

79TH GENERAL ASSEMBLY

REGULAR SESSION

MAY 22, 1975

1. PRESIDENT:

2. The hour of nine having arrived, the Senate will come to order.

3. The prayer will be by the Father Hugh P. Cassidy, Blessed Sacrament
4. Church, Springfield, Illinois.

5. (Prayer by Father Cassidy)

6. PRESIDENT:

7. Senator Soper.

8. SENATOR SOPER:

9. I wonder if this is the time for me to make the motion to Table all
10. bills on Postponed Consideration.

11. PRESIDENT:

12. Not quite yet, Senator, but it certainly approaches.

13. SENATOR SOPER:

14. I'm waiting with abated breath.

15. PRESIDENT:

16. And avidity, I take it. Reading of the Journal. Senator Hickey.

17. SECRETARY:

18. ...Friday, May the 16th, 1975.

19. PRESIDENT:

20. Senator Hickey.

21. SENATOR HICKEY:

22. I move that further reading of the Journal of Friday, May 16th,
23. 1975, be dispensed with, and unless some Senator has corrections to
24. offer, the Journal would stand approved.

25. PRESIDENT:

26. You heard the motion. All in favor will say Aye. Opposed Nay.
27. The Ayes have it. The motion carries. Senator Hickey.

28. SENATOR HICKEY:

29. Reading and approval of the Journals of Thursday, May 1st, Friday,
30. May 2nd, Tuesday, May 6th, Monday, May 19th, Tuesday, May 20th, Wed-
31. nesday, May 21, all 1975, be postponed pending arrival of the printed
32. Journals.

33. PRESIDENT:

1. You heard the motion. All in favor will say Aye. Opposed Nay.
2. The Ayes have it. The motion carries. Committee reports.

3. SECRETARY:

4. Senator Donnewald, Chairman of Assignment of Bills, assigns the
5. following to Committee.

6. Executive - House Bill 690; Insurance and Licensed Activities -
7. House Bill 1097, 1707, 2203 and 2914; Judiciary - House Bills 2728,
8. 2729, 2730, 2731, 2733, 2734, 2735, 2736, 2737, 2738 and 2968; Local
9. Government - House Bill 524; Pensions, Personnel and Veterans Affairs -
10. House Bill 1069; Transportation - House Bill 7...714, 876 and 1162.

11. PRESIDENT:

12. A Message from the House.

13. SECRETARY:

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

15. Mr. President - I am directed to inform the Senate that the
16. House of Representatives has passed bills with the following titles,
17. in the passage of which I am instructed to ask the concurrence of
18. the Senate, to-wit:

19. House Bill 1176, 1205, 1207, 1278, 1317, 1328, 1336, 1337,
20. 1338, 1340, 1343, 1348, 1354, 1358, 1361, 1365, 1369, 1371, 1373, 1374,
21. 1376, 1381, 1384, 1385, 1386, 1387, 1388, 1389, 1391, 1394, 1396, 2999
22. and 3016.

23. PRESIDENT:

24. Introduction of Bills.

25. SECRETARY:

26. Senate Bill 1497 introduced by Senators Hynes, Partee, Donnewald,
27. Rock and Bruce.

28. (Secretary reads title of bill)

29. 1st reading of the bill.

30. PRESIDENT:

31. House Bills on 1st reading. House Bill 526, Senator Graham and
32. Dougherty.

33. SECRETARY:

1. House Bill 526.
2. (Secretary reads title of bill)
3. 1st reading of the bill.
4. PRESIDENT:
5. House Bill 650, Senator Hickey.
6. SECRETARY:
7. House Bill 650.
8. (Secretary reads title of bill)
9. 1st reading of the bill.
10. PRESIDENT:
11. House Bill 705, Senator Berning.
12. SECRETARY:
13. House Bill 705.
14. (Secretary reads title of bill)
15. 1st reading of the bill.
16. PRESIDENT:
17. House Bill 711, Senator Carroll.
18. SECRETARY:
19. House Bill 711.
20. (Secretary reads title of bill)
21. 1st reading of the bill.
22. PRESIDENT:
23. House Bill 975, Senator Carroll.
24. SECRETARY:
25. House Bill 975.
26. (Secretary reads title of bill)
27. 1st reading of the bill.
28. PRESIDENT:
29. House Bill 996, Senator Carroll.
30. SECRETARY:
31. House Bill 996.
32. (Secretary reads title of bill)
33. 1st reading of the bill.

1. PRESIDENT:
2. House Bill 1056, Senator Kosinski.
3. SECRETARY:
4. House Bill 1056.
5. (Secretary reads title of bill)
6. 1st reading of the bill.
7. PRESIDENT:
8. House Bill 1072, Senator Knuppel.
9. SECRETARY:
10. House Bill 1072.
11. (Secretary reads title of bill)
12. 1st reading of the bill.
13. PRESIDENT:
14. House Bill 1074, Senator Demuzio.
15. SECRETARY:
16. House Bill 1074.
17. (Secretary reads title of bill)
18. 1st reading of the bill.
19. PRESIDENT:
20. House Bill 1127, Senator Joyce.
21. SECRETARY:
22. House Bill 1127.
23. (Secretary reads title of bill)
24. 1st reading of the bill.
25. PRESIDENT:
26. House Bill 11...1265, Senator Berning.
27. SECRETARY:
28. House Bill 1265.
29. (Secretary reads title of bill)
30. 1st reading of the bill.
31. PRESIDENT:
32. House Bill 1051.
33. SECRETARY:

1. House Bill 1051.
2. (Secretary reads title of bill)
3. 1st reading of the bill. Senator Partee.
4. PRESIDENT:
5. Is there a unanimous consent to move Senate...House Bill 1051
6. to the order of 2nd reading without reference to a committee? Leave
7. is granted. 2nd reading. House Bill 1151, Senator...is that Senator
8. Hickey? 1151? Senator Hickey.
9. SECRETARY:
10. House Bill 1151.
11. (Secretary reads title of bill)
12. 1st reading of the bill.
13. PRESIDENT:
14. Change the record as to the principle sponsor, Senator Knuppel.
15. ...The bill is 1151. Fine. 1165, Senator Hickey.
16. SECRETARY:
17. Senate Bill 1165.
18. (Secretary reads title of bill)
19. 3rd reading of the bill...1st reading of the bill.
20. PRESIDENT:
21. 1181, Senator Knuppel.
22. SECRETARY:
23. House Bill 1181.
24. (Secretary reads title of bill)
25. 1st reading of the bill.
26. PRESIDENT:
27. House Bill 1181, Senator Knuppel. House Bill 1182, Senator
28. Knuppel.
29. SECRETARY:
30. House Bill 1182.
31. (Secretary reads title of bill)
32. 1st reading of the bill.
33. PRESIDENT:

1. House Bill 1183, Senator Knuppel.
2. SECRETARY:
3. House Bill 1183.
4. (Secretary reads title of bill)
5. 1st reading of the bill.
6. PRESIDENT:
7. House Bill 1184.
8. SECRETARY:
9. House Bill 1184.
10. (Secretary reads title of bill)
11. 1st reading of the bill.
12. PRESIDENT:
13. House Bill 1185.
14. SECRETARY:
15. House Bill 1185.
16. (Secretary reads title of bill)
17. 1st reading of the bill.
18. PRESIDENT:
19. House Bill 1186.
20. SECRETARY:
21. House Bill 1186.
22. (Secretary reads title of bill)
23. 1st reading of the bill.
24. PRESIDENT:
25. House Bill 1187.
26. SECRETARY:
27. House Bill 1187.
28. (Secretary reads title of bill)
29. 1st reading of the bill.
30. PRESIDENT:
31. House Bill 1188.
32. SECRETARY:
33. House Bill 1188.

1. (Secretary reads title of bill)
2. 1st reading of the bill.
3. PRESIDENT:
4. House Bill 1189.
5. SECRETARY:
6. House Bill 1189.
7. (Secretary reads title of bill)
8. 1st reading of the bill.
9. PRESIDENT:
10. House Bill 1190.
11. SECRETARY:
12. House Bill 1190.
13. (Secretary reads title of bill)
14. 1st reading of the bill.
15. PRESIDENT:
16. House Bill 1191.
17. SECRETARY:
18. House Bill 1191.
19. (Secretary reads title of bill)
20. 1st reading of the bill.
21. PRESIDENT:
22. House Bill 1192.
23. SECRETARY:
24. House Bill 1192.
25. (Secretary reads title of bill)
26. 1st reading of the bill.
27. PRESIDENT:
28. House Bill 11...12...1193.
29. SECRETARY:
30. House Bill 1193.
31. (Secretary reads title of bill)
32. 1st reading of the bill.
33. PRESIDENT:

1. House Bill 1194.
2. SECRETARY:
3. House Bill 1194.
4. (Secretary reads title of bill)
5. 1st reading of the bill.
6. PRESIDENT:
7. House Bill 1195.
8. SECRETARY:
9. House Bill 1195.
10. (Secretary reads title of bill)
11. 1st reading of the bill.
12. PRESIDENT:
13. House Bill 1196.
14. SECRETARY:
15. House Bill 1196.
16. (Secretary reads title of bill)
17. 1st reading of the bill.
18. PRESIDENT:
19. House Bill 1197.
20. SECRETARY:
21. House Bill 1197.
22. (Secretary reads title of bill)
23. 1st reading of the bill.
24. PRESIDENT:
25. House Bill 1198.
26. SECRETARY:
27. House Bill 1198.
28. (Secretary reads title of bill)
29. 1st reading of the bill.
30. PRESIDENT:
31. House Bill 1200.
32. SECRETARY:
33. House Bill 1200.

1. (Secretary reads title of bill)
2. 1st reading of the bill.
3. PRESIDENT:
4. House Bill 1201.
5. SECRETARY:
6. House Bill 1201.
7. (Secretary reads title of bill)
8. 1st reading of the bill.
9. PRESIDING OFFICER: (SENATOR NUDELMAN)
10. House Bill 1203.
11. SECRETARY:
12. House Bill 1203.
13. (Secretary reads title of bill)
14. 1st reading of the bill.
15. PRESIDING OFFICER: (SENATOR NUDELMAN)
16. House Bill 1204, Senator Knuppel.
17. SECRETARY:
18. House Bill 1204.
19. (Secretary reads title of bill)
20. 1st reading of the bill.
21. PRESIDING OFFICER: (SENATOR NUDELMAN)
22. House Bill 1204. Correction, House Bill 1208, Senator Knuppel.
23. SECRETARY:
24. House Bill 1208.
25. (Secretary reads title of bill)
26. 1st reading of the bill.
27. PRESIDING OFFICER: (SENATOR NUDELMAN)
28. For what reason does Senator Hall arise? One moment please, we'll
29. fix this.
30. SENATOR HALL:
31. Oh. Mr. President, while we're on this order I wonder if it would be
32. convenient to ask for a leave of the House to move to the order of 2nd
33. reading, House Bill 1121. Without...without reference. It's identical

1. to a Senate Bill that was passed without objection and...
2. PRESIDING OFFICER: (SENATOR NUDELMAN)
3. I'm informed, Senator, that it would be more convenient for
4. staff if we were to finish 1st readings before we went to another...
5. SENATOR HALL:
6. All right.
7. PRESIDING OFFICER: (SENATOR NUDELMAN)
8. ...matter of business. Thank you.
9. SENATOR HALL:
10. Thank you.
11. PRESIDING OFFICER: (SENATOR NUDELMAN)
12. I can't see that far without my glasses, Senator Carroll, thank
13. you very much. House Bill 1209, Senator Knuppel.
14. SECRETARY:
15. House Bill 1209.
16. (Secretary reads title of bill)
17. 1st reading of the bill.
18. PRESIDING OFFICER: (SENATOR NUDELMAN)
19. House Bill 1213, Senator Knuppel.
20. SECRETARY:
21. House Bill 1213.
22. (Secretary reads title of bill)
23. 1st reading of the bill.
24. PRESIDING OFFICER: (SENATOR NUDELMAN)
25. House Bill 1214, Senator Knuppel.
26. SECRETARY:
27. House Bill 1214.
28. (Secretary reads title of bill)
29. 1st reading of the bill.
30. PRESIDING OFFICER: (SENATOR NUDELMAN)
31. House Bill 1215, Senator Knuppel.
32. SECRETARY:
33. House Bill 1215.

1. (Secretary reads title of bill)
2. 1st reading of the bill.
3. PRESIDING OFFICER: (SENATOR NUDELMAN)
4. House Bill 1216, Senator Knuppel.
5. SECRETARY:
6. House Bill 1216.
7. (Secretary reads title of bill)
8. 1st reading of the bill.
9. PRESIDING OFFICER: (SENATOR NUDELMAN)
10. House Bill 1220, Senator Knuppel.
11. SECRETARY:
12. House Bill 1220.
13. (Secretary reads title of bill)
14. 1st reading of the bill.
15. PRESIDING OFFICER: (SENATOR NUDELMAN)
16. House Bill 1224, Senator Knuppel.
17. SECRETARY:
18. House Bill 1224.
19. (Secretary reads title of bill)
20. 1st reading of the bill.
21. PRESIDING OFFICER: (SENATOR NUDELMAN)
22. House Bill 1228, Senator Knuppel.
23. SECRETARY:
24. House Bill 1228.
25. (Secretary reads title of bill)
26. 1st reading of the bill.
27. PRESIDING OFFICER: (SENATOR NUDELMAN)
28. House Bill 1231, Senator Knuppel.
29. SECRETARY:
30. House Bill 1231.
31. (Secretary reads title of bill)
32. 1st reading of the bill.
33. PRESIDING OFFICER: (SENATOR NUDELMAN)

House Bill 1236, Senator Knuppel.

SECRETARY:

House Bill 1236

1 (Secretary reads title of bill)

2 1st reading of the bill.

3 PRESIDENT:

4 House Bill 1238, Senator Knuppel.

5 SECRETARY:

6 House Bill 1238

7 (Secretary reads title of bill)

8 1st reading of the bill.

9 PRESIDING OFFICER: (SENATOR NUDELMAN)

10 House Bill 1240, Senator Knuppel.

11 SECRETARY:

12 House Bill 1240

13 (Secretary reads title of bill)

14 1st reading of the bill.

15 PRESIDING OFFICER: (SENATOR NUDELMAN)

16 House Bill 1245, Senator Knuppel.

17 SECRETARY:

18 House Bill 1225...

19 PRESIDING OFFICER: (SENATOR NUDELMAN)

20 45.

21 SECRETARY:

22 House Bill 1245

23 (Secretary reads title of bill)

24 1st reading of the bill.

25 PRESIDING OFFICER: (SENATOR NUDELMAN)

26 House Bill 1249, Senator Knuppel.

27 SECRETARY:

28 House Bill 1249

29 (Secretary reads title of bill)

30 1st reading of the bill.

31 PRESIDING OFFICER: (SENATOR NUDELMAN)

32 House Bill 12 Senator 5...75, Senator Hickey.

33 SECRETARY:

1. House Bill 1275.
2. (Secretary reads title of bill)
3. 1st reading of the bill.
4. PRESIDING OFFICER: (SENATOR NUDELMAN)
5. House Bill 1109, Senator Weaver.
6. SECRETARY:
7. House Bill 1109.
8. (Secretary reads title of bill)
9. 1st reading of the bill.
10. PRESIDING OFFICER: (SENATOR NUDELMAN)
11. House Bill 1124, Senator Egan.
12. SECRETARY:
13. House Bill 1124.
14. (Secretary reads title of bill)
15. 1st reading of the bill.
16. PRESIDING OFFICER: (SENATOR NUDELMAN)
17. House Bill 1179, Senator Kosinski.
18. SECRETARY:
19. House Bill 1179.
20. (Secretary reads title of bill)
21. 1st reading of the bill.
22. PRESIDING OFFICER: (SENATOR NUDELMAN)
23. House Bill 1324, Senator Schaffer.
24. SECRETARY:
25. House Bill 1324.
26. (Secretary reads title of bill)
27. 1st reading of the bill.
28. PRESIDING OFFICER: (SENATOR NUDELMAN)
29. House Bill 1568, Senator Knuppel.
30. SECRETARY:
31. House Bill 1568.
32. (Secretary reads title of bill)
33. 1st reading of the bill.

1. PRESIDING OFFICER: (SENATOR NUDELMAN)
2. House Bill 2718, Senator Knüppel.
3. SECRETARY:
4. House Bill 2718.
5. (Secretary reads title of bill)
6. 1st reading of the bill.
7. PRESIDING OFFICER: (SENATOR NUDELMAN)
8. House Bill 1084, Senator Mitchler.
9. SECRETARY:
10. House Bill 1084.
11. (Secretary reads title of bill)
12. 1st reading of the bill.
13. PRESIDING OFFICER: (SENATOR NUDELMAN)
14. Anyone else want to pick up any their House Bills on 1st?
15. Senator, 1789 has already been assigned. To you, I believe. And it's
16. in committee. Committee reports.
17. SECRETARY:
18. Senator Hynes, Chairman of Appropriations, reports out the follow-
19. ing bills: Senate Bill 1497 with the recommendation Do Pass. Senate
20. Bill 1487 with the recommendation Do Pass as Amended. House Bill 1173
21. with the recommendation Do Pass as Amended.
22. PRESIDING OFFICER: (SENATOR NUDELMAN)
23. Senate Bills on 2nd reading. Senate Bill number 5, Senator Mitchler.
24. Hold it. Senate Bill number 9, Senator Donnewald. Senator Donnewald,
25. do you want to move Senate Bill number 9?
26. SENATOR DONNEWALD:
27. No.
28. PRESIDING OFFICER: (SENATOR NUDELMAN)
29. Senate Bill 337, Senator Dougherty. Senate Bill 397, Senator
30. Buzbee. Senate Bill 429, Senator Fawell. Senate Bill 472, Senator
31. Bruce. Senate Bill 477, Senator Egan. Senator...Bill 510. Senator Hall,
32. Kenneth Hall. Senate Bill 633, Senator Hynes. Senator Hynes, 633.
33. Do you want to move it? How about 634? Senate Bill 855, Senator

1. Graham. Read the bill, please.

2. SECRETARY:

3. Senate Bill...

4. PRESIDING OFFICER: (SENATOR NUDELMAN)

5. For what purpose does Senator Rock arise?

6. SENATOR ROCK:

7. Just inquiry of the sponsor. I understand there is an amendment

8. in the works, or is that not correct.

9. PRESIDING OFFICER: (SENATOR NUDELMAN)

10. Senator Dougherty is not on the Floor. Senator Dougherty had in-

11. formed me that there probably would be an amendment. He will bring it

12. back. That's right. Senator Graham.

13. SENATOR GRAHAM:

14. With regard to 855, Senator Rock, I'm not sure that it will ever

15. go anywhere but beyond that. But I'll be willing to move it back. It's

16. a vehicle bill, and I'd like to have it up on 3rd reading.

17. PRESIDING OFFICER: (SENATOR NUDELMAN)

18. Read the bill.

19. SECRETARY:

20. Senate Bill 855.

21. (Secretary reads title of bill)

22. 2nd reading of the bill. No committee amendments.

23. PRESIDING OFFICER: (SENATOR NUDELMAN)

24. Any amendments from the Floor? 3rd reading. Senate Bill 1286,

25. Senator Graham. Senate Bill 1324, Senator Buzbee. Senator Buzbee.

26. SENATOR BUZBEE:

27. Thank you, Mr. President. I do want to move this. There are

28. some amendments to go on this which are controversial, coming from

29. both sides, and I don't feel like that it's fair to the whole member-

30. ship to try to move it now with so little attendance on the Floor at

31. this point. Are we going to get back to 2nd sometime today? I...I've

32. got to move it today, obviously, because tomorrow is Friday. All right

33. can...can I go ahead and move it now, Senator Harris? Senator Harris,

1. this is 1324. Can I go ahead and move that to 3rd and then bring it
2. back so we can save the day that the reading...
3. PRESIDING OFFICER: (SENATOR NUDELMAN)
4. Read the bill please.
5. SECRETARY:
6. Senate Bill 1324.
7. (Secretary reads title of bill)
8. 2nd reading of the bill. No committee amendments. One Floor Amend-
9. ment offered by Senator Buzbee. 2nd reading of the bill. No committee
10. amendments.
11. PRESIDENT:
12. 3rd reading. 1378, Senator Sommer. Read the bill.
13. SECRETARY:
14. Senate Bill 1378.
15. (Secretary reads title of bill)
16. 2nd reading of the bill. No committee amendments.
17. PRESIDENT:
18. 1399, Senator Hynes. 3rd reading. Senate Bill 1399, Senator
19. Hynes. Senate Bill 1455, Senator Bruce. Read the bill.
20. SECRETARY:
21. Senate Bill 1455.
22. (Secretary reads title of bill)
23. 2nd reading of the bill. No committee amendments.
24. PRESIDENT:
25. Any amendments from the Floor? 3rd reading. Any further Senate
26. bills on 2nd reading desired to be called? Any other Senator desire
27. to call House Bills on 1st reading? House Bills 1st reading. House
28. Bill 1285, Senator Johns.
29. SECRETARY:
30. House Bill 1285.
31. (Secretary reads title of bill)
32. 1st reading of the bill.
33. PRESIDENT:

1. Senator Harber Hall is recognized for a stated purpose.
2. SENATOR HALL:
3. Well, Mr. President, I would like leave of the Senate to have
4. House Bill 1121 moved to the order of 2nd reading without reference.
5. This bill, an Auditor General's Bill, was approved, I think, without
6. dissent in...in identical form with this, and resides now, in the
7. House and I believe we could consider this on the order of 2nd
8. reading.
9. PRESIDENT:
10. Senator, is this House Bill 1121?
11. SENATOR HALL:
12. Yes, this is 1121.
13. PRESIDENT:
14. Well, it's not on the Calendar. It must be in a committee.
15. SENATOR HALL:
16. It probably already came in and has been assigned to committee,
17. then.
18. PRESIDENT:
19. Well, we'll check and find out where it is, Senator, and we'll
20. get back to you.
21. SENATOR HALL:
22. All right, thank you and sorry.
23. PRESIDENT:
24. Yeah. Check and let us know where it is. They can tell you in
25. the...Secretary's office. House bills on 1st reading. House Bill
26. 2086.
27. SECRETARY:
28. House Bill 2086.
29. (Secretary reads title of bill)
30. 1st reading of the bill.
31. PRESIDENT:
32. Senator Ozinga. Any further House bills on 1st reading? Any
33. further Senate bills on 2nd reading? Senator Harber Hall.

1. SENATOR HALL:
2. Oh. I'm not prepared...just saw it here.
3. PRESIDENT:
4. Senator, the 874. No...House...no, wait a minute. Let's get
5. back to your 1121. House Bill 1121 is in the Senate Committee on
6. Executive. Now, you desire to make a motion to discharge the Executive
7. Committee for...from further consideration of bill, and to place it
8. on order of 2nd reading?
9. SENATOR HALL:
10. I do, Sir.
11. PRESIDENT:
12. You heard...the Chairman on Executive, Senator Johns. Is that
13. all right? Senator Harber Hall moves that the...that House Bill 1121,
14. now assigned to Executive, be discharged from that Committee and placed
15. on the order of 2nd reading. All in favor will say Aye. Opposed Nay.
16. The Ayes have it. House Bill 1121 is now on 2nd reading. House bill
17. on 1st reading. House Bill 874, Senator Harber Hall.
18. SECRETARY:
19. House Bill 874.
20. (Secretary reads title of bill)
21. 1st reading of the bill.
22. PRESIDENT:
23. House Bills on 1st reading. House Bill 1460, Senator Harber
24. Hall.
25. SECRETARY:
26. House Bill 1460.
27. (Secretary reads title of bill)
28. 1st reading of the bill.
29. PRESIDENT:
30. House Bills on 1st reading. House Bill 1455, Senator Harber Hall.
31. SECRETARY:
32. House Bill 1455.
33. (Secretary reads title of bill)

1. 1st reading of the bill.
2. PRESIDENT:
3. House Bill 1459, Senator Harber Hall.
4. SECRETARY:
5. House Bill 1469.
6. (Secretary begins reading title of bill)
7. PRESIDENT:
8. 59.
9. SECRETARY:
10. 1459. House Bill 1459.
11. (Secretary reads title of bill)
12. 1st reading of the bill.
13. PRESIDENT:
14. 1461, Senator Harber Hall.
15. SECRETARY:
16. House Bill 1461.
17. (Secretary reads title of bill)
18. 1st reading of the bill.
19. PRESIDENT:
20. House Bill 1461, Senator Harber Hall. 62...1462, Senator Harber
21. Hall.
22. SECRETARY:
23. House Bill 1462.
24. (Secretary reads title of bill)
25. 1st reading of the bill.
26. PRESIDENT:
27. Senator Schaffer is recognized on a point of personal privilege.
28. Senator Schaffer.
29. SENATOR SCHAFFER:
30. If I might have my colleagues' attention, particularly those of you
31. who aren't on the Floor and in your offices. We...the Pages are currently
32. passing out a note from me that I think might be of interest to you,
33. it's a little out of the ordinary. Just prior to our House-Senate

1. baseball game next Tuesday, myself and Representative Hanahan and
2. Calvo, have made arrangements for a hot-air balloon, a lighter than
3. air air-ship to ascend to the heavens.
4. PRESIDENT:
5. Where did you get the hot air from, Senator?
6. SENATOR SCHAFFER:
7. Well...
8. PRESIDENT:
9. Senator Schaffer.
10. SENATOR SCHAFFER:
11. I...I...I really think that there is no doubt that the concept
12. that politicians put out a lot of hot air is, obviously, not true
13. because if it were true, after the last two weeks activity the roof
14. of the Capitol would have floated away. But what we are going to do,
15. and I'm very serious on this, any Senator who is interested in going
16. up in the balloon please give me your name, and we are going to draw
17. out of the hat, and I have asked that noted expert on transportation,
18. if not someone capable of flying on State planes, Charley Chew, to
19. draw a name out of a hat and one of our...us will ascend to the heavens
20. in this balloon, which may be as close as some of us will ever get.
21. But seriously...
22. PRESIDENT:
23. For what purpose does Senator...Senator Donnewald, for what pur-
24. pose do you arise?
25. SENATOR DONNEWALD:
26. As in...in line with what Senator Schaffer is saying, that thing
27. has a hope to where you bring it back down?
28. PRESIDENT:
29. Senator Schaffer.
30. SENATOR SCHAFFER:
31. Yes, I have...I have been up in balloons and I...I have gotten back
32. down and they are safe...
33. SENATOR DONNEWALD:

1. Well...

2. SENATOR SCHAFFER:

3. ...and it's a very enjoyable experience.

4. SENATOR DONNEWALD:

5. If...if...if some...if some of them get on the balloon the...the

6. rope might get cut.

7. SENATOR SCHAFFER:

8. If...if the Governor gets on the balloon the rope might get cut

9. did you say?

10. PRESIDENT:

11. Let's not get personal fellows.

12. SENATOR SCHAFFER:

13. No, no, this...these...these balloons are very safe and we, obviously,

14. we will only fly if weather conditions are permitting. Obviously, if

15. it's a turbulent night and there's a high wind, or a thunderstorm is

16. on the horizon this balloon is not going up, and we'll have to post-

17. pone it, and invite you up to my area. The Midwest Balloon Port is

18. located in my district very close to my home. We are going to try

19. and send up one Senator and one Representative that night, so if you

20. are interested please give me your name and we'll make a list and we'll

21. have a drawing out of a hat. I have to admit I do have an ulterior

22. motive. We are going to attempt to send up one of the House's

23. better baseball players. So, if we can get rid of Jesse White or

24. Roger McAuliffe for a couple of hours it might be very helpful.

25. PRESIDENT:

26. Thank you, Senator Schaffer, I...I think that the membership should

27. make certain that all your friends are at the baseball game. It's

28. a very interesting affair, we also think that the Senate has a ex-

29. cellent chance to win this time. But more than that, the winner will

30. be the foundation which will be getting the proceeds, and it is a

31. very laudable one, and we will be doing good for others which is really

32. the bottom line. House bills on 1st reading. House Bill 1320, Senator

33. Bruce.

SB 1024
Recalled
5-22-75

1. SECRETARY:
2. House Bill 1320.
3. (Secretary reads title of bill)
4. 1st reading of the bill.
5. PRESIDENT:
6. House Bill 177, Senator Brady.
7. SECRETARY:
8. House Bill 177.
9. (Secretary reads title of bill)
10. 1st reading of the bill.
11. PRESIDENT:
12. Any further House Bills on 1st reading? Senator Kosinski, would
13. you come to the rostrum? Senate Bills on 3rd reading. Ring the bell,
14. Mr. Sergeant-at-Arms. Senator Buzbee is recognized.
15. SENATOR BUZBEE:
16. Mr. President, before I move that we adjourn, I wanted to introduce
17. Dr. Warren Brandt, the new President of SIU, Carbondale, has been aboard
18. since about last October and wanted to introduce him to the Body.
19. Dr. Brandt.
20. PRESIDENT:
21. Dr. Warren Brandt. Dr. Warren Brandt, the President of Southern
22. Illinois University at Carbondale. Dr. Brandt, would you have a few
23. words for us this morning?
24. (Speech given by Dr. Warren Brandt)
25. PRESIDENT:
26. (Machine cut-off)...Dr. Brandt to know that Senator Buzbee has
27. been passing a lot of bills for your alma mater over at Champaign.
28. (Machine cut-off)...the bill. Senate Bills on 3rd reading. Senate
29. Bill 1024, Senator Glass.
30. SECRETARY:
31. Senate...
32. PRESIDENT:
33. Yes, he's going to recall the bill. The motion...Senator Glass

1. asks...seeks leave to move Senate Bill 1024 from the order of 3rd
2. reading to the order of 2nd reading for the purpose of some amend-
3. ments. Is there leave? Leave is granted. The bill is on 2nd
4. reading. Senator Glass.

5. SENATOR GLASS:

6. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
7. I would like to offer Senate Amendment No. 5 to Senate Bill 1024.
8. This is the amendment which would place a five hundred thousand dollar
9. maximum on malpractice awards. And I would like to comment briefly
10. on this amendment, Mr. President, and answer some of the questions
11. which were raised when this matter came up the other night, by Senator
12. Carroll. Question, basically one of them was why is there a need for
13. a five hundred thousand dollar maximum, and I would suggest that those
14. of you who have doubts about this, I'm going to try to answer some
15. of the questions that I anticipate will be raised, and suggest that if
16. you can pay attention now, it...it may answer some of your questions later.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Glass, I think that's an excellent suggestion, because I've
19. over the last several days, I've heard many questions that were asked,
20. in fact, answered, and then we go round and round and round, and I
21. would hope that the Body will be in their seats and at attention and
22. listen to the discussion. Senator Glass.

23. SENATOR GLASS:

24. Thank you, Mr. President. One of the questions that came up is,
25. how many cases were there in Illinois in 1975, where there were either
26. judgments or settlements over five hundred thousand dollars. The answer
27. is, that there were three. Two for approximately a million dollars,
28. one for approximately two and one half million dollars. There were
29. estimated total medical malpractice premiums in 1975 already of between
30. fourteen and fifteen million dollars. Now, another question raised by
31. Senator Carroll was, pertained to the cost of insurance over and above
32. five hundred thousand. In other words, what is really the premium
33. impact today on the coverage in excess of five hundred thousand for

1. doctors and hospitals. The Hartford Company has provided us with, at
2. least, one answer for surgeons who are considered a medium high risk.
3. Their coverage up to five hundred thousand dollars, the premium is
4. forty eight hundred dollars per year. However, on a million dollars
5. the premium is seventy two hundred dollars a year, so there is a...an
6. increase of twenty four hundred dollars. Now, importantly, however,
7. on July 1st these...rates will increase by approximately eighty per
8. cent, eighty per cent, so that will kick up those those figures signifi-
9. cantly, and you'll have about a four thousand plus premium between
10. five hundred thousand and one million.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Just a moment. There's an awful lot of discussion going on all
13. over the Floor. Could we have the members in their seats. Continue.

14. SENATOR GLASS:

15. Thank you, Mr. President. I'll try...

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Graham. Just...just a moment. Senator Graham, for what
18. purpose do you arise?

19. SENATOR GRAHAM:

20. Mr. President, I haven't done this for awhile. Since yesterday.
21. But if we don't get some order in here I'm going to be up every thirty
22. seconds while we're discussing these amendments on this very important
23. bill. I would like for the...for the sponsor of the amendments or some-
24. one to indicate to us, the first line of the amendments so we know what
25. we're talking about. Apparently, he is the only one around here that
26. does, and if we don't get some order, when he's all through with the
27. fifteen minute dissertation he...he will be the only one that knows at
28. that time.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Glass.

31. SENATOR GLASS:

32. ...Thank you, Mr. President, and in response to Senator Graham's
33. request I am discussing Amendment No. 5 and on line four of that

1. amendment...it's an eight line amendment and line four makes reference
2. to Section 58.11, and the amendment goes on to provide a maximum
3. on malpractice claims recovery in the amount of five hundred
4. thousand dollars. That is the amendment we are discussing. I
5. would make a few other comments in regard to the need for this
6. particular amendment. Now, in...in...

7. PRESIDING OFFICER (SENATOR DONNEWALD)

8. Just a moment. For what purpose does Senator...Nudelman
9. arise?

10. SENATOR NUDELMAN:

11. Mr. President, I'm trying to follow Senator Glass, and I think
12. I have a copy of the bill and it doesn't fit.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Glass.

15. SENATOR GLASS:

16. Senator Nudelman, I believe it does fit. If you will recall, we
17. placed Amendment No. 4 on the bill, I believe it was two days ago, now,
18. that is the virtually the bill as it stands today and Amendment No. 5
19. adds a new Section 58.10.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. He indicates that he understands. Proceed.

22. SENATOR GLASS:

23. Thank you, thank you, Mr. President. It isn't only the question
24. of how many awards recoveries in excess of five hundred thousand
25. dollars have occurred. It is to a large degree the actuarial determina-
26. tion of future recoveries. That is, as recoveries in these cases go
27. up, the insurance companies are forced to put aside large reserves in
28. anticipation of possible future recoveries, so that this is a factor
29. which significantly raises premium rates. If you also consider the
30. fact that we have historically experienced with regard to maximums in
31. two areas - one is the workmen's compensation field, where there are
32. maximums placed on recoveries, and, also, before Senator Donnewald's
33. bill we had a maximum on death claims of thirty thousand dollars. The

1. effect of those maximums, particularly in the wrongful death area is...
2. is to psychologically scale down all of the awards that occur, and
3. it is the belief of the insurance companies that we've been able to
4. discuss this with, that those awards will, in fact, be tailored down
5. with a maximum. Other states, Ladies and Gentlemen, have had more
6. significant, higher malpractice awards. California, in particular,
7. in the last year has had thirty awards of malpractice in excess of
8. three hundred thousand dollars, so it is a national problem, and I...
9. I believe, very frankly, that this five hundred thousand dollar maxi-
10. mum will have a stabilizing effect on our malpractice premiums. I
11. would urge the adoption, Mr. President, of Amendment No. 5.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Lemke.

14. SENATOR LEMKE:

15. I...I think I have to speak against this amendment, because I
16. think that I'm directly opposed to setting any maximum...any limit
17. on a maximum recovery on a negligent action. I don't think that it's
18. constitutional, and if you compare it to the Workmen's Compensation Act,
19. you're comparing it to do two different breeds. Under the Workmen's
20. Compensation Act, nobody is negligent. You recover automatically
21. while you're injured in the course of your employment. The people that
22. regulate the negligence and misfeasance of the employer are the
23. Department of Labor under their safety inspection programs, and they
24. put fines on these employees to make corrections and to make a place
25. better to work. If we put a maximum limit on this, we're not protecting
26. the doctors, we're not protecting the patient who is injured. We're
27. protecting only the insurance carrier. We're only protecting insurance
28. companies. You can see the difference, and yet they've paid out three
29. claims but they're charging, almost enough money that quite...quite
30. a bit of money, and I...I...I just can't see putting the maximum on.
31. If you want to...handle malpractice bills and you wanted one that is
32. going to be effective that's not going to be thrown out of the courts,
33. then you better get them off the thing of setting a maximum limit, because

1. I think the courts are going to throw it out, and it's going to be,
2. the whole Act is going to be screwed up and it ain't going to benefit
3. anybody and we'll be back here again trying to write a new Act, and
4. I...I definitely am against imposing limits. The idea of a lawsuit
5. is for a party to correct from somebody that's negligent in their
6. duties, and this is why you allow a recover. I know of an incident that
7. I when I first got out of law school in...in Hanling, I...I know an
8. incident where the bills ran over five hundred thousand dollars be-
9. cause of some stupid hospital administrator that knew the emergency
10. oxygen system system warning light was not shut on but he was arguing
11. with the contractor, and...and he left patients go into that operating
12. room and let them get...and we ended up with a spastic quadriplegic
13. whose bills were way over, we ended up with three kids that don't have
14. a mother now, and when they did have a mother they had a vegetable
15. in bed because of some stupidity on the part of a...of a hospital
16. administrator that refused to fix the warning system for maybe a
17. couple thousand dollars, and we ended up with this serious case.
18. And who's going to feed these children, if you look around, who's go-
19. ing to feed these children that mother's under a malpractice claim.
20. Or who's going to take care of the wife that has a mess of families,
21. because of some stupidity on the part of some hospital administrator,
22. or maybe some direct violation and almost pure criminal conduct on
23. the part of some doctor that does the surgery when he knows he shouldn't
24. do the surgery because he was out the night before drinking. And I
25. cannot see setting a medical limit on anything.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Carroll.

28. SENATOR CARROLL:

29. Thank you, Mr. President, I also rise to oppose this amendment in
30. somewhat in the vein we had talked about the day before when this pro-
31. cedure was brought before us then. A couple things to remember, I think,
32. first of all the Senate had created a Study Committee to go into the
33. entire area of malpractice and that committee has been meeting and is

1. attempting to resolve some of these very same issues and resolve them
2. in time with the vehicles that are available to us before we adjourn
3. the end of June of this year. I think what we're looking at, though,
4. is rather than a malpractice crisis, is an insurance crisis. I don't
5. think what we're talking about is whether or not there should be respon-
6. sibility, but whether or not the insurance is available, and I think
7. we're approaching this from the wrong avenue. As Senator Lemke has said...
8. as Senator Lemke has said, what we're talking about is whether or not
9. we are going to allow insurance company euthanasia. We are talking
10. about three cases in Illinois, three cases that were over that cap,
11. and as Senator Glass has explained to me and as I've been told by both
12. sides that are all sides of this issue, one of those cases, as I under-
13. stand it, is a little girl about sixteen, who the medics say will live
14. about thirty, forty years who has forty-five thousand dollars a year
15. in medical costs, in hospital and doctor costs. Now, these same
16. people who are screaming are not willing to perform their services for
17. nothing for this little girl, who is a catastrophic loss. So, we're
18. saying in twelve years pull the plug. I don't think that's what we
19. want to do. The insurance companies have created five categories of
20. doctors, five categories with different premiums. Although each of
21. those five might be involved on the same case, and, therefore, involved
22. in the same liability, they're paying different premiums. That's what
23. they're screaming about. Maybe that's the problem. Maybe we should
24. go down to one category, but I think more importantly, if we're look-
25. ing at a cap for any reason at all, whether it's psychological, legal,
26. or dollar wise, we have to at least provide some type of a trust fund.
27. Some type of a concept whereby the need of beyond the half million
28. dollar limit, the need of the individual to maintain life, is provided
29. for that person. If they don't use it, I...I, too, can agree that that
30. should not pass on to heirs and other people, but that that money should
31. be allowed to be used again and again for those who have this catastrophic
32. loss. So, Senator Glass, if you would talk in terms of a trust fund
33. of that amount necessary over the half million cap, of using those monies

1. to keep these people alive and then when they're...when the person
2. does die having that money available to use for others, I think it
3. would be taking a much more legitimate approach in the interest of
4. the people rather than worrying about the insurance companies. Thank
5. you.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Rock.

8. SENATOR ROCK:

9. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
10. I rise in opposition to Amendment No. 5, and I'm sure at this point
11. the opposition is futile, but I wish to state for the record unequivocally,
12. and I will ask the Senator from the first district a question.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. He indicates he'll yield.

15. SENATOR ROCK:

16. Is there, in fact, going to be a severability clause in this
17. bill?

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Glass.

20. SENATOR GLASS:

21. Yes, Senator Rock, there is going to be a severability clause.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Rock.

24. SENATOR ROCK:

25. Thank you, Mr. President. The...the point that I'm...attempting
26. at least to make is that this..this is another we...we talked yester-
27. day about sloganism and...and this parallels it, I think. Five hundred
28. thousand dollars is an awful lot of money, and everybody assumes that
29. when an attorney files a lawsuit of five hundred thousand dollars is
30. almost too much from anybody, for any reason. The fact of the matter
31. is, this amendment renders the bill unconstitutional. Now, I...I have
32. ...I have handled some appeals where the verdict, frankly, was higher
33. than this. I've handled some where it was lower. But I think that

1. this is we...we are caught up again in...in a media campaign. There
2. is a lot of hysteria around, and the five hundred thousand dollar
3. limitation is, frankly, unconstitutional. I wish to be recorded No,
4. and I would hope everybody else is.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Knuppel.

7. SENATOR KNUPPEL:

8. Well, I...I concur in very much that has been said here by
9. Senator Carroll and Senator Rock. This matter comes on and we are
10. in a crisis situation. We're not really prepared at this point and
11. it's unfortunate that we aren't, hopefully, this will go to the House,
12. and more work can be put on it and maybe we can come out with something
13. by June 30th. I, personally, feel that it's a mistake to lay it to...
14. to burden this bill with a five hundred thousand dollar maximum limit.
15. It...there ought to be some kind of...of machinery setup that protects
16. the people, all of the people, so that a doctor can get malpractice
17. insurance against those kinds of verdicts where if the person doesn't
18. live the required space of time, that that money could be used to...to
19. alleviate the premiums, or the problems of other people who have not
20. made those kind of recoveries under...under the malpractice insurance.
21. I, personally, will not vote for the cap at this time for the same
22. reasons outlined by Senator Rock. However, I do think that this bill
23. has to go out and more work has to be done on it, a whole lot more
24. work.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Johns.

27.

28.

29.

(Continued on next page)

30.

31.

32.

33.

1. SENATOR JOHNS:

2. Mr. President, I'm not a lawyer and I'm not in...in basic of favor
3. of this particular amendment. What I am deeply concerned about
4. is the fact that if this is an insurance problem, if this is an
5. insurance problem then if the rates increase, I'm looking directly
6. at the results of that increase, which will be the cost of patient
7. care. How are we going to solve that problem because I know that
8. if this insurance premium is increased the doctors are not going to
9. absorb it out of their own pocket. They're going to transfer that
10. to the patient. And if I think of this thing correctly all the way
11. through, I can see that doctors that charge for medical services
12. that are paid for by the State and Federal government, that we in
13. turn are going to be paying out of the State revenues and Federal
14. revenues for this increase in premiums. So I say to my colleagues
15. that are attorneys, that are saying this is unconstitutional, give
16. us an alternate, so that we can figure out a way to either prohibit
17. the increase in premiums or protect these doctors from very serious
18. curtailment of activities in this State. So I lay it back on the
19. attorney's shoulders. Give us some answers.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Berning.

22. SENATOR BERNING:

23. It occurs to me, Mr. President, in this discussion, that we may
24. be able to tailor a compromise predicated, not upon a fixed sum, if
25. that is, in fact, an unconstitutional provision, but upon the cost
26. of necessary medical and hospital care for any patient who incurs
27. this cost as the result of any malpractice by a physician. Then if
28. it is considered necessary to provide some compensation for pain and
29. suffering or whatever, there could be a percentage of that fixed cost
30. as accruing to the benefit of the individual. Does that, Mr. President,
31. present a constitutional alternative to a flat figure?

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. That question was not addressed to me, I presume? That was addressed

1. to the sponsor of the amendment...

2. SENATOR BERNING:

3. ...and to those who have been challenging the constitutionality
4. of this.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. That was rhetorical, I presume?

7. SENATOR BERNING:

8. Pardon. I direct it to Senator Rock.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Rock, do you wish to respond? Repeat the question, Senator
11. Berning.

12. SENATOR BERNING:

13. Perhaps Mr. President, the...protocol would be that the sponsor
14. respond to my comment as a...an alternative to Senator Rock...

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Just...just a moment Senator, Senator Berning may I interrupt.
17. I've been advised that President Partee has given...given consent to...
18. to shoot some silent film for about five minutes on WGN TV in Chicago.

19. Is there leave? You may proceed, Senator Berning. Oh, Senator
20. Glass...there...there are other...do you wish to respond?

21. SENATOR GLASS:

22. Well, Mr. President, very briefly if I may answer Senator Berning's
23. question, then...

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Proceed.

26. SENATOR GLASS:

27. Yeah. I would say first of all and in closing I will address
28. the problem of whether this is constitutional. I believe it is
29. and that there is authority for it. Senator Berning's question
30. was could there be some maximum tailored to the...the actual cost of
31. the medical care. I think that would be extremely difficult to
32. determine and I think it would be difficult to circumscribe what
33. a jury might award. It...there are...there are other suggestions,

1. I know...I know there are other speakers and...and it's a suggestion
2. we can certainly pursue in the future. But I will...I will try to
3. comment further on...on this problem in closing remarks.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Fawell.

6. SENATOR FAWELL:

7. Senator Glass, in your opinion, does the five hundred thousand
8. limitation apply to punitive damages too?

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Glass.

11. SENATOR GLASS:

12. This is a good question, Senator Fawell, and I hope all the member-
13. ship heard it, and I want to make this point. It does not apply to
14. punitive damages. There is in the bill no limit at the present time
15. on punitive damages. This is a limitation on...on damages for negli-
16. gence.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Fawell.

19. SENATOR FAWELL:

20. The...the statement was...was made as to whether the attorneys could
21. come up with some alternative. And one...one alternative I would
22. suggest is that we consider the elimination of punitive damages.
23. It would seem to me that compensatory damages are great enough, and
24. in talking to several judges on the subject, in fact one particular
25. judge, circuit judge in DuPage County who happens to be my brother,
26. has indicated that he felt that two very firm steps we could take
27. would be, number one, to eliminate punitive damages altogether. And
28. then number two, allow a jury also to be able to recommend the
29. revocation of a license of a...

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Just...just a moment. Proceed.

32. SENATOR FAWELL:

33. To also allow a jury to recommend the revocation decision of a

1. license of a physician found to be guilty of gross malpractice. In
2. fact, I'm going to have an amendment presented along those lines. But
3. I would suggest that perhaps before we limit compensatory damages, that
4. we ought to simply do away with the punitive, because we all, I think,
5. agree that if it's truly reflective of compensation that people have
6. coming to them, that we would prefer not to limit that, but certainly
7. the punitive aspect of it, I think we could afford to limit.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Do we have leave of the Body to have Senator Roe's local photo-
10. grapher take a picture of him? Leave is granted. Is there...is
11. there further discussion on Amendment No. 5? Senator Glass may close
12. the debate.

13. SENATOR GLASS:

14. Thank you, Mr. President. I...in responding briefly to some of the
15. objections. First of all Senator Rock. Senator Rock did ask whether
16. there is a severability clause in the bill. Meaning if..if this five-
17. hundred thousand dollar limitation were to be held unconstitutional
18. in...in the courts, would the rest of the bill survive? The answer
19. is yes. This is common in legislation. But I would submit to the
20. membership that I do not believe the courts will find this unconsti-
21. tutional and I cited the two precedences, the workman's compensation
22. situation where there are limitations on awards and more significantly
23. perhaps, more analogous, the previous law in Illinois where a thirty
24. thousand dollar maximum was placed on actions for wrongful death. So
25. that...those are precedents for the establishment of the...the five
26. hundred thousand dollar cap. I would also point out to you that three
27. other states, Indiana, North Dakota and Idaho, have enacted maximums on
28. recovery for malpractice cases. Indiana, North Dakota, five hundred
29. thousand. Idaho, three hundred thousand. So, legislators all over this
30. ...this United...these United States are facing up to the problem and
31. are providing maximums. Now, I would...would say also that this really
32. is the heart of the bill. I think this is by far the most significant
33. portion of the bill and if we're going to really do something to...to

1. face the malpractice crisis that is upon us...we ought to put this
2. amendment on the bill. I think without it we are not doing anything
3. that is...is really significant. Senator Carroll made a suggestion that
4. I think is a good one, and that is that there be a trust fund established
5. for those rare cases where injuries are sustained and...and perhaps
6. damages in excess of the maximum are warranted. But there's nothing
7. to prevent other legislation including his commission from coming up
8. with that kind of a proposal. What we're faced with is a two day
9. deadline, and we're faced with the problem of doing something significant
10. to..to address this malpractice problem in...in Illinois. I think the
11. five hundred thousand cap, as I have said, is essential to the bill,
12. and I would urge, therefore, adoption, Mr. President and Senators, of
13. Amendment No. 5.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. The question is, those in favor of the adoption of Amendment No. 5
16. to Senate Bill 1024, indicate by voting Aye. All those opposed No.
17. The voting is open. ... (Machine cut-off)...those voted who wish? Have
18. all those voted who wish? Take the record. On that question, the
19. adoption of Amendment No. 5, the Ayes are 42, the Nays are 1...or 10,
20. excuse me. Amendment No. 5 is adopted. Amendment No. 6. Senator
21. Glass.

22. SENATOR GLASS:

23. Thank you, Mr. President. Amendment No. 6, which is a ten line amend-
24. ment and adds a Section 5 for identification of the membership...this
25. amendment is a clarification as requested by Senator Partee when this
26. matter was up on second reading and Senator Nudelman. And it provides
27. in essence, that when a determination of the medical review panel, which
28. is a unanimous determination, is rejected by a party, that any party that
29. has accepted that determination is entitled to have made available to
30. him a list of physicians willing to consult as an expert witness...
31. when the matter goes to trial. I would move the adoption of Amendment
32. No. 6 to Senate Bill 1024.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Is there further debate? All those in favor indicate by saying
2. Aye. All those opposed No. The Ayes have it. The Amendment No. 6 is
3. adopted. Amendment No. 7.

4. SENATOR GLASS:

5. Thank you, Mr. President. Amendment No. 7 is a two page amendment.
6. It adds Section 58.2 to the bill entitled Preamble and Purpose. This,
7. I think, is a significant amendment and will help set forth the reasons
8. and purposes for the...the bill and in particular for the five hundred
9. thousand dollar maximum expressing the public urgency and need for this
10. legislation. I would move the adoption of Amendment No. 7.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Is there further discussion? The question is shall Amendment No. 7
13. be adopted. All those in favor say Aye. All those opposed No. The
14. Ayes have it. The Amendment is adopted. Amendment No. 8.

15. SENATOR GLASS:

16. Thank you, Mr. President and Senators. Amendment No. 8 is a some-
17. what technical amendment. It's an eight line amendment, the text of
18. which begins on line 4, and it provides that where there are more than
19. one defendant in a case and at least two of the defendants are licensed
20. under different licensing provisions or practice in different fields
21. or specialities, the Supreme Court, by rule, may provide for the selec-
22. tion of the medical member of the panel. And this addresses the problem
23. where you may have a doctor and a podiatrist, for example, practicing
24. in different fields, one medical member entitled to be on the panel
25. and how do we decide which one. The Supreme Court, by rule, we feel,
26. is best able to establish this, and I would move for adoption of Amend-
27. ment No. 8.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Is there further discussion? The question is shall Amendment No. 8
30. pass. All those in favor say Aye. All those opposed No. The Ayes
31. have it. The amendment is adopted. Amendment No. 9.

32. SENATOR GLASS:

1. Mr. President, Amendment No. 9 is almost a companion to number 8.
2. We had in the bill reference to physicians licensed under the Medical
3. Practice Act, podiatrists are not so licensed, so we have deleted
4. reference to the Medical Practice Act and make reference to licensed
5. physicians. And I would move the adoption of Amendment No. 9.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Is there further debate? The question is shall Amendment 9 pass.
8. All those in favor say Aye. All those opposed No. The Ayes have it.
9. The amendment is adopted. Amendment No. 10, Senator Partee.

10. SENATOR PARTEE:

11. Mr. President and members of the Senate. A great deal of emphasis
12. has been placed on the crisis which our medical providers, both hospitals
13. and doctors face, and this amendment addresses itself not to the salva-
14. tion of doctors and hospitals, but rather to another rather important
15. segment of the community. And that segment, of course, is the people.
16. It seems to me that something ought to be done in their behalf also.
17. So, the purpose, Mr. President, of this amendment is to require that
18. all medical malpractice claims be reported to those State agencies
19. which are empowered to administer the licensing and supervision of
20. those medical professionals and hospitals. It seems to me that if
21. we can have a report of what has happened in this type of case, we
22. can determine who's meeting minimum standards and who isn't, and this
23. amendment will shed light on that fact. If doctor X shows up fifteen
24. times a week in a medical malpractice suit, then doctor X ought to
25. be looked at rather carefully. If hospital Y has many, many, kinds
26. of complaints then we can find out about it. At least under this
27. system, there will be a report of those matters. One of the things
28. that has troubled me about voting on this bill is that a lot of things
29. that have come to us by way of rumor, a lot of things have come by
30. way of unsubstantiated statement. Under this kind of a system,
31. where there is a report made of those cases which reach fruition
32. in terms of either settlement or judgement, those will be reported.
33. And if again we are asked to look into this subject, to cogitate

1. what should be done in this area, we will have our own statistical
2. data from which to draw to make judgments and valid decisions. The
3. amendment calls for a Report of Claims. All malpractice claims settled
4. or adjudicated to final judgment pursuant to this Act, shall be reported
5. to the Director of the Department of Registration or Education or in
6. the case of a public or private institution, licensed under the Hospital
7. Licensing Act, the Department of Public Health, with a copy to go to
8. the Director of the Department of Insurance, by the plaintiff's
9. attorney and by the defendant or his insurer within sixty days following
10. the final disposition of the claim. And then we set out ad hoc verbal
11. the...what has to be, the nature of the claim, the damages asserted
12. and the alleged injury, and the amount of the settlement or judgment.
13. And then the State will have some facts. The State will have some
14. figures. The State will have some records in terms of this area so
15. that in the future our vote on this kind of a question can be a
16. great deal more intelligent than it is now. Right now, we're reacting
17. to a crisis. Tomorrow if we have to get into this field we will be
18. reacting to whatever the situation exists, but not with a paucity of
19. knowledge, with a plethora of knowledge. I move the adoption of this
20. amendment.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Harris.

23. SENATOR HARRIS:

24. Mr. President, I rise in support of Amendment No. 10. I think it's
25. an excellent concept to add into this important bill that's under con-
26. sideration, and just urge everyone to support this. It's a very sound
27. idea.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Is there further discussion or debate? Senator Glass may close
30. the debate.

31. SENATOR GLASS:

32. I would simply second the comments of both speakers. I think
33. this strengthens the bill and would urge all members to vote for the

1. amendment.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. The question is shall Amendment No. 10 pass. All those in favor
4. indicate by saying Aye. All those opposed No. The Ayes have it. The
5. amendment is adopted. Amendment No. 11, Senator Morris.

6. SENATOR MORRIS:

7. This amendment which is being distributed, and I'm sorry it was
8. out as late as it is, it's a very simple amendment. It adds two
9. members of the public to the board which will be deciding on the
10. malpractice cases. I think that that is the one group that has
11. been forgotten so far in our entire discussion of this malpractice
12. legislation. That is the general public, the people that we are
13. supposedly trying to protect with this malpractice crisis. The
14. board, as it is constructed under Senator Glass' bill, would at this
15. moment consist of a judge, a lawyer and a doctor. And I feel that
16. the people who in the long run we are trying to protect with this
17. malpractice situation and to eliminate the crisis, is the consumer,
18. the person who uses the services, ought to also have a say on the
19. board which makes the decision. As a result, I am offering the
20. amendment which would add two members of the public to the panel
21. to be selected from a jury list in the county where the case is
22. pending. I believe that these are the people who should be in-
23. volved in the decision making process at the first level, and I
24. would urge support of this amendment.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Glass.

27. SENATOR GLASS:

28. Thank you...thank you Mr. President. I would resist this amend-
29. ment and all others that are similar that may be offered that would
30. change the make-up of the panel. What we are really trying to do,
31. it seems to me, with the panel, is to resolve these malpractice claims
32. before they are forced to go to court. To shorten the time period,
33. to provide a...a forum for resolving them. Now prior to the time we

1. consider this bill, medical society, the hospital association, the
2. trial lawyers, met and put a good deal of time in on discussing this
3. panel. I think with a judge, a lawyer and a doctor, you have three
4. individuals whose backgrounds are uniquely suited for settling claims
5. of this type. I think this has generally been acceptable, it's not
6. engraved in granite, certainly, but I don't think that Senator Morris'
7. amendment would improve the bill and I would, therefore, resist the
8. amendment.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Lemke.

11. SENATOR LEMKE:

12. Mr. President and honorable Senators. I don't usually agree with
13. Senator Morris, but I think the advocates of the newspapers and the
14. advocates of the medical association, they're saying they want to protect
15. the consumer or the patient from high medical fees and lack of medical
16. attention. Now, I think the consumer should have something to say
17. about this. And I think that these two members on the panel would
18. keep the professional people from making a deal and screwing the con-
19. sumer. And I...I'm for this amendment. And I think anybody that's
20. for consumer legislation, and...and I can see Bradley Glass the sponsor of
21. this bill, he's a great consumer advocate, he should be for this,
22. unless he's for the medical society, who's the only one that says
23. there's a crisis, with the conjunction of the newspapers. I see no
24. crisis in the State of Illinois as far as malpractice goes, and I...I
25. don't know why. Now, if these doctors are threatening to go on strike,
26. well then maybe we ought to have the Department of Registration and
27. Education look into their credentials and maybe we should suspend them
28. for a month for...for...for violating their hypocritical oath which
29. says they must treat patients.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Partee.

32. SENATOR PARTEE:

33. Well, unlike Senator Lemke who rarely agrees with Senator Morris,

1. I always find myself in agreement with Senator Morris, that roses are
2. red and violets are blue, but other than that we don't always agree.
3. One of the problems with this amendment and, Senator, let me say to you
4. that consumerism is something that I am about and I will tell you
5. modestly, diffidently, that I passed the first bill in the United
6. States that mandates the teaching of consumer education in high
7. schools in this very Senate. So I am into consumerism, but there is
8. a point at which it reaches a point where it might discombobulate
9. the entire process. First of all, this amendment has no method-
10. ology by which persons would be selected. What two members, under
11. what circumstances, how, where, when? Just to say that two members
12. of the public shall be selected from the jury list in the county,
13. is just not, is just not the thing to do. And then would they then
14. be put on the juries later? There is nothing in the amendment that
15. would exclude them. I think certainly that you must have in this
16. area, certainly at first, persons who have at least some background
17. for determining it. You just take any two jurors and put them on
18. there and even the language of the subject matter involved here would
19. be something they would not understand. The...the terminology of...of
20. medicine is something that just anybody doesn't understand. And it
21. just simply seems to me that if you're going to have a board which
22. has some viability, a board which has the background in its members
23. to make valid determinations, that you just can't do it this way.
24. So it isn't that I'm rejecting the consumerism concept, because I'm
25. into consumerism, that's my thing, but under these circumstances, I
26. think that this amendment should be rejected.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Harris.

29. SENATOR HARRIS:

30. Well, I would just point out that the concept of this review
31. board is to get some experts involved. This is not final determination.
32. It's subject to further review. And of course the ultimate opportunity
33. for the consumer is on the jury, if the matter does go to trial. This

1. would...this amendment would result, in my judgment, in a very serious
2. impairment of the utilization of skilled and knowledgeable persons
3. making a determination whether in fact there has been malpractice.
4. I think this...amendment, while obviously well intentioned, really
5. adds serious problems to the concept that we're attempting to construct
6. here under Senate Bill 1024 and, therefore, this amendment should be
7. rejected.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Knuppel.

10. SENATOR KNUPPEL:

11. I'm completely in support, Mr. Chairman and members of this Body,
12. of this suggestion. I heard the same kind of arguments in the Con-
13. stitutional Convention with respect to the Judicial Inquiry Board, and
14. it just covered itself with glory because it had some laymen on it.
15. There's...there's that old clause you know that...that power tends to
16. corrupt and absolute power corrupts absolutely. And I don't see any-
17. thing so unique, as long as you have those technical people there to
18. explain and answer those technical questions with the laymen being in-
19. volved. I don't think they should have control of this, because as Senator
20. Harris has said, there should be this expertise involved. But we can
21. see what happened with the Judicial Inquiry Board or the Judicial
22. Correction Board that existed prior to the new Constitution, and
23. what a mess they made with the Klingbiel-Solfisburg Case and how
24. they protect each other and that's partly why we're where we're
25. at today with medical malpractices, that for long times we couldn't
26. get people to testify. People generally don't trust lawyers and
27. they're getting where they don't trust doctors. And they don't trust
28. judges most of all. Now it's just time we let the laymen have a
29. part of the action. They want it, and I...I think this is a good
30. amendment. We can figure out some way to put them on and we professional
31. people have to quit thinking we're so ultrasmart that we're so much
32. smarter than everybody else that we're the only one that can make
33. decisions and pass judgment because when we do we make a hell of a

1. mess of it.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Nudelman.

4. SENATOR NUDELMAN:

5. Mr. President and Ladies and Gentlemen. I have a great amendment

6. to this amendment. Let's vote this amendment down. Let's vote the

7. whole bill down and instead of two, we will then have twelve members

8. of the public as we do now, who will adjudicate these matters.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Hickey.

11. SENATOR HICKEY:

12. Mr. President, I'd like to ask the sponsor a question.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. He indicates he will yield.

15. SENATOR HICKEY:

16. A...

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. The sponsor of the amendment?

19. SENATOR HICKEY:

20. No. Of the bill.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. The sponsor of the bill.

23. SENATOR HICKEY:

24. Of the bill.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. He indicates he will...

27. SENATOR HICKEY:

28. Since Senator Partee objects to this particular amendment because

29. he's afraid of the process of choosing the consumers. I wonder if

30. the sponsor could tell me how we're sure that we get a good lawyer,

31. a good doctor and a good judge...

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senate...

1. SENATOR HICKEY:

2. ...because just those specifications alone guarantee nothing.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Glass.

5. SENATOR GLASS:

6. Well, you're correct Senator Hickey, and of course we have no
7. guarantee that we're going to get a good jury or a good judge in
8. ordinary trials, but the procedure is in the bill I think do tend to
9. give us a good opportunity for that. There are panels of judges
10. assigned, there are panels of doctors assigned that can be available
11. for this work and also lawyers. And then the process involves each
12. of the parties in the case striking one of three names of those made
13. available and the remaining one will then serve. So it...it isn't
14. a perfect system but I think it is designed and I think well thought
15. out to try to...to develop good people on the panel.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Hickey.

18. SENATOR HICKEY:

19. I'm clear about who originates the panel from which the selection
20. is made and who makes the selection. It is the procedure that...that
21. I'm interested in since this is being objected to in one case on a
22. procedural count.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Glass.

25. SENATOR GLASS:

26. The circuit judge, with the respect to judges, in...in the circuit-
27. ing question, submits a list of the judges, the bar association the
28. list of lawyers, the medical society a list of doctors. And as the
29. names come up in order, three names are taken, and as I indicated
30. earlier there is one stricken by each side.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Hickey.

33. SENATOR HICKEY:

1. The...the inbreeding in that situation really bothers me as much
2. as just picking people off of a...off of a jury list.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Is there further debate? Senator Morris may close the debate.

5. SENATOR MORRIS:

6. I think there's been some very good arguments made in favor of
7. what I advocate. First of all, as I understand the bill now, if this
8. three member panel is unanimous in its decision, and a person who has
9. been damaged decides to pursue this matter in the courts, he or she
10. will have to pay the court expenses if they lose the case. So I think
11. it is imperative that we put a consumer, or a layman on this panel, so
12. that the laypeople have some representation. I think Senator Lemke and
13. Senator Knuppel made some very good points. The professionals, the
14. lawyers and the doctors, don't have all of the answers and I think
15. it's time that they recognize that just plain folks can sometimes make
16. intelligent decisions. And I would urge support of this amendment
17. because we need to protect the consumer and if we don't do it, we're
18. going to create a terrible public relations problem for this review
19. panel and a terrible problem for a whole lot of people in our society.
20. I think that we have to get someone on there with the doctors and
21. with the lawyers, and there will be two lawyers on that panel with the
22. judge and the lawyer, to more or less represent just the plain folks.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. The question...Senator Partee, for what purpose do you arise?

25. SENATOR PARTEE:

26. Just for the record, I wanted Senator Morris to know that it's
27. Senator Lemke, not Lumke.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. The question is shall Amendment No. 11 be adopted. Those in favor
30. vote Aye. Those Opposed No. The voting is open. Senator Partee, will
31. you vote me Aye. ... (Machine cut-off)...those voted who wish? Have
32. all those voted who wish? Take the record. The vote is 26 Ayes and
33. 26 Nays. The amendment not having received the majority, fails. Amend-

1. ment No. 12, Senator Morris. Senate...Senator Morris.

2. SENATOR MORRIS:

3. This...this amendment which has been distributed deals with the
4. five hundred thousand dollar limitation. It is my feeling that if
5. we're going to put in the five hundred thousand dollar limitation, which
6. we did a few moments ago, that we ought to require the doctors who we
7. are in a sense trying to protect, to make an effort to modernize their
8. medical practices. As I understand it, there is nowhere in the Illinois
9. Law that a doctor is required in any form whatsoever to have a contin-
10. uing education, even though medicine progresses great deal every
11. day. This amendment would provide that if a doctor wants to be protect-
12. ed by the five hundred thousand dollar limitation, he or she would
13. have to develop some continuing education, in order to protect them-
14. selves under the five hundred thousand dollar limitation. And if they
15. did not want to return for continuing education every six months to
16. study modern medical practices, they would lose the right to be protected
17. under the five hundred thousand dollar limitation. I think it's time
18. that the doctors begin to educate themselves the same way other people
19. are required to do so under many of our laws.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Knuppel.

22. SENATOR KNUPPEL:

23. I just want to say I...I want to compliment this freshman Senator
24. on having some unique and interesting ideas. I think the...I think
25. this idea of protecting ourselves when there's a natural conflict of
26. interest here fellows...look, I've said many times from this Floor
27. that lawyers ought not to be allowed to vote on matters affecting
28. judges. This bill is a special interest bill for the doctors, and
29. we want to be careful that we - and the insurance companies --and
30. we want to be careful - lets include the lawyers too - let's be very
31. careful that we don't build a house that's corrupt from the foundation
32. up. I can support this.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Glass.

2. SENATOR GLASS:

3. Well, I...I too Mr. President would like to compliment Senator
4. Morris on some creative thinking and I...I know the object of the
5. amendment is to force the medical profession to continually update
6. their professional skills. It is defective, I would suggest, in
7. several respects. It refers to an approved course in continuing
8. medical education and to my knowledge there is no such animal, and
9. I would suggest to him that an appropriate way to approach this
10. would be to amend the Medical Practice Act. There's no requirement
11. now for continuing education by doctors and I...and I think were this
12. to prevail it would present a significant legal problem insofar as
13. enforcing it, and I would accordingly oppose the amendment.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Shapiro.

16. SENATOR SHAPIRO:

17. Mr. President, would the sponsor of the amendment yield to a
18. question?

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. He indicates he will.

21. SENATOR SHAPIRO:

22. Senator Morris, what is your definition of approved continuing
23. education?

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Morris.

26. SENATOR MORRIS:

27. My definition of approved continuing education would be approxi-
28. mately four clock hours of study every six months. And it was under...
29. I assume that this would be handled under Registration and Education.
30. I understand that the American Bar Association twice a year runs work-
31. shops which usually last two days and include several course type
32. situations and this is what I was aiming at.

33. SENATOR SHAPIRO:

34. Well, if that...that...that may be the sponsor of the amendment's

1. definition of approved continuing education, and if it is, it should
2. so state in the amendment.
3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. Senator Palmer.
5. SENATOR PALMER:
6. Senator...Senator Morris, do I understand your amendment that this
7. applies to only those who are defendants, that they should continue
8. in education?
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. Senator Morris.
11. SENATOR MORRIS:
12. If a doctor would ever think they're going to be involved in mal-
13. practice, yes they would have to go to continuing education. If a
14. doctor chose not to take continuing education and found himself in a
15. malpractice situation, he hadn't been back to some type of continuing
16. education in six months, the five hundred thousand dollar limit would
17. not apply.
18. PRESIDING OFFICER: (SENATOR DONNEWALD)
19. Senator...Senator Davidson.
20. SENATOR DAVIDSON:
21. Only have heard part of this...
22. PRESIDING OFFICER: (SENATOR DONNEWALD)
23. Just...just a moment. Senator Palmer has not finished his debate.
24. SENATOR PALMER:
25. Yeah, I had a follow up, I just...
26. PRESIDING OFFICER: (SENATOR DONNEWALD)
27. I'm sorry, you're...you're recognized.
28. SENATOR PALMER:
29. All right, all right.
30. PRESIDING OFFICER: (SENATOR DONNEWALD)
31. Please forgive me.
32. SENATOR PALMER:
33. Okay.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Proceed.
3. SENATOR PALMER:
4. I just wanted to follow up and ask Senator Morris. What happens
5. if the professor himself is being sued for malpractice?
6. PRESIDING OFFICER: (SENATOR DONNEWALD)
7. Senator Morris.
8. SENATOR PALMER:
9. ...if the professor, Senator...
10. SENATOR MORRIS:
11. That's a good point and I couldn't answer that. I would, you know,
12. I'm looking at continuing medical education. As I understand it, and
13. I...I don't pretend to be an expert in medicine, the techniques in modern
14. medicine are changing drastically every year, and I don't think that
15. we can afford for a doctor to be treating people and not modern...modern-
16. izing themselves with education. This is what I'm aiming at in this
17. amendment and I think if a person was a defendant in a malpractice
18. situation and also instructing a course in modern technique, there would
19. be nothing to prohibit that under this legislation and you know, we
20. have to go back to innocent until proven guilty, which is a basic
21. principle of our society.
22. PRESIDING OFFICER: (SENATOR DONNEWALD)
23. Senator Palmer.
24. SENATOR PALMER:
25. Well, again I ask, then your amendment cannot be applicable to
26. this bill because you must understand that many times the professor
27. himself is being sued. So how do you provide for continuing education
28. for the teacher.
29. PRESIDING OFFICER: (SENATOR DONNEWALD)
30. Is there further debate? Senator Davidson.
31. SENATOR DAVIDSON:
32. I'd like to...I'd like to rise in opposition to this amendment for
33. the fact that it's going to be unnecessary. As many of you know, that

1. presently under the Department of Registration, Education and the
2. examining committee of the Medical Practice Act there are plans as
3. well as recommendations for legislative change for post graduate or
4. continuing education to be mandatory throughout the State of Illinois.
5. Secondly, every county society that I'm aware of, of whichever one
6. of the three professions that are involved under the Illinois Medical
7. Practice Act, have continuing education sessions or seminars going on
8. at least once a month, and at the longest, once every three months,
9. which, though its now voluntary, any competent practitioner is attending.
10. But, I think, the most important thing is, there has been a move, and
11. I'm sure but what the bill is already in the House, making a mandatory
12. post graduate course that you must attend, that course being accepted
13. to the examining committee, which means it's going to meet all profession-
14. al standards to renew your license. And this would solve the problem
15. which Senator Morris is wanting to do that the person has to go back
16. for continuing education. This amendment in my opinion is unnecessary.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Morris may close the debate.

19. SENATOR MORRIS:

20. Well, I'd like to thank Senator Davidson for his comments, I think
21. he points out exactly why this amendment is necessary. Any competent
22. doctor you say does continue his education. As I understand it, what
23. we're trying to deal with in this malpractice legislation is the in-
24. competent doctor, and I think this would be a way of telling that
25. individual that you ought to get yourself back there and get some
26. education. I would assume, and I would be willing to correct this
27. at a later time and in the House if necessary, to mandate that the
28. type of continuing education would be the seminars and workshops you
29. talk about. But I think if doctors are going to continue to work
30. with us and if we are going to give them some form of protection
31. under this Malpractice Act, that we ought to ask them to do the least
32. bit and that is to get a little bit of continuing education a year.
33. This again is a consumer oriented piece of legislation, so that the

1. man or woman who works on you has the best possible tools available
2. and I would solicit a yes vote on this amendment.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. The question is, shall Amendment No. 12 be adopted. Those in
5. favor, vote Aye. Those opposed No. The voting is open. Have all
6. those voted who wish? On that question...take the record first. On
7. that question the Ayes are 14 and the Nays are 33. Amendment No. 12
8. not having received a majority is lost. Senate...Senate Bill...Senate
9. Amendment No. 13. Senator Philip.

10. SENATOR PHILIP:

11. Thank you Mr. President, and Ladies and Gentlemen of the Senate.
12. When I started out this morning, I was amendment No. 12 and now I
13. understand I'm amendment No. 13. I hope that isn't symbolic of the
14. amendment. Amendment No. 13 changes the make up of the panel. As
15. you know...

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Just a moment, Senator. Seems to be a lot of conversation arising.
18. There's a group in the back immediately to the rear of the Chamber,
19. two different groups, there's a group over to the center and then there's
20. some people discussing with the press their latest press release. Could
21. we have some order and in their seats.

22. SENATOR PHILIP:

23. Thank you, Mr. President. What Amendment No. 13 does to Senate
24. Bill 1024 is change up the make up of the panel. As you know as it's
25. constructed now, we have one lawyer, one doctor from the same related
26. field, and a circuit judge. What my amendment does is remove the circuit
27. judge and put in there of...place a professional arbitrator in good,
28. standing with the American Arbitration Association. My rationale for
29. that is, number one, the largest amount of malpractice cases are
30. filed in Cook County. Cook County has the largest backlog and all
31. you're going to do is add to that backlog. Secondly, with a lawyer
32. on the panel, obviously you'll have somebody with a good, strong legal
33. background. With a doctor he will take care of the technical medical

1. background and what you need, the third member, should be an arbitrator,
2. a guy who knows how to sit down and work out and knock out some settle-
3. ments. He could in some cases, they are lawyers, it doesn't mean that
4. every member of that association is a lawyer. So, Mr. President, I
5. move the adoption of Amendment No. 13 to Senate Bill 1024.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Is there further debate? Senator Glass.

8. SENATOR GLASS:

9. Well, thank you Mr. President. Ladies and Gentlemen, Senator
10. Philip's amendment, which would eliminate a judge from the panel
11. and add a member of the American Arbitration Association, I...I don't
12. have strong negative feelings about it, however, it seems to me that
13. with a judge on this panel you have a lot better chance of getting
14. these cases resolved. As anyone knows who has practiced law, a good
15. hard headed, pre-trial type judge can knock out some settlements. With
16. a judge on the panel it seems to me the parties will be a lot more apt
17. to accept the...the decision of the panel. And the idea that he would
18. like to eliminate one of the lawyer members of the panel, they say
19. it certainly doesn't offend me and...and a member of the American
20. Arbitration Association might be a good choice, I would rather see the
21. amendment eliminate the...the lawyer member and leave the judge on.
22. I think it's a good idea to keep a judge on this panel and I would,
23. therefore, oppose the amendment.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Lemke.

26. SENATOR LEMKE:

27. You know, we have to cry that this is to protect the consumer.
28. Now we don't want to put the consumers on. Now this is the judge is
29. the only guy the consumer has anything to say about. Cause when...if
30. he don't like what the judge is doing, he can go out and knock them
31. off, when he runs for retention or when he runs for election. This
32. is...this is the only chance he's got of...of anything. It's not a
33. good chance but he's still got some opportunity to have something to

1. say on this board. And I'm...and I'm a great advocate that judges
2. should be elected, because the people choose the judges. They don't
3. like them, we'll knock them off. And...and this is my circumstance.
4. We can't...you're going to say eliminate the doctor, I mean eliminate
5. the lawyer from the panel cause he's got an interest. We should eliminate
6. the doctor from the panel because he's gonna have a greater interest,
7. because he's going to feel it in the pocket book, cause his...it's his
8. insurance premiums that's going up and he's got to pay the insurance
9. premiums. So he's going to be conservative of making awards so that
10. his insurance premium stays in line. I mean this is ridiculous.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senate...Senator Philip for what purpose...

13. SENATOR PHILIP:

14. Yes, I would just like to answer that one statement of Senator
15. Lemke. And I was one of those few Republicans and County Chairman
16. who was against the so-called judicial reform, which was a big hōax,
17. and you all know it. Since we've had the so-called great reform...

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Well...

20. SENATOR PHILIP:

21. ...what has happened, we have defeated one judge in election, and
22. to think that we're going to defeat the judges...

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator...Senator we're a...there are several here including the
25. Chair in agreement with you but we've got to stick to the issues. The
26. Chair recognizes Senator Nimrod.

27. SENATOR NIMROD:

28. Mr. President and fellow Senators. I...I think that what we ought
29. to do is first of all look and see what the purpose of this particular
30. panel is. The purpose of the panel is to make settlements, before it
31. gets to court. Now, you have a three member panel and you have a doctor
32. and you have a lawyer. You have the technical information that's there
33. for the medical background and the...certainly the medical profession

1. is going to be well represented. You have the attorney there represent-
2. ing the legal views and the implications involved to the particular
3. consumer. Then, I think what you need is someone there to help make
4. the settlement. If, in fact, you keep a judge, then the person is going
5. to be likely to be hesitant about going ahead and for good reasons will
6. cave in. Number two is, that a judge being on that panel and recommen-
7. dations going forth, I think would have a reverse kind of influence
8. on the court when it appears before another judge. A judge will be very
9. hesitant to make a decision against what another judge has recommended.
10. So I do think that there is certainly some merit in this kind of sugges-
11. tion where you have a balanced panel whose primary purpose is to make
12. a settlement. If you're going to make a settlement then you certainly
13. ought to have the consumer protected by someone who represents the areas
14. and the proper means of making a professional settlement. I do think
15. you're making available to him the technical and special talents available
16. and not complicating or putting undue pressure upon the consumer. I
17. would think that this would warrant our support.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Knuppel.

20. SENATOR KNUPPEL:

21. I just want to say that Cecil's always asked me the way I feel
22. about judges if I was going to practice medicine when I got out of
23. here. I got a seatmate here that's going to have to go to medical
24. school with me.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Netsch.

27. SENATOR NETSCH:

28. Mr. Chairman, a question of the sponsor. I think I understand the
29. purpose of the amendment. It...it is to substitute someone who is...
30. who is still...

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Too noisy. Proceed.

33. SENATOR NETSCH:

34. ...who is still in a middle position as the sort of determiner

1. and conductor of the proceedings, and it seems to me that it might be
2. just as good to have someone who is a professional arbitrator as some-
3. one who is a judge. I think that's just simply a close choice. I
4. would ask this question though. If you do substitute the first member
5. of the American Arbitration Association or the professional arbitrator
6. for the judge, aren't you also going to have to change the procedure
7. that is set out on page 6 of the Amendment No. 4 which is now in effect,
8. the text of the Act? Because as I read it, where the decision of the
9. panel is not to have binding effect then you go immediately into a pre-
10. trial and the judge, who is a part of the panel is to preside at the
11. pretrial. He is not permitted to preside at the trial itself if it
12. goes on to trial, but apparently it is he who does, at...at least it
13. says that in such cases the panel judge shall conduct a pretrial con-
14. ference and so forth. So aren't you going to have to make a change there
15. also, Senator?

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Is that addressed to Senator Philip?

18. SENATOR NETSCH:

19. Yes.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Philip.

22. SENATOR PHILIP:

23. Unfortunately, Senator Netsch, we made this thing up this morning
24. and in the haste perhaps we have overlooked that. I would be more than
25. happy to make that change and add another amendment if this amendment
26. is adopted.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Netsch.

29. SENATOR NETSCH:

30. I...I realize that everything is having to be done on a split
31. second basis here. Perhaps Mr. President, the sponsor of the bill
32. itself could just, could also comment on that. Is that correct that
33. there would have to be made a change in that procedure?

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator Glass.
3. SENATOR GLASS:
4. Senator Netsch, I beg your pardon, I was being engaged by some-
5. body else who had a question. Could you state your question again.
6. PRESIDING OFFICER: (SENATOR DONNEWALD)
7. Senate...just a moment...we've been on this bill and I realize
8. the import and I...I would appreciate...the Chair would appreciate
9. brevity. Senator Netsch, repeat the question.
10. SENATOR NETSCH:
11. The question is, if Senator Philip's amendment should pass, sub-
12. stituting a professional arbitrator for the circuit judge, would not
13. some change have to be made in the procedure set out on Page 6 involving
14. what happens where there is not...
15. PRESIDING OFFICER: (SENATOR DONNEWALD)
16. Senator Glass. He got the message.
17. SENATOR GLASS:
18. The answer is yes.
19. SENATOR NETSCH:
20. Thank you.
21. PRESIDING OFFICER: (SENATOR DONNEWALD)
22. On that question, shall Amendment No. 13 pass. All those in
23. favor say Aye. All those opposed No. The Noes have it. The amend-
24. ment fails. Senator Philip.
25. SENATOR PHILIP:
26. I would request a roll call.
27. PRESIDING OFFICER: (SENATOR DONNEWALD)
28. A roll call is requested. All those in favor of the adoption of
29. Amendment No. 13 shall indicate by voting Aye. All those opposed vote
30. no. The voting is open. This is on Amendment No. 13. That is correct.
31. Have all those voted who wish? Take the record. On that question the
32. Ayes are...the Ayes are 12, the Nays are 33. The amendment fails. Are
33. there further amendments? Amendment No. 14 by Senator Glass.

1. SENATOR GLASS:

2. Thank you Mr. President. Amendment No. 14 was suggested by
3. Senator Moore. I think it's a very important amendment. It would
4. provide that nothing in the Act shall affect any litigation that's
5. pending before the effective date. In other words, if this bill should
6. pass, it wouldn't affect any pending litigation and I would move for
7. the adoption of Amendment No. 14.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Is there further discussion? All those...all those in favor say
10. Aye. All those opposed No. The amendment is adopted. Amendment No. 15
11. by Senator...Senator Morris.

12. SENATOR MORRIS:

13. Thank you very much. I still think that we ought to have a
14. layperson on the panel and this amendment reduces the membership of
15. the panel from three to two by removing the circuit judge and replaces
16. the judge with the member of the public to be selected from the jury
17. list in the county where the case is pending. I think the argument
18. has pretty much been heard on this issue. I think it's a very simple
19. matter. We either want to avoid the conflict of interest that lawyers
20. have in this situation and we want to give the laymen a chance to have
21. a say or we don't. I think that my prior amendment, which would have
22. expanded the board by two members and put on two laymen, might have
23. been somewhat unreasonable. I think this is a much more reasonable
24. approach. We would have a panel consisting of one lawyer, one doctor
25. and one layperson. So that we would have two professionals involved
26. as well as one layperson, and I think this gives each group one third
27. of the action and I think it's a very fair and very reasonable amend-
28. ment.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Glass.

31. SENATOR GLASS:

32. Mr. President, we've argued this point for some time, I will be
33. brief. The amendment has the same problems that Senator Philip's

1. amendment...other changes would have to be made in the bill. It also
2. does eliminate the judge from the panel. I think it's important to
3. have a judge on the panel. I think the settlements will be more effective
4. and more likely to be accepted by the parties and I would oppose this
5. amendment also.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. The question is shall amendment...oh, Senator Knuppel.

8. SENATOR KNUPPEL:

9. I...I appreciate what Senator Glass has said and I appreciate the
10. feeling of people about having a judge on there. I think that this
11. puts the whole thing in jeopardy for the very situation that the judiciary,
12. he can be a different judge, but the whole situation, you know it was
13. the arbitration stuff that got into the...into the...on...or the...into
14. the insurance thing two years ago, was one of the reasons that the bill
15. on no-fault was held unconstitutional. I think it's quite dangerous
16. to have a member of the judiciary when the...when a judge will sit in
17. case arbitration isn't achieved or the person isn't satisfied with it...
18. to have had a judge or a member of the Judiciary participate and that's
19. the same thing that just held...they just held the...the dram or this
20. what do you call it, Applied Consent Law, unconstitutional over in the
21. Western part of Illinois on the basis that a judge in sitting in on
22. that was performing a ministerial function rather than a judicial function.
23. I think it's kinda dangerous to have a judge on this and I...I think
24. that we're...we're maybe playing with unconstitutionality in the fire.
25. I think this is a good...a good suggestion, and I would support it.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Is there further debate? Senator Morris may close the debate.

28. SENATOR MORRIS:

29. Well, I think that Senator Knuppel's point is well taken and I
30. think that we have to begin considering the general public who we say
31. we are trying to protect with this Act. The general public is the one
32. that if we have doctors' strike, is going to feel the pressure. I can't
33. believe that the doctors would be going to have a one day work stoppage

1. to send a message to the Legislature, what they would like to do is
2. send a message to the voters back home who they hope would send it
3. to us. The malpractice situation is brought about by a so-called
4. crisis. This crisis is going to eventually hit the consumer. I
5. continually see doctors on television saying how terribly high the
6. premiums are and we're going to have to pass them on to the poor
7. consumer. Well, I think it's about time we give the consumer a say
8. in what is going on so that he or she can begin to help to determine
9. their own destiny. I go back once again to the argument that if the
10. decision of the panel is unanimous, the person filing the suit will
11. have to pay the expenses in court if they lose. I think that when
12. you've got two lawyers and a doctor involved in that panel you're
13. cutting the consumer out of the action and you're going to force the
14. consumer into a serious situation. I agree that this will jeopardize
15. the bill if we do not have a consumer on here. I understand that at
16. one time there was a consumer considered but that the professionals
17. who helped draft this bill decided to draft the consumer out of the
18. picture. I'm afraid we will not get back to this issue again after
19. this session. We are reacting to a crisis. We are in crisis decision
20. making, and I think unless we act now and give the consumer some say,
21. we'll never give that person the opportunity again and I solicit a
22. yes vote on this amendment.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. The question is shall Amendment No. 15 be adopted? All those in
25. favor indicate by saying Aye. All those opposed No. A request for
26. roll call. The a...all those in favor of the Amendment No. 15 indicate
27. by voting Aye. All those opposed vote No. The voting is open. ... (Machine
28. cut-off)...voted who wish? Take the record. On that question the Ayes
29. are 16, the Nays are 30. The amendment fails. Are there further amend-
30. ments? 3rd reading. Senator Nimrod, for what purpose do you arise?

31. SENATOR NIMROD:

32. As long as we're on this particular bill, I might ask leave to be
33. shown as a cosponsor on Senate Bill 1024.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Is there leave? Leave is granted. Senator Fawell.
3. SENATOR FAWELL:
4. There...there should be one further amendment there I believe,
5. on...on the Secretary's Desk, is there not?
6. PRESIDING OFFICER: (SENATOR DONNEWALD)
7. The Secretary advised me there were no more amendments.
8. SENATOR FAWELL:
9. It's been distributed and apparently it wasn't deposited at the
10. Secretary's Desk, so if I could have a Page.
11. PRESIDING OFFICER: (SENATOR DONNEWALD)
12. For what purpose does Senator Chew arise? Oh you did not arise.
13. SENATOR CHEW:
14. I'd like to be shown as a cosponsor of that bill also.
15. PRESIDING OFFICER: (SENATOR DONNEWALD)
16. Is there leave? Leave is granted. Senator Harber Hall wishes the
17. same privilege. Is there leave? Senator Philip, Senator Schaffer,
18. Senator Harris, Senator Merritt. I...I think it would be advisable if
19. you'd indicate to the Secretary that desire and he will make sure that
20. you're on the bill. I may miss someone. ...(Machine cut-off)...want
21. on it. Senator Mitchler for what purpose do you arise?
22. SENATOR MITCHLER:
23. Mr. President, and members of the Senate. Representative DiPrima
24. came over to this Body from the House and contacted Senator Partee for
25. clearance in this matter. The Veteran's of Foreign Wars are distributing
26. the little red poppies and it has been authorized that someone will pass
27. among you very quietly with a contribution can and also the little
28. poppy. And Representative DiPrima brought to my light a former colleague
29. he said, or somebody named Billy Sunday, who always said that he didn't
30. like to hear any clinking in the collection plate...
31. PRESIDING OFFICER: (SENATOR DONNEWALD)
32. Well they can put...
33. SENATOR MITCHLER:
34. ...I don't know what he meant by that, but...

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. ...they can put cotton in the cans, Senator.
3. SENATOR MITCHLER:
4. Is that it? I don't think there's any cotton in the bottom
5. of the can, but I think you get the message. Your cooperation will
6. be appreciated. Thank you.
7. PRESIDING OFFICER: (SENATOR DONNEWALD)
8. Clerk ask for this...well, I think the better way would be...is
9. there leave of the Body for any of the members of the Senate to request
10. to be shown as cosponsors on Senate Bill 1024? Leave is granted. Just...
11. ... (Machine cut-off)...your now Gentlemen. May I have your attention.
12. The bill has been moved to 3rd reading. Do we have leave to move
13. Senate Bill...just a minute. Senator Lemke.
14. SENATOR LEMKE:
15. I have no objection this bill being moved to 3rd as long as the
16. sponsor will agree to bring it to 2nd for purpose of an amendment, I
17. am having prepared.
18. PRESIDING OFFICER: (SENATOR DONNEWALD)
19. We are moving back to 2nd right now, Senator, because there was
20. an omission as to Senator Fawell's amendment. Do we have leave to
21. return to the order of 2nd reading on Senate Bill 1024? Leave is
22. granted. We are now on 2nd reading. Amendment No. 16, Senator Fawell.
23. SENATOR FAWELL:
24. Amendment No. 16, Mr. President and members of the Senate, is
25. somewhat like Senator Partee's amendment. It goes a bit further and
26. states that in...in all medical malpractice actions which shall actually
27. go to a jury after the full process, that the jury has the discretion
28. to make a recommendation that proceedings be instituted under the ap-
29. propriate licensing act to determine...
30. PRESIDING OFFICER: (SENATOR DONNEWALD)
31. Will the Sergeant-at-Arms clear the aisles of unauthorized personnel.
32. The members be in their seats. Proceed.
33. SENATOR FAWELL:

1. Basically, what the amendment does is simply give the jury in a
2. malpractice case the right in their discretion to make a recommendation
3. that the Director of the Department of Registration and Education take
4. appropriate action for the rescision of the license of the physician,
5. the defendant involved in the case. It is not mandatory, but it
6. does direct that a hearing be held in cases where the jury is convinced
7. that there is gross malpractice involved. Now this has come as a
8. result, a recommendation of several judges that do sit on malpractice
9. cases, and they do say that there are instances where physicians are
10. brought before the court and the malpractice that is involved is...is
11. simply colossal. In those instances they believe that if a jury finds
12. and makes a recommendation that the Department of Registration and
13. Education make an inquiry into that matter that a great deal of justice
14. could be served. I...I'm not sure how the sponsor of the legislation
15. feels about it but I think it would have a beneficial effect upon the
16. legislation.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Is there further debate? Senator Partee.

19. SENATOR PARTEE:

20. Well, Senator, I think the idea is sound. I think the amendment,
21. though, has one fundamental problem. A jury would then make a recom-
22. mendation based on what you describe as gross malpractice. I sort of
23. believe in the uniformity of the application of law, and where an
24. amendment such as this has no definition as to what constitutes gross
25. malpractice, a jury in Alton may consider one thing gross malpractice,
26. a jury in Wheaton another. Without a definition as to what gross mal-
27. practice is, there is no uniformity, and I think this would be struck
28. down as unconstitutional on just that basis alone.

29.
30.
31. (Continued on next page)
32.
33.

1. PRESIDING OFFICER (SENATOR DONNEWALD):

2. Senator Fawell.

3. SENATOR FAWELL:

4. That definition, Senator Partee, is taken from the Statute in
5. reference to the rescision of licenses of physicians, so that it is
6. a ground that now is set forth in the Statute upon which a complaint
7. may be filed insofar as a rescision of a physician's license is
8. concerned. Thus, it has been tested and been utilized for quite
9. some time. I would submit that the words really do not need a...a
10. definition any more than willful and wanton might need a definition,
11. but I have...I have been careful to take the exact wording from
12. that portion of the Statute that pertains to the rescision of physician's
13. licenses. That is a ground that is now utilized, that's the very
14. language now utilized in the Statute.

15. PRESIDING OFFICER (SENATOR DONNEWALD):

16. Senator...Senator Partee.

17. SENATOR PARTEE:

18. The phrase gross malpractice as used in that Statute which is
19. the basis for the rescision of license is subject to the interpreta-
20. tion of but one group, the licensing authority which has the privilege
21. of removing the license. My problem is, gross malpractice as used
22. in this Statute, subjects itself to every single jurisdiction and
23. would not be uniformly applied. That's all I'm saying. The uni-
24. formity of application in the Statute in which you took it is
25. inherent, but in placing it in another Statute where several juris-
26. dictions will deal with it, is a very different question, Senator.
27. Do you follow me?

28. PRESIDING OFFICER (SENATOR DONNEWALD):

29. Senator Fawell.

30. SENATOR FAWELL:

31. No...no, frankly I don't, Senator. I can't...this does not
32. mandate that there be a rescision or revocation, it merely states
33. to the Department of Registration and Education that the Director

1. will proceed under his very Statute that he customarily proceeds
2. under. The jury merely makes a finding that, in their opinion, the
3. Director ought to proceed under the Act that now exists which sets
4. forth gross malpractice resulting in permanent injury or death. If
5. the jury believes that the Director should proceed with a hearing,
6. it merely then, in effect, says, we think this is bad enough that it
7. ought to be done. Now, the reason I have it in here is as many
8. judges have said that this is one part of malpractice that they
9. just deplore, that a physician can come in, he's wholly incompetent,
10. he ought not to be practicing, and the court and the jury feel
11. powerless about being able to stop the man from continuing to do
12. ...to do harm. I...I don't...I don't comprehend your argument. It
13. ...it really is another step just in fulfillment of the concept
14. which...which you have set forth.

15. PRESIDING OFFICER (SENATOR DONNEWALD):

16. Senator Partee.

17. SENATOR PARTEE:

18. Well, Senator, you're a very bright man and the brevity of
19. your comprehension on this subject sort of bothers me. You are
20. talking about two separate kinds of entities. One is the...is the
21. person who is in charge of licensing who makes a decision. In
22. contradistinction, you're talking about juries all over the State
23. who must on the same definition render a recommendation. Now, if
24. your amendment said that a jury in its discretion has found things,
25. which in their view would subject the doctor to an interpretation
26. by the Director that the act complained of is gross malpractice,
27. then I would understand it. It doesn't say that. It says when
28. they find gross malpractice, and that is a determination to be
29. made by someone else. Now, I'm complaining, perhaps, because the
30. ...Senator, you're very popular, and every time I start to explain
31. this to you, somebody talks to you and hence you never hear me. Now,
32. I'm just saying at the risk of being repetitive, if you're...if it
33. said the jury is of the opinion that what they have observed would

1. be determined to be gross malpractice, then they should make the
2. recommendation to the agency involved that what they have found in
3. their version and their view is what they believe would be determined
4. to be gross malpractice. Rather than to say, they could denominate
5. it themselves as gross malpractice without a definition as to what
6. gross malpractice is.

7. PRESIDING OFFICER (SENATOR DONNEWALD):

8. Senator Fawell.

9. SENATOR FAWELL:

10. Senator Partee, I have the greatest respect for you, but I...I
11. think our argument is a perfect example of how lawyers can obfuscate
12. the issues terribly, because I think just exactly what you said is
13. what the amendment says. But if you prefer to have your amendment
14. rather than mine, that's okay with me.

15. PRESIDING OFFICER (SENATOR DONNEWALD):

16. Senator Soper.

17. SENATOR SOPER:

18. Aren't...aren't you going to pursue your amendment, Senator.
19. You are. Well, I wanted to say this, I...I feel that Senator Partee's
20. amendment will take care of the situation and the consumers, as
21. Senator Morris calls them, or the ones that has been operated on is
22. going to be protected against the...or the future consumer's will be
23. protected by having investigations of doctors who...who are...well,
24. impudent as far as good...surgery is concerned or very negligent, but
25. if we try to overprotect, I'd hate to go into a...an operating room
26. and have a doctor say - well, this is pretty difficult and...and maybe
27. ...maybe these things can't be done or we've got to try, and he'd be
28. afraid to try because the jury that had come out later on, would
29. say this fellow shouldn't practice medicine. I think we ought to
30. leave it the way Senator Partee has it, and I think we'll protect the
31. consumer or the...or the patient better in that way than...than have
32. a jury, who really doesn't know it...what the devil it's all about
33. anyway. All their...their determination is how much money somebody

1. should get, and they don't know the causes or what, but if some-
2. thing happened, then it would be...the guilt would be given to
3. the doctor no matter how good he was or how bad he was.

4. PRESIDING OFFICER (SENATOR DONNEWALD):

5. Senator Netsch. Senator Wooten.

6. SENATOR WOOTEN:

7. Mr. President, just briefly, there are a lot of reasons why
8. we have the malpractice crisis. One of them is that there are incompe-
9. tent physicians. I think this amendment addresses that in a way
10. that I like.

11. PRESIDING OFFICER (SENATOR DONNEWALD):

12. Is there further debate? The question is shall Amendment No.
13. 16 to Senate Bill 1024 be adopted. All those indicate by voting Aye.
14. All those opposed No. The voting is open. ...(Machine cut-off)...
15. those voted who wish? Have all those voted who wish? Take the record.
16. On that question, the Ayes are 19, the Nays are 26. Amendment No. 16
17. fails. Are there further amendments? 3rd reading. Senate Bill 1030,
18. Senator Chew. Read the bill. Just a moment. For what purpose does
19. Senator Latherow arise?

20. SENATOR LATHEROW:

21. Mr. President, I have an amendment on the Desk for 1030.

22. PRESIDING OFFICER (SENATOR DONNEWALD):

23. Well, Senator, the bill is on 3rd reading. Senator Chew, is it
24. your desire...do you consent to take this back to the order of 2nd
25. reading for the purpose of amendment?

26. SENATOR CHEW:

27. That was the request, Mr. President, I was going to make. Senator
28. Dougherty and I...

29. PRESIDING OFFICER (SENATOR DONNEWALD):

30. All right. The request is that Senate Bill 1030 be taken back
31. to the order of 2nd reading. Is there leave? Leave is granted.
32. Amendment No. 3, Senator Latherow.

33. SENATOR LATHEROW:

SB 1024
3rd Reading
5-22-75

1. This amendment, Mr. President, ...

2. PRESIDING OFFICER (SENATOR DONNEWALD):

3. Senator Latherow.

4. SENATOR LATHEROW:

5. Well, this amendment, Mr. President, gives the local governing
6. body where these places are being established, some say into where
7. they are established, and I move the adoption of the amendment.

8. PRESIDING OFFICER (SENATOR DONNEWALD):

9. ... (Machine cut-off) ... Senator Partee, is there further discussion
10. to this amendment? All those... the question is all those in favor
11. of the adoption of Amendment No. 3 indicate by saying Aye. All those
12. opposed No. The Ayes have it. The amendment is adopted. Are there
13. further amendments? ... (Machine cut-off) ... reading. Senate Bill 1024
14. is back on the order of 3rd reading, Ladies and Gentlemen of the Body.
15. Senator Glass. Read the bill in the 3rd reading.

16. SECRETARY:

17. Senate Bill 1024.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER (SENATOR DONNEWALD):

21. Now, Ladies and Gentlemen, prior to recognizing Senator Glass,
22. I think we've discussed nearly every aspect of this bill, and I
23. would hope that the membership would... would confine their debate
24. and not be repetitious. Senator Glass, proceed.

25. SENATOR GLASS:

26. Thank you, Mr. President, and I thank the membership for its
27. indulgence and for some very, I think, enlightening debate on what
28. is, indeed, a true crisis in Illinois. The bill, in the shape that
29. it is in today, I firmly believe will alleviate the malpractice crisis
30. in the State which is very real. We have seen premiums increasing
31. nationwide anywhere from a hundred percent to as high as three hundred
32. percent. There isn't any easy answer. I think the bill that we're
33. about to vote on is, perhaps, the best we can come up for now... with

1. for now. It will help the consumer because it will stabilize premiums,
2. and it will, hopefully, reduce them. Michael Reese Hospital, for
3. example, is going to pay three million dollars in malpractice premiums.
4. Children's Hospital in Chicago, one million dollars. About a third
5. of that comes out of our welfare monies for the State, so, in another
6. way, this is a consumer bill. Is...I would just make one final obser-
7. vation because there were a number of amendments introduced to...to
8. put consumers on the panel, this legislation does not deprive anyone
9. from going to court and having a trial by jury if he doesn't like the
10. settlement that is decided upon by the panel and having consumers in-
11. volved in that jury. I appreciate the support and the debate, and I
12. would ask for a favorable roll call on Senate Bill 1024.

13. PRESIDING OFFICER (SENATOR DONNEWALD):

14. Senator Netsch.

15. SENATOR NETSCH:

16. Mr. President, I have several questions to ask of the sponsor,
17. Senator Glass.

18. PRESIDING OFFICER (SENATOR DONNEWALD):

19. He indicates he will respond.

20. SENATOR NETSCH:

21. One is one that I had raised with you previously, and I think we ought
22. to raise it here also. The bill is written...the basic sections through-
23. out in terms of damage suits on account of injuries sustained by
24. reason of medical malpractice. Does that embrace, and if so, how do
25. you know that it does, a case where death results relatively shortly
26. thereafter? Will...will such cases be covered by this Act?

27. PRESIDING OFFICER (SENATOR DONNEWALD):

28. Senator Glass.

29. SENATOR GLASS:

30. Senator Netsch, your question is a good one. If there's a death,
31. as a result of an injury, will this bill apply? I think certainly it
32. will. We're talking about recoveries for injuries, and if death is one
33. of the results or natural consequences of an injury, certainly, that

1. would not preclude recovery and preclude the limitations placed
2. on the bill, and I might mention, we do make reference to death
3. in the bill and I...I should have mentioned this earlier, Senator Buzbee
4. asked me about it. There is a very important part of the bill that
5. hasn't been mentioned, and that is the statute of limitations. The
6. statute of limitations is two years from...the discovery of the injury
7. and five years from the occurrence of the injury, and that will, sig-
8. nificantly, reduce and stabilize premiums, because without the statute
9. of limitations, insurance companies do not know how long it may be
10. before such a claim will arise. It may be ten, twenty and thirty
11. years. But in the...in the Section, Senator Netsch, on Page 8, that
12. describes that statute of limitations, there is reference in Line 17
13. to such injury or death, and also on Line 6.

14. PRESIDING OFFICER (SENATOR DONNEWALD):

15. Senator Netsch.

16. SENATOR NETSCH:

17. Yeah. Will the...are you saying that it is in addition to or
18. in lieu of wrongful death claims?

19. SENATOR GLASS:

20. It...it would be...it would be my...opinion that it would be
21. in addition to. There would be an...an alternative...cause of action.

22. PRESIDING OFFICER (SENATOR DONNEWALD):

23. Senator Netsch.

24. SENATOR NETSCH:

25. Thank you, Mr. President. I have a...another question or two.
26. On Page 2, where you are talk...describing the rosters of physicians
27. and the rosters of attorneys who are to be available for the panels,
28. the references made to members of those two professions whose names
29. are to be submitted by the recognized professional societies which
30. presumably would be the Medical Society and the Bar Association. As
31. I read this, it does not specify that the members...that the names
32. to be submitted must be members of those Associations. Am I correct
33. that they do not, in fact, have to be members of the Associations?

1. PRESIDING OFFICER (SENATOR DONNEWALD):
2. Senator Glass.
3. SENATOR GLASS:
4. I...I construe the bill the same way, Senator Netsch. They merely
5. have to be practicing attorneys.
6. PRESIDING OFFICER (SENATOR DONNEWALD):
7. ...Oh, Senator Netsch, you finished?
8. SENATOR NETSCH:
9. No.
10. PRESIDING OFFICER (SENATOR DONNEWALD):
11. Oh. Your time is running low. Proceed.
12. SENATOR NETSCH:
13. Well, I am asking some questions that I think are relatively
14. important...
15. PRESIDING OFFICER (SENATOR DONNEWALD):
16. Well, you have the allotted time, Senator, and it has expired
17. already.
18. SENATOR NETSCH:
19. I have...I have asked two questions, and I don't see a red light
20. yet.
21. PRESIDING OFFICER (SENATOR DONNEWALD):
22. Well, the red light has already...expired.
23. SENATOR NETSCH:
24. All right. May I ask another question, Mr. President?
25. PRESIDING OFFICER (SENATOR DONNEWALD):
26. Proceed.
27. SENATOR NETSCH:
28. Thank you. ...All right. Now, that I think is fairly important
29. because one of the most exclusionary aspects of this whole procedure
30. is if you, again, limit participation only to those who are members
31. of the professional societies, I think...and I think that's the right...
32. I hope that's the right answer because it certainly is the best answer.
33. One additional thing, that in terms of construing how this thing op-

1. erates, I find not clear and important, when is the decision...or when
2. does it have to be made, the decision, as to whether or not there is
3. to be binding affect to the judgement of the review panel.

4. PRESIDING OFFICER (SENATOR DONNEWALD):

5. Senator Glass.

6. SENATOR GLASS:

7. Under...under the bill, Senator Netsch, they have twenty-eight
8. days after the determination of the panel to accept it or file a notice
9. that they will proceed to court.

10. PRESIDING OFFICER (SENATOR DONNEWALD):

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

12. SENATOR HARRIS:

13. Mr. President, I want to rise on a point of personal privilege
14. to call attention to the Senate of the presence in the south Gallery
15. of the seventh and eighth grades of St. Mary's School from Pontiac.
16. They are accompanied by Sister Vavina and some other stalwart parents
17. who are seeing that they are enjoying this day in Sringfield with us.

18. PRESIDING OFFICER (SENATOR DONNEWALD):

19. Will the Senate please rise. Senator Partee.

20. SENATOR PARTEE:

21. Well, Mr. President and members of the Senate, just briefly,
22. this is not just an Illinois problem that we seek to solve today.
23. It is a nationwide problem. Medical malpractice and all of the
24. things that flow therefrom is plaguing our health industry. The
25. very bottom line in consideration is when premiums go up, it is the
26. consumer who pays. When these premiums go up and keep escalating,
27. the cost of the hospital room goes up and keeps...escalating. Today,
28. almost, it's cheaper to go to the world's most fancy resort for a day
29. than to go to a hospital for a day. The hospitals in my district are
30. very concerned. One of them had a premium of forty thousand dollars,
31. three years ago. It went, the next year, to a hundred and seventy-
32. three thousand dollars. The projected premium for 1976, for that
33. hospital, is seven hundred odd thousand dollars. Well, obviously,

1. small hospitals and even large hospitals cannot thrive under those
2. kinds of conditions. We must address ourselves to that problem.
3. This bill seeks to do that. I do not say that this bill is perfect.
4. We may, in subsequent days, find imperfections which we will have to
5. correct by additional legislation. We will, in subsequent days, with
6. this bill in it the shape it is in now, have a handle on the experience
7. factor necessary to address ourselves even more intelligently to the
8. problem. Medical Science has increased a great deal, and I think no-
9. body feels that more than I do. I had a brother die at the age of
10. eighteen months of age with the precise disease that my child had at
11. eighteen months of age. He died. She was cured in three days. Medi-
12. cine has changed. We have more senior citizens today because of the
13. effect of the competency of medicine. There is malpractice, and it
14. should be rooted out. I think this bill will help to do just that.
15. I think, by the same token, if we did not address ourselves to it in
16. this fashion, we would find ourselves in a very chaotic situation.
17. I think this is a bill and a measure that deserves the support of this
18. Body.

19. PRESIDING OFFICER (SENATOR DONNEWALD):

20. Senator Johns.

21. SENATOR JOHNS:

22. Mr. President, it's occurred to me during the years that I've
23. been in the Senate, and this focals...this focals right on...focuses
24. right on the issue to me, medical malpractice. I'm concerned about
25. the infusion into the hospitals and into practice of foreign doctors,
26. and I say foreign, not with a degradation concept, but of people from
27. other countries, trained in other universities, that are working in our
28. State and our nation, often unable to communicate...because of their
29. dialect to the patients. I've witnessed this firsthand with my own
30. son when he was injured in an automobile accident. The doctor could
31. not talk to the...to my son in a language native to this country and
32. ...and alert him as to his dangers. He could not warn him in any way
33. as to what he must do. He was on an emergency table. He could not

1. assuage his fears. This concerns me. Is this an element in the
2. malpractice realm in our United States? It also concerns me greatly,
3. it has for a long, long time, of the need for us to look at the medical
4. profession. We spend billions of billions of dollars overseas and
5. throughout this United States, and yet we fail to...to build the medical
6. schools to permit the introduction of our own native sons and daughters
7. into that profession. Many of our young people today are going to
8. school in Mexico, Guadalajara and so forth, because they have not been
9. permitted to practice in this State. We permit in this State outsiders
10. to attend our medical schools, and deny our young people, yes, from my
11. own region of southern, rural southern Illinois where we desperately
12. need doctors. We fail to promote and provide adequate facilities
13. for our young people, and I say to you, is this part of the problem
14. that we face today. I think we've going to have to look at that sooner
15. or later, and I urge you to keep it in mind.

16. PRESIDING OFFICER (SENATOR DONNEWALD):

17. Senator Wooten.

18. SENATOR WOOTEN:

19. Mr. President and colleagues, this matter is very close to me.
20. When I was six years old, my sixteen year old brother died to the
21. gross incompetence of a doctor. No question of it, really no contest,
22. he had to leave town as a result...he had to leave town as a result
23. of that incident and continued to practice medicine elsewhere. So,
24. I am keenly aware of what gross malpractice can be. This crisis
25. which is not quite a crisis yet, but is certainly building toward that,
26. is built on several real problems which can be laid at the door of
27. the medical profession and also at the shortsightedness of the insurance
28. industry. There are two observations I would make though, in supporting
29. the bill. I voted for the cap which I think is a mistake. It's a
30. mistake because we are not providing for some kind of insurance pool
31. to take care of those problems which Senator Carroll alluded to. I
32. also want to let you know, in all our care about the consumer and the
33. high premiums that hospitals and doctors pay, don't hold your breath

1. waiting for prices to drop as a result of this legislation. It
2. simply will not happen. You could go on for hours on a philosoph-
3. ical level, a practical level, a cynical level casting blame and
4. doubt in all quarters of this problem. I think we all feel that
5. we have no out. We've got to support this legislation. That's
6. unfortunate. I hope that there is enough time left over in the
7. House to bring this to a somewhat more reasonable approach to the
8. problem.

9. PRESIDING OFFICER (SENATOR DONNEWALD):

10. Senator Morris.

11. SENATOR MORRIS:

12. I have a real dilemma on this bill at this point. As you know,
13. I would have liked to have seen some lay people put on the review panel,
14. and we came within a vote of doing that. And I'm amazed, as a fresh-
15. man legislator, to come down here when there are literally tens and
16. thousands of crises facing the people of Illinois everyday, but all
17. of a sudden we have this malpractice crises upon us...within the last
18. three months and the legislative process seems to work to solve this
19. crisis. I've heard people crying for no fault auto insurance for several
20. years, and yet we have not been able to solve that problem for them,
21. but here we are able to solve a problem which is really not a problem
22. that has come home to roost to the general public yet. It's a problem
23. that doctors are seeing, and that lawyers are seeing, and that insurance
24. companies are seeing, but one that the general public hasn't really
25. issued an outcry for yet. What I tried to do by putting two lay
26. people onto the panel, was to give the consumer a voice in what's
27. going to happen. But it was resisted and it was defeated. And I'm
28. rather upset that when we get a situation such as this, the debate
29. seems to be so short and the consideration so short, but that the
30. Medical Societies and the Bar Associations seem to have much more
31. input than some legislators. I'm not really sure how I'm going to
32. vote when we vote on this in the next couple of minutes. My inclina-
33. tion is to vote against this because I don't think we've really dealt

1. with the problem of protecting the rank and file citizen, and I
2. think we're having something rushed through here without a fair
3. hearing, something that we're going to be sorry for. And I think
4. that everybody in this Chamber knows that we can talk a lot about
5. maybe there are problems and flaws that we will have to deal with
6. later. But the time to deal with making this workable for every-
7. one is now. Now, when the medical people and the legal people and
8. the insurance people say there's a crisis, and they're willing to talk
9. about it. Once they get this bill, they are going to say we have it
10. and we don't want it tampered with. We hear this so often. This bill
11. is not going to make for any more responsible doctors. It's not going to
12. make for people to be more responsible when they take care of you or
13. your family. It's only going to limit the amount of money that can be
14. paid in a claim and set up a panel to make it more convenient for doc-
15. tors and lawyers. Sure, it's going to keep premiums from going up, but
16. it's not going to reduce those premiums. I think you ought to think
17. long and hard before you vote on this, because I think that we have
18. left the general public out, and I think we're going to be sorry for
19. this decision.

20. PRESIDING OFFICER (SENATOR DONNEWALD):

21. Senator Ozinga.

22. SENATOR OZINGA:

23. Mr. ...Mr. President, I rise on a point of fear. Fear to the
24. extent that I'm afraid that we'll be accused of malpractice here if
25. we just don't watch our own step a little bit on the basis that I
26. believe this bill has been talked backwards, forwards, to the inth
27. degree in and amongst every member here. Malpractice, we're just
28. going to run out of hot air and, therefore, I will be a little bit afraid
29. that that balloon won't be able to get off the ground next week, so
30. would move the previous question.

31. PRESIDING OFFICER (SENATOR DONNEWALD):

32. Well, Senator, there are just one or two more to address them-
33. selves to this issue, and I know they will keep it rather brief.

1. Senator Davidson and then Senator...Senator Harris. Senator
2. Davidson.

3. SENATOR DAVIDSON:

4. Mr. President and members of the Senate, I'd only like to
5. rise in support of this bill and had not planned to say anything
6. until two individuals in speaking about this bill addressed a prob-
7. lem about those doctors who couldn't understand English or et cetera,
8. et cetera. I want to say to you, Gentlemen, any individual who is
9. practicing in any hospital other than a mental hospital of the State
10. must prove his...competency to the Illinois Medical Examining Committee,
11. get a license to practice under the Illinois Medical Practice Act. One
12. of the tests they're going to have to pass is be able to understand and
13. speak English, otherwise, they're not going to get that language. I
14. agree with the Senator who unfortunately lost a brother and the man had
15. to leave town. Have been a little bit on the same receiving end. I'm
16. well aware of this and that's why under the Medical Practice Act there
17. is that point of gross malpractice that a license can be revoked and
18. the procedures are there. The prior amendment which was defeated by
19. Senator Fawell, I say to him the problem has been when there's been
20. such malpractice suits which have been filed to collect damages in gross
21. negligence or gross malpractice that weren't...were not proven but
22. damages were...no one, no one has ever bothered to file a complaint
23. with the examining committees so the correct procedures can be started
24. to correctly punish or chastise the individual that if he's so guilty.
25. Now, there's...there's no doubt about, there are practicing people
26. walking around that are going to be guilty of gross malpractice, but
27. I want to tell you most malpractice suits have nothing to do with
28. gross malpractice, they have to do because the person think in their
29. opinion they did not get the usual customalofcare and treatment, and
30. that's what it's all about - what is usual care and customary in a
31. thing. I urge you to vote for this bill.

32. PRESIDING OFFICER (SENATOR DONNEWALD):

33. Senator Harris.

1. SENATOR HARRIS:

2. Well, Mr. President, I just want to add one point that I don't
3. think has been stated. This bill will do much to relieve what I think
4. is presently the most serious problem, as a result of the cost of medical
5. malpractice insurance. The indirect result of that has been to stimulate
6. those practicing medicine to practice defensively...to prescribe and
7. perform in connection with considerations of the character of the patient
8. as a potential litigant, rather than a human being who needs the care and
9. the skilled hands of the dedicated man of medicine. To the extent that
10. we can relieve those in this field of curing the sick from being defen-
11. sive in their decision making, we are doing something truly for humanity.
12. This bill does just that, in my opinion, and should be supported.

13. PRESIDING OFFICER (SENATOR DONNEWALD):

14. Senator Nudelman. Senator Nudelman.

15. SENATOR NUDELMAN:

16. Mr. President, Ladies and Gentlemen of the Senate, I feel I
17. must add one voice in opposition. I am...I am unhappy this morning
18. because I see I...I...I get the gut reaction that this bill is going
19. to pass, and I...I also know that it's going to pass because of our
20. reaction to unwarranted, unwarranted hysteria and unwarranted threats
21. by the medical profession. Nobody has brought in the insurance companies
22. to question them as to their policies, as to the needs of increases in
23. premiums, as to the amounts of premiums paid out in losses, which is
24. really the bottom line, and nobody has questioned or brought up the
25. point that the Legislature of this State has the power to set rates of
26. insurance premiums so that if they are too high we can bring them down.
27. We have all sorts of powers which we are not exercising, so that we are,
28. in fact, abandoning our power and reacting to hysteria, and I am em-
29. barrassed, I'm embarrassed on behalf of this Body if, in fact, this
30. legislation should pass. I think...I think the threats that doctors
31. will move out of the State or that doctors will quit practicing medicine
32. are ridiculous. We know the incomes they make. We know that nobody
33. who is educated to do only one thing is going to abandon that one thing

1. because the cost of doing business goes up somewhat. We don't know
2. what the relationship of premium to income is. I practice law. I
3. maintain an office. I have overhead, and I don't say that if some-
4. body raises my rent or that if my malpractice insurance goes up that
5. I am going to abandon the practice. I don't think there has been any
6. showing by the medical profession or the doctors that this is a real
7. problem. The only ones that will benefit, if anybody benefits from
8. this legislation, are insurance companies who will know that there is
9. a ceiling on how much they may have to pay. They haven't had the te-
10. merity. They haven't had the guts. They haven't had the nerve to
11. come in here and say that they are paying more than the premiums or that
12. the problem is a real problem. They are the ones, they are the ones
13. who, if anyone, should come in here and tell us there is a problem -
14. not the medical profession who have not given us any citations regarding
15. costs as relation to income, et cetera, or even the hospitals. The mere
16. fact that an insurance premium goes up from forty to a hundred and
17. twenty-five or a hundred and fifty thousand dollars doesn't tell us
18. anything unless we know what percentage of that forty or what percentage
19. of that hundred and twenty-five, what percentage that is of gross income
20. or of cost or expense. Numbers in a vacuum are meaningless. Now,
21. additionally, I am troubled by the fact that we have put a ceiling on
22. the recovery against doctors. We have put a ceiling which says that if
23. a doctor mutilates somebody and if a doctor makes a basket case and if
24. a doctor puts somebody into a hospital bed for the rest of their lives,
25. they are less responsible than I am with my automobile or that you are,
26. or that someone else might be by causing the very same type of injury.
27. If a doctor does it, you hope...you can't recover more than a half a
28. million dollars. If I do it or you do it or any other citizen does it,
29. there is no ceiling and maybe from time to time an injury occurs which
30. warrants a higher payment than a half a million dollars, and I should
31. hope that the victim of such a...such a tort would be able to recover
32. the amount of his actual loss. I would also point out, Ladies and Gentle-
33. men of the Senate, that by adding another procedure that add...by adding

1. a board, you are only further delaying justice. You are further delay-
2. ing the recovery of damages and really in the long run further doing
3. damage to the victim of torts, and I would employ you to think twice
4. before voting for this legislation, which I assure you in days of the
5. future you will be sorry you did.

6. PRESIDING OFFICER (SENATOR DONNEWALD):

7. Senator Glass may close the debate.

8. SENATOR GLASS:

9. Thank you, Mr. President, Ladies and Gentlemen, a good deal has
10. been said this morning about the malpractice, the gross malpractice
11. of doctors in hospitals. I think it would be remiss not to mention
12. and emphasize the fact that by in large they do great work, and they...
13. they...they do good healing works. I can testify from personal exper-
14. ience involving my own son...who was in an accident in Champaign about a
15. year and a half ago and the miracles that were performed by that hospital
16. and that doctor are something we are never going to forget. That is
17. the other side of the coin. I think we want these doctors and hospitals
18. to continue performing these healing works without the threat of large
19. judgments hanging over them and without the threat of heavy increases
20. in their insurance premiums. I would close by simply reading a telegram
21. that was handed me by Senator Soper from a hospital in his district -
22. The malpractice situation now present is of utmost importance. As an
23. example, our hospital, MacNeal Memorial Hospital, just had their premium
24. raised from ninety-two thousand dollars to nine hundred and two thousand
25. dollars, an increase of eight hundred and eighty-four percent. This
26. is what we are facing. Please do your utmost. I would urge a favor-
27. able roll call.

28. PRESIDING OFFICER (SENATOR DONNEWALD):

29. The question is shall Senate Bill 1024 pass. All those in favor
30. vote Aye. All those opposed No. The voting is open. ...(Machine cut-
31. off)...all those voted who wish? Take the record. On that question,
32. the Ayes are 51, the Nays are 4, the...those Voting Present, 1. Senate
33. Bill 1024 having received the constitutional majority is declared passed.

1. Senator Netsch.

2. SENATOR NETSCH:

3. Mr. President, I...

4. PRESIDING OFFICER (SENATOR DONNEWALD):

5. For what purpose do you arise?

6. SENATOR NETSCH:

7. On a point of personal privilege. I would...

8. PRESIDING OFFICER (SENATOR DONNEWALD):

9. You may state your point.

10. SENATOR NETSCH:

11. Thank you. I would simply like to point out on a major issue
12. that has just been voted on, the absolute absurdity of the present
13. rules of the Senate which limit debate to five minutes, including the
14. asking and answering of major questions about a very complicated
15. issue. I have requested in the past that we adopt permanent rules
16. which would adjust that time schedule, and it simply points out the
17. fact that we should have done that a long time ago. I did not even
18. get to finish asking my questions. They were serious questions, and
19. I got to make no comments at all. I'm sure the same thing happened
20. to others. I hope we will someday get around to adopting permanent
21. rules and making adjustments in the time allotted for debate on impor-
22. tant issues.

23. PRESIDING OFFICER: (SENATOR DONNEWALD):

24. In response to that, Senator, you are allowed nine and a half
25. minutes on your own, and I might add to that, in the House, they have
26. no rules such as we have and they're in absolute chaos, and we intend
27. to abide by the rules that we've established. The next...the next
28. bill is Senate 1030, Senator Chew. Senator Vadalabene, for what purpose
29. do you arise?

30. SENATOR VADALABENE:

31. Yes, thank you, Mr. President, to have Senate...I would like to
32. have leave to have Senate Bill 507 returned to 2nd reading for the
33. purpose of an amendment.

1. PRESIDING OFFICER (SENATOR DONNEWALD):

2. Is there leave?

3. SENATOR VADALABENE:

4. Leave.

5. PRESIDING OFFICER (SENATOR DONNEWALD):

6. Leave is granted. Senator Vadalabene, the bill's on 2nd reading.

7. SENATOR VADALABENE:

8. Yes, Amendment No. 1 to Senate Bill 507. This amendment will
9. enable the university to commence and install laboratory space in
10. timely fashion to meet requirements of the Liaison Committee of Medical
11. Education. It's an accreditation team. Otherwise, the immediate needs
12. could not be accommodated for a period of several years. I've had the
13. clearance of Senator Tom Hynes and leadership on both sides of the aisle
14. for this amendment.

15. PRESIDING OFFICER (SENATOR DONNEWALD):

16. Is there discussion? All those in favor of the Amendment No. 1
17. to Senate Bill 507 indicate by saying Aye. Just...just a moment. All
18. those opposed No. The Ayes have it. Amendment No. 1 is adopted. 3rd
19. reading. Senate Bill 1030, Senator Chew. Senator Chew is not on the
20. Floor. Senate Bill 1059, Senator Rock. Senate Bill 1097, Senator
21. Davidson. Senator Davidson. Senator Davidson. Read the bill.

22. SECRETARY:

23. Senate Bill 1097.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER (SENATOR DONNEWALD):

27. Senator Davidson.

28. SENATOR DAVIDSON:

29. Mr. President and members of the Senate, this is an additional
30. four million, seven hundred and fifty thousand dollar revenue bonding
31. authority for the Springfield Exposition Building Authority, and this
32. has made necessary because the additional million dollars that it costs
33. for the land acquisition, the two and a half million for the underground

1. garage and the added two thousand or six thousand square feet
2. of meeting space, plus the inflationary costs. This has been
3. okayed and approved by the Bureau of the Budget and the Appropria-
4. tions staff, and I don't know of any opposition. Appreciate a
5. favorable roll call.

6. PRESIDING OFFICER (SENATOR DONNEWALD):
7. Senator Rock.

8. SENATOR ROCK:
9. Question if the sponsor will yield?

10. PRESIDING OFFICER (SENATOR DONNEWALD):
11. Senator Rock.

12. SENATOR ROCK:
13. Question if the sponsor will yield?

14. PRESIDING OFFICER (SENATOR DONNEWALD):
15. Senator Davidson indicates he will respond.

16. SENATOR ROCK:
17. Thank you. Is this part of the accelerated building program?

18. SENATOR DAVIDSON:
19. No, Sir.

20. SENATOR ROCK:
21. Oh. When you said the Bureau of the Budget had approved it, I
22. just wondered if it was part of the same package.

23. SENATOR DAVIDSON:
24. No, Sir.

25. PRESIDING OFFICER (SENATOR DONNEWALD):
26. Is there further discussion? Senator Vadalabene.

27. SENATOR VADALABENE:
28. Yes, as cosponsor of this bill, I know what we done for Rockford,
29. I know what we done for Aurora, I know what we done for Peoria. This
30. is well needed in the Springfield area, and I would urge my colleagues
31. to support the Springfield Civic Center.

32. PRESIDING OFFICER (SENATOR DONNEWALD):
33. Is there further debate? Senator Latherow...oh. Senator Bloom.

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1. SENATOR BLOOM:

2. No. I'd like to echo what Senator Vadalabene said. We in
3. Peoria support this.

4. PRESIDING OFFICER (SENATOR DONNEWALD):

5. Is there further debate? The question is shall Senate Bill
6. 1097 pass. All those in favor vote Aye. All those opposed No.
7. The voting is open. Have all those voted who wish? Have all those
8. voted who wish? On that...take the record. On that question, the
9. Ayes are 48, the Nays are none, 1 Voting Present. Senate Bill 1097
10. having received the constitutional majority is declared passed.
11. Senator Sommer.

12. SENATOR SOMMER:

13. Mr. President and members of the Chamber, on a matter of personal
14. privilege, I'd like to introduce the State's Attorney of Woodford
15. County back here. He's standing by Senator Roe, Mr. Richard Leiken.

16. PRESIDING OFFICER (SENATOR DONNEWALD):

17. Senator Chew. Senate Bill 1030.

18. SECRETARY:

19. Senate Bill...Senate Bill 1030.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER (SENATOR DONNEWALD):

23. Senator Chew.

24. SENATOR CHEW:

25. The bill satisfies everybody concerned now, Mr. President, and
26. I'd ask for a favorable roll call.

27. PRESIDING OFFICER (SENATOR DONNEWALD):

28. Is there further debate? The question is shall Senate Bill 1030
29. pass. All those in favor indicate by voting Aye. All those opposed
30. No. The voting is open. Have all those voted who wish? Have all
31. those voted who wish? Take the record. On that question, the Ayes
32. are 41, the Nays are none. Senate Bill 1030 having received the
33. constitutional majority is declared passed. Senate Bill 1103, now

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5/22/71

1. Senator Weaver has asked leave to handle this bill for...handle
2. this bill for Senator Bell. Is there leave? Leave is granted.
3. Senator...read the bill.

4. SECRETARY:

5. Senate Bill 1103.
6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDING OFFICER (SENATOR DONNEWALD):

9. Senator Weaver.

10. SENATOR WEAVER:

11. Thank you, Mr. President and members of the Senate. Senate Bill
12. 1103 is one which would prohibit certain savings and loans from selling
13. insurance. The Illinois Insurance Code now prohibits most banks and
14. their affiliates from being licensed as insurance agents or broker.
15. 1103 would merely extend this privilege to the bank's sister financial
16. institutions, the savings and loan affiliates. It has the Grandfather
17. Clause in it, thereby, allowing those who are currently in this busi-
18. ness as service agencies or in communities particularly under five
19. thousand dollars to...five thousand population to continue this activity,
20. and I would appreciate a favorable roll call.

21. PRESIDING OFFICER (SENATOR DONNEWALD):

22. Is there further debate? Senator Rock.

23. SENATOR ROCK:

24. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
25. I rise in opposition to Senate Bill 1103 for two reasons. One, the
26. thrust of the bill is absolutely dead wrong, especially from that
27. side of the aisle that always thrives, apparently, on the free enter-
28. prise system. This is an absolute derogation of the free enterprise
29. system. And secondly, this bill, as others that I have read about in the
30. newspapers, attempts to control what a federally chartered institution
31. can or cannot do. It's patently unconstitutional, as are certain
32. House Bills, and for that reason and the other, I think this bill
33. should be defeated, and I urge a No Vote.

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3rd
5/27/5

1. PRESIDING OFFICER (SENATOR DONNEWALD):

2. Senator Savickas.

3. SENATOR SAVICKAS:

4. I would just...just like to state that I may...I have a conflict
5. of interest in this bill but I do intend to support it.

6. PRESIDING OFFICER (SENATOR DONNEWALD):

7. Senator Merritt.

8. SENATOR MERRITT:

9. Yes, Mr. President and members of the Senate, I rise in support
10. of this bill. This is the identical bill as was Senate Bill 979 in the
11. 1971 Session of the Legislature which I was sponsor of and which passed
12. out of this Body, I believe at that time, by a vote of 43 to 2. Later
13. it passed out of the House and was vetoed by the Governor. The bill is
14. in better form today even than in 1971, because it grandfathers in and
15. exempts all those savings and loans that currently have such a license
16. I...there...there's absolutely nothing wrong with this bill in its
17. present form with that exemption, Grandfathering Clause, and I urge
18. the support of both sides of the aisle.

19. PRESIDING OFFICER (SENATOR DONNEWALD):

20. Senator Netsch.

21. SENATOR NETSCH:

22. Mr. President, this is another example of the Legislature being
23. put in the middle of what is, in effect, an inter-industry battle and
24. like all such circumstances there is really no very valid basis on
25. which we can make the judgement. There is, on the one hand, a...it can
26. be said, at least, that there is something not quite right about allow-
27. ing savings and loan associations to be able to sell insurance...at the
28. same time, because there is kind of an inherent competitive advantage.
29. The people are there. They need their loan, and there is some, perhaps,
30. even pressure that even though it is not directly applied. On the other
31. hand, it...by allowing them to sell insurance, it does inject another
32. element of competition into the insurance industry, which it strikes me
33. could use that element of competition to a very substantial degree. So

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1. that the...again the Legislature is asked to make a choice between
2. two industries who have put us in the uncomfortable...

3. PRESIDING OFFICER (SENATOR DONNEWALD):

4. Proceed.

5. SENATOR NETSCH:

6. ...in the uncomfortable position of having to decide which one
7. we favor, with some pros and cons on both sides. I suppose that the
8. bill is...something has got to happen to the bill. It's either going
9. to have to pass or fail, although, it strikes me that the only ration-
10. al vote that can be made on a bill like this, is Present.

11. PRESIDING OFFICER (SENATOR DONNEWALD):

12. Senator Egan.

13. SENATOR EGAN:

14. Thank you, Mr. President and members of the Senate. Last evening
15. I learned a considerable amount about special interest legislation, and
16. I just wanted to reiterate all of those intelligent remarks that were
17. made concerning the special interest legislation which I tried to pass
18. for the...as it was so designated for the professional engineers. I
19. would just like to reiterate all of those remarks, because I've never seen
20. special...interest legislation that could compete with this one, and
21. I...I do oppose the bill, and I'd appreciate support in that behalf.

22. Thank you.

23. PRESIDING OFFICER (SENATOR DONNEWALD):

24. Senator Latherow.

25. SENATOR LATHEROW:

26. Well, Mr. President, I don't know which side I find myself on, for or
27. against, or so on and so forth. I have no money in a savings and loan.
28. I haven't borrowed any from them. I haven't taken any insurance from
29. them nor do I intend to. But I think as long as they do not sell
30. that insurance as a prerogative of whether or not they make the loan,
31. there's nothing wrong with them being in the business.

32. PRESIDING OFFICER (SENATOR DONNEWALD):

33. Senator Nudelman. Senator Nudelman.

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1. SENATOR NUDELMAN:

2. Mr. ...

3. PRESIDING OFFICER (SENATOR DONNEWALD):

4. Just...just a moment, Senator. Would the caucuses retire to the
5. ...rotunda, and would the members be in their seats. Sergeant-at-Arms.
6. Proceed.

7. SENATOR NUDELMAN:

8. Mr. President and Ladies and Gentlemen, I lost one a few minutes
9. ago, and I know that when the nine and half percent usury rate comes
10. up I'm going to lose another one. But I think it's interesting, and
11. I would like to comment in relation to this bill, that when the savings
12. and loan people came before the various committees which studied the
13. usury problem and they gave us some...some half figures relative to the
14. cost of money and the amount of money they got at what percentages and
15. what they have to lend it out at, et cetera, et cetera. They didn't
16. bother to tell us about the income that they got from the insurance
17. policies they sold to the people they were making the...mortgage loans
18. to. And I think, Ladies and Gentlemen of the Senate, if we're going
19. to...if we're going to increase the usury rate from eight to nine and
20. a half percent, then maybe they don't need the right to write insurance
21. and maybe we should take it away from them, and I, for one, would vote
22. Aye on this bill.

23. PRESIDING OFFICER (SENATOR DONNEWALD):

24. Senator McCarthy.

25. SENATOR McCARTHY:

26. Yes, Mr. President and members of the Body, I'm not...I'm not
27. as pessimistic as Senator Nudelman is about having to extend the usury
28. rate to nine...and a half percent. So, therefore, the income that the
29. savings and loans do receive from sale of insurance policies is a legiti-
30. mate income. The way in which it was explained to the committee is that
31. when a savings and loan does have a subsidiary service organization that
32. sells these policies, all of the premium income commissions do go into
33. the income fund of the savings and loan and amount to a reduction of

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1. their net cost of their money that they loan out to the customers.
2. And I remember, Mr. President, seeing this bill twenty years ago and
3. at first blush it looks pretty good. You think why should the lender
4. have a club over the borrower. Why shouldn't we prohibit them so that
5. the person that borrows money and gives his house as security should
6. be able to place his insurance with someone else? I know in the Cater-
7. pillar Tractor plant in Chicago...in Decatur, some of the fellows that
8. work in the assembly lines also have licenses as insurance agents, and
9. they like to sell their buddies and this makes a very attractive argu-
10. ment, but it doesn't work out that way, because the interest of the
11. borrower in having insurance on his home in the event that that house
12. burns down or is destroyed is best served if he knows that he has a policy
13. in force with the loan that will pay off his loss, in the event of the
14. loss, and not placed with a buddy or some favorite agent who may or may
15. not have remitted the funds to the company whose collection policy may
16. be such that the policy is allowed to lapse, and I see the time is run-
17. ning out, but by way of summation it strikes me that really the person
18. can go to the individual agent as he may, as I do, but still his interest
19. is best protected when the policy is in force to protect him against
20. a catastrophic loss. I think this bill does not deserve passage.

21. PRESIDING OFFICER (SENATOR DONNEWALD):

22. Is there further debate? Senator Weaver may close the debate.

23. SENATOR WEAVER:

24. Thank you, Mr. President. Well, I've tried, and I shall continue
25. to not point any fingers at any existing S and L's or service corpora-
26. tions that sell insurance. I'm sure there have been some abuses, but
27. I...for the most part I don't think that this privilege has been abused.
28. But lending institutions do enjoy a substantial economic power by virtue
29. of their control over credit, and I'm sure in some cases there is some
30. coercion to also include a package life...or a policy on...on the pro-
31. perty that the loan is granted on. The...the institution making the
32. loan requires that policies be on file in those institutions if it is
33. a well run association. So, the argument that you're not protected

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1. unless you buy through these service corporations or S and L's is
2. just not right. I think it...it is a good bill. I think it's in
3. the best interest of Illinois small businessmen and for the consuming
4. public in the State of Illinois, and I would appreciate a favorable
5. roll call.

6. PRESIDING OFFICER (SENATOR DONNEWALD):

7. Question is shall Senate Bill 1103 pass. Those in favor vote Aye.
8. Those opposed No. The voting is open. Have all those voted who wish?
9. Have all those voted who wish? Take the record. On that question, the
10. Ayes are 27, the Nays are 17, 8 Voting Present. Senate Bill 1103 having
11. ...not having received the constitutional majority fails. Senator Welsh.

12. SENATOR WELSH:

13. Mr. Present...President, I rise to announce a Democratic caucus in
14. the President's office immediately. Mr. ...

15. PRESIDING OFFICER (SENATOR DONNEWALD):

16. Senator Graham.

17. SENATOR WELSH:

18. Mr. President, I would say that we would be back at 1...1:05.

19. PRESIDING OFFICER (SENATOR DONNEWALD):

20. Senator Graham.

21. SENATOR GRAHAM:

22. On a point of personal privilege.

23. PRESIDING OFFICER (SENATOR DONNEWALD):

24. State your point.

25. SENATOR GRAHAM:

26. While you fellows are gathering your forces, there was a young man
27. sitting here this morning between Senator Weaver and I during the debate
28. on 1024...he is our new legal consultant in the form of the son of
29. Senator Weaver who just graduated from the School of Law of Washington
30. University in St. Louis, Missouri. So he may have a lawyer son and candi
31. date against him real soon, but I'd like for the Senate to recognize
32. Blake Weaver.

33. PRESIDING OFFICER (SENATOR DONNEWALD):

1. Senator Harris.

2. SENATOR HARRIS:

3. Mr. President, I want to announce to the Republican members
4. there will not be - repeat - not a Republican caucus.

5. PRESIDING OFFICER (SENATOR DONNEWALD):

6. Senate stands in recess until 1:10.

7. (RECESS)

8. (AFTER RECESS)

9. PRESIDING OFFICER (SENATOR DONNEWALD):

10. Senate will come to order. We are on the order of 3rd reading
11. Senate Bills. The next in line is Senate Bill 1117, Senator Berning.
12. Senator Berning. Read the bill.

13. SECRETARY:

14. Senate Bill 1117.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER (SENATOR DONNEWALD):

18. Senator Berning.

19. SENATOR BERNING:

20. Thank you, Mr. President and members of the Senate. I had
21. distributed to each desk a short explanation of Senate Bill 1117.
22. Very briefly, this is an amendment to the existing Swimming Pool
23. Act which in its original form and consequently in its present
24. form with this new amendment makes provision for home rule units
25. to exercise the control if they so desire. So this bill before us
26. does not require a home rule amendment. This provides for the
27. certification of swimming pool...construction people and service
28. individuals. It has been brought to the attention of the Department
29. of Public Health that there have been flagrant violations in the
30. construction of swimming pools by organizations from out of State
31. who come in...represent themselves as...as holding a State permit
32. for such work where, in fact, they do not. By means of the certi-
33. fication and posting of a bond, citizens will be better protected,

1. and the bond will provide recourse in the event that a pool is
2. constructed for an individual and then it is discovered to be
3. faulty. Now the question of the utilization of service people
4. is restricted only to public swimming pools and beaches and does
5. not affect the individual homeowner with his pool. So that this
6. is intended to be an extension of protection of the public health
7. and safety. If there are any questions, I'll attempt to answer
8. them.

9. PRESIDING OFFICER (SENATOR DONNEWALD):

10. Is there further debate?

11. SENATOR BERNING:

12. Incidentally, this has been amended to meet the requests of
13. the plumbing industry so that...so far as I know, there is no organ-
14. ized opposition.

15. PRESIDING OFFICER (SENATOR DONNEWALD):

16. Is there further debate? The question is shall Senate Bill
17. 1117 pass. All those in favor vote Aye. All those opposed No.
18. The voting is open. ... (Machine cut-off)...all those voted who
19. wish? Have all those voted who wish? Have all those voted who
20. wish? Take the record. ... (Machine cut-off)...that question, the
21. Ayes are 30, the Nays are 6, 1 Voting Present. Senate Bill 117...
22. 1117 having received a...constitutional majority is declared passed.
23. There is a request...just a moment. Just a moment. There is a
24. request for a verification of the roll call. The Secretary will
25. call the positive votes. For what purpose does Senator Soper arise?

26. SENATOR SOPER:

27. Well, I...I can't see the positive and the negative votes on
28. that board. I wonder if you could...if you could supply a sheet of
29. that computerized thing over there so we know what we're doing. I
30. know that the...the Secretary there is very efficient but he's...he's
31. humane and he's human and he can make mistakes...

32. PRESIDING OFFICER (SENATOR DONNEWALD):

33. They both...both the Secretary and Assistant Secretary have

1. taken a look, Senator.

2. SENATOR SOPER:

3. I know but they may have stigmatism. I know one's got a weak
4. left eye, and the other's a weak right eye...

5. PRESIDING OFFICER (SENATOR DONNEWALD):

6. Proceed.

7. SENATOR SOPER:

8. ...and it would take a little time, but I'd like to verify this.
9. I...I believe you believe in...in the truthful process of...of this...

10. PRESIDING OFFICER (SENATOR DONNEWALD):

11. Senator Wooten, for what purpose...just a moment. Senator Wooten,
12. for what purpose do you arise?

13. SENATOR WOOTEN:

14. This is dilatory. This was ruled...this very point was ruled
15. on last night, and could we please have verification?

16. PRESIDING OFFICER (SENATOR DONNEWALD):

17. Proceed.

18. SECRETARY:

19. Berning, Brady...

20. PRESIDING OFFICER (SENATOR DONNEWALD):

21. For what purpose does Senator Soper arise?

22. SENATOR SOPER:

23. Well, I want the ruling of the Chair on this. Do I get that or
24. don't I?

25. PRESIDING OFFICER (SENATOR DONNEWALD):

26. No. You...the ruling of the Chair is you do not.

27. SENATOR SOPER:

28. What's the ruling...well, I appeal from the ruling...I appeal from
29. the ruling of the Chair.

30. PRESIDING OFFICER (SENATOR DONNEWALD):

31. Senator Howard Mohr.

32. SENATOR MOHR:

33. Yes, Mr. Chairman. I wasn't on the Floor and I wanted to vote

1. on this bill. Is there any chance of getting on the bill yet?

2. PRESIDING OFFICER (SENATOR DONNEWALD):

3. Not this time. We are in the process...just a moment, Gentlemen.

4. We are in the process of a verification of the roll call. The

5. Secretary will verify the positive vote.

6. SECRETARY:

7. The following voted in the affirmative:

8. Berning, Brady, Carroll, Course, Daley, Davidson, Demuzio,

9. Dougherty, Glass, Graham, Harris, Hynes, Johns, Joyce, Knuppel,

10. Latherow, McCarthy, Mitchler, Moore, Morris, Nimrod, Nudelman,

11. Palmer, Romano, Savickas, Schaffer, Soper, Vadalabene, Weaver and

12. Welsh.

13. PRESIDING OFFICER (SENATOR DONNEWALD):

14. Just a moment. Senator Wooten. Well, Senator Berning is on the

15. Floor. Is Senator Morris within the bar of the Senate? Take his

16. name from the record. Is Senator Joyce on the Floor? You are not

17. within the bar, Senator. Senator Berning, there are now 28 Ayes, 29

18. Nays. Is...Senator Berning, what's your request?

19. SENATOR BERNING:

20. Well, Mr. President, this is a necessary measure. It has the...

21. request and...

22. PRESIDING OFFICER (SENATOR DONNEWALD):

23. Senator Berning. Senator Berning, the...do you have a request

24. as to the bill?

25. SENATOR BERNING:

26. Yes. Will you please put it on postponed consideration.

27. PRESIDING OFFICER (SENATOR DONNEWALD):

28. Postponed consideration. Postponed...that, Senator Chew, that

29. has never been considered before. No, it just seems like it. Senate

30. Bill 1135, oh, Senator Lane. Just a moment. Senator...Senator Lane.

31. SENATOR LANE:

32. Point of personal privilege now, Mr. President.

33. PRESIDING OFFICER (SENATOR DONNEWALD):

1. State your point.

2. SENATOR LANE:

3. Seated in the south Gallery is the...the fifth grade class from
4. Serena Hills School from Chicago Heights and it's a special priv-
5. ilege of mine. In attendance, a member of the class is my daughter,
6. Barbara Lane. Would you please rise class and be recognized by the
7. Senate.

8. PRESIDING OFFICER (SENATOR DONNEWALD):

9. Senate...Senate Bill 1135.

10. SECRETARY:

11. Senate Bill 1135.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER (SENATOR DONNEWALD):

15. Senator Newhouse. Senate Bill 1135.

16. SENATOR NEWHOUSE:

17. Yeah, Mr. President and members, this is a bill which changes
18. the number of indebtedness needed before an employee can be discharged
19. from...from three to five it was agreed in committee. It came out
20. of committee with a majority vote. I'd appreciate a favorable roll
21. call.

22. PRESIDING OFFICER (SENATOR DONNEWALD):

23. Is there further discussion? The question is shall Senate Bill
24. 1135 pass. All those in favor vote Aye. All those opposed No. The
25. voting is open. Have all those voted who wish? Have all those voted
26. who wish? Take the record. On that question, the Ayes are 39, the
27. Nays are none. Senate Bill 1135 having received a constitutional
28. majority is declared passed. Senate Bill 1146, Senator Harris. Read
29. the bill.

30. SECRETARY:

31. Senate Bill...Senate Bill 1146.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDING OFFICER (SENATOR DONNEWALD):

2. Senator Harris.

3. SENATOR HARRIS:

4. Mr. President, Senate Bill 1146, I introduced at the request
5. of the employees of the LaSalle County Soil and Water Conservation
6. District. It adds that class of employees to the Municipal Retirement
7. System. When we considered this on 2nd reading, Senator Rock
8. inquired about the number of...employees that might be affected.
9. There are approximately, not precisely, I got these figures from the
10. Department of Agriculture because, of course, the Soil and Water
11. Conservation Districts are not organized on a...a direct basis, but
12. there are approximately ninety full-time employees and from fifty
13. to sixty part-time. So that would be a...a maximum of a hundred and fifty
14. and more nearly likely of something in the neighborhood of a hundred
15. and thirty-five employees that would be added. The longest amount of
16. prior service of any existing employee is ten years of service. I
17. know of real...really no objection to it. In...during the committee
18. hearing, I indicated that I would try an amendment, amend this prov-
19. sion so that these employees would be treated separately as far as...
20. prior service commitment is concerned. But we got into a serious
21. constitutional question about discrimination of those employees in
22. setting up a separate class, and further, the Internal Revenue Service
23. ruling is very specific about treating all employees in the same light.
24. So, there really was no practical way that I could amend and treat these
25. employees differently from all the rest of the present Illinois
26. Municipal Retirement System employees. I would hope that you could
27. support me in adding this group of public employees to the retirement
28. provisions of the Illinois Municipal Retirement System.

29. PRESIDING OFFICER (SENATOR DONNEWALD):

30. Is there further discussion? The question is shall 11...Senate Bill
31. 1146 pass? All those in favor indicate by voting Aye. All those
32. opposed vote No. The voting is open. ...(Machine cut-off)...all
33. those voted who wish? Take the record. On that question, the Ayes

are 46, the Nays are 1. Senate Bill 1146 having received the
1. constitutional majority is declared passed. Senator Partee, did
2. you wish recognition? Senator Partee.

3. SENATOR PARTEE:

4. Mr. President, I would seek leave to take Senate Bill 1250
5. from the order of 3rd reading to remove it to the order of 2nd
6. reading for the purpose of an amendment.

7. PRESIDING OFFICER (SENATOR DONNEWALD):

8. Is there leave? Leave is granted. Senate Bill 1250 is now
9. on 2nd reading. Senator Partee.

10. SENATOR PARTEE:

11. The amendment simply puts the bill in the shape we desire it in
12. for passage in the Senate. The principal difference in the map is that
13. Districts 18, 19 and 20 are now reconfigured in what we consider
14. to be a...much more compact and a much more contiguous arrange-
15. ment. There is a small change in the 10th District in the Chicago
16. suburban area and those are the principal differences, and I would
17. move its adoption.

18. PRESIDING OFFICER (SENATOR DONNEWALD):

19. Is there debate? On that question, all those in favor...Senator
20. Newhouse.

21. SENATOR NEWHOUSE:

22. Sponsor yield to a question?

23. PRESIDING OFFICER (SENATOR DONNEWALD):

24. He indicates he will.

25. SENATOR NEWHOUSE:

26. Yeah. You say there was a change in Chicago? Which...

27. SENATOR PARTEE:

28. I didn't hear the...Senator.

29. PRESIDING OFFICER (SENATOR DONNEWALD):

30. Would you...

31. SENATOR NEWHOUSE:

32. Was...was there mention of a change in the City of Chicago?

33. SENATOR PARTEE:

None in the city, no.

1. PRESIDING OFFICER (SENATOR DONNEWALD):

2. Senator Newhouse.

3. SENATOR NEWHOUSE:

4. So there were several changes outside the City of Chicago but
5. no change in the City of Chicago.

6. SENATOR PARTEE:

7. Correct.

8. PRESIDING OFFICER (SENATOR DONNEWALD):

9. Senator Harris.

10. SENATOR HARRIS:

11. Well, Mr. President, I would like to direct a question to the
12. sponsor. I'm...just...I'm aware that he made a very cursory explan-
13. ation involving three congressional districts, but I think that in all
14. candor, the membership of the Body ought to have a more thorough expla-
15. nation so that we can, in fact, be aware of what we are about here.
16. This is a...I'm not going to debate the issue of the bill, but I'm only
17. asking for greater detailed information as relates to this Amendment No.
18. 1 to Senate Bill 1250. Now, I...

19. PRESIDING OFFICER (SENATOR DONNEWALD):

20. Senator Partee.

21. SENATOR PARTEE:

22. Well, we have furnished maps of the districts as they were con-
23. figured prior to today. This amendment shows the new configuration.
24. The basic physical change, of course, is as you will recall one of the
25. districts along the western most border of the State ran from...almost
26. from down to Calhoun County almost all the way up past Whiteside County.
27. The whole western end of the State. We thought it would make it more
28. compact and contiguous to take the 18th, 19th and 20th Districts
29. and make them districts that ran for a period and one...one above,
30. one beneath and one in the center. It...it seems to us to be a better
31. map under that basis. And let me just say in candor, Senator, those three
32. districts are now presently populated in terms of its Congressmen by
33. three members of your party. We felt very honestly and candidly that...

1. oh, yes, the Republican party, the...the party of you know who. Of you,
2. of course. They all aren't as good as you, Senator, but there are
3. some good ones. I...I...I hastily admit. Some of my best friends
4. are Republicans. Now, it just happens, Senator, that it occurred
5. to us that some of those people were so far away from some others
6. that if they were in more compact districts they may be better off,
7. closer to the rest of the people in the district, and it really didn't
8. escape our notice that there was an outside possibility that there were
9. people in those districts who might want to be represented by a Democrat
10. rather than by a Republican, and we thought we might give them that
11. opportunity also. But I would say to you, Senator, that this is not
12. a overkill map. We've...we've seen...had some experiences in govern-
13. ment recently where one of the political parties probably had an election
14. won and sought to overkill and that overkill is what, fortunately, brought
15. my party into renewed prominence. So, you know, we aren't unaware of
16. what goes on in this country, but I say to you in candor, it is not
17. calculated to elect Republicans.

18. PRESIDING OFFICER (SENATOR DONNEWALD):

19. Senator Harris.

20. SENATOR HARRIS:

21. Well, Mr. President, as I recall at the time of introduction
22. which I think was on the 12th of April of Senate Bill 1250, that
23. the provisions of Senate Bill 1250 as introduced was that it was a
24. togetherness map, and I evaluated that and I see now that very signifi-
25. cant changes have been made. I did not bring into the discussion
26. here the matter of Republican vis-a-vis Democrat considerations. By
27. that response, Senator Partee, are you indicating that this is no
28. longer a togetherness map?

29. PRESIDING OFFICER (SENATOR DONNEWALD):

30. Senator Partee.

31. SENATOR PARTEE:

32. Oh, absolutely not, Senator. You remember when you were at
33. Michigan State, and they reminded you that in high school you'd been

1. taught that adjectives have certain degrees, and the first map was
2. a togetherness map, and then, we had an amendment that we were thinking
3. about that was a comparative degree of the adjective, and then, we call
4. it more togetherness, and this particular one is what we call the
5. superlative degree of the adjective and its call most...togetherness.
6. You remember that. Your English teacher did well by you. You remember
7. that.

8. PRESIDING OFFICER (SENATOR DONNEWALD):

9. Senator Knuppel. Senator Davidson.

10. SENATOR DAVIDSON:

11. Would the sponsor of the amendment yield for a question?

12. PRESIDING OFFICER (SENATOR DONNEWALD):

13. He indicates he will.

14. SENATOR DAVIDSON:

15. Well, in...as Senator Harris asked earlier and he talked about
16. the degrees of togetherness, the question I would like to ask to the
17. sponsor of the amendment is that as my rapid calculation, we now are
18. dividing twelve townships rather than six under the prior addition
19. and four more than what you put forth in your first bill. Is this
20. togetherness or is this most togetherness when you're splitting
21. twelve townships?

22. PRESIDING OFFICER (SENATOR DONNEWALD):

23. Senator Partee.

24. SENATOR PARTEE:

25. Well, of course, the term togetherness is relative, Senator. In
26. the first instance, we talked about togetherness in terms of townships
27. and so forth. But sometimes when you look at the word togetherness
28. in another context it's much better that the...the people at the northern
29. end of your district be only a...a hundred miles from you rather than four
30. hundred miles from you. So, in that context, it's togetherness, another
31. kind of togetherness. It has several forms.

32. PRESIDING OFFICER (SENATOR DONNEWALD):

33. Senate...oh, Senator Davidson.

1. SENATOR DAVIDSON:

2. Well, in relation to mileage, the togetherness, we downstate
3. are used to mileage. Togetherness is now better on the west side
4. but in looking at District 10, the togetherness now stretches from
5. Chicago to a township in Lake County which broadens the horizon quite
6. a bit and makes quite a difference between interest of parties within
7. that district. Is this the idea of trying so that the individual who
8. runs in that office can have an idea of both urban and rural problems?

9. PRESIDING OFFICER (SENATOR DONNEWALD):

10. Senator Partee.

11. SENATOR PARTEE:

12. You know, you perhaps have remembered, Senator, a few months ago
13. we were concerned about the people on the western end of the State,
14. and they even were contemplating going into a State to be called
15. Forgottonia because of their highway problems over there, and you
16. see it's because they only had one congressman. Now, with this new
17. map, they'll have three congressmen and that would mean more weight
18. in Congress. There'll be three of them seeking to get roads over
19. there on the west side and maybe we won't have Forgottonia. Those
20. people, I want them to know, I have not forgotten them and maybe we
21. can configurate a map where they'll have several congressmen who
22. can help them get some roads over there.

23. PRESIDING OFFICER (SENATOR DONNEWALD):

24. Senator Davidson.

25. SENATOR DAVIDSON:

26. You...you answered the part about the west side and that...which you
27. had priorly done, and I appreciate that explanation but the question
28. I'm asking is in the new proposed District 10 which now stretches from
29. downtown Chicago or part of Chicago to the rural area Lake County, and
30. the only thing I ask is just so the congressman can represent both
31. rural and urban problems since you've now taken in part of Lake County?

32. SENATOR PARTEE:

33. No, Senator. District 10 does not come into the City of Chicago

1. at all. This District 10 starts in Evanston and goes north, of
2. course, and west and some south, but it doesn't come into Chicago
3. at all. And the people in Lake County are nice people. We don't...
4. they're...they're real nice people, too, and they are people in the same
5. collar county area. They're all nice people. We all have the same
6. kinds of problems. They're wonderful people.

7. PRESIDING OFFICER (SENATOR DONNEWALD):

8. Senator Sommer.

9. SENATOR SOMMER:

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

11. PRESIDING OFFICER (SENATOR DONNEWALD):

12. Indicates he will.

13. SENATOR SOMMER:

14. Senator Partee, can we thank the people of the Democratic
15. party for hacking my county in two and giving us two congressmen?

16. PRESIDING OFFICER (SENATOR DONNEWALD):

17. Senator Partee.

18. SENATOR PARTEE:

19. Well, it all depends on, of course, who wins there next time.
20. If you get two excellent congressmen, then that would be fine. I
21. suppose the people of your county have, some of them, have thanked me,
22. others have not about constructing the district from which you ran
23. from which you won. Most of them have said that the reapportionment
24. we did of the Senate was great because it permitted the election of
25. a fine young man like Senator Sommer.

26. PRESIDING OFFICER (SENATOR DONNEWALD):

27. Senator Sommer.

28. SENATOR SOMMER:

29. Senator Partee, if this is a togetherness map, you'll note
30. from the map that the people of my county which is approximately
31. a short distance north of here and to the east will probably have
32. to go to Moline to see Congressman Wooten or will probably have to
33. go to Petersburg to see Congressman Knuppel. That's a pretty far

1. distance to go to see their congressman.

2.. SENATOR PARTEE:

3. Well, you know, one of the things I've always said is that not ...
4. enough people have really seen downstate and rural Illinois. This
5. is really a beautiful State and if you will notice, if you will
6. notice, all of my votes have been in favor of tourism. It just
7. galls me when I see people in my area who just got back from Jamaica
8. or just got back from Acapulco who've never seen Cairo, who've never
9. seen Peoria, who've never seen that beautiful scenic drive along the
10. western side of our State. And by golly, I think it's time we do some
11. things to get people to see Illinois. It's a great State.

12. PRESIDING OFFICER (SENATOR DONNEWALD):

13. Senator Sommer.

14. SENATOR SOMMER:

15. Well, perhaps in one case, I'm a constituent from that congress-
16. sional district, and I've probably seen enough of Senator Knuppel. I
17. wouldn't have to travel that far.

18. PRESIDING OFFICER (SENATOR DONNEWALD):

19. Senator Glass.

20. SENATOR PARTEE:

21. Well, now...now that gives you a reason to vote for the map.
22. If you've...if you've seen another...of Senator Knuppel and...and
23. you think he's going to be a congressman, vote for the map and you'll
24. get him out of here. See, that's a break for you.

25. PRESIDING OFFICER (SENATOR DONNEWALD):

26. Senator Glass.

27. SENATOR GLASS:

28. A question of the sponsor.

29. PRESIDING OFFICER (SENATOR DONNEWALD):

30. He will yield.

31. SENATOR GLASS:

32. Senator Partee, I...I know...

33. PRESIDING OFFICER (SENATOR DONNEWALD):

1. Just...just a moment.

2. SENATOR PARTEE:

3. Mr. President...Mr. President, would you clear the aisle,
4. Mr. President.

5. PRESIDING OFFICER (SENATOR DONNEWALD):

6. I don't believe...you're...well, Senator...

7. SENATOR PARTEE:

8. Would you clear the aisle? I can't hear...there's a lot
9. of noise behind us. Would you...maybe some of my friends, but move them.

10. PRESIDING OFFICER (SENATOR DONNEWALD):

11. Will...will our...will our very able Sergeant-at-Arms clear the
12. aisle on both sides. Will the members be in their seats. Senator
13. Glass.

14. SENATOR GLASS:

15. Thank you, Mr. President. Senator Partee, I know one of the
16. objectives of any redistricting reapportionment map is compactness
17. and keeping subdivision...political subdivisions together. Yet looking
18. at the new District 10 which would be the district in which I reside,
19. I notice virtually every township but one is split up, and I wonder
20. if you'd comment on...on the compactness of that district.

21. SENATOR PARTEE:

22. Well, you, Senator, sometimes the best people make mistakes,
23. and you know I've been practicing on these maps a long time, and if I've
24. made a mistake, I want you to know I'm covered by malpractice insurance.

25. PRESIDING OFFICER (SENATOR DONNEWALD):

26. Senator Morris. Senator Graham.

27. SENATOR GRAHAM:

28. Well, Senator Partee, I look at the boundaries of 12th District
29. and someone has sure been practicing there. I just wonder...I know
30. a lot of people down at Proviso and down on the Eisenhower Express-
31. way that don't want those farmers from Lake County coming down there.
32. I'm sure they wouldn't want any part of Philip Crane. He's a little
33. too liberal for them. Besides that Henry Hyde could represent that

1. area a lot better and not have to travel quite so far. He's
2. making a nice record up in Congress now and some of we people
3. out in the northwest passage out there would like to preserve
4. Phil Crane and not subject him to the treatment he may get down
5. in Proviso Township and down near the Eisenhower Expressway
6. because he's kind of a country boy and doesn't understand that
7. down there. I think...well, while you were practicing on the
8. Congressional District Number 12, the pen must have slipped
9. because you couldn't have possibly made this kind of a mistake,
10. Senator.

11. SENATOR PARTEE:

12. Well, you know, Senator, I had hoped that I wouldn't get
13. involved in any inter-party fights, you know, but I point out to
14. you we are probably as devisive as you are. We have a lot of
15. different kinds of described Democrats like you have...different
16. kind of described Republicans, but I think really that the people
17. in any district will finally determine who's the best man to send,
18. and on that basis, they'll be represented in that great place called
19. Washington where hopefully the new congressmen will not get Potomac
20. fever.

21. PRESIDING OFFICER (SENATOR DONNEWALD):

22. Senator Schaffer.

23. SENATOR SCHAFFER:

24. I...I perhaps am a little cynical, but you get down here in
25. Springfield, and occasionally, you...you get the feeling...you hear
26. rumors that deals have been made, and I...I see this one district
27. in Cook County that reaches into Lake County and a thought occurs
28. to me, and I...I was wondering whether the sponsor could put my fears
29. to rest. You haven't tried to...I...I think the Governor does live
30. in this one district...tried to cut a deal with the Governor to get
31. him to sign the map by carving out a congressional district he can
32. run in. Have you, Senator Partee.

33. SENATOR PARTEE:

1. Well, Senator, I...I really don't understand the question.
2. I think you know as I know that the Governor doesn't make any
3. deals.

4. PRESIDING OFFICER (SENATOR DONNEWALD):

5. Senator Howard Mohr.

6. SENATOR MOHR:

7. Well, I guess this is the hour to be cute. I would just
8. say that again the Democrats have done a good job of carving up
9. Suburbia, and I know it's not intentional. However, the people
10. of my area greatly resent being represented by three Senators in
11. one...one community, two Senators in another and the three Represent-
12. tatives. They're really confused as to who they would have to go
13. to depending on what side of Madison Street or whatever it happens
14. to be...the...whatever the dividing line happens to be. I think
15. it's a...a great job of confusing. I have another word for it, but
16. I'll say confusing the people that we're supposed to be here represent-
17. ing. Senator ParTEE, I would say that you missed your profession.
18. You really should have been a butcher.

19. SENATOR PARTEE:

20. You know, I'll tell you, Senator...Senator, I just would
21. comment on that. The hours we spend down here, the butchers make
22. more money than we do.

23. PRESIDING OFFICER (SENATOR DONNEWALD):

24. Senator Nimrod.

25. SENATOR NIMROD:

26. Yeah. Mr. President, I have a few questions. Senator, I
27. noticed that most maps when we're in the process of doing this,
28. and I think you'll agree that reapportionment maps are political,
29. usually have the input of both parties. Was there any input at
30. all in this particular presentation of reapportionment on the two
31. party basis or was this a one party map?

32. SENATOR PARTEE:

33. Well, let me first disabuse you of the thought that it is a

1. bipartisan effort that draws this kind of a map. The history
2. of this State will show you that that isn't so, and as a matter-
3. of-fact, the map under which they are now serving...Well, is a map that
4. was the product of Representative Blair, Speaker Blair, and the
5. court having four choices having three completely better maps than
6. the one it shows chose his map. So, I'm not impressed by this
7. now desire for nonpartisanship when we got pushed around in the
8. courts and pushed around on...in the choice of the map as presently
9. exists. They took a Republican map and you know it.

10. PRESIDING OFFICER (SENATOR DONNEWALD):

11. Senator Nimrod.

12. SENATOR NIMROD:

13. Senator, I...I really am amazed at a comment that your party
14. would get pushed around in the courts. I thought it was strictly
15. one-sided. But...

16. SENATOR PARTEE:

17. Not in a Federal Court it isn't, or any court for that matter.

18. SENATOR NIMROD:

19. Well, at...at any rate, I...I do...I think the point is that
20. normally when you're talking about reapportionment both parties,
21. and I think we're both very strong advocates of the two party system,
22. both parties have an opportunity to have an input. And then, we do
23. have a process that we follow. Now, if we find fault with the process
24. that develops going to the courts and reaching a conclusion, that's
25. one thing. But we certainly have not taken this particular map in
26. the normal process of what has been accepted, and the law is requiring
27. two party participation, and I would think that, you know, you would
28. admit that this is a one party particular indulgence and I can't possibly
29. see how when it becomes a one party move to take advantage of a tech-
30. nicality that we are really having the concern and showing responsible
31. action to our electorate that we are attempting to address ourselves
32. to have them be in agreement with our political actions. And I...and I
33. think the time has come where we need them to have confidence in us.

1. And it would seem to me that this is certainly destroying confidence
2. and making it very difficult for them to participate and appreciate
3. the political process. I would hope you might consider that and drop
4. this particular approach and let the people decide at the next time
5. around with the two party program. I might ask if you might consider
6. that?

7. SENATOR PARTEE:

8. Senator, I have considered that and I would certainly point out
9. to you this - cartographers, map makers do not elect people to Congress.
10. The people go into the polling place and by the Australian Ballot
11. System select their congressmen. The map under which we were operating
12. had at least two districts that most people would have bet a hundred
13. dollars to a nickel would have elected two Republican congressmen.
14. Those districts under those circumstances elected Democratic congress-
15. men. This map I am drawing doesn't mean that Democrats are going to
16. be elected in those districts. The fact of the matter is the people
17. will make the decision and that's the American way.

18. PRESIDING OFFICER (SENATOR DONNEWALD):

19. Senator Nimrod, your time has expired. Senator Harber Hall.

20. SENATOR HALL:

21. Mr. President, I'd like to ask the sponsor a question if he'll
22. yield. Senator Partee, I think probably we would all agree that the
23. most important ingredient to a fair representative map would be based
24. on population, the evenness of population. Is your map based on pop-
25. ulation, and if so, on what population figures are...is it based on?

26. SENATOR PARTEE:

27. I'm glad you asked me that, Senator, cause it gives me a chance
28. to tell you about something of...about which I'm inordinately proud.
29. The population percent variance in this map in the twenty-four districts
30. is not as much as one percent in any single district. There is one
31. district, the 13th District, that does not vary one, one-hundredth
32. of a percentage point. The most of them vary from four, thirty-one,
33. I'm just looking at them, the largest one on here varies seventy-eight

1. hundredths of one percent. Not a single one is one percent in
2. variation.

3. PRESIDING OFFICER (SENATOR DONNEWALD):

4. Senator Harber Hall.

5. SENATOR HALL:

6. Well, I...I just want to say that...that this map is probably
7. less precise...less even in respect to proportional representation
8. than was the 1970 map that we passed in 1971, I guess. The present...

9. SENATOR PARTEE:

10. No. No, no, Senator.

11. SENATOR HALL:

12. ...The present map is less...less vary...

13. SENATOR PARTEE:

14. ...The present map has some districts that vary two, three percent.
15. This doesn't vary as much as one percent from a single district.

16. SENATOR HALL:

17. I think...I think if you take all the districts and you'd find
18. out it probably...there is more total variation, but that is not my
19. point. My point, I think, is that there is an overwhelming objection
20. of going to the trouble of reapportioning people around when there
21. really isn't a requirement. But, I want to make one other point,
22. Senator, and that is this - for a strange reason and it may seem a...a
23. little different than most of the objections that you've heard to date
24. on the map, I have, for a long time, been espousing the good candidacy
25. of a Republican who is now serving his people as a congressman. I
26. refer to Edward Madigan who I have long thought would make an excellent
27. Secretary of State. Unfortunately, and one of the reasons I'll have to
28. vote against this map, is you've made his district so good for him
29. that I'm afraid he won't help me to help the people and come back
30. here and represent them as our candidate and probably elector of...as
31. Secretary of State of Illinois. So, I...I think it's more important
32. that he'd serve his State back here than in Congress, so I'm going to
33. have to be against the map for that reason.

1. SENATOR PARTEE:

2. Well, that's very good, but he'd have to beat Mike Howlett
3. first.

4. PRESIDING OFFICER (SENATOR DONNEWALD):

5. Senator Terrel Clarke.

6. SENATOR CLARKE:

7. Mr. President, I just want to say that I'm hurt...there he goes
8. and gets on the phone...because he didn't consult me...you didn't consult
9. me before drawing maps. You and I...I have had so much experience togethe
10. in doing this job. You know, I think that it would be interesting to
11. have a little background on our present map which I shouldn't tell
12. because it's not necessarily favorable to our point of view, but we
13. ran up against a deadline, what was it - three or four years ago, in
14. June 30th deadline and they hadn't had...gotten the map. And they had
15. it all rolled into one, a legislative reapportionment and a congression-
16. al reapportionment, all in one bill over in the House. And so Rob Blair
17. and Clyde Choate came over here and they said - well, we got to move
18. this vehicle. And Clyde Choate said - if you will promise that you
19. won't play any shenanigans like trying to go over and get Dick Newhouse
20. to come over and provide the thirtieth vote, we'll pass the bill. And
21. he and I shook hands. They went back and they voted it out with only
22. one descending vote, and nobody knew what they were voting for. Pate
23. Philip didn't even know he voted for the bill, and that's how it got
24. over to the Senate where it died. And, of course, then it was revived
25. and brought to court. So that's the way reapportionment is done and
26. that's not good. It's no better than this method and so I'm going to
27. keep my record consistent and vote No this time as well as last time.

28. PRESIDING OFFICER (SENATOR DONNEWALD):

29. Senator Soper.

30. SENATOR SOPER:

31. Thank you, Mr. President. Senator Partee, before Senator Lemke
32. came to the Senate, I was one of the minority minorities, I think. I
33. don't...in the Senate, the only Czech and then now we have two. So

1. you'd say we have double Czechs now. But, nonetheless, I know
2. that you're concerned about minorities, Senator, and the people
3. from my district, the Czechs, were wondering if you could, in the kind-
4. ness of your heart, tell me how many more Czechs we have to have before
5. we become a substantial minority?

6. SENATOR PARTEE:

7. I'll check that, Senator.

8. SENATOR SOPER:

9. Well, while you're checking it, I...I'd like to have the opportunity
10. to sit down with you and redraw this Berwyn and Cicero part in here and
11. put a few more Czechs on the western end of the section here of the county,
12. and maybe you could help us put in a...a Bohemian or a Czech into...
13. into Congress cause we don't have one in the State of Illinois, and I
14. thought you, being a...a person who...who likes to help minorities, would
15. help me do this. I've been trying for years to...to bring that about in
16. this Senate. Have you any answer to that?

17. SENATOR PARTEE:

18. Well, Senator, I would only say that both you and Senator Lemke
19. are real credits to your nationality, and I would certainly wish to
20. see more like the two of you in this Body and certainly some in Congress.
21. I'm with minorities - you believe it.

22. PRESIDING OFFICER (SENATOR DONNEWALD):

23. Senator Soper.

24. SENATOR SOPER:

25. Well, Senator, you're really kind today. I wouldn't say...I
26. wouldn't use the words that Senator Mohr used. I'd just say you're
27. a cut-up, a real...

28. SENATOR PARTEE:

29. No, Senator, I'm serious. I...I mean that from the depth of my
30. heart. You are a conscientious and fine legislator as is Senator
31. Lemke. I mean that from the depth of my heart. I'm not putting you
32. on. I mean that.

33. SENATOR SOPER:

1. You're...Howard Mohr just said - I didn't know that. No,
2. real...realistically speaking about this, Senator, this does give
3. us some concern, and I've had many telephone calls and many letters
4. on this map. But, I don't know which map I'm looking at. I had
5. four maps. Now, I got a map here that says map of Cook County, Illinois,
6. 1975, showing highways, forest preserves and so forth, Board of
7. County Commissioners.

8. SENATOR PARTEE:

9. Is that the one that was placed on your desk today? That's the
10. one we're dealing with.

11. SENATOR SOPER:

12. I guess that's the one. I've had a lot of stuff on my desk.
13. Now I find you've got District 10 here. It starts out some place
14. and it comes up...a part that called...there's a...little...word...there's
15. Shields, is that Shields Township? Where does Shields Township go
16. into? Is that on another map?

17. SENATOR PARTEE:

18. I can't see it on here, Senator. I...I'd admit to you it's not
19. the most...cosmetic configuration.

20. SENATOR SOPER:

21. It's in the...when you're looking at the map, it's in the upper
22. right-hand corner. I'd say it's on the northeast corner of the second
23. map.

24. SENATOR PARTEE:

25. A part of Shields goes into the 13th District.

26. SENATOR SOPER:

27. Oh, I see. There's another map. 13th District.

28. SENATOR PARTEE:

29. Well, the 13th District is the one on top. That shows the
30. districts and...and what we call outside of, basically, outside of
31. Cook County. You see the size of the districts vary because of the
32. variance in population.

33. SENATOR SOPER:

1. Well, I...

2. SENATOR PARTEE:

3. And because they all have to be of the equal population, you'll
4. see some maps, you take the 24th District in the bottom of the State,
5. there are about fifteen or twenty counties, and it has to be that way.

6. PRESIDING OFFICER (SENATOR DONNEWALD):

7. Senator Soper. Senator Soper.

8. SENATOR SOPER:

9. Well, don't I get half my time when he spent...

10. PRESIDING OFFICER (SENATOR DONNEWALD):

11. Your questioning...your questioning the sponsor which is...which
12. is your time, Senator.

13. SENATOR SOPER:

14. Oh, I see. He gets all the time he wants and he gets half of
15. mine. Well, I'll say that's fair.

16. PRESIDING OFFICER (SENATOR DONNEWALD):

17. That's because you asked him the questions.

18. SENATOR SOPER:

19. I'll...I'll remember that because I'd...I'm...I'm going to creep
20. up on this minority thing.

21. PRESIDING OFFICER (SENATOR DONNEWALD):

22. Is there further debate? Senator Harris.

23. SENATOR HARRIS:

24. Well, I know the comment has been made, but I just want to make
25. reference to it. We talked somewhat in jest about togetherness in
26. the earlier part of my remarks on this. Now this amendment would
27. provide for the splitting of ten townships in Cook. I'm sorry, nine
28. in Cook and one in DuPage, and it would provide for splitting eleven
29. counties. Now, this is not togetherness. I'm going to defer comments
30. about the whole concept of reapportionment when the bill itself is under
31. consideration. But, directly to the point is the fact that this amend-
32. ment fractures an inordinate number of political subdivisions, and
33. for that very reason, should be rejected.

1. PRESIDING OFFICER (SENATOR DONNEWALD):
2. Senator Partee may close the debate.
3. SENATOR PARTEE:
4. Roll call.
5. PRESIDING OFFICER (SENATOR DONNEWALD):
6. The question is shall Amendment No. 1 to Senate Bill 1250 be
7. adopted. All those in favor vote Aye. All those opposed No. The
8. voting is open. ... (Machine cut-off) ... those voted who wish? Have
9. all those voted who wish? Take the record. On that question, the
10. Ayes are 29, the Nays are 28. The Amendment No. 1 to Senate Bill
11. 1250 is adopted. 3rd reading. Are there further amendments? A
12. verification is requested. Will the members be in their seats, and
13. I presume, Senator, you mean the positive vote. Proceed.
14. SECRETARY:
15. The following voted in the affirmative:
16. Brady, Bruce, Carroll, Chew, Course, Daley, Demuzio, Donnewald,
17. Dougherty, Egan, Kenneth Hall, Hynes, Johns, Joyce, Knuppel, Kosinski,
18. Lane, Lenke, McCarthy, Nudelman, Palmer, Rock, Romano, Savickas, Smith,
19. Vadalabene, Welsh, Wooten, Mr. President.
20. PRESIDING OFFICER (SENATOR DONNEWALD):
21. Senator Hynes is on the... within the bar of the Senate. Amendment
22. No. 1 to Senate Bill 1250 is adopted. Are there further amendments?
23. 3rd reading. Senate Bill 11170, Senator Bruce. Senate Bill 1175,
24. Senator Bell. Senate Bill... just a moment. Senator Bruce, did you
25. wish to consider Senate Bill 1170?
26. SENATOR BRUCE:
27. Yes, Mr. President, I'd ask...
28. PRESIDING OFFICER (SENATOR DONNEWALD):
29. Read the bill.
30. SECRETARY:
31. Senate Bill 1170.
32. (Secretary begins reading title of bill)...
33. PRESIDING OFFICER (SENATOR DONNEWALD):

1. Senator Bruce.

2. SENATOR BRUCE:

3. Yes, Mr. President. It's 1175.

4. PRESIDING OFFICER (SENATOR DONNEWALD):

5. There must...

6. SENATOR BRUCE:

7. Yes, Mr. President. I'd ask leave of the Senate. Senator

8. Bell is in the hospital and...

9. PRESIDING OFFICER (SENATOR DONNEWALD):

10. Well, just a moment, Senator. Now, you're...you're considering

11. in lieu of Senator Bell. You wish to consider 1175?

12. SENATOR BRUCE:

13. That is correct.

14. PRESIDING OFFICER (SENATOR DONNEWALD):

15. And you wish to skip 1170?

16. SENATOR BRUCE.

17. That is correct.

18. PRESIDING OFFICER (SENATOR DONNEWALD):

19. Is there leave for Senator Bruce to consider 1175 in place of

20. Senator Bell? He is a cosponsor. Leave is granted. Read the bill.

21. SECRETARY:

22. Senate Bill 1175.

23. (Secretary reads title of bill)

24. 2nd reading of the...3rd reading of the bill.

25. PRESIDING OFFICER (SENATOR DONNEWALD):

26. Senator Bruce.

27. SENATOR BRUCE:

28. Yes, Mr. President, as you are well aware, by the bill that you

29. passed on the Conservation Commission, the Fish and Wild Game Commission,

30. the problem has developed within the Department of Conservation that

31. the needs of hunters have not been as well taken care of of those who

32. are interested in State parks. What this bill would do is we have three

33. game farms presently in operation. One in Senator Bell's district, one

in my district. The bill would only state that before they dis-
continue or significantly reduce the operation of those game farms
that they notify us and seek our approval. It is supported by all
the associations in this State interested in hunting and development
of wild game in this State. I know of no opposition other than the
possible opposition of the Department of...Conservation although I
have not been contacted, and Senator Bell did not indicate that they
were so opposed.

PRESIDING OFFICER (SENATOR DONNEWALD):

Is there further discussion? ...Senator Joyce.

SENATOR JOYCE:

It's a good bill but the game farm is not in Senator Bell's district.
It's in mine.

PRESIDING OFFICER (SENATOR DONNEWALD):

Is there further discussion? The question...the question is
shall Senate Bill 1175 pass. All those in favor vote Aye. All those
opposed NO. The voting is open. Have all those voted who wish? Take
the record. On that question, the Ayes are 52, the Nays are 2. Senate
Bill 1175 having received a constitutional majority is declared passed.
Senator Joyce, for what purpose do you arise?

SENATOR JOYCE:

Mr. President, I'd ask to be a...leave to be a cosponsor of that
bill.

PRESIDING OFFICER (SENATOR DONNEWALD):

Is there leave? Leave is granted. Senator Daley, for what
purpose do you arise?

SENATOR DALEY:

A point of personal privilege, Mr. President.

PRESIDING OFFICER (SENATOR DONNEWALD):

State your point.

SENATOR DALEY:

Mr. President and fellow Senators, I would like to introduce a
group of students from the 23rd Senatorial District from All Saint's and
St. Anthony's Schools with their fine pastor and teachers. I ask
them to stand up for a nice applause, please.

1. PRESIDING OFFICER (SENATOR DONNEWALD):

2. Senator Demuzio, you've indicated that you wish to be a cosponsor
3. of Senate Bill 1175. Is there leave? Leave is granted. Senator
4. Mitchler the same way. Leave is granted. Senator Partee, do you
5. wish to proceed with...is there leave to proceed with Senate Bill
6. 1250? Leave is granted. Senator Partee. We are now on 3rd reading.

7. SENATOR PARTEE:

8. Mr. President...Mr. President and members of the Senate, many--
9. of the questions that I might have talked about in this part of the
10. debate have come in terms of answers to questions and I'm sure that
11. the minds have been disabused of some of their darker fears...

12. PRESIDING OFFICER (SENATOR DONNEWALD):

13. Just a moment, Senator. I beg your pardon. We must read the
14. bill for a 3rd time.

15. SENATOR PARTEE:

16. Read the bill.

17. SECRETARY:

18. Senate Bill 1250.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. SENATOR PARTEE:

22. Some people have asked me, Mr. President, why we put this bill
23. in. As you know, the decennial census comes in years ending in zero
24. like 1960, '70, '80 and so forth and this is 1975. So, since people
25. have asked the question, I think a legitimate question, is why are you
26. drawing a map now? Well, the impetus comes from the Federal District
27. Court of the northern district Illinois. They enacted our pleasant
28. ...present reapportionment plan and actually, the court just took one
29. of four maps and adopted it, and when we had failed as Senator Clarke
30. said to draw a map here. Now, the obligation is on the Legislature
31. to draw congressional maps, and we had not drawn one before we...
32. adjourned sine die, and hence, we were in the position of the matter
33. being in court. Now, this matter of congressional maps is nothing new.

1. They've been...it's been in the court since 1965. The court drew
2. one map that was later declared unconstitutional by virtue of another
3. decision of the United States Supreme Court, but in any event, the
4. map under which we now operate was drawn or accepted by the court,
5. and the court in its opinion said that it would be a provisional map
6. with the 1972 Primary and continued until the Illinois congressional
7. districts are reapportioned in accordance with law. So, all we are
8. doing is responding to the law of this State which is that we, the
9. Legislature, should draw the congressional maps. Now, the United
10. States Constitution places the burden upon the individual legislatures
11. to set forth the apportionment lines for selection of the members
12. of Congress. It is indisputably and undisputably a legislative duty.
13. Now, in 1971 upon the failure of the Illinois Legislature to provide
14. for congressional reapportionment, the Federal Court in a three judge
15. panel adopted an apportionment plan to serve in that interim period.
16. That interim period has expired and it's now not only our function but
17. our duty to draw a map. The proposed apportionment plan has followed
18. the guidelines of our Constitution and specific interpretive court
19. decisions as to the apportionment plan. The districts are contiguous.
20. We have all of the...the...we have followed the guidelines as set forth
21. by the court. I have pointed out that we're less than one percent in
22. any district variance in terms of population. It's really a de minimis
23. population variance. I've seen very few maps in the...I've ever
24. looked at where the...where there was no district over one percent in
25. variation. They're contiguous and compact, and we take into consider-
26. ation the rural and the urban make-up of our State, and the varying
27. population densities are certainly accounted for. Of course, part of
28. it is unaesthetic, and it couldn't...it couldn't be perfectly aesthetic
29. because of the population requirements. Now, this is a duty, a map
30. which we feel we should offer, and we feel that we have tried as best
31. we can to not disturb municipalities. It's true that there are some
32. that are divided, but when you're dealing with population as the focal
33. point, you must necessarily bring yourself into that kind of a situation.

1. Now, we believe that this is a map that is in the interest of the people
2. overall, and I am not unaware that there has been some objection to
3. it. There has been some discombobulation in areas where people have
4. said that this may have affected an existing Congressman or words to
5. that effect. But we feel that the map is in the best interest of people.
6. We try as best we can as the example I gave on the western end of
7. the State to consolidate the interest of voters and...not necessarily
8. the interest of political incumbents. And I certainly believe that
9. if a cumbent...an incumbent is qualified and respected by the voters,
10. he'll be reelected even with minor changes in the boundaries. The
11. people have a way of determining what is milk and what is cream and
12. reacting in that fashion. I pointed out earlier that there were
13. districts drawn in that other map that people would have felt a
14. particular party could win and it didn't come out that way. People
15. have a way of making a judgement and making a determination as to who
16. the best candidate would be. So, I would ask, Mr. President, that
17. Senate Bill 1250 be approved by an affirmative vote.

18. PRESIDING OFFICER (SENATOR DONNEWALD):

19. Senator Netsch.

20. SENATOR NETSCH:

21. Mr. President, reapportionment is, indeed, a legislative duty,
22. and the Legislature has discharged that duty by, in effect, readopting
23. the...the congressional map that was established some time ago. It
24. seems to...I...I'm sorry for the interruption, Mr. President.

25. PRESIDING OFFICER (SENATOR DONNEWALD):

26. Just counts against your time.

27. SENATOR NETSCH:

28. I'm fully aware of that. It seems to me once in a decade is
29. enough, enough for the Legislature and enough for the voters. It's
30. absolutely wrong for reapportionment to be played like a political
31. football: Voters in Illinois have a right to have legislative dis-
32. tricts which are not drawn solely for partisan advantage, and they
33. have a right to some stability in their districts. The fact that

1. Republicans engaged in gerrymandering does not justify Democrats
2. seizing the first political opportunity to do the same thing. It's
3. an abuse of the legislative process no matter who does it or when.
4. Democrats demonstrated in the last congressional election that when
5. they have the issues and good candidates, they can win elections
6. even in improbable districts. That should be the goal. The public
7. should be outraged at the prospect that the General Assembly may
8. fritter away what little time it has left in this Legislative Session
9. on redrawing congressional districts so that a few favorites may get
10. advantageous districts and some not in favor disadvantageous districts
11. or none at all. I declined to cosponsor this Democratic reapportionment
12. bill when it was offered some weeks ago and suggested then that
13. this Legislature is in serious difficulties on its time schedule.
14. We have issues of major importance to resolve including a proposed
15. ten billion dollar budget and we are indeed far behind schedule.
16. Traditionally, reapportionment makes political chaos of a legislative
17. session. It's our responsibility to deal with the important matters
18. which can or ought not to be delayed. The only justification for
19. dealing with legislative districts at all in midterm is to adjust
20. significant population disparities that have come to light since the
21. last districts were drawn four years ago. That was the statement
22. that I made a few days after this map was presented. Nothing that
23. has happened in this legislative session has changed my mind, and I
24. might note that all of this is without any reference at all to Congress-
25. man Mikva. I have...my position has been and continues to be that we
26. have no business engaging in this process at this time and all that
27. has happened has indeed demonstrated that. I think it simply adds
28. insult onto injury to realize that in the need to draw a certain dis-
29. trict a certain way that one of the finest Congressman who did,
30. indeed, win as a Democrat in a normally Republican area and can again
31. is also thrown to the wolves. That is just another reason why we
32. have no business doing this and this bill should not pass. With the
33. time I have left, Mr. Chairman, I yield to Senator Newhouse.

1. SENATOR NEWHOUSE:

2. Thank you...

3. PRESIDING OFFICER (SENATOR DONNEWALD):

4. Just...just a moment, Senator Newhouse.

5. SENATOR NEWHOUSE:

6. Thank you, Mr. Chairman. I had informed the sponsor and the
7. caucus that I did have an amendment to offer to this bill which
8. relates solely to the City of Chicago. I wonder if the sponsor
9. would draw the bill back to 2nd for the purpose of adding Amendment
10. No. 2?

11. PRESIDING OFFICER (SENATOR DONNEWALD):

12. Is there leave to call back Senate Bill 1250 to the order of
13. 2nd reading? Senator Partee.

14. SENATOR PARTEE:

15. I will not bring it back. I am not going to have a publicity
16. play made on my back. A few moments ago you asked if there were
17. any further amendments. The Senator was sitting in his seat. He
18. said nothing. The bill went to 3rd reading. I will not bring it
19. back.

20. PRESIDING OFFICER (SENATOR DONNEWALD):

21. Proceed, Senator Newhouse.

22. SENATOR NEWHOUSE:

23. Thank you, Mr. President, Senators. I have before me a most
24. wonderful monstrosity. This is the bill that has the effect of
25. taking the minority communities of the City of Chicago and absolutely
26. gutting them. We have taken the 1st Congressional District which
27. will possibly be left as the only black congressional district in
28. the city once this map is instituted. The 7th Congressional District
29. has cut straight down the middle of the black population on the west
30. side has been moved westwardly, so at least in my opinion, it is not
31. any longer a safe district. The 3rd Congressional District has been
32. dispersed to the four winds. It's been divided into two districts,
33. one of which goes out into the southern most suburbs, the other of

1. which goes into the western most suburbs so there will never be a
2. congressman elected south of 71st Street where a good deal of that
3. population resides. The Latin community, like Gaul, has been divided
4. into three parts. This is a wonderful coincidence. I don't think
5. that's what it is. Now, the facts of life are, we're talking about
6. congressional people, we're also talking about internal control of
7. the Democratic Party, and what we're talking about in that respect
8. are State committeemen and we're talking about elected delegates to
9. the National Convention. Those are very important people. The
10. problem that we have here is this is a shutout map and that's all
11. it is, and I think the Democratic Party will live to rule the day
12. that it even proposed such a monstrosity. If you take a look at the
13. election returns in the City of Chicago, what you'll find is that in
14. these very areas that they're now trying to manipulate out of the
15. political process, the voting records are falling off dismally, and
16. they're going to fall off more. The feeling of alienation and non-
17. participation will be aggravated by this map and it should be.

18. PRESIDING OFFICER (SENATOR DONNEWALD):

19. I'm sorry. Proceed, Senator.

20. SENATOR NEWHOUSE:

21. Thank you very much. This is a bad map. Now, the other part
22. of this is this - it was suggested that at the time this map was
23. put together that those who had any objections could put, then...sug-
24. gestions for amendment to be taken into consideration by the...by the
25. proponents of this map. We had a group of people from the community
26. work long hours to do just that. What we suggested was absolutely
27. summarily dismissed, and yet, every other party who had any objection
28. to this map whatsoever has had, has had some kind of an amendment
29. made to this map. I don't know how such inexcusable conduct can be
30. justified. I intend to vote against this map. I intend to campaign
31. against this map and I hope it doesn't pass.

32. PRESIDING OFFICER (SENATOR DONNEWALD):

33. Senator Chew.

1. SENATOR CHEW:
2. Mr. President...
3. PRESIDING OFFICER (SENATOR DONNEWALD):
4. Just a moment. For what purpose does Senator Savickas arise?
5. SENATOR SAVICKAS:
6. I thought I was next.
7. PRESIDING OFFICER (SENATOR DONNEWALD):
8. Senator, there are one, two, three, four, five...there are six.
9. ...five more ahead of you. Senator Chew.
10. SENATOR CHEW:
11. Mr. President, members of the Senate, I had not planned to
12. speak on the boundaries of the proposed map. I suppose the map does
13. some people justice and others it does not, but I'm thinking primarily
14. of what my colleague has just said pertaining to what it does to
15. a black community or his community. Well, first of all, I want the
16. Senate to know that my distinguished colleague does not come from a
17. "black community". He comes from a highly intellectual, multiracial
18. community, the same community that elected Ab Mikva to his first
19. term in Congress, the same community that has continued to send him
20. back to Springfield. I cannot call my distinguished colleague a
21. black crusader, nor a white crusader. I can merely say that I think
22. he has done an outstanding job as a Senator. I believe the amended
23. map that he has talked about to the press for the past month clearly
24. draws a district that would include where he lives that would give
25. him a showboat to Washington. I don't believe the Senator is sincere...
26. PRESIDING OFFICER (SENATOR DONNEWALD):
27. Just a moment. For what purpose Senator Newhouse arise?
28. SENATOR NEWHOUSE:
29. I think I'm entitled to a point of personal privilege. The
30. accusation has been made that I drew a district for my own...I
31. already have a district, Senator, and it doesn't bother me. Thank
32. you.
33. PRESIDING OFFICER (SENATOR DONNEWALD):

1. Senator Chew.

2. SENATOR CHEW:

3. The gentleman who just spoke about him having a district, I
4. recall about a month ago that he had a whole city, and that was not
5. profitable to him. As a matter-of-fact, I will so indicate that
6. the total number of votes he received as a mayoralty candidate did
7. not number the registered voters that's in his own district. My
8. colleague did not win one black ward, not one black district.

9. PRESIDING OFFICER (SENATOR DONNEWALD):

10. Senator...Senator Chew...

11. SENATOR CHEW:

12. ...He did not win his own ward. He did not win his own district.

13. PRESIDING OFFICER (SENATOR DONNEWALD):

14. Senator Chew, you must confine...

15. SENATOR CHEW:

16. And I sort of get tired of...from time to time.

17. PRESIDING OFFICER (SENATOR DONNEWALD):

18. Senator Chew, you must confine yourself to the issue at hand.
19. Senator Newhouse, for what purpose do you arise?

20. SENATOR NEWHOUSE:

21. I want to defend my colleagues freedom of speech. I want him
22. to wander anyway he wants to go.

23. PRESIDING OFFICER (SENATOR DONNEWALD):

24. The Chair...the Chair has to rule on that, Senator. Let's
25. confine your remarks to the issue. Senator Chew.

26. SENATOR CHEW:

27. I don't think this map is "drawn for blacks" anymore than it
28. is "drawn for whites". It so happens in the City of Chicago there
29. are some black communities. There are mixed communities. There are
30. all white communities. I didn't set the pattern. I've tried to
31. change it, and I might add, I don't come from a all black district.
32. I come from a multiracial district. I'm not going to come down here
33. and ask whoever draws a map to make me a district tailor made with all

1. blacks in it because I can't recall any black running for any office
2. in the City of Chicago that received a hundred percent black votes
3. and rightfully so. Sometimes we get on this kick about if I can
4. get this I'm a sure winner. You're a sure winner when the votes are
5. counted and you've got more than your opponent. I'm not asking any-
6. thing in this map. I'm going to accept it as it is. I don't think
7. race should be brought in on it because it is not a racial map. Now,
8. some people will pick this material to go out and campaign against-
9. it as he stated. That's his privilege. He will go in and inflame
10. black people...

11. PRESIDING OFFICER (SENATOR DONNEWALD):

12. Senator, your...

13. SENATOR CHEW:

14. ...who said that...my time is not up.

15. PRESIDING OFFICER (SENATOR DONNEWALD):

16. Yes it is, Senator. Would you please close, Senator.

17. SENATOR CHEW:

18. ...Who will go out...Daley has yielded his time to me.

19. PRESIDING OFFICER (SENATOR DONNEWALD):

20. Well, there's no...

21. SENATOR CHEW:

22. He'll go out and inflame minds

23. PRESIDING OFFICER (SENATOR DONNEWALD):

24. There's no...there's no permission for yielded time.

25. SENATOR CHEW:

26. ...to say that this map was drawn anti-black or anti-nigger or
27. whatever way you want to say it. I'm not going to buy that and if
28. there's anybody in this Senate blacker than I am show up now.

29. PRESIDING OFFICER (SENATOR DONNEWALD):

30. Senator Graham. Senator Graham.

31. SENATOR GRAHAM:

32. Mr. President, that's quite an act to follow. Very few times
33. do I rise standing shoulder to shoulder with the lady from Chicago.

1. Senator Netsch, I'm not going to try to repeat your eloquent presen-
2. tation of your feelings although I agree with them in this regard.
3. Remember in nineteen hundred and sixty-one when I had a big part in
4. reapportionment, it went on for eleven months, we didn't have the
5. computers. We had some old worn out books, some Blue Books, a
6. borrowed adding machine and a little redheaded secretary I had with
7. about nine boxes of colored crayons. I'm afraid the computers might
8. have loused this thing up, but be that as it may. Now, for the
9. life of me, Ladies and Gentlemen, we have to face this issue as it
10. is. What is it? Is it a continuation of a power grab or is it an
11. instrument of retaliation or is it both? The majority of the Illinois
12. congregation in Washington is now helped by the members of the other
13. party. The majority of the...of the United States Congress is now
14. in the hands of the other party as it has been for many, many years.
15. What more could be gained by adding more to that? No, I can't under-
16. stand that. The people in this State are not going to understand it.
17. And I'm going to tell you one thing, and you're going to hear this
18. in nineteen hundred and seventy-six my friends when we again shift
19. the people's interest in politics by our own influence and right to
20. vote to another area of concern and to another congressional congress-
21. man, candidate or what have you. We're splitting up their riches,
22. economic and otherwise. We're throwing fuel on the fire of the dis-
23. gust and the despair that were held in by the attitudes of the general
24. public now because of our many failures in the many areas of good
25. government that we could have addressed ourselves to while we've been
26. down here this year, while we've been dillydallying around fiddling
27. around with a bunch of mickey mouse meetings and so forth that haven't
28. addressed themselves to the budget ten point eight billion dollars
29. and the...WPA Program offered by the Governor. I'm going to tell
30. you this, some of you are safe cause they know what you stand for
31. and the organization will take care of you. But in nineteen hundred
32. and seventy-six, if I know the people in the State of Illinois, they're
33. going to speak out, and if this kind of a displacement, so-called

1. congressional map, that's supposed to be togetherness, we may have
2. a new kind of togetherness in Springfield and in Washington, D.C.,
3. and if it happens, the proponents of this will deserve what they
4. get.

5. PRESIDING OFFICER (SENATOR DONNEWALD):

6. Senator Davidson.

7. SENATOR DAVIDSON:

8. Mr. President and members of the Senate, have had the responsi-
9. bility with the staff to try to digest the different proposed maps
10. that's been put forth from the original remap as to now. I have to
11. rise in opposition to this map for two reasons. One of the most
12. important is that you're now as amended dividing twelve townships which
13. is going to get people even more confused than what they are. They
14. will be eleven counties divided. That's no more than what they are
15. presently except you're dividing new counties. You've got two new
16. counties divided in this map that prior are not. You did put one
17. county back together - Bureau. This map is going to cause confusion
18. even more than what it is now. Just had a phone call from a store in
19. Deerfield who was saying we want to know what your position is, and
20. I said, well, I'm not your Senator, and the girl about fell off the
21. end of the phone, and I said I'll be glad to relay your message to
22. Senator Berning. Well now, if they can't keep State Senate...or
23. legislative districts correct, what are they going to do with con-
24. gressional districts that are changed in the middle of the census
25. that are now going to change twelve new townships, eleven counties
26. and have the people wondering who's on first or what's on second and
27. no one will really know. Now, this map is going to do no one any
28. good other than unless you want to elect more individuals to Congress
29. than who are there as incumbents who in most instances have been
30. pretty fair representation, the ones in the Chicago area I can't
31. speak for, only the ones downstate have done a good job representing
32. the individuals and the views of their...their district in this part
33. of the country, and I urge all of you to vote No on this map.

1. PRESIDING OFFICER (SENATOR DONNEWALD):

2. Senator Knuppel.

3. SENATOR KNUPPEL:

4. Well, all I can say is as far as I'm concerned, this is a
5. togetherness map. For the first time, Forgottonia is limited to
6. two congressional districts. There's some twenty-three counties,
7. and I'll say this that when you look at what Kenneth Gray's gotten
8. for the district in southern Illinois, the people in west central
9. Illinois have been robbed by running a...a neck down into west central
10. Illinois to get enough Democrats dipped into a Republican district to
11. just completely neutralize west central Illinois, and then they
12. forget us until the next election. I can't see anything that's been
13. done in...in west central Illinois for the people. This...none of
14. these districts are made so safe that any single individual can win
15. in them. These districts are each presently served by an incumbent
16. Republican and incumbency has some advantages when you're running for
17. Congress and you better believe it. What I'm saying is at least,
18. whether we elect Democrats or Republicans in that...those districts,
19. they're going to be aware of whom they represent, and what the problems
20. of that area are, and that those problems are paramount not the pro-
21. blems of the City of Peoria or some place else because each of these
22. districts contain enough of those poor, rural, western Illinois...
23. central Illinois counties that these congressmen are going to be aware.
24. Now, there is nothing at all that says that a Republican can't win
25. in those districts, and it...it shouldn't be so that a Democrat can
26. walk away with that district either because competition is a spice
27. of life, and I'll guarantee you the tougher the race the harder you
28. train and the better job you do. And I haven't heard anybody say
29. very much critical...just happens that Senator Sommer has a county
30. that...that's kind of divided with respect to being Democrat and
31. Republican, but there's just a lot of Knuppel's in Tazewell County,
32. and I wanted to bring us all back together and it is a togetherness
33. map, and if...if...if it should happen, I have no...no predilections

1. about ever running for Congress, Senator, but if...if it ever should
2. happen, I'll open an office in your town. Maybe a law office, too.

3. PRESIDING OFFICER (SENATOR DONNEWALD):

4. Senator Latherow.

5. SENATOR LATHEROW:

6. Well, thank you ever so much, Mr. President. I want...would
7. want to say, Senator Knuppel, that that's the first time I've heard
8. a majority of the people in western Illinois complaining about their
9. representation in Congress. I thought the majority over there was
10. for whom they elected. I am going to really preface my remarks,
11. Mr. President and members of the Senate, and what to say that I've
12. just now after many years of grade school, high school, college and
13. quite an education here in the General Assembly found out for the
14. first time supposedly today find out how to spell togetherness.

15. PRESIDING OFFICER (SENATOR DONNEWALD):

16. Senator Morris.

17. SENATOR MORRIS:

18. I rise in opposition to Senate Bill 1250. The opposition is
19. based on two things. First of all, I think that in the Illinois
20. General Assembly in 1975 with many important issues and the largest
21. budget in the history of the State facing us, this is an issue we
22. should not have been discussing and that is reapportionment of the
23. congressional districts. This morning we spent less than two hours
24. on the malpractice insurance crisis and the situation was resolved
25. and sent to the House of Representatives. We have a ten billion
26. dollar budget that we are considering, and as a freshman Legislator,
27. that is mind boggling. We have terrible unemployment in the State
28. of Illinois and we have legislation to deal with improvement of un-
29. employment compensation benefits. We need to deal with the problems
30. and the issues of the State of Illinois, not the problems and the
31. issues of a few party leaders who decide they want to take care of
32. one of their friends or take care of someone who is not one of their
33. friends giving or taking away a congressional district. Reapportion-

1. ment should have been done in 1982 and 1972 as prescribed.
2. If we were going to redraw the congressional boundaries in this
3. Legislative Session, the bill should have been introduced in January
4. 8th, and we should have had plenty of time to discuss and debate the
5. issue in the early goings before we got to our five day weeks and
6. twenty hour days. We should have had hearings around the State if
7. necessary to find out what people wanted in form of congressional
8. districts. But to come in at the last minute with a bill, to come
9. in with a bill which was not even described in the situation that we
10. were handed to sign and say this is reapportionment, this is together-
11. ness is wrong. Another level that is wrong in this legislation is
12. what it does to the Chicago metropolitan area. I come from a county
13. of three hundred and eighty-three thousand people, yet we are borrowed
14. from in order to give Cook County the necessary township populations
15. so that Chicago can sneak into Cook County far enough that they can
16. get some more Democratic districts in Chicago at the expense of
17. suburban Cook County so they have to come up and take one of our only
18. few Democratic townships in Lake County and give that over to Cook
19. County. We got the RTA last Session, folks, and the people in my
20. area weren't real pleased with it. There was a couple of people in
21. a back room dividing up the metropolitan region, and today you are
22. about to vote on a piece of legislation which was, once again, a
23. couple of people, probably the same gang except for one Senator from
24. Waukegan in a back room dividing up the suburban area for...congres-
25. sional purposes. And Ladies and Gentlemen of the Senate, this is
26. wrong. You should vote No on this. Vote for the people for a change
27. and not the party bosses.

28. PRESIDING OFFICER (SENATOR DONNEWALD):

29. Senator Harris.

30. SENATOR HARRIS:

31. Mr. President, there's been a lot of references today to the
32. people and what they would want if they really had an opportunity to
33. express themselves, and I would suggest that I know what they want

1. as relates to reapportionment. Senator Netsch touched on it quite
2. eloquently. They want to live with legislative and congressional
3. districts for ten year periods. There is just no debating that.
4. Now, politicians and I don't use that term in derogation, I'm one,
5. but politicians from time to time seek partisan advantage, and I
6. would admit that there are occasions I've attempted to do that.
7. But I tell you for sure that living here in the General Assembly
8. from nineteen fifty-five on, I've experienced reapportionment from
9. that time forward. It was the responsibility of the Legislature,
10. the 69th General Assembly, to implement the Constitutional Amendment
11. of '54. Then, in '61, we were required to implement the census of
12. 1960 as relates to congressional reapportionment. We got that job
13. done in a Special Session in the fall of '61. Then came Baker versus
14. Carr and subsequently and in that decision, of course, the Federal
15. Courts took jurisdiction of the reapportionment question because many
16. of the constituencies in the United States had failed to update up
17. an appropriate system of representation and following that, Reynolds
18. versus Sims with its impact on State Legislatures and local units
19. of government. And we've been in the turmoil and the readjustment
20. in Illinois with established districts of representation since nine-
21. teen fifty-five. Now, when the present legislative district map and
22. the present congressional district map were for affirmed by courts
23. of competent...jurisdiction, of course, not everyone was satisfied.
24. But the fact is that the districts were determined to be supportable
25. within the Constitutional guidelines, and the public heaved a great
26. sigh of relief and they have begun to get used to their districts,
27. and we have an opportunity now as relates to legislative districts
28. and congressional districts to let the people become familiar with
29. those persons elected to serve them. And the whole issue on whether
30. Senate Bill 1250 should or should not pass resides on the question
31. of what the people want and that is to be let alone. Politicians
32. make a mistake from time to time and if we pass this map, it will be
33. a colossal mistake. I urge those of you who are marginal in your.

1. decision to really think about what the general constituency wants,
2. and what they want is this - they want reapportionment consistent
3. with the Reynolds versus Sims doctrine of one man one vote imple-
4. menting the new figures of the census each decade to be acted upon
5. legislatively in the year ending in one and implemented with elections
6. in the year ending in two of each decade and nothing more, nothing
7. less. We should commit ourselves to that principle, and for nineteen
8. seventy-five, leave the people alone. This bill should be rejected.

9. PRESIDING OFFICER (SENATOR DONNEWALD):

10. Senator Harber Hall.

11. SENATOR HALL:

12. I move the previous question.

13. PRESIDING OFFICER (SENATOR DONNEWALD):

14. There is one more that requested to speak and that is Senator
15. Sommer. Senator Sommer, there was a motion to...for the previous
16. question. Do you wish to address yourself to this issue? Senator
17. Sommer.

18. SENATOR SOMMER:

19. Thank you, Mr. President and Senator Chew. My own legislative
20. district, the 45th, if this remap passes will be...will have within
21. it three congressional districts and the boundaries of those districts
22. are basically DuPage County, Springfield and Rock Island. That's
23. a pretty long distance. Thank you again. And it...it's said to
24. be true that the 18th, 19th and 20th Congressional Districts have
25. been hacked to pieces down here on the Floor for the last couple of
26. weeks to satisfy the political ambitions of a couple of Senators in
27. here or their cronies, and I don't know whether that's true or not,
28. but I will suspect this, if any...anybody tries to run after having
29. hacked themselves a district in the area that I represent in, what
30. will happen to you is what will happen to you like when you feed a
31. dog a cherry, you know he spits it out.

32. PRESIDING OFFICER (SENATOR DONNEWALD):

33. Senator Partee may close the debate.

1. SENATOR PARTEE:

2. Well, Mr. President and members of the Senate, I'm very happy
3. that we have become modern in the Senate and that we record debate
4. because some of the things that have been said here by the opposition
5. today, I'm going to make certain that I keep in a file because one
6. day they'll have the majority again, and they will do as they have
7. always done - reapportion. When a Republican draws a reapportionment
8. map, it is his sacrosanct duty to do it. When a Democrat draws a
9. reapportionment map, it is waste and confusion. That's the way they
10. say it. No, this map isn't something that you'll find palatable.
11. As a matter-of-fact, you've heard Democrats say that they do not
12. propose to support this map. They're not all together on that. But
13. I'll say this to you that a good candidate can win in a district
14. whether he's a Democrat or a Republican. No retaliation is involved
15. here, and the majority of Congress, of course, at this moment is
16. Democratic. It doesn't necessarily have to remain that way. Got a
17. lot of criticism from this map. A lot of people have said to me that
18. and a lot of them very intelligent people, you could tell by the
19. kind of stationery they use and the kind of words they use and how
20. they put them together that they've been school a long time. Some of
21. them said some very nasty and upsetting, frustrating things to me. I
22. didn't know, really, that such nasty things had come from such nice
23. people, but it happened, and I'm not concerned, Senator Davidson,
24. about someone calling you from Deerfield thinking you were their Con-
25. gressman, and if a person who lives in Deerfield thinks you're his
26. Congressman, though...oh, I see. You're not going to run against Findley?
27. Oh, okay. Now, if...someone calls from Deerfield and thinks you're
28. their State Senator, well, that person is, let's just say, lacking
29. in understanding and certainly this isn't going to make any difference.
30. Now, there was something said about a map being drawn and offered to
31. me by Senator Newhouse and bringing some...suggestions, but the map
32. put a Chinese wall around the city I live in, and I'm just not about
33. to do that. We've worked for years to not put a Chinese wall around

1. Chicago, and I'm not going to put it around for...around Chicago for
2. anyone. Now, Senator Morris said something about party bosses. Well,
3. Senator Morris, I'm not a party boss, but on that Sunday afternoon
4. just before the election when you asked me to come up and speak for
5. you, wherever I was, I came. Now, I...I just...I'm just concerned
6. about what might be imagined to minorities, and particularly, to
7. young blacks in my community about trying to sell them the idea that
8. they are something different from the rest of the population. America
9. is a melting pot. People come to this land from all races...from all
10. ...from all countries representing all ethnic groups, intermarry,
11. raise families, learn the language, become productive. That's what
12. America is about, and I sort of resent someone suggesting to young
13. black children that the only chance of winning a political office
14. is in a district where only black people live. The example should be
15. told them, it seems to me, that a young man named Young who is black
16. won a congressional district, not in Illinois, but in Georgia. A
17. district which was over sixty percent white. Somebody should tell
18. young black people that a young man named Ford, not in Illinois, but
19. in Tennessee, a twenty-nine year old black in Tennessee won a con-
20. gressional district in the last election, a district over fifty-nine
21. percent white, beating the incumbent Republican white congressman.
22. Somebody should tell the young people of my race that the Mayor of
23. Los Angeles is black with a nineteen percent black population. Well,
24. people are going to campaign or already have threatened to campaign
25. against this map, but I say to you that this is the kind of map that
26. is to be expected of the Democratic Party because certainly we expect
27. under this map to at least hold the number of Democrats that we have
28. in Congress, to at least hold the number of Democrats who studiously
29. give of themselves and channelize their energies and efforts daily
30. toward bringing to the people of Illinois in the congressional districts
31. they represent the best possible representation. Mr. President, I
32. ask for a roll call.

33. PRESIDING OFFICER (SENATOR DONNEWALD):

1. The question is shall Senate Bill 1250 pass. All those in
2. favor vote Aye. All those opposed No. The voting is open. Take
3. the record. On that question, the Ayes are 30, the Nays are 28.
4. Senate Bill 1250 having received a constitutional majority is declared
5. passed. Senator Rock moves that the vote by which this bill passed is
6. reconsidered. Senator Partee moves that that motion lie upon the
7. Table. All in favor say Aye. The Ayes have it. For what purpose
8. does Senator Nimrod arise?

9. SENATOR NIMROD:

10. Mr. President, I think if you'll check the tape that you'll find
11. that you did not proceed properly and did not ask have all voted who
12. wish, and I would say that you ought to go back and do that and in
13. your anxious to go ahead and quickly take the vote, you did not follow
14. a normal procedure.

15. PRESIDING OFFICER (SENATOR DONNEWALD):

16. That Mr. ...Senator Nimrod, it is not required in the rules.
17. Next bill...there is a request...there is a request...Senator Harris.

18. SENATOR HARRIS:

19. Now, there has been a quest...a request for a verification.

20. PRESIDING OFFICER (SENATOR DONNEWALD):

21. When did that occur, Senator?

22. SENATOR HARRIS:

23. While you were ignoring everyone, Mr. President. And now, just
24. let me lay it on the line here. The statement was made by that
25. Chair night before last that when anyone requests a verification, it
26. will be granted. Now, ...

27. PRESIDING OFFICER (SENATOR DONNEWALD):

28. Senator, we'll have a verification.

29. SENATOR HARRIS:

30. Well, okay. That's fine. When you asked the question when
31. did that take place, you know, you left yourself open just a little
32. bit.

33. PRESIDING OFFICER (SENATOR DONNEWALD):

1. He...Senator, even though you're out of order, we'll have a
2. verification.
3. SENATOR HARRIS:
4. All right.
5. PRESIDING OFFICER (SENATOR DONNEWALD):
6. The Clerk will call the positive votes. Will the members be
7. in their seats.
8. SECRETARY:
9. The...the following...
10. PRESIDING OFFICER (SENATOR DONNEWALD):
11. On the verification. The Clerk will proceed.
12. SECRETARY:
13. The following voted in the affirmative:
14. Brady, Bruce, Buzbee, Carroll, Chew, Course, Daley, Demuzio,
15. Donnewald, Dougherty, Egan, Kenneth Hall, Hynes, Johns, Joyce,
16. Knuppel, Kosinski, Lane, Lemke, McCarthy, Nudelman, Palmer, Rock,
17. Romano, Savickas, Smith, Vadalabene, Welsh, Wooten, Mr. President.
18. PRESIDING OFFICER (SENATOR DONNEWALD):
19. The roll has been verified. Senator Rock. The vote...the vote...
20. SENATOR ROCK:
21. Thank you...
22. PRESIDING OFFICER (SENATOR DONNEWALD):
23. Just a moment. The vote is 30 Ayes, 28 Nays. Senate Bill 1250
24. having received the constitutional majority is declared passed.
25. SENATOR ROCK:
26. Thank you, Mr. President. Having now voted on the prevailing
27. side, I do now move to reconsider the vote by which Senate Bill 1250
28. has been declared passed.
29. PRESIDING OFFICER (SENATOR DONNEWALD):
30. Senator Rock moves, having voted on the prevailing side, that
31. the vote by which 1250 passed be reconsidered. Senator Partee moves
32. that lie upon the Table. All in favor say Aye. All those opposed No.
33. The Ayes have it. Senate Bill...Senator Nimrod.

1. SENATOR NIMROD:

2. Mr. President...

3. PRESIDING OFFICER (SENATOR DONNEWALD):

4. For what purpose do you arise?

5. SENATOR NIMROD:

6. I would like to make a inquiry. You have just made a statement
7. before about my indicating that we deviated from what is normal
8. practice and accepted here, and you've made a statement that is none
9. necessary to ask and follow a standard procedure when taking a vote.
10. Now, do we have a standard procedure for taking a vote or do we not?

11. PRESIDING OFFICER (SENATOR DONNEWALD):

12. Fifty-eight people voted and one is in the hospital, Senator.

13. SENATOR NIMROD:

14. Do...Mr. ...Mr. President, do we have a standard procedure in
15. following a procedure to take a vote by the electronic machine or do
16. we not?

17. PRESIDING OFFICER (SENATOR DONNEWALD):

18. Just a moment. Senator Partee.

19. SENATOR PARTEE:

20. The Constitution does not mandate or dictate one. We have for
21. the most part in the interest of consistency tried to state the
22. motion the same way each time. The question, of course, on this roll
23. call is moot, a verification having been made.

24. PRESIDING OFFICER (SENATOR DONNEWALD):

25. Just a moment. Senator Bell is absent. Fifty-eight people
26. have, in fact, voted. Senator Harris. The Chair recognizes Senator
27. Harris.

28. SENATOR HARRIS:

29. I just rise to point out that a member of this Body asked a
30. perfectly legitimate question and he has not been given an answer.
31. That question was do we have a customary procedure, and the...he has
32. not had an answer to that. Now, if you want to say that we don't
33. have a customary procedure, that's one thing, but if you want to ignore

1. his question, that's absolutely a disrespectful to that Senator.

2. PRESIDING OFFICER (SENATOR DONNEWALD):

3. For what purpose does Senator Partee arise?

4. SENATOR HARRIS:

5. Well, this...

6. SENATOR PARTEE:

7. Mr. President, I wanted to answer the question if I could. I
8. thought I answered it before. Perhaps...perhaps my answer was brief.
9. Let me give it to you in detail. When I came on as the Presiding
10. Officer here, I wanted to make certain that the questions were stated
11. almost in the same fashion each time so that the members would be
12. accustomed not only to the cadence, but would be accustomed to the
13. language, and it is customary. It is custom and usage to recall...
14. to ask have all voted who wish. That's correct and I'm not going to
15. run away from that bill. That's the answer, but I do say that in...
16. at this point, it's moot on this question because the votes have
17. been made. There are fifty-nine members, fifty-eight are recorded and the
18. roll was verified. So, custom and usage happens. Now, sometimes
19. in the excitement of the moment, you may leave out a word. Now, let
20. me tell you, sometimes you'll say this bill having received or this
21. bill having obtained, that...that happens from time to time.

22. PRESIDING OFFICER (SENATOR DONNEWALD):

23. Senator Nimrod.

24. SENATOR NIMROD:

25. Mr. President, I can fully accept the explanation which was
26. made by Senator Partee, however, since that explanation has been
27. made and it's not my desire to go back on this particular question,
28. but I would like to have the record reflect and be perfectly clear
29. that in the future should we ever forget the custom and practice
30. that we will, in fact, go back and afford a person an opportunity to
31. have a normal process. Is this particular matter of concern to be
32. entered into the record? Do I understand then that in the future
33. that this will happen?

1. PRESIDING OFFICER (SENATOR DONNEWALD):

2. Senate Bill...that, of course, is not part of the rules, and
3. you're...you're thoughts certainly will be...given consideration,
4. Senator. I would suggest that you consult with the Rules Committee
5. to have that rule in the books if...no you cannot. There is no
6. rule. Absolutely nothing to consider, Senator. The next bill to be
7. called is Senate Bill 1179. Read the bill. The Sergeant-at-Arms...
8. enforce the rules of the Senate. Read the bill.

9. SECRETARY:

10. Senate Bill 1179.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER (SENATOR DONNEWALD):

14. Senator Bruce.

15. SENATOR BRUCE:

16. Yes...

17. PRESIDING OFFICER (SENATOR ROCK):

18. Senator Bruce.

19. SENATOR BRUCE:

20. Yes, Mr. President and members of the Senate, thank you for the
21. opportunity to have this bill considered in such a amicable atmos-
22. phere. The bill relates to an energy...

23. PRESIDING OFFICER (SENATOR ROCK):

24. Excuse me, Senator Bruce. For what purpose Senator Nimrod
25. arise?

26. SENATOR NIMROD:

27. Mr. President, I was wondering if I might have an answer to my
28. question or you can just make any statement that you like, but I do
29. feel I'm entitled to answer to my question.

30. PRESIDING OFFICER (SENATOR ROCK):

31. No, I...I think...You are indeed. It seems to this officer that
32. there is no need to ask have all voted who wish when there are fifty-
33. nine votes on the board. Senator Bruce.

SBI184
3rd reading

1. SENATOR BRUCE:

2. Yes, Mr. President and members of the Senate, Senate Bill 1179
3. is a pension increase for postretirement, annual increases in pensions
4. of both the downstate police and downstate firemen's article. It
5. raises the annual increase from two percent to three percent. In
6. addition to that, the bill has been amended to require that one half
7. percent increase in the employee contribution each year. The bill
8. as amended has the approval of the Pension Laws Commission. It was
9. with their suggestion that the amendment be drafted. It has been
10. drafted, and with that amendment adopted, the bill meets with their
11. approval. I would ask for a favorable roll call.

12. PRESIDING OFFICER (SENATOR ROCK):

13. Any discussion? The question is shall Senate Bill 1179 as
14. amended pass. Those in favor will vote Aye. Those opposed will
15. vote Nay. The voting is open. Have all voted who wish? Take the
16. record. On that question, the Ayes are 45, the Nays are none, none
17. Voting Present. Senate Bill 1179 having received a constitutional
18. majority is declared passed. Senator Buzbee, for what purpose do you
19. arise?

20. SENATOR BUZBEE:

21. Mr. President, I'd like the record to show that I reached for
22. my switch, the Yes button, just as you were taking the record. I
23. would have liked to be recorded Yes on this bill.

24. PRESIDING OFFICER (SENATOR ROCK):

25. The record will show...so show, Senator Buzbee. 1184, Senator
26. Lemke. Do you wish to call 1184? Okay. ...Senate Bill 1184 on
27. the order of 3rd reading.

28. SECRETARY:

29. Senate Bill 1184.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDING OFFICER (SENATOR ROCK):

33. Senator Lemke.

1. SENATOR LEMKE:

2.. Senate Bill 1184 raises the...maximum interest rate on local
3. government bonds from seven to eight percent. Interest rates
4. have risen to a point where many units of local government can no
5. longer sell their bonds. An Illinois bond house has supplied a
6. list showing fourteen community which are now...which...which are
7. not able to sell bonds at the present time. When the...when AA
8. rated general obligation bonds, have to pay interest rates above
9. six point eight percent, many lower rated general obligations and
10. almost all revenue bonds must pay above seven percent or they will
11. not sell. Home rule units probably could sell bonds at rates above
12. seven percent under home rule authority, but none...none home...home
13. rule units also need bonding power and this bill will help these
14. units maintain that power..

15. PRESIDING OFFICER (SENATOR ROCK):

16. Is there any discussion? Senator Clarke.

17. SENATOR CLARKE:

18. Could you tell...could you tell us in simple terms just what
19. this bill does? It was introduced real fast last night and...

20. PRESIDING OFFICER (SENATOR ROCK):

21. Senator Lemke.

22. SENATOR LEMKE:

23. This...this raises the rate from...on maximum interest rate on local
24. government bonds from seven to eight percent. Period.

25. PRESIDING OFFICER (SENATOR ROCK):

26. Any further discussion? Senator Fawell.

27. SENATOR FAWELL:

28. Senator Lemke, the...I've...I've just been looking at this
29. bill in the...in my bill book. No...now, that's the question,
30. the...the...the face of the bill shows a repealer and this is the
31. omnibus clause which I think is quite a valuable...you're not
32. repealing the...this statute are you?

33. PRESIDING OFFICER (SENATOR ROCK):

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Recalled
5-22-75

1. Senator Lemke.

2. SENATOR FAWELL:

3. ...An amendment on there?

4. SENATOR LEMKE:

5. I don't know if you got a copy of the amendment?

6. PRESIDING OFFICER (SENATOR ROCK):

7. Senator Fawell.

8. SENATOR FAWELL:

9. Well, other words, you're...you're amending the so-called
10. Omnibus Act so that it simply raises the interest rate to eight
11. percent, is that it? Yeah. All right. Well, let me say I would
12. agree. I think that this is a necessary act. All too often we...
13. we fail to cover a particular area and find that we...we don't have
14. sufficient authority. I, for one, would support the bill.

15. PRESIDING OFFICER (SENATOR ROCK):

16. Any further discussion? The question is shall Senate Bill
17. 1184 as amended pass. Those in favor will vote Aye. Those opposed
18. will vote Nay. The voting is open. Have all voted who wish? When
19. there's less than fifty-nine, you should really. That's Senator
20. Nimrod's rule. Take the record. On that question, the Ayes are
21. 42, the Nays are 6, 3 Voting Present. Senate Bill 1184 having
22. received the constitutional majority is declared passed. For what
23. purpose does Senator McCarthy arise?

24. SENATOR McCARTHY:

25. Mr. President, I'd like to have you call 285 back for the
26. purpose of an amendment so that we can get that amendment attached
27. and have it ready to roll.

28. PRESIDING OFFICER (SENATOR ROCK):

29. Is there leave? So ordered. On the order of Senate Bills on
30. 3rd reading. Senate Bill 285, Senator McCarthy seeks leave of this
31. Body to return Senate Bill 285 to the order of 2nd reading for the
32. purpose of an amendment. Is leave granted? Senate Bill 285 on the
33. order of 2nd reading. This will be Amendment No. 6 offered by

53283
2
1. Senator Knuppel. Senator Knuppel.

2. SENATOR KNUPPEL:

3. This time I'd like to move to Table Amendment No. 5 which
4. was adopted yesterday and to adopt Amendment No. 6 which is now
5. on everyone's desk.

6. PRESIDING OFFICER (SENATOR ROCK):

7. Senator Knuppel moves to reconsider the vote by which Amendment
8. No. 5 was adopted to Senate Bill 285. All those in favor signify
9. by saying Aye. All those Opposed. The Ayes have it. It's...it's
10. a motion to reconsider the vote by which Amendment No. 5 was adopted.
11. Right. The question is shall the vote be reconsidered by which
12. Amendment No. 5 was adopted. Those in favor will vote Aye. Those
13. opposed will vote Nay. The voting is open. Have all voted who
14. wish? Take the record. On that question, the Ayes are 29, the
15. Nays are 23, 1 Voting Present. My understanding is to reconsider,
16. it takes a majority. I...the Chair does not...the vote by which
17. Amendment No. 5 was adopted is now reconsidered. Senator Soper, for
18. what purpose do you arise? I can't hear you, Sir.

19. SENATOR SOPER:

20. Verification please.

21. PRESIDING OFFICER (SENATOR ROCK):

22. Of...of the affirmative votes?

23. SENATOR SOPER:

24. The affirmative votes please.

25. PRESIDING OFFICER (SENATOR ROCK):

26. Verification has been requested. Sergeant-at-Arms will please
27. ring the bell. Secretary, read the affirmative votes.

28. SECRETARY:

29. The following voted in the affirmative:

30. Brady, Bruce, Buzbee, Carroll, Chew, Course, Daley, Demuzio,
31. Donnewald, Dougherty, Egan, Kenneth Hall, Hickey, Hynes, Johns,
32. Joyce, Knuppel, Lane, McCarthy, Netsch, Nudelman, Palmer, Rock,
33. Romano, Savickas, Vadalabene, Welsh, Wooten and Mr. President.

56285
R. C. ...
12275

1. PRESIDING OFFICER (SENATOR ROCK):

2. I have not yet recognized anybody. Who's seeking recognition
3. if anybody? Senator Howard Mohr. Senator Hickey on the Floor?
4. Senator Hickey is on the Floor. Senator Lane on the Floor? Senator
5. Lane on the Floor? ...Remove his name. Senator Brady on the Floor?
6. Remove Senator Brady from the roll call. On that question, the
7. Yeas are 27, the Nays are 23, 1 Voting Present. The vote by which
8. Amendment No. 5 was adopted is now reconsidered. Senator Knuppel.
9. SENATOR KNUPPEL:

10. This time I'd like to offer Amendment No. 6.

11. PRESIDING OFFICER (SENATOR ROCK):

12. Well, we...the first motion is a motion to Table...

13. SENATOR KNUPPEL:

14. Oh, all right. To Table...I'd...I'd like to move to Table
15. Amendment No. 5.

16. PRESIDING OFFICER (SENATOR ROCK):

17. Senator Knuppel moves to Table Amendment No. 5 to Senate Bill
18. 285. All those in favor signify by saying Aye. All those Opposed.
19. Roll call has been requested. The motion is a motion to Table
20. Amendment No. 5 to Senate Bill 285. Those in favor of the motion
21. to Table will vote Aye. Those opposed will vote Nay. The voting is
22. open. Have all voted who wish? The question is a motion to Table.
23. Have all voted who wish? Take the record. On that motion, the
24. Ayes are 29, the Nays are 23, 1 Voting Present. The motion to Table
25. prevails. ...Senator Soper, for what purpose do you arise?

26. SENATOR SOPER:

27. I'd like to have a verification of the Ayes.

28. PRESIDING OFFICER (SENATOR ROCK):

29. The Senator has requested a verification. Will the Senators
30. please be in their seats. Secretary will read the affirmative votes.

31. SECRETARY:

32. The following voted in the affirmative:

33. Brady, Bruce, Buzbee, Carroll, Chew, Course, Daley, Demuzio,

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1. Donnewald, Egan, Kenneth Hall, Hickey, Hynes, Johns, Joyce, Knuppel,
2. McCarthy, Netsch, Newhouse, Nudelman, Palmer, Rock, Romano, Savickas,
3. Smith, Vadalabene, Welsh, Wooten, Mr. President.

4. PRESIDING OFFICER (SENATOR ROCK):

5. Senator Brady on the Floor? Strike his name from the roll,
6. Mr. Secretary. Senator Egan is on the Floor. I can see him from
7. here. The roll having been verified, the Ayes are 28, the Nays
8. are 23, 1 Voting Present. The motion to Table prevails. Amendment
9. No. 6 offered by Senator Knuppel. Senator Knuppel.

10. SENATOR KNUPPEL:

11. Mr. Chairman, I would now move the adoption of Amendment No. 6
12. to Senate Bill 285.

13. PRESIDING OFFICER (SENATOR ROCK):

14. The question is the adoption of Amendment No. 6. Any discussion?
15. Senator Glass.

16. SENATOR GLASS:

17. I would...appreciate it, Mr. President, if the sponsor would
18. explain the amendment.

19. PRESIDING OFFICER (SENATOR ROCK):

20. Senator Knuppel.

21. SENATOR KNUPPEL:

22. Mr. President and members of the Body, the amendment is identical
23. with Amendment No. 5 except that the upper limit has been raised
24. from one hundred twenty-three dollars to one hundred thirty-five
25. dollars per week. The provisions with respect to the the...the
26. three weeks, being absent from for three weeks, is a little different
27. than it was yesterday because it was twenty days. Now, it's three
28. weeks. You get three for one. If you're off three weeks at any
29. time during a...a particular year, you go back and pick up the one
30. week, and so the one week waiting period that is on the present bill
31. is eliminated only, only if the person is off a total of three weeks
32. during the...during the benefit year. Those are the changes. No
33. place does it provide for anyone that has received more than two-

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1. thirds of their...of their salary at any time.

2. PRESIDING OFFICER (SENATOR ROCK):

3. Any discussion? Senator Graham.

4. SENATOR GRAHAM:

5. I'm going to make a suggestion, Mr. President and members of
6. the Senate. We certainly have had our confusion for the day. Let's
7. don't resolve ourselves into a repetition of the Executive Committee
8. ...meeting on Equal Rights Amendment. I don't like the bill. I
9. don't like many of the amendments, but I do understand numbers, and
10. I think it's been long a policy that when you can't whip them, you
11. join them or leave them go. So, let's cut out this monkey business
12. on roll calls and verification of roll calls when it's very evident
13. to those of us who are in disagreement with it, as we were on reapportionment, we are a little short of horses, and I made the speech
14. a while ago that the affairs of State should go on, so let's get on
15. with it or let's adjourn for the evening and come back tomorrow when
16. our faces are all clean.

17. PRESIDING OFFICER (SENATOR ROCK):

18. Thank you, Senator. Point is well taken. Any further discussion?
19. The question is the adoption of Amendment No. 6 to Senate
20. Bill 285. All those in favor signify by saying Aye. All those
21. Opposed. The Ayes have it. The amendment is adopted. Any further
22. amendments? 3rd reading. Senator Kosinski on the Floor? Okay.
23. 1283, Senator Knuppel, you wish that called? On the order of Senate
24. Bills on 3rd reading. Senate Bill 1283.

25. SECRETARY:

26. Senate Bill 1283.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER (SENATOR ROCK):

30. Senator Knuppel.

31. SENATOR KNUPPEL:

32. Senate Bill 1233 is designed to provide that physicians who are

1. officed in communities more than ten miles from existing services
2. may equip their vehicles with red lights and when responding to an
3. emergency call for attending the sick or injured use that light.
4. It's a very simple bill. It's needed to make as much haste as
5. possible by those people who practice in small areas, small communi-
6. ties where ambulance service is not immediately available. I urge
7. a...an affirmative roll call.

8. PRESIDING OFFICER (SENATOR ROCK):

9. Any discussion? Senator Ozinga.

10. SENATOR OZINGA:

11. What...question of the sponsor. What is the attitude of the
12. State Police toward this bill?

13. PRESIDING OFFICER (SENATOR ROCK):

14. Senator Knuppel.

15. SENATOR KNUPPEL:

16. I didn't hear the question.

17. PRESIDING OFFICER (SENATOR ROCK):

18. Senator Ozinga.

19. SENATOR OZINGA:

20. What is the attitude of the State Police Department toward
21. this bill?

22. PRESIDING OFFICER (SENATOR ROCK):

23. Senator Knuppel.

24. SENATOR KNUPPEL:

25. The only thing I know was one of their members appeared at
26. the committee meeting and said that he was opposed to it. He was
27. in favor of police cars having red lights, but he...but he wasn't
28. in favor of doctors going to the scene of an accident or emergency
29. having one. And I asked him if he would help me work out an amend-
30. ment, and he never presented one. I've talked to him on four or
31. five occasions.

32. PRESIDING OFFICER (SENATOR ROCK):

33. Senator Ozinga.

1. SENATOR OZINGA:

2. Mr. President, if I recall, the Police...State...at the time
3. ...at the time when we had the vast hearings on all of these amber
4. lights, red lights, blue lights for the City of Chicago Police
5. Department and et cetera, why there was quite a bit of opposition
6. to opening up various facets of all of these lights, and that's
7. one of the reasons we had quite the discussion the other day on just
8. allowing even the amber light to come in on safety cars. I would
9. ...I would say that this is a bad way to open it up and it might
10. open up a lot of other facets that might not be too good for our
11. own safety here.

12. PRESIDING OFFICER (SENATOR ROCK):

13. Senator Howard Mohr.

14. SENATOR MOHR:

15. Mr. President, I'll answer the question Senator Ozinga asked.
16. The State Police do, in fact, oppose the bill.

17. PRESIDING OFFICER (SENATOR ROCK):

18. Senator Berning.

19. SENATOR BERNING:

20. I'd like to ask the sponsor...I don't have a copy of the amend-
21. ment. What did the amendment do to 1283?

22. PRESIDING OFFICER (SENATOR ROCK):

23. Senator Knuppel.

24. SENATOR KNUPPEL:

25. Well, the bill as drawn was completely emasculated by the
26. amendment. The amendment reads as follows - any other vehicle
27. used for emergency calls which is operated by a licensed physician
28. or paramedic officed in a community at least ten miles from existing
29. ambulance service. Furthermore, such lights shall not be lighted
30. except while responding to an emergency call for the purpose of
31. attending sick or injured persons. That's it.

32. PRESIDING OFFICER (SENATOR ROCK):

33. Senator...Senator Berning.

1. SENATOR BERNING:

2. Well, I...I have a very, very sincere interest in this kind
3. of thing, and so I'm anxious to know how this is going to work,
4. because I have an institution in my county that is desperately in
5. need of something like this and we have never been able to get any
6. ...help from any law enforcement agency since the county sheriff
7. backed away from it. What I'd like to know is under what...when you
8. say does this authorize...under Section 1-105 still apply or...or
9. how do you...get the authorization?

10. PRESIDING OFFICER (SENATOR ROCK):

11. Senator Knuppel.

12. SENATOR KNUPPEL:

13. The section, if you'll look at the statute, Section No. 4 is
14. vehicles of local fire departments, Section No. 5 are those designed
15. as ambulances, and what I just read you is No. 6. There exceptions
16. to those...there's exceptions. There are those who can use red
17. lights it's Section No. 6.

18. PRESIDING OFFICER (SENATOR ROCK):

19. Any further discussion? Senator Latherow.

20. SENATOR LATHEROW:

21. Well, Mr. President, I'd like to recognize I have no copy of
22. the amendment in my book.

23. PRESIDING OFFICER (SENATOR ROCK):

24. Senator Latherow.

25. SENATOR LATHEROW:

26. To see...I ask to see the amendment.

27. PRESIDING OFFICER (SENATOR ROCK):

28. Page...can we have a Page over here please. Senator Knuppel.

29. SENATOR KNUPPEL:

30. This amendment was offered in the committee and it should be
31. in the books.

32. PRESIDING OFFICER (SENATOR ROCK):

33. Senator Latherow. Any further discussion? Senator Knuppel may

1. close the debate.

2. SENATOR KNUPPEL:

3. Well, I know that the State Police said they were against it,
4. or they weren't in favor of it, but ambulances have it, and in areas
5. where you don't have ambulances, in rural areas, and sometimes it
6. may be forty minutes, but there's a small...there's a small town
7. doctor. I want him out there, and I'd a hell of a lot sooner, he
8. had a red light coming than that policeman, because when he gets
9. there he doesn't do anything except measure distances and block
10. traffic. I want the doctor there.

11. PRESIDING OFFICER (SENATOR ROCK):

12. The question is shall Senate Bill 1283...Senator Daley, for
13. what purpose do you arise?

14. SENATOR DALEY:

15. A point of personal privilege, Mr. President and fellow
16. Senators.

17. PRESIDING OFFICER (SENATOR ROCK):

18. State your point.

19. SENATOR DALEY:

20. I'd like to introduce a group of students from the Hartigan
21. School in the City of Chicago with their fine teachers. I hope
22. they would stand up and take an applause.

23. PRESIDING OFFICER (SENATOR ROCK):

24. Will our guests please stand and be recognized? The question
25. is shall Senate Bill 1283 as amended pass. Those in favor will vote
26. Aye. Those opposed will vote Nay. The voting is open. Have all
27. voted who wish? Take the record. Senator Knuppel moves to ostpone
28. onsideration. Consideration will be postponed. 1285, Senator
29. Graham. On the order of Senate Bills 3rd reading. Senate Bill 1285.

30. SECRETARY:

31. Senate Bill 1285.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

5-12-15
2nd floor

1. PRESIDING OFFICER (SENATOR ROCK):

2. Senator Graham.

3. SENATOR GRAHAM:

4. Where's Senator Rock? All right.

5. PRESIDING OFFICER (SENATOR ROCK):

6. Senate...Senate Bill 1285. Let's roll it. The question is
7. shall Senate Bill 1285 pass. Those in favor will vote Aye. Those
8. opposed will vote Nay. The voting is open. Have all voted who
9. wish? Take the record. On that question, the Ayes are 46, the
10. Nays are 5, none Voting Present. Senate Bill 1285 having received
11. a constitutional majority is declared passed. On the order of
12. Senate Bills on 3rd reading. Senate Bill 1298. Mr. Secretary.

13. SECRETARY:

14. Senate Bill 1298.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER (SENATOR ROCK):

18. Senator Clarke.

19. SENATOR CLARKE:

20. Mr. President, this is the bill that was amended last night.
21. It restructures the travel control situation, travel control boards,
22. pursuant to a report of the Auditor General that the Legislative
23. Audit Commission asked for. In effect, it creates...gives the
24. Governor his own travel control board for the Executive Department,
25. a legislative control travel control board and a travel control
26. board for the higher educational institutions. I'd appreciate a
27. favorable vote.

28. PRESIDING OFFICER (SENATOR ROCK):

29. Senator Partee.

30. SENATOR PARTEE:

31. Senator Clarke, just a few moments ago, we had a...an amendment
32. from the State Board of Elections. Have you seen it? The amendment
33. from the State Board of Elections.

1. PRESIDING OFFICER (SENATOR ROCK):

2. Senator Clarke.

3. SENATOR CLARKE:

4. We had this amendment suggested last week actually, several
5. days ago, and after considerable discussion with the House members
6. and the Audit Commission and Representative McPartlin with the
7. Auditor General, it was felt that there's a bill presently before
8. the Governor that will take care of the situation.

9. SENATOR PARTEE:

10. Very good. Forget what I said, I'm with this one.

11. PRESIDING OFFICER (SENATOR ROCK):

12. Any further discussion? The question is shall Senate Bill
13. 1298 as amended pass. Those in favor will vote Aye. Those opposed
14. will vote Nay. The voting is open.

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(Continued on next page)

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1. PRESIDING OFFICER: (SENATOR ROCK)

2. Have all voted who wish? Take the record. On that question the
3. Ayes are 53, the Nays are 3. None Voting Present. Senate Bill 1298
4. as amended having received the constitutional majority is declared
5. passed. Senate bills on 3rd reading. Senate Bill 1300.

6. SECRETARY:

7. Senate Bill 1300.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Don Moore.

12. SENATOR MOORE:

13. Thank you, Mr. President. Senate Bills 1300, 1301 and 1302 deal
14. with the same subject matter of...do I, could I have leave of the Body,
15. Mr. President, to discuss all three bills.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Is leave granted? Leave is granted.

18. SENATOR MOORE:

19. Senate Bill 1300 provides for the salary of the State's Attorney
20. in counties of less than thirty thousand to be twenty-five thousand
21. five hundred dollars. For State's Attorneys in counties of thirty
22. thousand or more inhabitants and less than one million, forty-two
23. thousand six hundred dollars. Senate Bill 1300 provides that one
24. third of the salary shall be paid by the county. Senate Bill 1301
25. provides that two thirds of the salary shall be paid by the State. 1302
26. provides that the salary of the Cook County State's Attorney shall be
27. raised from forty-two thousand to fifty thousand, provides that he
28. may not practice law. Also, insofar as the States Attorneys in counties
29. of thirty thousand or more inhabitants, they are prohibited from
30. practicing private law. I'd be happy to answer any questions if I
31. could.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Donnewald.

SB 1371
3rd reading
5/22/75

1. SENATOR DONNEWALD:

2. Senator Moore, we have a little problem over here. Could you
3. take that for a record...take it out of the record momentarily, and
4. we could have a little discussion.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Take it out of the record, Mr. Secretary. Oh, yes, yes indeed.
7. Senator Mitchler, do you wish 1314? Senator Bruce, do you wish 1371?
8. Okay. On the order of Senate Bills 3rd reading. Senate Bill
9. 1371.

10. SECRETARY:

11. Senate Bill 1371.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Bruce.

16. SENATOR BRUCE:

17. Yes, Mr. President, we've debated this bill back and forth as
18. House Bill 27, I believe it was last Session, it passed out of this
19. Body on two separate occasions. It's the impartial Hearing Officer
20. Bill for school teachers twenty one days notice, panel, a list of
21. five perspective hearing officers, the rendering of a decision review-
22. able by the court does not apply to the City of Chicago. I'd ask for
23. a favorable roll call.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Glass. Senator Glass at Senator Roe's desk.

26. SENATOR GLASS:

27. Thank you, Mr. President. I would point out to the membership
28. that once again this is an attempt to take away from the local school
29. boards the authority to discharge a teacher. In committee this was
30. debated, and I pointed that out to Senator Bruce, he...he said no,
31. that the local board can discharge a teacher, but then the hearing
32. officer holds the hearing and can overrule the board. So I don't know
33. whether you want to describe it that way or not, but it pure and simple

1. is taking away power from the local board, and the City of Chicago,
2. as we all know pursuant to Senator Palmer's bill, has an advisory
3. hearing officer. This is just another step in...in reducing power of
4. our local authorities, it's a bad bill, I would hope that we would
5. defeat it. Thank you.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Fawell.

8. SENATOR FAWELL:

9. Mr. President and members of the Senate. I know it's very noisy
10. and I guess a lot of people aren't going to be paying attention to
11. this. I would hope...may I have just a little...

12. PRESIDING OFFICER: (SENATOR ROCK)

13. May we have some order? Yes, Sir. Can we take the conferences
14. off the Floor? Will those not entitled to the Floor please remove
15. themselves? And will the members be in their seats. Senator Fawell.

16. SENATOR FAWELL:

17. I would...I would hope that those of you from downstate, especially,
18. would take careful note of what we would be doing by means of this bill,
19. because we would be taking from our local boards of education the
20. right to make a very basic decision in regard to the dismissal of a
21. tenured teacher. Now, a lot of the boards aren't aware of what is
22. occurring, but I can assure you that when they find out what we in our
23. wisdom are doing with legislation like this, I'm sure they'll communicate
24. with us very, very much. Now, let me also point out two other features
25. of the bill, one of which has not been mentioned at all, I think, ex-
26. cept briefly in committee. I talked to Senator Bruce about this. He
27. had indicated he was going to have a corrective amendment, but I don't
28. believe the amendment was put on the bill. Could I have some rapping
29. of the Gavel, Mr....

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Yes, Sir.

32. SENATOR FAWELL:

33. ...President.

PRESIDING OFFICER: (SENATOR ROCK)

1. Will the members please be in their seats? Will these not ent-
2. titled to the Floor please remove themselves?

3. SENATOR FAWELL:

4. Senator Bruce, there is one question that I do want to put to
5. you. If those of you who have the bill before you, will look on page
6. one you will find that there is deleted the following wording, and
7. I quote. Now, this is wording that is taken from the existing legisla-
8. tion. "Notwithstanding the entry upon contractual continued service,
9. which we call tenure, notwithstanding any teacher may be removed
10. or dismissed for the reasons or causes provided in Section 10-22.4 in
11. the manner here and after provided." And in Section 10-22.4 are the
12. reasons why a tenured teacher can be dismissed. Now, unless I am
13. mistaken that has not been put back in. Have you put it back in?

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Bruce.

16. SENATOR FAWELL:

17. Well, I haven't seen the...

18. SENATOR BRUCE:

19. Page two, line two.

20. SENATOR FAWELL:

21. ...amendment.

22. SENATOR BRUCE:

23. No, not the amendment. Read the bill, page two, line two.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Fawell.

26. SENATOR FAWELL:

27. I...I have...I have read the bill, and I know the allegation
28. which was made in committee was that on page two, the reference that
29. is made on page two is that they have by that reference put back in
30. what was taken out in page one. I say to you, at least as one attorney
31. who has looked at this very carefully, they have not done so. This
32. bill not only will take from the board the discretion in regard to
33. the dismissal of a tenure teacher, it takes the discretion away

1. period. You do not have the grounds for a dismissal any longer, once
2. your tenured in effect by the passage of this bill you can't even
3. dismiss a tenured teacher, and that, I think, if anyone will read what
4. has been done here, that is an absolutely fair construction. One other
5. factor, we're talking here about professional officers traveling around
6. the State at a cost of two hundred and fifty dollars per day to be able
7. to come into the local communities and make decisions for boards of
8. education that have been elected by we the people. Now, if you fellows
9. downstate, I know you in Chicago don't want it because you have quite
10. wisely utilized the advisory technique, and I don't think that anybody
11. who represents people downstate wants it either.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Buzbee.

14. SENATOR BUZBEE:

15. I have a question of the sponsor, Mr. President.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. He indicates he will yield, Senator Buzbee.

18. SENATOR BUZBEE:

19. Does the Hearing Officer have to be a member of any particular
20. profession?

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Bruce.

23. SENATOR BRUCE:

24. No.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Buzbee.

27. SENATOR BUZBEE:

28. Thank you.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator...Senator Nimrod. Okay. Senator Knuppel. Senator Knuppel.

31. SENATOR KNUPPEL:

32. Well, I just want to say one thing. I happen to be standing, at
33. the present time, in contempt of court for wearing a turtleneck. I'd

1. give anything if I could appear before an impartial judge. You know,
2. this business of saying that somebody's on the school board and they're
3. not influenced by the community and they're not influenced by the
4. Superintendent of Schools and all these other things, just isn't true.
5. The judge is a lawyer but he's still prejudice. I'd love to have some-
6. body who is a lawyer and who wasn't prejudice. You can never go wrong.
7. One time I had a case, and it...we put in for a change of venue, and
8. the...judge ruled that we weren't entitled to it. The next week he
9. came back and he asked me, he said - Do you think I ruled right?
10. And my answer to him was - Judge, you can never make a mistake granting
11. a change of venue, and that's what I believe about this bill. You can
12. never make a mistake by having a disinterested person come in and re-
13. view the facts of a case.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Berning.

16. SENATOR BERNING:

17. Mr. President and members of the Senate. Just occurs to me that
18. it is, at the very least, ironic that those who purport the most to
19. be in support of Home Rule, those who would like to have us defend
20. them in their defense of Home Rule should be the ones who appear to
21. be supporting this effort to take away the prerogatives of an elect-
22. ed board. This is contrary to what we have been attempting as a State
23. to foster and protect and promote Home Rule and local authority.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Shapiro.

26. SENATOR SHAPIRO:

27. Mr. President and Ladies and Gentlemen of the Senate. This bill,
28. to my knowledge, still has a very objectionable feature to it. It
29. mandates that a bill of particulars be sent to the teacher when he re-
30. ceives a dismissal notice. Now, this means that if a teacher is dis-
31. missed by a school board on a charge of morals involving the morals of
32. that teacher, that bill of particulars because it is mandated, immediately
33. becomes public information. I know of no teacher who would be willing

1. to fight that charge once those charges become open to the public. If
2. any teacher would know what was in this bill I am positive they would
3. be opposed to it just as I am. It is objectionable and it is not de-
4. served to be served upon the teachers of this State.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Any further discussion? Senator Bruce may close the debate.

7. SENATOR BRUCE:

8. Yes, Mr. President, on page two, line two, section 10-224 is
9. re-included the language is nearly identical. I don't know, I can
10. check my law degree again. I guess lawyers disagree on many things
11. but if it's not included I don't know the...plain meaning of the
12. English language which says - dismissal or removal including those
13. under Section 10-224, which is the language stricken on page one.
14. The...Senator Glass is in error. The board does dismiss. There is
15. absolutely nothing in this bill that says the board does not dismiss.
16. That dismissal, however, is subject to review, the very basic system
17. of justice we have is that decisions are subject to impartial third
18. party review, and that's what this bill provides for. Thank you, Mr.
19. President.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. The question is shall Senate Bill 1371 as amended pass. Those in
22. favor will vote Aye. Those opposed will vote Nay. The voting is open.
23. Have all voted who wish? Take the record. On that question the Ayes
24. are 31, the Nays are 19. None voting Present. Senate Bill 1371 having
25. received the constitutional majority is declared passed. Senator
26. Soper requests a verification of the roll call. Senator Soper has re-
27. quested a verification, will all Senators please be in their seats.
28. You wish the affirmative votes, I take it, Senator. Senator Donnewald,
29. for what purpose do you arise?

30. SENATOR DONNEWALD:

31. I...did I understand that there is a request for verification?

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Soper has, in fact, requested a verification and I am

1. assuming it is of the affirmative votes.

2. SENATOR DONNEWALD:

3. Thank you.

4. PRESIDING OFFICER: (SENATOR

5. Will all the Senators please be in their seats? The Secretary
6. will read the affirmative votes.

7. SECRETARY:

8. The following voted in the affirmative: Bruce, Buzbee, Carroll,
9. Course, Daley, Davidson, Demuzio, Donnewald, Dougherty, Egan, Kenneth
10. Hall, Hickey, Hynes, Johns, Joyce, Knuppel, Lane, Lemke, McCarthy,
11. Morris, Netsch, Newhouse, Rock, Roe, Savickas, Schaffer, Smith, Vadalabene,
12. Welsh, Wooten and Mr. President.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Moore. Senator Lane on the Floor? Senator Daley's on the
15. Floor. Senator Lane on the Floor? Take Senator Lane from the roll
16. call. The roll has been...Senator Lane has been...Senator Lane's been
17. removed. The roll has been verified. Senator Course was on the Floor.
18. No, Lane...Lane has already been removed, Tom, you know we can only
19. take...Senator Course is right there. Climb over the rail, Senator
20. Course. All right the roll...the roll has been verified, the Ayes
21. are 30, the Nays are 19. None voting Present. Senate Bill 1371 having
22. received the necessary constitutional majority is declared passed.
23. 1380, Senator Harris, do you wish that called? On the order of Senate
24. bills, 3rd reading. Senate Bill 1380.

25. SECRETARY:

26. Senate Bill 1380.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Harris.

31. SENATOR HARRIS:

32. Mr. President, this bill provides for the establishment of the
33. Legislative Service Commission. It merges into one administrative

1. agency, the three technical service facilities that serve the Legislature.
2. I've worked closely with Senator Regner and Senator Ozinga in developing
3. questions that they raised, responses to them, and I would point out
4. that there is one very significant aspect of this bill that does not
5. exist today and that is, that the Legislative Information System exists
6. under Joint Resolution and is, in fact, a division of the Department
7. of Finance. This bill brings it clearly under direct legislative ad-
8. ministration and authority and gives it permanent statutory embodiment.
9. We are at a unique time to move in this direction, this procedure has
10. been followed in some of the other states. We find it to be a...a de-
11. sirable thing in connection with the administrative responsibilities
12. as separated from the day to day professional requirements of the three
13. specific services that the General Assembly needs from these agencies.
14. I might indicate to you that I've had lengthy discussions with Repre-
15. sentative Harold Katz, who served as Chairman of the Committee on the
16. organization of the General Assembly, he is enthusiastic about this
17. prospect. We've worked with him in the synthesis of this legislation,
18. he will handle the bill if we send it over to them in the House. I
19. think we have really made an effort here to give long-run improved
20. service to the General Assembly, and I would hope that you would support
21. Senate Bill 1380.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Any discussion? The question is shall Senate Bill 1380 as
24. amended pass. Those in favor will vote Aye. Those opposed will vote
25. Nay. The voting is open. Have all voted who wish? Take the record.
26. On that question the Ayes are 52, the Nays are none...1. None Voting
27. Present. Senate Bill 1380 is amended having received the constitutional
28. majority is declared passed. 1461, Senator Roe. On the order of
29. Senate Bills 3rd reading. Senate Bill 1461, Mr. Secretary.

30. SECRETARY:

31. Senate Bill 1461.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Roe.

3. SENATOR ROE:

4. Mr. President...Mr. President and members of the Senate. ... un-
5. like a number of other bills that have been introduced this Session
6. to raise the amount required for competitive bidding, this lowers the
7. amount from twenty-five hundred dollars to a thousand dollars in all
8. services, materials, equipment and or supplies in excess of a thousand
9. dollars would have to be competitively bidden. It retains the...the
10. present law in case of emergencies, and I feel that we should do all
11. that we can do in this State to encourage our governmental units to
12. engage in competitive bidding for the purchase of services, materials
13. and equipment, and I would be glad to answer any questions.

14. PRESIDENT:

15. Any further discussion? Senator Soper.

16. SENATOR SOPER:

17. Now, Mr. President and members of the Senate, talk about regression
18. and going backwards, why don't we put in - if you are going to buy
19. anything above a yo-yo or...or a lollipop that the people you've elected
20. to office have to come over and swear on a Bible that...that it's...
21. it's necessary, and...and publish in the newspaper and have hearings
22. on it. Now, you've got to give...you've got to give some leeway on
23. these things. You'll spend more money in publication and waste more
24. time with these things, you've got a business manager, and we don't
25. hire all kids and we don't elect all kids and we do elect some officials
26. who have some business experience, and I think you ought to give them
27. some leeway. I think this should be soundly defeated.

28. PRESIDENT:

29. Senator Latherow.

30. SENATOR LATHEROW:

31. Well, Mr. President, thank you. I'd just like to recognize that
32. if the town decided to buy one thirty foot pipe, eighteen inches diameter
33. that they would be required to hold a letting and take bids for it. I

1. think we have to show some reasonableness when we come to legislation
2. ...of this type, and I would propose that you not support this legisla-
3. tion.

4. PRESIDENT:

5. Any further discussion? Senator Roe, if he desires, may close
6. the debate.

7. SENATOR ROE:

8. Call...call the roll, Mr. President.

9. PRESIDENT:

10. On this question the Ayes are the...Senate Bill 1461 is under
11. discussion. Those who favor the passage of this bill will vote Aye.
12. Opposed will vote Nay. The voting is open. Have all voted who wish?
13. Take the record. On this question, the Ayes are 17, the Nays are 17.
14. One Voting Present. Senate Bill 1461 having failed to receive a con-
15. stitutional majority is declared...declared lost. For what purpose
16. does Senator Regner arise?

17. SENATOR REGNER:

18. Mr. President, I'd like to seek leave of the Senate to return
19. Senate Bill 1465 to the order of 2nd reading for an amendment.

20. PRESIDENT:

21. Is there leave?

22. SENATOR REGNER:

23. Leave.

24. PRESIDENT:

25. Leave is granted. Senator Regner.

26. SENATOR REGNER:

27. Mr. President and members, the amendment I'm offering does three
28. things. It provides a specific exemption for press personnel to be
29. on the staffs of the...all the elected Constitutional Officers and the
30. four Leaders of the Legislature, and it also creates an actual name by
31. name inventory of all the equipment of IIS, and also the personnel of
32. IIS by title and brings it into the bill which creates the Illinois
33. Governmental Information Service. I'd move for the adoption of Amendment

LB37
3rd Reading
5/22/75

1. No. 1 to 14...Senate Bill 1465.

2. PRESIDENT:

3. Any further discussion? Senator Regner moves the adoption of
4. Amendment No. 1 to Senate Bill 1465. All in favor will say Aye.
5. Opposed Nay. The motion carries. Any further amendments? 3rd reading.

6. Is Senator Don Moore on the Floor? (Machine cut-off)...Senator Hynes.

7. Start at the top, all right. Senate Bill 37, Senator Rock.

8. SECRETARY:

9. Senate Bill 37.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDENT:

13. ...Senator Rock.

14. SENATOR ROCK:

15. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
16. Senate Bill 37, you will all recall, was that bill that was much amended.
17. Senator Harris and I, both in committee, there were about six hours of
18. testimony in the Senate Committee on Insurance and Licensed Activities.
19. This bill is the result of about an eighteen months study by the Illinois
20. Legislative Investigating Commission pursuant to the 78th General Assembly
21. House Resolutions 219 and 847. As a result of those lengthy hearings,
22. two lengthy reports were published by the Legislative Investigating
23. Commission, and essentially the Commission said that we ought to up-
24. date, revamp and recodify the existing harness and thoroughbred horse
25. racing acts. I wonder, Mr. Sergeant-at-Arms, could I get a Page to pass
26. out some things?

27. PRESIDENT:

28. Would you pass...some Pages please to Senator Rock's desk.

29. SENATOR ROCK:

30. I'm asking to have distributed, Mr. President and Ladies and Gentle-
31. men of the Senate. The other day we prevailed upon the Enrolling and
32. Engrossing Department, and had a complete bill incorporating the twenty
33. amendments which were offered and adopted, and I'm having distributed

5-21-75
3rd read
5-21-75

1. an index of that sixty page document, which is Senate Bill 37. In
2. addition to that I'm having distributed an analysis done by one of the
3. members of our staff, who has worked long and hard along with the mem-
4. bers of the Republican staff to finalize what I think...will...will
5. be and is a very significant piece of legislation for the State of
6. Illinois. If, in fact, this bill is adopted and signed into law,
7. Illinois will once again regain its preeminence in...in the industry
8. called horse racing. We have provided for a graduated daily tax on
9. the handle, Senator Harris, I'm sure, will have some remarks on that.
10. The projected revenue under this bill we estimate that it will be
11. in excess of an additional twenty million dollars to the State of
12. Illinois. And I base those figures on two things, one is that the larger
13. purses the larger handle will, in fact, result from this bill. We
14. will attract finally and again into our State those members of the
15. Industry who are...who will provide high caliber racing to our State.
16. In addition, the bill provides or allows the board to provide an additional
17. one hundred and seventy eight days of racing. The bill also provides
18. for racing on Sunday if, in fact, the local community opts in by
19. ordinance. There is a reduction in the admissions tax, however, the
20. local communities are allowed to charge an additional ten cents admission
21. tax for their use in their community if again they adopt by local
22. ordinance. I think once you go through the two or three page analysis
23. you can see that there are major changes in the existing Horse Racing
24. Act. The bill is a good one, and I would solicit your favorable support.
25. PRESIDENT:

26. Senator Netsch.

27. SENATOR NETSCH:

28. Mr. President, I would like to ask the sponsor one question, and
29. then make a couple of comments. You may have mentioned this, Senator
30. Rock, if so...

31. PRESIDENT:

32. You may in just a moment, Senator, he...will you...Senator yield?
33. He indicates he'll yield.

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2nd read
5-22-25

1. SENATOR NETSCH:

2. If you've already said this, if you don't mind repeating it, I
3. was off the Floor just now. As I understand it, the bill is opposed
4. by the Racing Board. Is that correct?

5. PRESIDENT:

6. Senator Rock.

7. SENATOR ROCK:

8. I...I do not think that's a fair statement. No.

9. PRESIDENT:

10. Senator Netsch.

11. SENATOR NETSCH:

12. My information is that that is correct, and while I freely con-
13. cede I've...have not mastered all of the contents of the bill and
14. probably would not understand it all if I had attempted to do so.
15. I think there are a couple of problems with it. I know it was a
16. long arduous good faith effort to work out the differences between
17. the original sponsors of the bill and the Racing Board, but I believe
18. it did not succeed, and I might mention a couple of the points where
19. I think it did not succeed. It...the bill will, according to the
20. information given to me from the staff of the Racing Board, will re-
21. sult in a revenue loss to the State of about eight million dollars.
22. Secondly, as I understand it, also the...the shift in where the money
23. will come from, that is the...the distribution of...of proceeds and
24. receipts from all of this, will, in fact, result in taking money away
25. from the horseman, and they are, at least in the minds of some people,
26. the ones you probably need to be most encouraged if this sport is to
27. be kept alive and healthy. There are several other provisions by
28. which the...the Board itself, I think, has some objection in terms of
29. the...decreasing its power with respect to disclosure and the provision
30. which I'm not really so sure about myself, it may or may not be good,
31. that takes away or that sets up a statewide race track police force.
32. What I'm saying is that while I recognize that the...the effort and
33. energy that went into putting all of this together and trying to re-

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5-28-35

1. solve a lot of differences. I think as far as the Racing Board is
2. concerned it was not totally successful. There is a bill which came
3. out of the Board itself, out of its deliberations, I believe, still
4. alive and pending in the House, and it seems to me that it would be
5. much more prudent to wait for that bill.

6. PRESIDENT:

7. Any further discussion? Senator Knuppel.

8. SENATOR KNUPPEL:

9. Mr. President and members of the Body. It may be more prudent
10. to wait but today is the day or tomorrow, and it may be true, she
11. speaks with respect to something that may be given up by the horsemen.
12. May be given up today for something that's gained tomorrow, because
13. if you gentlemen looked on your desk the other morning, I passed out
14. a list of the leading sires in the horses...horse racing business in
15. the State of Illinois. We have only one of approximately a hundred
16. of the leading sires, and that horse was only brought into this State
17. a year ago by Larry Marsh. And we only have one out of that, so you
18. know what kind of a level we are because half of the breeding stock
19. is the male side of the...of the proposition. And, Gentlemen, the
20. breeders are going broke in Illinois and what you lose in other types
21. and from the industry, people who are going to get out if they...if
22. the thing doesn't get better is quite large. Another...another thing
23. as far as the breeders and raisers are concerned here, it provides at
24. least two races each day at the pari-mutuel tracks of Illinois bred
25. and foaled animals that will bring better mares and sires to Illinois
26. so that they can get part of the purse money that's distributed at the
27. Chicago tracks annually.

28. PRESIDENT:

29. Any further discussion? Senator Harris.

30. SENATOR HARRIS:

31. Mr. President, I want to join in support of this bill with Senator
32. Rock and the members of the Legislative Investigative Commission. Some
33. eighteen months ago they began a long and arduous and very careful

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B. M. ...
5.22.75

1. study of the needs of the total industry and applied them to the
2. total needs of the State. And I think with all the work that's gone
3. in here to this result that's before us now, we really are on the
4. threshold of once again recapturing national prominence in this in-
5. dustry, and believe me industry is an appropriate term here. There
6. are literally tens upon tens of thousands of individual employees in-
7. volved in the activity concerned with regulated licensed racing activity
8. in Illinois. It produces well over fifty million dollars a year, so
9. it's an important public policy from the standpoint of revenue, and if,
10. in fact, this bill becomes law, the four overall basic segments, the
11. breeders, the horsemen, that's those people that own horses that do
12. not necessarily breed their own stock but those who actually race,
13. the operators of the enclosures, the track people or the licensees
14. and yes, the public will all benefit. This is a great opportunity to
15. once again move ahead, and I hope that the membership would enthusiasti-
16. cally support the passage of the product of the Legislative Investiga-
17. tive Commission these last eighteen months.

18. PRESIDENT:

19. Any further discussion? Senator Rock may close the debate if
20. he desires.

21. SENATOR ROCK:

22. Thank you, Mr. President. Very briefly, I do not think it's fair
23. to say that the Illinois Racing Board is opposed to this bill. We have,
24. as Senator Harris indicated, attempted in every way possible to work
25. with and accommodate the Board. Now, the Board's chairman is another
26. matter. I cannot...cannot and would not attempt to speak for him. The
27. Racing Board Bill as introduced is over in the House. I would appreci-
28. ate sending this one over there, and...and then we'll see what comes
29. out. The bill is a good one and we've worked on it a long time, and I
30. think, frankly, it is a better bill than the Board's, and I would urge
31. a favorable vote.

32. PRESIDENT:

33. The question is shall Senate Bill 37 pass. Those in favor will

SB 37
3rd reading
2-2-75

1. vote Aye. Those opposed will vote Nay. The voting is open. Have all
2. voted who wish? Take the record. On this question the Ayes are 45,
3. the Nays are 1. 5 Voting Present. Senate Bill 37 having received the
4. constitutional majority is declared passed. Senator Wooten is recognized.
5. SENATOR WOOTEN:

6. Mr. President and Colleagues, on a brief point of personal privilege
7. there...the Illinois Historical Society is holding a State Social Studies
8. Contest today at Holiday Inn East, and I'm very pleased that four stu-
9. dents from my district, my home town, were here representing Franklin
10. Junior High, they're in the south gallery with their teacher, Bill Hall.
11. I'd like to have them rise and be acknowledged by the Senate. Thank
12. you.

13. PRESIDENT:

14. Senate Bill 1465, Senator Regner.

15. SECRETARY:

16. Senate Bill 1465.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDENT:

20. Senator Regner.

21. SENATOR REGNER:

22. Mr....Mr. President and members of the Senate. This bill which
23. was just amended a little while ago creates the Illinois Governmental
24. Information Service and defines its powers and duties. The members of
25. this Board are all the elected Constitutional Officers and the four
26. Legislative Leaders. The duties of this Board and Commission is to
27. create and disseminate information for the general public in Illinois
28. to keep them informed as to what is going on in State government. It
29. does repeal the IIS, and transfers all its functions of the IIS to the
30. new Board. The amendment that was put on does allow each one of the
31. elected Constitutional Officers and the four Leaders to have their own
32. press personnel, that would be the persons to prepare their own press
33. statements and photos. And I'd ask for a favorable roll call.

1. PRESIDENT:

2. Any further discussion? The question is shall Senate Bill 1465
3. pass. Those in favor will vote Aye. Those opposed Nay. The voting
4. is open. Have all voted who wish? Take the record. On this question
5. the Ayes are 51, the Nays are none. None Voting Present. Senate Bill
6. 1465 having received the constitutional majority is declared passed.
7. Senate Bill 97, Senator Regner. 97.

8. SECRETARY:

9. Senate Bill 97.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDENT:

13. (Machine cut-off)...Senator Regner.

14. SENATOR REGNER:

15. Yes, Mr. President and members of the Senate. What this bill does
16. it repeals the section of the Election Code which requires cities,
17. villages and corporated town clerks in Cook County to print or cause
18. to be printed list of registered voters. This bill was put in at the
19. request of some of the villages in my district that currently are using
20. the county poll sheets and their supplemental lists, and they did not
21. want to have the burden of preparing these extra lists. Before a lot
22. of people get up and object to it just let me say that a No vote on
23. this bill would not hurt my feelings at all.

24. PRESIDENT:

25. Did you hear the last thing he said, Senator Rock? Senator Rock
26. is recognized.

27. SENATOR ROCK:

28. Well, I just wanted to corroborate what Senator Regner said. I
29. believe a No vote is warranted, and I would rise in opposition.

30. PRESIDENT:

31. The question is shall Senate Bill 97 pass. Those in favor will
32. vote Aye. Those opposed will vote Nay. The voting is open. Have all
33. voted who wish? There's still five red lights on there. Have all

1. voted who wish? Take the record. On this question the Ayes are 5, the
2. Nays are 40. 4 Voting Present. Senate Bill 97 having utterly failed
3. to receive the constitutional majority is declared thoroughly lost.
4. Senate Bill 125, Senator Hynes.
5. SECRETARY:
6. Senate Bill 125...
7. PRESIDENT:
8. Hold...hold it. That's...take it out of the record. Senate
9. Bill 184, Senator Schaffer. Senator Hynes is recognized. One moment,
10. Senator Schaffer. Senator Hynes.
11. SENATOR HYNES:
12. You were about to call 125, and...and, I assume, that since it is
13. nearly five o'clock you passed that and the succeeding bills, if we
14. could have leave to come back to these when we return after the break
15. at seven o'clock.
16. PRESIDENT:
17. Yes. Is leave granted? Leave. Senate Bill 184, Senator Schaffer.
18. SECRETARY:
19. Senate Bill 184.
20. (Secretary reads title of bill)
21. 3rd reading of the bill.
22. PRESIDENT:
23. Senator Schaffer.
24. SENATOR SCHAFFER:
25. Mr. President, I ask leave to bring this bill back to 2nd reason...
26. reading for the purpose of Tabling an amendment, and putting...
27. PRESIDENT:
28. Is there a leave...
29. SENATOR SCHAFFER:
30. ...two on.
31. PRESIDENT:
32. Is there a leave? Leave is granted. The bill is now on 2nd
33. reading. Senator Schaffer is recognized.

1. SENATOR SCHAFFER:

2. Mr. President, I move to Table Amendment No. 2 which doesn't meet
3. the standards in a couple of areas.

4. PRESIDENT:

5. Senator Schaffer moves to reconsider the vote by which Amendment
6. No. 2 was adopted. Those in favor will say Aye. Opposed Nay, and the
7. Ayes have it. The amendment is now under reconsideration. Senator
8. Schaffer now moves to Table Amendment No. 2 to Senate Bill 184. All
9. in favor will say Aye. Opposed Nay. The amendment is Tabled. Senator
10. Schaffer.

11. SENATOR SCHAFFER:

12. Mr. President, I believe the Secretary of the Senate has Amendment
13. No. 3 which is identical to Amendment No. 2 except that it adds the
14. words - to furnish personal services. Senator Rock will recall he had
15. some misgivings about the wording in Amendment No. 2. I believe, our
16. two staffs have worked out Amendment No. 3 to everyone's mutual satis-
17. faction.

18. PRESIDENT:

19. Senator Rock.

20. SENATOR ROCK:

21. Well, I...I agree that the amendment should...should be adopted.
22. I would...would say, however, less there be any misunderstanding, my
23. objection to Amendment 1...No. 2 was that it did not do, in fact, what
24. it purported to do. I am still not in favor of the bill as amended.
25. The amendment is a good one, it should be adopted.

26. PRESIDENT:

27. Any further discussion? The question is shall Senate Bill 184
28. pass. Those...pardon me...pardon me. That's what happens when some-
29. one diverts your attention. We...the question is the adoption of
30. Amendment No. 3 offered by Senator Schaffer. Those in favor will vote
31. Aye. All in favor say Aye. Opposed Nay. The amendment is adopted.
32. Any further amendments? Senator Schaffer.

33. SENATOR SCHAFFER:

1. Further amendment which puts the bill in order to conform with
2. Senate Bill 1120 which passed this Body earlier.

3. PRESIDENT:

4. Senator Schaffer moves for adoption of Amendment No. 4. All in
5. favor will say Aye. Opposed Nay. The amendment is adopted. Any
6. further amendments? 3rd reading. Senate Bill 231, Senator Bell.

7. ...Senate Bill 264, Senator Schaffer. Senate Bill...yes, Senator...
8. fine. We are at 264. It is now five minutes of five. If there are
9. some announcements or...Senator Soper.

10. SENATOR SOPER:

11. Mr. President, Parliamentary Inquiry.

12. PRESIDENT:

13. Yes, Senator.

14. SENATOR SOPER:

15. I'd like to make a motion to Table all Motions in Writing that
16. lie...on the Secretary's Desk.

17. PRESIDENT:

18. Not quite yet, Senator. Senator Course.

19. SENATOR COURSE:

20. Yes, Mr. President, I'd like to have unanimous consent to have
21. a motion, which I have filed on the Secretary's Desk, heard tomorrow.

22. PRESIDENT:

23. Is there leave? Leave is granted. For what...Senator Dougherty.

24. SENATOR DOUGHERTY:

25. Thank you, Mr. President. Mr. President, I might move my...may
26. I ask if I might at this time ask to have Senate Bill 1025, which is
27. a Committee Bill, moved from the...Committee on Election be discharged,
28. and place this bill on the order of 2nd reading where it will stay un-
29. til we have resolved some of the questions.

30. PRESIDENT:

31. Is there a leave? Leave is granted.

32. SENATOR DOUGHERTY:

33. Thank you.

1. PRESIDENT:

2. (Machine cut-off)...25. Senate Bill 1025. (Machine cut-off)...

3. Don Moore, for what purpose do you arise?

4. SENATOR MOORE:

5. On the State's Attorneys Bills, Mr. President, at this time I
6. would ask to leave to have Senate Bill 1300 returned to the order of
7. 2nd reading for the purpose of amendment.

8. PRESIDENT:

9. Is there a leave? Leave is granted. 1300 is on 2nd reading.

10. SENATOR MOORE:

11. Having voted on the prevailing side on the adoption of Amendment
12. No. 1 to Senate Bill 1300, I would now move to Table Amendment No. 1,
13. Mr. President.

14. PRESIDENT:

15. Senator Moore moves to reconsider the vote by which Amendment No.
16. 1 was adopted. All in favor will say Aye.

17. SENATOR MOORE:

18. Aye.

19. PRESIDENT:

20. Opposed Nay. The...the amendment is now reconsidered. Senator
21. Moore now moves to adopt...to Table Amendment No. 1 to Senate Bill 1300.
22. All in favor will say Aye.

23. SENATOR MOORE:

24. Aye.

25. PRESIDENT:

26. Opposed Nay. Then, the amendment is Tabled. Senator Moore, any
27. further amendments?

28. SENATOR MOORE:

29. On the Secretary's Desk is Amendment No. 2. The problem that we're
30. going through, Mr. President, and I want to personally thank Mr. Craig
31. Lovitt of your staff for catching it. There was a possibility that
32. the salaries we set forth would have been paid twice, so in order to
33. clarify that language I'm offering Amendment No. 2 to Senate Bill 1300,

1. and I would move its adoption at this time.

2. PRESIDENT:

3. Senator Moore moves adoption of Amendment No. 2 to Senate Bill 1300.

4. All in favor will say Aye. Opposed Nay. The amendment is adopted. Any

5. further amendments? 3rd reading. (Machine cut-off)...Senator Moore.

6. SENATOR MOORE:

7. I would now like permission to remove Senate Bill 1301 from the

8. order of Senate bills 3rd reading to the order of 2nd reading for the

9. purpose of amendment.

10. PRESIDENT:

11. Is there a leave? Leave is granted.

12. SENATOR MOORE:

13. Having voted on the prevailing side, Mr. President, I would now

14. move to Table...or I would now move to reconsider the vote by which

15. Amendment No. 1 was adopted.

16. PRESIDENT:

17. We're on the order of Senate bills on 3rd...3rd reading. Senate

18. Bill...on 2nd reading. Senate Bill 1301. Senator Moore having voted

19. on the prevailing side moves to reconsider the vote by which the Amend-

20. ment No. 1 was adopted. All in favor will say Aye.

21. SENATOR MOORE:

22. Aye.

23. PRESIDENT:

24. Opposed Nay. The amendment is now under consideration. Senator

25. Moore now moves that Amendment No. 1 to Senate Bill 1301 be Tabled.

26. All in favor will say Aye.

27. SENATOR MOORE:

28. Aye.

29. PRESIDENT:

30. Opposed Nay. The amendment is Tabled. Senator Moore.

31. SENATOR MOORE:

32. On the Secretary's Desk is Amendment No. 2. It's a technical

33. amendment, it capitalizes some words. Otherwise, there is no change

1. in the substance of the Amendment No. 1, and I would move the adoption
2. of Amendment No. 2 to Senate Bill 1301.

3. PRESIDENT:

4. Senator Moore moves the adoption of Amendment No. 2 to Senate Bill
5. 1301. All in favor will say Aye.

6. SENATOR MOORE:

7. Aye.

8. PRESIDENT:

9. Opposed Nay. The amendment is adopted. Any further amendments?
10. 3rd reading. Senate Bill 1302.

11. SENATOR MOORE:

12. We're all set to go on the three of them.

13. PRESIDENT:

14. All set, then. Very good. (Machine cut-off)...Philip.

15. SENATOR PHILIP:

16. Mr. President, if I'm in order I'd like to make an announcement
17. about our softball scrub game tonight. And this will be the last
18. practice; the last...the only practice game we'll have before our
19. game next Tuesday. It happens to be in Lincoln Park at 5:30 at Diamond
20. Five. That's right across from the place we've been practicing. Now,
21. also, we're going to have our photographer out there, and we're going
22. to have a team photograph. So, if you're going to be playing please
23. show up tonight.

24. PRESIDENT:

25. Senator Philip, well, the Chair really likes your enthusiasm, and
26. I want...Senator Philip, I want you to know that winning isn't every-
27. thing. It's the only thing. Senate Bills on 2nd reading...Senator
28. Rock there? Sen...Senate Bill 1487 on 2nd reading. Do you want to
29. read that bill now so we can move it. If there are amendments we'll
30. bring it back. It's on 2nd reading. Supplemental Calendar. Sen...
31. Senator Romano, would you come up here a moment, please?

32. SECRETARY:

33. Senate Bill 1487.

34. (Secretary reads title of bill)

1. Senate Bill 1487.

2. (Secretary reads title of bill)

3. 2nd reading of the bill. The Committee on Appropriations offers
4. three amendments.

5. PRESIDING OFFICER: (SENATOR ROMANO)

6. Senator Rock.

7. SENATOR ROCK:

8. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
9. Amendment No. 1 to Senate Bill 1487 changed the form of the bill, it
10. came in as a Transfer Bill, and this amendment, Amendment No. 1 changes
11. it to a straight Deficiency Bill. Deficiency Appropriation for the
12. operation section of this Department, and I would move adoption of
13. Amendment No. 1.

14. PRESIDING OFFICER: (SENATOR ROMANO)

15. Any discussion? All those in favor of Amendment No. 1 say Aye.
16. Contrary. No. 1 is adopted. Senator...Senator Rock is recognized.

17. SENATOR ROCK:

18. Amendment No. 2, I believe, was offered by Senator Weaver, and I
19. would yield to Senator Weaver to move its adoption.

20. PRESIDING OFFICER: (SENATOR ROMANO)

21. Senator Weaver.

22. SENATOR WEAVER:

23. I move adoption of Amendment No. 2, which would take out the
24. GOHR employees in this Department.

25. PRESIDING OFFICER: (SENATOR ROMANO)

26. Senator Weaver moves the adoption of Amendment No. 2. All those
27. in favor say Aye. Contrary. Amendment No. 2 is adopted. Amendment
28. No. 3. Senator Rock.

29. SENATOR ROCK:

30. Thank you, Mr. President...thank you, Mr. President and Ladies
31. and Gentlemen of the Senate. Amendment No. 3, line items and delineates
32. the expenditure of recently acquired Federal money in the amount of
33. a hundred and forty-five thousand dollars. It just spells out what

1. the money is to be used for. I would move adoption of Amendment No. 3.

2. PRESIDING OFFICER: (SENATOR ROMANO)

3. Any discussion? Senator Rock moves the adoption of Amendment No.

4. 3. All those in favor say Aye. Contrary. Amendment No. 3 is adopted.

5. The bill goes to 3rd reading. Senate Bill 1497, Senator Berning.

6. Read the bill, Mr. Secretary.

7. SECRETARY:

8. Senate Bill 1497.

9. (Secretary reads title of bill)

10. 2nd reading of the bill. No committee amendments.

11. PRESIDING OFFICER: (SENATOR ROMANO)

12. Any amendments from the Floor? 3rd reading. House Bill on

13. 2nd reading, 1173. Senator Buzbee.

14. SECRETARY:

15. House Bill 1173.

16. (Secretary reads title of bill)

17. 2nd reading of the bill. The Committee on Appropriations offers one

18. amendment.

19. PRESIDING OFFICER: (SENATOR ROMANO)

20. Senator Buzbee.

21. SENATOR BUZBEE:

22. Move the adoption of the amendment, Mr. President.

23. PRESIDING OFFICER: (SENATOR ROMANO)

24. ...Senator Buzbee moves the adoption of Amendment No. 1 to House

25. Bill 1173. All those in favor say Aye. Contrary. Amendment No. 1

26. is adopted. Any further amendments from the Floor? Senator Daley.

27. SENATOR DALEY:

28. Mr...Mr. President and fellow Senators. It's a Parliamentary

29. Inquiry. What order of business are we in? I had this supplemental

30. Calendar...

31. PRESIDING OFFICER: (SENATOR ROMANO)

32. Supplemental.

33. SENATOR DALEY:

Yes.

1. PRESIDING OFFICER: (SENATOR ROMANO)

2. House Bill 1173...

3. SENATOR DALEY:

4. Where is it?

5. PRESIDING OFFICER: (SENATOR ROMANO)

6. ...it moved to 3rd reading.

7. SENATOR DALEY:

8. A House Bill. Thank you.

9. PRESIDING OFFICER: (SENATOR ROMANO)

10. House Bills on 3rd reading. 2238, Senator Knuppel.

11. SENATOR KNUPPEL:

12. I'd like leave to bring it back to 2nd reading so that Senator
13. Weaver may attach an amendment.

14. PRESIDING OFFICER: (SENATOR ROMANO)

15. Is there leave? Leave is granted. The bill is on 2nd reading.

16. Senator Weaver. Senator Weaver, big 6.

17. SENATOR WEAVER:

18. Mr. President, this amendment adds twenty-four hundred and seven
19. ...two thousand, four hundred and seven...fifty-seven dollars and sixty
20. cents to this Deficiency Appropriation to pay for plants furnished
21. at the State Fairgrounds, which they've never been paid for. I'd
22. move its adoption.

23. PRESIDING OFFICER: (SENATOR ROMANO)

24. Senator Weaver moves the adoption of Amendment No. 2. All those
25. in favor say Aye. Contrary. The Ayes have it, and the amendment is
26. adopted. Any further amendments from the Floor? 3rd reading. Any
27. further business to come before the Senate? The Senate stands in re-
28. cess until 7:00 p.m.

29. (RECESS)

30. (AFTER RECESS)

31. PRESIDENT:

32. The hour of seven having arrived, the Senate will come to order.
33. Committee reports.

SECRETARY:

1. Senator Donnewald, Chairman of the Assignment of Bills, assigns
2. the following bills to Committee: Appropriations - Senate Bill 1498;
3. Agriculture, Conservation and Energy - House Bills 1072 and 1568;
4. Appropriations - House Bills 1056 and 1320; Education - House Bills
5. 1074 and 1127; Elections and Reapportionment - House Bill 526; Executive -
6. House Bills 177, 1109, 1179, 1182, 1183, 1184, 1185, 1186, 1187, 1188,
7. 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1200, 1201,
8. 1203, 1204, 1208, 1209, 1213, 1214, 1215, 1216, 1220, 1224, 1228, 1231,
9. 1236, 1238, 1240, 1245 and 1249; Executive Appointments and Administra-
10. tion - House Bill 1455; Finance and Credit Regulation - House Bills
11. 975 and 996; Judiciary - House Bill 711, 1181 and 2718; Labor and
12. Commerce - House Bills 650, 874 and 1275; Local Government - House
13. Bill 705, 1459, 1460, 1461 and 1462; Pensions, Personnel and Veterans
14. Affairs - House Bill 1084 and 1124; Public Health, Welfare and Correc-
15. tions - House Bill 1165 and 2086; Revenue - House Bills 1151 and 1265;
16. Transportation - House Bills 1285 and 1324.

16. PRESIDENT:

17. Resolutions.

18. SECRETARY:

19. Senate Resolution 83.

20. PRESIDENT:

21. Senator Rock moves the suspension of the rules for the immediate
22. consideration and adoption of Senate Resolution 83. All in favor will
23. say Aye. Opposed Nay. The resolution is on consideration. Senator
24. Rock moves the immediate adoption of Senate Resolution 83. All in
25. favor say Aye. Opposed Nay. The resolution is adopted.

26. SECRETARY:

27. Senate Resolution No. 84 introduced by Senator Savickas, Weaver,
28. Vadalabene and Shapiro.

29. PRESIDENT:

30. Executive. Glad to see you, Senator Lane. Is anyone with you
31. by the name of Lane, here tonight? Barbara Lane, we're glad to have
32. you here. House Bills on 1st reading. House Bill 154, Senator Fawell.

33. SECRETARY:

1. House Bill 154.
2. (Secretary reads title of bill)
3. 1st reading of the bill.
4. PRESIDENT:
5. House Bill 807, Senator Glass.
6. SECRETARY:
7. House Bill 807.
8. (Secretary reads title of bill)
9. 1st reading of the bill.
10. PRESIDENT:
11. House Bill 809, Senator Vadalabene.
12. SECRETARY:
13. House...House Bill 809.
14. (Secretary reads title of bill)
15. 1st reading of the bill.
16. PRESIDENT:
17. House Bill 901, Senator Fawell.
18. SECRETARY:
19. House Bill 901.
20. (Secretary reads title of bill)
21. 1st reading of the bill.
22. PRESIDENT:
23. House Bill 970, Senator Roe.
24. SECRETARY:
25. House Bill 970.
26. (Secretary reads title of bill)
27. 1st reading of the bill.
28. PRESIDENT:
29. House Bill 1093, Senator Buzbee. Pardon me. House Bill...House
30. Bill 1094, Senator Buzbee.
31. SECRETARY:
32. House Bill 1094.
33. (Secretary reads title of bill)

1. 1st reading of the bill.

2. PRESIDENT:

3. House Bill 2152, Senator Buzbee.

4. SECRETARY:

5. House Bill 2152.

6. (Secretary reads title of bill)

7. 1st reading of the bill.

8. PRESIDENT:

9. Yes, it is true. I was just asked the question - if I have a

10. very strong assistant here, and I do. Her name is Barbara Lane, and

11. she's here visiting with her class today. She's been here three times,

12. her father is a Senator. I'm just going to have her say a few words

13. to our Senate. Barbara Lane.

14. (Speech given by Barbara Lane)

15. PRESIDENT:

16. Senator, be careful she may run for your office. (Machine cut-off)

17. ...Senator Hynes. Are there any bills on any reading which need to be

18. moved to another reading for the purpose of anything?

19. SENATOR HYNES:

20. Well, I have a bill on 3rd reading which I'd like to bring back

21. for an amendment but it may be controversial, and I think, possibly,

22. we ought to hold on that. Yes.

23. PRESIDENT:

24. Senator, we're here to do business. We're here on time, if you

25. move it, move it. Does the Secretary have the number, Senator. Well,

26. bring the number down to the Secretary, and let us know. We'll be

27. ready to do it. House Bills on 2nd reading. House Bill 224, Senator

28. Shapiro.

29. SECRETARY:

30. House Bill 224.

31. (Secretary reads title of bill)

32. 1st...2nd reading of the bill. No committee amendments. One Floor

33. Amendment offered by Senator Shapiro.

1. PRESIDENT:

2. Senator Shapiro.

3. SENATOR SHAPIRO:

4. Mr. President, this bill allows a downstate school district to
5. provide bus services...to and they are allowed to transport students
6. to organize recreational, cultural, educational public service programs
7. like basketball games, so on and so forth. Now, the bill as intro-
8. duced would also allow these school district buses to transport adults...
9. the cost to be shared by those who ride the bus. Now the present law
10. does allow for a charge and mandates the charge. It was the suggestion
11. of the committee that if there was any additional liability due to the
12. fact that adults in addition to school students were transported, that
13. any increased liability insurance premiums be included in the cost.
14. That's what the amendment does. I urge its adoption.

15. PRESIDENT:

16. Any further discussion? Senator Shapiro moves the adoption of
17. Amendment No.1 to House Bill 224. All in favor will say Aye. Opposed
18. Nay. The amendment is adopted. Any further amendments? 3rd reading.
19. On the order of Senate Bills on 3rd reading, Senator Knuppel is recog-
20. nized for the purpose of making a motion to return...

21. SENATOR KNUPPEL:

22. I'd like leave to return Senate Bill 410 to 2nd reading for the
23. purpose of Tabling the amendment that was put on and placing another
24. amendment thereon and advancing it to 3rd reading. If there's any-
25. body that wants it brought back to 2nd again for any reason, I'd be
26. happy to do so. Do I have leave to do so?

27. PRESIDENT:

28. What...which amendment are we dealing with, there are two.

29. SENATOR KNUPPEL:

30. The last one. The one that was...that was put on...

31. PRESIDENT:

32. On Senate Bills on 3rd reading, Senator Knuppel is addressing
33. Senate Bill 410. Senator Knuppel having voted on the prevailing
34. side. The bill is on 3rd reading. Senator Knuppel having voted

1. on the prevailing side on the adoption of Amendment No. 2 moves to
2. reconsider the vote by which Amendment No. 2 was adopted. Is there
3. leave to move 410 from 3rd back to 2nd reading? Leave is granted.
4. Senate Bill 410 now on 2nd reading. Senator Knuppel moves to re-
5. consider the vote having voted on the prevailing side by which Amend-
6. ment No. 2 was adopted to Senate Bill 410. All in favor of his
7. motion will say Aye. Opposed Nay. The motion carries. Senator
8. Knuppel now moves to Table Amendment No. 2 to Senate Bill 410. All
9. in favor will say Aye. Opposed Nay. The amendment is Tabled. Senator
10. Knuppel is recognized for Amendment No. 3.

11. SENATOR KNUPPEL:

12. I'd like to move the adoption of Amendment No. 3 which was dis-
13. tributed this afternoon to Senate Bill 410.

14. PRESIDENT:

15. Any discussion on the amendment? Senator Shapiro.

16. SENATOR SHAPIRO:

17. Mr. President, only a request for the copy of the amendment.

18. PRESIDENT:

19. Will you send Senator Shapiro a copy of the amendment. Any further
20. discussion on Amendment No. 3? Senator Knuppel moves the adoption of
21. Amendment No. 3 to Senate Bill 410. All in favor will say Aye. Opposed
22. Nay. Amendment No. 3 is adopted. Any further amendments? 3rd reading.
23. Senator Rock.

24. SENATOR ROCK:

25. Thank you, Mr. President and Ladies and Gentlemen of the Senate. On
26. the Calendar on the order of 3rd reading is Senate Bill 1247, 1247.
27. I wonder if I might at this time have leave of the Body to bring that
28. back for the purpose of an amendment.

29. PRESIDENT:

30. Is there leave? Leave is granted. Senate Bill 1247 is on the
31. order of 2nd reading. Senator Rock.

32. SENATOR ROCK:

33. Thank you, Mr. President. I would now move to reconsider the

1. vote by which Amendments 1 and 2 were adopted and I will then move
2. to Table those two amendments and place on 1247 Amendment No. 3.

3. PRESIDENT:

4. Senator Rock seeks leave to reconsider Amendment No. 1. Senator,
5. we'll take them one at a time I think. Senator Rock moves to reconsider
6. the vote by which Amendment No. 1 was adopted. All in favor will say
7. Aye. Opposed Nay. The Ayes have it, the motion is on...the amendment
8. is on reconsideration. Senator Rock now moves to Table Amendment No. 1
9. to Senate Bill 1247. All in favor will say Aye. Opposed Nay. Amend-
10. ment No. 1 is Tabled. Senator Rock now moves the reconsideration of
11. Senate Amendment 2 to Senate Bill 1247. All in favor will say Aye.
12. Opposed Nay. The amendment is on reconsideration. Senator Rock now
13. moves the Tabling of Amendment No. 2 to Senate Bill 1247. All in
14. favor will say Aye. Opposed Nay. Amendment No. 2 is Tabled. The
15. Chair recognizes Senator Rock.

16. SENATOR ROCK:

17. Thank you Mr. President. Amendment No. 3 to this bill, this is
18. the Civil Service Bill, what I...what I had done with respects to
19. Amendments 1 and 2, was move the base line from a hundred and fifty
20. thousand up to two hundred and fifty thousand at the request of
21. certain members of the Senate. I have now upon further request and
22. do by Amendment No. 3, move the bottom line up to three hundred
23. thousand. So that in fact, this bill if enacted into law, will apply
24. to counties having a population in excess of three hundred thousand.
25. I move its adoption.

26. PRESIDENT:

27. Senator Shapiro.

28. SENATOR SHAPIRO:

29. A question of the sponsor.

30. PRESIDENT:

31. He indicates he'll yield.

32. SENATOR SHAPIRO:

33. Does...Du Page County approve of this amendment?

1. PRESIDENT:

2. Senator Rock.

3. SENATOR ROCK:

4. Well, I'm sure that they probably do not. But we...we can deal
5. with that later. It's just an amendment to change the title and
6. the line as to the applicability of the bill. They're in the bill
7. now, so this change from two-fifty to three hundred in no way affects
8. them anyway.

9. PRESIDENT:

10. Any further discussion? Senator Rock moves the adoption of
11. Amendment No. 3 to Senate Bill 1247. All in favor will say Aye.
12. Opposed Nay. The Ayes have it, Amendment No. 3 is adopted. Any
13. further amendments? 3rd reading. ...(Machine cut-off)...members
14. on the Senate Floor who have bills that must be moved from one order
15. to another for the purpose of an accommodating amendment. The
16. Senate will be at ease till the call of the Chair. But don't leave
17. your seats. The Chair would like to make an announcement, and
18. this particularly applies to many of you who have bills on Post-
19. poned Consideration. There are...don't make the motion yet, Senator
20. Soper...there are 37 bills on Postponed Consideration. I would
21. suggest to those who have these bills that you line up your votes,
22. because there's going to be a little bit of intolerance about long
23. debates on those bills tomorrow. We debated them all and we're
24. going to try to give everybody a chance to call his bill on Post-
25. poned Consideration. And we are not...if you're not here when its
26. called we'll pass it and don't ask for it to be called again, we're
27. going to go through that Calendar tomorrow. We want to get out of
28. here, we want to meet our deadline and we're not going to spend an
29. inordinate amount of time on Postpone Consideration. We're going
30. to call them, everybody's going to get a chance. But do not expect
31. any long and elongated debate on the question. Senator Harris.

32. SENATOR HARRIS:

33. I wondered if this was the appropriate time for me to move, that

1. having voted on the prevailing side of Senate Bill 1250, that I
2. move to reconsider the vote by which that passed the Senate be
3. reconsidered.

4. PRESIDENT:

5. Senator, it would certainly be the right time, except, that
6. Senator...Senate Bill 1250 left this Body within three minutes of
7. its passage. I learned that from you Senator. I'm sorry, we no
8. longer have control over it, forgive me. Senator Soper.

9. SENATOR SOPER:

10. Well, aside from what I wanted to talk about, I wanted to say that
11. even you can learn from the Republicans. But, I...I want to ask...I'm
12. not facetious now, about tomorrow Mr. President, can we check out of
13. the motels tomorrow and a...and be able to get back tomorrow night,
14. or are we going to be here till Hell freezes over, or what.

15. PRESIDENT:

16. Let me first address myself to your first question. My dear Mother
17. taught me that I could learn from everybody.

18. SENATOR SOPER:

19. Well, you had...you had a very intelligent Mother.

20. PRESIDENT:

21. That's right.

22. SENATOR SOPER:

23. Right, now we got that settled. When do I get out of the motel?

24. PRESIDENT:

25. You're absolutely fantastic Senator, I would only suggest...

26. SENATOR SOPER:

27. I learned that from you this afternoon.

28. PRESIDENT:

29. Well, Senator, I would say to you the solarity with which you get
30. out of the hotel would depend in a large measure on how often I can
31. get you to move the previous question tomorrow.

32. SENATOR SOPER:

33. Well, I'll do that, yeah. You'll get that every time.

1. PRESIDENT:

2. Thank you very much. Seriously, I think we should be able to
3. get out of here by 3 or 4 o'clock tomorrow, all things being equal
4. and people just realizing that bills on Postpone Consideration are
5. not going to be debated for two hours. That's all.

6. SENATOR SOPER:

7. Senator I'll tell you this. I've never felt more equal than I
8. have been today.

9. PRESIDENT:

10. Senator Palmer.

11. SENATOR PALMER:

12. Mr. President, is it in order that I ask Senator Soper a question?

13. PRESIDENT:

14. Ordinarily not, but you may.

15. SENATOR PALMER:

16. Senator Soper, you stated that you're not facetious now, are you
17. conceding for the record that you were earlier?

18. SENATOR SOPER:

19. Oh at times, it's how the mood takes me, see. But when I see you
20. once in a while, I'll tell you, I get facetious.

21. PRESIDENT:

22. Senator Vadalabene.

23. SENATOR VADALABENE:

24. Yes, thank you Mr. President. On the...as a point of information
25. on the bills on Consideration Postponed, are you planning to start
26. at the top, like Senate Bill 4 and go right on down or are you going
27. to ski' around.

28. PRESIDENT:

29. No, I think we'll start at the beginning to give everybody a chance
30. to call his bill if he desires it. There are those persons who pro-
31. bably feel that it's lost anyway or might ordinarily know that it is,
32. having made an assessment of the votes, and we'll start at the begin-
33. ning. Senator Demuzio.

1. SENATOR DEMUZIO:
2. Yesterday, Mr. President, yesterday I went up to the Speaker's
3. desk to pick up a bill that I was asked to pick up and...
4. PRESIDENT:
5. Now stay in the House, now stay over here. Would you hold that
6. just a minute till I can talk to you and the fellow involved. Let's
7. don't wash out any dirty linen out here, okay. Just hold that a
8. minute, would you please.
9. SENATOR DEMUZIO:
10. ...patient, okay.
11. PRESIDENT:
12. Fine. Senator Don Moore is recognized.
13. SENATOR MOORE:
14. Thank you Mr. President. Mr. President, we're back to the State's
15. Attorney bills again and after consulting with the staff, we found
16. that we, by error, Tabled an amendment on Senate Bill 1300 that should
17. not have been Tabled.
18. PRESIDENT:
19. Will Senator Bruce come to the rostrum?
20. SENATOR MOORE:
21. So at this time I would like to ask leave of the Body to have
22. Senate Bill 1300 on the order of 3rd reading removed to the order
23. of 2nd reading.
24. PRESIDENT:
25. Is there leave? Leave is granted. Senate Bill 1300 is now on
26. the order of 2nd reading.
27. SENATOR MOORE:
28. I now move, Mr. President, to take from the Table Amendment No. 1
29. to Senate Bill 1300.
30. PRESIDENT:
31. You heard the motion. All in favor will say Aye. Opposed Nay.
32. The motion is granted.
33. SENATOR MOORE:
34. I now move that we adopt Amendment No. 1 to Senate Bill 1300.

1. PRESIDENT:

2. Explain the amendment. Can't be Amendment No. 1, Senator.

3. SENATOR MOORE:

4. Right. This is the county pay scale, Mr. President. The one-
5. third that the county should pick up. We are putting back in the bill
6. that we inadvertently took out before.

7. PRESIDENT:

8. We Tabled Amendment No. 1 and Senator...

9. SENATOR MOORE:

10. That's correct. We Tabled it. I now want to take it from the
11. Table and I want to move its adoption and put it back on, so there
12. will be two amendments on Senate Bill 1300.

13. PRESIDENT:

14. Senator Moore moves the adoption of Amendment No. 1 to Senate Bill
15. 1300. Senator Wooten.

16. SENATOR WOOTEN:

17. Mr. President, I have a rather close interest in just what's happen-
18. ing on that bill. Could you explain precisely what that amendment
19. does and I don't know if you have the data, but I'm rather jealously
20. interested in what happens to my county.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Moore.

23. SENATOR MOORE:

24. All right. Amendment No. 1, Senator, sets forth the pay scale
25. for State's attorneys in counties of less than thirty thousand at
26. twenty five thousand, five hundred. For State's attorneys in
27. counties of thirty thousand or more and less than one million, forty
28. two thousand six hundred. And it further goes on that the county
29. shall be required to furnish thirty three and a third percent of the
30. total annual compensation paid to the State's attorneys in that
31. county. No State's attorney in counties of thirty thousand or more
32. inhabitants may engage in the private practice of law. This was the
33. amendment that I inadvertently Tabled when we put on Amendment No. 2

1. which removed the question as to a possible double payment for the
2. State's attorneys. It's for this reason that I would now want to adopt
3. Amendment No. 1 which I have just read to you, to Senate Bill 1300.
4. PRESIDING OFFICER: (SENATOR BRUCE)
5. Senator Wooten.
6. SENATOR WOOTEN:
7. I don't have that chart with me. Is this the one that...do you
8. have the figures at hand? Is there an increase in the...what the
9. county has to pony up for example in Rock Island County or are we at
10. the same level or do we have to come up with more money?
11. PRESIDING OFFICER: (SENATOR BRUCE)
12. Senator Moore.
13. SENATOR MOORE:
14. In most of the counties, it is a decrease of what the county has
15. to come up with and increase with what the State has to come up with.
16. PRESIDING OFFICER: (SENATOR BRUCE)
17. Senator Wooten.
18. SENATOR WOOTEN:
19. That's a perfectly marvelous idea. Thank you.
20. PRESIDING OFFICER: (SENATOR BRUCE)
21. Senator Kenneth Hall.
22. SENATOR HALL:
23. Yes, Senator Moore, I'm vitally interested in what this is going
24. to cost me in St. Clair County. I mean what are we paying now and
25. how much are you...I don't have that chart and I want to know how
26. much this is going to increase or what.
27. PRESIDING OFFICER: (SENATOR BRUCE)
28. Senator Moore.
29. SENATOR MOORE:
30. In St. Clair County your State's Attorney is Robert H. Rice,
31. you have a population of two hundred and eighty five thousand, one
32. hundred and seventy six. The current salary is thirty two thousand,
33. the counties contribution is twenty thousand. Under this bill, as

1. amended, after this amendment is adopted, your State's Attorney will
2. receive forty two thousand, six hundred dollars of which the county
3. will pay one third and the State two thirds.
4. PRESIDING OFFICER: (SENATOR BRUCE)
5. Senator Kenneth Hall.
6. SENATOR HALL:
7. That's an increase of how much for our...my county?
8. PRESIDING OFFICER: (SENATOR BRUCE)
9. Senator Moore.
10. SENATOR MOORE:
11. In...in salary it's an increase as far as what it cost the county,
12. it is a decrease in what they are paying him now.
13. PRESIDING OFFICER: (SENATOR BRUCE)
14. Senator Joyce.
15. SENATOR JOYCE:
16. If any of the State's Attorneys in my counties get any more money,
17. it's a bad bill. Thank you.
18. PRESIDING OFFICER: (SENATOR BRUCE)
19. Senator Morris.
20. SENATOR MORRIS:
21. That Joyce really gets the point, doesn't he. Now, this amendment,
22. Senator Moore, is this the one that brings it in compliance with this
23. memo from John Halick? That's got all the counties listed with all
24. the salaries, is that what this amendment does?
25. PRESIDING OFFICER: (SENATOR BRUCE)
26. Senator Don Moore.
27. SENATOR MOORE:
28. That is correct.
29. PRESIDING OFFICER: (SENATOR BRUCE)
30. Senator Morris.
31. SENATOR MORRIS:
32. Well, what does the bill do without the amendment right now?
33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Don Moore.

2. SENATOR MOORE:

3. The bill without the amendment would say the State would pay two-
4. thirds of the salary as set forth in the amendment and the counties
5. would pay nothing. That is why I want to put this amendment on, which
6. I inadvertently took off before we recessed.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Morris.

9. SENATOR MORRIS:

10. What...I...I'm sorry but what does the bill...does the bill raise
11. the salaries too, does it give a structure to raise the...let's take
12. for example, can you tell me under the bill without the amendment what
13. Ronald Boyer in Iroquois County, thirty three thousand five hundred
14. thirty two people, would get under the original bill prior to the amend-
15. ment.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Moore.

18. SENATOR MOORE:

19. Iroquois County, Ronald Boyer, population, thirty-three thousand
20. five thirty two, is presently receiving twenty-five thousand, seven
21. hundred dollars. The county is contributing thirteen thousand seven
22. hundred dollars. The State is contributing twelve thousand dollars.
23. Under this bill, the proposed salary would be forty two thousand, the
24. county would pay one third of that amount and the State would pay two
25. thirds of that amount.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Morris.

28. SENATOR MORRIS:

29. That is under the bill as it is without this amendment.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Moore.

32. SENATOR MOORE:

33. That is under the bill with Amendment No. 1 that I want to reinstate

1. and put back on the bill.
2. PRESIDING OFFICER: (SENATOR BRUCE)
3. Senator Morris.
4. SENATOR MORRIS:
5. What...if this amendment were to be defeated what would happen?
6. That's my question.
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. Senator Don Moore.
9. SENATOR MOORE:
10. There would be a problem with the bill because the salary would
11. be set at forty two thousand five hundred. The State would pay two
12. thirds of it and whether the county would have to come up with anything
13. or not would create the problem. That's why I want to put the amend-
14. ment back on to make it clear that the State pays two thirds and the
15. county one third of the State's Attorneys' salary.
16. PRESIDING OFFICER: (SENATOR BRUCE)
17. Senator Morris.
18. SENATOR MORRIS:
19. Under the current system how is the breakdown of what a State's
20. Attorney pays? If a State's Attorney were getting ten thousand dollars,
21. for example today, what part of that do we, the State of Illinois pay,
22. and what part does his county board pay?
23. PRESIDING OFFICER: (SENATOR BRUCE)
24. Senator Moore.
25. SENATOR MOORE:
26. The State pays twelve thousand dollars to every county.
27. PRESIDING OFFICER: (SENATOR BRUCE)
28. Senator Morris.
29. SENATOR MORRIS:
30. Regardless of what the salary is of that State's Attorney.
31. PRESIDING OFFICER: (SENATOR BRUCE)
32. Senator Moore. Senator Moore.
33. SENATOR MOORE:

1. I now move the adopt...the adoption of Amendment No. 1, Mr. President.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Other Senators are seeking recognition. Senator Wooten.

4. SENATOR WOOTEN:

5. I know this is the second time around, but I got some figures here.
6. It, in fact, is not a decrease. In our county it would only cost us five
7. hundred more and in Whiteside County it would be...the county would have
8. to come up with about an additional seven grand and Henry County an
9. additional seven grand. The fascinating possibility that this situation
10. opens up to me is that we now pay our county attorney something like
11. thirty two thousand and you're boosting it to forty two five. If we go
12. as is we cut his salary to about a little over twenty eight thousand,
13. but the State would pay the whole thing. Somehow that appeals to me
14. at this moment.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Is there further debate? Senator Moore moves the adoption of
17. Amendment No. 1 to Senate Bill 1300. All those in favor say Aye. All
18. opposed. Roll call is requested. Those in favor of Amendment No. 1
19. vote Aye. Those opposed vote Nay. The voting is open. Have all
20. voted who wish? Take the record. On that question the Ayes are 16,
21. the Nays are 10. Amendment No. 1 having received a majority of those
22. voting is adopted. Any further amendments? 3rd reading. Senator
23. Moore, 1301. Does that have to be recalled? Senator Moore.

24. SENATOR MOORE:

25. We could read 1301, its on 3rd reading, and then I could discuss
26. the package again, and we could read 1302 and then I could go ahead
27. with the entire package, Mr. President. Could we have 1302 read for
28. the 3rd time.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. We are getting the bill for you to have read. We have 1302 at
31. the Secretary's Desk. Would that be appropriate to proceed with that
32. bill? Senate Bill 1302.

33. SECRETARY:

1. Senate Bill 1302.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Moore.

6. SENATOR MOORE:

7. This is the third bill in the State's Attorney's package. The
8. first two bills deal with counties of a population of thirty thousand
9. and less and counties of thirty thousand to a million. The Senate
10. Bill 1302 deals with the compensation of the State's Attorney of Cook
11. County. It raises it from thirty two thousand to fifty thousand.
12. There was originally an amendment on it that reduced it, but at the
13. request...or after consulting with the President of the Cook County
14. Board, he had no objection to the State's Attorney in Cook County
15. after December of '76 of receiving a compensation of fifty thousand
16. dollars. I believe there is agreement on both sides of the aisle
17. on this. If there are no questions, I would move for a favorable
18. roll call, Mr. President.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Is there discussion? The question is shall Senate Bill 1302
21. pass. Those in favor vote Aye. Those opposed vote Nay. The voting
22. is open. Have all voted who wish? Have all voted who wish? Take
23. the record. On that question the Ayes are 22, the Nays are 9, None
24. Voting Present. Senate Bill 1302 having failed to receive a consti-
25. tutional majority...Senator Moore.

26. SENATOR MOORE:

27. We'll, apparently because of the lack of membership Mr. President,
28. I'll postpone consideration on this bill..

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senate Bill 1302 is postponed. I have not...we'll have to be
31. very careful here in our waning days but I had not announced the
32. roll call, I had not declared the bill lost. The bill is on Post-
33. poned Consideration.. Senator Moore, do you wish to proceed with

1. 1300 or 1301. Senator Moore.

2. SENATOR MOORE:

3. Hell no, Mr. President. I'll hold 1300 and 1301 for the sake of
4. the downstate counties. And perhaps when those members get there we'll
5. have more consideration on 1302.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senate Bill 364, Senator Knuppel. Senate Bill 364, egg...egg products.
8. Read the bill, Mr. Secretary.

9. SECRETARY:

10. Senate Bill 364.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Knuppel.

15. SENATOR KNUPPEL:

16. This bill creates an Egg Products Act for the State of Illinois.
17. It's a rather complicated bill, it has some problems, but they were
18. worked out with the egg industry and the Department of Agriculture.
19. The purpose of the bill is to provide uniformity of standards. To
20. provide for the better inspection of eggs and better egg grading. It
21. places restrictions upon the disposition of certain quality of eggs
22. and egg products. And to regulate the processing, handling, labeling
23. and distribution of egg and egg products. There was a fiscal note on
24. the bill, estimated total cost being thirty one thousand, six hundred
25. dollars. This has the support of the Director of Agriculture, the
26. Department of Agriculture and they worked very closely with the staff,
27. Republican Staff, to work out the details and with the egg producers.
28. This is a...I would move the favorable consideration of this legislation.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Is there discussion? Senator Weaver.

31. SENATOR WEAVER:

32. Question of the sponsor, Mr. President. Senator Knuppel, there is
33. going to be a tax on the producers here or the handlers. What's this

1. going to do to the cost of a dozen eggs? Now, have you got any idea
2. what it's going to cost the consumer?
3. PRESIDING OFFICER: (SENATOR BRUCE)
4. Senator Knuppel.
5. SENATOR KNUPPEL:
6. Well they, the charge is a change of a license fee, small license
7. fee and there's a small charge, it's one fifth of a cent. The maximum
8. fee per dozen eggs is one fifth of a cent. This one fifth of a cent
9. would be much more significant to the consumer price of eggs than it
10. would be to the farmer profit, which is usually about one cents a
11. dozen. So it'll cost...it'll increase the cost to the consumer about
12. one fifth of a cent per dozen eggs.
13. PRESIDING OFFICER: (SENATOR BRUCE)
14. Senator Weaver.
15. SENATOR WEAVER:
16. How...how do you pay one fifth of a cent per dozen. You buy five
17. dozen, it costs you one cent. Is that what you had in mind?
18. PRESIDING OFFICER: (SENATOR BRUCE)
19. Senator Knuppel.
20. SENATOR KNUPPEL:
21. This isn't charged by eggs or...or dozens, it's charged by crates.
22. And I don't know how you ever get that broken down, five cents or ten
23. cents or so on a crate of eggs, it's impossible, no you...you can't
24. figure it on one egg, I realize that.
25. PRESIDING OFFICER: (SENATOR BRUCE)
26. Senator Weaver.
27. SENATOR WEAVER:
28. Well, the total, we're just talking about it's going to cost more
29. money for a dozen eggs. That's what you're saying then, and...and
30. really what...what are we getting at, what...what are we improving.
31. What...are we going to have a more quality egg here or protect the
32. consuming public from rotten eggs or fertilized eggs or what?
33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Knuppel.

2. SENATOR KNUPPEL:

3. Well, what was represented about this, and I'm not an egg man
4. myself because they are high in cholesterol. But, and I have...I...I
5. have to stay away from them, but I can't think of anything that makes
6. me sicker when I could eat eggs, than to see a bad egg. Now what this
7. is supposed to do is to bring our standards with respect to inspection
8. and et cetera, in line with those that exist in other states. I don't
9. know that it's true, but I was told that the Department of Agriculture
10. at the time that they presented the bill, that our standards of inspection
11. are not the same as other states and that there are bad, not bad eggs,
12. but eggs that don't meet the same quality of standards, are shipped
13. in here and dumped in our institutions, like our restaurants, our
14. hospitals, our...our State Institutions and so forth. And I guarantee
15. you if it'll provide better eggs for one fifth of a cent a dozen, I
16. can't think of anything that would turn my stomach quicker than a bad
17. egg.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Weaver. But I first remind you that your time has expired.
20. Senator Weaver.

21. SENATOR WEAVER:

22. Thank you, Mr. President. Well, I just think it's a rotten bill,
23. it's just gonna cost more money and it's just regulation after regulation
24. and I think it ought to be defeated.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Wooten.

27. SENATOR WOOTEN:

28. Mr. President and colleagues. I rise to speak in behalf of this
29. bill. The plain fact is as was pointed out in the committee hearings,
30. that Illinois has become a dumping ground for substandard eggs, simply
31. because we don't really have standards, we don't really have the
32. regulations with which to clean up that situation. This is a very com-
33. plicated bill. We ran through it. It's been adjusted to try to meet

1. some of the changes. The cost to the consumer is minimal when weighed
2. against the guarantee that he going...the eggs he encounters are going
3. to be fit to eat. We do have a problem. If you're all conversant in
4. this area, you'll know that Illinois has acquired that reputation. It's
5. a place to get rid of eggs that aren't good enough to dispose of in
6. other states. It's something we need to correct, I think the bill is
7. a very badly needed piece of legislation.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Joyce.

10. SENATOR JOYCE:

11. I would just like to echo Senator Wooten's remarks. It was brought
12. up in committee that Illinois is the dumping ground for bad eggs and
13. it goes mostly into our institutions and I...I don't think that we can
14. quibble with the kind of money we're talking about to make sure that
15. our institutions don't get this kind of an inferior product.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Is there further debate? Senator Latherow.

18. SENATOR LATHEROW:

19. Well, Mr. President and members of the Senate. I'd like to recognize
20. that there is a major increase in the cost of licensing in these Class
21. I spots for sale of eggs from five dollars to thirty dollars. And I'd
22. like to recognize also in checking with the Federal Supervisor for
23. Illinois as far as Illinois being a dumping ground for eggs and his
24. direct quote was, don't buy this. These eggs that come in to the
25. institutions of the State of Illinois are inspected by and have a
26. Federal certificate of inspection on each case of them. The bakeries
27. buy only federally inspected eggs and so on. And in his provisions
28. he did say that there were some provisions that Illinois probably
29. with more inspectors in the local area markets might do a better job.
30. But to say that Illinois is where they dump all the cracks and rotten
31. eggs and so on, is strictly off base. Now I can give you the name of
32. the gentleman if you'd like to have it, but these are his exact quotes.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Soper.

2. SENATOR SOPER:

3. Thank you Mr. President. Senator Knuppel, would you answer a
4. few questions for me?

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. He indicates that he will.

7. SENATOR SOPER:

8. Senator, you know...you're a...you're acquainted, you're a horseman
9. and they have certain races in...in...in the racing society for horses,
10. that are foaled in Illinois, they are born or bred in Illinois. This
11. is an important question. Well, I'll tell you.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Excuse me gentlemen.

14. SENATOR SOPER:

15. Yeah.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. If we could have some order please. We're all coming back.

18. SENATOR SOPER:

19. Okay. Yeah. All right.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Now we're getting a little noisy. Senator Soper.

22. SENATOR SOPER:

23. Anyway, I think that maybe we should.... prescribe that only eggs
24. that are laid in Illinois can be sold in Illinois.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Knuppel.

27. SENATOR KNUPPEL:

28. Well, I'm sure that our eggs are just better than anybody else's
29. and that's one reason we want to inspect them coming in. They inspect
30. ours going out.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Is there further debate? The question is shall Senate Bill 364
33. pass. Those in favor vote Aye. Those opposed vote Nay. The voting

1. is open. Have all voted who wish? Take the record. On that question
2. the Ayes are 31 the Nays are 12. Senate Bill 364 having received a
3. constitutional majority is declared passed. There has been a request
4. for verification. The roll will be verified. Who has asked...Senator
5. Harber Hall has asked for verification of the affirmative votes, Senator
6. Hall? The affirmative votes. Secretary will call the affirmative votes.
7. SECRETARY:

8. The following voted in the affirmative; Brady, Bruce, Buzbee, Carroll,
9. Course, Daley, Demuzio, Donnewald, Dougherty, Egan, Kenneth Hall, Hickey,
10. Hynes, Johns, Joyce, Knuppel, Kosinski, Lane, Lemke, McCarthy, Morris,
11. Netsch, Nudelman, Palmer, Rock, Romano, Savickas, Vadalabene, Welsh,
12. Wooten, Mr. President.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Harber Hall questions Senator Romano's...Senator Romano
15. is on the Floor. Is Senator Egan within the bar? Senator Egan is
16. sitting in his seat. Are there any other gentlemen you question?
17. Is Senator Donnewald on the Floor? Senator Buzbee is here. Been
18. a question on Senator Donnewald. Is Senator Donnewald within the
19. bar? Remove his name from the roll call. Are there other gentlemen
20. you wish to question? On that question the Ayes are 30 the Nays are
21. 12. Senate Bill 364 having received a constitutional majority is
22. declared passed. Gentlemen, we've questioned Senator Romano's presence
23. once and he has...he is here. The bill is declared passed. Senate
24. Bill...gentlemen...gentlemen...Senator Partee.

25. SENATOR PARTEE:

26. Gentlemen this is the Senate. This is the Senate. This is the
27. Illinois State Senate. Will the members be in their seats.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Next bill will be Senate Bill 410, Senator Knuppel.

30. SECRETARY:

31. Senate Bill 410.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Senator Knuppel.
3. SENATOR KNUPPEL:
4. Senate Bill 410 is an anti-strikebreaker bill designed to prevent
5. the hiring of the prostitutes of the labor field which...
6. PRESIDING OFFICER: (SENATOR BRUCE)
7. Gentlemen, order please. Please, let's get back on the tracks.
8. Senator Knuppel.
9. SENATOR KNUPPEL:
10. All I want to do is get a little order so we can get on and all
11. we've had is a lot of discombobulation and...
12. PRESIDING OFFICER: (SENATOR BRUCE)
13. Senator Knuppel I'm trying to get you some order.
14. SENATOR KNUPPEL:
15. ...as Senator Partee says and if that's the way you guys want
16. it we'll keep it that way until midnight tomorrow night. I can't
17. hear anything...
18. PRESIDING OFFICER: (SENATOR BRUCE)
19. Gentlemen, we will get back on the track. Senate Bill 410,
20. Senator Knuppel.
21. SENATOR KNUPPEL:
22. Senate Bill 410 now reads, an Act prohibiting the recruiting and
23. hiring of persons who customarily and repeatedly offer themselves as
24. replacement for striking employees and providing penalties therefor,
25. and what the bill does is say that...that these kind of people cannot
26. be hired. Yesterday when we heard it, the second section had not been
27. ...had not been amended, it now provides also that its only those
28. who customarily and repeatedly offer themselves as replacements and
29. this must be a known hiring. They must knowingly hire such persons.
30. PRESIDING OFFICER: (SENATOR BRUCE)
31. Senator Graham.
32. SENATOR GRAHAM:
33. At the possible risk of having to get in a boxing ring, which I

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1. do not choose to do. I would like to remind the Illinois State Senate
2. in a most calm manner that this is a lousy bill and I suggest your
3. opposite vote.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Is there further discussion? Senator Fawell.

6. SENATOR FAWELL:

7. I...I'm sorry Senator I...I, so much has been happening that I
8. haven't been able to read carefully what has been put on my desk.
9. You...you did rectify Section 2?

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Knuppel.

12. SENATOR KNUPPEL:

13. Senator I did and as I say you...don't...don't be disturbed, I...I'm
14. completely harmless.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Fawell.

17. SENATOR FAWELL:

18. Yes. That Section 2 was taken care of so that...

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Knuppel has stated that Section 2 has been amended. Is
21. there further debate? The question is shall Senate Bill 410 pass.
22. Those in favor vote Aye. Those opposed vote Nay. The voting is open.
23. Have all voted who wish? Take the record. On that question the Ayes
24. are 32, the Nays are 12, none Voting Present. Senate Bill 410 having
25. received a constitutional majority is declared passed. Senate Bill
26. 285.

27. SECRETARY:

28. Senate Bill 285.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator McCarthy.

33. SENATOR MC CARTHY:

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1. Yes, Mr. President and members of the Senate. Senate Bill 285
2. as amended now reflects the final version of the raise of benefits
3. for the unemployed workers in the State of Illinois as fashioned by
4. generally this side of the aisle. What this bill does is provide
5. that people who are unemployed through no fault of their own shall
6. receive benefits based upon a formula. That formula being as follows;
7. if the individual is single and unemployed he receives fifty percent
8. of the State average...

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Excuse me, Senator McCarthy. Gentlemen are saying they cannot
11. hear. Senator Partee, as much as I hate to, I wonder if you could
12. break up your caucus, others on the Floor. Senator Wooten cannot
13. hear. Senator McCarthy.

14. SENATOR MC CARTHY:

15. Yes, Mr. President, it provides...and I believe these matters
16. were largely taken care of in the amendment on 2nd reading, but I
17. repeat it. It provides that the single, unemployed worker receives
18. benefits up to fifty percent of his wages, not to exceed the State
19. average, a weekly wage of covered employment under the Act, which
20. both sides have figured out at a hundred and eighty four dollars.
21. So the single individual would receive a maximum of ninety two dollars.
22. Married with a nonworking spouse, one hundred and eleven. A worker
23. with one or more dependents would receive a hundred and twenty three
24. dollars with one exception, and that is if the person was unemployed
25. and received wages up to two hundred and five dollars, he would receive
26. two thirds of that amount which would make the maximum benefits payable
27. under this Act a hundred and thirty five dollars. Now this can be
28. compared with the present system where the benefits range from sixty
29. seven dollars to a single up to a hundred and eighteen dollars for
30. the married, with four dependents. There...I think that is the
31. salient feature of the bill. I'd be glad to explain others or respond
32. to any questions, but if there are no questions I...and after the
33. questions are over I'd...I'd recommend this to this Body for acceptance.

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1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is there further discussion? Senator Graham.

3. SENATOR GRAHAM:

4. Mr. President and members of the Senate.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Graham, you've had a very quieting effect on the Senate,
7. please continue.

8. SENATOR GRAHAM:

9. My main opposition to this bill comes as no surprise to the
10. membership and certainly not to my respected colleague from Decatur,
11. with whom I have had many debates through the past eighteen years. I
12. had hoped that they would consider some amendments we offered to this
13. bill, which might help to preserve the economic climate in the State
14. of Illinois. Might be helpful to us in the preservation of jobs, the
15. encouragement to industry to stay here, but apparently Mr. Gilpin,
16. who sort of blew his top in a news release yesterday, has tempered
17. his opinion with regard to this bill or he has decided that it's no
18. longer necessary to take some of the people off the hook that are
19. obviously on it as a result of their promises to organized labor.
20. I made a statement, or several statements yesterday, with regard to
21. the number of businesses that had left this town, this State, one of
22. them who has decided to phase out in the City of Decatur. That's
23. putting it kindly. I made reference to the numbers of businesses
24. who had left and to the number of people who had left and to the
25. States to where they had gone and some young man asked me, staff or
26. someone, asked me where I got the figures and what authority I had
27. to quote those figures. The U.S. Department of Commerce gave me
28. the figures on business and workers. The personnel department of
29. General Electric gave me the figures on their jobs and strange as
30. it may seem, about all that they...the responsibility that they're
31. left in their hands now is to sign the paychecks. They don't have
32. much to say with what goes on in the plants cause the AFL and CIO
33. have taken over. But I did quote factually from those figures given

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1. to me by people who ought to know. Now a complete disregard for the
2. welfare and well-being of this State, due to the fact that this is
3. the unions year and we recognize it. A couple of years they'll probably
4. have to go to Mississippi cause their dues payment will be down a little
5. bit here. They still have failed to recognize the fact and respond to
6. the demands of the people who keep the economy of this State going, to
7. the extent that they have said, please don't establish a program that
8. will set up a system whereby we're paying people more to stay home than
9. to work or almost as much, because unfortunately our working force in
10. Illinois and the Nation now are not endowed with the strength and the
11. endeavor and the willingness that the forefathers of this great Country
12. had when they helped us to get where it is. Not only have they in the
13. attempt and it's not an attempt, I know this bill is going to pass, but
14. I'm going to tell you, you loyal worthies to the AFL and CIO and UAW...
15. you have not only obligated yourself to adopt a piece of legislation
16. that will run big business out of the State, you're going to run out
17. the backbone, you're going to break the back of this State. Those
18. people are the small businessmen and you're going to destroy them.
19. The barber, the butcher, the baker, the accounting firm. A little
20. department store with ten or twelve people. They made this Country
21. great, not the AFL or CIO, not GE, not those big companies, that guy
22. on the street. And finally we have gotten around to the point that
23. we're going to kill him, and we're doing it systematically. Gentlemen,
24. you people that are obligated to vote for this bill, this is your
25. record, I'm glad I don't have to be a part of it and I hope the people
26. in this side of the aisle listen to what I'm saying, and you would be
27. well advised to do the same.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Soper.

30. SENATOR SOPER:

31. Thank you, Mr. President. I...just want to say a few words on this
32. bill. I think I come from one of the most industrialized districts in
33. the State of Illinois. I have more industry in my district than any

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1. other senatorial district in this State. Now I know this is all being
2. recorded and maybe this is just like shooting...shooting...off a cannon
3. in the Grand Canyon, nobody's going to hear it on the other side. But
4. I'll...I'll bring this back to you so it haunts you later on. Now the
5. State of Wisconsin did exactly what you gentlemen and ladies or persons
6. on the other side are going to do today. And you know what's going to
7. happen, exactly what's happening in my district now. You know Hotpoint,
8. you know GE, they're going down to Lexington, Kentucky. Sunbeam hired
9. fourteen hundred people, now they have fourteen. They're closing and
10. they're phasing out and Sunbeam's partly in Chicago and partly...partly
11. in Cicero. They...they had a work force of the minority groups, not
12. only the Bohemians but the Latinos and the Blacks. They hire the
13. greatest minority...population around. Got Western Electric, Western
14. Electric had twenty eight thousand in that town, now we're down to
15. twelve thousand. Seco Steel closed its plant, three hundred thousand
16. square feet, and they're down in Alabama. Fourteen hundred and fifty
17. employees went down South. Now other plants are going to phase out
18. with this bill. If you think there's free milk and free lunch, you're
19. going to be awfully surprised. You're going to come in with bills
20. and you're going to invite industry to come in to this State like I've
21. seen bills come in here before, stupid bills which say industry should
22. come in and then you give the statistics as far as jobs are concerned
23. and how much money is generated and what that means in the way of
24. income tax and sales tax and we'll take the corporations and they'll
25. have no tax, no franchise tax, no social...no unemployment tax, no
26. real estate tax, we'll build a factory for them. That's the kind of
27. kooky bills you're going to come in with after you drive everybody out
28. of here. Wisconsin found out what they did, and they're getting the
29. factories back. There was one factory that came into Antioch, Illinois
30. from Wisconsin because the taxes drove them out of Wisconsin. What are
31. they doing now, Wisconsin saw the light of day and their error of their
32. ways, they're going back to Wisconsin, because we in the State of Illinois
33. have been very stupid. If there are...if there's no employment, no

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1. factories, no businesses, there are no jobs. If you're going to kill
2. the goose that lays the golden egg gentlemen, you'll live to regret
3. it. And if you want to be a friend to the working man, you better
4. think twice before you vote yes on this bill.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Merritt. Senator Merritt.

7. SENATOR MERRITT:

8. Oh, I thought he said Senator Harris, I...I'm sorry Mr... Mr.
9. President and members of the Senate. I just have one question I'd
10. like to ask of the sponsor to refute some statements that were made
11. to me last week. Some from my district, some from without my district
12. that stampeded my office, demanded so many things because they'd paid
13. for it. I tried to set the record straight, Senator McCarthy. Maybe
14. you'll help me set it straight right now. Correct me if I'm wrong,
15. aren't all these taxes that go into this fund paid by the employer?

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator McCarthy.

18. SENATOR Mc CARTHY:

19. Yes...yes, Senator Merritt. The total contributions made to the
20. Unemployment Compensation Fund are paid by the employer.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Merritt.

23. SENATOR MERRITT:

24. That...that's all I wanted to know. When I think, and I'm joined
25. in by people from not only this side of the aisle, members of our
26. commission, Senator Weaver, Senator Don Moore from this side of the
27. aisle, Senator Johns, Senator Dougherty, soon to be, has been many
28. years past, Senator Partee...for we have spent untold hours in hearings
29. trying to develop a climate, yes, a favorable economic and tax climate
30. in which our businesses can not only grow, prosper and expand, but which
31. we been...had a very enviable position in past years and we have the
32. figures to prove it, where we could attract industries from other States,
33. because we had that favorable tax climate. Well, I submit to you, and

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1. I'm not going to change anybody's vote, I think the die is cast, but
2. think about it well. We've already seen the exodus, I'm getting
3. quarterly reports out of the department right now and some of them are
4. staggering. The businesses are leaving this State and they'll continue
5. to until we wake up to the fact that you can't strangle and stifle
6. industry. You don't get jobs that way for people, you get them by
7. being better than the other states, offering tax incentives. That's
8. the way you make jobs in the State of Illinois. So go right ahead
9. gentlemen, make that vote that you've got to make and then suffer the
10. consequences afterwards and don't ask Governor Dan Walker to come to
11. us to create the jobs when...when the free enterprise system will
12. create them, but they won't with this type of tactic. Certainly oppose
13. this and hope that those will think twice before they make a vote.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Wooten.

16. SENATOR WOOTEN:

17. Thank you, Mr. President and colleagues. Disabuse yourself of the
18. notion that the UAW thinks this is a dandy bill or the AFL CIO. If you
19. think that giving them a cap which is less than the one which employers
20. themselves offered in a package, I think you're seriously mistaken.
21. If anything, we have tried to do a responsible job of compromise and
22. as you read in the papers the compromise has not been received with
23. much favor, nor do I think the compromise we will achieve tonight. We
24. keep talking about these things as if there is a simple answer, yes or
25. no, black or white, up or down. To suggest that the problems industry
26. is having has to do with unemployment compensation is just plain irre-
27. sponsible. There are many factors involved with difficulties that
28. various manufacturing and business concerns have. One of the worst
29. things you can do to a small business is to have people out of work
30. with no money to spend. We live in a credit economy. The guy down
31. on the corner who sells stuff on time has to be paid. And its the
32. guy working in the shop who's going to pay him. If he doesn't have
33. any money, it's all over. Small business is out, flat on its back.

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1. Don't weep about the small employer who has a relatively stable core
2. of employees. Let's face it, we're talking about the massive layoffs.
3. The big dislocations in major industry. Quit setting up a straw man
4. of the small business. Let's talk about the problem where it exists.
5. Now we have shown a touching concern today for the high insurance
6. premiums doctors pay. We are about to extend our largess to realtors
7. and contractors. I submit to you that these people come down here and
8. on very familiar terms tell us their problems and gain our sympathy
9. and get results. It's the working man who is seldom represented who
10. has to depend on us to think of him and remember his plight. And
11. as serious as these other problems are, gentlemen and ladies, unemploy-
12. ment is the name of the problem in this State. This is not a perfect
13. solution. In labor's eyes it's no good. In the eyes of business it's
14. no good, as one of my colleagues suggested today, when everybody's mad
15. at us maybe we've done something right. I submit to you that this is
16. not the answer labor wants. I think we could do better. But given
17. everything on balance, this is a good compromise. I think it absolutely
18. is worthy of support.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Harber Hall.

21. SENATOR HALL:

22. Mr. President, I would not feel right in my own mind if I did not
23. have a few words to say on this very important bill, Senate Bill 285.
24. And in doing so, I don't want to repeat some of the criticisms of this
25. bill that we've heard from others. And so I will take the opportunity
26. to quote a few words in this...from the Chicago Tribune of just one
27. week ago Sunday, May eleventh. Our competitive edge in world markets
28. has been deteriorating. During the 1960's we put a smaller share of
29. our money into capital investment than any other major free country.
30. Mr. President, it goes on - American productivity in the overall
31. economic growth was among the lowest. Our capital investment record
32. reflects the shortsighted emphasis we place on personal consumption
33. and government spending, as opposed to saving and capitol formation.

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1. New capital is needed, both to supply a growing work force with the
2. tools of production and to modernize existing plants. Well these words,
3. only a part of this editorial, Mr. President, tell me they've been spoken
4. by Secretary of the Treasury, they tell me that we as a country, not
5. only Illinois, where we're considering an important bill that has in
6. effect, the same effect as reflected here, but our entire country is
7. suffering from the selfitis of considering ourselves or our immediate
8. needs first rather than the long term, good economic implications of
9. what we do for the future. And this my friends, my fellow Senators,
10. Senate Bill 285 will have a long lasting effect on you and upon me and
11. upon your family and upon my family, as it pertains to Illinois business
12. and our personal financial welfare. I ask you to consider, have all
13. reasonable attempts been made to make this a fair bill with satisfactory
14. increases or is this a case of we have the power now, we're going to
15. exercise it, irrespective of who pays for it. I ask that this bill
16. be defeated.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Latherow.

19. SENATOR LATHEROW:

20. Thank you, Mr. President. I will be very brief. I would want to
21. recognize how fortunate you can be to come from a district that is
22. loaded with a mechanism of the farm machinery industry, where there
23. has been one of the fewest industries that has had the one and only,
24. if only, increase in production and in operation for years. Why don't
25. you take a look at the meat packing industry. Why don't you take a
26. look at the building industry. Why don't you take a look at the roller
27. bearing industry, which is in many of the areas. Why don't you take
28. a look also at the radio and so on industries and see where they are
29. and where yours are coming from. And this certainly is not caused
30. because of our good complexion here in the State of Illinois. I live
31. next to the Mississippi River, as I told you the other day, and I can
32. see what's going on just across the river and it's not because of the
33. climate in Illinois that they're trying to build on the other side, it's

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1. because of the good climate they have in the State of Iowa and the
2. State of Missouri. And I want to assure you it's not because of the
3. cost of the initial product as far as building is concerned, it's
4. because of the economic climate in that area on employment and such.
5. Many people in Illinois are going to Iowa to work and building in
6. Illinois. And I want to recognize along with that that maybe you'd
7. ought to take a second look before you cause such factories as Butler
8. Manufacturing Company, that some of us on the Floor are well acquainted
9. with, have said we are checking the State of Indiana, we're checking
10. the States of North and South Carolina with the intent to move. Take
11. a look at them before you put this burden on industry today and business.

(Continued on next page)

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1. PRESIDING OFFICER (SENATOR BRUCE):

2. Senator Mitchler. And Gentlemen, I have Senator Glass, Senator
3. Mohr, Senator Knuppel, Senator Partee on the list.

4. SENATOR MITCHLER:

5. Mr. President and members of the Senate, my father if he taught
6. me anything was to work, and I would like to read into the record
7. a little document that I think has some merit, and I would appreciate
8. your listening. After the War of the Almonds in the Land of
9. Kulumar...

10. PRESIDING OFFICER (SENATOR BRUCE):

11. What purpose does Senator Chew arise?

12. SENATOR CHEW:

13. Mr. President...

14. PRESIDING OFFICER (SENATOR BRUCE):

15. Senator Chew.

16. SENATOR CHEW:

17. A point of order here.

18. PRESIDING OFFICER (SENATOR BRUCE):

19. State your point.

20. SENATOR CHEW:

21. Senator is procrastinating on things that do not pertain to
22. the bill, and after his lengthy speech, I'll move the previous
23. question and I want it recognized.

24. PRESIDING OFFICER (SENATOR BRUCE):

25. When he concludes, you may make any motion that you so desire.
26. Senator Mitchler. Senator Rock, for what purpose do you arise?

27. SENATOR ROCK:

28. I would seek a ruling from the Chair. I believe I have a copy
29. of what the Gentleman has distributed. It...it is in no way germane
30. or relevant to the discussion of Senate Bill 285, and I would ask
31. the Chair rule it as such and rule him out of order.

32. PRESIDING OFFICER (SENATOR BRUCE):

33. The Senator will confine himself to the topic before the Senate.

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1. Senator Mitchler.

2. SENATOR MITCHLER:

3. For a Gentleman who has been in the minority for as long as
4. he has, it amazes me how he acts when he is in the...majority.
5. After the War of the Almonds, the Land of Kulumar was the richest
6. and most powerful of all. Its fields were bountiful and its grain-
7. eries were full. Its flocks were flat, fat...

8. PRESIDING OFFICER (SENATOR BRUCE):

9. Senator Mitchler, I will...Senator Mitchler, I will rule that
10. those comments are out of order and that you confine your remarks
11. to the bill before the Senate. For what purpose Senator Harris
12. arise?

13. SENATOR HARRIS:

14. I rise on a point of parliamentary inquiry.

15. PRESIDING OFFICER (SENATOR BRUCE):

16. State your point.

17. SENATOR HARRIS:

18. My point is that each member has five minutes with which to
19. debate the provisions of this bill, and there has been considerable
20. latitude applied, both pro and con, to the principles involved in
21. the provisions of this bill, and they are whether, in fact, unemploy-
22. ment compensation rates should be increased. Now, Mr. President, I
23. suggest that that has subjective evaluation, and summarily to rule
24. that the statements that Senator Mitchler who is recognized is not
25. going to speak in connection with the question of whether the public
26. good is served by an increase in unemployment compensation rates
27. with the matter that he wants to read into the record is, in fact,
28. germane, and that's my parliamentary inquiry.

29. PRESIDING OFFICER (SENATOR BRUCE):

30. Senator Harris...

31. SENATOR HARRIS:

32. Summarily you ruled without awareness of the point that Senator
33. Mitchler wants to make.

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1. PRESIDING OFFICER (SENATOR BRUCE):

2. Senator Harris, it has been my...

3. SENATOR HARRIS:

4. There have been other Senators who have had latitude allowed
5. to them.

6. PRESIDING OFFICER (SENATOR BRUCE):

7. Senator Harris, you have stated your point. The Chair, as I
8. sit here, has always allowed the Senate a great deal of latitude, but
9. when it is...when that...the comments are challenged, I am forced
10. to make a ruling. I would not wish to do that in normal circumstances.
11. It has come to pass, and because we have many speakers and that the
12. group is, frankly, a little testy tonight, the...the ruling of the
13. Chair was the comments were out of order. Now, I am trying to resolve
14. this for Senator Mitchler. If he really wishes to pursue the matter,
15. he can appeal the ruling of the Chair. I don't wish to get into
16. that matter. I would ask Senator Mitchler to use his discretion in
17. his comments, and...and make his remarks to Senate Bill 285 within
18. the wide domain that I have in the past followed. Senator...Senator
19. Partee, for what purpose do you arise?

20. SENATOR PARTEE:

21. I just don't know if anyone is going to make a motion to over-
22. rule the ruling of the Chair, but I want you to know that I am here
23. to make a motion that the ruling of the Chair be sustained.

24. PRESIDING OFFICER (SENATOR BRUCE):

25. Thank you, Senator Partee. Senator Mitchler, with those
26. comments in mind from both leaders, I would hope that you would
27. attempt to keep your remarks on point.

28. SENATOR MITCHLER:

29. You know, Mr. President and members of the Senate, sometimes
30. the truth hurts. What I want to point out, Mr. President and members
31. of the Senate, you live in a land of plenty and you have made your
32. plenty very plentiful, and look at yourselves - fat cats all of you.
33. You know, the greatest thing that worries me in this country is the

1. fact that lawmakers have succumbed to the will of those who do not
2. want to produce and they have found the way to the land of plenty
3. is through government, that by taxing themselves they can put them-
4. selves into the land of plenty. Contrary to the proven method that
5. if you work and produce, then and only then, you will have the
6. luxuries of life that you earned. Take a look at our country. You
7. better believe it we had immigration laws at one time until that
8. weak Congress succumbed and opened the doors and let in all the
9. riffraff who did not want to work and didn't want to produce, and
10. I talk about and praise those ethnic groups that made this country,
11. and many of you are proud of it sitting in these very Chambers. And
12. you know what? You're working and your people are working and you
13. know it to pay off for the nonworkers and the freeloaders that have
14. come and that's what this paper that I distributed is all about,
15. because there is no such thing as a free lunch and that's what labor
16. has brought to this General Assembly as they've taken to Washington.
17. And look at the Social Security - you got old people coming begging
18. to your doorway to increase Social Security for a few paltry pennies
19. that even if you double what you gave them wouldn't subsidize them,
20. and yet, lawmakers succumb to that, and you're going to succumb to
21. it tonight because they paid your way to the very seat that you sit
22. in so that you can become a fat cat and live in luxury. Be ashamed.
23. Be ashamed.

24. PRESIDING OFFICER (SENATOR BRUCE):

25. Senator Glass. Senator Glass.

26. SENATOR GLASS:

27. Is this mike...yeah. Thank you, Mr. President, Ladies and
28. Gentlemen of the Senate. I feel somewhat the way that others do.
29. The day has been long. A lot of people have spoken, but I would
30. feel remiss not to address this significant piece of legislation.
31. I don't think I've received more letters, phone calls, telegrams
32. with respect to any labor management bill since I've been in those
33. ...this Legislature, as I have on this Senate Bill 285 and House

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1. Bill 488. The employers of the State, and many of them are in my
2. district, are more concerned about the passage of this bill and
3. hope that it will not pass more than any other bill that we have
4. addressed since I have been in Springfield. Now, I...I think there's
5. good reason for that. The Chicago Tribune editorial of this morning
6. points out that between 1967 and 1972, Illinois has sustained a net
7. loss in employers of more than twenty employees of one hundred and
8. ninety-five firms. A net loss of eighty-seven thousand jobs.
9. Ladies and Gentlemen, we're not imagining this. We have sustained
10. losses of jobs, and certainly, we're in a difficult time of unemploy-
11. ment and times of recessions, but the way to get out of this kind
12. of a financial situation is not to heap additional taxes on business,
13. which is what this bill would do. Now, I...I would point out one
14. other factor that is important. Many of those who are unemployed, who
15. have been laid off by the United...are members of the United Auto
16. workers or the Steel Workers. These employees do have other benefits.
17. By being members of their unions, they're entitled to unemployment
18. benefits, supplementary unemployment compensation programs or sub-
19. funds, and these are expenses that are paid for by the employers.
20. This bill would increase by more than forty percent the benefits for
21. the unemployed. It isn't necessary. We have unemployment compensa-
22. tion that is adequate and it should be modestly increased, but
23. nothing to the magnitude of this bill. This will cause a four
24. hundred percent increase in the contributions of employers into the
25. Unemployment Compensation Trust Fund, which is practically bankrupt.
26. It's an unwise piece of legislation. I would urge its defeat. Thank
27. you.

28. PRESIDING OFFICER (SENATOR BRUCE):

29. Senator Morris. Senator Morris on the...Senator Knuppel.

30. SENATOR KNUPPEL:

31. I just want to say one thing. There was a member on the other
32. side of the aisle asked a question - have you tried to do anything
33. about this bill? I don't see him over there right now, but I assume

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1. he's over there some place, and I want to tell him I did, I offered
2. some amendments. I didn't see him offer any.

3. PRESIDING OFFICER (SENATOR BRUCE):

4. Senator Partee.

5. SENATOR PARTEE:

6. Mr. President and members of the Senate, debate...the debate
7. on this bill has been very interesting. I've heard people say that
8. people didn't want to work. I've heard people say that this is an
9. ethnic consideration. I don't believe that. This bill relates to
10. people who are unemployed, and I suggest to you that a white child
11. whose father does not have enough money to feed her when he's not
12. working, is just as hungry as a black child, or a yellow child, or any
13. kind of child. This isn't an ethnic consideration. This is a
14. people bill. Now, you...you've quoted tonight extensively from the
15. Chicago Tribune. The Tribune, just like you, in 1972 said Nixon's
16. the one, and let me tell you something. Nixon was the one that has
17. us in this position today. You talk, Senator Glass, about the
18. people in your district - employers, yes, employers. We play this
19. game every year. You call the...the Committee Industry and Labor.
20. We call it Labor and Industry. It's the same thing, but there's a
21. great deal of togetherness really between labor and industry and
22. between industry and labor. If everybody on this Floor had to vote
23. on whether labor would be downed, you wouldn't get over six votes.
24. If you got everybody on this Floor voting as to whether industry
25. should be downed, you wouldn't get anymore than that. You and I
26. know as sensible individuals that both labor and industry must thrive
27. in this country if we're going to live like human beings. You and
28. I know that we give our money to things like the Red Cross. So, if
29. a man's house is burned and he is without money, he doesn't come
30. into your house that night and take yours. You and I know that this
31. is what we do in this country. We structure it along lines where
32. some people can work and others can work them. We structured along
33. lines of...of help to people who need help at times of help, because

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1. if you don't give help to people at times when they need help, they
2. are not going to do anything other than take it from you. People are
3. not going to just sit and watch us drive by and have their children
4. starve. Now, let me suggest something to you. Labor and industry
5. does not have the kind of dichotomy that's been suggested here today.
6. There are...Republican lawyers who represent labor, and Democratic
7. lawyers who represent industry, and Democrats who own industrial
8. plants. It's not that kind of a thing. We're talking about not...
9. Democrats, not Republicans, we're talking about people - people who
10. need to be helped during the period of time when they are unemployed.
11. What we are giving in this bill is not what labor wants. Labor saw
12. thirty-four Democrats here, and said we have the horses - sock it
13. to them. We're not going to do that because we are reasonable people.
14. We are people who know and recognize that both industry and labor
15. must survive if America is to survive and if Illinois is to...to
16. survive. We passed an amendment yesterday which was less than fitting
17. to those who are unemployed. We altered it today and it won't
18. destroy business. It won't help labor to the point that they want
19. to be helped. We're sort of in the middle.

20. PRESIDING OFFICER (SENATOR BRUCE):

21. Senator Partee, your time has expired.

22. SENATOR PARTEE:

23. ...Industry thinks that we ought to destroy them and they
24. should know better. Labor thinks we're not doing enough for them
25. and they ought to...know better. What we are doing is what we
26. think is right and best for people who are unemployed, and perhaps
27. after '76 when we get another President in the White House, we can
28. structure some programs so we won't have these kind of arguments
29. and hassles on the Floor, where there will be some jobs for people.

30. PRESIDING OFFICER (SENATOR BRUCE):

31. Senator Harris.

32. SENATOR HARRIS:

33. Mr. President, I rise to point out what I think is really the

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1. basic issue in the consideration of Senate Bill 285, but before I
2. put that point before the group, I would like to know whether the
3. Senator sponsoring this bill would respond to two questions.

4. PRESIDING OFFICER (SENATOR BRUCE):

5. Indicates that he will yield.

6. SENATOR HARRIS:

7. Senator McCarthy, what is the position of the Illinois Depart-
8. ment of Labor, in connection with the consideration of Senate Bill
9. 285?

10. PRESIDING OFFICER (SENATOR BRUCE):

11. Senator McCarthy.

12. SENATOR McCARTHY:

13. I have been...I have been informed that the Illinois Department
14. of Labor favors this legislation.

15. PRESIDING OFFICER (SENATOR BRUCE):

16. Senator Harris.

17. SENATOR HARRIS:

18. Thank you. What is the position of the Illinois Department of
19. Business and Economic Development in connection with the considera-
20. tion of Senate Bill 285?

21. PRESIDING OFFICER (SENATOR BRUCE):

22. Senator McCarthy.

23. SENATOR McCARTHY:

24. I have not ascertained that information. I do have the infor-
25. mation as to the Chief Executive of the State and that being one
26. branch of the Executive Branch of our government, and the Chief
27. Executive of the State is in favor of this bill. So, but I didn't
28. make a specific inquiry to BED.

29. PRESIDING OFFICER (SENATOR BRUCE):

30. Senator Harris.

31. SENATOR HARRIS:

32. The Chief Executive, of course, being Governor Dan Walker, so
33. that the record is unmistakably clear. Well, I want to point out,

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1. Senator McCarthy and to my colleagues of the Senate, that I think
2. that truly is the issue. The issue is Illinois vis-a-vis the
3. remaining forty-seven continental states. We are in a marvelous
4. system of competition, of productive capacity to serve the needs of
5. all of the consumers of these two hundred million people in the
6. United States. Of course, we have customers in Hawaii and Alaska,
7. but primarily our competitive relationship is vis-a-vis the other
8. forty-seven states. And of course, there is immediate concern for
9. every person that is temporarily unemployed in Illinois. Vis-a-vis
10. the temporarily unemployed in the other forty-seven states, but the
11. long-run issue is the permanent, healthy, economic climate to provide
12. job expansion and job permanence in Illinois. Today Illinois stands
13. second or third in its level of benefit to the unemployed in
14. America. This bill will make us number one, and those are built-in
15. production costs. Now, if we want to continue to export jobs, go
16. ahead. If you want to buy temporary compassion and trade that for
17. permanent misery, go ahead. It's not a question of ethnic relation-
18. ships, Senator Partee, it's a question of permanent, economic
19. viability in Illinois. Vis-a-vis the other forty-seven states.
20. That's the issue. And if you want to hand string Illinois, if you
21. want to handcuff us on a permanent basis, go ahead, but if we're
22. going to appropriate money to the Department of Business and Economic
23. Development to procure, to entice, to build within Illinois economic
24. capacity, then reject Senate Bill 285.

25. PRESIDING OFFICER (SENATOR BRUCE):

26. Senator Berning.

27. SENATOR BERNING:

28. Thank you, Mr. President. I would be shirking my responsibility
29. as a representative of the 32nd District if I did not rise to raise
30. my voice in protest over this bill, and I exhibit to you just a few
31. of the many, many letters I have received as most of you have. I
32. think next to ERA, this has generated more mail than anything else,
33. and not just from businessmen but from people who work for a living,

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1. and let me just read to you one person's last comment when he's
2. pleading for the retention of business he says - don't add my
3. name to the unemployment role. I think that's really what 285
4. is ultimately going to get around to. We can talk all we want
5. about whether or not this is good or bad for people, but if people
6. are out of work and we don't have the revenues to continue to
7. support them, then it all becomes academic and we will be as this
8. little missive seemed to indicate, and as we can validate from the
9. history of the circuses in Rome, ultimately, when people don't work,
10. the country doesn't survive. And let me just conclude by saying,
11. Gentlemen, I have as much compassion as anyone for that person who
12. is desperately in need, but I think the person who works and earns
13. substantial income ought to be downright ashamed, absolutely ashamed
14. to come with his hand out in less than thirty days, or sixty days, or
15. ninety days, or perhaps more depending on his income. We have des-
16. troyed the concept of thrift and planning for our own best interests
17. among many of our people, and I think that's unfortunate, and this
18. bill compounds that. We don't want people to look out for themselves.
19. Yes, work if there's a job, if there isn't, you will live equally
20. as well as if you were working. That is very sad.

21. PRESIDING OFFICER (SENATOR BRUCE):

22. Senator Palmer.

23. SENATOR PALMER:

24. Mr. President and members of the Senate, since I have asked to
25. speak, there has been quite a bit of oratory here, and I'm a little
26. befuddled as to what I originally wanted to say, but I did notice
27. that the Gentlemen on the other side, the guardians who...of
28. industry and business seem to be all expressing the same viewpoint,
29. and it...it reminds me, it seems to be the way our...our Senator
30. Knuppel in his real quiet way refers to Republican philosophy and...
31. and then you do nothing about it. What I'm trying to say is like
32. your...your President Ford says there's a high rate of unemployment,
33. and he says the reason for that is there's too many people out of

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1. work and what...what do you do about it. All he says wear a WIN
2. button. Then he also says that he notes that the number one enemy
3. of this country is inflation, and his reason for that he says prices
4. are too high. What did he do about it? You know his first approach
5. to that was to raise taxes. And then there was another scene when
6. he appointed Nelson Rockefeller to the Vice-Presidency and when they
7. were interviewing him as to his qualifications, they...they asked
8. him what his net worth was, and he said thirty-four million dollars.
9. Now, the very...the next week, in answer to that very, very same
10. question, he said...

11. PRESIDING OFFICER (SENATOR BRUCE):

12. Senator Harris, for what purpose do you arise?

13. SENATOR HARRIS:

14. Well, I rise to raise the point that was raised about Senator
15. Mitchler's comment.

16. PRESIDING OFFICER (SENATOR BRUCE):

17. Senator...well...they're well taken.

18. SENATOR HARRIS:

19. I believe the Senator is no more germane than Senator Mitchler
20. was.

21. PRESIDING OFFICER (SENATOR BRUCE):

22. Senator Palmer, you will confine your remarks to Senate
23. Bill 285.

24. SENATOR PALMER:

25. As they say in court, I will tie it in, Senator Harris.
26. In one week he answered thirty-four million, then the...the next
27. week to the very same question, he answered a hundred and seventy-
28. six million.

29. PRESIDING OFFICER (SENATOR BRUCE):

30. Senator Harris.

31. SENATOR PALMER:

32. I submit that that he...

33. SENATOR HARRIS:

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1. Mr. President...Mr. President.

2. PRESIDING OFFICER (SENATOR BRUCE):

3. Senator Harris, for what purpose do you arise?

4. SENATOR HARRIS:

5. I would respectfully request that you construe the same narrow
6. ruling that you did in connection with Senator Mitchler in regard
7. to the comments by Senator Palmer, and you know, nobody loves
8. Benny more than I, but the fact is that if you're going to deny
9. latitude to Senator Mitchler...

10. PRESIDING OFFICER (SENATOR BRUCE):

11. Senator Harris. Senator Harris.

12. SENATOR HARRIS:

13. ...you should deny latitude to Senator Palmer.

14. PRESIDING OFFICER (SENATOR BRUCE):

15. Senator Harris, Senator Palmer has stated he will conclude.

16. SENATOR PALMER:

17. Senator Harris...

18. PRESIDING OFFICER (SENATOR BRUCE):

19. Your time has expired, Senator Palmer.

20. SENATOR PALMER:

21. Thank you very much. You defended Senator Mitchler, please
22. defend me now. No, what I was trying to bring out is this philo-
23. sophy that...

24. PRESIDING OFFICER (SENATOR BRUCE):

25. Senator Palmer, your time has expired. Senator...Senator
26. Nimrod. Senator Harris.

27. SENATOR HARRIS:

28. I want to tell Senator Palmer that my fee is thirty-four
29. million dollars.

30. PRESIDING OFFICER (SENATOR BRUCE):

31. Senator Nimrod.

32. SENATOR NIMROD:

33. Yes, Mr. President and Ladies and Gentlemen of the Senate, I

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1. think the...

2. PRESIDING OFFICER (SENATOR BRUCE):

3. Excuse me. Can we have some order, Gentlemen. Senator Nimrod.

4. SENATOR NIMROD:

5. The question is not jobs. Jobs for people is not the issue.

6. I would...

7. PRESIDING OFFICER (SENATOR BRUCE):

8. Senator Palmer, for what purpose do you arise?

9. SENATOR PALMER:

10. A point that Senator Hall, Harber Hall brought up, and then
11. I'll finish, but I want to bring up...

12. PRESIDING OFFICER (SENATOR BRUCE):

13. Senator Palmer, your time has expired. We've...

14. SENATOR PALMER:

15. Since...I'd like to ask ever since when...when...when somebody
16. gets up and says that somebody is out of order that his...he's...
17. his time is terminated. Can he change his line of discussion?

18. PRESIDING OFFICER (SENATOR BRUCE):

19. Senator Palmer, the timer indicates to the Chair that your
20. time is expired.

21. SENATOR PALMER:

22. I have not...I have not finished. My time is...

23. PRESIDING OFFICER (SENATOR BRUCE):

24. The red light was on. The...the question of your relevancy
25. was moot when Senator Harris raised his second point. Senator
26. Nimrod may continue.

27. SENATOR NIMROD:

28. Now, Mr. Chairman, so we don't have a...Mr. President, can we
29. start the clock over since I haven't had a chance to start here?

30. PRESIDING OFFICER (SENATOR BRUCE):

31. Gentlemen, I...I would only point out, Senator Nimrod, that
32. fifteen Senators have spoken, and if you could be brief, the Chair
33. would appreciate it and I'm sure other...other Senators would also.

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1. SENATOR NIMROD:

2. I will be brief. I will be brief. Mr. President and Ladies
3. and Gentlemen of the Senate, as I started to say, jobs for the
4. people are not the issue in this particular question. At the turn
5. of the year here, I visited a country with Northwestern University,
6. and I went to a country where everybody works, everyone has a job.
7. The only thing is they don't have much choice as to where they work.
8. They don't have much choice as to how much they earn, and they don't
9. have to worry about anything else. The government does it all for
10. them. The government provides their home. The government provides
11. their jobs. The government tells them when they can work or where
12. they can go and how they can live. I had a chance to visit with
13. these people, see their homes and see their life, and I can only tell
14. you that jobs are not the issue. There's no reason for anyone to
15. starve in this country. You know, when I left the service the first
16. time, I can tell you that when I was...came home, the Fifty-Two
17. Twenty Club was a disgrace to be a part of. I can tell you that my
18. father used to feel ashamed to consider ever going onto Public Aid
19. if he could possibly stay at work, and I can tell you that every
20. American who was out of a job, always used to provide a little
21. security for himself. Now, there's no reason for anyone to starve,
22. and we shouldn't be providing those handouts when the time comes and
23. a man is off his job, he ought to be out looking for a job. He ought
24. to be willing to take less. He ought to be able to make some sacri-
25. fices and work for his family. I think that...that we've lost that
26. kind of incentive and that kind of backbone, and when we lose that,
27. we've lost the American way of life. I can only tell you that by
28. providing and make it easier for people to not work than go to work
29. and find that they can stay home for not only fifty-two weeks, but
30. adding twenty-three or sixteen more weeks to it...

31. PRESIDING OFFICER (SENATOR BRUCE):

32. Your time is expired, Senator Nimrod.

33. SENATOR NIMROD:

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1. ...there's a problem. Now, let me close with this - this
2. bill has no consent with business, has no consent with people. It's
3. not interested in anything but taking care of making some satisfac-
4. tion for those who have seeked to think that they're entitled to it.
5. We are reasonable people, and we should work together. Industry and
6. labor working together have made this country great, and...one or
7. the other working by themselves will certainly be the ruination, and
8. this is a step in that direction.
9. PRESIDING OFFICER (SENATOR BRUCE):

10. Is there further debate? Senator...Senator Lemke.
11. SENATOR LEMKE:

12. Just the brief thing. I'm taking exception to some of these
13. people that talk about the ethnics. When we came to this land, my
14. grandparents and many of our ethnics here, Irish, Mexican, Bohemian,
15. Polish, we came to a land that was occupied where most of the industry,
16. most of the railroads was owned by big money in England. It wasn't
17. until World War I till we freed ourself of these shackles of economic
18. disgrace to the United States and gave the industry in this country
19. to the Americans, and if it wasn't for us, as ethnics, working and
20. sticking together, there would be no labor unions and there'd be no
21. craft unions. We built this country, and we provided these laws for
22. unemployment compensation, workmen's compensation, we provided these
23. laws through the reluctance of those, and I can remember going out to
24. certain parts of people that spoke here into their places where we
25. were called honkies and Krauts and Dagoes, and we were discriminated
26. against, but we stuck together to build these and to get these laws
27. on the books and to boost the...the working man's wage in this
28. country, and it was these people that fought us, and it was us that
29. stuck together to get what we have now and something to improve it,
30. and I take exception with people that say there's people that want to
31. be on unemployment compensation that don't want to work. These people
32. want to work, but when industry, big industry, don't give a damn about
33. the working man in my community and move their butts off to the

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1. suburbs because they can get tax advantages, or move them out to
2. another State and put out guys that dedicated their life to indus-
3. tries, and I can name them, where the owners of those industries
4. just merged with big corporations and forgot about their people that
5. dedicated lives of thirty, forty years and put them on a layoff and
6. put them out of work, I can't go along with any...thing you talk
7. about, let's talk about the ethnics. Well, let's talk about the
8. ethnics. We're here to talk about the ethnics, and maybe we can
9. include everybody in that ethnic group because all of us came from
10. that land, and we were discriminated when we got here, and let's
11. talk about communities. Who built these communities? We and the
12. Bohemian...Soper could say this, he can talk about the ethnics, but
13. we and the Czechs and the Polish organizations, if it wasn't for us
14. sticking together and building these unions and these trade unions,
15. there would be no unions, and we'd still be working for slave labor.
16. We'd still be getting ten cents an hour and working sixteen hours a
17. day and looking for a washroom to go to...to clean up in or to do
18. what nature calls for...

19. PRESIDING OFFICER (SENATOR BRUCE):

20. Your time has expired.

21. SENATOR LEMKE:

22. ...and it's through these unions, and I say let's vote for this
23. unemployment compensation and let's give the working man a fair
24. shake of the economy.

25. PRESIDING OFFICER (SENATOR BRUCE):

26. Senator McCarthy may close the debate if he so desires. Been
27. a request for a roll call. The question is shall Senate Bill 285
28. pass. Those in favor vote Aye. Those opposed vote Nay. The voting
29. is open. Have all voted who wish? Have all voted who wish? Take
30. the record. On that question, the Ayes are 34, the Nays are 24.
31. Senate Bill 285 having received a constitutional majority is declared
32. passed. Senator Carroll.

33. SENATOR CARROLL:

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1. Mr. President, in voting on the prevailing side by which Senate
2. Bill 285 passed, I now move that the vote be reconsidered.

3. PRESIDING OFFICER (SENATOR BRUCE):

4. Senator Carroll has moved to reconsider the vote by which
5. Senate Bill 285 passed. Senator Harris, for what purpose do you
6. arise?

7. SENATOR HARRIS:

8. I just want to...before you put that motion and that motion is
9. in order, I want a verification. I do not think...

10. PRESIDING OFFICER (SENATOR BRUCE):

11. There's been a request for a verification. The Secretary will
12. verify the affirmative votes. Will the members please be in their
13. seats. The Secretary will read the affirmative votes.

14. SECRETARY:

15. The following voted in the affirmative:

16. Brady, Bruce, Buzbee, Carroll, Chew, Course, Daley, Dcmuzio,
17. Donnewald, Dougherty, Egan, Kenneth Hall, Hickey, Hynes, Johns,
18. Joyce, Knuppel, Kosinski, Lane, Lemke, McCarthy, Morris, Netsch,
19. Newhouse, Nudelman, Palmer, Rock, Romano, Savickas, Smith, Vadalabene,
20. Welsh, Wooten, Mr. Secretary...I mean Mr. President.

21. PRESIDING OFFICER (SENATOR BRUCE):

22. Senator Harris.

23. SENATOR HARRIS:

24. Is the Secretary on the Floor?

25. PRESIDING OFFICER (SENATOR BRUCE):

26. He certainly is. The roll call has been verified, and the Ayes
27. are 34, the Nays are 24. Senate Bill 285 having received a constitu-
28. tional majority is declared passed. Senator Carroll moves to recon-
29. sider the vote by which Senate Bill 285 passed having voted on the
30. prevailing side. Senator McCarthy moves to lie that motion upon the
31. Table. All those in favor say Aye. All Opposed. Motion is adopted...
32. motion is Tabled. Senate Bill 1300. For what purpose Senator Chew
33. arise?

1. SENATOR CHEW:

2. I assume this would be a point of personal privilege.

3. PRESIDING OFFICER (SENATOR BRUCE):

4. State your point.

5. SENATOR CHEW:

6. It's obvious that if you don't have a little humor in the long
7. hours of which we work, it does get boring. I think Senator Graham
8. today touched on a very, very important subject. Apparently some
9. of our members have not received the message. I don't mind working
10. to accomplish what we set out to do. It's obvious that when we
11. bring a program to the Floor, we aren't stupid enough to bring it
12. without having sufficient votes to pass it and go on to other work,
13. and at this point, I've got to accuse some of my colleagues to my
14. right of using methods of delaying our work. I have the greatest
15. admiration for Senator Harris, of any man could admire another. He,
16. too, has joined in this dilly dilly knowing very well that it's just
17. merely a delaying tactic.

18. PRESIDING OFFICER (SENATOR BRUCE):

19. Senator Partee.

20. SENATOR CHEW:

21. I would ask all...

22. SENATOR PARTEE:

23. Mr. President...

24. PRESIDING OFFICER (SENATOR BRUCE):

25. For what purpose Senator Partee arise?

26. SENATOR PARTEE:

27. I want to tell my friend, Senator Chew, just something that my
28. old mother told me - when we win, we don't gloat, and when we lose,
29. we don't cry, but you're gloating.

30. PRESIDING OFFICER (SENATOR BRUCE):

31. ...You've made your...point, Senator Chew. Senate Bill 1300,

32. Mr. Secretary.

33. SECRETARY:

1. Senate Bill 1300.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER (SENATOR BRUCE):

5. For what purpose does Senator Harber Hall arise?

6. SENATOR HALL:

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

8. PRESIDING OFFICER (SENATOR BRUCE):

9. State your point.

10. SENATOR HALL:

11. The distinguished Senator from Chicago, Senator Chew, reflected
12. on many people to the right of him, and I believe I'm to the right
13. of him, and he referred to the conduct of many members in the Repub-
14. lican Party who commented in debate on the Floor of this Senate Body.
15. I think he was completely out of order. I would point out to the
16. members of the Senate that every member of this Senate has a right
17. to speak his mind on any issue he so desires so long as...as it is
18. a matter before the Senate. I also would point out, Mr. President,
19. that the newspapers who report the proceedings that occur on the
20. Floor of the Senate do so as conscientiously as they are able, and on
21. important matters of public policy and action by this Body, they
22. should and they do report the feelings and the expressions of members
23. of the Senate. And accordingly, I would like Senator Chew to know
24. that I resent his attempt to restrict any conversation that I might
25. have on a matter before the Senate on the previous bill or on any
26. other bill.

27. PRESIDING OFFICER (SENATOR BRUCE):

28. Senator Hall...Senator Hall. If you will conclude, and the
29. Chair will appreciate. Senator Don Moore.

30. SENATOR MOORE:

31. Thank you, Mr. President, members of the Senate. I would like
32. consent of the Senate to discuss 13...or Senate Bills 1300, 1301 and
33. 1302 at the same time. They all deal with the same subject matter,

1. that of State's Attorney salary increases. Is there leave, Mr.
2. President?

3. PRESIDING OFFICER (SENATOR BRUCE):

4. Do you also include that leave to bring Senate Bill 1302 from
5. Postponed Consideration, consider them all in one package? Is
6. there leave? Leave is granted. Senate Bill 1300. Senator Moore.
7. SENATOR MOORE:

8. Thank you, Mr. President. Senate Bill 1300 increases the
9. salary of the State's Attorneys as follows - State's Attorneys in
10. counties containing less than thirty thousand population, twenty-
11. five thousand, five hundred; State's Attorneys in counties of thirty
12. thousand or more inhabitants and less than one million inhabitants,
13. forty-two thousand, six hundred dollars. The State shall furnish
14. thirty-three and one...pardon me, the State shall furnish sixty-six
15. and two-thirds. The county shall furnish thirty-three and a third
16. of the total amount of the compensation paid, and these amounts shall
17. be paid on a monthly basis. Senate Bill 1301 reiterates the same
18. salary schedule and sets forth that the...the State shall pay sixty-
19. six and two-thirds of the total amount of the compensation to be
20. paid. Senate Bill 1302 increases the salary of the State's attorney
21. in Cook County to fifty thousand dollars. Those are the three bills
22. in sum and substance. After inquiring from Senator Wooten, I believe
23. there are sixty-eight of the counties that will cost less monies, or
24. at a maximum, five hundred dollars of the county share. By and large,
25. the State is picking up a larger...segment of the salary of these
26. State's Attorneys. I'd...

27. PRESIDING OFFICER (SENATOR BRUCE):

28. Is there further discussion? Senator Rock.

29. SENATOR ROCK:

30. Thank you, Mr. ...thank you, Mr. President and Ladies and Gentle-
31. men of the Senate. I rise in support of 1300, 1301 and 1302. For the
32. benefit of the members on this side, I have spoken with the president
33. of our county board and he has absolutely no objection to this bill.

1. I would urge a favorable support.

2. PRESIDING OFFICER (SENATOR BRUCE):

3. Senator Schaffer.

4. SENATOR SCHAFER:

5. Well, I'd just like to comment that while this particular bill
6. adds only a small expense to county government, I believe in my
7. county an extra five hundred dollars a year, that when you raise
8. the salary of one elected official, in...in this case the State's
9. Attorney, in my county to forty-two five, you automatically put
10. pressure on the county officials for higher salaries for the assis-
11. tant State's Attorneys. You automatically provide the groundwork
12. for additional pay raises for those officials of the State, does not
13. subsidize, and in effect, you indirectly and very definitely have an
14. impact on the county finances. So, once again we're doing something
15. that if not directly, very indirectly, is going to put more and more
16. pressure on county revenue sources which, as we all know, are already
17. depleted. I think if we want competent State's Attorneys, we're
18. certainly going to have to compensate them. So, let's all recognize
19. that, once again, even if it is only indirectly, we're putting more
20. pressure on county government's finances.

21. PRESIDING OFFICER (SENATOR BRUCE):

22. Is there further debate? The question is shall Senate Bill...
23. Senator Latherow.

24. SENATOR LATHEROW:

25. Well, I...Mr. President, I'd just like to clear my hearing just
26. a little and ask a question. Did I understand you, Senator Moore,
27. to say that the county cost was going to be thirty-three and one-
28. third percent?

29. PRESIDING OFFICER (SENATOR BRUCE):

30. Senator Moore.

31. SENATOR MOORE:

32. That is correct. The county share is thirty-three and a third.
33. The State's share is sixty-six and two-thirds.

1. PRESIDING OFFICER (SENATOR BRUCE):

2. Senator Latherow.

3. SENATOR LATHEROW:

4. In the case of a county over thirty thousand with forty-two
5. thousand, six hundred dollars, is this print out sheet that appar-
6. ently you've put out, is it correct?

7. PRESIDING OFFICER (SENATOR BRUCE):

8. Senator Moore.

9. SENATOR MOORE:

10. I'm sorry. Would you repeat that question, Senator. I didn't
11. understand you.

12. SENATOR LATHEROW:

13. Well, I have...

14. PRESIDING OFFICER (SENATOR BRUCE):

15. Senator Latherow.

16. SENATOR LATHEROW:

17. ...I have a print out sheet that apparently has been put out by
18. someone who has 130...1300, 01 and 02 on it, and it says that in
19. counties paying forty-two five that the county's share would be
20. twenty thousand five, and the State's contribution would be twenty-
21. two thousand. Is that correct?

22. PRESIDING OFFICER (SENATOR BRUCE):

23. Senator Don Moore.

24. SENATOR MOORE:

25. No, Sir. That was prior to the amendments that were placed on
26. the bill, Senator. You can take the...across the board, you can take
27. the twenty-five thousand five hundred and divide that by three, that
28. is what the county will pay. If the county has a population in excess
29. of thirty thousand but less than one million, you can take one-third
30. of forty-two thousand, six hundred.

31. PRESIDING OFFICER (SENATOR BRUCE):

32. Senator Latherow. Is there further debate? Well...Gentlemen, I
33. will point out that three Senators have now sought recognition. It

1. would be far from the Chair to cut off debate, but we are going to
2. be here all night if each Senator wishes to speak on each bill.
3. Senator Wooten.
4. SENATOR WOOTEN:
5. Just to sing the refrain we had when fewer members were here, that
6. I'm opposed to this bill. It's going to cost Henry County an additional
7. seven grand, same thing for Whiteside, not as much for Rock Island,
8. but I'm not all enamored with raising the State's Attorney's salary,
9. and I oppose the bill.
10. PRESIDING OFFICER (SENATOR BRUCE):
11. Senator Philip.
12. SENATOR PHILIP:
13. Yes, will the sponsor yield for a question?
14. PRESIDING OFFICER (SENATOR BRUCE):
15. Indicates he will yield.
16. SENATOR PHILIP: .
17. Yes, Senator Moore, are you going to raise the salary of the
18. State's Attorney in Cook County to fifty thousand dollars a year?
19. PRESIDING OFFICER (SENATOR BRUCE):
20. Senator Moore.
21. SENATOR MOORE:
22. That is correct. That is in Senate Bill 1302.
23. PRESIDING OFFICER (SENATOR BRUCE):
24. Senator Philip.
25. SENATOR PHILIP:
26. Yes, I'd like to speak to that. Do you realize when we raised
27. the salary of the State's Attorney in Cook County to fifty thousand
28. dollars a year that the Governor of Illinois only makes fifty thousand
29. dollars a year, the Attorney General for the State of Illinois only
30. makes forty-two five a year, and if that...if that isn't out of order,
31. friends, I don't know what is.
32. PRESIDING OFFICER (SENATOR BRUCE):
33. Senator Harris.

1. SENATOR HARRIS:

2. Well, Mr. President, I want to point out that I think this series
3. of bills do make sense and ought to be supported. Particularly, the
4. downstate counties are having an extremely difficult time, and we have
5. now worked out a reasonable compromise that provides for a cut off of
6. the opportunity to practice law in those counties of thirty thousand
7. and above. Below that, they will continue to be able to practice law
8. at a reasonable stipend, but the fact is that the people's attorney
9. must have reasonable compensation in order to attract the kind of
10. quality to represent the people in their interests as the public
11. defender, the...I'm sorry, the public prosecutor and that person advis-
12. ing the county boards. This is extremely a difficult problem in the
13. smaller counties. This will not be effective, of course, for an addi-
14. tional two years. I think we are moving in a sensible and responsible
15. scale here, creating now a three classification system. Those counties
16. of thirty thousand and below, those counties between thirty thousand
17. and one million, and then, of course, the single county of Cook. The
18. three bill series, I think, are reasonable and should be supported.
19. PRESIDING OFFICER (SENATOR BRUCE):

20. The question is shall Senate Bill 1300 pass. Those in favor
21. vote Aye. Those opposed vote Nay. The voting is open. Have all
22. voted who wish? Take the record. On that question, the Ayes are 29,
23. the Nays are 21, 1 Voting Present. Senate Bill 1300 having failed to
24. receive a...move to postpone. 1301 is placed on the order of Postponed
25. Consideration. Senate Bill 1301. Senate Bill 1301 is the next bill
26. in the series. Read the bill, Mr. Secretary.

27. SECRETARY:

28. Senate Bill 1301.
29. (Secretary reads title of bill)
30. 3rd reading of the bill.

31. PRESIDING OFFICER (SENATOR BRUCE):

32. Senator Moore, we've asked leave to discuss these bills as a unit,
33. so I think we will limit the debate. We can handle this quickly.

1. Senator Moore.

2. SENATOR MOORE:

3. What this bill does is set up the State's share of the compensa-
4. tion of the State's Attorneys that the State shall pay two-thirds of
5. the amount...the total amount of the compensation paid to the State's
6. Attorneys in the State of Illinois. I'd appreciate a favorable roll
7. call.

8. PRESIDING OFFICER (SENATOR BRUCE):

9. Is there further debate? The question is shall Senate Bill 1301
10. pass. Those in favor vote Aye. Those opposed vote Nay. The voting
11. is open. Have all voted who wish? Have all voted who wish? Take the
12. record. On that question, the Ayes are 30, the Nays are 17, none Voting
13. Present. Senate Bill 1301 having received a constitutional majority
14. is declared passed. There's been a request for a verification. Call
15. of the affirmative votes. Mr. Secretary, if you will call those who
16. voted in the affirmative.

17. SECRETARY:

18. Those voting in the affirmative were:

19. Senator Brady, Chew, Course, Daley, Davidson, Demuzio, Donnewald,
20. Dougherty, Egan, Kenneth Hall, Harris, Hynes, Knuppel, Kosinski, Lane,
21. Lemke, Mitchler, Moore, Howard Mohr, Don Moore, Nimrod, Nudelman,
22. Palmer, Philip, Rock, Schaffer, Shapiro, Smith, Soper, Vadalabene,
23. Mr. President.

24. PRESIDING OFFICER (SENATOR BRUCE):

25. Is Senator Donnewald within the bar? Senator Donnewald is in the
26. Chamber. Are there any other Senators whose presence is questioned?
27. The roll call has been verified. On that question, the Ayes are 30,
28. the Nays are 17, those Voting Present are none. Senate Bill 1301
29. having received a constitutional majority is declared passed. Senate
30. Bill 1302. Senator Moore.

31. SENATOR MOORE:

32. Mr. President, I would ask to go out of order of the leave of
33. business on Postponed Consideration of Senate Bill 1302.

1. PRESIDING OFFICER (SENATOR BRUCE):

2. You've already sought...received leave, Senator Moore.

3. SENATOR MOORE:

4. All right. I would then ask for a favorable roll call on the
5. salary for the State's Attorney of Cook County.

6. PRESIDING OFFICER (SENATOR BRUCE):

7. Secretary will read the bill a third time. The bill has been
8. read a third time. The question is shall Senate Bill 1302 pass. Those
9. in favor vote Aye. Those opposed vote Nay. The voting is open. Have
10. all voted who wish? Have all voted who wish? Take the record. On
11. that question, the Ayes are 29, the Nays are 20, none Voting Present.
12. Senate Bill 1302 having failed to receive a constitutional majority
13. is declared lost. Earlier today, Gentlemen, leave was sought to
14. discuss...leave was given. Senator Harris, for what purpose do you
15. arise?

16. SENATOR HARRIS:

17. Mr. President, having voted on the prevailing side of Senate
18. Bill 1301, I now move to reconsider the vote by which that bill was
19. passed.

20. PRESIDING OFFICER (SENATOR BRUCE):

21. Senator Harris has moved to reconsider the vote by which Senate
22. Bill 1301 passed. That will take, Gentlemen, on that question, it
23. will require thirty votes to reconsider the vote by which Senate Bill
24. 1301 passed. On that question...Senator Harris.

25. SENATOR HARRIS:

.. I'd like to be heard on the motion, Mr. President. We have two
.. bills, 1300 and 1302, that would establish new salary schedules. Both
of those bills, 1302 has failed finally. It was considered earlier
this evening, and on the second consideration failed. 1300 is on
Consideration Postponed. It is the understanding and the attitude of
the chief sponsor and I as the first cosponsor of these bills that
since the single bill, 1301, which would establish a State's responsi-
bility that really should operate only in connection with the establish-

1. ment of a new schedule is the only bill in the series that is passed,
2. that all three bills should, in fact, not proceed, therefore, it is
3. the intention of me as the second sponsor of the bill with the coopera-
4. tion of the chief sponsor, to reconsider so that the three bills might
5. get back before us and that all three might be Tabled.

6. PRESIDING OFFICER (SENATOR BRUCE):

7. Senator Joyce.

8. SENATOR JOYCE:

9. Mr. President and members of the Body, I cannot see what the
10. difference makes, if we're going to pay them two-thirds of the salary,
11. whether it be with the raise or without the raise, and we just elected
12. to pay two-thirds of the...of the salary. Because we did not give
13. them a raise does not mean that we should not give the counties this...
14. that amount of money.

15. PRESIDING OFFICER (SENATOR BRUCE):

16. The question is on the reconsideration of the vote by which
17. Senate Bill 1301 passed. Those in favor of reconsideration will vote
18. Aye. Those opposed will vote Nay. The voting is open. It'll take
19. thirty affirmative votes for the motion to prevail. Have all voted
20. who wish? Take the record. On that question, the Ayes are 38, the
21. Nays are 10, none...none Voting Present. Senate Bill...the vote by
22. which Senate Bill 1301 passed is reconsidered. The bill is now on
23. 3rd reading. Senator Don Moore.

24. SENATOR MOORE:

25. Mr. President, it is apparently the will of this Body that there
26. should not be an increase in salaries for the State's Attorneys of
27. the State of Illinois, that we should not go ahead and change the
28. formula by which the State would pick up two-thirds of their salaries
29. and the counties pick up one-third of the salary, and without 13...
30. or Senate Bill 1300 receiving the affirmative vote, I would now move...

31. PRESIDING OFFICER (SENATOR BRUCE):

32. Senator Partee, for what purpose do you arise?

33. SENATOR MOORE:

1. ...before I move, I'll yield to Senator Partee.

2. PRESIDING OFFICER (SENATOR BRUCE):

3. Senator Partee.

4. SENATOR PARTEE:

5. Senator Moore, I think there's just a little bit of a lack of
6. communication here. I do not think that these bills ought to be
7. Tabled. Keep them alive. Let's address them tomorrow.

8. PRESIDING OFFICER (SENATOR BRUCE):

9. Senate Bill 1301 is on the order of 3rd reading. Senator Moore.

10. SENATOR MOORE:

11. 1301 as a parliamentary inquiry, Senate Bill 1300 has lost.

12. PRESIDING OFFICER (SENATOR BRUCE):

13. Senator Moore, if I may clarify the situation as it presently
14. stands, Senate Bill 1300 is on the order of Postponed Consideration.
15. Senate Bill 1301 is presently on the order of 3rd reading. Senate
16. Bill 1302 has come from the order of Postponed Consideration on a
17. second calling...failed. It came from the order of Postponed Consi-
18. deration and having failed on the second roll call to receive thirty
19. affirmative votes has failed. That is the situation. Senator Moore.
20. Senator Partee.

21. SENATOR PARTEE:

22. I'm only suggesting that these three bills, 1300, 1301 and 1302,
23. are a series. No matter what their posture, if this Senate decides
24. tomorrow that the series should be passed, they will be passed. I'm
25. simply asking the Senator to just abide this evening and wait till
26. tomorrow and we'll address ourselves to the whole package. I think
27. the whole package should pass, and I want you to know that I support
28. the entire package.

29. PRESIDING OFFICER (SENATOR BRUCE):

30. Today or tomorrow, the Chair would point out, the...the vote by
31. which Senate Bill 1302 failed could be reconsidered. Senator Moore.

32. SENATOR MOORE:

33. There seems to be a diversity of opinion, Mr. ...or Mr. President

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1 or Senator Partee, I personally feel these are good bills. Perhaps
2 the hour is late: Perhaps the twelve and a half hours we have been
3 in Session has been a little too long. I agree with you that these
4 are good bills, that they should be enacted, and I will, therefore,
5 not make my motion to Table 1301, and we'll consider the matter
6 tomorrow morning early, I hope. Thank you, Mr. President.

7 PRESIDING OFFICER: (SENATOR BRUCE)

8 Senate Bill 125. Earlier in the day, leave was sought and
9 received to reconsider these bills as a block later on today.
10 Senator Hynes on Senate Bill 125.

11 SECRETARY:

12 Senate Bill 125.

13 (Secretary reads title of bill)

14 1st...or 3rd reading of the bill.

15 PRESIDING OFFICER: (SENATOR BRUCE)

16 Senator Partee.

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(Continued on next page)

end of Reel 8

1. SENATOR PARTEE:

2. Mr. President and members of the Senate. This is a series of
3. bills which have been very thoroughly expressed to the people and
4. to everybody in the State that has an interest. There are those
5. within the sound of my voice who have had some feelings of nega-
6. tivism concerning this series of bills. I would suggest to you
7. that the Governor of this State, taken into consideration that there
8. was a great deal of unemployment in this State, made what I think is
9. a very valid judgement that something had to be done. He addressed
10. himself to what has been described, and I think accurately, as an
11. accelerated building program. Each of you tonight and some of you
12. may not have read it, received a letter today from the Governor which
13. said in part you'll be deciding the fate of the accelerated building
14. program which I put before you in January. In the period since January
15. the economic situation of the State and Nation has deteriorated further.
16. The decline in the gross national product reached a record level of
17. eleven point three tenths percent during the first quarter of 1975. The
18. National unemployment rate is almost nine percent. The Illinois rate
19. for April was eight point three tenths percent of unemployment. There
20. are almost fifty percent of our people...more people out of work than
21. there were in December, almost fifty percent of people out of work
22. now than were in December, which really translates into terms of over
23. four hundred thousand citizens out of work, who were working in De-
24. cember. We really believe, as he says in this letter, there's no
25. reason for us to expect a rapid recovery. Economic conditions will
26. likely get worse before they get better. Some people feel that the
27. economy is like the tides of the weather - something which cannot be in-
28. fluenced by government. Yet public officials do bear responsibility
29. for economic crisis. And our people expect them to take whatever
30. actions they can to help resolve economic problems. I have asked that
31. we use our bond resources to fight the recession in Illinois. The
32. construction industry in Illinois is vital to the State's economy.
33. Not merely because it can employ over two hundred thousand workers,

1. but because it draws on the resources of virtually every other part
2. of the State's economy. Transportation, retail and wholesale trade,
3. service and manufacturing. In good years, a total value of goods
4. and services produced by the Illinois Construction Industry approaches
5. four billion dollars. Experts estimate that the amount of slack in
6. the industry may be as much as forty percent. The State agencies
7. involved in the accelerated building contracts during the next fiscal
8. year over one third of a typical year's total product of Illinois
9. construction. This will have a very major impact on all sectors
10. of the State's economy and employ not merely construction workers,
11. but skilled and unskilled workers in other industries as well. State
12. Park programs will suffer. If bond resources are not made available
13. immediately, resources for State financing of housing construction
14. will be exhausted by the end of this calendar year. Resources for
15. new capitol construction for the Capitol Development Board will
16. total only seventy million dollars by the end of this fiscal year.
17. It will be difficult, yes extremely difficult, to meet the State's
18. transportation needs, particularly for the road program, without
19. authorization of the full Series C Transportation Bond request. The
20. Governor desires to stress particularly, that the State only road
21. program will be in jeopardy if the Series C Bond proposal is not
22. implemented. And he says, and I agree, these needs will not go
23. away and the cost for meeting them will only be higher tomorrow.
24. Since the introduction of the Accelerated Building Program, State
25. employees have been working overtime to implement it, designers,
26. engineers, architects and draftsmen. Hundreds of millions of
27. dollars in projects are ready to be let for bids. State agencies
28. are months ahead of schedule in processing construction projects
29. in order to be in a position to award the maximum amount of contract
30. dollars this summer and fall. State agencies are ready and eager
31. to implement the program. They're waiting on the approval of you
32. Gentlemen who constitute the General Assembly, and Ladies. The
33. economic crisis has been intensifying throughout this Session of
34. the Assembly. The lives of millions of Illinois citizens have

1. been darkened by economic uncertainty. The light at the end of the
2. tunnel is dim indeed. I respectfully suggest that the citizens of
3. Illinois want action now. Sincerely, Dan Walker. Now, let me say
4. to you. The Governor has very succinctly set forth what this
5. program is about. He is indeed concerned about the mounting unemploy-
6. ment which in turn has a very traumatic and dramatic effect on
7. industrial growth, industrial survival. When I looked through the
8. Governor's program, I thought about something that happened when I
9. was a young boy, when President Roosevelt decided that there was a
10. time when industry needed help and many of the industries today which
11. are rich and fat and feel themselves devoid of help were, in fact, in
12. the thirties industries that could not survive. The housing industry
13. got its spurt when Franklin Delano Roosevelt said, they're hurting,
14. they're building no buildings, thousands of people out of work and
15. convinced Congress that they should pass a bill called the HOLC, Home
16. Owners Loan Corporation. They lent money, not to big people necessarily,
17. but to a lot of little people. People who wanted to build a new bath-
18. room on their house, or an extra bedroom as the family expanded. And
19. the Government, if you please...

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Partee, your time has expired.

22. SENATOR PARTEE:

23. ...lent money to people. And America developed and...and burgeoned
24. from this kind of development. And the Governor is saying that with
25. this Bond Program we can do a new thing in terms of getting people to
26. work, helping industry to survive. I suggest, Mr. President, that this
27. package is meaningful and has an absolutely devastating progressive
28. impact on Illinois future development. I yield to Senator Hynes.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Hynes.

31. SENATOR HYNES:

32. Mr. President and members of the Senate. Senate Bill 125 is
33. the first in a series of bills which are intended to implement the

1. accelerated building program. And I think even before discussing
2. the merits and the substance of Senate Bill 125 it would be desirable
3. to try to give a broad overview of the program as set forth in all
4. of these bills. The program, as Senator Partee pointed out, is intended
5. to provide jobs in this period of high unemployment and at the same
6. time to provide improvements for the people of this State which are
7. much needed, and in most cases which would have been on the planning and
8. drawing boards of the State agencies in the next few years. It's an
9. effort to accelerate these projects, get them into effect now at a
10. time when they can do us some good in terms of improving the economy.
11. The program is in basically two parts. Part one is an acceleration of
12. existing Capitol authorizations and appropriations. Approximately
13. two point one billion dollars are involved in that aspect. The second
14. part calls for additional authorizations by this General Assembly.
15. As originally introduced, these totaled nearly two billion dollars.
16. By action of the Senate Revenue and Appropriations Committees these
17. authorization bills have been reduced in amount by some six hundred
18. sixty million dollars for a reduced total of one point three billion
19. dollars, bringing the overall total of the program to three point
20. five billion dollars as it sits before us. There is a second aspect
21. to the program which we will not be acting on tonight. The bills on
22. the Calendar are authorizations for new bonding authority or authori-
23. zations for new programs or approaches. There are additional bills
24. still in the Appropriations Committee which would appropriate the
25. monies authorized by the legislation before us tonight. If this
26. legislation is successful, those bills will then be acted upon and
27. considered on a project by project basis. I might point out that
28. some of the projects in the appropriation bills are not fully covered
29. by the authorizations in front of us, so there will be a need to do
30. a careful job of analysis on those bills. If this package should be
31. unsuccessful, it will be necessary either in the closing weeks of this
32. Session or certainly no later than the fall, to approve some more
33. limited additional authorizations for bonding authority for some

1. already approved Capitol projects. To give an outline of the program,
2. I think would be helpful and important to an understanding of what
3. we're about here today. We have two types of bonds involved, general
4. obligation bonds and revenue bonds. In the first category, the bills
5. would authorize the State to issue three hundred million dollars in
6. transportation bonds, a new Transportation Series C. This would be
7. in addition to the existing A and B Series and would allow the State
8. to provide some necessary road repair improvement. There is also
9. an increase in authorization, in general obligation bonds to the
10. Capitol Development Board in the amount of two hundred ninety five
11. million dollars. These would be available to fund Capitol projects
12. in higher education, mental health, conservation, and in other
13. important areas. There is in addition a...an increase in authorization
14. of two hundred thirty five million dollars in general obligation bonds
15. for school construction purposes. That authorization is the subject
16. matter of Senate Bill 125 which we are about to consider. With respect
17. to Revenue Bonds the...the package contains a...an authorization in-
18. crease of two hundred million dollars for the Illinois Housing Develop-
19. ment Authority in an effort to spur home construction, housing construc-
20. tion. That was reduced from an original request of six hundred million
21. dollars. There is a two hundred and fifty million dollar authorization
22. for the Illinois Industrial Pollution Control Authority for the purpose
23. of financing pollution control equipment for private industry, and
24. a fifty million dollar authorization request for the Illinois Industrial
25. Development Authority for the purpose of promoting business expansion
26. within this State. In total, we're talking about one point three
27. billion dollars in new authorizations combining both the Revenue and
28. General Obligation Bonds. This program is a significant one. It
29. does have an immediate impact and effect upon the State and its
30. citizens. There have been many criticisms leveled at it. Many of
31. them unfounded, some with some justification, I think some of the
32. amendments that have been proposed have removed some of the criticisms.
33. But it is a matter of real significance and deserves, I think, the care-

1. ful attention of this General Assembly. With respect to Senate Bill
2. 125 in particular, which is the subject first to be considered, this
3. is the increase in authorization for school construction. It would
4. increase the authorization from four hundred million dollars to six
5. hundred thirty five million dollars, a two hundred thirty five million
6. dollar increase for the purpose of aiding in the construction of local
7. schools. The bill, in addition to this increase in authorization,
8. makes several substantive changes in our existing school construction
9. program. It would include for the first time within the coverage
10. of the program, special education facilities and would allow the use
11. of the bonding capability of the State to help finance special educa-
12. tion developments. As part of that it would terminate the existing
13. formula for reimbursing special education construction. The bill
14. also increases by twenty five percent the State's contribution to
15. the cost of school construction. This is a bonus, which has been
16. inserted in an effort to first assist the school districts to a greater
17. extent, and secondly to spur them toward taking advantage of the program.
18. Also the bill substantially limits the...the capability...in fact,
19. eliminates the power of the Capitol Development Board to pick and choose
20. among projects. The Capitol Development Board, under this bill, is
21. mandated to follow the priority list established by the Office of
22. Education. This bill has the support of many educational organizations
23. in this State. It will put the State into the position of being able
24. to provide the necessary assistance for school construction. Mr.
25. President, I'd be happy to answer any questions with respect to this...
26. to this bill.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Fawell.

29. SENATOR FAWELL:

30. Mr. President and members of the Senate. As far as Senate Bill
31. 125 is concerned, certainly there is no one in the Body who is more
32. interested in the success of the school construction program which...as
33.

1. Senator Hynes has pointed out, is funded by the issuance of bonds and
2. the utilization of those bond proceeds by the Capitol Development
3. Board, under legislation which came into effect on October 1, 1973.
4. What baffles me here is that as Senator Hynes has pointed out, perhaps
5. of all of the bills, and I don't profess to be knowledgeable necessarily
6. in regard to the other bills, but insofar as this one is concerned
7. as Senator Hynes has pointed out, there is an existing four hundred
8. million dollar authorization. And in that first fiscal year of 1974,
9. 73, 74, we did appropriate one hundred million of the four hundred
10. million. The Governor, I should say the Bureau of the Budget, Capitol
11. Development Board did not utilize all of that, in fact only a very
12. small portion of that authorization. We attempted to reappropriate
13. the full one hundred million, we actually were successful in re-
14. appropriating only approximately eighty seven million. We also
15. for the next year appropriated, attempted to appropriate I should
16. say, one hundred million for the fiscal year 75. The Governor
17. vetoed one half of that one hundred million. The Bureau of the
18. Budget consistently has taken the attitude of slowing down the Capitol
19. Development Board in their construction program. So, Mr. President,
20. as we stand here tonight, we have the ability right now to appropriate
21. one hundred and fifty million more in a...in...in appropriations to
22. fulfill the four hundred million authorization, we would still have
23. a hundred million more for the next fiscal year to complete the four
24. year program that we are talking about. There is no need that I can
25. see, of an additional two hundred and thirty five million dollars. I
26. think anyone who is familiar with the program would tell you that if
27. you talked to anybody at the Capitol Development Board, they would
28. tell you in all honesty they couldn't possibly during the next fis-
29. cal year, be able to assume anything more. They are just hoping
30. that this time the Legislature will appropriate the one hundred million
31. for this fiscal year, that we will come back and make up the fifty
32. million the Governor vetoed last year. Then at least we will be on
33:

1. track and in accordance with the schedule we have set... So I...I...I
2. do want to say in closing my comments here that no harm whatsoever,
3. no harm whatsoever, will come to the school construction program. I
4. just pray that we will follow through after this bill is defeated,
5. as I think it will be, and do the appropriation job and give the
6. Capitol Development Board the free hand that they have never had.
7. One other point, in this bill if you will look closely you will find
8. that permanently we are taking from local school districts the
9. thousand dollars per professional workers for their...for their
10. special education projects. Gone forever, and bear in mind this is
11. only a temporary bond program. So I...I think that's another poor
12. part of the substantive provision.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Harris, Senator Fawell...

15. SENATOR FAWELL:

16. Thank you.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Buzbee.

19. SENATOR BUZBEE:

20. Mr. President, I have noticed that everybody that has spoken so
21. far has exceeded their time a little bit and I know the reason for
22. this and I think that the Chamber has been very indulgent in allowing
23. this because what we're really doing primarily is speaking on the
24. whole package and maybe it will save debate and comment later on and
25. I'm only saying this because I'm sure that I'm going to go a little bit
26. over five minutes. But I won't speak any more after this. When the
27. Governor, my first today as a matter of fact, Senator Philip. When
28. the Governor first announced his Accelerated Building Program, I
29. had considerable problems with this because I recalled the Governor's
30. castigation of the Legislature for the veto overrides in the November
31. of 74 Session and perhaps rightfully so. I'm still not at all sure
32. that we made a lot of wise moves in that veto override. But the
33. Governor, going from staunch fiscal conservative to a...a something

1. considerably different than that in his budgetary message of...of the
2. early months of 1975, and also the announcement of the so-called
3. Accelerated Building Program. I tried to learn all that I could
4. about it. I talked to people on our staff and had a hard time
5. ferreting out all of the various aspects of this package. But I did
6. arrive at what I consider to be a very logical and sane position. I
7. arrived at this position of partial support and considerable opposition,
8. based not on any attitude or feeling of vindictiveness or...or out to
9. get you or anything like that, but just because that I think this is
10. what's right. I have no...obviously I have no crystal ball. I don't
11. know if my idea is any better than the Governor's. I don't know if
12. his idea is any better than mine. But the position that I arrived at
13. was one of supporting the accelerated sale of previously authorized
14. general obligation bonds also supporting the additional authorization
15. of revenue bonds - I have no problem with that, there's going to be
16. money coming in to pay those off, but of strong opposition to the
17. new authorization of any new general obligation bonds. And there was
18. even a time when I waived somewhat on that, any new authorization of
19. GO bonds, because there were some that I thought perhaps did merit
20. some special consideration. The particular bill we're considering
21. right now being among those, those for school construction. But again
22. I reverted back to my original position on this particular bill be-
23. cause of the fact that according to the figures that I have, out of
24. the two hundred million that has been authorized in fiscal seventy
25. four and fiscal seventy five, up to this point only about seventy
26. five million of that has in fact been...been obligated. So we still
27. have a hundred and twenty five million approximately that is not
28. obligated that can be spent. So on this particular bill I'm not
29. going to support even this in the new general obligation bond authori-
30. zation because I think that there is, until we, it's a very logical
31. position, that until we at least obligate what is already there, there's
32. no need to obligate more. So I'm in opposition to...to this particular
33. bill also. Now, Mr. President, there's been a lot of things said

1. about what the accelerated building program will do. One is that it's
2. going to increase the job market situation in Illinois considerably.
3. I don't know if that will happen or not, if the whole package were
4. to pass...were to pass. But I do believe with my position that it's
5. one that's consistent with the probability that there will be con-
6. siderable new jobs created because of the sale of additional
7. Revenue Bonds and because of the accelerated sale of previously
8. authorized general obligation bonds. Some other reasons why I'm
9. opposed to the accelerated sale of...rather the new authorization
10. of general obligation bonds - one is because of taxes. Ladies and
11. gentlemen I...I sincerely believe if we pass this...if we pass this
12. package...

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Buzbee your time has expired and...

15. SENATOR BUZBEE:

16. I...I will conclude, Mr. President. I sincerely believe if we
17. pass this whole package of new...new authorization that we're going
18. to see a four to six cent per gallon gasoline tax increase within
19. the next two years. Nineteen seventy six is an election year. I'm
20. not running that year but I'm not going to be in a position of having
21. to vote for a gasoline tax increase because we've done this, nor for
22. an income tax increase. I think we may imperil and put imperil our
23. triple A bond rating. I think the final thing in...in...in final
24. conclusion, the final thing is that it simply just doesn't make good
25. business sense to me to put money into Capitol Building Projects such
26. as the Series C Transportation Bonds for roads that are going to
27. last, repairs, widening, and resurfacing and so forth, that's going
28. to last eight to twelve years and we're going to be paying for those
29. bonds for twenty-five years.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Thank you, Senator Buzbee.

32. SENATOR BUZBEE:

33. So with that I thank you, Mr. President.

1. PRESIDING OFFICER: (SENATOR BRUCE).

2. Senator Shapiro.

3. SENATOR SHAPIRO:

4. Mr. President and Ladies and Gentlemen of the Senate. With all
5. due respect to the illustrious sponsor of Senate Bill 125 and to
6. the comments of our distinguished Chairman of the Senate Appropriations
7. Bill, this bill of the entire series has to be the most hypocritical.
8. We heard remarks by the President of the Senate in a letter from the
9. Governor stating how State Employees were working overtime to implement
10. the Accelerated Bonding Program. My comment is is why weren't they work-
11. ing overtime in 1973 when we appropriated the original, a hundred
12. million dollars and the Governor refused to release a great amount of
13. it. Why weren't they working overtime in 1974 when we appropriated
14. another hundred million dollars and the Governor vetoed and reduced
15. that amount. And why aren't they working overtime for the next fiscal
16. year when there will be another hundred million in this program appropri-
17. ated for the third year of implementing the school bond construction
18. program. Why should we be concerned about those low priority school
19. districts of a year ago, who are now high priority and will receive
20. these accelerated bond funds at a greater rate of reimbursement than
21. those districts who waited in line for over two years. Why should
22. any member of this General Assembly from the City of Chicago be con-
23. cerned about the accelerated program that appropriates an additional
24. two hundred and thirty five million dollars, when as of a month ago
25. they were yet to reserve...receive the first dime from the original
26. program. Why be concerned about this when the original funds had not
27. even been expended and very little of it obligated. Why should we
28. be concerned about giving special education bond monies to our special
29. education districts when we got an annihilate an ongoing program for
30. those special ed districts who will never get one dime out of this
31. accelerated program. I'm going to close by saying this, thank God,
32. Mr. President and Ladies and Gentlemen of this Senate, that these
33. series of bills require thirty six votes.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is there further debate? The question is shall Senate Bill 125
3. pass. Those in favor vote Aye, those opposed vote Nay. The voting
4. is open. I would call the attention of the membership that Senate
5. Bill 125 will require a three fifths affirmative vote. Have all
6. voted who wish? Take the record. On that question the Ayes are 24,
7. the Nays are 27. Senate Bill 125 having failed to receive a Consti-
8. tutional majority is declared lost. Senate Bill 126, Senator Egan,
9. is there any discussion on Senate Bill 126. Senator Egan. Mr.
10. Secretary if you'll read the bill first, Senator Egan will...

11. SECRETARY:

12. Senate Bill 126.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Egan.

17. SENATOR EGAN:

18. Thank you, Mr. President and members of the Senate. I know the
19. hour is late, I'll be very brief. But I would like to point out
20. that the issue is very narrowly drawn and in regard to this particular
21. bill to appropriate money for the Capitol Development of private edu-
22. cation, let me suggest that the issue should not be so narrowly drawn
23. as to consider this only as a part of the package called the Accelerated
24. Capitol Development Program. I would suggest, fellow members, that the
25. consideration of this legislation has been indeed recorded and as a
26. matter of note with the Chicago Tribune in an editorial comment of
27. March 16th. And I would suggest just as quickly as I can that I quote
28. just a few items of the editorial, just to delineate the importance
29. of this appropriation if you can separate it in your minds from the
30. Bond Development Program. "It is hard to market a product at a fair
31. price when down the street someone is giving it away free", says
32. Lawrence Kiptdon, who is the former Chancellor of the University of
33. Chicago.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Egan you have yet...if we can have some order gentlemen,
3. we'll proceed with the business. Senator Egan.

4. SENATOR EGAN:

5. He now says private higher education may be virtually destroyed
6. in the United States by nineteen hundred and ninety, which is only
7. fifteen years away as of nineteen seventy, as of nineteen seventy
8. five. It continues on, gentlemen and ladies, to say that private schools
9. are needed to keep a higher education up to standard in the quality
10. and independence. And unless steps are taken and soon, higher educa-
11. tion in the United States may become a Government dominated near
12. monopoly at great cost in both dollars and intellectual quality. Let
13. me suggest that this is one vehicle to do the service to private
14. education in this...in this great State that's been needed for a long
15. time, and I think we ought to consider that when we vote, and I ask
16. your support.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Is there further debate? The question is shall Senate Bill 126
19. pass. Those in favor vote Aye, those opposed vote Nay. The voting
20. is open. Have all voted who wish? Take the record. On that question
21. the Ayes are 25, the Nays are 26. Senate Bill 126 having failed to
22. receive the constitutional majority is declared lost. Senate Bill 128.

23. SECRETARY:

24. Senate Bill 128.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Chew.

29. SENATOR CHEW:

30. Mr....roll call.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. The question is shall Senate Bill 128 pass. Those in favor vote
33. Aye. Those opposed vote Nay. The voting is open. The Chair would
34. call the attention of the members. Is this...this bill will require

1. a three fifths majority vote. Senator Chew is the sponsor of this
2. legislation. Have all voted who wish? Take the record. On that
3. question the Ayes are 20. the Nays are 32. Senate Bill 128 having
4. failed to receive a constitutional majority is declared lost. Senate
5. Bill 129.
6. SECRETARY:
7. Senate Bill 129.
8. (Secretary reads title of bill)
9. 3rd reading of the bill.
10. PRESIDING OFFICER: (SENATOR BRUCE)
11. Senator Daley.
12. SENATOR DALEY:
13. Mr. President, fellow Senators. This bill authorizes the Department
14. of Transportation to acquire, construct and improve mass transit facil-
15. ities, downstate Illinois. I would ask for a favorable roll call.
16. PRESIDING OFFICER: (SENATOR BRUCE)
17. Is there further debate? The question is shall Senate Bill 129
18. pass. Those in favor vote Aye. Those opposed vote Nay. The voting
19. is open. Have all voted who wish? Take the record. On that question
20. the Ayes are 21, the Nays are 33. Senate Bill 129 having failed to
21. receive a constitutional majority is declared lost. Senate Bill 130.
22. SECRETARY:
23. Senate Bill 130.
24. (Secretary reads title of bill)
25. 3rd reading of the bill.
26. PRESIDING OFFICER: (SENATOR BRUCE)
27. For what purpose does Senator Weaver arise?
28. SENATOR WEAVER:
29. Mr. President, this is a bill that Senator Johns was going to
30. bring back for two amendments that I offered.
31. PRESIDING OFFICER: (SENATOR BRUCE)
32. Senator Johns.
33. SENATOR JOHNS:

1. I agreed to it.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Johns asks leave to...to remove Senate Bill 130...to
4. return Senate Bill 130 to the order of second reading. Is leave
5. given?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Leave. Senate Bill 130 on the order of 2nd reading. Any amendments?
8. Amendment No. 3 by Senator Weaver. Senator Weaver.

9. SENATOR WEAVER:

10. Well, Mr. President, Amendment No. 3 would remove the moral obligation
11. from these bonds. I can give you a lot of history about moral obli-
12. gations and what it did in the State of New York whereby they were
13. in default of about six hundred million and that they had to appropriate
14. out of general revenues about a hundred million dollars to make up
15. about one point one billion of possible loss...

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Excuse me, gentlemen. Senator Weaver.

18. SENATOR WEAVER:

19. I'd move adoption of the amendment.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Rock.

22. SENATOR ROCK:

23. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
24. I rise in opposition to this amendment. I...I think the testimony
25. reflected with these bonds which are revenue bonds, as with most
26. kinds of authority bonds, as a matter of fact with the Illinois
27. Municipal Financing Agency Bonds, hopefully we will have some day,
28. that the presence of the moral obligation "moral obligation", is indeed
29. significant for the sale of the bonds. Now there are some bond experts
30. who say it's worthless and there are other bond experts who say it's
31. meaningful. I...I just don't think that this amendment is timely at
32. this time and I would urge its rejection.

33.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Roll call has been requested. The question is on the adoption
3. of Amendment No....Senator Netsch.

4. SENATOR NETSCH:

5. Mr. President, one additional comment on this amendment. If it
6. is adopted and the moral obligation clause is eliminated, my under-
7. standing is that that will immediately put the Illinois Housing Develop-
8. ment Authority in default on, not in default, but in a position that it
9. is contrary to its existing bond obligations. That would probably make
10. the whole program useless for the future. I think it is absolutely
11. essential that this amendment be defeated.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Johns.

14. SENATOR JOHNS:

15. This amendment, in effect, can be viewed as a reputation of an an-
16. ticipatory default on an essential and customary protection by the
17. note and bond holders. It will cause shock waves throughout the
18. bonding houses on the bonds that are now held. I...I strongly urge
19. my colleagues over here on this side to resist this amendment.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Fawell.

22. SENATOR FAWELL:

23. Well, you know, I...I'll be brief. I would like to be able to
24. vote for a measure like this if it's truly a revenue bond. Now, I
25. ...I've done considerable bond work and I...I can't be persuaded that,
26. first of all if it's a moral obligation and if moral obligations mean
27. anything, it means that it's more than a revenue bond issue and we
28. shouldn't call it then a revenue bond issue if our moral obligations
29. do mean anything. Now we can remove this and I think there could
30. be sufficient votes then if it's truly a revenue bond issue. If it's
31. not a revenue bond issue and if it's a GO then we ought to say so and
32. that's that's entirely something else because, Senator, I don't think
33. it's going to pass as long as it's a GO or as long as it has some

1. moral obligation attached to it. And a...but...but a...if a moral ob-
2. ligation means anything at all...

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Rock. What purpose do you arise?

5. SENATOR FAWELL:

6. ...it means that we're going to...

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Rock.

9. SENATOR ROCK:

10. Well, just...just frankly, Senator, correct a misstatement. Now,
11. you know, just...just, it is in no way a GO bond. Now there is just no
12. question about that. You're talking, you know, and then you start talking
13. about the...the bonding people who will say there is a significant dif-
14. ference between a legal obligation and a "moral obligation", but because
15. or the presence of a moral obligation does not in fact render this bond
16. issue a GO bond and I...I just...I refuse to accept that statement.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Fawell.

19. SENATOR FAWELL:

20. No, Senator I would agree. It...it certainly is not legally speak-
21. ing a general obligation bond. But on the other hand, when we do say
22. that we...we stand behind those bonds, it...it in effect is the same
23. thing, because if there is the default and if our moral obligation means
24. anything it does mean that we're...we're saying that we're going to
25. pick that up. And it's...it's this that many of us are concerned
26. about. I...I think that we ought to delete this and then at least,
27. Senator, you've got straight revenue bonds and you've got an oppor-
28. tunity to market them and you've got something and you're going to
29. have nothing if you don't, if you do not agree to it.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Weaver.

32. SENATOR WEAVER:

33. Well, I think it should be pointed out, Mr. President, that this is

1. only going to affect those new issues. It doesn't affect those that
2. have already been authorized and issued, it's after the effective
3. date of this amendatory act. Now...

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Glass. Senator Glass has also sought recognition. Senator
6. Glass.

7. SENATOR GLASS:

8. Well, I think Senator Weaver covered the point I was making. I
9. don't understand either Senator Netsch or Senator Johns' reluctance to
10. support this because it doesn't apply to existing obligations, it
11. applies prospectively and it would keep Illinois out of the problem
12. that New York faced when they were forced to come in and satisfy their
13. so-called moral obligation. And I think this is an essential amend-
14. ment to protect the State of Illinois' integrity and its bond rating.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Hynes.

17. SENATOR HYNES:

18. Mr. President, one further comment, I think this amendment is a
19. potential disaster. If the bill did not have the moral obligation
20. clause in it to begin with, it would be one thing if it were an effort
21. to add it, but once it is there then to remove it, it seems to me, it
22. least has a very strong negative implication of something. Precisely
23. what it is, I couldn't define for you at the moment. But it does
24. have a strong negative implication and therefore I think the amendment
25. ought to be resisted.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Weaver may close the debate.

28. SENATOR WEAVER:

29. Well just, Mr. President and members of the Senate. Just a brief
30. outline of moral obligation bonds. They basically date back to the
31. early nineteen sixties, when New York voters rejected Governor Rock-
32. efeller's plan for an expensive public works project. Now in order to
33. get around this failure...failure of the referendum, so to speak, a

1. Wall Street lawyer by the name of John Mitchell devised a way to
2. circumvent these legal requirements for bond referendums. Mitchell's
3. scheme involved a creation of a new type of bond - one backed by the
4. State's moral obligation rather than its full faith in credit. And
5. by so doing, the need for the voter approval was eliminated. This is
6. what concerns me of, in the State of Illinois of these revenue bonds.
7. I don't mind the revenue bonds, but certainly I would hate to see us
8. get way out on a limb and have to come back to general revenue to bail
9. out deficiencies of notes issued or failure to collect enough from these
10. revenues to pay off principal and interest in the future. And that's
11. the reason for this amendment and I would appreciate adoption.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Weaver moves the adoption of Amendment No. 3 to Senate
14. Bill 130. Those in favor vote Aye, those opposed vote Nay. The
15. voting is open. Have all voted who wish? Have all voted who wish?
16. Take the record. On that question, the Ayes are 25, the Nays are 27.
17. Amendment No. 3 having failed to receive a majority vote is declared
18. lost. Amendment No. 4, Senator Weaver. Any further amendments? 3rd
19. reading. Amendment not having been adopted, there is no requirement
20. of intervening business, we may take up Senate Bill 130. Senator
21. Johns. Secretary will first read the bill.

22. SECRETARY:

23. Senate Bill 130.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Johns.

28. SENATOR JOHNS:

29. Okay, I think, you know what it's all about. If you want any
30. questions, I'll give you a little dissertation, but I'd just as soon
31. have a roll call.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. The question is shall Senate Bill 130, Senator Harris.

1. SENATOR HARRIS:
2. Parliamentary inquiry, Mr. President. How many votes is required
3. for the passage of Senate Bill 130.
4. PRESIDING OFFICER: (SENATOR BRUCE)
5. Deals with revenue bonds. Ruling Chair will take 30 votes.
6. SENATOR HARRIS:
7. Well, I want...
8. PRESIDING OFFICER: (SENATOR BRUCE)
9. Senator Rock.
10. SENATOR HARRIS:
11. ...heard on that ruling.
12. PRESIDING OFFICER: (SENATOR BRUCE)
13. You may appeal...
14. SENATOR ROCK:
15. No, I...I will yield to Senator Harris. I just wanted to rise
16. also in support of this, but I want to yield to Senator Harris.
17. PRESIDING OFFICER: (SENATOR BRUCE)
18. Senator Harris.
19. SENATOR HARRIS:
20. Well, Mr. President, I think the point is that the State of Illinois
21. is authorized by the Constitution to incur debt only under two basic
22. purposes. And those purposes must be that the debt must be for a
23. specific purpose and the debt must be authorized by three fifths of
24. the members elected to the Senate and the House of Representatives or
25. by referendum. Now the Constitution states that State debt means
26. bonds or other evidences of indebtedness which are secured by the
27. full faith and credit of the State or are required to be repayed
28. directly or indirectly by tax revenue, which are incurred by the
29. State, in a department, authority, public corporation, or quasi-
30. public corporation of the State. Any State college or university
31. or any other public agency created by the State. Mind you, any
32. other public agency created by the State, but not by units of local
33. government or school districts. I have just cited Article 9, Section

1. 9-A of the Illinois Constitution. Now, it's perfectly clear to me...
2. it's perfectly clear to me that with respect to revenue bonds, such bonds
3. are required to be paid indirectly from tax revenues, and therefore
4. must be authorized by a three-fifths vote. Now it's clear to me that
5. the drafters of the Constitution intended that Section 9 of Article 9
6. of the Constitution requires that revenue bonds are subject to a three-
7. fifths vote. The Chair has stated that only a simple majority of the
8. members elected is required, and I suggest that your ruling is in error
9. and clearly, the language of the Constitution referring to any public
10. agency created by the State, and the Illinois Housing Development Authority
11. is such an agency, and that revenue bonds issued by it will require, that
12. is the authority for the issuance thereof, will require a three-fifths
13. vote.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator...Senator Netsch.

16. SENATOR NETSCH:

17. Mr. President, I beg to differ with Senator Harris and his inter-
18. pretation of this provision which we in Con Con spent many agonizing
19. hours working out. In no way are the bonds of the Illinois Housing
20. Development Authority maintained directly or indirectly by tax revenues
21. of the State of Illinois. They are in every sense of the word, pure
22. revenue bonds. As a matter of fact, one of the main examples that
23. we used when this distinction was finally adopted in this Constitution,
24. was the bonding authority of the Illinois Housing Development Authority.
25. It was clearly recognized then that they were revenue bonds and would
26. not be subject to the three-fifths vote and it is just as true now as
27. it was then. They do not require a three-fifths vote.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Partee.

30. SENATOR PARTEE:

31. As I have said to you many times on this Floor, Senator Netsch is
32. absolutely correct. She served in the Constitutional Convention and
33. I've had occasion to talk to her about some of those things that I

1. didn't really understand, and she has convinced me that it is absolutely
2. certain that that is so. She is right.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. The Chair reiterates its position, that it has ruled that Senate
5. Bill...now wait a minute...Senate Bill 130 does not require a three-
6. fifths votes based on Section 9-A of Article 9, the Illinois State
7. Constitution, which says State debt and the operative language is that
8. the full faith and credit of the State or the bonds are required to
9. be repayed by...directly or indirectly, from State tax revenue. The
10. ruling of the Chair is that this bill will require a simple majority of
11. 30 votes. The...is there an appeal from the ruling of the Chair?
12. Senator Harris.

13. SENATOR HARRIS:

14. Mr. President, I just want to read into the record some of the
15. verbatim transcript of the Constitutional question.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Harris, I have ruled...

18. SENATOR HARRIS:

19. Yes, I know you have, Mr. President.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. ...on the matter and...and there has been no appeal from that
22. ruling.

23. SENATOR HARRIS:

24. Mr. President, I have requested permission to cite the basis
25. of my inquiry, which I still believe requires three-fifths.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Well, Senator Harris.

28. SENATOR HARRIS:

29. Some of the verbatim transcript of the Illinois Constitutional
30. Convention. Now...

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Harris you are...the ruling of the Chair is that your
33. comments at this point would be out of order. I will try to accommodate

1. the members. The ruling has been made and no appeal has been taken.
2. The question is on the...Senator Harris for what purpose do you arise?
3. SENATOR HARRIS:
4. Then it is the position of the Chair to deny me the opportunity
5. to read comments of the Illinois Constitutional Convention. Is that
6. correct?
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. No, Senator Harris. We have allowed you and extended to you the
9. courtesy of explaining your position earlier. You have now asked to
10. read in the record verbatim comments of the Illinois Constitutional Con-
11. vention. I would only point out to you if those comments were ever
12. important in a law suit they have already been transcribed elsewhere
13. and it is going to cost the State a good deal of money to transcribe
14. them a second time to no real avail. And...and...
15. SENATOR HARRIS:
16. Well, Mr. President...
17. PRESIDING OFFICER: (SENATOR BRUCE)
18. ...and your remedy Senator Harris, I do not wish to be arbitrary,
19. is to appeal the ruling of the Chair on this matter. Read the bill.
20. For what purpose does Senator Nimrod arise?
21. SENATOR NIMROD:
22. Mr. President, since you have allowed Senator Harris, Senator
23. Partee and Senator Netsch to make some comments, I wonder if you might
24. allow me to make some comments on this.
25. PRESIDING OFFICER: (SENATOR BRUCE)
26. Senator Nimrod, I will not. The question is...
27. SENATOR NIMROD:
28. Well, how...
29. PRESIDING OFFICER: (SENATOR BRUCE)
30. ...shall Senate Bill 130 pass? Those in favor vote Aye. Senator
31. Graham, Senator Graham. I'm not trying to deny anyone, but there has
32. been...
33. SENATOR GRAHAM:

1. I want to ask...a parliamentary inquiry.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. State your inquiry.

4. SENATOR GRAHAM:

5. In the event that I made an appeal to the ruling of the Chair,
6. would your ruling then be that we couldn't read it into the record
7. in our appeal to your ruling?

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. The question would be answered if the appeal...if the appeal is
10. successful.

11. SENATOR GRAHAM:

12. Then I appeal to the ruling of the Chair.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. The question is, shall the ruling of the Chair be sustained? All
15. those in favor of sustaining the ruling say Aye. Those opposed Nay.
16. If you will...is there a request for a roll call? It...the question
17. is not debatable, Gentlemen. It is not debatable on the...Senator Graham.
18. Senator Graham.

19. SENATOR GRAHAM:

20. Mr. President, I asked you a very calm question. You said you
21. would not answer the question until a request for appeal was made.
22. Then I made the appeal and you arbitrarily went on and did what you
23. were going to do anyway.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator...

26. SENATOR GRAHAM:

27. That you have no right to do, you got the gavel, but you have no
28. right...

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. No, Senator Graham, if you have misunderstood, I apologize. Your
31. remedy from the ruling is to appeal the ruling of the Chair. That appeal
32. is not debatable. Now, the Chair is not being arbitrary, it is not
33. debatable.. Senator Harris.

1. SENATOR HARRIS:
2. Mr. President, I cite to you Robert's Rules of Order Number 24
3. on page 220. Appeal...
4. PRESIDING OFFICER: (SENATOR BRUCE)
5. Senator Harris.
6. SENATOR HARRIS:
7. ...from the decision of the Chair states that that it is debatable
8. unless it relates to in the quorum...
9. PRESIDING OFFICER: (SENATOR BRUCE)
10. Senator...Senator Harris, if I may...Senator Harris, if I may
11. have your attention. The parliamentarian has informed me that as
12. we slid open the ruling book, we got the wrong ruling. It is de-
13. batable, I apologize, I'm not trying to be arbitrary. I...we got
14. a yes and a no in the wrong slot. So the question is debatable. I
15. apologize to the membership. Is there debate on the question of
16. appealing the ruling of the Chair? Senator Harris.
17. SENATOR HARRIS:
18. Mr. President...
19. PRESIDING OFFICER: (SENATOR BRUCE)
20. Senator Harris.
21. SENATOR HARRIS:
22. I would like to lay before the members of the Senate the purpose
23. for which Senator Nimrod, or I'm sorry, Senator Graham, appealed from
24. your ruling. And that is that I wished to read into the record, verbatim
25. comments of delegate Johnson, a member of the Committee on Revenue
26. Finance of the Sixth Constitutional Convention. It is germane, in my
27. judgment, to this question before us now appealing from the rule of
28. the Chair. Delegate Johnson, in explaining provisions drafted in the
29. original report of the Committee on Revenue and Finance, stated that
30. it was the intention of the committee to make clear that we want the
31. legislative provisions set out to apply to both revenue bonds and
32. general obligation bonds. Further, in his explanation of the in-
33. clusion of colleges, universities and other public agencies, delegate
34. Johnson stated, and this is our attempt to bring it under the same

1. legislative treatment, such things as the Tollway Authority, the
2. Building Authority, and listen to this, the Housing Authority, and
3. all these other quasi-public authorities which are now authorized
4. to issue debt, the authorities mentioned by delegate Johnson issue
5. revenue bonds. It clearly was the intent of the committee recom-
6. mending Section 9-A of Article 9 of the Constitution, that revenue
7. bonds be subject to a three-fifths vote requirement. And for that
8. reason I suggest that the ruling of the Chair holding that Senate
9. Bill 130, which deals with revenue bonds by the Illinois Housing
10. Development Authority, is in fact, not the correct ruling and that
11. we, therefore, should carry the motion to appeal the ruling of the
12. Chair or in fact the actual motion before us shall the ruling of
13. the Chair be sustained, that the position of the Senate should be
14. to vote no.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. All right. The question is...Senator Partee.

17. SENATOR PARTEE:

18. I was talking to some people over here and I just sort of missed
19. something. On what order of business are we?

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. There has been an appeal from the ruling of the Chair, Senator
22. Partee.

23. SENATOR PARTEE:

24. An appeal from the ruling of the Chair?

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. The Chair has ruled that Senate Bill 130 will require a majority
27. of those elected to pass. Senator Harris has appealed from that
28. ruling.

29. SENATOR PARTEE:

30. I would make a substitute motion that the Chair be sustained.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. The question is always put, shall the ruling of the Chair be
33. sustained, but an appeal has been taken.

1. SENATOR PARTEE:

2. Very good.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Hynes.

5. SENATOR HYNES:

6. On the issue, Mr. President, I would just like to point out that
7. the approach and position that Senator Harris is taking here is
8. directly opposed to and inconsistent with the amendment that
9. Senator Weaver and others on the other side of the aisle so vigor-
10. ously supported. Because as I understand his original position,
11. it was that the word indirectly, in the Constitutional provision,
12. makes...or...or covers a revenue bond and therefore makes those
13. bonds the obligation of the State. Now, if his ruling...if his
14. position is sustained and a three-fifths vote is required, then
15. in fact these bonds have much more behind them than the moral
16. obligation of the State. It is very difficult to distinguish
17. between the direct and indirect obligation of the State, and it
18. would be very simple to argue...

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Gentlemen.

21. SENATOR HYNES:

22. ...that the distinction...

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Have some order please. Senator Hynes.

25. SENATOR HYNES:

26. ...exists only because the first source of payment is revenue,
27. in the case of revenue bonds, and the State's Treasury, in the
28. case of general obligation bonds, but that ultimately the State
29. is responsible and that the full faith and credit of the State is
30. behind these bonds. So, I think that the issue here is much more
31. significant than might appear at first blush and, in fact, I believe
32. that we may be on the verge of attempting to add greater support
33. to these bonds than anyone thought existed in the past.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Weaver.

3. SENATOR WEAVER:

4. Mr. President, I think that had my amendment been adopted, it
5. would be perfectly clear that it would have only taken 30 votes.
6. But this was not adopted, Senator Hynes, and that...to that degree,
7. they are moral obligations and I believe the Constitution is clear
8. in that it takes a three-fifths vote of the General Assembly in
9. order to authorize.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Rock.

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15. (Continued on next page)

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1. SENATOR ROCK:

2. I hesitate again to rise on a point of order, but that, frankly,
3. just is a misstatement, and if my good friend, Senator Weaver, who I'm
4. sure did not mean to say that. The constitution is quite clear.
5. There is a one big whopping difference between a "moral obligation",
6. and one that "secured by the full faith and credit of the State."
7. There's just one big difference. I would ask, Mr. President, that
8. we attend to our business, and I move the previous question.

9. PRESIDING OFFICER (SENATOR BRUCE):

10. Senator Rock's moved the...previous question. Senator McCarthy.

11. SENATOR McCARTHY:

12. I make the inquiry, shall the main question be now put? I...
13. this is the correct form.

14. PRESIDING OFFICER (SENATOR BRUCE):

15. Senator McCarthy, that is in correct form. Senator Carroll.

16. SENATOR CARROLL:

17. It should be - shall the main question now be put. We've im-
18. proved our grammar.

19. PRESIDING OFFICER (SENATOR BRUCE):

20. Shall the main question now be put? Those in favor say Aye.
21. Those Opposed. Main question...will now be put. The question is
22. shall the ruling of the Chair be sustained. Those in favor vote Aye.
23. Those opposed vote Nay. The voting is open. ...(Machine cut-off)...
24. all voted who wish? Take the record. On that question, the Ayes are
25. 29, the Nays are 23, none Voting Present. The ruling of the Chair is
26. sustained. Senate Bill 130. The question is...just a minute, Gentle-
27. men. We have to clear the board. During this interlude, there has
28. been a question about the temperature in the Chambers. I'm informed
29. that two generators in Springfield have gone out of service at the
30. Power Plant. We are on full power here, but all the cooling ability
31. we can have is within the Chamber. Senator Partee.

32. SENATOR PARTEE:

33. And that's why I told you to pass 609 the other day. I knew these

1. things are going to happen.

2. PRESIDING OFFICER (SENATOR BRUCE):

3. The question is shall Senate Bill 130 pass. Those in favor
4. vote Aye. Those opposed vote Nay. The voting is open. This bill
5. will require a thirty...a majority of those elected to pass. Have
6. all voted who wish? All voted who wish? Take the record. On that
7. question the Ayes are 27, the Nays are 23, 1 Voting Present. Senate
8. Bill 130 having failed to receive the constitutional majority is de-
9. clared lost. Senate Bill 131. Senator Demuzio.

10. SECRETARY:

11. Senate Bill 131.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER (SENATOR BRUCE):

15. Senator Demuzio.

16. SENATOR DEMUZIO:

17. I'd like leave of the Senate to bring this back for two amend-
18. ments. One from myself...

19. PRESIDING OFFICER (SENATOR BRUCE):

20. Is leave...is leave given. We're on the order of 2nd reading.
21. Senate Bill 131. Senator Demuzio, do you have the amendment?

22. SENATOR DEMUZIO:

23. Yes, I believe it's Amendment No. 3. It's on the Secretary's
24. Desk. What it does, it provides that the authority shall make a
25. financial report on all the projects that are financed under this
26. section to the General Assembly and to the Governor by April the 1st
27. of each year. And it also indicates that this amendatory...amendatory
28. act would take effect upon its becoming law, and that's all it states,
29. and I ask for a favorable roll call.

30. PRESIDING OFFICER (SENATOR BRUCE):

31. Senator Demuzio moves the adoption. All in favor say Aye. All
32. Opposed. Amendment is adopted.

33. SENATOR DEMUZIO:

1. Yes.

2. PRESIDING OFFICER (SENATOR BRUCE):

3. For an amendment.

4. SENATOR DEMUZIO:

5. I would yield to Senator Weaver who has the amendment.

6. PRESIDING OFFICER (SENATOR BRUCE):

7. Amendment No. 4, Senator Weaver.

8. SENATOR WEAVER:

9. Thank you, Mr. President. This amendment would just make this

10. agency an appropriated agency, and I'd move the adoption.

11. PRESIDING OFFICER (SENATOR BRUCE):

12. Senator Weaver has moved the adoption. Senator Weaver, the

13. Secretary does not have the amendment. ...amendment to Senate Bill

14. 130, but not 131. ...(Machine cut-off)...moves the adoption of Amend-

15. ment No. 4 to Senate Bill 131. All in favor say Aye. All...all

16. Opposed. The amendment is adopted. Any further amendments? 3rd

17. reading. Intervening business, Senate Bill 134.

18. SECRETARY:

19. Senate Bill 134.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER (SENATOR BRUCE):

23. Senator Partee.

24. SENATOR PARTEE:

25. Mr. President and members of the Senate, Senate Bill 134 is a

26. little different from most of the bills that you have turned down.

27. This is a very important bill that relates to authorizing the State

28. to build and then turn over to the community and internal organizations

29. special living centers for the developmentally...disabled. I've been

30. very concerned about the developmentally disabled. A couple of years

31. ago, there were those who did not understand the difference between

32. developmentally disabled and other people who were regular handicaps.

33. This bill, very frankly, develops specifications for the establishment of

1. specialized living centers throughout the State of people in this
2. category. I think it's a good bill for the principal reason that
3. it will, perhaps, save money. Now, the State is going to take care
4. of people in this category. They'll be giving money in dollar amounts
5. to the areas where they are. But, this gives the State a chance to
6. build some institutions to take care of people, either fifty or a
7. hundred in each of them. Most of you here are very fortunate that you
8. do not have any mental problems. You do not have any mental disabilities,
9. but there are a lot of people, some of whom are your relatives, some
10. of whom are your relatives who have these problems. And it seems to me
11. that the State should be concerned about those relatives of yours and
12. mine who have these problems, and this is just another way to set up
13. a program where on a fifty or hundred person basis, the State can do
14. this. Now, let me say this to you - no, don't ask for a roll call. This
15. is very important. Some of you feel that this is going to cost an awful
16. lot of money. Everyone likes to save money. People who would be in
17. the fifties and the hundred little units, the money that the State would
18. spend to put them there would be less than they might pay under other
19. circumstances. You know, this is a very serious bill, and many of you
20. are not serious as you listen, and I need thirty-two votes, to have
21. thirty-two friends here. I'd ask for a roll call.

22. PRESIDING OFFICER (SENATOR BRUCE):

23. The question is shall Senate Bill 134 pass. Those in favor vote
24. Aye. Those opposed vote Nay. The voting is open. Have all voted who
25. wish? Take the record. On that question, the Ayes are 26, the Nays
26. are 25. Senate Bill 134 having received...having failed to receive a
27. constitutional majority...there's a motion by Senator Partee to post-
28. pone. This bill is postponed. Senate Bill 131, Senator Demuzio. The
29. bill has been read a 3rd time.

30. SENATOR DEMUZIO:

31. Mr. President and members of the Senate, just a parliamentary
32. question. How many votes does it take to pass 131?

33. PRESIDING OFFICER (SENATOR BRUCE):

1. Senator Demuzio.

2. SENATOR DEMUZIO:

3. A parliamentary question. How many votes does it take to pass

4. Senate Bill 131?

5. PRESIDING OFFICER (SENATOR BRUCE):

6. It will require thirty votes.

7. SENATOR DEMUZIO:

8. Thank you.

9. PRESIDING OFFICER (SENATOR BRUCE):

10. Senator Welsh.

11. SENATOR WELSH:

12. Mr. President, I move that the Senate now adjourn till 9:00 o'clock

13. tomorrow morning.

14. PRESIDING OFFICER (SENATOR BRUCE):

15. All...all...those in favor say Aye. Those Opposed. Those Opposed.

16. The Nays have it.. Senator Demuzio. For what purpose does Senator Harris

17. arise?

18. SENATOR HARRIS:

19. ... (Machine cut-off)... I just want to put on the record the fact

20. that I think your ruling is in error. We're not going to go through

21. the drill of an appeal, but I think, in fact, that Senate Bill 134,

22. calling for the indirect impairment of taxes will, as I have previously

23. stated in connection with Senate Bill 131, does, in fact, require the

24. three-fifths vote of the Senators elected.

25. PRESIDING OFFICER (SENATOR BRUCE):

26. All right. Read the bill a 3rd time. There is a question in the

27. Secretary's mind whether the bill has been read a 3rd time.

28. SECRETARY:

29. Senate Bill 131.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDING OFFICER (SENATOR BRUCE):

33. The question is...Senator Demuzio.

1. SENATOR DEMUZIO:

2. I haven't had a chance to talk about the bill yet. I think that
3. the bill is a...is a bill that warrants the support of this Body. I've
4. heard a lot of comments today on this side and the other side of the
5. aisle relevant to unemployment. This is a association, the Illinois
6. Industrial Development Association, that will provide some additional
7. funds, fifty million dollars in Industrial Revenue Bonds, at a ceiling
8. of eight percent to help industry to provide some jobs. If you're
9. really interested in doing this, then I would urge your most favorable
10. consideration. Roll call.

11. PRESIDING OFFICER (SENATOR BRUCE):

12. Senator Buzbee.

13. SENATOR BUZBEE:

14. Mr. President, I would just like to point out that these are
15. Revenue Bonds we're talking about. The Illinois...the Illinois
16. Industrial Development Authority is an authority that deals with trying
17. to locate industry and help industry into those counties which are
18. designated by the United States Department of Labor, as high unemploy-
19. ment areas. As Senator Demuzio pointed out, there's been a lot of
20. rhetoric today about bringing industry in or driving industry out of
21. Illinois. This is a...an authority that has been doing, I think, a
22. very good job in attempting to bring industry in. We're talking about
23. those counties that have high unemployment, primarily downstate counties,
24. primarily southern Illinois counties, and I rise in support of this bill.
25. Thank you.

26. PRESIDING OFFICER (SENATOR BRUCE):

27. Senator Rock.

28. SENATOR ROCK:

29. Thank you, Mr. President and Ladies and Gentlemen of the Senate,
30. I, too, rise in support of Senate Bill 131, and I feel compelled, because
31. anytime the Illinois State Chamber of Commerce and I and others stand
32. shoulder to shoulder, I should let the world know. The bill is a good
33. one, and I...and I think Senator Buzbee, as...as he pointed out, that

1. that this will afford some help to those downstate counties, particularly,
2. not my county particularly, but the downstate counties particularly.
3. Now, we did, in fact, accept the amendments which were offered by the
4. Minority Spokesman of the Appropriations Committee, to make sure that this
5. authority would have to, in fact, come before the General Assembly for
6. its operations budget. I think, with the amendment, the bill is even
7. better, and I would urge a favorable vote.

8. PRESIDING OFFICER (SENATOR BRUCE):

9. Senator Fawell.

10. SENATOR FAWELL:

11. I just want to ask this one question. Is the moral obligation
12. clause in these Revenue Bonds?

13. PRESIDING OFFICER (SENATOR BRUCE):

14. Senator Demuzio.

15. SENATOR DEMUZIO:

16. Senator Fawell, I am told no.

17. PRESIDING OFFICER (SENATOR BRUCE):

18. Is there further debate? Senator Demuzio may close the debate.

19. SENATOR DEMUZIO:

20. Just one...one final comment, Senator Rock indicated that the
21. Chamber of Commerce is supporting this legislation, and I do urge a
22. favorable roll call.

23. PRESIDING OFFICER (SENATOR BRUCE):

24. Have all...the question is shall Senate Bill 131 pass. Those
25. in favor vote Aye. Those opposed vote Nay. The voting is open.
26. Have all voted who wish? Take the record. On that question, the Ayes
27. are 26, the Nays are 22, none Voting Present. Senate Bill 131 having
28. failed to receive a constitutional majority is declared lost. For what
29. purpose does Senator Harris arise?

30. SENATOR HARRIS:

31. Having voted on the prevailing side, I move to reconsider the vote
32. by which 131 was declared lost.

33. PRESIDING OFFICER (SENATOR BRUCE):

1. Senator Harris has moved to reconsider the vote by which Senate
2. Bill 131 lost. All in...Senator Harber Hall moves to Table that
3. motion. All in favor say Aye. All Opposed. The motion is Tabled.
4. Senate Bill 135.

5. SECRETARY:

6. Senate Bill 135.

7. (Secretary reads title of bill)

8. 3rd reading of the bill.

9. PRESIDING OFFICER (SENATOR BRUCE):

10. Senator Daley.

11. SENATOR DALEY:

12. Mr. President and fellow Senators, this increases the Capital
13. Development Bond Act Authorization by three hundred and six million
14. dollars for the following categories: universities and colleges,
15. recreation and conservation, child care and mental health, correction-
16. al institutions as well as regional port authorities, nonpublic...
17. higher learning as well as water resource management. I'd ask for
18. a favorable roll call.

19. PRESIDING OFFICER (SENATOR BRUCE):

20. Is there further debate? Senator Buzbee.

21. SENATOR BUZBEE:

22. Mr. President, this is new authorization of general obligation
23. bonds. I only rise on this bill for one reason. Many, many times it's
24. been stated in this Chamber and in various committees that those of us
25. who have public universities in our districts are only concerned about
26. getting additional capital projects there. In this particular bill,
27. there are capital projects for Southern Illinois University at
28. Carbondale. Some of those projects have already been authorized by
29. the Illinois Board of Higher Education, the Bureau of the Budget for
30. capital expenditure, some of them have not, out of just current capital
31. bills - what your normal...normal capital improvement bills. I just
32. want to point out that I, again, I am going to vote No.

33. PRESIDING OFFICER (SENATOR BRUCE):

1. Is there further debate? On this bill, it will require a three-
2. fifths affirmative vote. The question is shall Senate Bill 135 pass.
3. Those in favor vote Aye. Those opposed vote Nay. The voting is open.
4. Have all voted who wish? Take the record. On that question, the Ayes
5. are 24, the Nays are 24, none Voting Present. Senate Bill 135 having fail-
6. ed to receive a constitutional majority is declared lost. Senator Harris.

7. SENATOR HARRIS:

8. Having voted on the prevailing side, I now move to reconsider
9. the vote.

10. PRESIDING OFFICER (SENATOR BRUCE):

11. Senator Harris moves to reconsider the vote by which Senate Bill
12. 135 lost. Senator Harber Hall moves to Table that motion. All in
13. favor say Aye. All Opposed. Motion is Tabled. Senator Rock moves
14. we adjourn until 9:00 o'clock tomorrow morning. All in favor say Aye.
15. All Opposed. Senate stands adjourned. Senate stands adjourned until
16. 9:00 a.m. tomorrow morning. There's been a request for a roll call on
17. the adjournment motion. Those in favor will vote Aye. Those opposed
18. will vote Nay. The voting is open. Have all voted who wish? Take
19. the record. On that question, the Ayes are 30, the Nays are 25. Is
20. there a request that we verify both the affirmatives and negatives, those
21. Present and those absent? The Senate stands adjourned until 9:00 a.m.
22. tomorrow morning.