

79TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 25, 1975

1 PRESIDING OFFICER: (SENATOR DONNEWALD)

2 The hour of ten thirty having arrived the Senate will come
3 to order. Prayer by Father Joseph F. Zimmerman, Our Lady of
4 Angels Seminary, Quincy, Illinois. Will the guests in the
5 gallery please rise? Father Zimmerman.

6 FATHER ZIMMERMAN:

7 (Prayer given by Father Zimmerman)

8 PRESIDING OFFICER: (SENATOR DONNEWALD)

9 Reading of the Journal. Senator Kosinski.

10 SENATOR KOSINSKI:

11 Mr. President, good morning...Senate. I move that the read-
12 ing and approval of the Journals of Friday, June 13th, Monday,
13 June 16th, Tuesday, June 17th, Wednesday, June 18th, Thursday,
14 June 19th, Friday, June 20th, Saturday, June 21st, Monday, June
15 23rd, Tuesday, June 24th, all of 1975 be postponed pending the
16 arrival of the printed Journals. I so move, Mr. President.

17 PRESIDING OFFICER: (SENATOR DONNEWALD)

18 You heard the motion. All those in favor indicate by saying
19 Aye, those opposed No. The Ayes have it. (Machine cut off) reports.

20 SECRETARY:

21 Senator Donnewald, Chairman of Assignment of Bills assigns
22 the following bills to committee: Appropriations: House Bill
23 3034, Education: House Bills 3108 and 3109, Judiciary: House
24 Bills 3115, 3116, Local Government: House Bill 3112, Public
25 Health, Welfare and Corrections: House Bill 3102, Transportation:
26 House Bills 3063 and 3097.

27 Senator McCarthy, Chairman of Finance and Credit Regulations
28 reports out the following bills: House Bill 3000 with the
29 recommendation Do Pass.

30 PRESIDING OFFICER: (SENATOR DONNEWALD)

31 Senator McCarthy.

32 SENATOR MCCARTHY:

33 Yes, Mr. President. I would move that House Bill 3000 be

1. read a 2nd time and advanced to the order of 3rd reading.
2. PRESIDING OFFICER: (SENATOR DONNEWALD)
3. Is there leave? Senator Berning.
4. SENATOR BERNING:
5. Thank you, Mr. President. Yes, leave with the understanding
6. of course that if we should desire to offer an amendment it will
7. be brought back to 2nd.
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. That is the understanding, Senator McCarthy indicates.
10. SECRETARY:
11. (Machine cut off) thousand. House Bill 3000.
12. (Secretary reads title of bill)
13. 2nd reading of the bill. No committee amendments.
14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. Are there amendments from the Floor? 3rd reading. A Message
16. from the House.
17. SECRETARY:
18. A Message from the House by Mr. O'Brien, Clerk.
19. Mr. President - I am directed to inform the Senate that the
20. House of Representatives has passed a bill with the following
21. title, in the passage of which I am instructed to ask the con-
22. currence of the Senate, to-wit: House Bill 3064.
23. PRESIDING OFFICER: (SENATOR DONNEWALD)
24. House Bills 1st reading. House Bill 415. House Bill 592.
25. House Bill 802, Senator Savickas. House Bill ...
26. SECRETARY:
27. Okay.
28. PRESIDING OFFICER: (SENATOR DONNEWALD)
29. ... just a moment. Read the bill.
30. SECRETARY:
31. House Bill 802.
32. (Secretary reads title of bill)
33. 1st reading of the bill.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. House Bill 1137. House Bill 1476. House Bill 2529. House
3. Bill 3038. House Bill 3039. House Bill 3059, Senator Bruce.
4. SECRETARY:
5. House Bill 3059.
6. (Secretary reads title of bill)
7. 1st reading of the bill.
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. House Bill 3062, Senator Fawell.
10. SECRETARY:
11. House Bill 3062.
12. (Secretary reads title of bill)
13. 1st reading of the bill.
14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. House Bill 3068. House Bill 3076. House Bill 3088. House
16. Bill 3099. House Bill 3106. House Bill 3107, Senator Joyce.
17. SECRETARY:
18. House Bill 3107.
19. (Secretary reads title of bill)
20. 1st reading of the bill.
21. PRESIDING OFFICER: (SENATOR DONNEWALD)
22. House Bill 3110. Committee report.
23. SECRETARY:
24. Senator Donnewald, Assignment of Bills assigns the following
25. bills to committee: to the Judiciary Committee, House Bill 3062.
26. PRESIDING OFFICER: (SENATOR DONNEWALD)
27. House Bills 2nd reading. House Bill 3, Senator Lemke.
28. House Bill 449, Senator Dougherty. House Bill 852, Senator Joyce.
29. House Bill 885, Senator Joyce. House Bill 1092, Senator Lemke.
30. House Bill 1302, Senator Buzbee. House Bill 1314, Senator Joyce.
31. House Bill 1360, Senator Wooten. House Bill 1366, Senator Wooten.
32. House Bill 1399, Senator Savickas. House Bill 1589, Senator
33. Shapiro. House Bill 1602, Senator Bloom. Read the bill.

HB 1602
2nd Reading
6-25-75

1. SECRETARY:

2. House Bill 1602.

3. (Secretary reads title of bill)

4. 2nd reading of the bill. No committee amendments.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Are there amendments from the Floor? 3rd reading. I think

7. we should have the understanding that in the event that there are

8. requests for amendments to bills, all bills on 2nd reading, that

9. we would revert to the order of 2nd reading for the purposes of

10. amendments. Is there leave? Leave is granted. 3rd reading.

11. House Bill 2029, Senator Kenneth Hall. House Bill 2076, Senator

12. Partee. Read the bill.

13. SECRETARY:

14. House Bill 2076.

15. (Secretary reads title of bill)

16. 2nd reading of the bill. Committee on Transportation offers one

17. amendment.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Partee.

20. SENATOR PARTEE:

21. Committee on what?

22. SECRETARY:

23. Transportation ... oh, Appropriations, I'm sorry.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. There is a difference.

26. SENATOR PARTEE:

27. I move the adoption of Amendment No. 1.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Is there further discussion? Question is shall Amendment

30. No. 1 to House Bill 2076 be adopted. Those in favor indicate by

31. saying Aye, those opposed No. The Ayes have it. The amendment

32. is adopted. Are there further amendments? 3rd reading. House

33. Bill 2196, Senator Philip - Rock. Read the bill.

1. SECRETARY:
2. House Bill 2196.
3. (Secretary reads title of bill)
4. 2nd reading of the bill. No committee amendments.
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. Are there amendments from the Floor? 3rd reading. House
7. Bill 2439, Senator Kenneth Hall. House Bill 3003, Senator New-
8. house. House Bill 3024, Senator Daley. Senator Newhouse, which
9. bill do you refer to? Read House Bill 3003, Mr. Secretary.
10. SECRETARY:
11. House Bill 3003.
12. (Secretary reads title of bill)
13. 2nd reading of the bill. Committee on Appropriations offers one
14. amendment.
15. PRESIDING OFFICER: (SENATOR DONNEWALD)
16. Senator Newhouse. The Chair recognizes Senator Newhouse
17. as to Amendment No. 1 to House Bill 3003.
18. SENATOR NEWHOUSE:
19. Who's got the amendment? Who's got the amendment?
20. PRESIDING OFFICER: (SENATOR DONNEWALD)
21. I'm advised by the Secretary it is a committee amendment,
22. Senator Newhouse. You move for the adoption
23. SENATOR NEWHOUSE:
24. I move its adoption.
25. PRESIDING OFFICER: (SENATOR DONNEWALD)
26. ... committee Amendment No. 1 to House Bill 3003. All ... is
27. there discussion? Senator Newhouse, can you describe what the
28. amendment does? Just a second.
29. SENATOR NEWHOUSE:
30. Just a moment, Mr. President. This ... this is a committee
31. amendment
32. PRESIDING OFFICER: (SENATOR DONNEWALD)
33. Now that we have some bodies the noise level is rising.

1. Senator Newhouse.

2. SENATOR NEWHOUSE:

3. Mr. President, you want to take it out of the record for a

4. moment and let me just get that amendment.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Take it out of the record. House Bill 3113, Senator Partee.

7. Read the bill.

8. SECRETARY:

9. House Bill 3113.

10. (Secretary reads title of bill)

11. 2nd reading of the bill. No committee amendments.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Are there amendments from the Floor? 3rd reading. House

14. Bill 3114, Senator Partee.

15. SECRETARY:

16. House Bill 3114.

17. (Secretary reads title of bill)

18. 2nd reading of the bill. No committee amendments.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Are there amendments from the Floor? 3rd reading. Senator

21. Partee.

22. SENATOR PARTEE:

23. On those two bills would the ... is there leave to show

24. Senator Philip as the second sponsor on those two bills?

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Leave is granted. Now we've covered several..Senator New-

27. house has ... as to ... House Bill 3003.

28. SENATOR NEWHOUSE:

29. Thank you, Mr. President and I apologize for taking up the

30. time on that but I didn't ... I didn't recognize what was happening.

31. This is a very simple, technical amendment. When the bill was

32. drafted the proper name of the organization was not in the bill.

33. This simply places into the bill the proper name of the Chicago

1 consortium of Colleges. That's all it does and I move its
2 adoption.

3 PRESIDING OFFICER: (SENATOR DONNEWALD)

4 We will have to read the bill first and then we will make
5 the appropriate motion. Secretary reads the bill.

6 SECRETARY:

7 House Bill 3303.

8 (Secretary reads title of bill)

9 2nd reading of the bill. Committee on Appropriations offers one
10 amendment.

11 PRESIDING OFFICER: (SENATOR DONNEWALD)

12 The questions is shall Amendment No. 1 be adopted as to House
13 Bill 3003? All those in favor indicate by saying Aye. Those
14 opposed No. The Ayes have it. The amendment is adopted. Are
15 there further amendments? 3rd reading. Senator Rock.

16 SENATOR ROCK:

17 Thank you, Mr. President and Ladies and Gentlemen of the
18 Senate, if I may have you attention for a moment?

19 PRESIDING OFFICER: (SENATOR DONNEWALD)

20 I'll try to get it for you, Senator. Will the members be in
21 their seats? Senator Rock.

22 SENATOR ROCK:

23 The Calendar contains a misprint and there are two bills on 2nd
24 reading, House Bills 2nd reading. The number of one is on the bill
25 in the text or headnote of the other is on the Calendar. That is
26 2439, is an appropriation bill in the amount of thirty-five million
27 dollars sponsored by Senator Brady which was reported favorably out
28 of the Appropriations Committee without amendment. And the one...the
29 bill that shows on the Calendar as 2439 is, in fact, House Bill 2800
30 sponsored by Senator Kenneth Hall which again was reported favorably
31 out of the Appropriations Committee. Senator Brady had...Senator
32 Brady has indicated he would like to move to the order of 3rd
33 reading, House Bill 2439 and I'm sure when Senator Hall returns

1. from the Appropriations Committee he would also like to move 2800.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Do we have ... do we have leave to move Senator Hall's bill

4. to the order of 3rd reading?

5. SENATOR ROCK:

6. 2439 I think is first in the order.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Alright. Senator Brady as to House Bill 2439. Read the

9. bill.

10. SECRETARY:

11. House Bill 2439.

12. (Secretary reads title of bill)

13. 2nd reading of the bill. No committee amendments.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Are there amendments from the Floor? 3rd reading. House

16. Bill 2800, Senator Kenneth Hall. Do we have leave to advance

17. that? Leave is granted.

18. SECRETARY:

19. House Bill 2800.

20. (Secretary reads title of bill)

21. 2nd reading of the bill. No committee amendments.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Are there amendments from the Floor? 3rd reading. The Chair

24. recognizes the fact that when we began on 2nd reading several

25. members were not present, so we will run through the list again.

26. Yes, Senator Rock.

27. SENATOR ROCK:

28. Well, in fact, the Appropriations Committee or at least cer-

29. tain members thereof are ... are still meeting and I have been

30. requested by the Chairman and I'm sure the Minority Spokesman

31. would concur there're some of these amendments, committee amendments

32. that may, in fact, have to be redone or are...or are in the process of

33. being redone. I..I wonder if we might have leave at this time just

1. to hold these appropriation bills with the understanding that
2. within an hour or two we can come back to them and move them at
3. that time.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Is there leave? Leave is granted. Senator Partee.

6. SENATOR PARTEE:

7. Now, in the Executive Committee there resides a resolution,
8. known as Senate Joint Resolution 34. I'm going to make a motion
9. to discharge the committee from further consideration of that
10. resolution to bring that resolution to the Calendar. I've
11. spoken with the Chairman of the committee who has no objection.
12. I've spoken to Senator Harris who has no objection. It is a
13. resolution really which just places the General Assembly on
14. record of supporting a plan which has been made to use income from
15. health care services to pay about half of the estimated cost of
16. a proposed new five hundred bed replacement hospital at the
17. University of Illinois Medical Center Campus in Chicago. The
18. full and complete details I will debate when we discuss the
19. resolution. I'm now simply making a motion to discharge the
20. committee from further consideration of the resolution to bring
21. it to the Calendar.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. You've heard the motion. Is there leave? Just a moment,
24. Senator Harris.

25. SENATOR HARRIS:

26. I just want to concur. I know Senator Partee made reference
27. to me. I just want to concur in this motion to discharge the Executive
28. Committee for the ultimate purpose of adopting the resolution.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. You've heard the motion to place Senate Joint Resolution 34
31. on the Calendar. All those in favor indicate by saying Aye, those
32. opposed No. The Ayes have it. Motion carries. Senator Lemke,
33. for what purpose do you rise?

1. SENATOR LEMKE:

2. House Bill 3063, I'd like to make a motion to move that to
3. 2nd reading without reference. I talked to Chairman Romano of
4. Insurance Committee and he agrees to move it to 2nd.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. You've heard the motion as to House Bill 3063. You've heard
7. the motion. All those in favor indicate by saying Aye, those...those
8. opposed No. The Ayes have it. Bill is on 2nd reading, the order
9. of 2nd reading. The motion was to discharge the Committee on
10. Insurance and ... refer that bill or place the bill on the order
11. of 2nd reading, that is House Bill 3063, and the motion carried
12. to advance it to the order of 2nd reading. Senator Hynes.

13. SENATOR HYNES:

14. Again, I'd like to call to the attention of the Chair and
15. members of a misprint on the Calendar, House Bills 2nd reading.
16. House Bill 1360 is the annual appropriation for the Department
17. of Law Enforcement. Both 1360 and 66 are shown as the Department
18. of Corrections on the Calendar. 1360 is Law Enforcement. 1366
19. is Corrections.

20. PRESIDING OFFICER: (SENATOR DONNEWALD) ...
21. ... Senator Buzbee.

22. SENATOR BUZBEE: (SENATOR DONNEWALD)

23. Mr. President, I would like to move at this time to discharge
24. the Committee on Transportation from further consideration of
25. House Bill 3097. This was inadvertently assigned to Transporta-
26. tion yesterday and we were going to move at that time to bypass
27. it. Senator Rock has knowledge.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Rock.

30. SENATOR ROCK:

31. Yes, I rise in support of this motion. We were ... we had
32. fully intended to move it to 2nd without reference when it came over
33. yesterday. This bill affects downstate rail transportation and

1. is vitally necessary if, in fact, we are ... we are in terms of
2. downstate rails to receive any Federal money. I think that the
3. House sponsors have spoken with Senator Harris. I would ask that
4. it, in fact, be placed on the Calendar. They ... they tell us in
5. the House that this is absolutely essential.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. The motion is to discharge the Committee on Transportation
8. from further consideration of House Bill 3097 and advance it to
9. the order of 2nd reading. Senator Harris.

10. SENATOR HARRIS:

11. Okay. Now, what is the understanding? You want it advanced
12. without reference?

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. That is the request. That is the motion, Senator.

15. SENATOR HARRIS:

16. Now, I just want to say, I've discussed with Representative
17. Neff, but I have not had an opportunity to talk to Representative
18. Garmisa. But we have learned that there will have to be some
19. amendments to this, and I think we're going to mutually work them
20. out if they're ... just as long as we got a shot at proposing
21. some amendments. Okay. Fine.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. The motion is to discharge the Committee on Transportation
24. from further consideration of House Bill 3097 and advance that
25. bill to the order of 2nd reading. All those in favor indicate by
26. saying Aye, those opposed. The Ayes have it. Bill is on 2nd
27. reading. Senator Sommer, for what purpose do you rise?

28. SENATOR SOMMER:

29. Mr. President, I would ask leave to be added as a Senate
30. cosponsor on House Bill 1602.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Is there leave? Leave is granted. The Chair will now ... the
33. Chair will now proceed again going through the House Bills on

1 2nd reading other than appropriation measures. House Bill 3,
2 Senator Lemke. Read the bill.

3 SECRETARY:

4 House Bill 3.

5 (Secretary reads title of bill)

6 2nd reading of the bill. No committee amendments. One Floor
7 amendment offered by Senator Lemke.

8 PRESIDING OFFICER: (SENATOR DONNEWALD)

9 Senator Lemke.

10 SENATOR LEMKE:

11 Hold that amendments. We'll move it to 3rd and then maybe
12 we can bring it back.

13 PRESIDING OFFICER: (SENATOR DONNEWALD)

14 Well...are there amendments from the Floor? 3rd reading.

15 House Bill 449, Senator Dougherty. House Bill 852, Senator
16 Joyce. Read the bill.

17 SECRETARY:

18 House Bill 852.

19

20 (Secretary reads title of bill)

21 2nd reading of the bill. No committee amendments.

22 PRESIDING OFFICER: (SENATOR DONNEWALD)

23 Are there amendments from the Floor? Senator Joyce.

24 SENATOR JOYCE:

25 Yes, Senator Latherow has two amendments to this bill.

26 PRESIDING OFFICER: (SENATOR DONNEWALD)

27 That would be amendments 1 and 2. Senator Latherow, do you
28 wish to address yourself to Amendment No. 1? I'm advised that
29 the Secretary...Secretary does not have the amendments on his
30 Desk. Is that correct?

31 SENATOR LATHEROW:

32 That's correct. I...I have them some place, Mr. Chairman. I
33 wonder if we could hold that and come back to it a little later. Or not

34 PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Take it from the record. House Bill 1399, Senator Savickas.

2. House Bill 1389, Senator Shapiro. Senator Shapiro.

3. SENATOR SHAPIRO:

4. Mr. President, I would like to move that House Bill 1589 be
5. referred back to the Education Committee for further study.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. The motion is to re-refer House Bill 1589 to the Committee
8. on Education. All those...all those in favor indicate by saying Aye, those
9. opposed No. The Ayes have it. The bill is re-referred. House
10. Bills 2nd reading. House Bill 3063.

11. SECRETARY:

12. House Bill 3063.

13. (Secretary reads title of bill)

14. 2nd reading of the bill. No committee amendments.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Are there amendments from the Floor? 3rd reading. House
17. Bill 3097.

18. SECRETARY:

19. House Bill 3097.

20. (Secretary reads title of bill)

21. 2nd reading of the bill. No committee amendments.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Are there amendments from the Floor? 3rd reading. Senator

24. Philip, House Bill 2196 was advanced to the order of 3rd read-

25. ing with the understanding that it would be brought back for the

26. purposes of amendment. Senator Rock, Senator Philip requests

27. that, of course he is the principal sponsor and he wishes to bring

28. the bill back to the order of 2nd reading for the purposes of an

29. amendment. Is there leave? Leave is granted. Senator Philip.

30. SENATOR PHILIP:

31. Thank you. Thank you, Mr. President. Senate Amendment No.

32. 1 to House Bill 2196 makes it applicable only to non-for-profit

33. organizations. I move the adoption of Amendment No. 1.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Is there further discussion? Question is shall Amendment
3. No. 1 be adopted. All those in favor indicate by saying Aye, those
4. opposed No. The Ayes have it. The amendment is adopted. Amend-
5. ment No. 2
6. SENATOR PHILIP:
7. ... Amendment No. 2...
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. ... Senator Philip.
10. SENATOR PHILIP:
11. Amendment No. 2, Mr. President reduces the amount from five
12. million to two million. I would move the adoption of Amendment
13. No. 2.
14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. Is there further discussion? The question is shall Amendment
16. No. 2 be adopted? Those in favor indicate by saying Aye, those
17. opposed No. The Ayes have it. The amendment is adopted. Are
18. there further amendments? Amendment No. 3, Senator Philip.
19. SENATOR PHILIP:
20. Thank you, Mr. President. Amendment No. 3 provides that if
21. a mental organization would go bankrupt that the Department of
22. Mental Health would pick it up in their next ensuing budget. I
23. move the adoption of Amendment No. 3.
24. PRESIDING OFFICER: (SENATOR DONNEWALD)
25. Is there further discussion? Question is shall Amendment
26. No. 3 be adopted? Those in favor indicate by saying Aye, those
27. opposed No. The Ayes have it. The amendment is adopted. Amend-
28. ment No. 4, Senator Philip.
29. SENATOR PHILIP:
30. Thank you, Mr. President. Amendment No. 4 merely says that
31. a person from that region shall have ... first priority to that
32. mental facility. I move the adoption of Amendment No. 4.
33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Is there further discussion? Question is shall Amendment
2. No. 4 be adopted? Those in favor indicate by saying Aye, those
3. opposed No. The Ayes have it. The amendment is adopted. Are
4. there further amendments? 3rd reading. House Bills on 3rd read-
5. ing. House Bill 2052, Senator Rock. We are now on House Bills
6. on 3rd reading. Do you wish to call the bill, Senator? Yes,
7. Senator Rock.

8. SENATOR ROCK:

9. I do ... I do have a bill on 3rd reading that I'm ... intend
10. to call back and it is on the order of business today. I wonder
11. if we could go to that order. It's House Bill 2625. I'm going
12. to call it back to 2nd. Senator Philip, I understand, has an
13. amendment he wishes to offer.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Do we have leave? Leave is granted. We are on 2nd reading
16. concerning House Bill 2625.

17. SENATOR ROCK:

18. Well, I'm asking leave to bring 2625 back from the order of
19. 3rd to 2nd for the purpose of an amendment.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. We have ... we have that leave.

22. SENATOR ROCK:

23. Thank you.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Philip.

26. SENATOR PHILIP:

27. Mr. President, I'm not sure what amendment this is. Amend-
28. ment No. 2 to Senate Bill 2625?

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator ...

31. SENATOR PHILIP:

32. He's not sure what the number of the amendment is. It's
33. Amendment No. 2 and it provides for three additional circuit

1 judges for the DuPage County area. It's been cleared with the
2 other side of the aisle and also with the court administrator
3 and I move the adoption of Amendment No. 2 to Senate Bill...
4 House Bill 2625.

5 PRESIDING OFFICER: (SENATOR DONNEWALD)

6 The question is shall Amendment No. 2 to House Bill 2625
7 be adopted? Is there discussion? Those in favor indicate by
8 saying Aye, those opposed No. The Ayes have it. The amendment
9 is adopted. Are there further amendments? 3rd reading. House
10 Bill...do we have leave to return to the order of 2nd reading
11 from 3rd reading on House Bill 2784? Those...is leave given?
12 Leave is granted. Senator Egan as to House Bill 2784. You are
13 now on 2nd reading.

14 SENATOR EGAN:

15 Yes. Thank you, Mr. President. Senator Harris has the
16 amendment. Pardon.

17 PRESIDING OFFICER: (SENATOR DONNEWALD)

18 Senator...well, can we...Senator Egan.

19 SENATOR EGAN:

20 Thank you, Mr. President. Perhaps I could explain the
21 amendment while Senator Harris is bringing it in.

22 PRESIDING OFFICER: (SENATOR DONNEWALD)

23 No, the amendment is not on the Secretary's Desk. We will
24 have to take that from the record. Put the bill back to 3rd and
25 bring it back later. 3rd reading. Senator Knuppel, for what
26 purpose do you arise?

27 SENATOR KNUPPEL:

28 I'd like to return from the order of Postponed Consideration
29 House Bill 1704 for the purposes of...to 2nd reading for the pur-
30 pose of placing thereon an amendment that's being sponsored by
31 Senator Nimrod.

32 PRESIDING OFFICER: (SENATOR DONNEWALD)

33 We are not on that order of business, and it would take leave

of the Body to return to that order of business. Is there leave?

1 We are now on the order of Postponed Consideration. Senator Knuppel.

2 SENATOR KNUPPEL:

3 I assume...I move that the...that 1704 be returned to the
4 order of 2nd reading.

5 PRESIDING OFFICER: (SENATOR DONNEWALD)

6 You've heard the motion to...return House Bill 1704 to the
7 order of 2nd reading for the purpose of an amendment...

8 SENATOR KNUPPEL:

9 Now, there is leave...

10 PRESIDING OFFICER: (SENATOR DONNEWALD)

11 Is there leave? Leave is granted. We're now on 2nd reading.

12 SENATOR KNUPPEL:

13 Amendment No....I don't know what...do you know the number
14 of the amendment, Senator Nimrod? Having voted on the prevailing
15 side, I move that Amendment No. 1 be Tabled...no reconsidered...

16 PRESIDING OFFICER: (SENATOR DONNEWALD)

17 You wish to reconsider...you wish to be reconsidered. The
18 motion is to...having voted on the prevailing side to reconsider the
19 vote by which Amendment No. 1 to House Bill 1704 was...was adopted.
20 All those in favor indicate by saying Aye, those opposed No. The
21 Ayes have it. We are now reconsidering that amendment, Amendment No. 1.

22 SENATOR KNUPPEL:

23 I'll move...I'd move that Amendment No. 1 be Tabled.

24 PRESIDING OFFICER: (SENATOR DONNEWALD)

25 The motion is to Table Amendment No. 1 to House Bill 1704.
26 All those in favor say Aye, those opposed No. The Ayes have it.
27 The amendment is Tabled. Senator Nimrod.

28 SENATOR NIMROD:

29 Mr. President and fellow Senators, Amendment 2 is a clarifying
30 amendment which is similar to No. 1 except it does remove all the
31 objections that were involved in it and it does have agreement
32 between the members of the Commission, and I would move for its
33 adoption.

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1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Is there further discussion? Question is shall Amendment
3. No. 2 be adopted to House Bill 1704? All those in favor indicate
4. by saying Aye, those opposed No. The Ayes have it. Amendment
5. No. 2 is adopted. Are there further amendments? 3rd reading.
6. The bill now will be returned I'm advised to the order of Con-
7. sideration Postponed. The ... yesterday evening we stopped prior
8. to considering House Bill 2435. Just a moment. Senator Clarke,
9. for what purpose do you rise?

10. SENATOR CLARKE:

11. Mr. President, maybe before we get going on the order of
12. business, yesterday I asked permission to bring back House Bill
13. 990. I got the permission of the President and also to alert
14. the sponsors of amendments who do want to offer, and possibly
15. you want to take that up before we get started on the regular
16. order of bills, 3rd reading.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Do we have leave to return to the order of 2nd reading for
19. the purposes of amendment concerning House Bill 990? Is there
20. leave? Leave is granted. We are now on the order of 2nd read-
21. ing.

22. SENATOR CLARKE:

23. Mr. President, there ...

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Clarke.

26. SENATOR CLARKE:

27. ... to my knowledge anyway, why there're three members that
28. have amendments, Senator Hickey, Senator Nimrod and Senator Glass.

29. SECRETARY:

30. Amendment No. ... Amendment No. 1 offered by Senator Glass.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Glass.

33. SENATOR GLASS:

1 Thank you, Mr. President and members of the Senate. This
2 is a very significant bill and Amendment No. 1 which I am offering
3 would change from 33 1/3% to 36% the equalization percentage
4 that would be established in the bill. I think most of the
5 membership is aware of the problem that 990, House Bill 990
6 addresses. In the past several years, the Department of Local
7 Government Affairs has supposed to, through its multiplier been
8 causing property in Illinois to equalized at 50% of fair
9 market value. When the local assessors don't do their jobs
10 and assess at that rate, the equalizer is suppose to or rather
11 the multiplier is suppose to bring them up to 50% of fair mar-
12 ket value. What in fact, has happened is that instead of bringing
13 them up to 50% we have had a tremendous variation all over the
14 State, the highest being in the Rockford area where as I under-
15 stand equalization is at about 44 1/2% of fair market value all
16 the way down to some of the southern counties where equalization
17 is less than 20%. So the bill as drafted would bring the entire
18 State to what is considered to be...what is considered to be
19 about the...the average of...of what in fact is occurring
20 and that is equalization at 33 1/3% of fair market value. I
21 think the membership can understand that this is somewhat arti-
22 ficial and arbitrary to choose a figure and bring everyone into
23 compliance over three years. It means that the...the districts,
24 the taxing districts, that are under that figure will have to
25 bring themselves up to 33 1/3 and those that are above it will
26 have to go down. Now, the problem that the 33 1/3% creates in
27 a number of districts is that it will for...in school districts in
28 particular is that they they will...they will be faced with a
29 lower equalized assessed valuation that they...they currently have
30 because they're having to move down to 33 1/3%. They are in
31 a fact above that. It's estimated that there are 114 districts
32 which will be forced to reduce their revenues. However, if
33 36% were used, that would only...that figure would drop to only 14.

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1 So, it would soften the blow greatly on a number of school dis-
2 tricts and I...I would also point out to the membership that
3 ...if...if we go ahead and reduce this multiplier...or reduce
4 this equalized figure at all from 50%, why not pick out a figure
5 that...that does soften the blow and...and make for a smoother trans-
6 ition. I think that is what we all should be interested in
7 doing. And the 33 1/3% and I'll try and wind this up, the 33 1/3%
8 as I understand it was reached on the basis of 1973 sales data
9 and that has not been consistent with past practices. In the
10 past three years of sales data were taken with a weighted average,
11 and I think if that were done in this case, we would have a higher
12 figure than the 33 1/3%. This is significant amendment for
13 a number of school districts, particularly in Cook County, and I
14 don't think it defeats the intent of the bill and that is some-
15 thing we all should want to bring about, uniformity of assess-
16 ment in property taxation. So, I would urge the adoption of
17 this amendment.

18 PRESIDING OFFICER: (SENATOR DONNEWALD)

19 Is there further discussion? Senator Clarke. Senator
20 Fawell.

21 SENATOR FAWELL:

22 Yes, Mr. President and members of the Senate, I rise in
23 support of the amendment. I'll be very honest, however, with
24 my good friend Senator Clarke. I don't expect to support the
25 bill, with amendment or not. I don't believe that is the correct
26 procedure is for we in the legislature at this rather late date
27 to attempt to cause a...what can only be described as an arbitrary
28 subtraction of the assessed valuation percentage.

29 PRESIDING OFFICER: (SENATOR DONNEWALD)

30 Just a moment, Senator. There's an awful lot of conferences
31 to my right, with staff and Senators. They're still...they're
32 still going at it. Could we...could we have some order on the
33 right side...to my right? Senator Mitchler. Senator Netsch, et al.

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1 Let's have a little...quiet. And I...I see Senator Harris, also,
2 yes. Proceed, Senator Fawell.

3 SENATOR FAWELL:

4 Thank you. The...we...we well know that we aren't going
5 to be able to give the kind of help to our local taxing districts
6 that we would like to be able to give. We have consistently and
7 understandably said no to nonreferendum increases, and yet, I
8 think perhaps with an awful lot of us at these busy times, not
9 giving a great deal of thought, we're going to take seriously
10 the decrease of the taxing powers of our local school districts,
11 who with the 6% slash of funds that allegedly will be forthcoming,
12 are going to be in serious trouble and we are going to place
13 them in more of a precarious situation by rather arbitrarily and
14 I...I say that word with a most the utmost of respect to
15 the Commission and the hard work the Senator Clarke has put
16 in regard to this question of what can you do in order to make
17 some sense in regard to our State Aid requirements when everybody
18 seems to assess at somewhat different levels even though the law
19 states everybody should be at 50%. I do think about Senator
20 Glass' amendment, though, I don't think he goes high enough,
21 and Mr. President, can you hear me?

22 PRESIDING OFFICER: (SENATOR DONNEWALD)

23 I cannot. Will the members please be in their seats? I'll
24 have to call the Sergeant-at-Arms. Sergeant-at-Arms, clear the
25 aisles. All unauthorized people clear the Floor. I don't think
26 that we can continue until we do have order. Now, that's a little
27 bit better. Proceed.

28 SENATOR FAWELL:

29 Well, suffice it to say that at least Senator Glass has
30 brought the assessment level up to the 36% category. That still
31 is going to cause an awful lot of local districts that have
32 amortized bond issues on the assumption that the assessed valuation
33 would not decrease but would understandably grow and I believe

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1 at least improves the very dire economic results which will
2 occur among a number of districts, and...and interestingly enough
3 the detriment occurs to the greatest degree in regard to those
4 districts and that are in areas where the assessors have been
5 diligently pursuing what the law says they ought to be doing
6 and that is moving toward the 50% assessed valuation mark. I
7 think that we...we simply have to put that assessed valuation
8 figure at a height so as not to do detriment to an awful lot
9 of local taxing districts who through no fault of their own
10 relied upon what the law has said. The real problem and the
11 real villain over the last several years has been the Department
12 of Local Government Affairs which simply has not done what it
13 should have done and that is to have utilized the multiplier so
14 as to bring those areas where they weren't assessing as they
15 ought to do so under the law to bring them up so that they
16 would be doing that. That has proven to be just politically
17 an impossible task. But I...I as much empathy and sympathy as
18 I have of the plight that Senator Clarke is referring to and
19 will refer to I...I cannot believe that 33-1/3% is the assess-
20 ment level we ought to settle at. At least I will...will do
21 anything to...to at least increase that up to the 36% level.

22 PRESIDING OFFICER: (SENATOR DONNEWALD)

23 Senator Nimrod.

24 SENATOR NIMROD:

25 Yes, Mr. President and fellow Senators. I think that what
26 we're discussing this morning is of vital concern to all of you,
27 and that is that we are talking about taxes and in particular
28 we're talking about an approach as a result of a study that's
29 taken the last two years under Senator Clarke's committee and
30 the Tax Study Commission. And certainly we're all aware that
31 the State has not done what it's suppose to do. The supervisors
32 of assessment have not done what they're suppose to do and the
33 local assessors have not done what they're suppose to do and

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1 this all came about because we decided to give some relief
2 temporarily and we froze the multiplier and then caused chaos.
3 The courts have ruled that we could be...if we don't do some-
4 thing now the courts have ruled that we could subject every
5 taxpayer to double or triple or some figure depending on where
6 they're at, the amount of taxes they're paying today. So,
7 I think it's important that we address ourselves to this sub-
8 ject. Now, I am concerned about the problem with Senator Glass
9 as pointed out by his amendment, but I do think that I have an
10 amendment I think that does a little better job in the fact
11 that it does not penalize the downstate counties in providing
12 for a growth for those counties which are over the 33 1/3% so
13 that they won't be penalized. And I would think that it would
14 be wrong to go ahead and penalize the counties which are under
15 33 1/3 making them go up even still higher in their taxes as
16 a result of what we're trying to...to do here. So, I would think that
17 on this basis that this amendment even though it addresses a problem
18 which we are of some concern I certainly do not believe that it is
19 the answer and I will have a chance to explain it into my amendment
20 a little further which will provide for this gross factor to
21 take place...

22 PRESIDING OFFICER: (SENATOR DONNEWALD)

23 Just...just...just a moment...

24 SENATOR NIMROD:

25 ...and still not penalize the downstate counties.

26 PRESIDING OFFICER: (SENATOR DONNEWALD)

27 Just a moment, Senator. Are...have you concluded? Senator
28 Wooten, for what purpose do you arise?

29 SENATOR WOOTEN:

30 Technical inquiry. Is the amendment in proper form? Just...
31 I'm just curious about that.

32 PRESIDING OFFICER: (SENATOR DONNEWALD)

33 Well, I presume that it is.

1 SENATOR NIMROD:

2 It says 36% wherever 33 1/3 appears. Is that technically
3 proper?

4 PRESIDING OFFICER: (SENATOR DONNEWALD)

5 That...I'm...I'm advised that that is correct.

6 SENATOR NIMROD:

7 Thank you.

8 PRESIDING OFFICER: (SENATOR DONNEWALD)

9 The next on the list is Senator Clarke.

10 SENATOR CLARKE:

11 Well, Mr. President, this is probably one of the most
12 difficult and touchy issues that we have before us. And I've
13 tried to talk to each one of you individually and explain the
14 concept and explain the reason for the bill and explain also
15 what it would do to you in your area whether you're going to
16 hear back squawks from the taxpayers or from the taxing district.
17 As Senator Nimrod indicated, this bill is a product of the joint
18 committee that has been studying the property tax for the past
19 two years and that came about as a result of the freezing of the
20 multiplier and Governor Walker saying there should be a legis-
21 lative response and in the last three months further, there've
22 been two Supreme Court decisions, written opinions written by
23 Justice Underwood in which he has said there should be a legis-
24 lative response. We felt that there was some question as to the
25 level that this bill should be added and if I were paying paro-
26 chial, if I were looking at my own school districts, I would
27 support this amendment because my school districts will be hurt
28 in Cook County, suburban Cook. But we asked when this bill
29 came over a group of experts such as, Maurice Scott of the Tax-
30 payers Federation and Dale Yung of the Department of Local
31 Government and Doctor Bradshaw who does a computer input at the
32 Office of Education and others to make an evaluation of the
33 figures from the Department of Local Government as to what the

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1 level generally is over the State and we had a meeting of a the
2 subcommittee that Senator Carroll headed, 3 1/2 hours and dis-
3 cussed this issue and quizzed these experts on their conclusion
4 that the State is presently as the Department of Local Government
5 testified at approximately 33 1/3% over the State and that is
6 why this bill is at that level. Let me say further, that you all
7 got a chart on your desk and I think this chart tells a story
8 that's vitally important because the top figure on each county
9 in this chart indicates the valuation as equalized by the Depart-
10 ment for 1971 and the bottom figure indicates the last known
11 figure the equalized...assessment valuation for each county as
12 of 1973, and you can see the effect of inflation. Whenas, and if
13 we get the equalized figures for each county as of 1974, I am
14 sure you are going to find that there's a similar decrease due
15 to inflation and that means 33 1/3% may be too high, not too low.
16 What this amendment does is to try and protect some of the districts
17 that would have to come down, but there is 78 counties that have
18 to come up under this bill, and you are imposing an additional
19 burden on those counties and those taxpayers especially in terms
20 of coming up over the three years to the 33% and I think this
21 amendment should be defeated.

22 PRESIDING OFFICER: (SENATOR DONNEWALD)

23 Senator Lemke, for what purpose do you arise?

24 SENATOR LEMKE:

25 Point of personal privilege.

26 PRESIDING OFFICER: (SENATOR DONNEWALD)

27 State your point.

28 SENATOR LEMKE:

29 In the gallery above the Democratic Side, I'd like to
30 recognize the Lyons Township Regular Democratic Organization
31 with its Committeeman Louis DeNeff...

32 PRESIDING OFFICER: (SENATOR DONNEWALD)

33 Would you please stand and be recognized. Senator Daley,

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1 did you wish recognition? Senator Dougherty. I'm sorry. Senator
2 Clarke, you had not concluded.

3 SENATOR CLARKE:

4 I concluded, but I'm from Lyons Township. How does Senator
5 Lemke get to introduce my people? Just because they're Democrats.

6 PRESIDING OFFICER: (SENATOR DONNEWALD)

7 That's right he's a Democrat. So are they. Senator Dougherty.
8 Senator Carroll.

9 SENATOR CARROLL:

10 Thank you, Mr. President, and members of the Senate. I join
11 Senator Clarke in opposing this amendment for very similar reasons.
12 As he mentioned, we had spent several hours in a subcommittee
13 which I chaired, reviewing this as Senator Nimrod said most
14 important legislation. What we are doing by this legislation
15 is determining what the taxes will be on the homeowners of this
16 State and I think after years of careful consideration and
17 recognizing that the Department of Local Governmental Affairs
18 had not and I repeat that had not adequately done its job, it was
19 decided that 33 1/3% after statistical analysis was the mean
20 point of this State. That's where about half of the State was
21 at and I think it's a very realistic figure. We recognize
22 that the school districts need more money, but we recognize that
23 the taxpayers have some right to decide, and I think what we've
24 done by this carefully decided approach is to set a level and
25 set it in such a way that those counties below have three years
26 and three equal installments to come up to that level without
27 putting an undue burden on the taxpayers every time you raise
28 that from 33 to 36. The point of it is, look at your own tax
29 bills - you want to raise your tax bills another 10%. That's
30 the difference between 33 and 36. Now, what we're doing by
31 way of this amendment is helping the school boards. No question
32 about that. There are other methods and other approaches. Senator
33 Nimrod came up with one this year that we passed. There was

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1 one last Session. I'm talking this year about Senate Bill 209.
2 Those are legitimate and realistic approaches but taxes are
3 not only raised by school boards. All units of local government
4 raise their revenue through taxes and they all would be allowed
5 to raise accordingly at this 36% level so that the tax increase
6 to the taxpayers is not only to pay for the schools, it's to pay
7 for mosquito abatement districts, it's to pay yes for counties
8 and yes for cities and yes for villages but all areas of govern-
9 ment. I have not yet seen the justification to raise those who
10 are below that much more to help just the school districts. There
11 are other ways of approaching that problem, and I would suggest
12 to Senator Glass that I, for one, would be willing to work on those
13 other ways in an attempt to let them raise the level of local
14 dollars to meet either the resource equalizer for...or the prior
15 formula so that they can provide a good education but I think
16 this amendment and the others like it should be defeated. I
17 think several years of work have gone into this to provide the
18 level where most of the State falls and creates the least dis-
19 ruption and yet provide the services at the same cost as they
20 are today. Thank you.

21 PRESIDING OFFICER: (SENATOR DONNEWALD)
22 Senator Dougherty: I think it's important to...
23 SENATOR DOUGHERTY: ...
24 Thank you, Mr. President. I rise in opposition of this
25 amendment although I understand the very good...the best inten-
26 tions of the sponsor of the amendment. However, I think Senator
27 Clarke with whom I've discussed this on other occasions and re-
28 ducing this to 33 1/3% is in contrary to the agruments as was pre-
29 sented by myself and Senator Tom Lyons, and a number of years ago
30 when the sponsor of the bill who set it at 50%, former Senator
31 Everett Lockland maintained it would stay at 50%. At that time, my
32 agrument would be better off leaving it at 100% for the reason you would
33 have flexibility in there. The schools, we're all completely in

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1 sympathy with. However, on the other hand there are many other units
2 of government who are going to be affected by this. We just can't
3 concentrate everything on the schools. We must concentrate on every
4 effort...every area of government for this reason that we...
5 but frankly I've been opposed many years...for many years. We
6 should have left it at 100% and leave it up to local officials,
7 and they can't spend any more money than required to...than they're
8 required to. There's two ways of doing it, you leave the assess-
9 ment level as it is or you raise the rates. The money has to be
10 had. I think it's...I'm not only going to vote against this
11 amendment, I'm going to vote against the bill.

12 PRESIDING OFFICER: (SENATOR DONNEWALD)

13 Is there further discussion? Senator Glass may close the
14 debate.

15 SENATOR GLASS:

16 Thank you, Mr. President. In response to I think in particular
17 to Senator Carroll's comment about why...why go this way to
18 address some of the problems of the school districts. I would
19 ...would answer that it is not only the school districts that
20 are effected in Cook County by this reduction to 33 1/3%. I
21 pointed out earlier that the 33 1/3% was based on 1973 Cook
22 County assessments, and I think it's important to notice that in
23 that year because of a decrease in the multiplier those...there was
24 a reduction of 7%. And as a result of this change, the equalized
25 assessed valuation of all of Cook County real estate declined by
26 two hundred million dollars where as it had been increasing by
27 five hundred million per year during the prior four years. This
28 is an unreasonably low figure at which to equalize. I think that
29 is the point I would like to make, and that is the reason why
30 I'm not trying to...to come up with amendments of the kind
31 Senator Nimrod and some others are going to introduce. I like
32 the concept of Senator Clarke's bill. He...and...and all of
33 the committee that worked on it. He is correct that the Department

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1. of Local Government Affairs has been botching up this problem
2. for years, and I'd like to quote very briefly from the Illinois
3. Supreme Court case on the subject because I think it is illuminating.
4. The court held that thank you, Mr.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Will the members please be in their seat and quiet!

7. SENATOR GLASS:

8. ... Justice Schaffer, writing for the majority stated that is
9. clear that the legislature did not intend the Department of
10. Local Government Affairs to have discretion as to whether to act
11. as an equalizing authority. Instead, it stated the Department
12. shall perform that function and shall equalize the assessments
13. between counties as the Act provided. The mandatory duty of the
14. Department in this respect is well settled. The failure of both
15. local officials and the Department to perform their duties has
16. not only eliminated any possibility of uniformity of taxation,
17. but has also disrupted the statutory scheme for distribution of
18. various types of State aid apportioned on the basis of equalized
19. assessed valuations, and then it goes on to cite welfare and aid
20. to the schools. It's a problem that we ... we have State-wide.
21. This bill is certainly the answer to doing something about it.
22. My only argument with it is that it's pegged at a figure that's
23. unreasonably low, and that we ought to peg this figure at 36% and
24. I would urge support of all the membership. Thank you.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. On that ... the question is shall Amendment No. 1 be adopted?
27. Those in favor vote Aye, those opposed No. The voting is open.
28. (Machine cut off) those voted who wish? Take the record. On
29. that question the Ayes are 4, the Nays are 35, 1 Voting Present.
30. Amendment No. 1 fails. Amendment No. 2, Senator Hickey.

31. SENATOR HICKEY:

32. Thank you, Mr. President. My amendment has been distributed
33. a couple of times ... you ... three times I think as a matter-of-

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1 fact, you've had it before you. Suppose we could get people's
2 attention?

3 PRESIDING OFFICER: (SENATOR DONNEWALD)

4 It's very difficult this morning. For a Wednesday, they're
5 surprisingly noisy. Will the members please be in their seats?
6 Let's...let's take the conferences off the Floor. We will not proceed
7 until we have silence. Proceed, Senator.

8 SENATOR HICKEY:

9 By introducing the amendment, I want to say that Winnebago
10 County has been assessing at 44% closer to the mandate of the
11 statutes than any county in the State of Illinois and in so
12 doing, the school districts of my county have lost thousands and
13 thousands of dollars in State aid. Now, with the new level of
14 assessments at 33 1/3 which 990 would bring about, the resulting
15 loss of local property tax money would cripple both school districts
16 and other local tax districts, most of which are already at
17 their maximum rate. This amendment would increase the 1974 EAV
18 computation by 6% for both the years 1975 and '76. That 6%
19 figure was arrived at because that is the normal pattern of growth
20 in Winnebago County, the average yearly increase. In addition,
21 the amendment provides that the 1974 EAV may not be used to
22 calculate State aid. Since the changes in assessment levels are
23 not reflected in school aid grants for two years, this amendment
24 would allow the maintenance of local tax revenues for '75 and '76
25 assessment years while the school aid grants are still being paid
26 at their prior assessment level. Then in 1977 assessment year
27 when the county must be assessed at 33 1/3 the schools will begin
28 receiving higher State aid grants based on 33 1/3 assessment
29 levels. In summary, the schools will be protected during the
30 1975 and '76 assessment years by maintenance of their local tax
31 base, then by 1977 when their local tax base might be decreased,
32 the increase in State school aid grants will increase substantially.
33 Now, it not only affects school districts, but other taxing districts

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1 also, such as park and sanitary districts which that are right
2 now at their maximum this amendment would allow 6% increase in
3 the '74 EAV for the year '75 and a 12% increase in 1976. This
4 should allow a normal growth in equalize assessed valuation until
5 the year 1977 when the EAV is required to be 33 1/2% of actual
6 cash value and the counties will no longer be able to use their
7 1974 equalized assessed valuation. I'd be glad to try to answer
8 questions. Winnebago County is the only one which is above...
9 does fill this qualification of having been above 40% in 1973.
10 It will not affect anybody...any other county in this State but
11 we feel that we should have this consideration, and I ask for a
12 favorable roll call. I...

13 PRESIDING OFFICER: (SENATOR DONNEWALD)

14 Is there...

15 SENATOR HICKEY:

16 ...Excuse me, one more thing. I want to vote for 990, but
17 I cannot vote for 990 unless this amendment is adopted.

18 PRESIDING OFFICER: (SENATOR DONNEWALD)

19 Is there further discussion? Senator Fawell.

20 SENATOR FAWELL:

21 Well, just very briefly. I...I completely understand what
22 Senator Hickey is referring to, and she's doing a very creditable
23 job for Winnebago County. Now, the example of what we get into
24 though when we get legislation like this is really illustrated
25 by...by her amendment. I have townships in DuPage County that
26 have 38%. You refer to an area, an entire county which evidently
27 averages at 40%, they may be 44. There are townships, I suppose,
28 that are way down and some are way up and it averages out at such.
29 Then those areas that also are doing just about as well, but haven't
30 quite hit the magic marker of 40 are still penalized to the
31 degree that...penalized in that degree that you are attempting
32 to avoid by your amendment. Again, I...can sympathize here, I'm
33 not quite sure how one should, therefore, vote on your amendment

1 except to say that it ought to be brought down to help out those
2 people who...because any district that is arbitrarily...well, it
3 has been doing the job, and by means of this bill, will actually
4 be penalized for having done that job, and as you pointed out,
5 they've been losing State aid too as a result of having done the
6 job. The whole thing is ludicrous because of the failure of the
7 State to imply do what the Legislature told the Department of
8 Local Government Affairs to do but I...I...I only want to
9 point out, therefore, the discrimination that will be suffered and
10 probably to the point where it's unconstitutional is...and the bill
11 is probably I think unconstitutional, but other districts that
12 are 38, 39 won't get that help and why should they not get it, et
13 cetera. I think I'll just have to vote Present on the amendment.

14 PRESIDING OFFICER: (SENATOR DONNEWALD)

15 Senator...Senator Clarke.

16 SENATOR CLARKE:

17 Mr. President, I also sympathize with Senator Hickey because
18 her county has been doing the best job according to the official
19 figures of assessing at the statutory level closer to it than any
20 other county in the State. However, the problem that we have is
21 State-wide, it's not just for Winnebago County or many other
22 counties that are closer to, rather than or higher than, rather
23 than below the 33 1/3 which is the mean that we figure over the
24 State. I also think that Senator Hickey's loyalties are a
25 little misplaced, and I've told her so because she, in effect, is
26 asking for the authority to tax her people more and also get more
27 from the State in State aid by using an artificial 33% level
28 rather than worrying about the taxpayers who have been paying
29 double over these years and being penalized because of the good
30 job they've done. I want to second what Senator Carroll said. I
31 think that this is only half of the problem, that we have to do
32 this to meet the court mandate but we also have to work, whether
33 it's the joint committee studying the property tax which will

1 continue, or I would hope a new tax commission that could be
2 created that would supervise and work with the Legislature. I'm
3 with the School Problems Commission to look at these districts
4 that are being hurt, and how we can change the school formulas to
5 give them some relief.

6 PRESIDING OFFICER: (SENATOR DONNEWALD)

7 Just a moment. Will the members please be in their seat?
8 The conferences in the well on both sides of the aisle. Clear
9 the aisles on both sides. Sergeant-at-Arms...get with it!
10 Absolutely devoid of order, this morning. Worse than usual. Pro-
11 ceed, Senator.

12 SENATOR CLARKE:

13 Thank you, Mr. President. I agree with Senator Fawell. I
14 think that this amendment would place a questionable constitutional
15 ...impediment on this bill because you'd be treating one county
16 in effect, different from all the others, and as Justice Underwood
17 said in his opinion, the uniformity clause in the Revenue Act does
18 not permit this type of nonuniformity. I think we have to
19 deal with this problem in our subcommittee hearing of 3 1/2 hours.
20 The school people and the park district officials from Rockford
21 were there. They quizzed these experts at length, and we dis-
22 cussed their problem. I think we have to help them, but we have
23 to help them in another way through the school formula, through
24 a special grant program, and we've got to go to work on it this
25 summer, but I do not think this amendment should be placed on
26 this bill, and I would urge you to vote no.

27 PRESIDING OFFICER: (SENATOR DONNEWALD)

28 Senator Carroll.

29 SENATOR CARROLL:

30 Thank you. Once again, following Senator Clarke, I again
31 agree with Senator Clarke, and for very similar reasons. As he
32 stated and as Senator Hickey, of course, knows, we did spend several
33 hours reviewing this proposed amendment as well as the bill as a

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1 whole and I think it does do that which has been eluded to, and
2 that is, probably impair the constitutionality of the whole bill.
3 We have set up a classification that is not allowed for in our
4 statutes or in our Constitution in an area where the court has
5 mandated uniformity and I think that's the key word but it
6 does more than that, as Senator Clarke has said. It allows
7 Winnebago, who I must say, should be commended for having tried
8 to meet the 50% mandate, they're the only county who came close,
9 and it does look as if they're getting penalized, but they're
10 really not because the bill guarantees them the same dollar level
11 next year that they had this year. The bill guarantees that
12 the 33 1/3% that they will be required to meet, they will meet
13 by inflation. Their dollar level will be the same as it was
14 when they were assessing at 44 until the value of the land comes
15 up to such that the assessment is 33% of that value. So, what
16 this amendment does, it gives the local units of government the
17 power to tax at a greater level, but still allows the schools to
18 get the school aid formula as if they were 33 1/3. So, it's not
19 a question of fairness, it gives them double, and I think for that
20 reason if not the others, it should be opposed.

21 PRESIDING OFFICER: (SENATOR DONNEWALD)

22 Senator Wooten.

23 SENATOR WOOTEN:

24 Mr. President and colleagues.

25 PRESIDING OFFICER: (SENATOR DONNEWALD)

26 Just a moment, Senator. Now, we can't continue unless we
27 have order. Senator Wooten.

28 SENATOR WOOTEN:

29 We have been speaking as if the constitutional issue is
30 clearly settled. It is not. You can argue on both sides of that.
31 It seems to me a matter of simple justice. I would like to
32 support this bill, but I do not think we ought to penalize the
33 county that has done this...the best job in meeting its obligations.

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1 In simple justice, we cannot penalize them in this bill. I urge
2 the adoption of this amendment.

3 PRESIDING OFFICER: (SENATOR DONNEWALD)

4 Senator Berning, did you wish recognition? Senator Berning.

5 SENATOR BERNING:

6 Thank you, Mr. President and members of the Senate. There
7 isn't a member of the Senate this...in attendance this morning
8 who isn't sick and tired of the entire discussion of the problems
9 of equalization between townships and between counties and the
10 attendant problems they create for our...our school districts
11 and that's the point I want to emphasize. The only reason for
12 the necessity of equalization is for school aid, and I recognize
13 what Senator Hickey is attempting to do. My county is less
14 adversely affected by this than yours, but I invite you, Senator,
15 and the other members of the Senate to urge the Tax Study Sub-
16 committee to investigate sincerely the advantages of our abandon-
17 ing the whole resource equalizer State Aid Formula Program and
18 go to a flat grant per pupil based on the amount of money avail-
19 able to the State. We would, thereby, eliminate the need for
20 this kind of brawling that we have been experiencing now over
21 equalization of assessments and the disputes between the courts,
22 the assessors, private citizens and the Department of Local Govern-
23 ment Affairs, in fact, we could save thousands and thousands of
24 dollars for the State which could go into greater funds available
25 to the schools by practically eliminating the need for the De-
26 partment of Local Government Affairs. Senator Hickey, members
27 of the Senate, I think the time has come that we ought to reappraise
28 not the advantages, but the total disadvantages of the present
29 equalization requirements and the resource equalizer formula
30 which I am frank to admit I cannot comprehend, and I doubt if there
31 are many in this Body who can.

32 PRESIDING OFFICER: (SENATOR DONNEWALD)

33 Senator Nimrod.

1 SENATOR NIMROD:

2 Mr. President and fellow Senators, accepting the fact that
3 Senator Berning has some merit, and I will assist him to accom-
4 plish what he's after, we are faced with an amendment at this
5 time on a bill and a crisis that faces us, and I would say,
6 Senator Hickey, that I sympathize with you and hope and wish
7 there were an answer. However, I think your amendment is...pro-
8 vides no flexibility, and even if you had a larger growth than
9 6% you couldn't take advantage of it, and you do eliminate many
10 of us who, you exempt us by not providing for us who are somewhat
11 in the same area of problem that you are, and I would hope that
12 maybe with my amendment you would at least get some of what
13 you're after, rather than pursuing this with only with Winnebago.
14 PRESIDING OFFICER: (SENATOR DONNEWALD)

15 Is there further debate? Senator Smith.

16 SENATOR SMITH:

17 Mr. President and members of the Senate, I have tried in
18 my humble way to digest the arguments that have been made here
19 today and have been made from time to time throughout the years
20 with regards to a situation such as we find ourselves in today.
21 I've tried to place myself, my area in the light of the conditions
22 that now confronts a member here. I have listened to the state-
23 ments concerning the rulings of the Supreme Court of this State.
24 My sympathy as goes with the position assumed by the little
25 lady who stands here to my left facing me. The same time I
26 recalled of something that happened down in my native Tennessee many,
27 many years ago when I was a lad and you know from my age that
28 it was many, many years ago. We had segregation there in my
29 native Chattanooga, Tennessee. They allowed one seat for the members
30 of my ethnic group at the rear of the car, and I recall as if it
31 happened yesterday, when they were taking up the fares or lifting
32 the fares of those of us who were sitting there. The ticket taker
33 said to a lady, white lady, I must collect for this child, he is

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1 more than eleven years of age, and the lady became irritated, and she
2 said to the conductor, says I've only been married ten years-
3 you say the lad is older than 11 or 12 or whatever the age limit
4 was for half-fares, and the conductor looked at her and he said,
5 lady, I lift fares, I don't take confessions. This is a serious
6 situation that we are facing here, and will presently vote upon
7 that will directly affect the Senator. I heard the argument
8 about the Supreme Court ruling, and the stress was put upon the
9 legal interpretation of one word, and that carries my mind back
10 again to the hills of East Tennessee when they had a member of
11 my ethnic group before the bar and the whole legal agrument
12 centered upon the legal interpretation of the little word "or".
13 He, of course, was condemned whatever the spelling of the word or
14 the legal interpretation. I'm wondering if it's the province
15 of this Body to determine as to the legality of whatever the
16 Supreme Court might see fit to rule or has seen fit to rule in
17 previous cases. I remember prior to the coming of this Body of
18 Senator Davidson, his predecessor, Senator Horsley who sat over in
19 the far southeast section of the Senate, argued as so often he
20 did in the closing days of the Session when he became most vocal
21 that a given measure the Court had ruled or would rule to be
22 unconstitutional, and I stepped out of the door and went into my...
23 into my office and I came back and I did then as I am doing, now I
24 seldom enter these agruments, and you know why, and I produced a
25 clipping which contained the argument advanced by that same
26 Senator, that it is not our duty to be led and guided in our
27 deliberations and in our voting with reference to the rulings of
28 the court in a given matter. That light hasn't come on, Senator.

29 PRESIDING OFFICER: (SENATOR DONNEWALD)

30 ...Senator, it's already been on and off again.

31 SENATOR SMITH:

32 ...It hasn't been on at all since I've been standing...

33 PRESIDING OFFICER: (SENATOR DONNEWALD)

1 ...Yes...yes...yes, it has, Senator.

2 SENATOR SMITH:

3 ...I watch that because I know how quick we are on the draw
4 if I take the Floor.

5 PRESIDING OFFICER: (SENATOR DONNEWALD)

6 ...Senator, you used over 6 minutes.

7 SENATOR SMITH:

8 My seatmate says it wasn't on, and I've been watching that
9 and...it is, now just let me say this, my natural inclination
10 would be to vote with the Senator because it directly affects her
11 district or rather that your entire city, is it not, Senator? Yes.
12 I'm wondering if we must of necessity be bound by a court ruling.
13 I assume it's the duty of the Attorney General to interpret and
14 to pass upon the legality of measures prior to the signing of a
15 given bill by His Excellency. If I were to vote strictly in keeping
16 with what the precedents are and have been, together with many of
17 the others, I would necessarily vote a given way. I don't know as yet
18 how I'm going to vote. I want to vote with you. Is that your
19 amendment? Whatever others may do...I imagine if this...your
20 ...you amendment fails, you are through, insofar, as a probable
21 return to this Senate. I want the...

22 PRESIDING OFFICER: (SENATOR DONNEWALD)

23 Senator, just a moment. Senator, your time has more than
24 expired. Well, that's the second time around.

25 SENATOR SMITH:

26 Alright, alright, I'm going to vote with the little lady,
27 nevertheless.

28 PRESIDING OFFICER: (SENATOR DONNEWALD)

29 Senator...is there further debate? Sention Hickey may
30 close the debate.

31 SENATOR HICKEY:

32 Thank you, Mr. President. I want to say something to each
33 one of the people who has spoken. First of all, I want to say to
all of them that we are not now at this point debating HB 990, I

1 think some...some people slipped into that temptation in this
2 during the debate. This is only on...on this amendment. A
3 couple of people made the point that we shouldn't do anything
4 that just takes care of one county. I'd like to remind the
5 people of the subcommittee, the Senate Revenue Committee, that I
6 did try a different approach which I think would have helped
7 downstate in its problems in this matter, too, and was totally
8 discouraged from trying to get a State-wide solution to this
9 which would fit Winnebago County also, and so, resorted to this as
10 the result of their admonition. Secondly, Senator Fawell, you
11 spoke of the constitutional question. Senator Smith just mentioned
12 it again. I have a severability clause ready to introduce as
13 an amendment which would take care of that if...if this were
14 decided to be unconstitutional by the court, we would be the
15 losers, the rest of the State would not be so that there isn't
16 ...and I'm willing to take that risk, but that provision I
17 have here in hand and will introduce that if...if this amendment
18 goes through. Thirdly, Senator Clarke, you talked about how
19 we're really putting it to our taxpayers by supposing a 6% growth
20 for 2 years. Let me tell you, Senator Clarke, our taxpayers in
21 Winnebago County have been getting it in the neck of the State
22 of Illinois for a long, long time and they're tired of it, and
23 this is the way to help those taxpayers, not hurt them, and the
24 taxpayers of Winnebago County want this amendment, and they want
25 it badly, so don't be crying for the local taxpayers of Winnebago
26 County if this amendment is passed. Fifthly, somebody suggested
27 that we study this over the summer. That seems to a good answer
28 to a lot of questions. This amendment gives some immediate relief
29 for the 19...1975 assessment year, studying it over the summer
30 won't take care of that problem. And now, Senator Carroll, I'd
31 like to say that when you talk about this only taking care of a
32 specific problem in Winnebago County, I find it very curious that
33 any legislator from Cook County would complain about special

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1 legislation for a county or for a city. The statutes are repleat
2 with terms such as except in counties of three million population
3 and in cities with population of one million or more. In fact,
4 this Session the Senate passed Senate Bill 209 which was designed
5 to allow the Chicago schools...Senator Morris, will you yield me
6 your time. Thank you.

7 PRESIDING OFFICER:(SENATOR DONNEWALD)

8 Under our rules that is not permissible, Senator.

9 SENATOR HICKEY:

10 Well, I...I would like to close by saying that some other
11 Cook County schools to maintain their 1972 assessment base because
12 of their complaint of a lower assessment base due to a lower
13 multiplier. In Winnebago County, we've come closer to obeying
14 the law than anybody else. I'm not asking you for anything for
15 anybody else but for Winnebago County, and I want to vote for 990
16 which I will do if this amendment passes. I ask for a favorable
17 roll call. Thank you.

18 PRESIDING OFFICER:(SENATOR DONNEWALD)

19 The question is shall Amendment No. 2 be adopted? Those in
20 favor vote Aye, those opposed No. The voting is open. Have all
21 those voted who wish? Take the record. On that question the
22 Ayes are 19, the Nays are 22, 1 Voting Present. Amendment No. 2
23 fails. Amendment No. 3, Senator Nimrod.

24 SENATOR NIMROD:

25 Mr. President and fellow Senators, I think we are becoming aware
26 that there is a serious problem...

27 PRESIDING OFFICER:(SENATOR DONNEWALD)

28 Just a...Proceed, Senator.

29 SENATOR NIMROD:

30 ...that affects several school districts and taxing bodies, and
31 I believe that this amendment certainly addresses the problems
32 that were rejected or concerned in...in Amendment 1 and certainly
33 Senator Hickey, I think it addresses a partial answer to your particular

1 problem. What this amendment does is, provide that any...
2 any particular area which is above the 33 1/3% that they themselves
3 and it's for those communities that are two hundred thousand or
4 over and that's all those that are eligible to classify.. This would
5 take care of those districts for the next two years during this
6 period of adjustment and guarantee that they would be entitled to
7 at least a 3% growth. Now, the advantages over what Senator Hickey
8 had, she had just stated 6% and if they grew 8% they wouldn't
9 get it. This allows that if it's more than 3% that that growth
10 will be permissible for that area. We in no way in this amend-
11 ment tamper with the assessments. We tamper with the tax rate and
12 this is similar to 209, Senate Bill 209, which we passed which
13 provided for a special conditions for a particular period because
14 we are changing the law. Now, I would submit to you that this
15 does remedy a majority of the problem. At the same time it does
16 not bring up the downstate counties, it does not force them to
17 have any additional tax as a result of putting this amendment
18 on. If I were to put this amendment in very simple terms, it does
19 this, it allows for those areas and those districts which are going
20 to be hurt, an opportunity to be guaranteed a gross factor which
21 will not be excessive and at the same time not gouge or tax or put
22 an...undue burden upon the taxpayers. And it provides for a
23 two year period within that time, we are hopeful we have a chance
24 if we continue studying, that if there are further problems resulting,
25 we can do it. But certainly those areas which have been affected
26 and are going to be hurt, are certainly considered in this area
27 without affecting someone else. I'd be happy to answer any
28 questions. If not, I would urge a favorable...adoption of this
29 particular amendment.

30 PRESIDING OFFICER: (SENATOR DONNEWALD)

31 Senator Clarke.

32 SENATOR CLARKE:

33 Mr. President, again I'm going to have to resist this amendment

1 Senator Nimrod and the Senate and the House have passed a
2 bill for Cook County because of the question between quadrants,
3 the variations for the second year, and yet I've talked to school
4 people and I've said, how long do you want this floating tax rate,
5 and they say, indefinitely. And really this applies State-wide,
6 a floating tax rate so that the taxing districts will get all of
7 the money that they would otherwise lose by lowering of the
8 assessment level. I refer you back to the map that I put on your
9 desk and the rapid, downward trend of the assessment level because
10 of inflation. And I would suggest to you that again this is not
11 the way to meet this problem, we have to look at the effects of
12 this bill in terms of impact at districts, districts that are
13 going to be precluded from growth because they have been doing
14 too good a job of assessing and adjust the formula to give them
15 some help over these several year periods that this bill takes effect.
16 I would urge a No vote.

17 PRESIDING OFFICER: (SENATOR BRUCE)

18 Is there further discussion? Senator Carroll.

19 SENATOR CARROLL:

20 Thank you, Mr. President. I, too, am going to have to oppose
21 this amendment. While Senator Nimrod and I have discussed it for
22 a long time and I can see some advantage in the concept, I think
23 Senator Clarke has touched upon the real problem with it and that
24 is the floating rate. If we're going to have to bite the bullet,
25 let's bite the bullet. If we're going to be uniform, let's be
26 uniform. Even though Senator Nimrod's amendment would help a lot
27 of the school districts in my legislative district, and in many others,
28 and we know they need help. I still think we have to do something
29 more important than that and that is be uniform at whatever level we
30 have picked. We have picked the 33 1/3% level because that seems
31 to be the medium throughout the State. Regardless of that, I think
32 the floating rate destroys that uniformity, and I would hope we could
33 find another approach to solve the problem, and still maintain

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1 the posture of keeping a uniform system. I would, therefore, urge
2 opposition.

3 PRESIDING OFFICER: (SENATOR BRUCE)

4 Is there further debate? Senator Nimrod may close.

5 SENATOR NIMROD:

6 Mr. President and fellow Senators, I would say this, that
7 while the explanations of being a uniform conditions are laudable
8 and I would hope it could take place, the bill is being voted upon now
9 there are no other opportunities. The time is now. Now, what this
10 amendment does is very simple. It is limited for only a two year
11 period. It will not raise and put any additional taxes on any
12 of the areas which have to come up to the 33 1/3% level. It will
13 not penalize those districts and those counties which have been
14 doing a good job. I think that what we're saying here is that we
15 have a fair and equitable bill. I know the temptation is not to
16 get back to the House because they're going to put an amendment on
17 it, but I think this is far too important to deny those taxing districts
18 and those taxpayers an opportunity to be...to be considered fairly. I
19 think you heard Senator Hickey...pertain, that this would indicate
20 Winnebago, and it would provide for her conditions. It would take care of
21 the areas that Senator Glass was talking about, and at the same time
22 it's a compromise to solve the problems. Certainly if this...
23 if 209 was good for Cook County, certainly 209 is good for the
24 whole State. That's why I can't understand why there was any
25 consideration that it was not being uniform. This is a uniform
26 bill and does provide conformity, and I would urge the adoption of
27 this amendment.

28 PRESIDING OFFICER: (SENATOR BRUCE)

29 Question is on the adoption of Amendment No. 3 to House Bill
30 990. Those in favor vote Aye, those opposed vote Nay. The
31 voting is open. Have all voted who wish? Have all voted who
32 wish? Take the record. On that question the Ayes are 5, the
33 Nays are 29, 1 Voting Present. On the motion to adopt...the

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1 motion to adopt is lost. Any further amendments? 3rd reading. Is
2 there leave to go to the order of House Bills 3rd reading for the
3 consideration of House Bill 990?...Leave. Leave is granted. For
4 what purpose does Senator Graham arise?

5 SENATOR GRAHAM:

6 We've been changing Presiding Officers so rapidly. I have a
7 matter on the Secretary's Desk before you...before you go to 3rd
8 reading. I'd like to deal with. It's of some consequence.

9 PRESIDING OFFICER: (SENATOR BRUCE)

10 Senator Graham, there would not be requiring...

11 SENATOR GRAHAM:

12 Alright, I'll wait...

13 PRESIDING OFFICER: (SENATOR BRUCE)

14 ...intervening business. ...

15 SENATOR GRAHAM:

16 ...I'll wait.

17 PRESIDING OFFICER: (SENATOR BRUCE)

18 ...Let's get 990. We've had debate. ...Secretary will read
19 House Bill 990 3rd time.

20 SECRETARY:

21 House Bill 990.

22 (Secretary reads title of bill).

23 3rd reading of the bill.

24 PRESIDING OFFICER: (SENATOR BRUCE)

25 Senator Clarke.

26 SENATOR CLARKE:

27 Mr. President, I think everybody knows the issue here, but I
28 would like to explain several other features because people have
29 asked me in discussions I've had, for instance, before the Chicago
30 Bar Association Tax Committee, why is this going to do any better
31 than as one of the Senators referred to, five years ago when we low-
32 ered it from a hundred fifty percent? What is the magic in this and,
33 of course, the answer is, we don't know for sure, but there are several

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1 factors that are different. Number one, we provide in this bill for a
2 three year phase-in period during which those counties that we've
3 been discussing that are assessed above the 33% level will be
4 held somewhat at their same dollar level of...so, that the inflation,
5 hopefully, over the next three years and I think inflation will
6 continue, will bring them down to 33% and this is particularly
7 important to those 78 counties and there are 78 of them that are
8 below 33% to give them a three year step to...step by step each
9 year, 1/3 each year to bring them up to the 33% so it's not too
10 big a jolt to those taxpayers. Beyond that as I have referred,
11 again, we are continuing the work of the Joint Committee on prop-
12 erty tax. I would hope that at some time we will be able to con-
13 sider a tax commission to give the authority to supervise this
14 program to some people who will actually do the job, and we
15 all know, and the Supreme Court Justices have said, the Department
16 of Local Government has not done the job. So, I think though to
17 meet the mandate of the court order to provide equity for the
18 people of this State that this bill is a necessity to equalize at
19 33.1/3%. Urge your favorable consideration.

20 PRESIDING OFFICER: (SENATOR BRUCE)

21 Is there further debate? Senator Knuppel.

22 SENATOR KNUPPEL:

23 Well, of course, I think this is...this bill is entirely
24 visualistic and conceptionally and otherwise. If we can't get an
25 assessment level throughout this State, and we've been struggling
26 with this since the 1930's, this bill isn't going to do it. We
27 have to follow some kind of procedure to let local people decide
28 what they want to assess and to do it. However, we're in a
29 melluva hess right at the present time, and I'm going to support
30 the legislation, and I've told Senator Clarke it's purely on a
31 temporary basis. Now, hopefully, hopefully, we can meet the mandate
32 of the Illinois Constitution about the abolition of all personal
33 property. We can come up with some kind of a...of a liveable

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1 Act for raising revenue that is just for everybody. I don't think
2 that this is just for everybody. I don't think that this bill
3 will accomplish what we need to accomplish, nor do I think it will
4 be adequately enforced over a long period of time. But right
5 at the present moment we have an emergency. I'm going to vote
6 for the bill purely as an emergency bill. I think it stinks, but
7 it's the only solution we have.

8 PRESIDING OFFICER:(SENATOR BRUCE)

9 Is there further debate? Senator Glass.

10 SENATOR GLASS:

11 Thank you, Mr. President. In...in response to Senator Knuppel
12 comments, it's true we have an emergency, but I think Senator Clarke
13 will recognize that the emergency doesn't require that we act
14 on this bill right now. We have until the fall, at least, to do
15 something on this problem and the trouble with the bill,
16 as I see it is that it is not an emergency bill...temporary bill.
17 It is a final solution. This...this is a solution...the overall solution
18 to the problem, and as Senator Carroll points out, it would be
19 nice to be able to work with...with some other bills to...to answer some
20 immediate problems that this one creates, but there were three
21 amendments offered to do something about that, and he opposed them
22 all as did the membership and I would just ask what it is that
23 you think you're going to do to soften the blow on a number of
24 your taxing districts if this bill passes in the form that it does.
25 I think without any of the amendments it's a bad bill and ought
26 to be defeated.

27 PRESIDING OFFICER:(SENATOR BRUCE)

28 Is there further debate? Senator Carroll.

29 SENATOR CARROLL:

30 I rise in support of House Bill 990 which has been the work
31 as has been stated of several years of study. And I think all of
32 the membership recognize that this may not be and is not the final
33 solution, and...but it is an immediate solution. The court, to those

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1 of you who have read the opinions, said - we will assess at 50%
2 if the Legislature does not act clearly and mandate a uniform
3 level at whatever figure the Legislature sets. They threw the
4 ball back to us and said if we don't hit it they're going to peg
5 it at 50%. I think the taxpayers of this State who are the
6 property owners, can ill afford taxes based on 50% of the assess-
7 ments. I recognize that we're balancing between assessed values
8 and rates to determine what the dollars are going to be, and
9 if Senator Glass wants an immediate solution, that could be it.
10 You can amend the rates by the taxing bodies if those taxing dis-
11 tricts can show the people that they are doing the job and they
12 need additional dollars, and this tax assessment level would give
13 them. I think, for now we must support the 33 1/3% level through
14 House Bill 990 to set a uniform rate throughout the State, and if
15 the taxing bodies have problems selling their constituencies that
16 they're doing the job, we can deal with that problem at a future
17 time. Thank you.

18 PRESIDING OFFICER : (SENATOR BRUCE)

19 Senator Buzbee.

20 SENATOR BUZBEE:

21 Question of the sponsor, Mr. President. Senator Clarke, my
22 legislative district it so happens, as I know you're well aware, that
23 every county in my legislative district with the exception of one,
24 Monroe County, is presently assessing under the 33 1/3% level.
25 Now, I have had a lot of correspondence from people in the assess-
26 ing business and county government and so forth saying, please
27 vote for this bill. But let's take...let's take Randolph County,
28 as an example, which is at 24.95%...say 25%. If this bill were to
29 pass they jump to 33 1/3 over a period of three years. Now, I
30 don't want the property taxes in Randolph County to jump by that
31 much of an increase because of this bill. How does the mechanics
32 work of the rate decrease as...as multiplied against the...the new
33 assessed valuation? I want to know how the mechanics of it works.

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1 PRESIDING OFFICER: (SENATOR BRUCE)

2 Senator Clarke.

3 SENATOR CLARKE:

4 Well, you take Randolph County which is, on the last information as
5 you say, assessed equalized at 25%. The mechanics of the bill is
6 that over a three year period, 1/3 of the difference between 25
7 and 33 1/3 would be automatically increased to the rate in that
8 county. Now, you asked about the taxpayers and the impact on the
9 taxpayers and, of course, then you get into the levies of the various
10 taxing districts, and some of those levies or what make up those
11 levies have tax rate limitations, such as the schools, the education-
12 al funds and so forth. So, they can only levy so much up to their
13 tax rate limit if they are levied...so that that doesn't mean the
14 increase in the assessed valuation per se doesn't mean that the
15 taxes in dollars to the taxpayers are going to go up that much.
16 Because the taxing districts do have, in many cases, a limit in the
17 statute on what they can levy.

18 PRESIDING OFFICER: (SENATOR BRUCE)

19 Senator Buzbee.

20 SENATOR BUZBEE:

21 Well, is it up to the taxing district to lower their levy to
22 be able to take a...to be able take up the slack here in...in the...what
23 the assessed valuation is going to raise the...the possible taxes?

24 PRESIDING OFFICER: (SENATOR BRUCE)

25 Senator Clarke.

26 SENATOR CLARKE:

27 Well, of course, in theory that that should happen, that if there's
28 an increase in the evaluation then the rates should go down in order
29 to produce the dollars that they ask for. Now, in matter of fact,
30 and anybody who's gone around and talked to county clerks over
31 the State knows, many taxing districts ask for a levy far in excess
32 of what they expect to get, because they're not sure of what
33 the increase in the assessed valuation will be. And so in

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1. many cases the county clerks have to cut back those levies, so
2. that you don't really know the answer to your question until you
3. know all of the factors involved in what actually makes up the
4. final tax bill.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Buzbee.

7. SENATOR BUZBEE:

8. Well, who, has the authority to cut that rate?

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Clarke.

11. SENATOR CLARKE:

12. The county clerk of each county, because they are the ones
13. who actually extend the taxes, and in extending the taxes they have
14. to look at the tax rate limits, and even though the levy was asked
15. for was greater, they cannot extend the taxes above those...rate
16. limitations. So, they may have to cut them back. Those...the county
17. clerks do that.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Buzbee.

20. SENATOR BUZBEE:

21. So we have no assurance that property taxes won't jump con-
22. siderably in Randolph County if we pass this bill, then.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Clarke.

25. SENATOR BUZBEE:

26. The ... the final bill, you know what I mean. The taxpayer
27. really doesn't ... isn't too concerned about what the assessed
28. valuation is or what the rate is or the levy is, all they know is,
29. what's the cost of my property tax bill.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Clarke.

32. SENATOR CLARKE:

33. Well, I refer, again, back to this chart which ... indicates the

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1. tremendous rate of inflation in real estate, and if your county
2. assessor was doing half way a job that he's suppose to do by law,
3. the tax rate, I mean the tax bills would be going up anyway
4. because the assessed level is supposed to be based on 50% of
5. fair market value. Now, the fact of the matter, he probably hasn't
6. been doing this, in many of the counties, therefore, he hasn't been
7. equalized even at anything like what he's supposed to be equalized
8. at so that the court if we don't do something may come in and
9. equalize at 50% or something close to that, and then your taxpayers
10. will really be in trouble.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Buzbee, your time ... Senator Bell.

13. SENATOR BELL:

14. Thank you, Mr. President. Question of the sponsor.

15. PRESIDING OFFICER:

16. Indicates that he will yield.

17. SENATOR BELL:

18. Senator Clarke, what do you do ... what does your ... what
19. happens to a county when that assessor says - well, we're just not
20. going to raise the rates?

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Clarke.

23. SENATOR CLARKE:

24. Well, there're several things that happen if you followed the
25. law. You've got a supervisor of assessment who's suppose to, then,
26. go in and go over the head of the assessor and raise those assess-
27. ments. You've got a Board of Review in your county that's
28. suppose to do the same job township by township, and can even do
29. it by parcel. So you've got a law to follow, and in the final anal-
30. ysis the Department of Local Government is suppose to equalize the
31. whole county.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Bell.

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1 SENATOR BELL:

2 Well, it comes...comes to my knowledge that there's some super-
3 visors of assessment that simply said that they are not going to...
4 they're not going to raise it, and told the county board as such. The
5 county board has generally been in agreement with that.

6 PRESIDING OFFICER: (SENATOR BRUCE)

7 Senator Clarke.

8 SENATOR CLARKE:

9 Well, that's why we have several cases before the Supreme Court.
10 A lawyer in Lake County by the name of Paul Haymer said everybody
11 is failing to do their duty. He took a case all the way to the
12 Supreme Court year after year since 1968.

13 PRESIDING OFFICER: (SENATOR BRUCE)

14 Senator Bell.

15 SENATOR BELL:

16 Right, let me...let me finish...what I'm trying to get across
17 here, Senator Clarke, members of the Senate, is that we can make rules,
18 we can make laws, and try to equalize the situation so that everyone,
19 every county, so on, is treated fairly, but in special areas you have
20 special problems, and Senator Hickey has addressed herself to this.
21 I guess each county or each district assumes that we have special
22 problems, and I don't really think that Senate Bill 990 is going to
23 particularly solve the problem that we have today. It drops the
24 assessment level down from 50% to 33 1/3, and that's because of the
25 inflation that's going on, but unless you have people doing the jobs,
26 supervisors of assessments and the board of reviews and county boards
27 that have the courage to face up to their problem, it isn't going
28 to make any difference whether it's 50% or 33 1/3, and so you're
29 going to have all kinds of...of law...laws being broken, court actions
30 try to force the issue and when you have that kind of momentous
31 numbers involved, I'm not too sure that, well, quite frankly, Senator
32 Clarke, while I agree with the bill and will support the

33

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1. bill I don't really think it's going to solve the problem.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Schaffer.

4. SENATOR SCHAFFER:

5. Well, I rise in support of this bill. I think after all is
6. said and done, at least in the areas I represent, I think we have
7. an obligation to see that the taxes in this State are collected
8. fairly and evenly. An obligation that we and previous General
9. Assemblies, the Supreme Court, the Governor, the Department of
10. Local Government and virtually every other agency right on down
11. to most local assessors have copped out on, and I think what
12. this bill really is saying is we know that the system doesn't
13. have courage enough to assess equally at 50% but we hope that
14. the system has courage enough to assess equally at 33 1/3. I
15. think they do. I understand the pressures and why they won't
16. assess equally at 50. I think 33 1/3% is a level at which they
17. can, and there will be some painful areas. I happen to represent
18. a couple of them, and I'm going to get some flack on this vote
19. but I think this is a responsible vote, and I think it is a major
20. step to solving what is perhaps one of the major problems in
21. Illinois, and I hope that this bill receives a resounding vote.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Berning. Is there further debate? Senator Clarke
24. may close the debate. Senator Clarke.

25. SENATOR CLARKE:

26. Mr. President, I just want to make a few words in explanation
27. because this bill is a very key bill but it's only one part of an
28. entire package and I think Senator Bell should know this. This
29. committee has been going around, holding hearings and listening
30. to all these assessing officials, the supervisor of assessment,
31. members of boards of review, county board members for the last
32. year and a half. We have got a body of people who are more
33. knowledgeable on property tax in the House and the Senate today

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1. than we've ever had before and this is a continuing problem we
2. got to work at. We've got at least 5 or 6 bills proposing reforms
3. from the State level right down to the township assessor's level,
4. and even the township assessment officials, themselves, are willing
5. to consolidate and abolish about half of them, and these bills
6. would put constrictions on but I don't want to go into that, that
7. doesn't pertain to this bill. This is the key bill that must be
8. passed now to meet the mandate, and to try to bring equality, and
9. I ask for a yes vote.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. The question is shall House Bill 990 pass? Those in favor
12. vote Aye, those opposed vote Nay. The voting is open. Have all
13. voted who wish? Take the record. On that question the Ayes are
14. 50, the Nays are 6, none Voting Present. House Bill 990 having
15. received the constitutional majority is declared passed. We con-
16. cluded last evening on House Bill ... we will begin today on
17. House Bill 2435. Senator Rock. House Bill 24 ... 2455, Senator
18. Kenneth Hall.

19. SECRETARY: (SENATOR BRUCE)

20. House Bill 2455.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Gentlemen if we could have some order, please. Senator
25. Kenneth Hall. For what purpose Senator Partee rise?

26. SENATOR PARTEE:

27. For an announcement. 990 was the first bill on 3rd reading,
28. was that correct?

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. We sought leave to go out of the order of business...

31. SENTAOR PARTEE:

32. Fine. I can understand that. Now, I want to make an announce-
33. ment, Mr. President. I've spoken with Senator Harris, and he, too,

1. has a need for a brief caucus as do we. Now, having started this
2. morning at 10:30, and having perhaps a half hour caucus, it occurs
3. to us that if we take our normal evening dinner hour this will be
4. a rather short and unproductive day. And in lieu of the normal
5. dinner hour, let me make the announcement that at 5:30 there will
6. dinner for everyone in the President's office. We will not take
7. the normal dinner hour. We will after our caucus which we are
8. calling at this moment, will return and work straight through.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Did you wish to conclude on Senator Hall's bill, or did you
11. wish to have the caucus at the present time?

12. SENATOR PARTEE:

13. I'd rather have it at the moment if we can.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Welsh, you have an announcement?

16. SENATOR WELSH:

17. Mr. President, there'll be a Democratic caucus immediately
18. in the President's office.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. PERS: Senator Weaver.

21. SENATOR WEAVER: ...

22. SEN: There'll be a Republican caucus in Room 400, Mr. President.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. PRES: Senator ... Nudelman moves that the Senate stands in recess
25. subject to call of the Chair. All in favor say Aye, all opposed
26. No. The Senate stands in recess.

27. RECESS

28. AFTER RECESS

29. PRESIDENT:

30. The Senate come to order. Is there leave to go to the
31. order of committee reports? Leave is granted. Committee reports.

32. SECRETARY:

33. Senator Hynes, Chairman of Appropriations Committee reports

1. out the following bills: House Bill 139, 854, 913, 914, 915, 946,
2. 947, 957, 1071, 1278, 1305, 1321, 1342, 1358, 1372, 1510, 1525,
3. 1720, 1996, 2256, 2463, 2812, 2971, 2997 and 3034 with the recom-
4. mendation Do Pass. House Bills 2036, 2454, 2989 and 3002 with the
5. recommendation Do Pass as Amended. House Bill 176, 691, 1616,
6. 2013, 2241 and 2970 with the recommendation Do Not Pass.

7. Senator Daley, Chairman of Judiciary Committee reports out
8. House Bill 3083 with the recommendation Do Pass.

9. PRESIDENT:

10. (Machine cut off) Netsch come to the podium, please. Does
11. Senator Graham seek recognition? I carefully waited, Senator, until
12. you put the fork in your mouth.

13. SENATOR GRAHAM:

14. I ... if we're in business I want to have leave to go to the
15. order of

16. PRESIDENT:

17. ... Order. Members be in their seats.

18. SENATOR GRAHAM:

19. ...on the Secretary's Desk.

20. PRESIDENT:

21. What is the number? Is there leave...

22. SENATOR GRAHAM:

23. ...Senate Bill 32.

24. PRESIDENT:

25. ... Is there leave to go to the order of the Secretary's
26. Desk? Leave is granted. Senate Bill 32, Senator Graham.

27. SENATOR GRAHAM:

28. I move that we concur in Amendments 1, 2, 3 and 6 and do not
29. concur in 4 and 5. I want to get this bill into conference, as
30. I'll so advise.

31. PRESIDENT:

32. Senator Graham moves that we concur in Amendments 1, 2, 3 and
33. 6 to Senate Bill 32.

1 SENATOR GRAHAM:

2 And we do not concur in 4 and 5. Tell Senator Netsch I'll
3 be glad to show them to her.

4 PRESIDENT:

5 That we do not...that we do not concur in Senate Amendment 4 and
6 5. You heard the motion. All in favor say Aye, ... The question is
7 shall the Senate concur in Amendments No. 1, 2, 3, and 6 to Senate
8 Bill 32? Those in favor will vote Aye...Senator Bruce is
9 recognized.

10 SENATOR BRUCE:

11 Well, I had understood that on Senate Bill 32 there was going to
12 be a motion non to concur in a...a...alright. Well let's...
13 so this is not final action on...well, yes it could be final
14 action if the House refused...recedes from those other amendments.
15 Why...why don't we know what...you...please explain what you're
16 doing particularly about the ILEC.

17 PRESIDENT:

18 Senator Graham.
19

19 SENATOR GRAHAM:

20 Mr. President, for edification of Senator Bruce, the ones
21 we concurred in were nothing of any great impact. The two amend-
22 ments that may affectively destroy this as a conduit for Federal
23 money, and the one that provided for some guidelines to be set up
24 which the Federal...the Federal lawyers say cannot be done, is
25 going...there's going to be two points of real negotiation in the
26 Conference Committee. The House knew that when we put them on.
27 We have some of the best legal minds in the country going to try
28 to work it out. So, if we can't that straightened out, the bill
29 is going to be dead anyway.

30 PRESIDENT:

31 Senator Bruce.

32 SENATOR BRUCE:

33 What two amendments are we not going to concur in?

1 PRESIDENT:
2 Four and five.
3 SENATOR BRUCE:
4 House Amendments 4 and 5. Alright.
5 PRESIDENT:
6 Senator Rock.
7 SENATOR ROCK:
8 Well, frankly I kind of like House Amendment 5. I wonder if I
9 could concur in 5, and we could confer about 4.
10 PRESIDENT:
11 Senator Graham.
12 SENATOR GRAHAM:
13 No. As long as we're going to conference Senator, as the sponsor,
14 I would rather work...I would rather on both of them in conference,
15 Senator Rock, if you don't mind. I don't know that there would be
16 any substantial change, but that would be my preference.
17 PRESIDENT:
18 Senator Rock.
19 SENATOR ROCK:
20 Well, you know, the only problem is, Senator Graham, as the
21 sponsor you have the right to move to concur or not to concur in any
22 of the amendments. You were asking for a suggestion that you
23 wanted to go to conference and I...I don't have any problem with
24 No. 3, that's the effective date, but why don't we argue about that
25 too. There's some question, I just, as a matter of fact, was over
26 in the House and they're debating Amendment No. 2 to the ILEC
27 appropriation which effectively decimates ILEC and puts transfers,
28 all the functions to this to the commission purposed here in 32,
29 and there's a real question as to the effective date. Now, if you're
30 ...if you're convinced of the effective date, I'm equally convinced
31 to House Amendment No. 5.
32 PRESIDENT:
33 Senator Graham.

1 SENATOR GRAHAM:

2 If it is a problem to you, we can nonconcur in the effective
3 date if that'll be helpful. I...I have no problem with that. I want
4 to get this into conference so we can work out the best possible
5 form if there is an answer, Senator, that's my only intent. And
6 what they're doing in the House, of course, I have no control
7 over.

8 PRESIDENT:

9 Senator Rock.

10 SENATOR ROCK:

11 Well, the only point I'm making is, it's one thing to stand
12 up and concur or not...not to concur at all. It's quite another to
13 select which ones, and I suppose if we took a roll call on the
14 nonconcurrence of 5, I would ask for a roll call on nonconcurring
15 in 5 and then if...if, in fact, we vote to concur that goes on.

16 PRESIDENT:

17 Senator Graham.

18 SENATOR GRAHAM:

19 Well, I would...I would be hopeful, and I would appreciate
20 Senator Rock's cooperation on this. I would be hopeful that the men
21 who have worked on this, including Lee Schwartz and others, that
22 feel that this should be into...into a conference committee that we
23 would have that kind of cooperation and do...do it that way. I
24 have no idea of destroying it or wanting to.

25 PRESIDENT:

26 Senator Bruce.

27 SENATOR BRUCE:

28 Well, as much as this bill is abhorrent to me, I would also
29 point out to Senator Graham that I believe Senator Rock is correct.
30 My bill, Senate Bill 629, on the ILEC, is on Floor debate right
31 now and the effective date will become a critical matter. I'm...
32 you know, in event that this bill sees the light of day and the
33 ILEC appropriations is fund...would...are gutted and put in this

1 the effective date of October 1, is going to be a critical matter.
2 As much as I dislike the bill, I...I think we ought to do it in
3 the proper fashion.

4 PRESIDENT:

5 Senator Graham.

6 SENATOR GRAHAM:

7 This is going to be something going to conference that's not
8 going to be worked out real rapidly. I think you can understand
9 that. I'll be glad to...happy to talk with you and Senator Rock
10 at the time this is going on and...and try to cooperate with you. I
11 think I've established that rapport with you gentlemen in the past.

12 PRESIDENT:

13 Senator Rock.

14 SENATOR ROCK:

15 Well, apparently I did not, as per usual, make myself clear.
16 I think if we're...we're either are going to concur or not
17 concur and if...if, in fact, there is going to be a conference
18 committee, why should we attempt to foreclose the Conference Com-
19 mittee by considering certain of these matters. My suggestion,
20 Senator, is that we nonconcur in the whole batch.

21 PRESIDENT:

22 He says he has no problem with that. So, the question is...no,
23 Senator Graham moves to nonconcur in House Amendments Numbered
24 1, 2, 3, 4, 5 and 6. All those in favor say Aye, opposed Nay.
25 The motion carries, and the Secretary shall so inform the House.
26 Senator Graham.

27 SENATOR GRAHAM:

28 In...in...on the point of personal privilege, if in the
29 event that Senator Rock or Senator Bruce has not heard the amendment
30 proposed in the House for allowing transfer of funds between
31 ILEC and the Criminal and Juvenile Justice Commission just lost.
32 I...I'd thought you'd be happy to know that.

33 PRESIDENT:

STAND
#13
6-25-75

1 PRESIDENT:

2 Is there discussion? The question is, shall the Senate concur in
3 Amendment No. 1 to Senate Bill 701. Those in favor vote Aye. Those
4 opposed vote Nay. The voting is open. Have all voted who wish? Take
5 the record. (machine cutoff) this question, the Ayes are 45, the Nays
6 are none, with none Voting Present. The Senate concurs in Amendment No.
7 1 to Senate Bill 701, and the bill having received the constitutional
8 majority is declared passed. For what purpose does Senator Knuppel...

9 SENATOR KNUPPTEL:

10 ...All...

11 PRESIDENT:

12 ...Senator Knuppel...

13 SENATOR KNUPPTEL:

14 ...Also, Senate Bill 805 which was the economic impact bill which
15 went out of here, I think, about 35 to 5, or 45 or 5 there were four
16 amendments, 1, 2, 3, and 5 placed on the bill in the House. These are
17 largely technical...amendments, and the Chamber of Commerce followed
18 this bill very closely in the House, and the amendments that were put
19 on tend to lean it toward those people who were originally opposed be-
20 cause of the...because of the ecological situation. This bill has be-
21 come virtually an agreed bill between the Institute of Environmental
22 Quality and the Chamber of Commerce. I would move that we concur in
23 the House Amendments No. 1, 2, 3, and 5.

24 PRESIDENT:

25 ...Any discussion? The question...Senator Wooten.

26 SENATOR WOOTEN:

27 If...if I understand the sponsor, they are purely technical in
28 nature, Senator Knuppel?

29 PRESIDENT:

30 Senator Knuppel.

31 SENATOR KNUPPTEL:

32 They all, but one of them, and the one that was put on, Senator
33 Wooten, I assure you, was...was one that would have had made you...

1. would have pleased you more greatly with the bill than the other way
2. around.

3. PRESIDENT:

4. Any further discussion? The question is, shall the Senate concur
5. in Amendments No. 1, 2, 3, and 5 to Senate Bill 805? Those in favor
6. vote Aye. Opposed Nay. The voting is open. Have all voted who wish?
7. Take the record. On this question, the Ayes are 43, the Nays are none,
8. with none Voting Present. Senate Bill...the Senate concurs in Amendments
9. Numbered 1, 2, 3, and 5 to Senate Bill 805, and the bill having re-
10. ceived the required constitutional majority is declared passed. Senate
11. Bill 1311. Senator Howard R. Mohr.

12. SENATOR HOWARD R. MOHR:

13. Yes, Mr. President. There are two House amendments to Senate Bill
14. 1311, and I would move to concur in them. The first amendment...this
15. is the bill dealing with the Space Needs Commission. The first amend-
16. ment grants the Commission the power to acquire all land for the State
17. surrounding the State Capitol. The lines are...the boundary lines are
18. spelled out. It's a two block area. The reason for the...for this
19. action is to go along with the Commission's plan for the future. The
20. second provision in this amendment would grant condemnation power to
21. the Commission, and I know that tends to stir up a lot of people, but
22. I will tell you why we need condemnation there. Right now, we are
23. experiencing negotiations with land owners immediately to the east of
24. this Capitol complex...of this Capitol building, and although you get
25. appraisals, you are dealing with...with local people, and they are
26. asking for inflated prices, in most cases, for the property that they
27. do want to sell, or that we would like to buy, and condemnation is the
28. only way, our attorneys tell us, that this can be handled. The second
29. amendment qualifies membership on the Commission by the Governor, the
30. Secretary of State, the Attorney General, and the Chairman of the
31. Capital Development Board. They would become ex-official members, not
32. voting members, of the Space Needs Commission. I would be happy to
33. answer any questions.

1 PRESIDENT:
2 Any discussion? Senator Course.
3 SENATOR COURSE:
4 Senator Mohr, you say they are going to qualify the members. Are
5 the members going to be qualified though?
6 PRESIDENT:
7 Senator Mohr.
8 SENATOR MOHR:
9 You mean presently.
10 PRESIDENT:
11 Senator Course.
12 SENATOR COURSE:
13 No, the new members that you are going to get.
14 PRESIDENT:
15 Senator...Senator Mohr.
16 SENATOR MOHR:
17 In some cases, yes.
18 PRESIDENT:
19 Senator Course.
20 SENATOR COURSE:
21 Well, Mr. President and members of the Senate. From some of the
22 work that I've seen that has been performed down here, well, it looks
23 like the architects and the builders were playing with tinker toys,
24 particularly the Room 400 and 122B. It is a travesty to...to force...
25 something like that down the throats of the legislators. You can't even
26 move behind the desks. When you do get behind the desks, you have to
27 get in sideways. The microphones don't work. Room 400, the chairs
28 are all being chopped to pieces, because there isn't enough room
29 between the aisles of the chairs. There is five feet in back of the
30 room, room which they could have used, but they didn't use. It's just
31 empty space, collecting dirt and trash and garbage...in the rear of
32 Room 400, and the legislators are crawling over one another to try to
33 get to their seats. If once you get in there, you stay there, you

1 can't get out unless you want to crawl over the top of the desk. Now,
2 I...I'll go along with this and I...I know Howard Mohr is sincere in
3 his...in what he's trying to do, but I would suggest that they get
4 people who are more competent to do the planning and the designing
5 and construction of this work.

6 PRESIDENT:

7 Senator Donnewald.

8 SENATOR DONNEWALD:

9 Well, of course, what Senator Course says is true, but the chairs
10 that we have in 400, and that doesn't have a whole lot to do with what
11 we're discussing right now, the concurrences, but we are...we...we did
12 have that on the agenda, and we are in the process of remedying the very
13 thing that...of which you discussed, but, Mr. President, in order to
14 save time, I would urge the members on this side of the aisle to con-
15 cur in Amendments 1 and 2, I believe, to Senate Bill 1311. Thank you.

16 PRESIDENT:

17 Any further discussion? Senator Demuzio.

18 SENATOR DEMUZIO:

19 Thank you, Mr. President. I just want the membership to be aware
20 of the fact that there are condemnation powers in this...these amend-
21 ments. Now, an experience happened yesterday when the Space Needs
22 Commission arbitrarily took over the conference room and the other
23 offices in the section of the State Office Building that we're in with-
24 out even having an opportunity for us. I would imagine there is about
25 ten Senators over there that even had an opportunity to even know what
26 the hell was going on.

27 PRESIDENT:

28 Senator that was unrelated, but nobody questions this. It is
29 not germane, and we're going to take care of the problem. Senator
30 Bruce.

31 SENATOR BRUCE:

32 Well, I'm...I'm glad to hear that you are going to take care of
33 the problem, Mr. President. Some of us waited for several weeks to

1. get telephones, and they moved into that office...on a little after,
2. I think it...fifteen minutes after nine and telephones were installed
3. by two o'clock that afternoon, so whatever they're doing, they're doing
4. right with the telephone company. Now, to the bill. On Amendment No.
5. 1, in case the membership did not get a chance, that says that we are going to
6. acquire a one square block of property in the Capital City here, and
7. they are granted a power of condemnation, and secondly, in our ever
8. ending attempt to reconcile the differences between the executive and
9. the legislative branch, House Amendment No. 2 states that the Governor
10. shall have nothing to do with the...deliberations of this commission.
11. No vote, and as far I'm...I guess he as a member of the general public,
12. would be allowed to attend the meetings. It seems to me that the
13. commission of this nature, to have the power of condemnation goes a long
14. way toward overextending the powers of a commission. I had a bill to
15. give the powers of condemnation to the Capital Development Board which
16. was defeated by this Body on the basis it gave too broad a power to an
17. agency of that size. When we give the power of condemnation to a
18. commission, we've gone a long way towards subverting what this Body is
19. about, and giving the power of condemnation in a very limited circle,
20. and I think we've gone well beyond what we ought to do for this
21. commission.

22. PRESIDENT:

23. Senator Dougherty.

24. SENATOR DOUGHERTY:

25. Thank you, Mr. President and fellow members of the Senate. I
26. rise in support of these two amendments, and I'm very well aware of
27. the problems that were mentioned today. Room 400 has been a...problem
28. for me. In fact, I had something to do with rearranging some of it, and
29. it will be further rearranged, and on the grounds and the fact that
30. we are enlarging the powers, let me remind you that the Space Needs
31. Commission is a product of this Legislature, right here in this Senate.
32. I am the surviving member, the...the oldest member of this Commission.
33. I was once Vice-Chairman of it. This is made up by the leadership of

1 both sides of the aisle of both parties, and we were in complete agree-
2 ment. Senator Arrington, Senator McGlooin, Clyde Choate were all members
3 of this Commission. At the time we embarked upon this program, we were
4 trying to look forward to the broad future, the future of the...this
5 Capitol Complex, as everybody determined. Too much time has been has
6 been wasted by house movers who went in and moved into an area that
7 should have been reserved for the Legislature and its various adjuncts.
8 The other way to preserve this, friends is by...doing what we're doing
9 now, and you talk about the right of condemnation, it's been my ex-
10 perience in the ensuing years that have taken place during the formation
11 of this commission, that the prices of property have skyrocketed far
12 beyond...beyond any reasonable consideration. Newer people have moved
13 in and acquired these properties only with a profit motive in mind, not
14 with any desire to improve, but only a profit motive, and this is other
15 way that we of Illinois, and I mean all of the People of Illinois, are
16 going to preserve this great international front piece, if you will, the
17 Illinois State Capitol and the surrounding territory. We wish to insure
18 for years and many years to come that this is going to be what we in the
19 Legislature and others before me and others who will follow me, what
20 they want this be. I urge this committee to concur in Amendment No. 1
21 and 2. It is in the interest of all the People of Illinois, not only...
22 and the power of condemnation is going to do much for it because we will
23 stop these people who will buy with a profit motive do desire to serve,
24 only to seek further profit for themselves. Not one member of this
25 Commission has any desire to profit by this. I move that we concur in
26 this Amendment.

27 PRESIDING OFFICER: (SENATOR DONNEWALD)

28 Senator Howard Mohr.

29 SENATOR HOWARD MOHR:

30 Yes, Mr. President, I would...first point out to Senator Bruce
31 and others with their concern for the...use of some of the offices across
32 the street for a legislative commission which is mandated by the Legis-
33 lature...this Legislature. This is a bi-partisan commission and if they

1. these properties after they have been appraised. That is his...his
2. job. All I'm telling you is that we have a plan, a long range plan, which
3. is something that Capital Development Board, who had been mentioned in
4. the discussion, Capital Development Board has yet to come in with a long
5. range plan. They have a short range plan where they want to build come
6. August 1st. They have no plan for the State Library expansion, they have
7. no state for the State Museum expansion. No plan, period. We have
8. a plan, and any plan takes a...takes some of these provisions that are
9. provided for in here. It's not that we're trying to go out and condemn
10. the property, but we feel that when property is available or is needed
11. the State should buy it within this one block area. I would move that
12. we concur with Amendments No. 1 and No. 2 to Senate Bill 1311.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Wooten.

15. SENATOR WOOTEN:

16. On a nongermane matter, it was not the move so much, Senator, as
17. the manner of the move, and in the term of concurrence, it's simply to
18. reiterate, is too much power to give to this commission.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Question is, shall Senate...shall the Senate concur in Amendments 1 and
21. 2 to Senate Bill...House Amendments 1 and 2 to Senate Bill 1311. Those
22. in favor vote Aye. Those opposed Nay. The voting is open. Have all
23. those voted who wish? Take the record. On that question, the Ayes are
24. 34, the Nays are 16. Those Voting Present are none, and the Senate
25. concurs in Amendments 1 and 2...House Amendments 1 and 2 to Senate Bill
26. 1311, and the bill having received the required constitutional majority is
27. declared passed. Senate Bill 468, Senator Weaver.

28. SENATOR WEAVER:

29. Thank you, Mr. President. On Senate Bill 468, the House attached
30. three amendments. I would move to concur in Amendment No. 2 and Amend-
31. ment No. 9, and to nonconcur in Amendment No. 3. Amendment...Amendment
32. No. 2 adds five hundred and seventy-one thousand for..to provide funds
33. for negotiated wage agreements. Amendment No. 9 reduces a hundred and

1 will take the time to go through the State Office Building and see who is
2 in what office across the street, they will see that the north wing
3 assigned to the Republican members is largely filled by commissions,
4 bi-partisan commissions, and it is strange to me to...find objection
5 to moving one commission into the Democratic section. This is not a
6 Republican or Democratic issue, I would point out. The Commission is
7 made up of...it's a bi-partisan commission. We get along real well, and
8 we are getting the job done, and it is too bad that some of the...the
9 newer members, freshmen in particularly, weren't here a couple of years
10 ago to see the accommodations that we had, where you had two members...
11 two Senators in one little office. We've come a long way, and I would
12 hope that some of you might appreciate the things that have been done
13 for you. We are not finished, we have a long way to go, but we do have
14 a plan and a program to accommodate people. With regard to the...the
15 telephone, Senator Bruce, that is done by coordinating the...the moves
16 which we try to do for every agency. It's not really germane, but I
17 did want to respond to that. ... I would point...

18 PRESIDING OFFICER: (SENATOR DONNEWALD)
19 Senator...
20 SENATOR HOWARD MOHR: ...I would point out that this is not mandatory. Condemnation
21 is not mandatory. It's permissive. We have...the legislature has
22 been dealing since about 1967 in trying to acquire the Odd Fellows Hall,
23 to the north of this Capitol. We have not been able to do that. In
24 the meantime, the price is inflated. Every year the price goes up, up,
25 up. There is only one way to do it. The appraisal for a certain
26 figure. In this particular case, a hundred and ten thousand dollars and
27 the Odd Fellows are asking a quarter of a million dollars, so I would
28 ...appreciate any advice from...from some of the wizards that we have
29 around here on the best way to acquire this property. There is no way
30 other than condemnation, and it is permissive. It's not mandatory. We
31 tried to negotiate. We have a member...a representative from the
32 Attorney General's office who handles the...the negotiations for all of
33

1. sixty-two thousand eight hundred, and I would move to concur in these
2. two amendments.

3. PRESIDENT:

4. Senator Hynes is recognized.

5. SENATOR HYNES:

6. Mr. President, I wonder if we could hold these appropriation bills
7. on the Secretary's Desk for a short while, please?

8. PRESIDENT:

9. Take it out of the record. House Bills on 3rd reading. House
10. Bill 2455, Senator Kenneth Hall.

11. SECRETARY:

12. House Bill 2455

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDENT:

16. Senator Kenneth Hall.

17. SENATOR HALL:

18. ...Thank you, Mr. President and members of the Senate. Now,
19. House Bill 2455 provides for a grant program for vocational education
20. and rehabilitation establishing an operation of neighborhood opportunity
21. centers. Now, what I would like to do, I'd like to explain to you...
22. just what this bill will do...

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Just...just a minute, Senator. I know that you would like to ex-
25. plain it, but you have to somebody to listen. Now, we're going to have
26. to have some order. May we have order prior to continuing? You may
27. proceed.

28. SENATOR HALL:

29. Thank you, Mr. President. House Bill 2455 is to set up a training
30. program for the vocational education and rehabilitation boards to
31. reorient and to develop skills for people in depressed areas to run,
32. manage local development entities or businesses that will work with
33. private developers and the depressed area authorities to rebuild those

1. areas in Illinois that are in deep economic trouble. This bill will
2. provide staff to train people, businessmen, women in the depressed areas
3. to rebuild these areas, and of course, for example, is to how to plan
4. the total business, and this is very essential, organize the business,
5. staffing the business, attach and...so this is the answer to unemploy-
6. ment, gentlemen. We've been talking about trying to get people off the
7. relief rolls, we've been trying to get them into private sector and
8. others, and so this is the answer. This is the answer to unemployment
9. and dependency and creation of successful business where people can
10. work. This bill will get to the business of creating the skills in
11. depressed areas needed to manage business in which employment opportunitites
12. for the unemployed people. I would ask your most favorable support
13. for this bill.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Is there further discussion? Senator Regner.

16. SENATOR REGNER:

17. Yes, Mr. President and members of the Senate. This is another new
18. program that's appropriating several hundred thousands of dollars, most
19. of which will be used for salaries of the people working on it, and not
20. for the benefits of the area they are talking about. I suggest that it
21. is bad legislation, should be defeated.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Is there further discussion? ...Senator Vadalabene.

24. SENATOR VADALABENE:

25. Yes, House Bill 2455, Mr. President and members of the Senate,
26. addresses itself to one of the key problems in depressed areas, and that
27. is a lack of business skills, skills in accounting, bookkeeping, planning,
28. and we have to begin a new direction in these areas that are having
29. economic problems, and the way to move people off poverty is to have a
30. healthy, successful business climate, and to have a successful business
31. climate, is to have people who have business skills, and this bill of
32. Senator Hall's will give them a little skill. This is a good bill, and
33. I urge your support.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator Harris.
3. SENATOR HARRIS:
4. ...Senator Hall, what is the immediate cost of this bill?
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. Senator Hall.
7. SENATOR HALL:
8. The total cost would be five hundred thousand dollars, but we
9. have cut all of this down. We...we have had the training cost down to
10. a hundred sixty-six thousand dollars, Senator.
11. PRESIDING OFFICER: (SENATOR DONNEWALD)
12. Senator...
13. SENATOR HARRIS:
14. ...Now...
15. PRESIDING OFFICER: (SENATOR DONNEWALD)
16. ...Harris.
17. SENATOR HARRIS:
18. ...Well now, you mean for fiscal '76, you've cut it to five hun-
19. dred thousand dollars?
20. PRESIDING OFFICER: (SENATOR DONNEWALD)
21. Senator Hall.
22. SENATOR HALL:
23. Well, for...yes, the total would be one sixty-six...a hundred
24. sixty-six thousand.
25. PRESIDING OFFICER: (SENATOR DONNEWALD)
26. Senator Harris.
27. SENATOR HARRIS:
28. What...what might the eventual cost of such a program...escalate
29. to?
30. PRESIDING OFFICER: (SENATOR DONNEWALD)
31. Senator Hall.
32. SENATOR HALL:
33. There...we...we plan no escalation. I...I...I...don't have any

1. figure off that right...off the top of my head, Senator.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Harris.

4. SENATOR HARRIS:

5. Well now, are you saying that this will remain static at a hun-
6. dred and seventy-six thousand dollars, annually?

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Hall.

9. SENATOR HALL:

10. Well, for the training staff, it would, Senator. We wouldn't
11. certainly...do that...see, when the bill was first drafted, we have cut
12. those figures, if you have those before you, where we had seventy-five
13. thousand dollars, we've cut that to twenty-five thousand, where you had
14. sixty, we've cut that to sixty, I mean from sixty to twenty, we've cut
15. forty-nine thousand five hundred to sixteen thousand. We had three
16. secretarys, we cut it to one, at eight thousand, and then we cut the
17. counselor to one from thirty-one thousand to just one at ten thousand, so
18. a substantial reduction and, there and then we cut the others from...
19. from twenty-nine four hundred twenty-six to nine thousand eight hundred
20. and nine, from twenty-one thousand six hundred to seven thousand two
21. hundred. We cut down the office and equipment from eighteen thousand
22. to six thousand. We cut down the office supplies...

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Just...just a moment, Senator. Senator Harris, I don't believe
25. you can hear him.

26. SENATOR HARRIS:

27. Well...

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. ...and I can appreciate why you can't.

30. SENATOR HARRIS:

31. ...yeah, it's...it's difficult. I...

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Will the members please be in their seats and eliminate all the

1. conferences please? Proceed.

2. SENATOR HALL:

3. I would just like to say that this entire bill is cut to one-
4. third...

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Harris...

7. SENATOR HALL:

8. ...For the training only.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Harris.

11. SENATOR HARRIS:

12. Well the danger I see here is that this is a State-wide program
13. which could escalate into absolutely incalculable amounts of money, and
14. I think we've all learned, and we've been really victimized by the
15. Federal government's seed money programs where they start these laudible
16. new programs to get us on the weed, and then take the support away from
17. us. That's the problem I foresee in connection with this, of course,
18. well...well intentioned and laudible program, but where it will end is
19. truly staggering in my experience, so far as going through many other
20. beginning programs. Now, we're in a very serious circumstance as relates
21. to our capacity to fund adequately existing and mandated programs in
22. State Government. To begin these new adventuresome, though well-
23. intentioned concepts, I think just has to be rejected.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Newhouse.

26. SENATOR NEWHOUSE:

27. Thank you, Mr. President. Mr. President and Senators. At some
28. point, we're going to have to address ourselves to the question of how
29. we restore balance in the State of Illinois. At present, we have a large
30. number of people who aren't working, who are living off the remaining
31. working, productive people in this State. The ratio may very well soon
32. approach 50-50, and it can't go on. The problem with this bill is that
33. it may be underfunded. Now, the question that ought to be asked are
34. these, and they are questions that have not previously been asked.

1 What's it costing us now not to have such a program? What's it costing
2 us in public aid? What's it costing us on the criminal end of the
3 spectrum? How much in police costs? How much in prosecution costs?
4 How much in costs of incarceration, and how much in future costs of ex-
5 panding the prison system in the State of Illinois? Those are the costs
6 that we better start looking at. On the other side of the coin if this
7 experiment, and it is an experiment, turns out to be even minimally,
8 even minimally successful, we will have returns of productive capacity,
9 some people for whom there is no present hope, and that is the bottom
10 line for whom there is no present hope. People will survive some kind
11 of way, whether it is by chicanery, whether it is by criminal means,
12 whether it is by fraud, people will survive. The question then becomes,
13 on what level is the social system prepared to pay for it. This is an
14 investment. It may or may not pay off. In the hope that we will pay
15 off, I would suggest that we fund it adequately, look at it carefully,
16 and review it from time to time. There is nothing to stop this
17 Legislature from doing just that. This is a good concept. It's a
18 good bill, and I urge a yes vote on it.

19 PRESIDING OFFICER: (SENATOR DONNEWALD)

20 Senator Shapiro.

21 SENATOR SHAPIRO:

22 ...Mr. President and Ladies and Gentlemen of the Senate, I don't
23 think anyone is arguing or attempting to argue the cause of a good pro-
24 gram, but the way this bill is constructed, along with its attending
25 appropriation bill, it's doubtful to me that a...that a dime of this
26 money will ever achieve the purpose for which it is intended. It is
27 true that the appropriation for this bill was reduced two-thirds to a
28 hundred sixty-six thousand dollars, but most of that money goes for the
29 hiring of an executive director, an assistant director, a program plan-
30 ner, a secretary, and a counselor interviewer. Then the other three
31 hundred and thirty-three thousand dollars is appropriated to the De-
32 pressed Areas Land Use and Community Development Authority, which this
33 General Assembly will be establishing, and that program, mind you, the

1 remainder of the money for administration, seventy-five thousand dollars,
2 and for three grants for economic planning studies, two hundred and
3 fifty-eight thousand dollars, for a grand total of five hundred thousand
4 dollars, the original appropriation, but take a look at the bill. This
5 money is appropriated to the Board of Vocational Education and Rehabili-
6 tation. Ladies and Gentlemen of the Senate, after this seventy...after
7 this Session of the General Assembly, that board will no longer exist.
8 It will be a board...the board of Vo-Ed, and a board...a separate board
9 of Vo-Rehab. There's no way the money can be implicated...implemented
10 under the provisions of the bill as it is written today.

11 PRESIDING OFFICER: (SENATOR DONNEWALD)

12 Senator Mitchler.

13 SENATOR MITCHLER:

14 Well, I'm interested in seeing that this bill is State-wide. I...
15 was first under the assumption when Senator Hall was explaining the bill,
16 that it was a problem for his particular district where he had a problem,
17 but really as the bill is written, it applies State-wide. Now it is
18 also my understanding that these same programs are available through
19 the Department of Labor and also in the Department of Public Aid, that if
20 you want to establish this type of rehabilitation, vocational education,
21 you can get it in that area. Now, I appreciate, Senator Hall, and
22 Representative Young, I believe, having this, but I thought this was
23 going to be just for a specific area...in a small amount, but if you
24 apply this State-wide, there's no end to the amount of...counselors,
25 secretaries, as you explained you reduced them, but that can only
26 expand, and you...you're creating a large work force, but it's of
27 people that are already are willing to work, not those that they're
28 trying to put to work. The main purpose, I think, a lot of people are
29 on Public Aid is because they find happiness there in comparison to
30 work, and you're not really getting him off, but in spending this much
31 money, you're spending it all for overhead State-wide. I thought it
32 was just a local pocket area that you were trying to...assist for a
33 certain period of time.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Kenneth Hall may close the debate.

3. SENATOR KENNETH HALL:

4. Thank you, Mr. President and members of the Senate. Now, there's
5. been a hue and cry down through the years that we had to do something
6. about the growing Public Aid roll. You know, the Chinese have a saying -
7. "that a thousand miles starts with a single step." Now, this is a step
8. in the right direction. Gentlemen, this is what we need. Everytime
9. that Senator Mohr gets up and talks about the Public Aid, how much it's
10. growing, Gentlemen, I'll be back again, Gentlemen, I'll be back again,
11. and I'll be back again. Now, what we have got to simply do is, as
12. Senator Newhouse has told you and Senator Vadalabene eluded to, is that
13. we have got to try to put these people to work. Now, the only way that
14. you're going to put them to work, is that they have to be trained some
15. skill, and so this bill is...will pool the resources of talents...in in-
16. poverished areas. It will also plan and implement a broad range of
17. business training, housing programs. It will create a protective en-
18. vironment, provide management and opportunities to tell if an inex-
19. perienced and unschooled people will be given an opportunity to help
20. themselves. We are always talking about that you must pull yourself up
21. by your bootstraps, but if you don't have any boots, how are you going
22. to pull yourself up. Gentlemen, this is a good bill, Ladies and Gentle-
23. men of the Senate, I ask your most favorable support for this bill.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. The question is, shall House Bill 2455 pass. Those in favor vote
26. Aye. Those opposed No. The voting is open. (Machine cut-off) all those
27. voted who wish? Have all those voted who wish? Take the record.
28. Senator Hall moves to postpone consideration. Postpone Consideration
29. is postponed. House Bill 2473, Senator Newhouse. Senator Newhouse,
30. do you wish to proceed with House Bill 2473? House Bill 2538, Senator
31. Johns. House Bill 2558, Senator Hynes. Read the bill. It's indicated
32. that Senator Hynes wishes to move back to the order of 2nd reading
33. concerning House Bill 2455. Is there leave? Leave is granted.

1 Senator Hynes, you're now on 2nd reading concerning 2455. I'm sorry,
2 the number was incorrect. The correct number is listed 2558. We have
3 leave to revert to the order of 2nd reading for considering amendments
4 to House Bill 2558. Proceed.

5 SENATOR HYNES:

6 I offer Amendment No. 1, Mr. President, which sets up the guide-
7 lines under which the grants purposed in this bill would be made. The
8 grants could only be made in conjunction with an existing IDA loan
9 and there are limits on the amount of the grant. This...this...has
10 been done in consultation with members of the Public Welfare Committee
11 who objected to the bill in its original form, and I'd move the adoption
12 of Amendment No. 1.

13 PRESIDING OFFICER: (SENATOR DONNEWALD)

14 Is there further discussion? The question is, shall Amendment No.
15 1 to House Bill 2558 be adopted? Those in favor indicate by saying
16 Aye. Those opposed No. The Ayes have it. The amendment is adopted.
17 Are there further amendments? 3rd reading. House Bill 2559, Senator
18 Hynes. Read the bill.

19 SENATOR HYNES:

20 Mr. President, I'd rather call the substantive bill first, so...
21 if you would go on to the next bill and then come back to...2558.

22 PRESIDING OFFICER: (SENATOR DONNEWALD)

23 We...we will return. House Bill 2561, Senator Mitchler.

24 SECRETARY:

25 House Bill 2561.

26 (Secretary reads title of bill)

27 3rd reading of the bill.

28 PRESIDING OFFICER: (SENATOR DONNEWALD)

29 Senator Mitchler.

1. SENATOR MITCHLER:

2. Mr. President and members of the Senate, House Bill 2561 does
3. exactly what the Calendar says. It amends the Election Code so that
4. clerks of the cities, villages, and incorporated towns that maintain
5. regular hours, be appointed deputy registrars upon their request to the
6. county clerk. These are elected people that maintain regular hours,
7. and are available to register the...voters in a regular registration
8. period. I know of no objection to this. ...It was brought to my
9. attention the need for this by the village clerk of the Village of Shorewood
10. located in Will County in Troy township...west of the City of Joliet,
11. and many of the people in that area find it more convenient to go to the
12. Village Hall. They have a new hall, and where they maintain regular
13. working hours, and the Village Clerk is qualified, is a deputy registrar,
14. and ...can register them in the Village Hall.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Is there further discussion? The question is, shall House Bill
17. 2561 pass? Those in favor vote Aye. Those opposed No. The voting is
18. open. All those voted who wish? Take the record. On that question,
19. the Ayes are 57, the Nays are 1. House Bill 2561 having received the
20. constitutional majority is declared passed. House Bill 2558, Senator
21. Hynes. Read the bill.

22. SECRETARY:

23. House Bill 2561...

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Just a moment, Senator Hynes, what purpose...

26. SENATOR HYNES:

27. Senator Carroll, with his great mind and ability to analyze quickly
28. under pressure, has pointed out to me a possible problem in the amendment
29. that I put on, and in...a method by which I could improve it, and there-
30. by overcome his opposition. I'd like to hold the bill until to-
31. morrow, and...and make another touch up on the amendment.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. I'm sure that we will have time. House Bill 2617, Senator Course.

1. Read the bill.

2. SECRETARY:

3. House Bill 2617

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Course.

8. SENATOR COURSE:

9. Thank you, Mr. President and members of the Senate. House Bill
10. 2617 is exactly as the synopsis on the Calendar says. I did put an
11. amendment on the bill which was requested by...requested by Senator
12. Nimrod, and that was to make all bids competitive. This bill was taken
13. ...was on the consent Calendar, and I removed it to put the amendment
14. on the bill. It is good legislation. It will take care of the blind
15. and the disabled in the State of Illinois to help them seek employment.
16. I would appreciate your vote.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Mr. Senator Nimrod...

19. SENATOR NIMROD:...

20. Thank you, Mr. President, and thank you, Senator Course for doing
21. it. I do support this bill, and I do think we need it, and this amend-
22. ment does help. Thank you.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Is there further debate? The question is, shall House Bill 2617
25. pass? Those in favor vote Aye. Those opposed No. The voting is open.
26. (machine cutoff) all voted who wish? Take the record. On...on that
27. question, the Ayes are 59. House Bill 2617 having received the con-
28. stitutional majority is declared passed. Senator Course, for what
29. purpose do you arise?

30. SENATOR COURSE:

31. Thank you, Ladies and Gentlemen.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. House Bill 2627, Senator Carroll, do you wish to return that to

return that to the order of 2nd reading for the purposes of amending?

1. SENATOR CARROLL:

2. I've...I would ask leave to return it to 2nd reading for purposes
3. of amending it.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Is there leave? Leave is granted.. You may proceed.

6. SENATOR CARROLL:

7. Thank you, Mr. President. There's an amendment on the Secretary's
8. Desk which amends House Bill 2627 similar to the amendment that was
9. offered a few days ago. There is one substantive difference, and this
10. says that the Department shall determine the compatibility of local
11. tax and shall determine the schedule under which it commences to collect
12. the local tax. The purpose of that additional language was that the
13. Department was a little bit concerned that they would be inundated
14. with an onrush of business to collect all these compatible taxes and
15. wanted a schedule so that they could integrate it into their system with-
16. out additional employees, and the rest of the amendment deals with the
17. provision that the Department of Revenue shall administer and enforce
18. local ordinance collection of taxes that are compatible to State taxes.

19. I would move the adoption of the amendments and answer any questions.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Glass.

22. SENATOR GLASS:

23. Thank you, Mr. President. I would ask for a parliamentary ruling
24. as to whether this amendment is germane to the bill.

25. SENATOR GLASS:

26. (Machine cut-off) I would respectfully say that even if
27. that is the ruling, it's a bad amendment, and we've argued this before.
28. I hope we defeat it.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Fawell.

31. SENATOR FAWELL:

32. That was really my inquiry too. I...I was reading the...the summary
33. of the content of the bill, and yet I heard Senator Carroll talking

1. about tax collections, and I...I thought perhaps the board was wrong.
2. Is the board wrong or is Senator Carroll wrong?
3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. Senator Carroll.
5. SENATOR CARROLL:
6. As usual, neither. The Secretary is correct. The number up there
7. is correct, and my explanation was correct. I would ask of the Secretary,
8. though, just one second, Senator Fawell, Amendment No. 1 was Tabled.
9. Amendment No. 2 lost. Is this Amendment No. 3 or does this become...
10. someother...some earlier number?
11. SECRETARY:
12. No, this would be Amendment No. 3. There was no indication on...
13. on here. So it is....
14. SENATOR CARROLL:
15. Thank you. So that would be the only correction of the board.
16. PRESIDING OFFICER: (SENATOR DONNEWALD)
17. Senator Fawell.
18. SENATOR FAWELL:
19. Can...can you...can you be of aid then to explain once again what
20. does this amendment do? It does...
21. PRESIDING OFFICER: (SENATOR DONNEWALD)
22. Senator Carroll....
23. SENATOR FAWELL:
24. ...it does change the bill materially, does it not?
25. SENATOR CARROLL:
26. Yes, it does, and we had discussed conceptually this in both
27. Amendment 1, which was technically incorrect, Amendment 2, which was
28. debated a couple of days ago, and now this. All of which cover the
29. same material in slightly different version. This...the bill deals
30. with the Civil Administrative Code, and the bill in its original
31. concept and still with this amendment deals with the area of the Depart-
32. of Mental Health providing mental health services to a...a person who
33. is within one of the incarceration systems. The Amendment deals with

1. the Civil Administrative Code...Code, and is, therefore, germane in
2. my opinion, and deals with the concept of the Illinois State Depart-
3. ment of Revenue collecting compatible taxes for units of local government
4. and then charging those units of local government the cost of collect-
5. ing those compatible taxes, thereby saving money to both the units of
6. local government and to eventually the State because units of local
7. government would not have to have additional peoples to collect these
8. taxes, and the State could do it with their existing people under the
9. amended version.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Fawell.

12. SENATOR FAWELL:

13. What...what are the compatible taxes to which you refer, and could
14. you tell me the genesis of this bill...of the amendment?

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Carroll.

17. SENATOR CARROLL:

18. The types of taxes that have been held to be compatible include
19. your utility's tax, your liquor tax, cigarette tax,...luxury commodities,
20. public utilities, hotels. Other taxes that both a home rule unit and
21. the State collect, but now collect separately, but are identical taxes,
22. just different in rates. The genesis of the amendment was the counties,
23. cities, villages, who are taxing bodies.

24. PRESIDING OFFICER: (SENATOR BONNEWALD)

25. Senator Fawell.

26. SENATOR FAWELL:

27. ...And what would the added cost of the State be?

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Carroll.

30. SENATOR CARROLL:

31. Zero, because the amendment provides that any additional costs will
32. be charged back against the taxing...the original taxing body, the city,
33. or the county, and they would have to pay the cost to the State of

1 collecting.

2 PRESIDING OFFICER: (SENATOR DONNEWALD)

3 Senator Nimrod.

4 SENATOR NIMROD:

5 I would ask the sponsor a question.

6 PRESIDING OFFICER: (SENATOR DONNEWALD)

7 Indidcate he will yield.

8 SENATOR NIMROD:

9 ...Senator Carroll, does the Department of Revenue support this?

10 PRESIDING OFFICER: (SENATOR DONNEWALD)

11 Senator Carroll.

12 SENATOR CARROLL:

13 It is my understanding that a meeting yesterday and at a meeting
14 this morning, the Department has said that they have no opposition to
15 this now. That they did have opposition prior until we put in this
16 schedule whereby they could...feed in interweave this plan with their
17 existing. Their original objection was getting inundated with maybe
18 ten taxes at one time. Now, that they have the power to schedule them
19 into their operations they have no objection.

20 PRESIDING OFFICER: (SENATOR DONNEWALD)

21 Senator Nimrod.

22 SENATOR NIMROD:

23 Well, it was certainly my knowledge that they were opposed to this,
24 and I've not talked to them since then, and I don't know what would of
25 made them changed their minds since the fact is, there could conceivably
26 be a local tax which would cost the State more money to collect that tax
27 than the tax that would be available for the particular taxpayers, and
28 this just doesn't make sense to me. It seems that this bill was here,
29 this amendment was on it, it was suddenly came up and we found out about
30 it, and we went to great length...there was great discussion about the...
31 the objections to it. That amendment was removed, and now that same amend-
32 ment is being put on again. I think it is a bad concept. I think it is
33 a costly concept, and what we're going to do is try to kid the people

1. back home in making them think that they are paying another State tax
2. when in fact, that money is going to the local government. I think
3. we ought to advocate to support local government, but not at the expense
4. of having the State being blamed for it, or having them spend more
5. money on this particular...collection, and having the State pay the
6. extra money for it.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)
8. Senator Wooten.

9. SENATOR WOOTEN:
10. Mr. President, did we not defeat this amendment once?

11. PRESIDING OFFICER: (SENATOR DONNEWALD)
12. This is a different amendment as was stated in the opening...

13. SENATOR WOOTEN:
14. Ok...

15. PRESIDING OFFICER: (SENATOR DONNEWALD)
16. ...remarks of Senator Carroll.

17. SENATOR WOOTEN:
18. ...In what manner is it...

19. PRESIDING OFFICER: (SENATOR DONNEWALD)
20. Senator Carroll...

21. SENATOR WOOTEN:
22. ...different?

23. PRESIDING OFFICER: (SENATOR DONNEWALD)
24. ...would you respond?

25. SENATOR CARROLL:
26. Yes. First of all, it was adopted once, and then I Tabled it
27. because it was...all right...

28. PRESIDING OFFICER: (SENATOR DONNEWALD)
29. Just a minute, just a minute. Here we go again. Now, I don't
30. think we can continue until we have order.

31. SENATOR CARROLL:
32. Thank you, Mr. President.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Proceed.

2. SENATOR CARROLL:

3. Conceptually, we had, of course, adopted the amendment once and
4. Tabled it, but the difference between this and the amendment that was
5. defeated is that this amendment says, in addition to what the other one
6. did, "that the Department shall determine the compatibility of the local
7. tax and shall determine the schedule under which it commences if the
8. Department commences to collect the local tax". That was the Department's
9. hangup, at least one of their hangups, with the original concept. Now,
10. that they have the power to set a schedule to commence the collection
11. of the local tax, they can interweave into their existing practices and
12. you know, that it is not only the difference, that eliminates their
13. objection.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Wooten.

16. SENATOR WOOTEN:

17. I wanted to be sure that I heard correctly. Is it the Department's
18. option, whether or not the tax shall indeed be collected by them?

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Carroll.

21. SENATOR CARROLL:

22. I'm sorry, I didn't hear it.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Would you repeat that, Senator Wooten?

25. SENATOR WOOTEN:

26. Is it the Department's option as to whether or not they choose
27. to collect the tax for the local unit of government?

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Carroll.

30. SENATOR CARROLL:

31. The way the bill is worded...the Amendment, Senator Wooten, if a
32. unit of government...unit of local of government in writing requests it,
33. then...then they shall enforce it. However, which would seem to say

1. that they have no option; however, the Department is the one who
2. determines the compatibility and the schedule for enforcement, so what
3. ends up happening, your city sends in a request to the Department to
4. collect a tax. The Department can determine that tax not to be compat-
5. ible with the State tax, and therefore, not...not enforce the provisions
6. of this Act. If they determine it to be compatible, then they shall
7. collect it under a schedule that they shall establish.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Wooten.

10. SENATOR WOOTEN:

11. And I think it is possible that we better make a fine distinction
12. here because as I recall the objections of the Department, they objected
13. A: to the whole thrust of the bill, that is that they would be required
14. to collect taxes, and then if that were thrust upon them, against their
15. wishes, then they would like to have the ability to mesh it a little
16. better. I think you have removed the second objection, but not the
17. prior and more important objection.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Carroll.

20. SENATOR CARROLL:

21. I can only say that the Department does not agree with you. This
22. morning they met and they sat with leadership on both sides and the
23. proponents and agreed to the bill with this provision in it.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Morris.

26. SENATOR MORRIS:

27. I...I don't have a copy of this amendment on my desk. Were they
28. distributed?

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Secretary would have to respond to that. Sponsor indicates that
31. you are about to receive an amendment...

32. SENATOR CARROLL:

33. Senator Netsch will hand you a copy of the amendment.

1 PRESIDING OFFICER: (SENATOR DONNEWALD)

2 ...Senator Morris.

3 SENATOR MORRIS:

4 Okay. If I understand what the amendment does through the dis-
5 cussion we've been having, I think we are going to make a very simple
6 vote on this amendment this afternoon, and I hope everybody in the
7 Chamber understands what it is. Senator Nimrod hit on the item. What
8 we are doing...doing is authorizing a tax increase on the local level
9 which well be blamed on the State, and this is a backdoor approach to
10 new taxes. It shouldn't be permitted. We've all talked about tax re-
11 lief. We've talked about economic problems, and here we go, as a way
12 to stick taxes to the people once again in a backdoor approach, and I
13 think it is a very simple vote. We should vote to resist this amend-
14 ment. This is a bad amendment it's a bad precedent. It says that the
15 people back home are about to get hit for more taxes. They won't know
16 where it's coming from. They'll blame the State. We'll have to pay
17 the price, and the municipalities will walk away with more money in
18 their pockets. Now, I would urge everyone in this Chamber to vote
19 against this amendment, and leave the bill the way it originally was
20 and keep this amendment off, otherwise you're going to have to pay the
21 price when you go home. In the last days of the General Assembly, we
22 raised taxes on the people, and we are all going to say - Oh, gee, we
23 didn't know that we were doing it. Well, we are if we vote for this
24 amendment, and I urge a no vote.

25 PRESIDING OFFICER: (SENATOR DONNEWALD)

26 Senator Buzbee.

27 SENATOR BUZBEE:

28 Well, I have a question of the sponsor, Mr. President.

29 PRESIDING OFFICER: (SENATOR DONNEWALD)

30 He indicates he will yield.

31 SENATOR BUZBEE:

32 ...

33 PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Carroll, there's a question asked of you.

2. SENATOR BUZBEE:

3. No, it hasn't been asked yet. That's a good reason. Article IV
4. of the Illinois State Constitution, Section 8, paragraph d, the...
5. second portion of that paragraph, it says "bills except bills for
6. appropriations and for the codification revision or rearrangement of
7. laws shall be confined to one subject", and yet if I understand the
8. thrust of this bill, it amends the Civil Administrative Code and
9. authorizes the Department of Mental Health and Developmental Disabilities
10. to provide mental health care to persons in Illinois institutions. Now,
11. what in the world is the Department of Revenue...

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Just a moment, just a moment, Senator Rock, for what purpose do
14. you arise?

15. SENATOR ROCK:

16. The gentleman is addressing...on a point of order, Mr. President.
17. The gentleman is addressing himself to a matter that has already been
18. ruled upon by the Chair, and...

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. It has been ruled. You are correct. It...had been ruled earlier.
21. Senator Buzbee.

22. SENATOR BUZBEE:

23. I apologize. I did not know the Chair had already ruled. I don't
24. intend to ask for a roll call for an overruling of the Chair, but my
25. guess is, that is probably not a germane ruling.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Is there further debate? Question...Senator Carroll, do you wish
28. to close or to you want a roll call? Senator Carroll.

29. SENATOR CARROLL:

30. Just to answer a few comments. ...

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Carroll.

33. SENATOR CARROLL:

1. ...A few mistatements...

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Just...just a moment, Senator Harris, I'm sorry.

4. SENATOR HARRIS:

5. Well, I just want to add my comments to this rather spirited debate
6. about an issue, of course, that we have debated on several occasions.
7. The question of germaneness, of course, has been ruled upon. As a matter
8. of fact, the ruling of the Chair was appealed from, and...the ruling
9. was sustained. The objection that I had other than that question, and
10. I...this Body has dealt with that question. The other concern that I
11. had was the discussion that I'd had some two or three weeks ago with
12. Director Allphin in regards to the problems that the Department would
13. have in administering this authority, and mandate to the Department.
14. The Director requested the new language that Senator Carroll has re-
15. ferred to, and that is that the decision of compatibility rests only
16. with the Department under the new language, and the time to begin
17. administering it rests with the Department, not with the local unit of
18. government. Now, very frankly, I think the concept of the sovereign
19. being helpful to its subdivisions is a sound principal of government
20. as long as the administering agency is not placed in an intolerable
21. circumstance to render such administration. The Director called me this
22. morning and said, "In the light of the new language, I have no problem
23. with the bill. As long as I can schedule the administration and I
24. can determine whether in fact a...a locally levied tax is compatible
25. with the State tax, fine." And so my objections as relates to the
26. concern on behalf of the Department of Revenue, have now been met. I
27. will not raise the question of germaneness again. The...the Body has
28. dealt with that definitively, so I would suggest that with this new
29. language the amendment is an acceptable amendment, and really consistent
30. with the principle of the sovereign being helpful to its subdivisions
31. ought to be supported.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator may close. Roll call..

1. SENATOR CARROLL:
2. Roll call.
3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. ...is requested. On the adoption of Amendment No. 3 to House
5. Bill 2627, all those in favor vote Aye. Those opposed no. The voting
6. is open. (machine cutoff) all those voted who wish? Have all those
7. voted who wish? Take the record. On that question, the Ayes are 30,
8. the Nays are 25, 3 Voting Present. Amendment No. 3 is adopted. There
9. is a request for verification on the adoption of Amendment No. 3, and
10. I assume that the...you wish the affirmative votes verified. The
11. Secretary will read the affirmative votes.
12. SECRETARY:
13. The ...the following voted in the affirmative: Brady, Carroll,
14. Chew, Course, Daley, Donnewald, Dougherty, Egan, Graham, Kenneth Hall,
15. Harris, Hynes, Knuppel, Kosinski, Lane, Lemke, McCarthy, Don Moore,
16. Nudelman, Palmer, Rock, Romano, Savickas, Shapiro, Smith, Soper,
17. Vadalabene, Weaver, Welsh, and Mr. President.
18. PRESIDING OFFICER: (SENATOR DONNEWALD)
19. Senator Wooten.
20. SENATOR WOOTEN:
21. Chew.
22. PRESIDING OFFICER: (SENATOR DONNEWALD)
23. Is Senator Chew within the bar? Take him off the roll.
24. SENATOR WOOTEN:
25. Senator Romano.
26. PRESIDING OFFICER: (SENATOR DONNEWALD)
27. Senator Romano is in his chair...
28. SENATOR WOOTEN:
29. Senator Hynes...
30. PRESIDING OFFICER:
31. ...where he always is.
32. SENATOR WOOTEN:
33. ...Senator Hynes...Senator Hynes...

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator Wooten, ...any further...the roll call has been verified.
3. The Ayes are 29, the Nays are 25. The Amendment No. 3 to House Bill
4. 2627 is adopted. Are there further amendments? 3rd reading. House
5. Bill 2692, Senator Schaffer. Read the bill.
6. SECRETARY:
7. House Bill 2692
8. (Secretary reads title of bill)
9. 3rd reading of the bill.
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. Senator Schaffer.
12. SENATOR SCHAFFER:
13. Senate Bill...Senate Bill...
14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. Just...just a minute, Senator. The noise level is high again, and
16. I don't think we can proceed until we have order. May we have order?
17. Proceed.
18. SENATOR SCHAFFER:
19. ...House Bill 2692, is amended, is the medical professions answer
20. to the question, what are they doing to clean up their house in light
21. of some of the malpractice things that have come to light. This bill
22. would appoint...proposed to appoint a medical practice disciplinary
23. board within the Department of Education and Registration to investigate
24. charges of unethical, illegal, or incompetent practice against M.D.'s
25. D.O.'s and chiropractors. The board would consist of five M.D.'s, one
26. D.O. and one chiropractor. I might add that for Senator Davidson's
27. basis...benefit, I think this is the first time the medical profession
28. has officially recognized the chiropractic profession. A medical co-
29. ordinator would be appointed by the Director of R&E to serve...at the
30. will of the board as the chief enforcement officer of the Medical
31. Practices Act. There would be a provisions for additional full-time
32. investigators. The board would have the power of subpoena ...
33. witnesses and conduct...conduct hearings, and it would make advisory

1 decisions to the Director of the Department of Education and Registra-
2 tion. I might add that the medical profession has offered to finance
3 this entire operation by a doubling of their fees..., and I might also
4 add that they have added to the list of...additional grounds for revoca-
5 tion or suspension of license or certificate thirteen additional things,
6 including...well, abandonment of a patient, professional or mental
7 incompetence, willful filing of false reports, physical illness, in-
8 cluding deterioration through the aging process. I might add that there
9 is also a provision in here for the Director to temporarily remove a...a
10 doctor's license if he feels that was...that doctors continued...practices
11 detriment to...the health of the community. I think this a very far-
12 sighted step on the behalf of the medical profession to get at some of
13 the problems that we've heard a lot about...about malpractice. I think
14 this is good legislation. I'd be happy to answer any questions.

15 PRESIDING OFFICER: (SENATOR DONNEWALD)

16 Is there further discussion? Senator Rock.

17 SENATOR ROCK:

18 Sponsor indicated he would yield and I would ask a question concern-
19 ing Page 5, lines 12 through 27.

20 PRESIDING OFFICER: (SENATOR DONNEWALD)

21 Senator Schaffer.

22 SENATOR SCHAFFER:

23 I'm...I'm looking at it, what's your question?

24 PRESIDING OFFICER: (SENATOR DONNEWALD)

25 Senator Rock.

26 SENATOR ROCK:

27 Well, the question is, it says "that on request of the board,
28 signed by either the chairman, vice-chairman, or medical coordinator",
29 all these various agencies have to make available any and all of their
30 files that they have concerning any individual under scrutiny, and they
31 have to make available such of their investigators to the board as the
32 board deems necessary, and in addition to that, the members of the board,
33 if you'll look at h, members of the board shall be immune from suit

1. in any action based upon any disciplinary proceeding or other acts
2. performed in good faith. What in the world are you creating?

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Schaffer.

5. SENATOR SCHAFFER:

6. First of all, Senator Rock, I'm sorry, I should have caught that
7. earlier. On Page 5, line 22 through 24, have been deleted in their
8. entirety, Senate Amendment to House Bill 1692, No. 3. I believe the
9. immunity section is ...is not uncommon.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Rock.

12. SENATOR ROCK:

13. ...Who's on this board? Well, what is your...

14. (Continued on next page)

15.

16.

17.

18. [Faint text]

19.

20. [Faint text]

21.

22. [Faint text]

23.

24. [Faint text]

25.

26.

27.

28.

29.

30.

31.

32.

33.

1. SENATOR ROCK:

2. Well, I don't have a copy of the amendment, that's one of
3. the problems I'm confronted with here but, in addition let's
4. just...let's just start with the board, the board...

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Just...just a moment, looks like the conferences are at
7. it again. Could we please have order? Proceed.

8. SENATOR ROCK:

9. You have set up a board and then you have delegated the
10. authority of the board to the...either the Chairman, the Vice-
11. Chairman or the medical co-ordinator of neither of...who are
12. they? How many are on the board and where do they come from?
13. Senator Schaffer.

14. SENATOR SCHAFFER:

15. Well, as I mentioned earlier, there's seven people on the
16. boards, five doctors, one oh, D.O. whatever that abbreviation is,
17. that's a osteopath and one chiropractor. These people are ap-
18. pointed by the Governor and confirmed by the Senate. I take
19. that...

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator, Senator...

22. SENATOR SCHAFFER:

23. ...lightning as support, Senator, not opposition.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Rock.

26. I think somebody up there agrees with me. Well, my...my
27. question is that you are ask...you are setting up this board
28. and then allowing them or mandating that anything they request
29. shall be made available from all these agencies, the Bureau
30. of Drug Compliance, the Office of Supervision of the Department
31. of R. and E., the Illinois Law Enforcement Commission -
32. I don't know how they get in the act - the Illinois Bureau of

1 Investigation, and the Illinois Legislative Investigating
2 Commission. That's pretty broad power. That's one reason
3 I oppose this. Secondly, I would just point out, or perhaps
4 this also has been amended out, how much money are we talking
5 about, how much money is garnered each year as license renewal
6 fees?

7 PRESIDING OFFICER: (SENATOR DONNEWALD)

8 Senator Schaffer.

9 SENATOR SCHAFFER:

10 Well, the fiscal note I have on this bill from the House
11 has an additional cost of a hundred and thirty-five thousand
12 dollars a year and it's my understanding that the doubling of
13 the licensure fee covers that amount. I can't give you the
14 exact figure but this is what I've been told.

15 PRESIDING OFFICER: (SENATOR DONNEWALD)

16 Senator Rock.

17 SENATOR ROCK:

18 Well, as I understand it, again, subject to whatever amend-
19 ment you put on, there was a license...renewal license fee of
20 twenty dollars and thereafter a fee of forty for each even
21 numbered year. So, it's in effect, twenty dollars a year from
22 each...I suppose each...each doctor. How many doctors are there?

23 PRESIDING OFFICER: (SENATOR DONNEWALD)

24 Senator Schaffer.

25 SENATOR SCHAFFER:

26 I don't know exactly how many doctors, I'm just told that the
27 amount will cover the extra cost, and I...I believe that to be a true
28 statement. Senator Davidson tells me there's a whole lot of doctors
29 and osteopaths and chiropractors.

30 PRESIDING OFFICER: (SENATOR DONNEWALD)

31 Senator Rock.

32 SENATOR ROCK:

33 Well, I can appreciate that my time is probably up. I would

1 point out that there are indeed a lot of doctors, and at twenty
2 dollars a year we are further providing, in this bill, that the
3 monies received shall be deposited in the Illinois State Medical
4 Disciplinary Fund in the State Treasury and be used only by the
5 Illinois State Medical Disciplinary Board and to that I say, "nuts".
6 This is a Illinois Medical Society Bill in an attempt to garner
7 some PR, I think, and I think it's a very bad bill and should meet
8 the fate it so readily deserves, that is defeat.

9 PRESIDING OFFICER: (SENATOR DONNEWALD)

10 Is there further debate? Senator Schaffer may close the de-
11 bate.

12 SENATOR SCHAFFER:

13 Well, I understand where the opposition to this bill comes
14 from, it comes from one man, that man is the Director of the
15 Department of Education and Registration, Ron Stackler.

16 PRESIDING OFFICER: (SENATOR DONNEWALD)

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

19 SENATOR ROCK:

20 I...I object on a point of personal privilege to having my
21 objections characterized as coming from Ronald Stackler...again
22 ...whose confirmation I voted No upon, if you will recall. My
23 objections are based upon my reading of this legislation and my
24 absolute disdain for the Illinois State Medical Society.

25 PRESIDING OFFICER: (SENATOR DONNEWALD)

26 Senator Schaffer may close the debate.

27 SENATOR SCHAFFER:

28 I stand corrected. Comes from two men, one of whom I respect
29 and the other one happens to be the Director of Education and
30 Registration. His objections, as I understand them, as have
31 been explained to me, by him personally, is that we're gnawing
32 away at his castle, that we have the gall to say to the...to him
33 that the Medical Society doesn't have total confidence in the

1 bureaucracy and they want some safeguards, they want the board
2 appointed by the Governor and confirmed by the Senate. In the
3 final analysis, if we had been prepared to lay ourselves prostrate
4 on his altar, he would not oppose this bill, but since we chose
5 not to do that, he does oppose this bill and the opposition to it
6 has been generated solely...

7 PRESIDING OFFICER: (SENATOR DONNEWALD)

8 Just... just a moment, Senator. The noise level is...about a hundred
9 and ten decibels. Could we please have order? That's better.
10 Proceed.

11 SENATOR SCHAFFER:

12 This is good legislation. It's responsible legislation. It
13 addresses itself to a major problem in the medical field. I think
14 it's a responsible response by a profession in this State and it
15 deserves to be passed. I solicit a favorable roll call.

16 PRESIDING OFFICER: (SENATOR DONNEWALD)

17 Question is shall House Bill 2692 pass? Those in favor vote
18 Aye. Those opposed No. The voting is open. (Machine cutoff)
19 voted who wish? Have all those voted who wish? Take the record.
20 On that question the Ayes are 35, the Nays are 8, 7 voting Present.
21 House Bill 2692 having received the constitutional majority is de-
22 clared passed. Senator Schaffer, for what purpose do you rise?

23 SENATOR SCHAFFER:

24 (Machine cutoff)...voted on the prevailing side, I move to re-
25 consider.

26 PRESIDING OFFICER: (SENATOR DONNEWALD)

27 That motion is made and the motion to let it lie on the Table
28 by Senator Mitchler. All those in favor say Aye. Those opposed
29 No. The Ayes have it. Matter is (Machine cutoff)...Tabled.
30 Senator Carroll. Do you wish to proceed with your...Oh. House Bill
31 2693, Senator Schaffer. Read the bill.

32 SECRETARY:

33 House Bill 2693.

34 (Secretary reads title of bill)

1 3rd reading of the bill.

2 PRESIDING OFFICER: (SENATOR DONNEWALD)

3 Senator Schaffer.

4 SENATOR SCHAFFER:

5 This is a companion bill to the bill we just passed. It's
6 a housekeeping measure necessary to provide the Director of R. and
7 E. with the same type of civil immunities that the board has. It...
8 I believe it's along the same subject, same debate.

9 PRESIDING OFFICER: (SENATOR DONNEWALD)

10 Is there further debate? Question is shall House Bill 2693
11 pass? Those in favor vote Aye. Those opposed No. The voting is
12 open. (Machine cutoff)...those voted who wish? Take the record.
13 On that question the Ayes are 36, the Nays are 8, 3 Voting Present.
14 House Bill 2693 having received the constitutional majority is de-
15 clared passed. House Bill 2694, Senator Schaffer.

16 SECRETARY:

17 House Bill 2694.

18 (Secretary reads title of bill)

19 3rd reading of the bill.

20 PRESIDING OFFICER: (SENATOR DONNEWALD)

21 Senator Schaffer.

22 SENATOR SCHAFFER:

23 The provisions of this Act were amended into 2692 earlier,
24 consequently, I move to Table House Bill 2694.

25 PRESIDING OFFICER: (SENATOR DONNEWALD)

26 Motion is to Table House Bill 2694. All those in favor say
27 Aye. Those opposed No. The Ayes have it. ...The bill is Tabled.
28 House Bill 2720, Senator Wooten. House Bill 2721, Senator Philip.
29 Senator Philip. Do you wish to proceed, Senator Philip? Read
30 the bill.

31 SECRETARY:

32 House Bill 2721

33 (Secretary reads title of bill)

1 3rd reading of the bill.

2 PRESIDING OFFICER: (SENATOR DONNEWALD)

3 Senator Philip.

4 SENATOR PHILIP:

5 Thank you, Mr. President and Ladies and Gentlemen of the
6 Senate. Senate...House Bill 2721 amends the Municipal Code.
7 Under our present system preference is granted someone who com-
8 pletes two years in a Fire Technical Study in the Fireman Cadet
9 Program. This extends that to Police Cadets in the same pro-
10 gram. I know of no opposition and I ask for your favorable
11 consideration.

12 PRESIDING OFFICER: (SENATOR DONNEWALD)

13 Is there further discussion? The question is shall House
14 Bill 2721 pass. Those in favor vote Aye. Those opposed No.
15 The voting is open. Have all those voted who wish? Take the
16 record. On that question the Ayes are 50, the Nays are None.
17 House Bill 2721 having received the constitutional majority is
18 declared passed. House Bill 2784, Senator Egan. Senator Egan
19 asked leave to bring House Bill 2784 back to the order of 2nd
20 reading for the purpose of amendment. Do we have leave? Leave
21 is granted. The bill is now on 2nd reading. Senator Egan.

22 SENATOR EGAN:

23 Thank you, Mr. President and members of the Senate. I offer
24 Amendment No. 1 to House Bill 2784, which does, very briefly,
25 four things. It enumerates the offices and further provides
26 that the persons named to be elected by vote of the people of the
27 whole State. One, two, it limits the salary of officers for pension
28 purposes to the salary of the highest paid officer of the General
29 Assembly. Number three, it provides for the transfer and validation
30 of credit for the officers elected and number four, it provides for
31 the termination of their participation in the State Employees'
32 System. And Senator Harris...has also included two provisions to
33 reduce the length of service of an officer required for entitle-

1 ment to the inclusion of the additional officer's salary and
2 computation from four to two years and provides that the member
3 must still contribute for the equivalent of four year's service in
4 order to gain that benefit. These have been very carefully worked
5 out with the agreement of both leaders and I know of no opposition
6 to the amendments. I offer their adoption...

7 PRESIDING OFFICER: (SENATOR DONNEWALD)

8 ...Senator.

9 SENATOR EGAN:

10 ...offer its adoption.

11 PRESIDING OFFICER: (SENATOR DONNEWALD)

12 Senator Harris.

13 SENATOR HARRIS:

14 No, I've...well, I just concur in what Senator Egan has said.
15 I might point out that I am the person that raised the serious objec-
16 tions to this bill in the form it came to us from the House, in that
17 form. And we have spent a great deal of time working it out and con-
18 sulting with the constitutional officers and I think we now have
19 a reasonable and a...much more actuarially sound plan than what
20 had been presented to us in the form that it came to us from the
21 House and I certainly intend to support this amendment and will
22 support the passage of the bill on 3rd reading.

23 PRESIDING OFFICER: (SENATOR DONNEWALD)

24 Senator Partee.

25 SENATOR PARTEE:

26 I would simply add that what Senator Harris has said is what
27 I would have said had I spoken first. I certainly intend to sup-
28 port this amendment as well as the bill. I think it solves the
29 problems that we are addressing ourselves to.

30 PRESIDING OFFICER: (SENATOR DONNEWALD)

31 Senator Savickas.

32 SENATOR SAVICKAS:

33 Well, thank you, Mr. President, I would just like to know

1 why we should support...is this the bill that wants to put the
2 Governor and all the State officers into our pension plan?

3 PRESIDING OFFICER: (SENATOR DONNEWALD)

4 Senator Egan, would you respond?

5 SENATOR EGAN:

6 Exactly.

7 PRESIDING OFFICER: (SENATOR DONNEWALD)

8 Senator Savickas.

9 SENATOR SAVICKAS:

10 If I heard correctly, this is the bill then that puts the
11 Governor and other elected State officials into the Legislative
12 Pension Plan? The group that obviously has no concern with the
13 Executive Branch and now they want to join us, in unity here. I...I
14 would oppose putting them into our pension plan, if they want join
15 the Legislative Pension Plan they should run for the Legislature.
16 And I think this is the way it should be.

17 PRESIDING OFFICER: (SENATOR DONNEWALD)

18 Senator Fawell. Senator Smith.

19 SENATOR SMITH:

20 No, no, no, no, no, no, I want...I thank you for this oppor-
21 tunity. I recall that when this bill was sent...was in the com-
22 mittee, Senator Vadalabene told me that he was sponsoring the
23 bill. He asked me to come to the night Session and cast a vote
24 for it. I attended the night Session. I read the bill. He did
25 not call the bill, he told me that it was taken from him at the
26 last moment. I read the bill and I told him that I could not sup-
27 port the bill in its then condition.

28 PRESIDING OFFICER: (SENATOR DONNEWALD)

29 Just a moment, Senator Smith. About every five minutes the
30 noise level rises. Could we please have order, prior to contin-
31 uing. May we please have order?

32 SENATOR SMITH:

33 Now like...

1 PRESIDING OFFICER: (SENATOR DONNEWALD)

2 Proceed.

3 SENATOR SMITH:

4 ...like Senator Savickas, I couldn't understand then, why
5 these elected State officials were being transferred into the
6 Legislative Pension setup. I remember that at that meeting, I
7 opposed the bill, something I seldom do, as vigorously as I possibly
8 could. Senator Harris then stated that between the night of the
9 handling of the bill and the following Friday, I think, that he
10 would try to effect some kind of agreement or prepare some kind
11 of an amendment that would probably...prove satisfactory to all.
12 Now, I...it might be that my position is a little personal and
13 selfish. Year long, I will retire. Year long, I hope to be
14 drawing from this pension fund into which I have paid, I dare
15 say, longer than any member on the Floor of this Senate. I do
16 know from a careful study that this particular pension fund is
17 well funded, perhaps the best funded of all the pension setups
18 of funds. Now, may I ask a question, not of you, my seatmate,
19 but of Senator Harris.

20 PRESIDING OFFICER: (SENATOR DONNEWALD)

21 He indicates he will respond.

22 SENATOR SMITH: ...
23 from Senator, do you remember the conversation we had the night
24 that this bill was up? Now, I noticed that you offered an amend-
25 ment; May I ask of you, what that amendment purports to do?

26 PRESIDING OFFICER: (SENATOR DONNEWALD)

27 Senator Harris.

28 SENATOR HARRIS:

29 Yes. Senator Smith, I support Senator Egan in the amendment
30 that Senator Egan offered and the serious concern I had about the
31 actuarial impact of State officers who are compensated at a rate,
32 for example, of fifty-five thousand dollars a year, or forty-two
33 five or forty-five, which are some of the existing amounts of

1. State officer's salaries. And the impact of those withdrawals,
2. once on full pension, on the limited size of the General Assembly
3. system concerned me deeply, and...and gave me great worry. The Con-
4. stitutional officers have suggested an amendment which is provided
5. for here, and the language of that is, that the ultimate quali-
6. fication will be that portion of actual salary paid to the elected
7. officer which equals the salary of the highest salaried officer
8. of the General Assembly. Now, that...

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Just a...just a moment.

11. SENATOR HARRIS:

12. ...that would reduce...that would reduce their qualification
13. to thirty thousand dollars and...and they will pay in, contributions
14. at the rate levied against members of the General Assembly system,
15. which is ten percent. Now, in the State Employees' system, the
16. maximum would be seven and a half percent. So, they're making a
17. greater contribution under this amendment than they would under an
18. amendment to the State Employees' Article.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Just a moment. Senator Smith.

21. SENATOR SMITH:

22. That is not the real reason which they're being transferred
23. from their own pension fund to our pension fund, the Legislative,
24. is because of the amount impacted, as you say, at thirty dollar...
25. thirty thousand dollars, they then would be drawing a more than
26. those of us who have spent a considerable portion of our life here
27. in this Senate. Is that correct, Sir?

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Harris.

30. SENATOR HARRIS:

31. Well, the answer to that is Yes, if they have twenty years of
32. service. They...they would have to have twenty years of qualifying
33. service, but that, Senator...Smith, the answer, in an unqualified way,

1 is, yes.

2 PRESIDING OFFICER: (SENATOR DONNEWALD)

3 Senator Smith.

4 SENATOR SMITH:

5 ...more for twenty years service than either of us who are
6 members of that...particular pension setup, will draw. Is that
7 correct? Yes, it is. Yes, it is.

8 PRESIDING OFFICER: (SENATOR DONNEWALD)

9 Senator Harris.

10 SENATOR HARRIS:

11 Well, the answer is, yes. Their...their...qualification
12 could equal what the combination effect of...of leadership is.
13 That's...that is correct. Your question is...is valid and it should
14 be answered in the affirmative.

15 PRESIDING OFFICER: (SENATOR DONNEWALD)

16 Just...just a moment. May we please have order prior to con-
17 tinuing? Now, I've...asked, the Chair has asked time and time
18 and time again this afternoon for order, we have it a little bit
19 and then it proceeds to grow louder and louder. Senator Smith is
20 now on his second round of five minutes, so, Senator, would you
21 please...yes. Alright, Senator Smith, proceed.

22 SENATOR SMITH:

23 May I ask one additional question, Senator? What will be the
24 impact upon... of that considered sum that these gentlemen will re-
25 ceive, what will be the impact upon our fund?

26 PRESIDING OFFICER: (SENATOR DONNEWALD)

27 Senator Harris.

28 SENATOR HARRIS:

29 I would have to say that they are comparable to the present
30 potential and conscientiously, Senator Smith, I am reassured by
31 the fact, that not all of these, in fact, only I think in...in two
32 existing instances, is there maximum qualification of these Con-
33 stitutional officers. So, they would not take out at the full

1 eighty percent of thirty thousand dollars. And I think the act-
2 uarial impact is not a serious problem for us to be concerned with,
3 particularly, in the light that they have to pay in at the full
4 ten percent basis on the full thirty thousand. I think, I think
5 we have struck a reasonable compromise.

6 PRESIDING OFFICER: (SENATOR DONNEWALD)

7 Senator Wooten. Oh, excuse me, Senator Smith, have you con-
8 cluded? Senator Wooten.

9 SENATOR WOOTEN:

10 Questions of the sponsor.

11 PRESIDING OFFICER: (SENATOR DONNEWALD)

12 He indicates he'll yield.

13 SENATOR WOOTEN:

14 What is...

15 PRESIDING OFFICER: (SENATOR DONNEWALD)

16 If he can hear you, that is.

17 SENATOR WOOTEN:

18 What is the need for this compromise? Do they not now have
19 a pension system of their own?

20 PRESIDING OFFICER: (SENATOR DONNEWALD)

21 Senator Egan.

22 SENATOR EGAN:

23 Yes, they do have a pension system of their own and some of
24 them in the system have served in the General Assembly and made
25 the request. They desire it.

26 PRESIDING OFFICER: (SENATOR DONNEWALD)

27 Senator Wooten.

28 SENATOR WOOTEN:

29 In what way does this change their present qualification?
30 I mean, you know, they qualify under both systems.

31 PRESIDING OFFICER: (SENATOR DONNEWALD)

32 Senator Egan.

33 SENATOR EGAN:

1 Well, it...Senator Harris has explained, Senator Wooten and
2 that the...I think it's the benefits have been explained, the con-
3 tribution has been explained, I don't understand your question.

4 PRESIDING OFFICER: (SENATOR DONNEWALD)

5 Senator Wooten.

6 SENATOR WOOTEN:

7 Every pension bill that has come along has been designed to take
8 care of Sam and Charley, who live in Macoupin County, or some other
9 place they have this. Is this...who's this designed for? Is it...
10 I can only think of Mike Howlett, maybe and Alan Dixon. What's
11 the purpose of this, why do we need it?

12 PRESIDING OFFICER: (SENATOR DONNEWALD)

13 Senator Egan.

14 SENATOR EGAN:

15 It provides that the Governor, Lt. Governor, Secretary of State,
16 Treasurer, Comptroller and Attorney General participate. Those in-
17 dividuals and those individuals, alone.

18 PRESIDING OFFICER: (SENATOR DONNEWALD)

19 Senator Wooten...

20 SENATOR WOOTEN:

21 Why, that's the...I mean why is this necessary? Why is it needed?
22 Why is it even desirable? And I can't through all the thicket that,
23 you know, maybe if someone will come up and whisper, this is to
24 accomplish this, maybe that would do it, but, can we say anything
25 on the Floor that would explain why this is necessary?

26 PRESIDING OFFICER: (SENATOR DONNEWALD)

27 Is there further debate? Senator Newhouse wish recognition?

28 Senator Newhouse. Senator Newhouse.

29 SENATOR NEWHOUSE:

30 I have to apologize, Mr. President, cause I was over consulting
31 with one of the members of the subcommittee that was supposed to
32 be working on this specific problem. As Chairman of the Pensions Laws
33 Commission, I am completely surprised by what's going on now. Now,

1 there had been a request that there be some arrangements made for
2 these constitutional officers and I think that that's a reasonable
3 request. We had specifically turned this method down, specific-
4 ally turned this method down, and I'm alarmed to see it on the
5 Floor in this form. There has been a subcommittee formed to study
6 this question and to come up with a resolution to the problem.
7 We want to do something, but we don't want to invade the Legis-
8 lative Pension System with this kind of stuff. Now, the Body
9 ought to know that, that's where it is, the committee turned this
10 down, specifically, and without any question. And the subcom-
11 mittee now has a study to try to work out something for these
12 constitutional officers. I was not informed. I knew nothing
13 about it until I heard it on this Floor.

14 PRESIDING OFFICER: (SENATOR DONNEWALD)

15 Senator Demuzio.

16 SENATOR DEMUZIO:

17 Yes, Mr. President, just a matter of personal privilege, here.
18 Macoupin County was injected into this debate, and I want to state,
19 for the record, that none of these constitutional officers come
20 from Macoupin County but we're still hoping.

21 PRESIDING OFFICER: (SENATOR DONNEWALD)

22 Alright. Is there further debate? Senator Berning.

23 SENATOR BERNING:

24 Thank you, Mr. President. There's just one word of caution
25 that I would like to leave with the members of this Senate. Ad-
26 mirable as the objectives may be, to accommodate these elected offi-
27 cials, and recognizing that this apparently is effective now,
28 as sure as you're a foot high, if not next year, the year after,
29 there will be an amendment sought to make this effective to prior
30 to 1970, or prior to 1965 or some such thing, so as to take care
31 of that one lonely elected official out there who has been over-
32 looked. This, members of the Senate, is the real travesty in so
33 many of these accommodations. Once they're accomplished, we then

1 get that plethora of requests, to extend, extend, extend, extend,
2 and we erode, erode, erode the financial base of the pension
3 system.

4 PRESIDING OFFICER: (SENATOR DONNEWALD)

5 Senator Regner, did you wish...Senator, is there further de-
6 bate? Senator Egan may close the debate.

7 SENATOR EGAN:

8 I would just point out that when those arise, Senator Ber-
9 ning, I will oppose them with you. But, this legislation is cer-
10 tainly not intended to do harm to the constitutional officers.
11 Their resistance came to be when they felt that there was harm done
12 to our system. The feeling is, and it's intelligent rational feeling
13 that...that it will not do harm to our system. And as long as
14 it doesn't harm anybody, Senator, I think that we should favor it.
15 Thank you.

16 PRESIDING OFFICER: (SENATOR DONNEWALD)

17 The question is shall Amendment No. 1 be adopted to House Bill
18 2784. All those in favor vote Aye. Those opposed vote No. The
19 voting is open. Have all those voted who wish? Take the record.
20 On that question the Ayes are 30, the Nays are 17, Amendment No. 1
21 to House Bill 2784 is adopted. Are there further amendments?
22 3rd reading. (Machine cutoff) Bill 2804, Senator Vadalabene.
23 Read the bill.

24 SECRETARY:

25 House Bill 2804.

26 (Secretary reads title of bill)

27 3rd reading of the bill.

28 PRESIDING OFFICER: (SENATOR DONNEWALD)

29 Senator Vadalabene.

30 SENATOR VADALABENE:

31 Thank you, Mr. President and members of the Senate. The intent
32 of this bill is to allow the continued taxation of real estate
33 which is being taxed to pay general obligation bonds, when such

1. real estate is acquired by an entity that is normally tax exempt.
2. The amendment which was proposed by Senator Nimrod and Republican
3. and Democratic Staff was cleared and I would appreciate a favor-
4. able vote.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Is there further discussion? Senator Fawell.

7. SENATOR FAWELL:

8. Well, Mr. President, members of the Senate. I would hope
9. that we would look very carefully at this bill. I don't know if
10. there has been an amendment on it. I believe that the last time
11. I talked to Senator Vadalabene he did indicate he was going to
12. put an amendment. But what this bill does state, is that if you
13. have, let us say, a school district or a park district, which may
14. acquire property, and, of course, the property then becomes
15. exempt from taxation. It goes on to say that that school dis-
16. trict of the park district which, of course, are taxpayers, also,
17. has to go ahead and pay the proportionate share of any outstanding
18. bond issue that may pertain to the property. Now, I submit to you
19. this is impossible. It's impossible because when the property
20. becomes exempt, I'm just going to try to out yell them, Mr. President.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. I...I...I...I'm going to be right with you, because I'm going
23. to start yelling again. I'm not going...let the Body continue the
24. business until we have order.

25. SENATOR FAWELL:

26. Mr. President, I think we're interrupting this conversation,
27. here.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. I...I'm sorry to see that. That, that...that is...that is a shame.
30. Now, could we please have order? Proceed.

31. SENATOR FAWELL:

32. What I...what I have been trying to say is that once property becomes
33. exempt, you no longer have any assessments that are made on that pro-

1 perty. How are you going to be able to figure out in futural
2 what the particular share of that property, the bond issue
3 could have been. I don't know how this can possibly be done.
4 I'm saying, I haven't had a chance to look at the amendment
5 allegedly put on, but I don't...I don't think the amendment
6 addresses itself to that problem, at all. Even if one could
7 figure out how in the world we could determine what the share
8 in the future of, say a twenty-year amortized bond issue might
9 be, I think the concept is...is completely incorrect. Once
10 property becomes tax exempt, it becomes tax exempt, and to say
11 that the taxpayer has to take money out of one pocket and put
12 it over in another pocket simply makes no sense, whatsoever.
13 But, I repeat, this is an unworkable bill. I don't know how
14 in the world you can figure out in the future, what the taxes
15 would be on property that is now exempt when exempt property
16 isn't assessed so you can't determine it, anyway. I...I
17 would, therefore, of course, for anybody who didn't listen to
18 anything I've said so far, just vote No and you'll be all right.

19 PRESIDING OFFICER: (SENATOR DONNEWALD)

20 Senator Carroll.

21 SENATOR CARROLL:

22 I've been listening, Senator Fawell, and I think the answer
23 is in the amendment. And the amendment, the amendment, as
24 Senator McCarthy corrects me says that where the property
25 against which taxes have been extended for payment of principal
26 and interest on a bond issue has been sold or acquired by an exempt
27 entity, then the taxes can still be imposed on that entity to the
28 extent that they are used to meet the payment of principal and
29 interest on a bond issue, and for that purpose, only. So,
30 provide for the extension of taxes against your school district
31 or your forest preserve district, if that land had been used, if
32 taxes on that land had been used to pay off a bond issue, they could
33 still be extended for that purpose, and that purpose, only.

1 PRESIDING OFFICER: (SENATOR DONNEWALD)

2 Senator Soper. Or just a moment, Senator Fawell, do you
3 wish to respond?

4 SENATOR FAWELL:

5 Yes, I do. Senator...

6 PRESIDING OFFICER: (SENATOR DONNEWALD)

7 Your time was up, but I...

8 SENATOR FAWELL:

9 Well, ...if Senator Carroll can answer, if the...if the
10 property isn't assessed, how then, can you determine what its
11 share, based upon the levy, which is based upon the principal and
12 interest on the outstanding bonds, would ever be, if you don't
13 have assessments?

14 PRESIDING OFFICER: (SENATOR DONNEWALD)

15 Senator Carroll.

16 SENATOR CARROLL:

17 Because prior to the acquisition, you had assessments. You're
18 talking about an acquisition by a tax exempt body of land that had
19 been previously taxed, part of the tax was for the payment of
20 principal and interest on a bond issue. Those taxes have been
21 extended in the past, the portion of the taxes have been extended
22 and known in the past, all you have now, is a new name on the title.
23 So they can assess it for that purpose, and specifically, excuse me,
24 the Act provides for the extension of taxes against that Body,
25 and sets out the Section numbers.

26 PRESIDING OFFICER: (SENATOR DONNEWALD)

27 Senator...oh, Senator Fawell.

28 SENATOR FAWELL:

29 Senator Carroll, I...I don't mean to be...to push this. But,
30 when you have a bond issue, levy ordinance, you have an automatic
31 extension that takes place, for let's say, the twenty-year amor-
32 tization period of the bond issue, Senator Carroll, and that levy
33 each year, has to made against whatever the assessed value of the

1 property is. Now, there will be no assessed values ever put
2 against these properties because they become exempt, and that's
3 my point, therefore, how can the share in futural on this twenty-
4 year amortization ever be deducted? It's an impossibility because
5 there's no assessments on the property which is exempt because
6 the property is exempt.

7 PRESIDING OFFICER: (SENATOR DONNEWALD)

8 Senator Carroll.

9 SENATOR CARROLL:

10 Yes, on behalf...

11 PRESIDING OFFICER: (DONNEWALD)

12 We're...we're running far over the allotted time.

13 SENATOR CARROLL:

14 I'm answering on behalf of Senator Vadalabene.

15 PRESIDING OFFICER: (SENATOR DONNEWALD)

16 There are several others that wish...Senator Carroll.

17 SENATOR CARROLL:

18 Let me just give you very quickly, because we're out of time,
19 the example, where the city acquires the land that had previously
20 been leased for the purposes of an airport. And there had been
21 a bond issue to acquire, build and run the airport. There had
22 been taxes assessed against the land for the payoff of the bonds
23 for the airport. Now that the city acquires it, they still pay
24 in for the...equivalent of the tax, for the purposes of paying
25 off the airport. It's going on now and has been going on for
26 quite sometime and I'll show you the amendment.

27 PRESIDING OFFICER: (SENATOR DONNEWALD)

28 Senator Soper.

29 SENATOR SOPER:

30 Thank you, Mr. President. But, what Senator Fawell says
31 is correct. You just...you just can't take and levy a tax against
32 an assessed valuation that doesn't exist. When you...when you
33 remove a piece of property from the tax roll, assessed valuation

1 is nil. There's no assessed valuation. Now beside that, suppose
2 you had a piece of property purchased by a city and there was
3 a great big building on it and that big building had an assessed
4 valuation say of...of a million dollars. And you took down the
5 building and the vacant land was five hundred thousand. Do you re-
6 duce the valuation of five hundred thousand for the purposes of
7 the bond issue? Or...or do you...or do you take the assessed
8 valuation fifteen years from then and say now the land is worth
9 two million dollars instead of...instead of a half a million
10 dollars when you took the other building off and do you pay the
11 bond issue on the...on the...on the assessed valuation of two
12 million dollars? This proposes a lot of problems. And it's a
13 lot to do about nothing because the fact that the people pay for this
14 bond issue, and they are going to pay it, one way or another.
15 They've acquired the property, now they own it, and it's a lot
16 of mishmash.

17 PRESIDING OFFICER: (SENATOR DONNEWALD)

18 Is there further debate? Senator Vadalabene may close the
19 debate. Senator Nimrod.

20 SENATOR NIMROD:

21 Yes, Mr. President, fellow Senators. We did discuss this
22 very issue and it certainly is a crucial one, it's one where the...
23 either the Federal government or the State comes in and picks up
24 a big tract of land. We do have these problems, the amendment
25 was prepared to attempt to take care of the very problem that's
26 been gone ahead and we...we think that it does do that, and that
27 certainly does take care of any bonds or any indebtedness to be
28 outstanding at the time when that...when that property is acquired.
29 And I think that with that concept it is good especially for
30 several areas which are losing great areas of land where these
31 things happen, either the State coming in for a hospital or
32 where the Federal government comes in and takes over park land
33 from a county.

1 PRESIDING OFFICER: (SENATOR DONNEWALD)

2 Senator Partee.

3 SENATOR PARTEE:

4 I just wondered if that was a monologue. I didn't under-
5 stand anything he said.

6 PRESIDING OFFICER: (SENATOR DONNEWALD)

7 Well, the question is shall House Bill 2804 pass? Those in
8 favor vote Aye. Those opposed No. The voting is open. (Ma-
9 chine cutoff)voted who wish? Take the record. On that ques-
10 tion the Ayes are 34, the Nays are 19, one Voting Present.

11 House Bill 2804 having received the constitutional majority is
12 declared passed. Senator Egan as to House Bill 2784 on the
13 order of 3rd reading.

14 SENATOR EGAN:

15 Thank you, Mr. President, members of the Senate. I...I
16 would certainly welcome...

17 PRESIDING OFFICER: (SENATOR DONNEWALD)

18 Have to read...have to read the bill, Senator.

19 ACTING SECRETARY: (MR. FERNANDES)

20 House Bill 2784.

21 (Secretary reads title of bill)

22 3rd reading of the bill.

23 PRESIDING OFFICER: (SENATOR DONNEWALD)

24 Senator Wooten. Or strike that, Senator Egan opens the
25 debate.

26 SENATOR EGAN:

27 Thank you, Mr. President and members of the Senate. I...I
28 would say that certainly would welcome more discourse on the sub-
29 ject but I believe that it's been thoroughly explored. I...I
30 would only say that as long as this is not harmful to the system,
31 to our system, it's acceptable to me and I would hope you would
32 join with me in voting in favor of the measure.

33 PRESIDING OFFICER: (SENATOR DONNEWALD)

1 Senator Wooten.

2 SENATOR WOOTEN:

3 Mr. President and colleagues. After having taken part in
4 several earnest, quiet discussions and listening to answers de-
5 livered close at hand and over a microphone, I find I'm unaltar-
6 ably opposed to this bill. I've not heard any good reason why
7 the elected officers should be included in the Legisla-
8 tive Pension System. It's just that simple. No good reason why
9 they should be included and I would urge opposition to the measure.

10 PRESIDING OFFICER: (SENATOR DONNEWALD)

11 Senator Berning.

12 SENATOR BERNING:

13 Thank you, Mr. President. Whatever way each one decides to
14 vote is immaterial to me. I merely want to suggest that we owe
15 the Chairman of the Senate Pension and Personnel Committee,
16 Senator Newhouse, a...an apology and a recognition that this mat-
17 ter was in the possession of a subcommittee for additional study.
18 The subcommittee did not have an opportunity to report. It's
19 unfortunate that communication broke down somewhere and Senator
20 Newhouse and the members of the subcommittee, as a matter of fact,
21 were not aware that this bill was up...going to be up for 3rd
22 reading and this amendment to have been considered.

23 PRESIDING OFFICER: (SENATOR DONNEWALD)

24 Senator Savickas.

25 SENATOR SAVICKAS:

26 Yes, I understand now that this bill with the amendment
27 lowers now the qualifying time for these people to qualify for
28 a pension. Is this correct?

29 PRESIDING OFFICER: (SENATOR DONNEWALD)

30 Senator Egan.

31 SENATOR EGAN:

32 The...it does for the leaders, but requires that they pay for
33 four years.

1 PRESIDING OFFICER: (SENATOR DONNEWALD)

2 Senator Savickas.

3 SENATOR SAVICKAS:

4 Well, now I can't understand why we should lower the
5 qualifying time for leaders for...put new members in. How
6 about the members? Again, it seems to me that if the State
7 Employees' Pension Fund is not good enough for our officials,
8 then, obviously, the State Employees Pension Fund is not in...
9 good for the common employees. And that we should probably
10 put all of them in, upgrade all of them. If our pension sys-
11 tem is that bad, we shouldn't allow our regular employees to
12 be in it. I would oppose any type of legislation like this
13 that would put new people in, lower the qualifying time for
14 a selected group and then just pass it out as if nothing had
15 happened.

16 PRESIDING OFFICER: (SENATOR DONNEWALD)

17 Senator Newhouse did you wish recognition? Senator Newhouse.

18 SENATOR NEWHOUSE:

19 Thank you, Mr. President. Well, I don't know how or why
20 what's been done, was done. We do have a subcommittee, a sub-
21 committee that is concerned with doing what ought to be done
22 for those constitutional officers who presently don't have a
23 plan that's sufficient for them. The first objection that was
24 raised when this plan was proposed was that it violated the
25 integrity of the legislative pension system, and if it did then,
26 it certainly does now. The second question was raised that
27 once we open the doors, well how many people will be coming
28 through. It was agreed by all, that something should be done.
29 A subcommittee was appointed for that purpose. The sub-
30 committee wasn't supposed to report back until the fall. It
31 was supposed to take the time that's necessary to go back and
32 do a thorough job and protect everyone, the legislative pension
33 system and those constitutional officers. Now, I understand

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1. an agreement has been arrived at. I don't know with whom and...
2. and about what. Now, several have approached me tonight to say that
3. they thought that I knew or that I understood. I haven't talked
4. to but no one. I don't know that my subcommittee was involved
5. at all. Seems to me that if we're going to protect the integrity
6. of the committee system, several things have to happen. Number
7. one, when the committee makes the determination, and normally that
8. recommendation is followed by this Body, it should be followed.
9. For those who say that the bill is now in better shape than
10. it was a few minutes ago, I think they're evading the question.
11. The question is whether or not we invade the Legislative Pension
12. System. If the bill was bad a few minutes ago, the bill needs
13. to be voted down. It could either have been voted down then or it
14. needs to be voted down, now. I would suggest that we give the sub-
15. committee the opportunity to do what it's prepared to do, come
16. back with a measure that provides for the constitutional officers,
17. at the same time, doesn't dilute that pension system which you
18. ought to be protecting. Thank you.
19. PRESIDING OFFICER: (SENATOR DONNEWALD)
20. Is there further debate? Senator Egan may close. Senator
21. Egan requests a roll call. All...the question is shall House Bill
22. 2784 pass. Those in favor vote Aye. Those opposed No. The voting
23. is open. Have all those voted who wish? Have all those voted who wish?
24. Take the record. Request for Postponed Consideration. Consideration
25. is postponed. House Bill 2811, Senator Partee. House Bill
26. 2815, Senator Vadalabene. Read the bill.
27. SECRETARY:
28. House Bill 2815.
29. (Secretary reads title of the bill)
30. 3rd reading of the bill.
31. PRESIDING OFFICER: (SENATOR DONNEWALD)
32. Senator Vadalabene.
33. SENATOR VADALABENE:

1. Thank you, Mr. President and members of the Senate. House
2. Bill 2815 amends the construction of statute laws. And the im-
3. pact of this bill is that it adds a severability clause to the pro-
4. visions of each Act. And if the court finds any provision of an
5. Act invalid, the invalidity does not affect other provisions
6. which can be given effect without the invalid application. On
7. the statutes now, we have several severability clauses. What
8. this will do will...will make all the laws uniform and I would
9. appreciate a favorable vote.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Is there further discussion? Senator Clarke.

12. SENATOR CLARKE:

13. I just want to ask if Senator Vadalabene is a lawyer?

14. PRESIDING OFFICER: (SENATO DONNEWALD)

15. Do you wish to respond to that, Senator Vadalabene? Senator
16. Vadalabene.

17. SENATOR VADALABENE:

18. Yes, on my application when I came into the Senate to Senator
19. Partee I put on there that I was a curbstone lawyer and he ob-
20. jected to that kind of phraseology.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator McCarthy.

23. SENATOR MCCARTHY:

24. Well, I have a question here because there...there are at
25. least two sections in...in this...bill and I want to know if there's
26. a severability section in...in this bill?

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Vadalabene.

29. SENATOR VADALABENE:

30. No.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Is there further discussion? The question is shall House Bill
33. 2815 pass? Those in favor vote Aye. Those opposed, No. The voting

1 is open. Have all those voted who wish? Take the record. On
2 that question the Ayes 53, the Nays are None. House Bill 2815
3 having received the constitutional majority is declared passed.
4 Senator Vadalabene for what purpose do you arise?

5 SENATOR VADALABENE:

6 On a point of personal privilege.

7 PRESIDING OFFICER: (SENATOR DONNEWALD)

8 State your point.

9 SENATOR VADALABENE:

10 How'd I get this bill?

11 PRESIDING OFFICER: (SENATOR DONNEWALD)

12 I gave it to you. Now, Senator Course, as to 2818. Read
13 the bill.

14 SECRETARY:

15 House Bill 2818.

16 (Secretary reads title of bill)

17 3rd reading of the bill.

18 PRESIDING OFFICER: (SENATOR DONNEWALD)

19 Senator Course.

20 SENATOR COURSE:

21 Thank you, Mr....thank you, Mr. President, members of the
22 Senate. House Bill 2818 is exactly as the Calendar says. It
23 deletes provisions in the Cigarette Tax Act which specifies that
24 tax may not be imposed in municipality where sales tax is enforced.
25 I would accept the same roll call I received on 2717, Ladies and
26 Gentlemen.

27 PRESIDING OFFICER: (SENATOR DONNEWALD)

28 Is there further discussion? Senator Nimrod.

29 SENATOR NIMROD:

30 Yeah. I would just like to call attention that we are pro-
31 viding here for the imposing of an additional tax. And what this
32 means is that we are repealing a section which prohibits the im-
33 position of this tax and that we are allowing the local muni-

1. palities to add a one cent tax. It seems to me that when we look
2. at this picture, 2627, which was the bill that's going to allow the
3. State to collect these taxes for the municipality, then we're allow-
4. ing the State to go...it looks like we're allowing the State to col-
5. lect an additional cigarette tax and I just think I'm opposed to
6. this concept.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Is there further debate? Senator Mitchler.

9. SENATOR MITCHLER:

10. Mr. President. I'd...I'd like to ask the sponsor or someone
11. who could answer this question. How many municipalities in the
12. State of Illinois now impose a cigarette tax which would be in ad-
13. dition to the cigarette tax imposed by the State of Illinois?

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Course.

16. SENATOR COURSE:

17. I can't answer that, Senator Mitchler.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Mitchler.

20. SENATOR MITCHLER:

21. Well, I'll answer the question, then. The question...the
22. answer to that question is, one, the City of Chicago. Now, I'm not
23. mad about the City of Chicago doing that. But, let me...let me
24. explain this, any distributor of cigarettes, if you know what this
25. is doing to him, they have to have when they put through the
26. cigarettes through the machine that puts this stamp on there,
27. all cigarettes that they distribute to the City of Chicago has
28. to run through a machine that stamps it twice. Once for the State,
29. once for the city, for the municipality. Now, fortunately, and this is
30. good luck to them, that there's only one municipality now that re-
31. quires that dual stamping and then they have to pile these cig-
32. arettes, and you know how many different brands they have. And they
33. have to pile them over into a section and keep those separated

1. from those of the State. Because if they have a shipment into the
2. City of Chicago that just has a State stamp on, they are in vio-
3. lation of a law. And if they send cigarettes out into a com-
4. munity that with the Chicago stamp on they are also in violation.
5. Now, if you leave off the City of Chicago, for example, the State
6. tax into the City of Chicago, that may sound good. But, what you're
7. doing to the distributors of cigarettes here, is if...when all these
8. Home Rule Units then will put through a cigarette tax because they've
9. had...that'll mean it'll take the tax off the State. And this...it's
10. transferring the State Cigarette Tax to the municipality. But,
11. what you're going to do to the distributors of cigarettes is you're
12. going to require them to have about a warehouse twice as big as any
13. capitol complex you could develop down here to distribute these
14. cigarettes, to keep them separated for the various municipalities.
15. Now, I hope we...you know what you would be doing if you'd be
16. passing this bill. Now, if I'm wrong, Senator Course, and I know
17. you don't want to get involved in something like I've just tried
18. to explain to you, but I've been through these plants, I've talked
19. to these people, I see how they distribute this. And you're
20. causing something that's just completely unbearable to the cig-
21. arette industry. And this is a great taxing source of revenue for
22. the State of Illinois and you'd be destroying the entire thing.
23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Partee.

25. SENATOR PARTEE:

26. I'm just appalled, Senator, that you've made such a sterling
27. speech in the defense of the cigarette industry. It occurs to me
28. that you are the one who has been suggesting that people stop
29. smoking and now you are defending this industry. I just don't
30. understand. Maybe if the tax goes higher, maybe you'll get your
31. wish that people will stop smoking.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Clarke.

1. SENATOR CLARKE:

2. Well, Mr. President, I'd just like to say that there is a
3. wholesaler distributor in my district. I've been through his
4. plant and I know a good many others in that area have been and
5. I think that when the City of Chicago imposed their municipal tax,
6. we know what happened. The bootlegging increased tremendously
7. and the sales - the State revenue decreased something like eighteen
8. million dollars. I think that this bill is just going to ad-
9. ditionally increase that type of outflow from the metropolitan
10. area in terms of the sales, legitimate sales, that sales tax
11. is collected on, and we're going to have more and more problems.
12. And you all remember when the Director of Revenue thought that
13. this is for real and started impounding cars coming over from
14. Indiana and he got court suits against them and they had to be
15. litigated but he found people bringing whole carloads of cartons
16. back from Indiana. I think this is a very serious problem and
17. a bad bill.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Is there further debate? Senator Course may close the debate.

20. SENATOR COURSE:

21. Well, Mr. President and members of the Senate. We've heard
22. that cry before when the sales tax went on the cigarettes in some of
23. the municipalities. The distributors came in here and they said we'll
24. have to take the cellophane wrapper off the...the packages and put
25. the stamp on and put the cellophane back on and put them back in
26. the cartons. It didn't...it didn't materialize. They're doing it
27. now and it's no...undue hardship on them. And they can do it in
28. this, here. This is a painless way of extracting money from the
29. people who want to smoke cigarettes. If you'd rather go to a pro-
30. perty tax increase, well that's okay by me. But some of these
31. municipalities are going to need money. This is a way of getting
32. it. It's a painless way of getting it. Ladies and Gentlemen, this
33. is...it's permissive, they don't have to do it if they don't want

1. to. And as far as the tax laws in the State of Illinois,
2. it's true, we did have tax laws for the...we first invoked
3. the...the tax on cigarettes. But that gradually wore off.
4. A person isn't going to drive a hundred miles or fifty miles
5. or twenty-five miles to buy a carton of cigarettes. We have
6. regulatory agencies in the State of Illinois that...that stop
7. these people from trucking cigarettes into the...into the State
8. of Illinois. They're fined if they're caught. We have laws to take
9. care of this. That's no big sweat if you want...if you want to
10. take that route and use that for an argument, well, then what
11. about the five cent sales tax we have on food? Are people
12. running out of the State, are they running and bringing truck-
13. loads of food back? I don't think so. Ladies and Gentlemen,
14. that's a poor excuse as a...for an argument. This is a good
15. piece of legislation. If the...municipalities don't want to in-
16. voke this tax, they don't want to put it on their cigarettes, they
17. don't have to. But, if they do, if they find that they need
18. money, this is an easy way of doing it. I would appreciate a
19. roll call.

20. PRESIDENT:

21. Senator. The question is shall House Bill 2818 pass. Those
22. in favor will vote Aye. Opposed Nay. The voting is open.
23. Have all voted who wish? Take the record. Postponed Con-
24. sideration. The Chair takes pleasure in introducing to the Illinois
25. Senate, Governor Osnawe of the Province of South Sumatra, the
26. Republic of Indonesia. He is visiting the United States and is
27. interested, very much in coal, agriculture and industry. Could we
28. have a few words, Governor?

29. GOVERNOR OSNAWE:

30. (The Governor addresses the members of the Senate)

31. PRESIDENT:

32. Thank you, Governor Osnawe and I certainly hope you will en-
33. joy, if I may speak for all of us, your stay in Illinois. House

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1 Bill 2825, Senator Rock.

2 SECRETARY;

3 House Bill 2825.

4 (Secretary reads title of bill)

5 3rd reading of the bill.

6 PRESIDENT:

7 Senator Rock.

8 SENATOR ROCK:

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

10 House Bill 2825 was sponsored in the House by Representative

11 Garmisa, the Chairman of that Transportation and Motor Vehicles

12 Committee. It's an amendment to the Illinois Vehicle Code and

13 what it does, specifically, is exempt scrap metal processors

14 engaged in the business of processing hulks. Hulks are...used

15 to be automobiles. From that provision in Section 31-117 which

16 provides that a certificate of title has to be...or other doc-

17 ument has to be surrendered to the Secretary of State. These

18 particular persons, as I say, deal in nothing but hulks and hulks

19 are defined in the Act, with all...it's that portion of the auto-

20 mobile after all the identifying...marks have been removed. It's

21 merely a piece of scrap metal. I would ask for a favorable vote.

22 PRESIDENT:

23 Any discussion? Question is...Senator Harris.

24 SENATOR HARRIS:

25 Well, I really hesitate to rise in opposition to a bill in-

26 troduced by Representative Garmisa and sponsored by Senator Rock

27 and I've been contacted by a long time good friend of mine who's

28 interested in this bill. But I really have some reservations about

29 we...the fact, that we may be opening up a hole, I just don't really

30 think these definitions are careful enough to prevent what, I

31 think, is a very serious hole in the registration and the track

32 keeping availability where, presently, of course, recycling op-

33 erators of these automobile hulks are obligated to meet the same

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1 SENATOR HARRIS:

2 I just...I just really think there are some problems in connection
3 with this and the General Assembly ought to be mindful of that. Seems
4 to me that this act of finally destroying or rendering a hulk, and
5 that word is used in this definition of a carcass of an automobile
6 is forever thereafter, of course, just impossible to trace. Seems
7 to me that it would be possible for the stolen automobile activity
8 to be enhanced by this new Section in the law permitting this kind
9 of operation. So I just think the membership ought to be on notice
10 in connection with it and...should be alerted to that possibility.

11 PRESIDENT:

12 Senator Harber Hall.

13 SENATOR HARBER HALL:

14 I'd like to ask a question of the sponsor.

15 PRESIDENT:

16 He indicates he'll yield.

17 SENATOR HARBER HALL:

18 I have some of the same concerns that Senator Harris has
19 expressed and I would like to know, Senator, if...the...any of the
20 police agencies have endorsed this bill. Are they for this...State
21 Police?

22 PRESIDENT:

23 Senator Rock.

24 SENATOR ROCK:

25 Well, to be perfectly honest...if they are, none has contacted
26 me but on the other hand I have not asked any for their opinion. It
27 was heard in both the Senate and House Committees on Transportation
28 and Motor Vehicles and there was no registered opposition.

29 PRESIDENT:

30 Senator Harber Hall.

31 SENATOR HARBER HALL:

32 I...I wonder about the Secretary of State, Senator Rock, about...is
33

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1. he for this?

2. PRESIDENT:

3. Senator Rock.

4. SENATOR ROCK:

5. Secretary of State...did not register either in favor or in
6. opposition. As a matter of fact, I talked to his office as recently
7. as this morning. He has no official position on this bill. He's
8. not opposed to it but no official position.

9. PRESIDENT:

10. Senator Harber Hall.

11. SENATOR HARBER HALL:

12. Well, I feel compelled to express concern as Senator Harris
13. has and point out I have talked with some people in this business
14. and their concern that stolen cars will be readily disposed of, as
15. sold off, junked for parts and then all evidence eliminated with
16. this provision. I...it's been reported to me, and I don't
17. have any firsthand knowledge that this is true, but it's been reported
18. to me that the various municipal police departments are not in
19. favor of this, that the State Police are not in favor of it, but I only
20. say that that was reported to me and I don't know that this to be the
21. case. So, I...without anymore knowledge than I have right now,
22. I'm going to have to vote present on it.

23. PRESIDENT:

24. Any further discussion? Senator Wooten.

25. SENATOR WOOTEN:

26. Yes, Mr. President, colleagues. I must confess I had not
27. thought about this bill until it was called just now and I looked
28. at the synopsis and it brings back a conversation which I had
29. last week. A scrap processor called me and he said, what do you
30. know about...and he gave me the number of obviously this bill, and
31. I said, I don't know anything about it to tell you the truth, and
32. he said, well, don't vote for it. Although it relieves us of
33. paper work, it's going to make the job of tracing stolen cars much

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1. more difficult. I just wanted you to know that. And that's
2. the whole extent of my information on this bill. I was impressed
3. that it came from a person who would be relieved of the burden. And
4. on the basis of that, I don't think I could support the bill.

5. PRESIDENT:

6. Senator Latherow.

7. SENATOR LATHEROW:

8. Thank you, Mr. President, members of the Senate. I would like
9. to call attention to the fact that we spent some time developing
10. a junk vehicle law, as we might call it, or scraping and so forth,
11. whereby a continued retention of identification was promoted and
12. I believe this particular piece of legislation would allow for
13. almost immediate destruction of the vehicle and loss of all
14. positive identification almost in a overnight matter. Most people,
15. who are in this particular business, do believe in legitimate
16. operation and I don't mean that to say that I think this would
17. bring about illegitimate operation, but I do want to recognize
18. that the value of identification and the value of the Secretary
19. of State to be able to identify what has happened to that
20. vehicle would be lost, in my belief, if this legislation passed.
21. I would want to be in opposition to it.

22. PRESIDENT:

23. Any further discussion? Senator Rock, may close the debate.

24. SENATOR ROCK:

25. Well, thank you, Mr. President, Ladies and Gentlemen of the
26. Senate. The opposition, frankly, came as a bit of surprise to me
27. and I think one thing that obviously has been overlooked, and I am
28. not frankly that familiar with this business, but the information
29. I have at least, I think that we are overlooking what, in fact,
30. is a scrap processor. A processor differs from an auto wrecker,
31. a dealer, or an auto rebuilder, or a junker, because those persons
32. deal with automobiles as individual units and perhaps reusable. And
33. if there's theft I suppose it takes place at that level. This

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1 however, scrap processors ...

2 PRESIDENT:

3 Break up the conference over here, please gentlemen.

4 SENATOR ROCK:

5 ...purchaes ferrous or iron units by weight and a scrap processor
6 is a manufacturer selling volume lots to steel mills and founderies
7 and he deals only in ...in what's called ...and defined in here as
8 hulks, pieces of scrap metal and to get involved in the whole area of
9 stolen cars and the State Police, I think it's just a misstatement.
10 I would urge a favorable vote.

11 PRESIDENT:

12 Question is shall House Bill 2825 pass. Those in favor vote
13 Aye. Opposed Nay. The voting is open. Have all voted who wish to
14 vote? Take the record. Postponed Consideration. House Bill
15 2826, Senator Hickey.

16 SECRETARY:

17 House Bill 2826.

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

20 PRESIDENT:

21 Senator Hickey.

22 SENATOR HICKEY:

23 Mr. President, and fellow Senators. 2826, says that corporate
24 authorities may, by ordinance or resolution, provide for ... election
25 of ... officers of various municipalities, city, village, incorporated
26 towns, City of Chicago, on the Tuesday after the first Monday in
27 November, in which case, the primary for nomination would be the
28 third Tuesday in March. Now... Senator Dougherty, I think, will speak
29 to this. There was some question about whether we should wait for
30 the Election Code to come over from the House and vote on this but
31 I think it's rather generally been agreed that once that does come
32 that these things could be all put together and we'd let this fly
33 now, but perhaps Senator Dougherty would like to speak that.

1. PRESIDENT:

2. Senator Dougherty.

3. SENATOR DOUGHERTY:

4. Thank you, Mr. President, I'm in quite an agreement with
5. what Senator Hickey has said. We have discussed this, as a matter
6. of fact, she held up the bill at my request for a couple of days.
7. And what she said is true. When the House Bill 3091 comes over
8. here, together with Senate Bill 1025, the things will be worked
9. out by agreement and there, I hope, will be...will be...to somewhat a
10. degree as to what Senator Hickey has said. I ask concurrence.

11. PRESIDENT:

12. Anu further discussion? Senator Graham.

13. SENATOR GRAHAM:

14. I'm going to voice the same opinion I have on many of these
15. election bills. I was hoping Senator Dougherty would join
16. with me in this. We are working desperately and still are on this
17. consolidation of elections. I'll tell you one thing, Ladies
18. and Gentlemen, if we...keep chipping away at everbody's individual
19. pet problem there will be no need for a big consolidation of
20. election bill, we'll have an election code twice as big as the
21. one we got now and that...that's the thing we're trying to overcome.

22. PRESIDENT:

23. Senator Hickey, you may close the debate, or request a
24. roll call.

25. SENATOR HICKEY:

26. I just ask for a favorable roll call.

27. PRESIDENT:

28. The question is shall House Bill 2826 pass? Those in favor
29. vote Aye. Opposed Nay. The voting is open. Have all voted
30. who wish? Take the record. On this question the Ayes are
31. 49, the Nays are 2, with 1 Voting Present. House Bill 2826
32. having received the constitutional majority is declared passed.
33. House Bill 2837, Senator Fawell.

1. SECRETARY:

2. House Bill 2837.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDENT:

6. Senator Fawell.

7. SENATOR FAWELL:

8. Mr. President and members of the Senate. At the present time the
9. municipal code and the park district code does allow that alcoholic
10. liquors may be sold at retail in buildings of golf courses owned
11. by a municipality or a park district, in connection only, with the
12. operation of an established food serving facility and during times
13. when food is dispensed for consumption upon the premises. It also
14. now, has a provision that such sales may be made only with food
15. served to the customer and at a dining table and not across a
16. bar. What House Bill 2837 does do is to remove that provision
17. that...that liquor cannot be sold except at the dining table
18. and with food. The provision is retained that it can only be
19. sold while the established food serving...while the food serving
20. is going on. But it does not say that you necessarily have
21. to buy food at that time. I don't believe there's any
22. opposition or controversy on the bill and I would appreciate
23. a favorable roll call.

24. PRESIDENT:

25. Any discussion? Senator Mitchler.

26. SENATOR MITCHLER:

27. Mr. President, I recall a similar bill for our State parks
28. where we were limiting the serving of...beverages with food only
29. prohibiting our State parks from having just an open bar. I believe
30. we referred up to the Illinois Beach Park, wasn't it Senator
31. Berning, that they're only allowed to serve the beverage with the
32. food. Now, this would open up the regular parks, municipal parks
33. and the like to have the open bars but still restrict our State

1. parks...would that be your understanding Senator Berning?

2. PRESIDENT:

3. Senator Berning, you've been asked three questions, I hope
4. you can answer them.

5. SENATOR BERNING:

6. Thank you. Yes, with the State parks we did limit it to catered
7. parties and the party was described as a group of ten or more.

8. PRESIDENT:

9. Senator Mitchler.

10. SENATOR MITCHLER:

11. Well, I see no objection to this but if we were going to
12. open it up in this manner for our municipal parks I see no
13. reason why we should'nt extend the same courtesy to our State
14. parks that they should be able to serve beverages without the
15. necessity of serving across the dining table.

16. PRESIDENT:

17. Any further discussion? Question is...Senator Vadalabene.

18. SENATOR VADALABENE:

19. Yes, Senator Fawell, how about the private golf courses?
20. Would they be exempt under this bill?

21. PRESIDENT:

22. SENATOR FAWELL: They're already exempt. Senator Fawell.

23. SENATOR FAWELL:

24. Well, this pertains only to the park district code and the
25. municipal code, Senator. So, it doesn't pertain at all, as far
26. the private clubs are concerned. That's an entirely different
27. matter. They...They can secure a license and they may really
28. conduct operations as they see fit. But as far as the public golf
29. courses are concerned, what we're really saying here is that when
30. somebody comes in from a hot eighteen holes of golf, they don't
31. have to sit down and order a dinner in order to get a beer. As long
32. as it is a food serving facility in a golf course and you order
33. your beer while the food serving is going on. You don't necessarily

1. have to buy a dinner, you may simply...you may simply purchase
2. a beer and not have to buy a dinner at the same time.

3. PRESIDENT:

4. Question is shall House Bill 2837 pass. Those in favor
5. vote Aye, opposed Nay. The voting is open. Have all voted
6. who wish? Take the record. On this question the Ayes are 35,
7. the Nays are 8, with 4 Voting Present. House Bill 2837 having
8. received the constitutional majority is declared passed. House
9. Bill 2885, Senator Glass.

10. SECRETARY:

11. House Bill 2885.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDENT:

15. Senator Glass.

16. SENATOR GLASS:

17. Thank you Mr....

18. PRESIDENT:

19. Just a minute. I'm going to have to have Governor Osnawe
20. to come back so we could have some same kind of quiet
21. and attention we had when he was here. Senator Glass.

22. SENATOR GLASS:

23. ...Thank you Mr. President and Senators. This bill would
24. create a solar energy division within the Department of Business
25. and Economic Development. I think the membership may recall
26. some debate we had a couple of weeks ago in connection with
27. Senate Bill 1704, or rather House Bill 1704, which, as amended,
28. would expand the energy commission's...activities into fields
29. other than coal development. It would add solar energy and other
30. forms of energy. I think this...as long as the bill has been
31. so amended without increasing the bond authorization that this
32. bill would fit in well with that because it would recognize
33. the need for a solar energy division within our

1. State government and the powers that are assigned to it would
2. include primarily cooperative efforts in solar energy research
3. and demonstration projects with other organizations in the State.
4. I would be happy to answer any questions, urge support of the bill.
5. PRESIDENT:
6. Senator Bell.
7. SENATOR BELL:
8. Senator Glass, I just came on the Floor as you were addressing
9. yourself to the bill. Did you say something about this bill being
10. amended?
11. PRESIDENT:
12. Senator Glass.
13. SENATOR GLASS:
14. Senator Bell, I was referring to House Bill 1704 when I
15. mentioned the amendment. That was the bill...
16. PRESIDENT:
17. The answer is no, is that right?
18. SENATOR GLASS:
19. ...the answer is no, that's correct, Mr. President.
20. PRESIDENT:
21. Fine, Senator Bell.
22. SENATOR BELL:
23. Well, I...I would like to bring to the attention of the
24. Body here that while, again, what Senator Glass is offering is certainly
25. a laudable thing. I think that we have to pay attention to the
26. amount of money that, I think it's seventy million dollars, that
27. had been appropriated to...through BED to address itself to the
28. energy situation. First of all, applying to coal, the Illinois
29. resource that were so rich and have such a great deal of, BED,
30. in fact, has the authorization, as I understand it right now, to
31. address itself to solar energy and various other forms of energy
32. in the...in the examination thereof as to how viable it is and just what
33. is necessary. And I personally have some questions in reference

1. to 2885 and I...I do this hesitantly because I am not a member
2. of the Energy Resource Commission that I assume has looked at this,
3. but I am a minority spokesman of the Ag Conservation and
4. Energy Committee that has had the opportunity to listen to
5. much of this legislation and I do feel that it seeks to
6. diversify and expand at an improper time too greatly our
7. present position. I think that we have to take a look
8. at what we're doing, I think BED is doing it now. But I think
9. that House Bill 2885 is pushing too fast in an area that we're
10. not prepared to address ourselves to properly. Thank you.

11. PRESIDENT:

12. Senator Shapiro.

13. SENATOR SHAPIRO:

14. A question of the sponsor.

15. PRESIDENT:

16. He indicates he will yield.

17. SENATOR SHAPIRO:

18. Senator Glass, this is not a frivolous question on my part.

19. What do we need a division of solar energy and solar energy
20. coordinator for?

21. PRESIDENT:

22. Senator Glass.

23. SENATOR GLASS:

24. Senator Shapiro, indeed it is not a frivolous question. As
25. I mentioned earlier this Body has approved an amendment to the
26. Coal Development Bond Act, I hope Senator Bell is still on the
27. Floor. Originally we...we did not appropriate any money we
28. authorized seventy million in bonds for coal development. The
29. amendment to the bill that I just referred to would expand the
30. range of the investigation and activities beyond just coal
31. development and would include other forms of energy including
32. solar energy. BED drove business and economic...Department
33. of Economic and Business Development is the agency charged under
34. the Act with administering these programs. The recognition of

1. the need to develop solar energy is what this bill is about,
2. and several specific duties that are assigned to it that would
3. promote the development of solar energy in Illinois.

4. PRESIDENT:

5. Senator Shapiro.

6. SENATOR SHAPIRO:

7. Well, Mr. President, Ladies and Gentlemen of the Senate,
8. to the best of my ability, I'm going to try to be consistent.
9. This is a new program or an expansion of an old one. I'm sure
10. the fiscal...implications are great...not this year in
11. future years and I'm going to vote no on it just as I have
12. on all the other new programs.

13. PRESIDENT:

14. Senator Glass, may close the debate. Oh, Senator Wooten is
15. recognized.

16. SENATOR WOOTEN:

17. Yes, Mr. President, I merely wanted to point out that
18. experiments currently undertaken across the broad range of
19. activity dealing with solar energy generally do not entail
20. much in the way of money. I would merely like to point out
21. that this is an opportunity for us to be prospective. If there
22. is any accusation which can be made of most legislative Bodies
23. is that they only deal with the immediate problems and there
24. vision tends to be limited in spans of two to four years.
25. The plain fact is we are going to run out of fossil fuel. Right
26. now we are beginning to have serious second thoughts about nuclear
27. energy and whether it's more of a problem than a solution. The
28. only answer is the sun, an almost unlimited source of energy.
29. There must be a way to tap it, there's got to be a way to tap it
30. or a century or so from now, life on this earth is going to be
31. miserable. I think it's entirely within the...the purview of
32. this Body to make provision now for something that is going to
33. be needed maybe a lot sooner than we think. It's not going to

1. kill us in expense. I think we should okay this division.

2. PRESIDENT:

3. Senator Knuppel.

4. SENATOR KNUPPEL:

5. Well, I view this legislation with some mixed emotion. I
6. think I'm going to vote for it, I...I have some misgivings about
7. limiting this party's position to solar energy. I think that it
8. ought to be alternate sources of energy other than coal.
9. I think that probably can be taken care of in subsequent
10. Sessions of the General Assembly. I do feel that...that this
11. is probably necessary. That there's some prodding, we've been
12. told, on other legislation. That BED's not in a position, not
13. adequately staffed to act in this area and maybe we need the
14. leadership that this will provide. I will vote for the
15. legislation. I think it's much to narrow, that we ought to be
16. getting into alternate sources of energy generally. We set up one
17. for solar energy, one for coal, one for something else, we're going
18. to have a whole plethora of different directors and I don't
19. know that I particular like that way of approaching it. But
20. as I said, I think we can amend it in the next Session of the
21. General Assembly.

22. PRESIDENT:

23. Senator Latherow.

24. SENATOR LATHEROW:

25. Thank you, Mr. President, I'm not going to support this
26. legislation, Mr. President, and members. For one of the
27. real reasons is the notices I told you the other day the
28. response that we're getting on BED on the group that's working with
29. the coal development issue. In the periods of time that
30. we've been working with them we have received nothing except the
31. ability to not cooperate with anyone. And I'm afraid we might
32. here be creating the same issues that we're trying to work out
33. with that department today with that Coal Development Commission.

1. PRESIDENT:

2. Senator, Senator Glass may close the debate. Senator Bell,
3. I see you standing, but let me point out, that this is the day
4. before the day that all House Bills must be out of this Chamber.
5. You have spoken on the issue and our rules do not provide you
6. to speak twice. During other periods when we had more time, I...
7. we were lenient in that area but I think at this point it takes
8. advantage of all us for any of us to expect to speak twice.
9. Senator Glass may close the debate.

10. SENATOR GLASS:

11. Thank you, Mr. President. I think the arguments have been
12. brought out, we do need legislation. In my opinion recognizing
13. the need to develop our solar energy sources in Illinois. The
14. bill also provides for the investigation of possible tax incentives
15. to promote the use of solar energy. I would urge the membership
16. to vote Aye on this legislation. Thank you.

17. PRESIDENT:

18. The question is shall House Bill 2885 pass. Those in favor
19. vote Aye. Opposed Nay. The voting is open. Have all voted
20. who wish? Take the record. On this question the Ayes are 20,
21. the Nays are 11, with 4 Voting Present. House Bill 2885 having
22. received, having failed to received a constitutional majority
23. is declared lost. House Bill 2916, Senator Fawell. House
24. Bill 2972, Senator Buzbee.

25. SECRETARY:

26. House Bill 2972.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDENT:

30. Senator Buzbee.

31. SENATOR BUZBEE:

32. Mr. President, this bill appropriates one hundred eighty-six
33. million seven hundred thousand dollars from the Common School

1. Fund to the State Board of Education for payment to the
2. Teachers' Retirement Systems. That's a hundred and forty-six
3. million seven hundred thousand to the Teachers' Retirement System,
4. the downstate system and forty million dollars to the Chicago
5. Teachers' Retirement System and I would ask for a favorable roll
6. call.

7. PRESIDENT:

8. Any further discussion? Senator Morris.

9. SENATOR MORRIS:

10. Senator Buzbee, this doesn't have any tax increase in it
11. at all does it, property tax or education tax rate?

12. PRESIDENT:

13. Senator Buzbee.

14. SENATOR BUZBEE:

15. No, it does not. This is an obligation of the State of
16. Illinois, a payout. The amount of pensions that are going to be
17. drawn this year. This is the appropriation to pay those pensions.

18. PRESIDENT:

19. Senator Shapiro.

20. SENATOR SHAPIRO:

21. Mr. President, Ladies and Gentlemen of the Senate. I just
22. want to make a few comments as it concerns this appropriation.
23. This appropriation affects downstate Chicago Teachers' Retirement
24. System, at the payout level only. It does not include any funds
25. for laying away for future pension requirements or towards funding
26. these funds, as far as them being funded properly. I am sincerely
27. hopeful that the Governor does not reduce this appropriation by
28. the six percent as he has stated because then it will mean
29. that assets of these funds will have to be used to meet the pay-
30. out. I would urge everyone to approve the bill in it's present
31. conditions, the best we can do but we ought to be aware of the fact
32. that it is not what it should be.

33. PRESIDENT:

1. Question is shall House Bill 2970...Senator Dougherty.

2. SENATOR DOUGHERTY:

3. Thank you, Mr. President, I'm in favor of this bill and what
4. Senator Buzbee has said and Senator...Shapiro has said.
5. However, I would like to direct the attention of all the members
6. of this Body, that the City of Chicago is the only municipality in
7. the State of Illinois that levies a tax levy for the repayment
8. of teachers' pension funds and of the funds received, Chicago
9. receives only one to three. In other words, the State of
10. Illinois Pension Fund is funded by, fully by the teachers themselves
11. and the State without any local contribution whatsoever. But we of
12. the City of Chicago levy a tax rate to pay for the pension funds
13. plus the teachers' contribution. So, therefore...instead of being
14. a hundred percent funded by the State thirty-five percent is
15. paid by the City of Chicago by a tax levy and I urge the acceptance
16. of this bill but I would like to point that fact out to the
17. legislature.

18. PRESIDENT:

19. Question is shall House Bill 2972 pass. Those in favor vote
20. Aye. Opposed vote Nay. The voting is open. Have all
21. voted who wish? Take the record. On this question the Ayes
22. are 56, the Nays are 1, with none Voting Present. House Bill
23. 2972 having received the constitutional majority is declared passed.
24. House Bill 2988, Senator Kosinski.

25. SECRETARY:

26. House Bill 2988...

27. PRESIDENT:

28. Could we have some order please?

29. SECRETARY:

30. House Bill 2988.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDENT:

1. Senator Kosinski.

2. SENATOR KOSINSKI:

3. Mr. President, House Bill 2988 is an Election Committee Bill
4. and it changes the primary date to the first Tuesday in May.
5. It originally was the third Tuesday in March. This bill is
6. similar to the one that we passed out from the Senate. It is now
7. in the Senate except that they had amended the date. I understand
8. to the first Tuesday, we had the second Tuesday in May. I seek
9. a favorable roll call.

10. PRESIDENT:

11. Senator Davidson.

12. SENATOR DAVIDSON:

13. Mr. President and members of the Senate. I rise to speak in
14. opposition to this bill. Now, if you're going to make a change
15. in the primary date, let's make a change that's amendable and
16. meaning. Let's change it or we'll really shorten up a campaign.
17. Let's change it to the second Tuesday in September, which many of us
18. wanted to do, which no one wanted to accept. And the old argument,
19. about what about the delegates to the National Convention, that can
20. be resolved by convention. You all know we can resolve it. Now,
21. if we're serious in our attempt, and our talks, and our complaints that
22. we want to have a shorter campaign, let's move it to the second
23. Tuesday in September. Everybody's back home, the kids in school,
24. Labor Day's over with, you can campaign in the warm weather.
25. Let's make it amendable change. Let's not Mickey Mouse around
26. with trying to change the date now that's in March to the first
27. Tuesday in May when you as a incumbent are not going to be
28. able to be at home to answer the charges that your opponent
29. is going to level against you. And your constituent is going
30. to expect to be, have you down here in Springfield, or any other
31. elected official doing his job, but it's very, very appropo to me.
32. If we're going to be down here handling the budget procedures and
33. the finances of this State, you're not going to be able to be here

1. and do the job that you're elected and being paid for and be
2. home and defend yourself against a primary opponent. Now, this
3. is bad legislation. Either change it to a correct date or leave
4. it where it is. I urge all of you to vote no because you're
5. all going to be home trying to defend yourself when you should
6. be here and vice versa and I urge you to really think about this,
7. leave it where it is so you can do your job in the campaign, come
8. down here when the budget is delivered on April 1st, address
9. yourselves to the fiscal problems of Illinois and then on campaign
10. accordingly. If you really want to make a change let's change
11. it to September. I urge you to vote no.

12. PRESIDENT:

13. Senator Latherow.

14. SENATOR LATHEROW:

15. Real briefly, Mr. President, members of the Senate. I object
16. very much to this. This creates a seasonable primary in my area
17. as well as continually confusing the people as to when the
18. primary election is. Why don't you leave it alone for awhile?

19. PRESIDENT:

20. Senator Morris.

21. SENATOR MORRIS:

22. First of all, I would like to say that if Senator Davidson
23. puts in a bill to change the primary to the second Tuesday in
24. September, I would like to be a cosponsor with him. I would
25. like to see the primary change to anything from the present
26. March date and I rise in support of Senator Kosinski. I think
27. this is a reasonable approach. I would much rather see September
28. but I think anything we can do to get the filing out of December
29. is a beginning step and I salute Senator Kosinski and I'll
30. support this bill and hopefully, Senator Davidson, in '77 we can
31. move it to September.

32. PRESIDENT:

33.

1. Any further discussion? Senator Harris.

2. SENATOR HARRIS:

3. Well, I just want to add the concern I have that was expressed
4. by Senator Latherow and that is that you couldn't pick...the two
5. dates that are probably the most critical in our overall planting
6. Calendar. The first or second Tuesday in May, frankly the
7. second is worse than the first but I'll just tell you the impact
8. on rural district is going to be terribly significant and I
9. would say that we've been moving this thing around enough and
10. we ought to leave it alone. I vigorously oppose this change.
11. I would just in closing make sure we're not being unmindful. There
12. are going to be years and I would say that when we cure the
13. problem of delegate selection, a September primary is vastly
14. superior than this one. In connection with the next point I'm
15. going to make, and that is that there will be years when terribly
16. difficult decisions, and the prospect is certainly upon us for
17. the year 1976, and to be here making hard decisions while your
18. primary opponent is in the hustings beating you over the head
19. is a fact that at least ought to be entered into on a knowing basis.

20. PRESIDENT:

21. Senator Philip.

22. SENATOR PHILIP:

23. I have a question of the sponsor. Now, if I remember correctly
24. we passed a bill for the second Tuesday in May, is that correct?
25. Now, we're passing another bill that would be the first Tuesday
26. in May. I'm assuming they're probably both passed. Are we going to
27. give the Governor the choice between the first and second Tuesday
28. in May?

29. PRESIDENT:

30. Senator Kosinski.

31. SENATOR KOSINSKI:

32. I...I hope so but I hear rumors on the other side that they may
33. amend the bill to exactly to what this one is.

1. PRESIDENT:

2. Senator Philip.

3. SENATOR PHILIP:

4. Yeah, I would like to speak on behalf of the first Tuesday in
5. May and I've heard that old argument about the farmers but I'm
6. going to tell you one thing if you check the primary turnout in
7. the rural areas, it's not very good at all. Quite frankly, gentlemen,
8. if you look in my area, which is a suburban area, we, generally
9. speaking, have a very good turnout. One of the problems
10. we have when you have a March primary is it's around Easter
11. Vacation and we lose a lot of people on Easter Vacation. I like
12. the first Tuesday in May because school is still in and when I
13. have school in I have the families home and I have a lot better turn-
14. out. And I think it's a good bill and we ought to support it.

15. PRESIDENT:

16. Any further discussion? Senator Knuppel.

17. SENATOR KNUPPEL:

18. I agree with Senator Latherow. I can't think of a worse
19. day for farmers. I'd like to see it at least on the third
20. Tuesday because...and then if you get a wet spring you've got
21. trouble, but I can't see...I can't see the first Monday at all
22. for beans, no way. And actually September would be a far better
23. date than any...anything you can pick before that.

24. PRESIDENT:

25. Senator Kosinski. Close the debate.

26. SENATOR KOSINSKI:

27. Mr. Chairman and members of the Senate. Of course, as you
28. know, when the bill comes in, our Senate Bill, we don't
29. have to concur and bring it back to the second Tuesday of May.
30. But we must have a bill that is much closer and cuts our primaries
31. down and I'm sure you're going to save money by this campaign
32. change and I'm sure that you'll appreciate that very much. So, all
33. in all, I do seek your favorable roll call.

34. PRESIDENT:

1. Question is shall House Bill 2988 pass? Those in favor
2. Vote Aye. Opposed Nay. The voting is open. Have all voted
3. who wish? Take the record. On this question the Ayes are
4. 39, the Nays are 17, with 1 Voting Present. House Bill 2988
5. having received the constitutional majority is declared passed.
6. Senator Nudelman. Senator Nudelman, please.

7. SENATOR NUDELMAN:

8. Thank you, Mr. President. Having voted on the prevailing side,
9. I move to reconsider the vote by which that bill passed.

10. PRESIDENT:

11. Senator Wooten, moves to Table. All in favor will say Aye.
12. Opposed Nay. The Ayes have it. Motion carries. House Bill
13. 3005, Senator Carroll. House Bill 3023, Senator Rock. Read the
14. bill.

15. SECRETARY:

16. House Bill 3023.

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. This is a supplemental appropriation in the amount of thirty-
24. five thousand dollars from the Road Fund to the Department of
25. Law Enforcement for reimbursement of expenses to local enforcement
26. officers who serve extradition warrants. I would ask a favorable
27. roll call.

28. PRESIDENT:

29. All in favor...the question is shall House Bill 3023 pass?
30. All 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 57, the Nays are none, with none
33. Voting Present. House Bill 3023 having received the constitutional

1. majority is declared passed. Senator Carroll, I'm informed
2. you're now ready on 3005. Read the bill.
3. SECRETARY:
4. House Bill 3005.
5. (Secretary reads title of bill)
6. 3rd reading of the bill.
7. PRESIDENT:
8. Senator Carroll.
9. SENATOR CARROLL:
10. Thank you, Mr. President. House Bill 3005 is the annual
11. authorization of monies to pay the awards of the Court of
12. Claims. This is not their general operation budget but
13. rather the payment of awards already made. I would move the...for a
14. favorable roll call.
15. PRESIDENT:
16. Any further discussion? Question is shall House Bill 3005
17. pass. Those in favor vote Aye. Opposed Nay. The voting is
18. open. Have all voted who wish? Take the record. On this question
19. the Ayes are 58, the Nays are none, with none Voting Present.
20. House Bill 3005 having received the constitutional majority is
21. declared passed. House Bill 3026, Senator Vadalabene. House
22. Bill 3035, Senator Vadalabene. Read the bill.
23. SECRETARY:
24. House Bill 3035.
25. (Secretary reads title of bill)
26. 3rd reading of the bill.
27. PRESIDENT:
28. Senator Vadalabene.
29. SENATOR VADALABENE:
30. Yes, thank you, Mr. President, and members of the Senate.
31. House Bill 3035, amends the municipal code by providing that
32. when an incorporation as a village or city is sought for an
33. area lying within one and one half miles of existing municipalities

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1. the consent of that municipality is required only if the area
2. of the proposed village contains fewer than seventy-five
3. hundred residents. This legislation applies to counties of
4. more than a hundred and fifty thousand population. In the
5. 77th or 78th General Assembly, I don't remember which, we passed
6. this same legislation for all counties below a population of
7. a hundred and fifty thousand. So all this bill does, Mr. President
8. and members of the Senate, make the same provisions for all
9. counties in the State of Illinois. I know of no objections to
10. this legislation and I would approve a favorable vote.

11. PRESIDENT:

12. Any discussion? Question is shall House Bill 3035 pass.
13. Those in favor vote Aye. Opposed Nay. The voting is open.
14. Have all voted who wish? Take the record. On this question
15. the Ayes are 49, the Nays are 3, with 1 Voting Present. House
16. Bill 3035 having received the constitutional majority is declared
17. passed. House Bill 3047, Senator Knuppel.

18. SECRETARY:

19. House Bill 3047. Senator Knuppel.
20. SENATOR KNUPPEL (Secretary reads title of bill)
21. 3rd reading of the bill.

22. PRESIDENT: (addressing the members of the Senate)

23. and Senator Knuppel. The bill is on the order of 2nd reading.

24. SENATOR KNUPPEL: Mr. President, I want to have an amendment
25. Mr. President, I'd like to have suspension of rules, leave to
26. return the bill to the order of 2nd reading for an amendment.
27. proposed by Senator Palmer.

28. PRESIDENT:

29. Is there leave? Leave is granted. The bill, House Bill
30. 3047, is on the order of 2nd reading. Senator Palmer is
31. recognized.

32. SENATOR PALMER:

33. Mr. President, members of the Senate, having voted on the

1. prevailing side, I move to reconsider the vote by which Amendment
2. No. 1 to House Bill 3047 was adopted for the purpose of
3. Tabling that amendment.

4. PRESIDENT:

5. You heard the motion. All in favor say Aye. Opposed Nay.
6. The Ayes have it and the motion carries. Senator Palmer.

7. SENATOR PALMER:

8. I now offer Amendment No. 2 to...

9. PRESIDENT:

10. No, first Senator, Senator Palmer moves to Table No. 1.
11. All in favor will say Aye. Opposed Nay. Amendment No. 1 is
12. Tabled. Senator Palmer.

13. SENATOR PALMER:

14. I now offer Amendment No. 2 to House Bill 3047...which is
15. practically identical to the amendment that was just Tabled. However,
16. Senator Glass had some change to make and the changes were made
17. and I believe everything is properly in order.

18. PRESIDENT:

19. Any further discussion? Senator Bruce.

20. SENATOR BRUCE:

21. Well, I just wonder, I mean, I know that we wouldn't have Tabled
22. the first amendment if it weren't different from the second amendment.
23. And the fact that the first one has change that, the second would
24. change what was in the first but what I want to know is what did
25. we change? That's...that's what we wanted to hear.

26. PRESIDENT:

27. Senator Palmer will explain Amendment No. 2.

28. SENATOR PALMER:

29. Well, the first amemendment provided for a review of the board
30. whereas the original bill had no provisions to have review and
31. Senator Glass insisted that the amendment be the same as the bill...
32. and, therefore, we agreed to that we deleted that language.

33. PRESIDENT:

1. You understand that Senator Bruce.
2. SENATOR PALMER:
3. Okay.
4. PRESIDENT:
5. Senator Bruce.
6. SENATOR BRUCE:
7. I...I am now more confused than when we first began. I wish
8. I had not ask the question. Thank you.
9. PRESIDENT:
10. Any further discussion? Senator Bruce moves, I mean Senator
11. Palmer move the adoption of Amendment No. 2 to House Bill 3047.
12. All in favor say Aye. Opposed Nay. Amendment No. 2 is adopted.
13. Any further amendments? 3rd reading. House Bill 3049, Senator
14. Carroll. Read the bill.
15. SECRETARY:
16. House Bill 3049.
17. (Secretary reads title of bill)
18. 3rd reading of the bill.
19. PRESIDENT: I rise in support of what Senator
20. Carroll. I support for the regulation of all
21. SENATOR CARROLL:
22. Thank you, Mr. President and members of the Senate. House
23. Bill 3049 is an amendment to the existing law concerning private
24. trade and business in vocational schools. What this bill does
25. is substantially tighten up what has heretofore been a very loose
26. law. It provides for much better protection for the students of this
27. State while still not having objection from the major schools who
28. provide this type of service. What we have done is provided for
29. better regulation in the department. What we have done is provide
30. for a review of the contract that is given to the student so that
31. the student knows exactly what he is paying for by way of tuition
32. fees and other charges. What we have done is provide for a six-day
33. cooling off period for the student when he originally applies prior

1. to school starting for a return of his money if the solicitor, who
2. comes to him, sells him on this trade school. We have provided
3. for better supervision and examination under the Illinois Office
4. of Education. We have provided that under the Office of Education
5. if they are to use equipment, the equipment must be of good
6. working form for the type of art of the school. The schools
7. have given up their holder and due course status as to the
8. notes they require students to sign so that there is recourse
9. back against the school if they are not providing the specifics.
10. I think that this is a good legislative answer to a problem
11. that has plagued this State for many years. I might add that
12. it has the support of the Illinois Office of Education as well
13. as the support of most of the major schools that would fall under
14. this more stringent provision. I would be willing to answer any
15. questions.

16. PRESIDENT:

17. Senator Glass.

18. SENATOR GLASS:

19. Thank you, Mr. President. I rise in support of this excellent
20. bill. There certainly is a need for the regulation of the private
21. business, vocational and trade schools, and I think this bill
22. correctly addresses itself to that problem. So I would urge it's
23. support. I would like to ask Senator Carroll, however, one question.
24. Our notes indicate, Senator Carroll, there would be an amendment
25. added to provide an accounting of students salaries and wages if the
26. students receive the job through the school's placement services.
27. Has that been added?

28. PRESIDENT:

29. Senator Carroll.

30. SENATOR CARROLL:

31. If I heard Senator Glass, what you asked, Senator Glass, there's
32. a lot of noise here. I think you were talking about the use of
33. the placement service if the school has one and providing

1. within that information the salaries that these prior students
2. have gotten by way of placement. The answer is no, that has not
3. been amended in. The Act does provide, however, that if a school
4. offers a placement service in their advertising, or other types
5. of brochures, they have to supply to the Superintendent of
6. Education, as well as to each potential student, what the number of
7. students who used that service were, how many of them were
8. actually placed in bona fide jobs related to that trade. The
9. dollars were excluded because many of the employers where they
10. were placing these students did not want public record of
11. various pay rates for various types of jobs so it was decided not
12. to include that dollar figure.

13. PRESIDENT:

14. Senator Hickey.

15. SENATOR HICKEY:

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

17. PRESIDENT:

18. He indicates he'll yield.

19. SENATOR HICKEY: I received the constitutional monopoly in education

20. private. How would you explain this bill to those people who were
21. down here in droves to take the word private out of the...

22. the Act that had something to do with the jurisdiction of the
23. State Board of Education over schools? Of course, mostly those
24. were private, religious and parochial schools who felt that the
25. State had absolutely no business having anything to do with
26. their schools who were not tax supported. These schools are not
27. tax supported and I'm not quarrelling with your position. I'm
28. just asking how you relate those two positions to each other and
29. how you would explain this to those people.

30. PRESIDENT:

31. Senator Carroll.

32. SENATOR CARROLL:

33. I think it's very clear, of course, this is in an Act in private

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1. business schools that has always, not always, but has been
2. in existence prior to now. I think very legitimately this State
3. has an interest through the Illinois Office of Education, to
4. regulate those who offer courses in this State. We do, in many
5. ways, regulate other private schools other than business schools,
6. as I'm sure you're well aware, one of the big fights on the Board
7. of Ed, the super board, is whether or not the private schools
8. were adequately represented because they are regulated. They are
9. regulated when they get Federal dollars, they are regulated under
10. the library system, they are regulated through many, many,
11. many of the higher, of the Board of Eds requirements. So this
12. as a private business school is properly regulated by the State
13. of Illinois.

14. PRESIDENT:

15. Any further discussion? Question is shall House Bill 3049
16. pass. Those in favor vote Aye. Oppose Nay. The voting is open.
17. Have all voted who wish? Take the record. On this question
18. the Ayes are 55, the Nays are 1, with none Voting Present. House
19. Bill 3049 having received the constitutional majority is declared
20. passed. House Bill 3047, Senator Knuppel.

21. SECRETARY:

22. House Bill 3047.
23. (Secretary reads title of bill)
24. 3rd reading of the bill.

25. PRESIDENT:

26. Senator Knuppel.

27. SENATOR KNUPPEL:

28. House Bill 3047, in it's amended condition, provides that
29. when a principal has served for three years. As a...in a capacity of
30. a principal and there is an attempt by the board to reclassify
31. him to a lower position, or a lower administrative grade, that he's
32. entitled to request a hearing. It will be a private hearing upon
33. a ten-day notice and that if after the private hearing before the

1. board he's not satisfied, he's entitled to request, within five
2. days, a public hearing with regard to his reclassification. This
3. in no way gives him tenure or anything of this nature. It doesn't
4. guarantee him of security in the position which he's attained
5. but merely gives him the opportunity, first of all, to a private
6. hearing where he can lay on the table before the board what the
7. problems may or may not be with respect to the reason he's
8. being reclassified or if he feels that he's not received a fair
9. hearing to have a public hearing. At least so that the board
10. members and the people of the community will know whether he
11. has been dealt fairly with. The term reclassified, means the
12. demotion or reduction in rank from one position to another for which
13. a lower salary is paid. I think any man being demoted or reclassified
14. in this manner is at least entitled to a hearing before the board
15. and should not be confined, in it's entirety, having to deal
16. with his direct superior, the superintendent of that district.
17. I think this is good legislation, I think it's fair legislation.
18. I think it's a kind of a legislation that is enlightened. I would
19. solicit a favorable roll call.

20. PRESIDENT:

21. Question is shall House Bill...307...3047 pass. Those in favor
22. vote Aye. Those opposed vote Nay. The voting is open. Have all
23. voted who wish? Take the record. On this question the Ayes are
24. 47, the Nays are 3, with 2 Voting Present. House Bill 3047
25. having passed...having received the constitutional majority is
26. declared passed. Senator Knuppel is recognized.

27. SENATOR KNUPPEL:

28. Mr. President, we recently passed out of here a bill, 1018,
29. that had to do with the...escalation. It was Senator Harris' bill,
30. 1018, it had to do with escalation of contracts due to the
31. petroleum shortage. There's a problem with respect to constitution-
32. ality in the House. We're presently holding House Bill 893, in...
33. I think it's Revenue Committee it has to do with...with...the

1. a preference of three percent income tax on residents of the
2. State of Illinois...been on contract. I'd like to have leave for
3. discharge of that bill from committee for the purpose of striking
4. everything from the enacting clause on, on 2nd reading. I'd like
5. to have it discharged and placed on 2nd reading in order that it
6. may be amended to accomplish what we've not been able to do with...
7. with Senate Bill 1018.

8. PRESIDENT:

9. Two questions. Is this House Bill 893?

10. SENATOR KNUPPEL:

11. 893, House Bill 893.

12. PRESIDENT:

13. And it is in committee on what? Committee on Revenue?

14. SENATOR KNUPPEL:

15. Revenue, as I understand it, to my recollection, yes.

16. PRESIDENT:

17. Senator Knuppel...seeks leave to remove House Bill 893,
18. from the Committee on Revenue for the purpose of affixing amendment.
19. Is there leave? Senator Fawell.

20. SENATOR FAWELL:

21. What...what does...what does 1018 though...I'm more concerned
22. with the purpose for this than necessarily the bill that you're bring-
23. ing out inasmuch as the bill you're bringing out apparently is...will be
24. gutted, but 1018...I remember 1018, I remember I voted against it.
25. I felt with all due respect to Senator Harris that it wasn't a very
26. good bill and I'm not interested in helping to resurrect or reincarnate
27. or whatever you might say. I...I'd want to object necessarily
28. discharging it for that purpose, Senator, nothing personal, you
29. know. I just don't like...I just didn't like the bill anyway, 1018.
30. And if it's been troubling the House, that's okay with me.

31. PRESIDENT:

32. Senator Knuppel has moved that House Bill 893 be discharged
33. from further consideration of the Committee on Revenue. Those in

1. in favor will vote Aye. Those opposed will vote Nay. The
2. voting is open. State your point, Senator. Senator McCarthy.
3. SENATOR McCARTHY:
4. As I recall it's still on our Committee in Finance.
5. PRESIDENT:
6. It's indicated to us that this bill is in Revenue that's what,
7. the information here we've got. Senator Knuppel says that he was
8. in error that it is in Finance and Credit Regulations. He thought it
9. was in Revenue.
10. SENATOR McCARTHY:
11. Well, he...I...I think perhaps I ought to have a conference
12. with Senator Knuppel on this matter, because he hadn't talked to
13. me.
14. PRESIDENT:
15. Well, he made the mistake, he thought it was in Revenue. He
16. spoke apparently with whoever is in Revenue. Senator McCarthy.
17. SENATOR McCARTHY:
18. Yes, we just had that conference and there's no objection.
19. PRESIDENT:
20. The question is shall House Bill 893 be taken from the Committee
21. on Finance and Credit Regulations and brought to 2nd reading.
22. All in favor vote Aye. Opposed Nay. The voting is open. Takes
23. 30 votes to discharge the committee. Take it out of the record.
24. Take it out of the record. House Bill 3050, Senator Bruce.
25. House Bill 3051, Senator Welsh. Read the bill.
26. SECRETARY:
27. House Bill 3051.
28. (Secretary reads title of bill)
29. 3rd reading of the bill.
30. PRESIDENT:
31. Senator Welsh.
32. SENATOR WELSH:
33. Thank you, Mr. President. House Bill 3051, was mistakenly

1. removed from the agreed bill list. What it...amends the election
2. code by providing the delegates and alternate delegates to
3. National Conventions other than National Nominating Conventions
4. shall be chosen according to procedures established by the
5. appropriate State Central Committee. I would appreciate a
6. favorable roll call, Mr. President.

7. PRESIDENT:

8. Senator Bruce.

9. SENATOR BRUCE:

10. Well, it's my understanding that this bill has no connection
11. or impact on consideration of House Bill 3052, the next bill
12. in sequence. Is my understanding correct Senator Welsh, this bill
13. has absolutely no impact on 3052...

14. PRESIDENT:

15. Senator Welsh.

16. SENATOR WELSH:

17. Yes.

18. PRESIDENT:

19. Yes, you are correct. Is there any further discussion? Senator
20. Mohr.

21. SENATOR MOHR:

22. Yesterday, Senator I had a bill that was good for our party,
23. I don't know if you recall that one.

24. PRESIDENT:

25. Chair recalls it.

26. SENATOR MOHR:

27. I see, okay, but you were helpful to me yesterday as I
28. remembered on my problem. Okay I'll watch these two, Mr. President.

29. PRESIDENT:

30. Any further discussion? Question is shall House Bill 3051 pass.
31. All in favor will vote Aye. Opposed will vote Nay. The voting
32. is open. Have all voted who wish? Take the record. On this
33. question the Ayes are 55. The Nays are none, with none Voting Present.

1. House Bill 3051 having received the constitutional majority is
2. declared passed. 3052, Senator Rock. 3057, Senator Welsh.
3. Senator Welsh is recognized, on 3057.

4. SENATOR WELSH:

5. Mr. President, I ask leave of the Body to bring 37...3057 back
6. to the order of 2nd reading for an amendment.

7. PRESIDENT:

8. Is there leave? Leave is granted. House Bill 3057 is on
9. the order of 2nd reading. Senator Welsh is recognized.

10. SENATOR WELSH:

11. Now, Mr. President, I yield to the distinguished minority
12. leader of the Senate. Senator Harris.

13. PRESIDENT:

14. Senator Harris.

15. SENATOR HARRIS:

16. Mr. President, this amendment would decrease the amount
17. of necessary signatures and the amount of the filing fee, make
18. them reasonable and not, in my judgement, prohibitive. It would reduce
19. from ten thousand to five thousand the number of signatures and
20. from twenty-five thousand to fifteen thousand the filing fee.
21. Now, I've had some discussion with Democrat Staff and a very
22. brief discussion with Senator Welsh. I offer the amendment and
23. see what the attitude of the Body is. I move for its adoption.

24. PRESIDENT: Both sides are ready, Senator Harris.

25. Any discussion? Senator Harris moves the adoption of Amendment
26. No. 1 to House Bill 3057. All in favor will say Aye. Opposed Nay.
27. Senator Harris.

28. SENATOR HARRIS:

29. There is one other important provision in the amendment and
30. I did not deliberately leave it unmentioned but I was just trying
31. to recall from other things that I've had on my mind here now.
32. This also, the amendment deletes the requirement that signers of
33. election contest petitions must have voted in the election and

1. it requires instead that qualified electors sign the petition.
2. In other words, it gives some relaxation to that very narrow
3. construction. And I think it's a more reasonable approach and
4. this, I'm confident, has...been discussed with...by the Democrat Staff
5. and additionally the filing fees and all court costs are changed
6. from being mandated to be refunded to any prevailing...it requires
7. that they shall be refunded rather than discretionary. I move
8. the adoption of the amendment.

9. PRESIDENT:

10. Senator Harris moves the adoption of Amendment No. 1 to House
11. Bill 3057. All in favor say Aye. Opposed Nay. The Ayes have
12. it. Amendment is adopted. Any further amendments? 3rd reading.
13. House Bill 3058, Senator Latherow. House Bill 3070, Senator
14. Clarke. You've got to have intervening business, Senator.

15. SECRETARY:

16. House Bill 3070.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDENT:

20. Senator Clarke.

21. SENATOR CLARKE:

22. Mr. President, 3070 and 3071 are two bills that are, come out
23. of a group of bills that the Audit Commission endorsed, to tighten
24. up the procedures both from the standpoint of examination of
25. vouchers and I'll speak to 3070 first. This was the one that
26. was developed by the Comptroller, it gives him the authority to
27. examine and to conduct investigations before issuing vouchers.
28. He has not had this authority and when questions have arisen he
29. has not been able, really, to conduct an investigation. I think
30. it's a needed power he should have.

31. PRESIDENT:

32. The question is shall House Bill 3070 pass? Those in favor
33. will vote Aye. Opposed Nay. The voting is open. Have all

1. voted who wish? Take the record. On this question the Ayes
2. are 53, the Nays are 1, with none Voting Present. House Bill
3. 3070 having received the constitutional majority is declared passed.
4. House Bill...3057, Senator Welsh. Senator Clarke. I am going to call
5. the next one.
6. SENATOR CLARKE:
7. Oh.
8. SECRETARY:
9. House Bill 3057.
10. (Secretary reads title of bill)
11. 3rd reading of the bill.
12. PRESIDENT:
13. Question is shall House Bill 3057 pass. All in favor will
14. vote Aye. Opposed Nay. The voting is open. Have all voted who
15. wish? Take the record. On this question the Ayes are 55, the
16. Nays are none, with none Voting Present. House Bill 3057 having
17. received the constitutional majority is declared passed. House
18. Bill 3071, Senator Clarke.
19. SECRETARY:
20. House Bill 3071.
21. (Secretary reads title of bill)
22. 3rd reading of the bill.
23. PRESIDENT:
24. Senator Clarke.
25. SENATOR CLARKE:
26. Mr. President, this is the second bill in this series. It
27. was developed by the Comptroller, it provides for a tightening
28. up of the certification of every agency had and person who
29. signs a voucher testifying to people who work for him that they have done
30. the work and provides penalties for falsifying such vouchers. I think
31. it's a needed tightening up of our Comptroller Act and I would urge your
32. acceptance and vote for it.
33. PRESIDENT:
34. Question is shall House Bill 3071 pass. Those in favor

1 vote Aye. Opposed Nay. The voting is open.

2 PRESIDING OFFICER: (SENATOR DONNEWALD)

3 Have all those voted who wish? Take the record. On that
4 question the Ayes are 56, the Nays are 1. House Bill 3071
5 having received the constitutional majority is declared passed.
6 House Bill 3077, Senator Partee.

7 SECRETARY:

8 House Bill 3077.

9 (Secretary reads title of bill)

10 3rd reading of the bill.

11 PRESIDING OFFICER: (SENATOR DONNEWALD)

12 Senator Partee.

13 SENATOR PARTEE:

14 The bill does just exactly what the Calendar says. We discussed it
15 the other day and I would appreciate a favorable roll call.

16 PRESIDING OFFICER: (SENATOR DONNEWALD)

17 Is there further discussion? Question is shall...Senator Course
18 for...Senator Course.

19 SENATOR COURSE:

20 Mr....Senator Partee are we going to have all chiefs and no
21 Indians over there pretty soon?

22 PRESIDING OFFICER: (SENATOR DONNEWALD)

23 Senator Partee.

24 SENATOR PARTEE:

25 Senator, it's hard enough for me to keep up with what's going
26 on over here, I...you know...just try to give them what they
27 say they want.

28 PRESIDING OFFICER: (SENATOR DONNEWALD)

29 Is there further discussion? Question is shall House Bill
30 3077 pass? Those in favor vote Aye. Those opposed No. The
31 voting is open. Have all those voted who wish? Take the record.
32 On that question the Ayes are 44, the Nays are 1, 1

1 Voting Present. House Bill 3077 having received the constitutional
2 majority is declared passed. House Bill 3087, Senator Shapiro.

3 Read the bill.

4 SECRETARY:

5 House Bill 3087.

6 (Secretary reads title of bill)

7 3rd reading of the bill.

8 PRESIDING OFFICER: (SENATOR DONNEWALD)

9 Senator Shapiro.

10 SENATOR SHAPIRO:

11 Mr. President, Ladies and Gentlemen of the Senate. In September
12 of 1973, we passed a Transitional Bilingual Educational Act and
13 mandated that in school districts having twenty or more children
14 of limited English speaking ability that bilingual instruction
15 would have to be offered. In order to comply, it was necessary
16 to certify approximately two thousand bilingual teachers in
17 the State, many of whom did not have the proper educational
18 requirements. They could teach the language fulfill the
19 requirements for teaching the course but did not have the
20 necessary education courses to be properly certified. This
21 Act provided two years for the State Board of Education to
22 certify these teachers. They have run out of time they have
23 not been able to accomplish this Act. So what this bill does
24 it extends from two to five years the period during which these
25 bilingual certificates may be issued and, in addition, states that
26 if the teacher who has received this provisional certificate has
27 not up graded their education within six years so that they can
28 receive a regular certificate, that the certificate will be
29 terminated. The State Board of Education has asked for this
30 bill. It's a good bill. I would appreciate a favorable roll call.

31 PRESIDING OFFICER: (SENATOR DONNEWALD)

32 Is there further discussion? Senator Morris.

1 SENATOR MORRIS:

2 I'd like to ask a question of the sponsor.

3 PRESIDING OFFICER: (SENATOR DONNEWALD)

4 He indicates he'll yield.

5 SENATOR MORRIS:

6 Who has not been able to get the thing together to handle
7 this certification, our local Office of Public Instruction?

8 PRESIDING OFFICER: (SENATOR DONNEWALD)

9 Senator Shapiro.

10 SENATOR SHAPIRO:

11 The man...the...Superintendent of Public Instruction, the
12 old Superintendent of Public Instruction. The duties which now
13 have been inherited by the Office of Education have not been
14 able to complete the task for this special limited certification.
15 They still...they still need about seven to go through, seven
16 hundred more teachers to obtain seven hundred more.

17 PRESIDING OFFICER: (SENATOR DONNEWALD)

18 SENATOR MORRIS:

19 Why do they need five years though, that sounds like an
20 awful long extension.

21 PRESIDING OFFICER: (SENATOR DONNEWALD)

22 Senator Shapiro.

23 SENATOR SHAPIRO:

24 Senator Morris, I cannot answer that question because I
25 don't know. This is what was in the bill and this is their request.

26 PRESIDING OFFICER: (SENATOR DONNEWALD)

27 Senator Morris.

28 SENATOR MORRIS:

29 I'll vote for the bill but I think that that office ought to
30 get off it's tailend and begin doing its job and instead of coming
31 back here asking for extensions all the time, this is a very
32

1 vital area and I think in their certification procedures they
2 better get on the ball.

3 PRESIDING OFFICER: (SENATOR DONNEWALD)

4 Is there further discussion? Question is shall House Bill
5 3087 pass? Those in favor vote Aye. Those opposed No. The
6 voting is open. Have all voted who wish? Take the record. On
7 that question the Ayes are 56, the Nays are none. House Bill
8 3087 having received the constitutional majority is declared passed.
9 House Bill 3098, Senator Romano. We have a problem. We have to
10 recall the previous bill, 3098. Or no, just.... We have
11 to call...I beg your pardon. We have to...do we have leave to
12 call 3098, to the order of 2nd reading? Leave is granted. The
13 bill is now on...the bill is now on 2nd reading. Senator Romano.

14 SENATOR ROMANO:

15 Senator Shapiro has an amendment.

16 PRESIDING OFFICER: (SENATOR DONNEWALD)

17 Senator Shapiro.

18 SENATOR SHAPIRO:

19 Mr. President, Ladies and Gentlemen of the Senate. This
20 amendment to the...to House Bill 3098, which provides for the computing
21 of our per diem wages into the General Assembly Pension Fund,
22 this amendment provides for a method of calculating it. It's
23 an attempt to make a bad bill just a little bit better in case
24 this bill passes. And what it does, since there are discrepancies
25 between the number of days that we serve in each Calendar year of the
26 term to which we are elected, it takes and provides that the
27 total number of days will be multiplied by the per diem dollar
28 amount and then that amount will be divided by two and half of
29 the figure prorated to each year for purposes of figuring the
30 pension with the same dollar amount in each year. It also provides
31 for figuring the annuity and when a member of the General Assembly
32 retires before the end of the two-year period or dies prior to the
33 completion of this term. It's a good amendment, I urge its adoption.

PRESIDING OFFICER: (SENATOR DONNEWALD)

1 Is there further discussion? Question is shall Amendment No. 1
2 to House Bill 3098 be adopted. Those in favor indicate by
3 saying Aye. Those opposed No. The Ayes have it. The amendment's
4 adopted. Are there further amendments? 3rd reading. House Bill
5 3105, Senator Newhouse. Read the bill. Senator Graham for
6 what purpose do you rise?

6 SENATOR GRAHAM:

7 One of our staff members had indicated to Senator Newhouse
8 yesterday, and I haven't had a chance to get over there, that
9 I would like to attempt, or have at least considered an amendment
10 to this bill. It was my understanding that the Senator was
11 agreeable to it. Do you have an amendment given you Senator?

12 PRESIDING OFFICER: (SENATOR DONNEWALD)

13 Is there leave to...

14 SENATOR GRAHAM:

15 Page...

16 PRESIDING OFFICER: (SENATOR DONNEWALD)

17 Just a moment.

18 SENATOR GRAHAM: ...

19 I'd like to have a Page, give the Senator an amendment.

20 PRESIDING OFFICER: (SENATOR DONNEWALD)

21 Senator Sommer, the Page will take it over to Senator
22 Newhouse. Senator Newhouse requests that House Bill 3105 return
23 to the order of 2nd reading for the purpose of an amendment.
24 Is there leave? Leave is granted. Senator Graham, is this
25 your amendment?

26 SENATOR GRAHAM:

27 Yes, it is.

28 PRESIDING OFFICER: (SENATOR DONNEWALD)

29 Do you wish to proceed, Sir?

30 SENATOR GRAHAM:

31 I'd like to proceed.

32 PRESIDING OFFICER: (SENATOR DONNEWALD)

33 Do proceed.

34 SENATOR GRAHAM:

35 A very simple amendment dealing with this very sensitive matter.

1 It says, that, hereinafter, the status of women, that we're
2 referring to, the word woman will be deleted and it will be
3 the Commission on a Status of Persons, hereinafter called a
4 commission, consisting of eight and not sixteen members. Four
5 members of the House of Representatives to be appointed, two by
6 the Speaker of the House, two by the Minority Leader thereof;
7 four members from the Senate, two by the President, two by the Minority
8 Leader and it also says in here that being this is a committee
9 to eliminate and alleviate all discrimination, that there shall be
10 three males and three females voting on a question before it
11 can be considered as a Committee Amendment and it shall take
12 six of the eight to consist a quorum. I offer the amendment in the
13 spirit of dealing with persons.

14 PRESIDING OFFICER: (SENATOR DONNEWALD)

15 Senator Wooten.

16 SENATOR WOOTEN:

17 Senator Graham, I think that amendment would be more properly
18 offered if and when we pass the ERA Amendment.

19 PRESIDING OFFICER: (SENATOR DONNEWALD)

20 Senator Graham.

21 SENATOR GRAHAM:

22 If I have to wait that long the amendment will never get
23 on Senator.

24 PRESIDING OFFICER: (SENATOR DONNEWALD)

25 Is there further discussion? Senator Wooten.

26 SENATOR WOOTEN:

27 Then I would suggest that the amendment is out of order, that
28 we ought to leave things as they are.

29 PRESIDING OFFICER: (SENATOR DONNEWALD)

30 Senator Graham.

31 SENATOR GRAHAM:

32 As long as ERA is still under consideration by so many, this
33 would be a good way to really test the sincerity of those people

1 who believe that's a good act, and I ask for adoption.

2 PRESIDING OFFICER: (SENATOR DONNEWALD)

3 Is there further discussion? Question is...Senator Newhouse.

4 SENATOR NEWHOUSE:

5 Senator, I...I understand your good intentions and the fine job
6 that you're trying to do to improve this bill. The fact is that
7 your amendment is a bill whose time has not yet come. So I would
8 assume that, I would ask everyone to vote against this amendment.

9 PRESIDING OFFICER: (SENATOR DONNEWALD)

10 Question...the question is...Senator Partee.

11 SENATOR PARTEE:

12 Well, I think Senator Graham made his point but I think
13 sometimes we can undo somethings that ought to remain as is.
14 The Status of Women's Commission is sometimes, though some things
15 have been said about it, a very serious commission. These ladies
16 are very, very serious about the question of equality and any
17 quality and having experienced what they're about, I know that they
18 are sincere and I would simply say to Senator Graham, that under
19 the circumstances, I think this amendment would make that commission
20 a very ineffective one and I cannot support the amendment.

21 PRESIDING OFFICER: (SENATOR DONNEWALD)

22 Is there further discussion? Question is...Senator Netsch.

23 SENATOR NETSCH:

24 Mr. President, I would second the comments of Senator Netsch...
25 no, my name is Netsch. Senator what...you know, the President,
26 what's his name?

27 PRESIDING OFFICER: (SENATOR DONNEWALD)

28 We all look alike.

29 SENATOR NETSCH:

30 Senator Partee, and point out that...to Senator Graham, perhaps,
31 most prominently of all, that the seriousness of this commission
32 is such that many of you have been using it as a crutch for not
33 voting for ERA for as long as I have been in the State Senate.

1 And I don't think you would want that crutch cut off. Therefore,
2 let us have our commission as we want it, not as you want it.

3 PRESIDING OFFICER: (SENATOR DONNEWALD)

4 Senator Nudelperson.

5 SENATOR NUDELMAN:

6 After tomorrow I get my name back, Mr. President. I think
7 the way Senator Netsch mis-spoke herself indicates that we should
8 be concerned with people now. We all look alike and I think the
9 amendment is a good one. We should vote for it.

10 PRESIDING OFFICER: (SENATOR DONNEWALD)

11 Senator Graham makes, just a moment, Senator Mitchler.

12 SENATOR MITCHLER:

13 Well, yes having served on the Commission on the Status of Women
14 for a number of years, we...we did resolve many very serious problems
15 on that commission under the very able Chairmanship of Senator
16 Saperstein, former Senator Saperstein, now Alderman Saperstein, And
17 we got into the Labor Laws. The discrimination that we found in the
18 universities and I...I enjoyed serving on that commission very much and
19 I really see nothing wrong in having that commission equally
20 distributed between the male and the female members of the Senate
21 and House and I think that for the commission itself, it's good
22 to have male members on that commission and not get it stereotype
23 and get into the area of only looking after yourself. And I think
24 I contributed a great deal when I was on that commission in keeping
25 them on the straight and narrow and not allowing them to get off
26 on these frilly things that would make the commission look like
27 it was self-centered and only for the benefit of the ladies on
28 the commission. But it's a good amendment. I think that members
29 of the Senate, you may joke about it, but you'll learn a lot on that
30 Commission on the Status of Women. I think that all of the members
31 ought to serve time on there and do there just cause and I'd
32 be in support of this amendment by Senator Graham.

33 PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Graham, may close the debate.

2. SENATOR GRAHAM:

3. I'm just hopeful that this will do a lot of things, in
4. addition to that we won't have a deficiency appropriations
5. next year either. I ask for a roll call.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Question is shall Amendment No. 1 be adopted to House
8. Bill 3105. All those in favor vote Aye. Those opposed No.
9. The voting is open. All all voted who wish? Take the record.
10. On that question the Ayes are 31, the Nays are 17. Amendment
11. No. 1 to House Bill 3105 is adopted. Senator...no it only takes
12. a majority of those voting Senator. Do you wish to withdraw that
13. request? Request for verification is withdrawn. Are there further
14. amendments? 3rd reading. House Bill 3098, Senator Romano.

15. ACTING SECRETARY: (MR. FERNANDES)

16. House Bill 3098.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Romano.

21. SENATOR ROMANO:

22. Mr. President, members of the Senate, this bill would give
23. the legislators an opportunity to put the per diem expense on to
24. credit for their pension purposes. Internal Revenue has ruled
25. that our per diem expense is considered salary and this is why
26. you receive it on a W2 and many of the members feel that if Internal
27. Revenue feels this way we should take advantage of it. And I would
28. urge every member to vote for this bill.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Is there further debate? Senator Berning.

31. SENATOR BERNING:

32. Thank you Mr. President, members of the Senate. You may have
33. noticed a sheet passed out on each desk covering the impact of this

1 piece of legislation. I urge you to carefully weigh what the
2 end result will be if this bill is passed. There are many
3 unsolved and unanswered questions that can conceivably place
4 our whole per diem structure in jeopardy. Bear in mind, you and
5 I as elected officials, cannot have an increase in compensation
6 during the term of our office. Now, irrespective of the IRS
7 ruling that per diem is to be treated as compensation, if we,
8 in turn, attempt to validate that by incorporating it into our
9 Pension Computation Systems, we are saying we are taking an increase
10 in salary which you cannot do. And I submit that not only will that
11 eliminate, will that be eliminated from your salary as such, but
12 could, as I said before, conceivably invalidate the total question
13 of per diem to you. I don't think it's worth the risk we run if
14 it is the wisdom of the Body that in light of the IRS attitude
15 that these compensations ought to become a part of salary, then that's
16 the route will ought to go but you can not do that either during
17 the term of your office. It could be done now prospectively.
18 In addition, this by becoming a part of salary if this measure is
19 passed and signed, is going to materially affect the Pension
20 Fund again. We are all concerned about our Pension Funds and the
21 stability and...and the liquidity of it. By passing this we will be
22 immediately incurring a huge additional indebtedness. Not only for
23 those of us who are here, but what about widows who may have been
24 developed while we have been in this process. We will have to recompute
25 our entire Pension Contribution Program based on a figure that is
26 variable. And I call to your attention that that...it is a
27 variable figure. There is nothing static about it because of the
28 number of the days that we are or are not in Session. In closing,
29 members of the Senate, I urge you to consider very carefully the
30 pros and especially the cons in connection with this bit of
31 legislation and I submit that it ought to be rejected and
32 considered in the light of the long-term and attack on a different basis.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Is there further...Senator Wooten.

3. SENATOR WOOTEN:

4. Mr. President and colleagues. I think Senator Berning has
5. raised some very interesting points. I would merely add to that.
6. I would like for you to think of the storeies these gentlemen are
7. writing on our action tonight and the headline tomorrow, Senate
8. votes to increase its pension. I just don't think this is
9. the right time to take this step. I know how we feel about it
10. but I think that it is not a matter which is easily resolved this
11. way. I just think it is a...would be a prudent thing to let
12. it rest in the condition it is in now.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Is there further debate? The question is shall...the question is
15. shall House Bill 3098 pass. Those in favor vote Aye. Those
16. opposed No. The voting is open. Have all those voted who wish?
17. Have all those voted who wish? Take the record. On that question
18. the Ayes are 21, just a moment, Senator Romano moves to Postponed
19. Consideration. Consideration is postponed. House Bill 3105,
20. Senator Newhouse. Read the bill.

21. SECRETARY:

22. House Bill 3105.

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Newhouse.

26. SENATOR NEWHOUSE:

27. Mr. President, the bill has already been explained and everybody
28. understands it. Let's have a roll call.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Is there further debate? Question is shall House Bill 3105
31. pass. Those in favor vote Aye. Those opposed No. The voting is open.
32. Have all those voted who wish? Take the record. On that question
33.

1 the Ayes are 50, the Nays are 1. House Bill 3105 having received
2 the constitutional majority is declared passed. Senator Partee,
3 is it your desire to begin at the 3rd reading, bills 3rd reading,
4 beginning with House Bill No. 6. Senator Kosinski. First bill
5 on the Calendar, 3rd reading. Just a moment. Senator...Senator
6 Egan for what purpose do you rise?

7 SENATOR EGAN:

8 I would like to address myself to House Bill 6, being the
9 Senate sponsor.

10 PRESIDING OFFICER: (SENATOR DONNEWALD)

11 I beg your pardon, I looked at the first name and there is
12 a great difference between the two Kosinski's. Senator Egan.

13 SENATOR EGAN:

14 Thank you, Mr. President, members of the Senate, Senate Bill, or
15 House Bill 6, is very simple...

16 PRESIDING OFFICER: (SENATOR DONNEWALD)

17 Just a moment, just a moment, we're going to have to read
18 the bill.

19 SECRETARY:

20 House Bill 6.

21 (Secretary reads title of bill)

22 3rd reading of the bill.

23 PRESIDING OFFICER: (SENATOR DONNEWALD)

24 Now, Senator Kosinski-Egan.

25 SENATOR EGAN:

26 Thank you, very kindly, Mr. President, members of the Senate.
27 Senate Bill, or House Bill No. 6 is a very simple bill. It merely
28 raises the penalty for theft of a firearm from other than the
29 person from a Class A or a Class A misdemeanor to a Class 4 felony.
30 The ever increasing number of firearm thefts has considerably
31 disturbed all law enforcement throughout the State of Illinois
32 because the crimes that are being committed, by the use of
33 firearms is increasingly...evident and obvious that the guns being

1. used are stolen. So we trying to prevent the theft and in making
2. the penalty more stiff we hope that that will be accomplished.
3. And I...I know of no opposition. I would ask for your favorable
4. consideration.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Is there further discussion? Question is shall House Bill
7. 6 pass. Those in favor vote Aye. Those opposed No. The
8. voting is open. Have all those voted who wish? Senator Partee,
9. would you vote me Aye? Have all those voted who wish? Take the
10. record. On that question the Ayes are 55, the Nays are none.
11. House Bill 6, having received the constitutional majority is
12. declared passed. House Bill 44, Senator Kenneth Hall. Senator
13. Partee for what purpose do you rise?

14. SENATOR PARTEE:

15. Let the record show that if I have not been diverted I
16. fully intended to vote Aye on that bill.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. The record will so show. Senator Kenneth Hall, House Bill
19. 44. House Bill 45, Senator Kenneth Hall. I might remind the
20. members that this very well could be the last opportunity that
21. you will have. House Bill 62, Senator Don Moore. Read the bill.

22. SECRETARY:

23. House Bill 62.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Don Moore.

28. SENATOR MOORE:

29. Thank you Mr. President, members of the Senate. House Bill
30. 62, is a Grand Jury bypass bill. It's a procedure which will do more
31. to speed up our present criminal prosecution system than almost
32. any other single measure could. Presently all felony prosecution
33. must proceed on an indictment unless the right to a Grand Jury

1 finding is waived. This bill would allow the State's Attorneys
2 to proceed on an information a charge he files himself instead of
3 an indictment as long as the Judge finds probable cause at a pre-
4 liminary hearing that the accused committed an offense. The
5 Grand Jury would still be available for State's Attorneys to
6 use whenever he chooses. For the investigation of complex
7 matters such as difficult embezzlement cases or organized crime
8 activities. This bill has the endorsement of the Chicago Crime
9 Commission, the State's Attorney Association of Illinois, it's
10 similar to Senator Nudelman's bill that has already passed the
11 Senate. I know of no objection to it and I'd appreciate a
12 favorable roll call.

13 PRESIDING OFFICER: (SENATOR DONNEWALD)

14 Is there further discussion? The question is shall House
15 Bill 62 pass. Those in favor vote Aye. Those opposed No. The
16 voting is open. Have all voted who wish? Take the record. On that
17 question the Ayes are 52, the Nays are 2. House Bill 62 having
18 received the constitutional majority is declared passed. House
19 Bill 63, Senator Don Moore. Read the bill.

20 SECRETARY:

21 House Bill 63.

22 (Secretary reads title of bill)

23 3rd reading of the bill.

24 PRESIDING OFFICER: (SENATOR DONNEWALD)

25 Senator Don Moore.

26 SENATOR MOORE:

27 Thank you, Mr. President, members of the Senate. House Bill 63,
28 is simply an attempt to clarify the law on preliminary hearings
29 without creating procedural burdensome on...to the prosecution. The
30 bill, first of all, would codify the defendants right to an attorney
31 of preliminary hearing. Well, this is currently the practice. There
32 might be some confusion, after a recent U.S. Supreme Court Case on
33 detention preliminary hearings, which some are misinterpreting to

1. apply from screening preliminary hearings. Secondly, the bill
2. would give the defense the right to cross-examine State's witnesses
3. and present defense evidence but dolely for the purpose of
4. showing no probable cause. The ability of the defense to abuse
5. the probable cause hearing either for discovery or for the
6. intention of making a second trial out of it are circumscribed
7. by the bill as amended which gives the judge the right to terminate
8. the testimony at any time.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Partee.

11. SENATOR PARTEE:

12. I rise in opposition to this bill. The formative years of
13. my law practice were spent in and around criminal courts. I
14. served as an Assistant State's Attorney and later became a
15. defense lawyer. I think I know this picture very well. This bill
16. would be a wen on the fair face of justice, w-e-n, that is. This
17. bill would do more to discombobulate the smooth running of a court
18. than any kind of bill that I've ever seen. It would simply mean
19. that all the defendants would be entitled to two full and complete
20. trials and it would certainly mean a great deal more expense. It
21. would certainly mean a great deal more lag in time before there
22. would be a final resolution of the case. I supported the first
23. bill and I'm prepared to support another one in this series. I
24. think this one is a bad bill and ought to be defeated.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Harris.

27. SENATOR HARRIS:

28. Well, Mr. President, those of us who have several counties
29. in our district have had correspondence on this and I think
30. just for the benefit of all of us I've heard from my State's Attorneys,
31. let's see I've got four of them that have communicated to me
32. about this and I know the answer but I'm going to ask it. Senator
33. Moore, what is the general position of the State's Attorneys in

1. regard to this particular piece of legislation?

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Nudelman. Just a minute, you addressed a question.
4. Senator Don Moore.

5. SENATOR MOORE:

6. The State's Attorneys Association of Illinois is very much
7. opposed to this bill, Senator Harris. I said opposed.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Harris. Senator Harris.

10. SENATOR HARRIS:

11. Now, you replied in reference to the association that would
12. identify the overwhelming majority of the individual State's
13. Attorneys as well, would it not?

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Don Moore.

16. SENATOR MOORE:

17. Yes, it would, Mr. President, or Senator Harris.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Nudelman.

20. SENATOR NUDELMAN:

21. Thank you, Mr. President, I was surprised to hear Senator
22. Partee's comments, because if he has read the bill he would
23. realize that this is not two trials, this is merely a probable
24. cause hearing in which the defendant is given the opportunity
25. to cross-examine witnesses...and...submit witnesses for the
26. purpose of showing there is no probable cause. This is not a
27. full grown trial, it's merely a preliminary hearing. And I should
28. think that of all people, Senator Partee would agree that justice
29. is more important than convenience of the State's Attorney. If
30. we need more State's Attorneys, we'll get more State's Attorneys,
31. if we need more courts, we'll get more courts, and if we need more
32. judges, we'll get more judges but the fact of the matter is we
33. won't need anymore anything because this is a procedure which will

1. be used on very rare occasions when it is worthwhile using and
2. not as a general matter. I would further point out to this
3. Body that this already, already is the Federal procedure. This
4. is the procedure copied from the Federal rules of court as
5. promulgated and as used in our circuit in Illinois and I think
6. Federal defendants should be given no greater rights than are
7. given State defendants. It's a good bill, we passed the same
8. bill out of here without any opposition several months ago...for
9. the other side and I would solicit a favorable roll call.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Is there further debate? Question is shall House Bill 63
12. pass? Those in favor vote Aye. Those opposed No. The voting
13. is open. Have all those voted who wish? Have all those voted
14. who wish? Take the record. On that question the Ayes are 17,
15. the Nays are 30, 2 Voting Present. House Bill 63, not having
16. received the constitutional majority is declared lost. House
17. Bill 64, Senator Don Moore. Read the bill.

18. SECRETARY:

19. House Bill 64.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Don Moore.

24. SENATOR MOORE:

25. Thank you, Mr. President, members of the Senate. House Bill
26. 64 simply requires a transcript to be made of all questions asked
27. of and answers given by witnesses before the Grand Jury. The
28. objective is to provide such transcripts for purposes of impeachment
29. of witnesses at trial. The present case law is that where such
30. a transcript is made, relevant portions must be given to the
31. defense for purposes of impeachment only. The case law; however,
32. does not require the transcript to be made. Such transcripts are,
33. in fact, already made in Cook County, so the practice would not

1. change there. However, even for counties where such transcripts
2. are not now being made, the total cost would be insignificant.
3. Since the Grand Jury will rarely, if ever be used in such counties,
4. because they can now proceed on informations, the cost for the
5. court reporter would be negligible. The State's Attorneys Association
6. has no objection to this bill. I would appreciate a favorable roll
7. call.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Is there...is there further debate? The question is shall
10. House Bill 64 pass? Those in favor vote Aye. Those opposed No.
11. The voting is open.

12. PRESIDENT:

13. Have all voted who wish? Take the record. On this question
14. the Ayes are 51, the Nays are none, with none Voting Present.
15. House Bill 64 having received the constitutional majority is
16. declared passed. House Bill 66, Senator Don A. Moore.

17. SECRETARY:

18. House Bill 66.

19. ~~PRESIDENT~~ (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDENT:

22. Senator Don Moore: I have read House Bill 66. It says that I don't

23. SENATOR MOORE: I have read the bill of course.

24. Thank you, Mr. President. House Bill 66 allows any witness, not
25. just target witnesses, to bring an attorney with him into the
26. Grand Jury room if he so desires. It must be remembered that
27. since Grand Juries will rarely, if ever, be used there will be
28. few cases where witnesses are called. A witness may not even choose
29. to bring an attorney, but he should have the right. Under this
30. bill the attorney may advise a client of his rights. He may not
31. participate in the proceedings in any other way. If he does
32. so choose he is subject to contempt citation. The bill also requires
33. the Grand Jury witnesses, if called at trial, must be given a

1. transcript of his testimony a reasonable time before being called,
2. if he requests it. The purpose of such a requirement is to help
3. him refresh his recollection so that he will not unwittingly impeach
4. himself and be open to a purgery charge. I'll be happy to answer
5. any questions.

6. PRESIDENT:

7. Any further discussion? Senator Fawell.

8. SENATOR FAWELL:

9. Mr. President, the one area of this bill, I think, that is still in
10. there that I didn't like and still don't like is the requirement
11. that every witness appearing before the Grand Jury must be
12. given a transcript of the evidence and it seems to me that, that...
13. the idea of having a transcript of the evidence in the Grand Jury
14. is certainly laudable...

15. PRESIDENT:

16. Senator Fawell, were you on 66 or 64?

17. SENATOR FAWELL:

18. 66, I believe?

19. PRESIDENT:

20. All right, go ahead, go ahead.

21. SENATOR FAWELL:

22. Yes, I believe that's still in 66. At any rate, that I don't
23. think is necessary. There are ways of obtaining that, if it's
24. relevant and I don't think that that handing out a transcript
25. to the...evidence to every witness in cases where an indictment
26. is returned is necessary.

27. PRESIDENT:

28. Senator Harris.

29. SENATOR HARRIS:

30. Senator Moore, what is the overriding attitude of the State's
31. Attorneys with respect to this bill.

32. PRESIDENT:

33. Senator Moore.

34. SENATOR MOORE:

1 They're not in love with it, Senator, I'll be honest with you.
2 As...as amended it's a little bit better than it was before amend-
3 ment, inasmuch as the amendment, if the witness requires, shall be
4 given a transcript of the original bill set within five days, the
5 State's Attorneys felt that this was an undue restriction so it
6 was changed to a reasonable time by amendment before he is required
7 to testify at a trial on the indictment.

8 PRESIDENT:

9 Senator Nudelman.

10 SENATOR NUDELMAN:

11 Thank you, Mr. President. I think that...if memory serves
12 the bill requires that the transcript be given to a witness only if
13 it...if a...an indictment involves from that testimony and if that
14 witness is then involved in that indictment. I think that's the
15 limitation, Senator Fawell, and if that's the limitation in the bill
16 I think that should allay your fears. That they don't have to
17 arbitrarily give away the transcript to anybody who is a witness,
18 casual witness and who is no longer needed for any purpose. I think
19 the limitation is a good one. It's a valid one and I think it
20 shouldn't concern Senator Fawell.

21 PRESIDENT:

22 Any further discussion? Senator Don Moore may close the
23 debate.

24 SENATOR DON MOORE:

25 I'd appreciate a favorable roll call, Mr. President.

26 PRESIDENT:

27 Question is shall House Bill 66 pass. Those in favor will
28 vote Aye. Opposed Nay. The voting is open. Have all voted who
29 wish? Take the record. On this question the Ayes are 27, the
30 Nays are 22, with 1 Voting Present. House Bill 66 having failed
31 to receive the constitutional majority is declared lost. House Bill
32 114, Senator Knuppel.

33 SECRETARY:

1. House Bill 114.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDENT:

5. Senator Knuppel.

6. SENATOR KNUPPEL:

7. Mr. President and members of the Body, House Bill 114 is
8. a bill designed to amend the Environmental Protection Act, to
9. require the Department of Environmental Protection to adopt rules
10. and regulations concerning a system of intermittent control for
11. emissions by power companies and others. The...this is...this is
12. designed to insure that there will not be excess sulfur dioxide
13. during periods when there's a...meteorological conditions which
14. would cause the power plant or others emitting to exceed the
15. air standards that may have been promulgated by the EPA. Such
16. intermittent control systems have been in effect in England for
17. quite some time as you know the standards that have been set
18. up would be very difficult for power plants in Illinois and
19. others burning Illinois coal to meet, while...when...when atmospheric
20. conditions are wrong. This insures that at all times they will
21. be within the control pattern but it allows them to have a
22. higher emission than they might otherwise attain as an average
23. by constant monitoring, they can meet those standards. The
24. bill has been amended by Senator Moore to provide an extension
25. on these intermittent controls until the year of 1985, when all
26. companies or all systems will have to be in compliance. Recent
27. court decision was such that it said that states could move in
28. this area to provide for such intermittent control. I believe this
29. is a fair and a safe and sound way to secure compliance with the
30. ambient air standards for all users in the State of Illinois.
31. We hear a lot of talk about scrubbers their present time, and
32. even yet in a rather experimental stage, it's...I think it was
33. estimated a year ago that a scrubber on the new smoke stack here

1 at Springfield would cost something in the vicinity of nineteen
2 million dollars and there was no assurance that it would be
3 successful. This will allow the additional time that's required
4 for these people to come in compliance with the EPA standards while
5 at the same time maintaining high quality of air with the low
6 dioxide, sulfur dioxide emission. This is good legislation...it
7 as I say insures a high and constant quality of air while at
8 the same time meeting the economic impact of trying to meet
9 the Environmental Protection Agencies ambient air quality standards.
10 I would solicit a favorable roll call.

11 PRESIDENT:

12 Senator Bloom.

13 SENATOR BLOOM:

14 Thank you, Mr. President, and fellow Senators, I rise in support
15 of this because two years ago we spent, God knows how much of
16 the State's money, litigating the State of the art issue on SO2
17 removal with Central Illinois Light Company. At the State's
18 expense an expert was flown to Japan to examine MidSuey, the
19 only place in the world where they had on line sulfur dioxide
20 removal experience for thirteen months according to National
21 Academy standards, and Cilco and Edison, Edison Institute flew
22 their experts to Japan to look at this and the State spent
23 thirteen weeks hearing testimony about what a man named Mr.
24 Socynichi said, and then they never came to a conclusion but the
25 one fact that did come through all the SO2 removal efforts as of
26 two years ago as of now, there has been no on line proven
27 technology and this is a good idea for the entree. Thank you.

28 PRESIDENT:

29 Any further discussion? Senator Glass.

30 SENATOR GLASS:

31 Thank you, Mr. President, Ladies and Gentlemen, I rise to
32 oppose House Bill 114. I would point out that under the bill
33 we mandate the Pollution Control Board to adopt regulations.

1. I would submit to you that the better approach is to allow
2. the board to hold hearings on proposed regulations based on the
3. evidence, make a decision on the regulations that have been
4. proposed. Now, the Intermittent Control Program which this
5. bill would mandate does have some dangerous affects for the
6. soy bean crop in Illinois and as a result of increased
7. acidic rainfall it could result...there would be an adverse effect
8. that could possibly create serious problems on the soy bean crop.
9. Legislation authorizing or requiring the use of supplemental control
10. systems is not needed in Illinois because the Illinois EPA, and
11. the Pollution Control Board are already approving supplemental
12. control systems and the art, I might add, and the use of the scrubber
13. is well developed here in Illinois. Nineteen units were in
14. effect earlier this year and a hundred and four were being planned.
15. I don't think this is a good bill. I think we ought to let the
16. PCB set it's own regulations after hearings and I would urge
17. the membership to defeat House Bill 114.

18. PRESIDENT: ...

19. Senator Bell.

20. SENATOR BELL: ...

21. Yes, thank you Mr. President. Well I'm not going to make a
22. long speech on this. We did hear, we did hear testimony before
23. committee at great length on 114, both pro and con, and I might just
24. mention to the membership here that, that committee did vote
25. it out, 9 to 2. There were only 2 descending votes. I would
26. recommend Do Pass.

27. PRESIDENT:

28. Any further discussion? Question is shall House Bill 114,
29. pass. Those in favor will vote Aye. Opposed Nay. The voting
30. is open. Have all voted who wish? Take the record. On this
31. question the Ayes are 37, the Nays are 11, with none Voting Present.
32. House Bill 114, having received the constitutional majority is
33. declared passed. House Bill 119, Senator Schaffer.

34. SECRETARY:

1. House Bill 119.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDENT:

5. Senator Schaffer.

6. SENATOR SCHAFFER:

7. House Bill 119, amends the School Code to permit the payment
8. of tuition for a child who attends public school, attends a
9. public school during the school year and is found to have a
10. learning disability which will benefit from a summer program in
11. a nonpublic school or special education facility allows them, the
12. State to subsidize that payment by a maximum of five hundred dollars
13. per Session, Summer Session, if the school, local public school
14. district doesn't provide the course. The bill is amended the
15. amendment we put on in the Senate, it was at the request of the
16. Office of Education, I believe it removes any opposition there
17. might be. It came out of committee on the unanimous roll call.
18. I'll be happy to answer any questions anyone might have.

19. PRESIDENT:

20. Senator Hickey.

21. SENATOR HICKEY:

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

23. PRESIDENT:

24. He indicates he'll yield.

25. SENATOR HICKEY:

26. Does need have anything to do with this or would this be
27. done for people who are very affluent?

28. PRESIDENT:

29. Senator Schaffer.

30. SENATOR SCHAFFER:

31. The need requirement relates to the...if they need the
32. education I don't believe there's a financial need statement
33. in the bill.

1. PRESIDENT:

2. Senator Bruce.

3. SENATOR BRUCE:

4. Yes, well, was Amendment No. 1 adopted?

5. PRESIDENT:

6. Senator Schaffer.

7. SENATOR SCHAFFER:

8. Yes.

9. PRESIDENT:

10. Senator Bruce.

11. SENATOR BRUCE:

12. Yes, well can you explain the language to me in paragraph one
13. as opposed to paragraph three. It says, "commencing June 1, and
14. thereafter school districts shall provide one or more of the
15. following schools," and it goes and enumerates. Then in the third
16. paragraph you say, "when any school does not provide". Now,
17. if you mandated, effective June 1, 1976, why is there any option
18. under the third paragraph that when they do not provide? It
19. seems to me the amendment makes no sense at all..

20. PRESIDENT:

21. Senator Schaffer.

22. SENATOR SCHAFFER:

23. Well, I see your, I see what you're talking about. The
24. amendment was, of course, drawn and offered by the Office of Education
25. and I believe it makes sense and I believe it's an alternative
26. that they shall provide unless they don't have the necessary
27. number of children to justify it. In that case, the option of
28. financing the children at a special education school, you know,
29. in the area is exercised by the school. We happen to have a
30. situation in my locale where we do not justify, in any particular
31. school district, any type of summer program for students with a
32. learning disability but we do have a private not-for-profit, special
33. education school that we try, that we would like very much to get

1 our local kids in, in the summer because they do lose ground in the
2 Summer Session, a three-month break, if they don't have this type
3 of summer course.

4 PRESIDENT:

5 Senator Bruce.

6 SENATOR BRUCE:

7 I...I see how you read it but I disagree with your reading.
8 Every school district in the State of Illinois, on June 1, 1976,
9 and thereafter shall provide one or more of the following types
10 of schools, classes or programs for handicapped children during
11 that period of the Calendar not embraced within the regular
12 school year. Now, that's a mandate they can't say that they
13 don't have handicapped children, that they don't have enough to
14 merit it or anything. They must offer it and they've got to
15 be there. I know what you want to do but that's not what the
16 amendment says you're going to do. In the third paragraph you
17 say in very nebulous terms, that first, a sufficient number of
18 handicapped children is at one, two, three, seven, twelve and then
19 they say request. To whom, when, how, for what term of...during the
20 summer? I think there's a lot of things you'd better take a
21 look at in the amendment.

22 PRESIDENT: Now, if you will get up, Senator Bruce.

23 Senator...which of you, Senator Glass?

24 SENATOR GLASS: Thank you, Mr. President.

25 Thank you, Mr. President. Senator Bruce, if you look at the
26 first paragraph of that amendment, it says after the date that
27 you described, "school districts shall provide one or more of
28 the following types of schools, classes or programs." Seems
29 to me, under that language, they could provide one class and be
30 in compliance. All right, and then if you drop down if the school
31 district does not provide and conduct courses of instruction
32 during the summer but there's a sufficient number of handicapped
33 children who attend the school district and they request in writing,

1 so, I don't see what, what's inconsistent about that if the school doesn't
2 have the program that the handicapped child needs to attend he
3 can go, go to another school.

4 PRESIDENT:

5 Senator Bruce.

6 SENATOR BRUCE:

7 Well, my problem is that Springfield, or any large city, they
8 shall even if a private school is in operation doing an excellent
9 job the public school must, under this language, offer a course.
10 Well, you shake your head, Senator Schaffer, the word shall means
11 every school district including Olney and Parkersburg and small
12 schools where there are already schools within that district
13 five miles away in my district where they may be offering an
14 excellent handicapped program and they're going to offer, have to
15 offer, a class for one child. It just doesn't make good sense.

16 PRESIDENT:

17 Senator Schaffer.

18 SENATOR SCHAFFER:

19 Or program, or program, a program can be merely, merely
20 consist of sending that one child to that highly capable...not-
21 for-profit school you mention, a class or a program. If they
22 don't have the kids, if you read the full amendment, it says,
23 "if they don't have the kids to justify a class then there's
24 a mechanism whereby they can send them to a not-for-profit special
25 education school." I interpret the word program to mean that if
26 they don't have the kids to justify their program for the school
27 it merely consists of signing the necessary paper work that's
28 drawn up by...IEO to send that child to that other school down the
29 road that you speak so highly of.

30 PRESIDENT:

31 Senator Bruce.

32 SENATOR BRUCE:

33 Let me just conclude by saying then, if that is the case then

1 the first line of the second paragraph you say, "courses of
2 instruction", not programs. In the third paragraph it says when
3 any school district does not provide courses of instruction
4 during the school term so forth and so on. It is not consistent
5 language. You do not mention programs in the second and third
6 paragraphs. Your reading might...might fit with the first one, but not
7 with the second and third.

8 PRESIDENT:

9 Any further discussion? Question is shall House Bill 119,
10 pass. Senator Schaffer, close the debate.

11 SENATOR SCHAFFER:

12 Well, my...my good friend and colleague from the home of the
13 white squirrel, Olney, has muddied the water a little. I believe
14 the amendment, perhaps, is not as skillfully drawn as it could be
15 but then the Office of Education drew it and it, I think, does solve
16 the problem saluted. It does provide a mechanism whereby a
17 child who has a learning disability and needs that summer school
18 education, so that they will not fall back, as is the case now,
19 that there will be a mechanism that I believe is workable for
20 that child to get that summer session. I'd appreciate a favorable
21 roll call.

22 PRESIDENT:

23 He has closed the debate, Senator Bruce, for what purpose do
24 you rise?

25 SENATOR BRUCE:

26 Well, Senator Hickey just, I don't want to kill your bill
27 but if you read the language in the second paragraph you also
28 exclude any child who attends a parochial school from participating
29 in this program. I don't think you mean to, I just want to tell
30 you I think the amendment, I wish you would take it out of the
31 record. It says, "if the handicapped children attend school
32 in a district in a regular school year, in a regular school year
33 and I think it, you're going to exclude kids who go to parochial

1 schools, that's all. Inadvertently, but you will.

2 PRESIDENT:

3 What is your pleasure, Senator? Up or down? No postpone now,
4 up or down. All right. The question is shall House Bill 119 pass.
5 Those in favor vote Aye. Opposed Nay. The voting is open.
6 Have all voted who wish? Take the record. On this question the
7 Ayes are 36, the Nays are 18. House Bill 119 having received
8 the constitutional majority is declared passed. House Bill
9 121, Senator Glass.

10 SECRETARY:

11 House Bill 121.

12 (Secretary reads title of bill)

13 3rd reading of the bill.

14 PRESIDENT:

15 Senator Glass.

16 SENATOR GLASS:

17 Thank you, Mr. President, Ladies and Gentlemen of the Senate.
18 House Bill 121 provides a method of notifying candidates and
19 officeholders of the requirement of filing their ethics statements.
20 The bill provides for the Secretary of State to send a notice unless
21 the county clerk is willing to do so in which case the County Clerk
22 sends the notice. There is a timetable provided. It's a means
23 of making sure everyone is notified in writing of the requirement
24 to file their ethic statements. I'd appreciate a favorable roll
25 call.

26 PRESIDENT:

27 Senator Graham.

28 SENATOR GRAHAM:

29 I think the program outlined in this bill by the Senator from
30 Evanston is laudable problem but we're incurring, if I understand
31 it, two situations here that I don't think we need. One is, we're
32 going to indicate a purpose down here that we're going to wetnurse
33 everybody that runs for anything. Second is, we're going to

1 have duplications of efforts and thirdly of all, we may have
2 another twenty-five thousand dollar appropriation for the
3 Secretary of State. Now, I thought we had a financial crisis
4 till Schaffer dispatched 119 but I guess that's not true but
5 I think this contributes to delinquency.

6 PRESIDENT:

7 Have all voted who wish? I wanted to see if you were awake.
8 The question is shall House Bill 121 pass. Those in favor vote
9 Aye. Opposed Nay. The voting is open. Have all voted who wish?
10 Have all voted who wish? Take the record. On this question the
11 Ayes are 36, the Nays are 6, with 7 Voting Present. House Bill
12 121 having received the constitutional majority is declared passed.
13 House Bill 138, Senator McCarthy.

14 SECRETARY:

15 House Bill 138.

16 (Secretary reads title of bill)

17 3rd reading of the bill.

18 PRESIDENT:

19 Senator McCarthy.

20 SENATOR MCCARTHY:

21 Yes, Mr. President, members of the Body. House Bill 138,
22 sponsored by Representative Borchers, and others in the House,
23 amends the Juvenile Court Act and it increases from thirty-five
24 dollars to ninety dollars a month the maximum which the Department
25 of Children and Family Services can voucher for payment to a
26 county for the care and support of any minor. This increases the
27 State contribution from one-half to three-fourths of the difference
28 between what the county pays. Representative Borchers has asked that
29 I hand out, and there has been handed out to you, a list of the
30 forty-two counties that do participate in this county referral
31 system and I know, as a matter of fact, that the judges in the
32 Sixth Judicial District are highly in favor of this bill. It's
33 been represented to me that the judges in the other forty-two

1 participating counties also favor this legislation. It's been
2 estimated that the average cost by the Department of Children
3 and Family Services, where they place the child, amounts to
4 two hundred and twelve dollars a month, but under this system
5 the maximum of the State payment would be ninety dollars a
6 month. So, it can be argued and is argued that the State is
7 getting a savings on money, and the judges that I know want
8 this system to continue because they feel and if they are the
9 referral system, they can number one, keep the children closer
10 to home and number two are in a better position to adequately
11 evaluate the placement. If there are any questions, I'd be happy to
12 attempt to respond, otherwise I would ask for a favorable roll
13 call from this Body.

14 PRESIDENT:

15 Any further discussion? Senator Rock.

16 SENATOR ROCK:

17 Thank you, Mr. President, if the sponsor will yield, I'd like
18 to know the cost of this.

19 PRESIDENT:

20 Senator McCarthy indicates he'll yield.

21 SENATOR MCCARTHY:

22 The question is to the cost. There is, and I presume you
23 mean to the additional cost. There is a bill in Appropriations
24 Committee for six hundred and fifty thousand dollars which was
25 recommended by the subcommittee yesterday. That's the sponsor...the
26 sponsor's estimate.

27 PRESIDENT:

28 Senator Rock, one moment, one moment, now, let's have some order.
29 Senator Rock.

30 SENATOR ROCK:

31 Well, I would point out that I was a member of that subcommittee,
32 and I thought in fairness to the sponsor that the appropriation
33 bill ought to accompany the substantive bill and if one is

1 defeated, the other ought to be. I think the appropriation is, in
2 fact, light. The estimated true cost is about a million and a
3 half dollars and I would point out to the membership that when the
4 Department of Children and Family Services was started by this
5 General Assembly, the idea was that there would be no more county
6 referrals that they would be referred to the State Department, but,
7 in fact, when it started, there were at that point two...twenty-one
8 hundred children in the County of Cook, who were wards of the county,
9 and the thrust of this and other counties, I might add, I have a
10 list of where the other...how many children the other counties have.
11 But the whole point was that the State, the General Assembly in its
12 wisdom at that point decided to set up this department to better
13 care for these children. The reimbursement to the counties was in
14 the nature of a gratuity, there was no obligation on the part of
15 the State, but now we want to raise that gratuity from thirty-five
16 to ninety dollars. As of this date, the County of Cook has still
17 fifty-five children down from twenty-one hundred. The other
18 counties correspondingly have gone down, about the only county
19 that is up is, in fact, the county which this Senator represents.
20 I submit to you that this is a costly program and one that is in
21 inverse ratio and return to the State Department Program that we
22 have set up. I would urge a no vote.

23 PRESIDENT:

24 Senator Schaffer.

25 SENATOR SCHAEFFER:

26 Well, I didn't have the privilege of serving in the General
27 Assembly when the Department of Children and Family Services was
28 established, so, I don't feel myself bound by any legislation
29 that there was passed at that time. The simple fact of the matter,
30 as far as I'm concerned, is that the several of the counties that
31 I have the honor to represent in this General Assembly have
32 excellent...

33 PRESIDENT:

1 Wait, just a minute, wait a minute, wait a minute. Just,
2 the activity has become so numerous here, we just can't hear. It's
3 like a carnival atmosphere. Let's hold it down now. Senator
4 Schaffer.

5 SENATOR SCHAFFER:

6 ...As I was saying, several of the counties that I represent,
7 in fact, I think virtually all of them do have excellent programs
8 going in this area and it does happen to be a fact that some of
9 the children that come before the courts, for whatever purpose,
10 more appropriately fall under their supervision than under the super-
11 vision of the Department of Children and Family Services, and the courts
12 in their wisdom, have seen fit to recognize that fact. The fact
13 also happens to exist that the counties are very definitely hurting
14 for money and if this program is going to continue and it isn't a
15 major program, compared to the department at least, we don't have to
16 have seventy-five bureaucrats for every kid on the county level.
17 we can do it for two or three and I think this program should be
18 continued, but if we don't get this additional funding, we will
19 be, in essence, forced to starve out the local county effort which,
20 I think, will be detrimental to the entire system.

21 PRESIDENT:

22 Any further discussion? Senator Fawell.

23 SENATOR FAWELL:

24 Well, just...

25 PRESIDENT:

26 One moment, Senator. For what purpose does Senator Graham
27 rise?

28 SENATOR GRAHAM:

29 I didn't want to preempt the Senator from Naperville. I
30 want to make a comment relative to the Children and Family
31 Services' budget which deals with this subject matter.

32 PRESIDENT:

33 He indicates he'll yield.

34 SENATOR GRAHAM:

1 I want to remind the members of the General Assembly the
2 summer here when the Senator from St. Joseph's sat over here
3 and made a speech some years ago, Senator Smith's looking
4 at me, he remembers. The first appropriation that came in for
5 the Children and Family Services, 1961 and '63, was twenty-
6 seven million eight hundred and thirty-five thousand dollars.
7 1963 and '65, this is a biennium budget was fifty-two million
8 eight hundred and twenty-nine thousand dollars. This year for one
9 year alone twenty-six million four hundred and fourteen thousand
10 nine hundred and eighty dollars. So, load them up gents for
11 one year, a hundred and twenty-six million, I'm sorry.

12 PRESIDENT:

13 Senator Fawell.

14 SENATOR FAWELL:

15 Well, just briefly, I rise in support of the bill. I remember
16 this in the Public Welfare Committee and I think, and we talked
17 about economics, that if these children were cared for by the
18 Department of Children and Family Services the cost would even
19 be more. I don't think that, I think it's a savings insofar as
20 the State is concerned and I don't think we should just, as Senator
21 Schaffer has said, economically starve out the few counties who
22 would like to retain this responsibility. The testimony in the
23 committee was that the few counties that were retaining this
24 responsibility were doing a fine job and thus, I think that they
25 are entitled to an increase in the amount of reimbursement from
26 the State from the thirty-five dollars that they have been receiving
27 for many years now, up to a maximum of ninety, which I don't think
28 even covers half the cost. I think it's good economy for the
29 State of Illinois and good treatment and care for the children.
30 So, I rise in support of House Bill 138.

31 PRESIDENT:

32 Any further discussion? Question is shall House Bill 138,
33 pass. Those in favor vote Aye. Opposed Nay. The voting is open.

1 Have all voted who wish? Take...take the record. On this question
2 the Ayes are 35, the Nays are 15, with 2 Voting Present. House
3 Bill 138, having received the constitutional majority is declared
4 passed. House Bill 141, Senator Harber Hall. Just...could we
5 take a seventh inning stretch, maybe that would help a little
6 bit. House Bill 141, Senator Harber Hall.

7 SECRETARY:

8 House Bill 141.

9 (Secretary reads title of bill)

10 3rd reading of the bill.

11 PRESIDENT:

12 Senator Harber Hall.

13 SENATOR HALL:

14 Mr. President, fellow Senators, this bill attempts to correct
15 an inequity in the Illinois Income Tax Act. As you probably
16 know, the Illinois Act requires that a taxpayer add back the
17 other half of the net capital gains that he has reported before
18 in the Federal system. Federal system permits you to deduct fifty
19 percent, well when you make out the State report you have to
20 report all of the capital gains but you don't add back in the
21 fifty percent of the losses to offset it. This only applies
22 to individuals' trust in the states, it doesn't apply to corporations.
23 It's...is not opposed by anyone except the normal opposition of
24 the Department of Revenue on the grounds of cost to the State.
25 This cost is estimated by the Society of CPA'S. That's about
26 two hundred thousand dollars. I have a fiscal note from the
27 Department of Revenue which doesn't say two hundred thousand dollars,
28 it says, under a million dollars. So, I don't know just what
29 it is but it's under a million dollars at the most. I think it's
30 a needed reform of our State Income Tax Law. I recommend it for
31 your approval.

32 PRESIDENT:

33 Senator Clarke.

SENATOR CLARKE:

ADD H6
3rd Reading
3/25/75

1 Mr. President, I'd just like to add two points to what
2 Senator Hall has said. First, when the Illinois Income Tax was
3 first passed in 1969, it was made to conform in this regard with
4 the Federal Income Tax. Subsequently, they changed to say that you
5 had to have two thousand of loss to offset every one thousand
6 of capital gain. So, this is really putting it back into con-
7 formity as we originally intended the State Income Tax to be in
8 terms of equal treatment, capital gains against capital loss.
9 Secondly, I read an article recently in the Wall Street Journal
10 that said, in the next twenty years this country is going to need
11 two and a half trillion dollars of capital to invest in new plant
12 and new equipment and if we don't encourage people to invest capi-
13 tal then we're taking a short sided view of things and I think
14 this is a good bill.

15 PRESIDENT:

16 Any further discussion? The question is shall House Bill 141
17 pass. Those in favor vote Aye. Opposed Nay. The voting is open.
18 Have all voted who wish? Take the record. On this question the
19 Ayes are 41, the Nays are 9, with 4 Voting Present. House Bill
20 141 having received the constitutional majority is declared passed.
21 House Bill 146, Senator Regner. Senator Regner.

22 SECRETARY:

23 House Bill 146.

24 PRESIDENT:

25 Read the bill.

26 SECRETARY:

27 (Secretary reads title of bill)

28 3rd reading of the bill.

29 PRESIDENT:

30 Senator Regner.

31 SENATOR REGNER:

32 Mr. President, members of the Senate. This bill allows
33 disabled veterans and physically handicapped persons to park in

1 otherwise exempt areas under certain enumerated circumstances.
2 There were some problems with this the first time it was heard
3 in the Transportation Committee. A... amendment was put on at the
4 request of the Chairman and the bill subsequently passed and I'd
5 ask for a favorable roll call.

6 PRESIDENT:

7 Any further discussion? Senator Schaffer.

8 SENATOR SCHAFFER:

9 The sponsor would yield? Senator Regner, what is a disabled
10 veteran? Is that anybody who can get a set of those plates?

11 PRESIDENT:

12 Senator...

13 SENATOR REGNER:

14 No, Senator Schaffer there are certain rules established by
15 the Secretary of State's Office describing what constitutes a
16 disabled veteran. Of the almost five and a half million registered
17 passenger vehicles in Illinois there are only three thousand
18 and thirty-four vehicles that can't be issued these special
19 registration plates.

20 PRESIDENT:

21 Senator Schaffer.

22 SENATOR SCHAFFER:

23 All right, I'll repeat my question again. What's a disabled
24 veteran? Is this just anybody with those three thousand plates?

25 PRESIDENT:

26 Senator Regner.

27 SENATOR REGNER:

28 I didn't hear you.

29 PRESIDENT:

30 Well, just a minute. Now, there's something wrong when, with
31 the use of a microphone one Senator cannot hear the other, something
32 is very wrong. So would you ask the question again, Senator.

33 SCHIFFER?

SENATOR SCHAFFER:

1 Well, it has been my experience, I have seen people that
2 I know who, you know, play tennis and water ski with disabled veterans'
3 plates. Now...I...I'm not faulting the fact that somehow they're
4 disabled. I just don't know what those standards are and it...it occurs
5 to me, I had a roommate in college who was a disabled veteran, he could
6 of flipped anyone of us through a door and run the half mile
7 better than most of us. He did, had been injured and had an
8 ankle there and I think he qualifies for those plates because
9 he gets a disability, or did at that time, get a disability payment.
10 I'm just wondering if this definition is broad enough to include
11 people who are say, as healthy, as healthy as you and I are.

12 PRESIDENT:

13 Any further discussion? Senator Wooten.

14 SENATOR WOOTEN:

15 What are exempt areas?

16 PRESIDENT:

17 Senator Regner.

18 SENATOR REGNER:

19 They are enumerated in the bill Senator Wooten and it's line
20 twelve. It's exempt from any statute or ordinances imposing time
21 limitations on parking in a business district but they're otherwise
22 subject to the laws which prohibit parking in no stopping, no standing
23 zones, in front of or near fire hydrants, driveways, public buildings
24 so it's mainly the time standards.

25 PRESIDENT:

26 Any further discussion? Question is shall House Bill 146
27 pass. Those in favor vote Aye. Opposed Nay. The voting is
28 open. Have all voted who wish? Take the record. On that question
29 the Ayes are 40, the Nays are 5, with 3 Voting Present. House Bill
30 146 having received the constitutional majority is declared passed.
31 House Bill 160, Senator Knuppel.

32 SECRETARY:

33 House Bill 146.

34 (Secretary reads title of bill)

1 PRESIDENT:

2 Senator Knuppel, is there an amendment to this bill that you
3 desire to recall it?

4 SENATOR KNUPPEL:

5 Mr. Chairman, I'd like to have this bill returned to 2nd reading
6 for the purpose of affixing a...an amendment. I don't believe
7 it's been affixed to that yet.

8 PRESIDENT:

9 Senator Knuppel...

10 SENATOR KNUPPEL:

11 To this bill, it would be Amendment No. 3...

12 PRESIDENT:

13 ...seeks...is there leave to remove the bill from the order of
14 3rd reading to the order of 2nd reading for the purpose of amendment?
15 Leave is granted. The bill is on 2nd reading. Senator Knuppel is
16 recognized on House Bill 160.

17 SENATOR KNUPPEL:

18 Amendment No. 3 to House Bill 160 excludes seasonal...those
19 engaged in seasonal capacity in agriculture or agricultural
20 processing pursuits. They're excluded from the affect of the
21 act. I move the adoption of Amendment No. 3.

22 PRESIDENT:

23 Any discussion? Senator Knuppel, moves the adoption of
24 Amendment No. 3 to House Bill 160. All in favor will say Aye.
25 Opposed Nay. The Ayes have it. Amendment No. 3 is adopted.
26 Any further amendments? 3rd reading. House Bill 169, Senator
27 Brady.

28 SECRETARY:

29 House Bill 169.

30 (Secretary reads title of bill)

31 3rd reading of the bill.

32 PRESIDENT:

33 Senator Brady.

1 SENATOR BRADY:

2 This amends the Board of Higher Education Act to allow the
3 Board of Higher Education to enter into a reciprocal agreements
4 with public community colleges and universities in other states
5 for the remission and nonresident tuition for designated catagories
6 of students. I know of no opposition to this bill. I'll answer
7 any questions, if there are ...

8 PRESIDENT:

9 Any discussion? Question is shall House Bill 169 pass. Those
10 in favor vote Aye. Opposed Nay. The voting is open. Have all
11 voted who wish? Take the record. On this question, the Ayes
12 are 47, the Nays are 3, with none Voting Present. House Bill
13 169, having received the constitutional majority is declared passed.
14 House Bill 160, Senator Knuppel.

15 SENATOR KNUPPTEL:

16 Mr. Chairman, members of the Body, House ...

17 PRESIDENT:

18 ...Read it a third time, please?

19 SECRETARY:

20 House Bill 160

21 (Secretary reads title of bill)

22 3rd reading of the bill.

23 PRESIDENT:

24 Senator knuppel.

25 SENATOR KNUPPTEL:

26 ...Mr. President, and members of the Body. The bill does
27 exactly what the synopsis says. This bill is designed to provide
28 penalties for those who knowingly or intentionally employ illegal
29 aliens. Those people who are in our county without visas or
30 without legal entry who go out and seek employment. The penalty
31 has been reduced to a mere one hundred dollars for each offense.
32 The...all seasonal agricultural employees, those engaged in harvesting
33 and in agricultural processing, have been excluded. This bill has

1 the support of most of the veterans' organizations and labor
2 unions. I think it's worthwhile in this time of unemployment
3 that we should have such legislation and I solicit your
4 support and a favorable roll call.

5 PRESIDENT:

6 Senator Sommer.

7 SENATOR SOMMER:

8 Senator Knuppel, I have a most bizarre document in front of me.
9 It was passed out by the House Sponsor and item seventeen says,
10 that voting for this bill is the American thing to do. Is that
11 true?

12 PRESIDENT:

13 Senator Knuppel.

14 SENATOR KNUPPEL:

15 Well, that is Senator...Representative Borchers' opinion. I
16 think at least it does protect our people, gives advantages to
17 American citizens who may be seeking employment where others
18 could fill in.

19 PRESIDENT:

20 Senator Graham.

21 SENATOR GRAHAM:

22 This bill has done one thing. It has incurred more printing
23 cost than Senator Mitchler's American Legion Bills this year. This
24 is about the fifth or sixth packet that I have regarding this bill.
25 So, Borchers has taken first place and Mitchler is now in the
26 back seat.

27 PRESIDENT:

28 Senator Mitchler.

29 SENATOR MITCHLER:

30 Very briefly, because you have many of the arguments in sup-
31 port of this bill but when Senator Knuppel...

32 PRESIDENT:

33 Senator Rock.

1 SENATOR MITCHLER:

2 ...mentioned that the veterans' organizations are in support of
3 this, they are by national resolution. Now, the Veterans of Foreign
4 Wars and the American Legion, they have been very concerned about this
5 specifically for the amount of Viet Nam War Veterans that find unem-
6 ployment due to the illegal aliens taking these jobs. And many of these
7 are in the low income class where they're finding that these illegal
8 aliens come in and work at below standard wages under working condi-
9 tions that are not conducive to the labor movement. The AFL, CIO,
10 all your labor organizations are strongly in support of this concept
11 in the bill and as far as the employers are concerned, they are not
12 forced on this because it says knowingly and intentionally hiring these
13 illegal aliens. So they aren't forced into this if they are doing it
14 illegally, they're working these people in servitude and it's the wrong
15 thing to do. They're here illegally, violating the law and the only
16 reason they can't round them all up...more than eight million in this
17 country, is because the immigration service doesn't have the capability
18 of doing that. This is good legislation and I believe that you will
19 find that these are the ones that are running around, that don't take out
20 insurance, that don't pay taxes and I'm very glad, Senator Knuppel, that
21 you amended out the migrant workers who come here legally under working
22 conditions and then they leave...not the ones that stay on and cause all
23 these problems. I'd ask for a favorable vote on this bill.

24 PRESIDENT:

25 Senator Nudelman.

26 SENATOR NUDELMAN:

27 Thank you, Mr. President. I rise in opposition to this bill and
28 I think it's as an American way to vote against as it is to vote for
29 this bill because a bill like this would require each and every in-
30 dividual who applies for a job, you know we think of these bills
31 as referring to aliens and minorities and people we don't associate
32 with or don't associate ourselves with. But this bill doesn't
33 deal with blacks, and this bill doesn't deal with

1 Latinos, this bill deals with everybody and when we go in and
2 seek a job it is obligatory, if he wants to follow the law, on the
3 employer to say, prove to me that you're a citizen. And I think
4 that's unconstitutional and bills like this, in fact, have been
5 tested in various courts and have been found unconstitutional.
6 And it seems to me that I don't want to and I don't think any of
7 you want to either, be required to carry around papers which prove
8 your citizenship everytime you look for employment. And I don't
9 think that the burden of looking for enemy aliens should be put
10 on employers, who would be the ones punished by this, not the
11 enemy alien or rather, excuse me, the illegal alien. The one who
12 would be punished would be the employer who hires such a person
13 and...and for some reason hasn't to prove to himself that this
14 person is...is here under illegal status where he is entitled to
15 work. This bill has been editorialized against, the employers are
16 against this bill, all of the minorities who have contacted me on
17 this bill are against this bill. It's been declared unconstitu-
18 tional. I don't want to have to carry proof of citizenship and,
19 gentlemen, a voters' card is not proof of citizenship because in the
20 old days, as most of you may well remember, they came over here
21 and we registered them all to vote because people felt they were
22 citizens the minute they hit our shores, and there are still peo-
23 ple who are voting who are, in fact, not citizens. So voters'
24 cards are not good evidence of citizenship under this bill. I
25 would, I would merely close by saying, it's a bad bill, it's more
26 than likely would be declared unconstitutional and it's an...it's
27 an unreasonable invasion of privacy both for the individual and
28 for the - and for the employer and the Federal government if they
29 want to exercise the powers they have, have certainly enough powers
30 to catch the enemy, excuse me again, the illegal aliens in this
31 country and get rid of them. I strongly urge not voting Aye on
32 this bill.

1 PRESIDING OFFICER: (SENATOR ROCK)

2 Senator Glass.

3 SENATOR GLASS:

4 Thank you, Mr. President. Senator Knuppel, I'd like to
5 ask you a question about this bill.

6 PRESIDING OFFICER: (SENATOR ROCK)

7 He indicates he will yield. Senator Glass.

8 SENATOR GLASS:

9 In response to what Senator Nudelman said, as I understand
10 it, the bill provides that the employer must intentionally and
11 knowingly hire an illegal alien and that he may rely on a written
12 statement of the employing agent and it seems to me with that kind
13 of provision in the bill, the employer is adequately protected.
14 So I want to just be sure that those provisions are, in fact,
15 still in the bill.

16 PRESIDING OFFICER: (SENATOR ROCK)

17 Senator Knuppel

18 SENATOR KNUPPEL:

19 Those provisions are, in fact, still in the bill. It says,
20 however, any employer may rely upon the written guarantee of an
21 employing agent, or labor contractor, that an employee is not an
22 illegal alien and his I...I...I see no...nothing at all, he must
23 in the language, that he must knowingly and intentionally...

24 PRESIDING OFFICER: (SENATOR ROCK)

25 Any further discussion? Question is shall House Bill 160
26 pass. Those in favor will vote Aye. Those opposed will vote
27 Nay. The voting is open. Senator Egan, will you vote me No,
28 please? Senator McCarthy will you vote Senator Donnewald, Aye,
29 please? Have all voted who wish? Take the record. On that
30 question the Ayes are 26, the Nays are 15, 6 Voting Present.
31 A request for Postponed Consideration. Consideration will be
32 postponed. On the order of House Bills on 3rd reading. House
33 Bill 195, Mr. Secretary.

1 SECRETARY:

2 House Bill 195.

3 (Secretary reads title of bill)

4 3rd reading of the bill.

5 PRESIDING OFFICER: (SENATOR ROCK)

6 Senator Bloom. Senator Bloom.

7 SENATOR BLOOM:

8 Well, thank you, Mr. President, fellow Senators. This changes
9 Section 1812 of the School Code, which provides for a one percent day
10 reduction in State Aid if the school fails to meet the minimum school
11 requirement. Okay, they lose one percent for each day less than the
12 number of days required. This would change that to waive the one per-
13 cent penalty failure for failure to provide it if the district could
14 not produce the energy resources necessary to keep the schools open,
15 during an energy crisis. It's aimed to help the smaller school dis-
16 tricts. The school board can extend the term only if the extension
17 is necessary to provide the minimum term. Now, some question was
18 raised, well...why don't you just extend the term if you're closed
19 down due to severe cold weather, severe cold weather and unavailable
20 energy. Well, if the terms extended the employees must be paid for
21 the additional time on the basis of the regular contracts and the
22 fact is that you can't, when your local districts are planning their
23 budget for the coming year, plan into the budget severe cold weather
24 or the unavailability of fuel. I'd ask your support and try and
25 answer questions...

26 PRESIDING OFFICER: (SENATOR ROCK)

27 Any discussion? Senator Harris.

28 SENATOR HARRIS:

29 Well, Mr. President, this is a bill that the Senate Rules
30 Committee dealt with last year and determined not to put it on
31 the Calendar and we very carefully evaluated it. Representative
32 Brinkmeier came over and talked with us individually on several
33 occasions and we evaluated it carefully and I think the membership

1 should be aware of the principle that's involved here. The fact is
2 that there is, of course, a minimum term of a hundred and eighty-five
3 days of school to insure the absolute payment qualification minimum
4 of a hundred seventy-six days. In that hundred and eighty-five days
5 schools are able to schedule institutes and other days that count in
6 the minimum of a hundred seventy-six. The fact is that during the win-
7 ter months, if there is, in fact, a fuel crisis that would cause can-
8 cellation of some school days, those days can be recaptured either
9 during the almost always regularly scheduled spring vacation which
10 would not impose any additional payroll burden on the school districts
11 or if they were not able to organize their school year on a well-managed
12 basis, of course, they can make up those days at the end of the school
13 term for which days they would be obligated to pay. And I don't see
14 anything wrong with that. I think the principle of requiring the mini-
15 mum hundred seventy-six days school year ought to be observed and that,
16 in fact, this kind of a crisis is not so much of a crisis to deny chil-
17 dren those minimum reimbursable hundred and seventy-six days. Now, that's
18 the real important issue here, whether that kind of really ridiculous
19 minimum ought not to be protected and safeguarded against. I would
20 urge you to think very carefully about this. I don't think there's
21 anything better about this bill this year than there was last year.

22 PRESIDING OFFICER: (SENATOR ROCK)

23 Any further discussion? Senator Shapiro.

24 SENATOR SHAPIRO:

25 Mr. President, and Ladies and Gentlemen of the Senate. When
26 this bill was in committee there was discussion on it and I voted
27 for it. Since that time I've reassessed my thinking on the bill and
28 I have to agree with what Senator Harris has said concerning this
29 bill. There's no need to give an allowance for an...a so-called
30 energy crisis because those days can be made up if there is an
31 impending fuel shortage usually a school district can know about
32 it well in advance and there's always a lot of publicity concerning

1 the amount of fuel oil necessary. When a school board does enter
2 into a contract prior to the beginning of the school year for their
3 fuel, that fuel operator has to guarantee delivery. I don't think
4 there's any need for the bill. I think it should be defeated.

5 PRESIDING OFFICER: (SENATOR ROCK)

6 Any further discussion? Senator Bloom you may close the debate.

7 SENATOR BLOOM:

8 Well, in the first place the reason it wasn't considered last
9 year is because under the rules it was only supposed to be revenue
10 and budget. Finally, I'd seek a favorable roll call. Thank you
11 very much.

12 PRESIDING OFFICER: (SENATOR ROCK)

13 Question is shall House Bill 195 pass? Those in favor will
14 vote Aye. Those opposed will vote Nay. The voting is open. Have
15 all voted who wish? Take the record. On that question the Ayes are
16 27, the Nays are 13, none Voting Present. House Bill 195 having
17 failed to receive the constitutional majority is declared lost. On
18 the order of House Bills on 3rd reading.. House Bill 202, Mr. Secre-
19 tary.

20 SECRETARY:

21 House Bill 202.

22 (Secretary reads title of bill)

23 3rd reading of the bill.

24 PRESIDING OFFICER: (SENATOR ROCK)

25 Senator Wooten.

26 SENATOR WOOTEN:

27 Mr. President, and colleagues. House Bill 202 provides, rather
28 simply, that a person who is already on Unemployment Compensation
29 and then is sick and thus unable to say leave the hospital or his
30 sick bed, may still be eligible for Unemployment Compensation for
31 a period not to exceed three weeks. We had some difficulty with
32 this in committee because it was not in the proper form nor even

1 was it in the proper Section. We consulted with the Federal author-
2 ities as well as the State authorities and they gave us the wording
3 of Amendment No. 1 which they say is perfectly compatible and is
4 now used in eleven states. There was some question as to what
5 those states were. They're Idaho, Maryland, Hawaii, Alaska, Montana,
6 Nevada, Tennessee, North Dakota and so on. I'll be glad to answer
7 any questions and ask for a favorable roll call.

8 PRESIDING OFFICER: (SENATOR ROCK)

9 Any discussion? Senator Graham.

10 SENATOR GRAHAM:

11 I'm glad to have Senator Wooten to announce the heavily in-
12 dustrial states that seem to think this is all right. This is a
13 ridiculous abstraction to the Unemployment Compensation Law if there
14 ever was one. Ladies and Gentlemen of the Senate, the whole idea
15 of the law is that a person must be both available for work and
16 actually seeking work. This will encourage them to do neither.
17 This is a bill that, where in the hell it came from I don't know,
18 but let's send it back there and if it gets more than three votes
19 I'm going to be disappointed. . . .

20 PRESIDING OFFICER: (SENATOR ROCK)

21 Any further discussion? Senator Nimrod.

22 SENATOR NIMROD:

23 Yes, Mr. President, I would just like to call attention that
24 under this bill a person could possibly collect two benefits when
25 he's sick both for Unemployment Compensation and for disability.
26 And it seems to me that this does not really pursue the kind of
27 results that we're after here. We discussed it at length in
28 committee and it was a very close vote on committee and I just
29 hope that we will certainly defeat this kind of bill.

30 PRESIDING OFFICER: (SENATOR ROCK)

31 Further discussion? Senator Berning.

32 SENATOR BERNING:

33 I'd like to ask the sponsor if I interpret this correctly wherein

1 apparently it says that a person shall not be ineligible for benefits
2 with respect to any week and that would be with the first week appar-
3 ently, nor shall benefits be reduced solely by reason of illness or
4 disability. I, my point is, is this person not considered still an
5 employee if he is ill? This is the normal case and on the other hand
6 if this is a factor for his being unemployed and that's a stretch
7 of the definition, is he not being illegally or inappropriately being
8 classed as, as eligible for disability?

9 PRESIDING OFFICER: (SENATOR ROCK)

10 Senator Wooten.

11 SENATOR WOOTEN:

12 If you read a little further on Senator Berning, it'll tell you
13 that the person shall not be eligible and through specific provisions
14 there.

15 PRESIDING OFFICE: (SENATOR ROCK)

16 Senator Berning.

17 SENATOR BERNING:

18 I read a little further, it says provided that the illness
19 or disability began in a week immediately following a week with
20 respect to which the person was eligible for benefits. I maintain
21 that this is, is giving him a double advantage.

22 PRESIDING OFFICER: (SENATOR ROCK)

23 Senator Wooten.

24 SENATOR WOOTEN:

25 It means just what it says, that if you are on disability...
26 let me explain exactly what occasion this bill and the bill in
27 other states in this...causing this kind of legislation to turn up
28 more and more frequently. A man is on disability. He has to go into
29 the hospital. He can't go down to the office to check in every week.
30 Now, other states say in that case it doesn't make any difference
31 he's still eligible for Unemployment Compensation. We limit it
32 to a period of three weeks in any one benefit year. It's one of
33 those things that, the way the law is drawn, it works an undue

1 hardship, and this seeks to cure that in a reasonable way and it
2 meets with the Federal test of what is Unemployment Compensation.
3 That's the important thing.

4 PRESIDING OFFICER: (SENATOR ROCK)

5 Any further...any further discussion? Senator Wooten, you
6 may close the debate.

7 SENATOR WOOTEN:

8 I don't know how more simply I can put it than the illustrations.
9 I just gave and I would request a favorable roll call.

10 PRESIDING OFFICER: (SENATOR ROCK)

11 Question is shall House Bill 202 pass. Those in favor vote
12 Aye. Those opposed vote Nay. The voting is open. Have all voted
13 who wish? Take the record. On that question the Ayes are 20, the
14 Nays are 23. Sponsor moves to postpone consideration. On the order...
15 Senator Lane, do you wish 210? On the order of House Bills on 3rd
16 reading. House Bill 210, Mr. Secretary.

17 SENATOR LANE:

18 Pardon me.

19 PRESIDING OFFICER: (SENATOR ROCK)

20 Senator Lane seeks leave of this Body to recall House Bill 210
21 to the order of 2nd reading for purpose of an amendment. Is leave
22 granted? On the order of House Bills on 2nd reading, House Bill
23 210. House Bill 210, Amendment No. 2 offered by Senator Lane.
24 Senator Lane.

25 SENATOR LANE:

26 Thank you, Mr. President. Amendment No. 2 is being submitted
27 at the request of the Senate Judiciary Committee. The amendment
28 deletes Section 2 from the bill, which exempts all retail sales
29 establishments from the bill except the large grocery stores.

30 PRESIDING OFFICER: (SENATOR ROCK)

31 Any discussion? Senator Philip.

32 SENATOR PHILIP:

33 Yes, Mr. President, I'd like to oppose this amendment. In

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1 the first place, it's a bad bill. In the second place, the amendment
2 makes it worse and I'm surprised that the Judiciary Committee would
3 make a recommendation of...an amendment that's unconstitutional. I
4 don't know how in the world you can...you can set a figure of five
5 hundred thousand and say everybody that does over five hundred thousand
6 a year has to price mark every item and everybody under does not.
7 What happens if one year they have four hundred and eighty-five
8 thousand the next year they have over five hundred thousand? So,
9 it's clearly unconstitutional, we shouldn't put this amendment on.

10 PRESIDING OFFICER: (SENATOR ROCK)

11 Any further discussion? Senator Lane moves the adoption of
12 Amendment No. 2 to House Bill 210. All those in favor signify by
13 saying Aye. All those opposed. The Ayes have it, the amendment
14 is adopted. Any further amendments? You wish a roll call on No. 2.
15 Senator Lane has moved the adoption of Amendment No. 2 to House
16 Bill 210. Those in favor of adoption of Amendment No. 2 vote Aye.
17 Those opposed will vote Nay. The voting is open. Have all voted
18 who wish? Take the record. On that question the Ayes are 27, the
19 Nays are 15, 1 Voting Present. Amendment No. 2 is adopted. Any
20 further amendments? 3rd reading. On the order of House Bills on
21 3rd reading. House Bill 212, Mr. Secretary.

22 SECRETARY:

23 House Bill 212.

24 (Secretary reads title of bill)

25 3rd reading of the bill.

26 PRESIDING OFFICER: (SENATOR ROCK)

27 Senator Nudelman.

28 SENATOR NUDELMAN:

29 Thank you, Mr. President. This might properly be titled a
30 right of privacy law and before I go any further, I want to correct
31 the mistake in the synopsis. The synopsis is wrong. The synopsis
32 says that all parties must consent, and that is not the case. The

1 requirements of consent remains the same. Any one party to a
2 conversation can consent to the eaves-dropping. However, now
3 that the additional requirement rather than having the State's
4 Attorney authorize to, authorize a ... an eaves-dropping, there
5 must be a court order, there are regulations, there is a situation
6 where under an emergency, a court order is not necessary before
7 the event and protective of the police officer or other party,
8 and I would solicit a favorable roll call.

9 PRESIDING OFFICER: (SENATOR ROCK)

10 Any discussion? Senator Don Moore. Senator Don Moore.

11 SENATOR MOORE:

12 Thank you, Mr. President. I rise in support of this bill. I
13 think it's long overdue, as far as our State is concerned. The
14 safeguards and so forth that are contained in House Bill 212, I
15 think, are more than adequate. I think that ... as I said this is
16 a bill that is long overdue in the State of Illinois. I solicit
17 everybody's support for it.

18 PRESIDING OFFICER: (SENATOR ROCK)

19 Any further discussion? Senator Harris.

20 SENATOR HARRIS:

21 Well, I think a lot of us are familiar with the circumstance
22 of the past year that has come to light where electronic eaves-
23 dropping occurred which one party, of course, consented to it, but
24 the others did not, and I think that is truly a reprehensible
25 circumstance. And this business of the invasion of the rights
26 of privacy without permission of all parties, just has to be
27 sustained and this definition, the definition I've just described
28 and that is the acquiescence or permission of all parties involved,
29 ought to be the public policy of this State. This is a very
30 sound bill and I would encourage everyone to enthusiastically support
31 it.

32 PRESIDING OFFICER: (SENATOR ROCK)

33 Any further discussion? Senator Nudelman, you wish to close

1 the debate?

2 SENATOR NUDELMAN:

3 Roll call.

4 PRESIDING OFFICER: (SENATOR ROCK)

5 Question is shall House Bill 212 as amended pass. Those in
6 favor will vote Aye. Those opposed will vote Nay. The voting is
7 open. Have all voted who wish? Take the record. On that question the
8 Ayes are 52, the Nays are 1, 2 Voting Present. House Bill 212 having
9 received the constitutional majority is declared passed. On the
10 order of House Bills on 3rd reading, House Bill 210, Mr. Secretary.

11 SECRETARY:

12 House Bill 210.

13 (Secretary reads title of bill)

14 3rd reading of the bill.

15 PRESIDING OFFICER: (SENATOR ROCK)

16 Senator Lane.

17 SENATOR LANE:

18 Thank you, Mr. President and fellow members of the Senate.
19 House Bill 210 is a bill which would require grocery supermarkets
20 to continue the practice of marking prices on items they are selling.
21 As you know, the grocery chain industry are embarking on a plan to
22 install computer scanning equipment in their store facilities which
23 includes plans to discontinue marking the items in the stores.
24 We do not feel that this would be in the best interest of the
25 consumers in Illinois and would, if anything, create confusion and
26 eliminate the ability to do comparison shopping. We are not
27 against the installation of this sophisticated computer equipment.
28 Surely, this new equipment would be of great assistance to the
29 store manager in controlling his inventory and in speeding up
30 the checkout time for the shopper during the peak periods. I
31 am sure this alone would make up for the cost of installing
32 this equipment. However, I do object to removing the prices on

1 store items. A perfect example of how confusing it would be to
2 remove prices, would be to point out a housewife who would enter
3 a grocery store with twenty dollars in her purse and proceed
4 around the store with a shopping cart. Without prices on the
5 products, she would never know when the twenty dollars had been
6 used up. Furthermore, the grocery store industry has been under
7 close scrutiny by the House Subcommittee and Consumer Affairs in
8 Washington. This committee has expressed great concern over the
9 possibility of price fixing and the practice of repricing items
10 already placed on the shelves. By removing prices, I feel the
11 grocery chain stores may very well be setting up a smoke screen
12 for raising prices with only a minimum of public notice. Finally,
13 I object to the inference, which has been made by the opponents
14 of this legislation, that it is premature and that we should give
15 the system a fair opportunity to work. It's a known national fact
16 that the grocery and computer industry has been experimenting
17 with this program for more than ten years. I would appreciate
18 your favorable support for House Bill 210.

19 PRESIDING OFFICER: (SENATOR ROCK)

20 Any discussion? Senator Philip.

21 SENATOR PHILIP:

22 I just been...thank you, Mr. President. I just might make a
23 few comments. There is one supermarket out of some twenty-five
24 thousand supermarkets in the State of Illinois, that has one of
25 these computer type cash machines. One store in the Chicagoland
26 area, it's merely in a test stage. So far, the results have been
27 excellent. Mrs. Housewife has enjoyed the new sales ticket, the
28 new way to check out and I would say this bill is premature, he
29 just clearly made it unconstitutional by amending out any store
30 that does under five hundred thousand dollars a year. Clearly
31 unconstitutional, it certainly is not a bill for the consumer ...
32 what ... all you do is end up making the groceries more expensive, if
33 we don't allow them to use it. So, I would certainly suggest a No vote.

1 PRESIDING OFFICER: (SENATOR ROCK)

2 Any further discussion? Senator Soper.

3 SENATOR SOPER:

4 Thank you, Mr. President. Senator Lane,...we're all...we're all...
5 concerned about...about prices where a checkout counter is concerned
6 and where a housewife doesn't know what the prices on a can...on a
7 piece of can goods...okay, but if they mark, if they mark the prices
8 above the shelf...well, I..I'd like to talk to Senator Lane if I
9 might. Would you, Mr. President, Mr. President, would you stop my
10 green light for a minute, I want to talk to Senator Lane and he's
11 wandering around a little bit...

12 PRESIDING OFFICER: (SENATOR ROCK)

13 Would you like to step out in the hall?

14 SENATOR SOPER:

15 No, no, I'd like to step up there with you and maybe we'd get
16 some attention. We'd...we'd play have three...three...card monte or
17 a pinochle game. Senator, if the housewife sees the marking above
18 the shelf then I think it's just as equal to putting the price on the
19 can, I'll tell you why because whether ...if they're going to cheat
20 you in a store and they put the cans through, understand, and the
21 prices on the can the woman doesn't know what the difference is but
22 she knows the same thing about the price on the shelf as on the
23 can. So, I would say this, it adds and it costs more to have some-
24 body bring the price on every little can in the computer system
25 if the computer system is wrong and it's far off the woman will
26 know that if she's adding up, if she's adding up her prices. Now,
27 if she doesn't know the difference between the price of the can -
28 the shelf price, if she doesn't have a little computer with her
29 herself there's no way you're going to save her, there's no way
30 that you're going to save any money for her. If she can't add
31 up the various prices as they...as she puts the can in the basket
32 you're not...you're not going to save her any money and to add
33 the price of people pricing this thing is ridiculous in this

1 modern age. If we want, if we want to do something for the consumer
2 we've got to make it easier have less labor and do this in the way
3 that it can come through the shelf. It cost too much money today.
4 I'll tell you something, apples, I'll tell...I'll tell you something about
5 apples. I know something about apples and cherries and fruit and
6 vegetables. Now, you can get a bushel of apples out on the farm
7 for about three dollars and fifty cents, there's about sixty pounds
8 of apples in it. You go to a store and after they put them in bags
9 and price them and everything else, it cost you twenty-nine to thirty-nine
10 cents a pound. Now, you take sixty pounds of apples and you...

11 PRESIDING OFFICER: (SENATOR ROCK)

12 Time, Senator.

13 SENATOR SOPER:

14 ...thank you very much, if you don't want to listen about
15 prices of apples, well then, keep on with the red light.

16 PRESIDING OFFICER: (SENATOR ROCK)

17 Senator Howard Mohr.

18 SENATOR MOHR:

19 Well, I think Senator Soper has said it for everybody, Mr. President
20 but I would say that Senator, Senator Lane, has done an outstanding
21 job this Session. He passed the No-Fault Bill, which was a major
22 accomplishment and I'd like to see him keep his record intact
23 and maybe hold this bill for about a week or so.

24 PRESIDING OFFICER: (SENATOR ROCK)

25 Senator Netsch.

26 SENATOR NETSCH:

27 Mr. President, perhaps if this Body had chosen to pass
28 legislation providing for unit pricing, it would not be necessary
29 now to pass something like House Bill 210 but it chose not to.
30 I think the point of House Bill 210 is that there must be the price
31 information available at the point of sale. It does not do the
32 consumer, who is shopping in a grocery store, any good to know
33 after the purchase has been made and after he or she gets home,

1 what the price was. It might help a little bit on the next trip
2 if they choose to go through the tape but it does not help in
3 shopping. The point of this is that consumers have a right to
4 know when they are purchasing the critical information and that
5 is the price of the product. If we find another device at sometime
6 in the future or if we pass a different form of legislation, perhaps
7 we will not need this but in the meantime I think we do. I would
8 also reply briefly to the constitutional question raised by Senator
9 Philip. If you will look around Senator Philip there are many
10 bills passed which have, what are known as reasonable classifications
11 that are related to the subject matter of the bill in question. A
12 cutoff for those that are small units has been upheld in other
13 forms of consumer legislation in other states. I think it is
14 equally valid here. I think this bill is right, at this point in
15 time, and it should be passed now.

16 PRESIDING OFFICER: (SENATOR ROCK)

17 Senator Graham. Senator Graham. Senator Graham.

18 SENATOR GRAHAM:

19 Mr. President and members of the Senate. Some two hundred years
20 ago, almost, a brave band of our ancestors drew up a constitution
21 and the main purpose of that constitution was to prohibit the
22 invasion by the Federal government into our everyday rights as
23 men and women of this continent and as a result of that great
24 document, our free enterprise system, our economy has grown and
25 swollen and profited and recognized as the greatest in the world,
26 how? By the free enterprise system and not by the meddling
27 of a Federal government in our everyday lives. I say to you
28 Ladies and Gentlemen, of this Senate, right or wrong, right or
29 wrong with this bill, don't discount the knowledge of the women
30 of this country, Senator Netsch, and the ERA people because they
31 will not have to trade where they don't want to trade and if
32 they are not getting the convenience and the knowledge of pricing
33 that they think they should have they won't go back there and the

1 store will darn soon get the message and we'll be on the free
2 enterprise track where we belonged all the time.

3 PRESIDING OFFICER: (SENATOR ROCK)

4 Senator Lemke.

5 SENATOR LEMKE:

6 Mr. President, Honorable members of the Senate. When I was
7 a little boy my great-grandmother used to take me to the grocery
8 store and we'd go home from the A&P and we'd check the tape against
9 what we'd have in the shopping bag and that was by prices. With this
10 that procedure's not going to be done and I can remember many times
11 when a mistake was made on three or four items where I walked back
12 with my great-grandmother to that store to check that tape. We
13 showed them that the items were missing and we were taught this.
14 There's no check on a grocery store as to items without comparing
15 prices to tapes. Now we're talking about the housewife with ERA
16 to keep her at home. This is something contrary to the housewife
17 because it's the housewife that does the grocery buying, it's the
18 housewife that checks the tapes against the grocery store. She's
19 not going to be able to read that code on the sign and check that
20 in the price of the tape. Now, if they're going to come up with
21 a tape with a code on, fine but there's no procedure for that.
22 It just scans it and runs up the bill and there's no way of checking
23 if there's a mistake made on that cash register against that tape
24 and this is going to be a big benefit and you look at who's supporting
25 this legislation, it's not the working man, it's not the little
26 store, it's the big giants. Today I bought a can of Fresca, it's
27 on there already, it's going to put free enterprise out of business,
28 it's going to put the little grocery store out of business because
29 they're not going to be competed, they're not going to be able to buy
30 this equipment to compete because pretty soon the manufacturers
31 are going to have all the cans coded and there's going to be no prices
32 and they're going to have to have the same kind of equipment, they're
33 not going to be able to afford it. I ask you to vote for this

1 bill. This is for the housewife that we're trying to protect by
2 being anti-ERA.

3 PRESIDING OFFICER: (SENATOR ROCK)

4 Senator Schaffer.

5 SENATOR SCHAFFER:

6 There's only one real reason to vote for this bill, in my mind,
7 and that's if you're the opinion that the American housewife is
8 so stupid that she can't handle herself in a grocery store. I
9 think many of us went over and saw the demonstration over in the
10 Lincoln Towers of this machinery and Senator Lemke, I assume you
11 didn't because if you had you would have seen that this tape
12 will give the housewife even more information than she currently
13 has. This is a...this bill stands in the way of progress and I
14 couldn't agree more with Senator Graham. The housewife will make
15 this thing stand or fall and I have a lot of faith in housewives
16 or housepersons if you will, Senator Netsch, I happened to marry
17 one and I think she can handle this and I think this is a good
18 bill and I have faith in my wife to make this work or to make it
19 fail, and I yield the rest of my time to Senator Soper.

20 PRESIDING OFFICER: (SENATOR ROCK)

21 Senator Ozinga.

22 SENATOR OZINGA: If a young man is using you...

23 Just one question...a couple of questions for the sponsor. I
24 realize the futility of the question, however, did I, did I understand
25 you right on the amendment that just went on, was that an amendment
26 that limited it to five hundred thousand dollar gross for the year?

27 PRESIDING OFFICER: (SENATOR ROCK)

28 Senator Lane.

29 SENATOR LANE:

30 That was a previous amendment Senator, the five hundred thousand.

31 PRESIDING OFFICER: (SENATOR ROCK)

32 Senator Ozinga.

33 SENATOR OZINGA:

1 That was five hundred thousand per year, per store?

2 PRESIDING OFFICER: (SENATOR ROCK)

3 Senator Lane, Senator Ozinga.

4 SENATOR OZINGA:

5 Is that per store, or is that per...per ownership?

6 SENATOR LANE:

7 Approximately ten thousand, ten thousand per week.

8 PRESIDING OFFICER: (SENATOR ROCK)

9 Senator Lane.

10 SENATOR LANE:

11 Approximately ten thousand per week, per store.

12 PRESIDING OFFICER: (SENATOR ROCK)

13 Senator Ozinga.

14 SENATOR LANE:

15 ...five hundred thousand a year, yes.

16 SENATOR OZINGA:

17 Alright, now, in otherwords this would be across the entire
18 State of Illinois anyplace that might have a Kroger Store or
19 a Jewel or a National, each and everyone of them would be
20 susceptible to this because they would be doing more than five
21 hundred thousand dollars worth regardless of where they were located.
22 Now what would happen if a young, enterprising young man would
23 have three stores one of them happening to be in a Polish neigh-
24 borhood and the other one happened to be out in Evergreen Park
25 and another one downstate. He would be susceptible all the way
26 through in all three stores is that right?

27 PRESIDING OFFICER: (SENATOR ROCK)

28 Senator Lane.

29 SENATOR LANE:

30 Yeah. Each store would have to qualify.

31 PRESIDING OFFICER: (SENATOR ROCK)

32 We have...gentlemen, we have five others who have indicated
33 they wish to speak. Senator Ozinga.

1. SENATOR OZINGA:

2. In the store in a Bohemian neighborhood would he have to
3. have all of these cans and everything labled in a foreign language
4. too?

5. PRESIDING OFFICER: (SENATOR LANE)

6. If they felt that it would sell more cans, I imagine they
7. would.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Ozinga.

10. SENATOR OZINGA:

11. Well, the thing that I'm driving at really is I'm trying
12. to get, get this out of the populated areas and would it be
13. susceptible to have this limited only to the big city, so that it
14. would only be limited to the enterprising town of Chicago...

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Lane.

17. SENATOR OZINGA:

18. ...would you be willing to limit it to the population of a
19. million or more.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Lane.

22. SENATOR LANE:

23. I believe they already have passed similar legislation in the
24. City of Chicago, Senator.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Ozinga.

27. SENATOR OZINGA:

28. Or would you be willing to put the Home Rule Amendment on it?

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Lane.

31. SENATOR LANE:

32. I understand that they have the same bill up there and it's
33. passed the city council.

1 PRESIDING OFFICER: (SENATOR ROCK)

2 Senator Carroll.

3 SENATOR CARROLL:

4 Thank you, Mr. President. I rise to support the legislation
5 and I saw the demonstration. I saw the machine and I thought it
6 was a very good machine. It showed the consumer after the fact all
7 the information they want to know beforehand. It's a great thing
8 to take this tape home and find out how much Jello was and to
9 find out how much catsup was and to find out how much lemonade
10 was but what you want to know is how much is it going to be
11 and I don't see what the industry is trying to hide. If we could
12 read computers as we walk down the aisle there'd be no problem.
13 But what are they trying to hide from the consumer as they're
14 shopping from aisle to aisle? After the fact is great for checking
15 it but while you're in there shopping you need to know what the
16 items cost as you walking around the store to keep within your
17 budget. I think we should support this legislation. Thank you.

18 PRESIDING OFFICER: (SENATOR ROCK)

19 of the Senator Knuppel.

20 SENATOR KNUPPEL:

21 Well, I was just going to say what Senator Ozinga said, the
22 other day here since we passed this law that everything has to be in
23 several languages it's going to be an impossible task. I...I
24 just think that this is good legislation, that it's bad legislation
25 that it stands in the path of progress, that's it's featherbedding
26 in nature to keep people on the job stamping prices on merchandise
27 when there's all kinds of information on the tape if they want
28 to check it against prices they can go to two different stores
29 and they can check it. I just think it, that it's a bad legislation.

30 PRESIDING OFFICER: (SENATOR ROCK)

31 Senator Harris.

32 SENATOR HARRIS:

33 Well, really enough has been said this is just absolutely out-

1 rageous legislation. It certainly is attacking a fly with a sledge-
2 hammer instead of a flyswatter. It is as has been repeatedly
3 said here, featherbedding of the worst order and discrimination
4 and violent discrimination against progress and the development of
5 new techniques and skills. This bill ought to be summarily
6 rejected.

7 PRESIDING OFFICER: (SENATOR ROCK)

8 Senator Egan.

9 SENATOR EGAN:

10 Thank you, Mr. President and members of the Senate. As the
11 former sponsor of House Bill 210, I would like to explain my
12 posture in light of the fact that two of the most honorable people
13 I know in both House and Senate are the sponsors of the bill and
14 I do think that my explanation will suffice and maintain our friendship
15 and our mutual respect. But I took this bill at the request of
16 Senator Lane and Representative Kelley because they asked me
17 to help them and I attempted to do that in every conceivable way.
18 I finally got the union representative and the representatives
19 of the industry together at a two-hour meeting wherein we agreed
20 that in order to give stores a little bit of an elbow room and
21 to maintain the status quo so we wouldn't lose people from the
22 union and we wouldn't overly oppress the stores that we'd exempt
23 twenty percent of all the items in any store. That was totally
24 acceptable to everyone at the meeting and I thought it wasn't
25 such a bad idea. With that amendment I could support the bill.
26 I told the committee that, that was an agreed amendment and the
27 committee told me that it wasn't. So, the union representative did
28 not have the courtesy, my colleagues, to inform me that he was
29 withdrawing his agreement behind by back. In the condition that
30 this bill is in I must respectfully say, gentlemen, that I can-
31 not support it because it's oppressive, it's way out of line, I agree
32 with Senator Harris it's using a sledgehammer to do the job that
33 you would need not such a blunt instrument for and let me further

1. state that this bill if it passes in its present condition will
2. be extremely more difficult upon the stores than will be the
3. city ordinance, there is no city ordinance and I'm informed as
4. late as today the agreement is to exempt items fifty cents and
5. less which would even be broader than my twenty percent exemption.
6. So the problem is not yet solved in the City of Chicago but let
7. me say this, that this really over re-acts to a situation, and I
8. can not in good conscience support it. Thank you, Mr. President.
9.

10. (Continued on next page)
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1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Lane may close the debate.

3. SENATOR LANE:

4. Thank you, Mr. President. A few things. This bill has been laying
5. around the Calendar most of the Session, and I think that with all the
6. criticism, it probably could have been put into a better form; however,
7. whether it is constitutional or not, isn't for us to say, and I would
8. also like to say that when I go home on the weekends, I usually have the
9. privilege of doing some shopping, and I might end up with forty or fifty
10. items in the cart...in the shopping cart rather, and when I get to that
11. checkout counter just because the prices were marked on a shelf, there's
12. no way I could remember what those exact prices were on those items.
13. We're in favor of the computer printout at checkout, and we also think
14. it is excellent for inventory purposes, but for a housewife, or in my
15. case, myself, to remember what those prices are when you're checking out,
16. it's futilely impossible, so any support we get for good legislation,
17. I'm requesting it. Thank you.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Question is, shall House Bill 210 pass? Those in favor will vote
20. Aye. Those opposed will vote Nay. The voting is open. Have all voted who
21. wish? Take the record. On that question, the Ayes are 21, the Nays are
22. 26, 7. Voting Present. House Bill 210 having failed to receive the con-
23. stitutional majority is declared lost. 223, Senator Lemke. Senator
24. Lemke, 223. On the order of House bills on 3rd reading, House Bill 223.

25. SECRETARY:

26. House Bill 223.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Lemke.

31. SENATOR LEMKE:

32. This is a bill to allow local municipalities to tax racetracks with-
33. in their boundaries. I ask for a favorable roll call.

HB 237
2nd Reading
6-25-75

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Any discussion? The question is, shall House Bill 223 pass?

3. Those in favor will vote Aye. Those opposed will vote Nay. The voting
4. is open. Have all voted who wish? Take the record. Sponsor requests
5. placed on the order of Postponed Consideration. 236, Senator Partee.
6. On the order of House bills on 3rd reading, House Bill 236.

7. SECRETARY:

8. House Bill 236

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Partee.

13. SENATOR PARTEE:

14. This bill is a part of a series. 235 was passed yesterday which
15. appropriates five thousand dollars for the Advisory Committee on com-
16. pensation of the members of the General Assembly for its ordinary and
17. contingent expenses, and I'd like leave to explain 236 and 237 at the
18. same time to save some time. ...236 is an amendment to the Commission
19. on Compensation of State and Local Governmental Officials Act. This is a
20. commission that would make recommendations for salaries of state officers
21. other than members of the Legislature. 237 is a commission, an advisory
22. commission to make recommendations for salaries of members of the
23. Legislature only. The seven member commission, none of which can be
24. Legislators. They're persons to be appointed partly by the Legislature
25. and partly by the Governor. I would appreciate a favorable roll call.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Any discussion? The question is, shall House Bill 236 pass? Those
28. in favor will vote Aye. Those opposed will vote Nay. The voting is
29. open. Have all voted who wish? Take the record. On that question, the
30. Ayes are 38, the Nays are 14, none Voting Present. House Bill 236 having
31. received a constitutional majority is declared passed. On the order of
32. House bills on 3rd reading, House Bill 237, Mr. Secretary.

33. SECRETARY:

34. House Bill 237.

1. (Secretary reads title of bill)
2. 3rd reading of the bill.
3. PRESIDING OFFICER: (SENATOR ROCK)
4. Senator Partee.
5. SENATOR PARTEE:
6. Same roll call.
7. PRESIDING OFFICER: (SENATOR ROCK)
8. Any discussion? The question is, shall House Bill 237 pass? Those
9. in favor will vote Aye. Those opposed will vote Nay. The voting is open.
10. Have all voted who wish? Take the record. On that question, the Ayes
11. are 36, the Nays are 9, none Voting Present. House Bill 237 having
12. received a constitutional majority is declared passed. On the order of
13. House bills on third reading, House Bill 278.
14. SECRETARY:
15. (Secretary reads title of bill)
16. 3rd reading of the bill.
17. PRESIDING OFFICER: (SENATOR ROCK)
18. Senator Carroll.
19. SENATOR CARROLL:
20. Thank you, Mr. President, members of the Senate. House Bill 278
21. does just as the Secretary of the Senate described. It prohibits insurance
22. policies from denying coverage to victims of rape. We have amended the
23. bill at Senator Harris' suggestion to say that any original exclusion
24. within a policy such as a fifty dollar deductible, obviously also applies
25. in this situation so they would cover by any original exemption, but
26. beyond that an insurance company cannot deny coverage to someone who is
27. medically treated because of a rape or an alleged rape. I would ask for
28. a favorable roll call.
29. PRESIDING OFFICER: (SENATOR ROCK)
30. Any discussion? Senator Bell.
31. SENATOR BELL:
32. Thank you, Mr. President. Well, this Body several days ago passed
33. out of here Senate Bill 470. That was the rape treatment center

1. legislation, the Senate version, and if you'll remember, it was the
2. opinion of the Body here that the local district or the local area
3. hospital that is specified to set up that rape treatment center should
4. rely on local funding if you will, rather than State funding for the
5. expenses of...of setting up that particular center. Now, if we are
6. going to go along with that concept, then this legislation should be
7. enacted because it says that insurance companies and their medical
8. insurance will have to provide compensation for rape treatment victims.
9. I see nothing wrong with this. I rise in support of it, Senator Carroll,
10. and I would ask this Body to vote favorable for it.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Any further discussion? Question is, shall House Bill 278 pass?
13. Those in favor will vote Aye. Those opposed will vote Nay. The voting
14. is open. Have all voted who wish? Take...take the record. On that
15. question, the Ayes are 47, the Nays are none, none Voting Present.
16. House Bill 278 having received the constitutional majority is declared
17. passed. On the order of House Bills 3rd reading, House Bill 284, Mr.
18. Secretary...

19. SECRETARY: The question is, shall House Bill 284 pass?
20. House Bill 284.

21. (Secretary reads title of bill)

22. 3rd reading of the bill...

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator Joyce.

25. SENATOR JOYCE:

26. Yes, Mr. President, House Bill 284 is a ...it appropriates two
27. hundred and six million from the anti-pollution fund to the Environmental
28. Protection Agency for the local sewage treatment plant grants. It the...
29. the House split the...the House split the two hundred and six million
30. into four lumps. One million for the regional planning, twenty million
31. for regionalization grants, fifteen million for health...health hazards
32. grants, and a hundred and seventy million for planning, financing,
33. and construction of municipal treatment plants. Is there any

1. questions?
2. PRESIDING OFFICER: (SENATOR ROCK)
3. Any discussion? Question is, shall House Bill 284 pass? Those
4. in favor will vote Aye. Those opposed will vote Nay. The voting is
5. open. Have all voted who wished? Take the record. On that question,
6. the Ayes are 51, the Nays are 2, 1 Voting Present. House Bill 284
7. having received a constitutional majority is declared passed. On the
8. order of House Bills 3rd reading, House Bill 300, Mr. Secretary.
9. SECRETARY:
10. House Bill 300 .
11. (Secretary reads title of bill)
12. 3rd reading of the bill.
13. PRESIDING OFFICER: (SENATOR ROCK)
14. Senator Lemke.
15. SENATOR LEMKE:
16. The synopsis is correct. This is to authorize the Secretary of
17. State to issue identification cards.
18. PRESIDING OFFICER: (SENATOR ROCK)
19. Any discussion? The questions is, shall House Bill 300 pass?
20. I beg your pardon, Senator Morris.
21. SENATOR MORRIS:
22. What is this going to cost?
23. PRESIDING OFFICER: (SENATOR ROCK)
24. Senator Lemke.
25. SENATOR LEMKE:
26. It is going to cost very little money due to the fact that the
27. equipment has been bought for pictures on driver's license now, so this
28. will just be a use. This doesn't take effect until next year anyhow.
29. PRESIDING OFFICER: (SENATOR ROCK)
30. Senator Morris.
31. SENATOR MORRIS:
32. Would this be for someone in other words who doesn't drive a car
33. that needs a...some sort of identification for cashing checks?

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Lemke.

3. SENATOR LEMKE:

4. This is a bill for those people that have no way of getting a
5. driver's license, and no...no way of cashing a check. Most of our
6. senior citizens and...and other people that don't drive. We have many
7. people that don't drive.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Morris.

10. SENATOR MORRIS:

11. On that, I'd say this is a good bill, and I'd urge everyone to
12. vote for it.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Any further discussion? Question is, shall House Bill 300 pass?
15. Those in favor will vote Aye. Those opposed will vote Nay. The voting
16. is open. Have all voted who wish? Take the record. On that question,
17. the Ayes are 42, the Nays are 6, none Voting Present. House Bill 300
18. having received the constitutional majority is declared passed. The
19. record...the record will indicate that Senator Lemke was watching the
20. board so intently he would have voted Aye. On the order of House Bills
21. 3rd reading, House Bill 330, Mr. Secretary. House Bill 330, Mr. Secretary.

22. SECRETARY: ~~Resolved, that the House do a variety of bills...~~

23. House Bill 330.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Buzbee.

28. SENATOR BUZBEE:

29. Mr. President and members of the Senate, this was a bill that was
30. sponsored by Representative VonBeckman in the House. It amends the State
31. University Retirement System and provides for a partial refund of contribu-
32. tions made between December 31st, 1972, and August 28th, 1973. This allow-
33. ed the individual to pick up his prior military service credits. The

1. reason for this, is on August 28th of '73, the Governor signed House
2. Bill 976 which reduced the payment from ten with four percent interest
3. to eight percent with four and a half percent interest compounded
4. annually, and the total refund would approximate a hundred and ten
5. thousand dollars. I would ask for a favorable roll call.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Any discussion? Question is, shall House Bill 330 pass? Those in
8. favor will vote Aye. Those opposed will vote Nay. The voting is open.
9. Have all voted who wish? Take the record. On that question, the Ayes are
10. 50, the Nays are none, none Voting Present. House Bill 330 having received
11. the constitutional majority is declared passed. On the order of House
12. bills on 3rd reading, House Bill 342, Mr...Mr. Secretary. Secretary in-
13. forms me there is an amendment on the Desk. Do you wish to bring this
14. back? Senator Netsch requests leave to bring 342 back to the order of
15. 2nd reading for the purpose of amendment. Leave granted. On the order of
16. House bills on 2nd reading, House Bill 342, Mr. Secretary.

17. SECRETARY:

18. ~~SECRETARY:~~..Amendment No. 1 offered by Senator Netsch.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Netsch.

21. SENATOR NETSCH:

22. ~~SECRETARY:~~ Mr. President, the amendment is a variation of the Home Rule Amend-
23. ment. It...I think it was clear enough in the bill that it would not
24. have interfered with any existing local ordinances. This makes it very
25. clear that there will in no way be a negation of any existing ordinances,
26. so that, for example, the City of Chicago just recently amended its non-
27. smoking on CTA buses and substantially increased the fine. That ordinance
28. will in no way be endangered now by the passage of this Act. I move the
29. adoption of the amendment.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Any discussion? Senator Netsch moves the adoption of Amendment No.
32. 1 to House Bill 342. All those in favor signify by saying Aye. All
33. those opposed. The Ayes have it. The amendment is adopted. Any further

1 amendments. 3rd reading. On the order of House Bills on 3rd reading.
2 House Bill 345, Senator Daley.

3 SECRETARY:

4 House...

5 PRESIDING OFFICER: (SENATOR ROCK)

6 Do you wish that called, Senator Daley? Yes. Secretary.

7 SECRETARY:

8 ...House Bill 345.

9 (Secretary reads title of bill)

10 3rd reading of the bill.

11 PRESIDING OFFICER: (SENATOR ROCK)

12 Senator Daley.

13 SENATOR DALEY:

14 Mr. President, fellow Senators, this would amend the Fair Employ-
15 ment Practices Act, and make it an unfair labor practice to discriminate
16 on the basis of a discharge from military service under other than
17 honorable conditions. Discharge classifications which...which it would
18 effect would be honorable, a general and undesirable. I'd ask for a favor-
19 able roll call.

20 PRESIDING OFFICER: (SENATOR ROCK)

21 Any discussion? Senator Bell.

22 SENATOR BELL:

23 Yes, a question of the sponsor?

24 PRESIDING OFFICER: (SENATOR ROCK)

25 He indicates that he will yield. Senator Bell.

26 SENATOR BELL:

27 Senator Daley, in other words, you're saying that...a general dis-
28 charge or an undesirable discharge would have the same consideration
29 as an honorable discharge?

30 PRESIDING OFFICER: (SENATOR ROCK)

31 Senator Daley.

32 SENATOR DALEY:

33 Right.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. He indicates affirmative. Senator Bell.

3. SENATOR BELL:

4. Well, members of the Senate, I...seems to me that by doing this, we

5. are undermining the basic reason for having the possibility of a young

6. man or woman to be able to have a honorable discharge. I think...

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Daley, for what purpose do you arise?

9. SENATOR DALEY:

10. Maybe I misunderstood me. It excluded discharges for bad conduct and

11. dishonorable. It only includes an honorable, a general, and undesirable.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Alright, Senator Bell.

14. SENATOR BELL:

15. ...Well, you know, I...I think I know what an undesirable discharge

16. is, and without going into that, I assume that most members of the

17. Senate know what an undesirable...I'll yield if Senator Daley wants to...

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Daley.

20. SENATOR DALEY:

21. What is an undesirable discharge? You tell me.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Bell.

24. SENATOR BELL:

25. ...Well, there...it's...it is a type of discharge that the Armed

26. Forces have where somebody that doesn't fit into the pattern of the

27. military can be released or be discharged under...under different

28. circumstances. For a...

29. PRESIDING OFFICER:

30. Senator Daley.

31. SENATOR DALEY:

32. The circumstance is very light. If the sergeant said left-face and

33. you went right...right-face, you could get an undesirable discharge,

1. and if you are late for one day, you could get an undesirable discharge.
2. That's all it is. It's a very light sentence.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Bell.

5. SENATOR BELL:

6. Well, I...I am not going to get into the language of an undesirable
7. discharge. I obviously don't have it here before me. We...many of
8. you have heard of Section 8 which...which would come under terms of an
9. undesirable discharge. I am not going to...I...I think it's a bad
10. precedent to set, that it weakens the purpose of an honorable discharge
11. from the Armed Forces, and I would so throw that out to the Body for their
12. consideration on this vote.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Further discussion? Senator Mitchler.

15. SENATOR MITCHLER:

16. Mr. President, members of the Senate. This...the concept of this
17. bill is not really new. We've had this on previous occasions, in fact,
18. Representative Barnes did introduce it. The House Bill 345, as we have
19. it before us during this Session, is in many respects different. Now,
20. what we're trying to do here is to get gainful employment for specifically
21. a lot of the Viet Nam war veterans who returned under some very different
22. circumstances than many of our other war veterans, and they were sub-
23. jected to some very unusual circumstances while serving in the Viet Nam War.
24. Now, many of these got tangled up in some dope problems, some various
25. problems over that...well, they were just in an area that they got this
26. exposure, and they came back and it resulted because of the attitude of
27. ...much of the society towards their serving and the...their ability
28. they weren't there under the same conditions that veterans of other wars
29. were, and...coming back, many of these men have applied individually
30. to right themselves and if you are going to prohibit them from getting
31. this gainful employment, you're really doing the wrong thing. This is
32. not a form of amnesty. Don't...don't get me wrong there, but it is and
33. it is not...it's not including those that got a bad conduct discharge or

1. a dishonorable discharge, but those that received a general or un-
2. desirable which is larger in the number of discharged percentage wise
3. during the Viet Nam war period than other periods. I see nothing in
4. the wrong in the bill in present form. It's modified in the way it was
5. introduced in previous Sessions, and I would ask the support of Senator
6. Daley and Representative Barnes in having this adopted.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Any further discussion? Senator Daley, do you wish to close the
9. debate?

10. SENATOR DALEY:

11. I'd ask for a favorable roll call.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Question is, shall House Bill 345 pass? Those in favor will vote
14. Aye. Those opposed will vote Nay. The voting is open. Senator Partee.
15. Have all voted who wish? Take the record. On that question, the Ayes
16. are 45, the Nays are 3, 2 Voting Present. House Bill 345 having received
17. the constitutional majority is declared passed. On the order of House
18. bills on 3rd reading, House Bill 367, Senator Weaver. Senator Weaver.

19. SENATOR WEAVER:

20. Mr. President, I move to Table House Bill 367.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Weaver has moved to Table. All in favor signify by saying
23. Aye. The Ayes have it. 367 is Tabled.

24. SENATOR WEAVER:

25. Thank you.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. On the order of House bills 3rd reading, House Bill 342.

28. SECRETARY:

29. House Bill 342

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Netsch.

1. SENATOR NETSCH:

2. Fasten your seat belts, here we go. This is a...if I could have
3. some order, please. If...if the coughing would subside for just a
4. moment, this is a very serious matter, and I emphasize that it is not a
5. nonsmoking or no smoking bill. What this bill does, which is very
6. different from the one we had before us in the last Session, is that it
7. names certain places and only a limited number of places, hospitals,
8. patient rooms, or patient areas, elevators, indoor theaters, library,
9. art museum, concert hall or a bus, and says that they...they are designated
10. areas where smoking is not permitted except that even in those areas the
11. person in charge of the concert hall, whatever, may designate a portion
12. thereof or the entire area in which smoking is not prohibited. It is
13. a very modest approach to a very serious problem. I am sure that all of
14. you have received letters from the Heart Association, the Cancer Associ-
15. ation, and the Lung Association as well as other medical groups saying
16. that it is very important that we take some steps to try to protect those
17. people who are nonsmokers who are highly susceptible and allergic to
18. cigarette smoke. It is true and there have been extensive studies to this
19. effect that smoking can be...very harmful to people who are nonsmokers,
20. but who are compelled to inhale our smoke, and I emphasize our smoke,
21. because I smoke myself, but I think we have got to begin to have some
22. concern for a extremely serious health problem for a number of other
23. people and to make at least some step in the direction of accommodating
24. them so that they can live more comfortably in our smoke-filled society.
25. It is a very serious bill and a very important one. I hope very much that
26. you will support it.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Any discussion? Senator Mitchler.

29. SENATOR MITCHLER:

30. I join Senator Netsch, and I think in all seriousness, let's give
31. a favorable roll call for this important legislation. I move that the
32. bill receive a very favorable roll call.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Latherow.

2. SENATOR LATHEROW:

3. Well, I'm just wondering if this includes the arena of the General
4. Assembly.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Netsch.

7. SENATOR NETSCH:

8. It does not include the General Assembly Floor, either Senate or
9. House or Rotunda. You may continue to smoke in Session or out of Session.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Nimrod.

12. SENATOR NIMROD:

13. Yes, Senator Netsch, I have no problem with the bill, but I think
14. you did mention something about hospital patients' rooms. ...I thought
15. that was what you said, and if you did and you are a patient and you are
16. smoker, you mean you will be unable to smoke in your own room?

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Netsch.

19. SENATOR NETSCH:

20. Any such room could be designated a smoking area, however.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Any further discussion? Senator Bloom.

23. SENATOR BLOOM:

24. Yes, I...I rise in support of this legislation, if only out of
25. the memory of Eddie Walbang.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Any further discussion? Question is, shall House Bill 342 pass?
28. Those in favor will vote Aye. Those opposed will vote Nay. The voting
29. is open. Have all voted who wish? Take the record. On that question,
30. the Ayes are 37, the Nays are 3, 9 Voting Present. House Bill 342 having
31. received the constitutional majority is declared passed. Senator Morris,
32. for what purpose do you arise?

33. SENATOR MORRIS:

1. Having voted on the prevailing side, I would move to reconsider the
2. vote by which...

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Morris moves to reconsider. Senator Wooten moves to Table.
5. All in favor signify by saying Aye. The Ayes have it. The motion is
6. Tabled. Gentlemen, if I...the Chair can have your attention, there has
7. been a request of a number of the members...of the members of...on the
8. motion to Table. You are entitled to that. Senator Morris had moved to
9. reconsider the vote by which that bill passed. Senator Wooten moved to
10. Table that motion. The question is, shall the motion to Table prevail?
11. Those in favor...will vote Aye. Those opposed will vote Nay. The voting
12. is open. Have all voted who wish? Take the record. The motion to
13. Table has failed. The...motion before the Body is the motion to recon-
14. sider the vote by which that House Bill 342 passed? The motion has been
15. withdrawn. Any further discussion? Okay. We have had a request from a
16. number of the sponsors and of the House members to get on with the
17. appropriation's process. If we will turn to the...matters on the Sec-
18. retary's Desk, we will try to go through the Secretary's Desk, 2nd read-
19. ing and then 3rd reading with respect to the appropriations bills in
20. order to expedite the process. On the Secretary's Desk, we'll start.
21. On the Secretary's Desk is Senate Bill 433. Senator Buzbee, would you
22. mind moving, please? Senator Savickas, Senator Palmer, Senator Course is
23. attempting to...Senate Bill 433, with House Amendments 1, 2, 3, 4, and 5,
24. Senator Course.

25. SENATOR COURSE:

26. Thank you, Mr. President and members of the Senate. I move to con-
27. cur in...House Amendments 1, 2, 3 and 4 to Senate Bill 433 and to non-
28. concur in House Amendment No. 5 to Senate Bill 433.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Any discussion? The question...Senator Glass.

31. SENATOR GLASS:

32. Could we have an explanation, please, of the what the amendments
33. do that we are voting on?

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Course.

3. SENATOR COURSE:

4. Yes, Mr. President, Amendment No. 1 adds nine million dollars for
5. income tax returns. This was added before the Governor's Fiscal Message,
6. but in No. 4 I removed this nine million dollars again. This is for...
7. as I say for income tax refunds for Fiscal '76, and they think at this
8. time if it is needed later on in the...in the year, well they...they
9. will be able to...introduce a bill and pass it at that time for the
10. money that is needed. Amendment No. 2 is a...technical amendment and
11. adds as amended to Section referring to circuit breaker. Amendment No. 3
12. reduces tax...processing division by two hundred forty-six dollars in
13. Personal Services and Retirement and Social Security. ...Amendment No. 4
14. ...

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Wait a minute, let's take...let's take...let's take, oh, you've
17. got the four. Let's take those four. Question is, shall the Senate...
18. oh, I beg your pardon.

19. SENATOR COURSE:

20. ... I've got one more, No. 4 is coming up. No. 4 reduces operations
21. by nine hundred forty-one thousand one hundred and ninety-eight dollars,
22. then takes out the House and Senate reductions. The result is a six
23. percent...reduction. Also, takes out the nine million dollars which is
24. added by in Amendment No. 1.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. The question is, shall the Senate concur in Amendments 1, 2, 3, and
27. 4 to Senate Bill 433? Those in favor will vote Aye. Those opposed will
28. vote Nay. The voting is open. Have all voted who wish? Take the record.
29. On that question, the Ayes are 52, the Nays are none, none Voting Present.
30. The Senate concurs in Amendments 1, 2, 3, and 4 to Senate Bill 433. House
31. Amendment No. 5, Senator Course.

32. SENATOR COURSE:

33. I move to concur in House Amendment....

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Senator...
3. SENATOR COURSE:
4. ...nonconcur, I'm sorry...
5. PRESIDING OFFICER: (SENATOR ROCK)
6. ...Course...Senator Course...
7. SENATOR COURSE:
8. ...nonconcur on House Amendment No. 5 to Senate Bill 433.
9. PRESIDING OFFICER: (SENATOR ROCK)
10. ...That is the FEPC amendment, is that the one?
11. SENATOR COURSE:
12. That...that is correct.
13. PRESIDING OFFICER: (SENATOR ROCK)
14. Senator Course moves to nonconcur in House Amendment No. 5 to
15. Senate Bill 433. All those in favor signify by saying Aye. All those
16. opposed...the Ayes have it. The motion carries, and the Secretary shall
17. so inform the House. Senate Bill 468, with House Amendments 2, 3, and 9,
18. Senator Weaver.
19. SENATOR WEAVER:
20. Mr. President, I would move to concur in House Amendments No. 2 and
21. 9 to House Bill...or to Senate Bill 468.
22. PRESIDING OFFICER: (SENATOR ROCK)
23. Do you wish to explain those, Senator?
24. SENATOR WEAVER:
25. Amendment No. 2 adds five hundred and seventy-one thousand to take
26. care of the negotiated wage increases, and No. 9 reduces the reappropria-
27. tions by a hundred and sixty-two thousand eight hundred dollars.
28. PRESIDING OFFICER: (SENATOR ROCK)
29. Any discussion? Senator Hynes.
30. SENATOR HYNES:
31. I would join Senator Weaver in moving to concur in these amendments.
32. PRESIDING OFFICER: (SENATOR ROCK)
33. Question is, shall the Senate concur in Amendments 2 and 9 to

1. Senate Bill 468? Those in favor will vote Aye. Those opposed will
2. vote Nay. They voting is open. Have all voted who wish? Take the
3. record. On that question, the Ayes are 52, the Nays are none, none
4. Voting Present. The Senate concurs in Amendments 2 and 9 to Senate Bill
5. 468. Now, Senate Bill 468, Amendment No. 3, Senator Weaver.
6. SENATOR WEAVER:
7. Mr. President, I'd move to nonconcur in Amendment No. 3. This is the
8. FEPC amendment.
9. PRESIDING OFFICER: (SENATOR ROCK)
10. Senator Weaver moves to nonconcur in House Amendment No. 3 to Senate
11. Bill 468. All those in favor signify by saying Aye. All opposed...the
12. Ayes have it. The motion carries, and the Secretary shall so inform the
13. House. On the Secretary's Desk, Senate Bill 472, with House Amendment No.
14. 1, Senator Bruce.
15. SENATOR BRUCE:
16. Yes, Mr. President, all the...House Amendment No. 1 is the FEPC
17. amendment and I would move that we nonconcur with that amendment.
18. PRESIDING OFFICER: (SENATOR ROCK)
19. Senator Bruce moves to nonconcur in House Amendment No. 1 to Senate
20. Bill 472. Those in favor signify by saying Aye. All those opposed...
21. the Ayes have it. The motion carries, and the Secretary shall so inform
22. the House. On the Secretary's Desk, Senate Bill 476, with House Amend-
23. ment No. 1, Senator Shapiro.
24. SENATOR SHAPIRO:
25. Mr. President, I move that the Senate nonconcur with House Amendment
26. No. 1 to Senate Bill 476. This is the infamous, unconstitutional,
27. Catania Amendment.
28. PRESIDING OFFICER: (SENATOR ROCK)
29. Senator Shapiro moves to nonconcur in House Amendment No. 1 to
30. Senate Bill 476. Those in favor signify by saying Aye. Those opposed
31. Nay...the Ayes have it. The motion carries, and the Secretary will so
32. inform the House. On the Secretary's Desk is Senate Bill 507, with
33. House Amendment No. 2, Senator Vadalabene.

1. SENATOR VADALABENE:

2. Yes, thank you, Mr. Speaker, and...and members of the Senate. I
3. move to nonconcur with House Amendment No. 2 to Senate Bill 507. This
4. is the FEPC amendment.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Vadalabene moves to nonconcur in House Amendment No. 2 to
7. Senate Bill 507. All those in favor signify by saying Aye. All those
8. opposed...the Ayes have it. The motion carries, and the Secretary shall
9. so inform the House. You...you know about that little problem. Alright.
10. On the Secretary's Desk is Senate Bill 517 with House Amendments 2 and
11. 3 maybe, Senator Carroll.

12. SENATOR CARROLL:

13. That is correct, Mr. President. I would move that we nonconcur
14. with House Amendment No. 2. House Amendment No. 3 never came over to the
15. Senate. The House failed to pass it. It was an error on the part of
16. the Clerk of House, which I understand he has clarified. On a roll call
17. vote, House Amendment No. 3 failed. So I would move to nonconcur with
18. House Amendment No. 2, which is the only amendment that is in the Senate.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Well, we can move to nonconcur in 2 and 3 just in case technically
21. it's here...

22. SENATOR CARROLL:

23. I...okay.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. ...Okay.

26. SENATOR CARROLL:

27. ...Okay...I think it would be wrong to move...

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Carroll moves to....

30. SENATOR CARROLL:

31.to nonconcur on 3 because it is supposedly not here.

32. PRESIDING OFFICER: (SENATOR CARROLL)

33. It is here though, physically, that's the problem. Senator Carroll

1. moves to nonconcur in House Amendment to 2 and 3 to Senate Bill
2. 517. Those in favor signify by saying Aye. Those opposed...the Ayes
3. have it. The motion carries, and the Secretary will so inform the
4. House. On the Secretary's Desk is Senate Bill 637, with House Amendments
5. 2 and 4, Senator Partee.

6. SENATOR PARTEE:

7. Oh yes, I'm sorry. Yes, on Amendment No. 2, I'm moving to non-
8. concur, that is the Catania Amendment...and Amendment No. 4 I'm moving
9. to concur, it being the six percent across-the-board reduction.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. The question is, shall the Senate concur in Amendment No. 4
12. to Senate Bill 637. Those in favor will vote Aye. Those opposed
13. will vote Nay. The voting is open. Have all voted who wish?
14. Have all voted who wish? Take the record. On that question, the Ayes
15. are 52, the Nays are none, none Voting Present. The Senate concurs in
16. House Amendment No. 4 to Senate Bill 637. With respect now to...to
17. House Amendment No. 2 to Senate Bill 637, Senator Partee moves to non-
18. concur in House Amendment No. 2 to Senate Bill 637. All those in
19. favor signify by saying Aye. All those opposed...The Ayes have it.
20. The motion carries, and the Secretary will so inform the House.
21. On the Secretary's Desk is Senate Bill 658 with House Amendment No. 2,
22. Senator Daley.

23. SENATOR DALEY:

24. Mr. President, fellow Senators, I move to nonconcur in House Amend-
25. ment No. 2. This is a...it cuts...the Judges' retirement by, I think,
26. six percent. I haven't discussed it with the...the actuary of the
27. retirement system as yet.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Daley moves to nonconcur in House Amendment No. 2 to Senate
30. Bill 658. All those in favor signify by saying Aye. All those opposed.
31. The Ayes have it. The motion carries, and the Secretary will so inform
32. the House. On the Secretary's Desk is Senate Bill 661 with House Amend-
33. ments 1, 2 and 4, Senator Johns.

1. SENATOR JOHNS:

2. Mr. President, I move that we nonconcur with the Amendments 1, 2
3. and 4 on Senate Bill 661.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Johns moves to nonconcur in House Amendments 1, 2, and 4
6. to Senate Bill 661. All those in favor signify by saying Aye. All those
7. opposed...the Ayes have it. The motion carries, and the Secretary will
8. so inform the House. On the Secretary's Desk is Senate Bill 663, with
9. House Amendments 1 and 2, Senator Philip.

10. SENATOR PHILIP:

11. Thank you, Mr. President. Amendment No. 1 takes out a five percent
12. cost of living out of the Comptroller's budget. Amounts to two hundred
13. and sixty-seven thousand dollars. I move the House do concur with House
14. Amendment No. 1.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. The question is, shall the Senate concur with House Amendment No.
17. 1 to Senate Bill 663. Those in favor will vote Aye. Those opposed will
18. vote Nay. The voting is open. Have all voted who wish? Take the record.
19. On that question, the Ayes are 53, the Nays are none, none Voting Present.
20. The Senate concurs in Amendment No. 1 to Senate Bill 663. With respect
21. to House Amendment No. 2 Senate Bill 663, Senator Philip.

22. SENATOR PHILIP: Thank you, Mr. President. The Senate concurs in Amendment No. 1.

23. Thank you, Mr. President. House Amendment No. 2, the FEPC Amend-
24. ment, and I move that we do not concur with House Amendment No. 2.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Philip moves to nonconcur in House Amendment No. 2 to
27. Senate Bill 663. All those in favor signify by saying Aye. All those
28. opposed...the Ayes have it. The motion carries, and the Secretary will
29. so inform the House. Senator Partee, for what purpose do you arise?

30. SENATOR PARTEE:

31. Let the record show that on that first vote on 663, I was engaged,
32. and I neglected to vote. I would have voted Aye.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. The record will state your affirmative intent. On the Secretary's
2. Desk is Senate Bill 666, with House Amendment No. 1, Senator Ozinga.

3. SENATOR OZINGA:

4. ...I move to nonconcur in that Amendment.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Ozinga moves to nonconcur in House Amendment No. 1 to
7. Senate Bill 666. All in favor signify by saying Aye. All opposed...the
8. Ayes have. The motion carries, and the Secretary will so inform the
9. House. Turn to Page 21 on the Secretary's Desk is Senate Bill 1048,
10. with House Amendment No. 2, Senator Regner. 1048, on the Secretary's
11. Desk, House Amendment No. 2.

12. SENATOR REGNER:

13. I...yes, this Amendment changes the wordage, makes the appropriation
14. for the Legislative Information Systems from the Department of Finance,
15. specifically to the joint commission. I move that we do concur in House
16. Amendment No. 2.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator...any discussion? The question is, shall the Senate concur

19. in House Amendment No. 2 to Senate Bill 1048? Those in favor will vote

20. Aye. Those opposed will vote Nay. The voting is open. Have all voted

21. who wish? Take the record. On that question, the Ayes are 54, the Nays

22. are none, none Voting Present. The Senate concurs in Amendment No. 2

23. to Senate Bill 1048, and the bill having received the required constitu-

24. tional majority is declared passed. I beg your pardon, I skipped 989,

25. I did not mean to. On the Secretary's Desk is Senate Bill 989, with House

26. Amendment No. 1, Senator Glass.

27. SENATOR GLASS:

28. Thank you, Mr. President. I move to nonconcur in this Amendment.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Glass moves to nonconcur in House Amendment No. 1 to Senate

31. Bill 989. All those in favor signify by saying Aye. All opposed...the

32. Ayes have it. The motion carries, and the Secretary will so inform the

33. House. On the Secretary's Desk is Senate Bill 1049, with House Amend-

1. ments 1 and 2, Senator Vadalabene.
2. SENATOR VADALABENE:
3. Thank you, Mr. President and members of the Senate. I move to
4. Concur with Amendment No. 1 to...or House Amendment No. 1 to Senate Bill
5. 1049. It's a technical amendment by deleting the word " by", b-y, for the
6. word "for" and to development bond fund a phrase to the Capital Develop-
7. ment Board. I move to concur with this technical amendment.
8. PRESIDING OFFICER: (SENATOR ROCK)
9. Any discussion? The question is, shall the Senate concur in House
10. Amendment No. 1 to Senate Bill 1049? Those in favor will vote Aye. Those
11. opposed will vote Nay. The voting is open. Have all voted who wish?
12. Take the record. On that question, the Ayes are 52, the Nays are 1, none
13. Voting Present. The Senate concurs with House Amendment No. 1 to Senate
14. Bill 1049. Senate Bill 1049 with House Amendment No. 2, Senator...Senator
15. Kosinski, for what purpose do you arise?
16. SENATOR KOSINSKI:
17. Mr. President, I, by accident, I pressed the wrong button.
18. PRESIDING OFFICER: (SENATOR ROCK)
19. The record will show your affirmative intent, Senator Kosinski.
20. Senator Vadalabene, House Amendment No. 2 to Senate Bill 1049.
21. SENATOR VADALABENE:
22. Yes, thank you, Mr. President and members of the Senate. I move to
23. nonconcur with Amendment No. 2 to Senate Bill 1049. This is the FEPC
24. Amendment.
25. PRESIDING OFFICER: (SENATOR ROCK)
26. Senator Vadalabene moves to nonconcur in House Amendment No. 2 to
27. Senate Bill 1049. Those in favor signify by saying Aye. All those
28. opposed...the Ayes have it. The motion carries, and the Secretary will
29. so inform the House. On the Secretary's Desk is Senate Bill 1497, with
30. House Amendment 1, Senator Berning.
31. SENATOR BERNING:
32. Mr. President, I move to nonconcur with House Amendment No. 1.
33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Berning moves to nonconcur with House Amendment No. 1 to
2. Senate Bill 1497. Those in favor signify by saying Aye. Those opposed...
3. the Ayes have it. The motion carries, and the Secretary will so inform
4. the House. Alright, if you'll turn to Page 22 on the order of non-
5. concurrence, there's House Bill 2238, Senate Amendments No. 1 and 2,
6. Senator Knuppel. With both amendments, Senator? Senator Knuppel moves
7. that the Senate refuse to recede from Senate Amendments No. 1 and 2 to
8. House Bill 2238, and that a Conference Committee be appointed. All those
9. in favor signify by saying Aye. All those opposed. The Ayes have it.
10. The motion carries, and the Secretary will so inform the House. Now, if
11. you will to turn to the order of House Bills on 2nd reading, we'll...
12. we'll attempt to move the appropriation bills thereon. Page 12 of our
13. Calendar. House Bills on 2nd reading. House Bill 885. Has that already
14. been moved? On the order of House Bills on 2nd reading, House Bill 885.
15. SECRETARY:

16. House Bill 885

17. (Secretary reads title of bill)

18. 2nd reading of the bill. No committee amendments.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Any amendments from the Floor? 3rd reading. House Bill 1092.

21. SECRETARY:

22. House Bill 1092

23. (Secretary reads title of bill)

24. 2nd reading of the bill. The Committee on Appropriation offers one
25. amendment.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Hynes.

28. SENATOR HYNES:

29. Amendment No. 1 would reduce the appropriation for the Department in
30. several sections. It reduces the office of the consumer advocate to
31. fifty thousand dollars. ...Reduces thirteen...the general office by
32. thirteen thousand five hundred sixty-eight dollars to eliminate a position
33. of...a new position for an Account Clerk II. It reduces the division

1 of Registration by eight hundred thirty-one thousand dollars which will
2 reduce contractual services, ... electronic data processing, personal
3 services, retirement, and Social Security to remove approximately one-half
4 of the new positions sought. The Amendment further line items the requests
5 for new positions for real estate investigators. Over all, even with the
6 cut, the division will still have one million above its FY 75 appro-
7 priation. I'd move the adoption of the Amendment.

8 PRESIDING OFFICER: (SENATOR ROCK)

9 Any discussion? Senator Hynes moves the adoption of Amendment No.
10 1 to House ... House Bill 1092. All those in favor signify by saying
11 Aye. All those opposed ... the Ayes have it. The Amendment is adopted.
12 Any further amendments? Any ... you have an amendment?

13 SECRETARY:

14 Amendment No. 2 offered by Senator Philip.

15 PRESIDING OFFICER: (SENATOR ROCK)

16 Senator Philip.

17 SENATOR PHILIP:

18 Thank you, Mr. President. Senate Amendment No. 2 to House Bill 1092
19 increases the appropriation forty thousand dollars for the cost of
20 archaeological diggings at Kampsville, Illinois. As you are probably
21 aware, they have uncovered approximately twelve ancient Indian villages,
22 sometime around 600 B.C. Now, all this does is, appropriate the money
23 to them so they can finish their diggings. I move the adoption of
24 Amendment No. 2. (SENATOR ROCK)

25 PRESIDING OFFICER: (SENATOR ROCK)

26 Any discussion? Senator Philip moves the adoption of Amendment No.
27 2 to House Bill 1092. All those in favor signify by saying Aye. All
28 those opposed ... the Ayes have it. The Amendment is adopted. Any
29 further amendments? 3rd reading. House Bill 1302, Mr. Secretary.

30 SECRETARY:

31 House Bill 1302.

32 (Secretary reads title of bill)

33 2nd reading of the bill. The Committee on Appropriations offers one

1. amendment.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Buzbee.

4. SENATOR BUZBEE:

5. Mr. President, Amendment No. 1 cuts some 2.2 million dollars total
6. including what the House has cut. The House has cut about three or four
7. hundred thousand...Pardon me, they cut about five hundred thousand. We
8. cut another 1.7 million from on the general revenue appropriation of
9. approximately sixteen million. Amendment No. 1 also transfers five
10. hundred thousand dollars which...was shown to be a surplus in the Fish
11. and Game fund over to the General Revenue. So we have cut a total, our
12. cut along with the House cut, a total of 2.2 million dollars plus we
13. have saved another five hundred thousand from...from general revenue.
14. We've cut out eighty-eight proposed new positions, and several other
15. items in the general operations, and I would move the amendment...move
16. the adoption of Amendment No. 1.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Any discussion? Senator Buzbee moves the adoption of Committee
19. Amendment No. 1 to House Bill 1302. All those in favor signify by saying
20. Aye. All those opposed...the Ayes have it. The Amendment is adopted.
21. Any further amendments?

22. SECRETARY:

23. Amendment No. 2 offered by Senator Shapiro.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Shapiro.

26. SENATOR SHAPIRO:

27. Mr. President and Ladies and Gentlemen of the Senate, this
28. Amendment provides a million dollars for the dredging and maintenance
29. of Lake DePue in Bureau County payable from the State Boating Act fund.
30. I urge its adoption.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Any discussion? Senator Shapiro has moved the adoption of Amend-
33. ment No. 2 to House Bill 130...all those in favor signify by saying

1. Aye. All those opposed...the Ayes have it. The Amendment is adopted.

2. Any further amendments?

3. SECRETARY:

4. Amendment No. 3 offered by Senator Latherow.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Latherow.

7. SENATOR LATHEROW:

8. Thank you, Mr. President. This amendment is for ten thousand
9. dollars for acquisition and restoration and maintenance of Lincoln's
10. Cemetery in Hancock County. This is a cemetery where more of Abraham
11. Lincoln's ancestors are buried than in other one place in the United
12. States. It lies off the road aways. It has been allowed to deteriorate
13. completely. It is owned by the Catholic Church in Carthage, Illinois,
14. and I think it is high time in this year of the bicentennial that the
15. State of Illinois give proper attention to the beginning of the restora-
16. tion of this...purchase and restoration of this particular cemetery
17. area...

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Any...

20. SENATOR LATHEROW: For the adoption of the amendment...

21. ...I move the adoption of the Amendment.

22. PRESIDING OFFICER: (SENATOR ROCK) Has adoption of Amendment...

23. ...Senator Latherow has moved the adoption of Amendment No. 3 to
24. House Bill 1302. Any discussion? All those in favor signify by saying

25. Aye. All those opposed...the Ayes have it. The Amendment is adopted.

26. Any further amendments?

27. SECRETARY:

28. Amendment No. 4 offered by Senator Weaver.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Weaver.

31. SENATOR WEAVER:

32. Thank you, Mr. President. This amendment to House Bill 1302
33. appropriates to the Department of Conservation funds which are furnished

1 directly or as reimbursements by the United States government in order
2 for the Department to be in compliance with Senate Bill 1109, Amendment
3 2, which prohibits expenditure of any such funds unless pursuant to
4 specific ... appropriation authorization by the General Assembly. These
5 projects are the Youth Conservation Program, eight hundred thousand;
6 Historic Preservation, a million eight hundred; Outdoor Recreation,
7 fifteen million five hundred; and U. S. Forest Service, fifty thousand;
8 Rural Community Fire Protection Program, two hundred and eighty thousand;
9 Open Space Assistance Program, two million four hundred thousand; Conser-
10 vation Employees Training Program, thirty thousand. A grand total of twenty
11 million eight hundred and sixty thousand dollars. I'd move its adoption.

12 PRESIDING OFFICER: (SENATOR ROCK)

13 Senator Hynes.

14 SENATOR HYNES:

15 These ... these are all Federal funds, Senator Weaver, as I under-
16 stand it, is that correct?

17 SENATOR WEAVER:

18 That's correct, Senator Hynes.

19 SENATOR HYNES:

20 I would join his motion for the adoption of the amendment.

21 PRESIDING OFFICER: (SENATOR ROCK)

22 Senators Weaver and Hynes move the adoption of Amendment No. 4 to
23 House Bill 1302. All those in favor signify by saying Aye. All those
24 opposed ... the Ayes have it. The amendment is adopted. Any further
25 amendments? 3rd reading. On the order of House Bills on 2nd reading,
26 H. B. 1360. The Calendar is incorrect as was pointed out earlier. It did
27 say Corrections, this is the appropriation for the Department of Law
28 Enforcement. House Bill 1360, Mr. Secretary.

29 SECRETARY:

30 House Bill 1360.

31 (Secretary reads title of bill)

32 2nd reading of the bill. The Committee on Appropriations offers two
33 amendments.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Wooten, do you wish to handle this or should Senator Hynes
3. handle it? Senator Hynes.

4. SENATOR HYNES:

5. This amendment reduces the appropriation by one million one hundred
6. seven thousand three hundred dollars. Reflects the...the removal of all
7. new employees requested with the exception of fifteen State Troopers,
8. fifty new employees in the Bureau of Identification and also removes
9. fifty-three thousand dollars in contractual services. By division in
10. the management division, it removes the appropriation for the Office of
11. Special Investigation and new employee requests. In the boiler inspection
12. division, removes new employees. In the Bureau of Identification, removes
13. new employees with the exception of the fifty members of the Bureau of
14. Identification, and removes new employees in other divisions except
15. for the State Police. I'd move the adoption of the Amendment. There is
16. some concern about some portions of the Amendment, and it is conceivable
17. that there may be further discussions while the bill is on 3rd reading,
18. but I would move the adoption of the Amendment.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Any discussion? Senator Regner.

21. SENATOR REGNER:

22. Yes, Mr. President and members of the Senate, I had discussed a
23. another amendment with Senator Hynes that I was going to offer. After
24. talking to him about it, I decided not to. Now, part of this amendment
25. that he offers, and I think it is an excellent one does the same thing
26. that we tried to do last year regarding the OSI, and that is to unfund that.
27. During the last fiscal year, the Governor used three hundred and fifty
28. thousand dollars of funds appropriated to fight narcotics trafficking,
29. and organized crime in Illinois, and they were diverted to the OSI
30. unit. I hope that he doesn't do that again this year by supporting
31. this type of amendment that Senator Hynes offers, otherwise we will come
32. back next year and offer an amendment to line item lump sums like one
33. dollar which is just about the worth of the OSI, and I do urge the adoption

1. of Senator Hynes' amendment.
2. PRESIDING OFFICER: (SENATOR ROCK)
3. Any discussion? Senator Wooten.
4. SENATOR WOOTEN:
5. A minor item. There's a matter of a new roof that simply
6. must not be lost sight of. My understanding is that we're going to try to
7. pick this up somewhere else. Okay.
8. PRESIDING OFFICER: (SENATOR ROCK)
9. That is the understanding. Senator Hynes.
10. SENATOR HYNES:
11. It will be picked up somewhere else, or it'll be put back in here.
12. PRESIDING OFFICER: (SENATOR ROCK)
13. Any further discussion? Senator Hynes has moved the adoption of
14. Committee Amendment No. 1 to House Bill 1360. All those in favor signify
15. by saying Aye. All those opposed...the Ayes have it. The Amendment is
16. adopted. Any further amendments? Oh,...I beg your pardon. Committee
17. Amendment No. 2, Senator Hynes.
18. SENATOR HYNES: I don't know what has been going on for several years
19. now. Amendment No. 2 removes the weasel clause, and I'd move its adoption.
20. PRESIDING OFFICER: (SENATOR ROCK)
21. Senator Hynes moves the adoption of Amendment No. 2 to House Bill...
22. SENATOR HYNES: Excuse me, excuse me...I misspoke. It removes the FEPC provision,
23. and I move its adoption.
24. PRESIDING OFFICER: (SENATOR ROCK)
25. ...Senator Hynes moves the adoption of Amendment No. 2 to House
26. Bill 1360. All those in favor signify by saying Aye. All those opposed...
27. the Ayes have it. The Amendment is adopted. Any further amendments?
28. SENATOR HYNES:
29. SECRETARY:
30. Amendment No. 3 offered by Senator Morris.
31. PRESIDING OFFICER: (SENATOR ROCK)
32. Senator Howard Mohr...Morris, I beg your pardon. Senator Morris.
33. SENATOR MORRIS:

1. This amendment would restore the offices...the funds for the Office
2. of Special Investigation with a ten percent cut. It would restore three
3. hundred and sixty-five thousand dollars for them. They originally re-
4. quested four hundred and sixty-five thousand three hundred dollars. The
5. Office of Special Investigations is a very vital arm in government to
6. get rid of corruption within the governmental agencies. I think it is
7. a vital agency and should be restored. I'd move for adoption of the
8. Amendment.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Any discussion? Senator Clarke.

11. SENATOR CLARKE:

12. Well, I want...I want...Mr. President, I want to rise in support of
13. this Amendment. The Legislature now has an Auditor General. We have an
14. Audit Commission, and we're looking after a lot of allegations and...
15. at every agency. I think the Governor is entitled to have his own agency
16. to look into allegations and they're doing a good job. Right now,
17. they're coming up with the biggest scandal in the barber examination
18. that's...that I've known that has been going on for twenty years, and
19. nobody has...had ever been able to pin it down. I think we ought to
20. restore this.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Any further discussion? Senator Regner.

23. SENATOR REGNER:

24. Yes, I oppose this amendment for the same reason I supported
25. Amendment No. 1 to...to 1360. I haven't seen anything in the last year
26. that the OSI has done, except pay the Director more than the Director
27. of the Department gets paid. I think it is a bad amendment, and I urge
28. its defeat.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Any further discussion? Senator Morris moves the adoption of
31. Amendment No. 3 to House Bill 1360. All those in favor signify by saying
32. Aye. All those opposed. Roll call has been requested. Question is the
33. adoption of Amendment No. 3 to House Bill 1360. Those in favor will

1 vote Aye. Those opposed will vote Nay. The voting is open. Have all
2 voted who wish? Take the record. On that question, the Ayes are 12,
3 the Nays are 33, none Voting Present. The amendment fails. Any further
4 amendments? 3rd reading. On the order of House Bills on 2nd reading...
5 Senator Lemke, for what purpose do you arise?

6 SENATOR LEMKE:

7 What is the procedure for a bill to be moved on 2nd reading when
8 the sponsor is not on the Floor?

9 PRESIDING OFFICER: (SENATOR ROCK)

10 I thought there was an agreement to move all the appropriation
11 bills.

12 SENATOR LEMKE:

13 Well, I wasn't here when 1092 was called, and I don't think the
14 bill should be moved because I've been holding it, so I'd suggest it be
15 brought back to 2nd reading...

16 PRESIDING OFFICER: (SENATOR ROCK)

17 Senator Lemke seeks...

18 SENATOR LEMKE:

19 ...in compliance with the rules and leave it on second and
20 hold it there.

21 PRESIDING OFFICER: (SENATOR ROCK)

22 ...Senator Lemke seeks leave of this Body to bring House Bill
23 1092 back to the order of 2nd reading. Is leave granted? Leave is
24 granted. Senator Weaver.

25 SENATOR WEAVER:

26 Mr. President, I thought it was the understanding that all these
27 would move to 3rd with the idea that they all could be brought back for
28 second...to 2nd for amendments tomorrow. Is that...am I mistaken?

29 PRESIDING OFFICER: (SENATOR ROCK)

30 Well...that was my understanding also. Apparently, we were both
31 mistaken. It is the sponsor's desire to hold it on 2nd reading, so that
32 we will be here another couple of days. Yeah, we'll leave them adopted.
33 They'll just be placed on the order of 2nd reading and be shown as A, I

1 suppose. Senator Moore.

2 SENATOR MOORE:

3 Well, Mr. President, I realize that it is the sponsor's prerog-
4 ative as to whether he wants to move a bill or not, but I think he could
5 hold a bill on a...move it to third and hold it there as long as he wants,
6 but we are going to get into extra days of the Session and...I would...
7 suggest that that we give consideration to moving it to third. He still
8 has control of the bill, and...we may not spend an extra day or two here.

9 PRESIDING OFFICER: (SENATOR ROCK)

10 Senator Lemke.

11 SENATOR LEMKE:

12 I suggest the bill be held on 2nd. If nobody is in agreeance
13 with that, then I'll move it to something else.

14 PRESIDING OFFICER: (SENATOR ROCK)

15 All right, on the order of House Bills on second...Senator Partee.

16 SENATOR PARTEE:

17 I'd like to ask Senator Lemke a question. Would he yield to a
18 question?

19 PRESIDING OFFICER: (SENATOR ROCK)

20 Indicates he will yield.

21 SENATOR PARTEE:

22 The bill is now on second. If you held the bill on third, for
23 whatever purpose, we would not lose a legislative day. I don't know
24 why you want to hold it on second. I'm not asking you that, but why
25 don't you leave it on third, for whatever purpose you're holding it.
26 We'll save a day.

27 PRESIDING OFFICER: (SENATOR ROCK)

28 Senator Lemke.

29 SENATOR LEMKE:

30 My prerogative is that I want to leave it on 2nd.

31 PRESIDING OFFICER: (SENATOR ROCK)

32 On the order of House Bill on 2nd...Senator Hall, for what
33 purpose do...oh. On the order of House Bills on 2nd reading, House

1. Bill 1366. 1366, appropriation Department of Corrections.
2. SECRETARY:
3. House Bill 1366
4. (Secretary reads title of bill)
5. 2nd reading of the bill. The Committee on Appropriations offers three
6. amendments.
7. PRESIDING OFFICER: (SENATOR DONNEWALD)
8. Senator Hynes. Senator Wooten, I understand that...Senator Hynes,
9. are you prepared to offer a series of amendments?
10. SENATOR HYNES:
11. Yes.
12. PRESIDING OFFICER: (SENATOR DONNEWALD)
13. 1366?
14. SENATOR HYNES:
15. Yes, I am.
16. PRESIDING OFFICER: (SENATOR DONNEWALD)
17. Proceed.
18. SENATOR HYNES:
19. Amendment No. 1 removes the authority of the Department to transfer
20. seven million dollars for the Juvenile Field Services between the ad-
21. ministration office and the regions as they wish. This would limit them
22. to the two percent transfer authority of the Finance Act. I move the
23. adoption of the amendment.
24. PRESIDING OFFICER: (SENATOR DONNEWALD)
25. Is there further discussion? The question is, shall Amendment No.
26. 1 to House Bill 1366 be adopted? All those in favor indicate by saying
27. Aye. Those opposed no. The Ayes have it. The Amendment is adopted.
28. Senator Hynes, Amendment No. 2.
29. SENATOR HYNES:
30. Amendment No. 2 reduces the appropriation by five million four
31. hundred seventy-three thousand two hundred fifty dollars. It...reduces
32. six...all line items by six percent except Personal Services, applied to
33. the original request or the lowered version after it left the House,

1. whichever figure was lower. Commodities and institutions were not
2. reduced at all, that's another exception. Personal Services and ad-
3. ministration, and Adult Juvenile Field Services were reduced by any
4. new personnel costs, and the reduction of Personal Services in insti-
5. tutions was brought about by this...will be brought by this amendment
6. except that all new guard positions are being allowed. The...the
7. Department has asked that that one or two items be modified, there are
8. discussions going on with respect to that and there may be some possible
9. modification. I would move the adoption of the Amendment.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Wooten.

12. SENATOR WOOTEN:

13. Yes, Mr. President and colleagues, then understanding that we will
14. come back for an adjustment from 3rd reading tomorrow. I might also
15. mention, though, I think I might as well make the point right now that
16. one of the problems with this particular appropriation is the projections
17. for the budget are predicted on a prison population of seven thousand
18. by the end of Fiscal 76. As it happens, prison population exceeds that
19. figure now and we may have to prepare for a population of eight thousand
20. five hundred, so we may be coming back for a deficiency later in the year...

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. ... Any further...

23. SENATOR WOOTEN:

24. ...exceed to this.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Any further discussion? Question is, shall Amendment No. 2 be
27. adopted? All those in favor indicate by saying Aye. Those opposed.
28. The Ayes have it. Amendment No. 2 is adopted. Amendment No. 3, Senator
29. Hynes.

30. SENATOR HYNES:

31. This Amendment reduces the grants...to community agencies by one
32. hundred fifteen thousand dollars. This is...will...reduce it to the
33. level of expenditure of last year, and I'd move the adoption of the

1. amendment.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Is there further discussion? Question is, shall Amendment No. 3
4. be adopted? All those in favor signify by saying Aye. Those opposed No.
5. The Ayes have it. Amendment No. 3 to House Bill 1366 is adopted. Are
6. there further amendments? 3rd reading. House Bill...House Bill 2029,
7. Senator Kenneth Hall. Read the bill.

8. SECRETARY:

9. House Bill 2029

10. (Secretary reads title of bill)

11. 2nd reading of the bill. No committee amendments.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Are there amendments from the Floor? 3rd reading. Now, we are now
14. going...we're now going to go to the order of 3rd reading for the purpose
15. of considering appropriation bills on 3rd reading. House Bill 1089...
16. just a moment, just a moment.. House Bill 587, Senator Wooten. Senator
17. Wooten. Read the bill.

18. SECRETARY: ...

19. ... House Bill 58...

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Just a moment, Senator Wooten.

22. SENATOR WOOTEN:

23. ... I'd ask leave to bring this back to 2nd reading for the purpose
24. of an amendment...

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Is there leave? Leave is granted. You're now on 2nd reading on
27. House Bill 587. Proceed..

28. SENATOR WOOTEN:

29. ...Mr. ...could I ask the Page to bring those amendments back? I
30. need those for tomorrow. I sent down the wrong batch. If you would take
31. that down to the Secretary's Desk, please. I was requested by the
32. Committee on Appropriations to affix an amendment to this bill which
33. would mandate that the roads in question...

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Just a minute, Senator. Will the members please be their seats
3. and could we have...could we have some order? Could we have order,
4. please? Well, we will not proceed until we have order. Can you break
5. up the conferences, gentlemen? Proceed.

6. SENATOR WOOTEN:

7. This amendment was at the request of the Appropriations
8. Committee. I'm ...I'm sorry, I wasn't expecting it to come up quite
9. this early. I'm sorry to be so ill-prepared. The Amendment is on
10. the Secretary's Desk. The Appropriations Committee requested an amend-
11. ment which would mandate that the two roads in question, once repaired,
12. would be returned to the jurisdiction of the counties involved, and
13. that it so stipulated in this amendment, and I would move its adoption.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Is there further discussion? Question is, shall Amendment No. 2
16. to House Bill 587 be adopted? All those in favor indicate by saying
17. Aye. Those opposed no. The Ayes have it. The amendment is adopted.
18. Are there further amendments? 3rd reading. Senator Dougherty, for
19. what purpose do you arise?

20. SENATOR DOUGHERTY:

21. Thank you...thank you, Mr. President. House Bill 449 was on the
22. order...

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Well, Senator...

25. SENATOR DOUGHERTY:

26. ...on 2nd reading. We...we have been trying to work out this
27. rather important bill, and we've been trying to work out some amendments
28. I've discussed with Senator Nimrod, I'd like to put on the order of 3rd
29. reading to save a day.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. All right. The Senator...we will ask leave to return to the order
32. of 2nd reading. Do we have leave?

33. SENATOR DOUGHERTY:

1. Thank you.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. You may proceed. 2nd reading. Read the bill. That's House Bill

4. 449.

5. SECRETARY:

6. House Bill 449

7. (Secretary reads title of bill)

8. 2nd reading of the bill. The Committee on Revenue offers four amend-

9. ments.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Dougherty.

12. SENATOR DOUGHERTY:

13. I move the adoption of those four amendments; however, there will

14. be more.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator, we would have to offer those amendments one at a time.

17. SENATOR DOUGHERTY:

18. ...I would

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. The...the motion is to adopt Amendment No. 1 to House Bill 449...

21. SENATOR DOUGHERTY:

22. ...to House Bill 449...

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. ...Is there a discussion? Senator Nimrod. Senator Dougherty.

25. SENATOR DOUGHERTY:

26. ...There are four amendments, and I've...Mr. President, I've

27. decided to tell you that this bill is very confused. There are about

28. nine amendments to it. The staff of both sides of the aisle have the

29. amendment. I merely wanted to put in the position to save it if I can.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. All right, what you want to do is to advance it to 3rd...

32. SENATOR DOUGHERTY:

33. I want to adopt Amendment No. 1...

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. You want to adopt Amendment No. 1...
3. SENATOR DOUGHERTY:
4. Please.
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. ...to House Bill 449. All those in favor indicate by saying Aye.
7. Those opposed No. They Ayes have it. The Amendment is adopted.
8. SENATOR DOUGHERTY:
9. Now move...move No...
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. All right, you want to move the bill to 3rd reading with the
12. understanding...
13. SENATOR DOUGHERTY:
14. That's correct.
15. PRESIDING OFFICER: (SENATOR DONNEWALD)
16. ...to bring it back.
17. SENATOR DOUGHERTY:
18. It's very confusing.
19. PRESIDING OFFICER: (SENATOR DONNEWALD)
20. Well, do you wish to adopt all of the Committee amendments, Senator.
21. SENATOR DOUGHERTY:
22. All...all of the Committee amendments.
23. PRESIDING OFFICER: (SENATOR DONNEWALD)
24. All right, Amendment No. 2 is a Committee Amendment. All those in
25. favor...
26. SENATOR DOUGHERTY:
27. Move its adoption.
28. PRESIDING OFFICER: (SENATOR DONNEWALD)
29. ...all in favor of adopting Committee...Committee Amendment No. 2
30. indicate by saying Aye. Those opposed. The Ayes have it. ...
31. SENATOR DOUGHERTY:
32. Aye.
33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. ...Committee Amendment No. 2 is adopted. Amendment...Committee
2. Amendment No. 3.
3. SENATOR DOUGHERTY:
4. Move its adoption.
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. The motion is to move to adopt Committee Amendment No. 3 to House
7. Bill 449. All those in favor indicate by saying Aye. Opposed No. The
8. Ayes have it. ...
9. SENATOR DOUGHERTY:
10. Amendment No. 4.
11. PRESIDING OFFICER: (SENATOR DONNEWALD)
12. ...Amendment No. 3 is adopted. Amendment No. 4, motion is to
13. adopt Committee Amendment No. 4. All those in favor indicate by saying
14. Aye.
15. SENATOR DOUGHERTY:
16. Aye.
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. Those opposed. The Ayes have it. Committee Amendment No. 4 is
19. adopted. Now, are there further amendments? 3rd reading. Senator
20. Graham.
21. SENATOR GRAHAM:
22. Only for the reason that I have untold trust and faith in the
23. Senator from Chicago, did I sit idly by, not ask for an explanation
24. of the amendments which I could have not of heard anyway. I am amazed
25. that I'll bet five fellows in the Illinois General Assembly and the
26. Senate didn't know the importance of these amendments to this bill, and
27. I am appalled.
28. PRESIDING OFFICER: (SENATOR DONNEWALD)
29. They're going to study those tonight, Senator.
30. SENATOR GRAHAM:
31. You want to bet?
32. PRESIDING OFFICER: (SENATOR DONNEWALD)
33. Senator Nimrod.

1. SENATOR NIMROD:

2. Yeah, Mr. President, these are the amendments we had in Committee,
3. and...Senator Dougherty has already agreed to bring this bill back. There
4. are other amendments that he has that he is studying, and so under
5. that conditions, we've accepted it.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. ...We...we had that understanding prior to the movement of the
8. bill. Senator Daley on the Floor? Is it your desire, Senator, to
9. move House Bill 3024? We are on 2nd reading. Senator Daley.

10. SENATOR DALEY:

11. Mr. President and fellow Senators...

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. ...Read...just a moment, read the bill.

14. SECRETARY:

15. House Bill 3024

16. (Secretary reads title of bill)

17. 2nd reading of the bill. No committee amendments. One Floor amend-
18. ment offered by Senator Graham.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Graham.

21. SENATOR GRAHAM:

22. Mr. President and members of the Senate.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Just a moment, Senator. The noise level is rather high. We cannot
25. proceed until we have order. Proceed.

26. SENATOR GRAHAM:

27. I want to thank, first of all, Senator Daley, Senator Savickas
28. and others who have worked with the minority members of this Committee
29. for a couple of weeks trying to arrive at the best possible solution that
30. we could find for the minimum wage bill. We've had untold amendments
31. that were acceptable to us, but not acceptable to the House
32. sponsor, so finally we decided that regardless of the feeling of
33. others, it would be in the best interest of all concerned if we would

1. introduce this amendment which narrows the provisions of this bill
2. only to the point that it concerns the minimum wage law and that's
3. all. It deletes any mention of time and a half provisions for over-
4. time, and after the adoption of this amendment, if it is adopted, House
5. Bill 3024 will standardize Illinois' minimum wage with the Federal
6. standards. It will provide that the minimum wage established by this
7. Act should not exceed those specified under the Federal guidelines,
8. and restores the deletion of coverage for employees covered under the
9. provisions of the Fair Labor Standard Act of 1938. I move its adoption.
10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Is there further discussion? Question is, shall Amendment No. 1
12. to House Bill 3024 be adopted. All those in favor indicate by saying
13. Aye. Those opposed No. The Ayes have it. ...The Amendment is adopted.
14. ...Are there further amendments? 3rd reading. Now, we will...return
15. to the order of 3rd reading. House Bill 697, Senator Savickas. We
16. are on passage stage. Read the bill.

17. SECRETARY:

18. House Bill 697

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Savickas, if you can hear me, you are recognized.

23. SENATOR SAVICKAS:

24. Yes, Mr. President and members of the Senate. House Bill 697
25. introduced by James Taylor...Taylor Pouncey in the House is for a grant
26. to the Chicago Park District to build a fieldhouse in Emblem Park, an
27. area where we have approximately fifteen thousand children that would
28. be using this facility. There are no other funds available. This
29. fieldhouse has been in the making for the last six seven years. We
30. were able to pass it through the House, and through the Senate
31. Committee last Session, failed on final passage. We would appreciate
32. your support to help these fifteen thousand children who need play-
33. ground ...and recreational facilities in the 26th Senatorial District.

1. I'd appreciate a favorable roll call.
2. PRESIDENT:
3. Any further discussion? Question is, shall House Bill 697 pass?
4. Those in favor vote Aye. Opposed Nay. The voting is open. Have all
5. voted who wish? Take the record. On this question, the Ayes are 42,
6. the Nays are 1, with 2 Voting Present. House Bill 697 having received
7. the constitutional majority is declared passed. House Bill 587,
8. Senator Wooten. For what purpose does Senator Course arise?
9. SENATOR COURSE:
10. Yes, Mr. ... President, having voted on the prevailing side, I now
11. move to reconsider the vote by which House Bill 697 passed.
12. PRESIDENT:
13. Senator McCarthy moves to Table. All in favor say Aye. Opposed
14. Nay. The motion carries. You're holding 587, Senator? House Bill
15. 596, Senator Weaver. Read the bill.
16. SECRETARY:
17. House Bill 596
18. (Secretary reads title of bill)
19. 3rd reading of the bill.
20. PRESIDENT:
21. Senator Weaver.
22. SENATOR WEAVER:
23. Thank you, Mr. President. This does just as the Calendar states.
24. It implements a House Bill we passed whereby the State will pick up the
25. salaries of the associates and circuit judges statewide, and I'd appreciate
26. a favorable roll call.
27. PRESIDENT:
28. Question is, shall House Bill 596 pass? Those in favor vote Aye.
29. Opposed will vote Nay. The voting is open. Have all voted who wish?
30. Take the record. On this question, the Ayes are 50, the Nays are 2,
31. with 1 Voting Present. House Bill 596 having received the constitutional
32. majority is declared passed. House Bill 734, Senator Mitchler. House
33. Bill 738, Senator Vadalabene. Read the bill.

1. SECRETARY:
2. House Bill 738
3. (Secretary reads title of bill)
4. 3rd reading of the bill.
5. PRESIDENT:
6. Senator Vadalabene.
7. SENATOR VADALABENE:
8. Yes, Mr. President, I have a gentlemen's agreement with Senator
9. Philip that he has an amendment for this bill. Unless he persists, I'll
10. go on with it, but if he insists, I have it...I have given my permission
11. to bring it back to 2nd for the purpose of an amendment.
12. PRESIDENT:
13. Senator Philip, what is your pleasure?
14. SENATOR PHILIP:
15. Yes, I wish he would bring it back for the purpose of amendment.
16. PRESIDENT:
17. Senator Vadalabene seeks leave to bring back House Bill 738 from
18. the order of 3rd reading to the order of 2nd reading for the purpose
19. of an amendment. Is there leave? Leave is granted. The bill is now
20. on 2nd reading. The Chair recognizes Senator Philip.
21. SENATOR PHILIP:
22. Thank you, Mr. President. What this amendment does, is, reduce the
23. appellate court's defenders appropriation some two million two hundred
24. and eighteen thousand dollars. It would leave that appropriation with-
25. out any funds at all, and I might you give you a little background on
26. the appellate court defender program. It started in 1970...it started in
27. 1970 as a Federally funded project. The Federal government came in
28. Illinois and provided funds for the first two years. Now, we have taken
29. it over, and we are funding it to the extent of two million two hundred and
30. eighteen thousand dollars. You know, it's not bad enough that we give
31. criminals on the circuit level of free legal advice, but after they lose
32. their case, they want to appeal it to the appellate court level. So...
33. we once again give them another lawyer, and I happen to think that it is

1 out of line and ridiculous, and we ought to abolish the office; and if
2 we are going to give them a lawyer on...on the appellate court level,
3 it seems to me that we ought to give them the same lawyer they had on
4 the circuit court level. So I move the adoption of Amendment No...
5 and I am not sure what the amendment is.

6 PRESIDENT:

7 Of course, that's the bill that lost the first time. Senator
8 Bell.

9 SENATOR BELL:

10 Question of the sponsor of the amendment. Senator Philip, what
11 does the amendment do? I'm...

12 PRESIDENT:

13 Senator Philip.

14 SENATOR PHILIP:

15 It takes...it removes completely the appropriation for the appellate
16 defenders.

17 PRESIDENT:

18 Senator Bell.

19 SENATOR BELL:

20 Well, I...you know, really that's kind of an irresponsible move in...
21 in part. I...I...I can appreciate what you are saying in reference to
22 the Federal government setting up the money in the first place and
23 bringing the program about, but the fact of the matter is, we do have
24 this program going in Illinois, and that if it is terminated by striking
25 the enacting clause, that it is going to pass the cost where, back to the
26 county. To the court systems, I believe in the counties. Now, as best
27 I've been able to find out on this, that is where the cost is going to be
28 borne, and I'll tell you right now in Will County, we've got enough pro-
29 blems in the public defender aspect because of having half the State Pe-
30 nal Institutions in our area, and we don't want it passed back to us, and
31 so at this stage, I am going to have to stand in opposition of that
32 amendment.

33 PRESIDENT:

1. Senator Savickas.

2. SENATOR SAVICKAS:

3. Yes, I rise to support Senator Philip and his endeavor to remove
4. this office. It was brought out in testimony in Appropriations
5. Committee that through the State's appellate public defender program,
6. the lawyers get paid twice as much as they would if there were being
7. run through the county. For there, they were being paid seven hundred
8. and fifty dollars through the county. They were being paid fifteen
9. hundred dollars through the State appellate public defender's system.
10. So it is obvious, that they have...without any direction from this
11. Legislature, on their own decided that they should double the salaries
12. of the public defenders using the State's general revenue funds. I
13. would support Senator Philip in his motion.

14. PRESIDENT:

15. Senator Egan.

16. SENATOR EGAN:

17. I wonder if the sponsor of the amendment would yield to a...

18. PRESIDENT: ...

19. ... He indicates he will. ...

20. SENATOR EGAN: ...

21. ... Do you know how many cases are presently filed and are awaiting
22. oral argument by the public defender?

23. PRESIDENT: ...

24. ... Senator Philip. ...

25. SENATOR PHILIP: ...

26. No, I don't have the slightest idea.

27. PRESIDENT:

28. Senator Egan.

29. SENATOR EGAN:

30. Well, I...I don't either, but let me ask you, Senator Philip,
31. what's going to happen to all those cases if...if those lawyers that are
32. handling them will not get paid?

33. PRESIDENT:

1. Senator Philip.

2. SENATOR PHILIP:

3. Well, I...I'm going to tell you this. Number 1, there is too
4. many of them pending, and I think that the Court could order payment for
5. those lawyers. You know that and I know that, that the Court has the
6. authority to appoint a lawyer...

7. PRESIDENT:

8. Senator Egan.

9. SENATOR EGAN:

10. Well, now that's the approach that I like, but they don't have the
11. money. Would you be willing to amend this bill to...to provide for
12. private counsel to hear all of these cases, at the rates the Bar
13. Association used to recommend?

14. PRESIDENT:

15. Senator Philip.

16. SENATOR PHILIP:

17. Well, I understand that the...the Bar Association is guilty of
18. price fixing, that we cannot let the Bar Associations suggest a rate
19. anymore, and you know that's...that's illegal, Senator. Let me just
20. say this, and you know I'm very supportive of the circuit court
21. level public defenders. I think that everybody is aware of that, and
22. we give them a free legal advice at the circuit level, then when they
23. lose their case, they right away want to appeal it so the People of
24. Illinois have to come in and pay for a lawyer on the appellate court
25. level. I happen to think it is ridiculous, and it is getting bigger
26. and bigger and bigger and bigger, and I say that one of these days,
27. we are going to have say, no more, that's the end of it, and I think
28. that time is here.

29. PRESIDENT:

30. Senator Egan.

31. SENATOR EGAN:

32. Well, I...I...I'm not going to wrestle with that idea because I...
33. I somehow agree with you, but that is not what you are doing. You're

1 saying not hold the line, but...demolish this office and all of these
2 cases will then have no one to argue them. We are without funds in the
3 counties to appoint counsel. If you were to appropriate the money to
4 the counties so that they could use it, that's one thing, but what you
5 are doing, is abolishing this, and I...I can't support it because...it's
6 totally destructive of the process.

7 PRESIDENT:

8 Senator Schaffer.

9 SENATOR SCHAFFER:

10 Senator Philip, as this amendment is written, I have to oppose it
11 too. You're attacking...attacking a symptom, not the cause of what's
12 frustrating you. Obviously, I think we all share the frustrations that
13 you're voicing here, but to lay it back on the counties, means the
14 counties are going to have to spend county money to do the thing that
15 you object to, and what they are going to have to do is take squad cars
16 off of patrol so the criminals can't get arrested while they do their
17 crimes. I mean, you're...you're completely aborting your own philosophy.
18 The counties don't have the money to pick up these legal expenses. If
19 you wanted to amend it your...amend it to just say that the State
20 shall reimburse the counties for these expenditures, fine, but you...
21 you just can't lay this on the county.

22 PRESIDING OFFICER: (SENATOR ROCK)

23 Further discussion? Senator Davidson.

24 SENATOR DAVIDSON:

25 Would the sponsor of the motion yield for a question?

26 PRESIDING OFFICER: (SENATOR ROCK)

27 Indicates he will yield. Senator Davidson.

28 SENATOR DAVIDSON:

29 ...Senator Philips, maybe you're aware, but how many of these cases
30 would revert back to DuPage County if this amendment of yours would go
31 on? How many of the appellate level revert back to DuPage County for
32 you, the county, to pay for?

33 PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Philip.

2. SENATOR PHILIP:

3. Well, off hand, I really don't know. I would say this, that we
4. probably have the...Cook County probably has the...largest amount,
5. and I am sure that DuPage County probably has the second large amount
6. of appellate court cases waiting for hearing, and let me say this,
7. Senator Davidson, as you are probably aware, the backlog on the appel-
8. late court is getting bigger and bigger and bigger, and one of these
9. things are these criminal...appeals by public defenders. That's one
10. of the things jamming up the appellate court. Now, the Supreme Court
11. had to assign in two judges in the 2nd...Court Appellate District
12. because we were falling behind, and you know why we were falling
13. behind. Because we got more criminals appealing their judgments in
14. the circuit court and public defenders stepping in and defending him on
15. the appellate court level.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Further discussion? Senator Partee. I beg your pardon, Senator
18. Davidson still has the Floor? Senator Davidson.

19. SENATOR DAVIDSON:

20. Thank you, I still got a minute or two left after Pate's speech on
21. my time, but I rise in opposition to this. I don't know how many...
22. I don't know how many is in DuPage County. I know how many is in Sangamon
23. County, ninety-six, and with the lawyer fees from two hundred to a
24. thousand dollars, let's take one right down the middle, five hundred,
25. that's fifty thousand dollars almost in round figures that will revert
26. back to the cost of Sangamon County and that is unconscionable to put
27. this back on counties which already can't meet their own expenses they
28. have, and I urge to vote against this amendment.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Partee.

31. SENATOR PARTEE:

32. Well, Mr. President and members of the Senate. This is a ex-
33. tremely sensitive subject, and although at first blush, it may sound
34. like a very innocent thing to do, it is absolutely fraught with disaster.

1. Now, I am one of those who has been opposed to picking up governmental
2. programs where the government funds them, and then starts phasing out
3. their funding and leaving the total burden on the State or perhaps the
4. county. It seems to me if we were going to go into this at all, we
5. ought at least to phase out of the situation so that we can be in
6. compliance with the Supreme Court rules. The Supreme Court by its
7. decision, mandates that these people be furnished a lawyer for the appeal
8. of their cases, that they be furnished a transcript. Senator Bell
9. touched it right in the heart of the problem. Counties cannot pay for
10. these defenses or for these appeals. A classic example we had just the
11. other day, Senator Philip, in the Committee on Appropriations, when
12. there was a riot or something of that nature at the Illinois State
13. Penitentiary in Joliet, the judge ordered people to defend the prisoners
14. who were involved in that riot. The judge in Will County moreover
15. ruled that each of those lawyers should be paid x number of dollars.
16. One of them was forty thousand dollars. They came here for an appro-
17. priation from the State because the county could not bear that expense,
18. so all you're doing here if this amendment passes, is to put that appro-
19. priation on the counties who in turn cannot pay it, who in turn will
20. come here to ask for the money, and I'll bet you that in the aggregate
21. it'll be an awful lot more money, county to county, than it would be
22. in this defender program. I agree with you that the Federal Government
23. put us in a box by starting out these programs, having us buy them
24. because of the attractability of getting Federal money. And I suggest
25. to you that I, for one, will be watching even closer picking up any
26. Federal programs because we're getting Federal dollars because those
27. dollars sometimes are tainted. Because when we get those dollars, they
28. either start funding down making us pay a portion of it, or match to
29. begin with, or they phase out completely leaving us with the entire
30. bill, and then when we have the entire bill, we have to say, well, we
31. can't let these people go, we have lots of people working on these jobs,
32. they're holding positions, they're doing things that have to be done.
33. It's a desperate kind of situation, but I suggest to you that this is

1. not the way to go about it, and I suggest to you that this amendment
2. should certainly be defeated.
3. PRESIDING OFFICER: (SENATOR ROCK)
4. Further discussion? Senator Vadalabene.
5. SENATOR VADALABENE:
6. Yes, has Senator Philip finished?
7. PRESIDING OFFICER: (SENATOR ROCK)
8. No, he...he closes the debate. Do you wish to say something?
9. SENATOR VADALABENE:
10. No, I want to make a motion to Table his amendment, and ask for a
11. roll call.
12. PRESIDING OFFICER: (SENATOR ROCK)
13. All right, we will allow him leave to close the debate, then your
14. motion to Table will be in order. Senator Philip.
15. SENATOR PHILIP:
16. Thank you, ...Mr. President. I...I'm glad that the President Partee
17. mentioned the situation in Joliet. It's interesting to me in the
18. Appropriations Committee, we had eight lawyers come in for a total of a
19. hundred and seventy-nine thousand four hundred and sixty-two dollars.
20. One fee for one lawyer was thirty-seven five. That is more than my
21. public defender makes in an entire year. He gets this...that lawyer
22. got that off of four cases. Unbelievable, the cost of this program. Now,
23. I was interested in what Senator Davidson said. I think he's right, the
24. counties don't have the money, and I'll tell you what'll happen, the
25. chief judge will not give that criminal a free lawyer at the appellate
26. level. He'll say, no, we don't have the money, and I think in most cases,
27. that's what should happen, and I would ask for support of this amendment.
28. PRESIDING OFFICER: (SENATOR ROCK)
29. Senator Philip has moved the...the adoption of Amendment No. 2.
30. Senator Vadalabene has moved to Table. Those in favor of the motion to
31. Table will vote Aye. Those opposed will vote Nay. The voting is open.
32. Have all voted who wish? Take the record. On that question, the Ayes are
33. 38, the Nays are 15, none Voting Present. The motion to Table prevails.

1. Any further amendments? 3rd reading. On the order of House Bills on
2. 3rd reading, Senator Vadalabene, do you wish this called? It's House
3. Bill 738, Mr. Secretary, read the bill.
4. SECRETARY:
5. House Bill 738
6. (Secretary reads title of bill)
7. 3rd reading of the bill.
8. PRESIDING OFFICER: (SENATOR ROCK)
9. Senator Vadalabene.
10. SENATOR VADALABENE:
11. Yes, thank you Mr. President and members of the Senate. House Bill
12. 738 amended is the ordinary and contingent expenses of the Offices of
13. State Appellate Defender. It's been reduced by four hundred million, and
14. the amount is 1.8 million dollars, and I would appreciate a favorable
15. vote.
16. PRESIDING OFFICER: (SENATOR ROCK)
17. Any further discussion? The question is, shall ...House Bill 738
18. pass? Those in favor will vote Aye. Those opposed will vote Nay. The
19. voting is open. Have all voted who wish? Take the record. On that
20. question, the Ayes are 40, the Nays are 12, none Voting Present. House
21. Bill 738 having received the constitutional majority is declared passed.
22. On the order of House Bills on 3rd reading, House Bill 743, Mr. Secretary.
23. SECRETARY:
24. House Bill 743
25. (Secretary reads title of bill)
26. 3rd reading of the bill.
27. PRESIDING OFFICER: (SENATOR BRUCE)
28. Senator Vadalabene.
29. SENATOR VADALABENE:
30. Yes, House Bill 743 as amended is the appropriation to the St. Louis
31. Metropolitan Area Airport Authority for the fiscal year beginning July 1
32. 1975, and I would appreciate a favorable vote.
33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Is there discussion? Senator Glass.
2. SENATOR GLASS:
3. On a matter of personal privilege, Mr. President. I would like the
4. record to show that on the last bill, House Bill 738, my red button was
5. pushed. I intended to vote for the bill.
6. PRESIDING OFFICER: (SENATOR BRUCE)
7. The record will so show. Is there further debate on House Bill
8. 743? The question is, shall House Bill 743 pass? Those in favor vote
9. Aye. Those opposed vote Nay. The voting is open. Have all voted who
10. wish? Take the record. On that question, the Ayes are 36, the Nays are
11. 8, 2 Voting Present. House Bill 743 having received the constitutional
12. majority is declared passed. House Bill 1079, Senator Palmer. Senator
13. Bloom, for what purpose do you arise?
14. SENATOR BLOOM:
15. Thank you, Mr. President, I inadvertently pushed my yellow. I
16. wanted to be recorded as green, Aye, on 743.
17. PRESIDING OFFICER: (SENATOR BRUCE)
18. House Bill 743, the record will so show. Senator Palmer...Senator
19. Palmer.
20. SENATOR PALMER:
21. Mr. President, I...I move to return House Bill 1079 to 2nd reading
22. for the...purpose of...of Tabling amendments and substituting amendments.
23. PRESIDING OFFICER: (SENATOR BRUCE)
24. Senator Palmer asks leave to return the bill to the order of 2nd
25. reading. Is there leave? Leave is granted. The bill is on the order of
26. 2nd reading.
27. SENATOR PALMER:
28. Mr. President and members of the Senate, having voted on the pre-
29. vailing side on Amendments No. 2 and 3, may I...Mr. President, may I
30. make one motion for two amendments?
31. PRESIDING OFFICER: (SENATOR BRUCE)
32. No, we'll have to take them one at a time.
33. SENATOR PALMER:

1. All right, having voting...having voted on the prevailing side on
2. Amendment No. 2, I hereby move to reconsider the vote.
3. PRESIDING OFFICER: (SENATOR BRUCE)
4. Senator Palmer has moved to reconsider the vote by which Amendment
5. No. 2 was adopted. All in favor say Aye. All opposed Nay. The motion
6. fails.. The motion is reconsidered. Senator Palmer now moves to Table...
7. SENATOR PALMER:
8. I move to Table...
9. PRESIDING OFFICER: (SENATOR BRUCE)
10. ...All in favor say Aye...
11. SENATOR PALMER:
12. ...Amendment No. 2...
13. PRESIDING OFFICER: (SENATOR BRUCE)
14. ...all opposed Nay. The Ayes have it. The motion...the Amendment
15. is Tabled.
16. SENATOR PALMER:
17. Having voted on the prevailing side on Amendment No. 3 of House
18. Bill 1079, I now move to reconsider that vote.
19. PRESIDING OFFICER: (SENATOR BRUCE)
20. On Amendment No. 3 Palmer...Senator Palmer moves to reconsider the
21. vote by which that amendment was adopted. All in favor say Aye, all
22. opposed Nay. The Ayes have...the Ayes have it. Senator Bell, for what
23. purpose do you arise?
24. SENATOR BELL: ... No. 3 by Senator Aye...
25. Well, I've just sat here listening to, I guess, two amendments
26. being pulled off, and you know, I'm...I'm trying to find out what they
27. were. ...Can I...Senator Palmer,.....
28. PRESIDING OFFICER: (SENATOR BRUCE)
29. Perhaps, Senator Palmer can explain. Senator Palmer, we are on the
30. reconsideration of Amendment No. 3. What does Amendment No. 3 do, and
31. what do you plan to do afterwards? That motion...
32. SENATOR PALMER:
33. Amendment No. 3, is that the one you are asking about, Senator Bell,

1. or number...

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. ...It is under reconsideration...

4. SENATOR PALMER:

5. Yeah, it removes an appropriation of three hundred thousand which

6. the House added. The grant provided supplemented support grants in the

7. amount of ten thousand to each qualified drug treatment clinic in the

8. State. We're...we are...I am asking that that be Tabled because a

9. substitute amendment will...will take care of that procedure.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Can you explain the substitute amendment briefly, so that we

12. can proceed?

13. SENATOR PALMER:

14. Well, I would refer to Senator Hynes who will present the substi-

15. tute amendments, but first I would like to have a...Amendment No. 3

16. Tabled, Mr. President.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator ...Senator Bell...Senator Palmer moves to Table Amend-

19. ment No. 3. All in favor say Aye. All opposed Nay. The Ayes have

20. it. Amendment No. 3 is Tabled. Any further amendments?

21. SENATOR PALMER:

22. I now yield to Senator Hynes ...

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Amendment No. 4 by Senator Hynes.

25. SENATOR HYNES:

26. Amendment No. 4 redistributes the...the cut made by the Appro-

27. priations Committee. The Committee cut two hundred and thirteen

28. thousand dollars. This Amendment would make a cut of two hundred and

29. thirteen thousand dollars. It simply shifts the line items in which...

30. to which that cut will be applied, and I'd move the adoption of

31. Amendment No. 4.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Is there discussion? Senator...Senator Hynes moves the adoption

1. of Amendment No. 4. All in favor say Aye. All opposed Nay. The
2. Ayes have it. The Amendment is adopted. Any further amendments?

3. SECRETARY:

4. Amendment No. 5 by Senator Hynes.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Hynes.

7. SENATOR HYNES:

8. This Amendment adds three hundred thousand dollars to reflect a
9. transfer of a drug treatment function which was in the Department of
10. Mental Health budget as it came over from the House. We have removed
11. the...the appropriation from the Department of Mental Health budget,
12. and the Department does not want it in its budget. I move the adoption
13. of the Amendment.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Hynes moves the adoption of Amendment No. 5. All in favor
16. say Aye. All opposed Nay. The Ayes have it. The amendment is adopted.
17. Any further amendments? 3rd reading. House Bill 1149, Senator
18. Vadalabene.

19. SECRETARY:

20. House Bill 1149

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Vadalabene.

25. SENATOR VADALABENE:

26. Yes, House Bill 1149 is just what the digest says. It appropriates
27. certain amounts to the Secretary of State for ordinary and contingent
28. expenses for repairs and so forth. It has been reduced six percent,
29. and I would appreciate a favorable vote.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Is there further debate? The question is, shall House Bill 1149
32. pass? Those in favor vote Aye. Those opposed vote Nay. The voting is
33. open. Have all voted who wish? Take the record. On that question,

1. the Ayes are 54, the Nays are none, none Voting Present. House Bill
2. 1149 having received the constitutional majority is declared passed.
3. We will return to 1079, Senator Palmer. Secretary will read the bill
4. a third time.
5. SECRETARY:
6. House Bill 1079
7. (Secretary reads title of bill)
8. 3rd reading of the bill.
9. PRESIDING OFFICER: (SENATOR BRUCE)
10. Senator Palmer.
11. SENATOR PALMER:
12. All right, Mr. President and members of Senate, after proper
13. attention by the Appropriation Committee and amendments added, I now
14. ask for the...the favorable roll call on House Bill 1079, which is the
15. appropriation for the Dangerous Drug Commission.
16. PRESIDING OFFICER: (SENATOR BRUCE)
17. Is there further debate? The question is, shall House Bill 1079
18. pass? Those in favor vote Aye. Those opposed vote Nay. The voting
19. is open. Have all voted who wish? Take the record. On that question,
20. the Ayes are 55, the Nays are none, none Voting Present. House Bill
21. 1079 having received the constitutional majority is declared passed.
22. House Bill 1588, read the bill, Mr. Secretary.
23. SECRETARY:
24. House Bill 1588
25. (Secretary reads title of bill)
26. 3rd reading of the bill.
27. PRESIDING OFFICER: (SENATOR BRUCE)
28. Senator Shapiro.
29. SENATOR SHAPIRO:
30. Mr. President, Ladies and Gentlemen of the Senate, House Bill 1588
31. makes an appropriation of a million dollars from the State Boating Act
32. Fund to the Department of Conservation for the dredging and maintain-
33. ing of Lake DePue. This is state-owned property. It's a backwater

1. lake of the Illinois River that has silted in from an average depth
2. of eighteen foot to now where it is only an average of two to five
3. foot with only thirty acres of a formerly wonderful seven hundred acre
4. lake, gone to...practically gone to pot. The Governor has promised
5. that the Lake would be dredged. We are putting the money into the
6. appropriation for the Conservation Department so this can be accomplished.
7. I would appreciate a favorable roll call.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Is there a debate? Senator Harber Hall.

10. SENATOR HARBER HALL:

11. I would like to ask the sponsor a question.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. He indicates that he will yield.

14. SENATOR HARBER HALL:

15. How many acres will they reclaim of this formerly large lake, and
16. how much will it eventually cost?

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Shapiro.

19. SENATOR SHAPIRO:

20. Well, Senator Hall, I imagine that...I don't know just exactly
21. how much of the entire lake will be dredged and to what depth. I know
22. that they are planning on taking out about 1.2 million cubic yards for
23. the million dollars appropriated for this purpose. Of that 1.2 million
24. yards about half of it would be solid. They estimate that it will
25. take it down to a depth of around ten to twelve foot in the deep spots,
26. slope it back up to the banks where at the banks it will be an average of
27. three to four foot deep. The people who have worked up the cost
28. estimates and that, feel that it is adequate.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Harber Hall.

31. SENATOR HARBER HALL:

32. Well, thank you for the information. I hope Senator McCarthy
33. was listening. I think he might have an interest in this, also, and

1. I wonder one last thing, could you convert those...those cubic yards
2. to meters? I...I have gone to the metric system.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Is there further debate? The question is, shall House Bill 1588
5. pass? Those in favor vote Aye. Those opposed vote Nay. The voting is
6. open. Have all voted who wish? Take the record. On that question,
7. the Ayes are 54, the Nays are none, 1 Voting Present. House Bill 1588
8. having received the constitutional majority is declared passed.
9. House Bill 942.

10. SECRETARY:

11. House Bill 942

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Buzbee.

16. SENATOR BUZBEE:

17. How many amendments are on this, Mr. Secretary?

18. SECRETARY: ---

19. Three amendments.

20. SENATOR BUZBEE: ---

21. One...one, two, and three.

22. SECRETARY: ---

23. Yes, sir.

24. SENATOR BUZBEE: ---

25. Ok? House...Senate Amendment No. 1 eliminates the weasel clause
26. and renumbers the effective date section. Amendment No. 2 cuts out
27. one hundred nine thousand four hundred dollars...this amendment removes
28. excessive grant funds being appropriated from the general revenue fund
29. which are not needed to match federal grant funds, and Amendment No. 3
30. ...raises the grants-in-aid payable from federal funds for older
31. Americans' funds, and I would move the adoption of these three amendments.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. We're on 3rd reading, Senator Buzbee. They've been adopted.

1. It's on...
2. SENATOR BUZBEE:
3. I'm sorry. I'm...
4. PRESIDING OFFICER: (SENATOR BRUCE)
5. ...it's on passage.
6. SENATOR BUZBEE:
7. Very well. Thank you, Mr. President. Who's on first? This is
8. the ordinary and contingent expenses of the Department of Aging. Ask
9. for a roll call.
10. PRESIDING OFFICER: (SENATOR BRUCE)
11. Thank you. The question is, ... is there further debate? Senator
12. Berning.
13. SENATOR BERNING:
14. Question. How much of this is Federal money and how much is
15. State money?
16. PRESIDING OFFICER: (SENATOR BRUCE)
17. Senator Buzbee.
18. SENATOR BUZBEE: ...
19. General revenue, we got a million sixty-two thousand four hundred
20. dollars and the federal services for older Americans is eleven million
21. four hundred fifty-one thousand five hundred thirty-three dollars, for
22. a total of twelve million five hundred thirteen thousand nine hundred
23. and thirty-three dollars.
24. PRESIDING OFFICER: (SENATOR BRUCE)
25. Senator Berning.
26. SENATOR BERNING:
27. One other question then. What is this money utilized for? Is
28. any of this to fund the Circuit-Breaker or the homestead exemption?
29. PRESIDING OFFICER: (SENATOR BRUCE)
30. Senator Buzbee.
31. SENATOR BUZBEE:
32. No, Senator Berning, it is not. It is used for services...provided
33. in the Department as well as for grants to local area agencies providing

1. services to senior citizens.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Is there further debate? The question is, shall House Bill 942
4. pass? Those in favor vote Aye. Those opposed Nay. The voting is open.
5. Yes, Senator Soper, that is with the amendments. Have all voted who
6. wish? Take the record. On that question, the Ayes are 53, the Nays
7. are none, none Voting Present. House Bill 942 having received the
8. constitutional majority is declared passed. House Bill 1901, Senator
9. Mitchler. 1901. House Bill 2204, Senator Vadalabene.

10. SECRETARY:

11. House Bill 2204

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Vadalabene.

16. SENATOR VADALABENE:

17. Thank you, Mr. President and members of the Senate. House Bill
18. 2204, as amended, appropriates to the Secretary of State for photo
19. division's license program. Amendment No. 1 reduced the appropriation
20. to one million two hundred and twenty-five thousand one hundred and
21. fifty dollars, a cut of 1.8 million dollars, and I would appreciate a
22. favorable vote.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Is there further debate? Senator Harris.

25. SENATOR HARRIS:

26. I just want to call the attention of the Senate to the fact that
27. this is a new program. If in fact, there's a fiscal crisis, can we
28. afford it? It's a new program.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Is there further debate? The question is, shall House Bill 2204
31. pass? Those in favor vote Aye. Those opposed vote Nay. The voting is
32. open. Have all voted who wish? Take the record. On that question, the
33. Ayes are 28, the Nays are 26, none Voting Present. Senator Vadalabene.

1. SENATOR VADALABENE:
2. I want to put this on Postponed Consideration, but would you
3. take your time a little bit up there, Mr. President.
4. PRESIDING OFFICER: (SENATOR BRUCE)
5. Senator Vadalabene, we will make every attempt to afford you all
6. the time that you desire. ...The bill will be placed on the order of
7. Postponed Consideration. House Bill 2263, Senator Vadalabene.
8. SECRETARY:
9. House Bill 2263
10. (Secretary reads title of bill)
11. 3rd reading of the bill.
12. PRESIDING OFFICER: (SENATOR BRUCE)
13. Senator Vadalabene.
14. SENATOR VADALABENE:
15. Yes, thank you, Mr. President. House Bill 2263 is a supplemental
16. appropriation for the retirement contributions of three thousand eighty-
17. eight dollars to the Office of Superintendent of Public Instruction,
18. and I'd appreciate a favorable vote.
19. PRESIDING OFFICER: (SENATOR BRUCE)
20. Is there further debate? The question is, shall House Bill 2263
21. pass? Those in favor vote Aye. Those opposed vote Nay. The voting is
22. open. Senator Vadalabene, Senator Soper has asked that you tell me
23. when I should close the vote. Have all voted who wish? Have all voted
24. who wish? Have all voted who wish? Have all voted who wish? Have all
25. voted who wish, finally, last call. Take the record. On that question,
26. the Ayes are 28, the Nays are 11, 11 Voting Present. Senator Vadalabene
27. moves to postpone further consideration of House Bill 2263. House Bill
28. 2559, Senator Hynes. Is Senator Hynes on the Floor? Hold the bill.
29. Senator Partee, that concludes our business on House Bills third,
30. appropriations.
31. SENATOR PARTEE:
32. Well, Mr. President, there are a couple of announcements, and then
33. I'd like to go to House Bills on third. Now, I know that that we've had

1. a long day, but it will take a lot of pressure off of us for Thursday
2. if we could work till about 10:30, we could get a few more bills out
3. of here because we are going to have some Committee meetings...a
4. Committee meeting on Friday morning. The Appropriations Committee has
5. to meet Friday morning at 8:00, and the great likelihood is that they
6. will not finish before 11:30 or so, and we'll come into Session at
7. 12:00 on Friday; however, during that period on Friday morning, there
8. will be many Conference Committee Reports that the other members can
9. attend to and get out of the way. Let me make that announcement right
10. now that that's what is going to happen Friday. Appropriations at
11. 8:00 and the rest of the members should be here for Conference Committee
12. Reports, and Conference Committees. ... We are going to go through
13. straight tomorrow from 9:00 a.m. We'll have dinner here...tomorrow
14. night as we did tonight. There's a breakfast that you have gotten two
15. invitations to already for tomorrow morning, and you can keep those in-
16. vitations for souvenirs because the breakfast is cancelled. Now, we're
17. having ...we're having an assignment of bills report to be...we have an
18. assignment of bills report to be read in, and then we can go back to
19. House Bills on 3rd reading. I think...we ought to go to about 10:30
20. at least tonight so we can get some more of these bills off the Calendar,
21. and ease the pressure on us for Thursday.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Committee reports. For what purpose does Senator Howard Mohr
24. arise?

25. SENATOR HOWARD MOHR:

26. I...it was a little noisy, Mr. President. I didn't hear all of
27. President Partee's comments. Did I understand that he wasn't going to
28. call ERA tomorrow?

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Partee.

31. SENATOR PARTEE:

32. Well, Senator, you know, I have always wanted somebody to ask
33. me that question because I never know what anybody understands. All I

1. know is what I say, and what I said about ERA was nothing.
2. PRESIDING OFFICER: (SENATOR BRUCE)
3. Senator Howard Mohr.
4. SENATOR HOWARD MOHR:
5. That's about all there is to say about it, Senator.
6. PRESIDING OFFICER: (SENATOR BRUCE)
7. Senator Donnewald.
8. SENATOR DONNEWALD:
9. In that...in those few moments, that's as quiet as I've heard this
10. Body all evening.
11. PRESIDING OFFICER: (SENATOR BRUCE)
12. Committee reports.
13. SECRETARY:
14. Senator Donnewald, Chairman of Assignment of bills, assigns the
15. following bills to Committee: Appropriation, House Bill 802 and 3059;
16. Insurance and Licensed Activity, House Bill 3107.
17. PRESIDING OFFICER: (SENATOR BRUCE)
18. We will now...is there leave to return to the order of House bills
19. 3rd reading? Leave is granted. We will pick up at House Bill 396,
20. Senator Kenneth Hall. Is Senator Hall on the Floor? House Bill 425,
21. Senator Netsch. Senator Kenneth Hall is on the Floor? House Bill 396,
22. the depressed areas land use. Hold. House Bill 425, Senator Netsch.
23. Read the bill, Mr. Secretary.
24. SECRETARY: House Bill 425 will be read by the Secretary.
25. House Bill 425 will be read by the Secretary.
26. (Secretary reads title of bill)
27. 3rd reading of the bill.
28. PRESIDING OFFICER: (SENATOR BRUCE)
29. Senator Netsch.
30. SENATOR NETSCH:
31. Mr. President, this bill requires nursing homes to file financial
32. statements, attested financial statements not audited ones, with the
33. Department of Public Health and provides that no public funds may be

1. expended to...any of those institutions unless there has been compliance
2. with the Act. As amended here in the Senate, it also requires that in
3. developing the forms to be filed that there be consultation not only
4. with...local units of government but with the State Department of Mental
5. Health, the State Department of Public Aid, and any other State and
6. Federal agencies which have any interest in this matter. This is an ex-
7. tremely important matter because number 1, we spend huge sums of money
8. for people who are in nursing homes and yet we have never had the
9. opportunity to get this kind of financial statement from them, so that
10. it is important for that reason alone. It is also important because
11. by July 1, 1976, all of...the Federal regulations require that all such
12. costs that are to be reimbursed must be on a cost related basis, and
13. they have already sent word to the states that they hope they will
14. begin to get ready for that by enacting such legislation so this is a
15. critical step in that process. It...is the only means by which we will
16. have this very important information from the nursing homes to whom we
17. give a great deal of money every year. I would urge support of the bill.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Is there further debate? Senator Schaffer.

20. SENATOR SCHAFFER:

21. Well, Senator Netsch and I have discussed this at great length, and
22. I think she knows how I feel. The federal government in a year or
23. eighteen months or two years when they get their collective act together,
24. is going to mandate some form of Federal accounting standards for nursing
25. homes which I suspect will be administered by the State. What this bill
26. proposes to do, is jump the gun on that program, devise our own system,
27. inflict that on the nursing homes without any assurance that the Federal
28. government will do anything in accordance with our plans. I have a
29. letter from the Illinois Nursing Homes Association, and which reflects
30. the cost per nursing home, and this is by the way reflecting the non-
31. audited. They estimate it will cost three thousand dollars per facility
32. for the first year and fifteen hundred dollars a year thereafter,
33. first to devise and...implement the accounting system and then to

1. report it. There are well over a thousand nursing homes in this
2. State. We are talking over three million dollars in bureaucratic
3. expenditure for red tape, ...unneeded paper-work and accountants. Again,
4. I guess I'm an accountant; I have a conflict of interest here, but this
5. is absolutely not needed. We should wait till the federal government
6. comes out with their guidelines, and...and empowers us as the delegatee,
7. I guess, in the State to implement the program. What this does is take
8. money which we will, of course, reimburse it eventually, from the tax-
9. payers to pay the bureaucrats and to deprive money that is needed for
10. service to people in nursing homes. We hear a little a lot about the
11. patients. Let's stop spending money on bureaucratic red tape, un-
12. necessary accounting and...jobs for would-be Federal bureaucrats
13. who have migrated from Washington to Illinois at the behest of this
14. current administration and start spending some money on the patients.
15. This bill is absolutely unnecessary.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Is there further debate? Senator Don Moore.

18. SENATOR DON MOORE:

19. Thank you, Mr. President and members of the Senate. I rise in
20. opposition to this bill as I'm sure it comes to no surprise to the
21. sponsor. I had a bill that I believe had twenty-eight or twenty-nine
22. votes on that gave this authority to the Illinois Department of Public
23. Aid. The Department of Public Aid, gentlemen, foots the bill. The
24. Department of Public Aid is the one that should have the information
25. that is requested in House Bill 425. The Department of Public Aid
26. has the computer capabilities of doing this. They have the personnel
27. to do it. Now, what are we going to do, we are going to give it to Public
28. Health. They are going to collect all this information, then they are
29. going to turn it over to the Department of Public Aid. If ever there
30. was duplication, this is it. Now, I'm concerned about the budget of
31. the Illinois Department of Public Aid, as I sure every member of this
32. Body is. This is the wrong Department of State government for this
33. function to be in, and on that basis, I urge everyone to give this bill

1. a resounding defeat. Let's take a chance on the other bill that's
2. coming up. There is a motion filed on it that I will probably get to
3. tomorrow, and will put this function, which ultimately we're going
4. to have, in the proper department rather than the...the attempt of the
5. Department of Public Aid during this Session to promulgate rules and
6. regulations to stick their nose into virtually everything that comes
7. up. I've never seen a code department in my life that has had as
8. many bills in to take over a regulatory action of different things that
9. they have no damn business in than the Department of Public Health.
10. This is the final one that we have. I urge a no vote on this bill.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Is there further debate? Senator Rock.

13. SENATOR ROCK:

14. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
15. My batting average has not been very good, and I'm afraid it's going
16. to continue that way, it sounds, but I rise in support of this bill.
17. I think this is one of the most significant bills that we've had before
18. us this Session, and I could not disagree with Senator Don Moore more.
19. There is in fact a requirement from the Federal people that by July 1,
20. 1976, in order to receive any federal reimbursement at all, we're going
21. to have to make payments in this State on a cost related basis. Now,
22. the question is, we have to set up the procedures. I had a bill earlier
23. this Session which went down to defeat, Senate Bill 1059, which provided
24. for rate review. It...it admittedly did not cover nursing homes, because
25. they have a different accounting practice in fact, than do the major
26. hospitals of our State, or even the minor hospitals for that matter,
27. but I think this is an extremely important bill, and I would urge every-
28. body to vote Aye.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Is...is there further debate? Senator Nimrod.

31. SENATOR NIMROD:

32. Mr. President, I wonder if the sponsor would yield to a question?

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Indicates that she will yield.
2. SENATOR NIMROD:
3. I've heard, Senator Netsch, I've heard some remarks as to where
4. it should and what it...what is doing, but I...I still do not understand
5. why we have to have financial reports that the private...nursing homes
6. have to file financial statements with the Department of Health. ...What
7. ...why do they have do this?
8. PRESIDING OFFICER: (SENATOR BRUCE)
9. Senator Netsch.
10. SENATOR NETSCH:
11. Well, the...the first reason, Senator Nimrod, is that a very large
12. ...proportion of the money that goes into the nursing homes is indeed
13. our money. It's tax funds, because we have people placed in nursing
14. homes all around the State. In fact, there are only a few nursing homes
15. in the entire State that do not receive public funds so, I think that is
16. the first answer. The second part of it, in response to why it should
17. be Public Health rather than some other department. I'm sorry, that
18. was not your question. All right.
19. PRESIDING OFFICER: (SENATOR BRUCE)
20. Senator Nimrod. Senator Nimrod.
21. SENATOR NIMROD:
22. If we're asking for a financial statement just because we've given
23. them the money, there's something wrong with our system. I don't...I
24. think if we are asking for services from a private concern, and we're
25. paying them for those services, I don't believe unless there is more
26. of a reason than you have given, I do not believe we have a reason to
27. ask them to give us their financial statements. If we...if we...if we
28. are going to go...into that and run it, then we ought to have our own
29. institutions. If it's a private business and if it's a private company
30. and we are paying them for their services, we ought to demand services,
31. they ought to reach certain standards, but I do not believe we have the
32. right to go into private businesses and enterprises and then extract
33. from them everything they have and base their...our payments to them

1. based on the amount of income they're going to earn. I do not believe
2. that is right. That's not the American way, and I would be opposed to it
3. if that is the only reason that we are looking for a financial statement.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Wooten.

6. SENATOR WOOTEN:

7. Well, I would just like to comment on some comments that have
8. been made. I suppose really it is unnecessary, Senator Rock, as usual,
9. has given a lucid, succinct explanation of why this is essential. I
10. do not agree with Senator Nimrod that the State should be like a wide-
11. eyed innocent, and say - what will you charge me here, take my money, and
12. no, I don't care why you charge what you charge. I can't understand that
13. kind of irresponsible attitude toward General Revenue Funds. Senator
14. Moore really would like to expand the province of Public Aid to include
15. DOT, I guess, but it seems to me that the this is properly the province
16. of Public Health. I was interested in Senator Schaffer's remarks because
17. when he runs out of logic, he indulges in rodomontade, and we heard
18. a lot of that tonight. The plain fact is that this is needed. There
19. is abuse. We're never going to get a handle on this problem if we
20. don't start getting some figures, and I cannot understand anyone who
21. wants to deprive us of that basic information. We know we're going
22. to have to have it. It's only prudent to get it now. It's scandalous
23. that we haven't required it before this time. I urge the passage of
24. this bill.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Is there further debate? Senator Ozinga.

27. SENATOR OZINGA:

28. I...I purposely waited to see what Senator Wooten had to say
29. from the administration, for he usually speaks the tone of the second
30. floor. However, I think he has missed the boat this time as per
31. custom, and I agree with him fully that we should have an accounting
32. from these people, but I think that this is the wrong department. This
33. Department is to go into license and inspect. That is the duty of

1. the Department of Public Health, and they are endowed with that duty.
2. The Department of Public Aid where the Federal funds are that are
3. furnishing the funds to these homes where they are to account for the
4. funds and the people that they are charging for them are to handle the
5. money, is the proper place to get this accounting to see whether or
6. not they are...overcharging or doing things that they are not...charging
7. for things that they are not actually doing. The Department of Mental
8. Health with their social workers could be used. However, the Department
9. of Public Health, no, in no way do they need this accounting, but the
10. other two departments, either the Department of Mental Health or the
11. Department of Public Aid, both of which used these figures and have the
12. figures. I have personally positively filed a motion so that we could
13. get back at this very fund, and we could get it to the Department of
14. Public Aid on the other bill. I would urge you to defeat this bill, and
15. we will come back with a motion to get it to the Department of Public
16. Aid which will accomplish exactly what you want to do in this bill. I
17. urge the defeat of this bill.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Is there further debate? Senator Rock.

20. SENATOR ROCK:

21. Well, I'm reluctant to speak twice, but I just was...almost
22. abhorred by the sheer illogic of Senator Ozinga's statement. We have,
23. in fact, a department who is charged with the responsibility of licensing
24. and inspecting these facilities, and it seems to me, utterly nonsense
25. that we don't also require of them that in the process of licensing
26. and inspecting, they...they find how much the program costs. Now, in
27. answer to Senator Nimrod, we are in no way infringing on free enter-
28. prise, we've heard enough of that free enterprise this evening. As a
29. matter-of-fact, when I had the rate review bill, Senate Bill 1059, Amend-
30. ment No. 1, which was offered by me in Committee, was to take the nursing
31. homes out and the Association of Nursing Homes throughout this State
32. were screaming bloody murder. They want in. They want this bill. This
33. will help them with respect to those costs that are reimbursable.

1. And if, in fact, we are fighting only about, as it appears we are, which
2. department should have this responsibility, I submit to you that the
3. Department of Public Health is so utterly fouled up, and the...I mean
4. the Department of Public Aid is so utterly fouled up, and the Depart-
5. ment of Public Health which has the responsible already should also
6. have this one. I would again urge a Aye vote.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Is there further debate? Senator Schaffer.

9. SENATOR SCHAFFER:

10. Well, just briefly, since Senator Rock took a...second shot at
11. it, I have a letter here from the Nursing Home Association which
12. finishes up with this sentence. Shot, shot. "We urge you to continue
13. your opposition to House Bill 425." Don't tell us the nursing homes
14. are for it. They aren't.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Netsch may close the debate.

17. SENATOR NETSCH:

18. ~~Some~~ Senator Schaffer, in part you made my speech for me. I...I have
19. never suggested that the nursing homes were for this. ...Quite the
20. contrary, I suspect they would oppose it. They do not want us to know
21. what costs are being passed on to us and how those costs are distributed,
22. but I think we have a right to that information because we are paying
23. a very substantial amount of it. Now, in terms of whether it should be in
24. Department of Public Health or the Department of Public Aid, I think one
25. thing that should be made very clear is that there is already a health
26. finance section in the Department of Public Health in addition to its
27. responsibility for licensing these institutions. Since 1967, that
28. ...that agency has been collecting audited, financial statements from
29. all hospitals in the State which receive any form of public funds, and
30. that is most hospitals in the State, so it is a department that is
31. already geared up to be able to handle this kind of information. It is not
32. true that only the Department of Public Aid pays money into nursing
33. homes. The Department of Mental Health and Developmental Disabilities also

1. does, and we believe that the...DVR does also. All of that should be
2. focused in one agency which is already set up to take the reports, to
3. analyze them, and to know what to do with them. We have got to have
4. this kind of legislation, because we have a right to this information.
5. It is a lot of our money that is involved and because in any event, within
6. one year, we have got to have it, or we are not going to get those
7. millions of dollars of reimbursable money. It is an extremely important
8. bill, and I would urge that any lingering doubts you have about what
9. department it is...it ought to be in, should not be a reason for defeating
10. this basic authority.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. The question is, shall House Bill 425 pass? Those in favor vote
13. Aye. Those opposed vote Nay. The voting is open. Have all voted who
14. wish? Take the record. On that question, the Ayes are 21, the Nays
15. are 20, 7 Voting Present. Senator Netsch moves to postpone further
16. consideration of House Bill 425. House Bill 450, Senator Glass -
17. Schaffer. The Secretary will read the bill.

18. SECRETARY:

19. House Bill 450

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Glass.

24. SENATOR GLASS:

25. Thank you, Mr. President. House Bill 450 provides a system of
26. State grants for construction of public libraries. The program is
27. being implemented now...the appropriation bill did not succeed, but I
28. would like to see us get this program on the books for future years.
29. Would ask for a favorable roll call.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Is there further debate? Senator Harris.

32. SENATOR HARRIS:

33. Senator Glass, is this a new program?

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Glass.

3. SENATOR GLASS:

4. Well, Senator Harris, I have to defer in part to Senator Dougherty,
5. I...he advised me in discussing the appropriation bill 451, which the
6. Appropriations Committee has held over to the spring, that it is a
7. program that is, not in fact, new, but the bill would implement a program
8. that is ongoing, and...and I might ask him to comment on that. I don't
9. think it is a new program.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Dougherty.

12. SENATOR DOUGHERTY:

13. Well, in answer to that question, let me put it to you this way.
14. This...this program in itself is new, but, however, it is a part of an
15. ...ongoing program that has been in progress for sometime. It merely means
16. that the...the...under this new Act, that they can provide funds for
17. the construction and maintenance and rehabilitation, if you will, of
18. libraries throughout the State. This is a...it's a means of implementa-
19. tion of an Act that had passed in prior years. We had...there's no
20. money involved in this at this particular time, and I do think it is a
21. ...a proposition to set up a program, and I'm going to support the bill.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Harris.

24. SENATOR HARRIS:

25. Well, it seems to me that this may be a program that the big
26. brother down in Washington used to fund, but it is certainly not a State
27. program now, and this is substantive bill. The appropriation bill amount
28. for it is two million dollars. That's a new program, there just isn't
29. any question about it. Do we have a fiscal crisis? Well, then we
30. better forego new programs. It is just that simple. I happen to
31. have a library in my hometown of which my sister is the chairman of
32. the building committee, and I'm sure they'll be interested in this. I'm
33. sorry, the sovereign is just not in a position to fund these kinds of

1. new projects and new programs. I just think we've got to face up to it
2. and be mature and responsible. (Machine cut-off)...the bill be rejected.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Is there further debate? Senator Bell.

5. SENATOR BELL:

6. Well, Mr. President, I just would like to make the observation
7. that as vestal virgins which we're not, we ought to turn thumbs down
8. on this and push the red button.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Is there further debate? Senator Glass may close.

11. SENATOR GLASS:

12. Thank you, Mr. President. I will agree that we should not commit
13. the State to new funds this year, and I would emphasize that this is
14. not being done. The appropriation bill that I mentioned earlier for
15. two million dollars is not passed and will not pass at this Session.
16. What...what the program would do, however, is recognize a State system
17. of matching grants. That is the State would match local funds for the
18. construction of new libraries. The General Assembly can act on this
19. program in terms of an appropriation in the future if the money is there.
20. I'd like to see us establish this program by adopting this bill even
21. though it will not be funded this year. I would ask for a favorable
22. roll call.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. The question is, shall House Bill 450 pass? Those in favor vote
25. Aye. Those opposed vote Nay. The voting is open. Have all voted who
26. wish? Take the record. On that question, the Ayes are 12, the Nays
27. are 32, 3 Voting Present. House Bill 450 having failed to receive the
28. constitutional majority is declared lost. House Bill 474, Senator
29. Knuppel. Read the bill, Mr. Secretary.

30. SECRETARY:

31. House Bill 474

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDENT:
2. Senator Knuppel.
3. SENATOR KNUPPEL:
4. Mr. President, I'd like to have this...bill returned to 2nd read-
5. ing for the purpose of an amendment that...it is a technical amendment
6. With respect to Page 1, in copying the already adopted material of the
7. Act, there was an inaccuracy which I want to correct. I don't know
8. that it's necessary, but apparently they thought so in the Legislative
9. Reference Bureau when they prepared this correction.
10. PRESIDING OFFICER: (SENATOR BRUCE)
11. Is there leave to return the bill to the order of 2nd reading?
12. Leave is granted. Amendment No. 1 by Senator Knuppel.
13. SENATOR KNUPPEL:
14. All Amendment No. 1 does is on...in line 26 on page 1, it the
15. strikes the word in the bill "dependent" following "a widower or"
16. and the word "dependent" never belonged in there in the first place.
17. I move the adoption of the...of the Amendment.
18. PRESIDING OFFICER: (SENATOR BRUCE)
19. Senator Knuppel moves the adoption of Amendment No. 1 to House
20. Bill 474. All in favor say Aye. Opposed Nay...the Ayes have it. The
21. Amendment is adopted. Any further amendments? 3rd reading.
22. SECRETARY:
23. (machine cutoff) offered by Senator Berning.
24. PRESIDING OFFICER: (SENATOR BRUCE)
25. Oh, there are further amendments. Excuse me, the bill is on the
26. order of 2nd reading. Is there leave? Leave is granted. Return to
27. the order of 2nd. Senator Berning.
28. SENATOR BERNING:
29. Yes, Mr...Mr. President and members of the Senate. Amendment No.
30. 2 really is very simple. Changes one word from "death" in the para-
31. graph to "retirement". Let me point out to you that at retirement of
32. an employee, two pensions are established. One for the employee as an
33. immediate life annuity. One for the spouse as a deferred annuity.

1. And the obligation on account of the retiree for retirement and
2. survivor's annuities are fixed at the date of retirement. This bill
3. changes the whole obligation of the fund by allowing the amendment...
4. the pension to be predicated upon the date of death, rather than retire-
5. ment. This is going to impose again a significant increase, cost on
6. the pension fund, establishes again a whole new precedent, excuse me,
7. and I tell you, frankly, it is contrary to actuarial principles. It
8. cannot be substantiated by the normal pension philosophy and it should be
9. adopted, Amendment No. 2, in order to bring this bill back into con-
10. formancy with good pension position, and I would move for the adoption
11. of Amendment No. 2.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Berning moves the adoption of Amendment No. 2. Is there
14. discussion? Senator Knuppel.

15. SENATOR KNUPPEL:

16. Mr. President, I oppose the amendment. This bill passed out of
17. the House in its present condition. It passed out of both committees.
18. It passed out of the House two years ago. Passed out of the committee
19. here two years ago, failed the Floor. This is an attempt to change the
20. purpose of the bill, and I oppose the amendment. What the bill does is
21. it provides that after October 1st, 1975, that a person dying who
22. has qualified for a teacher's pension, widow's pension for his wife
23. that...that if he's been married at least one year, the wife that he
24. then has will qualify for the pension. All of the retired teachers and
25. others support this, and as I say it...it has passed out of House two
26. different times. Passed out of committee both times. It was in this
27. same condition when it came through committee. There was no complaint
28. at that time, and I...and I...solicit a No vote on this amendment.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Buzbee.

31. SENATOR BUZBEE:

32. Well, Mr. President, unbelievable as it may seem, I...I could not
33. hear Senator Knuppel, but I'm in agreement with what his...the intent

1. of his bill, and I...and I'm wanting to ask Senator Berning, I'm sorry,
2. Senator Berning, I did not hear the entire explanation of your amendment.
3. Briefly, two sentences or less, what does it do?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Berning.

6. SENATOR BERNING:

7. First, let me say, I do not disagree with changing this from three
8. years to one year prior to the effectiveness of the pension for the
9. ...for the widow, but this changes the effective date of the widow's
10. pension to one year from retirement rather than one year from death.
11. In other words, upon retirement, those two pensions are activated, and
12. they are predicated upon actuarial principles. To then attempt to
13. modify that by saying - we will predicate it upon the death of the
14. annuitant, - you are...extending the time for an indeterminate period,
15. and as I intimated earlier, this is compounding the cost of...the
16. potential cost to the pension fund, and it cannot be substantiated on
17. any kind of an actuarial basis. For that reason, I would again move
18. that Amendment No. 2 be adopted.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Is there further discussion? Is the...on the motion of Senator Berning
21. to adopt Amendment No. 2. All in favor say Aye. All opposed Nay. Roll
22. call is indicated. The question is on the adoption of Amendment No. 2.
23. All in favor say Aye. All opposed No. The voting is open. Have all
24. voted who wish? Have all voted who wish? Take the record. On that
25. question, the Ayes are 24, the Nays are 33. The motion to adopt
26. Amendment No. 2 fails. Further amendments? 3rd reading. Is there
27. leave to go to the order of House Bill 1506, the School Aid formula
28. so that the House can have that? Leave is granted. Senator Palmer.
29. SENATOR PALMER.

30. Mr. President and members of the Senate, I submit to you that
31. House Bill 1506 is one of the most important bills relating to education
32. to come before this House, and it is a...it is a result of a great
33. deal of input by a subcommittee that reviewed the entire matter, and

1. we...we of the Education Committee believe that it's the most...
2. equitable for all districts and tends to reward a greater tax effort
3. than did the past school aid formula. Now, Senator Buzbee, the
4. Chairman of the subcommittee, Senator Shapiro, the minority spokesman
5. of the Education Committee, and Senator Hynes, Chairman of the Appro-
6. priations would like to comment on this bill. Senator Buzbee.
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. Is there further debate? Senator Buzbee.
9. SENATOR BUZBEE:
10. Roll call.
11. PRESIDING OFFICER: (SENATOR BRUCE)
12. The Secretary will now read the bill a third time.
13. SECRETARY:
14. House Bill 1506
15. (Secretary reads title of bill)
16. 3rd reading of the bill.
17. PRESIDING OFFICER: (SENATOR BRUCE)
18. Further debate? The question is, ...Senator Nimrod.
19. SENATOR NIMROD:
20. I...Mr. President, I think Senator Palmer was...we were not all
21. on that subcommittee. This is a change in the school aid formula as
22. I understand and it is a local tax increase. Now, I...I think I am
23. entitled to know what we're raising the taxes for and what we're doing
24. with it. Maybe all of you do, but I still would like a better under-
25. standing of what that school aid formula is being changed.
26. PRESIDING OFFICER: (SENATOR BRUCE)
27. Senator Buzbee.
28. SENATOR BUZBEE:
29. Well, the bill, of course, is the amendment which was offered
30. yesterday, and there was, I believe, minute explanation given yesterday
31. so with Senator Nimrod's leave, I will not go through the major points
32. of what the bill does except to address myself directly to the question
33. that he asked, and that is the tax increase that's involved in this.

1 It allows a single increase in taxes in unit school districts by board
2 resolution subject to a backdoor referendum, an expanded deficit de-
3 fined...backdoor referendum, I might add, of five cents in the education
4 and building and maintenance funds combined. That is with an expanded
5 backdoor referendum, I believe, it is thirty days. It takes fifteen
6 hundred signatures, or ten percent of the population and...I will
7 have to tell you, Senator Nimrod, that was the most objectionable part
8 to me in the whole legislation also; however, this has the effect of doing
9 two things. The unit school districts are...are using a lower rate
10 right now that those dual districts. This brings them more into line
11 with the dual district residents, plus the fact that it brings in more
12 state aid from top because of the way the formula is devised. The
13 more local tax effort you have, the more increase you get from
14 the State. So that is the reason for that. We expanded, like I
15 said, and all...by the way, with...with stringent notification regula-
16 tions also, that they cannot...the board cannot do this in a secretive
17 sort of meeting or anything like that. There has to be adequate notifi-
18 cation...publication of the fact that they have passed this resolution,
19 and then the...the school district residents have thirty days to...
20 bring their petitions in for the backdoor referendum.

21 PRESIDING OFFICER: (SENATOR BRUCE)

22 SENATOR NIMROD.

23 SENATOR NIMROD:

24 One...one...on this ten percent or fifteen hundred signatures, is
25 that whichever is less, or is that where you have to be where it is
26 not ten percent or can it be a minimum of fifteen hundred? What...
27 what is the requirements on this fifteen hundred or ten percent?
28 Take my...take my township from my high school district, which is a
29 unit school district, a hundred and thirty thousand people. What would
30 I need on signatures?

31 PRESIDING OFFICER: (SENATOR BRUCE)

32 Senator Buzbee.

33 SENATOR BUZBEE:

1 You need ten percent...what's your...what's your population
2 again?

3 SENATOR NIMROD:

4 A hundred and thirty thousand.

5 SENATOR BUZBEE:

6 Well, you need fifteen hundred. It's the lesser figure.

7 PRESIDING OFFICER: (SENATOR BRUCE)

8 Senator Nimrod.

9 SENATOR NIMROD:

10 Yeah, I would be very opposed to this if I had to go out and get
11 ...thirteen thousand signatures in thirty days. Thirty days is a very
12 limited time. I wish you would allow them at least sixty days to be
13 able to object to it, but if...if you only need fifteen hundred
14 signatures on that kind of a basis, I guess we probably could do it.

15 PRESIDING OFFICER: (SENATOR BRUCE)

16 Is there further debate? The question is, shall House Bill 1506
17 pass? Those in favor vote Aye. Those opposed vote Nay. The voting is
18 open. Have all voted who wish? Take the record. On that question,
19 the Ayes are 50, the Nays are 3, none Voting Present. House Bill 1506
20 having received the constitutional majority is declared passed. Is
21 there leave to go to the order of House Bills 2nd reading for the
22 purpose of advancing one bill? Leave is granted. Senator Joyce on
23 House Bill 852. The Secretary will read the bill a second time.

24 SECRETARY:

25 House Bill 852.

26 (Secretary reads title of bill)

27 2nd reading of the bill. No committee amendments. Two Floor amendments
28 offered by Senator Latherow.

29 PRESIDING OFFICER: (SENATOR BRUCE)

30 Senator Joyce.

31 SENATOR JOYCE:

32 Could we move this to 3rd and bring this back for the amendments
33 on 3rd reading?

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Senator Latherow.
3. SENATOR LATHEROW:
4. One...one of these amendments...
5. PRESIDING OFFICER: (SENATOR BRUCE)
6. Senator Latherow, the sponsor would like to advance the bill to
7. the order of 3rd reading. Would you withdraw your amendments and we'll
8. bring this bill back at...
9. SENATOR LATHEROW:
10. That's okay.
11. PRESIDING OFFICER: (SENATOR BRUCE)
12. ...a later time.
13. SENATOR LATHEROW:
14. ...it's okay.
15. PRESIDING OFFICER: (SENATOR BRUCE)
16. 3rd reading. Motions. Senator Palmer, for what purpose do you
17. arise?
18. SENATOR PALMER:
19. Mr. President, I rise on a very personal privilege...happy
20. personal privilege.
21. PRESIDING OFFICER: (SENATOR BRUCE)
22. State your point.
23. SENATOR PALMER:
24. I'd like the attention and...the members of the Senate to recogize
25. the presence here of the wife of our Junior Senator, Senator Mike Brady
26. and Mrs. Pat Brady, the mother of the Brady bunch and the ten amend-
27. ments in the balcony, and she is accompanied by the wife of the Lieu-
28. tenant Governor, Marge Hartigan.
29. PRESIDING OFFICER: (SENATOR BRUCE)
30. Will they please stand and be recognized. ...There are ten Motions
31. in Writing set for discussion today. Is there leave to postpone con-
32. sideration of those until tomorrow? Is there leave? Leave is granted.
33. Motions in Writing.

1. SECRETARY:
2. A Motion in Writing - I move to discharge the Committee on Educa-
3. tion from further consideration of House Bill 3048 and have the bill
4. placed on the order of 2nd reading, by Senator Demuzio.
5. PRESIDING OFFICER: (SENATOR BRUCE)
6. Senator Demuzio, do you wish to have that heard at a later date?
7. Set it for...consideration tomorrow. Is there leave? Leave is granted.
8. For what purpose does Senator Daley arise?
9. SENATOR DALEY:
10. Mr. President and fellow Senators, I'd like to re-refer House Bill
11. 31...3115 and 3116 from the Committee on Judiciary to the Committee on
12. Financial Institutions.
13. PRESIDING OFFICER: (SENATOR BRUCE)
14. Where are those bills presently located, Senator Daley?
15. SENATOR DALEY:
16. Judiciary.
17. PRESIDING OFFICER: (SENATOR BRUCE)
18. And you want to re-refer them to...
19. SENATOR DALEY:
20. To the Committee on Financial Institutions. ...
21. PRESIDING OFFICER: (SENATOR BRUCE)
22. All right.
23. SENATOR DALEY:
24. ... They don't belong...
25. PRESIDING OFFICER: (SENATOR BRUCE)
26. Senator Daley moves to...
27. SENATOR DALEY:
28. ...in Judiciary.
29. PRESIDING OFFICER: (SENATOR BRUCE)
30. House Bills 2115 and...
31. SENATOR DALEY:
32. 3.
33. PRESIDING OFFICER: (SENATOR BRUCE)

1. ...3115 and 3116 be re-referred to the Committee on Finance. All
2. in favor say Aye. All opposed Nay. The bills are re-referred. Motions
3. in Writing.

4. SECRETARY:

5. A Motion in Writing - Having voted on the prevailing side, I move
6. to consider the vote by which House Bill 66 failed. Signed Senator
7. Rock.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Rock, did you wish to discuss that tomorrow?

10. SENATOR ROCK:

11. Well, I can. I...I...you know, I don't know if the motion will
12. prevail. I just wanted to admit to myself and to the world that I
13. sincerely believe I made a mistake. We had passed Senate Bill by a
14. juxta position, 99, which was a identical bill, and I think it passed
15. this Chamber overwhelmingly, and House Bill...66 dealt...as a matter-of-
16. fact, Senate Bill 99 reposes at this moment on the Governor's Desk, I'm
17. told, and Senate...House Bill 66 did the...exactly the same thing, and
18. I...because I frankly misunderstood ...some of the debate, which was
19. very limited, I voted no, and I wish either to pursue...I can pursue
20. it tomorrow...that's...that's fine.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Set...set it for hearing tomorrow.

23. SECRETARY:

24. A Motion in Writing - I move to discharge the Committee on Educa-
25. tion from further consideration of House Bill 3102 and have the bill
26. placed on the order of 2nd reading. Senator Demuzio.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Demuzio on the Floor? Senator Demuzio, do you wish to
29. have that set for consideration tomorrow? House Bill 3102, discharge
30. the Committee on Education. Set it for hearing tomorrow. We will...
31. not trying to move too fast.

32. SECRETARY:

33. A Motion in Writing - Having voted on the...

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Hold it...hold it, Mr. Secretary. We have not disposed of the
3. last motion. Is there objection? ...Hearing no objection, the bill
4. will be set...Senator Harris.
5. SENATOR HARRIS:
6. Discharge the Committee. Is that the question?
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. No. The...the motion is to set...he has a filed a Motion in
9. Writing, would like to have it debated tomorrow. On House Bill...
10. SENATOR HARRIS:
11. Okay.
12. PRESIDING OFFICER: (SENATOR BRUCE)
13. ...3102...
14. SENATOR HARRIS:
15. On a motion to discharge...
16. PRESIDING OFFICER: (SENATOR BRUCE)
17. ...Is there leave?
18. SENATOR HARRIS:
19. ...fine...no...no problem...I thought we were getting into the
20. question of debate on the motion now.
21. PRESIDING OFFICER: (SENATOR BRUCE)
22. ...No...he has...he has sought leave to have the...
23. SENATOR HARRIS:
24. Leave.
25. PRESIDING OFFICER: (SENATOR BRUCE)
26. ...bill. Leave is granted.
27. SECRETARY:
28. ... A Motion in Writing - Having voted on the prevailing side, a vote
29. by which House Bill 1880 lost, I hereby move to reconsider said vote.
30. Senator Bloom.
31. PRESIDING OFFICER: (SENATOR BRUCE)
32. Senator Bloom asks leave to have the motion set for consideration
33. tomorrow. Is there leave? Leave is granted.

1. SECRETARY:

2. A Motion in Writing - Having voted on the prevailing side, I move
3. to reconsider the vote by which House Bill 212 was passed. Senator
4. Nimrod.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Nimrod asks leave to have this motion set for consideration
7. tomorrow. Is there leave? Leave is granted. 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 that the
11. House of Representatives have passed the following bill with the...
12. I am directed to inform the Senate that the House of Representatives
13. has passed a bill with the following title in the passage of which I
14. am instructed to ask in the concurrence of the House...Senate to-wit.
15. House Bill 783.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Savickas.

18. SENATOR SAVICKAS:

19. Yes, Mr. President, I'm the...Senate sponsor of that bill, and I
20. would ask leave that that be assigned right to the Appropriations
21. Committee.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. You now move to have the bill read a first time and referred to
24. the Committee on Appropriations. Is there leave? Leave is granted.
25. Secretary will read the bill the first time.

26. SECRETARY:

27. House Bill 783

28. (Secretary reads title of bill)

29. 1st reading of the bill.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Committee on Appropriations.

32. SECRETARY:

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

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

2. Mr. President - I am directed to inform the Senate that the
3. House of Representatives has refused to concur with the Senate in the
4. adoption of Amendment No. 1 to House Bill 726. Senator Romano is the
5. chief sponsor. Senate...a like message on House Bill 1910 with
6. House Amendment No. 1, Senator Bloom is the chief sponsor. A like
7. message on House Bill 1939, Senator Vadalabene is the chief sponsor.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. All to the Secretary's Desk. Resolutions.

10. SECRETARY:

11. (machine cutoff) Resolution 121 by Senator Mitchler, Rock,
12. Donnewald and others. It's a...

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Executive. Senator Mitchler.

15. SENATOR MITCHLER:

16. Mr. President and members of the Senate, we have a total of
17. forty sponsors on this resolution. This is a resolution where the
18. Senate memorializes Congress...

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Mitchler...

21. SENATOR MITCHLER:

22. ...to oppose the new...

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. ...Senator Mitchler.

25. SENATOR MITCHLER:

26. ...Yes...

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. May I have your attention? The bill is already in the Executive
29. Committee... It has already been assigned there.

30. SENATOR MITCHLER:

31. Mr. President, may I move to discharge the Executive Committee
32. from hearing Senate Resolution 121?

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. That is your...

2. SENATOR MITCHLER:

3. I ask it be...

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. ...prerogative.

6. SENATOR MITCHLER:

7. ...heard at this time.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. ...Senator Mitchler has moved to discharge the Committee on

10. Executive from further consideration of Senate Resolution 121. Is

11. there discussion? Senator Palmer at Senator Daley's desk.

12. SENATOR PALMER:

13. I move to Table that motion to discharge.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. The motion to Table is not debatable. All in favor say Aye. All

16. opposed Nay. ...Motion...motion does not prevail. Motion fails. ...

17. We are on the main motion to discharge the Committee on Executive from

18. further consideration of Senate Resolution 121. On that question, all

19. in favor...those in favor will vote Aye. Those opposed will vote Nay.

20. The voting is open. The motion is to discharge the Committee on Ex-

21. ecutive from further consideration of a Senate Resolution. It will

22. require thirty votes. The Resolution deals with a Panama Canal.

23. Senator Partee. Senator Partee.

24. SENATOR PARTEE:

25. I want to make it perfectly clear that I am opposed to this resolu-

26. tion. This resolution deals with a subject which is fraught with danger,

27. disaster, and invades the province of the State Department. This resolu-

28. tion is not explained carefully. There are so many components in this

29. resolution that relate to relationship of people within the Country

30. of Panama that we would be, in my judgement, doing a very terrible thing

31. to act hastily on such a resolution. I think we would be doing a very

32. terrible thing if we took five hours to debate it, because I don't think

33. all of the facts are here. I don't think that we know enough about it

1. to deal with it. Now, why are we all getting involved in Panama. What
2. difference does it make what the Illinois Senate feels about the Panamanian
3. situation. Are we going to sit here and put ourselves into a position
4. to do something which may cause an international incident, which may
5. cause a war, for what? Now, Senator Mitchler, in my opinion, has had
6. enough resolutions this year to paper his house. We don't need this
7. one.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Take the record. On that question, the Ayes are 23, the Nays are
10. 26, 1 Voting Present. The motion to discharge fails. Any further
11. business to come before the Senate? Senator Demuzio.

12. SENATOR DEMUZIO:

13. Mr. ...Mr. President, I...Mr. President, yesterday the ...sub-
14. committee to the Appropriations Committee heard House Bill 2463. It
15. was an appropriation to the Department of Transportation for ninety
16. thousand dollars to dredge Meredosia Lake. It did not show up on the
17. Calendar today. I was wondering if it would be...what procedure would...
18. would be in effect to advance this to the order of 3rd reading so that it
19. would show up on the Calendar for tomorrow in order that it would be passed?

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. It will show on the Calendar tomorrow. It...it reported out of
22. subcommittee and out of the main committee today. The Committee Report
23. was read in and will appear tomorrow on the Calendar.

24. SENATOR DEMUZIO:

25. Then it cannot be passed tomorrow then in this Session? Is that
26. correct?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. No, it would...could not be considered until Friday. It's an
29. appropriation bill, not subject to the limitations.

30. SENATOR DEMUZIO:

31. Thank you.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Further business to come before the Senate? Senator Hickey moves

1. the Senate stand...the Senate adjourn until 9:00 a.m. tomorrow morning.
2. 9:00 a.m. All in favor say Aye. All opposed Nay. The Ayes have it.
3. The Senate stands adjourned until 9:00 a.m. The breakfast for eight
4. o'clock has been cancelled.

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