

79TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 27, 1975

1 PRESIDENT:

2 The hour of nine having arrived, the Senate will come to order.
3 The prayer will be by...will our guests in the gallery please rise
4 as we have the prayer by Father Edward H. Westermann, St. Mary's
5 Church, Lincoln, Illinois.

6 FATHER EDWARD H. WESTERMANN:

7 (Prayer by Father Edward H. Westermann)

8 PRESIDENT:

9 Reading of the Journal.

10 SECRETARY:

11 June 13th, 1975.

12 PRESIDENT:

13 Senator Johns.

14 SENATOR JOHNS:

15 I move that further reading of the Journal of Friday, June the 13th,
16 1975 be dispensed with and unless some Senator has corrections to offer,
17 the Journal stand approved.

18 PRESIDENT:

19 You heard the motion. All in favor will say Aye. Opposed Nay.
20 The Ayes have it. The motion carries. Senator Johns.

21 SENATOR JOHNS:

22 Mr. President, I move that reading and approval of the Journals of
23 Monday, June the 16th, Tuesday, June the 17th, Wednesday, June the 18th,
24 Thursday, June the 19th, Friday, June the 20th, Saturday, June the 21st,
25 Monday, June the 23rd, Tuesday, June the 24th, Wednesday, June 25, 1975.
26 be postponed pending arrival of the printed Journals.

27 PRESIDENT:

28 You heard the motion. All in favor will say Aye. Opposed Nay.
29 The Ayes have it. The motion carries. Resolutions.

30 SECRETARY:

31 Senate Resolution 122. Senate Resolution offered by Senators
32 Kenneth Hall, Partee, Donnewald and others.

33 Senate Resolution 123 offered by Senator Carroll.

34 Senate Resolution 124 offered by Senator Hynes and Senate

1. Resolution 125 offered by Senator Hynes. These are all death reso-
2. lutions.

3. PRESIDENT:

4. Senator Johns moves to suspend the rules for the immediate con-
5. sideration of these resolutions. All in favor say Aye. Opposed Nay.
6. The Ayes have it. The rules are suspended. Senator Johns now moves
7. for the immediate adoption of those resolutions. All in favor say Aye.
8. Opposed Nay. The resolutions are adopted. House Bills on 1st reading.
9. Page 6 of your Calendar. House Bill 3064, Senator Buzbee.

10. SECRETARY:

11. House Bill 3064.

12. (Secretary reads title of bill)

13. 1st reading of the bill.

14. PRESIDENT:

15. House Bill 3088.

16. SECRETARY:

17. House Bill 3088.

18. (Secretary reads title of bill)

19. 1st reading of the bill.

20. PRESIDENT:

21. Is there leave to move House Bill 3088 to the order of 2nd
22. reading without reference to committee? Leave is granted. The bill
23. is on 2nd reading. House Bill 3086, Senator Kenneth Hall.

24. SECRETARY:

25. House Bill 3086.

26. (Secretary reads title of bill)

27. 1st reading of the bill.

28. PRESIDENT:

29. Messages from the House.

30. SECRETARY:

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

32. Mr. President - I am directed to inform the Senate that
33. the House of Representatives has concurred with the Senate in the

1. passage of the following bills along with House amendments.
2. Senate Bill 649 with House Amendment No. 1 and 3. Senator Don
3. Moore is the chief sponsor.
4. Senate Bill No. 751 with House Amendment No. 2. Senator Glass
5. is the chief sponsor.
6. Senate Bill No. 957 with House Amendments No. 1, 3, 4, 5, 6, 7,
7. 8 and 9. Senator Glass is the chief sponsor.
8. Senate Bill No. 986 with House Amendment No. 1. Senator Graham
9. is the chief sponsor.
10. Senate Bill No. 992 with House Amendment No. 2. Senator Hynes
11. is the chief sponsor.
12. Senate Bill No. 1018 with House Amendment No. 1. Senator Harris
13. is the chief sponsor.
14. Senate Bill No. 1021 with House Amendment No. 1. Senator Romano
15. is the chief sponsor.
16. Senate Bill No. 1022 with House Amendments No. 1, 2 and 3.
17. Senator Romano is the chief sponsor.
18. Senate Bill. No. 1031 with House Amendments No. 1, 4 and 5.
19. Senator Buzbee is the chief sponsor.
20. Senate Bill. No. 1036 with House Amendment No. 3. Senator
21. Wooten is the chief sponsor.
22. Senate Bill. No. 1057 with House Amendment No. 2. Senator
23. Shapiro is the chief sponsor.
24. Senate Bill No. 1170 with House Amendments 2 and 3. Senator
25. Bruce is the chief sponsor.
26. Senate Bill No. 1247 with House Amendment No. 1. Senator Rock
27. is the chief sponsor.
28. Senate Bill No. 1395 with House Amendment No. 1. Senator Nudel-
29. man is the chief sponsor.
30. Senate Bill No. 1258 with House Amendments No. 1 and 2. Senator
31. Kosinski is the chief sponsor.
32. Senate Bill No. 1493 with House Amendments No. 2, 3 and 4. It's...
33. Committee on Education. Senator Buzbee is the chief sponsor.

1 PRESIDENT:

2 All of the bills read to the Secretary's Desk. On the order
3 of nonconcurrence, page 11. House Bill...1303, Senator Kenneth Hall.
4 1303 on page 11 in your Calendar on the order of nonconcurrence
5 in the Department of Personnel bill.

6 SENATOR HALL:

7 I...I must get the file. Would you hold that a minute for me
8 please, Mr. President, until I ...

9 PRESIDENT:

10 All right. House Bill 1443, Senator Schaffer.

11 SENATOR SCHAFFER:

12 Mr. President, I believe, the proper motion is to refuse to
13 recede from Senate Amendment No. 3 and request a Conference Committee.

14 PRESIDENT:

15 Senator Schaffer moves to refuse to recede from Senate Amendment
16 No. 3 on House Bill 1442 and moves that a Conference Committee
17 be appointed. All in favor say Aye. Opposed Nay. The motion carries,
18 and the Secretary shall so inform the House. House Bill 1881, Senator
19 Rock.

20 SENATOR ROCK:

21 I've been requested by the House sponsor to request a Conference
22 Committee.

23 PRESIDENT:

24 Senator Rock moves that the Senate refuse to recede from the
25 adoption of Senate Amendments No. 2 and 3 to House Bill 1881 and
26 further moves that a Conference Committee be appointed. Those in favor
27 say Aye. Opposed Nay. The Ayes have it. The motion carries and the
28 Secretary shall so inform the House. Senator Schaffer, Senator Glass
29 is not here. You are cosponsors. Are we prepared to deal with House
30 Bill 2876? Senator Kenneth Hall, are you ready on 1303? Fine. Senator
31 Glass, on the order of bills on the order of nonconcurrence on Page 11
32 of your Calendar, there appears a bill, House Bill 2876. If we're
33 going to nonconcur, I wanted to do it so we can get it over there

1 and get a Conference Committee appointed.

2 SENATOR GLASS:

3 Mr. President, I...now...as I understand it, that is a Senate
4 Amendment with which the...with which the House did not concur, and I
5 believe my...I will make the motion then that the Senate refuse to
6 recede from that amendment and a Conference Committee be appointed.

7 PRESIDENT:

8 On the order of bills on nonconcurrency on House Bill 2876,
9 Senator Glass moves that the Senate refuse to recede from Senate Amend-
10 ment No. 1 to House Bill 2876 and further moves that a Conference
11 Committee be appointed. All in favor say Aye. Opposed Nay. The Ayes
12 have it. The motion carries, and the Secretary shall so inform the
13 House. A Message from the House.

14 SECRETARY:

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

16 Mr. President - I am directed to inform the Senate that
17 the House of Representatives has refused to recede from their Amend-
18 ment No. 1 to a bill with the following title:

19 Senate Bill 208. And they request a Conference Committee and
20 have named the Representatives on the part of the House. Senator
21 Nimrod is the chief sponsor.

22 PRESIDENT:

23 Senator Nimrod.

24 SENATOR NIMROD:

25 Yes, Mr. President, I'd like to accede to the Conference Committee.
26 Request for Conference Committee.

27 PRESIDENT:

28 Senator Nimrod moves that the Senate refuse to recede from the
29 adoption of Amendment No. 1 to House Bill 208...to Senate Bill 208 and
30 that a Conference Committee be appointed. All in favor say Aye.
31 Opposed Nay. The Ayes have it. The motion carries and the Secretary
32 shall so inform the House. House Bills on 2nd reading. House Bill
33 3118. Is there leave to re-refer House Bill...3118 to committee? Just

1 hold it. Take it out of the record. Take it out of the record.

2 House Bills on 2nd reading. House Bill 3118.

3 SECRETARY:

4 House Bill 3118.

5 (Secretary reads title of bill)

6 2nd reading of the bill. No committee amendments.

7 PRESIDENT:

8 Any amendments from the Floor? 3rd reading. The Chair wants
9 to explain that 3118 - the description on the Calendar is incorrect.
10 3118 is a House counterpart to 1505. Now, I want to...everybody to
11 understand that the bill can be and will be brought back for amendments.
12 But, I wanted to get it on 3rd reading for that purpose. On the order of
13 ...Resolutions. Senator Don Moore, you have a resolution on the Desk.
14 Do you want to deal with it? Senator Don Moore.

15 SENATOR MOORE:

16 Thank you, Mr. President. This resolution does require a two-
17 thirds vote, and I don't...

18 PRESIDENT:

19 Well, let's hold it. Take it out...let's hold it.

20 SENATOR MOORE:

21 Thank you, Mr. President.

22 PRESIDENT:

23 Take it out of the record. On the order of nonconcurrency, page
24 11 of your Calendar, House Bill 1303, Senator Kenneth Hall.

25 SENATOR HALL:

26 Thank you, Mr. President and fellow members of the Senate. On
27 House Bill 1303 on nonconcurrency, I refuse to recede and ask that a
28 Conference Committee be appointed.

29 PRESIDENT:

30 Senator Kenneth Hall moves that the Senate refuse to recede from the
31 adoption of Senate Amendments numbered 1, 2, 3 and 4 to House Bill 1303
32 and further moves that a Conference Committee be appointed. All those
33 in favor say Aye. Opposed Nay. The motion carries and the Secretary

1 shall so inform the House. House Bill 816, Senator Rock for Senator
2 Lane.

3 SENATOR ROCK:

4 Thank you, Mr. President. I think the appropriate motion is that
5 we will refuse to recede from Senate Amendment No. 1 and ask that a
6 Conference Committee be appointed.

7 PRESIDENT:

8 Senator Rock moves that the Senate refuse to recede from the
9 adoption of Senate Amendment No. 1 to House Bill 816 and further moves
10 that a Conference Committee be appointed. All those in favor say Aye.
11 Opposed Nay. The Ayes have it. The motion carries and the Secretary
12 shall so inform the House. On the order of nonconcurrency, House Bill
13 2065, Senator Nimrod for Senator Mohr.

14 SENATOR NIMROD:

15 Yes, Mr. President, thank you. I would...speaking for Senator
16 Mohr, he would refuse to recede and call for a Conference Committee.

17 PRESIDENT:

18 Senator Nimrod moves that the Senate refuse to recede from the
19 adoption of Senate Amendments Numbered 1 and 2 to House Bill 2065 and
20 further moves that a Conference Committee be appointed. All those in
21 favor say Aye. Opposed Nay. The Ayes have it. The motion is carried
22 and the Secretary shall so inform the House. Senator McCarthy, would
23 you come to the podium a moment.

24 PRESIDING OFFICER: (SENATOR MCCARTHY)

25 For what...for what purpose does Senator Daley arise?

26 SENATOR DALEY:

27 Mr. President, fellow Senators. The Senate Judiciary Committee
28 will hold a meeting sometime this afternoon in regards to House Bill 3062.

29 PRESIDING OFFICER: (SENATOR MCCARTHY)

30 You have heard the announcement. The Senate Judiciary Committee
31 will hold a meeting. The subject matter will be House Bill 3062.
32 The Chairman of the Committee will notify the members again the time
33 and place, but mark that. Is that the Insurance proposal?

1 SENATOR DALEY:

2 ...Yes, that's the No-Fault, the Consumer No-Fault Bill.

3 PRESIDING OFFICER: (SENATOR MCCARTHY)

4 Thank you. Senator Netsch.

5 SENATOR NETSCH:

6 Are there copies of the bill available?

7 PRESIDING OFFICER: (SENATOR MCCARTHY)

8 The answer is yes. The Secretary's Office. For what purpose
9 does Senator Partee arise?

10 SENATOR PARTEE:

11 Well, I was going to move the adoption of Senate Joint Resolution
12 34, so that we could get over to the House.

13 PRESIDING OFFICER: (SENATOR MCCARTHY)

14 All right. Is there leave of the Body to go to the order of the
15 Secretary's Desk for the call of Senate Joint Resolution No. 34? Leave.
16 Senator Partee. We have arrived at that point of business. Senate Joint
17 Resolution 34. Will the Secretary read the resolution?

18 SENATOR PARTEE:

19 Well, it's quite a long resolution.

20 PRESIDING OFFICER: (SENATOR MCCARTHY)

21 Yeah, just the title.

22 SENATOR PARTEE:

23 Might be able to explain it.

24 PRESIDING OFFICER: (SENATOR MCCARTHY)

25 Yes.

26 SENATOR PARTEE:

27 It's simply a resolution that commends the Board of Trustees of the
28 University of Illinois for its willingness to participate in the financing
29 of a proposed five hundred bed replacement hospital in the Medical Center
30 Campus in Chicago. So, we are just commending them for their partici-
31 pation having worked out what is a very intricate and technical deal
32 situation, accommodation for the construction of this five hundred bed
33 replacement hospital. And I'd move adoption of the resolution.

34 PRESIDING OFFICER: (SENATOR MCCARTHY)

1 Any further discussion on the resolution? Motion before the
2 Body that the resolution be adopted. Those in favor of the adoption
3 signify by saying Aye. Aye. Contrary Nay. The resolution is adopted.
4 For what purpose does Senator Welsh arise?

5 SENATOR WELSH:

6 Mr. President, while you're on the order of Secretary's Desk, I
7 would like to talk about Senate Bill 98.

8 PRESIDING OFFICER: (SENATOR MCCARTHY)

9 On the order of the Secretary's Desk, Senate Bill 98. You're
10 recognized, Senator Welsh.

11 SENATOR WELSH:

12 Thank you, Mr. President. I would move, Mr. President, that the
13 Senate do not recede with House Amendments Nos. 3 and 4 and suggest
14 that a Conference Committee be appointed.

15 PRESIDING OFFICER: (SENATOR MCCARTHY)

16 The motion is that the Senate refuse to recede, do...do not concur
17 with House Amendments No. 3 and 4 on Senate Bill 98 and that a Confer-
18 ence Committee and that the House be so informed. Senator Davidson.

19 SENATOR DAVIDSON:

20 A question of the sponsor. My understanding was that those amend-
21 ments that adopted in the House gave words, you mean, to the bill.

22 Is there a reason for not concurring?

23 PRESIDING OFFICER: (SENATOR MCCARTHY)

24 Senator Welsh.

25 SENATOR WELSH:

26 They're technically incorrect, John.

27 SENATOR DAVIDSON:

28 Okay. Thank you.

29 PRESIDING OFFICER: (SENATOR MCCARTHY)

30 The motion is that the Senate refuse to adopt House Amendments
31 3 and 4 to Senate Bill 98. Those in favor of the motion signify by
32 saying Aye. Aye. Contrary Nay. Motion carries. House will be so
33 informed.

1 PRESIDENT:

2 .Senator Shapiro.

3 SENATOR SHAPIRO:

4 Mr. President, Ladies and Gentlemen of the Senate. On the
5 Secretary's Desk is Senate Bill...

6 PRESIDENT:

7 We are in Session.

8 SENATOR SHAPIRO:

9 On the Secretary's Desk is Senate Bill 236 with House Amendments
10 No. 1, 4 and 5. I wish to move that the Senate concur with House
11 Amendment No. 1 to Senate Bill 236. This is a further clarification
12 of the reduction of cost of living social security increases as it
13 relates to the State pensions from the Illinois Municipal Retirement
14 Fund and State Employees Fund. It was requested by both funds and I
15 now move that the Senate concur in House Amendment No. 1 to Senate
16 Bill 236.

17 PRESIDENT:

18 The question is, shall the Senate...any discussion? The question
19 is, shall the Senate concur in Amendment No. 1 to House...to Senate
20 Bill 236. Those in favor vote Aye. Those opposed vote Nay. The voting
21 is open. Have all voted who wish? Take the record. On that question,
22 the Ayes are 39, the Nays are none, with none Voting Present. The
23 Senate concurs in Amendment No. 1 to Senate Bill 236. Senator Shapiro.

24 SENATOR SHAPIRO:

25 Mr. President, I now move that the Senate nonconcur in Amendments
26 No. 4 and 5 to Senate Bill 236.

27 PRESIDENT:

28 Senator Shapiro moves to nonconcur in House Amendments 4 and 5
29 to Senate Bill 236. All in favor say Aye. Opposed Nay. The motion
30 carries and the Secretary shall so inform the House. Are there Senators
31 with bills on the Secretary's Desk which you desire to move? Oh,
32 Senator Graham.

33 SENATOR GRAHAM:

SB 1298
6-27-75
Concurrence

1 I think we've read in Senate Bill 986 today with House Amendment...

2 PRESIDENT:

3 Mr. Secretary, can we have the bill?

4 SENATOR GRAHAM:

5 There was some bill read in and I thought it was mine when I
6 came in the Chambers.

7 PRESIDENT:

8 Well, we'll have to make up a supplemental Secretary's Desk
9 Calendar and we'll have all that before us. That'll be done very
10 shortly. Senator Clarke.

11 SENATOR CLARKE:

12 1298 is on the Speaker's...President's Desk too, and I'd like
13 to move a concurrence with House Amendment No. 2. 1298.

14 PRESIDENT:

15 Senator Clarke on the order of Secretary's Desk - Senate Bill 1298.
16 Senator Clarke is recognized.

17 SENATOR CLARKE:

18 This is the Travel Control Boards for the Legislature, the
19 Governor and all this amendment does is to insert the language -
20 that the rate shall not be at more than the Internal Revenue allowance.
21 Previously, it said they should be comparable too, and I move that
22 we concur in this amendment.

23 PRESIDENT:

24 Any further discussion? The question is, shall the Senate concur
25 in House Amendment No. 2 to Senate Bill 1298. Those in favor vote
26 Aye. Those opposed will vote Nay. The voting is open. Have all voted
27 who wish? On that question, the Ayes are...take the record. On that
28 question, the Ayes are 40, the Nays are none, with none Voting Present.
29 One...one moment, Senator, I want to finish this. The Senate concurs
30 in House Amendment No. 2 to House Bill 12...to Senate Bill 1298. And
31 the bill having received the required constitutional majority is declared
32 passed. Senator Hickey.

33 SENATOR HICKEY:

1 Mr. President, on Senate Bill 1325, I'd like to move to nonconcur
2 the House Amendment that was put on in error. The original bill was
3 drafted right, but when the House copy was printed a line was omitted,
4 and they put this amendment on to insert that line and that isn't
5 necessary inasmuch the original Senate Bill was accurate, and they
6 will later recede in the House. So, I move to nonconcur in House
7 Amendment No. 1.

8 PRESIDENT:

9 Senator Hickey moves to nonconcur in House Amendment No. 1 to
10 Senate Bill 1325. All those in favor say Aye. Opposed Nay. The
11 motion carries and the Secretary shall so inform the House. Senator
12 Netsch.

13 SENATOR NETSCH:

14 Mr. President, I have a Senate Bill 968 on the Secretary's Desk.
15 House Amendment No. 1, which was added in the House, and I would like
16 to move to concur with it. If...if you have found that I will explain
17 what it does.

18 PRESIDENT:

19 You may, Senator.

20 SENATOR NETSCH:

21 Thank you. This is a bill which involves the repeal of the ...
22 repeal of the limited liability for those who are involved in bloodbanks
23 and other transplants. The bill as it came in and left the Senate
24 extended this limited liability in effect for two years, or two and a
25 half years, actually, the House did not like that and reduced the
26 period of time to one year. What it means is simply that the Legis-
27 lature will have a chance to review its decision again in the next
28 Session. On that basis, I would move concurrence with House Amendment
29 No. 1 to Senate Bill 968.

30 PRESIDENT:

31 Any discussion? The question is, shall the Senate concur in
32 House Amendment No. 1 to Senate Bill 968. Those in favor vote Aye.
33 Those opposed Nay. The voting is open. Have all voted who wish?

1. Take the record. On that question the Ayes are 44, the Nays are
2. none, with none Voting Present. The Senate concurs in Amendment
3. No. 1 to Senate Bill 968. And the bill having received a constitu-
4. tional majority is declared passed. Senator Hall.

5. SENATOR HALL:

6. On the Secretary's Desk I have Senate Bill...

7. PRESIDENT:

8. Just a moment, Senator. I have a list here.

9. SENATOR HALL:

10. Oh, I'm sorry.

11. PRESIDENT:

12. Senator Sommer.

13. SENATOR SOMMER:

14. Mr. President, I have two bills. Could we go with 669 first?

15. PRESIDENT:

16. 669, Senate Bill 669, Senator Sommer.

17. SENATOR SOMMER:

18. Mr. President, I move to concur with House Amendment No. 1.

19. What this does, it makes clear that a person attending an educational
20. facility would otherwise be under the control of his parents, is not
21. ...the parents are not then removed from the responsibility for him
22. under the Public Aid Code.

23. PRESIDENT:

24. Any discussion? The question is shall the Senate concur in
25. House Amendment No. 1 to Senate Bill 669. Those in favor vote Aye.
26. Those opposed Nay. The voting is open. Have all voted who wish?
27. Take the record. On this question the Ayes are 40, the Nays are none,
28. with none Voting Present. Senate...the Senate does concur in Amend-
29. ment No. 1 to Senate Bill 669 and the bill having received the re-
30. quired constitutional majority is declared passed. Senator Sommer.

31. SENATOR SOMMER:

32. Mr. President, now, to Senate Bill 248. I move to concur with
33. House Amendments No. 1 and 2 on Senate Bill 248, and here is what

1 they do. House Amendment No. 1 is language that was suggested by the
2 Department of Labor to accomplish the same end as the bill passed out
3 of here. House Amendment No. 2 is the new one, that provides that teach-
4 ers may not receive unemployment compensation if they're on a
5 valid contract from year to year, or on a sabbatical. This puts this
6 into the State law.

7 PRESIDENT:

8 Any further discussion? Senator Netsch.

9 SENATOR NETSCH:

10 Senator Sommer, could I ask you for further explanation of that
11 second one. It seems to me that was a hotly disputed issue, here, and
12 the question...the division of the question was between whether teachers
13 during their regular summer sabbatical should be entitled to unemploy-
14 ment compensation which...and I think there is obviously justification
15 that they should not be in that case and a total prohibition which
16 would mean that even when a teacher was indeed laid off, he or she
17 would not be entitled to unemployment compensation, and I...I think it's
18 probably a rather significant difference, and I'm not quite clear. As
19 I understood you, you really were saying that the amendment that we
20 would be concurring with did the latter. Would you explain?

21 PRESIDENT:

22 Senator Sommer.

23 SENATOR SOMMER:

24 Senator Netsch, this was so controversial, it passed the House
25 one hundred and fifty-seven to nothing. What it does is, that it says,
26 that if you're teaching and...school ends in June and you're going to
27 go back in September, you cannot receive unemployment for that period
28 of time based upon your school. So, also, if you're on a sabbatical
29 leave from the university or high school, let's say, you cannot receive
30 unemployment. In other words, you're still an employee at that point
31 and time.

32 PRESIDENT:

33 Senator Bruce.

1 SENATOR BRUCE:

2 That's exactly what the amendment does, but I want you to know
3 that I don't think that will stand the test of constitutionality.
4 Billy Page, Director of the Unemployment Compensation Division in this
5 State, has ruled that if a teacher works during the summer for a con-
6 tractor, then teaches school, then is let out of school and seeks
7 employment with the same contractor, or another contractor, he or she is,
8 in fact, unemployed and entitled to benefits. I don't know what we've
9 got to hang up on teachers about unemployment comp. Every person who
10 works as a laborer in this State works about six months and then draws
11 unemployment comp for about six months. Now, folks, teachers aren't
12 any different. If they seek employment during the summer and cannot
13 find it, they are, in fact, unemployed. ...This bill just won't stand a
14 test of constitutionality. You cannot take a class of people and
15 completely exclude them from unemployment comp.

16 PRESIDENT:

17 Senator Sommer.

18 SENATOR SOMMER:

19 Senator Bruce, I suggest to you that you let Billy Page take this
20 to court. I think it's constitutional, and I think this is what the
21 people want. There was nothing in my district that caused more trouble
22 in the last six months than the...than the congressional law which
23 said the teachers could receive unemployment. People simply did not
24 like that.

25 PRESIDENT:

26 Senator Nimrod.

27 SENATOR NIMROD:

28 Mr. President, I have not seen this amendment, and one problem
29 that existed, because I was the one that sponsored this bill last time
30 when we had the extended discussion on it, was that, in fact, by what
31 we were doing, we were bringing the teachers under the Unemployment
32 Compensation Act when they were not covered and, in fact, by prohibiting
33 them that we were going to require them to be paid. I wonder if

1. you might just take this from the record just for a minute, Senator
2. Sommer, so we can take a look at this and then we can get right back
3. to it.

4. PRESIDENT:

5. Senator Sommer.

6. SENATOR SOMMER:

7. No.

8. PRESIDENT:

9. He indicates he does not so desire. Senator Nimrod.

10. SENATOR NIMROD:

11. Well, Mr. President, I have not seen this and I know there was
12. a great deal of complication and I've not even talked to anyone that
13. has, and I think that just jumping into something without giving us an
14. opportunity to look at it is certainly not the way we've proceeded
15. here. Unless I know what we're doing I just have to stand up and say
16. that we ought not support this movement until we have a chance to
17. look at it.

18. PRESIDENT:

19. Senator Berning.

20. SENATOR BERNING:

21. Thank you, Mr. President. For what it may be worth in the way
22. of helping to come to a conclusion I have been advised by various
23. members of our Illinois Delegation in Washington that Legislation has
24. now passed the House to do the same thing. They, also, recognize as
25. most of us do that a teacher on contract is actually not unemployed.
26. So, I'm sure that the Federal Government is going to enact Legislation
27. almost the same as this. So, there should be no hesitation in passing
28. this.

29. PRESIDENT:

30. Any further discussion? Senator Bruce.

31. SENATOR BRUCE:

32. I just had a chance to talk to the Representative from the Depart-
33. ment of Labor. Mr. Walsh tells me that they never were paid unemployment

1. compensation, they were paid out of a special assistance fund wholly
2. funded by the Federal Government. The President, last week, signed
3. legislation which banned those payments. This bill, as they explain
4. it to me, is completely superfluous at this point. It's a useless
5. Act.

6. PRESIDENT:

7. Senator Sommer.

8. SENATOR SOMMER:

9. Senator Bruce, I'm not so sure it's useless. The Federal Govern-
10. ment may change their mind and we'll have a state law on the topic,
11. then, won't we.

12. PRESIDENT:

13. Senator Graham.

14. SENATOR GRAHAM:

15. If it's as superfluous as Senator Bruce says it is and it's
16. as necessary as Senator Sommer thinks it is, despite what Senator
17. Bruce's advisors say, I think it's a good bill and we ought to go on
18. and pass it. I think a sponsor has a right to make up his mind. I
19. don't think that Senator Bruce can be the Attorney for the Department
20. of Labor and the United States of America all at the same time and
21. the IEA. I think he's got his hands full.

22. PRESIDENT:

23. The question is shall the Senate concur in House Amendments No.
24. 1 and 2 to Senate Bill 248. Those in favor vote Aye. Those opposed
25. vote Nay. The voting is open. Have all voted who wish? Take the
26. record. On this question the Ayes are 31, the Nays are 7, with none
27. Voting Present. The Senate does concur in Amendments No. 1 and 2 to
28. House Bill 248. And the bill having received the required constitu-
29. tional majority is declared passed. Senator Bruce has requested a
30. verification. Yes, it takes 30 votes. The Secretary will read the
31. affirmative vote.

32. SECRETARY:

33. The following voted in the affirmative: Bell, Berning, Bloom,

1 Clarke, Course, Daley, Davidson, Egan, Glass, Graham, Harber Hall,
2 Harris, Knuppel, Kosinski, Latherow, Merritt, Mitchler, Howard Mohr,
3 Don Moore, Nudelman, Ozinga, Philip, Regner, Roe, Romano, Schaffer,
4 Shapiro, Sommer, Soper, Weaver, Mr. President.

5 PRESIDENT:

6 Senator Bruce.

7 SENATOR BRUCE:

8 Is Senator Glass on the Floor?

9 PRESIDENT:

10 Senator Glass is in the Chamber.

11 SENATOR BRUCE:

12 Senator Bloom.

13 PRESIDENT:

14 Is Senator Bloom in the Chamber? Is Senator Bloom here? Strike
15 him from the roll call.

16 SENATOR BRUCE:

17 Senator Roe.

18 PRESIDENT:

19 Is Senator Roe here? Strike him from the roll call.

20 SENATOR BRUCE:

21 Don Moore.

22 PRESIDENT:

23 Senator Don Moore is here.

24 SENATOR BRUCE:

25 I think that's it.

26 PRESIDENT:

27 Request has been...request has been made to verify the negative.
28 Senator, we could verify the negative, it would not change the results
29 of the bill. It would be a futile act. The...Postpone Consideration has
30 been requested. Postpone Consideration has been requested. Senator
31 Rock. 632.

32 SENATOR ROCK:

33 Senate Bill 632 is the annual appropriation for the Bureau of

1 the Budget. House Amendments 1, 2, and 3, I wish to nonconcur in and
2 request a Conference Committee.

3 PRESIDENT:

4 Senator Rock moves that the Senate refuse to recede from the
5 adoption of Amendments No. 1, 2 and 3 to Senate Bill 632 and further...
6 and further request that a Conference Committee be appointed. All those
7 in favor say Aye. Opposed Nay. They Ayes have it. The motion carries
8 and the Secretary shall so inform the House. Senator Philip.

9 SENATOR PHILIP:

10 Thank you, Mr. President. Senate Bill 665 is on the Secretary's
11 Desk. I'd like to concur with House Amendment No. 1. The subject is
12 industrial bond. It simply changes a few words. It changes the word,
13 does not apply, to, is not a limit. And I move the adoption of...I
14 move the concurrence of House Amendment No. 1.

15 PRESIDENT:

16 Any further discussion? The question is shall the Senate concur
17 in House Amendment No. 1 to Senate Bill 665. Those in favor vote Aye.
18 Opposed Nay. The voting is open. Have all voted who wish? Take the
19 record. On this question, the Ayes are 42, the Nays are none, with
20 1 Voting Present. And the Senate does not concur in House Amendment No.
21 1 to Senate Bill 665. And the bill having received the constitutional
22 majority required is declared passed. Senator Egan.

23 SENATOR EGAN:

24 Thank you, Mr. President and members of the Senate. I wish to concur
25 in the House Amendment to Senate Bill 829. Now, let's see that...the
26 amendment is Amendment No. 1. And what it does is spell out in detail
27 what is inherent in the Mutual Trust Investment Plan, that the shares are
28 redeemable and that further insists that they're redeemable at least
29 four times a year, requires further that each shareholder must approve
30 any change in the plan. This is inherent but this spells it out and
31 recites all the rules and regulations of the bank commissioner must
32 be consistent with the Federal Investment Company Act and, also, has
33 a separate class of stock for each separate plan. This is totally

1 consistent with the intention of the legislation, and I move for its
2 concurrence.

3 PRESIDENT:

4 The question is, shall the Senate concur in House Amendment No.
5 1 to Senate Bill 829. Those in favor vote Aye. Opposed Nay. The
6 voting is open. Have all voted who wish? Take the record. On this
7 question, the Ayes are 44, the Nays are 3, with 1 Voting Present. And
8 the Senate does concur in House Amendment No. 1 to Senate Bill 829.
9 And the bill having received the required constitutional majority is
10 declared passed. Senator Regner.

11 SENATOR REGNER:

12 Yes, Mr. President, on Senate Bill 858, there are two amendments
13 that I wish to concur in. This is one of the Illinois Economic and
14 Fiscal Commissions bills regarding controls of day-care facilities and
15 reporting for the Department of Children and Family Services. Amendment
16 No. 1 just adds a section that gives the director a little more leeway
17 and the person he does appoint as the chief of that particular division,
18 and Amendment No. 2 changes one word. We're requesting a six month
19 report. The original bill said 1 six month report and this amendment
20 changes it to a six month report. I'd move to concur in House Amendment
21 ments No. 1 and 2 to Senate Bill 858.

22 PRESIDENT:

23 Any discussion? Senator Rock.

24 SENATOR ROCK:

25 I wonder, Senator Regner, if we might hold this a minute. It has
26 been indicated that the proper course of procedure might be to nonconcur
27 in 1 and I'd just state...okay, can we just take that out of the record
28 for a minute.

29 PRESIDENT:

30 Take it out of the record. Senator Kenneth Hall. Senator Don
31 Moore.

32 SENATOR DON MOORE:

33 On the Secretary's Desk, I believe, there is a Senate Bill 649.

1 PRESIDENT:

2 649?

3 SENATOR MOORE:

4 I believe that was...

5 PRESIDENT:

6 That would be on that Supplemental Calendar. Let's hold that
7 till we get that printed. Senator Ozinga.

8 SENATOR OZINGA:

9 ...6. Senate Bill 786.

10 PRESIDENT:

11 Senate Bill 786, Senator Ozinga.

12 SENATOR OZINGA:

13 Move to concur in the Amendment No. 1, which does nothing more
14 than defines the vehicle to which the yellow lamp could be attached.

15 PRESIDENT:

16 Any discussion? The question is, shall the Senate concur in House
17 Amendment No. 1 to Senate Bill 786. Those in favor will vote Aye.
18 Opposed Nay. The voting is open. Have all voted who wish? Take the
19 record. On that question, the Ayes are 48, the Nays are none, with
20 none Voting Present. And the Senate does concur in Amendment No. 1 to
21 Senate Bill 786. And the bill having received the required constitu-
22 tional majority is declared passed. Senator Glass.

23 SENATOR GLASS:

24 Thank you, Mr. President. On the Secretary's Desk in the order
25 of concurrence is a Senate Bill 965 with House Amendment No. 1 and I
26 would move that the Senate do not concur with that amendment.

27 PRESIDENT:

28 Would or would not?

29 SENATOR GLASS:

30 Not.

31 PRESIDENT:

32 Nonconcur.

33 SENATOR GLASS:

1 Nonconcur.

2 PRESIDENT:

3 All right. Senator Glass moves to nonconcur in House Amendment No.
4 1 to Senate Bill 965. All those in favor say Aye. Opposed Nay. The
5 motion carries and the Secretary shall so inform the House. Senator
6 Berning.

7 SENATOR BERNING:

8 Thank you, Mr. President. On the Senate...Secretary's Desk is
9 Senate Bill 739. With House Amendments 1, 2 and 3. And I move to concur.
10 House Amendment No ... these were agreed amendments, incidentally, worked
11 out with the House sponsor. Amendment No. 1 provides for the exemption of
12 the Illinois Optometric Practice Act. And Amendment No. 2 is a technical
13 correction making the wording conform to the tense and adding clinical
14 practice in public health and community facilities. And Amendment No. 3
15 is just a change in the effective date making the effective date July
16 instead of January to allow greater time for gearing up for this program.

17 PRESIDENT:

18 Any discussion? The question is ... Senator Smith.

19 SENATOR SMITH:

20 Our task force gave considerable attention to this particular measure
21 and their first recommendation was that we concur in the first two amend-
22 ments. After having gone over the matter again, they recommend that we
23 concur in all three amendments.

24 PRESIDENT:

25 Any further discussion? The question is shall the Senate concur in
26 Amendments Numbered 1, 2 and 3 to Senate Bill 739. Those in favor vote
27 Aye. Opposed Nay. The voting is open. Have all voted who wish? Take
28 the record. On that question, the Ayes are 42, the Nays are none, with
29 2 Voting Present. The Senate does concur in House Amendments Numbered 1,
30 2 and 3 to Senate Bill 739. And the bill having received...having re-
31 ceived a required constitutional majority is declared passed. Senator
32 Schaffer.

33 SENATOR SCHAFFER:

1 I have two bills here. Senate Bill 703 with House Amendment No. 2
2 changes one word. It changes the word voucher and inserts in lieu thereof
3 the word warrant. This relates to the postage bulk rate...use of bulk rat
4 postage by members of the General Assembly and this word change is neces-
5 sary to clarify which appropriation that postage money would come out of.
6 It is requested by the Department of General Services and it's very much
7 in order.

8 PRESIDENT:

9 The question is, shall the Senate concur in House Amendment No. 2 to
10 Senate Bill 703. Those in favor will vote Aye. Opposed Nay. The voting
11 is open. Have all voted who wish? Take the record. On that question,
12 the Ayes are 38, the Nays are 3, with none Voting Present. And the Senate
13 does concur in House Amendment No. 2 to Senate Bill 703. And the bill
14 having received the required constitutional majority is declared passed.
15 Senator Schaffer.

16 SENATOR SCHAFFER:

17 Senate Bill 706 with House Amendment No. 1. House Amendment No. 1 is
18 clarifying language. It...this involves reinstated certificates and in-
19 serts in one other location the word reinstated and then it adds the
20 language in courses related to the holder's contractual teaching duties.
21 It's clarifying language totally in concert with the concept of the bill,
22 and I move to concur.

23 PRESIDENT:

24 Any discussion? The question is, shall the Senate concur in House
25 Amendment No. 1 to Senate Bill 706. Those in favor vote Aye. Opposed Nay
26 The voting is open. Have all voted who wish? Take the record. On this
27 question, the Ayes are 47, the Nays are none, with none Voting Present.
28 And the Senate does concur in House Amendment No. 1. And the bill having
29 received the constitutional majority is declared passed. Senator Fawell.

30 SENATOR FAWELL:

31 Mr. President, on the Secretary's Desk is Senate Bill 882. And I
32 would move to concur in regard to both the House Amendments 1 and 2.
33 Amendment No. 1 is the House Rule Amendment and Amendment No. 2 is a
34 technical amendment that was suggested by the Reference Bureau.

1 PRESIDENT:

2 Any discussion? The question is, shall the Senate concur in House
3 Amendments Numbered 1 and 2 to Senate Bill 882. Those in favor vote Aye.
4 Those opposed vote Nay. The voting is open. Have all voted who wish?
5 Take the record. On this question, the Ayes are 46, the Nays are none,
6 with none Voting Present. And the Senate does concur in House Amendments
7 No. 1 and 2 to Senate Bill 882. And the bill having received the required
8 constitutional majority is declared passed. Senator Johns.

9 SENATOR JOHNS:

10 ...Let's see...882. I was looking for it, Mr. President, Just give
11 me one second here. Go ahead and move it. Wait a minute, I'm sorry, I
12 was...

13 PRESIDENT:

14 I think he wants Senate Bill 314 on the Secretary's Desk, Senator.

15 SENATOR JOHNS:

16 Oh...oh, that's right. Yes, that's a different subject...

17 PRESIDENT:

18 Right.

19 SENATOR JOHNS:

20 I'm sorry, Mr. President. Listen, Mr. President, I would like to move
21 to concur in House Amendment No. 1 to Senate Bill 314. Forgive me for...

22 PRESIDENT:

23 Any discussion? The question is, shall the Senate concur in House
24 Amendment No. 1 to Senate Bill 314. Those in favor vote Aye. Opposed
25 Nay. The voting is open. Have all voted who wish? Take the record. On
26 this question, the Ayes are 35, the Nays are 6, with 2 Voting Present.
27 And the Senate does concur in House Amendment No. 1 to Senate Bill 314.
28 And the bill having received the required constitutional majority is
29 declared passed. Senator Rock.

30 SENATOR ROCK:

31 Thank you, Mr. President. I have a number of bills on the Calendar.
32 Apparently, the House can't decide what they want to do with my bills.
33 I'd like to go to the order of Senate Bill 486.

34 PRESIDENT:

1 Senate Bill 486. Senator Rock.

2 SENATOR ROCK:

3 Senate Bill 486 is that amendment which made the Administrative
4 Review Act applicable to units of local government if, in fact, they
5 adopted the proper ordinance. Two amendments were added at the House at
6 the request of the House sponsor. They're very brief and I think they're
7 beneficial. I'm going to move to concur with House Amendments Nos. 1 and
8 2. Amendment No. 1 says this Act shall, also, apply and govern every
9 action to review judicially a final administrative decision of any ad-
10 ministrative agency of a unit of local government, school district,
11 community college district where the governing board of the unit of local
12 government provides by ordinance that such decisions are reviewable. In
13 effect is the same as the bill was passed out, they just changed the
14 wording around. Amendment No. 2 with which I also concur says that the
15 administrative agency shall inform the parties to the proceeding that the
16 review shall be pursuant to this Act, namely the Administrative Review
17 Act. I think the amendments are good, and I would urge concurrence in
18 House Amendments 1 and 2 to Senate Bill 486.

19 PRESIDENT:

20 Any discussion? Senator Glass.

21 SENATOR GLASS:

22 Mr. President, I'd like to ask the sponsor a question if I may.

23 PRESIDENT:

24 He indicates he'll yield.

25 SENATOR GLASS:

26 Senator Rock, is the effect of the bill as amended to make the
27 Administrative Review Act applicable only if the units of local govern-
28 ment pass an ordinance adopting it?

29 PRESIDENT:

30 Senator Rock.

31 SENATOR ROCK:

32 That is correct and that...that is exactly the language of that
33 Supreme Court Case.

1 PRESIDENT:

2 Senator Glass.

3 SENATOR GLASS:

4 Well, I...maybe you could elaborate on that a little more. I was
5 under the impression that the Administrative Review Act was broadly
6 applicable and covered all administrative hearings unless somehow the
7 statute exempted them.

8 PRESIDENT:

9 Senator Rock.

10 SENATOR ROCK:

11 As a matter of fact, I was under the same impression prior to that
12 Supreme Court decision. Now...there was a case litigated which arose
13 out of an ordinance in the City of Chicago and the Supreme Court said,
14 very definitely, that unless the local ordinance specifically provides
15 that the Administrative Review Act is applicable it is not. I was
16 under the same impression as...as were you prior to that Supreme Court
17 case. This is in response to that case and it specifically points out
18 that the Administrative Review Act is applicable, but only if the
19 ordinance is adopted calling for it.

20 PRESIDENT:

21 Any further discussion? Senator Glass.

22 SENATOR GLASS:

23 Well, I suppose then if...well, I guess what I'm saying is, I
24 question whether you need the bill. I...I would think that any...any
25 unit of local government could adopt such an ordinance if they wished
26 and so you're....you're stating what probably can be done anyway.
27 Is that right?

28 PRESIDENT:

29 The question is, shall the Senate concur in House Amendments
30 numbered 1 and 2 to Senate Bill 486. Those in favor vote Aye. Those
31 opposed Nay. The voting is open. Have all voted who wish? Take the
32 record. On this question, the Ayes are 46, the Nays are none, with none
33 Voting Present. And the Senate does concur in House Amendments numbered

1 1 and 2. And the bill having received a constitutional majority is
2 declared passed. Senator Rock.

3 SENATOR ROCK:

4 Thank you, Mr. President. I'd like to move to the order of Senate
5 Bill 417. There are four amendments. I wish to concur in two and
6 nonconcur in two.

7 PRESIDENT.

8 Senator Rock, our Calendar shows House Amendments 1...you're
9 correct, there are four. Senator Rock is recognized.

10 SENATOR ROCK:

11 Senate Bill 417 is that bill which I picked up after Senator
12 Saperstein left. This is the bill that provides for notice when a
13 patient is being transferred from one institution to another. Amendment
14 No. 1, I'm going to move. There are four amendments that the House
15 placed on, two of them I wish to concur and two I wish to nonconcur
16 in. Amendment No ... I will move for concurrence in Amendments No.
17 1 and 3. Amendment No. 1 is ... is merely a technical amendment. It
18 picked up off the computer language that was inadvertently left out.
19 It's a Reference Bureau Amendment, and I'm going to move to concur in
20 No. 1. Amendment No. 3, I ... I think is a good idea. It requires that..
21 that the testimony given during a proposed transfer hearing be held in the
22 central files of the facility. The purpose of the amendment is to
23 prevent the patients hearing record from going to the ward of the
24 facility and being made available to ward personnel. This... this
25 again insures the confidentiality that we all feel is in the best interest
26 of the patient. So, I would move, Mr. President and Ladies and Gentlemen,
27 that the Senate concur with House Amendments 1 and 3 to Senate Bill 417.

28 PRESIDENT:

29 The question is, shall the Senate concur in Amendments numbered 1
30 and 3 to Senate Bill 417. Those in favor vote Aye. Opposed Nay. The
31 voting is open. Have all voted who wish? Take the record. On this
32 question, the Ayes are 44, the Nays are 1, with none Voting Present.

1 And the Senate does concur in Amendments numbered 1 and 3 to Senate
2 Bill 417. Senator Rock.

3 SENATOR ROCK:

4 Amendments No. 2 and 5 I move to nonconcur, and I will explain
5 them if necessary. I ... I would just move to nonconcur unless some-
6 body requires an explanation.

7 PRESIDENT:

8 Senator Rock moves to nonconcur in House Amendments numbered 2 and
9 3 ... pardon me, 2 and 5 to Senate Bill 417. All those in favor say
10 Aye. Opposed Nay. The motion carries and the Secretary shall so
11 inform the House. ... You can go to the order of Messages from the
12 House. Leave is granted.

13 SECRETARY:

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

15 Mr. President - I am directed to inform the Senate that
16 the House of Representatives has concurred with the Senate in the
17 passage of the following bills along with House Amendments.

18 Senate Bill 207 with House Amendment No. 1. Senator Philip is
19 the chief sponsor.

20 Senate Bill 1297 with House Amendment No. 1. Senator Bruce is
21 the chief sponsor.

22 Senate Bill 1384 with House Amendment No. 1. Senator Lenke is
23 the chief sponsor.

24 PRESIDENT:

25 All to the Secretary's Desk. Senator Rock, have you other bills?

26 SENATOR ROCK:

27 I have on the Secretary's Desk, Senate Bill 379 with two House
28 Amendments with which both...both amendments I wish to concur in.

29 PRESIDENT:

30 Senator Rock.

31 SENATOR ROCK:

32 Thank you, Mr. President, Ladies and Gentlemen of the Senate.
33 These two amendments were put on in the House Executive Committee while

1 I was attending and presenting Senate Bill 379. This is the bill
2 which mandates the Illinois Office of Education to provide the ... a
3 school for the deaf/blind children. House Amendment No. 1 allows
4 the Advisory Council, which is set up under the provisions of this
5 bill, to indicate to the Illinois Office of Education and the Depart-
6 ment. It allows them someinput as to who, in fact, is going to run
7 and manage the school. House Amendment No. 2 was put on again in the
8 House Executive Committee and I think it relates to Senator Fawell's
9 prior question. It restricts the amendment to the Capital Bond Act
10 to this project so that it is not a...an open-ended kind of authorization.
11 It's restricted only to this project. Both amendments, I think, are
12 good, and I would move to concur in House Amendments 1 and 2.

13 PRESIDENT:

14 Any discussion? The question is, shall the Senate concur in
15 House Amendments numbered 1 and 2 to Senate Bill 379. Those in favor will
16 vote Aye. Opposed Nay. The voting is open. Have all voted who wish?
17 Take the record. On this question, the Ayes are 51, the Nays are none,
18 with none Voting Present. And the Senate does concur in the adoption of
19 Amendments...House Amendments Numbered 1 and 2 to Senate Bill 379. And
20 the bill having received the required constitutional majority is declared
21 passed. Senator Rock.

22 SENATOR ROCK:

23 I, also, have Senate Bill 162; Mr ...

24 PRESIDENT:

25 Senator Rock. Senate Bill 162, on the order of the Secretary's Desk.

26 SENATOR ROCK:

27 Thank you, Mr. President, Ladies and Gentlemen of the Senate.
28 Senate Bill 162 is that bill which provides for the creation of the
29 Illinois Municipal Financing Authority. Amendment No. 1 was offered in the
30 House by Representative Shea, the House Sponsor, at the request of certain
31 members. And what it provides for, it makes three changes all of which
32 I wish to concur in. One, it says that the bond shall be offered at
33 a public offering. Two, that the interest rate shall not exceed

1 the maximum interest rate permitted to be paid on the bonds by public
2 corporations. And, three, there is...there was a provision that no
3 single municipality could, in fact, apply for or receive more than twenty-
4 five percent of the total bonded authority. That, of course, was with
5 reference to the large municipalities in our State. That percentage,
6 twenty-five percent, has been reduced down to fifteen percent to make it
7 quite clear that this authority is intended for the use of the small
8 municipalities in our State. I think Amendment No. 1 is a good one and
9 I would urge concurrence in Amendment No. 1 to Senate Bill 162.

10 PRESIDENT:

11 Any discussion? The question is, shall the Senate concur in
12 House Amendment No. 1 to Senate Bill 162. Those in favor will vote
13 Aye. Opposed Nay. The voting is open. Have all voted who wish? Take
14 the record. On this question, the Ayes are 42, the Nays are 8, with
15 none Voting Present. The Senate does concur in the adoption of House
16 Amendment No. 1 to Senate Bill 162. And the bill having received the
17 constitutional majority as required is declared passed. (Machine cut-
18 off)...could you hold it a minute. I want to take Senator Kosinski.
19 He has to go to the doctor. Senator Kosinski.

20 SENATOR KOSINSKI:

21 Mr. President and members of the Senate. A very good morning
22 to you. Senate Bill 985, the...the House has put on a...an amendment.
23 One amendment cutting down the salary of the court reporters from twenty
24 thousand to nineteen thousand. And, Mr. President and members of the
25 Senate, I do concur with this amendment.

26 PRESIDENT:

27 The question is, shall the Senate concur in House Amendment No.
28 1 to Senate Bill 985. Those in favor will vote Aye. Opposed Nay.
29 The voting is open. Have all voted who wish? Take the record. On
30 this question, the Ayes are 52 and the Nays are none. The Senate does
31 concur in the adoption of amendment...House Amendment No. 1 to Senate
32 Bill 985. And the bill having received the constitutional majority
33 is declared passed. Senator Rock.

1 SENATOR ROCK:

2 Senate Bill 461, Mr. President. On the Secretary's Desk is
3 Senate Bill 461, which is the appropriation for the ordinary expenses
4 of the Illinois Legislative Investigating Commission. I move to non-
5 concur in House Amendment No. 1. It is the infamous Catania Amendment.
6 And we wish to have that removed. I move to nonconcur.

7 PRESIDENT:

8 Senator Rock moves to nonconcur in House Amendment No. 1 to
9 Senate Bill 461. Those in favor say Aye. Opposed Nay. The motion
10 carries and the Secretary shall so inform the House. Further bills,
11 Senator Rock.

12 SENATOR ROCK:

13 Well, I...I want to point out to the membership I do have two
14 others on the Calendar. One is the appropriation for the Department
15 of Children and Family Services. Now, a number of members have indicated
16 interest in this, so I wish to hold that until everybody has a chance
17 to look at it. The other, of course, is Senate Bill 37, which came
18 over with a number of House amendments, I think nineteen or twenty as
19 a matter of fact. And I, also, will hold that until I'm assured we
20 are in...in the process of preparing an explanation with respect to all
21 of the amendments, and when we're sure that the membership is well
22 aware of this, I will, at that point, call it for concurrence.

23 PRESIDENT:

24 Senator Kenneth Hall. Senator Carroll. Senator Hall.

25 SENATOR HALL:

26 Yes, are we still on concurrences?

27 PRESIDENT:

28 Yes, Sir.

29 SENATOR HALL:

30 Well, I have on the Secretary's Desk Senate Bill 463. That...

31 PRESIDENT:

32 Proceed...

33 SENATOR HALL:

34 ... I wish to concur with Amendments No. 2 and 3 to Senate

1 Bill 463. Amendment No. 1 was Tabled in the House and this was, also,
2 a House amendment. No. 2 compensates for potential county growth by
3 increasing the inclusive population figure from five hundred thousand
4 to three million. An example would be DuPage County, currently has a
5 population of four hundred and ninety-one thousand, eight hundred and
6 eighty-two. It includes county board members as well as county com-
7 missioners as an office, which may in case of vacancy, be filled by
8 appointments of the County Central Committee. A - It stipulates that in
9 those cases where a vacancy occurs on a county board, which has been
10 divided into districts for election purposes, the appointee must be a
11 resident. of and appointment made by the appropriate district central
12 committee. Three, it modifies the bill to be applicable only to the
13 counties which do not contain a Home Rule Unit. This would exclude Cook.
14 It provides that in any county which is a Home Rule Unit vacancies in
15 elected offices other than the office of chief executive office shall be
16 filled by the county board. Amendment No. 3, it deletes Section 11 of
17 Section 9 in the bill. Section 11 as amended and Senate Bill 463 would
18 require that a vacancy in the office of commissioner of a board of appeals,
19 that would be the Revenue Department in counties of one million or more, be
20 filled by appointment by the county board. Deletion of this Section would
21 have continued the present policy or appointment by the county court. I
22 move to concur with these amendments to Senate Bill 463.

23 PRESIDING OFFICER: (SENATOR CARROLL)

24 Is there any discussion?

25 SENATOR HALL:

26 I ask that the Senate do likewise.

27 PRESIDING OFFICER: (SENATOR CARROLL)

28 Is there any discussion? Senator Hall moves that the Senate do con-
29 cur with House Amendments No. 2 and 3 to Senate Bill 463. Those in favor
30 vote Aye. Those opposed Nay. The voting is open. Have all voted who wish
31 Take the record. On that question the Ayes are 44, the Nays are 0, No
32 Voting Present. The Senate does concur in Amendments 2 and 3 to Senate Bill
33 463 and the bill having received the required constitutional majority is

1 hereby declared passed. Senator Joyce, did you want Senate Bill 731?

2 SENATOR JOYCE:

3 Mr. President, I would move to concur with Senate Bill 731. It's
4 a...it defines more clearly the language in the meat and poultry products,
5 and I would just move to concur. It's just a definition.

6 PRESIDING OFFICER: (SENATOR CARROLL)

7 Is there any discussion? The question is, shall the Senate concur
8 with House Amendment No. 1 to Senate Bill 731. All those in favor vote
9 Aye. The opposed Nay. The voting is open. Have all voted who wish?
10 Take the record. On that question, the Ayes are 43, the Nays are 0.

11 No Voting present. The Senate does concur with House Amendment No. 1
12 to Senate Bill 731 and the bill having received the required constitu-
13 tional majority is declared passed. Senator Roe. On Senate Bill 978.

14 SENATOR ROE:

15 Mr. President and members of the Senate, I move that we concur
16 on House Amendment No. 1. This is a constructive amendment that was
17 worked on in subcommittee and I think this is a better bill in the
18 form that it is. It's to deal with the hostage situation where a person
19 is taken hostage by a person armed with a dangerous weapon, or a
20 correctional employee is taken hostage in a prison situation.

21 PRESIDING OFFICER: (SENATOR CARROLL)

22 Is there any discussion? The question is, shall the Senate concur
23 with House Amendment No. 1 to Senate Bill 978. Those in favor vote
24 Aye. The opposed Nay. The voting is open. Have all voted who wish?
25 Senator McCarthy, would you get me, please? Would you get mine, please?
26 Take the record. On that question, the Ayes are 44, the Nays are none,
27 with none Voting Present. The Senate does concur with House Amendment No.
28 1 to Senate Bill 978. And that bill having received the constitutional
29 majority is hereby declared passed. Senator McCarthy on Senate Bill 662.

30 SENATOR MCCARTHY:

31 Yes, Mr. President and members of the Body. This amendment to
32 Senate Bill 662 ask...allows...an municipal official a limited time to

1 pick up additional credit in the Municipal Retirement Fund. It would
2 allow the person to go back for a period of ninety-six months to
3 pick up back credit at his own expense, but it provides that the official
4 must pick this credit up within six months of the effective date of the
5 bill. This amendment was requested by the Illinois Municipal League.
6 I'd move that we would concur in the adoption of the amendment.

7 PRESIDING OFFICER: (SENATOR CARROLL)

8 Is there any discussion? Senator Berning, for what purpose
9 do you arise? Discussion...?Senator Berning.

10 SENATOR BERNING:

11 Well, I think it's appropriate to point out that this amendment
12 is a rather serious diversion from normal practice. Simply what it
13 does is affect that part of the bill which permitted an employee who
14 could have, but for some reason didn't, become a participant in IMRF
15 on the...that pension plan, or the one that superseded it...or that
16 preceded it, to buy up to fifty months of credit. And the amendment
17 provides that if the application is made within six months of the
18 effective date the individual could buy up to ninety-six months of
19 credit instead of fifty. I submit that this is a highly unusual and
20 certainly an unwarranted grant of pension credit in a situation where
21 a person has been in default already. It's only if he doesn't apply
22 within the six months of the effective date that he then is limited of
23 that fifty months, and if you stop to realize that fifty months is
24 already four years, ninety-six months is eight years. That's enough
25 to qualify or ... and become vested in IMRF all by itself without ever
26 serving a day. This is absolutely contrary to the tenets of good pension
27 funding and actuarial principles and I would seriously and earnestly
28 suggest that this amendment be rejected and the Senate do not concur.

29 PRESIDING OFFICER: (SENATOR CARROLL)

30 Is there any further discussion? Senator Fawell.

31 SENATOR FAWELL:

32 Senator McCarthy, would you yield to another question?

33 PRESIDING OFFICER: (SENATOR CARROLL)

1 He indicates he will yield to the first question.

2 SENATOR FAWELL:

3 How does the Pension Laws Commission react to this, if at all?

4 PRESIDING OFFICER: (SENATOR CARROLL)

5 Senator McCarthy.

6 SENATOR MCCARTHY:

7 The information furnished to me by the Illinois Municipal League
8 does not indicate any reference to that matter.

9 PRESIDING OFFICER: (SENATOR CARROLL)

10 Senator Fawell.

11 SENATOR FAWELL:

12 My...my feeling is to certainly support Senator Berning in his
13 reaction unless there was some more information. This does sound like
14 a tremendous departure from...from the accepted norm as Senator Berning
15 has point out. And I think unless we were to have other information I
16 would...would hope that we would not concur with such a late hour amend-
17 ment that, apparently, only the Municipal League wants and I can under-
18 stand why the Municipal League would want it.

19 PRESIDING OFFICER: (SENATOR CARROLL)

20 Any further discussion? Senator McCarthy to close the debate.

21 SENATOR MCCARTHY:

22 Well, I don't understand this particular area, because I've never
23 specialized in it except to tell you that this is an amendment that the
24 Municipal League sponsored which allows very few people within a six
25 months period from the effective date of this Act to go back and pick
26 up as much as ninety-six months of credit at their own expense. And
27 that's what it does and the sponsor in the House, Representative Yourell,
28 asked me that we concur in this amendment and I'm communicating this
29 to the Body. It's a self-destruct clause after six months.

30 PRESIDING OFFICER: (SENATOR CARROLL)

31 The question is shall the Senate concur in House Amendment No. 1
32 to Senate Bill 662. Those in favor vote Aye. Those opposed Nay. The
33 voting is open. Have all voted who wish? I guess so. Take the

1. record. On that question the Ayes are 23, the Nays are 24 and No
2. Voting Present. The Senate fails to concur with House Amendment No.
3. 1 to Senate Bill 662, and the Secretary will so inform the House.
4. Senator Regner on 858..

5. SENATOR REGNER:

6. Yes, Mr. President this...

7. PRESIDING OFFICER: (SENATOR CARROLL)

8. Senate Bill 858...

9. SENATOR REGNER:

10. ...was under discussion earlier and I would like to concur in
11. House Amendment No. 2 to Senate Bill 858, and what it does it allows
12. the Department of Children and Family Services to issue a six month
13. permit rather than one, so I would move to concur in House Amendment
14. 1...No. 2, but I want to noncur in House Amendment No. 1.

15. PRESIDING OFFICER: (SENATOR CARROLL)

16. Is there any discussion on the motion to concur with House
17. Amendment No. 2? The question is shall the Senate concur with House
18. Amendment No. 2 to Senate Bill 858. Those in favor vote Aye. The
19. opposed Nay. The voting is open. Have all voted who wish? Take
20. the record. On that question the Ayes are 45, the Nays are 0, with
21. none Voting Present. And the Senate by record vote does concur with
22. House Amendment No. 2 to Senate Bill 858. Senator Regner on House
23. Amendment No. 1.

24. SENATOR REGNER:

25. I...

26. PRESIDING OFFICER: (SENATOR CARROLL)

27. Senator Regner moves that we nonconcur...

28. SENATOR REGNER:

29. ...Nonconcur in House Amendment No. 1 to Senate Bill 858.

30. PRESIDING OFFICER: (SENATOR CARROLL)

31. Is there any discussion? The motion is that the Senate non-
32. concur with House Amendment No. 1 to Senate Bill 858. All those in
33. favor say Aye. The opposed Nay. The Ayes have it. The motion carries

1 and the Secretary shall so inform the House. Anyone else have a...
2 what number have we. Senate Bill 942, Senator Harber Hall.

3 SENATOR HALL:

4 Thank you, Mr. President. Senator...my cousin, Senator Kenneth
5 Hall and I keep having problems with our mail and our constituents
6 getting us mixed up and even our colleagues, here and I want to point
7 out this morning that one identifying means that you can use is that
8 Ken is wearing a little more conservative jacket than I would normally
9 wear. I...I like louder clothes.

10 PRESIDING OFFICER: (SENATOR CARROLL)

11 942. Was that germane to the bill?

12 SENATOR HALL:

13 Yes, that was germane. That was germane. 942 involves permit-
14 ting young people to work certain hours so they can get out in the
15 world of work and make a little money, fourteen and fifteen year olds,
16 that is. And House Amendment 1 restricts the hours a little bit during
17 the school year and broadens them a little bit in the summertime so
18 they can work as late as nine o'clock in the summer and...and only
19 seven o'clock during the rest of the year. I move for concurrence of
20 House Amendment No. 1. I think it's a good amendment.

21 PRESIDING OFFICER: (SENATOR CARROLL)

22 Is there any discussion? The question is shall the Senate con-
23 cur in House Amendment No. 1 to Senate Bill 942. Those in favor vote
24 Aye. Those opposed Nay. The voting is open. Frank, do you want to
25 catch me. Have all voted who wish? Take the record. On that ques-
26 tion the Ayes are 48, the Nays are none, with none Voting Present.
27 And the Senate does concur with House Amendment No. 1 to Senate Bill
28 942. That bill having received the constitutional...the required
29 constitutional majority is hereby declared passed. Is there any other
30 member of the Body that has a bill on the Secretary's Desk that they
31 wish called.

32 SECRETARY:

33 Senator Johns.

1. PRESIDING OFFICER: (SENATOR CARROLL)
2. On what bill, please?
3. SENATOR JOHNS:
4. Let's see, that's Senate Bill 910 and I move to nonconcur...
5. PRESIDING OFFICER: (SENATOR CARROLL)
6. One second. Senate Bill 910, Mr. Secretary. Senator Johns.
7. SENATOR JOHNS:
8. Mr. President, I move that we nonconcur with the amendments
9. offered by the House. I believe it's...
10. PRESIDING OFFICER: (SENATOR CARROLL)
11. Senate...House Amendment No. 2.
12. SENATOR JOHNS:
13. No. 2 and that it be given a Conference Committee...I mean just
14. move to nonconcur...
15. PRESIDING OFFICER: (SENATOR CARROLL)
16. Right. Senator Johns moves that the Senate nonconcur with House
17. Amendment No. 2 to Senate Bill 910. Is there any discussion? Senator
18. Nimrod.
19. SENATOR NIMROD:
20. Could we have an explanation of the amendment, Mr. President?
21. PRESIDING OFFICER: (SENATOR CARROLL)
22. Senator Johns, would you like to explain what House Amendment
23. No. 2 attempted to do.
24. SENATOR JOHNS:
25. Okay. Now, the Amendment No. 2 takes the appointment away from
26. the Governor and gives it to the Hardin County...Chairman of the
27. County Board of Hardin County, and I just disagree with the intent of
28. the bill...I mean the amendment. And, therefore, I ask for a Conference
29. Committee. Perhaps we can work it out.
30. PRESIDING OFFICER: (SENATOR CARROLL)
31. Any further discussion? Senator Johns moves that the Senate
32. nonconcur with House Amendment No. 2 to Senate Bill 910. All those
33. in favor say Aye. The opposed Nay. The Ayes have it. The motion

1. carries, and the Secretary shall so inform the House. Is there any
2. other member who wishes to have a bill on the Secretary's Desk called?
3. Are we ready to adjourn...Senator Fawell, what bill number?

4. SENATOR FAWELL:

5. Yes. Senate Bill 425.

6. PRESIDING OFFICER: (SENATOR CARROLL)

7. One moment, please. Senate Bill 425, Senator Fawell with House
8. Amendment No. 1.

9. SENATOR FAWELL:

10. Yes, the House Amendment No. 1 was simply a technical amendment
11. in regard to the amortization schedule which did not, in anyway
12. change any substance and I move for a concurrence to the same.

13. PRESIDING OFFICER: (SENATOR CARROLL)

14. Is there any discussion? The question is shall the Senate con-
15. cur with House Amendment No. 1 to Senate Bill 425. Those in favor
16. vote Aye. Those opposed Nay. The voting is open. Have all voted who
17. wish? Have all voted who wish? Take the record. On that question
18. the Ayes are 32, the Nays are 2, with 2 Voting Present. The Senate
19. does concur with House Amendment No. 1 to Senate Bill 425. The bill
20. having received the required constitutional majority is hereby de-
21. clared passed. Senator Rock.

22. SENATOR ROCK:

23. Senate Bill 820, Mr. President.

24. PRESIDING OFFICER: (SENATOR CARROLL)

25. Senate Bill 820. Senator Rock.

26. SENATOR ROCK:

27. Thank you, Mr. President. The House put four amendments, House
28. Amendments 1, 2, 3 and 4. This is the Water Resource Commission Bill.
29. These four amendments were put on to conform the bill, or make the
30. bill identical to House Bill 1795, which just last week passed out of
31. here unanimously. House Amendment No. 1 increased the size of the
32. commission. No. 2 deleted the provisions that officers shall be
33. elected by the Legislative members, only. Three deletes the provision

1 that a public member who does not attend at least six meetings a year
2 shall be terminated, and four says that the commission shall attempt
3 to hold a meeting per month...one meeting per month. They say those
4 four amendments conform it, or put it in the shape that 1795 was
5 passed out of here. I would move to concur it, House Amendments 1,
6 2, 3 and 4 to Senate Bill 820.

7 PRESIDING OFFICER: (SENATOR CARROLL)

8 Senator Rock moves to concur with House Amendments No. 1, 2, 3
9 and 4 to Senate Bill 820. Is there any discussion? The question is
10 shall the Senate concur with House Amendments No. 1, 2, 3 and 4 to
11 Senate Bill 820. Those in favor vote Aye. Those opposed Nay. The
12 voting is open. Have all voted who wish? Take the record. On that
13 question the Ayes are 41, the Nays are 2, with 3 Voting Present. The
14 Senate does concur with House Amendments No. 1, 2, 3 and 4 to Senate
15 Bill 820. And Senate Bill 820 having received the required constitu-
16 tional majority is hereby declared passed. Senate Bill 248, Senator
17 Sommer.

18 SENATOR SOMMER:

19 Mr. President, I move to concur with House Amendments No. 1 and 2.
20 House Amendment No. 1 is the Department of Labor suggested language for
21 the same thing that the bill has already passed...

22 PRESIDING OFFICER: (SENATOR CARROLL)

23 One moment, Senator Sommer, I believe that that's on Postponed
24 Consideration.

25 SENATOR SOMMER:

26 Yeah, well, so what.

27 PRESIDING OFFICER: (SENATOR CARROLL)

28 / So we have to move to take it from the order and get leave of
29 the Body...

30 SENATOR SOMMER:

31 Oh, I see.

32 PRESIDING OFFICER: (SENATOR CARROLL)

33 Okay. Is there leave to move to the order of Secretary's Desk
34 Postponed Consideration. There is objection. There is a request for

1 a roll call on the motion to move out of the ordinary course of busi-
2 ness to move to the order of Postponed Consideration to consider a bill
3 on the Secretary's Desk on Postponed Consideration. The question is...
4 Senator Graham. One moment, Senator.

5 SENATOR GRAHAM:

6 Now...now, Mr. President...we have been...

7 PRESIDING OFFICER: (SENATOR CARROLL)

8 May we get some order.

9 SENATOR GRAHAM:

10 We have been doing this for three or four days and all at once
11 we have somebody that wants to start playing games. I think it's an
12 unfortunate thing to do at this late hour and time. If we want to
13 play games, so why don't we tell the public that we're going to play
14 games and forget the Legislation. This is a lot of monkey business.

15 PRESIDING OFFICER: (SENATOR CARROLL)

16 Any further discussion? Senator Bruce.

17 SENATOR BRUCE:

18 It always seems to me that it's monkey business, Senator Graham,
19 when we play by the rules. If I object, if you object then it's com-
20 pletely appropriate. I just say that I have the right if he wants to
21 go out of the ordinary business of this Body. He's had one crack al-
22 ready this morning at 2:48. Now, there are a lot of sponsors here on
23 Secretary's Desk that have other business. If we're going to afford
24 him the right to go twice in the course of less than one hour I think
25 I have the right to object.

26 PRESIDING OFFICER: (SENATOR CARROLL)

27 One moment, Senator Graham, before we allow you to speak twice
28 under the rules is there any other Senator who wishes to speak.
29 Senator Graham.

30 SENATOR GRAHAM:

31 All I wanted to remind Senator Bruce, long before he got here
32 there was such a thing around here known as courtesy to the other
33 Senators.

1 PRESIDING OFFICER: (SENATOR CARROLL)

2 Is there any further discussion? The question is shall the
3 Senate go out of the ordinary order of business to go to the order of
4 Secretary's Desk postpone consideration. This motion requires
5 thirty votes. The voting is open. Those in favor vote Aye. Those
6 opposed Nay. Senator Rock, for what purpose do you arise?

7 SENATOR ROCK:

8 Parliamentary inquiry. I didn't know there was such a thing as
9 postponed consideration on the Secretary's Desk. I thought if we
10 moved if...if, in fact, by record vote or otherwise we did not con-
11 cur that the House would be so informed.

12 PRESIDING OFFICER: (SENATOR CARROLL)

13 Except that the sponsor moves to postpone consideration and
14 that motion was accepted by the Chair at that time. Have all voted
15 who wish? Take the record. Senator Bruce, for what purpose do you
16 arise?

17 SENATOR BRUCE:

18 I'd like to verify the roll call.

19 PRESIDING OFFICER: (SENATOR CARROLL)

20 There's been a request to verify the roll call to go out of the
21 ordinary course of business. If we could wait for the machine. The
22 verification is always in order. That does not take thirty votes,
23 Senator Don Moore. Senator Nudelman, for what purpose do you arise?

24 SENATOR NUDELMAN:

25 I have an inquiry, Mr. President. Would we not in the ordinary
26 course of events get back to this matter of business?

27 PRESIDING OFFICER: (SENATOR CARROLL)

28 Yes, we would, Senator Nudelman...

29 SENATOR NUDELMAN:

30 Well, I would point out to Senator Bruce that he's just using
31 everybody's time and I for one resent it. We're here, we're at the
32 point of voting. I would ask him that he...he...take back his motion
33 and permit us to vote one way or another and get this over with

1 instead of taking all the time of the members of this Chamber and
2 causing an additional delay, because, as you stated, we would event-
3 ually get back to it and it would be a duplication.

4 PRESIDING OFFICER: (SENATOR CARROLL)

5 He made a request of Senator Bruce. I don't know if Senator
6 Bruce wishes to respond or not. Senator Bruce.

7 SENATOR BRUCE:

8 I'm sorry, I was talking to Senator Dougherty about the merits
9 of the bill. If Senator Nudelman would please repeat his comments.

10 PRESIDING OFFICER: (SENATOR CARROLL)

11 Senator Nudelman.

12 SENATOR NUDELMAN:

13 Thank you, Mr. President. Yes, Senator Bruce, I will repeat
14 that on the basis that ultimately we would get back to this matter of
15 business today and we will get back to it. If you insist on your
16 motion you will have used up additional valuable time of this Body, and
17 I respectfully suggest and request of you that you withdraw your motion
18 and permit the voting to go ahead, so that we will save some time.

19 PRESIDING OFFICER: (SENATOR CARROLL)

20 Senator Bruce.

21 SENATOR BRUCE:

22 Well, that's exactly my point to Senator Sommer. He had one shot
23 at this less than an hour ago and I persist in my motion for a verifi-
24 cation.

25 PRESIDING OFFICER: (SENATOR CARROLL)

26 The Secretary will verify the roll call. I assume you wanted a
27 verification of the affirmative, Senator Bruce. Proceed with the
28 verification.

29 SECRETARY:

30 The following voted in the affirmative: Bell, Berning, Bloom,
31 Brady, Clarke, Course, Davidson, Fawell, Glass, Graham, Harber Hall,
32 Harris, Kosinski, Lane, Latherow, Merritt, Mitchler, Moore...Don Moore,
33 Nudelman, Ozinga, Palmer, Regner, Roe, Romano, Schaffer, Shapiro, Sommer,

1. Soper, Weaver and Welsh.

2. PRESIDING OFFICER: (SENATOR CARROLL)

3. Any...Senator Bruce.

4. SENATOR BRUCE:

5. (Machine cut-off)...Palmer.

6. PRESIDING OFFICER: (SENATOR CARROLL)

7. Is Senator Palmer within the bar? Strike his...no, I don't think

8. you look like him. Strike his name from the record. That's better.

9. Any others.

10. SENATOR BRUCE:

11. Senator Welsh.

12. PRESIDING OFFICER: (SENATOR CARROLL)

13. Is Senator Welsh within the bar? I see Senator Welsh.

14. SENATOR BRUCE:

15. Senator Fawell.

16. PRESIDING OFFICER: (SENATOR CARROLL)

17. Senator Fawell is within the bar.

18. SENATOR BRUCE:

19. Is Senator Harris on the Floor?

20. PRESIDING OFFICER: (SENATOR CARROLL)

21. Is Senator Harris on the Floor? Yes, he is.

22. SENATOR BRUCE:

23. Senator Kosinski.

24. PRESIDING OFFICER: (SENATOR CARROLL)

25. Senator Kosinski?

26. SENATOR BRUCE:

27. Fine. Then...then he shouldn't have been voted.

28. PRESIDING OFFICER: (SENATOR CARROLL)

29. Any...Senator Kosinski is not within the bar. Strike him from

30. the record. The Ayes are 28, the Nays are 6. And the motion to go out

31. of order to the order of postpone consideration fails. Senator Nudel-

32. man, for what purpose do you arise?

33. SENATOR NUDELMAN:

1. I just had to point out to Senator Bruce that he has taken ten
2. minutes of the valuable time of this Body, because we will get back...
3. we will get back to this order of business and he has wasted this ten
4. minutes, because it's going to take an additional ten minutes the next
5. time around.

6. PRESIDING OFFICER: (SENATOR CARROLL)

7. Senator Knuppel, for what purpose do you arise?

8. SENATOR KNUPPEL:

9. Well, I'd just like to point out that Senator Nudelman used
10. most of that ten minutes.

11. PRESIDING OFFICER: (SENATOR CARROLL)

12. The next case. Senator...Senator Moore requests that we move
13. out of the order of business to the order of resolutions on the Sec-
14. retary's...one moment, Senator Moore, we'll stay within this order for
15. a minute. Senator Partee, I believe you have some matters on the Sec-
16. retary's Desk.

17. SENATOR PARTEE:

18. Yes, Mr. President. Senate Bill 610 is the first one.

19. PRESIDING OFFICER: (SENATOR CARROLL)

20. Senate Bill 610, Mr. Secretary. Senator Partee.

21. SENATOR PARTEE:

22. Amendment No. 1 was added in the House and I concur in the amend-
23. ment. The amendment simply corrects errors in the printing of the
24. bill and changes the language of the bill to conform to proper drafting
25. procedure, and I would move to concur in the adoption of House Amend-
26. ment No. 1.

27. PRESIDING OFFICER: (SENATOR CARROLL)

28. Is there any discussion? Yeah, I assume, Senator Partee, you
29. will have a different motion for Amendment No. 2. Senator Partee.

30. SENATOR PARTEE:

31. Why don't I just put them both in. I...I move to concur in Amend-
32. ments 1 and 2.

33. PRESIDING OFFICER: (SENATOR CARROLL)

1. Is there any discussion? Senator Glass.

2. SENATOR GLASS:

3. Mr. President, are we voting on 1 and 2 together?

4. PRESIDING OFFICER: (SENATOR CARROLL)

5. Yes, we are Senator Glass.

6. SENATOR GLASS:

7. Well, I...I would like to ask for some clarification on Amendment
8. No. 2, which I understand is an entirely new bill.

9. PRESIDING OFFICER: (SENATOR CARROLL)

10. Senator Partee, would you like to explain Amendment No. 2?

11. SENATOR PARTEE:

12. That's correct. After they got over there with the Department
13. of Insurance this is what it does. It deletes the added provisions
14. which would allow group fire insurance, deletes everything after Amend-
15. ment No. 2, deletes everything after the enacting clause. Deleted
16. material concerns changing group vehicle insurance to group casualty
17. insurance which covers liability, burglary, forgery as well as vehicle
18. insurance and adds provisions for group professional liability insurance
19. for employees of public schools.

20. PRESIDING OFFICER: (SENATOR CARROLL)

21. Senator Glass.

22. SENATOR GLASS:

23. Well, Mr. President ... Senators, it would seem that this is,
24. in fact, entirely different from what the original bill intended and
25. it could establish a professional liability insurance, as I understand
26. it for an association. Such as for example the Illinois Education
27. Association and it would seem to me they could set up their own
28. malpractice policies et cetera. I just wonder whether this is a good
29. idea just to summarily pass a bill of this kind, you know, without
30. any committee consideration or debates. I must admit I'm not familiar
31. on this cursory examination of the amendment with what we're doing
32. and I would urge that this...that we not concur and at least this
33. go to a Conference Committee.

1 PRESIDING OFFICER: (SENATOR CARROLL)

2 Senator Partee.

3 SENATOR PARTEE:

4 I have a better idea. Why don't we just hold it. Take it out
5 of the record. Hold it until you get a chance to read what has happened
6 and then you can make a decision as to whether you would agree to concur
7 or not. Rather than to go to a Conference Committee you may agree to
8 what we've done.

9 PRESIDING OFFICER: (SENATOR CARROLL)

10 Take it out of the record. You...Senator Glass.

11 SENATOR GLASS:

12 Take it out of the record.

13 SENATOR PARTEE:

14 And then you'll get a chance to see it. Okay?

15 PRESIDING OFFICER: (SENATOR CARROLL)

16 All right. Senate Bill 610 will be taken from the record. Senator
17 Partee, did you have anything else you wanted at this time.

18 SENATOR PARTEE:

19 Yeah, let's try again. Senate Bill 749.

20 PRESIDING OFFICER: (SENATOR CARROLL)

21 Let's try Senate Bill 749. Senator Partee.

22 SENATOR PARTEE:

23 This is a very simple amendment that adds a new section, a House
24 amendment, to which I would concur. It adds a new section which man-
25 dates the Department of Registration, Education to present to the
26 General Assembly before February 1st of 1977 a report of recommendations
27 on the performances of tasks by dental assistants and recommendations
28 for educational qualifications they need to perform in such tasks. You
29 will remember there was quite a hassle about this bill and now that it is
30 passed the Department of Education and Registration desires to as in a...
31 in a measure monitor to it and come back with a report of the monitoring
32 and giving us an idea as to how it's working and what should be done
33 to correct it educationally and otherwise. I think it's a good amendment

1. and I would certainly move to concur in House Amendment No. 1 to
2. Senate Bill 749.

3. PRESIDING OFFICER: (SENATOR CARROLL)

4. Senator Partee moves that we concur with House Amendment No. 1
5. to Senate Bill 749. Is there any discussion? The question is shall
6. the Senate concur in House Amendment No. 1 to Senate Bill 749. Those
7. in favor vote Aye. Those opposed Nay. The voting is open. Have all
8. voted who wish? Take the record. On that question the Ayes are 47,
9. the Nays are none, and none Voting Present. The Senate does concur
10. with House Amendment No. 1 to Senate Bill 749. And that bill having
11. received the required constitutional majority is hereby declared passed.

12. Senator Lane on what bill? Senate Bill 837, Mr. Secretary. House
13. Amendments No. 1 and 2.

14. SENATOR LANE:

15. Thank you, Mr. President. I recommend that the Senate concurs
16. with the adoption of Amendment No. 1 and 2 to House Bill...Senate Bill
17. 837.

18. PRESIDING OFFICER: (SENATOR CARROLL)

19. Is there any discussion? Senator Glass.

20. SENATOR GLASS:

21. I would appreciate it if Senator Lane would indicate what these
22. amendments do that he is moving to concur in.

23. PRESIDING OFFICER: (SENATOR CARROLL)

24. Senator Lane.

25. SENATOR LANE:

26. Amendment No. 1 is mostly a technical amendment. It inserts the
27. phrase - manufactured housing unit - throughout the bill. It also
28. changes the...ah, wait awhile.

29. PRESIDING OFFICER: (SENATOR CARROLL)

30. Do we have leave to take that from the record.

31. SENATOR LANE:

32. Yeah, all right.

33. PRESIDING OFFICER: (SENATOR CARROLL)

1 Does any other sponsor have a bill on the Secretary's Desk that
2 they wish called at this time? Do we have leave of the Body to go to
3 the order of resolution...joint resolutions on the Secretary's Desk?
4 Senator Soper objects. Do you want a roll call, Senator Soper? All
5 right. I don't see you joined by four other members standing. Those
6 who in favor of leave to go to that order say Aye. Opposed Nay. We
7 are on that order of business. Mr. Secretary, you have a Joint Reso-
8 lution? What...what is the number, Senator Don A. Moore?

9 SENATOR MOORE:

10 I don't know what number the Secretary has assigned to it. It
11 deals with the Legislative Advisory on Public Aid.

12 SENATOR CARROLL:

13 Okay.

14 SECRETARY:

15 Senate Joint Resolution No. 46^{ro} introduced by Senators Don~~e~~ Moore,
16 Dougherty Schaffer, Roe, Smith and Lane.

17 PRESIDING OFFICER: (SENATOR CARROLL)

18 Senator Don Moore.

19 SENATOR MOORE:

20 Thank you, Mr. President and members of the Senate. Senate Joint
21 Resolution 46 extends the authority of the Legislative Advisory Commit-
22 tee on Public Aid to hold public meetings for the purpose of hearing
23 testimony of witnesses and inspecting books, papers and documents
24 relative to any investigation which the committee by a two-thirds vote
25 may authorize, or at the request of the director of the department on
26 matter...major matters of policies and administration. It's effective
27 until June 30th, 1977 and that's extended by the 80th General Assembly.
28 I'd move its adoption, Mr. President.

29 PRESIDING OFFICER: (SENATOR CARROLL)

30 Is there any discussion? Do you want him to repeat it. Senator
31 Fawell.

32 SENATOR FAWELL:

33 Senator Moore, I...I didn't hear a word you said. You didn't
34 come...you didn't come through too well over here.

35 PRESIDING OFFICER: (SENATOR CARROLL)

1 I believe Senator Fawell is saying, Senator Moore, that he
2 couldn't hear you. Senator Moore.

3 SENATOR MOORE.

4 Thank you,...Senator, this extends the authority of the Legis-
5 lative Advisory Committee on Public Aid to hold closed sessions for
6 two explicit purposes. One, for hearing of testimony of witnesses,
7 inspecting books, documents et cetera on any... All right, now.

8 Thank you.

9 PRESIDING OFFICER: (SENATOR CARROLL)

10 Senator Dougherty.

11 SENATOR DOUGHERTY:

12 Thank you, Mr. President. I would like to inform the members of
13 the Body that I join with Senator Moore in asking for this resolution.

14 PRESIDING OFFICER: (SENATOR CARROLL)

15 Any further discussion? The question is on the adoption...I be-
16 lieve, Senator Moore, this takes a record vote and it takes thirty-
17 six...two-thirds of those voting in order to close the meeting. It
18 takes forty votes. Those in favor of the resolution will indicate by
19 voting. Aye. Those opposed Nay. The voting is open. Have all voted
20 who wish? Take the record. There has been a request for a verification
21 of the roll call. It takes forty votes. Senator Morris requests a
22 verification of the roll call. Will the members be in their seats. One
23 moment. There has been a question of the Chair whether it's two-thirds
24 of the members elect or two-thirds of the members voting, which I
25 think will determine whether or not you need a roll call, or a verifi-
26 cation. So, if we can wait one second while we get a ruling. All
27 right, the...it takes two-thirds of the members elected which would
28 be forty votes. The Secretary will verify the affirmative votes. We
29 ask the members to be in their seats.

30 SECRETARY:

31 The following voted in the affirmative: Bell, Berning, Bloom,
32 Brady, Bruce, Carroll, Clarke, Course, Daley, Davidson, Demuzio, Dougher
33 Egan, Fawell, Glass, Graham, Harber Hall, Kenneth Hall, Harris, Knuppel,

1. Latherow, Lemke, McCarthy, Merritt, Mitchler, Howard Mohr, Don Moore,
2. Nimrod, Nudelman, Ozinga, Palmer, Philip, Regner, Rock, Roe, Romano,
3. Savickas, Schaffer, Shapiro, Smith, Sommer, Soper, Weaver, Welsh, Mr.
4. President.

5. PRESIDING OFFICER: (SENATOR CARROLL)

6. One second. Senator Morris. Senator Philip. Is Senator Philip
7. within the bar. Strike his name from the record. McCarthy is behind
8. you. Is Senator Palmer within the bar? Strike his name from the
9. record. Savickas is within the bar. Is Senator Brady within the bar?
10. Strike his name from the record. Is Senator Nudelman within the bar?
11. He is within the bar. Senator Demuzio is within the bar. The Ayes
12. are 42, the Nays are 3, with 1 Voting Present. The roll call has been
13. verified, and that resolution receiving the required constitutional
14. majority is declared passed. Senator Partee, for what purpose do you
15. arise?

16. SENATOR PARTEE:

17. Have you concluded that matter?

18. PRESIDING OFFICER: (SENATOR CARROLL)

19. We have concluded that matter. We are back on the Secretary's
20. Desk.

21. SENATOR PARTEE:

22. For an announcement, Mr. President.

23. PRESIDING OFFICER: (SENATOR CARROLL)

24. Senator Partee.

25. SENATOR PARTEE:

26. The Appropriations Committee meeting will commence at 11:30 and
27. the Senate will be in recess until 3:00 p.m. We will return at 3:00
28. p.m. and go back to our Calendar and hopefully we will not have to eat
29. chicken again tonight. Well, I say 3:00 p.m. to come back so that
30. everybody can who isn't on Appropriations will be able to judge what
31. to do with their time. Of course, there are several Conference Committees
32. meeting at that time, but we will come back promptly at 3:00 to go back
33. to the Calendar.

1 PRESIDING OFFICER: (SENATOR CARROLL)

2 Is there any further business? Senator Daley, for what purpose
3 do you arise?

4 SENATOR DALEY:

5 The Senate Judiciary meeting will meet in Room 400 at 12:00
6 o'clock in regards to House Bill 3062. 12:00 o'clock.

7 PRESIDING OFFICER: (SENATOR CARROLL)

8 All right. Judiciary will meet at the hour of noon in Room 400.
9 Appropriations will be, I assume, in 212. One moment, Senator Daley.
10 Senator Daley, Judiciary will be at noon in Room 400. Senator Daley.

11 SENATOR DALEY:

12 Is there leave to...

13 PRESIDING OFFICER: (SENATOR CARROLL)

14 We are not adjourned yet.

15 SENATOR DALEY:

16 Is there leave to waive the six day notice. There is a question
17 that I...

18 PRESIDING OFFICER: (SENATOR CARROLL)

19 There's a question as to whether it's still...it's in effect now.
20 There is leave to waive the six day notice. Six day notice is waived.
21 Senator Lane, did you want to revert...

22 SENATOR LANE:

23 I'd like to go back to Senate Bill 837.

24 PRESIDING OFFICER: (SENATOR CARROLL)

25 Senate Bill 837 on the order of the Secretary's Desk, Ladies and
26 Gentlemen. Senator Lane. Can we have some order, please. Senator
27 Lane.

28 SENATOR LANE:

29 I'd like to make a motion that the Senate concurs with the...

30 PRESIDING OFFICER: (SENATOR CARROLL)

31 Amendments 1 and 2.

32 SENATOR LANE:

33 ...with the House on Amendments No. 1 and 2 in Senate Bill 837.

1 PRESIDING OFFICER: (SENATOR CARROLL)

2 There is a motion by Senator Lane that the Senate do concur
3 with House Amendments No. 1 and 2 on Senate Bill 837. Is there any
4 discussion? Senator Bell.

5 SENATOR BELL:

6 Well, yes, Senator Lane, what...I noticed that House Amendment
7 No. 2 deletes everything after the enacting clause and revises the
8 title of the bill to read, The Illinois Manufactures Housing and
9 Mobile Homes Safety Act. Can you go into some of the ramifications
10 of...of the complete change of the bill?

11 PRESIDING OFFICER: (SENATOR CARROLL)

12 Yes, one second. Senator Lane can explain it again. This was
13 done a few minutes ago, also, when the bill was taken from the record.

14 SENATOR BELL:

15 Well, it wasn't...he didn't explain it then.

16 PRESIDING OFFICER: (SENATOR CARROLL)

17 Yeah. Senator Lane.

18 SENATOR LANE:

19 Yes, Senator, in looking over the amendment what it appears to
20 have done, they inserted the phrase - Manufactured Housing Units -
21 throughout the bill and, also, whereby they were complying with the
22 code that's set forth by the American National Standards Institution.
23 They, now, are adhering to the code as set forth by the Public Health
24 Department.

25 PRESIDING OFFICER: (SENATOR CARROLL)

26 Is there any further...Senator Bell.

27 SENATOR BELL:

28 Well, Senator Lane, I...I'll tell you I...I prefer if we could to
29 wait on this matter until we had some staff analysis on this, because it
30 appears to me like there is some significant changes, here, and we've
31 not really had a chance to digest them.

32 PRESIDING OFFICER: (SENATOR CARROLL)

33 Senator Lane, do you wish to take it from the record? Or do you

1. wish to proceed? Senator Lane moves to take it from the record. Is
2. there leave? Leave. Any further business on the Secretary's Desk?
3. Senator Partee moves that the Senate stand in recess until the hour
4. of 3:00 p.m. this afternoon during which time Appropriations will be
5. meeting at 11:30, Judiciary at noon and Conference Committees during
6. that hour. All those in favor of the motion to recess until the hour
7. of 3:00 say Aye. The opposed Nay. The Senate stands in recess.
8.

9. (RECESS)

10. (AFTER RECESS)

11. PRESIDENT:

12. The hour of three having arrived the Senate will come to order.
13. Committee reports.

14. SECRETARY:

15. Senator Donnewald, Chairman of the Assignment of Bills, assigns
16. the following to committee: Appropriations - House Bill 3064; Education
17. House Bill 3086; Judiciary - House Bill 3106; Public Health, Welfare
18. and Corrections - House Bill 3068.

19. Senator Daley, Chairman of Judiciary Committee, reports out
20. House Bill 3062 with the recommendation Do Pass.

21. PRESIDENT:

22. A Message from the Governor.

23. SECRETARY:

24. A Message from the Governor by Michael P. Duncan, Assistant
25. to the Governor.

26. Mr. President - The Governor directs me to lay before the
27. Senate the following message:

28. To The Honorable Members of the Senate, Seventy-Ninth General
29. Assembly: I have nominated and appointed the following named persons
30. in the offices enumerated below and respectfully ask concurrence in
31. and confirmation of these appointments by your Honorable Body:

32. PRESIDENT:

33. Executive. Executive Appointments. A Message from the House.

1 SECRETARY:

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

3 Mr. President - I am directed to inform the Senate that
4 the House of Representatives has refused to concur with the Senate
5 in the adoption of Amendments No. 1 and 2 to House Bill 735. Senator
6 Vadalabene is the chief sponsor.

7 The same message relative to House Bill 1453. House Amendment
8 No. 1. Senator Harber Hall is the chief sponsor.

9 The same message relative to House Bill 1790 with House Amend-
10 ments No. 1 and 2. Senator Savickas is the chief sponsor.

11 The same message relative to House Bill 215 with House Amendment
12 No. 1. Senator Kenneth Hall is the chief sponsor.

13 The same message relative to House Bill 3057 with House Amendment
14 No. 1. Senator Welsh is the chief sponsor.

15 The same message relative to House Bill 3105...Senate Amendment
16 No. 1. Senator Newhouse is the chief sponsor.

17 PRESIDENT:

18 Secretary's Desk. Senator Graham. Senator Graham. A Message
19 from the House.

20 SECRETARY:

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

22 Mr. President - I am directed to inform the Senate that the
23 House of Representatives has refused to recede from Amendments 1, 2, 3,
24 4, 5 and 6 to the bill of the following title.

25 Senate Bill 32. They have appointed their Conference Committee.
26 Senator Graham is the chief sponsor.

27 PRESIDENT:

28 Senator Graham.

29 SENATOR GRAHAM:

30 I move we accede to appoint a Conference Committee.

31 PRESIDENT:

32 The question is shall the Senate accede to the request of the
33 House that a Conference Committee be appointed. All in favor say Aye.

1 Opposed Nay. The motion carries and the Senate accedes to the request
2 to appoint a Conference Committee on Senate Bill 32.

3 SECRETARY:

4 I have a like message on Senate Bill 661. House Amendments 1, 2
5 and 4. The House refuses to recede, and this is Senator John's.

6 PRESIDENT:

7 Senator Johns moves to accede to the request for a Conference
8 Committee. The question is shall the Senate accede to the request of
9 the House that a Conference Committee be appointed. All in favor say
10 Aye. Opposed Nay. The Ayes have it. The motion carries and the Senate
11 accedes to the request to appoint a Conference Committee on House Bill..
12 Senate Bill 661. Resolutions. Senator Romano.

13 SECRETARY:

14 Senate Resolution 126 introduced by Senator Romano.

15 PRESIDENT:

16 Senator Romano.

17 SENATOR ROMANO:

18 Will the Secretary read the resolution?

19 PRESIDENT:

20 Secretary...Secretary read the resolution.

21 SECRETARY:

22 Senate Resolution 126.

23 (Secretary reads SR 126)

24 PRESIDENT:

25 Senator Romano.

26 SENATOR ROMANO:

27 I move that the rules be suspended for the immediate consider-
28 ation of this resolution.

29 PRESIDENT:

30 All in...all in favor say Aye. Opposed Nay. The rules are sus-
31 pended.

32 SENATOR ROMANO:

33 I, also, move that all of the clowns...I mean the Senators be
34 shown as cosponsors.

1 PRESIDENT:

2 Is there leave? Leave is granted. Senator Romano moves the
3 adoption of Senate Resolution 126. All in favor say Aye. Opposed
4 Nay. The resolution is adopted. On the order of the Supplemental
5 Calendar on the Secretary's Desk. You have each been passed out a
6 zerox copy of the Supplemental Calendar for Friday, June the 27th.
7 The matter is on the Secretary's Desk. You will indicate to the
8 Secretary matters in which you desire to either concur or refuse to
9 recede. We will deal with that issue. Does everyone have a copy?
10 They have just been...have they passed out...are they being passed
11 out now? Thank you. Senate Bill 207, Senator Philip. May I have
12 the attention of the membership. If you will be good enough to take
13 your seats and look at the Supplemental Calendar and be prepared when
14 your name is called we can handle your matter and can get you home
15 to your families sooner, if you desire it, maybe it will...there are
16 those who, perhaps, would rather remain. Senate Bill 649, Senator
17 Don Moore. Senate Bill 751, Senator Glass. Senator Glass.

18 SENATOR GLASS:

19 Mr. President, I would move that the Senate nonconcur the amend-
20 ment.

21 PRESIDENT:

22 Any discussion? Senator Glass moves to nonconcur in House Amend-
23 ment No. 2 to Senate Bill 751. All those in favor say Aye. Opposed
24 Nay. The motion carries and the Secretary shall so inform the House.
25 Senate Bill 957, Senator Glass. Senator Glass.

26 SENATOR GLASS:

27 Thank you, Mr. President. In the House...

28 PRESIDENT:

29 Just a moment. Just a moment. May we have some order, please.
30 Senator Glass.

31 SENATOR GLASS:

32 Thank you, Mr. President. In the House there were six amendments
33 added to the bill and I am going to move to concur in all of them. I

1 will describe them, if I may. Briefly, the bill as it went over to the
2 House allowed the Department of Transportation to modify regulations
3 relating to interior safety features of school buses used to carry
4 pre-school children. Now, this bill was limited to pre-school children
5 and it created an advisory commission to work with DOT in implementing
6 these regulations. The following amendments were added. The first one
7 allows DOT to modify those regulations after consulting with the Gover-
8 nor's Safety Coordinating Committee and after a public hearing. I
9 think that's a good amendment because we don't really need to create a
10 separate committee when that one's already in existence. Amendment 3,
11 which was adopted specifies that fuel tanks required on school buses
12 manufactured should after July 31st of 1976 and specifies that they meet
13 Federal regulations. The fourth amendment requires laminated safety
14 glass on school buses manufactured after July 31st, 1976. The fifth
15 amendment allows fenders on school buses that are black to remain black
16 and not to be painted yellow on existing buses. Amendment six permits
17 the name of the owner to be on a color that is contrasting with the
18 background rather than black. Finally, Amendment No. 7 provides that
19 all buses must be equipped with a stop signal arm before August 1st,
20 1975 and thereafter the arms shall be rectangular...rectangular or
21 hexagon semaphore. After December 31st of '74, the semaphore stop arm
22 must meet specifications outlined in the amendment. Those are the
23 seven amendments. And I would move that the House...that the Senate
24 concur in those amendments, Mr. President.

25 PRESIDENT:

26 Now, just for the record would you repeat the amendments in which
27 you are seeking concurrence. The numbers of them.

28 SENATOR GLASS:

29 Yes. They are House Amendments 1, 3, 4, 5, 6 and 7.

30 PRESIDENT:

31 There are also Amendments 8 and 9 according to our Calendar.
32 Senator Glass, are there, you are going to nonconcur in those. Is
33 that it?

1 SENATOR GLASS:

2 Well, it...it...

3 PRESIDENT:

4 They put on...

5 SENATOR GLASS:

6 No. It is my intention to concur in all of the amendments and let
7 me then describe 8 and 9. Amendment 8 changes the issuance of a school
8 bus driver permit from the Illinois Office of Education to the Regional
9 Superintendents and everybody speeds up the paperwork involved and sets
10 aside the two dollar permit fee to be used expressive for training of
11 school bus drivers and Amendment 9 requires school bus driver tests to be
12 administered by the Secretary of State and a review of the applicant's
13 driving habits will be made by the Secretary at the time the written test
14 is given. And I am sorry I omitted those amendments earlier, but I do
15 wish to move to concur, also, in House Amendments 8 and 9.

16 PRESIDENT:

17 Any discussion on any of the nine amendments? Senator Glass moves
18 that the Senate concur in Amendments Numbered 1, 3, 4, 5, 6, 7, 8 and 9
19 to Senate Bill 957. The question is shall the Senate concur in Amend-
20 ments Numbered 1, 3, 4, 5, 6, 7, 8 and 9 to Senate Bill 957. Those in
21 favor vote Aye. Opposed vote Nay. The voting is open. Have all voted
22 who wish? Take the record. On this question the Ayes are 35, the Nays
23 are none, with 5 Voting Present. The Senate does concur in Amendments
24 Numbered 1, 3, 4, 5, 6, 7, 8 and 9 to Senate Bill 957. And the bill
25 having received the required constitutional majority is declared passed.
26 Senate Bill 986, Senator Graham. Would you give him the light.
27 Senator Graham.

28 SENATOR GRAHAM:

29 Mr. President, I think the House has...what I would like to do is
30 refuse to accede to the House and get this into a Conference Committee.
31 There's an important amendment that wasn't put on this bill. It would
32 take a very little effort, but I would like to get it into Conference.

33 PRESIDENT:

1 Senator Graham moves to nonconcur in House Amendment No. 1 to
2 Senate Bill 986. All in favor say Aye. Opposed Nay. The motion car-
3 ries. The Secretary shall so inform the Senate...the House. Senate
4 Bill 992, Senator Hynes. Senate Bill 1018, Senator Harris. Senate Bill
5 1021, Senator Romano. Senate Bill 1031, Senator Buzbee. Senate Bill
6 1031, that's the Environmental Protection Act with reference to the
7 word refuse. Senate Bill 1036, Senator Wooten. Senate Bill 1057,
8 Senator Shapiro. Let me have the attention of the membership. We're
9 on the Supplemental Calendar, the one that was passed out to you, the
10 Supplemental Calendar of matters on the Secretary's Desk. These are
11 matters which arrived at the Secretary's Desk subsequent to the print-
12 ing of today's Calendar. So, they are on a mimeographed sheet on your
13 desk there. If there is anyone who doesn't see it among your papers
14 raise your hand and they will bring you one. Senate Bill 1170, Senator
15 Bruce. Senate Bill 1247, Senator Rock. Senate Bill 1258, Senator
16 Kosinski.

17 SENATOR KOSINSKI:

18 Mr. President and members of the Senate. It's a great pleasure
19 to speak to you with all these bypass of amendments. I would like to
20 concur with House Bill Amendment 1 and 2 on Senate Bill 1258. And the
21 amendment reads as follows. Instead of the State Board of Elections
22 gives either county clerk, or Board of Election Commissioners authority
23 to use paper ballots in a special election. That's the first amend-
24 ment. The second amendment qualifies the provisions of the bill to
25 vacancies in not more than two offices, or in which no more than two
26 propositions are to be voted upon, or in which a vacancy in one office
27 is to be filled and one proposition is to be voted upon. This amend-
28 ment makes the bill less restrictive as the original bill allowed paper
29 ballots, only, in a special election to fill a vacancy of one office.
30 Mr. President, I seek a favorable roll call and the adoption of these
31 amendments.

32 PRESIDENT:

33 Any discussion? The question is shall the Senate concur in

1 Amendments Numbered 1 and 2 to Senate Bill 1258. Those in favor vote
2 Aye. Opposed vote Nay. The voting is open. Have all voted who wish?
3 Take the record. On that question the Ayes are 48, the Nays are none,
4 with 1 Voting Present. The Senate does concur in Amendments Numbered
5 1 and 2 to Senate Bill 1258. And the bill having received the required
6 constitutional majority is declared passed. For what purpose does
7 Senator Buzbee arise?

8 SENATOR BUZBEE:

9 Mr. President, I move to Table Senate Bill 1031.

10 PRESIDENT:

11 Senator...Senator, would you just hold that until I get a chance
12 to talk to you about that, please. Senate Bill 1297, Senator Bruce.
13 Senate Bill 1297, Senator Bruce. Senator Terry Bruce.

14 SENATOR BRUCE:

15 Yes, Mr. President, I would move that the Senate nonconcur with
16 House Amendment No. 1 to Senate Bill 12...I think that's 97, should be.
17 1297.

18 PRESIDENT:

19 Senator Bruce moves to nonconcur in House Amendment No. 1 to
20 Senate Bill 1297. All those in favor say Aye. Opposed Nay. The motion
21 carries and the Secretary shall so inform the House. Senate Bill 1395,
22 Senator Nudelman.

23 SENATOR NUDELMAN:

24 Thank you, Mr. President. The amendment is merely a...a correc-
25 tion of a numbering error in the...in the original bill. I would move
26 we concur in the amendment.

27 PRESIDENT:

28 Any discussion? The question is shall the Senate concur in
29 Amendment No. 1 to Senate Bill 1395. Those in favor vote Aye. Opposed
30 vote Nay. The voting is open. Have all voted who wish? Take the
31 record. On this question the Ayes are 41, the Nays are 1, with 1
32 Voting Present. The Senate does concur in Amendment No. 1 to Senate
33 Bill 1395 and the bill having received the required constitutional

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1 majority is declared passed. For what purpose does Senator Vadalabene
2 arise?

3 SENATOR VADALABENE:

4 Yes. Can you see me?

5 PRESIDENT:

6 No, there are two gentlemen blocking my view, Senators Egan and
7 Representative Hanahan, who we're glad to have over, but would you
8 gentlemen permit me to have visual...

9 SENATOR VADALABENE:

10 Mr. President, what I would like to do is have leave to have my
11 name on...on an affirmative vote on Senate Bill 1395. I was away from
12 the desk at the time.

13 PRESIDENT:

14 The record will show your affirmative intention to have voted in
15 that way. Senate Bill 1493, Committee on Education. Who is the spon-
16 sor? Senator Don Moore, are you ready, now, on 649? Senator Moore
17 is recognized. Sen...Secretary's Desk - Supplemental Calendar.
18 Senate Bill 649, Senator Don Moore.

19 SENATOR MOORE:

20 Thank you, Mr. President, members of the Senate. I'm going to
21 move to concur in Amendment No. 1 and nonconcur in Amendment No. 3.
22 Amendment No. 1 that was put on by the House is cleaning up language and
23 expands upon the language dealing with the garaging, repairing and
24 parking and storing of public...of vehicles for public where there has
25 been the manufacturers number et cetera has been removed. Procedures
26 set up to see that this information is given to the State Police, also,
27 if the property has been unclaimed, if a court procedures is set up
28 for disposing of the property. I would move to concur in Amendment No.
29 1 to House Bill 649.

30 PRESIDENT:

31 And I'm sorry. And as to 3?

32 SENATOR MOORE:

33 I want to concur in Amendment No. 1 and nonconcur in Amendment

1 No. 3.

2 PRESIDENT:

3 Senator Don Moore has moved to concur in House Amendment No. 1 to
4 Senate Bill 649. The question is shall the Senate concur in Amendment
5 No. 1 to Senate Bill 649. The...Senator Latherow.

6 SENATOR LATHEROW:

7 Well, I...Mr. President, I just can't seem to adjust with the
8 synopsis of the bill with what the amendments are. That's what's
9 bothering me. Amendment No. 1, I'm just now getting a chance to look
10 at it and I wonder...

11 PRESIDENT:

12 Would you desire additional explanation from Senator Moore?
13 He offered an explanation.

14 SENATOR LATHEROW:

15 I sure would. I...

16 PRESIDENT:

17 Senator Moore, would you explain Amendment No. 1?

18 SENATOR MOORE:

19 Amendment No. 1, Senator, deals with that section of the Motor
20 Vehicle Code where an automobile at a garage repairing, parking, or
21 storing vehicles for the public in which the vehicle is unclaimed
22 after being left there for the purpose of garaging, repairing and park-
23 ing for a period of fifteen days, which is the present law, it then
24 says that the owner within five days thereafter shall notify the
25 municipal police when the vehicle is within the corporate limits of
26 the city, village, or incorporated town, or the sheriff or State Police
27 when the vehicle is outside the corporate limits of the town. The amend-
28 ment further goes on to say that if a vehicle or component part of a
29 vehicle is found to have the manufacturers number removed, altered, de-
30 faced or destroyed the vehicle or component part shall be seized by
31 any law enforcement agency having jurisdiction and held for the purpose
32 of investigation. It then states that if it has been removed there is
33 a procedure whereby the State's Attorney in the county shall make

1 application to the circuit court for final determination of what to
2 do with it.

3 PRESIDENT:

4 Senator Latherow. Just one moment, just one moment. Will the
5 members be in their seats. Would those not entitled to the Floor please
6 leave the Floor. And may we reduce our noise level. This is a very
7 important part of the legislative process, and the member is entitled
8 to hear. Senator Latherow.

9 SENATOR LATHEROW:

10 Well, Mr. President and members, I'd just like to say that I
11 think this is a very concrete example of a bill that was set for some-
12 what innocuous purpose. It's turned around and is back here with us
13 with what I would call approximately the disposal of some vehicle that's
14 left supposedly without known ownership and so on and a right to dispose
15 of it, and I...and this time I cannot support this legislation at all.

16 PRESIDENT:

17 Senator Egan.

18 SENATOR EGAN:

19 Senator Moore, what...what was the number of this bill originally
20 before it was obviously killed someplace?

21 PRESIDENT:

22 Senator Moore.

23 SENATOR MOORE:

24 I don't recall, Senator. Representative Keller did not inform
25 me of which House Bill this was that got lost in the shuffle over there,
26 but it was put on this bill as an amendment inasmuch it dealt with the
27 Motor Vehicle Code.

28 PRESIDENT:

29 Senator Egan.

30 SENATOR EGAN:

31 Well, if we could find that out it would be simple to check out
32 to see the history of the bill, what...what happened to it, and then
33 we can determine whether or not we're for it or against it.

1 PRESIDENT:

2 Senator Don Moore.

3 SENATOR MOORE:

4 Mr. President, I move to nonconcur in Amendment No. 1 and No.
5 3 to Senate Bill 649.

6 PRESIDENT:

7 Senator Don Moore moves to nonconcur in Amendments...in House
8 Amendments No. 1 and 3 to Senate Bill 649. All in favor say Aye.
9 Opposed Nay. The motion carries and the Secretary shall so inform
10 the House. Senator Romano, would you like to go with 1021 and 2?

11 SENATOR ROMANO:

12 Yes.

13 PRESIDENT:

14 Senate Bill 1021, Senator Romano.

15 SENATOR ROMANO:

16 Mr. President and members of the Senate, I move that the Senate
17 concur in House Amendment No. 1 to Senate Bill 1021. They put an amend-
18 ment on in the House. It pertains to a child who was born out of wed-
19 lock and then where the parents finally legally marry, this child would
20 be considered eligible for benefits out of the fund, and this is ap-
21 proved by the Pension Laws Commission.

22 PRESIDENT:

23 Any discussion? The question is shall the Senate concur in Amend-
24 ment No. 1 to Senate Bill 1021. Those in favor vote Aye. Opposed Nay.
25 The voting is open. Have all voted who wish? Take the record. On
26 this question the Ayes are 49, the Nays are 2, with 1 Voting Present.
27 The Senate does concur in House Amendment No. 1 to Senate Bill 1021,
28 and the bill having received the required constitutional majority is
29 declared passed. Senate Bill 1022, Senator Romano.

30 SENATOR ROMANO:

31 Mr. President and members of the Senate, I move that the Senate
32 concur in Amendment No. 1 and No. 2 and No. 3. I'll quickly explain
33 the three amendments. The one amendment cleans up the provisions for

1 filing for disability and for offset on Workmen's Compensation. Amend-
2 ment No. 2 provides for increase for the General Assembly Members
3 retired prior to 1967. No, I guess that was it. Oh, and it increases
4 the term annuity for Chicago Labor System and allows a refund of contri-
5 butions where an annuity would not cancel the amount of the term payment.
6 I move that the Senate concur in these amendments.

7 PRESIDENT:

8 Any discussion? The question is shall the Senate concur in Amend-
9 ments Numbered 1, 2 and 3 to Senate Bill 1022. Those in favor vote Aye.
10 Those opposed vote Nay. The voting is open. Have all voted who wish?
11 Take the record. On this question the Ayes are 47, the Nays are none,
12 with 3 Voting Present. The Senate does concur in Amendments Numbered
13 1, 2 and 3 to Senate Bill 1022 and the bill having received the required
14 constitutional majority is declared passed. Senator Wooten.

15 SENATOR WOOTEN:

16 Is 1036 next?

17 PRESIDENT:

18 If you desire it.

19 SENATOR WOOTEN:

20 Yes.

21 PRESIDENT:

22 Senator Wooten on Senate Bill 1036.

23 SENATOR WOOTEN:

24 Mr. Chairman...Mr. President and members of the Senate. I move
25 that the Senate concur in House Amendment No. 3 to Senate Bill 1036.
26 House Amendment No. 3 is an attempt on the part of the House sponsor
27 to cure a problem by limiting the precinct committeemen who would be
28 mandated as deputy registrar to registering voters only in his own
29 precinct. And I move that the Senate would concur in House Amendment
30 No. 3.

31 PRESIDENT:

32 Senator Davidson.

33 SENATOR DAVIDSON:

1 Mr. President and members of the Senate you better pay a close
2 attention to this bill, cause that amendment he's moving to concur
3 in, which I'm going to recommend you nonconcur in, just happens to
4 make the precinct committeemen, now, precinct registrars and they will
5 register people wherever they please, wherever they are and not
6 have to have a regular registration place. Now, this...what they did
7 was put Senate Bill 210 into this bill, because Senate...210 is
8 hung up and beat over in the House on Postpone Consideration. I
9 recommend you nonconcur in this amendment.

10 PRESIDENT:

11 Any further discussion? The question is...Senator Nimrod.

12 SENATOR NIMROD:

13 Mr. President, I would just like to know. Does this include
14 the precinct captains that are appointed in Cook County?

15 PRESIDENT:

16 Senator Wooten.

17 SENATOR WOOTEN:

18 No.

19 PRESIDENT:

20 Senator Nimrod.

21 SENATOR NIMROD:

22 It...it exempts all of Cook County.

23 PRESIDENT:

24 Senator Wooten.

25 SENATOR WOOTEN:

26 Yes, all of Cook County is exempted.

27 PRESIDENT:

28 Any further discussion? The question is shall the Senate concur
29 in Amendment No. 3 to Senate Bill 1036. Those in favor vote Aye.
30 Opposed No. The voting is open. Have all voted who wish? Have all
31 voted who wish? Take the record. On this question the Ayes are 32,
32 the Nays are 22, with none Voting Present. The Senate does concur in
33 House Amendment No. 3 to Senate Bill 1036. And the bill having received

1 the required constitutional majority is declared passed. Now, Senator
2 Davidson has asked for a verification. He is standing. I don't...I
3 ignored the rest of them. Senator Davidson has requested a verification
4 of the affirmative vote. Will the members be in their seats. Mr.
5 Sergeant-at-Arms, we have a large number of Pages. Keep them back,
6 please, because they...keep this aisle open. And all not entitled to
7 the Floor, please leave the Floor. Who is the young man with the blue
8 jacket? All right. I just want to know. Secretary will read the
9 affirmative votes.

10 SECRETARY:

11 The following voted in the affirmative: Brady, Bruce, Buzbee,
12 Carroll, Course, Daley, Demuzio, Donnewald, Dougherty, Egan, Kenneth
13 Hall, Hickey, Hynes, Johns, Joyce, Knuppel, Kosinski, Lane, McCarthy,
14 Morris, Netsch, Newhouse, Nudelman, Palmer, Rock, Romano, Savickas,
15 Smith, Vadalabene, Welsh, Wooten, Mr. President.

16 PRESIDENT:

17 Senator Davidson.

18 SENATOR DAVIDSON:

19 Thank you. Senator Daley.

20 PRESIDENT:

21 Is Senator Daley on the Floor? Strike him from the roll call.

22 SENATOR DAVIDSON:

23 Senator Newhouse.

24 PRESIDENT:

25 Senator Newhouse is in his seat.

26 SENATOR DAVIDSON:

27 Senator Savickas.

28 PRESIDENT:

29 Is Senator Savickas on the Floor? Strike him from the roll call.

30 SENATOR DAVIDSON:

31 Senator Hynes.

32 PRESIDENT:

33 Senator Hynes is on the Floor.

1 SENATOR DAVIDSON:

2 Senator Dougherty.

3 PRESIDENT:

4 Senator Dougherty is on the Floor.

5 SENATOR DAVIDSON:

6 Senator Carroll.

7 PRESIDENT:

8 Senator Carroll is on the Floor.

9 SENATOR DAVIDSON:

10 Thank you.

11 PRESIDENT:

12 The roll call has been verified. On this question the Ayes are
13 30, the Nays are 22, with none Voting Present. Senate Bill 1036
14 is passed. Senator Morris moves to reconsider. Senator Netsch moves
15 to Table. All in favor say Aye. The motion carries. (Machine cutoff)
16 ...you indicated you didn't want to call 1057. Is that right? Senator
17 Shapiro, 1057. No. Are there any other bills on the Supplemental
18 Calendar that members desired called? Senator Rock, in your absence
19 we commenced with a Supplemental Calendar which for matters on the
20 Secretary's Desk, you had a bill, 1247, with a House Amendment. Would
21 you like to call it? Senator Rock on Senate Bill 1247 on the Supple-
22 mental Calendar. Secretary's Desk. Senator Rock.

23 SENATOR ROCK:

24 Thank you, Mr. President, Ladies and Gentlemen of the Senate.
25 Senate Bill 1247 is that bill establishing civil service classification
26 systems for counties in excess of three hundred and fifty thousand
27 people. House Amendment No. 1 was added by the House sponsor, Repre-
28 sentative Schneider, and what it does, it makes the establishment per-
29 missive. That is to say, it can be done by referendum, or by petition.
30 I would move to concur with House Amendment No. 1 to Senate Bill 1247.

31 PRESIDENT:

32 Any discussion? The question is shall the Senate concur in

1 Amendment No. 1 to House...to Senate Bill 1247. Those in favor vote
2 Aye. Opposed Nay. The voting is open. Have all voted who wish? Take
3 the record. On that question the Ayes are 32, the Nays are 17 with
4 none Voting Present. And the Senate does concur in House Amendment No.
5 1 to Senate Bill 1247. And the bill having received the required con-
6 stitutional majority is declared passed. For what purpose does Senator
7 Kenneth Hall arise?

8 SENATOR HALL:

9 A point of personal privilege, Mr. President.

10 PRESIDENT:

11 State your point, Senator Hall.

12 SENATOR HALL:

13 Mr. President, we are honored this afternoon to have the lovely
14 wife of our colleague, Senator Smith, on the Floor. So, I would want
15 the Senate to rise and acknowledge that she's here.

16 PRESIDENT:

17 Mrs. Smith. We just have a Supplemental Calendar in on the
18 Secretary's Desk on matters on nonconcurrency. Will the Sergeant-
19 at-Arms distribute them. Senator Smith. Oh, Senator Kenneth Hall.

20 SENATOR HALL:

21 Thank you, Mr. President. Again, on personal privilege I forgot
22 that...we honored also with the wife of Senator Howard Carroll. She's
23 also present sitting here with Senator Smith's wife. So, I'd like
24 the Senate to acknowledge her.

25 PRESIDENT:

26 Mrs. Carroll. The Chair has an announcement about tonight's
27 schedule, so, that you can make your plans accordingly. We propose
28 to work until 5:00 o'clock, break for dinner and return at 7:00. We
29 will work until 5:00, break for dinner and return at 7:00. All mem-
30 bers have in their possession the Supplemental Calendar for Friday,
31 June 27th upon the Secretary's Desk matters on nonconcurrency. Is
32 there leave to go to that order of business? Leave is granted. House
33 Bill 735, Senator Vadalabene. Is he on the Floor? Has House Bill...

1 show it to him will you, please. Senator Vadalabene.

2 SENATOR VADALABENE:

3 Mr. President, I ask for a Conference Committee on House Bill
4 735.

5 PRESIDENT:

6 Senator Vadalabene moves that the Senate refuse to recede from
7 the adoption of Amendments No. 1 and 2 to...

8 SENATOR VADALABENE:

9 House Bill 735.

10 PRESIDENT:

11 Yeah. Let's change the board. It's House Bill 735. To House
12 Bill 735. All in favor say Aye. Opposed Nay. The motion carries
13 and the Secretary will so inform the House. On the Secretary's Desk
14 on your regular Calendar page nine, Senate Bill 598, Senator Egan.

15 SENATOR EGAN:

16 Thank you, Mr. President and members of the Senate. I move to
17 concur in House Amendment No. 1 to Senate Bill 598. The amendment
18 delays the effective date until July...January 1st, 1976, so that the
19 buses in compliance...that must comply will have bus license plates.
20 The amendment is necessary. I'm...and I move to concur in House Amend-
21 ment No. 1.

22 PRESIDENT:

23 Any discussion? Senator Egan moves to concur to House Amendment
24 No. 1 on Senate Bill 598. The question is shall the Senate concur
25 in House Amendment No. 1 to Senate Bill 9...598. Those in favor vote
26 Aye. Those opposed vote Nay. The voting is open. Have all voted who
27 wish? Take the record. On that question the Ayes are 45, the Nays
28 are none, with none Voting Present. The Senate does concur in Amend-
29 ment No. 1 to Senate Bill 598. And the bill having received the re-
30 quired constitutional majority is declared passed. Back to the order
31 of nonconcurrences on the Secretary's Desk. House Bill 1453, Senator
32 Harber Hall. Pardon me, Senator. For what purpose does Senator Howard
33 Mohr arise?

1 SENATOR MOHR:

2 Mr. President, I wonder if we might have just a few minutes to
3 go over this latest list that we have. If we can get on something
4 else and get back.

5 PRESIDENT:

6 Very good. We'll stay off that list until you have a chance to
7 digest it.

8 SENATOR MOHR:

9 Thank you, Sir.

10 PRESIDENT:

11 For what purpose does Senator Lane arise?

12 SENATOR LANE:

13 Yes, Mr. President, Senate Bill 837 on the Secretary's Desk.

14 PRESIDENT:

15 Senate Bill 837 on the Secretary's Desk. Page 10 of the regular
16 Calendar. Senator Lane.

17 SENATOR LANE:

18 Yes, I'd like to make a motion to concur with both amendments. We
19 had discussed it earlier today. Senator Bell had a question. We think
20 we have clarified it with him. And I'd make a motion the Senate concur
21 to these amendments.

22 PRESIDENT:

23 Any further discussion? The question is, shall the Senate concur
24 in Amendments Numbered 1 and 2 to Senate Bill 837. Those in favor vote
25 Aye. Those opposed vote Nay. The voting is open. Have all voted who
26 wish? Take the record. On this question, the Ayes are 45, the Nays
27 are none, with 3 Voting Present. The Senate does concur in House
28 Amendments Numbered 1 and 2 to Senate Bill 837. And the bill having
29 received the required constitutional majority is declared passed.
30 Senator Palmer, did you make a request? ...Senator Knuppel's mike.

31 SENATOR PALMER:

32 I'd like to nonconcur on House Amendments 1 and 2 to Senate Bill
33 558.

1 PRESIDENT:

2 Senate Bill 558 you will find on Page 9 on your regular
3 Calendar on the Secretary's Desk. Would you...is there discussion?
4 The question is, shall the Senate concur...Senator Palmer moves to
5 nonconcur in House Amendments Numbers 1 and 2 to Senate Bill 558. All
6 those in favor say Aye. Opposed Nay. The motion carries and the
7 Secretary shall so inform the House. For what purpose does Senator
8 Rock arise?

9 SENATOR ROCK:

10 I have on the Secretary's Desk, Senate Bill 635, if you wish to
11 go to that order. It's the appropriation for the Children and Family
12 Services.

13 PRESIDENT:

14 On the Secretary's Desk, on the regular Calendar, Page 9. Senate
15 Bill 635, Senator Rock.

16 SENATOR ROCK:

17 Thank you, Mr. President, Ladies and Gentlemen of the Senate.
18 Senate Bill 635 is the one hundred and fifteen million dollar appropriation
19 for the ordinary and contingent expenses of the Department of Children
20 and Family Services. The House put seven amendments on. I am
21 moving at this time to concur in 1, 2, 3 amendments and nonconcur
22 in the other four. Amendment No. 1 reduces the ... Amendment No. 1
23 contains a six percent cut as requested by the Governor in the operational
24 section. The Senate had taken out approximately five and a half percent.
25 The House Committee reduced it even further, so it is now a six per-
26 cent cut. I would move to concur in No. 1. Amendment No. 2 removed
27 funds for five of the fifteen vacant positions funded at Herrick House.
28 I think that the amount of the reduction is some twenty-five thousand
29 dollars. I would move to concur in Amendment No. 2. Amendment
30 No. 5 is a reappropriation of two hundred and fifty thousand dollars,
31 or so much thereof as remains unexpended at the end of this year for
32 research and treatment in child abuse. These are FY '75 dollars,
33 and I would move to concur in Amendment No. 5. So, I'm

1 moving at this time to concur in House Amendments 1, 2 and 5 to
2 Senate Bill 635.

3 PRESIDENT:

4 Any discussion? Senator Weaver.

5 SENATOR WEAVER:

6 Thank you, Mr. President. I would just rise to support Senator
7 Rock in his concurrence in these three amendments.

8 PRESIDENT:

9 Any further discussion? Senator Harber Hall.

10 SENATOR HALL:

11 I'd like to ask the sponsor a question.

12 PRESIDENT:

13 He indicates he will yield.

14 SENATOR HALL:

15 In respect to Amendment 5. Was that an increase in the study
16 of the child abuse. Is that right?

17 PRESIDENT:

18 Senator Rock.

19 SENATOR ROCK:

20 Last year there was a specific line item for research and
21 treatment with respect to child abuse. I think the amount was approx-
22 imately four hundred thousand dollars. The committee in the House
23 felt that since about two hundred and fifty or more thousand dollars
24 had remained unexpended at the point in time in which the department
25 came before the committee it was their feeling that it should be re-
26 appropriated for that purpose. This is...these are FY '75 dollars
27 that would otherwise lapse.

28 PRESIDENT:

29 Senator Harber Hall.

30 SENATOR HARBER HALL:

31 I'd like to speak in respect to Amendment 5, then.

32 PRESIDENT:

33 Senator Hall.

1 SENATOR HALL:

2 It occurs to me, Mr. President, that when this money is re-
3 appropriated for a study that seems worthy, I think it should be con-
4 sidered by the General Assembly what the Department has done in respect
5 to child abuse with its...within its own purview of doing. I refer
6 specifically to the charges of child abuse in kaleidoscope homes. Most
7 recently in Champaign, Illinois where the Department is authorized a
8 contract and executed a contract paying a private organization sixty-
9 six dollars per day per child and in which the caretakers at this very
10 high rate of care are mistreating children. They're under study right
11 now by police authorities there. I think indictments have already been
12 handed out and yet the Department continues to spend these funds
13 on similar homes, that home and others similar to it. So, I m going
14 to resist Amendment 5 and I hope those on the Appropriation Committee
15 will have an opportunity to look into this in more detail.

16 PRESIDENT:

17 Senator Weaver.

18 SENATOR WEAVER:

19 Senator Hall, I'm certainly not rising in support of the contrac-
20 tional arrangements with kaleidoscope, but I want you to know that
21 charges have been filed and they are in court on this particular case.
22 But I, once again, I'm in support of Senator Rock's Motion.

23 PRESIDENT:

24 Senator Rock.

25 SENATOR ROCK:

26 Well, I am moving to concur. Senator Hall's remarks are proper
27 as they were the last time, or the time the budget was up for final
28 passage. That problem is being studied by the Director and the Depart-
29 ment of Personnel and I hope, shortly, we can have a satisfactory
30 solution for everybody. In the meantime, with respect to this particular
31 amendment, let me just say that the House sponsor, Representative
32 Barnes and the members of the Appropriations Committee feel pretty
33 strongly about Amendment No. 5 and that is the reason I am moving to

1 concur therein. So, I would move, Mr. President and Ladies and Gentlemen,
2 at this point to concur in House Amendments 1, 2 and 5 to Senate Bill
3 635.

4 PRESIDENT:

5 The question is, shall the Senate concur in Amendments Numbered 1, 2
6 and 5 to Senate Bill 635. Those in favor vote Aye. Opposed vote Nay.
7 The voting is open. Have all voted who wish? Take the record. Senator
8 Rock. On this question, the Ayes are 49, the Nays are 3, with none Voting
9 Present. The Senate does concur in Amendments 1, 2 and 5 to Senate
10 Bill 635. And the bill having received the required constitutional
11 majority...no, you're right...does concur in Amendments 1, 2 and 5
12 to Senate Bill 635. Senator Rock with reference to the other amendments.
13 SENATOR ROCK:

14 Thank you, Mr. President, Ladies and Gentlemen of the Senate.
15 There are four additional amendments that the House added. Amendment
16 No. 4 would allow the Department two...two percent transfer ability between
17 the grant monies. This is the argument we had this year. I'm moving
18 to nonconcur in that. Amendment No. 6 was the FEPC Amendment. I am
19 moving to nonconcur in that. Amendment No. 7 was the deletion of the
20 capital projects with respect to Herrick House, Senator Graham's Amend-
21 ment. I am moving to nonconcur in that, and Amendment No. 8 added five
22 thousand dollars for compensation of athletic coaching staff. I know
23 not what that is, and I am moving to nonconcur in that. So, I am moving,
24 at this point, to nonconcur in Amendments 4, 6, 7 and 8 to Senate Bill
25 635.

26 PRESIDENT:

27 Senator Rock moves to nonconcur in House Amendments 4, 6, 7 and
28 8 to Senate Bill 635. Those in favor say Aye. Opposed Nay. The
29 motion carries and the Secretary shall so inform the House. Senator
30 Harber Hall.

31 SENATOR HALL:

32 If we're on the order on nonconcurrency, if the President likes,
33 I would like to consider House Bill 1453. Number two on the noncon-
34 currence list.

1 PRESIDENT:
2 Well, we had a request by Senator Howard Mohr...
3 SENATOR HALL:
4 Oh, I thought that...
5 PRESIDENT:
6 ...to hold that list until there could be more input. Senator
7 Donnewald.
8 PRESIDING OFFICER: (SENATOR DONNEWALD)
9 Senator Rock, would you wish to proceed with Senate Bills 1015
10 and 1016 on the Secretary's Desk?
11 SENATOR ROCK:
12 No.
13 PRESIDING OFFICER: (SENATOR DONNEWALD)
14 Senator Mohr. House Bill 1453, Senator Harber Hall. This is on
15 the second Supplemental Calendar.
16 SENATOR HALL:
17 I...I move to non...
18 PRESIDING OFFICER: (SENATOR DONNEWALD)
19 Just...just a moment, Senator. The noise level is rather high.
20 May we have order. Proceed.
21 SENATOR HALL:
22 I move to...I move that the Body not recede from Senate Amendment
23 No. 1 to House Bill 1453.
24 PRESIDING OFFICER: (SENATOR DONNEWALD)
25 You move to nonconcur.
26 SENATOR HALL:
27 Nonconcur.
28 PRESIDING OFFICER: (SENATOR DONNEWALD)
29 Just a moment.
30 SENATOR HALL:
31 Excuse me. Non concur.
32 PRESIDING OFFICER: (SENATOR DONNEWALD)
33 Oh, all right. Your motion is to move to...to...

1 SENATOR HALL:
2 Refuse to recede.
3 PRESIDING OFFICER: (SENATOR DONNEWALD)
4 Refuse to recede from the adoption of Amendment No. 1...is it,
5 Senator?
6 SENATOR HALL:
7 Senate Amendment No. 1.
8 PRESIDING OFFICER: (SENATOR DONNEWALD)
9 To House Bill 1453, and that a Conference Committee be appointed.
10 Is that your desire?
11 SENATOR HALL:
12 Yes.
13 PRESIDING OFFICER: (SENATOR DONNEWALD)
14 All those in favor say Aye. Those opposed Nay. The Ayes have
15 it. The motion carries. House Bill...the Secretary shall so inform
16 the House. House Bill 1790, Senator Savickas.
17 SENATOR SAVICKAS:
18 I move that we do not recede from our position and call for a
19 Conference Committee.
20 PRESIDING OFFICER: (SENATOR DONNEWALD)
21 Senator Savickas moves that the Senate refuse to recede from
22 adoption...from Senate Amendments 1 and 2 to House Bill 1790 and
23 that a Conference Committee be appointed. All those in favor indicate
24 by saying Aye. Those opposed No. The Ayes have it. The motion carries
25 and the Secretary shall so inform the House. House Bill 2215, Senator
26 Kenneth Hall. House Bill 3057, Senator Welsh. Senator...Senator
27 Welsh. House Bill 3057.
28 SENATOR WELSH:
29 Mr. President, I move that the Senate recede from Senate Amendment
30 No. 1 to House Bill 3057.
31 PRESIDING OFFICER: (SENATOR DONNEWALD)
32 Is there further...is there a discussion? Senator Harris.
33 SENATOR HARRIS:

1 Yeah, that's my amendment and I think this is a real good idea,
2 because I've now had it properly explained to me, and not only that
3 it eliminates one more vehicle and one more Conference Committee. I
4 join Senator Welsh in this motion to recede.

5 PRESIDING OFFICER: (SENATOR DONNEWALD)

6 The motion...the question is shall the Senate recede from Amend-
7 ment No. 1 to House Bill 3057. Those in favor vote Aye. Those opposed
8 Nay. The voting is open. Have all those voted who wish? Take the
9 record. On that question the Ayes are 47, the Nays are none. Those
10 voting...those...the Senate recedes from Amendment No. 1 to House Bill
11 3057 and the bill having received the required constitutional majority
12 is declared passed. House Bill 3105, Senator Newhouse. Is Senator
13 Kenneth Hall on the Floor? As to House Bill 2215. Senator Kenneth
14 Hall.

15 SENATOR HALL:

16 Would you pass that a minute while I'm just...hold it.

17 PRESIDING OFFICER: (SENATOR DONNEWALD)

18 We'll hold the bill. Stand at ease for just a moment.
19 Senator Graham, for what purpose do you arise?

20 SENATOR GRAHAM:

21 I...I might be able to help out a little bit on 3105. That's
22 my amendment that got us in trouble.

23 PRESIDING OFFICER: (SENATOR DONNEWALD)

24 Well, Senator Newhouse is not on the Floor.

25 SENATOR GRAHAM:

26 I...I don't think he would object to what I'm going to say, but
27 he's got to be here. All right (Machine cut-off)...he's all here too
28 when we do this. I don't want to miss a one.

29 PRESIDING OFFICER: (SENATOR DONNEWALD)

30 Well, I...I think...I think we could probably proceed on that,
31 Senator, as to House Bill 3105. Senator Graham.

32 SENATOR GRAHAM:

33 Is Senator Netsch on the Floor? And Senator Hickey? Well, in

1 any event, Representative Chap Person came over with her big baby blue
2 eyes and tears running down her cheeks and called me some very...names,
3 some very bad names. Not real bad, but some that I didn't think that
4 I wanted to have to wear around, and I don't want our General Assembly,
5 as busy as we are, to have to go into a Conference Committee on this
6 amendment that you Gentlemen so generously help me put on the night
7 without the help of the two Ladies. So, I move that we do rescind
8 from my amendment that changes the status of women to the status of
9 persons.

10 PRESIDING OFFICER: (SENATOR DONNEWALD)

11 All right. The question, is shall the Senate from Amendment ...
12 the question is shall the Senate recede from Amendment...Amendment
13 No. 1 to House Bill 3105. Those in favor vote Aye. Those opposed Nay.
14 The voting is open. We've had plenty of Conference Committees, folks.
15 Have all those voted who wish? This requires...this requires thirty
16 votes. Those voting in the negative will be appointed to the Conference
17 Committee. Have all those voted who wish? Take the record. On that
18 question...on that...on that question, the Ayes are 31, the Nays are 18.
19 2 Voting Present and 8 not Voting. House Bill...the Senate recedes
20 from Amendment...Amendment No. 1 to House Bill 3105, and the bill having
21 received the required constitutional majority is declared passed.
22 Senator Kenneth Hall.

23 SENATOR HALL:

24 Thank you, Mr. President and members of the Senate. On House Bill
25 2215, I wish that the Senate do not recede from this and ask that a
26 Conference Committee be appointed.

27 PRESIDING OFFICER: (SENATOR DONNEWALD)

28 Senator Hall moves that the Senate refuse to recede from the
29 adoption of Amendment No. 1 to House Bill 2215 and a Conference Committee
30 be appointed. All those in favor say Aye. Those opposed No. The
31 Ayes have it. The motion carries. The Secretary shall so inform the
32 House. Senator Rock.

33 SENATOR ROCK:

1 Thank you, Mr. President. On the Secretary's Desk is Senate Bill
2 347 with House Amendment No. 2. I'm going to move to nonconcur in House
3 Amendment No. 2, which is the FEPC Amendment.

4 PRESIDING OFFICER: (SENATOR DONNEWALD)

5 Senator Rock moves to nonconcur in House Amendment No. 2 to
6 Senate Bill 347. All those in favor say Aye. Those opposed Nay. The
7 motion carries and the Secretary shall so inform the House. Senator
8 Dougherty. If we can see through all those folks, you're recognized.

9 SENATOR DOUGHERTY:

10 Thank...thank you, Mr. President. I just wanted to make an inquiry.
11 At what point in time I wanted to make a motion to take Senate Bill...

12 PRESIDING OFFICER: (SENATOR DONNEWALD)

13 Just...just a moment.

14 SENATOR DOUGHERTY:

15 I would like to move Senate Bill 1025, which is a Committee Bill,
16 and House Bill 3091, which is also a Committee Bill, to the Election Laws
17 ...to the Committee on Elections for further study.

18 PRESIDING OFFICER: (SENATOR DONNEWALD)

19 You can do that right now, Senator. What? The number, it's
20 House Bill 3091...

21 SENATOR DOUGHERTY:

22 And Senate Bill 1025.

23 PRESIDING OFFICER: (SENATOR DONNEWALD)

24 And Senate Bill 1025. Sendor Dougherty moves that they be re-
25 referred to the Committtee on Elections. All in favor indicate by
26 saying Aye. Those opposed No. The Ayes have it. The bills are...
27 Senator, where are the bills presently?

28 SENATOR DOUGHERTY:

29 They're both in...they're both Committee bills.

30 PRESIDING OFFICER: (SENATOR DONNEWALD)

31 They're on the Calendar on...

32 SENATOR DOUGHERTY:

1 No, they've been referred to Elections, but they are in committee.

2 I want to keep them there.

3 PRESIDING OFFICER: (SENATOR DONNEWALD)

4 Well, oh, there...there's no motion necessary then, Senator.

5 SENATOR DOUGHERTY:

6 I want them there. Let's make sure.

7 PRESIDING OFFICER: (SENATOR DONNEWALD)

8 All right. On the...on the first Supplemental Calendar Senator

9 Lemke as to 13...Senate Bill 1384. Senator Lemke.

10 SENATOR LEMKE:

11 I ask not to concur. There's a technical typing error in there.

12 PRESIDING OFFICER: (SENATOR DONNEWALD)

13 Senator Lemke moves that the Senate nonconcur in Amendment No.

14 what, Senator?

15 SENATOR LEMKE:

16 Amendment No. 1.

17 PRESIDING OFFICER: (SENATOR DONNEWALD)

18 Amendment No. 1 to Senate Bill 1384. All those in favor say

19 Aye. Those opposed No. The Ayes have it. The motion carries and the

20 Secretary shall so inform the House. Senator Mitchler, for what purpose

21 do you arise?

22 SENATOR MITCHLER:

23 While we have a few moments here, I'd like to arise on a point

24 of personal privilege.

25 PRESIDING OFFICER: (SENATOR DONNEWALD)

26 State your point.

27 SENATOR MITCHLER:

28 No, this is not the Panama Canal. Yesterday during debate

29 with Senator Egan, I would like to call your attention, I made some

30 remarks concerning a certain bill that was handled by Senator Egan and

31 after the debate was closed, it was understood that maybe some of the

32 remarks that I made might have had an inference that I was referring

33 personally to Senator Egan. And I do want my colleagues to know that

1 if such remarks could have been inferred in that manner, I certainly
2 apologize to Senator Egan, and I want my colleagues and members of the
3 press, or anybody that might have taken it, the bill that was being
4 debated was the Billboard Bill and for a number of years, I've had
5 myself with certain people in my district have been watching that and
6 we've been rather dissatisfied with it and perhaps my enthusiasm got
7 carried away, and Senator Egan, as sponsor of that bill, certainly in
8 no way was I reflecting any of my remarks to you personally. You are
9 a very honorable Senator and man long time personal friend from
10 previous Session and also when you were associated with the Attorney
11 General, and I would like to, at this time, acknowledge that and
12 apologize to you personally, Mr. Egan.

13 PRESIDING OFFICER: (SENATOR DONNEWALD)

14 That calls for a response. Senator Egan.

15 SENATOR EGAN:

16 Well, Senator Mitchler, I certainly appreciate that. When we
17 work fifteen hours a day, sometimes we do things that we otherwise
18 normally wouldn't and I...I very much appreciate the remarks. I can
19 say that normally I'm very mild mannered as I try, but on occasion,
20 I...I can react. But, thank you very kindly.

21 PRESIDING OFFICER: (SENATOR DONNEWALD)

22 Does anybody else want to kiss and makeup. Senator Bruce.

23 PRESIDING OFFICER: (SENATOR EGAN)

24 Senator Harris.

25 SENATOR HARRIS:

26 Mr. President, while we're waiting for some activity, I understand
27 that President Partee has been alerted to this possibility and I
28 would like to have leave of the Senate to revert to the order of
29 resolutions for what would meet the description of what we call a
30 congratulatory resolution, although there is some substance to it. That
31 is, there is a national group, and of course, there is quite a great
32 deal of attention here from the State of Illinois on the matter of naming
33 the marigold our national flower, because, of course, Illinois is the

1 birthplace of Mr. Marigold; Senator Everett McKinley Dirksen. This
2 resolution has several perfectly acceptable whereases and the resolving
3 clause is that we encourage, I don't think that's an offensive word,
4 the Congress of the United States to designate the American Marigold
5 as the National Floral Emblem in its bi-centennial year. If there is
6 no objection, I would seek to leave to have all Senators added as
7 cosponsors and to revert to the order of resolutions for the immediate
8 consideration and adoption of this joint resolution.

9 PRESIDING OFFICER: (SENATOR EGAN)

10 Is there leave? Leave is granted. Senator Harris.

11 SENATOR HARRIS:

12 Thank you, Mr. President. This, then, would be Senate Resolution
13 46. I would move for the suspension of the rules for the immediate
14 consideration and adoption of Senate Joint Resolution 46.

15 PRESIDING OFFICER: (SENATOR EGAN)

16 Senator Harris moves for the suspension of the rules for the
17 immediate adoption of Senate Resolution 46. All in favor...Senate
18 Joint Resolution No. 46. All in favor indicate by saying Aye. No
19 opposed. The Ayes have it. And the...the motion, now, is before us.
20 Would you explain the resolution, Senator?

21 SENATOR HARRIS:

22 Yes, thank you, Mr. President. As I stated, there are several
23 whereases. Incidentally, our neighboring State of Indiana has adopted
24 this resolution. The...we would state here that the American Marigold
25 and then we use its latin technical and botanical name. We suggest that
26 the fifty states all have their several floral emblems that this would
27 be an appropriate time for the Congress to take action next year being
28 our bi-centennial year, and that the marigold would be an appropriate
29 national floral emblem. As I indicated, this does have a great deal of
30 significance since Illinois is the birthplace of an outstanding man
31 who did devote a good deal of his efforts to bring this matter about.
32 The marigold is native to Illinois, and if there is no further discussion
33 necessary, I would move the adoption of Senate Joint Resolution 47.

1 PRESIDING OFFICER: (SENATOR EGAN)

2 The motion is to adopt Senate Joint Resolution No. 46. Is there
3 any further discussion? All...47. I'm sorry. Senate Joint Resolu-
4 tion 47. Is there any discussion?

5 SENATOR HARRIS:

6 Mr. President, I would seek leave for all Senators to join as
7 cosponsors.

8 PRESIDING OFFICER: (SENATOR EGAN)

9 Is there leave? The motion is to adopt Senate Joint Resolution
10 No. 47. All indicate by saying Aye. All opposed No. The Ayes have
11 it. The resolution is adopted. There's been a request to move to the
12 order of Secretary's Desk by Senator Hynes. Senator Hynes.

13 SENATOR HYNES:

14 Mr. President, I would simply ask leave that we go to the Secre-
15 tary's Desk and consider the appropriation bills that are there. Those
16 that in which the...it appears that the sponsor would desire to non-
17 concur so that they can go back to the House and we can get that move-
18 ment going and get Conference Committees, or get the House to recede.

19 PRESIDING OFFICER: (SENATOR EGAN)

20 Would you give us a list, Senator, and we'll start from the top.

21 SENATOR HYNES:

22 Well, Senate Bill 347, I understand, we've already nonconcurrent
23 in that and 461 we have nonconcurrent. In Senate Bill 478, Senator
24 Knuppel's Bill, if Senator Knuppel is here.

25 PRESIDING OFFICER: (SENATOR EGAN)

26 Senator Knuppel, are you on the Floor? Yes, that is a misprint
27 in the Calendar. It's the State Fair Appropriation, Senate Bill 478;
28 Senator Knuppel. Senator Knuppel. Senator Knuppel moves to nonconcur
29 in House Amendments No....what are the numbers, Senator Knuppel? What
30 numbers?

31 SENATOR KNUPPEL:

32 All of them.

33 PRESIDING OFFICER: (SENATOR EGAN)

1 Well...in House Amendments No. 1...Senator Hynes.

2 SENATOR HYNES:

3 There is an error in the...on the Calendar. It's incorrect. There
4 are two House Amendments on Senate Bill 478. So, the motion is to
5 nonconcur in amendments...House Amendments 1 and 2.

6 PRESIDING OFFICER: (SENATOR EGAN)

7 The motion is to nonconcur in House Amendments No. 1 and 2 to
8 Senate Bill 478. All in favor signify by saying Aye. All opposed No.
9 The Ayes have it. The motion carries and the Senate nonconcur in House
10 Amendments No. 1 and 2 to Senate Bill 478. Senate Bill 484, Senator
11 Johns. That's the Department of Mines and Minerals, Senator Johns.
12 Senate Bill 484. The motion is to nonconcur...

13 SENATOR JOHNS:

14 No, no, no, Mr. President...

15 PRESIDING OFFICER: (SENATOR EGAN)

16 Oh, excuse me.

17 SENATOR JOHNS:

18 Would...we're going to take that till tomorrow. We're going to
19 reconsider all this bill...

20 PRESIDING OFFICER: (SENATOR EGAN)

21 Senator Hynes.

22 SENATOR JOHNS:

23 I don't want to consider it right now. Thank you, Mr. President.

24 SENATOR HYNES:

25 Now, Mr. President, no, if we would pass that one. Senator Johns
26 is looking...

27 PRESIDING OFFICER: (SENATOR EGAN)

28 All right.

29 SENATOR HYNES:

30 ...at the amendment.

31 PRESIDING OFFICER: (SENATOR EGAN)

32 All right. Take that out of the record.

33 SENATOR HYNES:

1 It would be Senate Bill 510 and then followed by Senate Bill 556.

2 PRESIDING OFFICER: (SENATOR EGAN)

3 Right. Senate Bill 510, Senator Kenneth Hall.

4 SENATOR HALL:

5 Thank you, Mr. President and fellow members of the Senate. I

6 move to nonconcur with Senate Bill...with Amendments No. 1, 2, 3 and 5

7 with Senate Bill 510 and ask that they...

8 PRESIDING OFFICER: (SENATOR EGAN)

9 Yes. Senator Kenneth Hall moves to nonconcur in House Amendments

10 No. 1, 2, 3 and 5 to Senate Bill 510. All in favor indicate by saying

11 Aye. All opposed No. The Ayes have it and the Senate nonconcur in

12 Amendments No. 1, 2, 3 and 5 of the House to Senate Bill 510. Senate

13 Bill...

14 SENATOR HALL:

15 I ask that a committee be appointed.

16 PRESIDING OFFICER: (SENATOR EGAN)

17 Now, Senate Bill 556, Senator Palmer.

18 SENATOR PALMER:

19 Mr. President and members of the Senate. I move to nonconcur

20 with House Amendments 1 and 2 to Senate Bill 556.

21 PRESIDING OFFICER: (SENATOR EGAN)

22 Senator Palmer moves to nonconcur in House Amendments No. 1 and

23 2 to Senate Bill 556. All in favor say Aye. All opposed Nay. The

24 motion carries and the Secretary shall so inform the House. Senate

25 Bill 634, Senator Hynes.

26 SENATOR HYNES:

27 Hold that bill if you would, Mr. President. Pass it by, please.

28 And if...I think that completes the appropriations bills on the Sec-

29 retary's Desk. And with leave of the Senate if we could go to the

30 order of nonconcurrence on the Secretary's Desk.

31 PRESIDING OFFICER: (SENATOR EGAN)

32 All of those of Senator Hynes have been concurred in...nonconcurred

with. I'm sorry.

SENATOR HYNES:

1 That's correct.

2 PRESIDING OFFICER: (SENATOR EGAN)

3 Yes.

4 SENATOR HYNES:

5 We could go to the nonconcurrency order.

6 PRESIDING OFFICER: (SENATOR EGAN)

7 We just finished that.

8 SENATOR HYNES:

9 Oh, excuse me. We have refused to...I said nonconcurrency. We have
10 refused to recede in 816, 1303 and 1881 and ask for Conference Committee.

11 PRESIDING OFFICER: (SENATOR EGAN)

12 That's correct. I am so informed. On those all have...on all of
13 those they have refused to recede...we have refused to recede. Senator
14 Hynes.

15 SENATOR HYNES:

16 On the Supplemental Calendar, House Bill 735, Senator Vadalabene.
17 Have we refused to recede on that? We have. All right.

18 PRESIDING OFFICER: (SENATOR EGAN)

19 Senator Clarke. For what purpose do you arise, Senator Clarke?

20 SENATOR CLARKE:

21 Mr. President, I've spoken to Senator Rock and I'd like to have leave
22 to go to the order of 1st reading to consider an appropriation bill.

23 PRESIDING OFFICER: (SENATOR EGAN)

24 Is there leave to go to the order of 1st reading? Leave is granted
25 to the order of the 1st reading. And what bill, Senator? What's the
26 first bill on the list there? 115? 415. House Bill 415. Read the bill

27 SECRETARY:

28 House Bill 415.

29 (Secretary reads title of bill)

30 1st reading of the bill.

31 PRESIDING OFFICER: (SENATOR EGAN)

32 Senator Clarke.

33 SENATOR CLARKE:

34 Mr. President, if I could have leave to have that sent to Appropria-
35 tions so they could hear it.

36 PRESIDING OFFICER: (SENATOR EGAN)

1 Senator Clarke asks leave to send Senate Bill 415...House Bill
2 415 to the Appropriations Committee. Is there leave? Leave is granted.

3 Senator Clarke.

4 SENATOR CLARKE:

5 The companion bill is 3122. I'd like to have that read a
6 first time, if I could.

7 PRESIDING OFFICER: (SENATOR EGAN)

8 House Bill 3122. Read the bill.

9 SECRETARY:

10 House Bill 3122.

11 (Secretary reads title of bill)

12 1st reading of the bill.

13 PRESIDING OFFICER: (SENATOR EGAN)

14 Senator Clarke.

15 SENATOR CLARKE:

16 I'd like to request that be advanced to 2nd reading without
17 reference committee. It's a companion bill.

18 PRESIDING OFFICER: (SENATOR EGAN)

19 Is there leave to advance House Bill 3122 to the order of 2nd
20 reading without reference? Leave is granted. 2nd reading. Senator
21 Hynes. House Bill 3076. Read the bill.

22 SECRETARY:

23 House Bill 3076.

24 (Secretary reads title of bill)

25 1st reading of the bill.

26 PRESIDING OFFICER: (SENATOR EGAN)

27 Senator Hynes, what do you wish to do with Senate... House Bill 3076
28 Assignment of Bills. Senator Buzbee, for what purpose do you arise?

29 SENATOR BUZBEE:

30 Mr. President, if we could go to the order of the Secretary's
31 Desk as per Senate Bill 1493 on the Supplemental Calendar sheet.

32 PRESIDING OFFICER: (SENATOR EGAN)

33 Is there leave to go to the order of the Secretary's Desk? Leave

1 is granted.

2 SENATOR BUZBEE:

3 This is the School Aid Formula Bill as originally drawn by the
4 Senate Education Committee with bi-partisan support. The House...the
5 House decimated our bill with Amendments 2, 3 and 4 and I move to non-
6 concur and ask for a Conference Committee.

7 PRESIDING OFFICER: (SENATOR EGAN)

8 Senator Buzbee moves to nonconcur in House Amendments No. 2, 3
9 and 4 to Senate Bill 1493. All in favor say Aye. All opposed Nay.
10 The Ayes have it. The motion carries and the Secretary shall so inform
11 the House. Senator Partee.

12 SENATOR PARTEE:

13 I move that we recess until 7:00 o'clock.

14 PRESIDING OFFICER: (SENATOR EGAN)

15 The motion is to recess until 7:00 o'clock. All in favor say
16 Aye. All against No. The Ayes have it.

17

18 (RECESS)

19 (AFTER RECESS)

20 PRESIDENT:

21 The hour of seven having arrived the Senate is called to order.
22 House Bills on 1st reading. House Bill 3038.

23 SECRETARY:

24 House Bill 3038.

25 (Secretary reads title of bill)

26 1st reading of the bill.

27 PRESIDENT:

28 House Bill 3039.

29 SECRETARY:

30 House Bill 3039.

31 (Secretary reads title of bill)

32 1st reading of the bill.

33 PRESIDENT:

1 Messages from the House.

2 SECRETARY:

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

4 Mr. President - I am directed to inform the Senate that the
5 House of Representatives has concurred with the Senate in the passage
6 of the following bills along with House Amendments.

7 House Bill...or Senate Bill 348 with House Amendment No. 1. Senato
8 Course is the chief sponsor.

9 Senate Bill 555 with House Amendments 1, 3, 4 and 5. Senator
10 Don Moore is the chief sponsor.

11 Senate Bill No. 683 with House Amendments 1, 2, 3 and 4. Senator
12 Egan is the chief sponsor.

13 Senate Bill No. 860 with House Amendment No. 1. Senator Regner
14 is the chief sponsor.

15 Senate Bill No. 1492 with House Amendment No. 2. Senator Welsh
16 is the chief sponsor.

17 Senate Bill No. 1496 with House Amendments No. 1, 2, 3, 5 and 6.
18 Senator Kosinski is the chief sponsor.

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

20 Mr. President - I am directed to inform the Senate that the
21 House of Representatives has concurred with the Senate in the adoption
22 of their Amendments 1, 2, 3 and 4 to a bill of the following title:

23 House Bill 1103 together with refusing to concur with Amendment
24 No. 6. And Senator Netsch is the chief sponsor.

25 PRESIDENT:

26 All to the Secretary's Desk. Senator Berning.

27 SENATOR BERNING:

28 Just an inquiry, Mr. President.

29 PRESIDENT:

30 State your inquiry.

31 SENATOR BERNING:

32 House Bills 3038 and 3039 were read the first time. I did not
33 hear the name of the sponsor. Is there not normally a sponsor assigned.

1 PRESIDENT:

2 Yes, the name of the sponsor is Partee.

3 SENATOR BERNING:

4 Thank you, Mr. President.

5 PRESIDING OFFICER: (SENATOR HALL)

6 Any Senator has a bill he wants called. For what purpose does
7 Senator Berning arise?

8 SENATOR BERNING:

9 Did you mean bill such as the one I have in the Caucus Room?

10 PRESIDING OFFICER: (SENATOR HALL)

11 I think that's out of order, Sir. Representative Younge...Younge.
12 For what purpose does Senator Glass arise?

13 SENATOR GLASS:

14 Mr. President, I move the previous question.

15 PRESIDING OFFICER: (SENATOR HALL)

16 All in favor say Aye. The Ayes have it. The motion carries.
17 For what purpose does Senator Savickas arise?

18 SENATOR SAVICKAS:

19 Well, what's new, Mr. Speaker. How are you feeling?

20 PRESIDING OFFICER: (SENATOR HALL)

21 The President I'd have you know, Senator Savickas.

22 SENATOR SAVICKAS:

23 Well, Mr. President, it's nice to see you up there.

24 PRESIDING OFFICER: (SENATOR HALL)

25 Thank you, Senator. For what purpose does Senator Latherow
26 arise?

27 SENATOR LATHEROW:

28 Mr. President, I have a motion to make.

29 PRESIDING OFFICER: (SENATOR HALL)

30 Make your motion.

31 SENATOR LATHEROW:

32 I move we adjourn until 11:00 a.m. tomorrow.

33 PRESIDING OFFICER: (SENATOR HALL)

1 I'm sorry, you're out of order, Senator.

2 PRESIDENT:

3 Committee reports.

4 SECRETARY:

5 Senator Hynes, Chairman of Appropriations Committee assigns the
6 following bills...reports out the following bills: House Bill 1948
7 and 3059 with the recommendation Do Pass. House Bill 289, 783, 802,
8 835, 1947, 2476 and 3017 with the recommendation Do Pass as Amended.

9 PRESIDENT:

10 Senator Hynes. The Secretary has just read in committee reports...
11 Senator Rock.

12 SENATOR ROCK:

13 I...I wonder, Mr. President, Ladies and Gentlemen of the Senate,
14 if I could make a parliamentary inquiry of the Chair.

15 PRESIDENT:

16 State your inquiry.

17 SENATOR ROCK:

18 My understanding is that it is possible that these bills, and I
19 will so move at the appropriate time, can, in fact, be read a second
20 time tonight without having to consider the committee amendments with
21 the understanding that the committee amendments will be heard tomorrow
22 and the bills will be noted as having been read a second time, so that
23 they can, in fact, be moved from second to third and passed tomorrow.
24 That is my inquiry.

25 PRESIDENT:

26 That is correct. The bills would then have been read on three
27 separate legislative days. Senator Rock.

28 SENATOR ROCK:

29 Well, not...not to act in derogation of any of the sponsors of
30 those bills, I...I have one in that list myself, and I would move, Mr.
31 Secretary...Mr. President, that the bills just read in from the Appro-
32 priations Committee be read a second time tonight, and I'm asking leave
33 for that with the understanding that the committee amendments, if any,

1 will be offered and argued tomorrow. And that I would request of the
2 Secretary that the Calendar will indicate with respect to these bills
3 that they have already been read a second time.

4 PRESIDENT:

5 Any discussion? Senator Harris.

6 SENATOR HARRIS:

7 Well, I concur in the procedure that Senator Rock has suggested
8 and the Chair has not put the question of is there leave, but I want
9 this side of the aisle to respond with me that leave will be granted.
10 I think this is an orderly procedure that the matter of debating commit-
11 tee amendments tomorrow and getting to the whole question of second
12 reading consideration activity, but actually having the bills read a
13 second time tonight is orderly in the light of our time constraints.
14 And I concur in the suggestion and would hope that we would agree to
15 this procedure.

16 PRESIDENT:

17 Any further discussion? Senator Hynes.

18 SENATOR HYNES:

19 Am I to understand then, Mr. President, that the bills will be
20 read a second time which is the first step in procedure, in any event,
21 that no amendments will be offered and the bills will remain on 2nd
22 reading?

23 PRESIDENT:

24 There are two ways of doing it. The suggestion of Senator Rock
25 was that the bills be read a second time tonight...bills be read a
26 second time tonight. Advance to the order of 3rd reading...no, no.
27 Read a second time tonight and held on the order...

28 SENATOR HYNES:

29 If they are going to be advanced tonight, I'm going to object. As
30 long as they remain on 2nd reading.

31 PRESIDENT:

32 Yes. Be read a 2nd time and held on the order of 2nd reading with
33 a period set aside tomorrow for the offering both of the committee amend-
34 ments, or amendments from the Floor. After those amendments have

1 been dealt with the bill would then be advanced to 3rd reading and would
2 then be in posture of passage. They'd be read a third time tomorrow.

3 Senator Hynes.

4 SENATOR HYNES:

5 All right. I...I think that's an acceptable procedure, but I would
6 suggest that, and I don't know whether Senator Rock read these numbers,
7 also, that the bills on 2nd reading on the Calendar also be included in
8 that.

9 PRESIDENT:

10 Yes, he said that he did not want to be presumptuous as to all of
11 them, but the motion would and the ruling would cover all bills coming
12 out of Appropriations tonight as read by the Secretary. Senator Rock.

13 SENATOR ROCK:

14 Well, once leave had been granted for that motion and that pro-
15 cedure, my next suggestion was going to be that the same procedure be
16 followed with respect to the bills that are currently on the Calendar
17 on 2nd reading. That they, in fact, be read a second time today and
18 have the same notation on the Calendar for tomorrow so that they will
19 be postured...all bills will be postured in the position where they
20 can, in fact, be dealt with on 2nd reading tomorrow, read a third time
21 and passed tomorrow.

22 PRESIDENT:

23 That can be done. Senator Fawell.

24 SENATOR FAWELL:

25 I wondered, Senator Rock, if that motion does also include several
26 other bills which have been reported from committees today and...

27 PRESIDENT:

28 Senator Harris.

29 SENATOR FAWELL:

30 ...have been reported in. I...I would think that would encompass
31 those, too.

32 PRESIDENT:

33 Senator Harris.

34 SENATOR HARRIS:

1 I would suggest to Senator Fawell that that would include 3062.

2 PRESIDENT:

3 Is there leave? Is there leave to follow that procedure? Leave
4 is granted. (Machine cut-off)...a 2nd time.

5 SECRETARY:

6 House Bill 289.

7 (Secretary reads title of bill)

8 2nd reading of the bill.

9 House Bill 783.

10 (Secretary reads title of bill)

11 2nd reading of the bill.

12 House Bill 802.

13 (Secretary reads title of bill)

14 2nd reading of the bill.

15 House Bill 835.

16 (Secretary reads title of bill)

17 2nd reading of the bill.

18 House Bill 1947.

19 (Secretary reads title of bill)

20 2nd reading of the bill.

21 House Bill 1948.

22 (Secretary reads title of bill)

23 2nd reading of the bill.

24 House Bill 3017.

25 (Secretary reads title of bill)

26 2nd reading of the bill.

27 House Bill 2476.

28 (Secretary reads title of bill)

29 2nd reading of the bill.

30 House Bill 3059.

31 (Secretary reads title of bill)

32 2nd reading of the bill.

33 House Bill 3062.

(Secretary reads title of bill)

1
2 2nd reading of the bill.

3 PRESIDENT:

4 Senator Rock.

5 SENATOR ROCK:

6 That having been done, I wonder if I might at this time ask leave
7 of this Body for the same procedure to follow with respect to page five
8 of the Calendar, House Bills on 2nd reading. I would ask that those
9 be read a second time and left on 2nd reading with the same under-
10 standing.

11 PRESIDENT:

12 Is there leave? Senator Ozinga.

13 SENATOR OZINGA:

14 Now, with reference to House Bill 1314, which is the appropriation
15 for Mental Health...

16 PRESIDENT:

17 Just a moment, please. May I have some order, please?

18 SENATOR OZINGA:

19 Just for clarification purposes, I want to be sure. With reference
20 to House Bill 1314, I have an amendment that is...I am going to attempt
21 to get on for 1314. It is on the Secretary's Desk. You would then
22 have that I hold this until tomorrow to attempt to get it on. I just
23 don't want to lose position, that's all.

24 PRESIDENT:

25 Senator Rock.

26 SENATOR ROCK:

27 On tomorrow's Calendar, if this procedure is followed as was the
28 previous procedure, that bill 1314 and all others on House bills on
29 2nd reading will, in fact, show on the Calendar as House bills on 2nd
30 reading. There will, however, be a notation under the bill that has
31 been read a second time, so that tomorrow we will deal with all amend-
32 ments. Committee Amendments and any that have been filed.

33 PRESIDENT:

1 Senator Rock sought leave with reference to House bills on 2nd
2 reading to be allowed the same procedure as leave granted to the bills
3 which just came from Appropriations. Is there leave? Leave is granted.

4 Read the bills.

5 SECRETARY:

6 House Bill 1092.

7 (Secretary reads title of bill)

8 2nd reading of the bill.

9 House Bill 1314.

10 (Secretary reads title of bill)

11 2nd reading of the bill.

12 House Bill 1399.

13 (Secretary reads title of bill)

14 2nd reading of the bill.

15 House Bill 2971.

16 (Secretary reads title of bill)

17 2nd reading of the bill.

18 House Bill 2989.

19 (Secretary reads title of bill)

20 2nd reading of the bill.

21 PRESIDENT:

22 Introduction of Bills.

23 SECRETARY:

24 Senate Bill 1507.

25 (Secretary reads title of bill)

26 1st reading of the bill.

27 PRESIDENT:

28 Senator Buzbee.

29 SENATOR BUZBEE:

30 Mr. President, Senate Bill 1507 I would now move that that bill
31 be rereferred...be referred, rather, to the Committee on Pensions and
32 Personnel.

33 PRESIDENT:

1 Is there leave? Leave is granted. House bills on 3rd reading.
2 House Bill 139, Senator McCarthy. House Bill 851, Senator Joyce.
3 Take it out of the record. Does any member have any House Bill on
4 3rd reading other than an appropriation bill that he desires to call.
5 Senator Don Moore.

6 SENATOR MOORE:

7 Yes, I have three. They're the next in order on the Calendar,
8 Mr. President. 913, 914, 915 on 3rd reading.

9 PRESIDENT:

10 But, those are appropriation bills.

11 SENATOR MOORE:

12 I'm sorry.

13 PRESIDENT:

14 Other than an appropriation bill. Any House bill on 3rd reading.
15 Senator McCarthy.

16 SENATOR MCCARTHY:

17 Yes, I have House Bill 3000.

18 PRESIDENT:

19 Read the bill.

20 SECRETARY:

21 House Bill 3000.

22 (Secretary reads title of bill)

23 3rd reading of the bill.

24 PRESIDENT:

25 Just a moment, just a moment. Mr. Sergeant-at-Arms, clear the
26 back aisle. Just clear it out. Just have to have some order. Senator
27 McCarthy.

28 SENATOR MCCARTHY:

29 Yes, I was momentarily diverted. I was talking to Representative
30 Shea. House Bill 3000 is a committee bill from the House, which does
31 this. It states that each Federally chartered bank doing business in
32 the State of Illinois has only those powers respecting the establish-
33 ment, or operation of banking facilities, or branches in this State as

1 are conferred on State banks by the Illinois Banking Act notwith-
2 standing any provision, or Federal law, rule, or regulation to the
3 contrary. The second section provides that the Federal Savings and
4 Loan Associations, or Federal Savings Associations doing business in
5 the State of Illinois have only those powers respecting the establish-
6 ment and operation, or facilities, or branches in this State as are
7 conferred upon the State Associations by the Illinois Savings and
8 Loan Act notwithstanding any provision of the Federal law, rule or
9 regulation to the contrary. Third clause is the Severability Clause.
10 Now, the reason for this, Mr. President, is pretty simple. We have
11 been besieged in Illinois for many years to change our laws relating
12 to the branching of banks...

13 PRESIDENT:

14 Just...just a minute, Senator. Just a minute. There's simply
15 too many conferences. We just can't hear. Continue, Senator.
16 Continue, Senator McCarthy.

17 SENATOR MCCARTHY:

18 Yes, thank you, Mr. President and members. For a number of years,
19 as we all know, we have been asked to change our laws relating to banks
20 and their ability to branch. We have been besieged to change our laws,
21 and, in fact, have changed some of our laws concerning the rights of
22 Savings and Loans to operate branches, and the argument that is used to
23 this Legislative Body, particularly in the case of the Savings and Loan
24 Industry, roughly runs like this. You, the Legislature must allow State
25 chartered Saving and Loan Associations to have branching facilities
26 because, mind you, Federally chartered Savings and Loans do have branchin
27 powers. And unless you give to the State chartered association similar
28 powe's, they will, then, convert themselves into a Federal agency, or
29 a Federally chartered institution and not be susceptible to the direct
30 control of the Illinois commissioner. Similarly in the branch banking
31 provision, the argument is not quite the same, because there is a general
32 principle that insofar as branching is concerned on banking establish-
33 ments, that the Federal...that the Federal Home Loan Authority will not

1 allow branching in states where the State Legislative Body has expressed
2 itself. So, we find ourselves in the situation that we must, I think,
3 finally come up and decide what our policy is, and insofar as the banks
4 are concerned, this bill would establish the following principle. It
5 would state that any banking institution in Illinois would have to be
6 subject to the Illinois laws and similarly on the Savings and Loan
7 Associations...

8 PRESIDENT:

9 Senator, your time has expired and you will have to close. Conclude
10 your remarks. For what purpose does Senator Buzbee arise? For what
11 purpose does Senator Sommer arise?

12 SENATOR SOMMER:

13 I would rise for the purpose of asking the sponsor a question,
14 if we can hear.

15 PRESIDENT:

16 Will he yield? Will the sponsor yield to a question? Yes, he
17 says he'll yield. Senator Sommer.

18 SENATOR SOMMER:

19 Senator McCarthy, just from general knowledge, it's my understanding
20 that the old Glass-Steagall Act passed in the Federal Congress in the
21 1930's says - that the state shall have carte blanche and regulation
22 of branching of any type of banking facility, be it Federal or State.
23 I think that's correct, is it not?

24 PRESIDENT:

25 Senator McCarthy:

26 SENATOR MCCARTHY:

27 I'm not going to disagree with your reporting with the Glass-
28 Steagall Act.

29 PRESIDENT:

30 Senator Sommer.

31 SENATOR SOMMER:

32 My question, then, is what affect does this have on a Federal
33 law? Are we attempting to affect banks, here, or are we affecting

1 savings and loans?

2 PRESIDENT:

3 Senator McCarthy.

4 SENATOR MCCARTHY:

5 We're attempting to attack both problems, Sir. And there is the
6 severability clause in the legislation where if it were to be litigated
7 and found to be applicable to the banks but not to the savings and loan,
8 the severability clause would impose it only on that part that was not
9 rendered constitutionally void.

10 PRESIDENT:

11 Senator Sommer.

12 SENATOR SOMMER:

13 Senator McCarthy, it's further my general understanding that the...
14 that the Federal law regulating savings and loans are involving itself
15 with it, is different from the Glass-Steagall Act and it says that the
16 Federal Government may, in fact, in terms of Federally chartered savings
17 and loans authorize branching irrespective of what the states do. There's
18 a difference between the Acts, is there not? This all comes from general
19 knowledge and I'm just trying to be informed by you. You're the sponsor.

20 PRESIDENT:

21 Senator McCarthy.

22 SENATOR MCCARTHY:

23 I think...I think what you state is the general conventional wisdom.
24 That is to say that the states have pretty much jurisdiction over the
25 question of banks, but they can't impose themselves over the question
26 of branching on savings and loans. That's what your impression is.
27 I think that's what is the conventional wisdom. But, there was a case
28 March 27th of 1974 where Judge Will held that the FHLBB's authority
29 to approve branch ... offices for Federally chartered savings and
30 loan was not limited to the extent that the state law in a particular
31 state did apply, but the case involved local savings and loans which
32 brought in an action challenging the power of the Federal Home ...
33 Loan branch ... excuse me, the case involved local savings and loans

1 which brought the action challenging the power of the Federal authority.

2 So, what we have here, I think, is the decision of 1974 at a Federal

3 lower court level. Now, we also have another case that is going on

4 right now where the State of Illinois three days ago sued to block

5 the Continental Sub-Station as being branches in violative of the Illi-

6 nois Law insofar as the banks are concerned. And this bill attempts

7 to attack both of them, but it does have the severability clause.

8 PRESIDENT:

9 One more. Senator Sommer.

10 SENATOR SOMMER:

11 Well, Senator McCarthy, are we not just committing annullity

12 here?

13 PRESIDENT

14 Senator McCarthy.

15 SENATOR MCCARTHY:

16 I...I think not.

17 PRESIDENT:

18 Senator Buzbee.

19 SENATOR BUZBEE:

20 Mr. President, a question of the sponsor. I...let's put it in

21 a layman's terms. Being a non-lawyer, are we attempting to pass a bill

22 bill here that is unconstitutional?

23 PRESIDENT:

24 Senator McCarthy.

25 SENATOR MCCARTHY:

26 I...I think not. But, if...I think not, because it deals with

27 the two subjects. It deals with the bank, which no one of this Body

28 as indicated would be unconstitutional, it deals with the savings and

29 loan where they do a lot of activity by administrative action rather

30 than by law. And there's maybe, of course, the constitutional question

31 raised, but there also contains the third clause which is the sever-

32 ability clause. So, that in the event one portion of the Act, we'll

33 say the savings and loan is struck down as unconstitutional, the

1 remaining power embraced in this legislation would remain as part of
2 the law. And that provision on severability, I think, this Body just
3 dealt with a couple of nights ago, which read it into nearly all of
4 the statutes that were passed. Senator Vadalabene's not present here
5 but he is the one that handled that bill.

6 PRESIDENT:

7 Senator Buzbee.

8 SENATOR BUZBEE:

9 Well, Senator McCarthy, I was interested to see that the dis-
10 tinguished Majority Leader of the Senate from Chicago in response to
11 my question answered yes. The distinguished Majority Leader from
12 Chicago of the House in response to my question answered no. Now,
13 again, being a non-lawyer this is obviously an extremely complicated
14 question and I would ask you as a...as a favor from a non-lawyer from
15 downstate Illinois if you would mind to hold this bill until tomorrow
16 when I understand we are going to deal with a lot of bills on 3rd
17 reading tomorrow and give me a chance to find out which one of these
18 distinguished Majority Leaders I'm going to believe.

19 PRESIDENT:

20 The Chair would suggest we've spent about fifteen or twenty
21 minutes already. If we hold this and go through this again we're
22 not going to finish. Senator McCarthy.

23 SENATOR MCCARTHY:

24 Well, I...Senator Buzbee, normally under circumstances I certainly
25 would accede to your request, but this is the last day scheduled for
26 our Session and I...I think this Body is ready to take up this delibera-
27 tion.

28 PRESIDENT:

29 Any further discussion? Senator Rock.

30 SENATOR ROCK:

31 Thank you, Mr. President, Ladies and Gentlemen of the Senate.
32 I rise in absolute opposition to House Bill 3000. I notice on the
33 Calendar it's McCarthy/Rock. It was, in fact, a week ago, or two weeks ago

1 when I presented the bill in committee and suggested to the Committee
2 on Finance that this was an Act subject for a subcommittee study, and
3 that action was, in fact, taken. Subsequently, Senator McCarthy sought
4 leave to be named chief sponsor, held a committee meeting early one
5 morning and here...here is the bill which adequately belongs in a sub-
6 committee. And I wish first, I ask leave to be removed as a cosponsor.

7 PRESIDENT:

8 Is leave granted? Leave is granted.

9 SENATOR ROCK:

10 In addressing myself to the merits in answer, direct answer, to
11 Senator Buzbee's question, this is patently and clearly unconstitu-
12 tional, but it is much more than that and unfortunately much more than
13 that. This is a bald attempt by the opponents of branching in any
14 form in this State to have this silly law put upon the books of the
15 State of Illinois. What this says to the Federal Government is, if you
16 can't do anything here in the State, we're not going to let you. It
17 is an attempt by the Illinois Bankers Association to forever foreclose
18 the subject of branching. It is a poor attempt, because it is patently
19 unconstitutional. It belongs in committee. As a matter of fact, it
20 belongs on the scrap heap. But for the purpose, since it is a committee
21 of the House bill, I will move at this time to recommit House Bill
22 3000 to the Committee on Financial Institutions.

23 PRESIDENT:

24 That requires thirty votes. Senator...Senator Merritt.

25 SENATOR MERRITT:

26 Well, Mr. President, members of the Senate, I certainly rise
27 in support of this bill. It seems like this whole Session we've been
28 through this branching bit until I think that we're sick and fed up
29 and tired with most of it. I think we've had a mandate out of this
30 Session that says there's not going to be any branching in Illinois
31 in the banks...

32 PRESIDENT:

33 Just a moment. Senator McCarthy has moved that this bill Do

1 Pass by offering the bill. Senator Rock has made a substitute motion.
2 Under rule 43 a motion to commit or recommit until it is decided shall
3 preclude all amendments and debate on the main question. A motion to
4 post...that's all...all amendments and debates...it precludes all
5 amendments and debate on the question, so the question is, shall House
6 Bill 3000 be recommitted. Senator McCarthy.

7 SENATOR McCARTHY:

8 Mr. President, I don't doubt what you're saying here, but Senator
9 Merritt, I think, was getting prepared to make a motion to lay Senator
10 Rock's Motion upon the Table.

11 PRESIDENT:

12 Senator, that...Senator, the Chair would entertain any motion
13 which is proper. The Chair would not permit debate on a motion which
14 is not debatable. The only question that remains here.

15 SENATOR McCARTHY:

16 Well...

17 PRESIDENT:

18 Now, Senator Merritt is recognized...

19 SENATOR McCARTHY:

20 Senator Merritt isn't recognized for the purpose of moving...

21 PRESIDENT:

22 Well, he's recognized.

23 SENATOR MERRITT:

24 Well, thank you very much, because I was just getting to that
25 point with a few prefacing remarks.

26 PRESIDENT:

27 Prefacing remarks are out of order.

28 SENATOR MERRITT:

29 Now...now, Mr. President...

30 PRESIDENT:

31 ...That's the point I'm trying to make.

32 SENATOR MERRITT:

33 ...I do move that motion lie on the Table.

1 PRESIDENT:

2 That is not debatable. Senator Rock has moved to recommit...the
3 motion is not debatable, Senator. For what purpose do you arise?

4 SENATOR SOPER:

5 Parliamentary inquiry.

6 PRESIDENT:

7 State your inquiry.

8 SENATOR SOPER:

9 A motion to recommit. Does that mean recommit to the committee
10 from which it came. Now, what committee was this in?

11 PRESIDENT:

12 Financial Institutions.

13 SENATOR SOPER:

14 Well, did it come upon the Floor without...without reference to
15 committee?

16 PRESIDENT:

17 It is a committee bill as the Calendar shows.

18 SENATOR SOPER:

19 Yes, but was it in Financial Institutions before it came here?

20 Thank you very much.

21 PRESIDENT:

22 Well, I'm not certain. We'll have to check it. We could check
23 it out, but the Calendar shows that it comes from the Committee on
24 Banks and Savings and Loans and it is without reference which means
25 that it was...yes. The motion, Senator...what...what is the inquiry?

26 SENATOR SOPER:

27 The inquiry is, the motion was to recommit it to the committee
28 from which it came. Now, if it came without reference to a committee
29 it didn't come from any committee. You can't refer it to something
30 it's never been to.

31 PRESIDENT:

32 Senator Rock.

33 SENATOR ROCK:

1 Perhaps I can clear this up. I think the parenthetical state-
2 ment on the Calendar is, in fact, in error. There was an early morning
3 committee meeting of this committee. The bill, in fact, was reported
4 out favorably from that committee. It was read again a second time
5 on that same day and moved to 3rd rather quickly. It did, in fact,
6 come out of the Committee on Financial Institutions. And I am asking
7 that it be sent back with the same kind of haste with which it hit
8 the Calendar.

9 PRESIDENT:

10 Senator Ozinga. Pardon me. Senator Soper.

11 SENATOR SOPER:

12 Now, you see, Mr. President, I only read from the Calendar and
13 the Calendar says House Bill 3000 without reference.

14 PRESIDENT:

15 Senator, we've been through that...

16 SENATOR SOPER:

17 I...I understand that...

18 PRESIDENT:

19 ...the Calendar is wrong on the question.

20 SENATOR SOPER:

21 Now, if I've taken up the...the Senate's time, I apologize.

22 PRESIDENT:

23 No apology is necessary, Senator, although you have...

24 SENATOR SOPER:

25 Well, if it hasn't been to the committee it can't refer to
26 something it's never been to. Will you agree to that?

27 PRESIDENT:

28 That's absolutely right.

29 SENATOR SOPER:

30 Thank you very much.

31 PRESIDENT:

32 Except that it did go to committee. And the motion as made by
33 Senator Rock is to recommit House Bill 3000 to the Committee on Banks

1 and Savings and Loans. Finance and Credit...the Calendar is obviously
2 wrong in two instances. Oh, I see. This is the House... I'm sorry.
3 For what purpose does Senator Bloom arise?

4 SENATOR BLOOM:

5 A point of parliamentary inquiry. I thought that we were voting
6 on Senator Merritt's Motion to Table Senator Rock's Motion to re-refer.

7 PRESIDENT:

8 The motion as made by Senator Rock was to re-refer House Bill 3000
9 to the Finance and Credit Regulations to recommit it. Senator Merritt
10 made a motion to Table. The question is, shall Senator Rock's Motion
11 be Tabled? Senator Harris, for what purpose do you arise?

12 SENATOR HARRIS:

13 I rise for a point of parliamentary inquiry. There's been a
14 fair amount of side talk, here. Now, as I understand it, Senator
15 McCarthy moved that this bill be passed.

16 PRESIDENT:

17 That's correct.

18 SENATOR HARRIS:

19 Senator Rock moved that it be recommitted and Senator Merritt
20 moved to Table Senator Rock's Motion. Is that not correct?

21 PRESIDENT:

22 That is correct.

23 SENATOR HARRIS:

24 All right. Now, if people who were wondering what I was going to
25 do, were to be advised that I was going to vote to ... against Senator
26 Merritt's Motion, how would I communicate that to them?

27 PRESIDENT:

28 Senator, the motion is not debatable. You have, I think, made
29 your point, however. The question is, shall the motion to Table
30 prevail? Those in favor will vote Aye. Opposed Nay. The voting is
31 open. Have all voted who wish? Take the record. On that question,
32 the Ayes are 18, the Nays are 33, with 1 Voting Present. Senator
33 Merritt's Motion to Table fails. Senator Rock.

1 SENATOR ROCK:

2 I, now, renew my motion to recommit this to the Committee on
3 Finance and Credit Regulations. State your point. Senator McCarthy.

4 SENATOR MCCARTHY:

5 My point of order is that Senator Rock's Motion is not in order.
6 According to the rules...according to the rules, a motion to recommit is
7 only in order before debate has entered on the matter. And both Senator
8 and I and Senator Rock entered into matters of debate before the motion
9 was placed. Accordingly, therefore, his motion to recommit is not in
10 order.

11 PRESIDENT:

12 What is the rule that you allude to, Senator.

13 SENATOR MCCARTHY:

14 Well, we have a little problem. I've got the red one. I have
15 the red one.

16 PRESIDENT:

17 Senator, the red one was the color in '71. Senator, I think your
18 point is not well taken. The question is to recommit. All in favor will
19 vote Aye. Opposed Nay. The voting is open. Have all voted who wish?
20 Take the record. On this question the Ayes are 31, the Nays are 18, with
21 1 Voting Present. The motion carries. For what purpose does Senator
22 McCarthy arise?

23 SENATOR MCCARTHY:

24 I just wondered if Senator Rock wanted to rejoin as cosponsor now.

25 PRESIDENT:

26 Senator Rock.

27 SENATOR ROCK:

28 Responding to that, we can undo the past two leaves of this Body,
29 and I will once again be shown as the chief sponsor.

30 PRESIDENT:

31 House Bill 3083, Senator Don Moore.

32 SECRETARY:

33 House Bill 3083

34 (Secretary reads title of bill)

1 3rd reading of the bill.

2 PRESIDENT:

3 Senator Don Moore.

4 SENATOR MOORE:

5 Thank you, Mr. President and members of the Senate. House Bill
6 3083 would change the Criminal Code provisions applicable to theft of
7 a rented or leased vehicle. It would provide that a person who has
8 not returned such vehicle within seventy-two hours after being notified
9 either in writing or orally that the car is overdue, would be subject
10 to the conviction of a Class 4 felony. The failure to return the car
11 must be willful. Presently, the law on this matter is a Class A
12 misdemeanor. The reason for this bill ...

13 PRESIDENT:

14 Now, just a moment. Just a moment. We just can't hear at all.
15 Will the Sergeant-at-Arms clear the corridors? Will everybody not
16 entitled to the Floor, please graciously leave the Floor? Senator
17 Moore.

18 SENATOR MOORE:

19 Thank you, Mr. President. As I said before, what this bill does,
20 it increases the penalty in the Criminal Code for the willful theft of
21 a rented or leased vehicle from a Class A misdemeanor to a Class 4
22 felony. The lowest type felony. The reason for this bill is that
23 when these cars are taken across state lines, there can be no extradition,
24 because the complaint that is signed is a misdemeanor complaint. I
25 know of no objection to the bill. It would be a great help to this
26 industry and I'd appreciate a favorable roll call.

27 PRESIDENT:

28 Any discussion? The question is shall House Bill 3083 pass.
29 Those in favor will vote Aye. Opposed Nay. The voting is open. Have
30 all voted who wish? Take the record. On this question, the Ayes are
31 45, the Nays are 7, with none Voting Present. House Bill 3083 having
32 received a constitutional majority is declared passed. Senator Lemke.

33 SENATOR LEMKE:

1 I was going over the...I was going over this House Bills on 2nd
2 reading, Supplemental Calendar, and on House Bills 1947 and 1948 I
3 don't know how my name appeared on here as cosponsor as I did not re-
4 quest to be cosponsor. I don't know if that was intentional or not
5 and I wish my name to be removed if it's there, because it shouldn't be.

6 PRESIDENT:

7 Is there leave? Leave is granted. House bills on 3rd reading.
8 House Bill 3052, Senator Rock.

9 SECRETARY:

10 House Bill 3052.

11 (Secretary reads title of bill)

12 3rd reading of the bill.

13 PRESIDENT:

14 Senator Rock.

15 SENATOR ROCK:

16 Thank you, Mr. President...

17 PRESIDENT:

18 Just a moment. One...one moment. Senator Bruce and Senator Wooten
19 and the Ladies and Gentlemen behind Senator Rock, would you move your
20 conference, please. Senator Savickas, thank you. Senator Rock.

21 SENATOR ROCK:

22 Senator Savickas' family is here to keep him in check...

23 PRESIDENT:

24 ...His daughters no doubt. Senator Rock.

25 SENATOR ROCK:

26 Thank you, Mr. President, Ladies and Gentlemen of the Senate. House
27 Bill 3052 is an amendment to the Election Code to provide for the se-
28 lectich of delegates to the National Nominating Convention held by the
29 Democratic Party. 3052 refers only to that section of the Election
30 Code which concerns itself with the Democratic Party. 3052 is based
31 upon and is in conformity with the rules established and promulgated
32 by the Democratic National Committee. The bill addresses the need
33 for the Democratic Party in Illinois to conform its delegate

1 selection rules to those adopted by the Democratic National Committee.
2 Rule Twenty of the Democratic National Committee rules for delegate
3 selection reads as follows: Whereas any part of any section contained
4 in these rules conflicts with existing State law the State party shall
5 take provable, positive steps to achieve legislative changes to bring
6 the State law into compliance with the provisions of these rules. Be-
7 cause our Democratic National Rules have undergone rather extensive
8 change in recent years our present statutory formula for delegate selec-
9 tion used in Illinois does no longer conform to the new rules. And un-
10 less Illinois takes provable, positive steps to amend the statute, the
11 status of the Illinois Delegation to the 1976 National Nominating Con-
12 vention will be at best unclear. I might add, again, that House Bill
13 3052 deals only with that section of the statute that the Democratic
14 Party uses in its delegate selection process. I urge a favorable vote.

15 PRESIDENT:

16 Senator Davidson.

17 SENATOR DAVIDSON:

18 Mr. President and members of the Senate. I rise to support this
19 bill. As Senator Rock has stated, this deals only with the Democratic
20 selection for their convention delegates, does not affect the Republican
21 plan, I urge our side of the aisle to support it.

22 PRESIDENT:

23 Senator Wooten.

24 SENATOR WOOTEN:

25 Mr. President and colleagues, I mentioned the other day what I'd
26 hoped to be a corrolary to the Partee principle, that was enunciated
27 on the Floor, that if it doesn't concern the other party it should
28 kind of stay out or go along. But, I assure you there is real division
29 here on this side of the aisle and that Republican participation in
30 this vote amounts to taking sides. What we are doing, now, is attempting
31 to change the formula to punish those downstate counties who supported
32 the party candidate in '72 because by the formula on the books we would
33 receive a few more delegates. And now we want to change the formula.

1 I object to it on that grounds. I do not believe we should be punished
2 for turning out in significant numbers for our standard bearer in the
3 last presidential election. I do not think it seemly for Republicans
4 to take part in a real division within our own party.

5 PRESIDING OFFICER: (SENATOR DONNEWALD)

6 Senator...Senator Bruce.

7 SENATOR BRUCE:

8 Well, Mr. President and members of the Senate. I rise in opposition
9 to House Bill 3052 for it differentially affects two parts of the State
10 of Illinois as they are represented in a national convention of my
11 party. The bill is changed to reflect primary vote as opposed to popu-
12 lation, and we used to take the last presidential election, this goes
13 back to pickup not only the McGovern-Nixon race but the Humphrey race.
14 Well, why was that? It had a chance to compute the difference in dele-
15 gates to the National Convention. Downstate Illinois did a good job
16 for McGovern and carried him by forty-four percent of the vote. In
17 Chicago he won by 39.6 percent. If we would have used that we would
18 have gotten more delegates. So the rules are changed so that down-
19 state gets fewer delegates. Let me give some idea. There are presently
20 ten - twelve Chicago districts, of those seven congressional districts
21 get more delegates, three get the same and only two are decreased in the
22 number of delegates they will get. In a downstate congressional dis-
23 tricts eight get fewer delegates than they would under the old formula.
24 Two get the same and only two get more. That doesn't seem to be a fair
25 allocation when ten of theirs get more and ten of ours get fewer or
26 the same. I seems to me that Senator Wooten is correct. If the Re-
27 publican Party participates in this they're playing on our side of the
28 aisle. I think our party ought to work this out ourselves. It's un-
29 fair, it's changing the rules in the middle of the game so that one
30 part of the State gets more delegates to the National Convention than
31 another.

32 PRESIDING OFFICER: (SENATOR DONNEWALD)

33 Senator Morris.

1 SEANTOR MORRIS:

2 Thank you very much, Mr. President. I, too, rise in opposition
3 to this proposal. House Bill 3052 will not only damage downstate Illinois
4 but upstate Illinois, the area that I represent, and I think it's a
5 shame to use a formula which is not based upon population, but based
6 upon primary elections of years gone past. I agree that this is an
7 issue that should be dealt with within the Democratic Party on this
8 side of the aisle. And I would hope that we would be able to defeat
9 Senate Bill 3052 this evening and come up within the next several months
10 ...

11 PRESIDING OFFICER: (SENATOR DONNEWALD)

12 Proceed.

13 SENATOR MORRIS:

14 ...with something that will be fair to both Chicago, Cook County
15 and the other hundred and one counties in the State of Illinois. The
16 formula proposed in 3052 is only one of the components the Democratic
17 National Committee said could be used. It is the one that is most
18 advantageous to the City of Chicago within the Democratic Party and
19 does damage to the downstate and upstate Democratic Party. It takes
20 away in the congressional district where I come from, at least one dele-
21 gate and in the other congressional district which serves my area, at
22 best we will break even. It takes congressional districts in downstate
23 Illinois and strips them of delegates while putting them back in the
24 City of Chicago. One interesting figure in the delegates election is
25 in Chicago's first district represented by Congressman Metcalfe serving
26 a large part of the minority community, they will lose two delegates
27 under this system. This is a bad proposal. There are other alternatives
28 that the Democratic National Committee suggested. We would urge de-
29 feat of Senate...House Bill 3052 in an effort to build a strong Demo-
30 cratic Party and treat downstate fairly and on the same basis of the
31 City of Chicago.

32 PRESIDING OFFICER: (SENATOR DONNEWALD)

33 Senator Partee.

1 SENATOR PARTEE:

2 Thank you, Mr. President and members of the Senate. I've heard the
3 word population and I've heard the word primary voters. The only place
4 where population comes into being in allocating districts is in joined
5 maps for the Senate, or the House, or for the Congress, because all dis-
6 tricts, then, must have the same population. Anybody who is a member
7 of a party knows that the strength of any segment of that party lay
8 not in the general election or the votes garnered there, because there
9 it is not easy to tell who voted, whether they're Republicans, Democrats,
10 or whatever for a particular candidate. The strength of a party lay
11 in the ability to get people to the primary. And certainly the primary
12 voters on the primary voting strength is the only reasonable measure
13 to determine the strength of a particular area. Now, we love our down-
14 state brothers and sisters. We do not wish to discourage them in any
15 way. We want a strong party. This is, of course, our fight. It's
16 not uncommon for political parties within themselves to have differences
17 of opinion. You have them on the other side of the aisle. We would
18 only ask you to, as you vote on this measure, use logic, reason and vote
19 in the context of fairness. Now, what is the strength of a party. It's
20 a primary strength, not the population figures, that has no relationship
21 to party strength. The very nature of this question indicates that
22 those areas which have the greatest population strength in terms of
23 Democratic voters in those primaries are entitled, of course, to the
24 larger number of delegates. It's a very simple question. A question
25 of giving the delegates where the greatest strength is. And I would
26 certainly support the bill and ask for the favorable roll call when
27 the debate shall have been closed.

28 PRESIDING OFFICER: (SENATOR DONNEWALD)

29 Senator Soper.

30 SENATOR SOPER:

31 Thank you, Mr. President. Now, I...I can realize and I...I can
32 appreciate how some of the members of the Democratic Party feel about
33 this proposition and I know that they would like to have us not partici-
34 pate in this question. But, I was just thinking if they all didn't

1 participate in the motion or the bill that we had, we could never pass
2 the bill, because if, to remind your, it takes thirty votes to pass the
3 bill and if you all set on your hands we could sit here until doomsday
4 and we wouldn't decide our question, so it behooves us to help you
5 along on the other side of the aisle. Now, I would say this - you all
6 want to be switch-hitters, you want to bat from the port side and you
7 want to bat from...bat from the other side and if you can't make up your
8 mind you're going to be in trouble. But, you got to have a primary
9 and if you have a party that's how you determine who your candidates
10 are going to be in your party. You stay with your party, we'll stay
11 with our party, but you've got to have thirty votes in this Senate to
12 pass a bill and I want to thank the members of the Democratic Party
13 who helped us make our decision, because without that we'd be in
14 limbo, we'd be floating out and not be able to decide our question.
15 So, we'll decide who's right, who's wrong and I hope that we make the
16 right decision. Thank you, Mr. President.

17 PRESIDING OFFICER: (SENATOR DONNEWALD)

18 Senator Graham.

19 SENATOR GRAHAM:

20 You know, Mr. President and members of the Senate. With some
21 trepidation that I involve myself into this argument, but when I
22 see the big tears rolling from the cheeks of the worthies of Governor
23 Dan Walker, when they say to us, don't get involved, I wish we could
24 have adopted that two years ago and they wouldn't have had Dan Walker
25 on the second floor. We got involved in your party politics when we
26 should have stayed out and you'd had Paul Simon on the second floor.
27 That's what our involvement did, so it's...some trepidation I even get
28 involved in this.

29 PRESIDING OFFICER: (SENATOR DONNEWALD)

30 Senator Newhouse.

31 SENATOR NEWHOUSE:

32 I no longer marvel at the rapidity with which basic policy de-
33 cisions can be changed in this Body. It seems to me just yesterday

1 there was another bill up, when the hue and cry was that there are two
2 political parties and that within those political parties the decisions
3 ought to be made and not by any outsiders and now some of those who were
4 avowing their allegiance to that policy position are saying - let us help
5 decide internal matters relative to the Democratic Party. I repeat, I'm
6 no longer amazed, I'm greatly amused. I would suggest then, Gentlemen,
7 that when the issues are placed in another context and the shoe is on
8 the other foot that you cannot very logically maintain anything other
9 than...Senator Soper...

10 PRESIDING OFFICER: (SENATOR DONNEWALD)

11 Senator Soper, Senator Newhouse is addressing you.

12 SENATOR NEWHOUSE:

13 Senator, you mentioned switch-hitting and the other day you made
14 a very impassioned plea about staying out of party affairs by outsiders,
15 particularly those who had not declared party affiliation, and tonight
16 you are saying that despite that firm policy position on your part,
17 that you have determined nevertheless that you ought to interfere
18 into the affairs of the Democratic Party. I would suggest to you this,
19 Senator, there is an alternative and the alternative is, that if the
20 bill doesn't get thirty votes it's dead. So, the decision will have
21 then been made. You might want to consider that when the vote is taken.

22 PRESIDING OFFICER: (SENATOR DONNEWALD)

23 Well, Senator Soper, you have...do you wish...what's your...Senator
24 Soper.

25 SENATOR SOPER:

26 I just want to know if that's...

27 PRESIDENT:

28 For what purpose...

29 SENATOR SOPER:

30 ...a question or a request.

31 SENATOR NEWHOUSE:

32 Sort of a statement.

33 SENATOR SOPER:

34 Thank you very much.

1 PRESIDING OFFICER: (SENATOR DONNEWALD)

2 Is there further debate? Senator Rock may close the debate.

3 SENATOR ROCK:

4 Thank you, Mr. President. House Bill 3052 does, in fact, change
5 the formula for delegate selection and I submit to you it has to be
6 changed, as a matter of fact, if Illinois wants to send a bonafide
7 delegation to the 1976 National Nominating Convention. The reference
8 to the McGovern vote, I think, frankly, was inaccurate. That is but
9 one premise. The formula contained in this bill is in conformity with
10 rule nine on delegate apportionment of the rules of the Democratic
11 National Committee and this alternative has been chosen for two very
12 good reasons. One, it is among those formerly already approved by the
13 Democratic National Committee and, two, it has already been used, here
14 in Illinois. It was used in 1974, as a matter of fact, to select the
15 delegates to the mini convention in Kansas City. The formula has been
16 tried and it has worked. It will work again in 1976. There is, I
17 submit, no clearer definition of party strength than the primary vote.
18 If we are committed to the principle of one man, one vote, we should be
19 equally committed to the principle of one Democrat, one vote. The formula
20 contained in this bill relates to party primary votes in a district as
21 against party primary votes statewide. What in the world can be simpler
22 I would urge a favorable vote.

23 PRESIDING OFFICER: (SENATOR DONNEWALD)

24 The question is shall House Bill 3052 pass. Those in favor vote
25 Aye. Those opposed No. The voting is open.

26 PRESIDENT:

27 Have all voted who wish? Take the record. Postpone consideration
28 For what purpose does Senator Romano arise?

29 SENATOR ROMANO:

30 Mr. President, on the Secretary's Desk there is several motions
31 and one is on a bill that we have an ex-member of the Senate of sixteen
32 years, who served in this Senate and served ably and well and also
33 served in the Congress of the United States. A man very active in

1 American Legion and Disabled American Veterans, has been waiting for
2 two days for a bill and Senator Egan has filed a motion and I would
3 like the Chair to go to that order of business. As I so move, Mr.
4 President.

5 PRESIDENT:

6 How many...is there leave? Leave is granted. Senator Egan, what
7 is the motion...number of the bill?

8 SENATOR EGAN:

9 Mr. President, members of the Senate, having voted on the
10 prevailing side of House Bill 1900, I now move to reconsider the vote
11 by which that bill was defeated.

12 PRESIDENT:

13 You heard the motion. All in favor will vote Aye. Opposed Nay.
14 The Ayes have it and the motion is...the bill is reconsidered. Senator
15 Egan. Senator Egan.

16 SENATOR EGAN:

17 Yes, Mr. President and members of the Senate. The House Bill 1900
18 on 3rd reading is now in...in shape for final passage and I would de-
19 fer to the sponsor of the bill, Senator Mitchler.

20 PRESIDENT:

21 Senator Mitchler.

22 SENATOR MITCHLER:

23 Thank you, Mr. President and members of the Senate. I shall not
24 go into detail explaining all the facts on House Bill 1900. This is
25 the bill that creates the Southeast Asian Veterans Home Loan Program.
26 It involves the home loans to the veterans up to five thousand dollars.
27 There are two other companion bills on 3rd reading with this based on
28 the outcome of this. The bill will require 36 votes. I believe all
29 of you understand the bill. And I would ask for a 36 vote favorable
30 roll call.

31 PRESIDENT:

32 Senator Wooten.

33 SENATOR WOOTEN:

1 A point of order...technical inquiry. Where is the bill and
2 can it be considered past the deadline?

3 PRESIDENT:

4 The bill was on 3rd reading at the time it was voted on. It failed
5 not receiving a constitutional majority and as a consequence there was
6 a motion filed by one having voted on the prevailing side to resurrect
7 it. That motion carried. The bill is okay and on 3rd reading.

8 Senator Wooten.

9 SENATOR WOOTEN:

10 My inquiry, then, and purely unprocedure, Mr. President. It is
11 not a committee bill. Is it even possible to consider it even though
12 it's on Postponed Consideration passed the deadline without amending our
13 joint rules? That's...because if we do this and there is that cloud,
14 we've got a problem.

15 PRESIDENT:

16 Well, Senator, the bill was called prior to the expiration of
17 the final date on which it could be called. Having failed, a motion
18 then was filed to reconsider it. We take the position that inasmuch
19 as it was first called on that day prior to the expiration of the time
20 expiration that it is still a viable bill. A motion having been filed
21 to keep it viable. Senator Wooten.

22 SENATOR WOOTEN:

23 Then, our taking final action on it after the deadline is per-
24 fectly all right, then. That's all accounted for in our joint rules?

25 PRESIDENT:

26 Senator Egan.

27 SENATOR EGAN:

28 Yes. Mr. President, I might just say that having taken action on
29 the bill we are only reconsidering that action. That action was taken
30 prior to the expiration of the roll time and I would suggest that
31 would take care of it.

32 PRESIDENT:

33 Senator Knuppel.

1 SENATOR KNUPPEL:

2 Well, I assume, then, what you're telling us is any bill we
3 voted on and lost yesterday is still alive if we file a motion to
4 reconsider before midnight tonight. Is that correct?

5 PRESIDENT:

6 Motion...for what purpose does Senator Harris arise?

7 SENATOR HARRIS:

8 Well, I think we are getting into a rather dangerous ground, here.
9 Now, let me read the joint rules. June 26th, final day for 3rd reading
10 and passage in each House of bills originating in the other House. Now,
11 there is an exception to this very rigid date limitation. And that
12 is the deadlines provided in the paragraph above do not apply to a bill
13 appropriating funds for the ordinary and contingent expenses of the
14 departments and agencies of State Government, a bill introduced by a
15 majority of the members of a standing committee of either House and
16 three, a bill determined by a majority of all the appointed members of
17 the Rules Committee of each House to be an emergency bill necessary for
18 the operation of Government. Now, Mr. President, I submit and I know this
19 is a sensitive bill. It's a bill for veterans. But, I submit to you,
20 Mr. President, that if we are going to have a ruling that this comes
21 within the language of our joint rules then all bills come within the
22 language of the exception of the joint rules.

23 PRESIDENT:

24 Would the Senator hold it just one moment.

25 SENATOR HARRIS:

26 Yes, Sir.

27 PRESIDENT:

28 You have directed my attention to a portion of the joint rules
29 which causes me to agree with what you are espousing. June 26th was,
30 in fact, the final day for 3rd reading and passage. On that basis I
31 rule that the motion is out of order. Take it out of the record.
32 Senator Romano.

33 SENATOR ROMANO:

34 Isn't this, also, an appropriation bill?

PRESIDENT:

It is an authorization bill.

1 SENATOR ROMANO:

2 Huh?

3 PRESIDENT:

4 It is an authorization in contradistinction to an appropriation
5 bill. I'm sorry, Senator. For what purpose does Senator Clarke arise?

6 SENATOR CLARKE:

7 While we're on the motor...order of motions I have a motion filed
8 too. Would it be possible to take that up?

9 PRESIDENT:

10 If we could defer it, Senator. I just accomodated Senator Romano
11 because...

12 SENATOR CLARKE:

13 All right. Fine....

14 PRESIDENT:

15 ...he wasn't feeling well and the fact that the elderly gentleman
16 was not feeling well, also.

17 SENATOR CLARKE:

18 ...when we get back to it.

19 PRESIDENT:

20 Fine. Senator Bruce.

21 SENATOR BRUCE:

22 Yes, Mr. President, if we're looking for something to do, I have
23 House Bill 3050 that I would like to have to leave to return to the
24 order of 2nd reading for the purpose of adopting an amendment.

25 PRESIDENT:

26 Is there leave? Leave is granted.

27 SENATOR BRUCE:

28 Yes, Mr. President, the amendment has been given to Senator
29 Fawell and Senator McCarthy and Senaor Egan have interest in this.
30 This is the bill that will allow payments to the school and...a publicly
31 owned special education facility that provides special education pro-
32 grams, which is not provided by local school districts. Only one school
33 in the State of Illinois, Progress School located in Macon County,
34 Decatur, would apply. Representative JohnDunn allowed his bill to
35 be incorporated, or his bill be used, 960 and that bill has been lost.

1 I don't think there's any question on this and I'd move the adoption
2 of the amendment.

3 PRESIDENT:

4 Any discussion? Senator Egan.

5 SENATOR EGAN:

6 Yes, Mr. President and members of the Senate. Senate Bill 960
7 which was on the...rather House Bill 960 was on the Consent Calendar
8 when the Department of Education asked that I take it from that Consent
9 Calendar and amend it, so that they could facilitate the need of their
10 department to utilize the new Education Bond Fund, which was created,
11 in the event that any...buildings were constructed to specifically for
12 the disabled and handicapped children students, and I let them do that.
13 As a consequence of that amendment my whole bill was lost, Senate Bill
14 9...or House Bill 960 was defeated. This is the original bill. It is
15 to accommodate a county facility in Macon County for Representative
16 John Dunn and include in the institutions that are reimbursable by the
17 State for children who are disabled, that county facility. And I
18 would suggest that the amendment to Senator Bruce's Bill would satisfy
19 the Representative's need and having coming from the Consent Calendar,
20 I would urge your support for the bill.

21 PRESIDENT:

22 Any further discussion? Senator Bruce move the adoption of
23 Amendment No. 1 to House Bill 3050. All in favor will say Aye. Opposed
24 Nay. The amendment is adopted. Any further amendments? 3rd reading.
25 For what purpose does Senator Romano arise?

26 SENATOR ROMANO:

27 Could we go back on the motions on the Secretary's Desk?

28 PRESIDENT:

29 What bill does it relate to, Senator? The committee bill?

30 SENATOR ROMANO:

31 3098. I believe there's a motion filed.

32 PRESIDENT:

33 Is that a committee bill?

1 SENATOR ROMANO:

2 Yes, that was a thirty...a three thousand series bill, which makes
3 ...which automatically made it a committee bill.

4 PRESIDENT:

5 Is there leave? Leave is granted. Who filed the motion, please?

6 SECRETARY:

7 Motion in Writing.

8 Having voted on the prevailing side I move to reconsider
9 the vote by which House Bill 3098 was defeated. Signed - Senator Nimrod.

10 PRESIDENT:

11 Senator Nimrod.

12 SENATOR NIMROD:

13 Mr. President and fellow Senators, it come to my attention there
14 is some additional information that should be at hand on this particular
15 bill and I did agree to file the motion and in that case I would defer
16 or ask you if you might call on Senator Romano to make an explanation
17 once this has been read.

18 PRESIDENT:

19 Senator Romano.

20 SENATOR ROMANO:

21 Mr. President and members of the Senate. This is the bill that
22 would give us Legislators on our per diem expenses pension credits.
23 This was debated twice. All I could say, I'd like a favorable roll
24 call on this bill.

25 PRESIDENT:

26 Any further discussion? The bill has been read a third time.
27 It was defeated, so it must...it has been read a third time. House
28 Bill 3098. The question is shall this bill pass. House Bill 3098.
29 Those in favor vote Aye. (Machine cut-off)...the motion is to re-
30 consider. All in favor will say Aye. Opposed Nay. The bill is on
31 reconsideration. Now, you seek a roll call. The bill is on 3rd
32 reading. The question is shall this bill pass. All in favor...Senator
33 Nimrod.

1 SENATOR NIMROD:

2 Just...just one question. Is there any clarifying IRS information
3 that has come forth at all on this particular bill?

4 PRESIDENT:

5 Senator Romano.

6 SENATOR ROMANO:

7 IRS has ruled that this is salary. And they've ruled for three
8 straight years on this. This is why you receive your per diem expense
9 on a W2. And this is why I believe that we should be getting credit
10 on our pension providing we make...we pay in our pension credits to it.

11 PRESIDENT:

12 The question is shall House Bill 3098 pass. Those in favor will
13 vote Aye. Opposed Nay. And the voting is open. Have all voted who
14 wish? Take the record. On this question the Ayes are 32, the Nays
15 are 19, with none Voting Present. House Bill 3098 having received a
16 constitutional majority is declared passed. House Bill 3050, Senator
17 Bruce. Oh, you do not desire to call it. 3050. Ready?

18 SENATOR BRUCE:

19 Yeah, let's go with it.

20 PRESIDENT:

21 Read the bill.

22 SECRETARY:

23 House Bill 3050.

24 (Secretary reads title of bill)

25 3rd reading of the bill.

26 PRESIDENT:

27 Senator Bruce.

28 SENATOR BRUCE:

29 Yes, Mr. President, this is a bill that meets the approval of
30 both the Capital Development Board and the...Illinois Office of Educa-
31 tion. Presently, both the CDB and the IOE developed priorities for
32 school construction from the School...School Construction Bond Act. Under
33 House Bill 3050 the authority for developing priorities have construction
34 of educational facilities is given to the Illinois Office Of Education.
It is that group that works closely with school districts throughout
the State that knows the needs and demands, where growth will occur,

1 what will happen with educational needs. The Capital Development Board,
2 on the other hand, will continue to make the grant, supervise the project
3 authorize the issuance of bonds and regulate the construction as the
4 building proceeds. I think it's a very good compromise between CDB
5 and the Illinois Office of Education and I would commend...

6 PRESIDENT:

7 Just a minute, just a minute. If the Sergeant-at-Arms cannot
8 remove those people, this is the third time I've asked that. If you
9 can't do it, we'll get it done. Senator Bruce...I mean...yes, Senator Bruce

10 SENATOR BRUCE:

11 Well, the point is that they've now jointly make the priorities.
12 This bill splits it. IOE will make the priorities, CDB will make
13 the grants, I think it's a very good division of work. I would commend
14 it to the Senate.

15 PRESIDENT:

16 Senator Glass.

17 SENATOR GLASS:

18 Thank you, Mr. President. I agree with Senator Bruce. The bill
19 is a good bill. My only concern about this whole area is that anyone
20 has to certify or set standards for educational needs and...and things of
21 that nature for local school districts. That ought to be left to the
22 local school boards, but as between IOE and CDB this authority certainly
23 belongs in the Illinois Office of Education. I only hope in future
24 years we can give this back to the local boards, but I think it is a
25 good bill and ought to be passed.

26 PRESIDENT:

27 The question is shall House...Senator Egan.

28 SENATOR EGAN:

29 Yes, thank you, Mr. President and members of the Senate. I would
30 like to draw this bill to the attention of Senator Moore, because it
31 would take away from the Capital Development Board all of the ...all
32 of their prerogatives in...in the construction of education, education-
33 al facilities and I commend it to you for that reason if nothing else

1 except that my bill that was on the Consent Calendar, in addition to
2 this, is on here and I would appreciate your voting in behalf of both.
3 Thank you.

4 PRESIDENT:

5 Senator Berning.

6 SENATOR BERNING:

7 I'd like to inquire of the sponsor if there's anything in
8 this measure that provides some restrictions on the prerogatives of
9 the Capital Development Board insofar as detaining and delaying un-
10 necessarily improvements at a local district. I'm thinking particularly
11 of a vocational school in the Waukegan area where there was a silly
12 dispute over the approval of an architectural firm. That coupled with
13 other delaying tactics has so pushed backward the construction program
14 that the vocational school is going to cost several thousand, yes,
15 hundreds of thousands of dollars more than was originally estimated,
16 more than had to be. In my opinion the Capital Development Board
17 is unnecessarily presumptive in the assumption of the amount of authori-
18 ty that it can exercise. And I would like to inquire, then, if there
19 is anything in this bill that trims the sails somewhat of the Capital
20 Development Board?

21 PRESIDENT:

22 Senator Bruce.

23 SENATOR BRUCE:

24 Well, there are three points to be made. First of all, the bill,
25 obviously, does not increase their authority since the priorities will
26 now be developed by the IOE and we split that and give them more time to
27 deal with construction. Secondly, I passed a bill out of here, which
28 I think was Senate Bill 362, which is now law which sets up a trust
29 fund so that money at the local level is more regulated by local
30 school districts. Thirdly, Senator Hynes passed legislation which I
31 am told has also passed the House, which reduced some of the authority
32 of CDB control at the local level. All this is a package, Senator
33 Berning, it does not increase CDB but it really does not get to the question

1 you asked. That has been handled in two earlier pieces of legislation
2 which the Senate has already adopted.

3 PRESIDENT:

4 The question is...Senator...the question is shall...oh, Senator
5 Howard Mohr.

6 SENATOR MOHR:

7 I'll be brief, Mr. President. I'm...Senator Egan, I didn't have
8 to be alerted to this particular bill. Whenever I see CDB, it does open
9 the eye or eyes. I'm certainly glad that other people have a concern
10 with the Capital Development Board and I'm more than happy to support
11 any legislation that's going to hold them accountable. Lord knows, they
12 need that. And I would just point out, Senator Bruce, that I'm going
13 to offer an amendment tomorrow that is very important to me. This isn't
14 a trade, but when I talk about CDB tomorrow you'll recognize the problems
15 that I had and I certainly recognize the problems that you have and
16 anybody that's ever dealt with CDB has had problems. I would support
17 the bill.

18 PRESIDENT:

19 Senator Graham.

20 SENATOR GRAHAM:

21 Senator Bruce, if I offered an amendment tomorrow to abolish
22 them, would you consider that?

23 PRESIDENT:

24 Senator Bruce.

25 SENATOR BRUCE:

26 It will be duly considered.

27 PRESIDENT:

28 Senator Fawell. The answer to...the answer to your anticipated
29 question is that it takes thirty votes.

30 SENATOR FAWELL:

31 It takes thirty votes. I...I...the only thing F...they're putting
32 in a new planning assistants grant which I don't object to, but I do
33 think it's an addition that we probably have more than thirty-six

1 votes, but I...

2 PRESIDENT:

3 Let...let's hope so. But it has nothing to do with bond authoriza-
4 tion. The question is shall House Bill 3050 pass. Those in favor vote
5 Aye. Opposed Nay. The voting is open. Have all voted who wish? Take
6 the record. On this question the Ayes are 50, the Nays are 3, with 2
7 Voting Present. House Bill 3050 having received a constitutional
8 majority is declared passed. For what purpose does Senator Buzbee arise?

9 SENATOR BUZBEE:

10 Mr. President, I would seek leave to return House Bill 3097 to
11 the order of 2nd reading for the purpose of an amendment.

12 PRESIDENT:

13 Is there leave? Leave is granted. Senator Buzbee.

14 SENATOR BUZBEE:

15 Mr. President, Amendment No. 1, I believe, to House Bill 3097 is
16 on the Secretary's Desk. The affect of the amendment is, number one, it
17 corrects an error in title. Number two, it deletes the findings and
18 declaration section. It requires DOT to hold public hearings on a
19 State rail plan. It requires DOT to consult with affected State agencies
20 in addition to Railroad, Labor and Management, affected units of local
21 government and affected shopping interests and the preparation of the
22 State rail plan. It states that the powers granted in this bill the
23 DOT shall not abrogate the responsibilities of the Illinois Commerce
24 Committee...Commission, it requires the DOT to submit copies of the
25 State rail plan to the President, the Minority Leader of the Senate
26 and the Speaker and House Minority Leader prior to submission to the
27 Federal Government. It requires DOT to provide the General Assembly
28 Leadership by October 15th with a report concerning the extent, nature
29 and proposed use of Federal Aid and its recommendations concerning
30 the source's and extent of nonfederal assistance. It specifies that
31 no funds available under the Regional Rail Reorganization Act of 1973
32 may be expended without a specific appropriation. It deletes sections
33 specifying that the bill repeals the Act superceded, made obsolete, or

1 is in conflict with. And most importantly of all, it is my understanding
2 that this amendment resolves the problems that Senator Harris has with
3 the bill. And I would now move its adoption.

4 PRESIDENT:

5 Any discussion? Senator Buzbee moves the adoption of Amendment
6 No. 1 to House Bill 3097. Senator Howard Mohr.

7 SENATOR MOHR:

8 Mr. President, Senator Harris is off the Floor. We haven't seen
9 this amendment. We'd like our staff to look at it and check it. We
10 would be agreeable to the adoption of the amendment with the under-
11 standing that it could be brought back for further consideration this
12 evening.

13 PRESIDENT:

14 Senator Buzbee.

15 SENATOR BUZBEE:

16 Mr. President, that's perfectly acceptable to me. However, I
17 would point out to Senator Mohr that your staff prepared this amend-
18 ment.

19 PRESIDENT:

20 Senator Howard Mohr.

21 SENATOR MOHR:

22 Well, it's often been said, you know, we are the elected people
23 down here and our staff, I have no quarrel with them, they do an out-
24 standing job, but we are responsible to the people back home and we
25 just like...some of the members might like an opportunity to look at
26 this amendment, and I'm certainly glad that you're taking advantage of
27 the fine staff that we have on this side of the aisle, Senator Buzbee.

28 PRESIDENT:

29 Senator Buzbee.

30 SENATOR BUZBEE:

31 Senator Mohr, I'll take advantage of them every chance I have.

32 PRESIDENT:

33 Now, what is your pleasure with reference to adoption? All right.

1 Senator Buzbee moves the adoption of Amendment No. 1 to House Bill 3097.
2 All in favor say Aye. Opposed Nay. The amendment is adopted. 3rd
3 reading. Senator Vadalabene.

4 SENATOR VADALABENE:

5 Yes, thank you, Mr. President and members of the Senate. House
6 Bill 3026, Mr. President and members of the Senate, is on 3rd reading
7 on the Calendar. I would like to have leave to have House Bill 3026
8 re-referred to the Committee on Revenue.

9 PRESIDENT:

10 Is there leave? Leave is granted. Senator Daley.

11 SENATOR DALEY:

12 3024.

13 PRESIDENT:

14 3024. Senator Daley on 3rd reading. Read the bill.

15 SECRETARY:

16 House Bill 3024.

17 (Secretary reads title of bill)

18 3rd reading of the bill.

19 PRESIDENT:

20 Senator Daley.

21 SENATOR DALEY:

22 Mr. President and fellow Senators. This is a increase of a
23 minimum wage. As of - after January 1, 1976 the minimum wage would...
24 would go from two dollars and ten cents per hour to two dollars and twenty
25 cents per hour. After January 1, 1977 it would increase from two twenty
26 to two dollars and thirty cents per...per hour. I would ask for a favor-
27 able roll call. There is an amendment on there by Senator Graham.

28 PRESIDENT:

29 Senator Graham.

30 SENATOR GRAHAM:

31 Mr. President, I have spent seventeen years of my legislative
32 life working against this and other types of legislation. I have had
33 the greatest relationship with Senator Daley and Senator Savickas re-
34 garding this. And I'd like for you to listen closely to what this

1 bill does or does not do after the amendment that was adopted last
2 week. And this amendment, I might say, is the result of about three
3 weeks of work on this particular bill. One, all provisions re-
4 lating to time and a half for time and a half a week over forty hours
5 is a deleted. Minimum wage amounts remain the same, but provision
6 providing that wages can't exceed the Federal standards is also in-
7 cluded. People covered under the Act, employers employing less than
8 five full time employees. Agriculture labor was moved back from - to
9 two hundred and fifty from five hundred man days per quarter for non-
10 coverage. Ushers, candy counter attendants, ticket takers and cashiers
11 in motion picture theatres are covered. People who are not covered
12 are employees that were covered under the Fair Labors Standard Act
13 of 1938 heretofore and here and after amended. This is the nuts and
14 bolts of 3024. I have always opposed this, I'm saying this to you.
15 But, I think we've worked out the best agreement that the state level
16 that is possible and perhaps we would be more happy with this Act
17 as amended then we would the imposition of a Federal Government bonus.
18 PRESIDENT:

19 Any further discussion? Senator Smith at Senator Chew's mike.
20 SENATOR SMITH:

21 Mr. President, it's a delightful happening here this evening for
22 me to sit here and observe the stand and the position taken by my friend
23 on the opposite side of the aisle. Something like a year or two ago
24 when young Daley came to the Senate he offered an amendment to this
25 bill and I set there trembling. The old timers here will remember...
26 will recall the fact that I passed the minimum wage law here in the
27 State of Illinois and Illinois was the last large industrial State in
28 this nation to finally exceed to the Minimum Wage Act. I recall how
29 gleefully my friend voted against me back there. I've lived many
30 years and I've seen many changes here in the State of Illinois and
31 tonight I'm gladdened to know that at long last there are those who
32 are seeing the feasibility of doing something for the working man and
33 the working woman and not alone for the vested interest here in the

1 State of Illinois. Your action, my friends, thrills me. We are entering
2 a new day and definitely the twentieth century.

3 PRESIDENT:

4 Senator Daley may close the debate. Pardon me Senator Nimrod
5 has asked to speak. Senator Nimrod.

6 SENATOR NIMROD:

7 Yes, Mr. President, I've spent a few years here on this Labor
8 and Industry Committee and I...I, too, want to join with Senator Graham
9 and thank you, Senator Daley and Senator Savickas for working out a
10 compromise that we can support, and I think with these kind of relations
11 ships when we get into them that it certainly makes it workable and
12 I hope that we can approach reasonable legislation that certainly can
13 result the benefit of our citizens.

14 PRESIDENT:

15 Senator Hickey.

16 SENATOR HICKEY:

17 Mr. President, I'd like to ask Senator Daley since I'm interested
18 in the Minimum Wage Law, too and I'm glad that part of this has been
19 amended out. How...

20 PRESIDENT:

21 He indicates he'll yield.

22 SENATOR HICKEY:

23 How this compares with the Federal law in figures and also whether
24 waiters and waitresses are exempt?

25 PRESIDENT:

26 Senator Daley.

27 SENATOR DALEY:

28 I think it's about ten cents or fifteen cents lower than the
29 Federal standards.

30 PRESIDENT:

31 Any further discussion? Senator Daley may close the debate.

32 SENATOR DALEY:

33 I'd ask for a favorable roll call.

1 PRESIDENT:

2 The question is shall House Bill 3024 pass. Those in favor vote
3 Aye. Opposed Nay. The voting is open. Have all voted who wish?
4 Take the record. On this question the Ayes are 52, the Nays are none,
5 with 1 Voting Present. House Bill 3024 having received a constitutional
6 majority is declared passed. Is there leave...leave to go to the order
7 of Messages from the House for the purpose of a bill. Leave is granted.

8 SECRETARY:

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

10 Mr. President - I am directed to inform the Senate that the
11 House of Representatives has passed a bill with the following title,
12 in the passage of which I am instructed to ask the concurrence of the
13 Senate, to-wit:

14 House Bill 3096.

15 PRESIDENT:

16 Senator Hynes. Senator Hynes. Senator Hynes is recognized.

17 SENATOR HYNES:

18 Well, Mr. President, this bill is the authorization bill for the
19 Capital Program and it is an emergency bill and I would move that it
20 be read a first time and advance to the order of 2nd reading without
21 reference to committee.

22 PRESIDENT:

23 Is there leave? Leave is granted. Read the bill.

24 SECRETARY:

25 House Bill 3096.

26 (Secretary reads title of bill)

27 1st reading of the bill.

28 PRESIDENT:

29 2nd reading. Senator Bruce.

30 SENATOR BRUCE:

31 I left my name down to pick that bill up, 3096. House sponsor,
32 I think, concurs in that.

33 PRESIDENT:

1 Well, can you and Senator Hynes work that out? We were under
2 the impression that Senator Hynes was picking up the bill.

3 SENATOR BRUCE:

4 Well, fine, we'll work it out, then.

5 PRESIDENT:

6 Fine. Message from the House.

7 SECRETARY:

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

9 Mr. President - I am directed to inform the Senate that the
10 House of Representatives has refused to concur with the Senate in the
11 adoption of their amendments to the following bills:

12 House Bill 119 with Senate Amendment No. 1. Senator Schaffer is
13 the chief sponsor.

14 House Bill No. 222 with Senate Amendments 2 and 3. Senator
15 Newhouse is the chief sponsor.

16 House Bill No. 829 with House...Senate Amendment No. 1. Senator
17 Don Moore is the chief sponsor.

18 House Bill No. 1366 with Senate Amendments 1, 2, 3 and 4. Senator
19 Wooten is the chief sponsor.

20 House Bill No. 2160 with Senate Amendment No. 1. Senator Brady
21 is the chief sponsor.

22 House Bill No. 2558 with Senate Amendment No. 1. Senator Hynes
23 is the chief sponsor.

24 House Bill No. 2852 with Senate Amendments 1 and 2. Senator
25 Berning is the chief sponsor.

26 PRESIDENT:

27 All to the Secretary's Desk. On the order of Conference Committee
28 Reports. You have a mimeographed sheet or exerox sheet of the Conferen
29 Committee Reports. The first one is Senate Bill 24.

30 SECRETARY:

31 Conference Committee Report on Senate Bill No. 24. Those members
32 on behalf of the Senate were Senator Wooten, Senator Kenneth Hall,
33 Senator Vadalabene and Senator Berning.

1 PRESIDENT:

2 Senator Wooten.

3 SENATOR WOOTEN:

4 Mr. President, a matter has come up relative to this bill which
5 is...leaves the whole question of the validity of this bill in limbo.
6 We have passed other legislation which would...well, might make it
7 necessary to change this bill from an amendment to a new act. I'd...I'd
8 like leave to just let this sit for awhile until we find out what's going
9 on.

10 PRESIDENT:

11 Take it out of the record. Senator Bill 57.

12 SECRETARY:

13 Conference Committee Report on Senate Bill 57. Those members
14 named on behalf of the Senate were Senator Kosinski, Course, Morris,
15 Glass and Howard Mohr.

16 PRESIDENT:

17 Senator Kosinski.

18 SENATOR KOSINSKI:

19 Mr. President and members of the Senate, I wish that yeah, it
20 probably does...this late...I wish to concur with...have the Body concur
21 with the report and amend...

22 PRESIDENT:

23 Senate Bill...

24 SENATOR KOSINSKI:

25 ... Senate Bill 57 to approve and...

26 PRESIDENT:

27 Senator Kosinski moves to adopt the Conference Committee Report.
28 Any discussion? Senator Berning.

29 SENATOR BERNING:

30 Just one question. My understanding of the original bill as it
31 left the Senate was that it provided for a complete prohibition of the
32 use of studded tires. Does this now then provide some partial use of
33 studded tires?

34 PRESIDENT:

35 Senator Kosinski.

1 SENATOR KOSINSKI:

2 Yes, it does.

3 PRESIDENT:

4 The question is shall the Senate adopt the Conference...Senator
5 Latherow.

6 SENATOR LATHEROW:

7 Well, I'm wondering, Mr. President, with neumatic tires with metal
8 studs until April 1, 1976 and thereafter. This prohibition shall not
9 apply to neumatic tires with metal studs used on vehicles operators. Is
10 this still include the mail carriers that are still able to use them?

11 PRESIDENT:

12 Senator Kosinski.

13 SENATOR KOSINSKI:

14 Yes, it does.

15 PRESIDENT:

16 The question is shall the Senate adopt the Conference Committee
17 Report on Senate Bill 57. Those in favor vote Aye. Those opposed vote
18 Nay. The voting is open. Have all voted who wish? Take the record.
19 On this question, the Ayes are 52, the Nays are 2, with none Voting
20 Present. The Senate adopts the Conference Committee Report on Senate
21 Bill 57, and the bill having received having received the required
22 constitutional majority is declared passed. Senate Bill 66.

23 SECRETARY:

24 Conference Committee Report on Senate Bill 66. Those members
25 named on the part of the Senate were Senators Graham, Don Moore, Savickas
26 Dougherty and Rock.

27 PRESIDENT:

28 Senator Graham.

29 SENATOR GRAHAM:

30 This is the Conference Committee Report on 66. Mr. President
31 and members of the Senate. Senate Bill 66 originally dealt with the
32 annexation of some property belonging to the Palatine Elementary
33 School District in Palatine Township. Had no problem with that, the

1 Metropolitan Sanitary District agreed. Then, Senator Don Moore had a
2 problem in Hazel Crest with some property down there that should've
3 been annexed and this bill was the vehicle. I acceded to his request
4 and we adopted that. It got over into the House and there was
5 another problem down close to Senator Don Moore's area dealing with...
6 with a part of, forgotten which township, in southern Cook County that
7 needed and wanted to be in the Metropolitan Sanitary District and they were
8 willing to accept them. This is the result of the Committee on Con-
9 ference and I move for a favorable consideration of this report.

10 PRESIDENT:

11 Any discussion? The question is shall the Senate adopt the
12 Conference Committee Report on Senate Bill 66. Those in favor vote
13 Aye. Those opposed vote Nay. The voting is open. Have all voted who
14 wish? Take the record. On this question, the Ayes are 49, the Nays
15 are none, with none Voting Present. The Senate adopts the Conference
16 Committee Report on Senate Bill 66, and the bill having received the
17 required constitutional majority is declared passed. Senate Bill 69.

18 SECRETARY:

19 Conference Committee Report on Senate Bill 69. Those members
20 named on part of the Senate were Senator Dougherty, Welsh, Vadal-
21 abene, Soper and Latherow.

22 PRESIDENT:

23 Senator Vadalabene. Senator Vadalabene. On the Conference
24 Committee Report on Senate Bill 69, Sir. Do you move to adopt the
25 Conference Committee Report?

26 SENATOR VADALABENE:

27 Yes, I move to adopt the Conference Committee Report.

28 PRESIDENT:

29 Any questions? Any further discussion? The question is shall
30 the Senate adopt...Senator Bruce.

31 SENATOR BRUCE:

32 Can we have a brief explanation of what the controversy was and
33 how it was resolved?

1 PRESIDENT:

2 That is why I say, any further discussion? Senator Vadalabene.

3 SENATOR VADALABENE:

4 Yes, in the Conference Committee Report we removed the...the amendment
5 where they could have an option to purchase over ten acres of land.
6 However, the...the amendment where it could be received as a gift was
7 remained intact. And the second amendment took Cook County completely
8 out of the...it was the second amendment took Cook County out of the...
9 out of the bill.

10 PRESIDENT:

11 Senator Dougherty.

12 SENATOR DOUGHERTY:

13 Yes, thank you. I would like to ask for a Second Conference
14 Committee on this for the reason there has been an error, inadvertent.
15 We would like to straighten it out.

16 PRESIDENT:

17 Senator Vadalabene.

18 SENATOR VADALABENE:

19 Yes, I agree with Senator Dougherty's wishes.

20 PRESIDENT:

21 Senator Dougherty moves to nonconcur in the Conference Committee
22 Report and ask that a Second Conference Committee be appointed. All
23 in favor will say Aye. Opposed Nay. The Ayes have it. And the House
24 shall be so informed. Senate Bill 184.

25 SECRETARY:

26 Senate Bill 184. The Conference Committee Report on Senate Bill 184.
27 Those named on part of the Senate were Senators Netsch, Joyce, Buzbee,
28 Berring and Schaffer.

29 PRESIDENT:

30 Senator Schaffer.

31 SENATOR SCHAFFER:

32 The change that the Conference Committee Report brings about
33 changes the delegation of duty instituted in this bill which relates

1 to designating salaries for our secretaries in our home offices from
2 the Speaker of the House to the House Rules Committee. We caught this
3 after the...it was too late to do anything other than the Conference
4 Report. I believe it's at the behest of the Speaker. It puts the
5 shape...the bill in real good shape, I believe.

6 PRESIDENT:

7 Any further discussion? The question is shall the Senate adopt
8 the Conference Committee Report on Senate Bill 184. Those in favor
9 vote Aye. Opposed Nay. The voting is open. Have all voted who
10 wish? Take the record. On this question, the Ayes are 45, the
11 Nays are 3, with none Voting Present. The Senate adopts the Conference
12 Committee Report on Senate Bill 184, and the bill having received the re-
13 quired constitutional majority is declared passed. For what purpose
14 do you arise, Senator Bruce? Senator Bill 211.

15 SECRETARY:

16 Conference Committee Report on Senate Bill 211. Those named
17 on the part of the Senate were Senators Dougherty, Davidson, Welsh,
18 Kenneth Hall and Soper.

19 PRESIDENT:

20 Senator Davidson.

21 SENATOR DAVIDSON:

22 Mr. President and members of the Senate, I move to adopt the
23 Conference Committee Report on Senate Bill 211, and the Conference
24 Committee recommended that the Senate concur in House Amendment No.
25 1 to this bill. And House Amendment No. 1 did two things. It put an
26 automatic repealer date in the correct place in the bill. This bill
27 will automatically repeal July 1st, 1977 and it excludes all counties of
28 one million or more.

29
30
31
32 (continued next page)
33

1 PRESIDENT:

2 Any discussion? The question is shall the Senate adopt the Con-
3 ference Committee Report on Senate Bill 211. Those in favor vote
4 Aye.. Those opposed vote Nay. The voting is open. Have all voted who
5 wish? Take the record. On that question, the Ayes are 45, the Nays
6 are 6, with 2 Voting Present. The Senate adopts the Conference
7 Committee Report on Senate Bill 211, and the bill having received a
8 constitutional majority is declared passed. Senate Bill 295.

9 SECRETARY:

10 Conference Committee Report on Senate Bill 295. The Committee
11 named on the part of the Senate were Senators Dougherty, Welsh, Daley,
12 Shapiro and Berning.

13 PRESIDENT:

14 Senator Dougherty.

15 SENATOR DOUGHERTY:

16 Thank you, Mr. President. I move the Senate concur in the...in
17 the Conference Committee Report.

18 PRESIDENT:

19 Any discussion? Senator Morris.

20 SENATOR MORRIS:

21 Senator Dougherty, this says in the Conference Committee Report
22 that I have here that it strikes everything after the enacting clause
23 and inserts all of this new language to deal with the Pension System.
24 Could you give me an idea of what this means?

25 PRESIDENT:

26 Senator Dougherty.

27 SENATOR DOUGHERTY:

28 What it means is this, is that this amendment was put on in the
29 House at the behest of several members; it provides for partici-
30 pation of the General Assembly Pension Fund by all these people that
31 have been reported out and employed by other areas of municipal govern-
32 ment. That's all it does. Now, further...wait a minute. Further,
33 there is a...a part of that bill provided for a one percent increment

1 in the Pension Funds. This is stricken and also the money bill that
2 provides it has also been stricken for the reason that if they add
3 this, it will be entirely too costly.

4 PRESIDENT:

5 Senator Morris.

6 SENATOR MORRIS:

7 In other words, if somebody were an alderman or something before
8 he came down here, this let's him buy into this fund for credit for
9 that time? Okay, thank you very much.

10 PRESIDENT:

11 Any further discussion? The question is...the question is shall
12 the Senate adopt the Conference Committee Report on Senate Bill 295.
13 Those in favor vote Aye. Those opposed vote Nay. The voting is open.
14 Have all voted who wish? Take the record. On this question, the
15 Ayes are 46, the Nays are 5, with none Voting Present. The Senate
16 adopts the Conference Committee Report on Senate Bill 295, and the
17 bill having received the required constitutional majority is declared
18 passed. For what purpose does Senator McCarthy arise?

19 SENATOR MCCARTHY:

20 On a point of personal privilege, Mr. President.

21 PRESIDENT:

22 State your point, Senator McCarthy.

23 SENATOR MCCARTHY:

24 Mr. President and members of the Body, we are...or I am pleased
25 to have as a observer in the Gallery a person known to some of the
26 members on...in this Body as well as other people in State Government,
27 Mr. Robert Waddel, a distinguished citizen from Illiopolis who is a
28 public member of the Illinois Commission of Economic Development. With
29 him is his lovely wife, Mary, they're seated over in the east Gallery
30 in behind the President's Chambers. I just wondered if the Senate
31 would recognize Mr. and Mrs. Waddel's presence.

32 PRESIDENT:

33 Will you rise and be recognized by the Senate. Senate Bill 298.

1 SECRETARY:

2 Conference Committee Report on Senate Bill 298. The Committee on
3 the part of the Senate were Senators Ozinga, Welsh, Demuzio, Soper,...

4 PRESIDENT:

5 Senator Ozinga. You don't need to read them all. Senator Ozinga.

6 SENATOR OZINGA:

7 Mr. President and members of the Committee, I would recommend
8 that we adopt the Conference Committee Report to Senate Bill 298,
9 which recommends that the House recede from the House Amendment No. 1
10 to Senate Bill 298.

11 PRESIDENT:

12 Any discussion? The question is shall the Senate adopt a
13 Conference Committee Report on Senate Bill 298. Those in favor vote
14 Aye. Opposed Nay. The voting is open. Have all voted who wish?
15 Take the record. On that question the Ayes are 57, the Nays are 1,
16 with none Voting Present. The Senate adopts the Conference Committee
17 Report on Senate Bill 298. And the bill having received the required
18 constitutional majority is declared passed. Senate Bill 355, Senator
19 Knuppel.

20 SECRETARY:

21 Conference Committee Report on Senate Bill 355.

22 SENATOR KNUPPEL:

23 Mr. President, the Conference Committee report corrects a mistake
24 on the part of the House. When they amended the bill to provide that
25 the entire Board of Directors could be replaced by filling vacancies
26 within a one year period from the time of election of directors to
27 the next time, and now provides that thirty three and one third percent
28 of the board may be so replaced by the remaining members of the board.
29 I move the adoption of the Conference Committee Report.

30 PRESIDENT:

31 Any questions? Any discussion? The question is shall the Senate
32 adopt the Conference Committee Report on Senate Bill 355. Those in
33 favor vote Aye. Opposed No. The voting is open. Have all voted

1 who wish? Take the record. On this question the Ayes are 53, the Nays
2 are 1, with none Voting Present. The Senate adopts the Conference
3 Committee Report on Senate Bill 355, and the bill having received
4 the required constitutional majority is declared passed. Senate Bill
5 418, Senator Demuzio.

6 SENATOR DEMUZIO:

7 Yes, I'd like to move that the...we confer in the amendment over from
8 the House. What it actually does it provides for the Executive Sec-
9 retary of the Comprehensive Health Plan Agency which is going into the
10 Department of Public Health to be confirmed by the Senate.

11 PRESIDENT:

12 Any further discussion? The question is shall the Senate adopt
13 the Conference Committee Report on Senate Bill 418. Those in favor
14 vote Aye. Those opposed vote Nay. The voting is open. Have all voted
15 who wish? Take the record. On this question, the Ayes are 54, the
16 Nays are none, with none Voting Present. The Senate does adopt the
17 Conference Committee Report on Senate Bill 418, and the bill having
18 received the required constitutional majority is declared passed.
19 Senate Bill 419, Senator McCarthy.

20 SENATOR MCCARTHY:

21 I'd yield to Senator Morris on this.

22 PRESIDENT:

23 Senator Morris is recognized.

24 SENATOR MORRIS:

25 This Conference Committee Report corrects a problem we put an
26 amendment on in the Senate. They put an amendment on in the House and
27 we had to change one word. The only way to correct that was in Con-
28 ference Committee and this does it. I'll answer any questions. A
29 roll call...

30 PRESIDENT:

31 Any further discussion? The question is shall the Senate adopt
32 the Conference Committee Report on Senate Bill 419. Those in favor
33 vote Aye. Opposed Nay. The voting is open. Have all voted who wish?

1 Take the record. On this question the Ayes are 48, the Nays are 3,
2 with 1 Voting Present. The Senate does adopt the Conference Committee
3 Report on Senate Bill 419, and the bill having received the required
4 constitutional majority is declared passed. Senate Bill 638, Senator
5 Donnewald. Senate Bill 642, Senator Netsch.

6 SENATOR NETSCH:

7 Mr. President, I move adoption of the Conference Committee Report
8 on Senate Bill 642. The Conference Committee recommended that the
9 House recede from the amended amendment that it had attached. The
10 amendment provided a hearing procedure with respect to the termination
11 of additional controlled substances. That hearing procedure had already
12 been incorporated in another bill which has passed and so the amendment
13 itself which was already in improper forms seemed quite superfluous and
14 they agreed to take it out.

15 PRESIDENT:

16 Any further discussion? Senator Morris.

17 SENATOR MORRIS:

18 This has nothing to do with the legalization of marijuana does
19 it, Senator Netsch?

20 PRESIDENT:

21 Senator Netsch.

22 SENATOR NETSCH:

23 I'm sorry I did not hear the question.

24 PRESIDENT:

25 Senator Morris.

26 SENATOR MORRIS:

27 This has nothing to do with the legalization of marijuana when
28 we see controlled substances, does it?

29 PRESIDENT:

30 Senator Netsch.

31 SENATOR NETSCH:

32 You are quite correct. It has nothing to do with it.

33 PRESIDENT:

1 Any further discussion? The question is shall the Senate adopt
2 the Conference Committee Report on Senate Bill 642. Those in favor
3 vote Aye. Those opposed vote Nay. The voting is open. Have all voted
4 who wish? Take the record. On this question, the Ayes are 54, the Nays
5 are 1, with none Voting Present. The Senate does adopt the Conference
6 Committee Report on Senate Bill 642, and the bill having received the
7 required constitutional majority is declared passed. Senate Bill 645,
8 Senator Course.

9 SENATOR COURSE:

10 Mr. President, I move to adopt the committee...Conference Committee
11 Report.

12 PRESIDENT:

13 Any discussion? The question is shall the Senate adopt the
14 Conference Committee Report on Senate Bill 645. Those in favor vote
15 Aye. Those opposed vote Nay. The voting is open. Have all voted who
16 wish? Take the record. On this question, the Ayes are 52, the Nays
17 are none, with 2 Voting Present. The Senate does adopt the Conference
18 Committee Report on Senate Bill 645, and the bill having received the
19 required constitutional majority is declared passed. Senate Bill 682,
20 Senator Egan.

21 SENATOR EGAN:

22 A question came up about the bow and arrow season, but I...I move
23 to concur in the Conference Committee Report, Mr. President.

24 PRESIDENT:

25 Senator Bruce.

26 SENATOR BRUCE:

27 Well, Senator Partee, I think you and I have had discussion. This
28 is known as the wild turkey bill and I know you have discussed with me
29 the fact that we can no longer take skunks and I just wanted to know
30 we would...we had wondered who was going to ask the skunks and tell the
31 skunks about the effect of this bill. And I wonder if the skunks are
32 still in here and the wild turkeys. We were going to appoint a committee
33 I know, to tell the skunks about this bill.

34 PRESIDENT:

1 Senator Egan. Senator Egan is recognized.

2 SENATOR EGAN:

3 Would you hold this bill, Mr. President.

4 PRESIDENT:

5 The bill is held. Take it out of the record. Senate Bill...oh,
6 were you kidding. Senator Egan.

7 SENATOR EGAN:

8 The motion, Mr. President and members of the Senate is to concur
9 in the Conference Committee Report on Senate Bill 682.

10 PRESIDENT:

11 The question is shall the Senate adopt the Conference Committee
12 Report on Senate Bill 682. Those in favor vote Aye. Those opposed
13 Nay. The voting is open. Have all voted who wish? Take the record.
14 On this question the Ayes are 47, the Nays are 7, with 2 Voting Present.
15 The Senate does adopt the Conference Committee Report on Senate Bill
16 682, and the bill having received the required constitutional majority
17 is declared passed. Senate Bill 881, Senator Fawell.

18 SENATOR FAWELL:

19 Yes, Mr. President and members of the Senate. The motion is to
20 concur in the Conference Committee Report. This...the questionable
21 aspect of this bill was in regard to recycling sewage waste water
22 affluence by a Forest Preserve District. We've limited this to
23 counties of three hundred thousand and up and I believe that eliminates
24 any objections that anyone has and I move the adoption of the same.

25 PRESIDENT:

26 Any discussion? The question is shall the Senate adopt the
27 Conference Committee Report on Senate Bill 881. Those in favor vote
28 Aye. Those opposed will vote Nay. The voting is open. Have all
29 voted who wish? Take the record. On this question the Ayes are 53,
30 the Nays are none, with 1 Voting Present. The Senate does adopt the
31 Conference Committee Report on Senate Bill 881, and the bill having
32 received the required constitutional majority is declared passed. Senate
33 Bill 911, Senator Philip.

1 SENATOR PHILIP:

2 Thank you, Mr. President and my friends in the Senate. Senate
3 Bill 911 is better known as the Flat Dog Act. A very monumental piece
4 of legislation, and all it does is put the Conference Committee Report -
5 all it does is put the veterinarians back in. I hope that you'll all
6 give me a green vote, because the Humane Society has got its beady
7 eyes on all of you people. Thank you.

8 PRESIDENT:

9 Senator Sommer.

10 SENATOR SOMMER:

11 Well, first of all, Mr. President and members of the Body, I'm
12 surprised that a Senator of the quality of Senator Morris would sign the
13 Flat Dog Act. He's on the Conference Committee Report. But, secondarily
14 ...this is a serious question. Does this affect cattle and other animals
15 that are not under the Animal Control Act? I never could get that
16 straightened around.

17 PRESIDENT:

18 Senator Philip.

19 SENATOR PHILIP:

20 It does not.

21 SENATOR SOMMER:

22 In other words...

23 PRESIDENT:

24 Senator Sommer...

25 SENATOR SOMMER:

26 ...you know, if the cattle...cow is branded in its hip they
27 don't have to report it.

28 PRESIDENT:

29 Senator Philip.

30 SENATOR PHILIP:

31 Well, I haven't run any cattle over lately, but that is correct.

32 PRESIDENT:

33 Any further discussion? Senator Morris.

34 SENATOR MORRIS:

35 I'd...I'd like to rise in support of this Conference Committee Report

1 After many hours of work Senator Philip and I were able to work out an
2 acceptable Flat Dog Act, and I think this is now an excellent piece of
3 legislation.

4 PRESIDENT:

5 The question is shall the Senate adopt the Conference Committee
6 Report on Senate Bill 911. Those in favor vote Aye. Opposed vote Nay.
7 The voting is open. Have all voted who wish? Take the record. On
8 this question, the Ayes are 46, the Nays are 7, with 1 Voting Present.
9 Senate Bill 911 having...no. The Senate does adopt the Conference
10 Committee Report on Senate Bill 911, and the bill having received the
11 required constitutional majority is declared passed. Senate Bill 944,
12 Senator Moore. Howard Mohr. No, pardon me. Senator Don Moore.

13 SENATOR MOORE:

14 Thank you, Mr. President and members of the Senate. Senate Bill
15 944 was amended in the House on the Floor. It was an amendment that was
16 suggested by the Department of Public Health that I agreed to. However,
17 when they drew the amendment they used the original Senate Bill and
18 not the Senate Bill as amended. As a result, the lines they struck were
19 the wrong lines so I nonconcluded in that amendment. We have now taken
20 the same language and put it in the proper place in the bill. This bill
21 as amended does not have any opposition from the Department of Public
22 Health, and I would move that the Senate do concur in Conference
23 Committee Report on Senate Bill 944.

24 PRESIDENT:

25 Senator Buzbee.

26 SENATOR BUZBEE:

27 A question of the sponsor. The Conference Committee Report gives
28 the language and fortunately I do not have the bill in front of me.
29 It says, having a clear and direct affect on the policy administration
30 or fiscal impact of the Illinois Department of Public Aid. What's
31 the first part of that sentence.

32 PRESIDENT:

33 Senator Don Moore.

34 SENATOR MOORE:

35 The bill as it originally left this House said that the Department

1 shall consult with the Legislative Advisory and this was the objectionable
2 part. On all matters relating to the Policy Administration of Programs
3 et cetera. The Department of Public Health felt that this was much too
4 broad. I agreed with them, so we...they drew the amendment stating
5 that they shall meet with the LAC on all matters having a clear and
6 direct affect on the Policy Administration or fiscal impact of the
7 Illinois Department of Public Aid.

8 PRESIDENT:

9 Any further...Senator Buzbee.

10 SENATOR BUZBEE:

11 Well, I...I'm sorry, again, I'm taking out of context and I'm
12 trying to put in the last part of the sentence with your description.
13 This now says that the...in...in four or five brief words, what does
14 this say?

15 PRESIDENT:

16 Senator Bruce, for what purpose do you arise?

17 SENATOR BRUCE:

18 I don't want to interrupt and I signed this Conference Committee
19 Report, but I think there's typographical error. I think the last
20 sentence should read - having fiscal impact on the Illinois Department
21 of Public Aid, not of the Illinois Department of Public Aid. I...I just
22 pointed that out to Senator Moore. I signed it and didn't catch the
23 typo earlier and before we adopt it, perhaps, it should be redone. I...
24 whatever you wish. I'd move...are there any other questions?

25 PRESIDENT:

26 Senator Buzbee.

27 SENATOR BUZBEE:

28 Well, again, I...I do not mean to be disruptive, I just would like
29 to have a very brief explanation of exactly what this means now.

30 PRESIDENT:

31 Senator Don Moore.

32 SENATOR MOORE:

33 Senator Buzbee, under the present law, the Department of Public
34 Aid shall consult with the Legislative Advisory Committee on Public

1 Aid on all patterns...or on all matters of policy and administration.
2 We have found that there are four other code departments: The Illinois
3 Department of Public Health; the Illinois Department of Labor; the
4 Illinois Department of Mental Health and Developmental Disabilities; the
5 Dangerous Drug Commission and the Illinois Department of Children and
6 Family Services who, because Public Aid is the single State administering
7 agency Federal funds have to go through that agency. We have found that
8 there are actions taken by these other code departments that have a direct
9 fiscal impact on the Department of Public Aid. So, therefore, we say
10 that the aforementioned code department shall meet with the committee
11 and advise the...and the committee shall advise the departments and
12 commissions on all matters having a clear and direct affect on the
13 Policy Administration or Fiscal Impact of the Department, Illinois
14 Department of Public Aid.

15 PRESIDENT:

16 Any further discussion? The question is shall the Senate adopt
17 the Conference Committee Report on Senate Bill 944. Those in favor
18 vote Aye. Those opposed vote No. The voting is open. Have all voted
19 who wish? Take the record. The question is...pardon me. On this
20 question the Ayes are 52, the Nays are 2, with 1 Voting Present. The
21 Senate does adopt the Conference Committee Report on Senate Bill 944,
22 and the bill having received the required constitutional majority is
23 declared passed.

24 PRESIDING OFFICER: (SENATOR CARROLL)

25 Senate Bill 1118, Senator Berning.

26 SENATOR BERNING:

27 Thank you, Mr. President. Senate Bill 1118 was amended with an
28 agreed amendment in the House adding in the Commission on Urban Educa-
29 tion, when it arrived here for concurrence there was discovered a
30 technical error and that was the reason for the Conference Committee.
31 That error has been corrected. The Conference Committee, now, recommends
32 adoption of this report. And I move for the adoption, Mr. President.

33 PRESIDING OFFICER: (SENATOR CARROLL)

34 Is there any discussion? Senator Bruce.

1 SENATOR BRUCE:

2 I wonder if you could just tell me the history of the Commission
3 on Urban Education, why was it incorporated in the Deaf and Hearing
4 Commission. What...what happened to that in the House and why are we
5 resurrecting it in this bill?

6 PRESIDING OFFICER: (SENATOR CARROLL)

7 I assume that was not a question of the Chair, but a question of
8 the sponsor.

9 SENATOR BRUCE:

10 A question of the sponsor, yes.

11 PRESIDING OFFICER: (SENATOR CARROLL)

12 He indicates he will yield. Senator Berning.

13 SENATOR BERNING:

14 Thank you, Senator. Purely and simply, Senator Bruce, the Chair-
15 man of the Urban Education Commission was derelict, he did not get a
16 bill filed...did not get an independent bill filed for the reestablish-
17 ment of this ongoing commission and sought leave of the Chairman of
18 the Urban Education Commission to attach an amendment to this commission
19 bill providing for the two commissions which are, of course, indepen-
20 dent commissions. This is not an unusual practice, but it is a bit
21 irregular and I understand your question.

22 PRESIDING OFFICER: (SENATOR CARROLL)

23 Any further discussion? The question is shall the Senate adopt
24 the Conference Committee Report on Senate Bill 1118. Those in favor
25 vote Aye. Those opposed Nay. The voting is open. Have all voted who
26 wish? Take the record. On that question, the Ayes are 49, the Nays
27 are 2 and none Voting Present. And the Senate does adopt the Conference
28 Committee Report on Senate Bill 1118. The bill having received the
29 required constitutional majority is hereby declared passed. Senator
30 Partee, for what purpose do you arise?

31 SENATOR PARTEE:

32 Let the record show that had I been at my desk at the moment
33 and pushed the right button I would have not pushed the green button

1 on this bill. I had intended to ask for nonconcurrency, as a matter of
2 fact.

3 PRESIDING OFFICER: (SENATOR CARROLL)

4 Okay. Senator Vadalabene on House Bill 221. One moment. Senator
5 Morris, for what purpose do you arise?

6 SENATOR MORRIS:

7 Having voted on the prevailing side on Senate Bill 1118 I would
8 move to reconsider the vote by which it passed.

9 PRESIDING OFFICER: (SENATOR CARROLL)

10 Senator Morris moves to reconsider the vote by which Senate Bill
11 1118 passed. Any discussion? Senator Partee.

12 SENATOR PARTEE:

13 Yes. This is a bill which I had not had the chance to talk about.
14 The bill went over for a very simple thing like a...well, it related
15 to the deaf school and came back with something related entirely different
16 from the subject matter and I'd like to have leave to argue this to-
17 morrow. I don't want to take the time tonight. But, I think this is
18 ...it's abusive legislative process, I think, to put in entirely new
19 and different subject. I am sure that Senator Berning did not do it
20 purposely, he probably accepted that amendment to get his bill out, and
21 I can certainly understand that. But by the same token I think that on
22 entirely new situation and entirely new subject should not have been
23 engrafted on that bill. It's certainly not germane at all, and if
24 those members of the House who wanted that bill in, they should have
25 put that bill in and passed it as an...independent product where we could
26 have argued it, debated it, and I want to argue the motion tomorrow.

27 PRESIDING OFFICER: (SENATOR CARROLL)

28 Do you wish to reconsider now and then vote on the concurrence
29 tomorrow?

30 SENATOR PARTEE:

31 Yes, I'd like to do that.

32 PRESIDING OFFICER: (SENATOR CARROLL)

33 All right, the motion...Senator Latherow.

1 SENATOR LATHEROW:

2 Thank you, Mr. President. Welcome, Senator Partee, to Senator
3 Ozinga and my club on that bill.

4 PRESIDING OFFICER: (SENATOR CARROLL)

5 The motion is on the motion of Senator Morris to reconsider the
6 vote by which the Senate adopted the Conference Committee Report on
7 Senate Bill 1118. All in favor say Aye. Opposed Nay. The Ayes have
8 it, and the vote is reconsidered. The Conference Committee is before
9 the Senate and will be called tomorrow. Senator Vadalabene on House
10 Bill 221.

11 SENATOR VADALABENE:

12 Yes, I move to adopt the Committee Report on House Bill 221.

13 PRESIDING OFFICER: (SENATOR CARROLL)

14 Is there any discussion? Senator Bruce.

15 SENATOR BRUCE:

16 I...I'm sorry. I don't even have this Conference Committee on
17 my desk and...

18 PRESIDING OFFICER: (SENATOR CARROLL)

19 The Secretary informs me they have been distributed.

20 SENATOR BRUCE:

21 Well...

22 PRESIDING OFFICER: (SENATOR CARROLL)

23 Some of the members say the Secretary's...

24 SENATOR BRUCE:

25 Several members don't have it. I don't know whether it's...why
26 don't we hold. Well, the sponsor has that option. I...I just don't
27 have it. If he can give me more complete explanation, perhaps we can
28 roll with it.

29 PRESIDING OFFICER: (SENATOR CARROLL)

30 Senator Rock, for what purpose...

31 SENATOR ROCK:

32 Well, we...we have handled the Senate Bills in Conference Committee
33 I...frankly, some of the House Bills just...just got over here. I

1 don't that there's any immediate rush to move these aside.

2 PRESIDING OFFICER: (SENATOR CARROLL)

3 All right. We have completed the list of Conference Committee Reports
4 that have been approved by leadership on Senate Bills except for where the
5 sponsor is not here or the one that has been reconsidered. We can, if
6 you prefer instead of doing the House Bills on which we have Conference
7 Committee Reports - there's still some bills on the Secretary's Desk.
8 Senator Wooten, for what purpose do you arise?

9 SENATOR WOOTEN:

10 We don't have a copy of 221. We do have copies of some on that
11 second list on the right hand column. 600, 601, for example, 1146...

12 PRESIDING OFFICER: (SENATOR CARROLL)

13 With leave of the Body we will go to the Secretary's Desk. There
14 are still some people who want to hold those, they haven't had the
15 chance to read them over. Senator Bruce, for what purpose do you arise?

16 SENATOR BRUCE:

17 Well, since we've concluded and if I could have Senator Partee's
18 attention, I would like to commend him for the procedure that we have
19 adopted on Conference Committee Reports. Each one of those...have been
20 distributed to the members. I, myself had a chance to take a look and I
21 think I see a lot of other people...in fact, when we got to 221 that we
22 didn't have it, the process immediately starts to break down when members
23 don't know what is going on, and I commend him for instituting the new
24 policy. I was here for four years, which we never got to Conference
25 Committee Report, never saw it. A member would stand up and if ten
26 people had signed it, or five in this Body that signed it knew what
27 was going on, the rest of them did it...did not and I commend him for
28 distributing them and if they're not on our desks, I think we ought to
29 follow that policy. It takes us...we cleared a lot of stuff off the
30 Calendar that would have taken hours if we had the Conference Committee
31 Reports in front of us.

32 PRESIDING OFFICER: (SENATOR CARROLL)

33 Your point is well taken. With leave of the Body we will return

1 to the order of Secretary's Desk. And on the Secretary's Desk, Senate
2 Bill 348, Senator Course. On House Amendment No. 1 on...hold it.
3 Senator Don A. Moore on Senate Bill 555. Senator Don Moore.

4 SENATOR MOORE:

5 Thank you, Mr. President. I would move that the Senate nonconcur
6 in Amendment No. 1, Amendment No. 3, Amendment No. 4 and Amendment No. 5
7 to Senate Bill 955.

8 PRESIDING OFFICER: (SENATOR CARROLL)

9 In other words all of the amendments, Senator Moore.

10 SENATOR MOORE:

11 That is correct.

12 PRESIDING OFFICER: (SENATOR CARROLL)

13 All right, Senator Moore moves that the Senate nonconcur in House
14 Amendments 1, 3, 4 and 5 to Senate Bill 555. All those in favor say
15 Aye. The opposed Nay. The Ayes have it. The motion carries and the
16 Secretary will so inform the House. Senate Bill 683, Senator Egan.
17 The Division of Water Research Management, the Amendments 1, 2, 3 and
18 4.

19 SENATOR EGAN:

20 I...I haven't looked at it, Mr. President.

21 PRESIDING OFFICER: (SENATOR CARROLL)

22 I will hold. Senator Regner on Senate Bill 860. Senator Regner.

23 SENATOR REGNER:

24 Yes, Mr. President and members of the Senate. House Amendment 1
25 to Senate Bill 860 is a little over a six percent reduction in the re-
26 quest to the Appropriations for the Illinois Economic and Fiscal
27 Commission, and I move that we do concur in House Amendment No. 1.

28 PRESIDING OFFICER: (SENATOR CARROLL)

29 Senator Regner moves that we concur with House Amendment No. 1
30 to Senate Bill 860. Is there any discussion? The question is shall
31 the Senate concur in House Amendment No. 1 to Senate Bill 860. Those
32 in favor vote Aye. Those opposed Nay. The voting is open. Have all
33 voted who wish? Take the record. On that question the Ayes are 54,

1 the Nays are none and none Voting Present. The Senate does concur in
2 House Amendment No. 1 to Senate Bill 860. The bill having received the
3 required constitutional majority is hereby declared passed. Senator
4 Welsh on Senate Bill 1492. Senator Welsh.

5 SENATOR WELSH:

6 Mr. President, I move that this Body concur with House Amendment
7 No. 2 to Senate Bill 1492. It is a technical amendment that merely
8 corrects totals under the appropriation bill.

9 PRESIDING OFFICER: (SENATOR CARROLL)

10 Is there any further discussion? Senator Welsh moves that the
11 Senate concur with House Amendment No. 2 to Senate Bill 1492. Those
12 in favor vote Aye. Those opposed Nay. The voting is open. Have all
13 voted who wish? Take the record. On that question, the Ayes are 54,
14 the Nays are none and none Voting Present. The Senate does concur in
15 House Amendment No. 2 to Senate Bill 1492, and the bill having received
16 the required constitutional majority is hereby declared passed.

17 (Maching cut off) Kosinski on Senate Bill 1496. Senator Kosinski.

18 SENATOR KOSINSKI:

19 Mr. President and members of the Senate. This has...this bill has
20 six amendments. It takes a little long to explain and I wish to wait til
21 tomorrow.

22 PRESIDING OFFICER: (SENATOR CARROLL)

23 All right. Senator Course, did you want 348, or no. Still hold.
24 Senator Buzbee, for what purpose do you arise?

25 SENATOR BUZBEE:

26 Mr. President, I would ask leave to go to the order of motions.

27 PRESIDING OFFICER: (SENATOR CARROLL)

28 Do we have leave to go to the order of motions for the purpose of
29 advancing...

30 SENATOR BUZBEE:

31 Mr. President, on House Bill 3064 which I understand was read a
32 first time today. That's a transfer of funds that Senator Weaver and
33 Senator Hynes by line item. We discussed this in the Appropriations
34 Committee this morning and I understand it was given to the Committee

1 on the Assignment of Bills, and I would now move to discharge that
2 Committee and move it immediately to the order of 2nd reading.

3 PRESIDING OFFICER: (SENATOR CARROLL)

4 Senator Buzbee moves to discharge the Committee on Assignment
5 of Bills as to House Bill 3064 and advance that to the order of 2nd
6 reading. Is there leave? Leave having been granted the bill will be
7 placed on the order of 2nd reading. Have the members had a chance to
8 look over the Conference Committee Report on House Bills? Senator Bell,
9 do you have...you don't have 221? Do you have 496? We're trying to
10 determine what is and isn't out. I'm just talking to Senator Bell.
11 We will be at ease for a moment. Is there any further business to
12 come before the Senate? Senator Clarke, for what purpose do you arise?

13 SENATOR CLARKE:

14 I have a motion on the Secretary's Desk.

15 PRESIDING OFFICER: (SENATOR CARROLL)

16 I believe there is such a motion. Senator Latherow, for what
17 purpose did you arise? Will you...are you willing to yield to Senator
18 Clarke, or...Mr. Secretary, Senator Clarke has a motion...

19 SECRETARY:

20 A Motion in writing.

21 I move that the Committee on Revenue be discharged from
22 consideration of House Bill 3061 and that the bill be read a first
23 time and no...read...yeah by title and placed on the order of 2nd reading
24 Signed, Senator Clarke.

25 PRESIDING OFFICER: (SENATOR CARROLL)

26 Senator Clarke.

27 SENATOR CLARKE:

28I think the motion reads - to be read...placed...to be read a
29 2nd time. Well, Mr...Mr. President, this bill deals with one of the
30 recommendations of the Joint Committee on Property Tax, and it goes
31 along with the assessment bill, House Bill 990 that we passed day before
32 yesterday. This bill creates a joint...a state property tax commission
33 and takes all of the assessment functions away from the Department of
34 Local Government, and places

1 them in a three man commission. This bill came over to the Senate on
2 June 18th and I arose on this Floor the day that came over and stated
3 that I was asking to have the bill placed in the Revenue Committee in
4 case it needed amendment and that I talked to the Chairman, Senator
5 Course, and he agreed to have a meeting. Now, that was nine days ago.
6 PRESIDING OFFICER: (SENATOR BRUCE)

7 Could we have some order, Gentlemen, please. Senator Clarke.

8 SENATOR CLARKE:

9 I have requested almost everyday when we are going to have a
10 meeting. We have not had a meeting. In the light of 990 having passed
11 and affecting the assessments this year, I think that it is imperative
12 that we get started on creating this State Property Tax Commission, a
13 State level agency that will actively supervise this program of assess-
14 ment levels going down to thirty three percent. This bill has had do
15 consideration over the last two years by Joint Committee. That Joint
16 Committee had a meeting just four to five weeks ago and talked at
17 length about the provisions in this bill, as well as the other bills in
18 this program. I think that it is something that we must start now, be-
19 cause, even if we pass the bill, it will give the Governor all summer
20 to appoint the three commissioners, we will come back in October and
21 confirm or deny the appointments and the commission really won't be
22 in effect until the first of next year. If we wait until fall it will
23 take six months that we will lose in getting started on going on this
24 matter. I think it's of vital importance and that's why I've asked
25 for this motion to discharge the committee, so we can consider it on
26 the Floor.

27 PRESIDING OFFICER: (SENATOR BRUCE)

28 Senator Clarke has moved to discharge the committee. Is there
29 discussion? Senator Rock.

30 SENATOR ROCK:

31 Thank you, Mr. President, Ladies and Gentlemen of the Senate.
32 Prior to the motion to adjourn until 9:30 tomorrow morning, which I
33 intend to make immediately upon disposition of this motion, I do, in

1 fact, have a parliamentary inquiry. How many votes are required for this
2 motion to be sustained?

3 PRESIDING OFFICER: (SENATOR BRUCE)

4 It will require thrity votes to discharge the committee from
5 further consideration.

6 SENATOR ROCK:

7 Thank you, Mr. President. Now, speaking to the motion. I rise
8 in opposition to the motion to discharge House Bill 3061. If the
9 members would just look in the digest and just read the head note, your
10 can understand the absolute signifiacnce of this piece of legislation.
11 And it says there, it does not take effect until January 2, 1976. Now,
12 I had suggested to Senator Clarke when this bill came over that it
13 properly belongs in committee and properly should be subject to hearings,
14 public hearings and study over...over the summer, so that perhaps action
15 could, in fact, be taken in the fall. But to attempt to move this bill,
16 or a bill of this magnitude at this eleventh hour I think is just in-
17 ane. I urge opposition to the motion to discharge.

18 PRESIDING OFFICER: (SENATOR BRUCE)

19 Senator Carroll.

20 SENATOR CARROLL:

21 Thank you, Mr. President. I, too, rise to oppose this motion and
22 for certain specific reasons. As Senator Clarke said, this...this bill
23 came over some eight or nine days ago, as Senator Clarke said and has
24 said on many occasions, this proposition, maybe not this bill, but this
25 proposition is probably one of the major items of legislation that he
26 thinks the Legislature should be addressing itself to and I agree. This
27 is the third committee bill from the House since they got into the three
28 thousand series the third bill on this topic, although the only one
29 to come over to the Senate. They had, I think it was, 3008, they had
30 another one and now this one. I, as an individual member who Vice-
31 chaired the committee that this was assigned to and who served on that
32 joint property Tax Commission have never yet heard any debate on this
33 particular bill. The bill that was before that commission some four or

1 five weeks ago was before they introduced and as they were introducing
2 3008, or 3010, or whatever that number was and I think at this late
3 date, it's very hard for us to quickly determine what's the difference
4 between that proposal of five weeks ago and this proposal that just
5 came across. All we are asking in this significant legislation
6 that takes the power away from the Department of Local Government and
7 puts it in a new three man commission. All we are asking in this
8 large and significant legislation is the opportunity, the opportunity
9 to read it, to study it, to digest it and see what it does, and since
10 the effect of this law will not be until January 1 absolutely nothing
11 is lost except our good conscience, except the ability to understand
12 legislation if we hold this over until October. What we need to do
13 is to study this and see what this new proposal the House just sent
14 is. Does it differ with what they sent before. What is the effect
15 going to be on future generations. Then we should be prepared to pass
16 it. I would urge the defeat of this motion.

17 PRESIDING OFFICER: (SENATOR BRUCE)

18 Senator Partee.

19 SENATOR PARTEE:

20 Well, I rise to seek to defeat this motion. This is a very
21 sensitive subject and Senator Clarke's main argument seems to be
22 that now that House...Senate Bill 990 is passed that this is absolutely
23 essential. I would remind him that until Senate Bill 990 is passed,
24 there's no need for this...is signed into law, there's no need for this
25 bill. And a lot happens between the time a bill gets our of both
26 Houses and the time that it becomes a law. What's the rush? What's
27 the hurry? We'll be back here in ninety days, we'll be back here in
28 October. This matter can then be dealt with in light of what the
29 current situation is with reference to the whole subject of taxation.
30 To take a...to take a proposition away from a existing branch of Govern-
31 ment and to put it into another branch of Government without any dis-
32 cussion on the composition of it and who's involved in it, I think is not
33 the thing to do. I don't think it's orderly procedure. We have time to

1 do this, there's plenty of time to do it and I would urge the defeat of
2 this motion. I would, also, say to those of you who say that the
3 committee system is sacrosanct that a affirmative vote here defiles and
4 despoils the committee system. This bill has not been debated in
5 committee, the committee has not approved it, and I would ask for a no
6 vote.

7 PRESIDING OFFICER: (SENATOR BRUCE)

8 Senator Schaffer.

9 SENATOR SCHAFFER:

10 Well, there's...an additional reason for supporting this discharge
11 motion and it's nothing to do with House Bill 990. That's simply that
12 the sooner we get the enforcement of assessment, regulations and
13 laws in this State out of the hands of the Department of Local Govern-
14 ment and its Director, the sooner we'll be living up to our responsi-
15 bility to the taxpayers of this State. With or without 990, the
16 sooner we remove this power from that department and put it somewhere
17 where it can be honestly and fairly implemented, the sooner off the
18 people of the State of Illinois are going to have honest and fair taxa-
19 tion. We can't move fast enough on this bill as far as I'm concerned.

20 PRESIDING OFFICER: (SENATOR BRUCE)

21 Senator Glass.

22 SENATOR GLASS:

23 Thank you, Mr. President. Adding to what Senator Schaffer just
24 said in support of this bill, I would point to...point out to Senator
25 Rock that in the head notes, in addition to what he read about the bill
26 taking effect January 2nd of next year the words appear - except the
27 Governor may appoint commissioners at an earlier date to facilitate
28 transfer of functions. Now, the Supreme Court of Illinois has stated
29 that the failure of both local officials and the Department of Local
30 Government Affairs to perform their duties has not only eliminated
31 any possibility of uniformity of taxation, but has also disrupted
32 the statutory scheme for distribution of various types of State aid
33 apportioned on the basis of equalized assessed valuation. It is
34 timely, we should act on this highly important commission now. I'm

1 sorry that the bill hasn't come out before this. We are at the eleventh
2 hour. It seems to me that this is the only way we can get this issue
3 on the Floor and debate it, and I would urge support of this motion.

4 PRESIDING OFFICER: (SENATOR BRUCE)

5 Senator Harber Hall.

6 SENATOR HALL:

7 Well, I...I just have to mention, Mr. President, that hearings
8 have been held all over this State for two years, that all members of the
9 Joint Tax Committee...sub-committee that studied this, all members were
10 members of the Revenue Committees of both the House and the Senate,
11 that a printed report was made and presented to every member of the
12 General Assembly suggesting this bill, and so I think most people are
13 fairly familiar with it. I know all members of the Revenue Committee
14 are. In conclusion I would, also, point out that the House sponsors of
15 this measure, Representative Maragos and Representative Beaupre, would
16 like to have this passed now. Now, the reason for passing it now is
17 to give time to...to set up the machinery. First of all the Governor
18 wants to analyze it to see if he wants to sign it or make any amendments
19 to it. So, we have a lot of things to do before January 1976, and I
20 recommend a favorable vote.

21 PRESIDING OFFICER: (SENATOR BRUCE)

22 Senator Nimrod.

23 SENATOR NIMROD:

24 Mr. President and fellow Senators, I think we've heard the fact that
25 there - this has been involved here for two years. Hearings were held
26 as we said around the State, Springfield, Peoria, Rockfor, Rock Island,
27 Waukegan, and I might call attention to one other thing. There has
28 been a bill, 754, that was introduced on April 9th and in the Committee
29 on Revenue on April the 10th which is very similar to this as introduced
30 by Senator Clarke. I think that 990 was a by-product of other things
31 involved here and the courts accelerated that one. However, this par-
32 ticular bill is one of three things that are necessary to do here. Senator
33 Schaffer said that we have to do something to relieve the Local

1 Government. I'm sure that the Governor wants to get rid of that
2 responsibility. I'm sure we have to address ourselves to being
3 able to have an independent Body that's going to perform this service.
4 Secondly, we have to do something about the Supervisors of Assessment
5 and third, we have to do something about the education and the work
6 of the local assessors. These three things are necessary to bring some
7 adequate reform to taxation. This bill is the one that's most important
8 of all and it certainly does deserve some consideration. If we finally
9 get it on the Floor here and it needs further attention and you find
10 some fault with it, I'm sure that we'll all agree to put it back. But,
11 if it's at all possible, it's had plenty of hearings and opportunity
12 to do it. I would urge us to bring it out on the Floor to at least
13 discuss it.

14 PRESIDING OFFICER: (SENATOR BRUCE)

15 Senator Dougherty.

16 SENATOR DOUGHERTY:

17 Thank you, Mr. President. Referring to Senate Bills 306...or House
18 Bill 3061. I think you'll all remember I've had considerable experience
19 in this down through the years and we had to refute the old Butler Bills
20 the Hodge - Downy formulas. I've been a member of many study committees
21 and I would like to point out to the members of this Legislature that
22 many years ago we did have a state tax commission and it failed to be
23 operative. It did not work out. Now, I talked to Senator Clarke and
24 in the first place I rather liked the idea, but after giving some
25 thought to it I'm of the opinion that we do need a further study of
26 this. It may not...we may agree. This does not necessarily say that
27 it is wrong. But I do believe we should be given a chance to study
28 this. With Senator Arrington and myself, a number of years ago, I
29 think this Legislature is all aware that we attack some of these
30 problems, we did set up the Supervisor of Assessment, we did set these
31 things up in years passed. And going back to 1965 when Senator Arrington
32 and myself and Representative Simmons and others, we tried to solve
33 these problems and we did in a great measure. We, by introduction of
34 some ninety-nine bills, we passed ninety-seven of them that did solve

1 many of these problems. This can be done again if it's done in a
2 proper manner in these studies. I do not reject the idea completely,
3 but I do firmly believe in order to solve this tax system we must go
4 about it in...in a good...leisurely manner and we can bring in a good
5 report. We have until January 1976 and I would urge a rejection of
6 this.

7 PRESIDING OFFICER: (SENATOR BRUCE)

8 Is there further debate? Senator Hynes.

9 SENATOR HYNES:

10 Mr. President, I wonder if the sponsor of the motion would yield
11 to a question.

12 PRESIDING OFFICER: (SENATOR BRUCE)

13 He indicates he will yield.

14 SENATOR HYNES:

15 Senator Clarke, is this bill the bill that was recommended by
16 the Property Tax Commission? Is it in the form recommended by the
17 Commission?

18 PRESIDING OFFICER: (SENATOR BRUCE)

19 Senator Clarke.

20 SENATOR CLARKE:

21 This is the bill in exactly the same form that we discussed it
22 at the last meeting of the Joint Property Tax Commission. Now, that
23 differs from what was in the report on January 8th, because we combined
24 not only the Tax Commission but an Advisory Oversight Legislative
25 Committee and the Property Tax Repeal Board proposition all into one
26 bill.

27 PRESIDING OFFICER: (SENATOR BRUCE)

28 Senator Hynes.

29 SENATOR HYNES:

30 Well, from my point of view I was a member of the Joint Committee
31 up until the beginning of this year when I was replaced as a member of
32 that committee. I had some reservations about the original bill al-
33 though there seemed to me to be some merit in the concept. I am informed

1 now that this is not the same bill and as Senator Clarke has pointed out
2 some changes have been made in it. And, frankly, from my personal point
3 of view I'm not prepared to put a bill of this magnitude out on the
4 Calendar and attempt to resolve this issue in the closing hours of this
5 Session and I think this motion ought to be defeated.

6 PRESIDING OFFICER: (SENATOR BRUCE)

7 Is there further debate? Senator Clarke may close.

8 SENATOR CLARKE:

9 Just like to make one comment in response, to the Mr. President, on
10 the committee system. That actually this bill is a product of the real
11 operation of the committee system, a joint committee operating for two
12 years studying a difficult problem, and if the committees had operated
13 in this Body in the last nine days this bill would have had a hearing
14 and would have been voted up or down. They didn't have a committee
15 meeting and as a result I have been forced to this expedient of asking
16 that it be placed on the Calendar, because I think it should have been
17 voted on right after House Bill 99 two days ago, and I ask for a favor-
18 able vote.

19 PRESIDING OFFICER: (SENATOR BRUCE)

20 Senator Clarke has moved to discharge the Committee on Revenue
21 from further consideration of House Bill 3061. Those in favor vote
22 Aye. Those opposed vote Nay. The voting is open. It will require
23 thirty affirmative votes to prevail. Have all voted who wish? Take
24 the record. On that question the Ayes are 29, the Nays are 16, 4 Voting
25 Present. The motion is lost. Is there further business to come before
26 the Senate? Senator Latherow has twice sought to adjourn. Senator
27 Rock, would you yield? Oh, is there leave to continue the motions in
28 writing printed on the Calendar till tomorrow? Leave is granted.
29 Senator...the Chair requested leave to continue the motions in writing
30 until tomorrow. Oh, those printed on the Calendar. Senator McCarthy,
31 do you have...no, Senator McCarthy, we have not read your motion in
32 writing into the record. That will be done. Senator Savickas.

33 SENATOR SAVICKAS:

1 Just an announcement. There will be a meeting of the Labor and
2 Commerce Committee meet tomorrow at the call of the Chair.

3 PRESIDING OFFICER: (SENATOR BRUCE)

4 (machine cut-off)...in writing.

5 SECRETARY:

6 A Motion in Writing.

7 I move to reconsider the vote by which House Bill 2074
8 was recommitted to the Committee on Labor and Commerce. Signed,
9 Senator McCarthy.

10 PRESIDING OFFICER: (SENATOR BRUCE)

11 Is there leave to have this considered tomorrow? Leave is
12 granted. Well...Leave was granted, Senator Graham, I don't want to...
13 no, I'm not trying to play any game. Senator Graham...no...

14 SENATOR GRAHAM:

15 It's a different game isn't it. It's a different set of rules.

16 PRESIDING OFFICER: (SENATOR BRUCE)

17 Senator Graham, if you'll wait one moment. The Chair has abso-
18 lutely no idea. I am not being arbitrary. If you will turn...if you
19 will turn Senator Graham's microphone on. Senator Graham.

20 SENATOR GRAHAM:

21 You don't have to, I'm hot enough without it.

22 PRESIDING OFFICER: (SENATOR BRUCE)

23 Well...Senator Graham.

24 SENATOR GRAHAM:

25 Last night you were the man that made the big speech about play-
26 ing by the rules.

27 PRESIDING OFFICER: (SENATOR BRUCE)

28 Senator Graham, I don't even know what this motion in...is involved
29 with. The Chair has...

30 SENATOR GRAHAM:

31 I objected to the motion...

32 PRESIDING OFFICER: (SENATOR BRUCE)

33 All right...

1 SENATOR GRAHAM:

2 ...and you wouldn't arbitrarily...

3 PRESIDING OFFICER: (SENATOR BRUCE)

4 ...if you...if you've made an objection the Chair has now heard
5 the objection. Would you please, now, tell the members why this cannot
6 be continued, or Senator McCarthy. The Chair is absolutely...I have no
7 idea what is going on in the way of substance of this motion. Now,
8 Senator Graham is recognized.

9 SENATOR GRAHAM:

10 Mr. President, I am, first of all, questioning the legality of
11 this amendment. Yesterday he recommitted this in good faith to the
12 Committee on Labor and Commerce. I am challenging the good faith opera-
13 tion of Senator McCarthy tonight.

14 PRESIDING OFFICER: (SENATOR BRUCE)

15 What...

16 SENATOR GRAHAM:

17 As well as your decision.

18 PRESIDING OFFICER: (SENATOR BRUCE)

19 Would the...what are we on? What House Bill?

20 SENATOR GRAHAM:

21 2074. You know what we're on.

22 PRESIDING OFFICER: (SENATOR BRUCE)

23 No, no, Senator, until this moment I did not. Now, Senator Glass.

24 SENATOR GLASS:

25 Mr. President, I...I would rise on a point of order on this. I
26 think it's already been ruled tonight that today is the last day...
27 yesterday was the last day for passage of...of House Bills from this
28 Chamber, and this is a...or Senate Bills...this is a Senate Bill. There
29 no way the bill could...is this House Bill...this House Bill 2074...
30 Senate Bill.

31 PRESIDING OFFICER: (SENATOR BRUCE)

32 House Bill.

33 SENATOR GLASS:

1 Yesterday having been the last day for such bills for passage
2 of such bills it seems to me that a motion of this type is out of order
3 and I would urge the Chair to so rule.

4 PRESIDING OFFICER: (SENATOR BRUCE)

5 Well, now, Gentlemen, the motion is not out of order. Whether
6 or not the bill could be considered would be ruled on at a later time.
7 All right. Senator McCarthy..now, wait a minute. Senator McCarthy
8 has the right to file this motion in writing and have it heard. Now,
9 once the bill is heard whether or not we can take action on it is entirely
10 another question. I mean any member of this Body can file a motion here
11 and we can dispose of it, Senator Glass, and so I would rule the motion
12 is in order. Senator Glass.

13 SENATOR GLASS:

14 Mr. President, of the same motion on...on - was it House Bill 1900
15 was ruled out of order earlier tonight by the President.

16 PRESIDING OFFICER: (SENATOR BRUCE)

17 No, that was a...that was a motion to reconsider the vote by
18 which the bill passed...or lost and that would be ineffective. Senator
19 Glass.

20 SENATOR GLASS:

21 Isn't this in effect the same motion?

22 PRESIDING OFFICER: (SENATOR BRUCE)

23 No, it is not. It would be on the Calendar and could stay there.
24 The other bill was lost. Senator Rock.

25 SENATOR ROCK:

26 Any member under our rules has a right to file any motion in
27 writing, and all the Senator is asking is leave for it to be journalized
28 and to be continued to another day. That's simple common courtesy. At
29 the time the motion is put is the time to make the arguments about
30 which Senator Glass, I think, has so rightly raised a point.

31 PRESIDING OFFICER: (SENATOR BRUCE)

32 Now, Senator Graham, I think we understand where we are. Senator
33 Graham.

1 SENATOR GRAHAM:

2 If I...if I misunderstood your ruling, I apologize. I thought that you
3 had ruled that this bill would be reassigned to this committee and that's
4 why I got a little hot under the collar.

5 PRESIDING OFFICER: (SENATOR BRUCE)

6 No, no, Senator Graham, I did not and I...

7 SENATOR GRAHAM:

8 I apologize.

9 PRESIDING OFFICER: (SENATOR BRUCE)

10 ...did not and I...I tell you I did not know what this bill was.

11 SENATOR GRAHAM:

12 You're using a different set of rules than I thought you were.

13 PRESIDING OFFICER: (SENATOR BRUCE)

14 I wish I were not presiding, in fact.

15 SENATOR GRAHAM:

16 Thank you very much.

17 PRESIDING OFFICER: (SENATOR BRUCE)

18 Is there further...is there leave to continue this? Senator
19 Soper.

20 SENATOR SOPER:

21 Now, I listened to what the statement was and I was listening
22 to the tube upstairs. Now, in other words you're telling us that this
23 motion is going to be continued till tomorrow. Is that it?

24 PRESIDING OFFICER: (SENATOR BRUCE)

25 That is correct.

26 SENATOR SOPER:

27 Just the motion?

28 PRESIDING OFFICER: (SENATOR BRUCE)

29 That's all Senator McCarthy asked was leave to have this continued
30 till tomorrow. Is there leave?

31 SENATOR SOPER:

32 It's not taken from the committee?

33 PRESIDING OFFICER: (SENATOR BRUCE)

1 No, it's...it's...is there leave? Leave is granted. It's
2 obviously getting a little late. Is there further business? Senator
3 Rock.

4 SENATOR ROCK:

5 I would, now, put my motion to adjourn until 9:30 tomorrow morn-
6 ing.

7 PRESIDING OFFICER: (SENATOR BRUCE)

8 Wait a minute. Senator Berning has a...Senator Berning.

9 SENATOR BERNING:

10 A point of enlightenment Mr. President. We had a...we had a
11 schedule for adjournment...

12 PRESIDING OFFICER: (SENATOR BRUCE)

13 ...Excuse me. Senator Berning...

14 SENATOR BERNING:

15 ...as of today...

16 PRESIDING OFFICER: (SENATOR BRUCE)

17 For what purpose does Senator Buzbee arise?

18 SENATOR BUZBEE:

19 On Senator Donnewald's microphone. I believe if I understand
20 the rules of the Senate correctly that a motion to adjourn takes
21 precedence over any other motion, and I understood Senator Rock to say
22 I move to adjourn...

23 PRESIDING OFFICER: (SENATOR BRUCE)

24 He made that motion...

25 SENATOR BUZBEE:

26 ...until 9:30 a.m. tomorrow morning.

27 PRESIDING OFFICER: (SENATOR BRUCE)

28 The Chair has general...that is not debatable. The Chair has
29 always recognized announcements. If we want to push that to a vote
30 obviously we can, but it is...it is not debatable, but we've always
31 held that motion until such time as all members have an opportunity to
32 make an announcement. Senator Berning.

33 SENATOR BERNING:

1 I'm not rising for the purpose of making a motion or anything
2 else. I'm looking for information. We...

3 PRESIDING OFFICER: (SENATOR BRUCE)

4 State your point...

5 SENATOR BERNING:

6 ...were informed...we were informed sometime ago by printed
7 schedule we were going to adjourn on the 27th. That obviously is not
8 the case. My inquiry, Mr. President, is what kind of timetable should
9 we gear ourselves for. Saturday, Sunday, Monday, Tuesday, the 4th of
10 July, please, what can we anticipate?

11 PRESIDING OFFICER: (SENATOR BRUCE)

12 Senator, I think that you can anticipate further work of the
13 Senate. And the House and Senate obviously have to cooperate. Senator
14 Partee.

15 SENATOR PARTEE:

16 Since the 27th was mentioned I feel obliged to say, Senator
17 Berning, that we might have gotten out on the 27th if we did not have
18 members who desire to speak on every question. Now, to answer the
19 other part of your question. It occurs to me as we look at what is left
20 that we should be able to get out by Sunday. I certainly think that
21 we'll be out by Sunday. It will take all day tomorrow and tomorrow
22 evening and a part of Sunday it occurs to me to finish.

23 PRESIDING OFFICER: (SENATOR BRUCE)

24 Is there further business to come before the Senate? Senator
25 Rock stands...moves that the Senate stand adjourned until 9:30 tomorrow.
26 morning. All in favor say Aye. All opposed Nay. The Senate stands
27 adjourned till 9:30 tomorrow morning.

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