

79th GENERAL ASSEMBLY

REGULAR SESSION

JUNE 30, 1976

1. PRESIDENT:

2. The hour of nine-thirty having arrived, the Senate will
3. come to order. Will our guests in the gallery please rise as we
4. have the prayer by the Reverend Rudolph S. Shoultz, Union Baptist
5. Church, Springfield, Illinois.

6. REVEREND SHOULTZ:

7. Eternal Father, we're grateful for this day. We're
8. thankful for the privilege that we have to be of service to this
9. great State of ours. We come, o God, to the close of great
10. Session. We're thankful for the little part that we can play
11. and we have played. We pray, God, as we look back and reflect
12. on this Session we may not have done all that we wanted to do,
13. but You have blessed us. Be with all of these, Thy children,
14. as they go forth from here. May all they desire be met because
15. they have given You of themselves. Thank you for this day and be
16. with us, we pray. Amen.

17. PRESIDENT:

18. Reading of the Journal. Senator Johns.

19. SECRETARY:

20. Friday, June the 11th, 1976, Monday, June the 14th, 1976,
21. Tuesday, June the 15th, 1976, Wednesday, June the 16th, 1976,
22. Thursday, June the 17th, 1976, Friday, June the 18th, 1976,
23. Monday, June the 21st, 1976, and Tuesday, June the 22nd, 1976.

24. PRESIDENT:

25. Senator Johns.

26. SENATOR JOHNS:

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

30. PRESIDENT:

31. You've heard the motion. All in favor say Aye. Opposed
32. Nay. The Ayes have it. The motion carries. Senator Johns.

33. SENATOR JOHNS:

34. Mr. President, I move that reading and approval of the Journals

1. of Wednesday, June the 23rd, 1976, Thursday, June the 24th,
2. Friday, June the 25th, Saturday, June the 26th, Sunday, June
3. the 27th, Monday, June the 28th and Tuesday, June the 29th,
4. 1976 be postponed pending arrival of the printed Journals.

5. PRESIDENT:

6. Heard the motion. All in favor say Aye. Opposed Nay.
7. The Ayes have it. The motion carries. The Senate will
8. be in Session. Come to order, please. On the order of Conference
9. Committee Reports. Senator Rock. You want to hold that one.
10. Just hold it a minute. The Chair has an announcement. Yesterday
11. you received a communication from Comptroller Lindberg
12. with reference to mileage payment for going home over the
13. weekend and we have a list of those who have indicated that they
14. did return home. We're about to finalize it and if there is
15. someone who has not so indicated who did, in fact, go home,
16. please let Miss Lake know because we're getting ready to prepare
17. that payroll. And, those who we...know about who have indicated
18. they did are Senators Bruce, Donnewald, Glass, Harber Hall,
19. Kenneth Hall, Johns, McCarthy, Mitchler, Ozinga, Philip,
20. Smith, Vadalabene, and Welsh. If there are others, please let
21. her know within the next few minutes. Will the members be in
22. their seats so that the persons who have Conference Committees
23. can know how many people are here so we can determine whether
24. they want to run them. It's kind of difficult to know how many
25. people are here when we are not seated. Everybody's reluctant
26. to start until they...they know that there are enough here.
27. Senator...Senator Graham.

28. SENATOR GRAHAM:

29. Mr. President, I would like to make a...

30. PRESIDENT:

31. Just a moment, Senator. May we have your...

32. SENATOR GRAHAM:

33. ...make a suggestion at this time. Those of us who are

1. almost getting writer's cramps from signing these new Bluebooks
2. or white books this year, this would be a very nice time for the
3. Senators that want to get their books all marked up to have them
4. circulated so when we get in Session, we're not bothered with those
5. every three minutes. I'd suggest those people that want to have
6. their books destroyed by signatures that they can't read,
7. to get them over here and let's get it done now.

8. PRESIDENT:

9. Does any member have a Conference Committee Report on the
10. Secretary's Desk that he's willing...or waiting to run now?
11. For what purpose does Senator Bell arise?

12. SENATOR BELL:

13. Mr. President, we've got a few moments here where we're
14. standing at ease. I think it's an appropriate time to give
15. a little consideration to a letter I think that all of us
16. received from our colleague, George Ray Hudson. It's in reference
17. to the members that signed the...

18. PRESIDENT:

19. Just a moment. Can we clear this aisle...

20. SENATOR BELL:

21. ...Declaration of Independence.

22. PRESIDENT:

23. ...right here please?

24. SENATOR BELL:

25. I don't know that every member of the Body is particularly
26. interested in this.

27. PRESIDENT:

28. I'm sorry. I'm sorry. I know who you are, now.

29. SENATOR BELL:

30. I'd like to take a few moments and read this, if I might,
31. Mr. President, to those that care to listen to it because at this
32. particular time of the bicentennial, I think it is appropriate.

33. PRESIDENT:

1. Will the members be in their seats? Continue, Senator
2. Bell.

3. SENATOR BELL:

4. Have you ever wondered what happened to those men who
5. signed the Declaration of Independence? Five signers were captured
6. by the British as traitors and tortured before they died. Twelve
7. had their homes ransacked and burned. Two lost their sons
8. in the Revolutionary Army, another had two sons captured.
9. Nine of the fifty-six fought and died from wounds and the hardships
10. of the Revolutionary War. What kind of men were they? Twenty-
11. four were lawyers and jurists, eleven were merchants, nine
12. were farmers and large plantation owners, men of means, well
13. educated. But, they signed the Declaration of Independence knowing
14. full well that the penalty would be death if they were
15. captured. They signed, and they pledged their lives, their
16. fortunes and their sacred honor. Carter Braxton of Virginia,
17. a wealthy planter and trader saw his ships swept from the seas
18. by the British Navy. He sold his home and properties to pay
19. his debts and died in rags. Tom...Thomas McKeem was so hounded
20. by the British that he was forced to move his family almost
21. constantly. He served in the Congress without pay and his family
22. was kept in hiding. His possessions were taken from him and his
23. property...and...and his poverty was his reward. Vandals
24. or soldiers, or both looted the properties of Ellery, Klimer,
25. Hall, Walton, Winette, Hayward, Rutledge and Middleton. At
26. the battle of Yorktown, Thomas Nelson, Jr. noted that the British
27. General Cornwallis had taken over the Nelson home for his headquarters.
28. The owner quietly urged General George Washington to open fire,
29. which was done. The home was destroyed and Nelson died bankrupt.
30. Francis Lewis had his home and properties destroyed. The enemy
31. jailed his wife and she died within a few months. John Hart
32. was driven from his wife's bedside as she was dying. The thirteen
33. children fled for their lives. His fields and his gristmill
34. were laid waste. For more than a year, he lived in forests and caves

1. returning home after the war to find his wife dead, his
2. children vanished. A few weeks later he died from exhaustion.
3. and a broken heart. Norris and Livingston suffered similiar
4. fates. Such were the stories and the sacrifices of the American
5. Revolution. These were not wild eyed, rabble rousing ruffians,
6. they were soft spoken men of means and education. They
7. had security, but they valued liberty more. Standing tall
8. and straight and unwaivering, they pledged for the support
9. of this Declaration with a firm alliance and the protection of
10. the Divine Providence, we mutually pledge to each other,
11. our lives, our fortunes and our sacred honor. I think it's
12. fitting that we cogitate on some of these thoughts here as the
13. Fourth of July and our Nation's Bicentennial comes about,
14. Mr. President. Thank you.

15. PRESIDENT:

16. Resolutions. The Chair recognizes Senator Harris.

17. SECRETARY:

18. Senate Resolution 420 introduced by Senators Partee
19. and Harris.

20. PRESIDENT:

21. Will the members be in their seats, please?

22. SENATOR HARRIS:

23. Thank you, Mr. President. Senate Resolution 420
24. which President Partee and I have caused to be drafted and introduced,
25. and which resolution at the conclusion of my remarks, I would
26. invite all Senators to join in sponsorship...cosponsorship,
27. deals with the work of our legislative staff interns. This
28. outstanding group of young, career pursuing, professional
29. people in the interest of public administration are another
30. example of what is really fine and good about Illinois and
31. our system of government. And I know each of us is singularly
32. appreciative of their assistance and their work this past
33. year with us and for us. I'm pleased to name and suggest that

1. we all join in acknowledgement through the adoption of this
2. resolution for their work, and that we sincerely congratulate
3. Claire Eberle, Diane Ford, Mike Maibach, John Miller, Katherine
4. Monaghan, Craig Sanders, Paul Williams and Debra Wright. And
5. so, Mr. President, I now move to suspend the rules for the
6. immediate consideration and adoption of Senate Resolution
7. 420.

8. PRESIDENT:

9. The Chair would certainly echo your remarks and join in
10. saluting these fine young people who've made such an excellent
11. contribution to the operation of the State Senate. Is there
12. leave to add all Senate members to this resolution? Leave is
13. granted and Senator Harris has moved for the immediate suspension
14. of the rules for the immediate consideration of this resolution.
15. All in favor say Aye. Opposed Nay. The Ayes are...have it.
16. The rules are suspended. Senator Harris now moves for the
17. immediate adoption of this resolution. All in favor say Aye.
18. Opposed Nay. The resolution is adopted. And thank you, very much.
19. One...one moment. Senator Weaver.

20. SENATOR WEAVER:

21. Well, thank you, Mr. President. I'm sorry I was off the
22. Floor and just got back, but I would just like to make these comments
23. that these staff interns have not been given just menial chores.
24. We've treated them as full-fledged staff members and they've
25. performed admirably, and I just want to add my congratulations
26. to the...for the work that they have done for us, particularly on the
27. Republican side and I know on the Democratic side. I'm most
28. appreciative.

29. PRESIDENT:

30. Senator Bruce.

31. SENATOR BRUCE:

32. Well, in this high times that we have right now, I would
33. like to remind those who have just been congratulated that all
34. is not rosey and life in front of them may not be...you may not

1. prosper, because there are five interns who have not been
2. wise enough to leave here, Mike Duncan, Kurt Jensen, Tim
3. Campbell, Prescott Bloom and myself are still here. So, not all the
4. road in front of you is without some...some problem.

5. PRESIDENT:

6. For an announcement, the Conference Committee Reports on
7. the following areas of government will be at 11:00 o'clock
8. this morning in Room 400, so those of you who are members of the
9. Conference Committees on these subjects, please be there.
10. At 11:00 o'clock, it's Children and Family Services, Corrections
11. and Mental Health. Those three will be in Room 400 at 11:00
12. o'clock. Senator Harber Hall on the Floor? Senator Joyce
13. on the Floor or in his office? He's wanted in Room 400.
14. Senator Joyce is wanted in Room 400. The Chair have your
15. attention. The Conference Committees are still running in
16. Room 400 and several of the members, of course, are off the
17. Floor. It's obvious to all of us I think, that nobody's going
18. to call anything until everybody is back. So, why don't we just
19. recess until 1:00 o'clock. That gives everybody a change to have some
20. lunch. The Senate stands in recess until 1:00 o'clock.

21. Recess

22. After Recess

23. PRESIDENT:

24. If Senators Rock, Hickey and Bruce are within the sound
25. of my voice, please return to the Floor. We have some Messages
26. from the House which vitally need attention and which concern
27. you personally. A Message from the House.

28. SECRETARY:

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

30. Mr. President - I am directed to inform the Senate
31. that the House of Representatives has refused to adopt the
32. First Conference Committee Report on Senate Bill 1936 and
33. request a Second Committee of Conference to consider the difference
34. between the two Houses in regards to Amendments numbered 1, 2, 3,
35. 5, 7, 8, 9, 10, 14, 17,...15, 17, 21, 25, 29, 30, 31, 32, 35, 36,

1. 37, and 38. I am further directed to inform the Senate that
2. the Speaker of the House has appointed as such committee on the
3. part of the House, Representatives Mudd, Madigan, Bradley,
4. Totten and Ryan.

5. PRESIDENT:

6. Senator Rock.

7. SENATOR ROCK:

8. Thank you, Mr. President. This is the Capital Development
9. Board Capital Improvements Bill. We did, in fact, I thought
10. have an agreement with respect to the First Conference
11. Committee. Apparently, the House thought otherwise. So, I
12. would...(Machine Cut off)

13. PRESIDENT:

14. A Message from the House.

15. SECRETARY:

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

17. Mr. President - I am directed to inform the Senate
18. that the House of Representatives has refused to adopt the
19. First Conference Committee Report on Senate Bill 1524 and
20. request a Second Committee of Conference to consist...consider
21. the differences between the two Houses in regards to Senate
22. Bill 3...Senate Amendments rather, 3, 5, and 6. I am further
23. directed to inform the Senate that the Speaker of the House
24. has appointed as such committee on the part of the House,
25. Representatives Stubblefield, Berman, Bradley, Ryan and Anderson.
26. Senator Hickey.

27. PRESIDENT:

28. Senator Hickey moves that the Senate accede to the request
29. of the House for the appointment of a Second Conference Committee
30. and that a Second Conference Committee be appointed. All in
31. favor say Aye. Opposed Nay. The Ayes have it. The motion carries.

32. SECRETARY:

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

1. Mr. President - I am directed to inform the Senate
2. that the House of Representatives has refused to adopt the
3. First Conference Committee Report on Senate Bill 1956 and
4. request a Second Committee of Conference to consider the differences
5. between the two Houses in regards to amendments numbered
6. 1 and 3. I am further directed to inform the Senate that the
7. Speaker of the House has appointed as such committee on the
8. part of the House, Representatives Stubblefield, Berman, Bradley,
9. Ryan and Anderson.

10. PRESIDENT:

11. Senator Hickey moves that the Senate accede to the request
12. of the House for the appointment of a Second Conference Committee.
13. All in favor say Aye. Opposed Nay. The Ayes have it and the
14. motion carries. Senator...Senator Regner, will you come down
15. to the Secretary's Desk a moment? Is Senator Regner on the Floor?
16. You're not going to believe this, Ladies and Gentlemen.
17. Introduction of bills.

18. SECRETARY:

19. Senate Bill 2019.

20. PRESIDENT:

21. Rules Committee twice. Senator Hickey, would you come
22. to the Secretary's Desk a moment, please? Senate will come to
23. order. Senator Regner.

24. SENATOR REGNER:

25. Yes, Mr. President and members of the Senate...

26. PRESIDENT:

27. Senate will come to order. The members will be in their
28. seats. Read it please. Message from the House.

29. SECRETARY:

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

31. Mr. President - I am directed to inform the Senate
32. that the House of Representatives has concurred with the Senate
33. in the passage of a bill with the following title, to-wit:

1. Senate Bill 1739.

2. PRESIDENT:

3. Senator Regner.

4. SECRETARY:

5. Together with House Amendment No. 4.

6. SENATOR REGNER:

7. No. 4 right. They defeated 3. Yes, Mr. President and
8. members of the Senate, this was the bill that allowed the
9. Division of Risk Management, in the Department of Finance
10. to provide for a self-insurance plan, if, in their determination,
11. they couldn't get commercial coverage. When it got over to the
12. House they found several errors and clarifications they wanted
13. to put in, which this amendment does. It clarifies the
14. jurisdiction of the Court of Claims in such case, it limits
15. to a thousand dollar claim of...for each occurrence, provides against
16. an indemnity on State employees' services and...

17. PRESIDENT:

18. Senator...Senator pardon me interrupting. I thought this
19. was one that we had to handle to send back for a Second Conference
20. Committee Report or something, but you're going to seek concurrence?

21. SENATOR REGNER:

22. Yes.

23. PRESIDENT:

24. I think maybe we better wait until there are a few more...

25. SENATOR REGNER:

26. Oh, okay.

27. PRESIDENT:

28. ...members here. Conference Committee Reports. Is there a
29. Senator who is ready to go with his or hers? Senator Rock, which
30. one do you seek?

31. SENATOR ROCK:

32. 3392, Mr. President.

33. PRESIDENT:

34. House Bill 3392.

1. SENATOR ROCK:

2. I see that...

3. PRESIDENT:

4. Senator Hynes? He's right there.

5. SENATOR ROCK:

6. I've been missing him all day. Now, he's right in front
7. of me. I see Senator Hynes and Weaver and Regner are on the Floor.
8. House Bill 3392 is the FY '77 appropriation for the Department
9. of Children and Family Services. The Conference Committee Report
10. calls for the House to concur in Senate Amendments 1 and 2.
11. Senate Amendment No. 1 added the fifty percent Partee Amendment,
12. and, also, deleted the language that would have allowed the Department
13. a two percent transferability clause, with respect to the grant
14. items for purchase of care. We deleted that because, frankly,
15. we had checked with the Comptroller and he tells us it would
16. have been inoperative anyway. Senate Amendment No. 2 was the
17. subject matter of some controversy in this Body and in the House
18. and it deletes three hundred and thirty-six thousand five hundred
19. and ninety-five dollars from the various Personal Services
20. line items. This reduction represents a reduction to compensate
21. or to reflect the funds requested for vacancies and new positions
22. and more importantly, to represent that amount of money which is
23. directly attributable to the collective bargaining agreements.
24. We have met in the Committee on Conference, the vote was eight
25. to two to stay with the Senate cuts and I would solicit a favorable
26. roll call.

27. PRESIDENT:

28. Any further discussion? The question is does the Senate
29. adopt the Conference Committee Report No. 1 on House Bill 3392?
30. Those in favor will vote Aye. Opposed Nay. The voting is open.
31. Have all voted who wish? Senator Harber Hall, for what purpose
32. do you arise? We're on the roll call. Oh. Take the record.
33. On this question the Ayes are 36, the Nays are 11 with 2 Voting

1. Present. The Senate does advise...the Senate does adopt the
2. Conference Committee Report on House Bill 3392 and the bill
3. having received the constitutional majority, is declared passed.
4. For what purpose does Senator Harber Hall arise? Oh, nothing.
5. For what purpose does Senator Glass seek recognition?
6. Your talk light is on, that's why.

7. SECRETARY:

8. Senate Bill 1621. Second Conference Committee Report.

9. PRESIDENT:

10. Senator Vadalabene.

11. SENATOR VADALABENE:

12. Yes, thank you, Mr. President and members of the Senate.
13. The House has receded from Amendment No. 1 to Senate Bill 1621
14. and, secondly, appropriates in the Second Conference Committee,
15. a hundred and twenty-five thousand for ethnic art organizations.
16. And lastly, makes a technical change in the wording of General
17. Revenue grant lines and add the word "programs" to the General
18. Revenue Fund. And I move to adopt the Second Conference
19. Committee Report to Senate Bill 1621.

20. PRESIDENT:

21. Senator Regner.

22. SENATOR REGNER:

23. A question to the sponsor.

24. PRESIDENT:

25. Well, just a moment. If we can get everybody seated and
26. quiet, it's entirely possible that Senator Vadalabene will be able
27. to hear you. There's a conference right at Senator Vadalabene's
28. desk. Would you please...Senator...Senator Regner desires to
29. ask a question, Senator Vadalabene, will you yield? He indicates
30. he'll yield. Senator Regner.

31. SENATOR REGNER:

32. Senator Vadalabene, this is now a hundred and twenty-five
33. thousand dollars over...over the budget? In other words,

1. a hundred and twenty-five thousand of unbudgeted dollars?

2. PRESIDENT:

3. Senator Vadalabene.

4. SENATOR VADALABENE:

5. Yes, this is brand new money.

6. PRESIDENT:

7. Senator Regner.

8. SENATOR REGNER:

9. Hot off the press. Has there been any indication from
10. the Governor's Office whether he will sign it in this way or do
11. you think he might be line iteming this additional money out?

12. PRESIDENT:

13. Senator Vadalabene.

14. SENATOR VADALABENE:

15. Well, of course, you know, Senator, you've been up
16. here as long as I have. I cannot speak for what the Governor
17. will do or what he won't do so,...but we have put it in there
18. and it is his option.

19. PRESIDENT:

20. Senator Regner.

21. SENATOR REGNER:

22. Well, I...I urge a No vote, but there's an interesting aside
23. to this also that Representative Barnes, who was on the Conference
24. Committee, was taken off and replaced by a Representative whose
25. wife is on the Arts Council.

26. PRESIDENT:

27. That, I take it, is not a question, that was a statement?
28. Is that a...any further discussion? Senator Lemke.

29. SENATOR LEMKE:

30. I...I reviewed the Conference Committee Report, I'm happy
31. with it and we have assurances from the people on the Arts Council
32. that the Governor will not line item it out. Our President,
33. Cecil Partee, got those assurances for the ethnic people in the

1. State of Illinois and if they do, then the Governor better run,
2. because the people are...tired of hearing this stuff. This is
3. for them and the ethnics want it and I know representing those
4. people, that if this money is taken out, the Governor will never
5. run again in the State of Illinois, except out of it.

6. PRESIDENT:

7. Senator Knuppel.

8. SENATOR KNUPPEL:

9. The Governor did run.

10. PRESIDENT:

11. Senator Buzbee.

12. SENATOR BUZBEE:

13. Well, Mr. President, I think that we ought to get one
14. thing straightened up here for the matter of the record. I'd
15. like to...first place, I don't know which Representative, Senator
16. Regner was referring to, don't have the slightest idea.
17. But, I would like to ask Senator Regner if that Representative's
18. wife is on the payroll or is a member of the council which
19. determines which grant monies will be spent where?

20. PRESIDENT:

21. Senator Regner.

22. SENATOR REGNER:

23. She's not on the payroll, but she is working on the Arts
24. Council.

25. PRESIDENT:

26. Senator Buzbee.

27. SENATOR BUZBEE:

28. Well, I just want the record to reflect that, Mr. President,
29. that she is not receiving any remuneration whatsoever for her
30. duties as a member of the Art Council and...like I said, I don't
31. have the slightest idea who that is, but I think that's the sort
32. of remark that could be taken out of context by the press and reflect
33. on this Body badly and it...and it is...it does not. There is no
34. conflict of interest that I can see there because she is a person

1. who happens to be involved in the granting of money to...to
2. local arts and crafts and musical sort of organizations.

3. PRESIDENT:

4. Senator Berning.

5. SENATOR BERNING:

6. Thank you, Mr. President. Just so my vote is not
7. misunderstood by any member of this Body, I want to point out
8. that in my opinion, the Illinois Arts Council has already
9. ballooned and expanded far beyond what anybody envisioned when
10. we established it a few years ago. Now, for whatever the reason
11. good we hope, that an additional amount is added to it, we are
12. further expanding the Illinois Arts Council. And so, Mr. President,
13. as one of those from one of the older minority ethnic groups,
14. I want to say that I cannot vote for this bill.

15. PRESIDENT:

16. Senator Donnewald, would you come up here a moment,
17. please? Senator Vadalabene.

18. SENATOR VADALABENE:

19. Yes, in closing and asking for a favorable roll call, I would
20. just like to say to Senator Berning, (Foreign phrase)
21. Thank you.

22. PRESIDENT:

23. Right on. Senator Brady.

24. SENATOR BRADY:

25. Mr. President.

26. PRESIDENT:

27. ...Senator Brady.

28. SENATOR BRADY:

29. As a member of the Conference Committee who signed this,
30. I urge your favorable support.

31. PRESIDENT:

32. The question is shall the Senate adopt the Conference
33. Committee Report No. 2 on Senate Bill 1621? Those in favor vote
34. Aye. Opposed Nay. The voting is open. This is the Second Conference

1. Committee Report. Have all voted who wish? Take the record.
2. On this question the Ayes are 37, the Nays are 14, with none
3. Voting Present. The Senate does adopt the Conference Committee
4. Report No. 2 on Senate Bill 1621 and the bill having received
5. a constitutional majority is declared passed. Senator Kosinski.
6. SENATOR KOSINSKI:

7. Personal privilege, Mr....Senator. (Foreign phrase)

8. SECRETARY:

9. Second Conference Committee Report on House Bill 3820.

10. PRESIDENT:

11. Senator Joyce.

12. SENATOR JOYCE:

13. Yes, Mr. President, this is the appropriations for the
14. Local Fire Protection Personnel Fund and the Fire...the...let's
15. see,...well, anyway, the Emergency Services. Right. The
16. House now agrees with all of the Senate Amendments and I would
17. move to accept the Second Conference Committee Report. Amendment
18. No. 1 was the Partee Amendment, and 2 was technical agreements,
19. and 3 was sixty-five hundred dollar reduction for Personal Services,
20. and Amendment No. 4 was eighty-five hundred dollar...eighty-
21. five thousand dollars for the Partee Amendment on 1950, which
22. was the placard bill and this was to enforce that.

23. PRESIDENT:

24. Any further discussion? The question is shall the Senate
25. adopt the Conference Committee Report on House Bill 3820?
26. Those in favor will vote Aye. Opposed will vote Nay. The
27. voting is open. Have all voted who wish? Take the record.
28. On this question the Ayes are 50, the Nays are 1, with none
29. Voting Present. The Senate does adopt the Conference Committee
30. Report No. 2 on House Bill 3820 and the bill having received
31. a constitutional majority is declared passed.

32. SECRETARY:

33. First Conference Committee Report on Senate Bill 1999.

1. PRESIDENT:

2. Senator Egan.

3. SENATOR EGAN:

4. Thank you, Mr. President, members of the Senate.

5. Senate Bill 1999, the results from the closing of the schools
6. early this year, this bill addresses itself to...between
7. one thousand and fifteen hundred teachers who now exceed the
8. age fifty-five years and will retire within another year or
9. two. The...the import of the bill is not to penalize those
10. teachers whose average salary over the four year period
11. will be diminished to a point that they will lose between fifty
12. and four or five hundred dollars a year on their pensions. The
13. pension impact on the Teachers Retirement System according to the...
14. the keeper of that system will be about one-twentieth of one
15. percent of the total fund in unfunded liability. This is
16. really a matter de minimis concerning the fiscal impact on
17. the system. The total amount is not more than, but certainly
18. less than two hundred and fifty thousand dollars. The idea
19. that was conveyed to the House of Representatives by the
20. chief sponsor, Representative Telcser is, that this matter is
21. sui generis, it is individual, it is not setting a precedent
22. that it...we hope certainly, will never happen again and in all
23. likelihood, it will not. It only attends its attention to
24. the...the amount of money that is figured in averaging the
25. teachers' salary over four years, certainly the circumstances
26. are unique that it is not the fault of the teacher, themselves,
27. and the impact is not great enough to frown upon the concept.
28. I know of know opposition from any of the systems, any of the
29. organizations. The bill was passed in the House by in excess
30. of a hundred forty votes with only two negatives. The members of the
31. Pension Laws Commission are the ten members on the Conference
32. Committee, seven of whom have signed the report. I can only say that
33. I...I think it's a responsible thing to do under the circumstances.

1. I think it has had the attention that it will have in...in the
2. ultimate sense. I don't think it can receive any more attention
3. on an actuarial basis, on a principal basis, or on a political
4. basis and I ask that you consider favorably and hopefully, we will
5. not be faced again with a similar situation.

6. PRESIDENT:

7. Any further discussion? Senator Ozinga.

8. SENATOR OZINGA:

9. Question...question, Mr. President.

10. PRESIDENT:

11. He indicates he'll yield.

12. SENATOR OZINGA:

13. Does this amendment now allow the teacher that is in the
14. position of retirement within the next five years, a privilege of
15. paying in from her own funds what might been...she might have
16. been hurt by the pension not being funded, shall I say?

17. PRESIDENT:

18. Senator Egan.

19. SENATOR EGAN:

20. I'm...I'm sorry, I didn't point that out. But, it is
21. a participatory requirement that they get in before the end of
22. Fiscal '77.

23. PRESIDENT:

24. Senator Ozinga.

25. SENATOR OZINGA:

26. In other words, this is for the benefit of and yet they
27. are going to be paying their own way of the teacher that is about
28. to retire from the Chicago Public School System, within the
29. next five years, shall I say?

30. PRESIDENT:

31. Senator Egan.

32. SENATOR EGAN:

33. The bill mandates their participation.

1. PRESIDENT:

2. Senator Newhouse. You're yielding to Senator Glass? Senator
3. Glass. Oh, you...he's not yielding to you, Senator Glass, he's
4. yielding to Senator Berning. Senator Berning. B comes before G.
5. Senator Berning.

6. SENATOR BERNING:

7. Thank you, Mr. President and thank you, Senator Newhouse.
8. I assume that Senator Newhouse yields because he doesn't want
9. us to be repetitious and perhaps I can capsulize what is of major
10. concern to several of us who are on the Pension Laws Commission
11. and were on the Conference Committee. And so, Mr. President,
12. before precipitous action is taken on this Conference Committee
13. Report, I would very respectfully ask that the members consider
14. carefully a couple of points that I want to emphasize.
15. First, while it has no great bearing on this particular
16. issue, the Pension Laws Commission, because of its direct
17. concern over the diminishing level of funding, frequently caused
18. by consideration of amendments such as this which completely
19. change the concept embodied in a bill and to which the attention
20. of the commission has not been able to be directed. Because of
21. these reasons, the Pension Laws Commission has adopted a policy
22. that no such bill would be considered or given the Pension
23. Laws Commission approval, since it is incumbent upon the Pension
24. Laws Commission to interpret significant, important pension laws-
25. legislation in order to fulfill its obligation to this...this Body
26. and the House of Representatives. Namely, to impartially, carefully,
27. weigh the impact of legislation proposed so that all of us will know
28. to the very best ability...best of the ability of the Pension
29. Laws Commission through its advisors, to inform us what we will be
30. facing as a result of legislation. With that as a premise, then
31. let me briefly touch on...

32. PRESIDENT:

33. Your time is expiring. You will wind down your...

1. SENATOR BERNING:

2. Well, Mr. President...

3. PRESIDENT:

4. ...remarks, Senator.

5. SENATOR BERNING:

6. Mr. President, I would respectfully request that this
7. being a matter of some urgency, as well as great significance
8. that I be allowed to proceed just briefly. The major points
9. that I'd like to raise it, that irrespective of how it is
10. looked upon this privilege that is being extended to employees
11. who are no longer employees in the sense that their employment
12. has terminated, the privilege of paying into the Pension
13. Laws System in order to enhance the benefits for time not
14. worked, Mr. President, is contrary to every precept of what
15. a pension system is. In other words, a pension system is
16. predicated upon our participation to the extent of our employment,
17. and only for the time employed. In that sense, we would be
18. allowing here irrespective of the individual personal impact
19. for some individuals a policy that is...or a privilege that is
20. contrary to the basic policy of pensions. Secondly, we obviously
21. will be establishing a precedent and a precedent that will continue
22. to haunt us, Mr. President, for years forever. At least two other
23. schools have closed early, many other school districts throughout
24. the State of Illinois because of a shortage of funds, which is
25. exactly the reason for this short early layoff, shortage of funds,
26. the self-same reason many teachers throughout the State have
27. been let go, but perhaps of an even greater impact, Mr. President,
28. will be the affect on the State of Illinois throughout all departments
29. whenever an employee or group of employees, as is frequently the case,
30. must be temporarily laid off because of a shortage of funds.
31. I submit, Mr. President, that any such employee would rightfully
32. be able to claim the same privilege that this bill now seeks to
33. provide for this small group of teachers and administrative personnel

1. only. I emphasize that it's not based on salary paid, not
2. based on salary paid, that is already accomplished, it's based...
3. PRESIDENT:
4. Senator, Senator, this is a second three minute period.
5. Now, I...I just think...please...
6. SENATOR BERNING:
7. What...what...
8. PRESIDENT:
9. ...wind down your remarks.
10. SENATOR BERNING:
11. All right. One final point, the pensioners or the
12. annuitants would be allowed to start drawing their pension
13. immediately but would not be required to even make their
14. personal contribution prior to July 1, 1977. In other words,
15. their...their pension benefits would be predicated upon a future
16. payment. All in all, Mr. President and members of the Senate,
17. this is an unfortunate approach to the solution of a problem
18. that, yes, has some merit for a few people.
19. PRESIDENT:
20. Senator Shaprio. Oh, I'm sorry. It was Senator Glass who
21. was next. And you're next, Senator Shapiro.
22. SENATOR GLASS:
23. Thank you, Mr. President. I'd like to ask Senator Egan
24. a question, if I may.
25. PRESIDENT:
26. He indicates he'll yield.
27. SENATOR GLASS:
28. Senator Egan, the...
29. PRESIDENT:
30. Oh; just one...Senator, before we start on this. Channel
31. Twenty of Springfield has sought leave to take some silent film.
32. Is leave granted? Leave is granted. Now.
33. SENATOR GLASS:

1. Senator Egan, the bill in my book refers to pensions for
2. judges or others. Has it been amended to...to apply to teachers and
3. in answering, can you also indicate if that's true, am I correct
4. that it applies to the Chicago retired teachers?

5. PRESIDENT:

6. Senator Egan.

7. SENATOR EGAN:

8. Yes, this bill originally was a...a bill for housekeeping
9. in the Judicial Pension System that was taken out, amended, and it
10. does apply to the Chicago Teachers Retirement System.

11. PRESIDENT:

12. Senator Glass.

13. SENATOR GLASS:

14. Having done legal work for the Retired Teachers Association
15. of Chicago, I believe, I would have a conflict and therefore
16. will vote Present on this bill. Thank you.

17. PRESIDENT:

18. Senator Shapiro.

19. SENATOR SHAPIRO:

20. Mr. President and Ladies and Gentlemen of the Senate, even
21. though the thought and idea behind this bill is now amended,
22. and in this Conference Committee Report is laudible and attempts
23. to help those poor, unfortunate public employees of the Chicago
24. School System, I do have to oppose it on the basis that it
25. does set a precedent that I am positive will come back to haunt
26. us in a era when public employee funds are gradually diminishing,
27. in an era where it is totally conceivable that at some point in
28. future there may be temporary layoffs of public employees.
29. The passage of this bill merely lays the pension funds open
30. to future bills of this type for other systems. It is also
31. conceivable that in the change of any administration when certain
32. employees, still subject to the patronage system, are removed
33. from their jobs, maybe for a period of one or two years,

1. and until such time when that administration may change
2. back to another political party. What is to stop these
3. employees for claiming the same type of temporary interruption
4. of their employment? I think the precedent is bad, I think
5. we should defeat the Conference Committee Report.

6. PRESIDENT:

7. Will the Pages please find seats until you're on an
8. errand? Will all other people please find seats, please?
9. Senator Newhouse.

10. SENATOR NEWHOUSE:

11. Thank you, Mr. President, Senators. I rise reluctantly
12. to oppose my colleague on this bill. Reluctantly first of all,
13. because I told him I would support and then after having a
14. conference with Senator Berning and others, some things
15. were pointed out to me that I think that we ought to take into
16. consideration. The last point that was made by Senator Shapiro,
17. the setting of a precedent concerns me greatly. It concerns
18. me greatly because as we all know, all pension funds are in trouble.
19. Almost every pension fund that we have is not sufficiently funded.
20. And pension funds are subject to intrusion by individuals and groups.
21. It's the nature of the beast. The job of attempting to protect
22. pension funds is a very difficult one at best, and what is involved
23. is the future payments to people who are entitled to these payments
24. and may not receive them because of the invasions that we sometimes
25. countenance. I asked this question of the proponents of this
26. measure what would be the problem with hearing this bill in full
27. in committee when we come back here in January and grandfathering
28. in the people about which we speak if that is what can...if that is
29. what is...what is required. The answer was that that is an approach
30. that could be made but we simply want to get it done now.
31. I don't want anyone to make...have...make any mistake. I have
32. sympathy for the people who would like to participate in the plans
33. there's no question about that. The case may or may not be meritorious,

1. depending upon how an invasion could be set up, upon these
2. pension plans in the future. Senator Egan and I disagree on
3. whether there can...that...that this may be the case about
4. whether or not this might set a dangerous precedent. He's
5. a lawyer, I'm a lawyer. Lawyers do disagree. The fact that there
6. is a disagreement concerns me. I would suggest to this Chamber
7. that we can help the people who are presently being helped by
8. this bill if it's at all possible, but the way to do it it
9. seems to me, since these points have been raised, is to wait
10. until the fall, come back in here, have a committee hearing
11. on this bill and have all the questions raised and answered
12. with the proponents and the opponents testifying before committee.
13. I don't know that there's opposition. I don't know where it
14. would come from. I think we ought to have the chance to find
15. out and to hear it out and to do this thing on the merits
16. and if the merits prove correct, then we can pass this bill
17. out at that time, grandfathering in, the people whom we're
18. concerned now. I would urge a No vote on this bill.

19. PRESIDENT:

20. Senator Harber Hall.

21. SENATOR HALL:

22. Mr. President, in my opinion one of the good pieces of
23. legislation passed in this Session was a bill sponsored by Senator
24. Egan that would put a fiscal note on all matters relating to
25. public pensions. I am much concerned that the State of New
26. York is an example of a state deeply in trouble, has to appropriate
27. one-fourth of its entire state budget to pension funding.
28. I also am concerned that teachers talk to me almost every day
29. and say, when are you going to fully fund our pensions, when are
30. you going to quit robbing us of our just pension funding? And
31. yet, we hear these bills come in as well intentioned as they are,
32. asking us to do more out of our pension funds. In this case,
33. I frankly am at a loss except for trying to listen to the sponsor's

1. explanation, I'm at a loss to know exactly what I'm voting on.
2. What the impact is on what pension funds. I'm at a loss
3. to know if this can be requested by other pensionees from other
4. funds on the same basis. I'm at a loss to know whether other
5. teachers under different circumstances can rightfully request
6. the same consideration. For these reasons, I subscribe to the
7. remarks of Senator Newhouse and I further would like to make this
8. motion at this time that this bill, Senate Bill 1999 be recommitted
9. to the Committee on Pensions, Personnel, and Veterans Affairs.
10. And I make that motion, now.

11. PRESIDENT:

12. Senator Brady.

13. SENATOR BRADY:

14. Mr. President, I question whether that motion is in order.
15. We're on a Conference Committee Report on this bill right now,
16. and I think maybe we could deal with the Conference Committee
17. Report.

18. PRESIDENT:

19. The Chair is going to rule that the motion is out of order
20. while we're dealing with a Conference Committee Report. Had
21. that motion been made earlier, prior to the calling, or even
22. subsequent to its calling if it fails, I think it would
23. be in order. But not...not at this junction. Senator Brady.

24. SENATOR BRADY:

25. Yes, Mr. President and fellow members. For those who have
26. stood and opposed this Conference Committee Report at this
27. time, I sense that almost all spoke with an empathy for the
28. individuals who are involved in this situation. It does not
29. make up that many individuals but it did give us an opportunity
30. here today, I believe, to discuss for one of the first times
31. on the Floor of this Chamber, pensions and we all know we have
32. problems with pensions. I think that a lot of people wanted to get
33. up to discuss how they feel about the pension system and how
34. the need for funds are and what we're going to have to do fiscally.

1. But, I think we are attempting in a small way here in this
2. Conference Committee Report, to justify something that should be
3. done for some people who are penalized though it was not their
4. fault. This in a small way, I think, makes up for the problem
5. that they are having. I am a member of the Pension Laws
6. Commission. It has been alluded to that although others aren't,
7. I think that about eight members who signed this Conference
8. Committee Report are members of that Pension Laws Commission
9. and as one of those members and signer of this Conference Committee
10. Report, I urge your favorable support on this Conference Committee.

11. PRESIDENT:

12. Senator Egan may close the debate. Oh, pardon me.
13. Senator Harber Hall.

14. SENATOR HALL:

15. Well, Mr. President, I heard your remarks regarding my
16. motion and I...I don't find it in the rules where I'm out of order
17. on the motion, but I'm going to adhere to the general thinking
18. that you've expressed as being the desired procedure here and
19. withdraw the motion. However, I...I would feel that had I insisted
20. upon it, I would be acting within the rules of the Body.

21. PRESIDENT:

22. Well, Senator, I appreciate how you would feel, but you would...
23. you know, feel wrongly. Senator Egan may close the debate.

24. SENATOR EGAN:

25. Thank you, Mr. President and members of the Senate. In...in
26. closing, I...I want to say again especially to Senator Hall,
27. that the...the...I have...I...I wish again to state the fiscal
28. impact on this system and my discussion with the keepers of that
29. system, it is no more than two hundred fifty thousand dollars
30. of unfunded liability. That is in percentage of the total amount
31. of the system one-twentieth of one percent. Now, I've discussed
32. this. It is in their opinion, so negligible that they do not oppose
33. it. I think that we can find money if we looked hard enough to fund

1. it if we wished. But, it is a very minimal fiscal impact on
2. the system and therefore the system trustees do not oppose
3. this bill. It is also my feeling that because this particular
4. circumstance has never before happened, and here's what it is
5. in simple terms of the last ten years of a retiring teacher's
6. pay base, you average the highest of four years and take those
7. four years and that is the basis upon which you receive your
8. pension. These sixteen days subtracted from those four
9. years, reduces it to a level that it otherwise would not be
10. reduced to. It is unfair in that circumstance that a teacher
11. retire with that fifteen days subtracted from their four
12. years average and they bear that burden for the rest of their
13. lives. I am sympathetic to the idea of having a full commission
14. hearing on it and...and exploring all the possibilities...

15. PRESIDENT:

16. The Senator will close his remarks.

17. SENATOR EGAN:

18. Yes, Sir.

19. PRESIDENT:

20. Your time has expired.

21. SENATOR EGAN:

22. Except the quicker that we get these teachers to pay into
23. the system, the more money the system will...be reimbursed as
24. a result of it and I don't think that...that we can explore
25. any of the other facts involved and so do eight of...seven of the
26. members of the commission in the Legislature...

27. PRESIDENT:

28. You...your...

29. SENATOR EGAN:

30. ...and I ask for your favorable support.

31. PRESIDENT:

32. ...your time has expired and that's been said before.

33. The question is shall the Senate adopt Senate Bill...adopt the

1. First Conference Committee Report on Senate Bill 1999? Those
2. in favor vote Aye. Those opposed will vote Nay. The voting
3. is open. Have all voted who wish? Take the record. On that
4. question the Ayes are 28, the Nays are 18, with 3 Voting Present.
5. The Senate does not adopt the Conference Committee Report on
6. Senate Bill 1919 and the...pardon me, 1999 and the Secretary
7. shall so inform the House.

8. SECRETARY:

9. Second Conference Committee Report on Senate Bill 1956.

10. PRESIDENT:

11. Senator Hickey.

12. SENATOR HICKEY:

13. Mr. President, I move that the Senate concur in the
14. restoration of Amendments 1 and 3 to Senate Bill 1956. These
15. amendments changed the dollar amount in...increase it just about
16. double the...the appropriation. The Amendment No. 1 does that
17. and Amendment No. 3 was added to see that Winnebago County,
18. which was intended to have relief from the problems incurred in
19. 990, were cut by Amendment No. 1 by the changes in...in the
20. substantive bill, 1524 which is coming and so on.
21. Amendment No. 3 restores that amount, makes the whole thing for
22. a two year period, about eleven and a half dollar...eleven
23. and a half million dollars. I ask that...that we concur in
24. these two amendments.

25. PRESIDENT:

26. Senator Palmer. Well, push your light button, it's on.
27. Senator Fawell:

28. SENATOR FAWELL:

29. This, Mr. President and members of the Senate, is the
30. appropriation for the bill that I think most of us would
31. recognize, as the Rockford Appropriation for lack of better nomenclature.
32. It would now be eleven...is it 11.5 million, Senator, from the
33. General Revenue Fund and as a result of the Second Conference
34. Committee meeting, and this is taken, by the way, along with Senate

1. Bill 1524, the Second Conference Committee Report coming in
2. on that bill, recommends that the same type of relief which
3. we have been talking about, for the Rockford School Districts
4. in effect be extended Statewide, so that approximately thirty-
5. five counties are covered. And one has to greet something like this,
6. I think, with mixed emotions because now we have swelled the
7. two and a half million from General Revenue up to about a eleven
8. and a half million dollars. I, as a Republican member of the
9. Conference Committee...I think all the Republican members refused
10. to sign the Conference Committee Report either on this bill or for
11. that matter, on 1524. One of the basic reasons being that as
12. far as the package was concerned, the elimination of the roll back
13. tax was refused to be made a part of the total package. But this
14. bill, in all fairness, really deals only with the appropriation
15. to support the funds which would be necessary now, so that all
16. school districts in counties where the aggregate assessed valuation
17. for 1973 was over thirty-three and a third percent and school
18. districts which are detrimentally affected by the drop of assessed
19. valuation would be able to get a small portion of this appropriation.
20. I...I still believe that it is unsound for us to proceed in this
21. way and for that reason did not support this. I...again, my...
22. some of my school districts undoubtedly can be helped, but I don't
23. believe we have money for this. I don't believe we should
24. be appropriating for this when we, as Senator Knuppel pointed out
25. the other day, yesterday, we didn't have enough money to reimburse
26. our school districts for money spent already for handicapped
27. children programs, which now they...the State says we cannot
28. fully fund. So, I do stand in opposition.

29. PRESIDENT:

30. Senator Carroll.

31. SENATOR CARROLL:

32. Thank you, Mr. President. I stand in support of this Conference
33. Committee Report, as a member of that committee, and I know that
34. these days go fleetingly by and people get tired from running

1. from committee to committee and maybe they forget what they say.
2. Maybe they do forget what they say because I heard a member of that
3. Conference Committee who didn't sign the report suggest to us
4. that this didn't even go quite far enough. That we should go
5. down to the township levels and help those school districts...
6. those school districts that were over thirty-three percent,
7. help them each and every individually, not just all the counties,
8. but go into the counties where the counties may have been thirty-
9. three or less, but various townships within those counties.
10. Naperville, for example. I remember hearing that at the
11. Conference Committee, so I'm surprised to hear the remarks on
12. the Floor. However, even though I think we should have done
13. this in...in the interest of 990 as we said last year, just
14. for those who were way over and felt that we should not come
15. down to thirty-three if that is the will of the majority of the
16. Conference Committee, I support that. I think we have to pay the
17. price for attempting to streamline the system. And I would urge
18. the members to support this.

19. PRESIDENT:

20. Senator Bloom.

21. SENATOR BLOOM:

22. Thank you. I don't have a copy of 1956, the Conference
23. Committee Report (a) and (b), why are we considering this before
24. we consider the substantive bill, which I think is 1524?

25. PRESIDENT:

26. Senator Hickey.

27. SENATOR BLOOM:

28. Well, answer...you know, I'd like a copy of 1956, the
29. ...well, we don't have it on our desks, (a); (b), why are we considering
30. this prior to 1924, which I understand is the...1524, I'm sorry,
31. which I understand is the substantive bill...substantive bill?

32. PRESIDENT:

33. Well, I can answer why we are considering it, because it was

1. the next one in the pile. Senator Bloom.

2. SENATOR BLOOM:

3. I'd still like a copy of the Conference Committee Report,

4. 19...on 19...

5. PRESIDENT:

6. Fine.

7. SENATOR BLOOM:

8. ...56.

9. PRESIDENT:

10. Will the Sargeant-at-Arms see that everybody has a copy of

11. the Conference Committee Report?

12. SENATOR BLOOM:

13. We'd all like them.

14. PRESIDENT:

15. Well, I'm asking that everyone get one. Now, we have them

16. here so don't...they're not to be stacked, send them around.

17. Now, they're...apparently they're on everybody else's desk.

18. Senator Harris.

19. SENATOR HARRIS:

20. Well, Mr. President, I would most respectfully suggest

21. that for this Body to take up this appropriation bill in advance

22. of a consideration of the substantive bill, is folly. Whether

23. it's the next one on the pile, or not. I just...just don't think

24. that that's a valid reason for this measure to be before us. And

25. I'm...I'm most sincere in that observation.

26. PRESIDENT:

27. Well, Senator, it is a fact that...I just said a fact,

28. that's the way it was.

29. SENATOR HARRIS:

30. Well, whether it's a fact or not, Mr. President, this

31. appropriation bill is a nullity if we do not provide the

32. substantive bill for it. And it's...

33. PRESIDENT:

34. That's a fact, too.

1. SENATOR HARRIS:
2. ...the substantive bill that creates the problem and that's
3. the order that a...a discriminating Body ought to proceed
4. under. I...I just sincerely believe that this is an inappropriate
5. order.
6. PRESIDENT:
7. Senator Hickey.
8. SENATOR HICKEY:
9. Mr. President, I really agree with Senator Harris.
10. Can't we take this...
11. PRESIDENT:
12. Take it out of the record.
13. SENATOR HICKEY:
14. ...from the record and...
15. PRESIDENT:
16. Take it out of the record.
17. SENATOR HICKEY:
18. ...and bring in Senate Bill 1524, you must have...
19. PRESIDENT:
20. Fine.
21. SENATOR HICKEY:
22. ...that must be in the pile, too.
23. PRESIDENT:
24. Is it there, Sir? Take this bill out of the record and put
25. 1524 in. We are now on that subject matter. Senator Hickey.
26. SENATOR HICKEY:
27. As we have said, Senate Bill 1524 is the substantive bill.
28. I move that the Senate concur in House Amendment 3 and recede
29. from House Amendments 5 and 6. House Amendment 3 changes the
30. qualification year from '74 to '73. It changes the a figure in the
31. formula from 1974 to '73 and this makes it include about thirty
32. counties of...for which I am...I must confess, I am not really
33. pleased about this, but also it...we...I do move that we recede
34. from House Amendments 5 and 6 which are the elimination of the roll

1. back and the one/one '76 provision for penalty for the
2. resource equalizer.

3. PRESIDENT:
4. Senator Bell.

5. SENATOR HICKEY:
6. It's...

7. PRESIDENT:
8. Oh, I'm sorry. I thought you had finished.

9. SENATOR HICKEY:
10. Well, Senator Knuppel asked a question...

11. PRESIDENT:
12. Senator Knuppel...

13. SENATOR HICKEY:
14. ...and I was answering. I'm sorry.

15. PRESIDENT:
16. Well, Senator Bell is recognized. We'll get back to
17. Senator Knuppel. Senator Bell.

18. SENATOR BELL:
19. Thank you, Mr. President. Question of Senator Hickey.
20. Senator, you now...you made...you made...mention here in reference
21. to Senate Bill 1524 that you're...shall we say, unhappy about
22. provision for the other counties? Now, that seems like kind
23. of a parochial viewpoint. Can you explain why you feel
24. that way?

25. PRESIDENT:
26. Senator Hickey.

27. SENATOR HICKEY:
28. Senator Bell, these bills were originally drafted, as we
29. have said before, to compensate for the effects of House Bill 990.
30. If you remember, when 990 was passed, we talked about how there
31. was just one county that could not be taken care of in the formula
32. that it was put into 990 to equalize the whole State and that
33. was Winnebago County. Senator Harris has come into my district

1. and said, something must be done about this one county
2. because of what 990 does to it. So, last year, I offered
3. legislation, I offered amendments to 990 and frankly,
4. they were not accepted at that time because they were afraid
5. they couldn't get 990 back through the House. So, there
6. was really a...a...there was statements made and it was taken
7. in good faith that this correction would come in this Session
8. of the Legislature and that's what these bills were originally
9. intended for. There are many people who don't seem to understand
10. that, at this point and see it as a pork barrel bill and want...want
11. to get some fat and it's not as...it was not originally intended
12. as a pork barrel bill and that's why I regret that it is in this
13. form, but I do believe that...that Winnebago County has this
14. coming. I know that Senator Fawell wasn't for 990 in the first
15. place, so, of course, corrections for 990 don't interest him now.
16. And so all of that contributes to the fact that I say that I wish
17. the bill were in its original form, but I believe that there is
18. no possibility in passing it that way and so here it is.

19. PRESIDENT:

20. Senator Bell.

21. SENATOR BELL:

22. Well now, Senator Hickey, that's you've used up most of
23. my time, I might just point out that evidently the House felt that
24. there's about twenty-nine other counties or thirty other
25. counties that have the same problem, or some portion of that
26. problem, you know, that Winnebago County has. What you're
27. saying is that you want to deliver the pork for the pork
28. barrel to Winnebago County to the exclusion of the other twenty-nine
29. or thirty counties. I think that's a...awful selfish attitude,
30. Senator. I would support Senator Fawell's position actually.
31. You know, the money is not there. We're originally talking about
32. a few million dollars to relieve the problems of Winnebago
33. County, now we're talking about eleven and a half million dollars and

1. the whole idea is one that we just can't frankly afford.
2. I would move that...or hope that we would defeat this Second
3. Conference Committee Report.

4. PRESIDENT:

5. Senator Sommer. Oh...yes...Senator Sommer.

6. SENATOR SOMMER:

7. Senator Hickey, ever alert to our opportunities,
8. we had a Representative in the House place this amendment on
9. your bill and could you give me any idea of how big a winner
10. Tazewell County would be under this?

11. PRESIDENT:

12. Senator Hickey.

13. SENATOR HICKEY:

14. I do not have that specific figure. As you remember, Senator
15. Sommer, I contacted you a year ago to see if you were interested
16. in this because I thought Tazewell was one of those closest
17. to Winnebago and having this problem, I aroused no interest
18. from Tazewell County, from anyone, at that point. They are on the
19. list of the twenty-nine counties and your Representative Anderson
20. is the one who...who would have that figure for you.

21. PRESIDENT:

22. Senator Sommer.

23. SENATOR SOMMER:

24. Well, Senator Hickey, yes, indeed you did arouse interest,
25. however we...we accomplished the thing in the proper way.
26. The only suggestion I might make to you as not having the key
27. to the front door of the Governor's Office, we might not be able
28. to prevent an amendment on this thing, a Governor's...Governor's
29. Amendatory Veto in which he simply strikes through the figure
30. thirty-three and a third and runs it up to forty percent. Again,
31. it will only benefit you. Senator Hickey.

32. SENATOR HICKEY:

33. I'm sorry, did you ask me a question? I...someone else was

1. speaking to...

2. SENATOR SOMMER:

3. Senator Wooten was asking you a question, but I'll go ahead

4. with mine. It's my understanding that the Governor could

5. doctor this bill, if it goes to his office, by simply striking

6. through the...the figure saying thirty-three and a third

7. and placing therein, forty percent. Is that possible and if so,

8. have you arranged to do that?

9. PRESIDENT:

10. Senator Hickey.

11. SENATOR HICKEY:

12. I have not arranged to do that.

13. PRESIDENT:

14. Senator Sommer.

15. SENATOR SOMMER:

16. Are you going to arrange to do that or are you going to

17. suggest to the Governor that he sign the bill as is?

18. PRESIDENT:

19. Senator Hickey.

20. SENATOR HICKEY:

21. Cross that bridge when I come to it.

22. PRESIDENT:

23. Senator Sommer.

24. SENATOR SOMMER:

25. Well, Senator Hickey, I suggest that that's totally un-

26. responsive. I'm going to ask it to you again. Are you going to

27. suggest that he make that kind of Amendatory Veto or are you

28. going to ask him to sign the bill as is?

29. PRESIDENT:

30. Senator Hickey.

31. SENATOR HICKEY:

32. I haven't decided what I'm going to do about that, Senator

33. Sommer.

1. PRESIDENT:
2. Senator Knuppel, did you seek recognition?
3. Your answer is No? Thank you. Senator Nimrod.
4. SENATOR NIMROD:
5. Yeah, Mr. President, a question of the sponsor.
6. PRESIDENT:
7. She indicates she'll yield.
8. SENATOR NIMROD:
9. What...what happened to the bill when we changed it from
10. the '74 level to the '73 assessed valuation? How much do we
11. add to it for that?
12. PRESIDENT:
13. Senator Hickey.
14. SENATOR HICKEY:
15. Well, that...it...it almost doubles it. It...and that
16. was changed in two ways, now in the qualifying part and also in
17. the formula part. The '74 was taken to '73 by the Representative
18. from Senator Sommer's district.
19. PRESIDENT:
20. Senator Nimrod.
21. SENATOR NIMROD:
22. Well, as much as I...I support Senator Hickey in here original
23. attempt because I do think that Winnebago was one that was
24. certainly justified in getting their monies. I think that the
25. concept of the bill here is changed so drastically and become
26. so costly, that we can't even do justice with the one county
27. that I think deserved it. Since when we're talking about the
28. thirty-three, thirty-four and thirty-five percent people and the
29. thirty-six percent people, we averaged that. Because what we're
30. doing now is where we were taxing the local taxpayers again, this
31. is another bill, we are now saying that the local taxpayers don't
32. have to be taxed and the State has to make up those
33. differences. I do think that it's okay to justify that in the one
34. case, because that they had continuously over several years, .

1. Winnebago had attempted to comply with the laws and had done
2. more than its share. But, now it's become this large, Senator
3. Hickey, I just think that it's imprudent and certainly irresponsible
4. fiscally to attempt to pursue this and it's too bad because you
5. had a good idea and I did want to support you.

6. PRESIDENT:

7. Senator Buzbee.

8. SENATOR BUZBEE:

9. Question of the sponsor, Mr. President.

10. PRESIDENT:

11. She indicates she'll yield.

12. SENATOR BUZBEE:

13. Could you tell me if Jackson County is on that list, Senator
14. Hickey?

15. PRESIDENT:

16. Senator Hickey.

17. SENATOR HICKEY:

18. I don't have the list in front of me, but it is my impression
19. that Jackson County was certainly assessing below thirty-three
20. and a third in 1973. And this...this is only the counties that
21. come in...into that classification.

22. PRESIDENT:

23. Senator Buzbee.

24. SENATOR BUZBEE:

25. Well, you are correct. Jackson County, as an average, was
26. assessing below thirty-three and a third, however, Carbondale
27. Township happens to be assessing at above thirty-three and a third
28. percent. And it looks like now we have made a christmas tree...
29. presents under there for everybody except for me and I'm
30. going to vote No.

31. PRESIDENT:

32. Senator Buzbee.

33. SENATOR BUZBEE:

1. Senator Hickey, I also would agree with Senator Sommer
2. and that your response to his question when asked as to whether
3. you were going to ask that everybody else be stricken except
4. your county, that your answer was, in fact, not a responsive
5. one and...and not the type that I think is...should be...should
6. be given upon this Floor.

7. PRESIDENT:

8. Senator Hickey.

9. SENATOR HIKCEY:

10. I will say this, Senator Buzbee, that I think there will have
11. to be some adjustment made in this because of the level of
12. funding involved. I am absolutely honestly answering you when
13. I say, I really do not know what that should be.

14. PRESIDENT:

15. Senator Fawell.

16. SENATOR FAWELL:

17. The...I think that Senator Bell was quite correct when
18. he characterized this bill in its initial stage as a parochial
19. bill, and in reality I've tried to, on numerous occasions, bring
20. out to this Body, that there are a lot of school districts,
21. park districts, municipalities, mosquito abatement districts,
22. you name them, all of whom have been hurt by House Bill 990
23. because of a loss of assessed valuation they did not anticipate.
24. And I have said from the very beginning that it is not really
25. fair to say that one particular district having been hurt ought
26. to receive compensation. That is not to say that I am not
27. interested in rectifying the situation under House Bill 990.
28. But, I never even began to think of special appropriations because
29. I didn't believe that we had a right to do that with the crisis
30. that the State faces. Senator Carroll, I think the bill now is
31. better than what it was because it covers more people and it would
32. help Naperville. But, I can't vote in an absolutely irresponsible
33. fashion. This is now up to 11.5 million and it started at 2.3.

1. You add the six million we put to Senator Lane's bill the other
2. day and there's twenty million of the thirty-two that we couldn't
3. give for handicapped children's programs which the Governor's
4. veto cut back by thirty-five percent so that school districts
5. today are just abandoning some of those programs. I got word
6. today for instance, that in Downers Grove, Illinois, they
7. just eliminated transportation because we have also taken the at-
8. titude that we're not going to pay a year later, it's going to
9. be two years later in effect, when we go into the quarterly
10. installments and they're just giving up. We...we simply cannot
11. responsibly pass this. Naperville School District lost twenty-
12. four million. I'd like to think that there would be a chance
13. and that we'd have a right to do this and Senator Buzbee is right
14. when he says that a township within his county, although the
15. the county aggregate is under thirty-three and a third percent
16. there are school districts and municipal entities that are hurt
17. by 990, too. And the hurt is just as direct and just as related
18. as is the hurt in Rockford and thus for that reason, I cannot
19. support this, even though I will repeat it, it's...it's better
20. than what it was, I think, with all due respect to Senator
21. Hickey.

22. PRESIDENT:

23. Senator Carroll.

24. SENATOR CARROLL:

25. Thank you. Just for edification of some of the members
26. from the questions raised, the types of counties this would help
27. and this is not an inclusive list, is Champaign County, McLean
28. County, Macon County, Peoria County, Saline, Coles, Clay, Bureau,
29. Adams, Henderson, Lee, LaSalle, Putnam, Rock Island, and several
30. others. Those are the counties that this new approach would
31. help with State funds and I think the members of the Legislature
32. are entitled to that information. I don't see...oh, Senator Bell
33. is still on the Floor. As a signator to that Conference Committee on

1. personal privilege, I wish he would delete his reference to...
2. it being a pork barrel project.

3. PRESIDENT:

4. Senator Hickey may close the debate. Oh, pardon me,
5. Senator Sommer.

6. SENATOR SOMMER:

7. Thank you, Mr. President. I dislike speaking twice and this
8. is the first time I've ever done it. I would like to suggest to
9. Senator Carroll, if he's listening, that this...yes, indeed, this
10. bill will help those counties if Senator Hickey will make her
11. promise right here and now that she will not induce a change
12. in the bill, because the Governor can easily change it by
13. amending two numbers and all of a sudden it becomes the Rockford
14. bill again. Now, I would ask Senator Hickey again whether she's
15. going to make that sort of recommendation.

16. PRESIDENT:

17. Senator Hickey.

18. SENATOR HICKEY:

19. Say what I said before, that...that I think that...that there
20. would have to be some adjustment in this bill, precisely what it
21. will be, I do not know and I'm not sure exactly what I would ask
22. the Governor to make in this. But I...I'm really very flattered
23. by the fact that you seem to think that whatever...whatever I ask
24. the Governor is exactly what we'll get. I'd also like to say
25. that, you know, one of the things we did take out of this...
26. an amendment we took out of this, was one on...on the rollback
27. and that, of course, is one of the things that disappointed
28. Senator Fawell. He might, I'm sure, think it was even a more
29. perfect bill if we'd had...had left that in. There was one other
30. misstatement made. It said that no Republican signed the...the
31. Committee Reports on 15...1956; Representative Anderson did sign
32. the appropriation bill and...and however did not sign 1524,
33. but there...there is a Republican signature on one of the two
34. companion bills. It doesn't seem to me that, as I say, that it's

1. really that important what...what I say. I think the Governor
2. will have to...Governor will have to make this decision and what
3. I say will not make the difference.

4. PRESIDENT:
5. Senator Sommer.

6. SENATOR SOMMER:
7. Well, just one comment. All of us here try to help one another
8. as best we can. Sometimes we are not as successful as we might be.
9. We all have projects and interests in our own areas. And, many
10. times these are successful with help of people from...from other
11. areas. And I think on this bill, I'm simply going to allow
12. the...the record to reflect itself and see what action is, in fact,
13. taken by the Governor and we'll...we'll know what we're dealing
14. with, Senator Hickey, when that happens.

15. PRESIDENT:
16. Any further discussion? The question is, shall the Senate
17. ...the question is, shall the Senate adopt the Second Conference
18. Committee Report on Senate Bill 1524? Those in favor vote Aye.
19. Opposed Nay. The voting is open. Have all voted who wish?
20. Take the record. On this question the Ayes are 33, the Nays
21. are 18 with 1 Voting Present. The Senate does adopt the Conference...
22. Second Conference Committee Report on Senate Bill 1524 and the
23. bill having received the required constitutional majority is
24. declared passed. Senator Buzbee.

25. SENATOR BUZBEE:
26. Ask for verification of the affirmative votes, Mr. President.

27. PRESIDENT:
28. Senator Savickas.

29. SENATOR SAVICKAS:
30. Well, I just wanted to state that if my key had been turned
31. on, I would have voted Yes on this, but my key was off and I wish
32. to have been recorded Yes on this concurrence.

33. PRESIDENT:

1. Let the record so show. Senator Buzbee has requested
2. a verification of the affirmative roll call. Will all Senators
3. be in their seats and the Secretary will read the affirmative
4. vote?
5. SECRETARY:
6. The following voted in the affirmative: Bloom, Brady,
7. Bruce, Carroll, Clarke, D'Arco, Daley, Demuzio, Donnewald,
8. Dougherty, Egan, Kenneth Hall, Harris, Hickey, Hynes, Johns,
9. Joyce, Knuppel, Kosinski, Lenke, McCarthy, Morris, Netsch,
10. Palmer, Rock, Roe, Schaffer, Sommer, Smith, Vadalabene,
11. Welsh, Wooten, Mr. President.
12. PRESIDENT:
13. Senator Buzbee.
14. SENATOR BUZBEE:
15. Senator Joyce.
16. PRESIDENT:
17. Is Senator Joyce on the Floor? I don't see Senator Joyce.
18. Take him off the roll call.
19. SENATOR BUZBEE:
20. Senator Brady.
21. PRESIDENT:
22. Senator Brady on the Floor? Take him off the roll call.
23. SENATOR BUZBEE:
24. Senator D'Arco.
25. PRESIDENT:
26. Senator D'Arco is in his chair.
27. SENATOR BUZBEE:
28. Senator Daley.
29. PRESIDENT:
30. Senator Daley is on the Floor.
31. SENATOR BUZBEE:
32. Senator Knuppel.
33. PRESIDENT:
34. Senator Knuppel is here. He's quiet, you didn't see him.

Handwritten notes:
H.B. 5410
Said to be put
Committee
6/30/46

- 1. On this question the Ayes...the roll call has been verified.
- 2. On this question the Ayes are 31, the Nays are 18 with 1 Voting
- 3. Present. Senator Hickey moves to reconsider the vote by which
- 4. this bill passed. Senator Wooten moves to Table. All in favor
- 5. say Aye. Opposed Nay. The Ayes have it. The motion carries.

6. SECRETARY:

7. Second Conference Committee Report on Senate Bill 1956.

8. PRESIDENT:

9. Senator Hickey.

10. SENATOR HICKEY:

11. This is the bill which we were talking about in the first
12. place and took from the record. If...it is the appropriation
13. bill with the two House Amendments restored, which do build
14. it up to the amount that we were talking about. If there's
15. any...if there's not need for any further discussion, I'd just
16. as soon have a roll call.

17. PRESIDENT:

18. The question is shall the Senate adopt the Second Conference
19. Committee Report on Senate Bill 1956? Those in favor will vote
20. Aye. Opposed will vote Nay. The voting is open. Have all voted
21. who wish? Take the record. On this question the Ayes are 32,
22. the Nays are 18 with 1 Voting Present. The Senate does concur
23. on the...on...it does adopt the Second Conference Committee
24. Report on Senate Bill 1956 and the bill having received a
25. constitutional majority is declared passed. Senator Wooten moves
26. to reconsider the vote by which that bill passed. Senator
27. Carroll moves to Table. All in favor say Aye. Opposed Nay.
28. The Ayes have it. The motion carries.

29. SECRETARY:

30. First Conference Committee Report on House Bill 3318.

31. PRESIDENT:

32. Senator Lemke.

33. SENATOR LEMKE:

AB 5318
6/30/76

1. I move for the adoption of the Conference Committee Report.

2. PRESIDENT:

3. Any further discussion? Senator Buzbee.

4. SENATOR BUZBEE:

5. I'd just like to know what it is and so forth.

6. PRESIDENT:

7. Senator Lemke, would you give an explanation of it, please?

8. SENATOR LEMKE:

9. What we do is...what we do is a few things. We...Senate
10. recedes from Amendments 1, 2, and 3. House Bill 33 be further
11. amended as follows: on page one be deleting lines thirty and
12. thirty-one by inserting in lieu thereof, "for an employer employing
13. fewer than three...three employees, exclusively, employers
14. parents, spouse or children or other members of immediate family,"
15. in line thirty-two by deleting, "one" and inserting in lieu
16. thereof, "two," on page two, line three, be deleting, "two
17. hundred and fifty," and inserting in lieu thereof, "five hundred,"
18. and in lines twenty-two and twenty-four, be deleting, "two,"
19. and...and inserting in lieu thereof, "three and four and five,"
20. respectively.

21. PRESIDENT:

22. Senator Rock.

23. SENATOR ROCK:

24. Thank you, Mr. President. I have only one correction,
25. perhaps, I think that in my discussions at least, earlier with
26. some members of the House, the three was changed to a four and I
27. would just ask leave of this Body to do it on the face of it
28. rather than having to retype the entire report again. The House
29. has addressed this Conference Committee Report with the numeral
30. four instead of the numeral three.

31. PRESIDENT:

32. Is leave granted? Leave is granted. Senator Harber Hall.

33. SENATOR HALL:

4/25/51
6/30/16

1. Well, that's correct. It's fewer than four, it should be
2. on there and in respect to the other amendments, I attended the
3. Conference Committee and agree that this Conference Committee
4. Report should be supported. It makes nominal changes
5. in what the amendments attempted to do, the three amendments
6. one by Senator Regner and two by myself, and so I favor this
7. Conference Committee Report.

8. PRESIDENT:

9. Any further discussion? The question is shall the Senate
10. adopt the Conference Committee Report No. 1 on Senate Bill 3318?
11. Those in favor will vote Aye. Opposed Nay. The voting is open.
12. Have all voted who wish? Take the record. On this question the
13. Ayes are 45, the Nays are 4 with none Voting Present. The Senate
14. does adopt Conference Committee Report No. 1 on House Bill 3318
15. and the bill having received a constitutional majority is declared
16. passed. Senator Lemke moves to reconsider the vote. Senator
17. Carroll moves to Table. All in favor say Aye. Opposed Nay.
18. The Ayes have it. The motion carries.

19. SECRETARY:

20. First Conference Committee Report on House Bill 3377.

21. PRESIDENT:

22. Senator Joyce. Yes, Senator Joyce. 3377, you...

23. SENATOR JOYCE:

24. Hold it a minute, Mr. President, will you?

25. PRESIDENT:

26. Take it out of the record.

27. SECRETARY:

28. Second Conference Committee Report on House Bill 3417.

29. PRESIDENT:

30. Senator Egan.

31. SENATOR EGAN:

32. Thank you, Mr. President, members of the Senate. This is the
33. Second Conference Committee Report on House Bill 3417. In effect,

1. it only makes one change from the...well, it makes two, one
2. of which is relatively minor, from the First Conference Committee
3. Report so that unless I'm questioned, I would ask that I...

4. PRESIDENT:

5. You might mention the nature of the legislation, Senator.

6. SENATOR EGAN:

7. Yes, I'm...I'm going to, but the six amendments which
8. the Conference Committee agreed on in the First Conference Committee
9. Report remain the same. The only two that are different are
10. the well-known Middle Fork Reservoir and the agreement that the
11. Amendment No. 8 totalling all of the project amounts by line
12. be included that this is...in untimely that will do this in
13. January with the agreement of the director of the department
14. and his promise and the promise of the members of the commission
15. to support it...or the committee to support it. So, in effect,
16. the only difference between this Conference Committee Report
17. and the First Conference Committee Report is that this Conference
18. Committee has recommended that funding for Middle Fork be removed
19. and I move for the concurrence in the Committee Report.

20. PRESIDENT:

21. Any further discussion? Senator Merritt.

22. SENATOR MERRITT:

23. Yes, Mr. President, members of the Senate. Again, I'll
24. slightly repeat what I did the other day. Those of you who know
25. me the best here don't take...know that I don't take up...up
26. a lot of your time. I do wish perhaps I might have your attention
27. as I've given to you all these years for just a few brief moments.
28. I find myself almost in a tenable position having served on the
29. Second Conference Committee along with others. Finding myself
30. in a position where to be responsive in representing the people,
31. the high wish of my people back in Vermillion County, the largest
32. county in my district, having to vote against this concurrence...
33. please, Mr. President.

1. PRESIDENT:

2. Senator Merritt is one of the quietest members here. He
3. never makes a lot of noise, so give him your attention, please.

4. SENATOR MERRITT:

5. And yet knowing at the same time that down deep in my heart
6. I owe a vote on this bill, because it represents projects if my
7. count is right, thirty-two of them, that are important to so many
8. Senators sitting and standing on this Floor here today. Let's
9. just trace a bit of it, beginning in the northern part of the
10. State. We've got projects in there and a good many of them
11. for Cook and Will Counties. I'm not going to name the Senators
12. names, I don't want to embarrass you on the Floor. At Batavia,
13. in Lake, and...McHenry Counties, in Bureau County, in Tazewell,
14. in Pekin, in Peoria County, in Kanakakee County, in Macon, in
15. Madison and St. Clair and it's down as far south as Jackson
16. County, every one of them worthy of your consideration. Believe
17. you me, it grieves my heart to think that I have to stand up and
18. vote against those projects and yet to represent my people, I cannot
19. concur with this when you stop to think and I know I'm not going
20. to change anyone's votes, I can tell from the previous roll call
21. votes that minds are shut against me. I don't care about whether
22. they're set against me, they're set against the people of my
23. district who have spoken so loud and clear on this issue by
24. referendum have come up between the city of Danville and the
25. County Conservation District with five and a half million dollars
26. of their own local money, it's rather sad to see and yet I'm
27. glad that they got six new projects put in this bill, unbudgeted
28. items many of them, but that's still all right, if the Governor
29. will sign it. And the only one taken out, Ladies and Gentlemen,
30. the only one taken out was Middle Fork Reservoir from my district
31. and it was a budgeted item and has been for these long twelve years
32. it's been in existence. It's had the support of every Governor
33. from Kerner through Shapiro through Ogilvie and present Governor
34. Walker. Now, I ask you, giving this message to the people back there

1. isn't that at this late date, breaking complete faith
2. between the Executive and the Legislative Branch? No. Not
3. the Executive, they've kept their word. It's beyond me,
4. Ladies and Gentlemen, to see what's being done here today.
5. Think for just one minute and then I'll close, Mr. President.
6. Think with me very carefully, when the County Conservation District
7. issued their bonds for this special purpose six years ago and
8. they weren't long term bonds, they were only run for eighteen
9. years, one-third of them have been liquidated at this point
10. and were issued for this purpose only, I ask you, Ladies and
11. Gentlemen, what kind of havoc do you think you're going to bring
12. upon those people back home still paying off those bonds and
13. can't use it for the purpose which it was intended? I know what
14. the vote is going to be here today, Ladies and Gentlemen. And
15. it breaks my heart to think that I've got to stand up and vote
16. for projects that so help me God, I've supported every year
17. I've been in this Body. For all of you, because I believe in them.
18. I know you fight for what your people believe in. Your people
19. wanted those projects. Our people want them too, by virtue of
20. referendum that says, we want this. Ladies and Gentlemen, you have
21. it on your conscience that you know better than my people
22. back home know what they want. Thank you, very much.

23. PRESIDENT:

24. Any further discussion? Senator Wooten.

25. SENATOR WOOTEN:

26. Mr. President and colleagues. I simply want to state briefly
27. that Senator Merritt is an able and conscientious legislator.
28. A dedicated and a gracious man. The only comfort and it is, I
29. admit, in view of his desires, a small comfort, the only comfort
30. we can take is that this already popular recreation area has been
31. left with sufficient land that in and of itself can make a splendid
32. State park to enhance the already excellent recreational advantages
33. of the Middle Fork. I have taken no pleasure in opposing Tom Merritt
34. on this issue. I want it clearly understood that strictly on the

1. fiscal basis, have I taken a position against him and I feel
2. that although it is not the project he has fought for for so
3. long, that it will turn out to be a great benefit to the
4. people in his district.

5. PRESIDENT:

6. Senator Knuppel.

7. SENATOR KNUPPEL:

8. ...of Senator Wooten. Is this now a State park?

9. PRESIDENT:

10. Senator Knuppel...Senator Wooten.

11. SENATOR WOOTEN:

12. When the Water Resources Commission met on this, Senator
13. Knuppel, we inquired what the status of the project was. We
14. were informed that enough land has been acquired there that it
15. could be easily converted into a State park. Most of the farmers
16. have been...their land has been acquired along there and we have
17. the makings of an excellent recreational area along the Middle
18. Fork. That's the extent of my knowledge, the report that was
19. made to the Water Resources Commission.

20. PRESIDENT:

21. Senator Knuppel.

22. SENATOR KNUPPEL:

23. Mr. President, I just want to say one thing. I mean, I...I
24. spoke the other day in favor of Tommy Merritt. I get sick of this
25. soft headed garbage where these people stand up here and say that
26. maybe it can be a State park when the other day we gave away
27. seventeen hundred acres of land the State didn't need. These
28. are the people that have been supporting Tony Dean whose written
29. such a poor record with respect to our conservation land. And I
30. really, frankly, when I hear that kind of stuff and hear them
31. same kind of people stand up here and say we ought to keep
32. the Peoria State Hospital for a State park when we've got Siloam
33. Spring State park in west central Illinois, you won't even spend
34. the money to...to develop and the Weinberg King State park. I

1. just wonder how these people get here and how...how soft headed
2. they can be.

3. PRESIDENT:

4. Any further discussion? The question is shall the Senate
5. adopt the Conference Committee Report...Conference Committee
6. Report No. 2 on House Bill 3417? Those in favor will vote Aye.
7. Opposed Nay. The voting is open. Have all voted who wish?
8. Take the record. On this question the Ayes are 35, the Nays
9. are 14 with none Voting Present. The Senate does adopt
10. the Second Conference Committee Report on House Bill 3417
11. and the bill having received a constitutional majority is
12. declared passed. For what purpose does Senator Vadalabene arise?

13. SENATOR VADALABENE:

14. I just wanted everybody to know that my red light works.

15. PRESIDENT:

16. Senator Joyce.

17. SECRETARY:

18. First...

19. PRESIDENT:

20. You ready?

21. SENATOR JOYCE:

22. Mr. President and members of the Senate. House Bill 3377
23. is the Mental Health appropriation and the First Conference
24. Committee Report met and six members did vote out a proposal
25. that the Senate recede from Amendments 3 and 4 and the House
26. concur in Senate Amendments 1, 2, 5, 7, 8, 9, 10, 11, and 12.
27. Senate amendment...let's see...okay. And I do not wish to concur
28. in this so if another member of the...the Conference Committee
29. would wish to make that motion.

30. PRESIDENT:

31. Senator Hynes.

32. SENATOR HYNES:

33. I would move that the Senate adopt the First Conference
34. Committee Report on House Bill 3377. The conferees agreed to restore

1. 3.6 million of Senate cuts. The 7.6 million dollar Collective
2. Bargaining cut and the two hundred ten thousand dollar reduction
3. in General Office remains in tact in the bill. The other amendments
4. are essentially technical and I would move that the Senate
5. adopt the Conference Committee Report on House Bill 3377.

6. PRESIDENT:

7. Senator Joyce.

8. SENATOR JOYCE:

9. Yes. I would like to remind the Body, Mr. President, that
10. Amendment No. 2 is the Collective Bargaining Amendment and that
11. if this amendment were to go on, there...the possibility and in
12. fact, it would happen that if they would...that the department
13. would have to lay off eight hundred and sixty-two people. If
14. they laid it off...if they did it July 1st '76 and if they
15. spread it out over the year, it would mean laying off seventeen
16. hundred and twenty-four people. So, I just...I want the membership
17. to be apprise to this. I think this is the...the Collective Bargaining
18. thing that we have talked about and...and...and I would urge
19. you not to concur in this Conference Committee Report.

20. PRESIDENT:

21. Senator Regner.

22. SENATOR REGNER:

23. Mr. President and members of the Senate. This is the same
24. statement made a moment ago, that's been said each and every time
25. one of these issues has come up. There is absolutely no need to
26. lay off any people. This contract will be up for negotiation
27. again this fall and at that time, the department can renegotiate
28. the contracts downward. There currently are vacancies that those
29. vacancies can be used to pay until that point but when the contracts
30. renegotiate it, they can do it at that time and that's the time
31. it should be handled because the Legislature must have input. We
32. can't give away the State to the Governor and AFSCME organization.

33. PRESIDENT:

1. Senator Wooten.

2. SENATOR WOOTEN:

3. Mr. President, I would like to read to my colleagues on
4. this side of the aisle brief statement in campaign literature
5. if I may, that it is...pertains somewhat to this subject. The
6. statement from, Candidate for Governor, now Secretary of State,
7. Mike Howlett, in support of Collective Bargaining for public
8. employees. "Working men and women covered by Collective Bargaining
9. Agreements have the right to know their contract will be honored.
10. Only legislation can provide that guarantee."

11. PRESIDENT:

12. Senator Donnewald.

13. SENATOR WOOTEN:

14. One Governor cannot bind another by his decisions. And
15. then please note this, "As Governor, until appropriate legislation
16. is passed, I will continue the Executive order." I certainly
17. endorse Secretary Howlett's position and I urge that we do not
18. accept Conference Committee Report No. 1.

19. PRESIDENT:

20. Senator Nimrod.

21. SENATOR NIMROD:

22. Yes, Mr. President and fellow Senators. I'd just like
23. to state that I'd like to compliment the members who worked
24. on this Conference Committee.. I want you to know that they have,
25. as Chairman of the Mental Health Commission, I...I was disturbed
26. about the effect that numbers 3 and 4 would have on the institutions,
27. but I think that they have seen wise to... they receded from those
28. amendments and I think this solves the problems of my concerns
29. about the institutuions within the Mental Health Department.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Rock.

32. SENATOR ROCK:

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

1. I think Senator Regner has well posed the issue. But, also
2. as one who has been on record in favor of Collective Bargaining
3. for public employees, and on my first Session I served on the
4. Labor and Commerce Commission and fought that battle to no
5. avail, it seems to me, however, that that kind of a position
6. would require statutory authority. Additionally, I might point
7. out, that we have agonized in the Senate Appropriations Committee
8. lo these months, with respect to these three departments, and,
9. with respect to contracts that apparently are being negotiated
10. even now with some thirty thousand additional State employees.
11. And I would point out, as I rise in support of this Conference
12. Committee Report, that under our State Finance Act in Chapter
13. one hundred and twenty-seven, paragraph one hundred and sixty-six,
14. it says, "without any qualification that no officer shall contract
15. any indebtedness on behalf of the State nor assume to bind the
16. State in an amount in excess of the money appropriated unless
17. expressly authorized by law." I submit to you, Mr. President
18. and Ladies and Gentlemen of the Senate, for those of us who have
19. long supported organized labor, for those of us who do, in fact,
20. run on a record in favor of Collective Bargaining for public
21. employees, that we nevertheless have a responsibility to the people
22. of this State and Yes, to the employees of this State. We have
23. said with some consistency, that we are in a fiscal bind. Whether
24. you're on the side of the Bureau of the Budget or the Comptroller
25. or the Treasurer or the Governor's Office or whoever. Everybody
26. admits we are in a fiscal bind. And to say on the one hand to all
27. State employees, we will allow a two...2.5 percent pay increase
28. and that is all we can afford and yet see these contracts being
29. even now negotiated with promises, frankly, of fiscal pie in the sky
30. to these employees, I think is a mistake. And given that section
31. of the State Finance Act where it says, that no officer, and that
32. includes, certainly, the Governor of this State, no officer shall
33. contract any indebtedness on behalf of the State nor assume to bind.

1. He has assumed to bind this State in an amount in excess of the
2. money appropriated. Period. And this statute says he cannot
3. do that unless expressly authorized by law. We do not have such
4. a law. We will, I'm sure, attempt to get such a law next
5. Session, but in the meantime, this course of action is correct
6. and I support it.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Partee.

9. SENATOR PARTEE:

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

11. Senator Rock has said precisely what I was going to say. I'm
12. happy that Senator Wooten mentioned that Michael Howlett, the
13. Candidate for Governor on this side, says that he is for
14. Collective Bargaining and we, too, are for Collective Bargaining.
15. But, until Collective Bargaining becomes a law of this State,
16. pursuant to the rules, regulations, dictates and desires of this
17. Legislature,...Collective Bargaining is an unentity. The point
18. was made by Senator Rock and I simply want to emphasize it,
19. that when everybody else in this State is being cut back to
20. two and a half percent, it just isn't fair, it isn't just, and
21. it is not honorable to give some selected groups more than the
22. others are getting. More than that, these contracts, if effectuated,
23. would be ruinous at this time with our financial position, and
24. finally, because they would get more, many would finally get
25. less. So, the vote to adopt this Conference Committee Report
26. coming from this Senator, cannot in any stretch of the imagination
27. imagine this Senator as being against Collective Bargaining. I've
28. always supported it and if the proper bill came into this House
29. or Senate, on that question there would be an affirmative vote.
30. Thank you, very much.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Joyce. Just a moment. For what purpose do you arise,
33. Senator Netsch?

1. SENATOR NETSCH:
2. I would like a chance to participate in the debate.
3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. You will have that opportunity, Senator. Senator
5. Joyce.
6. SENATOR JOYCE:
7. Yes, Mr. President, thank you. I would just like to
8. point out that we have, in fact, already done this. We have
9. set a precedent with the Department of Transportation. We came
10. back here and approved the Teamsters Collective Bargaining
11. Agreement..
12. PRESIDING OFFICER: (SENATOR DONNEWALD)
13. Senator Berning.
14. SENATOR BERNING:
15. Mr. President, as I understand it, we will be taking final
16. action on House Bill 3377 if this Conference Committee Report
17. is adopted, which I am convinced will be the case. Therefore,
18. Mr. President, I am in...going to speak to the bill in total
19. not...and the department, not knowing really what the amendments
20. do or where we really stand. But, I call to your attention that
21. House Bill 3377 was moved from the Senate quickly without participation
22. by the members of the Body for the expressed purpose of attempting
23. to get it into Conference Committee as the result of...unavoidable
24. differences between the Senate and the House. Now, Mr. President,
25. with that as a preface for my remarks now, I merely want to
26. point out to this Body that the Department of Mental Health has
27. been high-handed, dictatorial,...insensitive, and completely
28. without a sense of responsibility to nursing homes and residential
29. schools for the mentally retarded and developmentally disabled
30. in at least my district. Mr. President, I have been given to
31. understand by those who have taken a look at the original budget
32. as presented and the budget for '76 as it is expiring, and these
33. are two conclusions that have been reached. Number one, out of the

1. 1976 budget is something in the area of eight to ten million
2. dollars will lapse. And, Mr. President, that is regrettable
3. in light of at least one instance where the Grove School made
4. a request for fifty-thousand dollars in order to help it meet
5. the costs of carrying...caring for patients who are there
6. at the request of the State, wards of the State and for whom
7. the State does not pay the per diem cost for care. Another
8. instance of complete and cynical attitude was evidenced when
9. again, the operator of this institution attended a meeting
10. wherein there were plans being developed for the construction
11. of specialized living centers...

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator will conclude his remarks.

14. SENATOR BERNING:

15. ...with a cost factor of as high as a hundred dollars
16. a square foot when this can be duplicated for thirty-two dollars
17. a square foot. In another institution in my county, the State
18. is reimbursing at the rate of sixteen dollars eighty-seven
19. cents per day when the actual cost is thirty-four dollars and
20. fifty-four cents. Mr. President, on top of this inexcusable
21. attitude and action on the part of the Department of Mental
22. Health and its directors, I want to call attention of this Body
23. to a reprehensible incident which occurred last year.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator, your time...

26. SENATOR BERNING:

27. At the request of those people in my area who are being
28. imposed upon, Representative Daniel Pierce and I asked for a meeting
29. with the directors of these departments, we were assured we would be
30. granted an audience. Many of the residents of Lake County appeared...

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator, your time has expired.

33. SENATOR BERNING:

1. ...and were imposed with the insufferable affront
2. of no attendance, Mr. President.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Knuppel.

5. SENATOR KNUPPEL:

6. Mr. President and members of this Body. I've heard the
7. old expression, a rose smells just as sweet by any other name.
8. I'll assure you, the county boy, that a cowpile smells just as
9. bad by any other name. And I...and...and so does hypocrisy.
10. Collective Bargaining isn't changed one bit just because you
11. give it legislative liason. Either, by golly, you're for Collective
12. Bargaining or you're against it. And let's don't be hypocrites.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Netsch. We'll be at ease. That's enough. Senator Netsch.

15. SENATOR NETSCH:

16. Thank you, Mr. President. In...in somewhat less colorful
17. terms and I hope with a considerably less colorful response,
18. my thoughts were not dissimilar from those just expressed by
19. Senator Knuppel. It seems to me that there really are some rather
20. basic issues that are being raised by the votes other than some
21. fairly obvious political issues that are at hand also in the votes
22. on the so called Collective Bargaining components in these bills.
23. And I think one or two things need to be said. One is, that while
24. there are some very grave questions about what a chief executive
25. may or may not do by way of Executive Order. Having looked into
26. it legally, I am persuaded in my own mind that this Executive
27. Order was, in fact, legal. Not, because there is all that much
28. inherent power in a chief executive, but because there is some
29. fairly explicit statutory language which authorizes the Personnel
30. Department, which is the Governor's Personnel Department, to
31. negotiate wages, terms, conditions and so forth. I think that
32. probably is the reason why a legal attack on the validity of the
33. Executive Order has really not been pursued beyond the filing of

1. a complaint and the letting of that complaint simply rest
2. in a court. I think it probably is conceded that the Executive
3. Order was, indeed, valid. If that is the case, and it seems
4. to me that it's pretty hard to say that the Governor has no
5. right to bind us, the Legislature, or in fact, that he really
6. has done that in this process. It seems to me at that stage
7. what you really are challenging is whether or not you believe
8. in the end result of Collective Bargaining. Because, the
9. end result of Collective Bargaining is likely to be some adjustment
10. of wage levels. That is a large part of what the process is
11. all about. Ideally, there is no question. It would be better
12. if we would pass the legislation and set the terms and conditions
13. and matters upon which Collective Bargaining may take place.
14. But, I think if we believe that we're going to pass Collective
15. Bargaining legislation and totally exclude the subject of wages
16. then we are living in an illusion. That is not Collective
17. Bargaining. So, it seems to me that you almost have to concede
18. that what was done here was, at least, legally proper. We may disagree
19. with the terms of the settlement that were reached and I'm not sure
20. that I do not also disagree with the terms of the settlements
21. that were reached. But, I don't think if you believe in Collective
22. Bargaining that you can disagree with the process by which that
23. result was achieved. That is the reason why with some discomfort,
24. I admit, I have been supporting the...the proposal to include
25. this money.

26. PRESIDENT:

27. The Senator will...

28. SENATOR NETSCH:

29. And I think...

30. PRESIDENT:

31. ...will...

32. SENATOR NETSCH:

33. ...those of us...

1. PRESIDENT:
2. ...will conclude her remarks.
3. SENATOR NETSCH:
4. I will conclude my remarks.
5. PRESIDENT:
6. Your time has expired.
7. SENATOR NETSCH:
8. And I think those of us who are committed to that process
9. and who cannot quarrel with the legality of the action taken
10. must take the same course.
11. PRESIDENT:
12. Senator Morris.
13. SENATOR MORRIS:
14. Thank you, very much, Mr. President. I think a point
15. has been very well made by Senator Joyce and Senator Knuppel
16. and Senator Netsch. You know, there are people on the Floor
17. and primarily on this side of the aisle who are saying things
18. about Collective Bargaining. I can remember when we were down
19. here several weeks ago and there seemed to be this agreement
20. with the Teamsters Union that we just had to adopt the supplemental
21. appropriation because of our commitment to the working people
22. of the State. But, it's interesting that many of those same
23. people have consistently over the last several days recorded
24. themselves on roll calls basically against a Collective
25. Bargaining agreement for a small pay increase for the people
26. that empty the bed pans in the hospitals, the people who make
27. six, seven, eight and nine thousand dollars a year. Apparently,
28. there are some people on this side of the aisle who are for
29. Collective Bargaining when the union is big enough and powerful enough
30. but not for it when it's a union for the little people. The
31. same people call about...talk about fiscal responsibility and
32. last fall I can remember them talking about overriding several
33. hundred million or several tens of million of dollars worth of

1. vetoes that the Governor had. I think we ought to end the
2. hypocrisy today. If you're truly committed to Collective Bargaining
3. this Collective Bargaining Agreement is reasonable, the settlement
4. is fair and we can live with it fiscally and let's get off
5. of the high horse and let's approve the thing right now and
6. we can go home. If you want to stay here for the rest of the
7. week, I'm prepared to stay here, but I think we should honor
8. our commitment to those people who are on the lower end
9. of the wage scale in Illinois and approve an agreement that was
10. made in good faith.

11. PRESIDENT:

12. Senator Savickas.

13. SENATOR SAVICKAS:

14. Yes, Mr. President and members of the Senate. There's
15. obviously a...philosophical difference between Collective Bargaining
16. and municipal employees and for profit industry. Philosophical,
17. I should say. And this is where we seem to be stumbling. Whether
18. the State of Illinois is a for profit type government and that
19. we should have Collective Bargaining and pay raises according to
20. the profits that may be realized through the taxes or not,
21. But, just to bring you up to date, to date there have been nine
22. contracts that have been signed covering approximately seventeen
23. thousand employees and ten agencies. Seven of the nine contracts
24. cover what loosely may be defined as traditional or historical
25. bargaining units. Employees who have been under negotiated
26. rates for several decades, that is some of them like the Teamsters
27. since 1949 and through statutory authority since 1949. The other
28. two contracts covering over eighty percent of the total number
29. of employees under contract are new and result directly from
30. the Governor's Executive Order. The bargaining representative
31. agency or agencies involved and the approximate number of employees
32. covered by these are another twelve thousand people and will soon
33. go up another twenty-seven thousand. I think the point that should

1. be made at this particular time when we talk about the traditional
2. and historical bargaining units, those that have been in...in
3. the statute books like the Teamsters since 1949 have been for
4. prevailing wage rates and have gone up consistently. But, now
5. with this new union that it comes in, we depart from its
6. normal procedure and perhaps the greatest departure from pre-
7. existing policy is the grievance procedure established under
8. AFSCME contracts and grievances defined as any dispute arising
9. out of the meaning, interpretation or application of the provisions
10. of the contract or circumstances or conditions of employment,
11. which considering the many facets of conditions of employment
12. covered by the contracts from lay offs to severance pay
13. could be interpreted to mean just about anything. Also, the new
14. grievance procedure includes what might be termed an optional
15. compulsory binding arbitration provision, and that is the binding
16. arbitration is not automatic, but at the option of one party.
17. The other party can be compelled to go to binding arbitration
18. and in my opinion, this provision directly conflicts with Section
19. 8C-1 of the Personnel Code which explicitly excludes compulsory
20. arbitration from any grievance procedure. So, again, I would
21. just like to point these items out to you that I would concur
22. with the adoption of Conference Committee Report No. 1.

23. PRESIDENT:

24. Senator Buzbee.

25. SENATOR BUZBEE:

26. Thank you, Mr. President. Mr. President, I've spoken on
27. this subject every time it's come up on Children and Family
28. Services, Mental Health and Corrections, so I'm not going to take
29. much more of the Bodys' time, other than to say that Senator
30. Savickas's reiteration of the history of Collective Bargaining
31. with various unions in this State is all very interesting. But it
32. was my understanding that what we were objecting to was not the
33. legality of whether this union could bargain collectively with the

1. State of Illinois, I've never heard anybody seriously raise
2. that question. It has been alluded to upon occasion, as Senator
3. Netsch pointed out, but I've never heard anybody seriously
4. raised that objection. But, I thought what we were objecting
5. to all along was the fact that they had committed us to money
6. in the middle of the fiscal year which we had not appropriated,
7. this Legislature had not appropriated. And if that, in fact,
8. is what we've been arguing about and what we have been upset
9. about and what we've been mad about, including myself, then why
10. weren't we mad at the Teamster raise that was negotiated in the
11. middle of the fiscal year? I still don't understand the difference.
12. I have been told upon occasion everytime I bring this up, it's
13. different, Ken, it's different. But, nobody has explained to me
14. what the difference is. Is it the size of the union, is it where the
15. headquarters of the union is located? I just don't understand what
16. the difference is. Now, if we can let the Teamsters negotiate
17. a contract with the State of Illinois to make a pay raise
18. effective in the middle of the fiscal year for money which we
19. have not appropriated, then what is the difference in our doing
20. it with AFSCME for those people, as Senator Morris pointed out,
21. empty the bed pans in the mental institutions? I don't understand
22. the difference. And I wish somebody would stand up on this...Floor
23. and enlighten me because darkness surrounds me upon this question.

24. PRESIDENT:

25. Senator Glass. Senator Graham.

26. SENATOR GRAHAM:

27. Mr. President, members of the Senate. As I sit and listen
28. to people talking about Collective Bargaining and thinking
29. perhaps in their own mind there is insensitivity in the hearts
30. of some of us with regard to people who are affected it's just
31. not true. There is a sensitivity in the heart of John Graham
32. with regard to what I think are the obligations of some of the
33. departments that haven't been fulfilled perhaps. There's also

1. a sensitivity in my heart with regard to the protection of the
2. public health and welfare of the people of the State of Illinois
3. when we consider also the physical plight in which our State
4. now finds itself. I also have a memory of the condition of
5. New York as a result of some of these things and as I hear the
6. hue and cry of Collective Bargaining proponents, well-intentioned
7. people taking into consideration our fiscal condition of our
8. State at this time, I would like to consider for the next few
9. hours, if we might, as we consider these perhaps we should
10. change the name from Collective Bargaining to Collective Bankruptcy.

11. PRESIDENT:

12. Senator Fawell.

13. SENATOR FAWELL:

14. Mr. President and members of the Senate. I think consistency
15. is certainly not a virtue of the Legislature and many of the
16. arguments as has been pointed out, that have been used against
17. this bill, I could refer to other legislation where the
18. speakers actually took a contrary position. The Teamsters
19. example is another. But as far as I am concerned, the issue isn't
20. Collective Bargaining and some of the other issues that have
21. been raised here, but to me the issue is whether or not the
22. personnel in the Department of Mental Health need these raises. I was up
23. at Waukegan about three months ago to the new Waukegan facility
24. for the mentally retarded and I found that a number of those
25. facilities are not even yet used. This is a brand new facility
26. which was constructed, I think, and opened about a year and a
27. half, two years ago and is used only about...up to about fifty
28. percent. Many of the severely retarded children in the State
29. of Illinois...

30. PRESIDENT:

31. In the aisle here please. May we have some order? Continue,
32. Senator.

33. SENATOR FAWELL:

1. ...have no facilities simply because the personnel is not
2. there. And for a number of years that some of you may recall,
3. I have sponsored legislation for raises of the front line
4. personnel in our mental institutions. Now, if it takes a
5. union and perhaps...I don't agree with the idea that Collective
6. Bargaining...not authorized should be engaged in, but nevertheless
7. if it takes that in order for us to finally recognize the
8. priority we ought to have given so that front line personnel,
9. the people who are working with the mentally ill and our
10. mentally retarded children finally have just a small portion of the
11. raises we have denied them over the years, then I am all for it.
12. And it is on this basis that I have looked at the amendments
13. which Senator Joyce presented before and voted for them and why
14. I would support Senator Joyce at this time. I think basically
15. he is right and on the...on the basic issue of do they need this
16. money? I think they do. I'll not engage in...in some of these
17. other points. I think there's some truth in both sides there.

18. PRESIDENT:

19. Senator Mitchler.

20. SENATOR MITCHLER:

21. Thank you, Mr. President. Mr. President and members of the
22. Senate, Senator Buzbee did pose a question to this Body that
23. to this point I do not feel anyone has attempted to answer.
24. And Senator...Buzbee, I appreciate your...that's my slip.
25. Senator, what you say is true and I think that those that did
26. support the Teamsters Collective Bargaining under Executive
27. Order Six in which increases in salaries were given to employees
28. of the Highway Department, then I don't think that they should look
29. at the collective bargaining any different between AFSCME and
30. other employees of the Department of Mental Health under Executive
31. Order No. Six. The thing is as pointed out by Senator Rock,
32. the constitutional officers of this State do not have the authority
33. as no one else does to appropriate money and spend funds that are

1. not first authorized by the people and the people are you and I,
2. in this Body and in the Body across the rotunda in the House.
3. And when you start usurping that power of the people as represented
4. in the Illinois General Assembly, then you are in for trouble.
5. Now, that's the whole crux of this argument or debate or whatever
6. you want. And when the Governor of this State saw fit to
7. issue Executive Order No. Six, he should have know what he was
8. doing. At least many of us recognized it and took objection to
9. that. Public employees have negotiated and bargained for years
10. but they have a limited amount of bargaining and until this
11. General Assembly passes and it's approved by the Governor of
12. this State, public employees do not have the right to bargain
13. collectively as represented in any union or organized labor and
14. they do not have the right to strike and that gets to really to
15. the crux of the problem. Now, I'd like to see how you would
16. recognize the Teamsters in bargaining under Executive Order
17. Six if it wasn't only for wages, but it involved a right to
18. strike and if they can do it in the Teamsters with the people
19. in the Department of the Highway, then why cannot the teachers,
20. why cannot the people in the Mental Health, Public Health, all of the
21. State employees have that right? No, Ladies and Gentlemen, they
22. did not have that right and they will not have that right until
23. this Body and the Body across the rotunda and their action is
24. approved by the Governor of this State, then and only then will
25. they have the right to bargain collectively. Thanks.

26. PRESIDENT:

27. Senator Joyce may close the debate.

28. SENATOR JOYCE:

29. Thank you, Mr. President, members of the Body. I have
30. learned something here today. Appeared to me, I...first I must
31. admit, I don't know too much about labor unions. I came from
32. the...a farm and didn't belong to any unions and I thought that the
33. Democrats were, I've heard quoted on this Floor many times, caring

1. for the little people. Well, I can't think of people
2. that deserve that more than the people that work in the mental
3. institutions or care for the Department of Family...of Children
4. and Family Services, but I see that Democrats can pick
5. and choose when they want to be labor people. That's fine.
6. I think that next year when Workmen's Comp and Unemployment
7. Comp come up, that maybe some Democrats will be a little more
8. selective also. And I would resist this Conference Committee.
9. Thank you.

10. PRESIDENT:

11. The question is shall the Senate adopt the Conference
12. Committee Report...the First Conference Committee Report
13. on House Bill 3377? Those in favor will vote Aye. Opposed
14. will vote Nay. The voting is open. Have all voted who wish?
15. Have all voted who wish? Take the record. On this question the
16. Ayes are 33, the Nays are 20, with none Voting Present. The
17. Senate does adopt the First Conference Committee Report
18. on House Bill 3377 and the bill having received a constitutional
19. majority, is declared passed. Senator Joyce has requested a
20. verification of the affirmative vote. Will the members be in their
21. seats and will the Secretary call the affirmative vote?

22. SECRETARY:

23. The following voted in the affirmative: Bloom, Brady,
24. Carroll, Clarke, D'Arco, Daley, Dougherty, Egan, Glass, Graham,
25. Harber Hall, Harris, Hynes, Kosinski, Latherow, Lemke, Merritt,
26. Mitchler, Howard Mohr, Don Moore, Nimrod, Ozinga, Palmer, Philip,
27. Regner, Rock, Savickas, Schaffer, Smith, Sommer, Weaver, Welsh,
28. and Mr. President.

29. PRESIDENT:

30. Senator Joyce.

31. SENATOR JOYCE:

32. Senator Schaffer?

33. PRESIDENT:

1. He's on the Floor.

2. SENATOR JOYCE:

3. Senator Palmer.

4. PRESIDENT:

5. Is Senator Palmer on the Floor? Take him off the roll call.

6. SENATOR JOYCE:

7. Senator Egan.

8. PRESIDENT:

9. He's in his chair. The roll call has been verified. On this

10. question the Ayes are 32, the Nays are 20, with none Voting

11. Present. Senator Lemke having voted on the prevailing side,

12. moves to reconsider the vote by which this Conference Committee

13. was adopted. Senator Savickas moves to Table. All in favor

14. say Aye. Opposed Nay. The motion carries.

15. SECRETARY:

16. First Conference Committee Report on House Bill 2736.

17. PRESIDENT:

18. Senator Netsch.

19. SENATOR NETSCH:

20. Thank you, Mr. President. I would like to point out to

21. the members of the Senate that this Conference Committee Report

22. has not been reproduced and distributed. That is not technically

23. required by our rules since it is not an appropriation bill,

24. although I think it is generally a good practice and it was done

25. solely in deference to the taxpayers because it is a very large

26. thick report. This is one of the revisory bills revising language

27. to accommodate the new...the changes in Judicial Article and

28. two, it...you may remember, we, in the Senate, attached an

29. amendment at Senator Davidson's request that incorporated many

30. changes in the Election Code that are required now by existing

31. Federal Constitutional decision or by Federal law. Primarily

32. and this is a very brief summary, the changes that were required

33. to reduce the residency requirement from six months to thirty days.

1. That, of course, is all that we are now permitted to impose
2. and that is now incorporated in the bill. That required many,
3. many changes in statutory provisions. We've also accommodated
4. to the Overseas Voting Act and cleaned up some other language
5. to accommodate existing law. It has been carefully checked by the
6. staff of both the Republican and the Democratic Election Committees.
7. It's been looked over by Senator Davidson and by House people.
8. To the best of our knowledge, and we say this hopefully and
9. prayerfully, there are no errors and no changes in substantive
10. law other than those that are mandated by constitutional or
11. Federal statutory requirements. On that basis, we are agreed and
12. I would move adoption of Conference Committee Report No. 1
13. to House Bill 2736.

14. PRESIDENT:

15. Any further discussion? Senator Davidson.

16. SENATOR DAVIDSON:

17. Just...Mr. President and members of the Senate, just to add
18. to what Senator Netsch has said, we have gone over this. I
19. recommend a favorable vote. It is a forty-four page amendment.
20. It...the Conference Committee came about because of an error
21. that was in the amendments that was put on here in the Senate
22. to start with and another error...they missed where they should
23. have changed six months to thirty days and then tightening up
24. the affidavit so to make sure a person could not vote more than
25. one place. This guarantees that a person can only vote in one
26. area. Can't get two votes somewhere in different parts of the
27. country. I urge a favorable vote.

28. PRESIDENT:

29. Any further discussion? The question is shall the Senate
30. adopt Conference Committee Report No. 1 on House Bill 2736?
31. Those in favor will vote Aye. Opposed Nay. The voting is open.
32. Have all voted who wish? Take the record. On that question the
33. Ayes are 47, the Nays are 1, with one Voting Present. The Senate

1. does adopt Conference Committee Report No. 1 on House Bill
2. 2736 and the bill having received a constitutional majority
3. is declared passed.

4. SECRETARY:

5. Second Conference Committee Report...

6. PRESIDENT:

7. Just one moment. There's one matter we wanted to call
8. a little earlier. Senator Regner had a concurrence, a very
9. simple matter and there's someone else waiting. I'm sorry. It
10. isn't...it isn't here now. They took it in to put on a supplemental
11. calendar. It will be out in a minute. Mr. Secretary.

12. SECRETARY:

13. Second Conference Committee Report on Senate Bill 1625.

14. PRESIDENT:

15. Senator Wooten.

16. SENATOR WOOTEN:

17. Mr. President and colleagues. This is the third one.
18. This is the appropriations for the Department of Corrections.
19. I did not sign this Conference Committee Report. I want to
20. report to you, though, that a compromise was attempted and
21. signed by seven members of the Conference Committee. If you recall
22. the argument was over Senate Amendment 3, I believe, the
23. Collective Bargaining cut of 2.3 million. It was suggested that
24. we restore one million one hundred sixty-five thousand two hundred
25. dollars for new correctional officer positions and adult correctional
26. centers. It seems to me that the net effect of this will not be
27. to provide the new officers we need. I'm convinced the Department
28. will not go back on its contract. I urge it not to do so, to do
29. so would be irresponsible. We're still going to be about a million
30. two short and to be brief at this point, I'm sure others will want
31. to make substantially the same speeches we've had before. I
32. urge that we not adopt Conference Committee Report No. 2.

33. PRESIDENT:

1. Senator Hynes. Oh, no. Senator Hynes.

2. SENATOR HYNES:

3. Well, Senator Wooten simply urged that we not adopt it.
4. I am going to move that we adopt Senate Bill...the Conference
5. Committee Report...Second Conference Committee Report on
6. Senate Bill 1625. It...it does include an addition of 1.1
7. million dollars for the hiring of new guards at the adult
8. correctional institutions. It otherwise retains the Senate cuts
9. including the...the Collective Bargaining cut and I would move
10. the adoption of this Conference Committee Report.

11. PRESIDENT:

12. Any further discussion? Senator Ozinga...Senator Weaver?
13. ...Senator Weaver, I'm sorry.

14. SENATOR WEAVER:

15. Thank you, Mr. President. I just want to reiterate
16. that Senator Hynes alluded to the fact we've put in a million
17. point one. This is equivalent to the addition of about a hundred
18. new guards at the correctional institutions.

19. PRESIDENT:

20. Senator Ozinga.

21. SENATOR OZINGA:

22. Mr. President...Mr. President, I know that unless we make
23. this motion right now, we're going to be here for another hour
24. and a half hearing exactly the same speeches we just heard
25. for the last hour and a half and therefore, I would move the
26. previous question.

27. PRESIDENT:

28. Senator Ozinga moves the previous question. All in favor
29. say Aye. Opposed Nay. The Ayes have it. The previous...
30. the motion carries. Senator Wooten, do you desire to close
31. the debate?

32. SENATOR WOOTEN:

33. I will simply say that we're not dealing with

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1. those who are mentally ill and put away in corners where we don't
2. think about them. We're talking about criminals and those who
3. guard them. That's what it comes down to. I think it would be
4. simple disastrous to adopt this report and if it's...if it makes
5. us stay another day or two, I'm all for that.

6. PRESIDENT:

7. The question is shall the Senate adopt the Conference
8. Committee...the Second Conference Committee Report on Senate
9. Bill 1625? Those in favor will vote Aye. Opposed will vote
10. Nay. The voting is open. Have all voted who wish? Take the
11. record. On this question the Ayes are 35, the Nays are 17, with
12. none Voting Present. The Senate does adopt the Second Conference
13. Committee Report on Senate Bill 1625 and the bill having
14. received a constitutional majority is declared passed. Senator
15. Lemke moves to reconsider the vote by which the Conference Committee
16. Report was adopted. Senator Carroll moves to Table. All in
17. favor say Aye. Opposed Nay. The motion carries.

18. SECRETARY:

19. Senate Bill 1997...First Conference Committee Report
20. on Senate Bill 1977.

21. PRESIDENT:

22. Senator Daley.

23. SENATOR DALEY:

24. Mr. President and fellow Senators. I would like to...

25. PRESIDENT:

26. Just a moment, now. May we have some order, please? Senator Daley.

27. SENATOR DALEY:

28. I would like to make a motion to adopt the First Conference
29. Committee Report on House Bill...Senate Bill 1997. What this does,
30. it redefines a definition of supervision. It goes into the
31. conditions, the court in its opinion, when it's going to give
32. supervision. The State's Attorneys Association had quite of
33. bit of language they placed in it, filed the present probation code.

1. They take into consideration that the offender will not commit
2. another crime. It would be in the best interest of the public
3. also in the interest of the individual himself, as well as it
4. takes into consideration the statement of any prosecuting
5. authority with regards to the individual defendant. Also,
6. it gives specifics in what type of supervision the judge
7. can give. And it's according to the Probation Code, a...
8. pay a fine; number two, vocational or study training; number
9. three, medical or psychiatric treatment; four, attend or
10. reside in a facility established for the instructions...educational
11. instructions, supporting the...his dependents. Also, there's
12. other restrictions in this bill. It's a...signed by, I think,
13. all the members with the exception of one and I would like to make
14. a motion to adopt the First Conference Committee Report on Senate
15. Bill 1997.

16. PRESIDENT:

17. Senator Don Moore.

18. SENATOR MOORE:

19. Thank you, Mr. President, members of the Senate. I concur
20. with Senator Daley on the adoption of Conference Committee Report
21. No. 1 to Senate Bill 1997. I think that the Conference
22. Committee Report comes up with a better bill than what came
23. out of the House or the Senate. It does apply...or it does
24. not apply to any type of...or any type of felonies which the
25. House Bill did, by amendment to the original bill and I would
26. urge your support of this piece of legislation.

27. PRESIDENT:

28. Any further discussion? The question is shall the Senate
29. adopt the Conference Committee Report on Senate Bill 1997?
30. Those in favor will vote Aye. Opposed will vote Nay. The
31. voting is open. Have all voted who wish? Take the record.
32. On this question the Ayes are 33, the Nays are none, with 1 Voting
33. Present. The Senate does adopt the Conference Committee Report No.

1. l on House Bill...Senate Bill 1997 and the bill having received
2. the constitutional majority is declared passed. ...moves
3. to reconsider the vote by which that passed. Senator Don Moore
4. moves to Table. All in favor say Aye. Opposed Nay. The
5. Ayes have it. The motion carries. A Message from the House.

6. SECRETARY:

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

8. Mr. President -...

9. PRESIDENT:

10. May I have Senator Bruce's attention?

11. SECRETARY:

12. ...I am directed to inform the Senate that the House
13. of Representatives has refused to recede from their Amendment
14. No. 1 to a bill with the following title, to-wit:

15. Senate Bill 1804.

16. I am further directed to inform the Senate that the
17. House of Representatives request a First Committee of Conference
18. to consist of five members from each House to consider the
19. difference of the two Houses in regard to the amendment to the bill.
20. The Speaker of the House has appointed as such committee on the
21. part of the House, Representatives Merlo, Beaupre, Vitek,
22. Catania and Schuneman, Senator Bruce is the sponsor.

23. PRESIDENT:

24. The question is shall the Senate accede to the request
25. of the House that a Conference Committee be appointed? Those
26. in favor will say Aye. Opposed Nay. The motion carries
27. and the...the Secretary shall so inform the House. Message
28. from the House.

29. SECRETARY:

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

31. Mr. President - I am directed to inform the Senate
32. that the House of Representatives has concurred with the Senate
33. in the adoption of their amendments to a bill with the following

1. title:

2. House Bill 3411. They have concurred
3. with Amendments No. 1 and 2.

4. I am further directed to inform the Senate that
5. the House of Representatives has refused to concur with the
6. Senate in the adoption of the following Amendment:

7. Senate Amendment No. 3 to House
8. Bill 3411.

9. PRESIDENT:

10. Senator Buzbee.

11. SENATOR BUZBEE:

12. Yes, Mr. President, I would ask that the Senate refuse
13. to recede and a...Conference Committee be appointed.

14. PRESIDENT:

15. Now, there were some...some amendments that they concurred
16. in. You want concurrence on those and...

17. SENATOR BUZBEE:

18. Yes.

19. PRESIDENT:

20. All right. Mr. Secretary, may I see the...Senator
21. Buzbee moves that the Senate refuse to recede to the adoption
22. of Senate Amendment No. 3 on House Bill 3411 and the
23. question is shall the Senate recede from Amendment No. 3 to
24. House Bill 3411? All in favor of Senator Buzbee's motion
25. will say Aye. Opposed Nay. The Ayes have it and the Secretary
26. shall so inform the House. Senator Egan.

27. SENATOR EGAN:

28. Thank you, Mr. President. I move that...or I ask leave
29. to have Senate Bill 1999 returned to the Committee on Pensions
30. and Personnel.

31. PRESIDENT:

32. All in favor say Aye. Opposed Nay. The Ayes have it and the...
33. the motion carries. A Message from the Governor.

1. SECRETARY:

2. A Message from the Governor by Curtis R. Jensen,
3. Assistant to the Governor.

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

6. To the Honorable Members of the Senate, 79th General
7. Assembly. I have nominated and appointed the following named
8. persons and offices enumerated below and respectfully ask
9. concurrence in and confirmation of these appointments by your
10. Honorable Body.

11. PRESIDENT:

12. Executive Appointments. A Message from the Governor.

13. SECRETARY:

14. To the Honorable Members of the Senate, the 79th
15. General Assembly...

16. PRESIDENT:

17. Just a moment. Gentlemen, just a moment. May we have
18. the attention of the membership? This is a matter relating
19. to an Amendatory Veto on which we must take action today.
20. Continue, Mr. Secretary.

21. SECRETARY:

22. To the Honorable Members of the Senate, the 79th General
23. Assembly. Pursuant to Article IV, Section 9(e) of the Illinois
24. Constitution 1970, I hereby return Senate Bill 1795 entitled,
25. "An Act making appropriations to the Supreme Court for the
26. pay of certain officers in the Judicial System of the State
27. government and for the ordinary and contingent expenses of
28. the Judicial System and the...and authorizing payment thereof,
29. from specified funds in the State Treasury," with my specific
30. recommendation for change. Senate Bill 1795 is the appropriations
31. bill providing for the operating expenses of the judiciary.
32. Historically, the judiciary appropriation has included language
33. designating seventy-five percent of these funds as payment payable

1. from the General Revenue Fund and the remaining twenty-five
2. percent payable from the Road Fund. The present bill does not
3. include a designation of funds payable from the Road Fund.
4. The effect of this omission would be to add over eleven million
5. dollars in unbudgeted General Revenue Fund spending in Fiscal
6. Years 1977. The State cannot afford that addition. To prevent
7. this bill from having a serious and unnecessary impact
8. on General Revenue Fund spending, I hereby specifically recommend
9. the inclusion of a separate section, in a form that has been
10. used historically authorizing twenty-four...twenty-five percent
11. of the amounts appropriated to be payable from the Road Fund.
12. and seventy-five percent to be payable from the General Revenue
13. Fund. With this specific change, Senate Bill 1795 will have my
14. approval. Sincerely, Daniel Walker.

15. PRESIDENT:

16. Now, this message has been placed on each Secretary...on each
17. member's desk. And the Chair recognizes Senator Kosinski.

18. SENATOR KOSINSKI:

19. Mr. President and members of the Senate, I move to accept
20. the specific recommendation of the Governor as to Senate Bill
21. 1795 in the manner and form as follows: on page nine by inserting
22. immediately after line thirty-three, the following: Section
23. 6b. Since a sizable proportion of all litigation and law
24. enforcement involves court actions, originating from the use
25. of motor vehicles, twenty-five percent of the amounts appropriated
26. in the preceding Sections is payable from the Road Fund. And
27. the remaining seventy-five percent of such amounts is payable
28. from the General Revenue Fund. Mr. President, I move
29. for the adoption of this motion.

30. PRESIDENT:

31. Any further discussion? The question is shall the Senate
32. accept the specific recommendations of the Governor as to Senate
33. Bill 1795 in the manner and form as just stated by Senator

1. Kosinski? Those in favor will vote Aye. Opposed will vote
2. Nay. The voting is open. Have all voted who wish? Take
3. the record. On this question the Ayes are 43, the Nays
4. are none with none Voting Present. The specific recommendations
5. of the Governor as to Senate Bill...Senate Bill 1795 having
6. received the required constitutional majority vote of
7. Senators elected, are declared accepted. Is there leave to go
8. to the Supplemental Calendar, the First Supplemental Calendar
9. which has just been...you want to hold it? Maybe there's
10. someone else who wants to go. Senator Rock, you just have
11. to make a motion for me on this one. 1950. Yeah, concurrence.

12. SECRETARY:

13. Senate...First Conference Committee Report on Senate Bill
14. 1950.

15. PRESIDENT:

16. Senator Rock moves the adoption of the First Conference
17. Committee Report on Senate Bill 1950. Senator Latherow.

18. SENATOR LATHEROW:

19. Mr. President, I agree in the concurrence in this.

20. PRESIDENT:

21. Any further discussion? The question is shall the Senate
22. adopt the Conference Committee Report on Senate Bill 1950?
23. Those in favor vote...Senator Buzbee.

24. SENATOR BUZBEE:

25. I'm just trying to find it here. I just want to know
26. what it is.

27. PRESIDENT:

28. It's a hazardous substances bill.

29. SENATOR BUZBEE:

30. Okay.

31. PRESIDENT:

32. Yes. The question is shall the Senate adopt the Conference...
33. the First Conference Committee Report on Senate Bill 1950? Those

1. in favor vote Aye. Opposed Nay. The voting is open.
2. Have all voted who wish? Take the record. On this question
3. the Ayes are 44, the Nays are none, with none Voting Present.
4. The Senate does adopt the Conference Committee Report on
5. Senate Bill 1950 and the bill having received the required
6. constitutional majority is declared passed. That's all of the
7. Conference Committee Reports we have in our possession at this
8. time. Is there leave to go to the First Supplemental Calendar
9. for Wednesday, June 30th? Leave is granted. Senate Bill
10. 1739, Senator Regner. You're not ready, okay. We'll take the
11. next one. Senate Bill 1749, Senator Philip.

12. SENATOR PHILIP:

13. Thank you, Mr. President and Ladies and Gentlemen of the
14. Senate. As you're probably aware, Senate Bill 1749 provided
15. a rate schedule for agencies when they were providing insurance
16. for Workmen's Comp in the high risk pool. The House decided to
17. knock that schedule out and leave it up to the Department of
18. Insurance in regards to rates. I know of no objection to this
19. amendment and I would move that we concur in the House Amendment
20. No. 2 on Senate Bill 1749.

21. PRESIDENT:

22. Now, Senator, just before we take the roll call, two things
23. must be done. We must change the board to 1748 and the
24. Secretary must read the...I mean...it's 49 they had 8 up here.
25. So, we'll change that, number one, then the second thing is I think
26. these messages have to be read. So, read the messages.

27. SECRETARY:

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

29. Mr. President - I am directed to inform the Senate
30. that the House of Representatives has concurred with the Senate
31. in the passage of a bill with the following title:

32. Senate Bill 1749 together with House
33. Amendment No. 2.

1. PRESIDENT:
2. Why don't you just read them all while we're at it, they
3. won't...?
4. SECRETARY:
5. A like message on Senate Bill 2027 with House Amendment
6. No. 1.
7. A like message on Senate Bill 2008 with House Amendment
8. No. 1.
9. A like message on Senate Bill 2015 with House Amendment
10. No. 1.
11. And a like message on Senate Bill 1739 with House
12. Amendment No. 4.
13. PRESIDENT:
14. Secretary's Desk. Senator Philip may explain the concurrence.
15. Oh, Senator Graham.
16. SENATOR GRAHAM:
17. I am not second guessing the Secretary, but as read down
18. the list and he said 2027.
19. PRESIDENT:
20. It's 2007.
21. SENATOR GRAHAM:
22. I think he said 2027 and I think the...
23. SECRETARY:
24. The record should show 2007, Senator.
25. SENATOR GRAHAM:
26. Thank you.
27. SECRETARY:
28. Thank you.
29. PRESIDENT:
30. Senator Philip.
31. SENATOR PHILIP:
32. I think, Mr. President, I did explain their amendment
33. and I just would move that we concur with House Amendment No. 1.

1. PRESIDENT:

2. Senator Rock.

3. SENATOR ROCK:

4. Well, I don't mean to delay. We are, in fact, in the
5. last day, but I would, frankly, like a little more time. As
6. I read Amendment No. 2 to this Senate Bill, it struck everything
7. after the enacting clause and inserted a new bill.

8. PRESIDENT:

9. Senator Philip.

10. SENATOR PHILIP:

11. If that happened, Senator Rock, I'm not aware of it.

12. PRESIDENT:

13. Senator Rock.

14. SENATOR ROCK:

15. I have a copy of the Message from the House and it says
16. very specifically, "line five, by deleting everything after
17. the enacting clause and inserting in lieu thereof, the following:"
18. and then we've got three pages of the following. I would...

19. PRESIDENT:

20. Take it out of the record. Let's prepare copies of that
21. for everybody, in fact. Senate Bill 2007, Senator Hickey.
22. Senator Hickey, 2007.

23. SENATOR HICKEY:

24. Yes. Mr. President, I move concurrence for Senate Bill 2007
25. for House Amendment No. 1. This, we might call, the Brady/Nimrod
26. Amendment which was requested of...over in the House and does
27. provide the interest payments on what the schools might lose
28. in the quarterly pay out for this...in this bill and transportation.
29. We have exactly the same thing for special education in 2008.
30. There was a...the House Republicans had an amendment which was
31. very similar to this in both...in content and in result and I think
32. that...the amendment which we're offering now covers the situation
33. to everybody's satisfaction.

1. PRESIDENT:

2. Senator Brady.

3. SENATOR HICKEY:

4. And I ask for concurrence.

5. PRESIDENT:

6. Oh, I'm sorry. Senator Brady.

7. SENATOR BRADY:

8. Yes, Mr. President. I stand in support of Senator Hickey

9. and her move for concurrence on Senate Bill 2007, as amended.

10. As...as many here might remember, she agreed to have it amended

11. in the House to include interest that the school districts

12. would have lost, should the payoffs taken in this manner.

13. The amendment does exactly that and I move for concurrence with

14. her.

15. PRESIDENT:

16. Senator Shapiro.

17. SENATOR SHAPIRO:

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

19. Since this is a concurrence in a House Amendment to Senate Bill

20. 2007, I'm in support of this amendment. But, I would like the

21. record to show this. This form for the payment of this interest

22. account is not as the Comptroller originally proposed it. His

23. proposal was that the necessary amount of money be added to each

24. appropriation for that particular account such as special ed,

25. regular transportation, or special ed transportation. And then,

26. when the quarterly disbursement was made, it would include the

27. interest money as an additional amount above and beyond their

28. regular reimbursement. This amendment as it is drafted, precludes

29. that payment without the money being in the appropriation. So,

30. I think that we should show that...the record should show that

31. it is the legislative intent, that if any change is made in the

32. appropriation for these different line items, that the Governor

33. should leave in an additional amount to meet this quarterly interest

1. payment.

2. PRESIDENT:

3. Thank you, very much. And I'd suggest perhaps you might
4. write a letter to the Governor's Office setting forth that so that
5. the person who looks at this bill at the time prior to signature,
6. will have that information. Any further discussion? The
7. question is shall the Senate concur in House Amendment No. 1
8. ...Fawell, I'm sorry.

9. SENATOR FAWELL:

10. I'm not sure if my light is blinking up there, but...

11. PRESIDENT:

12. It was on. I had this paper covering it. I'm sorry.

13. SENATOR FAWELL:

14. Just briefly. I...one has always has mixed emotions here
15. because I...I think the amendment is a plus. It makes the bill
16. better. Unfortunately the foundation is impure in my opinion.
17. And thus, I suppose, I...I'm simply not going to...to vote.
18. The one thing I want everyone here to understand and perhaps
19. everyone does, is eventually, your school districts back home will
20. wake up to what we are doing with this bill and what we are
21. doing with the transportation reimbursement here is we first of
22. all, called upon the school districts to put up front money.
23. They then have to advance really all of the State funds to
24. finance transportation. They then make a claim for reimbursement
25. which comes in under the law as it now exists a year later and
26. now we're going to say we will pay you that fund that is due to
27. you that we hold back in reimbursement of what...what money you
28. must put up, we're going to delay that again for another year in
29. four installments. I've already had one of the first reactions
30. that has come from this type of knowledge that this bill is
31. pending by a school district, a large one, in DuPage County
32. where they simply are abandoning transportation all together and
33. bear in mind that all of your elementary and high school districts
34. do not have to have transportation. And thus, I want you to know

1. that when your school districts ask, why in the world did you
2. do this, that at least you better get your arguments up because
3. the school district officials, I think, have every right to
4. ask us why they would pick this particular area to help
5. the State in its precarious financial condition, when we obviously
6. have passed so many millions and millions of dollars in other
7. areas. I still do not support this and thus I am just going to
8. vote Present on this. I will not...I do not want to contribute
9. toward that magic thirty here.

10. PRESIDENT:

11. Any further discussion? Senator Hickey.

12. SENATOR HICKEY:

13. I would like to call Senator Fawell's attention to the fact
14. that this is not reimbursement for what was spent last year.
15. It's claims for the current year which are based on data from
16. the experience of the previous year. At least I asked...I have
17. asked this question and been assured that that was the situation
18. from the Office of Education, which really is neither here nor
19. there as far as this particular amendment is concerned, I think.
20. However, I also think that we should realize that the Comptroller's
21. Office was asked to supply wording for this legislation twice,
22. did not do so, but did make computations which agree with those
23. that our staff has produced. I ask for a favorable roll call.

24. PRESIDENT:

25. Senator Ozinga.

26. SENATOR OZINGA:

27. I'm...I'm still a little bit confused here...I'd like
28. to ask of the sponsor if my interpretation of this is correct?
29. Do I understand that ordinarily the school district would receive
30. a one lump sum in advance and then by this bill, they will get it
31. quarterly instead?

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Hickey.

1. SENATOR HICKEY:

2. That...that's true as far as the way the law is written,
3. but, that is it can come in September. However, this last
4. year was the first time that they had gotten it in September
5. because the computation was completed at that time. Ordinarily,
6. they've gotten it in September and in December and the law
7. provides for both depending on the whether the computation
8. was ready or not. But, in the main, what you're saying is true.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Nimrod.

11. SENATOR NIMROD:

12. I just...Mr. President, I just wanted to confirm what was
13. said. In committee we did bring this up and it was brought out
14. that the money is not a reimbursement for a year later. That
15. it does apply for last year's figures and they use that as a basis
16. for this year's computations and so what we're doing is confirming
17. what Senator Hickey has said and also this does have the support
18. of the Comptroller as was suggested.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Fawell. Well,...no one's indicated on their light
21. that they wished to speak and you're next in order for the second
22. time around.

23. SENATOR FAWELL:

24. Well, I simply wanted...

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Fawell.

27. SENATOR FAWELL:

28. I simply want to correct it. It is reimbursement. I've
29. never seen the State of Illinois reimburse ahead of time
30. any school district. You wait and you have to put front money up
31. and your on tax rate remember, it isn't all free money. Then, you
32. have to put the State money there and then you come in and
33. get your reimbursement. Now, we're going to say wait another year,

1. we'll pay you in installments. Now, maybe that is necessary
2. to float the State of Illinois continuously, but, I did want
3. to correct...I don't know who told you that...well, maybe it was
4. just a misunderstanding. I believe I'm quite correct on that.
5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. The question is shall the Senate concur...? Senator Buzbee.
7. SENATOR BUZBEE:

8. Well, I'm sorry I got in the very end of that conversation,
9. but Senator Fawell is absolutely right. The...the payments
10. are a year late now. And, what we're doing is we're talking
11. about making them two years late. We're going to put it off
12. now instead of in September of getting your...your last year's
13. payment, you're going to get...you're going to get one-fourth
14. of it in September, you're going to get one-fourth in December,
15. one-fourth in March and one-fourth in June. Now, I think it was
16. a year ago, Senator Vadalabene had a bill in to do exactly this
17. same thing only in the other direction. To go back at the end
18. of the first quarter after it was due to pay them then. I like
19. the concept. I didn't like the pricetag. As I recall, it was
20. about eighty-five million dollars and we couldn't afford it.
21. But, now, don't anybody be under the misconception that...that this
22. is not going to have an impact on the school districts. Because,
23. we're going to be up to two years late in paying these monies
24. that are due the school districts as per the laws that we in the
25. Legislature passed mandating them to provide certain special
26. education and transportation projects.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Ozinga.

29. SENATOR OZINGA:

30. I'm afraid I might have created a misconception when I used
31. the words in advance. That is wrong. This is for services that have
32. been rendered, but will be computed after the fact, in other words,
33. it should have been used reimbursement quarterly.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Harris.

3. SENATOR HARRIS:

4. Thank you, Mr. President. Well, the fact is and we've
5. had a great deal of dialogue this afternoon about the fact
6. that the State of Illinois is in a very serious fiscal crisis.
7. And this is a cash management bill that now with respect to the
8. House amendment to it, is certainly more palatable. We have the
9. opportunity now to spread out...the payment out over a years
10. time, but in the denial of that one big chunk payment, which
11. would still be the case if Senate Bill 2007 did not pass at all.
12. There has been figured the provision to provide the schools for
13. the loss of interest that they might have earned in receiving
14. the pay out for transportation in one fell swoop. This is
15. certainly now a better bill and I would hope that those among
16. us who wish to meet our responsibility in managing this
17. serious fiscal crisis would join in concurring in this House
18. amendment to Senate Bill 2007, which now, of course, has
19. this desirable interest payment for the school districts
20. as a result of their loss of the one time payment. I certainly
21. urge an Aye vote for concurrence.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. The question is shall the Senate concur in Amendment No.
24. ...House Amendment No. 1 to Senate Bill 2007? Those in favor
25. vote Aye. Those opposed vote Nay. The voting is open.
26. Have all those voted who wish? Take the record. On that question
27. the Ayes are 43, the Nays are 3, 1 Voting Present. The Senate
28. does concur in Amendment...House Amendment No. 1 to Senate
29. Bill 2007 and the bill having received a required constitutional
30. majority is declared passed. Senate Bill 2008, Senator Hickey.

31. SENATOR HICKEY:

32. Thank you, Mr. President. This is exactly the same situation
33. except for special education. It doesn't seem to me that it's

1 necessary to repeat all of the things we just said and I'd
2 ask for a favorable roll call. Thank you.

3 PRESIDING OFFICER: (SENATOR DONNEWALD)

4 Is there further discussion? The question is shall the
5 Senate concur in Amendment...House Amendment No. 1 to Senate
6 Bill 2008? Those in favor vote Aye. Those opposed Nay. The
7 voting is open. Have all those voted who wish? Have all those
8 voted who wish? Take the record. On that question the Ayes
9 are 42, the Nays are 4, 2 Voting Present. Senate Bill...just
10 a moment. The Senate does concur in Amendment...House Amendment
11 No. 1 to Senate Bill 2008 and the bill having received the
12 required constitutional majority is declared passed. Senator...
13 Senate Bill 2015. Senator Demuzio, would you make the appropriate
14 motion as to Senate Bill 2015? It's on the Supplemental Calendar.
15 It's an easement bill. Presiding Officer is the sponsor.

16 SENATOR DEMUZIO:

17 Yes, Mr. President. I...

18 PRESIDING OFFICER: (SENATOR DONNEWALD)

19 Senator Demuzio.

20 SENATOR DEMUZIO:

21 I move that we concur in Senate Bill 2015. It was an
22 easement bill in Madison County, an amendment was added in the
23 House to include an easement bill in Pike County. I'd move
24 for concurrence.

25 PRESIDING OFFICER: (SENATOR DONNEWALD)

26 Is there further discussion? The question is shall the
27 Senate concur in House Amendment No. 1? All those in favor
28 indicate by saying Aye. Those opposed. Just a minute. I can't
29 get away with that, can I? Senator Glass.

30 SENATOR GLASS:

31 Mr. President, I'd like to ask Senator Demuzio if those two
32 counties are germane to each other?

33 PRESIDING OFFICER: (SENATOR DONNEWALD)

1 One is German and one is Italian. The question is shall
2 ...shall the Senate...shall the Senate concur in House Amendment
3 No. 1 to Senate Bill 2015? Those in favor vote Aye. Those
4 opposed Nay. The voting is open. ...voted who wish? Take
5 the record. On that question the Ayes are 47, the Nays
6 are none. Senate Bill 2015 having received a...just a moment.
7 The Senate does concur in House Amendment No. 1 to Senate Bill
8 2015 and the bill having received the required constitutional
9 majority is declared passed. Senator Netsch, for what purpose
10 do you arise?

11 SENATOR NETSCH:

12 Mr. President...

13 PRESIDING OFFICER: (SENATOR DONNEWALD)

14 Senator Netsch.

15 SENATOR NETSCH:

16 ...if I might, because there was some question raised about
17 it, we had a Conference Committee Report on House Bill 3068.
18 I am not going to move for concurrence in that Conference
19 Committee Report. After it was initially worked out, there...
20 some additional questions were raised and eventually, the
21 House sponsor of the bill requested that I not seek concurrence
22 in it and I think all of us are going to let it just rest there.
23 I would like the record to show that, however, so that it will
24 not simply be left hanging.

25 PRESIDING OFFICER: (SENATOR DONNEWALD)

26 The record will so show. Senator Netsch...Senator Netsch,
27 could you approach the podium? Senator Netsch.

28 SENATOR NETSCH:

29 Thank you, Mr. President. So that the record is clear and
30 the Journal record is even clearer, I would like to have the
31 record show that we are now reporting back the...I think it's
32 Conference Report No. 1, Conference Committee Report No. 1 on
33 House Bill...No. 2.

1 PRESIDING OFFICER: (SENATOR DONNEWALD)

2 Just a moment. No. 2.

3 SECRETARY:

4 Conference Committee Report No. 2.

5 SENATOR NETSCH:

6 Conference Committee Report No. 2 on House Bill 3068 and
7 with leave of the Body, I would like to defer consideration
8 of this report until a later date.

9 PRESIDING OFFICER: (SENATOR DONNEWALD)

10 Is there leave? Leave is granted.

11 PRESIDENT:

12 Senator Rock, you ready?

13 SECRETARY:

14 Second Conference Committee Report on Senate Bill 1936.

15 PRESIDENT:

16 Senator Rock.

17 SENATOR ROCK:

18 Thank you, Mr. President, Ladies and Gentlemen of the Senate.
19 This is the Second Conference Committee Report on Senate Bill
20 1936. Senate Bill 1936 you will recall, is the FY '77 appropriation
21 for the Capital Development Board. It contains both their
22 operating budget and the long list of capital projects. The House,
23 in dealing with Senate Bill 1936, added twenty-one separate
24 amendments. By virtue of this Conference Committee, the Senate
25 is being asked to concur in sixteen of the twenty-one House
26 amendments, and we are asking the House to recede from five
27 of their amendments. I will be delighted to go through and
28 recite what each and everyone does so that there will be no
29 mistake about this bill. Let me say...

30 PRESIDENT:

31 Any discussion? I'm sorry, you're still talking...

32 SENATOR ROCK:

33 Yeah, I'll...I'll...

1 PRESIDENT:

2 I'm sorry.

3 SENATOR ROCK:

4 I'll go...

5 PRESIDENT:

6 I'm sorry.

7 SENATOR ROCK:

8 I'll go through them.

9 PRESIDENT:

10 Go right ahead.

11 SENATOR ROCK:

12 I will go through first, I think the easiest way to
13 proceed is to...is to indicate those from which we are asking
14 the House to recede. The House put on Amendment No. 17...it would
15 be line 2 of your Conference Committee Report. The House
16 put on Amendment No. 17, which provided a five percent transferability
17 clause or provision with respect to certain projects or project
18 amount requests within the bill. We are asking that they recede
19 from that transferability, the Conference Committee, eight of the
20 ten members, two have not signed the report, felt that that was
21 totally unnecessary. We are asking them to recede from
22 Amendment No. 25 because it was technically incorrect, from
23 Amendment 36 because it was also technically incorrect, from
24 Amendment 37 because it was technically incorrect and 38 because
25 it was technically incorrect. They are asking us to concur with
26 House Amendment No. 1, which was a technical amendment to correct
27 certain totals. They are asking that we concur with House
28 Amendment No. 2 which is a restoration of one hundred and sixty-
29 five thousand dollars to the operations section of the budget.
30 They are asking us to concur with Amendment No. 3 which rewrote
31 Section 3 to provide separate line items for the projects with
32 respect to the Department of Children and Family Services and
33 the Department of Mental Health. They are asking us to concur

1 with Amendment No. 5, which was a technical revision of a Senate
2 Amendment. They're asking us to concur with Amendment No. 7
3 which added some twenty-three thousand dollars for a project
4 at the Veterans Home at Quincy. Amendment No. 8, they're
5 asking us to...to concur in, was an additional a hundred and
6 fifty-six thousand dollar project for planning at the University
7 of Illinois. Amendment No. 9, which added 1.3 million dollars
8 for equipment for the U. of I. Chicago Medical Center. Amendment
9 No. 10, which added seven hundred and sixty thousand for Sangamon
10 State University. Amendment No. 14, which added an additional
11 one hundred and seventy-five thousand dollars for the Armory,
12 the new Armory at Quincy. Amendment No. 15, which added from
13 the School Bond Fund, some three hundred and ten thousand dollars
14 for a community school. Amendment No. 21, which was an amendment
15 at the request of the administration, added thirty-six thousand
16 dollars to the School...Construction Fund, for costs incurred
17 in the administration of the bond sales. Amendment 29, which added
18 twenty-five thousand dollars for a project at Rosiclare.
19 Amendment No. 30, which added 1.9 million dollars for Progress
20 Plaza. Amendment No. 31, which rewrote the Department of Corrections
21 Section, which is Section 4 at the bill, it was an agreed amendment
22 between the Bureau and the Department of Corrections and the
23 House Appropriations Committee. Amendment No. 32, which added
24 forty-four thousand dollars for a project at Jubilee College.
25 Amendment No. 35, finally, which rewrote the language of...of that
26 project we added in the Senate with respect to the Shawnee
27 Town Port...Port District. Additionally, it had come to the attention
28 of the Conference Committee that certain projects which were
29 authorized by the House were added by amendment in the House, but
30 the amendments were technically incorrect so that it necessitated
31 some rewriting and you will find under Section 7a 1, 2, 3, 4, 5, 6
32 separate projects that have been approved by the Department of
33 Conservation, five of them have been approved by the House membership.

1 And they add a total of...oh, all right...the...rather than
2 go that way, we'll...the total of this bill, the operations
3 budget is 6.7 million dollars for the operation of the
4 Capital Development Board, which is five hundred thousand dollars
5 less than the Department's request. Additionally, the total
6 for the Capital Improvements is eighty million four hundred
7 and eighty thousand dollars, some sixteen million dollars less
8 than the administration requested in the budget message. I'd
9 be happy to answer any questions and with that, I move, Mr.
10 President and Ladies and Gentlemen of the Senate, that the Senate
11 do adopt the Second Conference Committee Report on Senate Bill 1936.

12 PRESIDENT:

13 Senator Harris.

14 SENATOR HARRIS:

15 Thank you, Mr. President. I am somewhat reluctant to
16 speak on this bill and I, in fact, am going to, of course,
17 join the sponsor in concurring on the Conference Committee Report,
18 because this bill is too important to the operation of State
19 government for it to fail. But, Sunday evening here with respect
20 to really, I believe, conversations on this bill...

21 PRESIDENT:

22 May we have some order, please? Continue, Senator.

23 SENATOR HARRIS:

24 Conversations with respect to this bill and the authorization
25 bill, 3696, for the bond authorizations, both of which are
26 essential. An understanding was struck that a project for the
27 East St. Louis area would be taken from this total State-wide
28 program. And two individual bills, bills 3533 and 3534, would be
29 discharged from Rules and separate, then, those two new local
30 projects from the state-wide aspect of this bill, the appropriation
31 bill and the authorization bill. As I say that understanding was
32 struck. Now, today, we find that that East St. Louis area
33 project has been added back into the appropriation bill and I find

1 that procedure on the part of the House and those interested
2 in curing that very serious problem by proceeding in this
3 fashion quite offensive. And I'm troubled by it. My
4 responsibility in seeing that the total State program proceed
5 requires me to support concurrence of the motion. But, I do
6 want this Chamber to be mindful of my disappointment that this
7 procedure is being employed. I am truly, truly disappointed.
8 I think it was understood that when I joined in the motion to
9 discharge the Committee on Rules on Sunday evening, there was a
10 considerable negative reaction from members on my side of the
11 aisle that I would do that. That if the meaning and the effectiveness
12 of a Committee on Rules was to be productive and helpful to a
13 total...limitation in our deliberations in an even-numbered
14 year, that that sort of action taking place on the third
15 or fourth day from prospective adjournment would render meaningless
16 the entire Sessions activity of a Committee on Rules. And so,
17 Mr. President, I am constrained to communicate my disappointment
18 that I find the project for which I have a personal affirmative
19 attitude but understandings and procedures do have meaning.
20 And I feel that an understanding has been betrayed.

21 PRESIDENT:

22 Senator Rock.

23 SENATOR ROCK:

24 Thank you, Mr. President, Ladies and Gentlemen of the Senate.
25 I frankly, share Senator Harris' concern. I expressed that concern
26 in no uncertain terms this morning with certain members of the
27 House when the First Conference Committee Report on Senate
28 Bill 1936, in fact, was...was defeated. I wish this Body
29 to know, however, that the Senate sponsor of this measure had
30 nothing, nothing whatever to do with this action that I proposed
31 by again including within the purview of Senate Bill 1936,
32 Amendment No. 30. It was at the request of the members of the
33 House. I talked to each and every member of the Conference Committee

1 in both the House and the Senate, explained, frankly, the
2 dilemma which I think should not have occurred but was, in fact,
3 confronting us. This is, as Senator Harris indicates, a...a
4 major cog in our State government. We are talking about a 6.7
5 million dollar operational budget and an eighty million four
6 hundred and eighty thousand dollar Capital Project budget.
7 And I would move that the Senate...adopt the Conference Committee
8 Report on Senate Bill 1936.

9 PRESIDENT:

10 Any further discussion? Senator Glass.

11 SENATOR GLASS:

12 Well, thank you, Mr. President. The one thing I'd
13 like to ask is why we can't go to a Third Conference Committee
14 if...if what has been said? It's not in our rules? Is there anything...?

15 PRESIDENT:

16 It would also be against all tradition, Senator.
17 The question is shall the Senate adopt the Second Conference
18 Committee Report on Senate Bill 1936? Those in favor will vote
19 Aye. Opposed will vote Nay. The voting is open. On a point
20 of personal privilege, there is seated in the southwest gallery,
21 a Gentlemen...have all voted who wish? Take the record. Senator
22 Rock.

23 SENATOR ROCK:

24 Perhaps I can just request that consideration be postponed?

25 PRESIDENT:

26 Postponed consideration. On a point of personal privilege,
27 seated in the southwest gallery is a Gentleman who is one of the
28 best pilots of airplanes in this country. I've had occasion to
29 ride with him from...about this State in a State airplane and his
30 name is Bob Fowler. I have noticed that he is not only careful
31 and cautious, but competent and I now know the reason why because
32 seated to his right is his lovely wife, Naomi Fowler. I would
33 like for both of them to stand and be recognized by the Senate.

1 Is there leave to go to the order of First Supplemental Calendar
2 for the purpose of Senate Bill 1739? Leave is granted. Senator
3 Regner.

4 SENATOR REGNER:

5 Mr. President and members of the Senate, I move that the
6 House...that the Senate do not concur in House Amendment No. 1
7 to Senate Bill 1739 and we inform them of such.

8 PRESIDENT:

9 1 or 4?

10 SENATOR REGNER:

11 No. 4.

12 PRESIDENT:

13 Fine.

14 SENATOR REGNER:

15 I'm sorry.

16 PRESIDENT:

17 Senator Regner moves to nonconcur in House Amendment No. 4
18 to Senate Bill...Senate Bill 1739. Those in favor say
19 Aye. Opposed Nay. The Ayes have it. The motion carries and the
20 Secretary shall so inform the House. Senator Weaver.

21 SENATOR WEAVER:

22 Thank you, Mr. President. I'd like to request leave for
23 about a twenty minute Republican caucus in Room 400.

24 PRESIDENT:

25 All right. The...it's 5:35, about 5:55 or 6:00 you'll
26 be back? Now, the Senate will stand in recess till 6:00
27 but please be back at 6:00.

28

29

RECESS

30

AFTER RECESS

31 PRESIDENT:

32 May I have your attention? The Senate will stand in recess
33 until 7:30.

1. RECESS

2. AFTER RECESS

3. PRESIDENT:

4. Well, it's 7:30 again and the Senate will stand in recess
5. until some Senators show up. I'll be right here in the office
6. off the podium trying to catch up with my mail. If Senator
7. Bruce was in the...is within the sound of my voice in his
8. office or otherwise, would you please come to the Floor?

9. RECESS

10. AFTER RECESS

11. PRESIDENT:

12. To the order of the Second Supplemental Calendar. House
13. Bill...Senate Bill 1739, Senator Regner. Well, first there's
14. a Message from the House on that...on that bill.

15. SECRETARY:

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

17. Mr. President - I am directed to inform the Senate
18. that the House of Representatives has refused to recede from
19. their Amendment No. 4 to a bill with the following title, to-wit:

20. Senate Bill 1739

21. Further directed to inform the Senate that the
22. House of Representatives request a First Committee of Conference
23. to consist of five members from each House to consider the differences
24. of the two Houses in regard to the amendment to the bill.

25. The Speaker...of the House has appointed as such committee on the
26. part of the House, Representative Berman, Merlo, Darrow,
27. Deavers and Epton. Senator Egan...Regner is the chief sponsor.

28. PRESIDENT:

29. Senator Regner.

30. SENATOR REGNER:

31. Yes, I move that the Conference Committee be appointed
32. to consider the Amendment No. 4...House Amendment No. 4 on Senate
33. Bill 1739.

1. PRESIDENT:

2. The question is shall the Senate accede to the request of the
3. House that a Conference Committee be appointed? All in favor
4. say...say Aye. Opposed Nay. The motion carries and the Senate
5. accedes to the request of the House for the appointment of a
6. Conference Committee. Senator Demuzio, are you all set with
7. your Conference Committee Report?

8. SECRETARY:

9. Conference Committee Report...First Conference Committee
10. Report on House Bill 3411.

11. PRESIDENT:

12. Senator Demuzio.

13. SECRETARY:

14. That was House Bill 3403, I'm sorry, Senator Demuzio.

15. SENATOR DEMUZIO:

16. As soon as I find it.

17. PRESIDENT:

18. Will the Sergeant-at-Arms please come to the podium?

19. SENATOR DEMUZIO:

20. The proper motion is what? Mr. President and members of
21. the Senate. On House Bill 3403, as you'll all remember as the
22. appropriation bill for the Department of Conservation. The
23. ...the Conference Committee on Amendment No.1 reduced the land
24. and historic sites by an additional forty-five thousand dollars,
25. restored forty thousand dollars to the law enforcement area.
26. Amendment No. 2 was in tact. Amendment No. 3, there were several
27. projects that were put back in. A hundred thousand dollars
28. to dredge drainage...ditches in Union County. Approximately
29. a hundred and ten thousand dollars to purchase land in Hamilton
30. County. Two hundred and fifty thousand dollars for a lake
31. in Crawford County and funds for the Little Saline lake. And
32. Amendment No. 4, of course, was the Partee Amendment. Amendment
33. No. 5, 7, and 8 were...there were no changes. So the Senate
34. receded from Senate Amendments No. 1, 3, 5, and 8 and the House

1. concurred in Amendments 2, 4, and 7...and therefore, I move,
2. Mr. President, that if there aren't any questions, to move for
3. the adoption of the Conference Report.

4. PRESIDENT:

5. Any discussion? The...Senator Mitchler.

6. SENATOR MITCHLER:

7. Just a question of the sponsor. How much additional money
8. was put into the bill, Senator Demuzio?

9. PRESIDENT:

10. Senator Demuzio.

11. SENATOR DEMUZIO:

12. The Amendment No. 3, I think, the restoration was
13. approximately around seven hundred and fifty thousand dollars,
14. Senator Mitchler. The Amendment No. 1 by reducing the land and
15. historic sites by forty-five thousand and restoring the travel
16. funds to the law enforcement area of forty thousand dollars,
17. basically evens itself out. So, therefore, the only amendments
18. that we're actually dealing with here are those that were
19. put back in Amendment No. 3 which is approximately seven hundred
20. thousand dollars.

21. PRESIDENT:

22. Senator Mitchler. Just a moment. Please break up the
23. conferences. Let's have some quiet.

24. SENATOR MITCHLER:

25. Senator Demuzio, in following your explanation which is
26. very good, Senate Amendment No. 3 that we're receding from,
27. those were primarily for two drainage...ditches?

28. PRESIDENT:

29. Senator Demuzio.

30. SENATOR DEMUZIO:

31. No, the...we...we restored a hundred thousand dollars
32. to dredge the...drainage ditch in Union County, a hundred thousand
33. dollars to purchase land in Hamilton County, which is the Bald

1. Eagle project, two hundred and fifty thousand dollars for a
2. lake in Crawford County, the thirteen thousand dollars for
3. maintenance of the Cairo Custom House was deleted. The funds
4. for the seven mile lake were deleted and the funds for the
5. Little Saline lake were restored.

6. PRESIDENT:

7. Senator Mitchler.

8. SENATOR MITCHLER:

9. Well, to me those all appear to be good restorations
10. back into the bill. I don't know about Hamilton County,
11. that's Senator Latherow's area over there in that Bald Eagle
12. area, but it looks good.

13. PRESIDENT:

14. Any further discussion? The question is shall the
15. Senate adopt the...the First Conference Committee Report
16. ...pardon me, Senator Demuzio.

17. SENATOR DEMUZIO:

18. Just...I just wanted to respond to Senator Mitchler
19. by saying that we did put in a hundred thousand dollars for the
20. Bald Eagle project. We decided that instead of waiting until
21. Fiscal Year '78 to buy toupees for the Bald Eagles, we'd just
22. give them a hundred thousand dollars this year.

23. PRESIDENT:

24. Any further discussion? The question is shall the Senate
25. accept...shall the Senate adopt the First Conference Committee
26. Report on House Bill 3403? Those in favor will vote Aye. Opposed
27. Nay. The voting is open. Have all voted who wish? Take
28. the record. Postponed consideration is requested. ...Hynes.
29. Senator Hynes. Senator Rock. Conference Committee Reports.

30. SECRETARY:

31. ...First Conference Committee Report on Senate Bill 1603.

32. PRESIDENT:

33. Senator Bruce.

1. SENATOR BRUCE:

2. Thank you, Mr. President and members of the Senate. This is
3. a Conference Committee on the Department of Personnel appropriation.
4. And as the bill presently stands, it will delete the thirty-
5. one thousand dollars that was put in by the House for arbitration,
6. it will add six thousand dollars for additional personnel to
7. annualize the present seven positions held by the Department
8. of Personnel in their affirmative action program, and the
9. Conference Committee Report reaffirms the action taken
10. by the Senate relative to concurring to the amendment which added
11. ...well, it would reaffirm our position taken relative to the
12. transfer from function from the Department of Finance to the
13. Department of Personnel which we have already concurred in.
14. It was a hundred and fifty-two thousand dollar transfer.
15. I would move the adoption of Conference Committee Report No. 1
16. to Senate Bill 1603.

17. PRESIDENT:

18. Senator Weaver,

19. SENATOR WEAVER:

20. Thank you, Mr. President. I support Senator Bruce
21. in the approval of the Conference Committee Report.

22. PRESIDENT:

23. Any further discussion? The question is shall the Senate
24. adopt the Conference Committee Report No. 1 on Senate Bill 1603?
25. Those in favor vote Aye. Opposed will vote Nay. The
26. voting is open. Have all voted who wish? Have all voted who wish?
27. Take the record. On this question the Ayes are 43, the Nays
28. are 3 with none Voting Present. The Senate does adopt the
29. Conference Committee Report No. 1 on Senate Bill 1603 and the
30. bill having received the required constitutional majority
31. is declared passed.

32. SECRETARY:

33. First...

1. PRESIDENT:

2. For what...

3. SECRETARY:

4. First...

5. PRESIDENT:

6. For what...just a moment, Mr. Secretary. For what
7. purpose does Senator Morris arise?

8. SENATOR MORRIS:

9. Senator Partee, I would like to know if we could go
10. to consideration postponed in the very near future to handle
11. Senate Bill 1977?

12. PRESIDENT:

13. We'll let you know that in a few minutes, Sir. We're...
14. we're accommodating Senator Bruce at the moment.

15. SECRETARY:

16. First Conference Committee Report on Senate Bill 1804.

17. PRESIDENT:

18. Senator Bruce.

19. SENATOR BRUCE:

20. Thank you, Mr. President. This is the Conference Committee
21. Report on Senate Bill 1804 which originally dealt with the...the
22. allowance of the State Treasurer and other officials on the
23. State Employee Group Insurance Commission to designate representatives
24. on that commission. Representative Catania in the Commission
25. on the Status of Women had objection to language within the
26. present contract which states that if a State employee and his
27. wife are both covered, the dependents had to be denominated
28. as being covered under the policy of the husband. We have changed
29. that to state now that if they have eligible dependent children
30. either the female employee or the male employee, may designate
31. that they are, in fact, the person who establishes the dependency
32. and I would move the adoption of the Conference Committee Report.

33. PRESIDENT:

1. Any further discussion? The question is shall the Senate
2. adopt Conference Committee Report 1 on Senate Bill 1804?
3. Those in favor will vote Aye. Opposed Nay. The voting
4. is open. Have all voted who wish? Take the record.
5. On that question the Ayes are 47, the Nays are none, with
6. none Voting Present. The Senate does adopt Conference Committee
7. Report No. 1 on Senate Bill 1804 and the bill having received
8. the constitutional majority is declared passed. Senator Bruce,
9. you are to be congratulated for making that explanation with
10. a straight face.

11. SECRETARY:

12. Second Conference Committee Report on Senate Bill 1650.

13. PRESIDENT:

14. Senator Bruce.

15. SENATOR BRUCE:

16. Thank you again, Mr. President and members of the Senate.
17. This is the annual appropriation to the thirty-nine community
18. colleges throughout the State of Illinois. As the Conference
19. Committee Report No. 2 now stands, the motion before the Body
20. is that the House recede from House Amendments No. 2 and 4.
21. 2 would have changed the rates passed out by this Body and
22. approved by the Board of Higher Education and the Illinois
23. Community College Board. We have decided not to go along with
24. those House changes and the House members have, at least on the
25. Conference Committee, except for one, concurred in that decision.
26. We are now in the position of being 4.1 million dollars over the
27. Governor's budget. It will allow us an enrollment of one hundred
28. and seventy-one thousand FTE. If we were to increase the
29. rate for general studies as suggested by the House, we would
30. automatically have decreased available FTE enrollment next year.
31. The decision of the Conference Committee was to increase
32. the enrollment and leave the rates as approved by the Board of
33. Higher Education and the Illinois Community College Board.

1. There is some concern expressed by many which...of which I am
2. aware of the fact that general studies funding will be perhaps
3. too low to continue all the courses throughout the State.
4. But this is a low priority course in some...some courses
5. are low priority, and if we can eliminate the thirty-seven
6. million dollars for summer school in the public schools of this
7. State, I think that we can well eliminate some of the
8. less high priority courses. The...the other amendment was
9. House Amendment No. 4, which they will now recede from pursuant
10. to this Conference Committee Report. That included language
11. known last year as the Catania Amendment, the FEPC Amendment.
12. The...the problem is with thirty-nine separate institutions
13. and forty-nine separate campuses, the feeling was that if there
14. is a complaint, it best be filed before the FEPC and in that
15. the House members now concur. And with that explanation, Mr.
16. President, I would move the adoption of Conference Committee
17. Report No. 2 to Senate Bill 1650.

18. PRESIDENT:

19. Any discussion? Senator Weaver.

20. SENATOR WEAVER:

21. Thank you, Mr. President. I support the adoption of
22. Conference Committee Report No. 2. It's in the same position
23. as it left the Senate and I would encourage this side of the
24. aisle to support it.

25. PRESIDENT:

26. Any further discussion? The question is shall the Senate
27. adopt the Conference Committee Report No. 2 on Senate Bill 1650?
28. Those in favor will vote Aye. Opposed Nay. The voting is open.
29. Have all voted who wish? Take the record. On this question the
30. Ayes are 49, the Nays are none, with none Voting Present. The
31. Senate does consent to the adoption of Conference Committee Report
32. No. 2 on Senate Bill 1650 and the bill having received the required
33. constitutional majority is declared passed. May I have the

1. attention of the membership? A Gentleman from WMAY
2. Radio has requested leave to take pictures in the Senate.
3. Is leave granted? Senator Mohr.
4. SENATOR MOHR:
5. Did I hear...did I understand the WMAY Radio Station
6. going to take pictures?
7. PRESIDENT:
8. I gave you the request, Senator. I ask is leave granted?
9. The Gentleman is from WMAY Radio as I understand it and
10. he's asking leave to take photographs.
11. SENATOR MOHR:
12. How...how do they come out on the radio, Senator? What
13. are they going to do with them, has anybody determined that?
14. PRESIDENT:
15. Well, I don't know. He might just want them for himself,
16. but, is leave granted? Leave is granted. Don't sell them to
17. anybody. A Message from the House.
18. SECRETARY:
19. A Message from the House by Mr. O'Brien, Clerk.
20. Mr. President - I am directed to inform the Senate
21. the that the House of Representatives has refused to adopt
22. the First Conference Committee Report on House Bill 3377 and
23. request a Second Committee of Conference to consider the differences
24. between the two Houses in regards to Amendment No. 1, 2, 3, 4, 5, 7,
25. 8, 9, 11,...10, 11, and 12.
26. I am further directed to inform the Senate that
27. the Speaker of the House has appointed as such committee on the
28. part of the House, Representatives Byers, Boyle, Bradley, Totten,
29. and Ryan.
30. PRESIDENT:
31. Senator Joyce, do you desire to accede to the request for the
32. appointment of a Second Conference Committee?
33. SENATOR JOYCE:

1. Yes.

2. PRESIDENT:

3. The question is shall the Senate accede to the request of
4. the House that a Second Conference Committee be appointed?
5. All in favor say Aye. Opposed Nay. The Ayes have it. The
6. motion carries and a Second Conference Committee will be appointed.
7. For what purpose does Senator Philip arise? Just a moment, we're...
8. we're still in Session. Senator Philip is recognized.

9. SENATOR PHILIP:

10. Thank you, Mr. President. On the First Supplemental
11. Calendar I still have a bill waiting the action of the Senate.
12. And if...I had a problem with Senator Rock which I have worked
13. out and I don't think it would be any big problem, but I'd
14. like to move it if that's possible.

15. PRESIDENT:

16. All right. Senate Bill 1739 on the First...well, I tell
17. you why I keep making the mistake. It says 39 on my Calendar
18. here. Oh, I see. Read the message on Senate Bill 1749.

19. SECRETARY:

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

21. Mr. President - I am directed to inform the Senate
22. that the House of Representatives has concurred with the Senate
23. in the passage of a bill with the following title, to-wit:

24. Senate Bill 1749

25. together with the following amendment in the adoption of which
26. I am instructed to ask the concurrence of the Senate, to-wit:

27. House Bill...House Amendment No. 2 to

28. Senate Bill 1749

29. PRESIDENT:

30. Senator Philip.

31. SENATOR PHILIP:

32. Thank you, Mr. President. As you know, this bill deals with
33. Workmen Comp Insurance. It does basically...the House amendment

1. does basically two things. It allows the...the commission
2. shall grant binding authority to a licensed insurance agent
3. upon collecting at least twenty-five percent of the premium.
4. Secondly, it says that the Department of Insurance will fix
5. the rates of commission for the Workmen's Comp that goes in the
6. high risk pool. So, I think I've worked the problem out with
7. Senator Rock and I would move that the Senate would concur
8. in House Amendment No. 2.

9. PRESIDENT:

10. Senator Rock.

11. SENATOR ROCK:

12. Thank you, Mr. President, Ladies and Gentlemen of the Senate.
13. Yes, I wish to state for the membership that the only problem
14. I had is when I picked up the message in a hurry and attempted
15. to read it, the first words that hit my eye were, "strike everything
16. after the enacting clause and when the House does that, I become
17. a little concerned. As it turns out, the bill was rewritten to
18. conform to a bill earlier passed by Representative Kane.
19. I think the bill is a good one and deserves our support.

20. PRESIDENT:

21. The question is, shall the Senate concur in House Amendment
22. No. 2 to Senate Bill...Senator Latherow?

23. SENATOR LATHEROW:

24. Well, I...maybe I'm mistaken. I don't believe I heard a thing
25. about what this amendment did. Did I miss something or not, or did...?

26. PRESIDENT:

27. Yes, I...you probably did. Senator Philip, could you
28. accommodate him? Yeah, I think Senator Latherow missed a part of
29. your explanation.

30. SENATOR PHILIP:

31. Thank you, Mr. President. As you're probably aware,
32. when a company is denied insurance they go into the Workmen's
33. Comp insurance, they are put into the risk pool. Under the old

1. system, there was no commission for those agents that handled
2. that insurance. What this amendment does, it says that the
3. Department of Insurance shall fix the commission rate and that's
4. basically what this amendment does.

5. PRESIDENT:

6. Senator Latherow.

7. SENATOR LATHEROW:

8. Well, Mr. President, I wonder if I could ask a question?

9. PRESIDENT:

10. You certainly may. He'll yield.

11. SENATOR LATHEROW:

12. Well, I just wonder, Senator Philip, what was wrong with it
13. without this?

14. PRESIDENT:

15. Senator Philip.

16. SENATOR PHILIP:

17. Well, what it meant, Senator Latherow, was that an insurance
18. agent was forced by the State of Illinois to sell and service
19. insurance that he got no commission on, because it came out of their
20. high risk pool. And all this does, it says that the Department
21. of Insurance can grant him commission, which he's entitled to
22. because he does the work, he services that account.

23. PRESIDENT:

24. Senator Latherow.

25. SENATOR LATHEROW:

26. Is this what you might call the savior clause then that
27. you're putting in that for the insurance agents?

28. PRESIDENT:

29. Senator Philip.

30. SENATOR PHILIP:

31. I'm afraid I'm not an insurance agent, never sold insurance,
32. but I suppose you might call it that.

33. PRESIDENT:

34. Any further discussion? The question is shall the Senate

1. concur in House Amendment No. 2 to Senate Bill 1749?
2. Those in favor will vote Aye. Opposed Nay. The voting
3. is open. Have all voted who wish? Take the record.
4. On that question the Ayes are 40, the Nays are 6, with 2
5. Voting Present. The Senate does concur in Amendment No. 2
6. to Senate Bill 1749 and the bill having received the required
7. constitutional majority is declared passed. A Message from the House.

8. SECRETARY:

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

10. Mr. President - I am directed to inform the Senate
11. that the House of Representatives has refused to adopt the First
12. Conference Committee Report on House Bill 3392 and request
13. a Second Committee of Conference to consider the differences
14. between the two Houses in regards to Amendments Nos. 1 and 2.

15. Further directed to inform the Senate that the
16. Speaker of the House has appointed as such committee on the
17. part of the House: Representative Jaffe, Bradley, Barnes,
18. Totten and Ryan.

19. PRESIDENT:

20. Senator Rock.

21. SENATOR ROCK:

22. Thank you, Mr. President and members. I would move that
23. we accede to the request of the House for a Second Conference
24. Committee.

25. PRESIDENT:

26. The question is shall the Senate accede to the request of
27. the House that a Second Conference Committee be appointed?
28. Those in favor say Aye. Opposed Nay. The motion carries and a
29. Second Conference Committee shall be appointed. Senator Rock.

30. SENATOR ROCK:

31. Thank you, Mr. President.

32. PRESIDENT:

33. Just a moment, now. Senate is in Session. Please.

34. Senator Rock.

1. SENATOR ROCK:

2. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
3. With leave of this Body, I would ask that we go to the order
4. of House Bills on 3rd reading and take up House Bill 3656.
5. I would request that that bill be brought back to the order
6. of 2nd reading for the purpose of an amendment.

7. PRESIDENT:

8. Is leave granted? Leave is granted. House Bill 3656
9. is now on the order of 2nd reading. Senator Rock.

10. SENATOR ROCK:

11. Thank you, Mr. President and Ladies and Gentlemen of the
12. Senate. This is, as I'm sure all are aware, the bond authorization
13. bill for the Capital Development Board projects. This is one of
14. fourteen bills that are still pending and are necessary for the
15. operation of State government. I think once we get this matter
16. disposed of, most of the rest, at least, will fall into line.
17. I have...there is an amendment on the Secretary's Desk, Mr.
18. President.

19. SECRETARY:

20. Amendment No. 3 offered by Senator Rock.

21. PRESIDENT:

22. Senator Rock.

23. SENATOR ROCK:

24. Thank you, Mr. President, Ladies and Gentlemen of the Senate.
25. Amendment No. 3 to House Bill 3656 attempts to reconcile the
26. bonding authority amounts across the various categories and would
27. increase the total authority from eight hundred and ten million
28. as was proposed in 3656 to eight hundred and forty million, which
29. is ninety million approximately above the current level of seven
30. hundred and fifty-two million. The amendment takes the line
31. item for educational purposes and the Illinois community
32. colleges from 482 to 505. It takes the Department of Corrections
33. line from eleven million to thirteen. It takes the Conservation
34. line back one million dollars to reflect a lapse in the project.

1. It takes the health care facilities and developmental...
2. developmentally disabled facilities up two...up two million dollars
3. to 94.8 million dollars and it takes the other State agencies
4. line up to eighty-eight million dollars from seventy-four
5. million dollars as sent over from the House. It reduces the
6. line...the Water Resources line from twenty-five million down
7. to 13.9 million and increases the Health Education grant line
8. item by eight hundred thousand dollars. The sum and substance
9. of Amendment No. 3, Mr. President and Ladies and Gentlemen
10. of the Senate, is to bring the authorization, the bonding
11. authority, into line with the Appropriations requests as approved
12. by the Governor through 1970...through Fiscal '76, with two
13. exceptions. One exception is in the other State agency line
14. which would include the FY '77 request for completion of the
15. Capital Complex and the other in in the Health Services grant
16. line of eight hundred thousand dollars. Since I am informed
17. this is the last year of this program. Otherwise, these new
18. amounts do, in fact, reconcile the dollar amounts to reflect
19. authorizations in line with and in accord with the total active
20. appropriations from FY '73 through '76 and I would move the
21. adoption of Amendment No. 3.

22. PRESIDENT:

23. Any further discussion? Senator Netsch.

24. SENATOR NETSCH:

25. Will the sponsor yield for one question?

26. PRESIDENT:

27. He indicates he'll yield.

28. SENATOR NETSCH:

29. Senator Rock, as I am looking at prior charts of these
30. figures, there is a substantial reduction in the original figure
31. for Water Resources. Is that simply a mechanical reconciliation
32. of what is now found to be available or does it involve something
33. else?

1. PRESIDENT:

2. Senator Rock.

3. SENATOR ROCK:

4. The reduction the House sent over in...in 3656, the House
5. did, in fact, increase the authority to reflect the new
6. Fiscal '77 request in the amount of thirteen million dollars.
7. All I have done, is take it back to reflect the amounts
8. actually appropriated and approved through FY '76.

9. PRESIDENT:

10. Senator Netsch.

11. SENATOR NETSCH:

12. Can you explain what a prior figure of 25.4 million meant,
13. then?

14. PRESIDENT:

15. Senator Rock.

16. SENATOR ROCK:

17. Yeah, the 25.4 million included the FY '77 requests from the
18. Division of Waterways, and did include, in fact, things like
19. the Middle Fork. I have deleted all the FY '77 requests.

20. PRESIDENT:

21. Any further discussion? Senator Sommer.

22. SENATOR SOMMER:

23. If...if I couldn't ask Senator Rock a question. Does that
24. mean to say Senator Rock, that in...in...in House Bill 3417
25. there were certain projects...Waterways projects, authorized
26. in that bill as it kicked around in the Conference Committees?
27. It's my understanding that the Second Conference Committee
28. has had trouble in the House. But nonetheless, there were projects
29. in there. Does this mean that your action in this amendment
30. deletes those projects in effect because it deletes their
31. authorization?

32. PRESIDENT:

33. Senator Rock.

1. SENATOR ROCK:

2. No, it does not, Senator, for this reason, that traditionally,
3. the Department of Waterways...or Division of Waterways of the
4. Department of Transportation never reappropriates. They come in
5. every year with a new request. That is why, you will recall,
6. we in the Senate, adopted an amendment to that bill which would
7. have set out the total amount of a project. In other words, let's
8. take the Mississippi Canal, if there is such a place, and the
9. Department of Waterways comes in and says, here's a project for
10. one hundred thousand dollars. In fact, over the long haul
11. doing what, in fact, they propose to do, it might cost ten million,
12. but they don't come in for a ten million dollar request. They
13. come in only for a hundred and they carry it on from year to year
14. so that what we are by bringing this number into accord with
15. those projects through FY '76, we are saying...we are attempting
16. at least, to afford them the opportunity as is...afforded to the
17. Department of Transportation, to catch up with projects that
18. frankly, they just...most of those projects, will, in fact, be
19. available.

20. PRESIDENT:

21. Senator Sommer.

22. SENATOR SOMMER:

23. I...I...Senator Rock, I still, perhaps it's my misunderstanding,
24. but if there's a new project in 3417, will that be authorized
25. in this...in your amendment?

26. PRESIDENT:

27. Senator Rock.

28. SENATOR ROCK:

29. It could, depending on how much of the authority is actually
30. obligated, of the twelve million dollars existing authority.
31. Our information from the Capital Development Board is within
32. that line that a small percentage of it is actually obligated, so that
33. there is some leeway for the Department. They have their own

1. priority list, if you will.

2. PRESIDENT:

3. Any further discussion? Senator Johns.

4. SENATOR JOHNS:

5. Senator Rock, it's been my understanding that in order
6. to have projects, you've got to have planning sometimes years
7. in ahead. Are we taking...are we making a precedent now? Have
8. we ever done this before, what you're doing now?

9. PRESIDENT:

10. Senator Rock.

11. SENATOR ROCK:

12. We have since the inception of the Capital Development
13. Board, had to, at least, two or three times to my recollection,
14. reconciled the amount of authority with the amount of actually
15. appropriated. The General Assembly of...of long standing, has
16. had a tradition of kind of over appropriating. If we say you
17. have the authority to spend ten million dollars on creeks,
18. we will wind up ordinarily, with thirteen or fourteen million
19. dollars worth of appropriation requests for creeks. Most of which
20. will be approved, if not all of which and then the question
21. is we then, have to play catch up and reconcile the amount
22. of authority with the amount actually appropriated. That is
23. the purpose of this amendment.

24. PRESIDENT:

25. Senator Johns.

26. SENATOR JOHNS:

27. Well, the thing that disturbs me, Senator Rock, is that
28. in order to be able to construct something, you've got to anticipate
29. that need and you've got to have plans on the drawing boards and
30. I just...I just know that if we don't give them the proper
31. initiative or a green light, so to speak, we're sort of curtailing
32. initiative and planning and that's...do you agree with that or...?

33. PRESIDENT:

1. Senator Rock.

2. SENATOR ROCK:

3. I not only agree with it, that's the purpose of
4. Amendment No. 3. Without Amendment No. 3, there would, in fact,
5. be no planning. We are moving up...moving up some ninety
6. million dollars their authority to plan, design, and construct
7. projects for which we have already appropriated.

8. PRESIDENT:

9. Senator Buzbee.

10. SENATOR BUZBEE:

11. Well, Mr. President, I'm...I'm sorry. I have been involved
12. in a Conference Committee and I got in on the last part of this
13. but it's my understanding this amendment would restrict that any
14. new Capital Development project that would be...that was planned
15. for this fiscal year that was not in a prior fiscal years, would
16. ...would not be authorized if this amendment were accepted.
17. Is that correct?

18. PRESIDENT:

19. Senator Rock.

20. SENATOR ROCK:

21. Not entirely. What we are saying is that we fully expect
22. that when the FY '77 appropriation process is finished, that we
23. will, in fact, have appropriated somewhere in the neighborhood
24. of nine hundred and ten million dollars worth of projects.
25. Most have already...

26. PRESIDENT:

27. May we have some order, please?

28. SENATOR ROCK:

29. ...most have already been obligated to some degree or another.
30. However, we have, in fact, been operating all through Fiscal
31. '76 with eight hundred and twenty-three million dollars worth
32. of requests when we only had seven hundred and fifty-two million
33. dollars worth of authority. So, what we are attempting to do is at

1. least bring the authority up to the FY '76,...we're playing catch
2. up so that the board can, in fact, obligate another ninety
3. million dollars over the...the next fiscal year.

4. PRESIDENT:

5. Senator Buzbee.

6. SENATOR BUZBEE:

7. Well, it seems to me, you're not bringing the authorization
8. up as much as you are bringing the appropriation down, with this
9. amendment. This is the appropriation bill. 3656. Okay, well,
10. I'm sorry. All right. And you're...is there a dollar limit
11. that you've established as of this point?

12. PRESIDENT:

13. Senator Rock.

14. SENATOR ROCK:

15. Yes. The total under the proposed Amendment No. 3 would
16. take the amount from eight hundred and ten million where the
17. House had it, remember now, it's at seven fifty-two as of today.
18. If we do nothing it's at seven hundred and fifty-two million
19. dollars. The House, by virtue of House Bill 3656 brought it up
20. to eight hundred and ten. I am suggesting by Amendment No. 3 that
21. the total, in fact, be eight hundred and forty million dollars.

22. PRESIDENT:

23. Senator Buzbee.

24. SENATOR BUZBEE:

25. Well, it's my understanding that if...I'm...I'm speaking with
26. some limited knowledge now and I'm speaking...I'm addressing
27. myself only to the educational portion of the authorization,
28. that if, in fact, that educational portion is not brought up
29. to five hundred and forty-five million, which...and your
30. amendment would cut it down to 505.5, is that correct?

31. PRESIDENT:

32. Senator Rock.

33. SENATOR ROCK:

1. I...I...I just wish to correct, don't characterize
2. Amendment No. 3 as cutting down that line. It raises it from
3. 482 to 505.

4. PRESIDENT:

5. Senator Buzbee.

6. SENATOR BUZBEE:

7. Well, I'm...I apologize for the...for the incorrect...the
8. incorrect way of stating it. But, the fact is if that is not
9. brought to 545 there are a lot of badly needed projects in higher
10. education that are new in FY '77 that cannot be started.

11. PRESIDENT:

12. Senator Rock.

13. SENATOR ROCK:

14. Well, I would not be so cavalier with the facts. Are
15. you aware, for instance, that of the current authorization which
16. is 482, only 349 has, in fact, been obligated?

17. PRESIDENT:

18. Senator Buzbee.

19. SENATOR BUZBEE:

20. I am, in fact, not aware of that. However, I am aware of
21. the fact at least as relayed to me from the Illinois Board of
22. Higher Education, that if a five hundred and forty-five million is
23. not authorized for higher education, there are some badly
24. needed construction projects which cannot be started this next
25. year. The Capital Development Board has already told them that
26. they will, in fact, not authorize those badly needed projects if
27. the authorization is not brought up to 545. Now, I'm not
28. trying to be argumentative, but at this point in time, I don't
29. have the expertise nor do I...I would seriously suggest, does
30. anybody in this Chamber have the expertise to determine which of those
31. projects should, in fact, be authorized. That is why we have the
32. Capital Development Board, that is why we let the whole higher
33. education budgetary process go through the Illinois Board of
34. Higher Education, because those are the experts, that determine which

1. projects are needed, which ones should be funded. And if we don't
2. get at least that portion as it pertains to higher education
3. up to five hundred and forty-five million, then, in fact, you and
4. I are going to be selectively deciding which projects they will
5. be working on next year and that part I object to.

6. PRESIDENT:

7. Senator Merritt.

8. SENATOR MERRITT:

9. Yes, Mr. President and members of the Senate. Senator
10. Rock, if I understood you correctly, I believe you said that
11. the final bottom line item there was eight hundred and forty
12. million, is that...is that correct?

13. PRESIDENT:

14. Senator Rock.

15. SENATOR ROCK:

16. That is correct, Senator.

17. PRESIDENT:

18. Senator Merritt.

19. SENATOR MERRITT:

20. Then my next question and I hate to bring up a sore subject
21. again, but at least a project that was debated today and at least
22. was defeated here in the Senate prior to that time, I know was...
23. was in that amount. Not knowing what might have happened to that
24. in the House at the moment, does that still until it's resolved one
25. way or the other, remain in there and I believe the answer is
26. probably Yes, but I want to hear it from you.

27. PRESIDENT:

28. Senator Rock.

29. SENATOR ROCK:

30. Well, I'm going to have to...I...I'm having difficulty hearing.
31. Does what remain in there?

32. PRESIDENT:

33. Just one moment. At the back of the room, please. Please.

34. Senator Rock.

1. SENATOR ROCK:
2. Well, does what remain in there, Senator? I...I just...
3. PRESIDENT:
4. And at the back of the room on this side, please also.
5. Senator Rock.
6. SENATOR ROCK:
7. I...I did not understand the question.
8. PRESIDENT:
9. Would you repeat your question, Senator? He isn't able
10. to hear. There...
11. SENATOR MERRITT:
12. Yes.
13. PRESIDENT:
14. ...is so many other more important things going on on this
15. Floor.
16. SENATOR MERRITT:
17. Yes, Mr. President. I hate to belabor it and in fact, I
18. probably could go over to Senator Rock and learn it myself, but
19. the mere fact that a project, for instance, this afternoon, was
20. deleted, that was previously in there, and yet the matter has
21. not been resolved in the House and I'm referring to the Middle
22. Fork Reservoir, it still until that matter is resolved, remains
23. in there, I assume.
24. PRESIDENT:
25. Senator Rock.
26. SENATOR MERRITT:
27. Until it's disposed of.
28. PRESIDENT:
29. Senator Rock.
30. SENATOR ROCK:
31. I will say, as I said in my opening statement, Senator,
32. Amendment No. 3 would take the Water Resources bond authorization
33. category back to 13.9 as opposed to the House action, which had it

1. at 25.4. So, in a direct answer to your direct question,
2. it is not in there.

3. PRESIDENT:

4. Senator Merritt.

5. SENATOR MERRITT:

6. Well, then I'm just...I'm just wondering what the procedure
7. would be? Again, I...I didn't want to get in any long debate,
8. certainly, with...on this matter. I'm...I'm just trying to
9. satisfy myself what happens when the...when the entire matter
10. has not been resolved at this time inasmuch as we've not received
11. any Message from the House on their action? What, in fact,
12. happens if that amount or any part thereof, is restored..?

13. PRESIDENT:

14. Senator Rock.

15. SENATOR MERRITT:

16. ...in this particular bill?

17. PRESIDENT:

18. Senator Rock.

19. SENATOR ROCK:

20. The question, Senator, is a good one and one frankly, that
21. we have to live with in each of the categorical authorizations.
22. As I started to say, we have total statutory authorization for
23. seven hundred and fifty-two million dollars. We have authorized
24. projects in an amount of eight hundred and twenty-three million
25. dollars through FY '76, so that, as you can see, there's a seventy
26. million dollar gap. And your question could be asked, I suppose,
27. of all those other projects, what happens and what happens, in fact,
28. is that in some instances they are delayed, in some instances
29. they are started with a much smaller initial outlay or initial
30. obligation. Amendment No. 3 attempts to bring that authorization
31. up to a realistic level, eight hundred and forty million dollars
32. spread across...across the categories. It brings it up ninety
33. million dollars.

1. PRESIDENT:

2. Any further discussion? Senator Bruce. I'm sorry, I thought...
3. Senator Merritt.

4. SENATOR MERRITT:

5. Mr. President, maybe I can go over. I don't want to belabor
6. the time at this late hour. Maybe I can go over, if Senator
7. Rock's willing, and...and talk to him personally.

8. PRESIDENT:

9. Leave...Bruce.

10. SENATOR BRUCE:

11. Yes, thank you, Mr. President and members of the Senate.
12. I rise in opposition to the amendment proposed by Senator Rock
13. which adds money. The problem is as the House has passed the
14. appropriation, it is...the authorization for bond issuance, it is
15. too low to even continue present projects. This would allow
16. an additional ninety million dollars in bond authorizations.
17. But, for higher education alone, we are going to remove some
18. thirty-eight million dollars worth of projects. For those
19. of you who have a community college in your district, and I daresay,
20. there is not one here who does not have, it means next
21. year, no new projects. Every project approved by the Board
22. of Higher Education by this amendment is terminated. It is...there
23. will be no authorization, there will be no new construction.
24. Now, they will be able to operate with the present authorization
25. if projects were begun, they can be completed with issued bonds.
26. But, the new programs, the new projects, that the Board
27. of Higher Education has approved, die. I was over in the House
28. and they have been killing our bills with impunity. It seems
29. to me that we ought to send a message to the House that we believe
30. the progress made by the Board of Higher Education should continue.
31. That the colleges that are planned to be built, should be built.
32. This amendment adds more money. It is difficult, then, to rise in
33. opposition to it. The problem is, is it...it does not add sufficient

1. funds to continue the projects, particularly in the community
2. college and higher education areas. We need another thirty
3. million dollars in this bond authorization to complete projects.
4. This keeps us at this year's funding level. And yes, some
5. projects that were authorized, some projects that were planned,
6. will not continue and we can dip into new programs. We will be able
7. to get new buildings that BHE says you need because of failure
8. of some projects to be completed. But, there's thirty million
9. dollars in higher ed alone that you are not authorizing by this
10. amendment. And I would rise in opposition to it.

11. PRESIDENT:

12. Senator Weaver.

13. SENATOR WEAVER:

14. Thank you, Mr. President. Well, I stand in support of this
15. amendment. Certainly, this afternoon in knocking out Amendment No.
16. 8. to the Waterways bill, we knocked out the total cost of these
17. projects. Now, we're going to be back here in November and if
18. we have to make some adjustments in November in this authorization
19. we can make them then. But, I see no reason to raise this
20. authorization to an astronomical level and allow all these things
21. to be contracted out at a time when priorities might change in the
22. near future. So, I support this amendment.

23. PRESIDENT:

24. Any further discussion? Senator Rock may close the debate.

25. SENATOR ROCK:

26. Thank you, Mr. President, Ladies and Gentlemen of the
27. Senate. I would again, urge the adoption of Amendment No. 3.
28. I suppose everything we are doing this year is not enough
29. for everybody. And I would agree with that statement. We have
30. not done enough in education. We have not done enough with DOT.
31. We have not done enough in a lot of places. This is a responsible
32. attempt to keep this board operating. We are raising their
33. authorization some ninety million dollars. I totally disagree with

1. Senator Bruce and I would urge the adoption of Amendment No. 3.

2. PRESIDENT:

3. The question is on the adoption of Amendment No. 3 to House
4. Bill 3656. All in favor say Aye. Opposed Nay. A roll call is
5. requested. On the adoption of Amendment No. 3 to House Bill
6. 3656. Those in favor will vote Aye. Opposed will vote Nay.
7. The voting is open. Have all voted who wish? Take the record.
8. I was happy a roll call was requested because on the decibel count
9. of the Yeas and Nays, I might have felt there was a different result.
10. On this question the Ayes are 34, the Nays are 12, with none
11. Voting Present. Amendment No. 3 is adopted. Any further
12. amendments?

13. SECRETARY:

14. No further amendments.

15. PRESIDENT:

16. 3rd reading. Senator Rock.

17. SENATOR ROCK:

18. Mr. President, after intervening business, I would like to
19. get back to that bill. That bill is, as everybody I'm sure is
20. aware, increases the bonded indebtedness and will require a
21. extraordinary majority vote.

22. PRESIDENT:

23. For what purpose does Senator Nimrod arise?

24. SENATOR NIMROD:

25. If you would like some intervening business, 3602 is sitting
26. there and maybe we could tend to that.

27. PRESIDENT:

28. House Bills on 3rd reading, page two of your Calendar.
29. House Bill 3602, Senator Nimrod. ...the bill.

30. SECRETARY:

31. House Bill 3602.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDENT:

2. Senator Nimrod.

3. SENATOR NIMROD:

4. Yes, Mr. President and fellow Senators. This extends the
5. reporting dates for the Township Study Laws Commission and I would
6. be glad to answer any questions, otherwise I ask for a favorable
7. roll call.

8. PRESIDENT:

9. The question is shall House Bill 3602 pass? Those in favor
10. vote Aye. Opposed Nay. The voting is open. Have all voted who
11. wish? Take the record. On this question the Ayes are 40,
12. the Nays are 1, with 2 Voting Present. House Bill 3602
13. having received a constitutional majority is declared passed.
14. House Bill 3656. Read the bill.

15. SECRETARY:

16. House Bill 3656.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDENT:

20. Senator Rock.

21. SENATOR ROCK:

22. Thank you, Mr. President, Ladies and Gentlemen of the Senate.
23. House Bill 3656, the bill which we just amended, is an amendment
24. to the Capital Development Bond Act. It will authorize Illinois
25. General Obligation Bonds to be issued in the amount of eight hundred
26. and forty million dollars spread across the previously described
27. categories. I would solicit a favorable vote.

28. PRESIDENT:

29. The question is shall House Bill 3656 pass? Those in
30. favor vote Aye. Opposed will...vote Nay. The required...the voting
31. is open. Have all voted who wish? Have all voted who wish?
32. Take the record. On this question the Ayes are 40, the Nays are none,
33. with 9 Voting Present. House Bill 3656 having received the required

1. three-fifths vote is declared passed. House Bill 3522, Senator
2. Wooten. Read the bill. Senator Wooten is recognized.

3. SENATOR WOOTEN:

4. Two points. Before we proceed, I...one fact when we discussed
5. sponsorship of this bill yesterday that I don't think I made
6. sufficiently clear, once we have taken final action on this bill
7. one way or the other, I will ask leave of this Body to have
8. Senator Chew restored as principal sponsor. It is not my
9. desire to replace him, but merely to move the bill to accommodate
10. the President and the Secretary of State. All right. And the
11. second point I would ask leave of the Body, then, to move this
12. bill back to 2nd reading for the purpose of amendment.

13. PRESIDENT:

14. Is leave granted? The bill is on the order of 2nd reading.

15. SECRETARY:

16. Amendment No. 1 offered by Senator Wooten.

17. PRESIDENT:

18. Senator Wooten.

19. SENATOR WOOTEN:

20. Amendment No. 1, copies of which have been placed on your
21. desk, is technical in nature. There are some points throughout
22. the bill where the term "sticker" was used instead of "registration
23. sticker". Some of the language was not complete in certain
24. categories and Amendment No. 1 simply puts the bill in appropriate
25. form. It is purely technical in nature and I would ask the adoption
26. of Amendment No. 1.

27. PRESIDENT:

28. Any discussion? The question is on the adoption of Amendment
29. No. 1 to House Bill 3522. All in favor say Aye. Opposed Nay.
30. The Ayes have it. The amendment is adopted. Any further amendments?

31. SECRETARY:

32. Amendment No. 2 offered by Senator Lemke.

33. PRESIDENT:

1. Senator Lemke is not on the Floor...oh, here he is.

2. SENATOR LEMKE:

3. This is a very simple amendment. It requires compulsory
4. insurance before you get your license plates since we're going
5. five years, I think we should have compulsory insurance.

6. PRESIDENT:

7. Any discussion? Senator Wooten.

8. SENATOR WOOTEN:

9. Yes, Mr. President. Senator Lemke's amendment
10. introduces a new and, I think, not a bad element into the question.
11. The problem is that we have a rather difficult matter to decide
12. just with the bill itself. The idea of requiring proof of insurance
13. has been kicking around for about ten years now and I think it's
14. enough of...for us to take this step on the five year license
15. plate without introducing this and I very respectfully would ask
16. that this amendment be opposed so that we might give the bill
17. a realistic chance for passage.

18. PRESIDENT:

19. Any further discussion? Any further discussion? Senator
20. Bruce...Buzbee.

21. SENATOR BUZBEE:

22. Well, I would only say that I, like Senator Wooten, might be
23. completely sympathetic to this in the form of a bill at some point,
24. but I...at this late hour I think it's an entirely different
25. subject that perhaps ought to be left off. I only say this,
26. Mr. President, in the light of explaining my vote which we can't
27. do because I'm going to vote No on the Amendment, but I think
28. it's a good concept that maybe we ought to consider some time.

29. PRESIDENT:

30. Any further discussion? Senator Harber Hall. Who's on first now?
31. Senator Harber Hall.

32. SENATOR HALL:

33. Well, I rise in support of this amendment, Mr. President.

1. I...I can...find it very difficult to walk downtown these days
2. without people asking me to support this concept. Too many people
3. have been injured on the streets of our State by people who
4. don't have insurance. I think this is long overdue and
5. I'm going to support this amendment.

6. PRESIDENT:

7. Any further discussion? Senator Bell.

8. SENATOR BELL:

9. I'd just like to say, Mr. President, as an insurance
10. agent, I should take a Present vote on this. I might have a
11. conflict of interest.

12. PRESIDENT:

13. Any further discussion? Senator Latherow.

14. SENATOR LATHEROW:

15. Well, thank you, Mr. President. I wonder if the sponsor
16. would yield to a question?

17. PRESIDENT:

18. He indicates he'll yield.

19. SENATOR LATHEROW:

20. I wonder, Senator, if you have this so written, so that those
21. people that have to take people like me in the assigned risk
22. and can get a commission when they write this?

23. PRESIDENT:

24. Senator Lemke.

25. SENATOR LEMKE:

26. Well, my understanding of the assigned risk is that you
27. don't get...you don't get a commission. ...Pate Philip was
28. trying to pass a bill to get commission so I think it's a long
29. overdue concept. I think if we're going to go start giving people
30. license plates for five years, we better make sure they've got
31. insurance because the State's not going to be able to track them
32. down. They'll be riding around the highways without license
33. plates.

1. PRESIDENT:

2. Senator Latherow.

3. SENATOR LATHEROW:

4. Then I wonder in a case like this, will they at the same
5. time get insurance for five years or will they be the same
6. as they pay for the automobile license plate, are they going to have
7. to pay for it five years too?

8. PRESIDENT:

9. Senator Lemke.

10. SENATOR LEMKE:

11. I believe not for five years, but I think in this plan
12. five year plan each year you buy a...a sticker which is going to
13. do for another year and when you buy that sticker, you're going
14. to have to show that you have proof of a financial responsibility
15. and otherwise, you're not going to get the sticker and it
16. could create a problem, if you don't have insurance.

17. PRESIDENT:

18. Senator Latherow.

19. SENATOR LATHEROW:

20. You would advise me, then, to have my insurance policy
21. come due on the first day of January the same day my license
22. plate came due, so I could pay it and then send in and say, well,
23. I have it paid, is that what you would advise me then?

24. PRESIDENT:

25. Senator Lemke.

26. SENATOR LEMKE:

27. What you have here is a provision in the...when your insurance...
28. you don't have to buy your plates on the first day of January.
29. You can buy your plates in December beforehand and help the State
30. out by giving them extra money. But, you can have your policy effective
31. as you want it and I think it's a good plan and I think the...the
32. policing of it will be...will be great because the...as you say, the
33. license plates are going to...you're not going to be able to drive

1. if you don't have plates and this is what this does.

2. PRESIDENT:

3. Senator Latherow.

4. SENATOR LATHEROW:

5. One more question, Senator. I buy my license, we'll say,

6. in January and my insurance policy expires in July. Now,

7. are we going to have investigators come out to see me and see

8. if I've paid my premium that comes due then to give me that

9. other six months on that policy?

10. PRESIDENT:

11. Senator Lemke.

12. SENATOR LEMKE:

13. Well, I...I believe it's an easy concept. Most of the

14. license...most policies from a standpoint of records, will

15. probably be on the day you purchase your plates, you'll have

16. the policy of insurance. It's similar to what we do now

17. with the liquor licenses. You don't buy...you don't get a liquor

18. license until you show you're lease is up to date and you're dram

19. shop insurance corresponds with your liquor license, so I don't

20. see any problem here in enforcing it.

21. PRESIDENT:

22. Senator Latherow.

23. SENATOR LATHEROW:

24. I believe, Senator, you have the answers to the questions.

25. I support your position.

26. PRESIDENT:

27. Any further discussion? Senator Philip.

28. SENATOR PHILIP:

29. Thank you, Mr. President. I just wanted to set Senator

30. Latherow at ease that the agents who sell this type of insurance

31. for automobiles in the high risk pools do get a commission right now.

32. PRESIDENT:

33. Further discussion? Senator Bruce.

1. SENATOR BRUCE:

2. Well, on a serious note, Mr. President, what we are adding
3. here is a bill, where by amendment a piece of legislation which
4. was vetoed by the Governor last year. Now, there has been
5. talk about political campaigns and readjusting the chairs on the
6. Titanic. This amendment is not readjusting the chairs. This
7. is opening the plug in the bottom of the ship. I...I remember the
8. malpractice bill of last year where we gooded that bill to death
9. and I'm afraid this...this amendment may be part of that same
10. ploy. When the Governor vetoed Representative Laurino's bill,
11. which by itself required this very thing, the Secretary of State
12. had indicated to him that the cost to the State of Illinois
13. approached ten million dollars. That is because each time a
14. motorists insurance was cancelled, he then was not an authorized
15. operator of that vehicle and the plates would have to be taken
16. away. As is done, by the way, by the Illinois Commerce Commission.
17. They have gentlemen who go out and if your insurance lapses,
18. they remove your plates physically from the truck and you cannot
19. operate that vehicle upon the highways of the State of Illinois.
20. That is done at some great expense. We are talking about eleven
21. million vehicles in this State and at that we are going to put
22. a tremendous burden on the Secretary of State. We already
23. have a Financial Responsibility Act which states, as the good
24. dog, you get one bite and after that, you have to have insurance,
25. or proof that you do not need insurance after your first accident.
26. That has worked very well. If this concept has any viability,
27. it has it in a bill of and on itself, not within this bill and I'm
28. afraid the...although the intentions may be well put, I'm afraid
29. that on this particular piece of legislation, it means that this
30. bill will be vetoed. I rise in opposition to the amendment.

31. PRESIDENT:

32. Senator Sommer.

33. SENATOR SOMMER:

1. I would just like to comment, Mr. President, members of the
2. Body, that a mandatory insurance program has the effect in real
3. life of raising the rates for everybody who has insurance. It's
4. just a one-two relationship and when you pass this, you will raise
5. the rate for all those little people that you purport to represent.

6. PRESIDENT:

7. Senator Berning.

8. SENATOR BERNING:

9. Thank you, Mr. President. I'd like to take issue with the
10. last two speakers and particularly with the Senator on the other
11. side who seems to be...Senator Bruce, yes. Who seems to be
12. taking the position that our motorists ought not to be covered
13. by the protection of other motorists who are derelict in providing
14. public liability and property insurance. There isn't anyone of
15. us who has not had personal or friends involved in accidents
16. with those who have not had insurance and seen the trauma, the
17. difficulty, the expense that they've gone through. I think this is
18. a worthwhile amendment. It ought to be adopted. It's long
19. overdue and I'm wondering if Senator Bruce is either defending
20. the insurance industry or looking for some additional legal
21. clients and I wonder if there isn't a conflict of interest here
22. and he ought not to vote on this issue?

23. PRESIDENT:

24. Senator Kenneth Hall.

25. SENATOR HALL:

26. Thank you, Mr. President and members of the Senate. I rise
27. in opposition to this. I see it the same way as Senator Bruce
28. does. Now, I live in an area where we have enough trouble trying
29. to get insurance now. As all you insurance agents know, that these
30. cars insurance are based on where the cars garage. We have people
31. that come into the city of East St. Louis and work in there and stay
32. in there all day. Then they go outside and live somewhere else
33. and they get insurance two hundred or three hundred dollars less
34. than the people who live in the area where they stay all day. This is a

1. bad amendment and it should be defeated.

2. PRESIDENT:

3. Senator Knuppel.

4. SENATOR KNUPPEL:

5. Well, Mr. President, as I said this afternoon, a rose
6. smells just as sweet by any other name and a cow pile just
7. as bad. Now, we passed a piece of legislation here last year
8. that said that everybody should have mandatory insurance and it's
9. unfortunate that the Governor did veto it. You're turning
10. people loose here with a license to drive for five years and
11. as that Senator whatever his name is on this side of the aisle said,
12. I forgot what he said, but Senator Berning and I seldom agree.
13. For once we do agree. He stands forth as an oracle on this
14. occasion. I think we should go along with him.

15. PRESIDENT:

16. Senator Wooten may close the debate.

17. SENATOR WOOTEN:

18. I...I think Senator...I think...

19. PRESIDENT:

20. Oh, I'm sorry. I'm sorry. Senator Wooten and then Senator
21. Lemke closes debate. Yes. Senator Wooten.

22. SENATOR WOOTEN:

23. Mr. President, I might like to point out that this amendment
24. will effectively kill the chances of the bills passage. And as I
25. mentioned, when we got into this whole hassle yesterday,
26. I did so because I promised the Secretary of State and the President
27. that I would do what I could to secure passage of the bill.
28. I might point out that a serious flaw in the amendment is that
29. it needs the phrase, "in the form and manner prescribed by the
30. Secretary." As the amendment stands now, it would require proof
31. from the insurance company which would so multiply the requirement
32. ... requirements for employees to be hired and work to be done
33. than any hope of saving money through affixing a five year plate

1. would be lost and indeed it would cost us a good deal more
2. than the one year plates cost now. So, I suggest to the Body,
3. if you have any serious ideas about giving this bill a chance
4. for passage, you must resist this amendment.

5. PRESIDENT:

6. Senator Morris.

7. SENATOR MORRIS:

8. Thank you very much, Mr. President. You know, this
9. place gets more interesting as we get close to midnight on June
10. 30th. You know, let's talk about what's really going on here
11. tonight. Mike Howlett, who is the Democratic candidate for Governor
12. and who happens to be the Secretary of State, is supportive of
13. five year license plates in the Illinois as a cost saving factor.
14. But apparently an effort is being made right now to, as Terry
15. Bruce says, good the bill to death, it's being made to make
16. the bill so that it has no chance of passage. Then we can
17. all run home and talk about how Mike Howlett's bill didn't pass,
18. but boy, I sure tried. We have been here for six months.
19. Senator Lemke has had many opportunities to introduce a bill
20. on compulsory insurance. He, like I, is very good at putting
21. committee bills out and I'm sure that we could have put one
22. out of the Transportation Committee any day that Lee and I could have
23. got together on it and I think that what we ought to really get
24. down to here is resisting this. We're not only trying to kill
25. the bill, but we're trying to take any cost savings we could
26. make to the Illinois taxpayer by reducing the cost of license
27. plates and multiply it to such a great extent that not only will
28. we cost more money going to five year plates, we'll probably have
29. to pay about forty dollars for the smaller plate and about
30. seventy-five. Now, Senator Lemke, you say you represent the little
31. people and I'm so sick and tired of hearing that speech this Session.
32. If you're serious about that, withdraw this amendment. Let's
33. proceed with the bill and let's pass the bill. If you want to kill
34. the bill, just vote against it. I don't think we should monkey

1. around with amendments to try to kill bills at this late stage.
2. I would like to know, Senator Lemke, what is Secretary Howlett's
3. position on your amendment?

4. PRESIDENT:

5. Senator Lemke.

6. SENATOR LEMKE:

7. I...my position is I see here he has only a problem with
8. the wording and I think he's...whoever gave him this opinion
9. is probably wrong. I think any type of proof that he wants,
10. he can set out in the matter of regulations of the department.
11. We're not fixing regulations here. We're just putting in one
12. line that there must be proof of public liability in uninsured
13. motorists insurance. That is governed by his powers to regulate
14. the department and the Secretary of State can make the rules
15. and regulations. As far as the cost factor here, at the present
16. time, we hold hearings to revoke plates, we send out agents to
17. pick up plates when people have accidents. And what is the
18. cost to the person that is injured? It's more than twenty dollars.
19. Cause we know all here the cases we hear the injuries are great
20. and right now the people that take out insurance are forced to
21. buy uninsured motorists insurance, which they're paying for
22. somebody else to drive around the highways without insurance.
23. And I can't see where this is going to cost any more money than
24. we're presently paying for having hearings to revoke licenses.
25. Cause we'll have this...this...there won't be a hearing. We won't
26. have to have a hearing. You just won't get your license plate
27. if you don't show...if you don't have proof of liability insurance
28. prescribed by the Secretary of State in whatever manner he
29. sees fit. And this is how it has to be.

30. PRESIDENT:

31. Senator Morris.

32. SENATOR MORRIS:

33. I...I still am waiting for an answer to my question.

1. What is Secretary Howlett's position on this bill...or this
2. amendment?

3. PRESIDENT:

4. Senator Lemke.

5. SENATOR LEMKE:

6. I don't know what his position is on the bill. I know
7. this, that we have a letter, Secretary Howlett was aware of this...on...
8. not him but somebody in his office on May 5th of '76 and I think
9. it's...in there he said he's for...all for the concept of
10. liability in uninsured motorists coverage and I think this is what's
11. there. I think the wording is...meaningless, because I don't
12. think you need the wording he's...the...the...whoever holds the
13. office sets forth the regulations and the policy of that office.
14. And that's what we're leaving it here. All we're putting in is
15. a...a concept that you must have proof of liability insurance
16. and this concept is what he demands in the way of proof is
17. up to his...up to the man that holds the office and sets the
18. regulations. And this is not an attempt to gut the bill.
19. This concept is here because now is the time if we're considering
20. five year license plates, we should also consider compulsory
21. insurance and that's what we're doing here.

22. PRESIDENT:

23. Senator Morris.

24. SENATOR MORRIS:

25. I would like to repeat one more time, what is Secretary
26. Howlett's position on this amendment?

27. PRESIDENT:

28. Senator Lemke.

29. SENATOR LEMKE:

30. I never received an opinion from his office. I never
31. requested one. And what it has...it seems like it's the
32. opinion of our present Governor that he likes to have uninsured
33. motorists drive around and maim people so they don't collect
34. from anybody and have to pay their own expenses. And that's where

1. the policy is. He vetoed our bill which was put through here.
2. He's the man that vetoed it and it's not up to Secretary Howlett
3. to give an opinion. We're trying to do something here. If
4. we're going into a concept, we're trying to do this. Now, this
5. is what we're trying to do. This bill...there was a bill in...
6. in...in Transportation Committee some time ago for...for
7. multiple license plates. And this concept was discussed and...and
8. ...and this is why we put it in study. Now, we're coming out
9. and we want to have this concept on. I think those people that
10. want the concept on will vote for it. Those people that don't
11. will not...will vote against it. Now, it's as simple as that.
12. Are you for the people that pay their way and pay for insurance or
13. you for the people that drive around and freeload on the other
14. people that pay? And that's what it's all about. I can't see
15. nothing wrong with this concept. I think it will lower...lower
16. lower costs as far we won't have to...hearings on revocation of
17. plates because you just won't get plates if you don't have liability
18. insurance.

19. PRESIDENT:

20. Senator Morris.

21. SENATOR MORRIS:

22. Well, thank you, very much, Mr. President. I'll
23. conclude quickly. I...you know I voted for the mandatory license
24. or insurance bill last year, but I think at this point, the tactic
25. is pretty obvious and I hope everybody notes tonight that
26. if this amendment goes on the bill, the five year license plate
27. bill is dead for this Session. And I think we ought to resist the
28. amendment and make the bill passable and get to five year plates
29. and stop the monkeying around.

30. PRESIDENT:

31. The question is on the adoption...pardon me. Now this is
32. your second time, Senator. Has everybody spoke who desires to
33. speak the first time? All right. Senator Harber Hall.

1. SENATOR HALL:

2. Mr. President, for the edification of the Body, we've
3. had some discussion about sponsorship and House sponsorship
4. and who is the sponsor. I've just been informed by the House
5. sponsor of this measure that he is in favor of compulsory
6. insurance.

7. PRESIDENT:

8. Thank you, very much.

9. SENATOR HALL:

10. On this bill.

11. PRESIDENT:

12. Senator Harris.

13. SENATOR HARRIS:

14. Well, thank you, Mr. President. Since Senator Hall has
15. raised the question of sponsorship, I was not on the Floor
16. when this bill was called and I'm deadly serious, Mr. President,
17. yesterday...yesterday...yesterday was announced...you announced that your
18. parliamentarian and you would make a determination on a ruling,
19. on the question of sponsorship. Yesterday, Mr. President, you
20. communicated an advisory which I think is novel and not
21. persuasive but an important issue has just not been mentioned by
22. Senator Hall. What is the situation with respect to the question
23. of Senator Chew's sponsorship of this bill?

24. PRESIDENT:

25. Is this...is this an inquiry, Senator? You're inquiring of me...

26. SENATOR HARRIS:

27. Yeah. This...this is a...

28. PRESIDENT:

29. ...who is the...

30. SENATOR HARRIS:

31. This is a parliamentary inquiry with respect to a very key
32. and cardinal matter of control of legislation in the Illinois
33. State Senate. The matter of sponsorship.

1. PRESIDENT:

2. We are on the question of the adoption of an amendment.
3. A question relating to sponsorship at this time, the Chair
4. will rule, is out of order. Senator Lemke may close the debate.

5. SENATOR LEMKE:

6. This is not a tactic to gut...

7. PRESIDENT:

8. Just a moment, Senator Bruce, second time.

9. SENATOR BRUCE:

10. Right. Thank you, Mr. President, members of the Senate.
11. Since Senator Berning mentioned my name, I did feel that I should
12. respond. I hope Senator Berning, you are still here and I
13. still do remember your name after six years. As...as to the conflict
14. of interest, Senator Berning, I would point out that on our
15. Calendar today, this is the one hundred and fifty-fifth
16. legislative day, so at least for one hundred and fifty-five
17. times during this Session, I have had not the potential to
18. have the conflict, although sometimes I regret that, I wish I
19. were home practicing law. This is one of those times, I'm afraid.
20. We have had a lot of debate about Secretary Howlett's position
21. and I think it ought to be made clear that Secretary Howlett, in
22. a letter he's personally signed, and sent to Governor Walker
23. asks that the Representative Laurino's bill be vetoed. That
24. bill, in fact, was vetoed and that veto was not overridden
25. by either the House or the Senate. That is the facts as they
26. stand. I want everyone to know what Senator...now, I've forgotten
27. your name, Senator Sommer...Brady...okay, Senator Sommer
28. stated as you are going to raise the rates for everyone in the
29. State of Illinois if this passes. We are talking about serious
30. legislative matters. And for every person in this State that
31. does not have the money to buy insurance, you are saying to them,
32. don't drive to work, go on public aid. You are saying to those
33. people, we don't care if you can travel in this country and to every

1. insurance agent in this State, you are going to see a long line
2. of citizens trying to get insurance and with the huge number
3. going on, you are going to see a tremendous increase in rates.
4. Now, the Secretary of State, I am told today, extended for one
5. month the requirement that category two vehicles, namely pickup
6. trucks and light vehicles, not have their license plates on...
7. by tomorrow morning, extended by one month. If this bill should
8. pass and be signed by the Governor in one month from today,
9. agents throughout this State are going to make a killing and I'm
10. not going to be part of that. The bill has been vetoed, that
11. was the position of the Secretary of the State, he wants this
12. bill, I'm told and anyone who wants this bill, ought not to
13. vote for the amendment.

14. PRESIDENT:

15. Senator Glass.

16. SENATOR GLASS:

17. Well, thank you, Mr. President. As a Senator who supported
18. this legislation last year, I find myself in support of the
19. amendment and I would point out to Senator Bruce that if this
20. amendment embodies a concept that did not go through committee
21. what about the entire bill itself? I would remind the Body
22. that the bill, as it now stands, was added as an amendment at a
23. late date onto a relatively simple bill that increased fees.
24. So that if this concept is important, and I think it is, so also
25. is the concept embodied in Senator Lemke's amendment. I don't...
26. I haven't seen the amendment, but I don't think it bears any
27. effective date. So, I can't imagine the problem Senator Bruce
28. raises of people having to have insurance within the next
29. month becoming a real one. It seems to me the effective date,
30. if the bill is signed, will be October 1st. Thank you, Mr.
31. President.

32. PRESIDENT:

33. Senator Knuppel. Second time.

1. SENATOR KNUPPEL:

2. As so often, Senator Bruce makes the most brilliant
3. arguments, but they...they lack total logic. There is no reason
4. in the world, Senator Bruce, that anybody ought to be allowed
5. out on the road without insurance to hit somebody that's got
6. insurance. Whether they work or not, I could care less. I
7. damn well don't want somebody out there hitting me, who has
8. no insurance. Well, if he...

9. PRESIDENT:

10. Senator Wooten...Senator Lemke may close the debate.

11. SENATOR LEMKE:

12. This is not a move to gut a bill. It is not a move
13. to tack on an amendment on a bill. It's a move to do something
14. that's long overdue in the State of Illinois, and that's to
15. require proof of insurance before you get your license plates.
16. Now, those people that want to vote against the amendment
17. have their privilege and as far as this concept not being
18. given a hearing, this concept was thoroughly thrashed out
19. last year and was passed by this Body. It certainly had
20. a complete hearing in this Body and in the House because both
21. Houses passed the bill. The concept of the five year license
22. plate was talked about over a period of time and I think that this
23. is a necessary step in the right direction and I ask for a favorable
24. vote.

25. PRESIDENT:

26. The question is on the adoption of...for what purpose
27. does Senator Morris arise?

28. SENATOR MORRIS:

29. Mr. President, I'd like to move to lie this amendment...
30. this motion upon the Table. Lay it...lie it, okay lay it upon the Table.

31. PRESIDENT:

32. Senator Morris, would you state your motion again, please?

33. SENATOR MORRIS:

1. I would like to let this...place...I would like to
2. place Senator Lemke's motion on this amendment upon the Table.
3. PRESIDENT:

4. It's nondebatable. Senator Lemke has moved the adoption
5. of Amendment No. 2 to House Bill 3522. Senator Morris moves
6. to Table that motion. All in favor of Senator Morris' motion
7. will vote Aye. Opposed will vote Nay. The voting is open.
8. Have all voted who wish? Take the record. On that question
9. the Ayes are 18, the Nays are 24, with 3 Voting Present.
10. The motion to Table the adoption of the amendment fails. We
11. now revert to the adoption of the amendment. The question
12. is shall Amendment No. 2 be adopted? Clear the board, please.
13. On the adoption of Amendment No. 2. Those in favor will vote
14. Aye. Opposed Nay. The voting is open. Have all voted who
15. wish? Take the record. On that question the Ayes are 21,
16. the Nays are 16. Amendment No. 2 is adopted. Any further
17. amendments?

18. SECRETARY:

19. Amendment No. 3 offered by Senator Harris.

20. PRESIDENT:

21. Senator Harris.

22. SENATOR HARRIS:

23. Thank you, Mr. President. Amendment No. 3 is a technical
24. amendment that I have had to be prepared. This amendment
25. removes any question of vehicles of the second division from
26. the five year registration plan, vehicles of the second division
27. being trucks. It also goes through the bill and corrects
28. various references with respect to the word "sticker,"
29. where the case of singular and plural usage is not absolutely
30. clear. With respect to this second point, it's really a rather
31. technical clean up of this bill which, in all candor, needs a
32. great deal of work. Then, the third part of Amendment No. 3 is
33. also clarification with respect to the cost of a sticker in the

1. first instance or stickers when an application is made under
2. the provisions of Section 3-820 of the Vehicle Code. And
3. then additionally, there is within this amendment the granting
4. of discretion to the Secretary of State in the instance of the
5. term of the life of plates for State vehicles. The bill changes
6. the present two year period with respect to State vehicles
7. to one year and then further provides that the Secretary
8. will have discretion to extend that term for State vehicles.
9. As I think most of the members are aware, no fees are involved
10. with respect to State vehicles but there should be granted to the
11. Secretary, this matter of discretion with respect to State owned
12. and operated vehicles. The reason for making perfectly clear
13. that trucks are excluded from the five year or multiple year
14. registration plate provision deals with the question of
15. revenue. I would point out for example, that the comparative
16. cost of the highest category of second division plate, the
17. VDB plate, of fifteen hundred sixty dollars, if an operator
18. of such a vehicle were to escape detection that it would
19. equal the revenue loss of fifty-two passenger vehicles of
20. the first division with respect to revenue loss. It is
21. obvious to me that with respect to the very serious question of
22. revenue production, and that really is a most important responsibility
23. of the administrator of this Act and certainly with respect to
24. law enforcement personnel, that the question of single year
25. plates for commercial vehicles will considerably enhance our
26. capacity to gather all the revenue that is due and owing to the
27. State. This amendment makes a great deal of sense and I would
28. be happy to respond to any questions and at the conclusion of such
29. an opportunity would urge the support of the membership for the
30. adoption of Amendment No. 3 to House Bill 3522.

31. PRESIDENT:

32. Senator Wooten.

33. SENATOR WOOTEN:

1. Mr. President and colleagues, I am a little puzzled why
2. a technical amendment would delete Section 3-404 completely
3. and would also delete Section 3-816 in its entirety and that
4. takes up some three and almost four pages. It seems to me that
5. these are not merely technical changes.

6. PRESIDENT:

7. Senator Harris.

8. SENATOR HARRIS:

9. Thank you, Mr. President. I explained, Senator Wooten,
10. there were four provisions in this amendment. First, and I stated
11. it clearly, that the amendment removes vehicles of the second
12. division from the five year or multiple year registration
13. requirement. And the second part, which I referred to in four
14. descriptions, was the question of clarification with respect to the
15. use of the word "sticker" in connection with its singular and
16. plural usage throughout the bill. Third, was the question and
17. that second part is wherein the amendment tends to be technical.
18. Third is a clarification with respect to the cost of a sticker
19. or stickers when application is made under the provisions
20. of Section 3-820. And then four, the provisions of this amendment
21. relate to the change in the two year period which is the law
22. now with respect to State owned vehicles to a one year period
23. with discretion on the part of the Secretary to extend it.
24. Now, the very first part of the amendment, which I described in some
25. detail, is that part that removes those two important sections
26. relating to the exception of vehicles of the second class from the
27. multiple year or five year plate requirements. The reason for that
28. being that revenue loss is a factor that must be considered when
29. one shifts into multiple year licensing. The one great
30. achievement of annual license plate registration systems is
31. that revenue gathering is the most effective under annual
32. licensing plans.

33. PRESIDENT:

34. Senator will close his remarks.

1. SENATOR HARRIS:

2. I did not represent that the removal of the second division
3. vehicles by means of Amendment No. 3 was technical. That certainly
4. is substantive. But two other factors involved in this amendment
5. are technical in nature and the fourth point that I made is
6. substantive with respect to the change of the present two year
7. life of State owned vehicle registrations.

8. PRESIDENT:

9. Senator Wooten.

10. SENATOR WOOTEN:

11. Well, before I raise an objection, I'm...I'm frankly
12. curious, Senator Harris, in light of the amendment that was
13. so happily added just a few moments ago, if we were to accept
14. this amendment, do you believe your entire side would support
15. this bill in this form?

16. PRESIDENT:

17. Senator Harris.

18. SENATOR HARRIS:

19. Senator, I'm not sure that my entire side will support
20. this bill when it gets into its final form, but I suggest to you
21. that I am one who believes in multiple year licensing. I also
22. believe in care and attention in developing major new policies
23. for the State of Illinois. I also believe in a cardinal principal
24. in effective deliberative body activity, and that is the question
25. that the sponsorship of a bill is an important matter. I'm
26. not sure I have responded fully to the question you raise and that
27. question is, will this entire side support passage of the bill?
28. I can't speak, you know, for the entire side of my side of the
29. aisle. I know you know that we tend to be somewhat individualistic
30. on matters of major policy like this. And whether, in fact,
31. the twenty-five of us and I...well, there are not twenty-five
32. of us here now, whether they will all support this or not, I
33. don't know. If it would accommodate you, I would be happy to call
34. a caucus and I...I would be happy to call a caucus and develop

1. a policy on the question and then be in a position to precisely
2. respond as to whether all of the members of this side of the
3. aisle would support the bill if this amendment is adopted.

4. PRESIDENT:

5. Senator Wooten.

6. SENATOR WOOTEN:

7. Thank you for that brief and straight forward answer,
8. Senator Harris. Inasmuch as this amendment deletes second
9. division vehicles from the five year license approach, I would
10. move to Table this amendment.

11. PRESIDENT:

12. The motion is to Table. It is not debatable. The question
13. is on the Tabling of a motion of Amendment No. 3? All in favor
14. of Tabling the amendment will vote Aye. Opposed will vote
15. Nay. The voting is open. Have all voted who wish? Take
16. the record. On that question the Ayes are 25, the Nays are
17. 22, with none Voting Present. Amendment No. 3...I heard you...
18. Amendment No. 3 fails...is Tabled. That's right. Amendment
19. No. 3 is Tabled. Now a verification has been requested of both
20. the affirmative and the negative votes. The Secretary...will
21. the members be in their seats? The Secretary will read the
22. affirmative votes and then the negative.

23. SECRETARY:

24. The following voted in the affirmative: Brady, Bruce,
25. Buzbee, Carroll, Demuzio, Donnewald, Dougherty, Egan, Kenneth,
26. Hall, Hickey, Hynes,...

27. PRESIDENT:

28. Will the members be in their seats and please, let's have
29. the aisle clear. The Fire Department says it's a violation.

30. SECRETARY:

31. ...Johns, Joyce, Knuppel, Kosinski, McCarthy, Morris,
32. Netsch, Palmer, Rock, Roe, Smith, Vadalabene, Wooten, Mr. President.

33. PRESIDENT:

1. Read the negative. Senator McCarthy here? Take him
2. off the roll call. Read the...that's all right. On this
3. question the Ayes are 24, the Nays are 20...Senator Hickey is in
4. her seat. On this question the Ayes are 24, the Nays are 22,
5. the motion carries. Amendment No. 3 is Tabled. Be at ease a
6. moment. Senator Wooten is recognized.

7. SENATOR WOOTEN:

8. Mr. President and colleagues, we reached a point of diminishing
9. returns on this bill. I think that what has happened has
10. pretty well insured that we simply have no practical
11. hope of getting this through. We're running up against the
12. deadline and I am impeding progress we could be making on other
13. bills. I'd like to take this out of the record.

14. PRESIDENT:

15. Take it out of the record. ...Secretary, what do you have?
16. For what purpose does Senator Latherow arise?

17. SENATOR LATHEROW:

18. I just wonder on the taking it out of the record, now does
19. that take the amendment off that we have on now?

20. PRESIDENT:

21. The bill is taken out of the record in the posture
22. in which it is at present and goes back to the order on the
23. Calendar where it was.

24. SENATOR LATHEROW:

25. Thank you.

26. PRESIDENT:

27. Senator Clarke.

28. SENATOR CLARKE:

29. Before we leave the order of 3rd reading, we haven't
30. been there for a long time. I've got another bill I'd like
31. to call.

32. PRESIDENT:

33. 3061, perchance?

34. SENATOR CLARKE:

1. How did you guess?

2. PRESIDENT:

3. Psychic. ...bill.

4. SECRETARY:

5. House Bill 3061.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDENT:

9. Senator Clarke.

10. SENATOR CLARKE:

11. Well, Mr. President, I'd like to first say that I was
12. sad about what happened yesterday when I got up to ask
13. for leave to move back to 2nd reading. In twenty years down
14. here, and I hope you listen, Senator, in twenty years down
15. here, that's the first time that I have ever heard that permission
16. denied and I resent it. I think it was a very sad thing to
17. happen. However, as far as this bill is concerned, it really
18. doesn't make a bit of difference. I was merely trying to
19. affect accommodation. That amendment was not necessary. It would
20. have cleaned up the bill in terms of old references. But, this
21. bill, and I've been told this by none other than Pete Bobbitt
22. the former head of the Legislative Reference Bureau, does not
23. in any way jeopardize 990 or the transition schedule. Of course,
24. you all know the subject matter. We've discussed it. This creates
25. a Property Tax Commission and removes those functions from the
26. Department of Local Government. And I would just say that based
27. on the record of the last...of the last three years and beyond
28. that anything would be better than what we have had. There's
29. been disagreement about qualifications. This bill has qualifications
30. for those commissioners stated in terms of education, background
31. and experience in the property tax field. And that's a lot more
32. than we've had with a director who has had the responsibility
33. for affecting these administrative purposes. I think that this is

1. a bill that needs to be done now because it's been stated we
2. shouldn't do it because of political reasons, that a new
3. governor is coming in. Now is the time to do it. We don't
4. know who the Governor is going to be but whoever it is, they
5. can be better served. The basic purpose, obviously, of this is
6. to remove the temptation to manipulate the multipliers and with
7. the crunch that we have financially, that can be a tremendous
8. temptation. All you got to do is raise the multipliers and
9. you can lessen the amount of State aid and the hundreds of
10. millions of dollars. I think this is a very good bill that has
11. had a lot of thought. I'd like to suggest that not only the
12. joint committee but the Assessor's Office in Cook County and
13. their...through their representative, have had input into the
14. making of this bill and it does not apply to Cook County in any
15. fashion other than the department presently has, which is applying
16. a multiplier. Many members outside of the Legislature
17. in terms of the assessing field, have had input and I think it's
18. an idea that should be moved now. Thank you, Mr. President.

19. PRESIDENT:

20. Any further discussion? The question is...Senator Carroll.

21. SENATOR CARROLL:

22. Thank you, Mr. President. Just very briefly. Senator,
23. since although I was not referred to by name, I was referred
24. to by reference in debate. I might add that the point of that
25. was when Senator Rock made a motion, the sponsor of the legislation
26. indicated that the bill had been totally worked out, was perfect
27. in shape and in form and in concept and idea. That is not, in fact,
28. the case. That is why we had asked for the opportunity to work on
29. it further. It is in extremely difficult shape right now and I
30. would like to just point out a few of the defects as we did
31. at the time of Senator Rock's motion. My point of objecting at that
32. time is that you can't have it both ways. Either it is right
33. or it is not right. What it does now in its present form, just

1. technically, is it does not bring into it the language
2. of 990. Senator Harris Fawell may like that but it takes out
3. the language that was added last time that provided for
4. thirty-three and a third percent state-wide. It, in fact, now provides
5. for full cash value and the fifty percent concept and
6. obfuscates the areas of 990. This is an area, I serve on that
7. commission, that has been constantly changing, whether it should
8. be a five man board, a three man board, standards or what.
9. As it presently exists, there are no standards for the
10. three czars who are to assess all the property in the State except
11. Cook County. There are no standards at all as to whether they have
12. any qualifications to hold those offices. Nor is there any
13. obligation on them to act in consort throughout the State, so
14. instead of having one director, state-wide, you will have possible
15. three people cutting up the State and being the total and absolute
16. czar for that section of the State that they amongst themselves
17. decide that each of them should have. I think what you're doing
18. here is putting politics back in in the present form. I think
19. we need something in here to guarantee that politics are not
20. the criteria on which you establish a multiplier. Some such
21. thing as a unanimous decision, for example, on assessing a
22. multiplier. Additionally, you're providing for all kinds of
23. additional salaries in this legislation. I won't go through
24. all the details. We did so in the debate on Senator Rock's
25. motion. I would just like to remind the members of each and
26. every point that was brought up at that time and ask them to
27. oppose this legislation at this time of year. Thank you.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Further discussion? Senator Latherow.

30. SENATOR LATHEROW:

31. Well, thank you, Mr. President. I hate to be repetitious
32. somewhat on what Senator Carroll has to say. Yet, I think when
33. you put in a piece of legislation and say that the ability of these

1. peoples' serving shall be measured by their education, what
2. that education is, there's nothing, whether it's first grade,
3. through college holding a degree in business education or what it
4. is, training...training in what and experience. Of course, too,
5. Mr. President, they do have to be real people. Probably those
6. like the supervisors of assessment that we made mandatory about
7. five or six years ago and solved all the problems at that time,
8. Mr. President, if you remember. The problem of that day, if we
9. will just appoint supervisors...supervisors of assessments in
10. each of these counties and make them a compulsory office and add
11. from forty to fifty thousand dollars expenses to each county,
12. we've solved the taxing problems. I can hear it well a few
13. years ago. I listened to it from three or four people and it
14. solved it. This is how it solved it. Then when we had a problem
15. about a multiplier, we come back and all at once we have
16. new ideas, what have you done in this area the supervisor of
17. assessment that solved all your problems a few years ago?
18. Let me tell you what. Sure, you've done something about it,
19. you've increased his salary in these bills. In this series
20. of bills that you have here, you're increasing the salary of those
21. fellows in every county in my district. I checked them all.
22. To as much as, in one of them, you're raising them eight thousand
23. dollars a year for the good job in solving all the problems
24. that they were going to solve five or six years ago for you.
25. Of course, they're not real...real people. They make mistakes.
26. But, now we're going to have real people in this position, Mr....
27. Senator Carroll. These people aren't just going to be ordinary.
28. They'll be the supervisors of assessment from some counties
29. throughout the State, in my mind, and they'll come down here to
30. Springfield and be the monitors, the commissioners and they'll
31. draw not the eleven, twelve, thirteen, fourteen, fifteen,
32. eighteen thousand dollars a year, they'll draw forty thousand
33. dollars a year. All we're creating here is another example of

1. what we created just about three years ago in another agency
2. of this government that jumped equal to or in excess of another
3. agency, not so terribly long ago. I just...I just want to say
4. that I'm wholeheartedly against these and when you say that
5. once you get these people appointed and qualified, says nothing
6. about how they're going to qualify after they've been appointed.
7. Whether they go before some board for examination, or whether
8. it's by the appointment that comes before the Executive Committee
9. in this Senate for their final appointment. I've saved this bill,
10. Mr. President, probably for about a month waiting for the
11. period we had a few days ago and again tonight. It's wholly
12. obnoxious to me and I refrain from talking about some of the other
13. bills that are included that follow it. Thank you, Mr. President.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Bell. Senator Knuppel, for what purpose do you arise?

16. SENATOR KNUPPEL:

17. This is the eleventh hour and I think this...this is a
18. very important bill, it's true, but we have things that require
19. thirty votes, that will require thirty-five in a half an hour
20. and I think some of those things are on the desk. I move the
21. previous question.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Well, that motion will be in order. There were four members
24. of the Senate who indicated they wish to be heard. They will
25. be recognized and then you will be recognized for that purpose.

26. Senator Bell.

27. SENATOR BELL:

28. Thank you, Mr. President. I'd ask...like to ask a question of the
29. sponsor if he'll yield.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Indicates he will yield. Senator Bell.

32. SENATOR BELL:

33. Senator Clarke, I know as well as the other members here in the

1. Senate that you've spent a great deal of time on this type
2. of question, as a matter-of-fact, I guess some years and
3. that you've gained some expertise in this. Something that I
4. have in my mind is...addresses itself to a problem where we had
5. a previous...as I understand it, a previous commission that's
6. been in existence trying to handle this. What makes you think
7. that your solution under House Bill 3061 is, in fact, going
8. to resolve some of these serious problems?

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Clarke.

11. SENATOR CLARKE:

12. This function has been handled by the Department of Local
13. Government for about ten years since it was shifted from the
14. Revenue Department. A previous commission has not handled it
15. except going back to the '30's and in those days we had a tax
16. commission that operated on a very high level, Professor Simeon...
17. Leland Simeon of Northwest University was the Chairman of it.
18. The present Vice-President of the Chicago Federal Reserve
19. Bank was a member of it. That's the caliber of person that
20. was on a tax commission when it operated in those days and
21. it should be now.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Further discussion? Senator Berning.

24. SENATOR BERNING:

25. Thank you, Mr. President. I rise in support of this
26. legislation and would just like to briefly remind the members
27. of this Senate that seldom if ever do we pass substantive
28. legislation regardless of how much diligent study and effort goes
29. into it but what we need to make some corrective changes from time
30. to time. In fact, every year, we get a bill through here that
31. sometimes, as this year, was at least an inch and a half thick
32. making corrections in legislation which we inadvertantly
33. passed. Now, I'd like to remind the members that we have all had
34. much in the way of misgivings, doubts and disenchantment and Yes,

1. disgust with the whole equalization process under the Department
2. of Local Government Affairs. In fact, in my opinion,
3. the director even today, after all of his experience on the job
4. training still doesn't have a grasp of what the problems
5. are and how to answer them. There has been a determined,
6. serious, conscientious effort on the part of a great many
7. people in drafting meaningful legislation here to help
8. us to help our constituents and our local levels of government
9. meet their responsibility as we have dictated it, namely
10. equalization. If you need any other illustrations of legislation
11. we have passed and recently which has had efforts made at
12. correction, let me remind you that the Resource Equalizer
13. has been causing us fits. It has created a dilemma that we still
14. are unable to resolve after all the experience we've had with it
15. so far. The RTA at least for some of us, in all sincerity,
16. again, has caused us untold misery. We are attempting to correct
17. that. What I'm saying is we have before us a logical, defensible,
18. well documented effort to provide meaningful answers to a serious
19. problem and Yes, as time and experience...

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator...Senator...

22. SENATOR BERNING:

23. ...arise...

24. PRESIDING OFFICER: (SENATOR ROCK)

25. ...will you conclude your remarks?

26. SENATOR BERNING:

27. ...we...we may need to make corrective changes next
28. year.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Fawell.

31. SENATOR FAWELL:

32. Mr. President, members of the Senate. Several times
33. in this debate and previously, it has been stated that I was
34. against House Bill 990 and still am. Well, one of the reasons

1. I voted against House Bill 990 was because I have not had
2. the confidence in the Department of Local Government Affairs
3. being able to do the job in regard to policing assessments
4. under the thirty-three and a third percent obligation, for instance,
5. any more then they were able to do it under the fifty percent.
6. And until such time as we really seriously address ourselves to
7. constructing machinery whereby we can be convinced that we do
8. or at least are coming as close as possible to equalization
9. of assessments we're going to continue to have the inequities
10. that Senator Hickey, for instance, justifiably complained about.
11. The county of Winnebago was doing the job, perhaps better than
12. any county and because of that, there was detriment suffered there
13. and that is true in many, many other areas. Now, here we do
14. have the culmination of really years of work and of course,
15. one can nitpick and always find some problems. Senator Carroll,
16. who is a very good attorney, articulate man, and he points out
17. that we're going have three czars. Course, right now we have
18. a dictator, one person. I don't know of any qualifications
19. whatsoever and we simply have allowed the department to kind of
20. just like...just...just be there and not really address ourselves too seriously
21. to it. One point, I see my time is running out, that I think everyone
22. of us ought to consider and that is that the sponsor of this
23. legislation, Senator Terrel Clarke, is retiring. I think we all
24. would agree that he is one of the most respected members
25. of this legislative Body that we have ever had; that he is
26. respected, certainly, in this field, as well as many others
27. but certainly in this assessment field. This is a culmination of
28. many years of effort on his part and I think it's altogether
29. fitting that we should cap what has been an outstanding
30. legislative career by recognizing the merits of this legislation,
31. so I rise in strong support of it.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Terrel Clarke, I will now entertain Senator
34. Knuppel's motion for the previous question. The four...there were

1. four members who had requested to speak at the point at which
2. Senator Knuppel made that motion. I asked him to defer it to
3. hear from those four, not until after the motion was made.
4. I beg your pardon, Sir. Senator Knuppel has moved the previous
5. question. All those in favor signify by saying Aye. All those
6. opposed. The Ayes have it. Senator Clarke to close the debate.

7. SENATOR CLARKE:

8. Mr. President, I just want to briefly answer the nit-
9. picking that was thrown at this proposition because the fact of the
10. matter is as I stated, I have it on the authority of Pete
11. Bobbitt and Maurice Scott both that this does not in any way
12. jeopardize 990 or the transition schedule. The standards in this
13. bill are general because we should give latitude to the Governor
14. and his appointments. The Senate has the confirmation power.
15. But, he also should get the best men and the standards
16. are far higher than presently for the director of the Department
17. of Local Government. This would take it out of politics because
18. it would take it out of the power to manipulate that not only
19. this Governor, but previous Governors have used in terms of
20. favoring one group as against another group or using as I said,
21. to move the multiplier up or down, depending on how much money
22. they want to spend. This proposition is one that I think is
23. an absolute necessity and the sooner, the better. Now is the
24. time to do it, when we don't know who the next Governor is going
25. to be. Now is the time to do it when we can get going
26. on straightening out this mess that we have had. We are doing
27. a good job so far on the 990 in terms of equalization. I just
28. want to throw in that some counties have come from a multiplier
29. four down to one, such as our famous Johnson County. But, we
30. need to insure that that continues in the future and I think
31. a tax commission is the way to do it and I implore you, vote
32. Aye on this proposition.

33. PRESIDING OFFICER: (SENATOR ROCK)

34. The question is shall House Bill 3061 pass? Those in favor

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1. will vote Aye. Those opposed will vote Nay. The voting is
2. open. Have all voted who wish? Take the record. On that
3. question the Ayes are 28, the Nays are 17, none Voting
4. Present. Senator Clarke moves to place this bill on the
5. order of Consideration Postponed. Senator Nimrod, I do intend
6. to call 3830 at your request. Senator Hynes, who has to go
7. to a Conference Committee along with Senator Weaver you...
8. I understand there's a resolution that should be acted upon
9. very shortly here and then they can remove themselves.
10. Leave to the order of resolutions. Read the resolution, Mr.
11. Secretary.

12. SECRETARY:

13. Senate Resolution 420, offered by Senator Thomas Hynes
14. and Stanley Weaver.

15. (Secretary reads SR 420)

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Hynes moves to suspend the rules for the
18. immediate consideration and adoption of this resolution. Any
19. discussion? All those in favor signify by saying Aye. All
20. those opposed. The Ayes have it. Senator Hynes now moves
21. ...can we get the resolution on the board, please? Senator
22. Hynes moves the adoption of Senate Resolution 421. All those
23. in favor signify by saying Aye. All those opposed. The Ayes
24. have it. The resolution is adopted. On the order of House
25. Bills on 3rd reading. On the order of House Bills on 3rd reading
26. is House Bill 3830. Read the bill, Mr. Secretary.

27. SECRETARY:

28. House Bill 3830.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Nimrod.

33. SENATOR NIMROD:

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1. Yes, Mr. President and fellow Senators. This is the
2. assessors bill. We have heard Senator Clarke talk about the bill
3. that would set up the tax commission and this is one of the three
4. bills that was being presented here on the Calendar today
5. that provided for the relief as a result of the Tax Study
6. Commission which came about and developed and a supervisor
7. assessment bill, a tax commission bill and the assessor bill.
8. This...this bill is one that does provide an opportunity for
9. us finally to get about the fact of setting up a means of
10. where we can expect the counties and the townships to end up
11. with having a proper assessments of...of their particular
12. property. This is been one program...one area there's been a
13. gross abuse, we know that there's been a three area of involvement
14. here where the Department of Local Government Affairs is
15. responsible for taking care at the State level which certainly
16. they have not done their job. Supervisor assessment at the county
17. level where there has been many shortcomings and many problems
18. and of course, we know that there's needed reform and qualifications
19. and proper types of assessments at the township level. This
20. bill primarily deals in that area and I'd be happy to answer
21. any questions pertaining to this bill.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Sommer.

24. SENATOR SOMMER:

25. Well, Mr. President and members, I would have a few
26. observations concerning this bill. Number one, it does not apply
27. to Cook County. However, the majority of the members of this
28. commission are from Cook County and with the exception of Harber
29. Hall sitting over there, I don't think there's anyone who has
30. significant numbers of smaller townships in their district with
31. the exception of Harber. However, these people from another
32. place in the State are going to do something to those districts
33. that have a number of smaller townships. And I thought I'd indicate

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1. very briefly what they're going to do to you. They're going
2. to require that your assessor in most of these townships have
3. certain qualifications. Now, my question is, what if we don't
4. find one of these people? What do you do then? It makes
5. another qualification which is...I find bizarre and I would
6. doubt whether township officials are aware of it. It requires
7. certain budgeting for the Office of Assessor in certain townships.
8. In other words, the township boards are mandated to provide
9. extra monies that they do not provide now for this office,
10. for the operations of these offices. I submit to you that my
11. experience, township assessors from all types of townships
12. are like State Senators or any other operation. You...you find
13. good ones, bad ones, in between, people of very differing abilities.
14. What you're doing is you're locking in a small category of people
15. and maybe you couldn't even find these people. You're requiring
16. the townships to pay a great deal of money out to maintain offices
17. for these people and you're setting salaries. You're setting
18. salaries for...for county supervisors of assessment. Salaries
19. in my county that are higher than any county official is currently
20. paid with the exception of the state's attorney's and judges.
21. And I'm beginning to wonder whether the...those persons
22. who constructed this, shouldn't have had some more input from
23. the smaller townships. Now, I'm certainly in accord with the
24. concept that...that we can work and upgrade our standards, but it
25. would be...be my hope that in the event that these bills are not
26. successful that this commission be reconstituted to represent
27. the people that you're doing it to and not a bunch of people from
28. somewhere it's not being done to.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Berning.

31. SENATOR BERNING:

32. Thank you, Mr. President. I'd like to emphasize to the
33. members of the Senate that this again is a bill that has been
34. submitted as the result of serious, long, hard study, attention

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1. to detail by a great number of earnest, honest people of
2. integrity. This study commission and its recommendations, in
3. my opinion, deserve the validation of their efforts by the
4. support of the legislation. I regret that the previous bill
5. could not at this time, achieve the sufficient number of votes.
6. We have before us, however, perhaps a bill of even greater
7. significance than the one we were considering before. I'd like
8. to submit to the members of the Senate, that standards for office
9. holders are defensible. Now, if the successful candidate does
10. not have specific talents, training and so on, it's a simple
11. matter to set requirements for the achieving of these standards
12. through training, and we can provide the necessary training.
13. But, more importantly, Ladies and Gentlemen of the Senate,
14. and Mr. President, I want to remind each of you that our citizens
15. back home in our districts, the citizens who bear the tax
16. burden, have a right to demand fair and equitable treatment in
17. the assessment of their property and the collection and
18. distribution of the taxes that arise there from. There is very
19. little that is more galling to our fellow citizens than to discover
20. inequitable and unfair assessments between their properties and
21. like properties in their neighborhood. This is indefensible.
22. We have before us in this bill an opportunity to help
23. assure that fairness is going to accrue. More importantly, perhaps,
24. again our schools are entitled to the assurance that all property
25. is to be fairly and equitably assessed so that all properties
26. carry their fair share of the tax load for the schools.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator...

29. SENATOR BERNING:

30. I urge support for this bill, House Bill 3830.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Thank you. Senator Latherow.

33. SENATOR LATHEROW:

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1. Well, thank you, Mr. President. I think this is just like
2. getting to speak twice on the same bill cause there's a lot
3. in here that was also in the other. I would like to ask a
4. question of the sponsor, if he would yield.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. I beg your pardon. Senator Nimrod.

7. SENATOR LATHEROW:

8. And it says in here, Senator Nimrod...Nimrod, any supervisor
9. of assessment who willfully gives directions which are not in
10. accordance with the law is guilty of a Class B misdemeanor.

11. What would that be?

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Nimrod.

14. SENATOR NIMROD:

15. Well, I think that it's very obvious what a Class B
16. ...misdemeanor...that's willfully and there has to be proof that
17. it was a willfull intent.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Latherow.

20. SENATOR LATHEROW:

21. I...I just want to know what it would be, what would...what
22. would be the fine, what would be the cost? You're going to put
23. a man in a position where he has created a Class B misdemeanor,
24. what does he get?

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Nimrod.

27. SENATOR NIMROD:

28. My legal advisors tell me that a Class B misdemeanor is up
29. to six months.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Latherow.

32. SENATOR LATHEROW:

33. Otherwise, if this fellow fails in the occasion that you have

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1. stated here in this to come within, I believe this is the one,
2. I could be mistaken, at twenty-five percent error portion,
3. he could receive this type of punishment then, is that what
4. you're talking about?

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Nimrod.

7. SENATOR NIMROD:

8. No, Senator Latherow, it would have to be a willfull
9. misinformation and that would have to show some deliberate intent
10. that he was trying to cause some fraud on...on the particular
11. cover-up of the information. That, which you've sited as
12. an example, it would not be included.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Latherow.

15. SENATOR LATHEROW:

16. Well, I hope you didn't mean to tell me that the figures
17. that the supervisor of assessment causes to go on the books
18. as final are not put on there willfully. You didn't aim to tell
19. me that surely, did you? Doesn't he willfully put those figures
20. on there, or is it by accident?

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Nimrod.

23. SENATOR NIMROD:

24. No, I would say that the figures that go on there, of course,
25. come as a result of the information that he has and I think those
26. are placed there, but he is not passing on any misinformation
27. knowingly. That information goes on there and if it's wrong,
28. and he did it in his best interest, it certainly would not be
29. a...a...a...my opinion, it would not certainly come within the
30. purview of what's meant here.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Latherow.

33. SENATOR LATHEROW:

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1. This man who holds this position which will pay him
2. anyplace depending on where he is from and I...I have a couple
3. of questions, Mr. President, I want to get in. If he's in a
4. county that's under thirty thousand dollars, you people who
5. have counties of that type, he will receive no less than fifteen
6. thousand five hundred dollars. That's in excess of any elected
7. official, I'll bet, in any one of your counties, and if it's over
8. thirty thousand up to sixty thousand to one hundred thousand,
9. he will receive not less than twenty-one thousand dollars per
10. year. Think of it a little; some of your elected officials.
11. Now, Senator Nimrod, in receiving those figures, he will be
12. unable to hold no other lucrative public office. What is a
13. lucrative public office? Is that a...is that a mayor or is
14. that a JP, which we don't have anymore, or something like that,
15. what do you mean?

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Nimrod.

18. SENATOR NIMROD:

19. I would say any...any other elected...office that pays.
20. Any...any kind of salary to it.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Latherow.

23. SENATOR LATHEROW:

24. I...I didn't...

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Nimrod, would you repeat the answer, please?

27. SENATOR NIMROD:

28. Yes, I...I, Senator Latherow, I would say that that would
29. include any...any particular office that would be a salary connected
30. to it would certainly fall within that purview.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Latherow.

33. SENATOR LATHEROW:

1. I...I just want to stop there, Mr. President. Thanks
2. for the extra time. But I...I want you to know you've
3. eliminating...eliminated him from any other possible position
4. in public office, whether it be as an aid to the assessor with a few
5. fees, Mr. Nimrod.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Glass. Your button was not on, Senator Glass.

8. Senator Glass.

9. SENATOR GLASS:

10. Well, thank you, Mr. President. I move the previous
11. question.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Question is shall the main question be put? All those
14. in favor signify by saying Aye. All those opposed. The Ayes
15. have it. Senator Nimrod to close the debate.

16. SENATOR NIMROD:

17. Okay, Mr. President, I see we have five minutes left to go
18. I was hoping we could get under the wire before this bill comes
19. up, but there are a couple of things I would like to cover
20. before we approach this bill and that is I would call your
21. attention to the fact that what we are doing here is providing
22. a means for the townships, and there are some five hundred
23. townships which are undersize, an opportunity to join in with
24. other townships and make a multi-district assessing area. This
25. provides us with an opportunity then, to provide for efficient
26. and affective assessing within many areas, especially in the
27. rural areas where we have problems of being able to raise
28. enough local monies to pay for an adequate assessing job.
29. I think that what we have to do when we talk about this whole
30. assessing picture throughout this State of which our State
31. funds have been distributed is that it's wrong for us to continue
32. to reward those areas with State money, especially on these
33. formulas and programs for actually doing a bad job of assessing.
34. And what we are doing also, is bringing certainly some discredit

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1. and some disservice to some of our local communities where we
2. have people who are attempting to do a job and they don't
3. have the tools to do it with. I believe sincerely that this
4. would provide for still local input and local survival, but
5. at the same time, provide an opportunity for us to have
6. a proper assessment through the multi-assessment district.
7. This is limited so that in those areas it applies to for the
8. multi-district assessor in those areas of only a thousand or
9. less in population and I would ask for a favorable roll call
10. on this area.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Question is shall House Bill 3830 pass? Those in favor
13. will vote Aye. Those opposed will vote Nay. The voting is open.
14. Senator Donnewald, will you vote the Chair and the President No
15. please? Have all voted who wish? Have all voted who wish?
16. Take the record. On that question the Ayes are 26,...Senator
17. Nimrod requests this bill be placed on the order of consideration
18. postponed. On the order of House Bills on 3rd reading, is House
19. Bill 3840. Read the bill, Mr. Secretary.

20. SECRETARY:

21. House Bill 3840.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Mitchler.

26. SENATOR MITCHLER:

27. Mr. President and members of the Senate, this is a new
28. Act. It does exactly what the Calendar said. It has a large support
29. from the House, sponsored by Larry DiPrima. It authorizes the
30. Governor and Secretary of State to provide on request courtesy
31. transportation to certain guests at convention meetings of
32. Federally chartered patriotic organizations. Appreciate a
33. favorable roll call.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Any discussion? Senator Morris.
3. SENATOR MORRIS:
4. Mr. President, would the sponsor yield to a question?
5. PRESIDING OFFICER: (SENATOR ROCK)
6. Indicates he will yield. Senator Morris.
7. SENATOR MORRIS:
8. Senator Mitchler, who wants this bill?
9. PRESIDING OFFICER: (SENATOR ROCK)
10. Senator Mitchler.
11. SENATOR MITCHLER:
12. Well, I understand the Secretary of State has expressed a
13. desire for this bill.
14. PRESIDING OFFICER: (SENATOR ROCK)
15. Senator Morris.
16. SENATOR MORRIS:
17. What...what is this going to cost the taxpayers of Illinois?
18. SENATOR MITCHLER:
19. Senator Morris, I cannot give you an exact answer to that.
20. PRESIDING OFFICER: (SENATOR ROCK)
21. Senator Morris.
22. SENATOR MORRIS:
23. How about an estimate?
24. PRESIDING OFFICER: (SENATOR ROCK)
25. Senator Mitchler.
26. SENATOR MITCHLER:
27. I have no particular estimate on it either, other than what is
28. involved here and it would vary at different times and it all
29. depends upon how many of the Federally chartered veterans
30. organizations in the State submit a request to the Governor or
31. to the Secretary of State for transportation to be used at
32. national conventions when it is necessary. For an example, you
33. will have an Illinois Department Convention of the American
34. Legion in Chicago at the Palmer House in July 7th through the 12th.
35. During that period of time, we will have many visiting dignitaries

1. coming, Congressmen, United States Senators, people of distinction
2. addressing the convention and courtesy cars will be available from
3. the motor pool of the Governor or Secretary of State and they
4. will be used to meet and transport these dignitaries. They will
5. be registered and a report will be made.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Morris, your time has almost expired. Senator
8. Morris.

9. SENATOR MORRIS:

10. I would just like to close with one comment, if that convention
11. is in Chicago in July, it's pretty obvious that the RTA
12. budget won't be approved and this bill is necessary so those
13. dignitaries can get around the city because there will be no
14. public transportation.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Mitchler, you wish to close? The question is
17. shall House Bill 3840 pass? Those in favor will vote Aye.
18. Those opposed will vote Nay. The voting is open. Have all
19. voted who wish? Have all voted who wish? Take the record.
20. Senator Mitchler has requested that this bill be placed on the
21. order of consideration postponed. It appears that it is 12:00
22. o'clock p.m. on Wednesday, June 30. a.m. I beg your pardon.
23. 11:59 and a half p.m. Okay. Senator Knuppel, for what
24. purpose to you arise?

25. SENATOR KNUPPEL:

26. Well, I signaled the speaker some time ago, but then
27. I realized that if we had bills that the rules of the game
28. changed at 12:00 o'clock. I personally, can't see sitting here
29. from now to 6:00 o'clock tomorrow morning. I think that...that
30. the...the golden hour has slipped away and the...and the carriage
31. or the chariot has turned into a pumpkin and whatever we have
32. left to do can be done tomorrow and I'm going to move that we stand
33. adjourned until...

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Well,...
3. SENATOR KNUPPEL:
4. ..9:00 o'clock tomorrow morning.
5. PRESIDING OFFICER: (SENATOR ROCK)
6. Senator, I would...I would ask you just as a matter
7. of courtesy to the President of the Senate, who is at this
8. moment is conferring with the Speaker, just to withhold that
9. motion temporarily.
10. SENATOR KNUPPEL:
11. ...be glad to do that until he returns.
12. PRESIDING OFFICER: (SENATOR ROCK)
13. Thank you, very much.
14. SENATOR KNUPPEL:
15. But, as I say, the charriot has turned to a pumpkin, now.
16. PRESIDING OFFICER: (SENATOR ROCK)
17. On the order of House Bills on 3rd reading, is House
18. Bill 3946. Read the bill, Mr. Secretary.
19. SECRETARY:
20. House Bill 3946.
21. (Secretary reads title of bill)
22. 3rd reading of the bill.
23. PRESIDING OFFICER: (SENATOR ROCK)
24. Senator Vadalabene.
25. SENATOR VADALABENE:
26. Yes, thank you, Mr. President and members of the Senate.
27. House Bill 306 increases...House Bill 3946 increases the daily
28. fees for auditing of persons found to be in arrears of motor
29. vehicle taxes and fees from twenty-five dollars a day to fifty
30. dollars a day and from twelve fifty a half day to twenty-five
31. dollars a half day. This change is due to the increased auditing
32. fees. The rest of the bill was amended out and I would now move
33. for a favorable vote.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Is there any discussion? The question is...all right...I'm just
3. seeing if there is any discussion. Okay. The question is
4. shall House Bill 3946 pass? Those in favor will vote Aye.
5. Those opposed will vote Nay. The voting is open. I wish to
6. be recorded Present. Present, please. Have all voted who wish?
7. Take the record. On that question the Ayes are 39, the
8. Nays are 3, 3 Voting Present. House Bill 3946, having received
9. a constitutional majority is declared passed. Senator Harber
10. Hall, for what purpose do you arise?

11. SENATOR HALL:

12. Mr. President, on the order of 3rd reading, is House
13. Bill 3831. This bill concerns...is one of the bills that
14. we've been talking about in respect to assessors and the assessing
15. process. We're going to have to study this problem a great
16. deal in the next few months and we should. Because these bills
17. have not passed, I think it would be appropriate and I have
18. talked with Senator Carroll, the principal Senate sponsor of
19. this bill, and I would like to be added as cosponsor with him.
20. on 3831.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Harber Hall has asked leave of this Body to be added
23. as a cosponsor of House Bill 3831. Is leave granted?
24. Leave is granted. Message from the House.

25. SECRETARY:

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

27. Mr. President - I am directed to inform the Senate
28. that the House of Representatives has refused to adopt the
29. First Conference Committee Report on the...on House Bill
30. 2736 and request a Second Committee of Conference to consider
31. the differences between the two Houses in regards to Amendments
32. 1, 2, 3, 4, and 5.

33. I am further directed to inform the Senate that

1. the Speaker of the House has appointed as such committee on the
2. part of the House, Representatives Katz, Laurino, D.L. Houlihan,
3. Kempiners, and Collins.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Netsch moves that the Senate accede to the
6. request of the House for a Second Conference Committee. All
7. those in favor signify by saying Aye. All those opposed.
8. The Ayes have it and the Senate does accede to the Houses'
9. request.

10. PRESIDENT:

11. For what purpose does Senator Wooten arise?

12. SENATOR WOOTEN:

13. Mr. President, I have two motions. I would like to move
14. to recommit House Bill 3522 to the Committee on Transportation.

15. PRESIDENT:

16. You've heard the motion to recommit House Bill 3522
17. to the Committee on Transportation. All in favor say Aye.
18. Opposed Nay. The Ayes have it. The bill is recommitted to
19. Transportation. Senator Wooten.

20. SENATOR WOOTEN:

21. And, Mr. President, I would like leave to have Senator
22. Chew replace me as principal sponsor of that bill.

23. PRESIDENT:

24. Is leave given? Leave is given. Senator Harris.

25. SENATOR HARRIS:

26. Yeah.

27. PRESIDENT:

28. Senator Harris.

29. SENATOR HARRIS:

30. Senator, Mr. President, I...I just can't let this
31. occasion go by and question the word replace because seriously,
32. as far as I'm concerned, Senator Chew has always been the sponsor
33. of this legislation. We've had an advisory that's dangling out

1. here somewhere and in my sincere opinion, Senator Chew is,
2. has been, was, will be, whatever other verbs can be applied,
3. the sponsor of House Bill 3522.

4. PRESIDENT:

5. Well, Senator, let the Chair say that kindly, I certainly
6. respect your opinion. The Chair had ruled differently, but
7. frankly, after Amendment No. 2 was adopted and you had raised
8. the question about sponsorship, and then you offered Amendment
9. No. 3, I thought implicit in that was that you had abandoned
10. your cause about sponsorship. Senator Knuppel, I'm going
11. to ask you to do the Chair a favor and to move that the Senate
12. adjourns...recesses until 11:00 o'clock tomorrow...11:00
13. o'clock this morning. Now, let me just tell you, the House
14. has already recessed until 11:00 tomorrow, but before you do that
15. there's one resolution we want to run. Could you hold up just
16. a moment? Resolutions.

17. SECRETARY:

18. Senate Resolution 422 introduced by Senators Harris...

19. PRESIDENT:

20. Senator Harris.

21. SENATOR HARRIS:

22. Yes, Mr. President, this is a resolution that we've
23. caused to be drafted that I would like to show as the sponsors,
24. Senators Harris, Graham, Mohr, and would invite all Senators
25. to join. It is a congratulatory resolution commending the staff,
26. the employees of the Secretary of the Senate and...Office
27. and all of the people who join us in contributing to this
28. devotion and dedication to achievement. I'm...I am sorry that
29. I sent my copy of the resolution to the Secretary, but I do
30. most sincerely wish to express the sense of this resolution.
31. There are a couple of the paragraphs that I do want to touch on
32. here. This group has been called on to work unusual hours, often.
33. They are courteous, they are willing and they regularly lay aside
34. personal, partisan and philosophical differences to work professionally

1. together in truly a spirit of cooperation. Their attentiveness
2. to the needs of Senators, has certainly eased the enormous
3. demands placed upon Senators' time and has aided us in meeting
4. the needs of our constituents. Their professional handling
5. of the thousands of legislative documents has expedited the
6. flow of this General Assembly business and therefore,
7. Mr. President, on behalf of the people of the State of Illinois,
8. we certainly wish to sincerely thank all the employees of the
9. Senate for their hard work and their dedication to the cause of
10. good government during the 1976 Session. Be it further resolved,
11. that the Senate renders its individual and warm thanks to its
12. employees who besides being professionals, without peer,
13. are our friends, advisors, and partners in the improvement
14. of Illinois. Mr. President, I move for the suspension of the
15. rules for the purpose of immediately considering the adoption
16. of Senate Resolution 422.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Harris has moved to suspend the rules for the
19. immediate consideration and adoption of this resolution. All
20. those in favor signify by saying Aye. All those opposed. The
21. rules are suspended. On the question of adoption, Senator Partee?
22. SENATOR PARTEE:

23. Well, Mr. President, I would certainly like to join the
24. original sponsors of this resolution and I'd certainly hope that
25. all Senate members will be added as cosponsors because it is
26. absolutely a fact that the arduous task of running this Legislature
27. with some four thousand bills now and two thousand in the House
28. it would be absolutely and virtually impossible for the members
29. themselves to do the gargantuan task that is involved in analyzing
30. and being prepared to discuss and debate all of these issues without
31. the help and friendly help, if you please, of those persons who
32. work for the Senate. In all divisions, each person does his task
33. creditably and well. Sometimes, under rather difficult conditions,
34. sometimes under rather arduous circumstances. And I certainly

1. join in giving the accolade and encomium to all of our
2. Senate staff who have done such an excellent job this Session.
3. PRESIDING OFFICER: (SENATOR ROCK)

4. Further discussion? Senators Harris and Partee seek
5. leave of this Body to show all members as cosponsors. Is leave
6. granted? Leave is granted. Senator Harris now moves the
7. adoption of Senate Resolution 422. All those in favor signify
8. by saying Aye. All those opposed. The Ayes have it.
9. The resolution is adopted. Senator Howard Mohr, for what
10. purpose do you arise?

11. SENATOR MOHR:

12. Well, Mr. President, I heard the hour of 11:00 a.m.
13. to come into Session tomorrow. I...I don't know. We're
14. used to working long hours and I don't think anybody objects
15. to long hours, but I think they should be productive hours,
16. Mr. President. I think that we should start here earlier in the
17. morning. I know that we're going to be talking about
18. Conference Committees, but there's some things that will be coming
19. up in the morning that will take some time, I'm sure and many
20. people have plans for the Fourth of July. You know, we're
21. passed the 23rd of June that we were told we'd be out of here and
22. I don't object to working through June 30th and I don't objecting...
23. to working as long as I think we're accomplishing something. But,
24. we've spent an awful lot of time here spinning our wheels and many
25. of us are getting just a little antsy and a little tired of that
26. and I'd like to suggest that we start early in the morning so
27. hopefully, we could get back home tomorrow evening. I throw
28. that out for a suggestion.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Partee.

31. SENATOR PARTEE:

32. Senator Mohr, I think it is an excellent suggestion, except
33. that there are two things wrong with it. One, our people don't

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1. get here at 9:00. We tried to start this morning at 9:30,
2. you were here, but there were very few others here.
3. In addition to that, the House is not starting until 11:00
4. and even though we had Conference Committees in the morning,
5. they would not be here. They're not coming in till 11:00
6. so as much as I'd like to say to start early, it just won't
7. be productive. As a matter-of-fact, I suggested to them in the
8. House that we not go home at all tonight and keep moving until we
9. got something done and they commenced to tell me that there
10. were...their members were very tired and their members were
11. very antsy and that one of their members had just fallen out and
12. perhaps was going to be sent to the hospital and things of that
13. sort. And, as a consequence, they said they were going to adjourn
14. until 10:00 o'clock and the man who told me he's going to adjourn
15. until 10:00 o'clock walked straight to the podium and adjourned
16. until 11:00. So, now I understand what you're saying, but I tell you
17. it just won't work out; it won't be helpful, because they won't
18. be here to work with us on the Conference Committee Reports. So,
19. let our guys get a little more...and ladies get a little more sleep
20. and be here at 11:00, if they only would.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. All right. Senator Knuppel moves that the Senate
23. stand in recess until 11:00 a.m. this morning. Senate stands in
24. recess.
25.
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