan arise?
27. Senator Conolly.

28. SENATOR CONOLLY:

29. Reason of personal privilege, Mr. President. I'd
30. like to take this opportunity to introduce to the Body Mr.
31. Kenneth LaVene of Waukegan who is here in Springfield to
32. be sworn in to practice before the Bar of the State of
33. Illinois. And with him, Mr. and Mrs. Harry LaVene of

1. Waukegan and I welcome to Springfield and congratulate
2. this young man on this great day in his life. Will
3. they please stand and be recognized? Thank you,
4. Mr. President.

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. Senator Conolly, do you want to attempt 464 and
7. 465 while your friends are here?

8. SECRETARY:

9. SB 464 (Secretary reads title of bill)
10. 3rd reading of the bill.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Senator Conolly.

13. SENATOR CONOLLY:

14. May I have leave also to include in this package
15. 570, SB 570 which is one of three bills that are
16. basically the same?

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. You want that in for the purpose of discussion
19. and you want leave to call it immediately following
20. 465? Is that correct?

21. SENATOR CONOLLY:

22. Please.

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. Leave is granted. You're discussing first of all
25. 464.

26. SENATOR CONOLLY:

27. SB 464, 465, 570 are companion bills. The Public
28. Utilities Revenue Act provides for a tax of...

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. Please, please. Just a minute, Senator. We're
31. going to do better than this. Aren't we? Continue.

32. SENATOR CONOLLY:

33. The Public Utilities Act provides for a 5% tax on

1. gross...receipts. SB 464 and the others defines the
2. gross receipts definition by deleting the words, "and
3. all services rendered in connection therewith". The
4. basic purpose of the bill is to reinstate the original
5. intent of the act. These bills amends the Electric
6. Suppliers Act, the Gas Utilities Act, and the sale
7. of both gas and electricity. These...the original intent
8. was to tax the discussion of power in the State. There
9. are some related things, such as moving a pole or meter
10. where a charge is made that this tax has been added.
11. From 1937 until 72 this tax was not collected. It is
12. working hardship on the various companies and electrical
13. co-op's throughout the State and gas companies. And the
14. loss of revenut out of the 180 million dollars that is
15. collected by these three bills would be less than 800
16. thousand. We just want to install the original intent
17. of the bills and to have so that utilities can comply
18. with the act. I would urge the adoption of this measure.
19. PRESIDING OFFICER (SENATOR GRAHAM):

20. Any discussion? If not, the main question shall be
21. put. Shall SB 464 pass? And upon the question the
22. Secretary will call the roll.

23. SECRETARY:

24. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
25. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
26. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
27. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
28. Latherow, McBroom, McCarthy, Merritt, Mitchler,...Mitchler, Howard
29. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman, Ozinga,
30. Palmer, Partee, Regner, Rock, Roe, Romano, Saperstein,
31. Savickas, Schaffer, Scholl, Shapiro, Smith, Sommer,
32. Soper, Sours, Swinarski, Vadalabene, Walker, Weaver, Welsh,
33. Wooten, Mr. President.

1. PRESIDING OFFICER (SENATOR WEAVER):

2. Savickas aye. Clarke...Senator Clarke. Senator
3. Clarke.

4. SENATOR CLARKE:

5. Mr. Prèsidint I haven't voted. I'd just like to
6. comment that I thought somebody from the other might
7. have spoken in defense of the Revenue Department, in
8. fact, if this is going to entail the loss...if several
9. other bills pass maybe a million dollars. I think these
10. bills are justified but I also think that when you're
11. voting on the appropriations bills for streets and
12. all other things somewhere we've got to jive these
13. things together, because we're going to come out of
14. this Session with a heck of a lot of appropriations
15. while we're reducing taxes. I'll vote aye.

16. PRESIDING OFFICER (SENATOR WEAVER)

17. On that question the ayes are 49, the nays are none.
18. SB 464 having received the constitutional majority is
19. thereby declared passed. 465.

20. SECRETARY:

21. SB 465 (Secretary reads title of bill)
22. 3rd reading of the bill.

23. PRESIDING OFFICER (SENATOR WEAVER):

24. Senator Conolly.

25. SENATOR CONOLLY:

26. I would request the same roll call if I could
27. have leave.

28. PRESIDING OFFICER (SENATOR WEAVER):

29. Is there any discussion? Question is shall SB 465
30. pass? And on that question the Secretary will call the
31. roll.

32. SECRETARY:

33. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,

1. Chew, Clarke, Conolly, Course, Daley, Davidson,
2. Donnewald, Dougherty, Fawell, Glass, Graham, Harber
3. Hall, Kenneth Hall, Hynes, Johns, Keegan, Knuepfer,
4. Knuppel, Kosinski, Latherow, McBroom, McCarthy, Merritt,
5. Mitchler, Howard Mohr, Don Moore, Netsch, Newhouse,
6. Nimrod, Nudelman, Ozinga, Palmer, Partee, Regner, Rock,
7. Roe, Romano, Saperstein, Savickas, Schaffer, Scholl,
8. Shapiro, Smith, Sommer, Soper, Sours, Swinarski,
9. Vadalabene, Walker, Weaver, Welsh, Wooten, Mr. President.

10. PRESIDING OFFICER (SENATOR WEAVER):

11. Senator Saperstein. Senator Saperstein aye. On
12. that question the ayes are 46 the nays are none. SB
13. 465 having received the constitutional majority is
14. declared passed.

15. SECRETARY:

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER (SENATOR WEAVER):

19. Senator Conolly.

20. SENATOR CONOLLY:

21. This is the companion bill as it effects to the
22. gas utilities of the State of Illinois. I'd appreciate
23. your favorable roll call.

24. PRESIDING OFFICER (SENATOR WEAVER):

25. Is there any discussion? The question is shall SB
26. 570 pass. And on that question the Secretary will call the
27. roll.

28. SECRETARY:

29. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
30. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
31. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
32. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
33. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard

1. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman, Ozinga,
2. Palmer, Partee, Regner, Rock, Roe, Romano, Saperstein,
3. Savickas, Schaffer, Scholl, Shapiro, Smith, Sommer,
4. Soper, Sours, Swinarski, Vadalabene, Walker, Weaver, Welsh,
5. Wooten, Mr. President.

6. PRESIDING OFFICER (SENATOR WEAVER):

7. On that question the ayes are 36. The nays are none.
8. One present. SB 570 having received the constitutional
9. majority is declared passed. SB 466, Senator Chew.

10. SECRETARY:

11. SB 466 (Secretary reads title of bill)
12. 3rd reading of the bill.

13. PRESIDING OFFICER (SENATOR WEAVER):

14. Senator Chew.

15. SENATOR CHEW:

16. Mr...Mr. President, this is an agreed bill and
17. it does exactly what the Calendar says. It includes
18. snowmobiles which we did not have a statute that in-
19. cluded them before. I would ask for a favorable roll call.

20. PRESIDING OFFICER (SENATOR WEAVER):

21. Is there any discussion? On that question...Senator
22. Glass did you...Senator Glass.

23. SENATOR GLASS:

24. Well, Mr. President, I was just going to ask Senator
25. Chew if...if it was an agreed bill. How come it isn't
26. on the agreed list?

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Senator Chew.

29. SENATOR CHEW:

30. Senator, it's not a controversial bill. I'll put
31. it that way.

32. PRESIDING OFFICER (SENATOR WEAVER):

33. The question is, shall SB 466 pass. And on that

1. question the Secretary will call the roll.

2. SECRETARY:

3. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
4. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
5. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
6. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
7. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
8. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman, Ozinga,
9. Palmer, Partee, Regner, Rock, Roe, Romano, Saperstein,
10. Savickas, Schaffer, Scholl, Shapiro, Smith, Sommer,
11. Soper, Sours, Swinarski, Vadalabene, Walker, Weaver, Welsh,
12. Wooten, Mr. President.

13. PRESIDING OFFICER (SENATOR WEAVER):

14. Davidson, aye. Welsh, aye. On that question the
15. ayes are 45 and the nays are none. SB 466 having received
16. the constitutional majority is declared passed. Senator
17. Chew.

18. SENATOR CHEW:

19. ...to call SB 387 back from 3rd reading for the
20. purpose of an amendment. The Secretary has the amendment.

21. PRESIDING OFFICER (SENATOR WEAVER):

22. Senator Chew ask leave to revert to the order of
23. 2nd reading for an amendment on SB 387. Is there leave?
24. Leave is granted. Recall to 2nd reading 387. Secretary,
25. do you have the amendment? Senator Graham.

26. SENATOR GRAHAM:

27. We had agreed that this is what we're not going
28. to do but I do recognize and we all know that Senator
29. Chew was in an important Committee Meeting this morning
30. and couldn't be here. We're wanting to avoid this
31. oscillation that we got into yesterday but Senator Chew
32. is perfectly in order to ask...submit this...ask this
33. consideration.

1. PRESIDING OFFICER (SENATOR WEAVER):
2. Senator Chew.
3. SENATOR CHEW:
4. It's...it's 417. I'm looking at 387 which does
5. not have to be amended. It's SB 418...417.
6. PRESIDING OFFICER (SENATOR WEAVER):
7. 417?
8. SENATOR CHEW:
9. Yes sir. And he has the amendment there.
10. PRESIDING OFFICER (SENATOR WEAVER):
11. Is there leave? Leave is granted.
12. SECRETARY:
13. Amendment No. 1 by Senator Chew.
14. PRESIDING OFFICER (SENATOR WEAVER):
15. Senator Chew.
16. SENATOR CHEW:
17. It amends SB 417...on page 1, in lines 31 and 32 by
18. deleting vehicles moving with special plates directly to
19. a dealers place of business. Now there was some objection
20. to the bill but this amendment makes it compatible for
21. the Senate.
22. PRESIDING OFFICER (SENATOR WEAVER):
23. Senator Chew moves the adoption of Amendment No. 1
24. to SB 417. Is there any discussion? All in favor signify
25. by saying aye. Opposed nay. The ayes have it. The amendment
26. is adopted. 3rd reading.
27. SENATOR CHEW:
28. Thank you Mr. President.
29. PRESIDING OFFICER (SENATOR WEAVER):
30. SB 468 Senator Roe.
31. SECRETARY:
32. SB 468 (Secretary reads title of bill)
33. 3rd reading of the bill.

1. PRESIDING OFFICER (SENATOR WEAVER):

2. Senator Roe.

3. SENATOR ROE:

4. Mr. President and members of the Senate, I'll
5. attempt to be brief because we did discuss this
6. somewhat last night. The synopsis is not correct.
7. This bill has been amended twice, it indicates that
8. a court may recommend to the Secretary of State the
9. suspension or revocation of a driver's license on
10. any ground that is enumerated in 6206 of Chapter 95 1/2.
11. It also indicates that the court may recommend to the
12. Secretary of State the suspension of a driver's license
13. for the failure to pay or contest 20 parking tickets.
14. The 20 was suggested by Senators Course and Chew
15. and has been added. I think that this is a good
16. bill and every county in this State, courts and
17. circuit clerk's offices and municipalities are
18. having difficulty collecting fines. The Supreme
19. Court has ruled that you cannot jail a person for
20. non-payment of fines so as a practical matter you
21. cite him in for contempt for not paying the fine
22. and then you assess a fine for that contempt and
23. you go on and on and on. This will give courts
24. something to say to defendants who do not pay fines.
25. I would ask for a favorable roll call.

26. PRESIDING OFFICER (SENATOR WEAVER):

27. Senator Partee.

28. SENATOR PARTEE:

29. Mr. President and members of the Senate. I hesitate
30. to oppose this bill but I consider this to be a thoroughly
31. bad bill and I'll tell you why. If there's anything
32. that we need in the enforcement of automobile law that
33. is uniformity. And this bill will just make for an

1. absolute lack of uniformity and it'll give a judge
2. the option of telling one fellow ok so I'll fine
3. you guilty of drunken driving but I'll make a
4. recommendation to the Secretary of State that he
5. not suspend or revoke your license. I think that
6. is just absolutely undermining the entire system that
7. we have laboriously struggled to set up in this State
8. in terms of suspension and revocation of licenses.
9. And I just don't think that the court ought to have that
10. kind of option. I don't think the court ought to have
11. that kind of position. And I don't think that you'll get
12. fair treatment of all people under those circumstances.
13. And I think that to tinker with this law is a very
14. dangerous thing and I recommend a no vote.

15. PRESIDING OFFICER (SENATOR WEAVER):

16. Is there any further discussion? Senator Chew.

17. SENATOR CHEW:

18. I want to ask the sponsor a question. Is the
19. same bill, Senator, that we were at odds on the
20. number of parking tickets?

21. PRESIDING OFFICER (SENATOR WEAVER):

22. Senator Roe.

23. SENATOR ROE:

24. Yes, it is Senator Chew and I...I offered and the
25. amendment was adopted that you and Senator Course suggested.

26. PRESIDING OFFICER (SENATOR WEAVER):

27. Senator Chew.

28. SENATOR CHEW:

29. And that is 20 tickets? Parking tickets, is that correct?

30. PRESIDING OFFICER (SENATOR WEAVER):

31. Senator Roe.

32. SENATOR ROE:

33. Yes, Senator Chew.

1. SENATOR CHEW:

2. Fine.

3. PRESIDING OFFICER (SENATOR WEAVER):

4. Senator Course.

5. SENATOR COURSE:

6. Yes, Mr. President and members of the Senate, we
7. agreed upon this in Committee. The bill when it was
8. first drawn up had a good...grossly number and we
9. couldn't define grossly so we asked the sponsor of the
10. bill to set a number and we came up with the figure
11. of 20. Now Ladies and Gentlemen, it's not only happening
12. in the City of Chicago, it's happening in all large
13. municipalities where people are flagrantly just throwing
14. tickets away, parking tickets. This leaves it up to...
15. doesn't leave it up to the judge when the person has
16. 20 tickets he can inform the Secretary of State.
17. It's up to the Secretary of State. The Secretary of
18. State has the records and if he checks the records
19. and this man has violated this law before flagrantly
20. then he can suspend his driving privileges. I think
21. it's a good bill and it warrants our support.

22. PRESIDING OFFICER (SENATOR WEAVER):

23. Is there any further discussion? Question is, shall
24. SB 468 pass. And on that question the Secretary will
25. call the roll.

26. SECRETARY:

27. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
28. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
29. Dougherty, Fawell, Glass,

30. PRESIDING OFFICER (SENATOR WEAVER):

31. Senator Glass.

32. SENATOR GLASS:

33. Very briefly, Mr. President. In explaining my vote

1. in response to Senator Partee this bill would not
2. authorize the judge to recommend that a license not
3. be suspended. As I read it it simply says he may
4. make a recommendation to suspend the license to the
5. Secretary of State and non DWI cases or any case at
6. all but I don't see anywhere that he can...can ask
7. the Secretary of State to forego the suspension so
8. I think it's a good bill and I'll vote aye.

9. SECRETARY:

10. Graham, Harber Hall, Kenneth Hall, Hynes, Johns,
11. Keegan, Knuepfer, Knuppel, Kosinski, Latherow, McBroom,
12. McCarthy,

13. PRESIDING OFFICER (SENATOR WEAVER):

14. Senator McCarthy.

15. SENATOR MCCARTHY:

16. I think I'm going to vote no. The bill is bad for
17. a number of reasons but one of them is, it's going to
18. cost more money because the Secretary of State is going
19. to have to hire more people to channel the communications
20. from the judges. Second point no judge has asked me for
21. this bill. Third point, any judge can write the Secretary
22. now if he wants to make a recommendation. The codification
23. in here is going to cost us more money and serves no
24. useful purpose. Perhaps it brings on further legislation
25. that drivers licenses may be revoked for other reasons
26. if the judge writes a letter. No.

27. SECRETARY:

28. Merritt, Mitchler, Howard Mohr, Don Moore, Netsch,
29. Newhouse, Nimrod, Nudelman, Ozinga, Palmer, Partee,

30. PRESIDING OFFICER (SENATOR WEAVER):

31. Senator Partee.

32. SENATOR PARTEE:

33. ...Senator Glass if you read the amendments you

1. couldn't possibly have that interpretation. The
2. language is clear. A court may recommend to the
3. Secretary of State the suspension or revocation of
4. a drivers license or a permit upon any ground
5. enumerated in Section 6206. Now if he may do it
6. means, of course, that he may not do it but he
7. has the option to do it or not to do which I think
8. leads for a lot of possibilities that aren't so
9. palatable if you understand the depth of that
10. language. Still voting no.

11. SECRETARY:

12. Regner, Rock, Roe, Romano, Saperstein, Savickas,
13. Schaffer, Scholl, Shapiro, Smith, Sommer, Soper, Sours,
14. Swinarski, Vadalabene, Walker, Weaver, Welsh, Wooten,
15. Mr. President.

16. PRESIDING OFFICER (SENATOR WEAVER):

17. Senator Roe.

18. SENATOR ROE:

19. Call the absentees, please.

20. PRESIDING OFFICER (SENATOR WEAVER):

21. The absentees will be called.

22. SECRETARY:

23. Bruce, Buzbee, Carroll, Clarke, Donnewald, Dougherty,
24. Harber Hall, Kenneth Hall, Hynes, Johns, Keegan, Knuppel,
25. Kosinski, Netsch, Newhouse, Nimrod, Nudelman, Ozinga,
26. Palmer, Roe, Romano, Saperstein, Savickas, Scholl,
27. Smith, Swinarski, Vadalabene.

28. PRESIDING OFFICER (SENATOR WEAVER):

29. On that question the ayes are 31, the nays are 8.
30. SB 468 having received the constitutional majority
31. is declared passed. SB 471 Senator McBroom.

32. SECRETARY:

33. SB 471 (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDING OFFICER (SENATOR WEAVER):

3. Senator McBroom.

4. SENATOR MCBROOM:

5. Mr. President...Mr President and members of the

6. Senate, I don't know what I could tell you but what the

7. Calendar says. To me this a...a measure that should

8. have been State law for many, many years. I'd appreciate

9. a favorable roll call.

10. PRESIDING OFFICER (SENATOR WEAVER):

11. Is there any discussion? The question is shall

12. SB 471 pass. And on that question the Secretary will

13. call the roll.

14. SECRETARY:

15. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,

16. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,

17. Dougherty,

18. PRESIDING OFFICER (SENATOR WEAVER):

19. Senator Dougherty.

20. SENATOR DOUGHERTY:

21. Casting my vote on this which is no, it would stand

22. to reason that a write-in candidate would have received

23. more votes than were required for a petitioner because if he

24. outstrips a person whose name is already on the ballot, who

25. has already received the requisite number of votes for a

26. petition he therefore must have received more votes than

27. was required for a petition. That's all. I vote no.

28. SECRETARY:

29. Fawell, Glass, Graham, Harber Hall, Kenneth Hall,

30. Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,

31. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard

32. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,

33. Ozinga, Palmer, Partee,

1. PRESIDING OFFICER (SENATOR WEAVER):

2. Senator Partee.

3. SENATOR PARTEE:

4. I find myself speaking a little more often than
5. I would like to but there's one consideration here that
6. I think we ought to talk about and that is, the status
7. of minority parties in this State. Now I belong to
8. one of the dominant parties as does the sponsor of this
9. bill. But you remember last year we by-passed the bill
10. which diminished the number of signatures required for
11. a 3rd party or a minority party. And I think that's
12. in the best interest of our State that we have full
13. participation and everybody gets a chance to put his
14. name before the electorate. And even though a person
15. does not get the number of votes that he might have on
16. the signatures, what's wrong with it if somebody wants
17. him on the ticket, what's wrong with his being on the
18. ticket, what's wrong with his getting a chance at a
19. public office. I think that's...this is too restrictive
20. and I think it discourages participation in the election
21. process. And I think that this bill should fail. No.

22. SECRETARY:

23. Regner, Rock, Roe, Romano, Saperstein, Savickas,
24. Schaffer, Scholl, Shapiro, Smith, Sommer, Soper, Sours,
25. Swinarski, Vadalabene, Walker, Weaver, Welsh, Wooten,
26. Mr. President.

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Senator McBroom.

29. SENATOR MCBROOM:

30. Well Mr. President and members of the Senate.
31. Mr. President...the last speaker I don't think should
32. even participate in the discussion. He...he habitually
33. runs unopposed, Mr. President, and I don't know why he

1. should concern himself with these matters and...I...I just
2. don't see the justification for all of us in this room
3. to mail out petitions to 180, 200, 250 committeemen,
4. gather up signatures and then all of a sudden find that
5. we have either a Republican or Democrat opponent in the
6. primary who has garnered maybe 3 or 4 write-in candidates
7. for...usually for some capricious reason. I...I think
8. that this is an excellent measure. I think it should
9. have been state law for many many years. I'd like to
10. have the absentees called Mr. President.

11. PRESIDING OFFICER (SENATOR WEAVER):

12. The absentees will be called.

13. SECRETARY:

14. Carroll, Chew, Clarke, Course, Daley, Donnewald,
15. Hynes, Johns, Keegan, Knuppel, Kosinski, McBroom,
16. McCarthy, Newhouse, Nudelman, Ozinga, Palmer,
17. Rock, Romano, Saperstein, Savickas, Soper, Swinarski,
18. Welsh.

19. PRESIDING OFFICER (SENATOR WEAVER):

20. On that question the ayes are 30 the nays are 8.
21. SB 471 having received the constitutional majority is
22. declared passed. Senator Graham.

23. SENATOR GRAHAM:

24. Having voted on the prevailing side I would like
25. to have the vote by which that bill just passed reconsidered.

26. PRESIDING OFFICER (SENATOR WEAVER):

27. Senator Graham moves to reconsider the vote by which
28. SB 471 passed. Senator Merritt moves to Table. All in
29. favor signify by saying aye. Opposed nay. The ayes have
30. it. The motion is Tabled. SB 475 Senator Bell.

31. SECRETARY:

32. SB 475 (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDING OFFICER (SENATOR WEAVER):

2. Senator Bell.

3. SENATOR BELL:

4. Yes Mr. President and fellow Senators, I hope
5. that 475 doesn't run into the flack I ran into it
6. this morning with 429. It's really a problem that
7. addresses itself...it's really a bill that addresses
8. itself to the problem that many counties have in the
9. State of Illinois. It seeks to redress a situation
10. whereby the courts can appoint legal council outside
11. of the public defender. I know in Will County the
12. situation as...has resulted in a measure where we're
13. spending something like 15 to 20 thousand dollars a
14. year for outside council when we, by statute, provide
15. for a public defender. There was an amendment asked
16. for by...across the aisle that was...attached to this
17. bill, Amendment No. 1, and it addresses itself to
18. line 21 which actually seeks to give the judge a
19. little broader discretion in the appointment of legal
20. council outside of a public defender. I think it
21. meets the objections that were discussed at the
22. time. Then there was a second amendment that was
23. attached last week that addresses itself to another
24. ...another problem that the counties are having
25. concerning medical cost for indigents that have been
26. picked up for...for an offense and again in Will
27. County this has resulted where it's cost the county
28. ...county at least 10 to 15 thousand dollars a year.
29. It's very important to our area. I would assume it's
30. important to other counties. This amendment specifically
31. says that persons in custody shall be treated humanely
32. and provided with proper food and shelter if required
33. such persons shall be provided medical treatment. However,

1. the cost of all medical treatment provided for
2. conditions or injuries sustained by the person
3. prior to the time he was taken into custody shall
4. be the responsibility of the person receiving treat-
5. ment. Ladies and Gentlemen the idea here is that we
6. don't feel that county government should be forced
7. to pick up the cost of preexisting conditions. Might
8. be the situation that the average honest citizen that
9. doesn't have medical insurance will go out and commit
10. some kind of a misdemeanor or an offense and get
11. picked up and then have the county stand the cost.
12. This seeks to redress a real, real grievance and
13. I...I'm very hopeful there isn't any significant
14. opposition to this and I would ask for a favorable
15. roll call.

16. PRESIDING OFFICER (SENATOR WEAVER):

17. Is there any discussion? Senator Rock.

18. SENATOR ROCK:

19. Mr. President and members of the Senate, this
20. is another in a series of law and order bills, and
21. I stand opposed to this bill. For one thing I think
22. on its face it's unconstitutional. We have in this
23. State, in this Country as a matter of fact, a system
24. whereby if a person is indigent he is nonetheless
25. afforded council. Now, the Supreme Court has said
26. you cannot just say you are now indigent you will
27. have this lawyer and no other. Under the statute
28. as it is presently written the man has a right to
29. either have the public defender or another lawyer
30. appointed by the court, in the County of Cook it's
31. usually one referred by the Bar Association. I think
32. it's significant also that Amendment No. 1 was
33. adopted to this. This little amendment provides

1. that if in fact a person in custody receives medical
2. treatment that he himself bear...shall bear the cost
3. of that medical treatment. I would just urge opposition
4. to this bill.

5. PRESIDING OFFICER (SENATOR WEAVER):

6. Senator Wooten.

7. SENATOR WOOTEN:

8. I just had a question. What happens if the person
9. is...let's say falls down when being put in a squad car,
10. as this happened in our area and suffers serious injuries.
11. Who is responsible?

12. PRESIDING OFFICER (SENATOR WEAVER):

13. Senator Bell.

14. SENATOR BELL:

15. Senator Wooten that situation would be covered by
16. the county because this...this is designed to get at
17. the preexisting condition before...before an offense
18. has been committed.

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Is there any further discussion?

21. SENATOR BELL:

22. I...I liked to continue to reply to Senator Rock.
23. Senator, you were referring to Amendment No. 2 not
24. Amendment No. 1. Amendment No. 1 has sought to broaden
25. judicial interpretation of the public defender act by
26. adding in line 21 the following, or if appointing the
27. public defender would result in a conflict of interest
28. or if sufficient cause is shown for not appointing the
29. public defender the court may appoint as council a
30. licensed attorney at law of this State. I think it's
31. a good bill. I know my county needs it. I know that
32. we're spending somewhere between 20 and 30 thousand
33. dollars a year on these two aspects and as a matter of fact

1. county board officials came down to see me to...to
2. help redress this problem In fact, that official
3. came and saw Senator Partee also, to get this problem
4. resolved about the medical indigent expense, Senator.
5. And it's awfully meaningful to us and I hope that you'll
6. give it every serious consideration.

7. PRESIDING OFFICER (SENATOR WEAVER):

8. Senator Netsch.

9. SENATOR NETSCH:

10. Will the sponsor yield for a question?

11. PRESIDING OFFICER (SENATOR WEAVER):

12. He indicates he will. Senator Netsch.

13. SENATOR NETSCH:

14. Senator Bell the question is with respect to
15. Amendment No. 2. Could you just tell me, when someone
16. is taken into custody, the words in your amendment are
17. that the...there will be no responsibility for medical
18. cost prior to the time the person was taken into custody.
19. Could you tell me at what point that occurs?

20. PRESIDING OFFICER (SENATOR WEAVER):

21. Senator Bell.

22. SENATOR BELL:

23. Well that of course is a technical question
24. Senator that I'm sure as an attorney you're probably
25. more cognizant of than I am. When a person is taken
26. into custody I would assume that's when he's apprehended
27. by the police officials and I think that's the intent
28. of this bill. I don't happen to have, before me, Chapter
29. 38 of the Criminal Code, paragraph 103-2 that deals with
30. treatment while in custody. I can't go into anymore
31. specifics than that. I'm sure I probably haven't answered
32. your question because it's...it's the thought here that
33. once there apprehended they are now in custody.

1. PRESIDING OFFICER (SENATOR WEAVER):

2. Is there any further discussion? The question is
3. shall SB 475 pass. And on that question the Secretary
4. will call the roll.

5. SECRETARY:

6. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
7. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
8. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
9. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
10. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
11. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
12. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
13. Saperstein, Savickas, Schaffer, Scholl, Shapiro,
14. Smith, Sommer, Soper, Sours, Swinarski, Vadalabene,
15. Walker, Weaver, Welsh, Wooten, Mr. President.

16. PRESIDING OFFICER (SENATOR WEAVER):

17. Senator Bell.

18. SENATOR BELL:

19. Could we call the absentees?

20. PRESIDING OFFICER (SENATOR WEAVER):

21. The absentees will be called.

22. SECRETARY:

23. Conolly, Course, Daley, Donnewald, Dougherty,
24. Harber Hall, Kenneth Hall, Hynes, Johns, Keegan,
25. Kosinski, McCarthy, Newhouse, Nudelman, Partee,
26. Romano, Savickas, Schaffer, Scholl, Swinarski,
27. Vadalabene,

28. PRESIDING OFFICER (SENATOR WEAVER):

29. Senator Bell.

30. SENATOR BELL:

31. Mr. President...

32. PRESIDING OFFICER (SENATOR WEAVER):

33. Just a minute. Senator Hall aye. Harber Hall aye.

1. Senator Schaffer aye.

2. SENATOR BELL:

3. Mr. President...thank you

4. PRESIDING OFFICER (SENATOR WEAVER):

5. SB...on that question the ayes are 30 the nays

6. are 15. SB 475 having received the constitutional

7. majority is declared passed. Senator Bell.

8. SENATOR BELL:

9. Having voted on the prevailing side, I move to

10. reconsider the question.

11. PRESIDING OFFICER (SENATOR WEAVER):

12. Motion is made to reconsider the vote by which

13. SB 475 made by Senator Bell. Senator Graham Tables.

14. All in favor tabling signify by saying aye. Opposed

15. nay. The ayes have it. The motion is Tabled. SB

16. 476 Senator Knuepfer. Senator Graham.

17. SENATOR GRAHAM:

18. Mr. President I would like to, on a point of inquiry,

19. ask the sponsor if he feels that there may be a great

20. amount of debate engendered on this bill. Do you

21. anticipate...?

22. PRESIDING OFFICER (SENATOR WEAVER):

23. Senator Knuepfer.

24. SENATOR KNUEPFER:

25. Senator, I have no idea. I wish I did. You'd

26. have to...

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Senator Graham.

29. SENATOR GRAHAM:

30. Then I'm going to move you at this time Mr.

31. President that the Senate do stand in recess until

32. 2:00 p.m.

33. PRESIDING OFFICER (SENATOR WEAVER):

Senator...Senator Graham there's been a request

1. for the Secretary to move back to the order of
2. Introduction of Bills to receive a few bills and then
3. that motion will be in order. Senator Knuepfer.

4. SENATOR KNUEPFER:

5. Senator Graham would you allow me the courtesy
6. of taking it back to 2nd reading to take an amendment
7. off and then...and then I would ask leave from the
8. Body to take it back to 2nd reading for the purpose
9. of reconsidering Amendment No. 1. It was adopted
10. this morning.

11. PRESIDING OFFICER (SENATOR WEAVER):

12. Senator Knuepfer may we do that right after lunch?
13. We're trying to get...

14. SENATOR KNUEPFER:

15. Well it doesn't make any difference to me. I
16. just thought I'd get it in shape now. It's alright
17. with me. Anyway you want it. I just got to take
18. an amendment off because I got a redundant amendment.
19. It eliminates Cook County twice.

20. PRESIDING OFFICER (SENATOR WEAVER):

21. Is there leave to revert to the order of 2nd
22. reading for the purpose of amending. Leave is granted.
23. SB...Knuepfer moves to reconsider Amendment No. 1 to
24. SB 476. All in favor signify by saying aye. Opposed
25. nay. The motion carries.

26. SENATOR KNUEPFER:

27. Now...now I would move to Table. Now that we've
28. reconsidered I would move to Table Amendment No. 1.

29. PRESIDING OFFICER (SENATOR WEAVER):

30. Senator Knuepfer moves to Table Amendment No. 1
31. to SB 476.

32. SENATOR KNUEPFER:

33. It...all it does its a redundant amendment...we

1. have omit Cook County twice on this Amendment and...
2. it's still eliminated.

3. PRESIDING OFFICER (SENATOR WEAVER):

4. Senator Knuepfer moves to Table Amendment No.1
5. to SB 476. All in favor signify by saying aye. Opposed
6. nay. The Amendment is Tabled. 3rd reading. Senator
7. Harris.

8. SENATOR HARRIS:

9. Mr. President when we recess there will be a very
10. short but very important Republican Caucus in my office
11. immediately upon recess.

12. PRESIDING OFFICER (SENATOR WEAVER):

13. Senate Bills on...Introduction of Bills.

14. SECRETARY:

15. SB 1173 by Senators Harris, Graham, Mohr,..Howard
16. Mohr, Weaver, Partee, Donnewald, and Rock.

17. (Secretary reads title of bill)

18. SB 1174 by the same sponsors.

19. (Secretary reads title of bill)

20. SB 1175 by Senators Wooten, Partee, Donnewald, and
21. Rock.

22. (Secretary reads title of bill)

23. SB 1176 by Senators Course, Partee, Rock, and
24. Donnewald.

25. (Secretary reads title of bill)

26. SB 1177 by Senators Knuppel, Partee, Donnewald,
27. Rock, Latherow, Bartulis, Mitchler, Wooten, and Merritt.

28. (Secretary reads title of bill)

29. SB 1178 by Senators Shapiro, Harris, Graham, Howard
30. Mohr, and Weaver.

31. (Secretary reads title of bill)

32. 1st reading of the bills.

33. PRESIDING OFFICER (SENATOR WEAVER):

There's a motion to recess until 2:00. All in

1. favor signify by saying aye. Senator Graham.

2. SENATOR GRAHAM:

3. Mr. President, Members of the Senate, I insisted
4. that we get out of here at 12:30. My insistence
5. prevailed. They...I just ask your cooperation so
6. we get back here at 2:00, so we get to work on this
7. calendar. And let's get the thing moving will you
8. please attempt to do it.

9. PRESIDING OFFICER (SENATOR WEAVER):

10. Motion carries. We're adjourned until 2:00.
11. Recessed until 2:00.

12. (AFTER RECESS)

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. It appears to me that the Chair wasn't as persuasive
15. to the membership to be back at 2:00 as I was to the
16. President to let us recess at 11:20. Senate...Senator
17. Laughlin. Senator Regner. As we are going to continue
18. to insist that we get this calendar moving with 13
19. consent calendars such as we have now. If we don't do
20. better than we did this morning our statistician
21. figured up by the rate of progress...we may be out
22. of here November 3, 1989. I think that perhaps we do
23. have a quorum at this point in time so we will
24. temporarily move by 476 and call 479, Senator Regner.
25. If this is in trouble we all are.

26. SECRETARY:

27. SB 479 (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. Senator Regner.

31. SENATOR REGNER:

32. Yes Mr. President and members of the Senate, this
33. is the ordinary and contingent expense. The annual

1. Appropriation for the Attorney General. It appropriates
2. 8 million 5 thousand 100 dollars for ordinary and contingent
3. expenses and 201 thousand 935 dollars to the Attorney
4. General for rentals to the Illinois Building Authority.

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. Any discussion? Senator Rock.

7. SENATOR ROCK:

8. Well I just wanted to point out that this is
9. 8 million dollars worth of an office. There are
10. a number of new jobs called for and I think logically
11. speaking that if this bill passes, which it should,
12. SB 1136 and 1137 are rendered totally unnecessary
13. because the Attorney General will most certainly
14. have enough personnel to answer or file lawsuit
15. in any of the 102 counties in this State.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. But we...the fact is we are dealing with 479
18. and now the main question shall be put. That is
19. shall SB 479 pass. And upon this question the
20. Secretary will call the roll.

21. SECRETARY:

22. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
23. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
24. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
25. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
26. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
27. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
28. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
29. Saperstein, Savickas, Schaffer, Scholl, Shapiro,
30. Smith, Sommer, Soper, Sours, Swinarski, Vadalabene,
31. Walker, Weaver, Welsh, Wooten, Mr. President.

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. Bartulis aye. Senator Netsch did you wish to be

1. recorded, Attorney General's appropriation? Senator
2. Netsch is enthusiastically voting aye. Senator Carroll
3. is enthusiastically voting aye. Last time around
4. Gentlemen. Glass aye. On this question...Glass
5. aye. On this question the yeas are 41, the nays
6. are none. The bill having received the constitutional
7. required majority is therefore declared passed. Now
8. that our membership has assembled we will call 477,
9. Senator Knuepfer. 476. SB 476.

10. SECRETARY:

11. SB 476 (Secretary reads title of bill)
12. 3rd reading of the bill.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Senator Mitchler. Senator Knuepfer.

15. SENATOR KNUEPFER:

16. This is a bill which originated in Lake County
17. and now as the bill is currently drafted applies to
18. two counties, Lake County and DuPage County. It is
19. intended as an implementation of Nipsey's Regional
20. Waste Water Plan. For those of you who are...for
21. those of you who are not familiar with the kinds of
22. problems we have in the suburban districts but outside
23. of the metropolitan sanitary district...

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. Gentlemen we must have some order, please. If this
26. were your bill you'd appreciate it. Continue Senator.

27. SENATOR KNUEPFER:

28. In the kind of counties this applies to, Lake and
29. DuPage and my county for example, we have more than 90
30. small sewage disposal systems, some are modern, most of
31. them are very small and very inefficient. And both the
32. Federal and the State requirements are that there be
33. some sort of regional waste water disposal plan. This

1. bill would permit that kind of a plan. It is a
2. referendum bill so the county...the voters of the
3. counties would have to approve the concept.
4. ...Essentially what happens under the...provisions
5. of this bill is the County Board makes a Resolution
6. to develop a plan in the case of both of these
7. counties that plan would...would...would certainly
8. be the Nipsey Plan because that is the only way
9. funds would come. The county would then take over
10. the operation of the sewage disposal systems in the
11. county. The collection systems actually would still
12. be maintained by either the sanitary districts or
13. the municipalities. There was...this bill has been
14. here before. There was some substantial debate last
15. Session on it. We have resolved some of the problems
16. but I would be the last to tell you that we have
17. resolved all of the problems. We have some 15
18. municipalities in my County supporting it and four
19. who happen to be in opposition to it. We have resolved
20. the problems for two of the sanitary districts in my
21. county but we have not resolved the problems of the
22. other two sanitary districts. There is a need for
23. some kind of regional operation and that's...

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. For what purpose is Senator Walker seeking recognition?

26. SENATOR WALKER:

27. I'm sorry Senator Knuepfer. Senator Moore is on the
28. other side of the room with some students there and I see
29. they're getting ready to leave and I thought I'd get up
30. and try to stall a little bit until Don got back here.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. The stalling we don't need. Senator Moore.

33. SENATOR MOORE:

Just very briefly Mr. President, I want to apologize

1. to Senator Knuepfer. Over on the left side of the gallery
2. are a group of students from St. Stanislas School in
3. Posen, Illinois. Would you please rise before you
4. leave. Thank you very much Sister.

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. The Chair to apologize Senator Knuepfer. Continue.

7. SENATOR KNUEPPER:

8. I appreciate the need to relate to ones constituency
9. at...at all times. I think I've explained the bill in
10. general...

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Senator...Senator please. Ladies and Gentlemen
13. we just are not going to continue when we can not
14. hear. So will you Senators please be in your seats.
15. Lets have some order and get to the business of the
16. State. That's what we are here for. Senator Rock
17. for what purpose do you arise?

18. SENATOR ROCK:

19. Well Mr. President I rise just to suggest to
20. the members on this side of the aisle that the bill
21. as amended appertains to Senator Knuepfer's district,
22. Senator Berning's district, Senator Conolly's district.
23. I think the idea is a good one and I think it's worthy
24. of support.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. I'm sure Senator Knuepfer is grateful for that
27. and you may continue.

28. SENATOR KNUEPPER:

29. Well I think Senator Glass appears to have a
30. problem. Let me see if I can resolve that.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Senator Glass do you have a problem?

33. SENATOR GLASS:

No...no problem Mr. President. I just want to

1. bring...just point to the membership that this was
2. a controversial bill in committee. But Senator
3. Knuepfer agreed to put on an amendment to make
4. this whole proposition subject to a referendum
5. of the people in the county. And with that
6. provision I favor the bill. This county has
7. voted as I understand it on the question of
8. home rule and rejected that. If they had been
9. a home rule county they could have enacted, I
10. assume, this legislation without having to come
11. down here to Springfield. So it occurs to me
12. that if the people in the county vote in favor
13. of it, they should have the system and if they vote
14. it down they shouldn't. So on that basis...since
15. that provision is in the bill I'm going to support
16. it.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. The Senator's problem is not with the bill. Did
19. do you have any further comments Senator Knuepfer?

20. SENATOR KNUEPFER:

21. I think not. Call the roll and if anybody has
22. any further questions I'll be happy to answer them.

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. If there is no further discussion the main
25. question will be put and this is shall SB 476 pass.
26. And upon this question the Secretary will call the
27. roll.

28. SECRETARY:

29. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
30. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
31. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
32. Hall, Hynes, Johns, Keegan, Kueupfer, Knuppel, Kosinski,
33. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard

1. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman, Ozinga,
2. Palmer, Partee, Regner, Rock, Roe, Romano, Saperstein,
3. Savickas, Schaffer, Scholl, Shapiro, Smith, Sommer,
4. Soper, Sours, Swinarski, Vadalabene, Walker, Weaver, Welsh,
5. Wooten, Mr. President.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Shapiro aye. On this question the yeas are 43,
8. the nays are none. And the bill having received the
9. constitutional majority is therefore declared passed.
10. SB 477 will be read a...3rd time by request of Senator
11. Mitchler.

12. SECRETARY:

13. SB 477 (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Senator Mitchler.

17. SENATOR MITCHLER:

18. Mr. President, members of the Senate, SB 477
19. does exactly what it reads. It creates the Electrologists
20. Licensing Act under the Department of Registration
21. and Education. There is an amendment that's been
22. put on the bill. It was requested in Committee
23. by John Watson of the Department and this extended
24. from 90 days to one year the effective date for
25. the implementation, they needed more time with which
26. to implement the Act. Electrologists are individuals
27. who through the use of machines and other means go
28. into the pores of the skin and remove superfluous
29. hair from the body of human beings. They now operate
30. without a license or any regulation and this would
31. give them a licensure stature and would have them
32. appear before a board in the Department of Registration
33. and Education. I might say that without this type of

1. legislation those that...who desire to practice the
2. art of electrolysis could do so promiscuously without
3. any supervision or without any previous knowledge
4. outside of the going out and purchasing one of these
5. machines with the electric needles and go into the
6. process of removing superfluous hair from the human
7. body. I've checked with the other side of the aisle
8. and talked to a number since we've put the amendment
9. on. And I would appreciate a favorable roll call.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. There must be some discussion. I recognize Senator
12. Wooten and I'll get to you Senator Hall. Is your point of
13. arising on this bill Senator Hall? Senator Wooten.

14. SENATOR WOOTEN:

15. Senator Mitchler do I understand that the amendment
16. only addresses itself to the length of time it takes to
17. get this in operation?

18. SENATOR MITCHLER:

19. Yes Senator Wooten. On page 3, line 35 deletes
20. the 90 days and inserts there one year and on page 5,
21. line 14, deletes 3 months and inserts one year.

22. SENATOR WOOTEN:

23. I...I must confess my recollection is a little
24. bit hazy on this but as co-sponsor I...I want to
25. be sure we cover all the right ground. It seems to
26. me that there is some objections raised. As a matter
27. of fact, I believe the ISMS gave us a list of their
28. objections. They came rather late in the day, it's
29. true. We were supposed to either have some sub-
30. committee action or some response to those and I
31. never heard what disposition was made. Do we ignore
32. all those things completely?

33. PRESIDING OFFICER (SENATOR GRAHAM):

Senator Mitchler.

1. SENATOR MITCHLER:

2. Yes...yes. As a matter of fact just before
3. adjournment I talked with a representative Larry
4. Booth, I believe his name is, from the Illinois
5. State Medical Society and discussed the passage
6. of this in its present form. They had a meeting
7. over the weekend, the ISMS with their board and
8. they are going to set up an ad hoc committee to
9. work with these electrologists in these matters.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Senator Wooten.

12. SENATOR WOOTEN:

13. May I then assume they have withdrawn all objection
14. to this bill?

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Senator Mitchler.

17. SENATOR MITCHLER:

18. Senator Wooten knowing the Medical Society I
19. don't think that they would formally withdraw formal
20. objections or objections of any type to the licensing
21. of any of this type if they had their way, naturally.
22. And this has been their position over the years.
23. They would object to the licensing of chiropractors,
24. electrologists, and all down the line. So they
25. wouldn't take a position as formally in support of
26. this. To be very truthful with you that's their
27. standing position.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. Senator Kenneth Hall.

30. SENATOR KENNETH HALL:

31. Would the sponsor yield to a question? Senator
32. could you please tell me...I have two parts...
33. approximately how many of these are now operating?
And the present ones are they going to be taken

1. in under a grandfather clause or would they have to
2. undergo and examination?

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. Senator Mitchler.

5. SENATOR MITCHLER:

6. In answer to your first question, it's estimated
7. that there would be about 400 in the State. Up in
8. the Chicago area in the yellow pages and that is
9. as near as they could determine not having them all
10. members of the Illinois Electrologists Association
11. and the fact is that they could just go out and buy
12. a machine, start in and you wouldn't know exactly.
13. Just a head count. But there would be approximately
14. maybe over 300 throughout the State of Illinois
15. that would be practicing the art of Electrolysis.
16. In answer to your next question which was the
17. grandfather clause I spoke to John Watson of the
18. Department on this, and...yes the grandfather clause
19. is in here to protect those that are now practicing
20. and would come under this and make their first application.
21. And that is sort of a constitutional question that you
22. can't license somebody out of business as explained to
23. me by John Watson so they are protected sir.

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. If there is no further discussion we shall put
26. the main question. Shall SB 477 pass. And upon
27. that question the Secretary will call the roll.

28. SECRETARY:

29. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
30. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
31. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
32. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
33. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard

1. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman, Ozinga,
2. Palmer, Partee, Regner, Rock, Roe, Romano, Saperstein,
3. Savickas, Schaffer, Scholl, Shapiro, Smith, Sommer,
4. Soper, Sours, Swinarski, Vadalabene, Walker, Weaver, Welsh,
5. Wooten, Mr. President.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Course aye. Bartulis aye. Buzbee aye. Kosinski
8. aye. Welsh aye. Roe aye. Johns aye. Senator Conolly.
9. How's he recorded, Mr. Secretary?

10. SECRETARY:

11. No.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. He wants to be recorded as voting aye. On this
14. question the yeas are 32, the nays are 5. The bill
15. having received the constitutional required majority
16. is therefore declared passed. SB 486.

17. SECRETARY:

18. SB 486 (Secretary reads title of bill)
19. 3rd reading of the bill.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Senator Walker.

22. SENATOR WALKER:

23. Members of the Senate, SB 486...

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. The Senator has some great knowledge to impart
26. to us if we will just have a little order, please.

27. SENATOR WALKER:

28. Thank you Mr. President. Members of the Senate
29. this bill has bipartisan sponsorship, in fact it's
30. five on this side and seven on the other side which
31. makes me think it's a good bill. And what it does is
32. just exactly what the synopsis says. It exempts the retired
33. police officers from the provisions of the criminal code

1. which makes it unlawful to carry concealed firearms.
2. It requires these retired officers to annually furnish
3. medical certificates to the head of the department in
4. which they're pensioned and to carry an identification.
5. The question were to be asked as to who wants this, the
6. retired Policemen's Association compromised of some
7. 5,000 members, approximately one-half of them are in
8. the City of Chicago, and a number of them are in the
9. suburban area. And if I were to ask why they want it,
10. in case of an emergency they'd be able to go to the
11. assistance of a citizen who needs help. I think it's
12. a good bill, and I'd appreciate your support.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Further discussion seems to be necessary. Senator
15. Swinarski.

16. SENATOR SWINARSKI:

17. Thank you. Mr. President, Members of the Senate,
18. I arise on SB 486 because I believe after, especially
19. reading this bill that this is a very, very bad bill.
20. Whether we realize it or not, what this bill is doing
21. is giving approximately 5,000 retired policemen the
22. ability to carry a concealed weapon throughout our
23. State. I believe we have found out and especially
24. after reading many of the newspaper articles and stories
25. the statistics that we've seen many, many times that
26. what has happened too often in the homes with people
27. carrying guns that there are too many guns especially
28. handguns in our society today. It is believed that
29. there are approximately 3,000,000 guns in the City
30. of Chicago alone. We have to begin to stop somewhere
31. the deaths of 20,000 Americans each year. But if we
32. look even in detail in this particular bill, we'll see
33. that there is no age limit at all on retired officers

1. eligibility to carry a firearm. Secondly it states in
2. here that a physician may...that a physician may issue
3. and must issue a medical certificate that one is capable
4. of carrying a concealed weapon. How will that physician
5. rate medical competency, mentally and physically to carry,
6. to shoot straight, and to have a concealed weapon? I
7. believe we're putting a tremendous liability upon the
8. physicians of this State to make a determination ahead
9. of time as to whether a person can shoot straight, or
10. whether they cannot shoot straight. Secondly, what is
11. the liability from the legal standpoint of the
12. physicians once they certificate that one is able to
13. carry a weapon? Also, where in this bill does it state
14. for what cause would a department head be able to
15. revoke this permissive certificate. Not at all, it
16. is not in here. Also, would an elderly policeman be
17. able to hang onto his weapon in the event of an attack
18. by a young, aggressive assailant? Would he be prepared
19. at 95 years of age to have a shoot out with a person
20. who's 21 years of age? Would a retired officer be
21. likely to discontinue carrying his weapon after his
22. permissive certificate had been revoked? We don't know
23. this. I believe this is bad legislation. I believe
24. this is a bad bill. I believe this bill will give an
25. opportunity to have many, many more criminals in this
26. State have a concealed weapon. Not police officers,
27. not retired police officers, but the burglar who goes
28. into the home to steal it, the robber who holds up a
29. man, being able to take away the weapon from a retired
30. police officer. I believe this is bad legislation, and
31. I ask the Members of the Senate to protect the citizens
32. of the State of Illinois and to vote no on this bill.
33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Is there...If there's no further discussion, Senator
2. Walker will, if he choses, close the debate.

3. SENATOR WALKER:

4. I think I'm ready for a roll call, Mr. President.

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. The question, main question will be put. Shall
7. SB 486 pass, and upon this question the Secretary will
8. call the roll.

9. SECRETARY:

10. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
11. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
12. Dougherty...

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. We cannot hear your responses due to two factors.
15. One, you're not responding loudly enough. Secondly,
16. the volume noise factor is too high. Please.

17. SECRETARY:

18. Fawell, Glass, Graham, Harber Hall, Kenneth Hall,
19. Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski, Latherow,
20. McBroom, McCarthy, Merritt, Mitchler, Howard Mohr, Don
21. Moore, Netsch, Newhouse, Nimrod, Nudelman, Ozinga, Palmer,
22. Partee, Regner,

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. Please Senators. Please, please, please, if you
25. don't believe this is difficult come up and stand by the
26. Secretary and try to hear the roll call. Continue, Mr.
27. Secretary.

28. SECRETARY:

29. Rock, Roe, Romano, Saperstein, Savickas, Schaffer,
30. Scholl, Shapiro, Smith, Sommer, Soper, Sours, Swinarski,
31. Vadalabene, Walker, Weaver, Welsh, Wooten, Mr. President.

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. Dougherty, aye. Hynes, aye. Kenny Hall, aye.

1. Senator Saperstein, aye. Senator Walker, did you vote?
2. He'd like to be recorded as saying something. Senator
3. Walker.

4. SENATOR WALKER:

5. Ah, yes, briefly my vote is aye. And Moore here
6. says I need eight more votes. I can't believe that
7. because I have twelve sponsors here and we'll poll
8. the absentees shortly and maybe I've even lost some of
9. the sponsors. Although frankly, I can't see why. Talk
10. about 95 year olds in shoot outs, I don't believe there's
11. going to be anyone that...retired police officer, 95
12. years old is going to be engaged in any shoot out.
13. The purpose of this bill is, these gentlemen have
14. had twenty-five, thirty years of experience...

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Senator Swinarski, why do you seek recognition?

17. SENATOR SWINARSKI:

18. I believe we're at the end of a roll call...

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. He is explaining his vote, Senator and you are out
21. of order. Berning aye. Sours aye.

22. SENATOR WALKER:

23. Policemen are retiring earlier than what they have
24. in the past. Some of them at 25, 30 years even 40 years
25. of service and it's like when the fire gong sounds, if
26. they see a melee they feel inclined to get into it and
27. I think if the mugger has a gun or a knife that they
28. ought to be at least equally equipped in order to go
29. to the assistance of some citizen. How many do I have
30. now, Mr. Clerk?

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. We're not allowed to tell you. Senator Walker asked
33. for a call of the absentees.

1. SECRETARY:

2. Bell, Chew, Conolly, Davidson, Harber Hall, Johns,
3. Keegan, Knuepfer, Knuppel, Latherow, McCarthy, Howard
4. Mohr, Netsch...

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. Senator Mohr. Howard Mohr.

7. SENATOR HOWARD MOHR:

8. Mr. Chairman I just don't want Senator Walker to
9. think I'm taking picks on him, but I know a policeman
10. or two that are about ready to retire that I couldn't
11. permit them to carry a gun, so I'll have to vote no.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. Continue the roll.

14. SECRETARY:

15. Newhouse, Ozinga, Partee...Romano, Savickas, Smith,
16. Sommer, Vadalabene, Mr. President.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Senator Sommer like to be recorded aye. I will as
19. soon as I get it Senator. I know that. On this question
20. the yeas are twenty-six, the nays are sixteen. The bill
21. having failed to receive the constitutional majority
22. is therefore delcared lost. Senate...Senator Sours has
23. indicated he has two noncontroversial bills. And if...
24. this...and we'll call SB 491 and Gentlemen, Ladies, as
25. soon as we complete 491 and 492, due to the fact that
26. Senator Moore, Don Moore has been going on State business for
27. some time he talked with Senator Rock and he agrees and
28. I do that we then will go back to three bills he has on
29. 3rd reading starting with SB 51. So we'll complete two
30. bills for Senator Sours 491, 492 and then we'll go back
31. to Senator Don Moore's. Senator Sours, we will read 491
32. a 3rd time.

33. SECRETARY:

1. SB 491 (Secretary reads title of bill)

2. 3rd reading of the bill.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. Senator Sours.

5. SENATOR SOURS:

6. Mr. President, Ladies and Gentlemen of the Senate,
7. there were two bills, SB 324 and 325 which were passed
8. on May 15th out of this Chamber and this is a companion
9. bill. You may remember I discussed in the Chamber one
10. time on the occasion of those two passages, that there
11. was a situation where a corporate owner of a certificate
12. of convenience and necessity under the Commerce Commission
13. a corporate owner had been dissolved as a corporate...
14. as a corporate entity and there was no one left to sue
15. because in this auto collision in which people were injured,
16. the corporation having been dissolved for nonpayment of
17. his franchise taxes was no longer in existence and there
18. was no way to get any of the parties into court. Now, I
19. should say that SB 324 was required to amend the Business
20. Corporation Act, 325 the Public Utility Act, and this bill
21. amends the Motor Vehicle Act. There are three bills,
22. two of which will be insufficient. We need all three of
23. them to accomplish the purpose, so that in the event the
24. holder of a certificate of convenience and necessity, a
25. corporation if it is dissolved then the corporation depart-
26. ment advises the Commerce Commission and the certificate
27. is revoked. That is all this bill does. It is necessary
28. to effectuate the purposes of the other two bills, and
29. I'd appreciate a favorable roll call.

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. Is there any discussion? The question will be put,
32. shall SB 491 pass. And upon this question the Secretary
33. will call the roll. And Gentlemen, Ladies and Gentlemen,

1. before we start with the roll call, there are two things
2. I will request. One, we have a little more quiet. And
3. secondly of all our Senators interests in the Secretary's
4. desk is acknowledged. But it sometimes overextends itself
5. to the point that the Secretary cannot conduct his business
6. and will we please let the Secretary run the Secretary's
7. desk. Call the roll.

8. SECRETARY:

9. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
10. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
11. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
12. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
13. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
14. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman, Ozinga,
15. Palmer, Partee, Regner, Rock, Roe, Romano, Saperstein,
16. Savickas, Schaffer, Scholl, Shapiro, Smith, Sommer,
17. Soper, Sours, Swinarski, Vadalabene, Walker, Weaver, Welsh,
18. Wooten, Mr. President.

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. Savickas aye. Netsch aye. Palmer aye. On this
21. question the yeas are forty-four, the nays are nothing...
22. zero, and the bill having received a constitutional majority
23. therefore is declared passed. And the Secretary thanks you
24. that was beautiful. He could hear everyone. We shall
25. next call SB 492 and read it a 3rd time.

26. SECRETARY:

27. SB 492 (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. Senator Sours.

31. SENATOR SOURS:

32. Mr. President, this bill increases the rate of interest
33. from 1 to 1 and 1/2% when the amount of the loan is between

1. 300 to \$800 only. The purpose, the reason for the bill
2. is as of right now, the credit care borrower and I'll
3. call him that because he is precisely that, pays 18% or
4. 1 and 1/2%. Now, let's take the situation of the furniture
5. dealer who sales a chair or the haberdasher who sells a
6. suit, a suit of clothes. His interest is 1 and 1/2%.
7. Now, in this situation this applies to the amount lent
8. between 300 and \$800 only, and it raises the interest
9. from 1% to 1 and 1/2%. That is precisely all the bill
10. does, and I'd appreciate a proper roll call.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Discussion? Senator Palmer.

13. SENATOR PALMER:

14. Senator Sours, this bill is a 50% increase, isn't
15. that right?

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. Senator Sours.

18. SENATOR SOURS:

19. This bill is a 50% increase Senator Palmer to bring
20. it up to the level of the credit card borrower and also the
21. borrower who borrows money from a furniture store when he
22. orders a chair for \$100 and charges it.

23. SENATOR PALMER:

24. All right. Senator Sours why should the Legislature
25. be interested in bringing this up to the credit card buyer
26. or the furniture buyer? We should be interested in
27. protecting the people, not to pay an excessive interest
28. instead of bringing them up to somebody that might be
29. paying an excessive interest.

30. SENATOR SOURS:

31. Senator, it depends on how you feel about it. I
32. say that when one buys a chair for example from a
33. furniture dealer for a \$100 that he pays 50 to acquire

1. to sell to you for 100, he gets 18% not only on the
2. \$50, he paid for the chair but also on his profit.
3. There's a disparity here which to me seems that it's
4. proper to grant the person who lends the money and the
5. only, the only income on that money is the interest.
6. Not the profit as in the case of the chair. This brings
7. the lender of money up to the retail store, it brings
8. the lender of money up to the credit card borrower where
9. the amount involved is 300 to \$800. That's all it does.
10. If you like it, fine. If you don't like it, fine.

11. SENATOR PALMER:

12. Well, it seems to me that as Legislators we
13. should protect the weak and not...not to...to pass
14. bills to bring something up because somebody may be
15. paying an excessive interest because they're buying
16. furniture on the outside on a credit card or from furniture
17. dealers. There's no need to write into law an additional
18. fifty percent interest to money lenders just because
19. there seems to be some kind of a practice where some-
20. body is...happens to be getting interest. Now, you
21. asked...you said if you don't like it, ok. I don't
22. like it and I don't think any Senator should like it
23. and I don't think anybody in anybody's district should
24. like it. And I suggest that not only the members on
25. this side of the aisle, but on the...members on the other
26. side of the aisle and the members on any aisle should
27. vote against it.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. Senator Kenneth Hall.

30. SENATOR KENNETH HALL:

31. Will the sponsor yield to a question?

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. He indicates he will.

1. SENATOR KENNETH HALL:

2. Senator, the eternal question. Who wants this bill?

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. Senator Sours.

5. SENATOR SOURS:

6. The money lenders who lend sums between 300 and
7. \$800 want this bill so that...they will be equal to the
8. credit card lender, that's the bank on LaSalle Street,
9. or in East St. Louis, it doesn't matter, and to make them
10. equal to the furniture store in your town that charges
11. 18% on deferred payments. That is all this bill does.
12. And as I said to Senator Palmer, if you like it, fine, if
13. you don't like it, vote your conscience. I believe
14. there ought to be some lack of disparity, and there is
15. disparity now. If I had my way, I would abolish buy
16. today and pay tomorrow, no money down. We have that
17. situation with us. Let's give all of them a fair break.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Senator Hall. Is there further discussion? The
20. Gentleman from Decatur, Senator McCarthy.

21. SENATOR MCCARTHY:

22. I wonder if Senator Sours would yield to a question?

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. He indicates he'd be happy to.

25. SENATOR MCCARTHY:

26. Senator, in this act that you're proposing to amend,
27. is the lender permitted to precompute the interest and
28. add that on to the amount of the loan?

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. Senator Sours.

31. SENATOR SOURS:

32. Senator, I don't know. I'm hoping it's a straight
33. 18%, as it ought to be, but I don't know.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. Senator McCarthy.

3. SENATOR MCCARTHY:

4. Well, let me tell you I think they are. That's
5. the loans of zero to \$800 and I think they are. Maybe
6. someone else would know whether or not they could pre-
7. compute the interest and add it on, on this act. And
8. my question really gets down to this Senator, if you
9. loan this extra \$500 at the 50% increase, are you
10. aware that the true percentage rate is 36%, if it's
11. repaid over a period of one year?

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. Senator Sours.

14. SENATOR SOURS:

15. I'm just as aware of that Senator as I am where
16. the interest for the credit card holder is 18%, which
17. if prepaid is 36% due.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Senator McCarthy.

20. SENATOR MCCARTHY:

21. Well, yes. Thanks for your answer so you're aware
22. of that. Let me just make a comment if I may, Mr.
23. President,...

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. You are recognized.

26. SENATOR MCCARTHY:

27. Senator Carroll being a careful man saved two...
28. two of his credit card slips. And I have them in front of
29. me, and there's sixteen States in the Union that do not
30. permit anything close to 18% interest. I could name the
31. States, but there's sixteen of them here that are listed.
32. Matter of fact the highest annual percentage rate listed
33. on these sixteen States, Illinois not being one of them

1. is 15% and that's Colorado. And if we pass this bill
2. we're allowing the effective rate of return to jump to
3. 36% as opposed to the 15% which is the highest one among
4. the sixteen States being Colorado. And I think that is
5. a basis of comparison. Let me just make this further
6. standard, this further observation, because we all
7. understand what this bill is. Senator Sours very
8. accurately and succinctly stated that the reason that
9. he is sponsoring the bill is so that the rate of return
10. to the small loan company people will be equal to the
11. highest rate of return permissible under the State laws
12. of the State of Illinois. And I think Senator Palmer
13. pointed out that isn't our job to try to reach the
14. ceiling up so that the two ceilings meet. It's our
15. job rather to try to lower the cost to the consumer,
16. and I submit as a matter of fact, Mr. President, that
17. the loans of zero to \$800 go to the worst credit
18. risks among other good risks and people on public aid,
19. borrow this money. The people on the public aid will
20. pay the higher rate of return to the people loaning
21. the money. They then, the people on public aid will
22. be before the General Assembly trying to get increases
23. in their cost of living allowances which will result
24. in tax increases on all of the people. I recommend a
25. no vote.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. Senator Sours it is non...

28. SENATOR SOURS:

29. I think, Mr. President, Senator McCarthy has proved
30. the ultimate worth of this bill. He has proved to this
31. group here that these are the highest credit risk borrowers.
32. And the good Senator being a lawyer and a successful
33. one well knows that interest is approximated by the degree

1. of the risk. And if this is the highest risk, it ought
2. to have the highest rate of interest. He knows that.
3. I'm sorry he said what he said, and I'm sure he is too.
4. But if this is the worst variety of credit risk, it
5. ought to deserve the highest rate.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. We want to get the banker's viewpoint, and I
8. recognize the Senator from Hoopston, Senator Merritt.

9. SENATOR MERRITT:

10. Mr. President and Members of the Senate. I find
11. myself many times in agreement with Senator McCarthy.
12. If he really wants to protect the people then we'd
13. better let the 1 and 1/2% a month to the furniture
14. dealer or to any other purveyor of goods, the department
15. store, confine their 1 and 1/2% per month or 18% a
16. year on the cost of their goods. Now, when they've
17. added their profit in it and sold it, they're doubling
18. the interest rate. And Senator McCarthy well knows
19. that that customer is going to be paying 36% a year
20. while the lender of the money is still,..all we're asking
21. is under this bill it be confined to 1 and 1/2% per
22. month. I think it's good legislation. It came out
23. of the Committee eleven votes aye with no objections
24. and one present. I think it's good legislation.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. If there is no further discussion we might call
27. the roll on this noncontroversial bill. Is the
28. question... Senator Carroll.

29. SENATOR CARROLL:

30. Thank you Mr. President, I think Senator Sours
31. and possibly Senator Merritt have misstated a point. My
32. understanding of the Retail Installment Sales Act and
33. credit transactions thereunder is that your limitation

1. of 1 and 1/2% is on the 1 and 1/2% of the unpaid
2. balance, that it's a reducing balance each and every
3. month upon which a payment is made- so that your
4. maximum effective rate is not 36% on that. However,
5. on the small loans, under the Small Loan Act, from zero
6. to \$800 where you have a precomputed interest and
7. added on in front it does have the double effect,
8. this would have an effective rate if that were paid
9. out evenly over the twelve month period of being 36%
10. if it's computed in advance and added on in the
11. front level. I think that is a vast distinction
12. between credit given under the Small Loan Act where
13. you come in and borrow money and a revolving charge
14. account which is a total separate and distinct type
15. of transaction, a revolving charge account under
16. the Retail Installment Sales Act.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Senator Sours.

19. SENATOR SOURS:

20. I should like to close this debate on this one
21. topic. Let us take the simple example of the furniture
22. dealer who pays \$50 for a chair and he makes a sale
23. of \$100. He gets his interest on the \$50 he paid,
24. the cost of the article and he gets his interest on
25. his profits. Now the good Senator Carroll very well
26. knows that. I didn't hear him mention it. He is
27. getting the retailer today by law, by law we passed,
28. which I opposed and voted against, is getting interest not
29. only on the cost of the personal article but also on
30. his gross profit. And if that ain't profit, I don't
31. know what profit is. I'd appreciate an at least a
32. thirty vote roll call on this side.

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. The question shall be, shall SB 492 pass. And...
2. upon that question the Secretary will call the roll.

3. SECRETARY:

4. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
5. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
6. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
7. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
8. Latherow, McBroom, McCarthy,

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Senator McCarthy.

11. SENATOR MCCARTHY:

12. Mr. President, the only reason I take this micro-
13. phone is because I didn't get a chance to respond to
14. what Senator Sours said about that I should have known
15. that the small loan companies have the poorest credit
16. risks and that I made the statement that they were. Let
17. me correct that, I said some of the loans they take are
18. the poorest credit risk, some of the loans they take are
19. excellent credit risks, it depends upon the individual
20. and what time. Now let me further state that Senator
21. Ozinga just passed a bill within the last two weeks that
22. imposes different standards that allowed people to
23. loan money from \$800 down to zero at a different rate
24. of interest, less than this incidentally, so I presume
25. the next step would be for someone to tinker with
26. Senator Ozinga's statute and compare and raise their
27. interest up to this one, so you get into raising the
28. game at all times. But when it's really stripped of
29. its facts, Mr. President, there's been no representation
30. made that the loan companies can't borrow the money, that
31. their increase in cost has gone up to justify this.
32. What it amounts to is that there's a 50% increase in
33. the cost of borrowing money on those people, many of

1. whom are least able to afford it. That cuts down on the
2. pie that I was talking about, and there's less pie to
3. eat and the people will be out one more pie. I vote no.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. Continue the roll.

6. SECRETARY:

7. Merritt, Mitchler, Howard Mohr, Don Moore, Netsch,
8. Newhouse, Nimrod, Nudelman, Ozinga, Palmer, Partee, Regner,
9. Rock, Roe, Romano, Saperstein, Savickas, Schaffer, Scholl,
10. Shapiro, Smith, Sommer, Soper, Sours, Swinarski, Vadalabene,
11. Walker, Weaver, Welsh, Wooten, Mr. President.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. Soper, aye. Senator Sours has requested a call of
14. the absentees. The absentees will be called.

15. SECRETARY:

16. Buzbee, Chew, Course, Fawell, Glass, Johns, Keegan,
17. Kosinski, Newhouse, Partee, Roe, Romano, Savickas, Schaffer,
18. Smith, Sours, Swinarski, Vadalabene, Mr. President.

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. Senator Sours, voting aye. Senator Schaffer, voting
21. aye. I think he moved to...Senator Sours did I hear you
22. moving to postpone consideration, or...Senator Sours has
23. moved to place the bill upon postponed consideration.
24. All in favor. That's where it will be placed. Now Senator,
25. I presume we'll not approach 493 even cautiously, and
26. the Senate...we will revert to SB 52, 51, I'm sorry, in
27. deference to Senator Don Moore who has been out of the
28. Chambers on some State business for some time. SB 51.

29. SECRETARY:

30. SB 51 (Secretary reads title of bill)
31. 3rd reading of the bill.

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. Senator Don Moore.

1. SENATOR DON MOORE:

2. Thank you Mr. President, Members of the Senate.

3. SB 51 amends the Municipal Code in two places by adding
4. two sections which state that members of the police
5. department need not be resident of the employing municipality.

6. Such members of the police department may live anywhere
7. within the county of their employment or within fifteen
8. miles of the employing municipality, if they live outside
9. of the county of their employment. I think that this is
10. a good bill. There has been...it has been introduced

11. in the past. The Home Rule Amendment unfortunately
12. has been adopted in this part of the bill. This bill
13. was requested by the Fraternal Order of the Police, the
14. Illinois Police Association, the Police Benevolent
15. Association. The police throughout the State of

16. Illinois desire this bill. I think with the rapid
17. mobility that we have in getting to and from one place
18. to another, a fifteen mile limit is not too much to ask,
19. they can be at the station in the event of an emergency,
20. within a matter minutes. And I'd be happy to answer
21. any questions, or if not, to request a favorable roll call.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. Is there discussion? If not, Senator Rock.

24. SENATOR ROCK:

25. I'm aware that the Home Rule Amendment has been
26. applied to this, or amended to the bill. I'm against
27. this concept in principle. What is to prevent us, for
28. instance, from providing a law that says that we as
29. elected members of the Senate do not have to live within
30. this State? I think that where the paycheck comes
31. from that's where one ought to reside. In addition
32. to that, Senator, I have a question. Cannot municipalities
33. under 500,000 do this now by ordinance?

1. SENATOR DON MOORE:
2. Yes they can Senator.
3. PRESIDING OFFICER: (SENATOR GRAHAM)
4. Any further discussion? The question is shall
5. SB 51 pass. Senator Buzbee, I'm sorry.
6. SENATOR BUZBEE:
7. Mr. President, I have a question of the sponsor.
8. PRESIDING OFFICER: (SENATOR GRAHAM)
9. He indicates he will yield. Senator Moore.
10. SENATOR BUZBEE:
11. Yes, I...I was in favor of your concept, your bill
12. until I just heard the answer to this question. NOW,
13. my question is why do we need the bill if they can already
14. do this by municipal ordinance?
15. SENATOR DON MOORE:
16. Many of the village fathers, city fathers, feel
17. that their policemen should live within the village,
18. principally because I think of political consideration.
19. I know many villages, the village of Park Forest for
20. example in my district because of the problem it is
21. having getting qualified policemen, have...they did at
22. one time have an ordinance stating that you had to be
23. a resident within a year from the time that you went on
24. the department, they have since changed that ordinance.
25. There are municipalities that are doing it, but there
26. are still many that are not. And it was for this reason
27. that the police organization requested the introduction
28. of the bill.
29. SENATOR BUZBEE:
30. Mr. President.
31. PRESIDING OFFICER: (SENATOR GRAHAM)
32. Senator Buzbee.
33. SENATOR BUZBEE:

1. My next question is, if we pass this bill, those
2. particular villages and cities will still if they want
3. have the option of not hiring people who live outside
4. their city limits. Is that not true?

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. Senator Moore.

7. SENATOR DON MOORE:

8. If we do not pass this bill, if we pass the bill,
9. they could still have the option. No, they would not have
10. the option if we have passed this bill. They could live
11. outside the corporate limits of the village, if we pass
12. this bill.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Senator Buzbee.

15. SENATOR BUZBEE:

16. Well, my question is if we pass the bill, the city
17. fathers in their wisdom still say, we're not going to hire
18. you because you live outside the city limits, and there's
19. nothing...they can find anything wrong with the man, they
20. don't have to hire him, even though we do pass the bill.

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. Senator Moore.

23. SENATOR DON MOORE:

24. This would be up to the Civil Service Commission, in
25. the particular village or the Board of Fire and Police
26. Commissioner which are governed under the Board of Fire
27. and Police Commissioners Act to make that determination.
28. They usually go through a written examination, agility
29. test, various prequalifications before they hire a...a
30. policeman. There is also that portion that there usually
31. is an oral exam that they give that I imagine they could
32. use their discretion in if they desired.

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. The main question shall SB 51 pass. Upon this
2. question the Secretary will call the roll.

3. SECRETARY:

4. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
5. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
6. Dougherty, Fawell, Glass,

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. Senator Glass.

9. SENATOR GLASS:

10. Thank you Mr. President. I'm going to vote aye on
11. this bill, and an explanation of my vote, I think it's
12. a hardship on many police officers to have to live in the
13. municipality in which they work. This is not true of many
14. of us...many other vocations and businesses and positions
15. of employment and I think it's a very reasonable bill.
16. And we should support it.

17. SECRETARY:

18. Graham, Harber Hall, Kenneth Hall, Hynes, Johns,
19. Keegan, Knuepfer, Knuppel, Kosinski, Latherow, McBroom,
20. McCarthy, Merritt, Mitchler, Howard Mohr, Don Moore,
21. Netsch, Newhouse, Nimrod, Nudelman, Ozinga, Palmer, Partee,
22. Regner, Rock, Roe, Romano, Saperstein, Savickas, Schaffer,
23. Scholl,

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. Senator Scholl.

26. SENATOR SCHOLL:

27. Mr. President, Members of the Senate, this is an
28. excellent bill. It's unfortunate that it does not include
29. the City of Chicago, because the majority of Chicago's
30. policemen would like to have the opportunity to select
31. their place in which they would like to live. I'm going
32. to vote in favor of this bill.

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Continue the roll.

2. SECRETARY:

3. Shapiro, Smith, Sommer, Soper, Sours, Swinarski,
4. Vadalabene, Walker, Weaver, Welsh, Wooten, Mr. President.

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. Senator Moore has requested a call of the absentees.
7. He did not. I thought you were making signs. On this
8. question...On this question the yeas are twenty-six, the
9. nays are four. The bill having failed to receive the
10. constitutional majority required is therefore declared
11. lost. Senator Rock, we had agreed on SB 82 in deference
12. to Senator Moore's absence was that...SB 82.

13. SECRETARY:

14. SB 82 (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. Senator Moore.

18. SENATOR DON MOORE:

19. Thank you Mr. President, Members of the Senate,
20. SB 82 is a simple bill. It merely appropriates five
21. million dollars to the Department of Transportation to
22. design and reconstruct a railroad grade separation at Saulk
23. Trail in the Illinois Central Railroad in Richton
24. Park, Illinois and to widen Saulk Trail in connection
25. therewith. Now Ladies and Gentlemen of the Senate,
26. this particular area...I realize this is a large amount
27. of money, but this particular area for your edification
28. is where the Illinois Central Railroad ends in Cook
29. County. There are people from all over the area who
30. go into the Village of Richton Park to take the IC
31. to get downtown to the Loop. The area of Richton Park,
32. Chicago Heights, Madison, Park Forest, Park Forest South,
33. Flossmoor, Olympia Fields, Steger, Crete, Monee, all pour

1. in to Richton Park once a day to take the IC down there.
2. The recent surveys that we have had show that there are
3. 16,000 cars a day that attempt to through a bottle neck
4. where Saulk Trail is originally four lanes, it narrows down
5. into two lanes, to go under the IC railroad. Sixteen
6. thousand cars a day. They're averaging about 48 accidents
7. a year for the last several years at this particular
8. location. The area, the population of the area presently,
9. that is served by the IC encompasses approximately 110,000
10. people. It is anticipated that within the next seven
11. years the population will be an excess of 290,000
12. people. I think that this is a real essential for the
13. people in south suburban Cook County, for the people in
14. northern Will County to see that this hazardous grade
15. separation is remedied. I'd be happy to answer any
16. questions that anyone has. But all of the villages
17. that I have mentioned before have passed resolutions,
18. our studies have been conducted and our recommendation
19. as to the cost have been done by the Cook County Highway
20. Department. I feel that this is an excellent bill to
21. service hundreds of thousands of people and really
22. eliminate a very bad situation that exists in the
23. south end of Cook County.

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. Any further discussion? If not, Senator Hynes.

26. SENATOR HYNES:

27. Mr. President, Members of the Senate. Very simply
28. this...why I won't quarrel with the noble purpose behind
29. this bill, the fact is that it is an ubudgeted item.
30. And secondly it is not in...it is...the funds will come
31. from General Revenue as opposed from the grade crossing
32. fund. We asked earlier that all of these bills be held
33. and I think the same should apply here as...as well as

1. to all of the others.

2. PRESIDING OFFICER. (SENATOR GRAHAM):

3. Senator Moore. Senator Moore.

4. SENATOR DON MOORE:

5. Just in very brief response. I am hopeful Mr. President
6. that this particular project will be included in the grade
7. crossing fund. It is one that I am informed is of the
8. highest priority in the State of Illinois. I just don't
9. want to take any chances. That's the reason I put this
10. bill in. And I would request a favorable roll call.

11. PRESIDING OFFICER. (SENATOR GRAHAM):

12. On this question shall SB 82 pass, the Secretary will
13. call the roll.

14. SECRETARY:

15. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
16. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
17. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
18. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
19. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
20. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman, Ozinga,
21. Palmer, Partee, Regner, Rock, Roe, Romano, Saperstein,
22. Savickas, Schaffer, Scholl, Shapiro, Smith, Sommer,
23. Soper, Sours, Swinarski, Vadalabene, Walker, Weaver, Welsh,
24. Wooten, Mr. President.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Daley, aye. Savickas, aye. On this question...
27. On this question the yeas are thirty-eight, the nays
28. are two. The bill having received a constitutional majority
29. is therefore declared passed. SB 120, Senator Don Moore.

30. SECRETARY:

31. SB 120. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDING OFFICER. (SENATOR GRAHAM):

1. Senator Moore will explain his bill when we get some
2. order. Gentlemen, Gentlemen, Gentlemen and Ladies, please.

3. SENATOR DON MOORE:

4. Thank you Mr. President, Members of the...

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. If we're going to have a caucus, don't have it in
7. front of the Secretary's desk. He's having a hard enough
8. time.

9. SENATOR DON MOORE:

10. This bill as originally introduced is in an entirely
11. different form Mr. President, than what it...was introduced.
12. The Pension Laws Commission had some very violent objections
13. to the bill. They did come in with a simple amendment
14. which was distributed this morning to the members that...
15. the amendment in effect is the bill. It says that the
16. retirement system reciprocal act...reciprocal act, I'm
17. sorry, shall apply to the...downstate policemen and fire-
18. men pension fund. I think we're aware that under the
19. present law that if a policeman works in a village for
20. ten years, has a chance to go to another area or another
21. village to...take a promotion, say a chief's job in
22. another area, all he can presently do is to withdraw
23. his contribution out of this local village pension fund.
24. This has created a great injustice amongst the firemen
25. and policemen throughout the State. What this bill does,
26. as amended, would be to allow a reciprocity of the various
27. pension fund where a fireman or a policeman should go.
28. I know of no objection to the bill as it is amended. I
29. would respectfully request a favorable roll call.

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. Any discussion? If not the main question shall be
32. put. Shall SB 1...Senator Buzbee.

33. SENATOR BUZBEE:

1. Yes, Mr. President, I have a question of the sponsor.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. He indicates he'll yield.

4. SENATOR BUZBEE:

5. I'm sorry I may have missed this in your explanation,
6. but if a policeman leaves the employ of one municipality
7. and goes to another, then how does he make up those funds
8. in that second municipality's policemen's pension retirement
9. fund. How does he make up...how does he get the money?
10. Where does the money come from for that first fund?

11. PRESIDING OFFICER (SENATOR GRAHAM)

12. Senator Moore.

13. SENATOR DON MOORE:

14. It's my understanding under this act and perhaps
15. Senator Shapiro could more fully enlighten us, is that
16. the money would stay there, but the pension credits would
17. accumulate to the different departments that he...that
18. he would go to. This retirement system, reciprocal act
19. as I understand it sets forth the rules and regulations
20. as to how this can be accomplished, whereby the various
21. credits could be accumulated, the monies would remain
22. in the respective funds until retirement time would come
23. and at that time under the rules of this act, they would
24. be dispersed out.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Senator Buzbee.

27. SENATOR BUZBEE:

28. Well, then the funds would stay in the first municipal-
29. ity's retirement fund and he goes to the second. But where
30. does the money come from that the second, in other words he's
31. ...let's say he's got ten years in the first and he goes to
32. the second place of employ and then...how does he get
33. those ten years credits...the money in for the ten years

1. service that he had in the prior fund? Does he have to
2. pay that in himself then into the second? It's not
3. transferred from the first municipality.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. Senator Moore.

6. SENATOR BUZBEE:

7. ...stay in the first.

8. SENATOR DON MOORE:

9. It would stay in the first municipality is my under-
10. standing and then whatever the contributions are that the
11. second municipality would require the money would be paid
12. in there, his share and the municipal share, and that would
13. stay in the second municipality.

14. SENATOR BUZBEE:

15. So the second city then would be required to pay in
16. the portion for his first ten years service?

17. SENATOR DON MOORE:

18. For his first ten years service? No. No.

19. SENATOR BUZBEE:

20. How are they going to pay him his pension based on
21. twenty years? Let's say if he quits in twenty years and
22. he's only got ten years with that fund?

23. SENATOR DON MOORE:

24. That is what the reciprocal act provides. It sets
25. forth the rules as to each municipality if there would
26. be \$200 from one and \$250 from another how that would be
27. paid, so that he would get his \$450 a month pension.

28. SENATOR BUZBEE:

29. So, you're saying that he would get a portion of
30. his pension from each fund.

31. SENATOR DON MOORE:

32. That is correct.

33. SENATOR BUZBEE:

1. Ok. Thank you.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. The main question shall now be put. And as we
4. change presiding officers, the Secretary will call the
5. roll on SB 120.

6. SECRETARY:

7. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
8. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
9. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
10. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
11. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
12. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman, Ozinga,
13. Palmer, Partee, Regner, Rock, Roe, Romano, Saperstein,
14. Savickas, Schaffer, Scholl, Shapiro, Smith, Sommer,
15. Soper, Sours, Swinarski, Vadalabene, Walker, Weaver, Welsh,
16. Wooten, Mr. President.

17. PRESIDING OFFICER (SENATOR MOHR):

18. McBroom, aye. Latherow, aye. Romano, aye. Netsch,
19. aye. Hynes, aye. On that question the yeas are forty-
20. five, the nays are none. SB 120 having received a
21. constitutional majority is declared passed. For what
22. purpose does Senator Course rise?

23. SENATOR COURSE:

24. Thank you, Mr. President, having voted on the pre-
25. vailing side of SB 486, I now move to reconsider the vote
26. by which it was defeated. I ask for a roll call.

27. PRESIDING OFFICER (SENATOR MOHR):

28. Is a voice vote all right on that? Is there leave?
29. Leave. All those in favor of the motion to reconsider
30. the vote by which SB 486 passed signify by...lost, I'm
31. sorry. Signify by saying aye. Opposed. The motion
32. carries. SB 486 is now returned to 3rd reading. Senator
33. Walker.

1. SENATOR WALKER:

2. Thank you, Mr. President. This is a bill that we
3. had shortage of attendance on due to another...

4. PRESIDING OFFICER (SENATOR MOHR):

5. What...what is the bill Senator?

6. SENATOR WALKER:

7. Pardon?

8. PRESIDING OFFICER (SENATOR MOHR):

9. What is the bill.

10. SENATOR WALKER:

11. SB 486, the one that permitted the retired police
12. officers to carry guns. As I recall you didn't vote
13. on the prevailing side.

14. PRESIDING OFFICER (SENATOR MOHR):

15. I recall the bill.

16. SENATOR WALKER:

17. As I say, the retired police officers requested
18. the bill so they could come to the assistance. I'm not
19. going to rehash it. It was opposed by Senator Swinarski
20. on the other side of the aisle. You've all heard his...
21. opposition to it. This time, the reason that the motion
22. was made by the good Senator on the other side of the
23. aisle the bill only received twenty-six votes, and four...
24. three or four of the cosponsors weren't present. So
25. I'd appreciate a favorable vote at this time.

26. PRESIDING OFFICER (SENATOR MOHR):

27. I think...I think we might ask leave of the Body
28. Senator whether they want to have this bill heard at
29. this time. I think in fairness to the Members of
30. the Senate, they've heard the debate, like an expression
31. if they want a roll call...

32. SENATOR WALKER:

33. I...I would then like to move...

1. PRESIDING OFFICER (SENATOR MOHR):

2. ...at this time.

3. SENATOR WALKER:

4. ...Mr. President, the bill be heard and we have
5. a roll call on it at this time.

6. PRESIDING OFFICER (SENATOR MOHR):

7. All right. Is there leave to hear the bill, 486?
8. No? Let's have a roll call on the bill. The question
9. is shall SB 486 pass, and on that question the Secretary
10. will call the roll. The vote is on the passage of
11. SB 486. Any further discussion? The Secretary will call
12. the roll. Senator Clarke.

13. SENATOR CLARKE:

14. Mr. President, things are very confusing here
15. today. As I recall, we just voted on this bill a few
16. minutes ago. Do we vote on bills twice or what is the
17. situation? Is this on postponed consideration? What
18. happened to the first vote?

19. PRESIDING OFFICER (SENATOR MOHR):

20. Well, gave...gave Senator Course leave...he made
21. the motion to reconsider the vote by which 486 failed
22. and we gave him leave to bring it back, so apparently
23. we're going to have a second run to be sure on this bill,
24. Senator.

25. SECRETARY:

26. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
27. Chew, Clarke, Conolly, Course,

28. PRESIDING OFFICER (SENATOR MOHR):

29. Senator Course.

30. SENATOR COURSE:

31. Yes, Mr. President, Members of the Senate. I did
32. vote no on this bill the first time it came up and
33. since then I've had other thoughts on this, for the
simple reason that we're retiring our police officers

1. younger and younger and somebody mentioned that a police
2. officer seventy years old is going to...a retired police
3. officer seventy years old is going to be toting a gun.
4. Well, I don't believe that's true. And I think a man of
5. fifty-five or sixty should be able to carry a gun and
6. protect the citizenry. Thank you. I vote aye.

7. SECRETARY:

8. Daley, Davidson, Donnewald, Dougherty, Fawell,

9. PRESIDING OFFICER (SENATOR MOHR):

10. Senator Fawell.

11. SENATOR FAWELL:

12. I...I voted against this bill and I would plan to
13. again. I do want to say that I'm not worried about the
14. ninety-five year old retired policeman. But I have some
15. fears about that sixty year old retired policeman, and
16. I'm going to vote no once again.

17. SECRETARY:

18. Glass, Graham, Harber Hall, Kenneth Hall, Hynes,

19. Johns, Keegan, Knuepfer, Knuppel,

20. PRESIDING OFFICER (SENATOR MOHR):

21. Senator Knuppel.

22. SENATOR KNUPPEL:

23. I didn't vote on this bill before but since they've
24. voted on it I've been thinking about a couple of times I've
25. read in the paper where retired police officers have come
26. to the assistance of somebody that was being cornered or
27. attacked or robbed or mugged or something by the...by
28. criminals and I...I think that as long as a person isn't just
29. an ex-police officer, he served twenty or thirty years and
30. he's actually earned retirement. You're not placing the
31. gun in the hands of some irresponsible person or someone who
32. is too young to use good judgement. I think this is an
33. excellent bill, and I'm going to vote aye.

1. SECRETARY:

2. Kosinski, Latherow, McBroom, McCarthy, Merritt,
3. Mitchler, Howard Mohr, Don Moore, Netsch, Newhouse,
4. Nimrod, Nudelman, Ozinga, Palmer, Partee, Regner,
5. Rock, Roe, Romano,

6. PRESIDING OFFICER (SENATOR MOHR):

7. Senator Romano.

8. SENATOR ROMANO:

9. Mr. President and Members of the Senate. I believe
10. this is a very good bill. Just two months ago a retired
11. policeman probably saved my life by coming to my rescue.
12. Three men had me cornered in front of my home and I was
13. fortunate that this man lived across the street and saw
14. this incident and came running out of his house and saved
15. me. These men, these retired policemen, all have training
16. in the handling of firearms for many, many years. They
17. are not irresponsible people. And I would...everyone
18. to vote aye on this bill.

19. SECRETARY:

20. Saperstein, Savickas, Schaffer, Scholl, Shapiro,
21. Smith, Sommer, Soper, Sours, Swinarski,

22. PRESIDING OFFICER (SENATOR MOHR):

23. Senator Swinarski.

24. SENATOR SWINARSKI:

25. ...Belabor the point as my colleague on the other
26. side of the aisle wants to belabor the point. However,
27. it was a bad bill fifteen minutes ago and I still think
28. it's a bad bill.

29. SECRETARY:

30. Vadalabene, Walker, Weaver, Welsh, Wooten,

31. PRESIDING OFFICER (SENATOR MOHR):

32. On that question the yeas are forty-one, the nays are
33. eleven. SB 486 having received a constitutional majority

1. is declared passed. Senator Romano moves to reconsider
2. the vote by which 486 passed. Senator Chew moves that
3. that motion lie on the Table. All those in...all those
4. in favor signify by saying aye. Opposed. Motion has
5. been Tabled. Senator Walker, the Chair would suggest in
6. the future to save a little time you do your homework,
7. fifteen minutes ahead of time. Next bill, SB 498.

8. SECRETARY:

9. SB 498 (Secretary reads title of bill)
10. 3rd reading of the bill.

11. PRESIDING OFFICER (SENATOR MOHR):

12. Senator Berning.

13. SENATOR BERNING:

14. Thank you Mr. President, Members of the Body. SB 498
15. is an appropriation bill, so called creek bill, however
16. this is much more important than the ordinary creek, the
17. Fox River and Chain being one of the most significant
18. recreational areas in the entire State of Illinois. I'm
19. not sure to what extent the Fox River and Chain is included
20. in the...administration program, but I am assured that
21. there is provision in the budget for some work on this
22. river. Not knowing the amount directly, but hoping that
23. we can agree that this is a minimum amount to start,
24. I would solicit a favorable roll call.

25. PRESIDING OFFICER (SENATOR MOHR):

26. Any further discussion? Senator Hynes.

27. SENATOR HYNES:

28. Well, the budgeted amount is 145,000. So, the
29. Senator would be willing to think about an amendment.

30. PRESIDING OFFICER (SENATOR MOHR):

31. Senator Berning.

32. SENATOR BERNING:

33. I think that's for down river, or perhaps even the

1. locks. But that would be miniscule. I repeat that this is
2. the most significant recreational area in the State of Illi-
3. nois. Not only for lake County, but all of the surrounding
4. area represent an ideal recreational area as well as a
5. significant economic aspect for the total for Lake
6. County and the surrounding communities in McHenry County.
7. My suggestion, my plea would be to you Ladies and Gentle-
8. men let's pass SB 498 out and then allow the Governor to
9. make the determination as to whether or not he can fund this
10. completely or in part.

11. PRESIDING OFFICER (SENATOR MOHR)

12. Any further discussion? The question is shall
13. SB 49...498 pass.? And on that question the Secretary
14. will call the roll.

15. SECRETARY:

16. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
17. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
18. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
19. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
20. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
21. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
22. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
23. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
24. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
25. Weaver, Welsh, Wooten, Mr. President.

26. PRESIDING OFFICER (SENATOR MOHR)

27. Romano, aye. Swinarski, aye. Buzbee, aye.
28. Kosinski, aye. Chew, aye. Moore, aye. Berning, aye.
29. On that question the yeas are thirty-eight, the nays
30. are two. SB 498 having received a constitutional
31. majority is declared passed. SB 499, Senator Saperstein.

32. SECRETARY:

33. SB 499 (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDING OFFICER (SENATOR MOHR)

3. Senator Saperstein.

4. SENATOR SAPERSTEIN:

5. Mr. President, Ladies and Gentlemen. SB 499 would
6. require the Office of the Superintendent of Public
7. Instruction to annually collect, summarize, interpret and
8. report on the financial plans of the State's local school
9. districts. These reports would be sent to the Governor,
10. the School Problems Commission, and the General Assembly.
11. These plans will relate to present and future school
12. and fiscal years and they are to project plans for the
13. local school districts. I think it should be told, it
14. must be said that the schools are not mandated or committed
15. to these reports. One of the important reasons for this
16. bill is to provide the three levels of government with a....
17. a really firm report on school needs in the State of
18. Illinois. They are not wedded to these reports, meaning
19. the school districts, and they change them from time to
20. time. The reason for this is that the three levels of
21. government, the Governor, the Legislative and the School
22. Problems Commission have statutory responsibility to make
23. recommendations on school needs. This will provide...
24. the information that we need. This bill was endorsed by
25. the School Problems Commission. There was no opposition
26. to the bill. No testimony against the bill in the Education
27. Committee. I solicit your support.

28. PRESIDING OFFICER (SENATOR MOHR)

29. Any further discussion? The question is shall SB 499
30. pass? And on that question the Secretary will call the roll.

31. SECRETARY:

32. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
33. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,

1. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
2. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
3. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
4. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
5. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
6. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
7. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
8. Weaver, Welsh, Wooten, Mr. President.
9. PRESIDING OFFICER (SENATOR MOHR):
10. Regner, aye. Johns, aye. Buzbee, aye. Knuppel,
11. no. On that question the yeas are forty-two, the nays
12. are two. SB 499 having received a constitutional majority
13. is declared passed. SB 513, Senator Vadalabene. Do you
14. wish that bill called? SB 514, Senator Roe.
15. SECRETARY:
16. SB 514 (Secretary reads title of bill)
17. 3rd reading of the bill.
18. PRESIDING OFFICER (SENATOR MOHR):
19. Senator Roe.
20. SENATOR ROE:
21. Mr. President, members of the Senate, this is
22. purely a housekeeping bill. It provides in Section B...
23. following B-3 the following words: As amended, an
24. operator's license issued by the Illinois Department
25. of Public Health and a duplicate original of the
26. instrument certification shall be prima facie evidence
27. that the instrument and the operator meet statutory
28. requirements for admissibility of analysis performed
29. by the instrument and under the supervision of the
30. operator. This fills a loophole. It is supported
31. by Public Health and by the State Police and law
32. enforcement in general. And I would ask a favorable
33. consideration and roll call on this.

1. PRESIDING OFFICER (SENATOR MOHR):
2. Any further discussion? Senator Buzbee.
3. SENATOR BUZBEE:
4. I appreciate the...this is merely a housekeeping
5. type statement, but that doesn't quite explain to me what
6. are the procedures on...on the breathalyzer test and
7. so forth and does this make it a stronger test, a weaker
8. test or what?
9. PRESIDING OFFICER (SENATOR MOHR):
10. Senator Roe.
11. SENATOR ROE:
12. It doesn't have anything to do with the test itself,
13. Senator Buzbee, it just provides that when the instrument
14. has been checked that it is certified and that the operator
15. who is operating the instrument has under gone the training
16. that's required under it. He is also certified, and that
17. these two documents can be presented to the court in cases.
18. It doesn't change the test at all.
19. PRESIDING OFFICER (SENATOR MOHR):
20. Senator Buzbee.
21. SENATOR BUZBEE:
22. So that if a test is administered by a person who
23. does not hold a certificate, that would be not admissible
24. evidence in a court case, is that right?
25. PRESIDING OFFICER (SENATOR MOHR):
26. Senator Roe.
27. SENATOR ROE:
28. Correct.
29. PRESIDING OFFICER (SENATOR MOHR)
30. Any further discussion? The question is shall SB 514
31. pass? And on that question the Secretary will call the roll.
32. SECRETARY:
33. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,

1. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
2. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
3. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
4. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
5. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
6. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
7. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
8. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
9. Weaver, Welsh, Wooten, Mr. President.

10. PRESIDING OFFICER (SENATOR MOHR):

11. Chew, aye. Romano, aye. Kosinski, aye. Swinarski,
12. aye. Netsch, aye. Sours, aye. Latherow, aye. Bell,
13. aye. Kenneth Hall, aye. On that question the yeas are
14. thirty-eight, the nays are none. SB 514 having received
15. a constitutional majority is declared passed. SB 515,
16. Senator Chew.

17. SECRETARY:

18. SB 515 (Secretary reads title of bill)
19. 2nd reading...3rd reading of the bill.

20. PRESIDING OFFICER (SENATOR MOHR):

21. Senator Chew.

22. SENATOR CHEW:

23. Yeah, Mr. President, 515, 514 are companion bills.

24. PRESIDING OFFICER (SENATOR MOHR):

25. 515, 516, Senator.

26. SENATOR CHEW:

27. Yes. And does just what the Calendar says. That
28. is to regulate ambulances and other vehicles that used
29. to transport invalids from hospitals or from accidents
30. or to trauma centers. It came out of committee with
31. an excellent vote. Co-sponsored by Senator Partee, and
32. several others. And I ask for a favorable roll call.
33. You may take them both if you can.

1. PRESIDING OFFICER (SENATOR MOHR):
2. Senator Merritt.
3. SENATOR MERRITT:
4. Senator Chew, wonder if you might yield to a question?
5. I think I served in the committee in which this bill was
6. heard along with you. If this...if this is such good
7. legislation, I'm sure that many of our downstate communities
8. do not exactly agree that it is, then why does it exclude
9. cities of over a million population, meaning the City of
10. Chicago.
11. PRESIDING OFFICER (SENATOR MOHR)
12. Senator Chew.
13. SENATOR CHEW:
14. I'm sorry, Senator. I didn't get your question.
15. Would you repeat that please?
16. SENATOR MERRITT:
17. I say if this is such good legislation, there are
18. many downstate communities, especially in smaller rural
19. areas that will not quite agree that it is. If it is that
20. good, then why are...why is the City of Chicago excluded?
21. PRESIDING OFFICER (SENATOR MOHR):
22. Senator Chew.
23. SENATOR CHEW:
24. The City of Chicago, Senator, has an excellent program
25. for moving special emergency cases. Not only do we have
26. several ambulance companies that are currently operating,
27. but we have the largest fire department in the State. And
28. it's instant. That's why it was excluded. Now, the
29. funeral directors over the State are in favor of this
30. bill. They were there at the committee meeting and
31. we didn't get any objection. We amended 515 to satisfy
32. the Municipal League.
33. PRESIDING OFFICER (SENATOR MOHR):

1. Senator Merritt.

2. SENATOR MERRITT:

3. To what extent, Senator?

4. PRESIDING OFFICER (SENATOR MOHR):

5. Senator Chew.

6. SENATOR CHEW:

7. Well, the Municipal League had some objections because

8. Chicago was included and after we did some research and dis-

9. covered that the statement I've made on instant removal is

10. valid, then we excluded Chicago.

11. PRESIDING OFFICER (SENATOR MOHR):

12. Senator Merritt.

13. SENATOR MERRITT:

14. Then, just one other question, Senator, I...I'd

15. understood in committee that day that there was an-

16. other companion bill, but I don't see it along in here.

17. It was an appropriation bill. Is that...is that correct,

18. Senator?

19. PRESIDING OFFICER (SENATOR MOHR):

20. Senator Chew.

21. SENATOR CHEW:

22. No, Senator. The companion bill that you're talking

23. about is SB 516 which we passed, and if you will recall,

24. the Chairman of Transportation suggested that we hold 515

25. until we had passed 516. That's correct.

26. PRESIDING OFFICER (SENATOR MOHR)

27. Senator Mitchler,

28. SENATOR MITCHLER:

29. I rise in support of this legislation. I think

30. Senator Chew did give a clear explanation. The City of

31. Chicago does have an excellent ambulance ordinance and

32. operation. And in addition to that the City of Chicago

33. fire department plays a very, very important role in the

1. ambulance field in treating emergency cases, in trans-
2. porting victims that need the attention of ambulance and
3. they have highly trained personnel. And this ambulance
4. problem has been going on for a number of years trying
5. to get something constructive for downstate. And inasmuch
6. as the Illinois Funeral Directors and many of the others
7. are in favor of this legislation, I think it should get
8. a favorable roll call, and I would so recommend.

9. PRESIDING OFFICER (SENATOR MOHR):

10. Senator Course.

11. SENATOR COURSE:

12. Thank you, Mr. President, Members of the Senate. The
13. Motor Vehicle Laws Commission had a subcommittee set up
14. and they made an extensive study of this here...situation
15. throughout the State of Illinois. In fact they had I be-
16. lieve it was four meetings in different parts of the State.
17. And this is part of their recommendation. I might add that
18. there are similar bills over in the House that are going
19. to come over here, and...I suggest that we pass these out
20. and then take the better of the two bills - the two of the
21. pair of bills. But it is recommended by the Motor Vehicle
22. Laws Commission.

23. PRESIDING OFFICER (SENATOR MOHR);

24. Senator Fawell.

25. SENATOR FAWELL:

26. May I ask, Senator Chew, which entity actually drew
27. these bills? Who...this is the work product of a commission
28. or a what...what commission?

29. PRESIDING OFFICER (SENATOR MOHR):

30. Senator Chew.

31. SENATOR CHEW:

32. Motor Vehicle Laws and the Department of Health.

33. SENATOR FAWELL:

1. Did the Motor Vehicle Laws Commission actually prepare
2. this legislation? ...Senator Course indicates that the Motor
3. Vehicles Commission did not actually create the...legislation.

4. SENATOR CHEW:

5. In cooperation with Senator Partee, and the Department
6. of Health...that's how the bills were....were authored.

7. SENATOR FAWELL:

8. Well, who actually drew the bills? Who prepared this
9. legislation?

10. PRESIDING OFFICER (SENATOR MOHR):

11. Senator Chew.

12. SENATOR CHEW:

13. Senator, I would have to refer that question to
14. Senator Partee. Department of Public Health actually
15. authored the bill.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Any further discussion? Senator Weaver. Oh, I'm
18. sorry, Senator Fawell.

19. SENATOR FAWELL:

20. My...my only comment is I don't doubt that the
21. City of Chicago has an excellent ambulance service, and
22. invalid coach services as is referred to here. But if
23. it is excellent I would think there would be no problem
24. whatsoever in their immediately being...be able to be
25. given a license. I...I don't...we do it all the time
26. which isn't any reason necessarily why we should continue
27. to do so, but why we should say that this applies to down-
28. state and then exempt the City of Chicago with approximate-
29. ly three and one-half million people, where simply because
30. of the immensity of that City you could have some of the
31. more important problems is beyond me. I...but I am told
32. that this is the product of the Department of Public
33. Health, that the officials in the Department of Public

1. Health actually drew this legislation.

2. PRESIDING OFFICER (SENATOR MOHR):

3. Senator Chew.

4. SENATOR CHEW:

5. ...had Senator, that the Department of...Federal

6. government is furnishing the funds for the equipment that

7. these units will have. So there is no appropriation

8. that goes with either one of the bills.

9. PRESIDING OFFICER (SENATOR MOHR):

10. Senator Weaver.

11. SENATOR WEAVER:

12. Senator Chew, Senator McBroom was wondering if this

13. bill mandated the use of all Cadillac equipment for am-

14. bulance purposes in the State of Illinois?

15. PRESIDING OFFICER (SENATOR MOHR):

16. Senator Chew.

17. SENATOR CHEW:

18. No sir, we'll have a few Rolls Royce.

19. PRESIDING OFFICER (SENATOR MOHR):

20. Senator Wooten.

21. SENATOR WOOTEN:

22. Mr. President and fellow colleagues, this particular

23. bill has been a source of great interest for me because I

24. originally saw in it some hope for possibly solving the

25. very serious dilemma we face in our downstate counties

26. as regards the providing of ambulance service. As those

27. of us in the downstate counties know we are rapidly losing

28. the contractual services of various funeral directors,

29. on which we have depended in the main in our rural areas.

30. And all of us are seeking for some kind of solution. The

31. thing that intrigued me about SB 515 is the category of

32. invalid coach. I requested some research on this and dis-

33. covered that about 97% of the service provided by ambulances

1. in downstate Illinois rural areas could be handled by
2. the invalid coach. And so on that count it seemed to
3. me a very attractive and persuasive kind of legislation
4. in that it might have provided a way out. However, by
5. placing on the...the provisions for ambulance...the require-
6. ments that ambulances must meet, we are still faced with the
7. necessity of providing ambulance service, in a district
8. like mine, which is partially urban and partially rural...
9. you're neither quite fish nor fowl, we have a very serious
10. and complicated problem. I wish I could come down four-
11. square for or against this bill, but the plain fact is
12. the longer I deal with it the more confusing it becomes.
13. I cast the only negative vote against this bill in
14. committee. And I'm afraid that as much as I'm intrigued
15. by the category of invalid coach, I must, considering
16. the whole bill oppose it.

17. PRESIDING OFFICER (SENATOR MOHR):

18. Senator Knuepfer.

19. SENATOR KNUEPFER:

20. Well, I've got two kinds of problems with this bill.
21. Senator Wooten one of the concerns that you have is with
22. the downstate ambulance problem. Well, let me suggest to
23. you that this bill's going to make that problem an awful
24. lot more serious because if they are abandoning ambulance
25. service because of the fact that they cannot afford it
26. now, the provisions and restrictions in this bill are
27. going to make it that more costly and we are going to re-
28. quire additional abandonments due to the bill. The second
29. objection that I have to it is not that it has the Home
30. Rule Amendment, but it has kind of a novel version and
31. that is Home Rule for all cities of one million or better.
32. It would be a better bill in my opinion if it had jus the
33. standard Home Rule Amendment on rather than the million

1. or over. It really is not going to effect me, but for
2. those of you in sparsely populated districts when you
3. make conditions more difficult, they may be safer, you
4. may have better ambulance care, but if you drive the
5. cost of that care up so that nobody can afford it, and
6. it looks to me as if that's what this bill has done,
7. you've just knocked your whole ambulance out of business,
8. and I think that ought to be a concern.

9. PRESIDING OFFICER (SENATOR MOHR):

10. ...Chew.

11. SENATOR CHEW:

12. Yes, to answer Senator Knuepfer's question, or his
13. statement, these bills, Senator, are merely conforming
14. to the Federal regulations. That's why the Federal Govern-
15. ment is paying the cost of the equipment. Now, one of the
16. reasons we discovered about the ambulance service in
17. these areas that you spoke of is the fact that the
18. actual cost of the vehicle itself has been prohibitive.
19. Now, the law is that you can use a station wagon that's
20. equipped which is much less in funds. What we're trying
21. to do and as you know under Governor Ogilvie, they got
22. several trauma centers, got helicopter service, and the
23. report has been excellent on saving lives. And I'm sure
24. you're aware of that. Now, how could we be against this
25. legislation when all we're talking about is to give these
26. vehicles the right to move quickly on an emergency, and
27. save lives. Now, with the...the government paying the
28. cost of the equipment, an ambulance is also a convertible
29. hearse. So let us assume that a small funeral home in
30. Mattoon, Illinois has one ambulance. Well, that ambulance
31. can be equipped with Federal funds and it too will have
32. the authority to move in on these emergencies. Senator
33. Knuepfer, I'm talking to you. I wish you'd listen to me,

1. please. That one ambulance that that small funeral
2. home has can be equipped and the funeral home association
3. the funeral association testified in favor of this bill.
4. And my good friend Senator Weaver whose business is always
5. dead, he testified in favor of it. So, it's good legisla-
6. tion. And I would ask a favorable vote on it.

7. PRESIDING OFFICER (SENATOR MOHR):

8. Senator Wooten.

9. SENATOR WOOTEN:

10. Yes, if I may just respond briefly to something
11. Senator Knuepfer said. It is...an allusion that Senator
12. Chew has just made, it is precisely the advent of Federal
13. regulations which is driving most operators out of business.
14. The point I want to make is why I'm going to oppose this
15. legislation, I hope we keep the idea of the invalid
16. coach alive. That may be a good area for compromise in
17. the near future in settling this serious problem. But
18. I can't go along with the increased requirements that
19. are placed on ambulance and ambulance operators.

20. PRESIDING OFFICER (SENATOR MOHR):

21. Senator Johns.

22. SENATOR JOHNS:

23. Mr. President, Ladies and Gentlemen of the Senate,
24. I have to rise in opposition to this bill because we
25. are having a very, very serious crisis in Southern Illinois
26. finding people who will continue to provide this service.
27. If this bill passes about 80% of the towns within the State
28. could not afford the necessary funds for ambulance
29. services. In the regulations it is sought that a two-
30. way radio would be built in to the ambulance. This
31. would prove just totally useless unless the hospitals
32. set up a two way radio to correspond with them because
33. no point in having a two way radio there to radio to the

1. hospital if the hospital is not going to be able to
2. receive it. Bill does not contain a fiscal note for
3. the administration of the Act that I know of. Under
4. the State auspicious of the Department of Mental Health...
5. I mean the Department of Health, if I'm not mistaken
6. this bill was introduced pretty much in the same fashion
7. by Representative C. L. McCormick in the last Session.
8. I just can't support this bill, Senator Chew, because it'd
9. really harm the Downstate people that are trying to
10. provide this service at this time.

11. PRESIDING OFFICER (SENATOR MOHR):

12. Senator Partee.

13. SENATOR PARTEE:

14. Well, Mr. President, I hope I don't repeat something
15. that has been said already. I was off the Floor in a
16. Rules Committee meeting when the debate began here. But I
17. want to make it clear that this is a bill offered by the
18. State Department of Public Health. The State Department
19. of Public Health is concerned about the health of every
20. citizen of this State whether he lives in Waukegan or in
21. some other section of the State. And for me, personally,
22. I think that a person who is injured and needs ambulance
23. service, it's just as important whether he lives in Marion
24. or whether he lives in Chicago, Winnetka or wherever
25. he lives. I think he ought to be given first class
26. care. The least we can do for our citizens is to do this,
27. and I congratulate the State Department of Public Health
28. for bringing in this kind of legislation so that all
29. people, wherever they live can have the same kind of
30. health care in terms of ambulance service. I think it's
31. an excellent bill, and I certainly support the State
32. Department of Public Health in it's proffering this kind
33. of legislation.

1. PRESIDING OFFICER (SENATOR MOHR):
2. Senator Knuppel.
3. SENATOR KNUPPTEL:
4. Well, I have two questions. One of them is to Senator
5. Partee, since he apparently may have to leave the Floor
6. again. And the question is this, Senator Partee, does
7. this exclude the County of Cook?
8. PRESIDING OFFICER (SENATOR MOHR):
9. Senator Partee.
10. SENATOR PARTEE:
11. It may, well...because there probably isn't any need
12. for it because we're already doing it.
13. PRESIDING OFFICER (SENATOR MOHR):
14. Senator Knuppel.
15. SENATOR KNUPPTEL:
16. ...on that, the next question is to Senator Chew.
17. Who...who from Downstate Illinois wants this bill?
18. PRESIDING OFFICER (SENATOR MOHR):
19. Senator Chew.
20. SENATOR CHEW:
21. I have never had a confrontation with you and I
22. think that question is unfair. I have explained this
23. bill, and I want to make a further comment. The City
24. of Chicago is excluded, not the Count of Cook. But
25. the City of Chicago, Senator, is located in Cook County.
26. We have an excellent program in the City of Chicago, and
27. it isn't necessary for this to apply to Chicago.
28. PRESIDING OFFICER (SENATOR MOHR):
29. Senator Knuppel.
30. SENATOR KNUPPTEL:
31. I have to oppose this bill. Let me say to my friends
32. from Chicago this, that unless you've lived in Rome, you
33. probably don't what the Romans have to put up with.

1. I can tell you here and now that it costs the County of
2. Mason County last year for ambulance service because it
3. ...we've driven the funeral directors out of doing this,
4. \$45,000 just for ambulance service. Every small town
5. in Downstate Illinois is concerned about what it's costing
6. for ambulance service. Those ambulances sit there twenty-
7. four hours a day. They probably make calls when...when
8. what this...what's really required occurred may be once
9. or twice a year. Now, I'll tell you, I've lived all my
10. life in a small town downstate, and I worked my way through
11. college at Decatur by riding an ambulance in Decatur.
12. And I'll tell you that I don't want some jockey in one
13. of these ambulances out there working on me. The best
14. ambulance service you can have is a a heavy foot on the
15. accelerator. And I don't think the people from down-
16. state Illinois want this legislation, and most of all,
17. they don't want it from somebody...and I have no reflec-
18. tion on the fellows from Chicago, because you help me, but
19. for goodness sakes, before you bring a bill like this,
20. talk to me, talk to Johns, talk to Wooten, talk to some
21. of us people that represent small towns in Downstate
22. Illinois, and ask us if this bill will help us. Certainly
23. I ask you if it effects the City of Chicago, please extend
24. me that courtesy. And please, I ask you fellows...
25. from Chicago, you ask me and I vote for bills you want
26. on this side of the aisle because it concerns your city,
27. or licensing and home rule and a lot of other things,
28. I'm asking you as somebody from downstate Illinois and
29. telling you the people from Downstate Illinois don't
30. want this. Please vote for me and vote no.

31. PRESIDING OFFICER (SENATOR MOHR):

32. Senator Rock.

33. SENATOR ROCK:

1. Well, I just wanted to point out, Mr. President, on
2. a point of order and personal privilege both that I
3. happen to represent a district in the City of Chicago,
4. partially in the City of Chicago. I want Senator Knuppel
5. to know that this bill was neither drafted, proposed,
6. or supported by the City of Chicago. Senator Knuppel,
7. if you'll pay attention for a change.

8. PRESIDING O (SENATOR MOHR)

9. Senator Knuppel, Senator Rock is addressing his
10. remarks to you.

11. SENATOR ROCK:

12. There are a number of us from Chicago, Senator Knuppel.
13. This bill did not originate in our minds. This bill originat-
14. ed on the second floor with the Office of the Governor. It's
15. got a yellow folder, it's an administration bill. You
16. understand that? Fine.

17. PRESIDING OFFICER (SENATOR MOHR):

18. Senator Chew may close the debate.

19. SENATOR CHEW:

20. I...I merely say this. We are all elected from
21. political subdivisions, but our interest must be with
22. the citizens of this State of Illinois. And I have voted
23. for things that, hell, I don't even know where the towns
24. are located. Because my friends have come to me and
25. asked for a vote, I've voted for Senator Knuppel's bill
26. and I couldn't tell you where he lives. Now, it's
27. a good bill. It's a bill that's needed. It's the
28. Governor's bill. And..And..and Department of Health.
29. Now, if you want to vote it down, that's your prerogative,
30. but I will beg you to support it. And I don't think
31. it's necessary for me to have to go to some downstate
32. Senator and consult with him when my leadership gives
33. me a bill now. He either supports it or he doesn't. And

1. I don't have to go to Senator Knuppel, or no other Senator.
2. Hell, I'm down here, and I've got leadership. And
3. when he asks me to handle a bill, I'm handling it. And
4. here's the man with the dead business, and he's in favor
5. of it. And another point I want to make Senator Knuppel,
6. it's not compulsory. You do it if you want to, and
7. if you don't want to do it, you don't have to. Nobody is
8. going to hold a gun on an undertaker and say you must
9. do this, or you must do that. All we're talking about
10. is saving lives. And the Mayor of the City of Chicago,
11. through the Chicago Fire Department and many ambulance
12. services, we can get you to a hospital before you can
13. breathe, and that's what we're trying to do for the
14. citizens in the...in the State of Illinois. And I'll ask
15. for a favorable vote, and I move the previous question.

16. PRESIDING OFFICER (SENATOR MOHR):

17. The question is shall SB 551 pass? And on that
18. question the Secretary will call the roll.

19. SECRETARY:

20. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
21. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
22. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
23. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
24. Latherow, McBroom, McCarthy, Merritt,

25. PRESIDING OFFICER (SENATOR MOHR);

26. Senator Merritt.

27. SENATOR MERRITT:

28. Mr...Mr. President, I'm not going to belabor this
29. issue long. But to reiterate what I said once before, if
30. as Senator Chew represented to me, and I have every right
31. to believe that he must be correct, that the City of Chicago
32. now complies with this. Then there should be no argument
33. about their being amended into the bill. But I submit

1. to you Mr. President and members here, as testimony as
2. I remember in the committee was that the present City
3. Fire Ambulances in the City of Chicago will not qualify
4. under the terms of this bill. They must be a van type
5. vehicle. I vote no.

6. SECRETARY:

7. Mitchler, Howard Mohr, Don Moore, Netsch, Newhouse,
8. Nimrod, Nudelman, Ozinga, Palmer, Partee, Regner, Rock,
9. Roe, Romano, Saperstein, Savickas, Schaffer, Scholl,
10. Sharpiro, Smith, Sommer, Soper, Sours, Swinarski, Vadalabene
11. Walker, Weaver, Welsh, Wooten, Mr. President.

12. PRESIDING OFFICER (SENATOR MOHR)

13. Savickas, aye. Kosinski, aye. Vadalabene, no.
14. I didn't understand that sign, he had one arm up and one
15. arm down. Senator Vadalbene, how do you wish to vote?
16. Aye. On that question the yeas are twenty-one, the nays
17. are seventeen, one having voted present. SB 515 having
18. failed to receive the constitutional majority is declared
19. lost. Senator Harris.

20. SENATOR HARRIS:

21. Mr. President, I've discussed with the Chairman of
22. the Senate Committee on Revenue, HB 634. I would like to
23. move to discharge that Committee from further consideration
24. of that bill and have it placed on the order of 2nd reading.
25. HB 634.

26. PRESIDING OFFICER (SENATOR MOHR):

27. Senator Harris moves to discharge the Committee on
28. HB 634 and place it on the order of 2nd reading. Is there
29. leave? Senator Partee.

30. SENATOR PARTEE:

31. Philip, I have no objection to this. I only want
32. to make it clear that...Senator Harris understands that
33. once this bill is on 2nd read, there is an amendment

1. that I understand to be attached...

2. SENATOR HARRIS:

3. Yes.

4. SENATOR PARTEE:

5. ...and you should have that amendment...

6. SENATOR HARRIS:

7. The members will all have that...

8. SENATOR PARTEE:

9. ...before anything happens to it. Okay?

10. SENATOR HARRIS:

11. ...in ample time to evaluate the amendment. I just

12. want it on 2nd reading.

13. PRESIDING OFFICER (SENATOR MOHR):

14. Is there leave? Is there...Senator Donnewald, on

15. this same subject? Is there leave? Bill is discharged

16. and placed on the order of 2nd reading. HB 634. Senator

17. Donnewald.

18. SENATOR DONNEWALD:

19. There will be...there will be a Democratic caucus

20. immediately on the sixth floor. Immediately.

21. PRESIDING OFFICER (SENATOR MOHR):

22. Senator Course.

23. SENATOR DONNEWALD:

24. Right...right after we recess, Senator.

25. PRESIDING OFFICER (SENATOR MOHR):

26. Senator Course.

27. SENATOR COURSE:

28. Yes, Mr. President was that roll call on Senator Chew's

29. bill on both bills 515 and 516?

30. PRESIDING OFFICER (SENATOR MOHR)

31. Just on 515. We can't do that Senator. Any further

32. announcements? We'll go to the order of Introduction of

33. Bills, to help the Secretary.

1. SECRETARY:

2. SB 1179 by Senators Merritt, Partee, Dougherty,
3. Johns and Weaver.

4. (Secretary reads title of bill)

5. SB 1180 by Senators Merritt, Partee, Dougherty,
6. Johns and Weaver.

7. (Secretary reads title of bill)

8. SB 1181 by the same sponsors.

9. (Secretary reads title of bill)

10. 1181.

11. PRESIDING OFFICER: (SENATOR MOHR)

12. Senator Merritt.

13. SENATOR MERRITT:

14. Can I...Mr. President do you prefer to go through
15. all the introduction before I ask leave of the Body for
16. a...Do you prefer to go through all the introductions
17. before I come back to asking leave of the Body on three
18. of those bills?

19. PRESIDING OFFICER: (SENATOR MOHR)

20. You may act on the first one, Senator. Senator Merritt.

21. SENATOR MERRITT:

22. Well, Mr. President, Members of the Senate, 1179, 1180,
23. and 1181 are an outgrowth really of everything contained
24. in SB 915. It was brought about through the Appropriations
25. Committee, the staff of both sides, Democratic and
26. Republican working with Chapman and Cutler and the
27. Capital Development Bond Board on this subject. Since
28. these have been through committee and Appropriations,
29. I would...I would like to have leave of the Body that these
30. be placed on the order of 2nd reading. These three bills.
31. It does have the consent of the leadership of both sides
32. of the aisle.

33. PRESIDING OFFICER: (SENATOR MOHR)

1. 1179, 1180 and 1181, has that been agreed upon by the
2. Rules Committee, the question has been asked. It has
3. been. Senator Merritt.

4. SENATOR MERRITT:

5. And also agreed on by leadership of both sides
6. of the aisle. Both Senator Partee and Senator Harris.

7. PRESIDING OFFICER (SENATOR MOHR)

8. Senator Merritt is asking leave of the Body to
9. advance Senate Bills 1179, 1180 and 1181 to the order
10. of 2nd reading. It has been agreed upon by the Rules
11. Committee, without reference. Is there leave? So ordered.

12. SECRETARY:

13. SB 1182 by Senator Daley, Kenneth Hall, Carroll,
14. Partee, Nudelman, Palmer and Chew.

15. (Secretary reads title of bill)

16. 1183 by Senators Swinarski, Partee, Rock and
17. Donnewald.

18. (Secretary reads title of bill)

19. SB 1184 by Senators Bruce, Partee, Rock and Donnewald.

20. (Secretary reads title of bill)

21. 1st reading of the bills.

22. PRESIDING OFFICER (SENATOR MOHR)

23. Any further business? Senator Weaver.

24. SENATOR WEAVER:

25. Mr. President, there will be a Republican caucus
26. immediately after adjournment in the President's Office.

27. PRESIDING OFFICER (SENATOR MOHR)

28. We have one Death Resolution. We'll ask the members
29. to be in their seats, please. Would you hold that one
30. minute, Mr. Secretary? The Chair recognizes Senator Sours.

31. SENATOR SOURS:

32. Mr. President, Ladies and Gentlemen. Yesterday I
33. voted against SB 447. It was a vote in error because

1. I assumed that it had been amended. This was Senator
2. Dougherty's bill. I should like unanimous consent to
3. have the Journal show that my vote was erroneous, and
4. I want to favor the vote with an aye vote. SB 447
5. which passed this House yesterday.

6. PRESIDING OFFICER (SENATOR MOHR):

7. Senator, the Journal has gone to the printer, I'm
8. advised. Senator Donnewald, on the same subject? Senator
9. Donnewald.

10. SENATOR DONNEWALD:

11. Well, the other day Senator Buzbee was precluded
12. from doing that and so was Senator Harber Hall. And I
13. don't think that we can make any exception.

14. PRESIDING OFFICER (SENATOR MOHR)

15. Senator Buzbee was not here as I recall at the time
16. the roll call was taken. He was late in arriving which
17. he explained, and he didn't vote at all. In this case,
18. Senator Sours had voted and, so there is a difference.

19. SENATOR DONNEWALD:

20. What about Senator Hall?

21. PRESIDING OFFICER (SENATOR MOHR):

22. Senator Hall was also absent at the time. Senator Sours.
23. SENATOR SOURS:

24. So far as I can recall this has been a proper
25. procedure. Now it's true, the Journal probably has
26. gone to print. And if...if a formal motion is necessary
27. to be incorporated in the Journal of this date, I'll
28. even do that. This vote in no way changes the outcome.
29. I think I was the only negative vote. And I did that be-
30. cause I didn't think the bill had been amended. And I
31. found out later it was amended, and I should of voted aye.
32. Because I favored the bill if it had been amended.

33. PRESIDING OFFICER (SENATOR MOHR)

1. The Chair will...will ask if...if the Body, if there's
2. unanimous consent the vote may be changed. Is there
3. leave? Leave is granted. If all members will be in
4. their seats, please, we'll proceed with the Death Reso-
5. lution.

6. SECRETARY:

7. Senate Resolution No. 166 by Senator Kenneth Hall
8. and all members of the Senate.

9. (Secretary reads Senate Resolution No. 166)

10. PRESIDING OFFICER (SENATOR MOHR)

11. Senator Hall.

12. SENATOR KENNETH HALL:

13. Thank you, Mr. President, members of the Senate,
14. I'd just like to say that all of you know the great
15. services our present Treasurer, Senator Dixon, has given
16. in this Body. And I'd like to ask that it be adopted and
17. all Senators would please join.

18. PRESIDING OFFICER (SENATOR MOHR)

19. Before you make that motion, Senator Partee.

20. SENATOR PARTEE

21. I just wanted to say Mr. President, that sometimes
22. we have to say things a lot of times. I know this Body
23. is filled with prima donnas, but when we have a Death
24. Resolution it just seems to me that people could take
25. that moment and stay in their seats including pages and
26. members and visitors from other Houses should respect
27. the rules of the Senate in terms of a Death Resolution.
28. It's just very annoying, I think and very disrespectful
29. to the memory of a man who has given of himself to
30. mankind who can't have a moments silence while a Death
31. Resolution is being read. Now, we just have to enforce
32. that rule.

33. PRESIDING OFFICER (SENATOR MOHR)

1. The point is very well taken. Senator Hall.
2. SENATOR KENNETH HALL:
3. I just like to renew my motion.
4. PRESIDING OFFICER (SENATOR MOHR):
5. Senator Hall moves the rules be suspended and asks
6. for the immediate adoption. I'll ask for the suspension
7. of the rules first. All those in favor signify by saying
8. aye. Opposed. The rules have been suspended. Senator
9. Hall now moves the adoption of the Resolution. All those
10. signify by arising. The Resolution is adopted. The
11. Senate stands adjourned until 9:00 a.m. tomorrow morning.
12. Democratic and Republican caucus immediately.
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