

79TH GENERAL ASSEMBLY

REGULAR ASSEMBLY

JUNE 26, 1975

1 PRESIDENT:

2 The hour of nine having arrived, the Senate will come to order.
3 Will our guests in the gallery please stand as we have a prayer by
4 Rabbi Meyer M. Abramowitz, Temple Brith Sholom, Springfield, Illinois.
5 RABBI ABRAMOWITZ:

6 (Prayer given by Rabbi Abramowitz)

7 PRESIDENT:

8 Reading of the Journal. Senator Gene Johns.

9 SENATOR JOHNS:

10 Thank you, Mr. President. I move that reading and approval of
11 the Journals of Friday, June 13th, Monday, June the 16th, Tuesday,
12 June the 17th, Wednesday, June the 18th, Thursday, June the 19th,
13 Friday, June the 20th, Saturday, June 21, Monday, June 23, Tuesday,
14 June 24, Wednesday, June the 25th, be postponed pending arrival
15 of the printed Journals.

16 PRESIDENT:

17 You heard the motion. All in favor will say Aye. Opposed
18 Nay. Ayes have it. The motion carries. Message from the House.

19 SECRETARY:

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

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

24 Senate Bill 510 along with the following amendments - House
25 Amendments No. 1, 2, 3 and 5. Senator Kenneth Hall is the Senate
26 sponsor.

27 PRESIDENT:

28 Secretary's Desk. House Bills on 1st reading. House Bill 3068,
29 Senator Netsch.

30 SECRETARY:

31 House Bill 3068.

32 (Secretary reads title of bill)

33 1st reading of the bill.

1 PRESIDENT:

2 House Bill 3106, Senator Carroll.

3 SECRETARY:

4 House Bill 3106.

5 (Secretary reads title of bill)

6 1st reading of the bill.

7 PRESIDENT:

8 The Chair would inquire of the members present if there are any
9 bills on the Secretary's Desk in which you desire to nonconcur. That
10 does not, of course, take the thirty votes, and if you want to non-
11 concur in something, you could. Senator Donnewald.

12 SENATOR DONNEWALD:

13 Well, Mr. President, I...I do have a bill on 3rd reading which
14 I would like...I was on the podium and was unable to pull it back from
15 3rd to 2nd the other day and it is House Bill 665, and I think the
16 Republican staff prepared an amendment which I accepted, but I haven't
17 had it adopted by the Body.

18 PRESIDENT:

19 Senator Donnewald seeks leave to take House Bill 665 from the
20 order of House Bills on 3rd reading to the order of 2nd reading for
21 the purpose of an amendment. Is there leave? Leave is granted.
22 House Bill 665 is on the order of 2nd reading. Senator Donnewald
23 has...

24 SENATOR DONNEWALD:

25 Yes, what this does as to...municipalities and zoning outside
26 the one and a half mile radius of their corporate boundaries, the
27 amendment, and I quote, "After the effective date of this Amendment
28 of 1975, no municipality shall execute any power set forth in this
29 Division 13 outside of the corporate limits thereof, if the county
30 in which the municipality is located has after such effective date,
31 and before such municipality has adopted a plan, adopted 'An Act in
32 relation to county zoning'". That's the jest of the amendment.

33 PRESIDENT:

1 Any...Senator Donnewald moves the adoption of Amendment No. 1
2 ...Amendment No. 2 to House Bill 665. All in favor will say Aye.
3 Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any
4 further amendments? 3rd reading. Senator Lane.

5 SENATOR LANE:

6 Yes Sir, Mr. President, I'd like to nonconcur on the two amend-
7 ments on Senate Bill 970.

8 PRESIDENT:

9 On the order of House Bills on nonconcurrence...oh, I'm sorry on the
10 order of Secretary's Desk, Senate Bill 970...Senator Lane moves to noncon-
11 cur in House Amendments 1 and 2. All in favor say Aye. Opposed Nay.
12 The Ayes have it, and the House will be so informed. House Bills on
13 2nd reading. House Bill 139, Senator McCarthy. 851, Senator Joyce.
14 House Bill 913, Senator Don Moore. Read the bill.

15 SECRETARY:

16 House Bill 913.

17 (Secretary reads title of bill)

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

19 PRESIDENT:

20 Any amendments from the Floor? 3rd reading. House Bill 914,
21 Senator Howard Mohr.

22 SECRETARY:

23 House Bill 914.

24 (Secretary reads title of bill)

25 2nd reading of the bill. No committee amendments. One Floor Amend-
26 ment offered by Senator Don Moore.

27 PRESIDENT:

28 Senator Moore, explain the amendment.

29 SENATOR MOORE:

30 Thank you, Mr. President and members of the Senate. This amend-
31 ment was discussed in committee. It increases the appropriation
32 from twenty to forty thousand to conform to the Governor's budget.
33 I move its adoption.

1. PRESIDENT:

2. Any discussion? Senator Don Moore moves the adoption of Amend-
3. ment No. 1 to Senate Bill 914. All in favor will say Aye. Opposed
4. Nay. The amendment is adopted. House Bill 915, Senator Don Moore.

5. SECRETARY:

6. House Bill 915.

7. (Secretary reads title of bill)

8. 2nd reading of the bill. No committee amendments.

9. PRESIDENT:

10. Any amendments from the Floor? 3rd reading. House Bill 946,
11. Senator Welsh. House Bill 957, Senator Johns. Page 9.

12. SECRETARY:

13. House Bill...House Bill 957.

14. (Secretary reads title of bill)

15. 2nd reading of the bill. No committee amendments.

16. PRESIDENT:

17. Any amendments from the Floor? 3rd reading. House Bill 1071,
18. Senator Bruce. House Bill 1092, Senator Lemke. House Bill 1278,
19. Senator...Senator Howard Mohr. Read the bill.

20. SECRETARY:

21. House Bill 1278.

22. (Secretary reads title of bill)

23. 2nd reading of the bill. No committee amendments.

24. PRESIDENT:

25. Any amendments from the Floor? 3rd reading. House Bill 1305,
26. Senator Latherow. House Bill 1314, Senator Joyce. House Bill 1321,
27. Senator Bruce. House Bill 1358, Senator Johns. Read the bill.

28. SECRETARY:

29. House Bill 1358.

30. (Secretary reads title of bill)

31. 2nd reading of the bill. No committee amendments.

32. PRESIDENT:

33. Any amendments from the Floor? 3rd reading. House Bill 1372,

1 Senator Knuppel. .
2 SECRETARY:
3 House Bill 1372.
4 (Secretary reads title of bill)
5 2nd reading of the bill. No committee amendments.
6 PRESIDENT:
7 House Bill 139...any amendments from the Floor? 3rd reading.
8 On your Calendar there is a printer's error on Page 10 where it says
9 House Bills 3rd reading continued. Third should be struck and the
10 word second placed in its place instead. House Bill 1399, Senator
11 Savickas. House Bill 1510, Senator Schaffer. Read the bill.
12 SECRETARY:
13 House Bill 1510.
14 (Secretary reads title of bill)
15 3rd reading of the bill...2nd reading of the bill. No committee
16 amendments.
17 PRESIDENT:
18 Any amendments from the Floor? 3rd reading. House Bill 1525,
19 Senator Roe. House Bill 1720, Senator Johns. Read the bill.
20 SECRETARY:
21 House Bill 1720.
22 (Secretary reads title of bill)
23 2nd reading of the bill. No committee amendments.
24 PRESIDENT:
25 House Bill 199...any amendments from the Floor? 3rd reading.
26 House Bill 1996, Senator Kenneth Hall. Read the bill.
27 SECRETARY:
28 House Bill 1996.
29 (Secretary begins reading bill)...
30 PRESIDENT:
31 Senator Hall.
32 SENATOR HALL:
33 Is...was this a committee amendment that...what is this? Oh.

1 PRESIDENT:

2 Well, there's no amendment yet, but we understood that the
3 Republicans had an amendment...

4 SENATOR HALL:

5 Well, they...they have, but we haven't got the amendments dis-
6 tributed and I was waiting, I wanted Senator Harris...the...the sponsor
7 is going to be right back. Could we come back...hold that and come
8 back to that, Mr. President, please?

9 PRESIDENT:

10 Take it out of the record. House Bill 2036, Senator Weaver.
11 House Bill 2256, Senator Vadalabene. House Bill 2454, Senator Kenneth
12 Hall. House Bill 2463, Senator Knuppel. Read the bill. I beg your
13 pardon. For what purpose does Senator Vadalabene arise?

14 SENATOR VADALABENE:

15 2256, I said move it.

16 PRESIDENT:

17 Oh, I'm sorry. Alright.

18 SECRETARY:

19 House Bill 2463.

20 (Secretary reads title of bill)

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

22 PRESIDENT:

23 Any amendments from the Floor? 3rd reading. House Bill 2256,
24 Senator Vadalabene.

25 SECRETARY:

26 House Bill 2256.

27 (Secretary reads title of bill)

28 2nd reading of the bill. No committee amendments.

29 PRESIDENT:

30 Any amendments from the Floor? 3rd reading. House Bill 2812.
31 Read the bill.

32 SECRETARY:

33 House Bill 2812.

1 (Secretary reads title of bill)
2 2nd reading of the bill. No committee amendments.
3 PRESIDENT:
4 Any amendments from the Floor? 3rd reading. House Bill 2971,
5 Senator Hynes. House Bill 2989, Senator Hynes. ...House Bill 2997,
6 Senator Mitchler. He's in Panama. House Bill 300...House Bill 3002,
7 Senator Dougherty. House Bill 3034, Senator Demuzio. Read the bill.
8 SECRETARY:
9 House Bill 3034.
10 (Secretary reads title of bill)
11 2nd reading of the bill. No committee amendments.
12 PRESIDENT:
13 Any amendments from the Floor? 3rd reading. House...House Bill
14 3083, Senator Don Moore. Read the bill.
15 SECRETARY:
16 House Bill 3083.
17 (Secretary reads title of bill)
18 3rd reading of the bill...or 2nd reading of the bill. No committee
19 amendments.
20 PRESIDENT:
21 Any amendments from the Floor? 3rd reading. House Bills on
22 2nd reading. 2036, Senator Weaver. Read the bill.
23 SECRETARY:
24 House Bill 2036.
25 (Secretary reads title of bill)
26 2nd reading of the bill. The Committee on Appropriations offers one
27 amendment.
28 PRESIDENT:
29 Senator Weaver.
30 SENATOR WEAVER:
31 Move the adoption of the committee amendment.
32 PRESIDENT:
33 Any discussion? Senator Weaver moves the adoption of Committee

1. Amendment No. 1 to House Bill 2036. All in favor will say Aye.
2. Opposed Nay. Amendment No. 1 is adopted. Any further amendments?
3. 3rd reading. For what purpose does Senator Mitchler arise?
4. SENATOR MITCHLER:
5. House Bill 2997 on 2nd reading. I would like to advance that
6. to 3rd, Mr. President.
7. PRESIDENT:
8. House Bill 2997, Senator Mitchler. Read the bill.
9. SECRETARY:
10. House Bill 2997.
11. (Secretary reads title of bill)
12. 3rd reading of the bill...or 2nd reading of the bill. No committee
13. amendments.
14. PRESIDENT:
15. Any amendments from the Floor? 3rd reading. Senator Latherow,
16. what purpose do you arise?
17. SENATOR LATHEROW:
18. Mr. President, I have 1305.
19. PRESIDENT:
20. On the order of House Bills on 2nd reading. House Bill 1305,
21. Senator Latherow.
22. SECRETARY:
23. House Bill 1305.
24. (Secretary reads title of bill)
25. 2nd reading of the bill. No committee amendments.
26. PRESIDENT:
27. Any amendments from the Floor? 3rd reading. House Bill 1071,
28. Senator Bruce. Read the bill.
29. SECRETARY:
30. House Bill 1071.
31. (Secretary reads title of bill)
32. 2nd reading of the bill. No committee amendments.
33. PRESIDENT:

1 Any amendments from the Floor? 3rd reading. House Bill 851,
2 Senator Joyce.

3 SECRETARY:

4 House Bill 851.

5 (Secretary reads title of bill)

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

7 PRESIDENT:

8 Any amendments from the Floor? 3rd reading. House Bills on
9 the order of 2nd reading. House Bill 1342, Senator Bruce. Read the
10 bill. Senator Bruce is recognized.

11 SENATOR BRUCE:

12 Well, I would advance it, Mr. President, only with the under-
13 standing that it will...it will be brought back for amendment.

14 PRESIDENT:

15 With that understanding. Read the bill.

16 SECRETARY:

17 House Bill 1342.

18 (Secretary reads title of bill)

19 2nd reading of the bill. No committee amendments.

20 PRESIDENT:

21 Any amendments from the Floor at this time? 3rd reading. House
22 Bill 1321, same understanding, Senator Bruce?

23 SENATOR BRUCE:

24 No, I don't...there is no amendment on it.

25 PRESIDENT:

26 Or just...just plain movement? Plain movement, fine. House
27 Bill 1321. Read the bill.

28 SECRETARY:

29 House Bill 1321.

30 (Secretary reads title of bill)

31 2nd reading of the bill. No committee amendments.

32 PRESIDENT:

33 Any amendments from the Floor? 3rd reading. House Bills on

1 the order of 2nd reading. House Bill 1525, Senator Roe.

2 SECRETARY:

3 House Bill 1525.

4 (Secretary reads title of bill)

5 2nd reading of the bill. No committee amendments.

6 PRESIDENT:

7 Any amendments from the Floor? 3rd reading. Senator Kenneth
8 Hall on the Floor? Senator Hynes, on Page 10, what is your pleasure
9 with reference to 2989? Well, you want to move it and bring it back?
10 House Bills on the order of 2nd reading. House Bill 3002. Senator
11 Dougherty has asked to move the bill with the understanding that he will
12 bring it back for any amendments. Read the bill.

13 SECRETARY:

14 House Bill 3002.

15 (Secretary reads title of bill)

16 2nd reading of the bill. The Committee on Appropriations offers
17 one amendment.

18 PRESIDENT:

19 Senator Rock moves the adoption of the Committee Amendment. All
20 in favor will say Aye. Opposed Nay. Ayes have it. The Committee
21 Amendment is adopted. Any further amendments? 3rd reading with the
22 understanding it'll be brought back if requested. Senator McCarthy,
23 what is your pleasure with...on Page 9, in reference to House Bill
24 139 on 2nd reading? Page 9 of your Calendar, first bill on the list.

25 SENATOR MCCARTHY:

26 Move it.

27 PRESIDENT:

28 Read the bill.

29 SECRETARY:

30 House Bill 139.

31 (Secretary reads title of bill)

32 2nd reading of the bill. No committee amendments.

33 PRESIDENT:

1 Any amendments from the Floor? 3rd reading. House Bill 1996,
2 Senator Kenneth Hall. Senator Hall.

3 SENATOR HALL:

4 Thank you, Mr. President. I would like leave to return House
5 Bill 1996 to 2nd reading for the purpose of amendment.

6 PRESIDENT:

7 Is leave granted? Leave is...it's on 2nd reading, Ken...Senator.

8 SENATOR HALL:

9 No, 1996 is on 3rd reading.

10 PRESIDENT:

11 Well, that...that's a printing error.

12 SENATOR HALL:

13 Oh, I'm sorry.

14 PRESIDENT:

15 Yes, you were off the Floor when we announced it. It's a print-
16 ing error. It's on the order of 2nd reading already. Read the bill
17 the second time.

18 SECRETARY:

19 House Bill 1996.

20 (Secretary reads title of bill)

21 2nd reading of the bill. No committee amendments. Senator Harris
22 offers one Floor Amendment.

23 PRESIDENT:

24 Senator Harris, Amendment No. 1.

25 SENATOR HARRIS:

26 Mr. President, this amendment would change the title of the
27 bill from interest free loans to loans at three percent simple
28 interest to this Ascending Citizens Development Corporation, and it
29 would also change the appropriation from the Illinois Industrial
30 Development Authority which is really only a two man shop to the
31 Department of Business and Economic Development which really has the
32 staffing and the capabilities to really administer this kind of a
33 program. Additionally, these...there is then, of course, further

1 language inserted into the body of the bill to implement this...these
2 two changes to change it from that authority to the Department of
3 Business and Economic Development and to provide for three percent
4 simple interest loan repayments. I would move the adoption. I'd be
5 happy to respond to any questions. I would move the adoption of the
6 amendment.

7 PRESIDENT:

8 Any discussion? Senator Harris moves the adoption of Amendment
9 No. 1 to House Bill 1996. All in favor say Aye. Opposed Nay.
10 The Ayes have it. Amendment No. 1 is adopted. Any further amendments?
11 3rd reading. Senator Harris...Senator Hall, Kenneth Hall.
12 SENATOR HALL:

13 Thank you, Mr. President. Mr. President, I was reading when you
14 called House Bill 2454, and I...I didn't know there was a printers
15 error on the Calendar. So, when you called it, I was under the impres-
16 sion it was already on 3rd reading. I would like to have that moved
17 to 3rd.

18 PRESIDENT:

19 House Bills on 2nd reading. Read House Bill 2454.

20 SECRETARY:

21 House Bill 2454.

22 (Secretary reads title of bill)

23 2nd reading of the bill. The Committee on Appropriations offers one
24 amendment.

25 PRESIDENT:

26 Senator Hall.

27 SENATOR HALL:

28 I move the adoption of the amendment.

29 PRESIDENT:

30 Any discussion? Senator Hall moves the adoption of Amendment No. 1
31 to House Bill 2554...2454, rather, we have the wrong number on the
32 board. 2454. All in favor will say Aye. Opposed Nay. Ayes have it.
33 Amendment No. 1 is adopted. Any further amendments? 3rd reading.

1 With the understanding that when Senator Welsh arrives...arrives, if
2 he wants to bring these bills back, we can, but let's take care of
3 them now. House Bill 946. Read the bill.

4 SECRETARY:

5 House Bill 946.

6 (Secretary reads title of bill)

7 2nd reading of the bill. No committee amendments.

8 PRESIDENT:

9 Any amendments from the Floor? 3rd reading. House Bill 947.

10 SECRETARY:

11 House Bill 947.

12 (Secretary reads title of bill)

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

14 PRESIDENT:

15 Any amendments from the Floor? 3rd reading. Messages from the
16 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 refused to concur with the Senate in the
21 adoption of their Amendment No. 1 to a bill with the following title:

22 House Bill 696 with House Amendment No. 1. Senator Nimrod is
23 the chief...just disregard that message.

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

25 Mr. President - I am directed to inform the Senate that the
26 House of Representatives has refused to concur with the Senate in the
27 adoption of their Amendment No. 1 to House Bill 816. Senator Lane is
28 the chief sponsor.

29 Same Message relative to House Bill 1303 with House Amendments 1,
30 2, 3, and 4. Senator Kenneth Hall is the chief sponsor.

31 Same Message relative to House Bill 2876 with House Amendment No.
32 1. Senator Glass is the chief sponsor.

33 PRESIDENT:

1 The following three bills to the Secretary's Desk.

2 SECRETARY:

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

4 Mr. President - I am directed to inform the Senate that the
5 House of Representatives has passed a bill with the following title, in
6 the passage of which I am instructed to ask the concurrence of the
7 Senate, to-wit:

8 House Bill 3086.

9 PRESIDENT:

10 The Chair would request your attention for an announcement. There
11 will be passed out immediately the Conference Committee Reports which
12 will be on your desks prior to the time we deal with them on final
13 passage. You'll have a report on each of these bills on which we will
14 vote the report itself. The Chair recognizes Senator Wooten.

15 SENATOR WOOTEN:

16 Mr. President, I would request leave of the Body to call House
17 Bill 2720 back to the order of 2nd reading for the purpose of an
18 amendment.

19 PRESIDENT:

20 Is there leave? House Bill 2720 is on the order of 2nd reading.
21 Senator Knuppel is recognized. Senator Wooten has an amendment.
22 Senator Wooten is recognized.

23 SENATOR WOOTEN:

24 Okay. What I attempt to do in this amendment is to answer as
25 nearly as possible the objections which were raised when this bill was
26 first presented on 3rd reading. I admitted very frankly we had draft-
27 ing problems, redrafted it to put the definitions in the proper place,
28 to take out a couple of, at least, one puzzling qualification under the
29 terms of occurrence. We've gotten rid of plants doing things and charge
30 it to people; and I believe as nearly as possible following the original
31 outline of the bill, I...I have cleaned up I hope at least some of the
32 objections. We can take these up on 3rd reading. I would now move the
33 adoption of this amendment.

1 . PRESIDENT:

2 Any discussion? Senator Wooten moves the adoption of Amendment
3 No. 4 to House Bill 2720. All in favor will say Aye. Opposed Nay.
4 The Ayes have it. Amendment No. 4 is adopted. Any further amendments?
5 Back to 3rd reading. Senator Knuppel is recognized.

6 SENATOR KNUPPEL:

7 Mr. Chairman, I'd like to call back to 2nd reading for the purpose
8 of amendment. Is Senator Lemke here? Well, he isn't here. He had
9 an amendment for...well, why don't I call it back. His amendment is
10 on the Desk anyway. Call it back from 3rd, House Bill 1257...

11 PRESIDENT:

12 Senator Knuppel...

13 SENATOR KNUPPEL:

14 ...for the purpose of an amendment...

15 PRESIDENT:

16 ...seeks leave to pull back House Bill 1257 from the order of 3rd
17 reading to the order of 2nd reading for the purpose of amendment. Is
18 there leave? Leave is granted. House Bill 1257 is on 2nd reading.
19 Senator Knuppel.

20 SENATOR KNUPPEL:

21 The amendment that Senator Lemke has filed, be Amendment No. 1,
22 and what it does is change the nature of the bill so that it removes
23 the..the discrepancy with respect to under sixteen year olds working
24 and makes it the same for males as females. Females are prohibited
25 from working under sixteen while standing on their legs and the same
26 will be true of males. I move the...I move the adoption of Amendment
27 No. 1.

28 PRESIDENT:

29 Is there discussion? Senator Knuppel moves the adoption of Amend-
30 ment No. 1 to House Bill 1257. All in favor will say Aye. Opposed
31 Nay. Ayes have it. Amendment No. 1 is adopted. Any further amend-
32 ments? 3rd reading. 1299, Senator Knuppel.

33 SENATOR KNUPPEL:

1 House Bill 1299, I'd like to have called back from 3rd to the
2 order of 2nd for the purpose of an amendment.

3 PRESIDENT:

4 Is there leave to move House Bill 1299 from the order of 3rd read-
5 ing back to the order of 2nd reading? Leave is granted. House Bill
6 1299 now on 2nd reading. Senator Knuppel is recognized.

7 SENATOR KNUPPEL:

8 Alright, the amendment on 1299 is an amendment which incorporates
9 the content of what used to be House Bill 3027. It's a provision which
10 creates a Prosecutors Advisory Council. That bill cleared the House
11 too late to be...to clear this House and go through the normal readings.
12 Ron Nieman, President of the State's Attorneys Association was
13 here all day yesterday working on this amendment with leadership and
14 with the...with Romie Palmer, the Chairman of the State's Attorney
15 Study Commission and others, and this amendment meets with their approval,
16 and I'd move the adoption of Amendment No. 1 to House Bill 1299.

17 PRESIDENT:

18 That's actually Amendment No. 2...

19 SENATOR KNUPPEL:

20 I think it would be Amendment No. 2, yes.

21 PRESIDENT:

22 Yes. Senator Nudelman.

23 SENATOR NUDELMAN:

24 Thank you, Mr. President. I object to this entire procedure.
25 House Bill 1299 now would merely recreate the Legislative State's
26 Attorney Study Commission. I don't know why Senator Knuppel is aban-
27 doning that bill, but that's what this amendment does. The bill as...
28 as would be amended by Senator Knuppel is an entirely different bill.
29 I don't see any reason it should not go through normal channels. It's
30 not something of an emergency nature, and I don't think that this House
31 should be imposed upon in that way by having an abandonment of a good
32 bill for whatever reason the sponsors want to abandon it, and inserting
33 therein a bad bill which is completely unrelated or excuse me, it may

1. not be a bad bill, but I think we have a right to have it go through
2. the channels to have hearings, to have it before the proper committee,
3. to have it come out in due course, and to have a...an educated vote.
4. It's just...it's just the use of one bill to...to promote another bill
5. which is not an emergency, and I would most strenuously object to this
6. procedure, and...

7. PRESIDENT:

8. Senator, are you objecting to the procedure or are you objecting
9. to the subject matter of the amendment?

10. SENATOR NUDELMAN:

11. I can't object to the subject matter of the amendment because I
12. haven't had a chance to know what the subject matter of the amendment
13. is. This is a three or four page bill. It's a five page bill.

14. PRESIDENT:

15. Well, I think the use of the word procedure is inappropriate.
16. The...

17. SENATOR NUDELMAN:

18. The use of what word, Sir?

19. PRESIDENT:

20. Procedure...it's not the procedure you're objecting to. It's the
21. subject matter of the amendment.

22. SENATOR NUDELMAN:

23. I don't know what the subject matter of the amendment is. So,
24. therefore, I can't object to it. I haven't had an opportunity and
25. nobody has had an opportunity to read a five page bill in a minute and
26. a half and put it on 3rd reading, and then, to expect to pass that bill.
27. I think that I'm objecting both to the procedure and what is attempted
28. to...and...and that I object to what is attempting...attempted to being
29. done here. I object to the abandon...abandonment of the bill which
30. I would like to pick up the sponsorship of if...if the Senator wishes
31. not to pass the State's Attorney Study Commission. I think we should
32. have an opportunity to vote on that. It's an important bill. It's
33. been on 3rd reading for some time, and I object to the procedure, and

1 I object to the...to the second bill which I don't know anything about.
2 I can't object to its contents. I haven't read it.

3 PRESIDENT:

4 I'm not going to persevere the question about the procedure.
5 This is a procedure that we have followed traditionally. It's the
6 question...the real question is the subject matter. Senator Knuppel.

7 SENATOR KNUPPEL:

8 I'm not trying to put anything over anybody. Take it out of the
9 record, and I'll hold it and do it later today. You'll have a chance
10 to read it.

11 PRESIDENT:

12 Take it out of the record. Senator Nudelman.

13 SENATOR NUDELMAN:

14 Will I have the chance to question witnesses in a committee,
15 Senator Knuppel?

16 PRESIDENT:

17 Senator Donnewald.

18 SENATOR DONNEWALD:

19 We've gone through this procedure many, many other times on many
20 bills, and the people that are involved fully understand it, and I
21 know that Senator Nudelman is fully capable of understanding it when
22 he reads it. I...I would...I would urge that with...with an agreement
23 with these Gentlemen that you advance the bill, and if he has any pro-
24 blems with it, bring it back, let's...let's move it. Alright.

25 PRESIDENT:

26 Senator Nudelman.

27 SENATOR NUDELMAN:

28 A point of information, Mr. President...Mr. President. There is
29 a bill on...on 3rd reading, House Bill 1299, I believe, which I think
30 is a good bill the Senator is abandoning. I wonder if he would aban-
31 don it to my sponsorship rather than killing the bill in this manner,
32 in this unseemly manner.

33 PRESIDENT:

1 Senator Knuppel.

2 SENATOR KNUPPEL:

3 Well, first of all, I...I'm telling you. I get a little tired of
4 Senator Nudelman and some of his tirades here recently. I'm not
5 abandoning the bill. I'm amending it. The State's Attorneys Commission
6 is...is still contained in that bill. If you'll read the material
7 that's on your desk before you get up and shoot off your mouth, you
8 might know what's going on.

9 PRESIDENT:

10 House Bills on 3rd reading. House Bill 525, Senator Newhouse.
11 House Bill 534, Senator Davidson-Brady. House Bill 569, Senator
12 Regner. It's Page 2, boys and girls. We're on Page...Page 2, boys
13 and girls, on the Calendar. House Bill 569.

14 SECRETARY:

15 House Bill 569.

16 (Secretary reads title of bill)

17 3rd reading of the bill.

18 PRESIDENT:

19 Senator Regner.

20 SENATOR REGNER:

21 Mr. President and members of the Senate, this is another one of
22 the options as far as the taxation of mobile homes, and this repeals
23 the Mobile Home Privilege Tax entirely amends the Revenue Act to
24 include within the definition of real property, mobile homes or house
25 trailers on a permanent foundation are connected with water, gas,
26 electric, sewage facilities. When it was in committee, the repre-
27 sentative from the Cook County Assessor's Office raised some objections.
28 An amendment was attached to this bill which did the five things that
29 he had a problem with. One was on notification. One was on enforcement,
30 penalty and liability for taxes assessed, but not extended when a
31 taxpayer moves, and I would urge a favorable roll call.

32 PRESIDENT:

33 Any discussion? The question is shall House...Senator Carroll.

HB 622
6/26/75
3rd

1 SENATOR CARROLL:

2 Just to be brief, Mr. President, I would suggest to the members
3 they read the bill. I think it's a bad bill. We've got several other
4 bills on mobile homes that have been good bills. I promised Senator
5 Regner I would speak briefly. So, I'll just say it's a bad bill.

6 PRESIDENT:

7 Any further discussion? The question is shall House Bill 569
8 pass. Those in favor vote Aye. Opposed Nay. The voting is open.
9 All voted who wish? Take the record. On this question, the Ayes are
10 17, the Nays are 5, with 7 Voting Present. House Bill 569 having
11 failed to receive a constitutional majority is declared lost. House
12 Bill 581, Senator Nimrod. House Bill 587, Senator Wooten. ...Senator
13 Wooten.

14 SENATOR WOOTEN:

15 Mr. President, we are still checking the matter I mentioned last
16 night. I'd like to pass over this for now, and come back to it later.

17 PRESIDENT:

18 House Bill 604, Senator Bruce. House Bill 622, Senator Daley.
19 Senator Donnewald. Senator Donnewald.

20 SECRETARY:

21 House Bill 622.

22 (Secretary reads title of bill)

23 3rd reading of the bill.

24 PRESIDENT:

25 Senator Daley.

26 SENATOR DALEY:

27 Mr. President and fellow Senators, House Bill 622 requires pay-
28 ment at a prevailing rate of certain employees not subject to the
29 Personnel Code. As I understand the bill, it only affects the
30 Illinois Toll Road Commission in the Secretary of State. It states
31 that when...when they are in another position, they should...

32 PRESIDING OFFICER (SENATOR DONNEWALD):

33 Just a moment. Here we...will we please have order. Proceed.

1 SENATOR DALEY:

2 They should be paid the prevailing rate. If there are any
3 questions, I'll be glad to...answer them.

4 PRESIDING OFFICER (SENATOR DONNEWALD):

5 Is there further...Senator Mitchler.

6 SENATOR MITCHLER:

7 Just for the record, I'd like to ask the sponsor. How do...how
8 do you establish, for example, the prevailing rate for printing, having
9 material printed?

10 PRESIDING OFFICER (SENATOR DONNEWALD):

11 Senator Daley.

12 SENATOR DALEY:

13 This only affects the employees that are working for the State.

14 PRESIDING OFFICER (SENATOR DONNEWALD):

15 Senator Mitchler.

16 SENATOR MITCHLER:

17 Well, Senator Daley, if...if we have an employee that's working
18 for the State and they do printing, they print envelopes, they print
19 letterheads, they print this, do they, by this law, have to be paid
20 what is known as a prevailing rate and what...how do you determine what
21 the prevailing rate is?

22 PRESIDING OFFICER (SENATOR DONNEWALD):

23 Senator Daley.

24 SENATOR DALEY:

25 No, they wouldn't be. If they're...if they move them into a job
26 description as a printer, as a bricklayer, or as a plumber, then they
27 have to be paid the prevailing rate. They can be doing the work as
28 a secretary or as a clerk or anything else, but what they're doing in
29 the toll road...toll road is they're moving employees from one section
30 to another section the toll road, and then, not paying them the
31 prevailing rate.

32 PRESIDING OFFICER (SENATOR DONNEWALD):

33 Senator Mitchler.

1 SENATOR MITCHLER:

2 Well, then a...someone who's hired by the State Fair to do paint-
3 ing at the State Fair is...is a permanent employee would have to be
4 paid the prevailing rate of the painters in the Springfield area. Is
5 that it?

6 SENATOR DALEY:

7 Well, the prevailing rate, that means what a painter is getting
8 paid in the State. That's what it means. In other words, if a painter
9 is being paid five dollars an hour or four dollars an hour working with
10 the State, they have to be paid four or five dollars an hour. What
11 they're doing now in the State is they're avoiding that. In other
12 words, in their budget. they're taking like one hundred janitors and
13 they're saying here be painters for two or three months, and they don't
14 want to pay them the rate of a painter.

15 PRESIDING OFFICER (SENATOR DONNEWALD):

16 Just...just a moment. Senator Mitchler.

17 SENATOR MITCHLER:

18 Then I note, it says fiscal note may be applicable. What...what
19 do you estimate would be the additional cost of this Act? How bad or
20 ...is the State violating this now that would give these employees
21 that are working in higher capacities, about what do you think this
22 would amount to? Any figure?

23 PRESIDING OFFICER (SENATOR DONNEWALD):

24 Senator Daley.

25 SENATOR DALEY:

26 Well, actually, it prevails more in the Illinois Toll Road. This
27 is...this is what the bill is primarily concerned with, but in the
28 rest of the departments, actually, the department is budgeted for these
29 positions, but when they put someone in there, they're not paying them
30 the prevailing rate as a painter.

31 PRESIDING OFFICER (SENATOR DONNEWALD):

32 Senator Wooten, did you wish...Senator Wooten, did you wish recog-
33 nition?

1 SENATOR WOOTEN:

2 Yes, I'm a little puzzled now as to how this works. I know the
3 ...if you pay, for example, someone in a craft union who does seasonal
4 work has a very high rate of compensation. Now, are we applying that
5 to people who work all year round at State institutions? Is...if so,
6 you know, what is the parity there?

7 PRESIDING OFFICER (SENATOR DONNEWALD):

8 Senator Daley.

9 SENATOR DALEY:

10 If you're working in a State institution getting paid three or
11 four dollars an hour as a painter or as a carpenter, that is your...
12 that is your salary per hour. Now, what they're doing is...is they're
13 budgeting for those positions, and they're not filling those positions.
14 They're taking clerks or someone or janitors and say here, work for
15 two or three months in those positions, and they take them off, and
16 this is what they're doing.

17 PRESIDING OFFICER (SENATOR DONNEWALD):

18 Senator Wooten.

19 SENATOR WOOTEN:

20 Well, now that's not the situation in our area. All our unions
21 are...are, you know, we very carefully fill those jobs with union
22 people, and there is no question of somebody in and out, I mean.

23 PRESIDING OFFICER (SENATOR DONNEWALD):

24 Senator Daley.

25 SENATOR DALEY:

26 I'm not talking about Rock Island area. I'm talking about
27 throughout the State, especially the toll road.

28 PRESIDING OFFICER (SENATOR DONNEWALD):

29 Senator Harber Hall.

30 SENATOR HALL:

31 Just briefly and without any comment on the material part of the
32 bill, but I would like to suggest that a bill like this seems to beg
33 the question - what is the difference between patronage employment and

1 coded employment, and I've never been too strong a fan for the Civil
2 Service method, but I think when we pass legislation like this, we
3 ...we tend to have the best and to try and have the best of two worlds,
4 and I think when we budget for a department, a patronage department,
5 that department head asks us for money to run his shop the way he
6 wants to, and now we're forcing, it seems to me, forcing him to deter-
7 mine how much he's going to spend in his budget for personal services
8 when he probably would like to be able to do it himself as he is able
9 to hire people that he wants to work and see that they do the job that
10 he wants done. If they don't, he fires them and hires somebody else.
11 I think that the...the privilege of paying him what he wants to offer
12 for that employment should be retained by him.

13 PRESIDING OFFICER (SENATOR DONNEWALD):

14 Senator Graham, did you wish recognition? Senator Graham.

15 SENATOR GRAHAM:

16 I think what we may be doing here is...

17 PRESIDING OFFICER (SENATOR DONNEWALD):

18 Just a moment, Senator. May we have order. Proceed.

19 SENATOR GRAHAM:

20 We may be giving these people the best of both worlds. Prevail-
21 ing wages, he means the highest rate being paid. So, we start this
22 whipsaw affect against other private employers. They're going to be
23 in direct competition all the time with our so-called patronage workers
24 which, in fact, gives those fellows...best of both worlds. I always
25 hesitate to rise in opposition to my esteemed colleague from Chicago.
26 I realize this is not his bill, but I do happen to disagree with him
27 to the point that I think it's a thoroughly bad bill, and I think we could
28 get along without it.

29 PRESIDING OFFICER (SENATOR DONNEWALD):

30 Just...Senator, your...Senator Berning and then Senator Bell,
31 unless it's a point of personal privilege. I have quite a list.
32 Senator Berning.

33 SENATOR BERNING:

1 Thank you, Mr. President and members of the Senate. Somewhat
2 repetitive, I must say that this is providing for construction employees
3 the benefits of full-time employment at the highest rate of compensa-
4 tion. We all know that construction is by its very nature seasonal.
5 For that reason, the compensation rates are higher for the most part
6 than many other trades and occupations. There's two ways that this
7 could be handled. One, these people could be brought under the Personnel
8 Code and in that way they would qualify. The other is to go this route
9 which contravenes the intention of the Personnel Code and also is an
10 excessive burden on the taxpayers. This is just going to increase the
11 costs over and above what is normally anticipated for this type of,
12 yes, patronage kind of employment. There is little justification, if
13 any, for extending full-time compensation benefits to persons at a rate
14 that is necessarily seasonal for others for those who are employed by
15 the State. This...this is a...an unfortunate...concept and really is
16 not worthy of our support.

17 PRESIDING OFFICER (SENATOR DONNEWALD):

18 Senator Bell.

19 SENATOR BELL:

20 Thank you, Mr. President. I'd just like to ask Senator Daley, my
21 also esteemed colleague from Chicago who I've had the privilege of
22 appearing before in committee in numerous occasions this Session.
23 Whether up in the audience, he's got members from the Toll Road
24 Authority that...

25 PRESIDING OFFICER (SENATOR DONNEWALD):

26 Just...just a moment. The question you're asking, I don't think
27 Senator Daley is going to be able to hear it. Would we please be in
28 our seats and knock off the conferences. Proceed.

29 SENATOR BELL:

30 Whether, in fact, Senator, you have members of the Toll Road
31 Authority up here in the audience supporting your need for that legis-
32 lation, because that was the thing that you brought to my attention
33 when I came before your committee on eleven separate occasions in

1 reference to anti-crime bills, you asked me, Senator, where are the
2 people that support the need for these particular measures, these par-
3 ticular anti-crime measures. And so, I would wonder whether members
4 of our audience are being...working...are working for the State and
5 are being underpaid in that position as maybe as painters or what, and
6 I just throw that out as an observation, I guess, Senator.

7 PRESIDING OFFICER (SENATOR DONNEWALD):

8 Is there further discussion? Senator Daley may close the debate.

9 SENATOR DALEY:

10 In regards to this bill, what's happening is when a department
11 comes in and states they need twenty-four painters, twenty-four
12 iron workers, twenty-four janitors, bricklayers, they budget those
13 items. And what they're doing now is they have the fifty or sixty
14 items in each...each department, and they're not using men to...to do
15 ...that type of work. They're using a janitor and putting them in the
16 position as an iron worker or a bricklayer to say what are they doing
17 to save the department their own money instead of coming true
18 to life in regard to their specific budget. I would ask for a favor-
19 able roll call.

20 PRESIDING OFFICER (SENATOR DONNEWALD):

21 The question is shall House Bill 622 pass. Those in favor vote
22 Aye. Those opposed No. The voting is open. Have all those voted
23 who wish? Take the record. On that question, the Ayes are 39, the
24 Nays are 3, 2 Voting Present. House Bill 622 having received a con-
25 stitutional majority is declared...is declared passed. Senator Nimrod,
26 581, House Bill. Read the bill.

27 SECRETARY:

28 House Bill 581.

29 (Secretary reads title of bill)

30 3rd reading of the bill.

31 PRESIDING OFFICER (SENATOR DONNEWALD):

32 Senator Nimrod.

33 SENATOR NIMROD:

1 Yes, thank you, Mr. President and fellow Senators. This bill is...

2 PRESIDING OFFICER (SENATOR DONNEWÄLD):

3 Just...just a moment, Senator. Will the Sergeant-at-Arms clear
4 the aisles? Will the members please be in their seats? We will not
5 proceed until we do have order. Proceed.

6 SENATOR NIMROD:

7 Mr. President...Mr. President, this bill provides for the area
8 council agencies which are under the Department of Aging. I would...
9 there are thirteen, and since there are only thirteen, there are numer-
10 ous counties without any additional services on the eleven million
11 dollars of Federal funds which they distribute. And what...what this
12 bill would require is that those district offices would require some
13 referral service in most of the counties, but would require, certainly,
14 a...a referral service in those counties that are over two hundred
15 thousand, and where there are...where the population base of less than
16 two hundred thousand, it would require they at least have some referral
17 service as...be able...the senior citizens be able to...avail themselves
18 of that particular service. Right now, they have to travel great
19 distances, and they are required...they are expected that they can spend
20 fifteen percent of their money for administration, and I think within
21 that budget, they may be able to take care of those offices without
22 having additional costs. I'd be glad to answer any questions. This
23 was heard in committee, and Lt. Governor Hartigan and several others
24 did testify in favor of it. The Department of Aging had some concern.
25 We did amend it, and I do believe there are...there's no opposition to
26 this bill at this time.

27 PRESIDING OFFICER (SENATOR DONNEWÄLD):

28 Senator Rock.

29 SENATOR ROCK:

30 Well, I was in the committee and I didn't see Lt. Governor
31 testify in front of...in favor of this one. As a matter-of-fact, the
32 Department of Aging is opposed to it. What's the cost of this?

33 PRESIDING OFFICER (SENATOR DONNEWÄLD):

1 Senator Nimrod.

2 SENATOR NIMROD:

3 Well, Senator Rock, I...I think that Lt. Governor Neil Hartigan
4 gave a very extended testimony on this particular bill, and you just
5 might not be aware of it. I...I'm not where it was, but he did
6 come in and testify in favor of the bill at a very extensive time. He
7 has received a copy of this amendment. Now, the Department of Aging,
8 the bill as it was originally written required the Department of
9 Aging to provide these offices, and the Department of Aging now is not
10 requiring these offices. This bill...this amendment was given to them.
11 I did talk with Director Holland very extensively on it. I have heard
12 ...I have not heard any opposition...them on this particular amend-
13 ment. As far as the cost is concerned, each area council can spend
14 fifteen percent of their administrative costs on administrative...the
15 total money they receive on administrative costs, and I would say that
16 within the way these departments are required to have these facilities,
17 they would not require them any additional money that they would be
18 able to stay within their fifteen percent limit.

19 PRESIDING OFFICER (SENATOR DONNEWALD):

20 Senator Rock.

21 SENATOR ROCK:

22 Well, the only...the question I had, again, was what...what is
23 the cost? I have not yet heard that.

24 PRESIDING OFFICER (SENATOR DONNEWALD):

25 Senator Nimrod.

26 SENATOR NIMROD:

27 Well, I think that for providing telephone referral services either
28 with other offices as was discussed with Senator Demuzio on this par-
29 ticular issue, they cannot spend more money than the fifteen percent.
30 You asked me what the cost is. What does it cost for a telephone
31 referral service or rent for a particular office - it could be...they
32 could be very extensive and spend a lot of money, or they can end up
33 spending five thousand dollars...a particular facility for that.

1 PRESIDING OFFICER (SENATOR DONNEWALD):

2 Is there further discussion? Senator Bruce.

3 SENATOR BRUCE:

4 Well, I'm still asking Senator Rock's question. What...what is
5 it going to cost and where is the appropriation for this...these area
6 offices?

7 PRESIDING OFFICER (SENATOR DONNEWALD):

8 Senator Nimrod.

9 SENATOR NIMROD:

10 Well, of...of the eleven million dollars that is distributed by
11 the...by the Department of Aging, fifteen percent of that goes for
12 administration of the district offices. The cost for these facilities
13 will have to come out of that fifteen percent. It is unnecessary...
14 unnecessary to have a appropriation bill...

15 PRESIDING OFFICER (SENATOR DONNEWALD):

16 Just a moment. Senator Bruce, for what purpose do you rise?

17 SENATOR BRUCE:

18 I want to know isn't that fifteen percent already being used for
19 administration? Obviously it is, the Federal money is already here...

20 PRESIDING OFFICER (SENATOR DONNEWALD):

21 Senator Nimrod.

22 SENATOR NIMROD:

23 No, Senator Bruce, the...all of these...thirteen area councils
24 do not use all of their fifteen percent for administration. Some use
25 five, some use more...some use more. They will just have distribute
26 those facilities for services so that the people can avail themselves.
27 What good is it to have one office that they're going to be spending
28 all this money at when the people can't avail themselves to the services,
29 and they could travel fifty or a hundred miles in order to get there.
30 This is meant to provide some branch referral service so the people
31 can avail themselves of this money that's being distributed to them.

32 PRESIDING OFFICER (SENATOR DONNEWALD):

33 Senator Bruce.

1 SENATOR BRUCE:

2 Well, thank you for the editorial comment. Now, let's get back
3 to the question. The question is, if they already spend the fifteen
4 percent for administration, where do they get the money? Now, an area
5 office may not spend their...all...all their fifteen percent, but are you
6 telling me that we return to the Federal Government all the money we
7 don't spend? Yes or no.

8 PRESIDING OFFICER (SENATOR DONNEWALD):

9 Senator Nimrod.

10 SENATOR NIMROD:

11 No.

12 PRESIDING OFFICER (SENATOR DONNEWALD):

13 Senator Bruce.

14 SENATOR BRUCE:

15 Since we don't send it back, I have an idea that we spend it.
16 And if we spend it, we spend it for something that must be meaningful.
17 This means we spend more money. Secondly, this bill restricts the
18 requirements to only those counties and cities or areas over one
19 hundred and fifty thousand, has absolutely no meaning at all in the
20 location of the elderly. If you come into southern Illinois in the
21 areas of sparsity, you'll find just as many old people and perhaps
22 more. In fact, the bill ought to say that no area office will be
23 established in areas over one hundred and fifty thousand, if you
24 really mean to give services, if you really mean that people don't have
25 to drive a long way, if you really mean that the elderly ought to have
26 a chance for these services, then you ought to put it in the areas of
27 southern Illinois, not in the big cities, Senator Nimrod.

28 PRESIDING OFFICER (SENATOR DONNEWALD):

29 Is there...Senator Regner.

30 SENATOR REGNER:

31 Yes, I just...just want to echo Senator Rock's and Bruce's concern
32 about this bill. I obviously...we're not going to get a dollars and
33 cents answer to the question, but if we're going to open twelve more

1 offices, it's going to cost that much more money to run this operation,
2 and I suggest that as long as we don't know how much money it's going
3 cost, it is going to cost some more, and it should be defeated.

4 PRESIDING OFFICER (SENATOR DONNEWALD):

5 Is there further discussion? Senator Nimrod may close the debate.

6 SENATOR NIMROD:

7 Evidently, Mr. President, the people who have spoken against
8 this bill have not read it. The amendment very clearly states, Senator
9 Bruce, that any county that does not have the two hundred thousand
10 people must have at least one additional facility, and it also provides
11 that for any area involving the two hundred thousand people of several
12 counties that they will have to have additional offices. So, it is
13 specifically designed based on the population which exists in...and
14 the distribution of the thirteen area council of the seventeen offices
15 open, it will require the majority of them to be downstate where people
16 have to travel a long distance. And I want to tell you, it's about
17 time that these agencies that's administering this money adjust their
18 use of their money and go ahead and provide those services so the people
19 can reach it. It does exactly what you're trying to say in this area,
20 and certainly, Senator Regner and Senator Rock, as far as the money is
21 concerned, these people ought to live within the money that they have.
22 And I think that they are misappropriated funds and lavish one office
23 when they can open up three or four others. Remember, these district
24 offices are made up of the local citizens under the local community
25 representative of those people. I think you have entirely the wrong
26 idea. These are not district offices made up of the Office of Depart-
27 ment of Aging. They are made up of local community residents and
28 associations who get together to pick out the different uses for which
29 the money should be used. The present time is the senior citizens do
30 not have an opportunity to get this information or apply for these par-
31 ticular funds in group activities, and this would afford them an
32 opportunity even if it's a telephone referral service. This will not
33 cost any additional money, and we ought to have a chance to go ahead

1 and provide these services on this basis.

2 PRESIDING OFFICER (SENATOR DONNEWALD):

3 The question is shall House Bill 581 pass. Those in favor vote
4 Aye. Those opposed No. The voting is open. (Machine cut-off)...
5 voted who wish? Take the record. On that question, the Ayes are 27,
6 the Nays are 10. House Bill 581 not having received a constitutional
7 majority is declared lost. Senator Nimrod moves to Postpone Considera-
8 tion. Consideration is postponed. House Bill 587, Senator Wooten.
9 Read the bill.

10 SECRETARY:

11 House Bill 587.

12 (Secretary reads title of bill)

13 3rd reading of the bill.

14 PRESIDING OFFICER (SENATOR DONNEWALD):

15 Senator Wooten.

16 SENATOR WOOTEN:

17 Yes, Mr. President and colleagues, I think you have all received
18 a great deal of mail on this. This is the celebrated Chadwick Slab,
19 and also covers a road in Henry County in Senator Latherow's district.
20 I have placed on the amendment requested by the Department of Appro-
21 priations, these roads, once repaired, will be taken over by their
22 respective counties and no longer be a state charge. I would request
23 a favorable roll call.

24 PRESIDING OFFICER (SENATOR DONNEWALD):

25 Senator Regner.

26 SENATOR REGNER:

27 A question of the sponsor.

28 PRESIDING OFFICER (SENATOR DONNEWALD):

29 Indicates he'll yield.

30 SENATOR REGNER:

31 Senator Wooten, is this in the Governor's budget?

32 PRESIDING OFFICER (SENATOR DONNEWALD):

33 Senator Wooten.

1 SENATOR WOOTEN:

2 This was in the Governor's Accelerated Construction Program, and
3 Representative Polk felt very strongly that the Governor should have
4 the option in a couple of directions if his...if he really has a
5 commitment to this road.

6 PRESIDING OFFICER (SENATOR DONNEWALD):

7 Senator Regner.

8 SENATOR REGNER:

9 I realize it was in the Accelerated Building Program. That pro-
10 gram obviously is dead right now. It may come up somewhere else, I
11 don't know, but I suggest that since it isn't in the budget, we should
12 not vote for this bill.

13 PRESIDING OFFICER (SENATOR DONNEWALD):

14 Senator Howard Mohr.

15 SENATOR MOHR:

16 Does...

17 PRESIDING OFFICER (SENATOR DONNEWALD):

18 Just a moment.

19 SENATOR MOHR:

20 Would...would...would the Senator yield?

21 PRESIDING OFFICER (SENATOR DONNEWALD):

22 He indicate he will.

23 SENATOR MOHR:

24 Senator Wooten, does the Department of Transportation support
25 this bill?

26 PRESIDING OFFICER (SENATOR DONNEWALD):

27 Senator Wooten.

28 SENATOR WOOTEN:

29 I'm reminded of a story which I don't think I'll go into...it
30 has to do with a young curate being served at the house of the
31 rector, and the rector says I believe you've been given a bad egg,
32 and the young curate says, no sir, parts of it, indeed, are quite
33 good. I think that parts of the appropriation for the Chadwick Slab

1. will be in the DOT budget.

2. PRESIDING OFFICER (SENATOR DONNEWALD):

3. Senator Howard Mohr.

4. SENATOR MOHR:

5. Alright, would...then this bill might be unnecessary if it might
6. be in the budget?

7. PRESIDING OFFICER (SENATOR DONNEWALD):

8. Senator Wooten.

9. SENATOR WOOTEN:

10. I might point out that the entire appropriation was also in the
11. Accelerated Construction Program. That didn't seem to do it a whole
12. lot of good. You might call this some insurance.

13. PRESIDING OFFICER (SENATOR DONNEWALD):

14. Senator Howard...Senator...Senator Latherow.

15. SENATOR LATHEROW:

16. Well, I understand, Senator, the amendment that went on yesterday,
17. after these roads are completed, then they are turned back to the
18. county. Is that correct?

19. PRESIDING OFFICER (SENATOR DONNEWALD):

20. Senator Wooten. Is there further discussion? The question is
21. shall House Bill 587 pass. Those in favor...vote Aye. Those opposed
22. No. The voting is open. (Machine cut-off)...voted who wish? Have
23. all those voted who wish? Take the record. On that question, the
24. Ayes are 37, the Nays are 4, 1 Voting Present. House Bill 587 having
25. received a constitutional majority is declared passed. House Bill 623,
26. Senator Savickas. Read the bill.

27. ACTING SECRETARY (MR. FERNANDES):

28. House Bill 623.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDING OFFICER (SENATOR DONNEWALD):

32. Senator Savickas.

33. SENATOR SAVICKAS:

HB 663
4/26/75

1 Yes, Mr. President and members of the Senate, what this bill does
2 is allow the State Police to allow compensatory time off for overtime
3 for the members of the State Police. I would appreciate your favorable
4 support.

5 PRESIDING OFFICER (SENATOR DONNEWALD):

6 Is there further discussion? The question is shall House Bill
7 623 pass. Those in favor vote Aye. Those opposed No. The voting is
8 open. (Machine cut-off)...voted who wish? Take the record. On that
9 question, the Ayes are 43, the Nays are none, 2 Voting Present. House
10 Bill 623 having received the constitutional majority is declared passed.
11 House Bill 663, Senator Rock. Read the bill.

12 ACTING SECRETARY (MR. FERNANDES):

13 House Bill 663.

14 (Secretary reads title of bill)

15 3rd reading of the bill.

16 PRESIDING OFFICER (SENATOR DONNEWALD):

17 Senator Rock.

18 SENATOR ROCK:

19 Thank you, Mr. President and Ladies and Gentlemen of the Senate.
20 House Bill 663 has been sponsored lo these many years by Representa-
21 tive McLendon. It finally made it over to the Senate. It's an amend-
22 ment to the Retail Installment Sales Act and the Motor Vehicle Install-
23 ment Sales Act, and what it does, effectively, is abolish the cosigner
24 provision of those two Acts with the single exception that a parent or
25 a spouse can still cosign. What we are doing here is making those who
26 purport to cosign a guarantor of collection as opposed to a guarantor
27 of payment. I think the bill was adequately explained. Senator
28 Carroll put an amendment on to clarify that, he took the words out of
29 the Uniform Commercial Code. We are attempting, at least, to help the
30 unwary who all too often sign as cosigners when they don't really, in
31 fact, understand what they're doing. I would ask for a favorable roll
32 call.

33 PRESIDING OFFICER (SENATOR DONNEWALD):

1 Senator Sommer.

2 SENATOR SOMMER:

3 Well, would the sponsor yield?

4 PRESIDING OFFICER (SENATOR DONNEWALD):

5 He indicates he will.

6 SENATOR SOMMER:

7 Senator Rock, it's my understanding this...this amendment says
8 that you would have to reduce to judgement or execution the obligation
9 against the...the purchasing party before you could come after a
10 cosigner. Is that correct?

11 PRESIDING OFFICER (SENATOR DONNEWALD):

12 Senator Rock.

13 SENATOR ROCK:

14 That is correct. That is my understanding of a guarantor of
15 collection.

16 PRESIDING OFFICER (SENATOR DONNEWALD):

17 Senator Sommer.

18 SENATOR SOMMER:

19 I think that's an excellent idea.

20 PRESIDING OFFICER (SENATOR DONNEWALD):

21 Senator Merritt.

22 SENATOR MERRITT:

23 Yes, Mr. President and members of the Senate, I can assure you
24 that it isn't exactly pleasant to have to constantly oppose my good
25 friend and respected colleague, Senator Rock, on many of these bills
26 dealing with financial institution matters. But Senator Rock, under
27 the present Act, there is an explanation of a co...cosigner obligation.
28 Now, the way I read it, under this bill as amended, this is removed.
29 Is...is this correct?

30 PRESIDING OFFICER (SENATOR DONNEWALD):

31 Senator Rock.

32 SENATOR ROCK:

33 As soon as we get some order, I'll agree with Senator Merritt.

1 That is correct.

2 PRESIDING OFFICER (SENATOR DONNEWALD):

3 Just...just a moment. Will the Sergeant-at-Arms please break
4 up all the conferences that are unauthorized and I'm sure they're
5 all unauthorized. If they have conferences, take them out of the
6 Chamber. Did they hear me? We just won't proceed until we have order.
7 Proceed. Senator Rock.

8 SENATOR ROCK:

9 That is correct. We have effectively abolished cosigners to the
10 extent that we have now are...are attempting by virtue of the terms
11 of House Bill 663 to make them a guarantor of collection as opposed to
12 a guarantor of payment, with the single exception that a parent or
13 spouse who cosigns is primarily liable, they would be a guarantor of
14 payment, and if you're going to try to tell me that a parent or a spouse
15 needs that kind of notice, I just simply disagree. A parent or a spouse
16 who cosigns darn well knows what they're doing.

17 PRESIDING OFFICER (SENATOR DONNEWALD):

18 Senator Merritt.

19 SENATOR MERRITT:

20 Well, I can only add that when you remove this language, it clearly
21 states the cosigners obligation that he must be notified of his rights,
22 and also by removing the language, it raises the question of adequately
23 explaining to a wife or parent who under this bill may be exempt from
24 guarantor status and, in fact, be fully obligated as cosigners. One
25 other question, Senator Rock. Does a parent or spouse still retain
26 cosigner status?

27 PRESIDING OFFICER (SENATOR DONNEWALD):

28 Senator Rock.

29 SENATOR ROCK:

30 Yes. That was the answer.

31 PRESIDING OFFICER (SENATOR DONNEWALD):

32 Senator Merritt, your time is expired.

33 SENATOR MERRITT:

1 I...I just...I just want...want to make this one statement then
2 I'll close, Senator...Mr. President, if I may. If this bill passes,
3 there will be no means to notify a parent or a spouse who cosigns a
4 contract of his obligation. I think it's...it's a bad bill. I...in
5 fact, it'll dry up a lot of credit. It won't be a consumer bill in
6 anyway. It'll...it'll just dry up a lot of credit.

7 PRESIDING OFFICER (SENATOR DONNEWALD):

8 Senator Glass.

9 SENATOR GLASS:

10 Thank you, Mr. President. It seems to me that under this bill,
11 and I wonder if I am correct, Senator Rock, we're...we're making it
12 impossible for anyone but the...the purchaser of the goods in question
13 to be a cosigner or primarily liable. So, is there anyway that an...
14 an individual if he wanted to be liable could be?

15 PRESIDING OFFICER (SENATOR DONNEWALD):

16 Senator...Senator Rock.

17 SENATOR ROCK:

18 Well, I suppose there could be an insulatory contract of some
19 sort, but we understand now, we...we are saying that one who purports
20 to be a guarantor of payment is, in fact, only a guarantor of collec-
21 tion. I think that's pretty clear. So, the answer to your question is
22 under the provisions of 663 with the single exception of the parent
23 or spouse, you are correct.

24 PRESIDING OFFICER (SENATOR DONNEWALD):

25 Senator Glass.

26 SENATOR GLASS:

27 Well, I...I suppose the objective is...is admirable, but I...I
28 have a hard time understanding the public policy need to...to pass
29 a bill interfering with contracts in this manner. It seems to me
30 if you're dealing with adults and if they have an opportunity to sign
31 a contract and they want to do it as a...a cosigner, they ought to be
32 able to do it. And I just think...this is a real questionable
33 merit to...to pass a law that would thusly limit the...the right of

1 someone who, let's say, is willing to be a cosigner and fully respon-
2 sible to be that way. I just really question whether this is good
3 legislation at all.

4 PRESIDING OFFICER (SENATOR DONNEWALD):

5 Senator Graham.

6 SENATOR GRAHAM:

7 To boil this down to laymans language, and that was the realm of
8 legal profession, this bill would in effect abolish the use of cosigners
9 except for parents and spouses, and even in those instances, would not
10 permit the seller or holder of the papers to proceed with the cosigners
11 obligation without first, unsuccessfully, suing the original fellow
12 who was...obligated in this instance. This is what it does, and in...
13 and in confirming what Senator Merritt said, the retail trade should
14 be absolutely, unalterably opposed to this, and this, despite what the
15 sponsor thinks it would do, will dry up credit rather than improve it,
16 and I think that this bill should be given a real quiet, dignified,
17 decent burial.

18 PRESIDING OFFICER (SENATOR DONNEWALD):

19 Senator Rock, there are several others. Do you want to respond?

20 SENATOR ROCK:

21 I just wish to respond to that. I think Senator Graham was...was
22 quite correct in attempting to characterize this in laymans language.
23 One, however, misstatement, and that is that a spouse or a parent can,
24 in fact, and would be, in fact, if they so sign, they would be pri-
25 marily liable.

26 PRESIDING OFFICER (SENATOR DONNEWALD):

27 Senator Ozinga.

28 SENATOR OZINGA:

29 I ordinarily hesitate to get into the act just for the sake of
30 getting into the act, but much has been said about this bill, and I
31 think the latter speakers have hit it right on the button. I agree
32 with Senator Rock in what he said, however, I'm just wondering whether
33 we're accomplishing the purpose that is really intended here. What

1 we are going to do is we are going to eliminate the possibility of a
2 lot of people whose credit rating isn't the best, who are going to
3 try to get a loan and who are going to be required to have a cosigner
4 in order to get that loan who now after the general public...after the
5 general banking field or the person that loans money to them realizes
6 that that cosigner is no longer going to be liable primarily. He is
7 not going to loan or give this money or the product to this person.
8 Therefore, it's going to come...become almost impossible for a minor
9 or a person that's...whose credit is not of the best degree to get a
10 loan. I'm just a little bit fearful that this bill will not accomplish
11 what the sponsor really wants it to accomplish, and therefore, would
12 respectfully suggest that I don't think it would be in the best interest
13 of these type...this type of person that the bill be passed and would
14 recommend it do not pass.

15 PRESIDING OFFICER (SENATOR DONNEWALD):

16 Senator Carroll. Just a moment.

17 SENATOR CARROLL:

18 Thank you, Mr. President. I rise in support of this legislation.
19 And I think there's been some misunderstanding and misstatements, and
20 I would hope the membership would have the opportunity to understand
21 the legislation. What we're talking about here are the types of retail
22 installment contracts or retail charge contracts, the kind of thing
23 that you and I and everyone else here goes out and buys at a store,
24 furniture or clothing or some item like that. We're not talking about
25 business deals, and what we're saying is other than the parents, if
26 it's a minor and the parent goes with to buy this item, or other than
27 the wife or husband, if the other is going in to buy it, and the two
28 of them are there so they both know about it, other than in those
29 situations, if you need a guarantor, if you don't want to give credit
30 to the person, fine. You can still get a guarantor. It's a guarantor
31 of collection. It's not a prime obligation. So, first you got to go
32 in and sue and try and get recovery from the guy who bought it which
33 is fair. If you...if he doesn't pay, then you go after the cosigner

1 which is also fair. Rather than saying, instead of even worrying
2 about the guy who got the goods, go after the other one because maybe
3 the uncle had some money, and you're not worried about the guy who got
4 the goods. What this says is, first go after the guy who got the goods.
5 If he doesn't pay you, then you still got the right to go after the
6 other guy. I think in these types of situations, this is excellent
7 legislation, and I would urge everyones support.

8 PRESIDING OFFICER (SENATOR DONNEWALD):

9 Senator Soper.

10 SENATOR SOPER:

11 Thank you, Mr. President. This bill reminds me of other bills
12 we've had. It reminds me of the situation where...

13 PRESIDING OFFICER (SENATOR DONNEWALD):

14 Just...just a moment, Senator. Would the Sergeant-at-Arms clear
15 the side aisles on both sides, and would the members be in their
16 seats.

17 SENATOR SOPER:

18 It reminds me of the situation where young woman, young man or
19 a young person starting out in life needs some furniture and has got
20 a new job and because he hasn't been at the job long enough, he goes
21 out to borrow the money. He wants to get it...get the money at the
22 lowest interest rate possible. Well, he needs a cosigner because he
23 hasn't established himself. He's got a friend, and his friend is well
24 established, and his friend comes in and he said I'll cosign for you.
25 Now, if the...if the bank or the lending institution has to first
26 chase one of these fellows at the...the primary, what you call the
27 primary signer, they're going to look at this and...and not allow their
28 money to be put out where they have to have two law suits. Now, if he
29 doesn't pay and the...and the bank or the...or the lender sends a note
30 to the other person and says now, there's been a default on this. Well,
31 the...the friend will go to his friend and say, Joe, you know, or...or
32 Mary, I...I signed for you and I'd like to have you pay this, and...
33 and the money is paid. Now, if you're going to get the lowest interest

1 rate possible and...and send him to a place where he can get the
2 lowest interest rate, you better allow friends to do things for
3 friends. We're always trying to protect somebody and say that they
4 don't understand what they're doing. And I would say that to preclude
5 eighteen and twenty percent loans and...and the loans from small loans
6 ...or from...from the rip off artists who don't need a court to collect,
7 I...I think we should cease trying to interfere with legitimate
8 business.

9 PRESIDING OFFICER (SENATOR DONNEWALD):

10 Is there further debate? Senator Rock may close the debate?

11 SENATOR ROCK:

12 Thank you, Mr. President and Ladies and Gentlemen of the Senate.
13 Some of the fears that I have heard expressed on the other side simply
14 are unfounded under the terms of House Bill 663. If, in fact, the
15 poor destitute minor who's going out and just starting out in life
16 wants to buy some furniture, his parents can cosign, and they will,
17 in fact, be primarily liable. What we are saying here, is that for
18 those persons who...who, as Senator Carroll so rightfully said, buy
19 things that they really, in fact, cannot afford and get some poor
20 mope to cosign. The mope who cosigns is, in fact, going to be pro-
21 tected, he's a guarantor of collection not of payment, and you...the
22 sellers will have to use a little bit more discretion than they have
23 in the past. This is a consumer protection bill, admittedly. We are,
24 in fact, making those persons who cosign with the exception of a spouse
25 or a parent, we are making those...those persons guarantors of collec-
26 tion. We are saying to the seller, you have the advantage, go use
27 it. I urge a favorable vote.

28 PRESIDING OFFICER (SENATOR DONNEWALD):

29 The question is shall House Bill 663 pass. Those in favor vote
30 Aye. Those opposed No. The voting is open. Have all those voted
31 who wish? Take the record. On that question, the Ayes are 38, the
32 Nays are 15. House Bill 663 having received the constitutional
33 majority is declared passed. Senator Rock, would you come to the

1 podium. Senator Rock.

2 PRESIDING OFFICER (SENATOR ROCK):

3 On the order of House Bills on 3rd reading. House Bill 665,
4 Mr. Secretary.

5 SECRETARY:

6 House Bill 665.

7 (Secretary reads title of bill)

8 3rd reading of the bill.

9 PRESIDING OFFICER (SENATOR ROCK):

10 Senator Donnewald.

11 SENATOR DONNEWALD:

12 Yes, Mr. President, if you can hear me and the rest of the members
13 can, House Bill 665 is a bill originally drafted to provide where a
14 municipality has exercised the right to zone as provided presently
15 in the statute. They could not be pre-empted by the county to come
16 in that one and a half mile zone. Senator Latherow had an amendment
17 which I did attach earlier today which solves the problems that he
18 had, and I would...I would ask for a favorable roll call.

19 PRESIDING OFFICER (SENATOR ROCK):

20 Any discussion? Senator...Senator Savickas.

21 SENATOR SAVICKAS:

22 I'm trying to just look at the synopsis on this. This means
23 that a municipality could take over territory one and a half miles
24 beyond its municipal limits?

25 PRESIDING OFFICER (SENATOR ROCK):

26 Senator Donnewald.

27 SENATOR DONNEWALD:

28 No, with...presently the law is...allows a municipality to zone
29 within one and one half miles. That's the way the law is now. What
30 this bill originally intended to do with...and...and what it does
31 with the amendments that we adopted was to not let a county pre-empt
32 that city's right which it has...that right which it has presently.

33 PRESIDING OFFICER (SENATOR ROCK):

1 Senator Savickas.

2 SENATOR DONNEWALD:

3 For zoning concern.

4 SENATOR SAVICKAS:

5 Well, now you're dictating that the county could dictate to the
6 municipality on zoning. Is that what you're saying?

7 PRESIDING OFFICER (SENATOR ROCK):

8 Senator Donnewald.

9 SENATOR DONNEWALD:

10 Would you repeat...

11 PRESIDING OFFICER (SENATOR ROCK):

12 Senator Savickas. Can we have some order please.

13 SENATOR SAVICKAS:

14 Would...would these amendments, you're saying now, that the
15 county could supercede the municipality's authority?

16 PRESIDING OFFICER (SENATOR ROCK):

17 Senator Donnewald.

18 SENATOR DONNEWALD:

19 No..

20 PRESIDING OFFICER (SENATOR ROCK):

21 Further discussion? Senator Schaffer.

22 SENATOR SCHAFFER:

23 I'm not sure what this bill does at this point. Senator Donne-
24 wald, what I'm concerned about is the situation where a town could
25 decide that there has to be...be convinced they need a ready mix
26 plant and they don't really want it in the corporate limits so they
27 use this mile and a half zoning to put a ready mix plant in the
28 middle of a few houses out in the country, and the county...board
29 wants to come in and protect this small residential area in the
30 unincorporated area and...and this bill would thwart the county's
31 ability to protect the residents in the unincorporated area. Am I
32 correct in this assumption?

33 PRESIDING OFFICER (SENATOR ROCK):

1 Senator Donnewald.

2 SENATOR DONNEWALD:

3 There are...there are fifty some odd counties that did not take
4 advantage of the zoning laws that we gave them a right to enact.
5 And what this does, basically, is not to permit them to pre-empt the
6 cities that took advantage of the right to zone. If you can hear me,
7 that is.

8 PRESIDING OFFICER (SENATOR ROCK):

9 Will the Pages and the Staff and everybody else please stop the
10 conferences, and will the members be in their seat and attentive.
11 Senator Schaffer.

12 SENATOR SCHAFFER:

13 Well, I did hear you, Senator Donnewald, and I think the answer
14 that you gave me was yes, that a city can come out and put a zoning in
15 an area that the residents in the unincorporated area might not like,
16 and the county board would be prohibited. This makes me particularly
17 uncomfortable because the people live in the unincorporated area,
18 be it a few farmers or some outlying houses, of course, have no vote
19 for who gets on the city council on a little town, and you might have
20 a situation where a little town, it's only a couple of blocks square,
21 would suddenly have its area of control multiplied ten or twenty times.
22 And the people that fall under...there may be more people in the mile
23 and a half area in the unincorporated area who have no control over
24 their destiny from a zoning standpoint than say six or seven hundred
25 people in the little town. I understand the problem you're getting at,
26 but I do believe you're...you're putting people's destiny in the hands
27 of elected officials that they have no control over or influence on,
28 and I think that could work to the detriment of individual citizens
29 in the State.

30 PRESIDING OFFICER (SENATOR ROCK):

31 Senator Donnewald, do you wish to respond to that?

32 SENATOR DONNEWALD:

33 Well, that was a statement not a question. The only thing I want,

1 if there's no other debate, I want a roll call.

2 PRESIDING OFFICER (SENATOR ROCK):

3 Any further discussion? Senator Graham.

4 SENATOR GRAHAM:

5 Mr. ...

6 PRESIDING OFFICER (SENATOR ROCK):

7 Senator Graham.

8 SENATOR GRAHAM:

9 I...I enjoyed your remark about the Staff and the Pages. Some-
10 times we wonder who's elected around here. I think what we are
11 facing with...facing with the provisions of this bill, do we believe
12 sincerely that a municipality who has adopted...which has adopted a
13 zoning ordinance which has an elected governing body according to the
14 dictates of that municipality will take precedence over the planning
15 of their own area as opposed to what an unscrupulous, possible...
16 unscrupulous county board might do. Either we believe in the preser-
17 vation of small municipalities who certainly have a right to enjoy
18 their own individuality and preserve their own integrity or we say we
19 don't, and then we say at the same time, some of the people that...
20 some of the people that object to this are saying at the same time that
21 they want Washington to quit coming into Illinois and telling us what to
22 do, but they think...a county should go into a small town and tell
23 them what to do...should do, and at the same time, they're the people
24 who object to the State going into counties and telling them what to
25 do. Now, where in the heck are we? Where...actually, where are our
26 prior...priorities? Do we believe in the preservation of the small
27 communities or don't we? It's just that simple.

28 PRESIDING OFFICER (SENATOR ROCK):

29 Senator Fawell.

30 SENATOR FAWELL:

31 Mr. President and members of the Senate, I rise in opposition to
32 this bill. I'm not...I don't think a lot of us are aware of what we
33 are doing. I know our various county boards are very much opposed to

1 this legislation, and probably you have received letters from the
2 county board members stating that they are opposed. But what we're
3 doing here is saying that a municipality can zone outside of its
4 boundaries. I think we...we say that that is so now only in those
5 limited cases where a county may not have actually enacted a zoning
6 ordinance. But we are now saying that actually...that a municipality
7 even when a county has not enacted a zoning ordinance can zone outside
8 of its boundaries. I think mostly those scholars, I don't mean to
9 profess to be one on this subject, have said that that's unconstitu-
10 tional to begin with because of what Senator Schaffer has alluded to
11 that when people do not elect the body that is zoning them and profes-
12 sioning to have jurisdiction over them, it just is not constitutional.
13 You cannot do that, and all we're doing now is compounding the error,
14 and saying that even if the county has a zoning ordinance, the city
15 can go out outside of its boundaries, and usurp serve the jurisdiction
16 of the county board and just promulgate the type of zoning that they
17 would like to have regardless of what the true authority that has
18 jurisdiction over that area may think about it. I think when our
19 county boards recognize what has happened here that you're going to get
20 a flood of letters, and I think rightfully so. And it's going to
21 cause a lot of expense to ultimately have it declared what it is,
22 unconstitutional.

23 PRESIDING OFFICER (SENATOR ROCK):

24 Senator Weaver.

25 SENATOR WEAVER:

26 Thank you, Mr. President. Well, I stand in favor of Senator
27 Donnewald's bill, and I think that there needs to be some resolution
28 to the problems that have...are existing throughout the State. Basi-
29 cally, municipalities came in with zoning ordinance many years ago,
30 and they went out a mile and a half from their corporate limits in
31 order to protect the orderly growth and development of that community.
32 Then comes the county along and decides that they're going to have to
33 enact an...a zoning ordinance in order to create the growth and

1 development of the county, but the resolution of this problem has to
2 come from the General Assembly. We allowed these communities to zone
3 a mile and a half out and for the most part I think they've done a
4 good job. There's a lot of fights going on between county zoning
5 boards and municipal zoning boards. It ends up where they have regional
6 planning commissions that they have to kind of make the decisions, but
7 I think they need some direction from the General Assembly, and I stand
8 in support of House Bill 665.

9 PRESIDING OFFICER (SENATOR ROCK):

10 Senator Glass.

11 SENATOR GLASS:

12 Well, thank you, Mr. President, members of the Senate. I...I
13 opposed this bill, and I...I do hope the membership...thank you, Mr.
14 President...recognizes what it would do. It would say that a city
15 could reach out and zone land that...that's not in the city. It's
16 that simple. Land that is in an unincorporated area of a county, if
17 that county has a zoning ordinance, the zoning ordinance ought to
18 control that land. A city should not be able to reach out and zone
19 land that isn't in the city to affect people who are not citizens of
20 that city who don't pay taxes to it, aren't regulated by its police or
21 fire protection and...and may have no connection to it. They may have
22 their own wells and septic systems and...and be totally unrelated, and
23 yet, they're under the thumb of the city. And I think that...that is
24 wrong, and I speak as a municipal attorney. I think that municipalities
25 want to expand their boundaries and want to annex land, and if they
26 can, in fact, annex land, then they ought to be able to zone it, but
27 it doesn't seem to me they ought to be able to have the power to zone
28 land that isn't within their boundaries, particularly if the county
29 government which is the government of the...the people involved has
30 exercised that zoning power. I see what's being attempted here, but
31 I think it's simply wrong and should not pass.

32 PRESIDING OFFICER (SENATOR ROCK):

33 Senator Davidson.

1 SENATOR DAVIDSON:

2 Well, Mr. President and members of the Senate, I rise in opposi-
3 tion to this bill, and I tell you why. Now, all of you know the
4 cities or municipalities already have the power to zone for a mile and
5 a half outside their boundaries if the county does not have zoning in
6 the unincorporated area. Now, this amendment that was put on, not
7 the one that Senator Latherow had put on saying you can't zone agricul-
8 tural land for nonagricultural land for some other use, but the amend-
9 ment that's put on says, that if the municipality has a mile and a half
10 zoning and the county then will adopt a zoning ordinance to control
11 their own land if the municipality had theirs in first, they would
12 control that mile and a half and they're not subject to recall or any
13 source of vote to the people in that mile and a half, and effectively,
14 you're taking out a mile and a half round each municipality and each
15 county where the county does not have a zoning ordinance. And, I will
16 tell you, Ladies and Gentlemen, there's more than fifteen counties
17 that don't have a zoning ordinance. There happens to be fifty-two
18 counties that do not have a zoning ordinance in Illinois today, and
19 you're, ineffectively destroying the governmental body of the people of
20 the county board who are responsible for the unincorporated area that
21 they will not, if this bill passes and become law, they would not have
22 the opportunity that govern the zoning or the control their growth in the
23 area surrounding that municipality and the people in the county board
24 are responsible for those people. Now, the mile and a half limitation
25 that's been given to the cities before worked effectively, and if they
26 want to fight, then let them fight within the county. Let's not, we
27 the Legislature, take away a control of another sovereign body and
28 that's the county that control that land which they're responsible for.
29 This is a bad piece of legislation, and I urge you to vote No.

30 PRESIDING OFFICER (SENATOR ROCK):

31 Further discussion? Senator Berning.

32 SENATOR BERNING:

33 Thank you, Mr. President and members of the Senate. I recognize

1 that House Bill 665 is attempting to address itself to a very
2 knotty problem. One that I'd like to call the attention of this
3 Body to as a matter of great concern for the County Problems Commission.
4 We have this on our agenda for in-depth study over this next twelve
5 month period. This only scratches the surface of what is a serious
6 and plaguing problem, not only for residents of municipalities or
7 counties where there is no zoning, but counties where there already
8 is zoning. This only goes part way, and I submit that it perhaps is
9 premature. I would suggest to the sponsor that rather than passing
10 this, it ought to be held and allow us to analyze the entire problem
11 with the ramifications that it manifests. I call your attention simply
12 to one example of where this progression of affect can be difficult.
13 If we allow this, the mile and a half then becomes controlled if an
14 annexation then occurs within that mile and a half, the then mile and
15 a half is pushed out farther and again pre-empt additional uncontrolled
16 territory as far as the municipality is concerned pushing further into
17 the county. I sincerely say that this is a matter that ought to be
18 temporarily held until the County Problems Commission which is a work-
19 ing, permanent commission has an opportunity to analyze all of the
20 aspects and ramifications of annexation and zoning both inside and
21 outside of municipalities and within and without the counties. They
22 are interrelated inextricably.

23 PRESIDING OFFICER (SENATOR ROCK):

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

25 SENATOR DONNEWALD:

26 No speech. The best speech is a yes or a no vote. I would urge
27 passage. Roll call.

28 PRESIDING OFFICER (SENATOR ROCK):

29 The question is shall House Bill 665 as amended pass. Those in
30 favor will vote Aye. Those opposed will vote Nay. The voting is open.
31 Have all voted who wish? Have all voted who wish? Take the record.
32 On that question, the Ayes are 18, the Nays are 22, none Voting Present.
33 House Bill 665 as amended having failed to receive a constitutional,

1 majority is declared lost. On the order of House Bills on 3rd reading
2 is House Bill 679. Senator Carroll seeks leave to return 679 to the
3 order of 2nd reading for the purpose of an amendment. Is leave granted?
4 So ordered. On the order of House Bills on 2nd reading, House Bill
5 679. Change the number, Mr. Secretary. 679.

6 SECRETARY:

7 Amendment No. 1 offered by Senator Carroll.

8 PRESIDING OFFICER (SENATOR ROCK):

9 Senator Carroll.

10 SENATOR CARROLL:

11 Thank you, Mr. President and members of the Senate. Amendment
12 No. 1 incorporates within to the bill the formula for mobile home
13 tax. And it seems to be the acceptable formula of Senator Berning
14 and all. This was at the request of several members of the other side,
15 and still allows the counties that classify the option of passing an
16 ordinance on the collection. I would move the adoption of the amendment
17 which adds in the formula.

18 PRESIDING OFFICER (SENATOR ROCK):

19 Senator...any discussion? Senator Carroll has moved the adoption
20 of Amendment No. 1 to House Bill 679. Senator Morris.

21 SENATOR MORRIS:

22 Senator Carroll, how does this comply with that existing system
23 of the tax on mobile home trailers? Isn't there some constitutional
24 problem with that right now?

25 PRESIDING OFFICER (SENATOR ROCK):

26 Senator Carroll.

27 SENATOR CARROLL:

28 I don't know specifically the constitutional problem you're
29 referring to. This is what they call the privilege tax and it's
30 based on a square footage, and Senator Berning had had, I believe,
31 it was a commission proposal that allocated it based on the age of
32 the vehicle. All we did by this amendment was incorporate that instead
33 of the flat fifteen cents into this Act. I don't know what you're

1 referring to other than that.

2 PRESIDING OFFICER (SENATOR ROCK):

3 Senator Morris.

4 SENATOR MORRIS:

5 In other words, as it is right now, they pay fifteen cents per
6 square foot regardless of the age of the trailer?

7 PRESIDING OFFICER (SENATOR ROCK):

8 Senator Carroll.

9 SENATOR CARROLL:

10 That is my understanding.

11 PRESIDING OFFICER (SENATOR ROCK):

12 Senator Morris.

13 SENATOR MORRIS:

14 And...and we're now moving it to what...with the depreciation
15 factor in a sense built in?

16 PRESIDING OFFICER (SENATOR ROCK):

17 Senator Carroll.

18 SENATOR CARROLL:

19 Again, that is my understanding. A fifteen year old model would
20 be seven and a half cents.

21 PRESIDING OFFICER (SENATOR ROCK):

22 Further discussion? Senator Graham.

23 SENATOR GRAHAM:

24 Mr. President, Senator Berning and Senator Carroll have put in
25 tremendous amount of work on this particular bill as was put in on
26 Senate Bill 696, too. 696 provides a different alternative to this
27 very complex problem. This places...the adoption of this amendment
28 places this bill in good condition insofar as I'm concerned. I'm hopeful
29 then that the Governor will have two bills. I hope that he will
30 check with the right person before he signs either one of them, and
31 come out with the best bill. I...I urge the adoption of this amend-
32 ment and the subsequent passage of the bill.

33 PRESIDING OFFICER (SENATOR ROCK):

1 Further discussion? Senator Carroll moves the adoption of Amend-
2 ment No. 1 to House Bill 679. All those in favor signify by saying
3 Aye. All those Opposed. The Ayes have it. The amendment is adopted.
4 Any further amendments? 3rd reading. On the order of House Bills on
5 3rd reading, House Bill 734. Mr. Secretary.

6 SECRETARY:

7 House Bill 734.

8 (Secretary reads title of bill)

9 3rd reading of the bill.

10 PRESIDING OFFICER (SENATOR ROCK):

11 Senator Mitchler.

12 SENATOR MITCHLER:

13 Thank you, Mr. President and members of the Senate. House Bill
14 734 is a bill that makes an appropriation of three million dollars
15 or so much is necessary out of that amount. This amount is appropriated
16 to the Department of Children and Family Services for the construction
17 of a nursing care facility for veterans in the Chicago area in the
18 northeastern section of the State. The appropriation is made in con-
19 junction with matching funds from the Federal Government from the
20 veterans affairs of the Federal Government for such purpose. Now, this
21 money would actually come from the Capital Development Board. There's
22 a very great need, colleagues, for a veterans nursing facility in the
23 northeastern section of the State. We have a tremendous amount of...
24 number of Vietnam veterans that are in need of this nursing care, and
25 the veterans affair at the Federal level in conjunction with the
26 Illinois Veterans Commission has determined the need for this facility.
27 I might point out that it's going to be funded on a sixty-five, thirty-
28 five matching fund with the Federal Government, and the majority pro-
29 bably will bring in an income of approximately six million dollars
30 into the State of Illinois from the Federal level. I'd be glad to
31 answer any questions, but I certainly would ask for a favorable roll
32 call in support of the veterans.

33 PRESIDING OFFICER (SENATOR ROCK):

1 Any discussion? Senator Knuppel.

2 SENATOR KNUPPEL:

3 Mr. Chairman and members of the Body, I would support anything
4 for the veterans and the people who have served our country. I only
5 hope that in the passage of this bill that we don't forget the already
6 existing facility which is in my district. As you know and as has
7 been related here on the Floor that the facilities at Quincy have...
8 depreciated to a deplorable state, and it's necessary that we spend
9 extra money this year to try to bring them back into condition. What
10 I'm fearful of, and I'm sincere about this, Senator Mitchler and the
11 younger members of this Body who may be here long after I've departed,
12 that you not forget that we have had for a long time a veterans facility
13 which has not received the attention that it ought to have received
14 in downstate Illinois. I'm not against having it in Chicago. That's
15 where the great part of the population is, and I think those people
16 need to be served, but I express the fears not only of myself but of
17 all people in my area of the State, that like the roads which have
18 deteriorated in west central Illinois, but those of you who are from
19 the more populated area will soon forget again, and I repeat, again
20 those facilities which have already been created on which the State of
21 Illinois has expended great sums of money and...and like the new girl,
22 you know, like the new girlfriend, she's a lot more attractive than
23 the old one, and I ask you not to forget, not to forget the need in
24 downstate Illinois and particularly in west central Illinois of some
25 expenditures of State money for capital facility, service not only the
26 people in the...in the terms of roads, but also, to continue at a high
27 level of efficiency that facility which we already have at Quincy,
28 Illinois.

29 PRESIDING OFFICER (SENATOR ROCK):

30 Any further discussion? Senator Ozinga.

31 SENATOR OZINGA:

32 Mr. President, I rise not in opposition to this bill, but I rise
33 to clarify a statement that was just made. I agree with Senator

1 Knuppel when he said that the facilities in Quincy have deteriorated
2 to a great degree in the last couple of years, but that is only because
3 they have allowed them to deteriorate in the last couple of years.
4 That institution or facility as you might be termed is a great place.
5 It is a place that could be rehabilitated if it were managed and run
6 properly. We have visited that institution. We have been there. It
7 could be one of the greatest, if you will, country clubs for the
8 veterans and their wives if it would just be managed properly and taken
9 care of. We have advocated that this be turned over to the Veterans
10 Administration, and I'm sure that if they would just follow and heed
11 some of the things that would be done over there, why I'm sure that
12 the people from Chicagoland and the metropolitan areas would be clamor-
13 ing to get in there, and it would be a great place to be. We wouldn't
14 need this money, but as it is, I can't say, don't vote for this because
15 something new like Senator Knuppel has just said would be great, but
16 again, I reiterate that that territory out there in Quincy could be
17 if it only would be one of the greatest spots in the State of Illinois.
18 Thank you.

19 PRESIDING OFFICER (SENATOR ROCK):

20 Senator Knuppel.

21 SENATOR KNUPPEL:

22 On a matter of personal privilege.

23 PRESIDING OFFICER (SENATOR ROCK):

24 State your point.

25 SENATOR KNUPPEL:

26 My point is this, Senator Ozinga...has implied that these facili-
27 ties were in...excellent condition two years ago. I'll tell him -
28 I campaigned. I went in those facilities. I got people to register.
29 I went in where the doctors there live. They were not in good condi-
30 tion even two years ago.

31 PRESIDING OFFICER (SENATOR ROCK):

32 Any further discussion? Senator Mitchler, you wish to close the
33 debate?

1 SENATOR MITCHLER:

2 Just briefly, I appreciate the remarks of Senator Knuppel, and
3 I know that he is vitally interested in the Quincy Soldiers' and
4 Sailors' Home, and also the remarks from Senator Ozinga. And I know
5 that they give full support to these two facilities at Normal and
6 Quincy that have done so much. This is a nursing facility that is
7 in very much need, and I would certainly ask you for a favorable vote
8 for the benefit of our needy war veterans that have come back and need
9 this nursing care. Thank you.

10 PRESIDING OFFICER (SENATOR ROCK):

11 The question is shall House Bill 734 pass. Those in favor will
12 vote Aye. Those opposed will vote Nay. The voting is open. You
13 vote Senator Donnewald Aye please. On this...have all voted who wish?
14 Take the record. On that question, the Ayes are 53, the Nays are 2,
15 none Voting Present. House Bill 734 having received a constitutional
16 majority is declared passed. Senator Lemke, for what purpose do you
17 arise?

18 SENATOR LEMKE:

19 I...just for the matter of record, if I had been present on...on
20 House Bill 623, I would have voted for the bill.

21 PRESIDING OFFICER (SENATOR ROCK):

22 The record will so show. On the order of House Bills on 3rd
23 reading. House Bill 679. Mr. Secretary.

24 SECRETARY:

25 House Bill 679.

26 (Secretary reads title of bill)

27 3rd reading of the bill.

28 PRESIDING OFFICER (SENATOR ROCK):

29 Senator Carroll.

30 SENATOR CARROLL:

31 Thank you, Mr. President. This is the bill that we had just amended
32 where we added in the formula for mobile homes based on age. It
33 also allows that the tax in a county of two hundred thousand that

1 classifies can be provided for by county board ordinance, and that,
2 in any case when the taxes are collected that they are distributed
3 to the local taxing districts. I would move for a favorable roll call.

4 PRESIDING OFFICER (SENATOR ROCK):

5 Any discussion? The question is shall House Bill 679 pass. Those
6 in 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,
8 the Ayes are 49, the Nays are 3, none Voting Present. House Bill 679
9 as amended having received a constitutional majority is declared passed.
10 On the order of House Bills on 3rd reading. House Bill 736. Mr.
11 Secretary.

12 SECRETARY:

13 House Bill 736.

14 (Secretary reads title of bill)

15 3rd reading of the bill.

16 PRESIDING OFFICER (SENATOR ROCK):

17 Senator Hickey. Can we have some order please? Will the members
18 please be in their seats, and will the Staff and the Pages take their
19 conferences elsewhere? Senator Hickey.

20 SENATOR HICKEY:

21 Mr. President and members of the Senate, during the past year,
22 Illinois has experienced the beginning of what could be one of the
23 major scandals of the State's history, the substandard operation of
24 hundreds of nursing and sheltered care homes. Fourteen deaths in one
25 home in the Rockford area and eighteen deaths in Lake County have
26 triggered investigations that reveal that over five thousand elderly
27 or retarded citizens of our State are living in private facilities
28 that are so substandard that not only are they not receiving adequate
29 care and treatment but their actual lives are in danger. Illinois is
30 pumping close to two hundred million dollars a year into private
31 facilities, and I think that the taxpayers have a right to know who
32 the owners are of these substandard facilities. The Federal Government
33 already requires disclosure of ownership of all of those who own ten

1 percent or more of the stocks. The owners, therefore, are handing
2 out parcels of nine percent to various members of their families just
3 to prevent their identification with these death traps. Only if we
4 demand full disclosure of ownership will we ever flush out those
5 individuals who will sacrifice...sacrifice patient care for the extra
6 dollar of profit. House Bill 736 will bring to light for once and for
7 all those who are benefiting from the exploitation of the elderly,
8 the mentally ill, and the mentally retarded who cannot protect them-
9 selves. Full disclosure of all ownership not allowing for small parcels
10 of stock to be spread around the family will do more to clean up the
11 poor homes than any other single report required of them. House Bill
12 736 has been amended to require this full disclosure with an updating
13 every six months. I solicit your support for the bill.

14 PRESIDING OFFICER (SENATOR ROCK):

15 Senator Partee.

16 SENATOR PARTEE:

17 Well, Mr. President and members of the Senate, of course, it
18 would be nice to know who owns the building. It would be a great
19 deal nicer to know who is...to know who is permitting such an establish-
20 ment that's so bad to be run. First of all, who runs it isn't as
21 important as how it's run, and it's a part of the Health Department's
22 function. It's a part of the City of Rockford's function to determine
23 before a license is issued that it is a good facility, that the
24 facility is well run, that it's well staffed, that the people are
25 getting what they deserve. Who gives it to them is less important.
26 I don't see how they can open. I don't see how they can run if they're
27 running in contravention of law. They should be closed. That's the
28 function of those who run them. Now, who owns it is another question.
29 So, I don't think that this is going to solve the problem, but it's
30 the...the operation of the law and making certain that it's run pro-
31 perly, it solves the problem.

32 PRESIDING OFFICER (SENATOR DONNEWALD):

33 Senator Don Moore.

1 SENATOR MOORE:

2 Thank you, Mr. President and members of the Senate. I rise in
3 opposition to this bill, and I can concur in Senator Partee's remarks.
4 If there are substandard homes in here that we have in the State of
5 Illinois, the Department of Public Health has the licensing and...
6 and inspection authority that the General Assembly has seen fit to
7 give them to monitor these operations. I want to call, however, to
8 the members of this Body a bill that has passed the Senate and the
9 House, Senate Bill 947, that does substantially what Senator Hickey's
10 bill does except that it provides only to the dispensers of medical
11 services participating in the Medical Assistance Program established
12 under the...this Article and I'm referring to the Medical Assistance
13 Program to the Department of Public Aid. In those cases, there is
14 a disclosure provision. It does not, however, apply to homes which
15 do not have public aid patients who do not receive any...or are not
16 dispensers of medical services under the Public Aid Code. We have
17 found connections where doctors would own nursing homes, they would
18 own pharmacies and so forth, clinics, where there is an alleged rip
19 off in the Medicaid Program in Illinois. I think that this information
20 should be disclosed to the Department of Public Aid. The bill is now
21 on the Governor's desk awaiting his action. I think that Senate Bill
22 947 adequately covers the disclosure provision as far as the monies
23 of the State of Illinois are concerned, and I feel that Senate Bill
24 736 should be resoundingly defeated.

25 PRESIDING OFFICER (SENATOR DONNEWALD):

26 Senator...Senator Netsch. Just a moment. If we can have some
27 order, we'll recognize Senator Netsch, otherwise, we'll stand at ease
28 until we have order. Senator Netsch.

29 SENATOR NETSCH:

30 Thank you, Mr. President. I think Senator Partee raised one
31 very good and valid point that it is not solely who owns these
32 facilities that is of concern to us. It's who...it's who operates
33 them, and therefore, how they are operated. And in that connection,

1 I would call to his attention the fact that under any circumstances
2 it's not the Department of Public Health or the other licensing agency
3 that does the actual operation. True, they should try to license and
4 inspect carefully enough to help maintain certain kinds of minimum
5 standards, but there are other factors that they cannot know unless
6 they know what the money is being spent for. However, I would also
7 call to his attention the fact that as amended, House Bill 736, now
8 goes to the question of who, in fact, is operating these facilities
9 because the amendment requires disclosure of any of those who are under
10 contract to do the actual operation and running of the facility. I
11 would agree with him. That provision may well be just as important
12 if not more so than the ownership disclosure, and I assure him that we
13 have adequately covered that point in the bill as amended. Now, what
14 we will know...when House Bill 736 passes is everyone within the
15 nursing home profession who is responsible for spending millions and
16 millions of taxpayer's dollars a year for the care of those who are
17 placed there or who end up there, and who are paid for by tax funds.
18 We have a right. We have a necessity to the kind of information that
19 is represented in this bill. I find it wonderous to behold why the
20 State Senate is so timid about requiring the disclosure of information
21 about nursing homes. We have a major public interest in that informa-
22 tion. You killed one bill last night that related to it. This is
23 another one. But both of them are absolutely essential so that we can get
24 a handle on one of the major industries in which there is a very direct
25 public interest. I would urge support of this bill.

26 PRESIDING OFFICER (SENATOR DONNEWALD):

27 Senator Knuppel.

28 SENATOR KNUPPEL:

29 Mr. Chairman and members of the Body, seldom do I disagree with
30 my leader, President Partee, and seldom do I agree with Senator
31 Hickey as my voting record in this Body shows. But I want to say
32 something here that is that but for the grace of God, there go I. Some of
33 you some day may be institutionalized in one of these nursing homes.

1 You will have a pension and you won't be on Public Welfare for those
2 people to look after you. But I submit to you, you may not have
3 relatives living close enough because you'll raise your children and
4 educate them and they'll leave. Now, who's going to look after you
5 in a small town in downstate Illinois, I'll tell you who - the public
6 interest. If they go in a nursing home and see that people are being
7 mistreated, they're not receiving the care they ought to receive, the
8 public will rise up in ire, and who will they rise up against, only
9 those people that they know about. The idea of public censor of people
10 who own nursing homes and do not treat the patients right is a great
11 tool to protect those people. They are beyond the age when they are
12 able to protect themselves. One time I had the disprivilege of having
13 to go into a nursing home on behalf of a woman who had to get some
14 help for her husband who was on Public Aid, and I was so...not on Public
15 Aid, but on Social Security, and I was so ashamed that when I come out
16 I had my youngsters in the car and they were sixteen or seventeen years
17 old, and I said if you ever send me to a nursing home like that, I
18 don't care, I'll crawl out of there someday and I'll disinherit every
19 damn one of you. Now, I say to you, you may not have relatives who
20 live in close enough to look after you. You may not have friends.
21 Your conservator may be a bank, but I say public, public ire, public
22 indignation will be some protection if the people know who owns and
23 operates that home.

24 PRESIDING OFFICER (SENATOR DONNEWALD):

25 Senator Rock.

26 SENATOR ROCK:

27 Thank you, Mr. President and Ladies and Gentlemen of the Senate.
28 I rise in support of House Bill 736 and wish to inform Senator Knuppel
29 I don't think he convinced Senator Partee, but I think I have. Just
30 watch the board when Senator Partee votes, but I think it's a question
31 of priorities. You know, this is the kind of information we require
32 of liquor licensees. Now, if the liquor licensees have to divulge
33 this, we certainly take better care of people, and I urge an Aye

1 vote.

2 PRESIDING OFFICER (SENATOR DONNEWALD):

3 Senator Schaffer.

4 SENATOR SCHAFFER:

5 Well, I'd just like to make a few quick comments. I can't get
6 quite as hot about this one as 425. The simple fact of the matter
7 is that we now require ten percent to be disclosed, I believe, every
8 six months from the Federal and the State...the State gets a copy
9 of that disclosure. I would suggest to you this is another bill
10 attempting to make honest men out of everybody, and that there are
11 probably a dozen different ways to thwart the intent of this bill if
12 someone truly wishes to. I think particularly those of us with
13 accounting and legal backgrounds can think of half a dozen without
14 really trying. The important thing and a lot has been said about the
15 conditions in nursing homes, and I couldn't agree more, there obviously
16 are a few bad operators, and we should get on them, and we should get
17 on them hard, but in a final analysis, it's nothing more than another
18 piece of bureaucratic harrassment which is going to end up having to
19 spend money on paper work and extra accountants instead of direct care
20 to the patient. The one good argument that I've heard on this bill
21 has been and very strongly implied by various mental health groups
22 that the members of the...employees of the Department of Mental Health
23 are funneling patients into substandard homes for personal gain because
24 they own ten percent or less. I suggested to Senator Hickey that
25 perhaps an amendment that would make the Department of Mental Health
26 employees disclose this type of information would be appropriate. I'd
27 suggest to you again, this is nothing more than another bill that's
28 going to have us spend money on bureaucrats, accountants, and paper
29 instead of patients.

30 PRESIDING OFFICER (SENATOR DONNEWALD):

31 Senator Wooten.

32 SENATOR WOOTEN:

33 Thank you, Mr. President. I would suggest that the cliché

1 Senator Schaffer, is not bureaucratic harrassment, but legislative
2 intent, legislative purpose, legislative will. One of the most frus-
3 trating things I have discovered, Gentlemen, I say Gentlemen because
4 I don't think the women in this Body need to be persuaded, is the
5 complaints I received from constituents relating to nursing homes and
6 to have to tell them there really isn't too much we can do about it.
7 We are at the point now where we ought to stop pointing with pride,
8 viewing with alarm and doing something. This is a feeble first step.
9 I was very discouraged when we defeated 425 last night, a giant step
10 backwards, or let's say a step we just refused to take. Let's not
11 turn our backs on this one, as has been stated clearly and succinctly,
12 it is a wholly justifiable request for the State to make. I think we
13 ought to quit talking about it and commiserating with the people who
14 are victimized and take at least this small step toward correcting
15 the problem.

16 PRESIDING OFFICER (SENATOR DONNEWALD):

17 Senator Nimrod.

18 SENATOR NIMROD:

19 Yes, Mr. President and fellow Senators, I...I just think there
20 are a couple things that I ought to call our attention to pertaining
21 to this bill. It's...as Senator Schaffer said, it's just another
22 step. You know, I'm unhappy with a number of nursing homes that I
23 see, and as a concerned relative or a concerned son, I think that's
24 where the problem lies. I think what's happened is children have
25 forgotten to take care of their parents, and they shoved them in the
26 nursing homes. Now, why do we go to nursing homes instead of State
27 institutions - because State institutions, for example, and care for
28 some of the areas as much as a hundred to two hundred percent more
29 for State institutional care than it is for private care. Now, what
30 we're doing is going into the private field and telling them that
31 we're going to start regulating you. We're going to start forcing
32 you to pay your prices so pretty soon there'll be nothing left. If
33 a company were doing...if you were doing business with a company,

1 and if you were providing ninety percent of its business, and they
2 provide you with a product, you'd be concerned about certain concerns
3 about the operation. I doubt very much if you'd be concerned about
4 knowing who owns them, where they are, and what's happening with the
5 thing, you'd be concerned about the operation, and I want to tell you
6 that we have not been concerned about the operation as sons and
7 daughters and relatives. And if we would do that, those homes would
8 clean up. No one forces us to go in to take our parents or our relatives
9 to a particular nursing home. If the conditions are substandard, by
10 God they shouldn't be taken in, they shouldn't go there. We do have
11 the...right now, we do have total inspection by public health. We do
12 have total inspection by the local ordinances. The buildings have to
13 meet certain requirements in order to be built. How much do you want
14 to do to them that...force them to do it. There is no reason for them
15 to be private homes anymore or private operations. They're going to
16 become government operations, and if that's what we want to do, then
17 we ought to take the whole thing over and do it. I just think we're
18 just getting too far into these things, and I would think that we
19 ought to demand certain standards and they ought to live up to them
20 or the people ought to not take their...their parents or their rela-
21 tives there.

22 PRESIDING OFFICER (SENATOR DONNEWALD):

23 Senator Morris.

24 SENATOR MORRIS:

25 I rise in support of this legislation. I'm glad to see that
26 Senator Schaffer apparently is also in support of it because I know
27 he is always in support of making people honest. He said that he's
28 worried we're trying to make everyone an honest person. My God, I
29 hope we are. You know, I come from Lake County, and right after I
30 got elected, the thing that happened in our county that was tragic was
31 that we found that eighteen people had died in nursing homes in Lake
32 County. Senator Rock's commission is investigating that right now.
33 I spent a great deal of time trying to figure out what happened in

1 those nursing homes and what caused those people to die. I also tried
2 to find out who owned the nursing homes and who operated them. The
3 doors were closed to me. They were closed to other legislators and
4 we were told to get the hell out. Well, you know, I think if they're
5 going to operate this kind of a business and if they want to have State
6 funds occasionally for Public Aid patients, and if they're going to
7 take care of the people who are less fortunate than you and I may be,
8 we ought to know who's operating this. Senator Rock hit it right on
9 the head. We worry about who owns the liquor store or the bar down
10 the street, yet, we don't seem to want to care about that building down
11 the street that houses some of our senior citizens or people who are
12 less fortunate than we are. You know, I am very tired of the Legisla-
13 tive Body sitting here deliberating things like this and turning our
14 back on people issues. You know, let's give the people a break. I
15 agree with Senator Nimrod that it would be nice if everyone worried
16 about their family, but that isn't the case anymore, and I think that
17 we have an obligation to find out who is behind some of these nursing
18 homes, such as in Lake County where eighteen people actually did die
19 in those nursing homes. This is good legislation. It could be better,
20 and we're going to have to go further. But I think this is a very
21 important first step. You know, remember, a lot of us may be, as
22 Senator Knuppel said, in the same shoes as the people that are in these
23 homes in the future. And by God, I think we ought to give those people
24 a break and give them some...some piece of mind knowing that we do
25 know who's running these nursing homes and we do know that these nursing
26 homes are being run right. Let's give one vote to the people today,
27 and let's vote in favor of House Bill 736.

28 PRESIDING OFFICER (SENATOR BRUCE):

29 Senator Philip. Senator Ozinga.

30 SENATOR OZINGA:

31 One question, Senator Hickey. You keep talking...I am in...in
32 full favor of your concept of your bill. Now, don't get me wrong and
33 don't set off on the wrong premise. The...you keep talking about an

1 amendment. I just sent for the bill together with all amendments,
2 and I find no amendments. Now, I was under the impression that the
3 bill together with the amendment, the amendment was supposed to say
4 something about who ran or who operated the institution. I find
5 nothing in the bill that would create or ask for that.

6 PRESIDING OFFICER (SENATOR BRUCE):

7 Senator Hickey.

8 SENATOR HICKEY:

9 Senator Ozinga, that was a Senate Amendment as you see and I'm
10 sorry that you weren't able to get a copy of it ahead of time. I
11 think the one I sent to you there, I think I underlined the part where
12 it says, the listing of all the people by name and address and so forth
13 who are in contract to operate and to manage the nursing home as well
14 as...as the owners. That...do you see it there in the amendment?

15 PRESIDING OFFICER (SENATOR BRUCE):

16 Senator Ozinga.

17 SENATOR HICKEY:

18 I...I sent you my copy.

19 SENATOR OZINGA:

20 Pardon me. No, I'm in...in favor of the bill and disclosure as
21 to who is operating and full...to the fullest extent. This is
22 different than what we were arguing about last night. This, I am in
23 accord with because it sometimes the person entirely different than
24 ownership, entirely different than operation that does the accounting.

25 PRESIDING OFFICER (SENATOR BRUCE):

26 Is there further debate? Senator Hickey may close.

27 SENATOR HICKEY:

28 Yes, members of the Senate, I want to say one more thing. I want
29 to commend this Body for having done all of the things that it has
30 done already for the elderly. We've helped them with the Circuit
31 Breaker. We've helped them with sales tax relief. We've helped them
32 with homestead exemptions, but let me tell you that when I go into
33 areas where there are lots of senior citizens in my area, the one thing

1 that they're more worried about than anything else is what will happen
2 to them when they get in a nursing home. It's far more important to
3 them than all of these other things that we've been doing for them.
4 Now, you can call this another step in bureaucracy, but let me tell
5 you against that, you have to weigh the facts that beyond health inspec-
6 tions that we have to give the senior citizens every possible safeguard
7 that we can, and certainly, making information open to the public so
8 that we may know who owns, who operates these facilities is very, very
9 important to the people who are senior citizens now and to every single
10 person who's sitting here. I ask for a favorable vote.

11 PRESIDING OFFICER (SENATOR BRUCE):

12 The question is shall House Bill 736 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 32, the Nays
15 are 7, 2 Voting Present. House Bill 736 having received a constitu-
16 tional majority is declared passed. For what purpose does Senator
17 Morris arise?

18 SENATOR MORRIS:

19 Having voted on the prevailing side on House Bill 736, I'd move
20 to reconsider.

21 PRESIDING OFFICER (SENATOR BRUCE):

22 Senator Morris moves to reconsider. Senator Demuzio moves to
23 Table. All in favor say Aye. All opposed Nay. The Ayes have it.
24 The motion is Tabled. House Bill 752, Senator Berning.

25 SECRETARY:

26 House Bill 752.

27 (Secretary reads title of bill)

28 3rd reading of the bill.

29 PRESIDING OFFICER (SENATOR BRUCE):

30 Senator Berning.

31 SENATOR BERNING:

32 Thank you, Mr. President. I ask leave of the Body to return
33 House Bill 752 to the order of 2nd reading for the consideration of

1 amendment.

2 PRESIDING OFFICER (SENATOR BRUCE):

3 Is there leave? Leave is granted. The bill is on the order of
4 2nd reading.

5 SENATOR BERNING:

6 Now, Mr. President, having voted on the prevailing side by which
7 action...Amendment No. 1 to...House Bill 752 was adopted, I move to
8 reconsider the vote by which that amendment was adopted.

9 PRESIDING OFFICER (SENATOR BRUCE):

10 Senator Berning moves to reconsider the vote by which Amendment
11 No. 1 to House Bill 752 was adopted. All in favor say Aye. All
12 opposed Nay. The Ayes have it. The amendment is reconsidered.

13 Senator Berning now moves to Table Amendment No. 1. All in favor say
14 Aye. All opposed Nay. The Ayes have it. Amendment is Tabled.

15 Senator Berning.

16 SENATOR BERNING:

17 Now, Mr. President, by way of explanation, Amendment No. 1 struck
18 the...the Home Rule Exemption Clause...section by...by...by Tabling
19 that amendment now, that Home Rule Amendment is...exemption is back
20 in the bill. Therefore, in lieu thereof, I move for the adoption of
21 Amendment No. 2 which adds Section 9.2 and says if any section, sub-
22 section, sentence or clause of this Act...Act shall be judged uncon-
23 stitutional, such adjudication shall not affect the validity of the
24 Act as a whole or any section, subsection, sentence, or clause there-
25 fore not adjudged unconstitutional. In other words, it is a sever-
26 ability clause, and I would move for the adoption of Amendment No. 2.

27 PRESIDING OFFICER (SENATOR BRUCE):

28 Senator Berning moves the adoption of...Amendment No. 2. Is
29 there discussion? All...Senator Morris.

30 SENATOR MORRIS:

31 Senator Berning, does...when...when you talk about the sever-
32 ability clause, the Home Rule Amendment, we're taking out the Home
33 Rule Amendment?

1 PRESIDING OFFICER (SENATOR BRUCE):

2 Senator Berning.

3 SENATOR BERNING:

4 We struck the Home Rule Amendment. Now, by Tabling the Amendment
5 No. 1, it goes back in. This, then, the severability clause, would
6 provide that in the event of a challenge which very well could be,
7 assuming this bill never were assigned, there could be a question of
8 the constitutionality of it, and if a court rules that that section
9 on the Home Rule Exemption were invalid, this severability clause
10 would prevent the entire Act from being held invalid and unconstitu-
11 tional. Now, then, Mr. President, I'd like to offer Amendment No. 3...

12 PRESIDING OFFICER (SENATOR BRUCE):

13 Well, Senator Berning, we have not taken care of Amendment No. 2.

14 SENATOR BERNING:

15 Oh, I'm sorry.

16 PRESIDING OFFICER (SENATOR BRUCE):

17 Is there further discussion? On the motion to adopt. All in
18 favor say Aye. All opposed Nay. The Ayes have it. The amendment
19 is adopted. Further amendments? Amendment No. 3. Senator Berning.

20 SENATOR BERNING:

21 Yes, by way of explanation, if any is needed, most of you will
22 recognize that this is perhaps the fourth or fifth bill which addresses
23 the question of the mobile home and the mobile home tax. House Bill
24 752 if amended by Amendment No. 3 as offered will conform this bill
25 to most of the provisions of Senate Bill 986 which was sponsored by
26 Senator Graham and was passed by this Body way back in May on the
27 agreed bill list. And the changes made in the mobile home privilege
28 tax by this amendment are for the most part designed to put some
29 enforcement teeth into the Act insofar as the duties of the county
30 clerk and county treasurer are involved. I would be glad to elaborate
31 if there is any need. My suggestion is, Lady and Gentlemen of the
32 Senate, is that Amendment No. 3 be adopted and then the bill subse-
33 quently be passed so that the Governor will have at least two

1 alternatives before him as to necessary, and I emphasize necessary
2 amendments to this mobile home tax statute which has been in effect
3 now for about two or three years.

4 PRESIDING OFFICER (SENATOR BRUCE):

5 Senator Berning moves the adoption of Amendment No. 3. Is there
6 discussion? All in favor say Aye. All opposed Nay. The Ayes have
7 it. Amendment is adopted. Any further amendments? 3rd reading.
8 House Bill...

9 SENATOR BERNING:

10 Mr. ...Mr. President...

11 PRESIDING OFFICER (SENATOR BRUCE):

12 For what purpose does Senator Berning arise?

13 SENATOR BERNING:

14 Will we get back to this bill...

15 PRESIDING OFFICER (SENATOR BRUCE):

16 Right after we have intervening business, Senator Berning.
17 House Bill 786, Senator Vadalabene.

18 SECRETARY:

19 House Bill 786.

20 (Secretary reads title of bill)

21 3rd reading of the bill.

22 PRESIDING OFFICER (SENATOR BRUCE):

23 Senator Vadalabene.

24 SENATOR VADALABENE:

25 Yes, thank you, Mr. President and members of the Senate. House
26 Bill 786 allows the use of motor fuel tax funds to municipalities
27 to use motor fuel tax for the reconstruction and operation of street
28 lighting systems. Currently, the use of motor fuel tax funds is
29 limited to the construction and maintenance of street lighting
30 systems. This will allow municipalities to sign contract based on
31 a per unit rate with power companies for construction, maintenance,
32 and operation of street lighting systems rather than a separate con-
33 tract for each function paid out of a different fund. This is a

1 Municipal League supported bill, and the Department of Transportation
2 also supports this bill, and I would appreciate a favorable vote.

3 PRESIDING OFFICER (SENATOR BRUCE):

4 Is there further debate? The question is shall House Bill 786
5 pass. Those in favor vote Aye. Those opposed vote Nay. The voting
6 is open. Have all voted who wish? Take the record. On that question,
7 the Ayes are 47, the Nays are 3, 3 Voting Present. House Bill 786
8 having received the constitutional majority is declared passed.
9 Senator Rock.

10 SENATOR ROCK:

11 Thank you, Mr. President. Having voted on the prevailing side,
12 I move to reconsider the vote by which 786 passed.

13 PRESIDING OFFICER (SENATOR BRUCE):

14 Senator Rock moves to reconsider. Senator Vadalabene moves to
15 Table. All in favor of the motion to Table say Aye. All opposed Nay.
16 The Ayes have it. The motion to reconsider is Tabled. House Bill 7
17 ...Senator Partee, for what purpose do you arise?

18 SENATOR PARTEE:

19 Well, just a motion. I've had several members ask me and I
20 see a lot of charming bits of pulchritudinous femininity in the
21 Galleries who are interested in the question of ERA both for and
22 against. And for the edification and enlightenment of the members
23 as well as those lovely ladies, I think I should announce that the
24 ERA matter will not be heard today. There's a great...it will not
25 be heard today nor tomorrow nor Saturday nor Sunday if we're still
26 here. I cannot tell you what date it will be continued to, if it
27 is, because the schedule for the Fall Session has not been made up,
28 and it...if it is made up, it has to be a date certain and I can
29 supply that later in the day as to the date certain ...when I
30 make the...the motion, but I want everybody to know it's not going to
31 be called during this current Session.

32 PRESIDING OFFICER (SENATOR BRUCE):

33 Senator Partee asks leave. Is there leave? Leave is granted.

1 House Bill 752, Senator Berning.

2 SECRETARY:

3 House Bill 752.

4 (Secretary reads title of bill)

5 3rd reading of the bill.

6 PRESIDING OFFICER (SENATOR BRUCE):

7 Senator Berning.

8 SENATOR BERNING:

9 Yes, thank you, Mr. President. I think I explained this bill
10 adequately. If there are any questions, I will attempt to answer
11 them. As I said earlier, this is another attempt to attack the various
12 problems that confront us in administering the mobile home privilege
13 tax.

14 PRESIDING OFFICER (SENATOR BRUCE):

15 Is there further debate? Senator Demuzio.

16 SENATOR DEMUZIO:

17 Will the...the sponsor yield to a question?

18 PRESIDING OFFICER (SENATOR BRUCE):

19 He indicates that he will yield. Could we have some order
20 Gentlemen, and...we are clearing out the Galleries, but will our guests
21 please remove themselves as quietly as possible. Senator Berning.
22 Senator Demuzio.

23 SENATOR DEMUZIO:

24 Well, the...the question I have is that on House Bill 752, we've
25 now exempted the City of Chicago or Cook County, and I was curious
26 as to...to why?

27 PRESIDING OFFICER (SENATOR BRUCE):

28 Senator Berning.

29 SENATOR BERNING:

30 The question is why is Chicago or Cook County exempted. This is
31 in deference to the contention that the...Cook County and the City
32 of Chicago being home rule units have the right to impose or not
33 impose any such tax as the mobile home tax.

1 PRESIDING OFFICER (SENATOR BRUCE):

2 Senator Demuzio. Is there further debate? Senator Glass.

3 SENATOR GLASS:

4 Mr. President, yes, I...I would like some clarification on...on
5 what we're doing with the mobile home privilege tax, and maybe Senator
6 Berning can clear it up. I don't see Senator Carroll on the Floor, but
7 he just sponsored a bill...we passed a few minutes ago which apparently
8 eliminated Cook County, if that bill gets signed from...from the taxes.
9 Can you, Senator Berning, indicate whether if this bill and Senator
10 Carroll's bill are both signed, what will the status be in Cook County
11 with regard to this mobile home privilege tax?

12 PRESIDING OFFICER (SENATOR BRUCE):

13 Senator Berning.

14 SENATOR BERNING:

15 The question, as I...gather part of it is, without ...with this
16 bill is Cook County and the City of Chicago imposing or able to impose
17 a mobile home tax. The...the answer is they may, and it is this pre-
18 rogative which they seek to retain for themselves and discretion there-
19 under that underlies the reason for providing the exemption. I ini-
20 tially, as you may have recalled the comments, removed the home rule
21 exemption by Amendment No.1 because of the concern of the representatives
22 of Cook County and the City of Chicago, I agreed to Table that amendment
23 which, in effect, puts back the home rule exemption, and by providing
24 the severability clause under Amendment No. 2, we will then be assured
25 that in the event of a court challenge because of any unconstitutionality
26 contention, the entire Act would not be lost, just that home rule
27 exemption section would be removed.

28 PRESIDING OFFICER (SENATOR BRUCE):

29 Senator Glass.

30 SENATOR GLASS:

31 Well, then, I...as I understand it, if this bill did not pass,
32 Cook County would...would remain under the...the tax and would have
33 to collect it. And I wonder if Senator Carroll could yield for just

1 a second to clarify this. The bill that we've ordered on...passed out
2 of here short...a little while ago is signed, will that make the mobile
3 home franchise tax optional in Cook County and leave it up to the
4 county board to determine whether or not to levy the tax?

5 PRESIDING OFFICER (SENATOR BRUCE):

6 Senator Carroll.

7 SENATOR CARROLL:

8 That is correct. The County of Cook will have to pass an ordinance
9 to levy the tax.

10 PRESIDING OFFICER (SENATOR BRUCE):

11 Senator Glass.

12 SENATOR GLASS:

13 Well, I...I'm sorry to see what we're doing. I don't like to see
14 Cook County taken out of this State tax. I know it's a tax that...
15 that helps a lot of local governments, and I...I don't know how these
16 two bills tie together. I'm not going to try to defeat Senator Berning's
17 bill, but I just would like to bring this out and maybe Senator Carroll
18 ...Carroll can clarify it. I hope we're not eliminating the tax in
19 Cook County.

20 PRESIDING OFFICER (SENATOR BRUCE):

21 Senator Carroll.

22 SENATOR CARROLL:

23 Senator Glass, most likely we are, and there's two reasons for
24 it. One, it costs more to collect the tax in Cook County as a classi-
25 fication county than the tax actually generates in revenue. So, we
26 lose money on each one of them taxed as...as a mobile home. However,
27 we make it up in the original by being a classification county because
28 we can classify the land that it's on as its highest and best use as
29 industrial land and use forty percent of assessed value instead of
30 twenty-two percent as it would have been as vacant land. So, we make
31 up the dollars on the land which is passed on to the mobile home user
32 by way of land rent and generates income to the county which is dis-
33 tributed to all the units of local government.

1 PRESIDING OFFICER (SENATOR BRUCE):

2 Senator Buzbee.

3 SENATOR BUZBEE:

4 Question of the sponsor.

5 PRESIDING OFFICER (SENATOR BRUCE):

6 Indicates that he will yield.

7 SENATOR BUZBEE:

8 The Calendar indicates that this bill exempts from the privilege
9 tax on mobile homes, those owned by corporations or partnerships on
10 which personal property taxes are paid. Is that still the thrust of
11 the bill after your amendments?

12 PRESIDING OFFICER (SENATOR BRUCE):

13 Senator Berning.

14 SENATOR BERNING:

15 The answer is yes. These corporations are still subject to the
16 personal property tax until 1979 under our Constitution, and the appli-
17 cation of a double taxation here was one of the things that initially
18 knocked out the...the original mobile home tax statute which we passed
19 because there was thereby two ad valorem...well, it was...construed as two
20 taxations on a single type of property.

21 PRESIDING OFFICER (SENATOR BRUCE):

22 Senator Buzbee.

23 SENATOR BUZBEE:

24 Have there, in fact, been cases where they paid two different
25 taxes or was it held unconstitutional on the basis of that...of that
26 basis?

27 PRESIDING OFFICER (SENATOR BRUCE):

28 Senator Berning.

29 SENATOR BERNING:

30 The original Act was declared unconstitutional before it ever
31 became operative simply because the provision was in there. Now, with
32 this in the bill, it's refining it further insofar as just the corpor-
33 ations. Now, let me...let me clarify one point. We just recently

1 passed House Bill 679 which also has the home rule exemption. So, in
2 that context, these two bills, 679 and 752, are identical.

3 PRESIDING OFFICER (SENATOR BRUCE):

4 Is there further debate? Senator Graham.

5 SENATOR GRAHAM:

6 I think some of the opposition that has arisen on some of these
7 bills was the original fifteen cent per square foot flat rate...from...
8 from which there was no relief. These...all these bills have been
9 going out here now provides for a graduation downward of this fifteen
10 percent rate as the years and depreciation of these trailers or mobile
11 homes absolutely come upon us. I think that is one of the main objec-
12 tions, and I support Senator Berning's bill in this respect. I think
13 we give the Governor then three alternatives and they worked a long while
14 on this. I don't agree with all of the things that are contained in
15 Senator Berning's bill, neither does he agree with all of mine, and I
16 think this is one that we can support without any fear, and I do solicit
17 your support in this in behalf of Senator Berning.

18 PRESIDING OFFICER (SENATOR BRUCE):

19 Is there further debate? Senator Berning may close.

20 SENATOR BERNING:

21 Thank you, Mr. President. I think everything has been said. This
22 bill now is in conformity with some of the provisions of the other bills.
23 It does provide an alternative, and more importantly, it does provide
24 a graduated tax on the homes, and that was one of the major points of
25 contention ever since the mobile home occupation tax or occupational
26 tax was imposed. I would solicit a favorable roll call and allow this
27 bill to reach the Governor's desk along with the others.

28 PRESIDING OFFICER (SENATOR BRUCE):

29 The question is shall House Bill 752 pass. Those in favor vote
30 Aye. Those opposed vote Nay. The voting is open. Have all voted who
31 wish? Senator Dougherty. Have all voted who wish? Take the record.
32 On this question, the Ayes are 55, the Nays are none, none Voting Present.
33 House Bill 752 having received a constitutional majority is declared

1 passed. House Bill 789, Senator Harris. Secretary, read the bill.

2 SECRETARY:

3 House Bill 789.

4 (Secretary reads title of bill)

5 3rd reading of the bill.

6 PRESIDING OFFICER (SENATOR BRUCE):

7 Senator Harris.

8 SENATOR HARRIS:

9 Thank you, Mr. President and members of the Senate. This bill
10 was introduced at the request of the county board of LaSalle County,
11 and what it does is cure what is presently a kind of fuzzy situation
12 in relation to the existing law. LaSalle County has an existing
13 detention home which is in pretty bad shape. They want to go ahead
14 and construct, they've got the property, they want to go ahead and
15 construct a new detention home which, of course, we've mandated the
16 counties to do. There is some question in the mind of the State's
17 Attorney in analyzing the law whether, in fact, the law is completely
18 clear to permit this. This cures that problem. They'll be able to go
19 ahead and build the new one while they're continuing to use the old
20 one. They've got a sufficient power in their existing rate. It just
21 cures what is presently a question whether they can go ahead and do
22 what they want to do. I know of no opposition to it. Would appreciate
23 a favorable roll call.

24 PRESIDING OFFICER (SENATOR BRUCE):

25 Is there further debate? The question is shall House Bill 789
26 pass. Those in favor vote Aye. Those opposed vote Nay. The voting
27 is open. Have all voted who wish? Take the record. On that question,
28 the Ayes are 56, the Nays are none, none Voting Present. House Bill
29 789 having received a constitutional majority is declared passed. House
30 Bill 852, Senator Joyce.

31 SENATOR JOYCE:

32 Mr. President, may I pull this bill for a little while and have
33 leave to bring it back today? We've got some problems we're trying to

1 get worked out with it.

2 PRESIDING OFFICER (SENATOR BRUCE):

3 Is there leave? Leave is granted. House Bill 7...885, Senator
4 Joyce.

5 SENATOR JOYCE:

6 Yes, Mr. President and members of the Body, 885 is a bill that
7 the Will County people have been...had some problems with is the State's
8 Attorney of Will County was prosecuting eleven Department of Correction
9 inmates who were involved in a prison disturbance at the 1973 State-
10 ville Correctional Center. The Unified Code of Corrections states that
11 the Department of Corrections shall...shall pay the expense of prose-
12 cution of all the inmates charged with crimes. And the judge there
13 ordered Will County to pay the expenses for eight court appointed
14 attorneys who were defending the inmates with such payments to be
15 reimbursed by the Department of Corrections. The judge found extra-
16 ordinary circumstances to prevail which required payment in excess of
17 statutory limits, otherwise effective, and House Bill 885 will make
18 appropriations to the department...to the department to enable it to
19 reimburse Will County for the expenses defending these inmates.

20 PRESIDING OFFICER (SENATOR BRUCE):

21 Is there further debate? Senator Philip.

22 SENATOR PHILIP:

23 I might say to Senator Joyce that I'm certainly sympathetic with
24 the problems that they have over in Will County, but I'll tell you one
25 thing. When I look at the bill that those public defenders have pre-
26 sented, it's almost unbelievable. And I have a list here, and I asked
27 the House sponsor to have a detailed, broken down list of the costs
28 that those lawyers were asking the State to pay, and I haven't received
29 one. What I have received though is not very clear, and when I look
30 at a lawyer by the name of W. William who sends a bill to the State of
31 Illinois for thirty-seven thousand, five hundred dollars, and who has
32 a grand slam total of three clients, that is more than my public defender
33 makes in a whole year. And I really think that we ought to sit down,

AB 911
Recall
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1 reevaluate this, and have a better look at it, because I'll tell you
2 one thing, it seems to me to be great overpayment. When I look at
3 one week, he's got a bill in for one week for forty-five hundred dollars,
4 for one week work. I just can't believe it. And all of the figures
5 here, incidentally, are all even numbered - a thousand two hundred and
6 fifty, two thousand five hundred, thirty-seven five and everything is
7 rounded off nice and easy. And I'd really like to have a look at really
8 what they did and how they came up with these figures.

9 PRESIDING OFFICER (SENATOR BRUCE):

10 Is there further debate? Senator Joyce may close.

11 SENATOR JOYCE:

12 Well, I agree, it is a...a lot of money, but the Will County Board
13 has had to pay this, and I guess it is the Department of Corrections'
14 obligation to reimburse the county, and they have already paid it, and
15 it puts them in pretty tough financial straits. So, I would ask for
16 a favorable roll call.

17 PRESIDING OFFICER (SENATOR BRUCE):

18 Senator Bell, Senator Joyce was closing. The Secretary will...
19 the Clerk will read the bill a third time.

20 SECRETARY:

21 House Bill 885.

22 (Secretary reads title of bill)

23 3rd reading of the bill.

24 PRESIDING OFFICER (SENATOR BRUCE):

25 The question is shall House Bill 885 pass. Those in favor vote
26 Aye. Those opposed vote Nay. The voting is open. Have all voted who
27 wish? Take the record. On that question, the Ayes are 44, the Nays
28 are 5, 4 Voting Present. House Bill 885 having received a constitu-
29 tional majority is declared passed. House Bill 911, Senator Knuppel.
30 Senator Knuppel. Senator Knuppel.

31 SENATOR KNUPPEL:

32 House Bill 911 is on 3rd reading and I'd like to recall it to
33 the order of 2nd reading for the purpose of amendment which is on the

1 Secretary's Desk.

2 PRESIDING OFFICER (SENATOR BRUCE):

3 Is there leave? Leave is granted. The bill is on the order of
4 2nd reading.

5 SENATOR KNUPPEL:

6 I think it's Amendment No. 3, is that right? Amendment No. 3
7 excludes from the effect of this bill any agency, public agency, that
8 has already undertaking...undertaken to achieve the purposes of House
9 Bill 911. To be exact, I think in the City of Chicago and Cook County
10 are already well into the...into the works in providing such an emer-
11 gency number, and they would be excluded from the provisions of this
12 Act.

13 PRESIDING OFFICER (SENATOR BRUCE):

14 Senator Knuppel moves the adoption of Amendment No. 3. All in
15 favor say Aye. Opposed Nay. The Ayes have it. The amendment is
16 adopted. Any further amendments? 3rd reading. House Bill 940,
17 Senator Lemke. Hold the bill. House Bill 955, Senator Johns. Secre-
18 tary, read the bill a third time.

19 SECRETARY:

20 House Bill 955.

21 (Secretary reads title of bill)

22 3rd reading of the bill.

23 PRESIDING OFFICER (SENATOR BRUCE):

24 Senator Johns.

25 SENATOR JOHNS:

26 Mr. President...

27 PRESIDING OFFICER (SENATOR BRUCE):

28 Could we have some order, Gentlemen, please. We could break up
29 the caucus behind Senator Bell. Senator Johns.

30 SENATOR JOHNS:

31 Lots of comments over here from my colleagues. This particular
32 piece of legislation creates an Act in relation to the State payments
33 to counties in which substantial areas of State and Federal lands are

1 located. It will provide relief for a very hard pressed county, Pope
2 County. That's its particular aim. They have a substantial amount of
3 real estate, eighty-three thousand acres owned by Federal and State
4 Government within...that has been taken from the assessed evaluation
5 of that county. It is not bankrupt, but it's very near a bankruptcy.
6 Pope County has been in the limelight, if you want to call it that, of
7 the nation recently. Many people are watching what the State of Illinois
8 will do for a creature of State Government, that being the county.
9 When the new State Constitution was designed took away fees that
10 counties normally had, the homestead exemption was a further decrease
11 in the amount of money that was available to counties. So, therefore,
12 Mr. President and members of this...of this General Assembly, I'm ask-
13 ing your support in giving this county relief at least this year.
14 There's a great idea moving in Federal Government to merge counties.
15 I think this county sees that possibility if they cannot survive any
16 longer. But you've got to remove traditions and very deep seeded feelings
17 in order to do that. They are being...or they are facing reality and
18 that they are looking at this for the first time because of the
19 necessity of having to come to the State, but the State and the Federal
20 Government are the real culprits, so to speak, and that we continue
21 as a State and the Federal Government continues taking land, taking
22 land out of production, taking land out of the assessed evaluation and
23 the taxable rolls. So, you see, really, Pope County is being forced to
24 kneel before State Government in seeking a...an order to stay alive.
25 And I ask your support of this piece of legislation. It means a dollar
26 for each acre taken out by county...I mean by State and Federal Govern-
27 ment. The total is about eighty-three thousand dollars, and I have
28 watched my colleagues here ask for millions and even billions. I have
29 supported many of you and your projects for your districts, and I now
30 ask you to give this small county of around thirty-four hundred people
31 a reprieve, if you might say so, and give them this particular piece
32 of legislation for eighty-three thousand dollars, and I'd just like
33 to hear your comments before I ask for a roll call on this piece of

1 legislation. Would you be so kind as to tell me and give me a sense
2 of direction, if you will, as to how you feel about this legislation.

3 PRESIDING OFFICER (SENATOR DONNEWALD):

4 Senator Soper.

5 SENATOR SOPER:

6 Thank you, Mr. President. Senator Johns, we spoke about this
7 in committee, and I asked you, I don't know, which bill it was. I
8 know you have about four or five bills on here, and you make a run at
9 this thing every time with...maybe you'll sneak one by. But I want
10 to say this, you...you talked at that time about land for recreational
11 purposes and...and if Senator Bruce would give me some time so Senator
12 Johns...you know, I don't want to lose five minutes repeating my ques-
13 tion, Senator Bruce. You get up there with the hammer and you're very
14 adept at saying, the red light's on. So, you get the yellow light when
15 you're talking.

16 PRESIDING OFFICER (SENATOR DONNEWALD):

17 Senator, confine your remarks...

18 SENATOR SOPER:

19 Start me all over again, will you please.

20 PRESIDING OFFICER (SENATOR DONNEWALD):

21 Confine your remarks to the issue.

22 SENATOR SOPER:

23 Yeah...yeah. I'd like to get...get on this thing right. Now,
24 we talked...Senator Johns, solicit on your own time. I got a question.
25 You know, I asked you...said this...it's for recreational purposes, and
26 I said put the amendment on this and allow all forest preserves to get
27 the same amount of money. I know you had one bill that asked for...
28 for assessed evaluation and so much per each...for...five percent or
29 something of the assessed valuation. I...I don't know what this one
30 is. This must be about two dollars or a dollar an acre or something.
31 Would you like to put an amendment on this and allow all recreational
32 land, forest preserves and so forth to get the same accommodation?
33 We've got about sixty-five thousand acres in Cook County. We've got some

1 in Lake County. We've got a lot of lake's use for recreational pur-
2 poses that are not taxed. I think our counties would like to get the
3 same accommodation. We're going to use State money, equal protection
4 of the law, I think you ought to do it for all the people. If you're
5 for all the people, I'm for all the people. Thank you very much. He
6 can answer the question now.

7 PRESIDING OFFICER (SENATOR DONNEWALD):

8 That...that...was that a...it's on your time. Senator Johns, you
9 may respond.

10 SENATOR JOHNS:

11 Well, it's a little late in the game to try to go back all over
12 the State in every county and pick up all that land, but I can tell
13 you this, I don't know of a county in the State that needs the money
14 more than Pope County. It's the most depressed county in the State,
15 the highest recipiency of public aid. The age of people living
16 there is above the average, and I ask you again to give consideration
17 towards giving this county that money.

18 PRESIDING OFFICER (SENATOR DONNEWALD):

19 Just...just a moment. Do you want to respond now, Senator? It's
20 on your time.

21 SENATOR SOPER:

22 My time, it's still green.

23 PRESIDING OFFICER (SENATOR DONNEWALD):

24 Your time is my time.

25 SENATOR SOPER:

26 Your time and my time seem to be Harris' and your time.

27 PRESIDING OFFICER (SENATOR DONNEWALD):

28 Senator Soper.

29 SENATOR SOPER:

30 One question, Senator. I understand the...the Governor gave
31 Pope County a hundred thousand or something. What happened to that
32 money?

33 PRESIDING OFFICER (SENATOR DONNEWALD):

1 Senator Johns.

2 SENATOR JOHNS:

3 Okay, we're on, alright. Okay, now that money was given as
4 Federal funds to keep the jobs in county court houses and people
5 employed by county government working. There was no money available
6 for which to keep them on the job.

7 PRESIDING OFFICER (SENATOR DONNEWALD):

8 Senator Soper.

9 SENATOR SOPER:

10 Yeah, I'm on yellow light...

11 PRESIDING OFFICER (SENATOR DONNEWALD):

12 You're...you're almost out.

13 SENATOR SOPER:

14 ...Almost out. Well, now you've got a hundred thousand. Now,
15 you wanted another eighty-three thousand. You've got some more bills
16 in here for another...two hundred and fifty thousand, soon our crying
17 cousins are going to be our rich cousins down there.

18 PRESIDING OFFICER (SENATOR DONNEWALD):

19 Senator Johns.

20 SENATOR JOHNS:

21 Senator Soper, you know better.

22 PRESIDING OFFICER (SENATOR DONNEWALD):

23 Senator Glass. Senator Glass.

24 SENATOR GLASS:

25 Mr. President, one quick question of...of the sponsor. Senator
26 Johns, is that thirty-three and a third percent provision still in
27 the bill? In other words, in order for the county to get this money,
28 they would have to assess and be equalized to thirty-three and a third
29 percent?

30 PRESIDING OFFICER (SENATOR DONNEWALD):

31 Senator Johns.

32 SENATOR JOHNS:

33 Yes, it is, and also, since we passed House Bill 990, I'm sure

1 that even takes care of it for sure, and they are more than willing
2 to do that very act.

3 PRESIDING OFFICER (SENATOR DONNEWALD):

4 Senator Graham. Senator Knuppel.

5 SENATOR KNUPPEL:

6 Senator Johns, would you yield to a question? In light of the
7 precarious financial condition of that one particular county which has
8 been well publicized, I'd ask you, have they...have they...undertaken
9 to...to unite or to consolidate with any other county in either...either
10 with respect to state's attorneys, jail facilities, or just...just
11 generally to consolidate because there's many...many openings available
12 now under the new Constitution by which these counties can join with
13 other counties to share expenses?

14 PRESIDING OFFICER (SENATOR DONNEWALD):

15 Senator Johns.

16 SENATOR JOHNS:

17 Mr. President, I think that at this point I could tell you that
18 Senator Dougherty and I talked with the people, the authorities,
19 Senator Dougherty was very plain spoken and I backed him up, and he
20 told these people that we had been very gracious over a period of years
21 in helping them, and that they must consider this as sort of a last
22 ditch stand that the State, although being very sympathetic, could no
23 longer continue to go along and grant them money. Senator Dougherty
24 is very familiar with the problem and he helped them years ago, and
25 they seem to feel like that they have come to the end of the rope,
26 that given this, and being unable to survive after this, that they
27 would have to give very deep and serious consideration to the merging
28 of facilities. I stressed that when I initially opened my argument that
29 for example their jail facilities, their sheriff, for example, his help
30 is his wife. Should he have a prisoner and be forced to take one to
31 another more secure jail or to the State pen at Vandalia, his wife must
32 act as the guardian of the other prisoners. They often go without pay
33 from month to month until the county scrapes together the money to pay

1 them. It's a very, very sad situation that I see in Pope County, and
2 I feel like, Senator Knuppel, that whether or not they realize it,
3 I think they're going to be forced to it either by our lack of...of
4 desire...not a lack of desire, but our inability to continue to fund
5 them or by the Federal Government through the economic development...
6 by county and regions of economic development forcing them to use
7 better planning and the elimination of duplicity of services and so
8 forth. I think they're beginning to see, Senator Knuppel, that this
9 is coming to the front.

10 PRESIDING OFFICER (SENATOR DONNEWALD):

11 He used all your time, Senator. Senator Knuppel.

12 SENATOR KNUPPEL:

13 I guess I learned my lesson not to ask questions, but really and
14 actually, I think that...that I'm going to vote for your bill and
15 help you out, but I...I do think that...that we've reached the point
16 where some of these small counties have to seriously consider the
17 options that are open to them with respect to combining with other
18 counties in the use of state's attorneys, jail facilities. We've done
19 something about the superintendent of schools in many other areas, and
20 I think they have to do it pretty seriously rather than coming here.
21 Thank you.

22 PRESIDING OFFICER (SENATOR DONNEWALD):

23 Senator Nimrod.

24 SENATOR NIMROD:

25 Mr. President, would the sponsor yield to a couple of questions?

26 PRESIDING OFFICER (SENATOR DONNEWALD):

27 He indicates he will.

28 SENATOR NIMROD:

29 Senator Johns, was...was not this bill originally going to be
30 pulled back to be amended to exempt the Federal lands?

31 PRESIDING OFFICER (SENATOR DONNEWALD):

32 Senator Johns.

33 SENATOR JOHNS:

1 We talked about that, Senator Nimrod, but the token balance of
2 land out of the eighty-three thousand acres, let me tell you how much
3 is in State control, maybe two or three thousand. I ask of you,
4 Gentlemen and Ladies, when I presented this bill this morning to give
5 me your thoughts before I ever asked for a roll call because whatever
6 you can give us is better than nothing at all, and I'll tell you very
7 frankly that to take out the Federal land would just obliterate this
8 bill.

9 PRESIDING OFFICER (SENATOR DONNEWALD):

10 Is...Senator Nimrod. You only have time for one more question.

11 SENATOR NIMROD:

12 Alright. The thing that I'm concerned with is this really calls for
13 a hundred and forty-seven thousand dollars, not the eighty...eighty-three
14 but that figure has three counties involved. There...your next bill
15 calls for a five percent which is going to be another three hundred
16 thousand dollars. Now, are you going to be trying to push both these
17 bills or are you just trying to get one of them? That's the one ques-
18 tion, and since it's my last question, I'll incorporate two parts.
19 Alright, I only have one question to go, and...and secondly...part to
20 this question is that I just wonder is...if they are not in trouble
21 because they failed to assess properly in the first place?

22 PRESIDING OFFICER (SENATOR DONNEWALD):

23 Senator Johns.

24 SENATOR JOHNS:

25 Well, I...I think they've shown a...a great deal of courage in
26 assessing as high as they are. If you look at their assessed evalua-
27 tion, it's like twenty-two point five, if I'm not mistaken. Just a
28 moment. I'll give you that correct figure. Twenty point one nine
29 equalized assessed evaluation. The median level of assessment is
30 thirteen five three, but for a county with thirty-four hundred people
31 and most of them on retired and public aid benefits, they just couldn't
32 afford to drag much more out of the...out of the...on the taxable roll,
33 Senator Nimrod.

1 PRESIDING OFFICER (SENATOR DONNEWALD):

2 Senator...Senator Nimrod.

3 SENATOR NIMROD:

4 ...Part of the question about the other...the next bill.

5 PRESIDING OFFICER (SENATOR DONNEWALD):

6 Senator Johns.

7 SENATOR JOHNS:

8 You know, down home when we go hunting, quail hunting, why we
9 always carry a few extra shots. I figure that the best mode of attack
10 here is to come at you with everything I've got and take what you'll
11 give and so, I do intend to follow this bill on the...the assessed
12 evaluation part of the next deal, you know, that's 956 which is a little
13 more money, and then, be kind enough to me, let me put both of them on
14 the Governor's desk and let him give me what he will.

15 PRESIDING OFFICER (SENATOR DONNEWALD):

16 A good squirrel hunter only needs one shot. Senator...Senator
17 Fawell.

18 SENATOR FAWELL:

19 Mr. President and members of the Senate, this...this is a tough
20 bill to say anything negative about especially after the eloquent
21 plea that Senator Johns has given. I think we all emphasize and
22 sympathize with the plight that Pope County apparently faces. There
23 are an awful lot of questions which are unanswered such as whether
24 they're levying the maximum tax that may be available to them at this
25 time. I'm assuming that they...they probably are, but this bill only
26 helps the county. It doesn't say anything about all the other tax
27 entities that might be involved. I note that the definition of State
28 and Federal lands includes even lands which are owned or occupied by
29 lease by a State or Federal entity, and I think those lands, if they're
30 ...if they're occupied by lease, are...aren't necessarily even classified
31 as exempt, but the precedent that we set here by saying that if at
32 least twenty percent of the area of a county is entitled...is...is
33 situated or has situated on it State or Federal land that we then start

1 handing out an annual grant, and then as you look at the next bill,
2 956, we then retreat to all the local governmental entities and say
3 that if the same county, apparently, has x-number of acres that is
4 being utilized by local governmental entities for which exempt status
5 is granted, then we're going to pay out more money. What this means,
6 of course, in...in my county where in DuPage we have some pretty back-
7 breaking taxes, we have a lot of Federal and State facilities all over
8 the place, and obviously, those counties that may have ten percent or
9 fifteen percent are going to feel left out. I...I don't believe that
10 this is much more than simply a request for an annual grant to Pope
11 County. Al Dixon used to say Pope County is the county where there are
12 more deer than people. I don't know if that's still the case, but
13 perhaps...I...I think we have to take a much harder look. Think in
14 terms of annexing onto other counties, and take a much deeper look
15 before we can...can simply appropriate money that is annually to be
16 reappropriated. There's no termination date here, and I, with great
17 reluctance, Senator, I...I know the plight, but I just think there
18 has to be some other solution than simply what is nothing more than
19 a handout, and we all would like it for our counties and our school
20 districts, and our park districts, all of whom are...are in very rough
21 conditions because of the...the times in which we live.

22 PRESIDING OFFICER (SENATOR DONNEWALD):

23 Senator Harber Hall.

24 SENATOR HALL:

25 Well, Mr. President, Senator Johns has given us a double-barreled
26 shot here today, and as an opponent of this concept, I'm going to have
27 to give a couple of shots myself back. Mr. President, I feel that
28 this concept of appropriation for individual counties using a criteria
29 that he has, in this case, twenty percent of some lands is one of the
30 most serious prospects that we would have in future years to look to.
31 I think a year or two from now, if other counties would want to reduce
32 that percent of area in counties from twenty percent to ten or fifteen
33 or five, I think the amount of a dollar an acre would be...increased

1 next year to a dollar and a half and what scares me even more, Mr.
2 President, is that the prospect of Cook County coming in with their
3 requests based on a similar criteria in future years if they do as
4 New York has done would bankrupt the State very easily. So, I think
5 we have to stay in reasonable guidelines in the matter of appropriations
6 for all matters and as sorry as sometimes I can feel for people who are
7 facing budget...budgetary propositions within their governmental units,
8 we have...we see them all the time with our townships, our counties,
9 our municipalities, and our State, but this concept of a special request
10 to be passed by all members of the General Assembly for a particular
11 purpose like this would establish a precedent that we would have to
12 admit would be very serious as others would try and implement the same
13 type of thing. And so, I want to be on record as opposing it.

14 PRESIDING OFFICER (SENATOR DONNEWALD):

15 Several members have indicated they wish to move the previous
16 question. There are three members desiring to address themselves to
17 this issue. Senator Howard Mohr. There are others.

18 SENATOR MOHR:

19 Mr. President, as of this morning, we had a hundred and eight
20 bills on 3rd reading. I move the previous question.

21 PRESIDING OFFICER (SENATOR DONNEWALD):

22 Well, there are two members that desire to speak, and I'm sure
23 that they will be brief. Senator Philip, your seatmate, Senator Mohr.

24 SENATOR PHILIP:

25 Thank you, Mr. President. I just have a question. Is Pope
26 County for sale? If it is, I'm sure that I can talk to DuPage County
27 Board of Supervisors into buying it, and we can use it for a recrea-
28 tional park and a land fill.

29 PRESIDING OFFICER (SENATOR DONNEWALD):

30 Senator...did you ask a question?

31 SENATOR PHILIP:

32 Yes.

33 PRESIDING OFFICER (SENATOR DONNEWALD):

1 You only have time for one question. Senator Johns.

2 SENATOR JOHNS:

3 Just don't go down there deer hunting this Fall, Pate.

4 PRESIDING OFFICER (SENATOR DONNEWALD):

5 Senator Joyce.

6 SENATOR JOYCE:

7 Well, I...I would just like to rise in support of Senator Johns.
8 You know, Pope County is a beautiful county, and the people of Illinois
9 are very fortunate to have such a place where they can go and enjoy
10 the beautiful scenery and...and go hunting and fishing and...and just
11 with their whole families. And I think it's, you know, it's just
12 something that we ought to, you know, maybe help them out a little bit
13 because, you know, it...it's just...that hard facts of the thing or
14 that...that kind of land is not very productive, in all, with the State
15 and Federal Government owning all of this...this property that we all
16 like to go down there and take our families to. I think that it...it's
17 it's too bad, but I think we should not feel bad about helping a county
18 like that.

19 PRESIDING OFFICER (SENATOR DONNEWALD):

20 Senator Buzbee.

21 SENATOR BUZBEE:

22 Mr. President, the problem of Pope County is a problem that was
23 created by government. It was not created...it was not created by the
24 people of Pope County. It was created by the Federal and the State
25 Government when they came in there and purchased all of this land
26 taking it off the tax rolls with no provision made for any kind of
27 reimbursement to the...to the county and...and local taxing bodies.
28 So, as a result, we have gotten them in a position in this day and age
29 of not being able to support their own government, their own taxing
30 bodies. Now, there have been a lot of possible solutions brought for-
31 ward such as combining Pope County within other counties and perhaps that
32 is something that will have to be done some day, I don't know. But
33 for the time being, the fact remains that their county officials have

1 not even received their salary in some five or six months. They cannot
2 provide any of the basic services to a majority of people that are, I
3 might add, vastly overwhelmingly Republican, the population of that
4 county is, I know I ran there for State Representative in 1970 and
5 caught my lunch in Pope County. But the fact remains that they are
6 people, they're folks, and they have problems that we have created,
7 and I think that we can at least help them on a temporary basis to get
8 out of this...this crisis, and this is a true crisis in Pope County's
9 situation as opposed to maybe we have a crisis, or maybe we don't have
10 crisis, in the State of Illinois' situation.

11 PRESIDING OFFICER (SENATOR DONNEWALD):

12 Senator Johns may close the debate, or do you wish a roll call?

13 SENATOR JOHNS:

14 No, Sir, I just...I just wanted to tell you this. We're known
15 as Little Egypt. The origin is that at one time, the northern regions
16 of this State needed help, and we sent it forth. Now, it's about time
17 you paid your debt, send a little south. A la-la, you know. I see
18 you over there, Senator Davidson. Now, let me tell you this, too,
19 that's the most beautiful country in the world, and many of you people
20 in the northern regions of this State are going to be looking to a place
21 just like that to go and take your children. And with this you could
22 maintain it, I move the previous question also. I ask for a favorable
23 roll call, Mr. President.

24 PRESIDING OFFICER (SENATOR DONNEWALD):

25 The question is shall House Bill 955 pass. All those in favor
26 indicate by voting Aye. Those opposed vote No. The voting is open.
27 (Machine cut-off)...all those voted who wish? Senator Johns.

28 SENATOR JOHNS:

29 I know that there's a great deal of undercurrent here because of,
30 you know, names attached to the bill. I can see...

31 PRESIDING OFFICER (SENATOR DONNEWALD):

32 Senator...

33 SENATOR JOHNS:

1 I...I'm not, you know, I'm going to postpone it, but I do want
2 to point...

3 PRESIDING OFFICER (SENATOR DONNEWALD):

4 ...On a point of personal privilege?

5 SENATOR JOHNS:

6 Yes, a point of personal privilege.

7 PRESIDING OFFICER (SENATOR DONNEWALD):

8 We...we are in the middle of the roll call, Senator.

9 SENATOR JOHNS:

10 Alright. I can see what's happening, but let me say this.

11 PRESIDING OFFICER (SENATOR DONNEWALD):

12 But, Senator, you're out of order. We can't...you can arise on
13 a point of personal privilege. Have all those voted who wish? Take
14 the record. On that question, the Ayes are 21, the Nays are 8, 15
15 Voting Present. You wish to Postpone Consideration? ...Well, do
16 you wish to Postpone Consideration? Consideration is Postponed.
17 Senator Johns is recognized on a point of personal privilege. State
18 your point.

19 SENATOR JOHNS:

20 Alright, now, to Senator Soper, Fawell, Nimrod, Glass, and Senator
21 Philip, would you give serious consideration to support of this bill
22 if I amended it and made it a thirty percent land holdings which would
23 make only Pope County? Just keep that in mind.

24 PRESIDING OFFICER (SENATOR DONNEWALD):

25 We can...alright. The next bill...

26 SENATOR JOHNS:

27 Next bill.

28 PRESIDING OFFICER (SENATOR DONNEWALD):

29 955, Senator Johns. I'm sorry, 956, Senator Johns. Is there...
30 is there debate on this bill? The question is shall House Bill 956
31 pass. Those in favor vote Aye. Those...just a moment. Read the bill.

32 ACTING SECRETARY (MR. FERNANDES):

33 House Bill 956.

208 911
3 mi
6/20/75

1 (Secretary reads title of bill)

2 3rd reading of the bill.

3 PRESIDING OFFICER (SENATOR DONNEWALD):

4 The question is shall House Bill 956 pass. Those in favor vote
5 Aye. Those opposed No. The voting is open. Have all those voted
6 who wish? Take the record. Senator Johns moves to Postpone Considera-
7 tion. Consideration is Postponed. House Bill 911, Senator Knuppel.

8 ACTING SECRETARY (MR. FERNANDES):

9 House Bill 911.

10 (Secretary reads title of bill)

11 3rd reading of the bill.

12 PRESIDING OFFICER (SENATOR DONNEWALD):

13 Senator Knuppel.

14 SENATOR KNUPPEL:

15 Mr. Chairman and members of the Body, House Bill 911 is designed
16 to create an emergency number that will be used in all areas. This
17 is a...it is under the Illinois Commerce Commission in conjunction with
18 the Attorney General and to be consultant or law enforcement officials,
19 the fire...state fire marshal and others. The idea being that even-
20 tually by 1982, there will have been implemented in the State of
21 Illinois a policy and a system whereby anyone can dial the number 911
22 as a prefix and secure emergency help of the nature he may need,
23 whether it's fire, police, or whether it is of other emergency nature.
24 There will be an operator designed to advise or to put through the
25 call so that the person who needs help can do this without even the
26 benefit of having in his possession a thin dime to ring the telephone.
27 This...such a system requires a lot of...of up front work. This bill
28 is designed and is an attempt to ultimately establish a nationwide
29 system of one call emergency service. It's a complicated bill, but it's
30 been through committee. It's been heard, and all I can say to you is
31 is that it's the best approach I know. It gets underway a...a process
32 in the Illinois Commerce Commission to result by December 31st, 1982,
33 in single call emergency service. I would...I would solicit your

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7

1 support for a favorable roll call.

2 PRESIDING OFFICER (SENATOR DONNEWALD):

3 Senator Glass.

4 SENATOR GLASS:

5 Thank you, Mr. President. I am in support of the bill, but I
6 would like to ask Senator Knuppel what Amendment No. 3 does. I...I
7 have it, but I don't understand what it does.

8 PRESIDING OFFICER (SENATOR DONNEWALD):

9 Senator Knuppel.

10 SENATOR KNUPPEL:

11 Well, what No. 3 does, you can read it, it says that unless a
12 plan was announced before the effective date of this Act, and what it
13 actually does is there were some problems with...with some of the com-
14 munities such as Chicago had already undertaken to accomplish this
15 purpose, and there may have been others as well as...as Chicago. So,
16 instead of specifying a certain county or certain place, it says anyone
17 who's already undertaken such a procedure will be exempt from the pro-
18 visions of this Act.

19 PRESIDING OFFICER (SENATOR DONNEWALD):

20 Senator Glass.

21 SENATOR GLASS:

22 Well, does that mean that Chicago will have the 911 number inde-
23 pendently of this, and the whole State will be tied in?

24 PRESIDING OFFICER (SENATOR DONNEWALD):

25 Senator Knuppel.

26 SENATOR KNUPPEL:

27 It's my understanding that that's what they're working toward,
28 yes. That this will even be a nationwide number that the 911 or what-
29 ever it is, that you'll have a nationwide number that everybody will
30 know so that if you drive down the road, you see a fire, you go to the
31 closest phone, you can dial 911, there will be an operator on and she
32 can tell you what jurisdiction and connect you with either the fire,
33 the police, the hospital or whatever emergency assistance you need.

1 It's to be a nationwide thing when it's all accomplished.

2 PRESIDING OFFICER (SENATOR DONNEWALD):

3 Senator Regner.

4 SENATOR REGNER:

5 Yes, Senator Knuppel, I do support this bill. I arise to state
6 that, however, I have a question. If the Commerce Commission, if
7 this bill does pass and become law, the Commerce Commission will be
8 doing the study for implementation state-wide. Correct?

9 PRESIDING OFFICER (SENATOR DONNEWALD):

10 Senator Knuppel.

11 SENATOR KNUPPEL:

12 It's certainly my...it's certainly my understanding that that's
13 the way it is. And they will work with the Attorney General and
14 they're directed to consult at regular intervals with the State fire
15 marshal, Department of Public Health, et cetera. So, it ties everything
16 together, but they're the catalyst for accomplishing this, and even
17 though some are left out now, they'll be working with those to get a
18 total state-wide picture, and the State will be working nationally
19 with Illinois Bell and Bell Telephone and others to make this a nation-
20 wide emergency call system.

21 PRESIDING OFFICER (SENATOR BRUCE):

22 Further debate? Senator Mohr. Oh, Senator...Senator Regner, I'm
23 sorry.

24 SENATOR REGNER:

25 Therefore, if this bill becomes law, it wouldn't be necessary in
26 the Governor's Traffic Safety Coordinating Council to appropriate
27 another fifty-three thousand dollars to do the same job because the
28 Commerce Commission would be doing it?

29 PRESIDING OFFICER (SENATOR BRUCE):

30 Senator Knuppel.

31 SENATOR KNUPPEL:

32 Well, Sir, I don't know that I understand the question exactly
33 and how they relate. Maybe...maybe you can explain...I...the question

1 better. Give me more...

2 PRESIDING OFFICER (SENATOR BRUCE):

3 Senator Regner.

4 SENATOR REGNER:

5 Well, in...in the budget for the Traffic Safety Coordinating
6 Committee, they're asking for fifty-three thousand dollars to do the
7 same thing, and I support your bill, and I think that's where it should
8 be done in the Commerce Commission.

9 PRESIDING OFFICER (SENATOR BRUCE):

10 Senator Howard Mohr.

11 SENATOR MOHR:

12 What would the cost be, Senator? Do you have any idea?

13 PRESIDING OFFICER (SENATOR BRUCE):

14 Senator Knuppel.

15 SENATOR KNUPPEL:

16 No, I...I didn't get a fiscal note on it. I assume that it will
17 cost and it will be included in the Illinois Commerce Commission's
18 budget. I assume it will take quite a bit of money, but by the same
19 token, it will...it will get a favorable result, but as to how much
20 it's going to cost exactly, I don't have a figure.

21 PRESIDING OFFICER (SENATOR BRUCE):

22 Senator Howard Mohr.

23 SENATOR MOHR:

24 Well, we have 911 in...in my community and a couple of surround-
25 ing communities. I say we have 911 in my community and two of the
26 surrounding communities that went in on a joint venture and, you know,
27 it's a wonderful system. There's no...no question about it, but here
28 we are telling all of the...the municipalities in the State mandating
29 them to do something that they do have the right or the option to do
30 on their own. I don't know why we get ourself in this position, and
31 I think that...that the local government can handle the job much better
32 than the State or the Federal Government if...if they really want the
33 service. I don't see that there's any problem with it, and there's

1 ...there's intervention of...of the State getting involved in the
2 local concept, I...I don't subscribe to. The 911. I have no quarrel
3 with. We have had great experience with it. It's a fine system. We
4 were able to do it, and I think other communities can do it without
5 any cost to the State or without any red tape of going through the
6 State.

7 PRESIDING OFFICER (SENATOR BRUCE):

8 Any further debate? Senator Knuppel may close the debate.

9 SENATOR KNUPPEL:

10 In summary, I'd just like to say to Senator Mohr, you know, I
11 agree with you, however, you know how parochial communities are. They
12 ...there are areas that overlap county lines. There has to be, I
13 think, some type of a leader in the thing, how much it's going to cost,
14 I think is...is dependent, as you say, on how much cooperation there
15 is from local units of government. It's not to be achieved until 1982.
16 I would submit to you, Senator, that you may be out on the road some-
17 time and need emergency care, and if there's a community that hasn't
18 gone to 911, you might have difficulty. For instance, most of you will
19 recall Senator...or State Representative..., I can't think of his
20 name right at the minute, Bill something from out here. He's in
21 Sangamon County or served here in the General Assembly during the days
22 when they had the bedsheet ballot. Well, he had a fire, you know, at
23 his home here recently and they had to call about four different places
24 before they could get the right fire district. They were in between.
25 All I'm saying is this, you may have an emergency outside of the
26 community where you live. This is a good thing. I'd ask you to
27 reconsider. You have to have leadership. We have to have some kind of
28 cooperation and I'd like to see you support the bill. I'd like...and
29 I would still solicit a favorable roll call.

30 PRESIDING OFFICER (SENATOR BRUCE):

31 The question is shall House Bill 911 pass. Those in favor vote
32 Aye. Those opposed vote Nay. The voting is open. Have all voted who
33 wish? Have all voted who wish? Take the record. On that question,

1 the Ayes are 48, the Nays are none, none Voting Present. House Bill
2 911 having received a constitutional majority is declared passed.
3 House Bill 1053, Senator Lemke. Senator Lemke. House Bill 1070,
4 Senator Savickas. House Bill 1122, Senator Savickas. House Bill 1257,
5 Senator Knuppel. 1257, Child Labor Law. (Machine cut-off)...move that
6 back to the order of 2nd reading, Senator Knuppel?

7 SENATOR KNUPPEL:

8 We've already done it. We did it this morning.

9 PRESIDING OFFICER (SENATOR BRUCE):

10 Senator Knuppel, we'll be back to it in just a moment. The
11 Secretary sent that back to the office. Senator Course on 1287.
12 House Bill 1299, Senator Knuppel. ...1317, Senator Lemke. The Secretary
13 is getting the bill from the office. They returned it when it was
14 amended. For what purpose does Senator Mitchler arise?

15 SENATOR MITCHLER:

16 While we have a little lull here, I would like to rise on a point
17 of personal privilege, and if I may just have a...just a very brief
18 moment.

19 PRESIDING OFFICER (SENATOR BRUCE):

20 State your point.

21 SENATOR MITCHLER:

22 Mr. President and members of the Senate, I have before me and...
23 just a minute. Senator Harris would like to speak to me. I'll
24 delay that.

25 PRESIDING OFFICER (SENATOR BRUCE):

26 I think Senator Harris has asked you to have a lull here. Alright.
27 Senator Lemke on 1317. Are you ready to go? House Bill 1317.

28 SECRETARY:

29 House Bill 1317.

30 (Secretary reads title of bill)

31 3rd reading of the bill.

32 PRESIDING OFFICER (SENATOR BRUCE):

33 Senator Lemke.

1 SENATOR LEMKE:

2 This is a bill to...for...to requires vehicle owners to show
3 proof of insurance coverage as a prerequisite for registration. It
4 makes certain provisions mandatory.

5 PRESIDING OFFICER (SENATOR BRUCE):

6 Is there further discussion? Senator Glass.

7 SENATOR GLASS:

8 Mr. President and Senators, I rise in support of this bill. I
9 think it's unfortunate that a bill that we passed out of here to require
10 insurance coverage by all motorists that did not succeed in the House, but
11 I understand this is a very similar bill, much needed by Illinois, and
12 I would hope it would pass with unanimous roll call.

13 PRESIDING OFFICER (SENATOR BRUCE):

14 Any further debate? The question is shall House Bill 1317 pass.
15 Those in favor vote Aye. Those opposed vote Nay. The voting is open.
16 Have all voted who wish? Take the record. On that question, the Ayes
17 are 45, the Nays are 5, none Voting Present. House Bill 1317 having
18 received a constitutional majority is declared passed. Senator Course
19 on 1287.

20 SECRETARY:

21 House Bill 1287.

22 (Secretary reads title of bill)

23 3rd reading of the bill.

24 PRESIDING OFFICER (SENATOR BRUCE):

25 Senator Course.

26 SENATOR COURSE:

27 Thank you, Mr. President and members of the Senate. House Bill
28 1287 amends the Reduced Transit Fare for Students Act and the Reduced
29 Transit Fare for Elderly Act. What this does, Ladies and Gentlemen,
30 expands the definition of mass transportation carrier, used and reduced
31 fares for elderly and students act. Several municipalities and local
32 mass transit districts provide public transportation service through
33 contract with private carriers. These carriers were inadvertently left

1 out of the Act, the reduced fare for students and elderly bills. They
2 were included in the reduced fares for handicapped bill which Senator
3 Egan passed, Senate Bill 527. This will...the cost will be minimal,
4 and the...will not need a...an additional appropriation. I would
5 appreciate a favorable vote.

6 PRESIDING OFFICER (SENATOR BRUCE):

7 Is there further debate? Senator Harris.

8 SENATOR HARRIS:

9 I just want to reassure the members, you will recall, that there
10 was an amendment offered to this bill that did make it quite a contro-
11 versial bill. That amendment has been withdrawn. The bill is now
12 just as it started out to be, a bill that cures some of the definitions
13 of this purpose that the mass transit and private contractors contracted
14 with mass transit districts to transport at reduced fares these various
15 kinds of classified passengers. We have no objection from this side
16 of the aisle, and urge a favorable roll call.

17 PRESIDING OFFICER (SENATOR BRUCE):

18 Is there further debate? The question is shall House Bill 1287
19 pass. Those in favor vote Aye. Those opposed vote Nay. The voting
20 is open. Have all voted who wish? All voted who wish? Take the
21 record. On that question, the Ayes are 57, the Nays are none, none
22 Voting Present. House Bill 1287 having received a constitutional
23 majority is declared passed. House Bill 1257, Senator Knuppel.

24 SENATOR KNUPPEL:

25 House Bill 5...1257 is designed to correct the reference purely
26 to females in...in the Act with respect to child labor. It presently
27 provides that females under the age of sixteen years shall not be
28 employed or engaged in any capacity where it requires them to remain
29 standing continuously. Senator Lemke proposed an amendment which
30 instead of striking that language and making the ladies only or the
31 girls only under sixteen subject to that provision, he included males
32 and it now provides that no male or female under the age of sixteen
33 years shall be employed or engaged in employment where it requires

1 continuous standing unless they are allowed to sit down on occasion.
2 I submit that his amendment makes the bill a better bill, and in any
3 event, the 701 that I passed out of here some time ago struck all of
4 the language out so that in the event that he cares to, the Governor
5 can have a choice. I think this is a good idea that...for young
6 people to have a break where they can sit down occasionally, and all
7 this really does is removes the sexual difference between boys and
8 girls being treated the same way when they're under sixteen and on the
9 job. I think it's good legislation. I solicit your support and a
10 favorable roll call.

11 PRESIDING OFFICER (SENATOR BRUCE):

12 Is there debate? Senator Graham.

13 SENATOR GRAHAM:

14 I'd like to say in behalf of this legislation, it makes...that
15 amendment makes a lousy bill a little bit better. I'm glad to see that
16 we are condescending to the point, however, that there is an acknow-
17 ledgement by some of the sponsors of this bill and some of the others
18 that we've had confront us over here that if it were not for the
19 Senate, they would have been discriminating. Senator Lemke got caught
20 up with them, and I'm glad of that, and I hope that Representative
21 Katz person and Catania person gets the message after a while.

22 PRESIDING OFFICER (SENATOR BRUCE):

23 Is there further debate? Senator Mitchler.

24 SENATOR MITCHLER:

25 Mr. President, I'd like to direct this to the sponsor. The
26 amendment which reads no male or female under the age of sixteen years
27 shall be employed or engaged in any capacity where such employment
28 requires him or her to remain standing continuously for and during the
29 performance of his or her work unless they are allowed to sit on
30 occasion. Well, that's rather ambiguous...what do you mean his or her
31 work? How long of a period of time is that and what about sitting on the
32 occasion? Maybe you got somebody that comes into a McDonalds hamburger
33 place and works from 10:30 until 2:00 o'clock because that's the rush

1 period and that's the time they need them. Does that mean they have to
2 let them sit down during that period or...I mean you don't specify what
3 period of time? Does that mean in an eight hour day or what if they
4 only bring them in for an hour at a time? Do you mean you have to let
5 them sit down during that hour?

6 PRESIDING OFFICER (SENATOR BRUCE):

7 Senator Lemke.

8 SENATOR LEMKE:

9 I think this...this bill applies to part-time employment, and
10 what we have in McDonalds and that...I'm...I'm sure that the bill does
11 not require them to sit down every hour, it just requires them if they
12 are...if they get tired, to sit down on occasion, and this is what they
13 do now as it is, and this is a provision to protect these young girls
14 and boys in their work so they can have a...a slight break to prevent
15 them from...a standing job. And this is what you're doing now, and
16 they're allowed to do it now, and I'm sure it's not going to change
17 anything that's existing. If we had limited...if we had taken away
18 this prohibition as the original bill did, this would have caused some
19 problems. It might have gotten some of our young people laid off
20 because we all know when you're working on your feet in a, say, in a
21 drive-in, it gets cold in the winter, you want to sit down and raise
22 your feet off that hard concrete, and this is what this does.

23 PRESIDING OFFICER (SENATOR BRUCE):

24 Senator Mitchler.

25 SENATOR MITCHLER:

26 Then another thing, if someone's employed at a job where their
27 seated all the time, don't you think they should be allowed to stand
28 up and stretch?

29 PRESIDING OFFICER (SENATOR BRUCE):

30 Is there further debate? The question is shall House Bill...the
31 Secretary will read the bill a third time.

32 SECRETARY:

33 House Bill 1257.

1 (Secretary reads title of bill)

2 3rd reading of the bill.

3 PRESIDING OFFICER (SENATOR BRUCE):

4 The question is shall House Bill 1257 pass. Those in favor vote
5 Aye. Those opposed vote Nay. The voting is open. Have all voted
6 who wish? Take the record. On that question, the Ayes are 47, the
7 Nays are none, none Voting Present. House Bill 1257 having received
8 a constitutional majority is declared passed. House Bill 1343, Senator
9 Palmer.

10 SECRETARY:

11 House Bill 1343.

12 (Secretary reads title of bill)

13 3rd reading of the bill.

14 PRESIDING OFFICER (SENATOR BRUCE):

15 Senator Palmer.

16 SENATOR PALMER:

17 Mr. President and members of the Senate, House Bill 1343 provides
18 and permits the Chicago Board of Education to enter into contracts
19 with employees for three years where they now have that right to...for one
20 year. It's a permissive provision. I move for a favorable roll call.

21 PRESIDING OFFICER (SENATOR BRUCE):

22 Is there further debate? The question is shall House Bill 1343
23 pass. Those in favor vote Aye. For what purpose does Senator Fawell
24 arise?

25 SENATOR FAWELL:

26 Just...just...

27 PRESIDING OFFICER (SENATOR BRUCE):

28 I...I think you were almost there, yes. Senator Fawell.

29 SENATOR FAWELL:

30 I...I really...you've been ignoring my counseling advice in
31 this legislation for several months now, and I want to just give you
32 one last chance to...to save the Chicago public schools from making
33 a grievous error, and this won't take long. If you'll look at the bill

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1 and...and I...I don't have a great deal of problem in regard to author-
2 izing the Chicago public schools to enter into three year collective
3 bargaining agreements if...if that's what they want to do, but Mr.
4 President, if you'll look at the bill before you, it states this, that
5 contracts and expenses and liabilities without appropriations are not
6 allowed, and then, this particular section says that expenditures are
7 allowed as long as they are okayed in a collective bargaining agreement.
8 So, that as long as any expenditure is set forth in a collective bar-
9 gaining agreement, the board is bound to make those payments without
10 any budgeting, and without any appropriating. I think any taxpayers
11 group should be horrified at that point, but I'll go a step further and
12 say that once you enter into the collective bargaining agreement, even
13 though you don't have the tax funds, somebody can sue you for it, get
14 a judgement, and the board can then levy a tax to pay off the judge-
15 ment on bonds. So, I...I think this has got some very deep ramifica-
16 tions to it. I don't think you will accept my counseling advice now
17 any more than you have before, but I think that we ought to give some
18 real thought to it. I will vote No.

19 PRESIDING OFFICER (SENATOR BRUCE):

20 Is there further debate? The question is shall House Bill 1343
21 pass. Those in favor vote Aye. Those opposed vote Nay. The voting
22 is open. Have all voted who wish? Take the record. On that question,
23 the Ayes are 55...the Ayes are 35, the Nays are 7, 6 Voting Present.
24 House Bill 1343 having received a constitutional majority is declared
25 passed. House Bill 1354, Senator Demuzio. Senator Demuzio asks leave
26 of the Body to have the bill returned to the order of 2nd reading.

27 Is leave...is there leave? Leave is granted. The bill is on the order
28 of 2nd reading.

29 SECRETARY:

30 Amendment...Amendment No. 2 offered by Senator Demuzio.

31 PRESIDING OFFICER (SENATOR BRUCE):

32 Senator Demuzio.

33 SENATOR DEMUZIO:

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1 Want to identify the amendment for me.

2 SECRETARY:

3 Amendment No. 2 is amend House Bill 1354 in the Senate on Page 8
4 by deleting lines 29 through 31.

5 SENATOR DEMUZIO:

6 Alright. This amendment to House Bill 1354 simply states that
7 neither a service corporation nor a central reserve institution is
8 defined by the Act shall establish branches. What it's doing is
9 restoring the language in the original bill.

10 PRESIDING OFFICER (SENATOR BRUCE):

11 For what purpose does Senator Buzbee arise?

12 SENATOR BUZBEE:

13 What's the bill number?

14 PRESIDING OFFICER (SENATOR BRUCE):

15 1354. Senator Demuzio, did you wish to comment further on the
16 amendment?

17 SENATOR DEMUZIO:

18 No, just to repeat, the Amendment No. 2 restores the language
19 in the original bill to House Bill 1354 indicating that neither a
20 service corporation nor a central reserve institution is defined by
21 this Act shall establish branches. Move for the adoption of the amend-
22 ment.

23 PRESIDING OFFICER (SENATOR BRUCE):

24 Senator Demuzio moves the adoption of Amendment No. 2. Is there
25 debate? Senator Rock.

26 SENATOR ROCK:

27 Might I ask the sponsor if he will yield the origin of this partic-
28 ular amendment?

29 PRESIDING OFFICER (SENATOR BRUCE):

30 Senator Demuzio. Can we have some order, Gentlemen. The group
31 aisle, if you would please take your conference off the Floor. Senator
32 Carroll...oh, fine. Senator...Senator Demuzio.

33 SENATOR DEMUZIO:

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1 Well, I think that there was some concern concerning the savings
2 and loans having the...the right to...to branch when the banks did
3 not have the right to branch, and I think that this amendment simply
4 indicates that the service corporations do not have the...the right
5 to branch either. The origin of the bill is...or the amendment is, I
6 would say, from the...primarily from the opposition of the...of the...
7 the small banking community in Illinois.

8 PRESIDING OFFICER (SENATOR BRUCE):

9 Senator Rock.

10 SENATOR ROCK:

11 Well, I have copies of both Amendments No. 2 and No. 3, apparently,
12 to be offered, and I can just say that we have taken what has...what
13 started out to be an administration and a good bill, and we are appar-
14 ently, by virtue of these amendments, joining forces with the...the
15 short sided in our State to...who wish to prohibit branching in all
16 its forms with respect to every financial institution in the world.
17 And I just think it's a sad, sad thing, and I urge opposition to Amend-
18 ment No. 2.

19 PRESIDING OFFICER (SENATOR BRUCE):

20 Is there further debate? Senator Merritt.

21 SENATOR MERRITT:

22 Yes, Mr. President and members of the Senate, I certainly rise
23 in support of this amendment. This does exactly what this Legislature
24 has mandated this entire Session I feel as indicated by their previous
25 votes, and I would certainly urge members on both sides of the aisle
26 to support this amendment.

27 PRESIDING OFFICER (SENATOR BRUCE):

28 Is there further discussion? Senator Carroll.

29 SENATOR CARROLL:

30 I too would rise in support of this legislation, Mr. President
31 and members of the Senate...

32 PRESIDING OFFICER (SENATOR BRUCE):

33 We're on the amendment still, Senator Carroll.

1 SENATOR CARROLL:

2 The amendment, I'm sorry. The purpose of the amendment was to
3 clarify the language according to the department. The department
4 contended that the bill in no way was intended to give branching to
5 S and L's other than the law as it exists in relation to the law
6 regarding banks. The purpose of this amendment was to clarify the
7 language of the Act to make sure that it did, in fact, do what the
8 department wanted it to do, and I think in that light, the amendment
9 should be adopted.

10 PRESIDING OFFICER (SENATOR BRUCE):

11 Is there further debate? The question is shall Amendment No. 2
12 to House Bill 1354 be adopted. Those in favor vote Aye. Those opposed
13 vote Nay. The voting is open. Have all voted who wish? Take the
14 record. The Ayes are 21, the Nays are 9, 1 voting Present. The
15 motion to adopt Amendment No. 2 prevails. Any further amendments?

16 SECRETARY:

17 Amendment No. 3 offered by Senator Demuzio.

18 PRESIDING OFFICER (SENATOR BRUCE):

19 Senator Demuzio.

20 SENATOR DEMUZIO:

21 Amendment No. ...Amendment No. 3 amends the bill on Page 2 and
22 deletes lines 21 to 23, and...and inserts the following, subject to
23 the regulations of the Commissioner, excepting that the power to
24 establish branches or offices as prohibited by the section of this
25 Act. And again, what this is doing is to clarify the language as
26 requested by the department to indicate that the savings and loans only
27 have the branching powers as provided by the Commissioner, and I move
28 for the adoption of the amendment.

29 PRESIDING OFFICER (SENATOR BRUCE):

30 Senator Demuzio moves the adoption of Amendment No. 3. Is there
31 discussion? Senator Rock.

32 SENATOR ROCK:

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1 Well, I...I'm going to make the same kind of a comment, that
2 again, the forces...the short sided forces are...are just insistent
3 upon this. I might point out that when Senator Merritt referred to
4 the...the bill and its intent, he well knows or should know that the
5 bill as introduced in the House did authorize for the savings and loan
6 institutions in our State the establishment of branch offices.
7 Obviously, that was quickly picked up by the forces of the short sided
8 forces and was amended out in House Amendment 4, and by virtue of these
9 two amendments, two which we have just adopted, and three which is
10 apparently is going on, we are again admitting to the world and all
11 its environs that the State of Illinois is just not ready to enter the
12 20th Century.

13 PRESIDING OFFICER (SENATOR BRUCE):

14 Is there further debate? Senator Merritt.

15 SENATOR MERRITT:

16 Yes, Mr. President and members of the Senate, I certainly rise
17 in support of this amendment. I'm...I regret that Senator Rock feels
18 that his are the short-sided forces. I think ours are the far sided,
19 and as far as that matter is concerned, I'll just say what I did
20 before, the Legislature is mandated already enough times that they
21 don't want branches, and this does just that.

22 PRESIDING OFFICER (SENATOR BRUCE):

23 Is there further debate? Senator Demuzio.

24 SENATOR DEMUZIO:

25 I just want...I just want to say that I have...in support of this
26 amendment, I don't think we ought to give any more to S and L's than
27 we do to the...to...to the small banks, and I move for the adoption
28 of the amendment.

29 PRESIDING OFFICER (SENATOR BRUCE):

30 Senator Demuzio moves the adoption of Amendment No. 3. All in
31 favor say Aye. All opposed Nay. The Ayes have it. The amendment is
32 adopted. Any further amendments? 3rd reading. House Bill 1396,
33 Senator Glass. Senator Glass, for what purpose do you arise?

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1 SENATOR GLASS:

2 Mr. President, inasmuch as a similar bill to House Bill 1396 has
3 now passed, both the House and the Senate, I move to Table House Bill
4 1396.

5 PRESIDING OFFICER (SENATOR BRUCE):

6 Senator Glass moves to Table 1396. All in favor say Aye. All
7 opposed Nay. The Ayes have it. The bill is Tabled. House Bill 1354.

8 SECRETARY:

9 House Bill 1354.

10 (Secretary reads title of bill)

11 3rd reading of the bill.

12 PRESIDING OFFICER (SENATOR BRUCE):

13 Senator Demuzio.

14 SENATOR DEMUZIO:

15 Well, thank you very much, Mr. President and members of the Senate.
16 House Bill 1354, the general revision of the Savings and Loan Act, it's
17 a forty-five page bill. We talked about it yesterday. We've had
18 extensive discussion relevant to it. I would just simply be able to
19 answer any questions that the membership may have. If they wish an
20 explanation, I'll be glad to go through the dissertation of...of
21 reading the digest, and if not, I move for the...move for the...the
22 question.

23 PRESIDING OFFICER (SENATOR BRUCE):

24 Is there further debate? Senator Berning, then Senator Rock.

25 SENATOR BERNING:

26 Thank you, Mr. President. This is a sizable document, and I
27 have not read it. In just a few, two simple words, what is the real
28 objective here when you say increased penalties for operating without
29 complying with the Act? What is it that we are doing here?

30 PRESIDING OFFICER (SENATOR BRUCE):

31 Senator Demuzio.

32 SENATOR DEMUZIO:

33 Well, we're just simply updating the...the old statutes. What...

1 what page are you on in the forty-five pages?

2 SENATOR BERNING:

3 I'm on Page 5 of the Calendar.

4 PRESIDING OFFICER (SENATOR BRUCE):

5 Senator Demuzio.

6 SENATOR DEMUZIO:

7 Well, it...it seems to me that there's just a...a reasonable
8 fine, and simply updates the provisions of the Act. I don't know
9 what other explanation to give you, Senator Berning.

10 PRESIDING OFFICER (SENATOR BRUCE):

11 Senator Berning, any further questions? Senator...

12 SENATOR BERNING:

13 Well, I suppose I'm exhibiting my...my ignorance and my lack
14 of preparation, but that, of course, the latter, is due to the pressure
15 of time. It is a sizable document, and when you say amends the
16 Savings and Loan Act to increase penalties for operating without
17 complying with the Act, it seems to me that that's something we already
18 have under the administration of the Act, and I was just curious as
19 to what kind of increases we have and what...what additional sort
20 of administrative burden we're placing on the...the department, if any,
21 and on the individual savings and loans, if any.

22 PRESIDING OFFICER (SENATOR BRUCE):

23 Senator Demuzio.

24 SENATOR DEMUZIO:

25 Senator Berning, I would think that there would be no additional
26 burden than they already have now. Simply on Page 2 of the bill,
27 provides that the fine shall not exceed five thousand. It originally
28 was on a thousand, and of course, I guess you could simply say that
29 that is what inflation does for you.

30 PRESIDING OFFICER (SENATOR BRUCE):

31 Senator Rock.

32 SENATOR ROCK:

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

1 I rise in support of House Bill 1354. I was more in support in its
2 pristine form as introduced in the House, but there's an old saying,
3 a half a loaf is better than none. Some of the provisions that are
4 incorporated into 1354 even as amended are absolutely necessary and
5 very salutary. For instance, there is a notice and hearing provision
6 with respect to relocation that I think is...is absolutely essential,
7 and I would urge an Aye vote.

8 PRESIDING OFFICER (SENATOR BRUCE):

9 Let's see, we have Senator...Senator Rock. Senator Wooten.

10 SENATOR WOOTEN:

11 Mr. President, I'm in sympathy with Senator Berning. Senator
12 Berning, I am not skilled in these matters, and we're always trying
13 to look for some peg to summarize this thing, something to hang it
14 on. The fact is simply this, that there is little reason for a State
15 S and L to remain a State S and L. The advantage is to be a Federal
16 S and L, and the applications are increasing every day, there aren't
17 many left. If we don't do something to remove the unreasonable restric-
18 tions on the State S and L's, give them a little room, they're going
19 to disappear entirely. And I think it's healthy that we have both
20 State institutions and Federal institutions. Now, we're bringing them
21 up by and large through this bill to some parity with the Federal
22 S and L's. One thing we're doing to help them a little further is
23 we're letting, I believe that the provision is still in the bill,
24 we're letting them use the now accounts which is comparable to some
25 kind of a checking arrangement. Now, unless that seemed too radical
26 a step, I might alert you that the Federal S and L's are going to have
27 this by January. So, for the first time there will some slight advan-
28 tage to remaining a State S and L. And...what this bill is attempting
29 to do in sum is to give the State S and L's reason for remaining a
30 State chartered institution, and if we don't do something, they're
31 all going to try to go Federal. It's just that simple. And I think
32 it's important that we have the two systems, State and Federal.

33 PRESIDING OFFICER (SENATOR BRUCE):

1 Senator Glass.

2 SENATOR GLASS:

3 A...one question of the sponsor, if I may, Mr. President.

4 PRESIDING OFFICER (SENATOR BRUCE):

5 Indicates that he will yield.

6 SENATOR GLASS:

7 Senator Demuzio, I...I notice that the bill allows the commissioner
8 of savings and loans to fix the capitalization requirements for...for
9 new S and L's instead of the present procedure which I gather is...is
10 a fixed formula based on population and other factors. And I'm a little
11 bit leery about giving this power to the commissioner and I wondered
12 what the reason for that is?

13 PRESIDING OFFICER (SENATOR BRUCE):

14 Senator Demuzio.

15 SENATOR DEMUZIO:

16 Well, the...I...I'm certainly not an expert in...in this parti-
17 cular area, and can only comment to you based upon what I know about
18 the bill and what I'm being told by the staff. Apparently, it's just
19 giving the...the commissioner greater discretion in establishment of
20 S and L's in the State. The rationale behind that particular section
21 that you refer to is...is something that I really don't know. I can
22 only say to you just...it gives some greater discretion to allow for
23 S and L's, additional S and L's, in...in the State.

24 PRESIDING OFFICER (SENATOR BRUCE):

25 Any further discussion? Senator Merritt.

26 SENATOR MERRITT:

27 Well, I'm not going, Mr. President and members of the Senate,
28 I'm not going to belabor this issue much longer. There's many things
29 in it that I still don't like. Some of them we've been able to amend
30 out, and I certainly would urge the support of the bill in its present
31 form.

32 PRESIDING OFFICER (SENATOR BRUCE):

33 Is there further debate? Senator Demuzio. The question is shall

1 House Bill 1354 pass. Those in favor vote Aye. Those opposed vote
2 Nay. The voting is open. Have all voted who wish? Take the record.
3 On that question, the Ayes are 49, the Nays are none, 3 Voting Present.
4 House Bill 1354 having received a constitutional majority is declared
5 passed. House Bill 1487, Senator Savickas. House Bill 1521, Senator
6 Sommer. Read the bill, Mr. Secretary.

7 SECRETARY:

8 House Bill 1521.

9 (Secretary reads title of bill)

10 3rd reading of the bill.

11 PRESIDING OFFICER (SENATOR BRUCE):

12 Senator Sommer.

13 SENATOR SOMMER:

14 Mr. President and members, this bill had Merritt until a couple of
15 days ago, and he dropped off, and I don't know where anybody else is.
16 Call it.

17 PRESIDING OFFICER (SENATOR BRUCE):

18 Is there further discussion? Senator Latherow.

19 SENATOR LATHEROW:

20 Thank you, Mr. President. I had just a few things in here I'd
21 like to clarify, only picked up the amendment just a minute ago, so,
22 I don't really understand what it does. But, of course, I want to
23 recognize now that again we're starting in another provision of revenue
24 whereby the people who have been graduating from an auction school or
25 training themselves to become an auctioneer have been working in the
26 field, but today or tomorrow, after this passes and becomes effective,
27 they will take an examination for fifty dollars, prove that he is a
28 legitimate auctioneer, and then pay his license of one hundred dollars.
29 Under this provision, I'm wondering how first a person who has been in
30 the business for ten or fifteen or twenty years, what procedure he
31 must go through in order to prove to this new board that he should be
32 an auctioneer? Would you give me an answer to that question, Mr. ...
33 Senator Sommer.

1 PRESIDING OFFICER (SENATOR BRUCE):

2 Senator Sommer.

3 SENATOR SOMMER:

4 Well, I just think that he could probably just prove it by
5 affidavit, if nothing else, Senator Latherow.

6 PRESIDING OFFICER (SENATOR BRUCE):

7 Senator Latherow.

8 SENATOR LATHEROW:

9 One of the faults that the department might find to suspend his
10 license would be, he has substantial misrepresentation. What's the
11 difference between misrepresentation and substantial misrepresentation?

12 PRESIDING OFFICER (SENATOR BRUCE):

13 Senator Sommer.

14 SENATOR SOMMER:

15 Senator Latherow, that's a legal term, and they'll probably have
16 your lawyer tell you what that is.

17 PRESIDING OFFICER (SENATOR BRUCE):

18 Senator Latherow.

19 SENATOR LATHEROW:

20 Just us legal people would know that then. I...you know what
21 I'm referring to. Well, then...pardon. Substantially more, okay.
22 One thing I wondered, too. Many people that some...some of the
23 livelihood of this particular profession is to have the ability
24 to deceive just a little. Otherwise, if I'm an auctioneer, do I have
25 the privilege of bidding on my own property when I'm conducting an
26 auction?

27 PRESIDING OFFICER (SENATOR BRUCE):

28 Senator Sommer.

29 SENATOR SOMMER:

30 If you do, you lose your license unless you tell the people you're
31 doing it, Senator Latherow. That's the type of practice we're trying
32 to get rid of. That's a...that's heinous practice.

33 PRESIDING OFFICER (SENATOR BRUCE):

1 Senator Latherow.

2 SENATOR LATHEROW:

3 I could say this is my bicycle, and I might be bidding against
4 you on this. Is that...would that relieve me of any fault?

5 PRESIDING OFFICER (SENATOR BRUCE):

6 Senator Sommer.

7 SENATOR SOMMER:

8 Or, you could say that you were bidding...what the auctioneers do is
9 they got a shill out there somewhere, and they don't tell anybody
10 that they're being bid...that they're being run up. That's just a
11 terrible practice. I knew a guy that auctioned fifty years and never
12 had a sale without a shill, and they'll lose their license if they do
13 that from now on out, and I think it's right that they do.

14 PRESIDING OFFICER (SENATOR BRUCE):

15 Senator Latherow.

16 SENATOR LATHEROW:

17 I never realized there was any show to it, or I wouldn't have
18 asked that question, Senator. Thank you.

19 PRESIDING OFFICER (SENATOR BRUCE):

20 Any further debate? The question is shall House Bill 15...

21 Senator Nudelman.

22 SENATOR NUDELMAN:

23 I just want...thank you, Mr. President. I just wanted to advise
24 the Body that's one more of these nocuous licensure bills. It's a
25 situation with the grandfather clause, and I would urge a No vote.

26 PRESIDING OFFICER (SENATOR BRUCE):

27 Senator Sommer, do you wish to close? The question is shall
28 House Bill 1521 pass. Those in favor vote Aye. Those opposed vote
29 Nay. The voting is open. Have all voted who wish? Take the record.
30 On that question, the Ayes are 15, the Nays are 25, 7 Voting Present.
31 A motion to Postpone Consideration. The bill will be Postponed.
32 House Bill 1538, Senator Nudelman. The Secretary will read the bill
33 a third time.

1 SECRETARY:

2 House Bill 1538.

3 (Secretary reads title of bill)

4 3rd reading of the bill.

5 PRESIDING OFFICER (SENATOR BRUCE):

6 Senator Nudelman.

7 SENATOR NUDELMAN:

8 Thank you, Mr. President. I'm sure that we're all aware of the
9 Four Term Act which in essence says that a defendant who is not tried
10 within a hundred and twenty days when any delays are not due to his...
11 on...are not due to his fault is required to be discharged. This is
12 a similar bill relating to preliminary...preliminary hearings and
13 merely says that any defendant who is not given a preliminary hearing
14 within thirty days of his arrest is entitled to discharge. There are
15 exceptions such as the complaining witness being ill or the defendant
16 being given an incompetency hearing, etc., etc. Thank you very much.
17 I'd appreciate an affirmative roll call.

18 PRESIDING OFFICER (SENATOR BRUCE):

19 Is there further debate? Senator Roe.

20 SENATOR ROE:

21 Would Senator Nudelman yield to a question?

22 PRESIDING OFFICER (SENATOR BRUCE):

23 He indicates that he will yield.

24 SENATOR ROE:

25 Senator Nudelman, does...does this bill also provide that if
26 there's no probable cause at the preliminary hearing that the State's
27 Attorney cannot take the case before a grand jury?

28 PRESIDING OFFICER (SENATOR BRUCE):

29 Senator Nudelman.

30 SENATOR NUDELMAN:

31 No, Sir.

32 PRESIDING OFFICER (SENATOR BRUCE):

33 Senator Roe.

1 SENATOR ROE:

2 There...there is an amendment on this bill, is there not?

3 PRESIDING OFFICER (SENATOR BRUCE):

4 Senator Nudelman.

5 SENATOR NUDELMAN:

6 I've got to take my glasses off to see. Yes, there is an amend-
7 ment.

8 PRESIDING OFFICER (SENATOR BRUCE):

9 Senator Roe.

10 SENATOR ROE:

11 Could...could you then explain to me what the amendment does?

12 PRESIDING OFFICER (SENATOR BRUCE):

13 Senator Nudelman.

14 SENATOR NUDELMAN:

15 The amendment clarified the language which says that the...that
16 the defendant shall be discharged at the end of thirty days. It's
17 got nothing to do with what you referred to, Senator. It...change
18 ...it's merely a change in language.

19 PRESIDING OFFICER (SENATOR BRUCE):

20 The...the Chair has an amendment, Senator Nudelman, that states
21 in prosecution of such person as forever barred on charges arising
22 from the action which was the bases of his incarceration. Is that
23 the amendment under discussion? Senator Roe.

24 SENATOR ROE:

25 I beg your pardon because I just this minute got the amendment,
26 Senator Nudelman, and I want to fit it into the bill and I will...I
27 would like a minute to do that if I could.

28 PRESIDING OFFICER (SENATOR BRUCE):

29 Senator Nudelman, do you...do you wish to take it out of the
30 record, and we'll get back to you after the next bill? Take it from
31 the record. House Bill 1572, Senator Egan. Read the bill, Mr.
32 Secretary.

33 SECRETARY:

1 House Bill 1572.

2 (Secretary reads title of bill)

3 3rd reading of the bill.

4 PRESIDING OFFICER (SENATOR BRUCE):

5 Senator Egan.

6 SENATOR EGAN:

7 Thank you, Mr. President and members of the Senate. The next
8 two bills are really a package of bills designed to reverse
9 the...the trend really, I think, in the area of criminal defense
10 counsel. I think that this is the type of legislation which if...if
11 we pass, we'll go a long way to satisfy Senator Philip, and...and the
12 people who feel as I do that the public defender system is...is getting
13 to be one of those massive bureaucratic organizations that somehow
14 gets out of control. This allows for the payment of fees to the...
15 private counsel that are appointed by the court. The court now has
16 the right to appoint private counsel, as a matter-of-fact, it has the
17 duty to do so, and there is no lid on the amount of money that is...
18 that the court awards to...for the services performed that...that bill
19 that we just voted on to...to reimburse the county board for having
20 reimbursed attorneys in the Will County case. ...If this law were in
21 existence for that type of case, there would have been a lid put on the
22 amount of fees that the court could award. In the first bill, it
23 awards...it allows for the appointment of counsel up to five hundred
24 dollars in each case. In the second, for appeals to raise the lid
25 to fifteen hundred dollars for an appeal, and also raise the amount
26 in a felony case, and I think this is the right direction. I...I
27 solicit your support.

28 PRESIDING OFFICER (SENATOR BRUCE):

29 Is there further debate? The question is shall House Bill 1572
30 pass. Those in favor vote Aye. Those opposed vote Nay. The voting
31 is open. Have all voted who wish? Take the record. On that question,
32 the Ayes are 57, the Nays are none, none Voting Present. House Bill
33 1572 having received a constitutional majority is declared passed.

1 House Bill 1573, Senator Egan. The Secretary will first read the
2 bill.

3 SECRETARY:

4 House Bill 1573.

5 (Secretary reads title of bill)

6 3rd reading of the bill.

7 PRESIDING OFFICER (SENATOR BRUCE):

8 Senator Egan.

9 SENATOR EGAN:

10 Thank you, Mr. President and members of the Senate. As I stated
11 as a second bill in this package, this does as the first bill does...
12 did for trial level reimbursement of counsel. This provides for
13 reimbursement for the appellate level and for the trial level in cases
14 of felony, and also in cases where there is a death penalty to be
15 imposed, and I would solicit again your favorable consideration.

16 PRESIDING OFFICER (SENATOR BRUCE):

17 Is there further debate? The question is shall House Bill 1573
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 1, none Voting Present. House Bill
21 1573 having received a constitutional majority is declared passed.
22 House Bill 1538, Senator Nudelman.

23 SECRETARY:

24 House Bill 1538.

25 (Secretary reads title of bill)

26 3rd reading of the bill.

27 PRESIDING OFFICER (SENATOR BRUCE):

28 For what purpose does Senator Netsch arise?

29 SENATOR NETSCH:

30 To state something for the record that is becoming familiar.
31 I was standing here talking to someone. I forgot to press my button
32 on 1573 and I would have voted Yes.

33 PRESIDING OFFICER (SENATOR BRUCE):

1 Would have voted Yes. The record will so show. Senator Nudelman.

2 SENATOR NUDELMAN:

3 Thank you, Mr. President. The confusion has been cleared up. I
4 understand Senator Roe and he now understands me, and I would ask for
5 a favorable roll call.

6 PRESIDING OFFICER (SENATOR BRUCE):

7 Is there further debate? Senator Roe.

8 SENATOR ROE:

9 I just want to make it clear to the membership that...that this
10 bill does provide that if a person is not granted a preliminary hear-
11 ing within thirty days on a felony charge that he is then nonprosecut-
12 able from that point on, and the case cannot be taken in front of the
13 grand jury.

14 PRESIDING OFFICER (SENATOR BRUCE):

15 Any further discussion? The question is shall House Bill 1538
16 pass. Those in favor vote Aye. Those opposed vote Nay. The voting
17 is open. Have all voted who wish? Take the record. On that question,
18 the Ayes are 11, the Nays are 24, 4 Voting Present. Senator Nudelman.
19 Senator Nudelman.

20 SENATOR NUDELMAN:

21 I will not Postpone Consideration.

22 PRESIDING OFFICER (SENATOR BRUCE):

23 On that question, the Ayes are 11, the Nays are 24, 4 Voting
24 Present. House Bill 1538 having failed to receive a constitutional
25 majority is declared lost. House Bill 1589, Senator Shapiro. There's
26 a printing error. 1594, Senator Egan. Read the bill, Mr. Secretary.
27 Senator Egan, did you wish to call 1594? Read the bill, Mr. Secretary.

28 SECRETARY:

29 House Bill 1594.

30 (Secretary reads title of bill)

31 3rd reading of the bill.

32 PRESIDING OFFICER (SENATOR BRUCE):

33 Senator Egan.

SENATOR EGAN:

1 Thank you, Mr. President and members of the Senate. House Bill
2 1594 is the Department of Transportation bill to bring within confor-
3 mity our law with that of the Federal regulations relative to the
4 distance that sign boards can be placed on interstate and principal
5 state highways. This bill was heard in the Committee on Transportation,
6 and I'm happy to answer any questions. It restricts the placing of
7 signs within six hundred and sixty feet from the...the nearest edge
8 of a highway, and I commend it to your favorable support.

9 PRESIDING OFFICER (SENATOR BRUCE):

10 Is there further debate? Senator Berning.

11 SENATOR BERNING:

12 One question - what would this do to a farmer's barn that has
13 a roof painted with a big sign on and it was within this...this
14 maximum distance, and obviously, would fall within a display, figure
15 painting, drawing message. Would his barn be in jeopardy?

16 PRESIDING OFFICER (SENATOR BRUCE):

17 Senator Egan.

18 SENATOR EGAN:

19 This applies only to the interstate system and principal highways
20 in the State. So, you...you're talking about a barn within six hun-
21 dred feet of the edge of one of those roads. Now, it's my understanding
22 that that would...that they would have to remove the sign, Senator
23 Berning. It's a complicated thing. It...it is designed to meet...it's
24 designed to meet with the Federal standards, and incidentally, if we
25 don't pass the law, we'll lose Federal funds for our highways and our
26 roads. But it's...it's designed...I don't think that...that...I don't
27 know of any instance where there...there is a barn that close to a
28 highway, but if it was, they'd have to remove the sign.

29 PRESIDING OFFICER (SENATOR BRUCE):

30 Senator Berning.

31 SENATOR BERNING:

32 Well, I don't the answer either, but I do know full well, travel-
33 ing down some of our highways and seems...in fact, it seems to me,

1 I-55 right up here has a barn that's painted that says see such and
2 such a cave in Missouri, and I know this was in six hundred feet.
3 I wonder if we hadn't ought to have some kind of a precautionary
4 statement in here so that we don't destroy buildings.

5 PRESIDING OFFICER (SENATOR BRUCE):

6 Senator Egan.

7 SENATOR EGAN:

8 No, you don't have to burn down the barn, Senator. I'm...I'm sure
9 all you have to do is cover up the sign.

10 PRESIDING OFFICER (SENATOR BRUCE):

11 Senator Latherow.

12 SENATOR LATHEROW:

13 Thank you, Mr. President. I can see the minimal extremities
14 of this, but how far away from the...the right-of-way do they have
15 control of a sign? That's the question I'd wonder if the sponsor
16 would yield to.

17 PRESIDING OFFICER (SENATOR BRUCE):

18 Senator Egan.

19 SENATOR EGAN:

20 Senator, I think your question is what is the present law?

21 PRESIDING OFFICER (SENATOR BRUCE):

22 Senator Latherow.

23 SENATOR LATHEROW:

24 This bill says that you have control of each sign located beyond
25 six hundred and sixty feet of the right-of-way. Now, how far beyond?

26 PRESIDING OFFICER (SENATOR BRUCE):

27 Senator Egan.

28 SENATOR EGAN:

29 Up to a mile.

30 PRESIDING OFFICER (SENATOR BRUCE):

31 Senator Latherow.

32 SENATOR LATHEROW:

33 Where do...where do we have that mile clarification? That's what

1 I wondered.

2 PRESIDING OFFICER (SENATOR BRUCE):

3 Senator Egan.

4 SENATOR EGAN:

5 Well, to be honest with you, that's from my staff report, but
6 the...it's...it...the amendment reads within six hundred and sixty
7 feet of the right-of-way.

8 PRESIDING OFFICER (SENATOR BRUCE):

9 Senator Latherow.

10 SENATOR LATHEROW:

11 I was listening here. Did you say within six hundred and sixty
12 feet?

13 PRESIDING OFFICER (SENATOR BRUCE):

14 Senator...Senator Egan.

15 SENATOR EGAN:

16 Yes, those signs would be in violation of the Act.

17 PRESIDING OFFICER (SENATOR BRUCE):

18 Senator Latherow.

19 SENATOR LATHEROW:

20 Have you amended out Page 4, line 12, 13 and 14?

21 PRESIDING OFFICER (SENATOR BRUCE):

22 Senator Egan.

23 SENATOR EGAN:

24 Section 4.07, and this...this is a House Bill.

25 PRESIDING OFFICER (SENATOR BRUCE):

26 There...there are no Senate amendments to the bill. Senator
27 Latherow.

28 SENATOR LATHEROW:

29 Before, I...I'd like for you to recognize that Page 4 says that
30 each sign located beyond six hundred and sixty feet of the right-of-
31 way located outside the urban areas.

32 PRESIDING OFFICER (SENATOR BRUCE):

33 Senator Latherow.

1 SENATOR LATHEROW:

2 To me I think you have control of any sign for as far as you may
3 be able to see. Otherwise, it says visible from the main travel way
4 of the highway, and I think...

5 PRESIDING OFFICER (SENATOR BRUCE):

6 Excuse me...

7 SENATOR LATHEROW:

8 ...here you're getting into a real problem. You're going to
9 control every erected sign for directions or advertisement or other
10 purposes that may be with any possible distance of the highway, if
11 you're in an urban area, yet the minute you come into that incorporated
12 area, you're taking no control whatever of them.

13 PRESIDING OFFICER (SENATOR BRUCE):

14 Further discussion? Senator Course.

15 SENATOR COURSE:

16 Yes, Mr. President and members of the Senate, I think Senator
17 Latherow is right. The way this bill is intended to read and the way
18 it does read, I believe, is that if you can read a...the sign, no
19 matter how far it is from the highway, if you make the...the property
20 owner, if he puts it...and makes...builds a sign large enough and it can
21 be read two miles from the interstate, that sign is illegal, and it
22 must come down.

23 PRESIDING OFFICER (SENATOR BRUCE):

24 Senator Morris.

25 SENATOR MORRIS:

26 The sponsor yield to a question?

27 PRESIDING OFFICER (SENATOR BRUCE):

28 Indicates that he will yield.

29 SENATOR MORRIS:

30 Senator Egan, isn't this that...what was referred to in the
31 Chicago Tribune a couple of months ago as the jumbo sign bill?

32 PRESIDING OFFICER (SENATOR BRUCE):

33 Senator Egan.

1 SENATOR EGAN:

2 I'm not...I have no idea what the Chicago Tribune would call
3 this bill.

4 PRESIDING OFFICER (SENATOR BRUCE):

5 Senator Morris.

6 SENATOR MORRIS:

7 Isn't it designed to get...basically, to get rid of signs along
8 the freeways and expressways regardless of where they are. If you can
9 read it from...within that mile distance, they're going to take it down?

10 PRESIDING OFFICER (SENATOR BRUCE):

11 Senator Egan.

12 SENATOR EGAN:

13 Well, I...I don't agree with Senator Latherow, and I'm going to
14 ask that we take this out of the record so that I can satisfy him.
15 So, I don't think it intends to go that far, but certainly, the main
16 purpose of the bill is to stop cluttering the...the sides of the high-
17 ways within our interstate system with signs. It's Federally
18 oriented, and...

19 PRESIDING OFFICER (SENATOR BRUCE):

20 Senator Egan moves...

21 SENATOR EGAN:

22 ...it's designed to do this throughout the United States. We're
23 just following suit so that we can have our visitors from out-of-
24 state ride through the State without having a cluttered sign situation
25 along the highways...

26 PRESIDING OFFICER (SENATOR BRUCE):

27 Take it from the record. House Bill 1662, Senator Schaffer.
28 House Bill 1670, Senator Howard Mohr. Senator Mohr, Howard Mohr.
29 1670. House Bill 1685, Senator Lemke. 1732, Senator Brady. Read
30 the bill, Mr. Secretary. Senator Wooten.

31 SECRETARY:

32 House Bill 1732.

33 (Secretary reads title of bill)

1 3rd reading of the bill.

2 PRESIDING OFFICER (SENATOR BRUCE):

3 Senator Brady.

4 SENATOR BRADY:

5 Yes, Mr. President, fellow members, the synopsis in the
6 Calendar...

7 PRESIDING OFFICER (SENATOR BRUCE):

8 Excuse me, Senator Brady. If we could have some order. If we'd
9 break up the caucuses, Senator Clarke. Senator Clarke, could you
10 take your caucus off the Floor? Senator Egan. Break up your caucus
11 please. Senator Brady is seeking recognition. Senator Brady.

12 SENATOR BRADY:

13 Thank you, Mr. President, fellow members. The synopsis in the
14 Calendar does not accurately describe this bill since it was amended.
15 The amendment took out the portion of the synopsis that said it pro-
16 vided for parental grants for students in nonpublic schools. What
17 this bill does simply in its present form is to provide textbooks
18 for all students in the State of Illinois whether they be public or
19 nonpublic schools. The thrust of this bill is to provide all the
20 students in the State of Illinois with the basic tool necessary. Pre-
21 sently we have a patchwork system where students in some districts
22 buy them and some districts rent them and some districts get some free
23 and pay for some. This deprives the students who are poor from the
24 equal opportunity of sharing in the basic tools for education, namely
25 the textbook. I'll answer any questions you have on this, and I
26 urge your favorable support.

27 PRESIDING OFFICER (SENATOR BRUCE):

28 Is there debate? Senator Fawell.

29 SENATOR FAWELL:

30 Just...just some brief comments. As...as I read the amendment,
31 Senator Brady, I'm not sure if it...if that first sentence actually
32 makes...makes sense. It states the Illinois Office of Education shall
33 provide the following free of charge to any student in the State who

1 is enrolled and so forth and goes on and on. And then, after the
2 description of Title VI of the Civil Rights Act of 1964, it follows,
3 it says, the loan of secular textbooks listed for use by the Office
4 of Education. Now, I...I went back and looked at the...the bill which
5 was House Bill 2438 from which this wording was taken, I...I believe,
6 and there I noticed there was a...a colon after 1964, and then, there
7 was both Subparagraphs A and B referring to the loan...loan or grant
8 of secular textbooks, and then, B, medical services. The first point
9 I wanted to make is I...I would...I question whether or not the sen-
10 tence really hangs together and...and makes...and makes sense. But
11 secondly, the question is what would the...what would the cost for
12 ...for implementation of such a bill, I realize it has to be a rough
13 estimate, what would the cost be?

14 PRESIDING OFFICER (SENATOR BRUCE):

15 Senator Brady.

16 SENATOR BRADY:

17 Let...pardon me. Let me respond to both questions, Senator
18 Fawell. On point number one, the reason that the wording was changed
19 is you're looking at House Bill 2439 which was amended down to the
20 point where it dealt with both textbooks and medical services. Before
21 it got to that point, it included a lot of other things. It was...it
22 was then sent back to committee, and a committee bill came out, and
23 if you had the committee bill, which I believe is 3108, you would see
24 that what came out of that was singly textbooks along. I think the
25 use of the colon was because there were two distinct things, and...
26 and before that, there were even more, and I think it does hang together
27 and is gramatically correct. As far as the price of what this will
28 cost, there is an appropriation right now on 3rd reading which has
29 a price tag of thirty-five million dollars on it, but there is an
30 amendment prepared because we are dealing just solely with textbooks
31 in this. The amendment will be nineteen million, one hundred and
32 fifty thousand dollars. The one hundred and fifty thousand dollars
33 which I think I...you have a copy of. One hundred and fifty thousand

1 dollars is for the administration by the Illinois Office of Education,
2 and the nineteen million is the cost of the items based on the estimates
3 of the Illinois Office of Education and what they estimate the text-
4 book cost of students around the...the State. The ratio, incidentally,
5 of public to nonpublic students who will participate in that is roughly
6 seven to one. So, if there are two and a half million dollars, possibly,
7 that would go into nonpublic schools, the remainder of that nineteen
8 million would be in the public school area.

9 PRESIDING OFFICER (SENATOR BRUCE):

10 Senator Fawell.

11 SENATOR FAWELL:

12 Well, yes, thank you. The...this...this is the only comments
13 that I would have, would be number one, I...I think of all of the various
14 bills that would render financial aid to private and parochial schools.
15 This...this bill is, at least, as I...far as I am concerned, is the
16 most acceptable that I have seen, and perhaps, the closest to solving
17 the dilemma of constitutionality under the Federal Constitution. I
18 think, however, in all candor, it would be my view that it does not
19 solve that problem even yet, and when one looks at the Illinois Con-
20 stitution, I think it does not solve it. But more important than that,
21 I think, too, is the financial situation in which we find ourselves in.
22 We will, evidently have an effort by, perhaps, segments of the
23 Legislature, understandably, and also by the Governor to delete
24 approximately seventy-five million from the common school fund which
25 probably is not enough anyway in its...in its appropriation requests
26 which is approximately one billion, two hundred and fifty million
27 dollars. I...I question whether or not this type of an expenditure
28 program at this time, especially, is one that we can afford. Even
29 though, it...it certainly, as I have indicated, raises the least amount
30 of problems, probably, in every degree insofar as that sometimes
31 emotional question of the State becoming involved with funding of
32 private and parochial schools. This, I think, has...is the least
33 offensive insofar as constitutional problems are concerned, and to me,

1 the more important social ramifications of any funding program to the
2 private and parochial schools which is that if we ever succeed in
3 doing that we will eventually succeed in bringing the middle class
4 into private and parochial schools and away from public and that means
5 as we look at public service, as in most instances, it's pretty poor.
6 I think in the common schools of our State, it is really quite great,
7 and I want to do everything possible to insure that that always will
8 be the case. I am going to vote against this bill, but primarily, on
9 the basis that...that the economics that exist at this time in this
10 juncture of our State simply do not allow this, I think, understandable...

11 PRESIDING OFFICER (SENATOR BRUCE):

12 Senator Fawell, your time is up...

13 SENATOR FAWELL:

14 ...quest, and I finishing now, Mr. President.

15 PRESIDING OFFICER (SENATOR BRUCE):

16 Senator Glass.

17 SENATOR GLASS:

18 Thank you, Mr. President. I rise in support of House Bill 1732
19 as presently drafted. In committee, I was in rather a vigorous
20 opposition to the bill because at that time it provided for grants to
21 parents to pay tuition or...reimburse them for tuition paid to private
22 nonpublic schools, and from the evidence we had in the committee hear-
23 ing and from other information I have, I was satisfied that that is
24 absolutely unconstitutional and has been so ruled by the Supreme Court.
25 The bill before us which provides for textbooks is not unconstitutional,
26 in fact, court decisions recently on a...ruling on Pennsylvania law have
27 upheld this type of aid, and I personally believe in it. I think the
28 State should to the degree it's constitutionally possible assist non-
29 public schools. I think we ought to continue with our...dual system
30 of education which is, in fact, threatened by the costs that these
31 schools are facing. Senator Fawell brings up a good point, the
32 condition of the State's finances, and out of a proposed budget of...
33 of one billion, two hundred and fifty million, we are talking about
34 an additional nineteen million dollars for this program, and it may
35 well be that certain cutbacks will have to be made by the Governor if
36 he approves this legislation, that is if some of this money if going to

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1 public schools, perhaps, there will have to be cutbacks in other
2 areas. But I think we'll always be facing that kind of a squeeze.
3 I believe we have a constitutional approach before us, and I would
4 therefore urge adoption of this bill.

5 PRESIDING OFFICER (SENATOR BRUCE):

6 Senator Bloom.

7 SENATOR BLOOM:

8 Thank you. The bill as amended is acceptable because the amend-
9 ment is the bill, and this is the only portion of a series of Penn-
10 sylvania statutes that was upheld as constitutional. How...I...how-
11 ever, I...I share Senator Fawell's doubts as to starting a new program.
12 Thank you.

13 PRESIDING OFFICER (SENATOR BRUCE):

14 Is there further debate? Senator Brady may close.

15 SENATOR BRADY:

16 In closing just let me say that the intent of this bill should
17 not be lost here. It is to provide the free textbooks for all school
18 children in the State of Illinois whether they're in public or non-
19 public schools. This will end any discrimination of any poor children
20 regardless of what school system they're participating in, and give
21 them the basic tool. I urge a favorable roll call.

22 PRESIDING OFFICER (SENATOR BRUCE):

23 The question is shall House Bill 1732 pass. Those in favor vote
24 Aye. Those opposed vote Nay. The voting is open. Have all voted
25 who wish? Take the record. On that question, the Ayes are 39, the
26 Nays are 13, 2 Voting Present. House Bill 1732 having received a
27 constitutional majority...majority is declared passed. House Bill
28 1851, Senator Egan. Senator Egan, for what purpose do you arise?

29 SENATOR EGAN:

30 I would like leave to bring this back to the order of 2nd reading
31 for purposes of amendment.

32 PRESIDING OFFICER (SENATOR BRUCE):

33 Is there leave? Leave is granted. The bill is on the order of

1 2nd reading. Does the Secretary have the amendment?

2 SECRETARY:

3 Amendment No. 3 offered by Senator Egan.

4 PRESIDING OFFICER (SENATOR BRUCE):

5 Senator Egan.

6 SENATOR EGAN:

7 Thank you, Mr. President. I would offer Amendment No. 3, I
8 believe, to House Bill 1851 which will remove the repealer clause.
9 There is some fear and well reason fear that if this is enacted and
10 signed into law, and the existing law were to be repealed that there
11 would be a void, and this will...eliminate that fear, and I move its
12 adoption.

13 PRESIDING OFFICER (SENATOR BRUCE):

14 Senator Egan moves the adoption of the amendment. Is there
15 discussion? Senator Fawell.

16 SENATOR FAWELL:

17 I'm sorry, Senator Egan, I was not listening, I apologize.
18 What does the amendment do?

19 PRESIDING OFFICER (SENATOR BRUCE):

20 Senator Egan.

21 SENATOR EGAN:

22 It deletes the repealer.

23 PRESIDING OFFICER (SENATOR BRUCE):

24 Senator...Senator Fawell.

25 SENATOR FAWELL:

26 We're talking about House Bill 1851?

27 PRESIDING OFFICER (SENATOR BRUCE):

28 Senator Egan.

29 SENATOR EGAN:

30 Yes.

31 PRESIDING OFFICER (SENATOR BRUCE):

32 Senator Fawell. Is there further debate on the amendment? On
33 the adoption. All those in favor say Aye. All opposed Nay. The

1 Ayes have it. Amendment No. 3 is adopted. Any further amendments?
2 3rd reading. House Bill 1884, Senators Brady and Buzbee. Hold.
3 Oh, for what purpose does Senator Brady arise?

4 SENATOR BRADY:

5 Mr. President, I understand that there's an amendment being pre-
6 pared to this bill, but I don't have it yet. I wonder if I have leave
7 to hold it for a while and come back to it later today?

8 PRESIDING OFFICER (SENATOR BRUCE):

9 Is there leave? Leave is granted. House Bill 19...1914, Senator
10 Newhouse. Senator Newhouse on the Floor? Senator Newhouse, do you
11 wish to call this bill at the time? Read...Mr. Secretary, read the
12 bill.

13 SECRETARY:

14 House Bill 1914.

15 (Secretary reads title of bill)

16 3rd reading of the bill.

17 PRESIDING OFFICER (SENATOR BRUCE):

18 Senator Newhouse.

19 SENATOR NEWHOUSE:

20 Mr. President, this bill has been discussed previously. I think
21 the amendment is on it to make it acceptable to most of the people on
22 the Floor, and I'd appreciate a favorable roll call.

23 PRESIDING OFFICER (SENATOR BRUCE):

24 Is there further debate? Senator Fawell.

25 SENATOR FAWELL:

26 The...the one area which is left in this bill, and I...I don't
27 mean to ascribe to Senator Newhouse anything but the best of motiva-
28 tions here. He was absolutely cooperative, and I think through just
29 a mistake, the bill has ended up, and if it...if we had known in the
30 Education Committee that this clause was going to...be retained in the
31 bill, it...the bill would have died in committee because it did have
32 a Do Not Pass in committee, and it had a Do Not Pass because the bill
33 had a formula which was open-ended, and we suggested that the formula

1 should not be open-ended, that the Legislature ought to have a
2 handle and that the amount of aid to the private colleges ought to
3 be measured on the basis of a hundred dollars for every freshman and
4 sophomore, and two hundred dollars for every junior and senior. Of
5 course, there's an appropriation bill that had been filed that increased
6 the appropriation, and with the open formula, the private colleges
7 could, I think, therefore, receive much more. We changed this upon the
8 agreement of all parties so that it would be a closed formula and then
9 Senator Egan requested and unfortunately this Body did concur and
10 added an amendment that, in effect, put the open-ended formula back
11 into this bill again because as a result of the amendment which Senator
12 Egan affixed to this bill, if there's any money left over after the
13 formula distribution based upon one hundred dollars for freshman and
14 sophomore and two hundred dollars for junior and senior, then the...
15 that money is distributed also and handed out to all of the private
16 colleges. I, therefore, have some very ambivalent reactions to this
17 bill, and I...I think it's just unfortunate that the events that took
18 place, took place. It's a good...it's a good illustration that if we're
19 going to do any amending, we ought to do it in committee and not let
20 the bill out to have these amendments put on because this bill never
21 would have seen the light of day if we had known that, in effect, the
22 private colleges were going to get their...their open-ended claim.
23 It seems sometimes that we, in the Legislature, are like a tube of
24 toothpaste, and where the pressure is applied, we spirt forth the
25 toothpaste, and this is a beautiful example what the private colleges
26 have been wanting for several years, they've always been getting. And
27 they apparently are going to get what they...they want here. I think
28 it's a mistake, however.

29 PRESIDING OFFICER (SENATOR BRUCE):

30 Any further debate? Senator Egan.

31 SENATOR EGAN:

32 Yes, thank you, Mr. President and members of the Senate. I...
33 I'm not altogether certain that it would not be seeing the light of

1 day because of opposition in the Education Committee, and I further
2 state that before the amendment, it would restrict the amount of money
3 that was appropriated for the purposes for which that money was appro-
4 priated. Now, that the amendment is on it, it takes that restriction
5 off, and I rise in support of the bill as it now is constituted.

6 PRESIDING OFFICER (SENATOR BRUCE):

7 Is there further debate? Senator Newhouse...Newhouse may close
8 the debate.

9 SENATOR NEWHOUSE:

10 Well, most of this has been hashed out previously, and what the
11 two speakers said previously is true...in both instances. Let me
12 make it clear that whether or not this bill passes, the amount of
13 excess funds would be available for distribution under the present
14 law. I do think that's unfortunate, and I will be back next year with a
15 restriction upon that amount, but as it stands, there will be no restric-
16 tion now so that...for that purpose...for the purposes of removing
17 that specific item. This bill does nothing. I would then appreciate
18 a favorable roll call to get this bill passed out and deal with the
19 other question as a single question at a later date.

20 PRESIDING OFFICER (SENATOR BRUCE):

21 The question is shall House Bill 1914 pass. Those in favor vote
22 Aye. Those opposed vote Nay. The voting is open. Have all voted
23 who wish? Have all voted who wish? Take the record. On that question,
24 the Ayes are 32, the Nays are 15, none Voting Present. House Bill
25 1914 having received a constitutional majority is declared passed.
26 Senator Fawell has requested a verification of the roll call. Will
27 the members be in their seats. The Secretary will call those who
28 voted in the affirmative. For what purpose does Senator Newhouse arise?

29 SENATOR NEWHOUSE:

30 Postpone Consideration.

31 PRESIDING OFFICER (SENATOR BRUCE):

32 Senator Newhouse, you...you have the option of doing that. The
33 roll call has not been verified at the present time. Proceed with the

1 verification.

2 SECRETARY:

3 The following voted in the affirmative:

4 Berning, Bloom, Brady, Buzbee, Carroll, Course, Daley, Davidson,
5 Dougherty, Egan, Harber Hall, Kenneth Hall, Hickey, Hynes, Joyce,
6 Knuppel, Kosinski, Lane, Lemke, McCarthy, Mitchler, Don Moore, Netsch,
7 Newhouse, Nudelman, Palmer, Romano, Sommer, Soper, Vadalabene, Welsh,
8 Wooten.

9 PRESIDING OFFICER (SENATOR BRUCE):

10 Senator Fawell, do you...question the presence of anyone on the
11 Floor?

12 SENATOR FAWELL:

13 Senator Palmer.

14 PRESIDING OFFICER (SENATOR BRUCE):

15 Is Senator Palmer on the Floor? Remove his name from the roll
16 call.

17 SENATOR FAWELL:

18 Senator Buzbee.

19 PRESIDING OFFICER (SENATOR BRUCE):

20 Is Senator Buzbee on the Floor? Is Senator Buzbee on the Floor?
21 Remove his name from the roll call.

22 SENATOR FAWELL:

23 Daley.

24 PRESIDING OFFICER (SENATOR BRUCE):

25 Is Senator Daley on the Floor? Yes, he is.

26 SENATOR FAWELL:

27 Dougherty.

28 PRESIDING OFFICER (SENATOR BRUCE):

29 Is Senator Dougherty on the Floor? He's in his seat.

30 SENATOR FAWELL:

31 Senator Chew.

32 PRESIDING OFFICER (SENATOR BRUCE):

33 Senator Chew on the Floor?

1 SENATOR FAWELL:

2 Johns, Senator Johns.

3 PRESIDING OFFICER (SENATOR BRUCE):

4 Senator Johns. Is Senator Johns on the Floor? He is not on the
5 roll call. He is not recorded. Do you question anyone...Senator
6 Egan, he has a right to verify the roll call, and all I'm doing is
7 affording him that right. The question...

8 SENATOR FAWELL:

9 Senator Brady.

10 PRESIDING OFFICER (SENATOR BRUCE):

11 ...On that question...

12 SENATOR FAWELL:

13 Is Senator Brady on the Floor?

14 PRESIDING OFFICER (SENATOR BRUCE):

15 Senator Brady is on the Floor. On that question, the Ayes are
16 30, the Nays are 15, none Voting Present. House Bill 1914 having
17 received a constitutional majority is declared passed. Senator Howard
18 Mohr.

19 SENATOR MOHR:

20 Yes, Mr. President, I would like the record to show had I been
21 on the Floor, I wouldn't of had a red light. I'd had a green light.

22 PRESIDING OFFICER (SENATOR BRUCE):

23 The record will so show. Senator Rock.

24 SENATOR ROCK:

25 I would also like the record to show that had I been on the Floor,
26 I was attending a meeting in the President's Office, I would have
27 voted affirmatively.

28 PRESIDING OFFICER (SENATOR BRUCE):

29 The record will so show. Senator Partee.

30 SENATOR PARTEE:

31 I, naturally, was attending the same meeting, and I would have
32 voted affirmatively.

1 PRESIDING OFFICER (SENATOR BRUCE):

2 The record will so show. I also ask the indulgence of the members
3 when a verification is ongoing that if a member questions the presence
4 of a member, the Chair has no knowledge whether he's on the roll call
5 or not. At that time, I can check the board. I cannot prohibit a
6 man from questioning the presence of a member. Senator Egan.

7 SENATOR EGAN:

8 Having voted on the prevailing side...

9 PRESIDING OFFICER (SENATOR BRUCE):

10 Senator Egan...having voted on the prevailing side, Senator Egan
11 moves to reconsider the vote by which House Bill 1914 passed. Senator
12 Welsh moves to Table. On that question. All in favor say Aye. All
13 opposed Nay. The Ayes have it. The motion to reconsider is Tabled.
14 Senator Demuzio.

15 SENATOR DEMUZIO:

16 I'd like the record to show that I pushed the wrong button on
17 that previous vote that I would have pushed the green light. Someone
18 asked me to vote them No, and I pushed my No button.

19 PRESIDING OFFICER (SENATOR BRUCE):

20 The record will so show. Senator Mitchler.

21 SENATOR MITCHLER:

22 Yes, Mr. President and members of the Senate, if I may rise to
23 a point of personal privilege.

24 PRESIDING OFFICER (SENATOR BRUCE):

25 State your point.

26 SENATOR MITCHLER:

27 And if I could have the attention of my colleagues for just a
28 very brief moment. Many of you read in the news media this morning
29 and...and heard that Governor Walker signed two bills, Senate Bill
30 427 and Senate Bill 428. These bills relate to the parimutuel wagering
31 harness races at the Illinois State Fair and DuQuoin State Fair. Now,
32 I have before me, Mr. President and members of the Senate, a news
33 release dated June 25 from the Office of the Governor...

1 PRESIDING OFFICER . (SENATOR BRUCE):

2 Senator...Senator Mitchler.

3 SENATOR MITCHLER:

4 Yes.

5 PRESIDING OFFICER (SENATOR BRUCE):

6 That...you requested the Chair to recognize you for a point of
7 personal privilege. And I...I would ask...

8 SENATOR MITCHLER:

9 Let me...I'll just be very brief, Mr. President...

10 PRESIDING OFFICER (SENATOR BRUCE):

11 Senator Mitchler.

12 SENATOR MITCHLER:

13 ...This news release points out that Governor Dan Walker today,
14 Wednesday, signed two bills permitting parimutuel wagering at harness
15 races at the Illinois State Fair and DuQuoin State Fair. They are
16 Senate Bills 427 and 428. Now, also in the news release, it indicates
17 that the new bills are...will permit the State Fair Review Futurity
18 to be held August 13 and 14 at the State Fairgrounds in Springfield
19 and the prestigious Hambleton classic...Hambletonian classic August
20 30th at DuQuoin State Fair. There will be five days of racing at each
21 fair. Now, I just want to point out. First of all, the Governor did,
22 in fact, sign these two bills. I've verified this with the Secretary
23 of State's office. The bills have been filed, and I would like to
24 point out that the bill, either bill...neither bill had an effective
25 date, and according to the statutes, when a bill does not have an
26 effective date and it's signed prior to July 1 without an effective
27 date, the effective date is October 1. So, it's going to be rather diffi-
28 cult to have State Fair racing at the Illinois State Fair and DuQuoin
29 State Fair prior to October 1, but yet, the Governor had egg all over
30 his face last year when he came out and set racing dates, had it
31 printed in the brochures of the State Fair, and here, we wiped it off
32 with 427 and 428, but right away, again, he gets egg splattered all
33 over his face again and he has set racing dates. The Illinois Racing

1 Board sets racing dates, Mr. Governor. How long does it take you...
2 for to learn that? Now, for him to come out and set these dates
3 and tell what type of prizes, the amount of money that will be spent,
4 how they're getting the material they billed from last year. This is
5 sort of an affront to the Illinois statutes and to our people...

6 PRESIDING OFFICER (SENATOR BRUCE):

7 ...For what purpose does Senator Partee arise?

8 SENATOR PARTEE:

9 A point of personal...a point of parliamentary inquiry. What
10 is a point of personal privilege? How does this tirade qualify as
11 a point of personal privilege? Maybe we ought to have some definition
12 as to what a point of personal privilege is, and I don't think this
13 comes within it.

14 PRESIDING OFFICER (SENATOR BRUCE):

15 The Chair would rule that the comments of Senator Mitchler would
16 not come within the confines of a personal privileges as normally
17 used by this Body. I would point out to the Body that this is the last
18 day for consideration. The next bill under consideration is House
19 Bill 1930. Senator McCarthy.

20 SECRETARY:

21 House Bill 1930.

22 (Secretary reads title of bill)

23 3rd reading of the bill.

24 PRESIDING OFFICER (SENATOR ROCK):

25 Senator McCarthy.

26 SENATOR MCCARTHY:

27 Yes, Mr. President and members of the Body, this bill is a
28 redefinition of a child for the purpose of a dependency under the...
29 Unemployment Compensation Act. What it does is provide that a child
30 is, in fact, a dependent if the child is suffering from a mental or
31 emotional disability and if they also or if it also did not make
32 enough money to qualify for unemployment compensation benefits. I
33 think this is a minor change in the law. I think Senator...

1 Representative Hart desires it. I really don't know of any objections,
2 but if there are, I'll attempt to answer them.

3 PRESIDING OFFICER (SENATOR ROCK):

4 Senator Graham.

5 SENATOR GRAHAM:

6 Senator McCarthy knew very well there would be an objection to
7 it. I'm not even sure the department wants it. So, I'll tell you,
8 Ladies and Gentlemen of the Senate, this bill is a lot more ominous
9 than it looks like. First, the bill puts no age limit, cut off, for
10 a child over eighteen. Theoretically, parents could claim a thirty-
11 five year old child as a child if he was physically and or mentally
12 disabled beginning of their benefit year. And there is no presently
13 eligible UC for this provision. There are no definitions for physical
14 or mental incapacity. There are no guidelines. This is one of the
15 most loosely drawn, nonsensicle bills. It sounds good on the surface,
16 it's one of those that looks like it's good for God, flag, motherhood
17 and apple pie, but it does a great disservice to the people of the
18 State of Illinois, and I solicit a nice, round, red light in memory
19 of Christmas Eve on this bill.

20 PRESIDING OFFICER (SENATOR ROCK):

21 Senator Regner, did you seek recognition? Senator Regner.

22 SENATOR REGNER:

23 Well, Senator Graham covered the topic thoroughly. This is a
24 thoroughly bad bill, and in committee the vote was six to four, right
25 down party lines. There is...as he said, there is no definition of
26 physical or mental incapacity here, and I don't know how it would
27 ever be an effective piece of legislation.

28 PRESIDING OFFICER (SENATOR ROCK):

29 Any further discussion? Senator McCarthy may close the debate.

30 SENATOR MCCARTHY:

31 Thank...thank you, Mr. President. You know, you...we all are,
32 and I think we're in the process here on the final day of being
33 judgmental on the merit of legislation. So that you may not be

1 mistaken what the bill says, it says that the...such child is a
2 dependent if the parent has supplied the total cost of support of
3 such child because such child is mentally or physically disabled.
4 That's what it says, the child could be thirty-five, it could be
5 forty. Further provision is that the child could not be eligible for
6 unemployment compensation benefits himself. I don't think that the
7 State is going to collapse one way or another on the outcome of this
8 bill, but I believe that this is another indication that where you do
9 have a physically or mentally retarded child that in the dream world
10 of...in the dream world of...or the ideal world of the manufactures
11 where they want those, the general taxpayers, to pick up the tab
12 always instead of having this as the cost of employment that this is
13 a case where the issue is joined. So, Mr. President, I talked to
14 Representative Hart on more than one occasion. He believes it to be
15 good legislation. I don't think it's all that bad. I solicit a
16 favorable vote.

17 PRESIDING OFFICER (SENATOR ROCK):

18 The question is shall...the question is shall House Bill 1930
19 pass. Those in favor will vote Aye. Those opposed will vote Nay.
20 The voting is open. Have all voted who wish? Take the record.
21 Senator McCarthy.

22 SENATOR McCARTHY:

23 Postpone Consideration of this bill.

24 PRESIDING OFFICER (SENATOR ROCK):

25 Consideration will be Postponed...

26 SENATOR McCARTHY:

27 ...I will so inform Representative Hart of what the judgement has
28 been temporarily on the matter. Thank you.

29 PRESIDING OFFICER (SENATOR ROCK):

30 Consideration will be Postponed. Senator Harris, did you have
31 an amendment to 1999?

32 SENATOR HARRIS:

33 Well, as a matter-of-fact, there is no way I can effectively

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1 communicate the provisions of that amendment with the person that I
2 intended to do it for...

3 PRESIDING OFFICER (SENATOR ROCK):

4 Well, I have...I have a note in the file. I know what it pur-
5 ports to do if you want to put it on. If you don't, I don't think it
6 makes any difference...

7 SENATOR HARRIS:

8 Well, no. I...

9 PRESIDING OFFICER (SENATOR ROCK) :

10 Okay...

11 SENATOR HARRIS:

12 ...it's...it's just...it's not possible to get it resolved, and...

13 PRESIDING OFFICER (SENATOR ROCK) :

14 No problem...

15 SENATOR HARRIS:

16 ...and we'll call the bill when we get to it, unless I could take a
17 quick trip to Zaire.

18 PRESIDING OFFICER (SENATOR ROCK):

19 If you do, I'll go with you. On the order of House Bills on 3rd
20 reading. House Bill 1851. Mr. Secretary.

21 SECRETARY:

22 House Bill 1851.

23 (Secretary reads title of bill)

24 3rd reading of the bill.

25 PRESIDING OFFICER (SENATOR ROCK):

26 Senator Egan.

27 SENATOR EGAN:

28 Thank you, Mr. President and members of the Senate. House Bill
29 1851 creates an Act relating to abortions. It...contrary to what
30 the bill reads, we have removed that portion which repeals the present
31 abortion law, and this further provides under what circumstances an
32 abortion may be performed and by whom, and where. It also provides
33 for the reporting of abortions performed, and then, it provides for

1 penalties for violations of the Act. And to be more specific, it
2 requires that abortions be performed by duly licensed, consenting
3 physician in the exercise of his best, clinical, medical judgement.
4 It also provides for informed consent to be given to the woman prior
5 to submitting to the abortion, and that consent requires that the...
6 the physical competency of the fetus at the time of the abortion be
7 explained, and such as, but not limited to the...what the fetus looks
8 like, the ability of the fetus to move, and things as swallowing and
9 other physical characteristics. It also requires in that informed
10 consent that the...general dangers of abortion including but not
11 limited to the possibility of subsequent sterility, premature birth,
12 live born fetus and other dangers and provides further within that
13 informed consent that the particular dangers of the procedure that is
14 going to be used for the particular abortion. It requires further for
15 ...that spousal consent be in writing unless the abortion is certified
16 by the physician to be necessary in order to preserve the life or
17 health of the mother. It requires further for parental consent of one
18 of the parents of the person or person in local parentis of the woman,
19 if the woman is unmarried and under the age of eighteen years. It
20 provides no abortion to be performed subsequent to the first trimester
21 with the use of saline, and also provides that no person shall use
22 the fetus or premature infant for any type of scientific research,
23 laboratory or other kinds of experimentation where the fetus is aborted
24 alive. It provides for penalties. This, my friends, is a...is a
25 bill which is designed to protect the life of the infant or the fetus
26 or the premature child, and I commend it to your favorable attention.

27 PRESIDING OFFICER (SENATOR ROCK):

28 Senator Bloom.

29 SENATOR BLOOM:

30 Well, thank you, Mr. President and fellow Senators. I oppose
31 this bill because unlike House 1732, I'm of the opinion that it's
32 unconstitutional. Thank you.

33 PRESIDING OFFICER (SENATOR ROCK):

1 Senator ParTEE.

2 SENATOR PARTEE:

3 Mr. President and members of the Senate, I really hesitate to
4 oppose this bill because during the course of the time I have served
5 with Senator Egan, I have found him to be a very, very outstanding
6 legislator, but this issue of abortion evokes a level of controversy
7 which is virtually unparalleled in our moder society. It transcends
8 political parties or age or sex or religious persuasion or economic
9 condition, and even transcends intellectual attainment. The depth
10 and breath of this issue can be traced to the fact that it involves
11 a fundamental concern of the human creature, the right to life. There
12 are those who believe that the life of the fetus should be accorded
13 the same degree of respect and protection as the life of any human
14 being. There are others who believe that all fetal life is not human
15 life, and that the rights of mothers and fathers to choose the size of
16 their families is paramount. In 1973, in the case of Rowe against
17 Wade, the United States Supreme Court addressed this issue. The
18 United States Supreme Court concluded that the rights and responsi-
19 bilities of parents and their fetal offspring would be determined by
20 the stage of the pregnancy. The court introduced what is known as
21 the trimester concept, and established rather clear guideline for
22 the enactment of legislation consistent with that decision. From the
23 moment that that decision was announced and became a law of our land,
24 its critics seeking to obfuscate the issue began a vocal and determined
25 campaign to overturn the opinion of the Supreme Court. Demands were
26 made for the resignations or impeachment of the Supreme Court justices
27 who had rendered the majority opinion. Congressmen were urged to
28 amend our United States Constitution to somehow reverse the court's
29 decision. State Legislators and Legislatures were asked to pass laws
30 which would constrict the decision of the Supreme Court, and this bill,
31 House Bill 1851, is simply an attempt to create an Illinois abortion
32 law which would circumvent the law of the land and Rowe verses Wade.
33 It abolishes the present Illinois Abortion Law and without exception

1 adds new restrictions to the practice of abortion. But this bill is
2 more than a legislative expression of social philosophy. It is an insult
3 to our legislative process, and to the principles which form the basis
4 for the system of government that we say we cherish. The sponsors of
5 this bill are asking us to adopt provisions in this new law which have
6 been declared unconstitutional in Florida, Massachusetts, Washington,
7 Colorado, Kentucky and Missouri. Other provisions such as the one
8 regulating the first trimester violates the express language of the
9 Supreme Court opinion. To consider these blatantly unconstitutional
10 provisions so as to afford an opportunity for political posturing
11 is to demean our legislative process at the expense of the citizens
12 of this State. This bill raises a constitutional question which has
13 been addressed throughout the history of our country by such landmarks,
14 Supreme Court decisions as McCullough vs. Maryland, the Dred Scott
15 Decision, Brown vs. Board...Board of Education, and such noteworthy
16 events as the Civil War. And let me close by saying there is no
17 question but that the decision of the United States Supreme Court
18 take precedent over State law in this area. For the sponsors
19 to argue otherwise is to ignore the basic tenance of our Federal
20 system of government. I stand, unfortunately, Senator Egan, in oppo-
21 sition to House Bill 1851, and I will lend my time and efforts to
22 the passage of legislation which addresses the substantial problems
23 facing our society, but I unfortunately, my friend, refuse to be a
24 part of this rather futile exercise.

25 PRESIDING OFFICER (SENATOR ROCK):

26 Senator Wooten.

27 SENATOR WOOTEN:

28 First a question of the sponsor. Senator Egan, does this bill,
29 in fact, with all its amendments repeal the existing law?

30 PRESIDING OFFICER (SENATOR ROCK):

31 Senator Egan.

32 SENATOR EGAN:

33 No, we have removed the repealer with the last amendment.

1 PRESIDING OFFICER (SENATOR ROCK):

2 Senator Wooten.

3 SENATOR WOOTEN:

4 How will the two be integrated?

5 PRESIDING OFFICER (SENATOR ROCK):

6 Senator Egan.

7 SENATOR EGAN:

8 The common law in the State of Illinois requires that where there
9 is a repugnancy between two existing laws, the latter prevails.

10 PRESIDING OFFICER (SENATOR ROCK):

11 Senator Wooten.

12 SENATOR WOOTEN:

13 The latter, in other words, this bill would prevail?

14 PRESIDING OFFICER (SENATOR ROCK):

15 Senator Egan.

16 SENATOR EGAN:

17 That is correct.

18 PRESIDING OFFICER (SENATOR ROCK):

19 Senator Wooten.

20 SENATOR WOOTEN:

21 Well, I was hoping that the...the first response would soften
22 my opposition somewhat, but I'm afraid in that case, I would have to
23 speak in opposition to this. I will tell you that as the author of
24 that original legislation, legislation which cost me a great deal of
25 pain, I simply cannot risk placing our existing law in jeopardy. I'm
26 proud of that legislation even though I am personally opposed to abor-
27 tions. I'm a philosophical, I think, principally philosophical bias,
28 my training in biology, I believe that life begins at conception,
29 terminates at death, no question about it in my mind. At the same
30 point, we had to have a law that would adhere as closely as possible
31 to the Supreme Court decision and give us the most regulation. I think
32 the present law does that. The Edelin Case could not occur in Illi-
33 nois. We have a ban on experimentation with fetal tissue. All those

1 points are covered in the existing law. I went through a great deal
2 of grief with my Local Right to Life Committee on this, on television,
3 in private, for over a year. When this law was in prospect, I called
4 up the leader of the Right to Life and said it's coming again. Before
5 I could finish, he said we know about it. We're opposed to this new
6 bill. We have grown up a lot in the intervening time, and we realize
7 you cannot replace a good law with an unconstitutional law which would
8 have the net effect of leaving us with no real control over abortion.
9 On that basis, I must be opposed to this legislation.

10 PRESIDING OFFICER (SENATOR ROCK):

11 Senator Philip.

12 SENATOR PHILIP:

13 Thank you, Mr. President, Ladies and Gentlemen of the Senate.
14 I'd like to try to answer Senator Bloom's objection that the last
15 amendment did, in fact, remove the section that would abolish the
16 present Act, so we have taken care of that problem. Secondly...
17 secondly, we have a...a severability clause that if any part of the
18 Act would be ruled unconstitutional, the rest of the Act would be in
19 tact, so we have taken care of those problems. As you know, this
20 is patterned after the Missouri law which passed in Missouri, was...
21 upheld by the Missouri Supreme Court, and there is now a case pending
22 in the Federal Supreme Court. So, this is good legislation. It
23 tightens up the abortion procedure, and I certainly would ask for
24 a favorable consideration.

25 PRESIDING OFFICER (SENATOR ROCK):

26 Senator Knuppel.

27 SENATOR KNUPPEL:

28 Mr. President and members of the Body, notwithstanding my great
29 respect for my President, I heard him make one of the most illogical
30 arguments that he's ever pronounced from this Floor. He says that
31 the argument in favor of being against this bill is that the father...
32 father and mother should have the right to decide the size of their
33 family. I submit that this bill says that the father has a right and

1 that there can't be an abortion in a marriage...in a marriage unless
2 the...unless the husband participates. It seems unbecoming for me or
3 to me and inconsistent logically for somebody to stand on this Floor
4 as the principle sponsor of ERA and at the same to oppose a bill that
5 gives the father the right to say something about whether or not there
6 will be an abortion by his wife. This is not consistency. It's not
7 logic and it's not befitting the President of our Senate who normally
8 makes logical and consistent arguments.

9 PRESIDING OFFICER (SENATOR ROCK):

10 Senator Partee, for what purpose do you arise?

11 SENATOR PARTEE:

12 On a point of personal privilege. I consider that that is a
13 remark that maligns my integrity. The...the...the...what you drew
14 as...what this Gentleman drew as a comparison is an odious comparison,
15 and it is not properly related to the remarks of the ERA. There's
16 nothing about ERA that would give any husband or wife the right to
17 abortion except under our existing law, and to bring in that issue
18 I think is unfortunate, and I think it's done, not maliciously, I am
19 sure, but done in the heat of passion unfortunately incorrectly.

20 PRESIDING OFFICER (SENATOR ROCK):

21 Senator Knuppel.

22 SENATOR KNUPPEL:

23 Certainly, it was not incorrectly. It was done without passion.
24 It doesn't...it doesn't attack the integrity of my President, but for
25 once, his position is inconsistent. It's illogical and I still...
26 I still contend that regardless of his right to stand on a point
27 of personal privilege. It's just not logical to say women should it
28 be equal to...to husbands, and then, in this bill say that it's bad,
29 and one of the features of this bill is that the husband shall have
30 equal standing in a marriage with respect to abortion, and I'll submit
31 to anybody outside of this Body or inside of this Body philosophical
32 if that's consistent, and that's no reflection on...on the integrity
33 of the President or anything else. It is a reflection on his logic,

1 and his position in this instance. Now, I...I submit to you that you
2 can read 7...1851, and no place in there will you find anything at
3 all that is...is immoral, improper, or that is not in good taste. Now,
4 the doctors who testified before this committee said that the...that
5 there were rank abuses, rank abuses by the medical profession. They
6 were...they were hiding the abortions they were performing. Their
7 reports were incomplete, that they were inaccurate. And I submit to
8 you that a representative of the Illinois Medical Association appeared
9 before the committee and had the guts, had the guts to say that they
10 had to have abortion in order to get enough fetuses to conduct medical
11 research. I submit to you that if that's what's going on, we badly
12 need 1851.

13 PRESIDING OFFICER (SENATOR ROCK):

14 Senator Glass.

15 SENATOR GLASS:

16 Thank you, Mr. President, Ladies and Gentlemen. I think
17 Senator Partee in his statement very accurately pointed out the con-
18 stitutional problems with the bill. I think there's no question but
19 what it would be challenged in court, and our sister States of Rhode
20 Island, Kentucky, Massachusetts, Washington, Florida, and Colorado
21 have already faced this in court in similar legislation and had their
22 bills set aside. But I do want to point out that there's one further
23 risk that we run, it seems to me, in passing this bill. The present
24 1973 Act that is now on the books has done pretty well insofar as
25 providing for clinics in which our Department of Public Health has
26 been able to prescribe medical standards for the licensing, inspection
27 and some unannounced inspections of all State abortion facilities.
28 That has not been challenged in court. I am advised that if it were
29 and that it probably would be along with this bill, there is real
30 question as to whether it would be sustained too, and the reason it's
31 working, I am told, and has not been challenged to date is that most
32 of the facilities find it preferable to bring their standards up to
33 par rather than to fight the legality in...in court. And so, this

1 system which is working, while I think is in jeopardy, with the adop-
2 tion of a bill like this. I would just add that to...to the...to the
3 argument that the issue that we're looking at in the bill has already
4 been ruled and held unconstitutional, and for that reason, I oppose
5 the legislation.

6 PRESIDING OFFICER (SENATOR ROCK):

7 Senator Newhouse.

8 SENATOR NEWHOUSE:

9 Thank you, Mr. President and Senators. The constitutional argu-
10 ments are already...have already been made. This is a very ticklish
11 area in which to attempt law making. The purpose, it...it seems to
12 me, ought to be intended, is that there be some kind of regulation
13 for a very sensitive kind of operation, if you will, that will still
14 permit those who make a very difficult decision to abide by the
15 decision within the law. What has happened under the present law is
16 that an awful lot of people who were entering into illegal activity
17 by going the route of having illegal abortions have now taken a route
18 that's been opened up to them that is legal. The problem with what's
19 going to happen under this bill is that instituting a different type
20 of regulation to which people will not conform may very well have the
21 effect of driving abortions underground again, and we will have the
22 abortion mills with all the attending problems that they represent.
23 I think that most of us probably have a good deal of difficulty in
24 talking about this subject matter at all, and certainly, in trying to
25 make certain kinds of determinations because there are third parties
26 involved, and it's extremely difficult to protect the right of those
27 third parties at whatever stage you say they come into existence. But
28 we have to face up to one fact, that no matter what laws we draw, no
29 matter how we draft them, that some single individual at some point
30 is going to make an individual decision. It seems to me then that
31 we can do anything, but that one thing is to attempt to protect the
32 health and welfare of the State by the regulation of this practice.
33 The Act we presently have does just that. This Act, I would suggest

1 to you, will open up the doors for the abuses from which we tried to
2 escape. I think the bill ought to be voted down.

3 PRESIDING OFFICER (SENATOR ROCK):

4 Senator Lemke.

5 SENATOR LEMKE:

6 Recently, as a new member in the Legislature, a few years ago
7 I spoke against abortion, and today, I'll speak against it again. We
8 look out and we ask certain questions. Why are those people that are
9 so for...for the rights of women for abortion, why are those people
10 so for for the rights of saving the life of a murderer and doing away
11 with the death benefit are against...are for abortion? Why are they
12 looking and looking around and questioning this? Just because the
13 Supreme Court spoken once, that doesn't mean they're incorrect, and
14 that particular incident doesn't apply to this instance. This is a
15 new factual situation, a new law coming into existence in the State of
16 Illinois which is in...held constitutional in the State of Missouri.
17 And we as States have the right to do certain things under our State's
18 rights, and that's what we're attempting to do, and if we are going
19 to afeard to U.S. Supreme Court, then we might as well disband this
20 Legislature and turn our powers over to the Federal Government and let
21 them conduct the whole...whole country, and I submit to you that this
22 is wrong, and let's all support this bill because this does not conflict
23 with the existing legislation. This only puts on restraints against
24 abuses that have been taking place by the certain people in the medical
25 profession, not all, because all...not all doctors are bad, just like
26 all people aren't bad. And if we're talking...we're going to use the
27 fear that they're going underground and do abortions, well, there's
28 still abortions being done underground, and the new law hasn't solved
29 it, and you look at the medical profession, and you look at the deci-
30 sion out East where they tried a doctor for manslaughter. All of a
31 sudden after the doctor was found guilty by that jury, new information
32 has come out in regards to fetuses and certain things, and have changed
33 the...and has changed the outlook on this situation. Therefore, I

1 I urge you, as a Christian, or as a Jew, or as anybody that belongs to a
2 established religion, I can't see how you can't vote against this bill.
3 I urge an Aye vote.

4 PRESIDING OFFICER (SENATOR ROCK):

5 Further discussion? Senator Egan may close the debate.

6 SENATOR EGAN:

7 Thank you, Mr. President and members of the Senate. I would like,
8 briefly, to address myself to the subject of the constitutionality
9 of this Act. We know that there are guidelines for the constitution-
10 ality of State laws in the Rowe case as Senator Partee has ably set
11 out. Let me say that the principle designer, the chairman or the...
12 the supervising attorney that drafted this legislation was the attorney
13 for the...the Amicus that was joined in the Rowe case that was heard
14 before the United State Supreme Court. I am confident that he has
15 a thorough understanding of that case. I am also confident that he
16 applied that thorough understanding to drafting this bill, and I'm con-
17 fident that the bill will be held constitutional not only by our
18 Supreme Court by...but by also the Supreme Court of the United States.
19 This bill is similar to the Missouri bill which has been held consti-
20 tutional in that State. It's presently on review by a three judge
21 Federal panel, and some of the...the parts of that bill have already
22 been held constitutional. As an example, the prohibition against
23 saline abortions in the second trimester. Further, let me allay the
24 fears of those of you who feel that it will restrict abortions in the
25 first trimester. It does not do that. It does restrict abortions
26 to those who are licensed physicians with the...with the further pro-
27 vision that the woman have an informed consent to what she is doing,
28 that there be spousal and parental consent. Those sections and those
29 subsections are there, and in my opinion are constitutional, but this
30 bill, Ladies and Gentlemen of the Senate, is designed to preserve life.
31 It is designed to do that and to do nothing more, and I solicit your
32 support.

33 PRESIDING OFFICER (SENATOR ROCK):

1 The question is shall House Bill 1851 as amended pass. Those in
2 favor will vote Aye. Those opposed will vote Nay. The voting is
3 open. Have all voted who wish? Take the record. On that question,
4 the Ayes are 36, the Nays are 15, 5 Voting Present. House Bill 1851
5 as amended having received a constitutional majority is declared
6 passed. Senator Philip moves to reconsider the vote by which House
7 Bill 1851 has passed. Senator Vadalabene moves to Table. All in favor
8 signify by saying Aye. The motion is Tabled. Senator Netsch, for
9 what purpose do you arise?

10 SENATOR NETSCH:

11 On a point of personal privilege. I did not join in the debate
12 on this and I will not. I would like to say something on behalf of
13 those of us who voted No on this bill. The fact that we voted No on
14 this bill does not mean we are advocates of abortion, and I think that
15 point ought to be made perfectly clear to and by those who spoke on
16 the other side.

17 PRESIDENT:

18 ... (Machine cut-off) ... Senator Knuppel arise?

19 SENATOR KNUPPEL:

20 I was off the Floor at the time they voted on 1732, and so, I'd
21 like to have the record show that had I been on the Floor, I had to
22 leave temporarily, that I would have voted in the affirmative. Thank you.

23 PRESIDENT:

24 The record will so show. House Bill 1999, Senator Harris.

25 SECRETARY:

26 House Bill 1999.

27 (Secretary reads title of bill)

28 3rd reading of the bill.

29 PRESIDENT:

30 Senator Harris.

31 SENATOR HARRIS:

32 Mr. President, this bill has already been considered by the
33 Senate. We passed it, and then, I moved to reconsider because we

1 were trying to cure a problem that Senator Chew had raised. Now,
2 we've discussed this in Senator Chew's absence, but Senator Dougherty,
3 Senator Rock, Senator Graham, and we just have concluded that there
4 really is no way to cure the problem that he wanted to attack without
5 really crippling the bill, and I think Senator Dougherty will join
6 here. The bill was overwhelmingly favorably responded to before, and
7 it does cure the problem of notice to candidates in connection with
8 the filing of their economic interest statements. If there is no
9 further debate, I would urge a favorable roll call. I think Senator
10 Dougherty does want to join in just an explanation.

11 PRESIDENT:

12 Senator Dougherty.

13 SENATOR DOUGHERTY:

14 Thank you, Mr. President. I just wanted to concur in what
15 Senator Harris has said.

16 PRESIDENT:

17 Any further discussion? The question is shall House Bill 1999
18 pass. Those in favor vote Aye. Opposed Nay. The voting is open.

19 PRESIDING OFFICER (SENATOR BRUCE):

20 ... (Machine cut-off)... all voted who wish? Senator Welsh... have
21 all voted who wish? Take the record. On that question, the Ayes are
22 55, the Nays are none, none Voting Present. House Bill 1999 having
23 received a constitutional majority is declared passed. House Bill
24 2073, Senator Savickas. Senator Savickas. House Bill 2074, Senator
25 McCarthy. For what purpose does Senator Kenneth Hall arise?

26 SENATOR HALL:

27 What happened to 2029? You jumping by those? You had 1999.

28 PRESIDING OFFICER (SENATOR BRUCE):

29 Senator Hall, we are holding appropriation bills since they are
30 not subject to the limitation of passage today. House Bill 2074, Mr.
31 Secretary.

32 SECRETARY:

33 House Bill 2074.

79TH GENERAL ASSEMBLY
JUNE 26, 1975

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1 Let's have some order for Senator McCarthy. Senator McCarthy.
2 SENATOR MCCARTHY:

3 Yes, thank you for the assist. As I was indicating, as contra-
4 distinguished from collective bargaining, a construction project on
5 Interstate 72 that runs from Springfield to Decatur to Champaign.
6 You have out there skilled craft people. You've got common laborers.
7 You've got teamsters that are hauling. One of those crafts reaches
8 an impasse with the contractor and it goes out on strike, and it shuts
9 the whole road down, and one union blames the other, and it gets
10 confused in the public's mind, and there is no responsibility as to
11 why the road isn't being built. So, I would say to you that here when
12 you do have a system of collective bargaining, if the schools don't
13 run in the State of Illinois, you have parties that bear responsibility.
14 When the schools don't run in Decatur, you know with this system where
15 the responsibility runs, and I submit to you, Mr. President and members
16 of this Body, the only way that you're ever going to solve labor dis-
17 putes is to have responsible agents on each side of the dispute because
18 when you have only two parties and the issues are not complex, and
19 they affect the right of people to drive on a highway or go to school,
20 public opinion has a way of crystalizing...

21 PRESIDING OFFICER (SENATOR BRUCE):

22 Senator McCarthy, your...your time has expired, if you will
23 conclude.

24 SENATOR MCCARTHY:

25 Public opinion, I will conclude, has a way of crystalizing and
26 placing responsibility on which side is fair or unfair in the public
27 opinion, and they make that judgmental process, Mr. President, and
28 in that way labor disputes are settled. Distinguish that against the
29 situation we have now where there is no uniform state-wide procedure,
30 and you can never pinpoint the responsibility and isn't everybody
31 better off with collective bargaining, particularly, the children
32 planning to go back to school the 2nd, 3rd, 4th of September who in
33 Decatur stay out till the 25th one year, in Quincy, it's the next

1 year, and this is the real world we live in, Mr. President, and if
2 there is no debate, I would ask for a near unanimous roll call, but I
3 submit that this proposition of collective bargaining is a proper and
4 responsible position for this legislative Body to take, and we, Mr.
5 President, if we fail to take this initiative, are in effect, the
6 responsible party for the interruption of educational process that
7 has gone on in the past and will go on in the foreseeable future.
8 Thank you.

9 PRESIDING OFFICER (SENATOR BRUCE):

10 Senator Bell. Senator Graham.

11 SENATOR GRAHAM:

12 Mr. President and members of the Senate, we now have come to
13 the crossroads of decision at which time we will make a determination
14 as to who will run our schools. This is the day that the Illinois
15 General Assembly makes that determination. We have had some few
16 school teachers that have succumbed to the harassment of some of the
17 more radicals to believe that everything contained within this pro-
18 vision is good for our schools. I say, not so. History in our great
19 country has proven that we have always had the right to file an injunc-
20 tive suit against the operators of a school that teaches therein if
21 in the minds of the people that are paying the bill that our children
22 are being incorrectly taught. Not so, if you pass 2074. It will be
23 ...utterly impossible to get an injunctive suit under the provisions
24 of this, and if you, Gentlemen and Ladies of the Senate, don't believe
25 it, turn to Page 14 of this wonderful document and read from lines 12
26 through 23. I want to say to you, my good friends, the enactment of
27 this law will do one thing and one thing for sure. It will indicate
28 and provide a path for the absolute destruction of the public school
29 system in the State of Illinois as we've known it. Now, if that's
30 what you want, that's what you'll get, and don't let the radicals tell
31 you any different. There is no way, no way, that our society can live
32 under the provisions of this bill, and I have every confidence in the
33 wisdom of this Senate that this bill will be summarily rejected and

1 will do it real soon. Ladies and Gentlemen, don't be hoodwinks.
2 Don't be hoodwinks by the radicals in the IEA and those who don't care,
3 vote no.

4 PRESIDING OFFICER (SENATOR BRUCE):

5 Any further discussion? Senator Regner.

6 SENATOR REGNER:

7 Senator McCarthy, I assume this is the same as Senate...Senate
8 Bill 505 in regard to the total cost that will be involved to operate
9 this, the cost to the State. That's three hundred and fifty some
10 thousand dollars for openers this year?

11 PRESIDING OFFICER (SENATOR BRUCE):

12 Senator McCarthy.

13 SENATOR REGNER:

14 You have a...an appropriation bill in for this or are you appro-
15 priating the money to any department, agency or anything?

16 PRESIDING OFFICER (SENATOR BRUCE):

17 Senator McCarthy.

18 SENATOR McCARTHY:

19 I don't know.

20 PRESIDING OFFICER (SENATOR BRUCE):

21 Senator Regner.

22 SENATOR REGNER:

23 It's not appropriated anywhere. There's no money in the budget.
24 The Governor didn't budget money for this. It's another new program
25 above and beyond what our state of revenues are in this year. The
26 position we've taken over the last several weeks is to cut out all
27 new programs and all agencies. I'd like to go on just a little fur-
28 ther than this. One of the worst features of this bill is that it
29 does allow an agency shop, union shop, clothes shop, whatever you
30 want to call it, no where does it say that teachers are free not to
31 join the unions once they're established. All this could do is to
32 hurt our local districts with increasing their costs above...above
33 and beyond their capabilities. The Governor right now is asking for

1 a six percent reduction in the common school fund, and I want to know
2 where they're going to get the money in the local school districts
3 if a bill such as this would...would pass allowing the union...leaders
4 and labor leaders of the IEA to summarily force increased costs upon
5 our districts. I submit it's a bad bill and should be soundly defeated.

6 PRESIDING OFFICER (SENATOR BRUCE):

7 Is there further debate? Senator Wooten.

8 SENATOR WOOTEN:

9 Mr. President, I want to speak just a couple of minutes to give
10 our colleagues an opportunity to get back on the Floor. I know no
11 one wants to be missing when the roll is taken on this particular
12 issue. I would also like to point out that the apocalyptic terms
13 which have been applied to this proposition are not new to education.
14 I imagine there were people who saw the end of the world when we first
15 established the public school system. After all, before that schools
16 had been largely a private matter, and when we moved to a tax supported
17 bases, I imagine there were those who saw the end of education in
18 sight. I imagine there were those who as we shifted for more local
19 tax support to State support and Federal support foresaw the eminent
20 collapse of education. I suggest that all such apocalyptic statements
21 are by their very nature overblown, overly dramatic. Let me suggest
22 to you that perhaps all is not perfect in this perfect system of
23 education, and that perhaps school boards have not done a uniformly
24 flawless job across the board else how to account for the restiveness
25 we feel in the system. Who is to condemn a teacher because they feel
26 a sense of responsibility in the whole proposition and feel that
27 they should have some say in how schools are organized. They're
28 the only professionals who really don't. Collective bargaining is a
29 process that was also viewed in apocalyptic terms, and yet, it is
30 amazing how well the United States has adjusted to that, how most of
31 the western world has adjusted to it. It has not destroyed us, indeed,
32 it has strengthened us. I assume that the school system can well take
33 this principle in and survive. I've given every opportunity I can

1 for my colleagues to rejoin us, and I would move for a favorable roll
2 call.

3 PRESIDING OFFICER (SENATOR BRUCE):

4 Is there further debate? Senator McCarthy may close.

5 SENATOR McCARTHY:

6 Yes, Mr. President, I think Senator Wooten has stated perhaps
7 better than I my thoughts on this matter. I briefly would like to
8 just respond to Senator Regner. He complains about the cost of three
9 hundred and fifty thousand dollars to establish one state-wide agency
10 with the exclusion of the City of Chicago. Let me respond to that by
11 saying that we appropriate from this Body for aid to education at this
12 level over one billion dollars a year, and the people in the Office of
13 Education have to guess how that billion dollars is going to go out
14 and what the constant factors are that influence their decision, and
15 when you have hundreds and hundreds of separate bargaining units
16 throughout the State of Illinois, bargaining differently for different
17 scales of pay, it frustrates the responsibility of the State Board of
18 Education in making an accurate estimate of fulfilling its constitu-
19 tional duty of appropriating money so as to insure, so as to insure
20 proper education for the people of the State of Illinois. This system
21 of bargaining will, will place the parties into a visible public area
22 of confrontation and the party that comes up with the best proposals
23 is the party that will retain citizen support which is what this
24 legislative and government process is all about. I urge the...the
25 responsible members of this Body and I consider every fifty-nine members
26 to be responsible to vote this bill into law so that we can have a
27 responsibility in the negotiations of this most elementary problem
28 that faces us today.

29 PRESIDING OFFICER (SENATOR BRUCE):

30 The question is shall House Bill 2074 pass. Those in favor vote
31 Aye. Those opposed vote Nay. The voting is open. Have all voted
32 who wish? Take the record. On that question, the Ayes are 25, the
33 Nays are 19, 3 Voting Present. Senator McCarthy, for what purpose do

1 you arise?

2 SENATOR MCCARTHY:

3 Move that the consideration on this bill be Postponed.

4 PRESIDING OFFICER (SENATOR BRUCE):

5 Senator McCarthy moves...further consideration of House Bill 2074
6 be Postponed. Consideration will be Postponed. For what purpose does
7 Senator Newhouse arise?

8 SENATOR NEWHOUSE:

9 Mr. President, a point of personal privilege.

10 PRESIDING OFFICER (SENATOR BRUCE):

11 State your point.

12 SENATOR NEWHOUSE:

13 I was trying to get your attention before the debate was closed
14 on that subject matter that we just reached because I wanted to talk
15 on it. I did not want to infringe, of course, upon the closing argu-
16 ments that Senator McCarthy made. There are some...there is a very
17 cogent argument I think that has not been made yet, but I suppose I'll
18 have the opportunity to make that if and when the bill is called again.
19 But I do want to make that point. Thank you, Mr. President.

20 PRESIDING OFFICER (SENATOR BRUCE):

21 Thank you, Senator. See...House Bill 2096, Senator Bloom. House
22 Bill 2099, Senator Latherow. Read the bill, Mr. Secretary. For what
23 purpose does Senator Latherow arise?

24 SENATOR LATHEROW:

25 I think there's an amendment on the desk for this.

26 PRESIDING OFFICER (SENATOR BRUCE):

27 Senator Latherow moves...asks leave of the Body to return 2099
28 to the order of 2nd reading. Is there leave? Leave is granted. The
29 bill is on the order of 2nd reading.

30 SECRETARY:

31 Amendment No. 1 offered by Senator McCarthy.

32 PRESIDING OFFICER (SENATOR BRUCE):

33 Is Senator McCarthy on the Floor? Senator McCarthy, Amendment

1 No. 1 to the 2099. Nine percent on revenue bonds.

2 SENATOR McCARTHY:

3 Cec, I'm going to use your word.

4 PRESIDING OFFICER (SENATOR BRUCE):

5 Senator McCarthy, can you explain the amendment please.

6 SENATOR McCARTHY:

7 Yes...yes, Mr. President, the amendment seeks to put at the upper
8 limit the interest rates on these hospital districts at eight percent
9 rather than nine, and this matter has been talked about in this
10 General Assembly for many times in the past few months and in the past
11 few years, and this does represent the upper limit to where this legis-
12 lative body has gone insofar as tax exempt bonds are concerned. And
13 I indicated to Senator Latherow my desire to attach this amendment.
14 At that time, he indicated some reservations. I...I know Senator
15 Partee mentioned to me today a word I think that may fit here that we
16 ...he may wish to invoke perseveration in this process that I submit
17 to you that the eight percent is plenty high enough. It's roughly the
18 equivalent of a taxable interest of fifteen point six percent and it
19 does have the...unless this amendment is adopted, we join the City
20 of New York in being in the market for the highest rates of interest
21 possible. I was looking over the pages in the Journal this morning,
22 and tax exempts in various places are selling under eight percent,
23 the sold six point five, and so I would suggest that this is a proper
24 amendment because if we don't adopt it, all of the other districts
25 will be back in the next Session wanting to go to nine percent which
26 then, of course, will put pressure on the small loan companies to
27 raise their interest rates which will put pressure on the mortgage
28 lenders to raise their interest rates, and we will continue the process
29 of interest rates chasing each other upward and upward, that is we
30 will be paying a higher and higher price on a nonproductive item,
31 namely money, and it's elementary that if you raise the cost of money,
32 you raise the cost of the price of everything purchased by money. I
33 urge the adoption of the amendment.

1 PRESIDING OFFICER (SENATOR BRUCE):

2 Is there further debate? Senator Latherow.

3 SENATOR LATHEROW:

4 Well, Mr. President and members of the Senate, I would rise to
5 resist this amendment. The reason for this legislation being here is
6 in order to answer the requirements of a necessity. No one, and I
7 literally state that, wants to see the interest rate raised higher
8 than what the essential reasoning is for it. Many of these districts
9 have...are being concerned about this today, have concern because
10 they are small hospital districts. They have a small area that will
11 not have large security toward the backing of these bonds, and by
12 that essential reasoning, they will be naturally requiring a higher
13 interest rate. I know they all would be well pleased if they could
14 sell their bonds at seven percent interest, but with these district
15 hospitals, this is not the privilege that is warranted to large county
16 hospitals such as Chicago might have, or Rockford, or Springfield or
17 some located in those particular areas. So, I would move that this
18 amendment lie upon the Table, Mr. President.

19 PRESIDING OFFICER (SENATOR BRUCE):

20 Senator Dougherty.

21 SENATOR DOUGHERTY:

22 Thank you, Mr. President. I arise in support of Senator McCarthy's
23 amendment. Too long the...the general public has been fooled, in...in
24 fact, everybody is being fooled by this. This high interest rates on
25 tax free revenue bonds as Senator McCarthy pointed out, and it is
26 fifteen point six percent. How in the name of God are the taxpayers
27 going to pay this kind of interest. It just provides another problem
28 for a³³³ already hungry industry. As I've said before, if we keep on
29 this implementation increasing interest rates, including the usury
30 rate, all these people have been talking about what it's going to do
31 for the building industry. I thought we'd be in danger of being struck
32 by trucks hauling materials to build new homes. It hasn't happened,
33 and it won't happen. But I do not see any revival of the building

1 industry because of an increase usury rate, and this is not going to
2 build any more hospitals. This is a very good amendment, and it should
3 be brought down to about seven percent.

4 PRESIDING OFFICER (SENATOR BRUCE):

5 Is there further debate? The question is on the adoption of
6 Amendment No. 1 to House Bill 2099. All in favor say Aye. All opposed
7 No. The Noes have it. The amendment is lost. The amendment is lost.
8 Senator Latherow, for what purpose do you arise?

9 SENATOR LATHEROW:

10 To 3rd reading.

11 PRESIDING OFFICER (SENATOR BRUCE):

12 Any further amendments? 3rd reading. Senator...since there
13 was no adoption of amendment, we could proceed immediately. Do you
14 wish to, Senator Latherow?

15 SECRETARY:

16 House Bill 2099.

17 (Secretary reads title of bill)

18 3rd reading of the bill.

19 PRESIDING OFFICER (SENATOR BRUCE):

20 Senator Latherow.

21 SENATOR LATHEROW:

22 Thank you, Mr. President. This is practically the same discussion
23 that we had before, allows these hospital districts to go to an
24 interest from seven to nine percent, and I would appreciate a favor-
25 able roll call.

26 PRESIDING OFFICER (SENATOR BRUCE):

27 Is there debate? Senator McCarthy.

28 SENATOR MCCARTHY:

29 Yes, Mr. President and members of the Body, just a note of oppo-
30 sition to this. Senator Dougherty has said, raising the interest
31 rates on hospital bonds is not going to produce patient care. It will
32 have a tendency to increase the charges made by the hospital because
33 their overhead will go up. There's no way I know that a hospital can

1 lose. They have money coming from insurance, from State Government,
2 from Federal Government. It strikes me that if you get the hospitals
3 who are in a position that render humanity and are able to market bonds
4 in Chicago at six and a half percent, that the responsibility does not
5 fall upon this Legislature, but it falls rather on the financial insti-
6 tutions that are located within the hospital districts to buy those
7 bonds at something not to exceed eight percent. Financial institutions,
8 if they take eight percent, it's their responsibility to fund the
9 hospital, but no, here we're indirectly serving their purpose by
10 raising the rates and so they can, the financial institutions, get more
11 money which will produce pressure again on this Body to raise again
12 the cost of money. It's been said before, and I say it again, there
13 is an economic law that the higher the price of money goes, the more
14 worthless the underlying currency becomes, and this is another test
15 in this law, and perseveration to the contrary notwithstanding, this
16 bill should be defeated.

17 PRESIDING OFFICER (SENATOR BRUCE):

18 Senator Wooten.

19 SENATOR WOOTEN:

20 Mr. President and colleagues, I consider Senator Robert McCarthy
21 one of the wisest men in this Body, and as a matter-of-fact, I have
22 generally considered myself responsive to his tutelage in this area.
23 I would merely point out that the rate is now seven percent. We have
24 allowed the interest rates to rise on other things. The plain fact
25 is that there are small hospitals who do not have great assets. The
26 information I have received indicates that the...the current rate,
27 interest rate available to them for bonds, is something just under
28 eight and a quarter. We cannot leave them at seven. The small hospitals
29 say they have this, ...say they must have this. I tend to believe
30 them. So, I'm going to very reluctantly part company with him on this
31 issue, and urge support of this measure.

32 PRESIDING OFFICER (SENATOR BRUCE):

33 Is there further debate? Senator Latherow may close. Senator

1 Dougherty, did you seek recognition? Senator Dougherty.

2 SENATOR DOUGHERTY:

3 Yes, I've heard a great deal of talk around here in the last
4 few years about the closed shop unions. The labor bosses have got to
5 close shop, but I want to point out to you the hospitals have got a
6 closed shop too, and also the financial industries. This is the greatest
7 deal the labor monopoly and hospital...and financial monopoly and
8 hospital monopoly. This is a bad bill, and it's not going to cause
9 the creation of many hospitals I assure you because somewhere along
10 the lines somebody is going to wake up. This is a bad bill and should
11 be defeated.

12 PRESIDING OFFICER (SENATOR BRUCE):

13 Senator Latherow may close the debate.

14 SENATOR LATHEROW:

15 Well, Mr. President...

16 PRESIDING OFFICER (SENATOR BRUCE):

17 Senator Carroll, did you seek recognition? Excuse me, Senator
18 Latherow.

19 SENATOR CARROLL:

20 Just for a brief second, and yes I had, Mr. President. I, of
21 course, also rise to oppose this legislation. You're talking about
22 tax exempt, Senator Wooten, as opposed to taxable income. You're
23 talking about tax exempt upon which the person who gets the interest
24 payment pays no taxes on this money. We're talking always here about
25 the cost of hospital care. We talked about it in terms of malpractice.
26 We talked about it in a lot of other things. What the cost per patient
27 per day - all you're doing is raising that cost at the expense of those
28 who pay no taxes on their income. I think this is the wrong way to
29 go. I think Senator McCarthy has suggested the solution that if
30 tax exempt money to finance a community can well afford to buy it at
31 seven percent. I would urge that this bill not pass.

32 PRESIDING OFFICER (SENATOR BRUCE):

33 Is there further debate? Senator Latherow may close.

1 SENATOR LATHEROW:

2 Thank you, Mr. President. I'd just like to recognize the fact
3 that those members of the hospital board that I know are sound busi-
4 nessmen with the intent of running an organization just as well as
5 they can for a small amount of cost to the public that their serving
6 as they can. And I'm sure if they can sell competitively into the
7 market for six percent, they'll do it. They're not going to ask the
8 extreme. They're going to sell just as cheaply as they can, and I'd
9 move for a favorable consideration, Mr. President.

10 PRESIDING OFFICER (SENATOR BRUCE):

11 The question is shall House Bill 2099 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 34, the
14 Nays are 15, none Voting Present. House Bill 2099 having received a
15 constitutional majority is declared passed. House Bill 2138, Senator
16 Demuzio. Read the bill, Mr. Secretary.

17 SECRETARY:

18 House Bill 2138.

19 (Secretary reads title of bill)

20 3rd reading of the bill.

21 PRESIDING OFFICER (SENATOR BRUCE):

22 Senator Demuzio.

23 SENATOR DEMUZIO:

24 Thank you, Mr. President and members of the Senate. House Bill
25 2138 creates the Consumer Warranty Act. This bill is designed to
26 dovetail into the recent Federal Warranty Act. There is currently
27 nothing in...in Illinois law requiring assurances for consumers that
28 their warranties will be upheld by the manufacturers. The responsi-
29 bility that the manufacturer and the retailer have in fulfilling the
30 terms of a written warranty are often unclear. The consumer doesn't
31 know where to turn for the service that he deserves. This legislation
32 is designed to alleviate this problem. The bill would require that
33 any written warranty clearly states the name and address for each

1 service facility in the State, the name, the address, and the phone
2 number of the central repair directory in the State which would provide
3 the names and addresses of the nearest authorized service dealer and
4 that the seller have a listing of all authorized repair outlets.
5 Repairs and the bill are expected to be performed in thirty days unless
6 the consumer agrees otherwise in writing. When merchandise is bought
7 as is or with all faults, the buyer assumes all responsibility for
8 repairs. The purchaser is responsible for returning the product...
9 product needing repair to the authorized repair agent unless it's too
10 large or...or attached so that the removable...removal is impossible.
11 In this case, the purchaser must give the authorized repair agent
12 written notice of the need for repair. The...it's designed to supple-
13 ment and provide better remedies than...than the current existing
14 warranty provisions under the Uniform Commercial Code, and it provides
15 that shall...it provides that the...the bill shall apply except when
16 this bill provides greater remedies to consumers and retailers. The
17 problems, as I'm told, with the Federal legislation is that the Federal
18 Trade Commission is empowered with making rules and regulations govern-
19 ing warranties which I am told will take two or three years to devise.
20 This bill will provide the opportunity for immediate civil action in
21 cases of warranty abuse. The bill is supported strongly by the Illinois
22 Retail Merchants Association, and by the Consumer Advocate Office and
23 ...and many other organized and labor groups in...in the State. Hope-
24 fully, it will help to curb warranty abuses, and I would solicit your
25 most favorable support.

26 PRESIDING OFFICER (SENATOR BRUCE):

27 Is there discussion? The question is shall House Bill 2138 pass.
28 Those in favor vote Aye. Those opposed vote Nay. The voting is open.
29 Have all voted who wish? Have all voted who wish? On that question, the
30 Ayes are 27, the Nays are 7, 1 Voting Present. The sponsor moves to
31 Postpone further consideration of 2138. The bill will be Postponed.
32 House Bill 2160, Senator Brady. The Secretary will read...read the
33 bill a third time.

1 SECRETARY:

2 House Bill 2160.

3 (Secretary reads title of bill)...

4 PRESIDING OFFICER (SENATOR BRUCE):

5 One moment. For what purpose does Senator Brady arise?

6 SENATOR BRADY:

7 Yes, Mr. President, I'm sorry. I wanted leave of the Body to
8 take it back to 2nd reading for an amendment which was going to be
9 placed on it.

10 PRESIDING OFFICER (SENATOR BRUCE):

11 Is there leave? Leave is granted. The bill is on the order of
12 2nd reading. Does the Secretary have the amendment?

13 SENATOR BRADY:

14 It should be on his desk.

15 PRESIDING OFFICER (SENATOR BRUCE):

16 Are you the sponsor, Senator Brady?

17 SENATOR BRADY:

18 Yes.

19 PRESIDING OFFICER (SENATOR BRUCE):

20 The Secretary has the amendment. Would you please explain the
21 amendment, Senator Brady.

22 SENATOR BRADY:

23 Yes, two days ago, we attempted to start to place an amendment
24 on it, and pulled it out of the record for Senator Howard Mohr, and
25 the staff went over it, and I believe that we have come to an agreement
26 on it. What this amendment does, in fact, is...well, let me explain
27 House Bill 2160 eliminates the present Board of Vocational Education
28 and Rehabilitation, and it transfers the responsibility for vocational
29 education to the State Board of Education. So, it was necessary then
30 to create an amendment to reconstitute or create a board for the
31 coverage of the vocational rehabilitation responsibility. That's what
32 this amendment does. I know of no opposition. I urge...I move it
33 pass.

1 PRESIDING OFFICER. (SENATOR BRUCE):

2 Senator Brady moves the adoption of Amendment No. 1 to House
3 Bill 2160. Is there discussion? All in favor say Aye. All opposed
4 Nay. The Ayes have it. The amendment is adopted. Any further amend-
5 ments? 3rd reading. Senator Brady, do you wish to return to this
6 after intervening business?

7 SENATOR BRADY:

8 Yes, please.

9 PRESIDING OFFICER (SENATOR BRUCE):

10 House Bill 2196, Senator Philip.

11 The Secretary will read the bill.

12 SECRETARY:

13 House Bill 2196.

14 (Secretary reads title of bill)

15 3rd reading of the bill.

16 PRESIDING OFFICER (SENATOR BRUCE):

17 Senator Philip.

18 SENATOR PHILIP:

19 Thank you, Mr. President, Ladies and Gentlemen of the Senate.
20 House Bill 2196 as amended creates the Residential Care Facility Act.
21 It provides for the State to guarantee of loans for the construction
22 of...residential care facilities for the mentally disabled. As you're
23 probably aware because of some new Federal guidelines and regulations,
24 Illinois will probably lose around five thousand beds in mental insti-
25 tutions. As you're probably also aware, the cost in these mental
26 institutions, the State institutions, are anywhere from twelve to four-
27 teen thousand dollars per year. In the private non-for-profit insti-
28 tutions, they run about six thousand dollars a year. We already do
29 this in two other areas. One is for scholarships and the other is
30 through the EPA where a sanitary district who is polluting decides
31 to put an addition on their facility or improve it, the State of Illi-
32 nois secures those bonds. So, I ask for your favorable consideration.

33 PRESIDING OFFICER (SENATOR BRUCE):

1 Is there further debate? Senator Carroll.

2 SENATOR CARROLL:

3 Thank you, Mr. President and members of the Senate. I rise in
4 opposition to this legislation. I might state that it's not because
5 I am in opposition to eleemosynary institutions operating health
6 care facilities. I think that's a fine and noble purpose. I think
7 we have some of it, not enough of it, and need quite a bit more.
8 But I don't think in these times the State has the obligation or duty
9 to become the prime guarantor especially now. We've debated primary
10 obligations earlier today, but this legislation makes the State the
11 prime guarantor of these loans, and it does sell at one percent over
12 the prime rate. So, it means that the State will be paying for these
13 institutions about thirteen percent, twelve percent, eleven percent,
14 that kind of money as a prime guarantor. If the State wants to go
15 into this business again, and generally DMH has taken the position
16 that they do not want to, then we should provide State funds to build
17 State insitutions with State care. But if we are allowing others to
18 go into this business as we...I think we should, and I'm sure the
19 department agrees, we should not mandate, and I repeat that, it's a
20 shall, we shall...we should not mandate the State to pay twice. Once
21 for the care and keeping of these people, and second, upon default as
22 a guarantor of the money to put up these institutions. I think in
23 these times especially, this is exactly the wrong way to go, and I
24 would urge defeat of the...of the legislation.

25 PRESIDING OFFICER (SENATOR BRUCE):

26 Senator McCarthy.

233.
27 SENATOR MCCARTHY:

28 A point of...a point of inquiry, Mr. President. A point of
29 inquiry.

30 PRESIDING OFFICER (SENATOR BRUCE):

31 State your point.

32 SENATOR MCCARTHY:

33 The inquiry is how many votes would this legislation take in

1 order to pass in view of the fact that it indicates an obligation of
2 the State of Illinois for bonded indebtedness?

3 PRESIDING OFFICER (SENATOR BRUCE):

4 Senator McCarthy, do you allow one...one moment for the Chair
5 to survey the bill?

6 SENATOR McCARTHY:

7 Oh, yes.

8 PRESIDING OFFICER (SENATOR BRUCE):

9 Senator McCarthy, it would be the ruling of the Chair that it
10 will require thirty votes for passage of House Bill 2196. Senator
11 McCarthy.

12 SENATOR McCARTHY:

13 Well, I...I just would like to...on that point state to you that
14 the bill provides that the department may guarantee loans of money
15 not exceeding and then the millions of dollars that are in there, and the
16 Constitution of the State of Illinois provides for a system of bond-
17 ing authority under Section 9 of Article IX, it says no State debt
18 shall be incurred, and then it sets forth the referendum to the people
19 or the three-fifths majority in the Legislature here. And if the
20 State is, in fact, liable for this debt which the bill purports it to
21 be in the terms of a guarantor, I would suggest to the Chair that if he
22 has not reviewed, he should review Section 9 of Article IX, indicate
23 to me whether or not you...your ruling is the same.

24 PRESIDING OFFICER (SENATOR BRUCE):

25 Senator McCarthy, the Chair has reviewed Article IX, Section 9,
26 and there is nothing in the legislation that purports to make a...make
27 the full faith and credit...of the State obligated. And if you would
28 wish to pursue, the Chair would invite you to indicate the specific
29 section of the bill that you question obligates the full faith and
30 credit of the State of Illinois.

31 SENATOR McCARTHY:

32 Yes, I do, Sir. Page 3 of the bill, Section 3.07. It says the
33 department may guarantee loans of money not exceeding twenty million

1 in the aggregate and I understand that's been reduced down. Now,
2 when you guarantee a loan, the State of Illinois guaranteeing a loan,
3 I submit to you that you're incurring State debt with the full faith
4 and credit. I think the people who are prospective borrowers here
5 probably would want to have that point ruled upon or else the lending...
6 the banks that loan the money at one percent above prime would want
7 to know whether or not the State was, in fact, guaranteeing the loan
8 and if the constitutional procedures were complied with.

9 PRESIDING OFFICER (SENATOR BRUCE):

10 Senator Carroll, for what purpose do you arise?

11 SENATOR CARROLL:

12 Just to add to that, Mr. President, if you look at Section 5 on
13 Page 4, upon default of the sponsoring agencies before the loan has
14 been repaid in full, the department shall include in its next budget
15 the funds to pay the lender the amount of loss sustained by the lender
16 upon that loan as soon as that amount has been determined. That would
17 be an obligation to the State out of General Revenue by appropriation.

18 PRESIDING OFFICER (SENATOR BRUCE):

19 Is there leave of the sponsor to take this bill out of the record
20 until such time the Chair has a...a chance to review the legislation
21 to see its impact?

22 SENATOR PHILIP:

23 Leave.

24 PRESIDING OFFICER (SENATOR BRUCE):

25 Leave is granted. The bill will be taken out of the record for
26 our review. House Bill...House Bill 2355, Senator Netsch. Is Senator
27 Netsch on the Floor? Senator Brady...I...I'm sorry. We were going
28 to come back and pick you up. Since that was taken out of the record,
29 we have not had intervening business. Senator Netsch, 2355 which is
30 consumer representation on licensing boards. Read the bill, Mr.
31 Secretary.

32 SECRETARY:

33 House Bill 2355.

1 (Secretary reads title of bill)

2 3rd reading of the bill.

3 PRESIDING OFFICER (SENATOR BRUCE):

4 Senator Netsch.

5 SENATOR NETSCH:

6 The description in the...on the Calendar no longer has any sense
7 of reality to it. It does not describe the bill as it now exists,
8 thanks to Senator Harris. The bill does not change the name of the
9 Department of Registration. It deals with only one board, the Nursing
10 Home Administrators Board, and on that board, it increases the number
11 of public members in large part so that we will meet the requirements
12 of the Department...Federal Department of Health, Education and Welfare
13 and not lose our entitlement to an estimated ninety-two million
14 dollars. As Senator Harris described it the other day, that probably
15 is the big club again, but ninety-two million dollars is probably
16 worth it. I would say in addition that whether or not the club were
17 being held over us, in my judgement, the direction in which we should
18 be moving is to add a very substantial number of public members to the
19 licensed boards. That at least diminishes somewhat the restrictive-
20 ness of the entire licensing procedure that we have in this State so
21 that both for fiscal reasons and for policy reasons, I would urge
22 support of the bill.

23 PRESIDING OFFICER (SENATOR BRUCE):

24 Is there discussion? Senator Shapiro.

25 SENATOR SHAPIRO:

26 Will the sponsor yield for a question?

27 PRESIDING OFFICER (SENATOR BRUCE):

28 Indicates that she will yield.

29 SENATOR SHAPIRO:

30 Senate...Senator Netsch, how many members are on this board now?

31 PRESIDING OFFICER (SENATOR BRUCE):

32 Senator Netsch.

33 SENATOR NETSCH:

1 Under the proposed amendment, it is...I'm getting my notes out,
2 it's ten.

3 PRESIDING OFFICER (SENATOR BRUCE):

4 Senator Shapiro.

5 SENATOR SHAPIRO:

6 Ten...ten members on the board. Now, the way the bill is now
7 amended, how many would be public members?

8 PRESIDING OFFICER (SENATOR BRUCE):

9 Senator Netsch.

10 SENATOR NETSCH:

11 Four.

12 PRESIDING OFFICER (SENATOR BRUCE):

13 Senator Shapiro.

14 SENATOR SHAPIRO:

15 Well, you know, there are already public members on the board,
16 and didn't...didn't one amendment add four more which would make a
17 majority of seven public members over three professional members out
18 of the ten?

19 PRESIDING OFFICER (SENATOR BRUCE):

20 Senator Netsch.

21 SENATOR NETSCH:

22 No, the...there's a difference between so-called agency or insti-
23 tutional representatives and what are called pure public members.
24 There are on the board...I'm still looking for my notes, but I think
25 I can remember it, a university representative, a representative of
26 the Department of Public Aid, and a representative of one of the...
27 the Department of Aging. So, there are three institutional members
28 plus three public members...I'm sorry, plus four public members plus
29 the nursing home administrator members.

30 PRESIDING OFFICER (SENATOR BRUCE):

31 Senator Shapiro.

32 SENATOR SHAPIRO:

33 Well...the way the thing...the bill now reads, as amended, it

1 would put, I think, almost a two to one majority of people on this
2 board who are not actually professionals in nursing home administra-
3 tion. I think it's unduly weighted the wrong way. I have no objection
4 to having public members on a board, and I realize that there's
5 Federal regulations that state that public members must have a majority,
6 however; we have twenty States in this Union where that...that does
7 not exist. So far, the Federal Government has not withheld money from
8 them, and it's not likely that they will. I think the bill as amended
9 just puts the administrators, the nursing home administrators who will be
10 administering the Act in an unfair position, and I would urge defeat
11 of the bill.

12 PRESIDING OFFICER (SENATOR BRUCE):

13 Is there further debate? Senator Davidson.

14 SENATOR DAVIDSON:

15 Yes, would the sponsor yield?

16 PRESIDING OFFICER (SENATOR BRUCE):

17 Indicates that she will yield.

18 SENATOR DAVIDSON:

19 Following up on the statement that...she says she can't hear me,
20 Senator.

21 PRESIDING OFFICER (SENATOR BRUCE):

22 Could we have some order please. Mr. Houlihan, as...as much as
23 we appreciate your presence... Senator Netsch. Senator...

24 SENATOR DAVIDSON:

25 Following up Senator Shapiro's statement which he said most that
26 I was going to ask, but one question. Are those nineteen other States
27 besides Illinois of which there is twenty, do you have any knowledge
28 of the Federal Government denying payment on the fact that they do
29 not have a consumer majority of these nursing home boards that you're
30 speaking of?

31 PRESIDING OFFICER (SENATOR BRUCE):

32 Senator Netsch.

33 SENATOR NETSCH:

1 I have no such knowledge, and I do not believe that the regulation
2 is fully effective yet. I think this is in preparation for its full
3 impact.

4 PRESIDING OFFICER (SENATOR BRUCE):

5 Senator Davidson.

6 SENATOR DAVIDSON:

7 Well, Mr. President and members of the Senate, I'd rise in opposi-
8 tion to this bill as it now states. No one objects to having some
9 consumer representation in this day and age, but when you've got it
10 weighed two to one, that's better than two to one, consumer over the
11 people who should know what's going on and the fact that the nineteen
12 other States besides Illinois are not just little backward States. The
13 most popular State in the Nation; California, Connecticut, Pennsyl-
14 vania, etc, are States that do not have this majority that you speak
15 of, and following up on the Federal judges remarks in relation to
16 rate review last week in Baltimore said that it was their greatest
17 bunch of gobbledygook in his forty-four years I...before the bar
18 or on the bench is what the Federal regulations are. I think you'll
19 see the Federal regulations will have some decisive change. And under
20 those circumstances, I urge you to vote No.

21 PRESIDING OFFICER (SENATOR BRUCE):

22 Is there further debate? Senator Donald Moore.

23 SENATOR MOORE:

24 Will the sponsor yield, Mr. President?

25 PRESIDING OFFICER (SENATOR BRUCE):

26 Indicates that she will yield. If we can clear the aisles.
27 Senator Nudelman, if we can break up your group. Senator Netsch.
28 Senator...Senator Don Moore.

29 SENATOR MOORE:

30 Senator, I know there's some concern as far as the number of
31 four public members, consumers, on the...the board. In the event the
32 House would nonconcur with this amendment, would you object to reduc-
33 ing that number to three and putting on one more nursing home adminis-

1 trator?

2 PRESIDING OFFICER (SENATOR BRUCE):

3 Senator Netsch.

4 SENATOR NETSCH:

5 I'm...the hearing is still difficult, Senator Moore. I'm not
6 positive I heard you correctly. Did you ask would I be willing to
7 call the bill back to 2nd for purposes of an amendment?

8 PRESIDING OFFICER (SENATOR BRUCE):

9 Senator Don Moore.

10 SENATOR MOORE:

11 No, Senator, in the event that the House would nonconcur in your
12 amendment, would you have any objection for a Conference Committee
13 Report having three public members and adding one more nursing home
14 administrator?

15 PRESIDING OFFICER (SENATOR BRUCE):

16 Senator Netsch.

17 SENATOR NETSCH:

18 In the event that the bill does not receive the required number
19 of votes or that there is some...additional action on the part of the
20 House, I will be happy to take it under advisement at that time.

21 PRESIDING OFFICER (SENATOR BRUCE):

22 Senator Don Moore.

23 SENATOR MOORE:

24 Well, hoping upon the Senator's good faith, I think there is a
25 need for this bill insofar as the Department of Public Aid is con-
26 cerned. I do feel, however, that having four consumers on this board
27 is too many. I think that the nursing home administrators should be
28 represented with one more addition to them. They would still be in
29 the minority. It would be a six to four vote, but I think it would
30 make a better bill, and hoping that in the event this bill does not
31 get the required votes, or if it does, that the...the House will non-
32 concur and we could straighten the bill out, I would urge support of
33 the bill.

1 PRESIDING OFFICER (SENATOR BRUCE):

2 Senator Netsch...is there further debate? Senator Netsch may
3 close the debate.

4 SENATOR NETSCH:

5 Well, just to summarize the two basic points. There is at stake
6 here whether we like it or not a very substantial amount of Federal
7 money, but even if that were not the case, I would urge that the bill
8 is right on its own merits because it does put a four public members
9 on a board of ten members, and that to me, is the very minimum of what
10 should be the makeup of all of our State licensing boards. There is
11 no question in my mind that we are going to move in that direction.
12 If we don't, the pressure for us to do that from the public, I think,
13 is going to be very great to do it. But it is the right direction,
14 and I think that this one will serve as a great example to revising
15 membership subsequently of the remainder. I would urge a Yes vote.

16 PRESIDING OFFICER (SENATOR BRUCE):

17 The question is shall House Bill 2355 pass. Those in favor vote
18 Aye. Those opposed vote Nay. The voting is open. Have all voted
19 who wish? Take the record. On that question, the Ayes are 22, the
20 Nays are 14, 5 Voting Present. House Bill 2355...Postpone? The
21 sponsor moves to Postpone further Consideration. The bill...further
22 consideration will be Postponed. For what purpose does Senator Wooten
23 arise?

24 SENATOR WOOTEN:

25 Mr. President, I would like to move to re-refer a bill on 3rd
26 reading to the Committee on Agriculture, Conservation and Energy.
27 Senate Bill...House Bill 27.

28 PRESIDING OFFICER (SENATOR BRUCE):

29 Why don't we...why don't we do all the housekeeping a little later
30 in the day, Senator Wooten.

31 SENATOR WOOTEN:

32 Okay, fine.

33 PRESIDING OFFICER (SENATOR BRUCE):

1 Senator Brady, are you ready to go on House Bill 2160? For
2 what purpose does Senator Netsch arise?

3 SENATOR NETSCH:

4 I...I'm sorry, Mr. President. I should...with only twenty votes
5 on that bill, I should simply have let it go down. If the appropriate
6 motion now is a motion to Table, I so move.

7 PRESIDING OFFICER (SENATOR BRUCE):

8 Yes, that would be the appropriate motion...

9 SENATOR NETSCH:

10 It's only ninety-six million dollars we're losing.

11 PRESIDING OFFICER (SENATOR BRUCE):

12 Senator Netsch now moves to Table House Bill 2355. All in favor
13 say Aye. All opposed Nay. Ayes have it. The bill is Tabled. House
14 Bill 2160, Mr. Secretary.

15 SECRETARY:

16 House...House Bill...excuse me. House Bill 2160.

17 (Secretary reads title of bill)

18 3rd reading of the bill.

19 PRESIDING OFFICER (SENATOR BRUCE):

20 Senator Brady.

21 SENATOR BRADY:

22 Yes, Mr. President, fellow members, this bill in the synopsis
23 is incorrect. It...it gives the State Board of Education responsi-
24 bility for educational rehabilitation, not for vocational. The amend-
25 ment put on that bill creates or reconstitutes a new board which has
26 the responsibility for vocational rehabilitation. There was a need,
27 they felt, to separate them and to cover both of them. There was a
28 Senate Bill passed out of here earlier that has passed the House which
29 covered precisely the State Board of Education having the responsi-
30 bility over educational rehabilitation. The amendment added to this
31 is the difference. It reconstitutes the board which has the control
32 or the responsibility over vocational rehabilitation programs. I urge
33 your favorable support.

1 PRESIDING OFFICER. (SENATOR BRUCE):

2 Is there debate? Senator Morris.

3 SENATOR MORRIS:

4 Senator Brady, this agency we're creating, will this now be a
5 code department so it goes under Civil Service?

6 PRESIDING OFFICER (SENATOR BRUCE):

7 Senator Brady.

8 SENATOR BRADY:

9 Senator Morris, we're not creating an agency. What we are doing
10 is creating a board because the first part of this bill repeals the
11 old board which has the responsibility of vocational rehabilitation.
12 The new board takes that responsibility and separates out educational
13 rehabilitation to the State Board of Education which both entities
14 are in favor of.

15 PRESIDING OFFICER (SENATOR BRUCE):

16 Is there further debate? Senator...Senator Morris. Senator
17 Nimrod.

18 SENATOR NIMROD:

19 Mr. President, I'd like to ask a few questions of the sponsor,
20 if I may.

21 PRESIDING OFFICER (SENATOR BRUCE):

22 He indicates that he will yield. Can we have some order, Gentle-
23 men, please. Will you take the caucuses and conferences off of the
24 Floor. Senator...Senator Nimrod.

25 SENATOR NIMROD:

26 Senator Brady, I...I noticed this on my note that covers this
27 particular bill was...was that this amendment actually was put onto
28 this bill and under its present status, neither House, neither the
29 Senate nor the House, has had this bill, this particular bill, in
30 committee. Is that so?

31 PRESIDING OFFICER (SENATOR BRUCE):

32 Senator Brady.

33 SENATOR BRADY:

1 No, that's incorrect, Senator Nimrod. The bill, I think, you're
2 referring to is a committee bill that came over and has not proceeded
3 to the Floor of the Senate yet. This bill did come out of committee,
4 out of the Education Committee.

5 PRESIDING OFFICER (SENATOR BRUCE):

6 Senator Nimrod.

7 SENATOR NIMROD:

8 This...you...you did put an amendment on here to this that changes
9 it...this whole bill. And I...I think that since there is no emergency
10 that's compelling this legislation, we are actually making a change
11 in...in the very important and critical department I think that it
12 has to be addressed to. It seems to me that we're getting involved
13 into a change without actually having a chance to discuss it, and
14 that's one of the reasons I feel a little hesitant about trying to
15 support this kind of move without having a chance to hear it and make
16 some discussion. I do think you have some merit in what you're trying
17 to do, but I would certainly encourage you to hold off on this at this
18 particular time.

19 PRESIDING OFFICER (SENATOR BRUCE):

20 Senator Berning.

21 SENATOR BERNING:

22 Just like to ask the sponsor's clarification of a question that
23 comes to mind. As I interpret the provisions recognizing that this
24 is for and by and of disabled persons and three of these shall be
25 members of the board, the chairman and three members shall be handi-
26 capped which is my interpretation of disabled then, and I get down
27 to Section 5 which says for the purposes of this Act, the term persons
28 disabled means any person who by reason of a physical or mental defect
29 or infirmity is or may be expected to be totally or partially incapa-
30 citated. That's either or, totally incapacitated for independent
31 living or gainful employment. Now, I submit that someone who is
32 totally incapacitated for independent living still being eligible to
33 serve as chairman or a member of a board in such a case as this, repre-

1 sents a...a rather serious weakness in this measure, if my interpreta-
2 tion is correct.

3 PRESIDING OFFICER (SENATOR BRUCE):

4 Senator Brady.

5 SENATOR BRADY:

6 Senator Berning, all that is being defined there is what does
7 persons disabled mean and presently constituted under our law that
8 is the definition of it. It does not necessarily mean that a person
9 who is totally disabled should serve or could serve, but that the
10 disabled persons are...are able to serve, and all I'm doing by adding
11 this amendment is reconstituting a board as it exists right now with-
12 out this law. We're reconstituting the board for vocational. What
13 the whole bill is doing now is really pulling out educational and
14 putting it under the State Board of Education and leaving vocational
15 rehabilitation back in the same frame that it was.

16 PRESIDING OFFICER (SENATOR BRUCE):

17 Is there further debate? The question is shall House Bill 2160
18 pass. Those in favor vote Aye. Those opposed vote Nay. The voting
19 is open. Have all voted who wish? Have all voted who wish? Take
20 the record. On that question, the Ayes are 11, the Nays are 4, 9
21 Voting Present. House Bill 2160 having failed to receive a constitu-
22 tional majority is declared lost. Senator Egan, on 1594, the agree-
23 ment has been worked out, the Chair is informed. House Bill 1594.
24 Will this bill be moved back to 2nd reading, Senator Egan?
25 Secretary, would you read the bill a third time please.

26 SECRETARY:

27 House Bill 1594.

28 (Secretary reads title of bill)

29 3rd reading of the bill.

30 PRESIDING OFFICER (SENATOR BRUCE):

31 Senator Egan.

32 SENATOR EGAN:

33 Thank you, Mr. President and members of the Senate. I've had

1 an opportunity to discuss the bill with and try to answer questions
2 of my principal antagonist, Senator Latherow, and all I think to...
3 not to...to my total success, but let me just further add to the
4 comments that I made earlier about this bill that restricts the use
5 of signs on our interstate system principally, and also on main roads
6 within the State that it conforms now with the mandate of the Federal
7 law that is created for the...entire interstate system throughout the
8 country, and without the passage of this bill, we are subject to a
9 ten percent penalty per year. And currently, we are receiving about
10 two hundred and seventy million dollars from the Federal Government.
11 Failure to enact this legislation would jeopardize the receiving of
12 ten percent of that in the total amount of twenty-seven million
13 dollars a year from the Federal Government into our Road Fund. If
14 there are specific questions, I'll ask...answer them but...but
15 generally, it's a complicated bill, but generally, it does not restrict
16 businesses from advertising within any distance of a highway. If
17 they own the property upon which they advertise, and it's designed
18 to eliminate those people who wish to lease property to make money
19 on signs that can be seen by the interstate system. Generally, that's
20 what it does, and... almost as specifically as I can get without usurpa-
21 tion of much of your time, and I would ask for your favorable considera-
22 tion.

23 PRESIDING OFFICER (SENATOR BRUCE):

24 Is there debate? Senator Latherow. If we could have some order.
25 Gentlemen, we've got a tremendous amount of caucuses behind Senator
26 Wooten, in the wells behind. If we could take those off. Senator
27 Glass, if you could take your conference off the Floor. Senator
28 Latherow.

29 SENATOR LATHEROW:

30 Thank you, Mr. President. I think some of you may have remembered
31 that when this legislation originally passed, I called it the bigger
32 and better board act, and I think you'll all well enough aware of the
33 fact that that's just exactly what you have now. You have those that

1 are located six hundred and sixty feet beyond the right-of-way. Now,
2 with this Act, I want you to recognize that it says that they will
3 have...have to register each sign located beyond six hundred and
4 sixty feet from the right-of-way located entirely outside the urban
5 area, visible from the main traveled way of the highway. Now, this
6 is all State highways. It's not just a...four lanes or any of those
7 others. They've been buying them as fast as they can get to them,
8 and all two lane highway areas, in my area, and requiring them to
9 move back to six hundred and sixty feet. I don't question Senator
10 Egan, and the philosophy, and the possibility that this may be tied
11 to some funds. I think that's proper, but I think it's just once again
12 they took control of them. Until you've got them over six hundred
13 and sixty feet, now they've got that done, they come back and dangle
14 another ten percent. That's why we want control of them the rest of
15 the way. So, I...I will not support the legislation.

16 PRESIDING OFFICER (SENATOR BRUCE):

17 Senator Mitchler.

18 SENATOR MITCHLER:

19 I'd like to ask the sponsor a question. How soon do we have to
20 have all of these signs down?

21 PRESIDING OFFICER (SENATOR BRUCE):

22 Senator Egan.

23 SENATOR EGAN:

24 The Act provides for ninety days to...to comply.

25 PRESIDING OFFICER (SENATOR BRUCE):

26 Senator Mitchler.

27 SENATOR MITCHLER:

28 Yes, now this Act has been in effect since 1971, and all of us
29 know that we drive up and down 66 and the highways all over the
30 State of Illinois, and you still see all of these signs. Now, this
31 keeps going on and on and on. Now, they're going to come in, you're
32 going to have to register signs six hundred and sixty feet or more
33 that can be seen from the highway. This is the biggest fetcher bill

1 and somebody is the biggest con artist that's out here duping some-
2 thing out of somebody because I see new signs on the highway. I've
3 seen motels. You've got the Forum 30 erected over here since 1971,
4 and as I come into town, I see signs all up and down 66 telling me
5 about the Forum 30. Now, certainly, if you're going to take signs
6 down, you don't take and put them up advertising new places. This is
7 nothing but a real fetcher, and it goes on and on and on. Now, they're
8 going to start hitting them six feet...a hundred and sixty feet
9 farther back...

10 PRESIDENT:

11 Senator Egan. Senator Egan is...

12 SENATOR MITCHLER:

13 I think we ought to repeal the whole Act.

14 PRESIDENT:

15 Senator Egan is recognized.

16 SENATOR EGAN:

17 Senator Mitchler, I take personal offense at that remark. This
18 bill came to me from the Department of Transportation. How dare you
19 call that a fetcher bill. I take personal offense at that.

20 PRESIDENT:

21 Senator Mitchler.

22 SENATOR MITCHLER:

23 Senator Egan, no personal offense was taken. You are an
24 honorable man, and I had nothing at you. I'm talking about this on-
25 going and ongoing. You don't erect signs. You...you don't go out
26 near these places, but somebody is out there monkeying with these
27 signs, and I had a bill in two years ago to repeal the whole Act,
28 and they come running up to my office...no, no, don't do it, we're
29 working and all that stuff. It's a bunch of baloney this stuff.
30 This originated way back there, on Lady Bird, she wanted to have all the
31 beautification...

32 PRESIDENT:

33 Your time is up, Senator. You'll complete your remarks...

1 SENATOR MITCHLER:

2 fence around...the...the yards and everything. It's an improper Act.

3 PRESIDENT:

4 Any further discussion? Senator Egan.

5 SENATOR EGAN:

6 Alright, let me just explain a little bit further that the
7 signs that you see up and down the main highways are signs on business
8 property. They're allowable under this Act. If you own commercial
9 property, if you own private property and you have a business nearby,
10 you can have a sign anywhere you want to have it as long as you own
11 that land. This bill conforms to the Federal mandated regulations to
12 prevent people from putting up signs that they don't own property,
13 that can be seen by the interstate system. What you have described
14 is hysterical, Senator...Mitchler. And if you'd be a little patient
15 with the bill, read the legislation, study it a little bit, you'd find
16 out that it does not do the things that you says it does...that you
17 say it does. It merely conforms the State Act which we enacted in
18 1971 to the Federal regulations, and the penalty for not doing it is
19 ten percent a year which is twenty-seven million dollars. I find it
20 totally reasonable, and I don't see anything wrong with the legislation.
21 I ask for your support.

22 PRESIDENT:

23 Senator Howard Mohr.

24 SENATOR MOHR:

25 Yes, Mr. President, I would concur one hundred percent in the
26 remarks of Senator Egan. This bill was in committee. I did have some
27 reservations. We checked...checked the bill out. I didn't vote for
28 it at that time. We checked it out thoroughly after that to take care
29 of any...any concerns or objections that we might have, and it is, as
30 stated by Senator Egan, he's a hundred percent correct, and again, I
31 ...I did have a concern for it, but the bill does exactly what he says.
32 The Federal money is important, I believe, and I would encourage
33 members on our side to support this bill.

1 PRESIDENT:

2 Senator Morris.

3 SENATOR MORRIS:

4 I would like to rise in support of this bill, and praise Senator
5 Egan and Senator Mohr for their great change of faith. This bill was
6 known as Senate Bill 689. On April 24th, it was killed in the Senate
7 Transportation Committee. It was under my sponsorship. At that time,
8 Senator Mohr and Senator Egan voted against the bill, and I'm glad
9 that they finally saw that this was a good piece of legislation...

10 PRESIDENT:

11 One moment. One moment, Senator Morris. For what purpose does
12 Senator Newhouse arise?

13 SENATOR NEWHOUSE:

14 Senator, are you saying that this identical bill was in here
15 before?

16 PRESIDENT:

17 Senator Morris.

18 SENATOR MORRIS:

19 Yes, this...this legislation under a Senate Bill 689 was killed
20 in the Senate. It was then amended onto, apparently, onto a House
21 Bill which is 1594. It was killed in a Senate committee. It never
22 saw the light of day in the Senate committee.

23 PRESIDENT:

24 Was this bill amended in the Senate, are you suggesting?

25 SENATOR MORRIS:

26 Pardon.

27 PRESIDENT:

28 You're not saying it was amended in the Senate?

29 SENATOR MORRIS:

30 No.

31 PRESIDENT:

32 Oh, I see.

33 SENATOR MORRIS:

1 Okay, this bill was amended in the House on an original House
2 Bill which was 1594, once it was killed in the Senate committee, and
3 I'm just glad to see that Senator Egan and Senator Mohr have finally
4 seen the need for this legislation and are now supportive of it.

5 PRESIDENT:

6 For what purpose does Senator Mohr arise?

7 SENATOR MOHR:

8 I think on a point of personal privilege as long as...

9 PRESIDENT:

10 Well, let's...let's finish Senator Newhouse's point of...

11 SENATOR MOHR:

12 Alright...

13 PRESIDENT:

14 personal privilege and then we'll get to yours. Senator Newhouse.

15 SENATOR NEWHOUSE:

16 I wonder if the Senator would yield to a question.

17 PRESIDENT:

18 He indicates he...

19 SENATOR NEWHOUSE:

20 Was it a good bill then or a bad bill then? And is it a good
21 bill now or is it a bad bill now?

22 PRESIDENT:

23 Senator Morris.

24 SENATOR MORRIS:

25 Well, I think it was a damn good bill then, and it's a damn good
26 bill now.

27 PRESIDENT:

28 Senator Newhouse.

29 SENATOR NEWHOUSE:

30 Are you saying then that the people who were opposed to it now
31 are for it now? Is...can you explain their change of mind?

32 PRESIDENT:

33 It calls for an objective...Senator Morris.

1 SENATOR MORRIS:

2 Apparently, they have had a change of mind. They did vote and
3 according to the roll call seat of April 24th, these people did vote
4 against this bill in the Transportation Committee.

5 PRESIDENT:

6 Senator Howard Mohr.

7 SENATOR MOHR:

8 Yes, Mr. President, that happens to a lot of people in the Senate.
9 It's probably...I haven't researched your record, Senator Morris, but
10 I can do that very quickly, and you know, a lot of it depends on who
11 the sponsor is and how the bill is presented. If it's a bad presenta-
12 tion, you generally don't get support, and I don't think that you sold
13 the people in Transportation Committee, and if you did, you probably
14 wouldn't have sold them on the Floor. I did say that I had some concern
15 about this legislation, and that concern has been corrected. I have
16 no fears with the bill. I think it's a good bill, and would support
17 it.

18 PRESIDENT:

19 Senator Latherow.

20 SENATOR LATHEROW:

21 Well, a point of personal privilege, Mr. President.

22 PRESIDENT:

23 State your...state your point.

24 SENATOR LATHEROW:

25 I might say that I don't have the Senate Bill here before me, but
26 I...if my recollection is correct, I think there was a difference in
27 these two bills. Now, I would want to say here that I think I men-
28 tioned that I thought Senator Egan was correct when there were highway
29 funds that probably were involved in this without a question. My
30 philosophy does not fit this bill. That's the reason I'm opposing
31 it, Sir.

32 PRESIDENT:

33 Senator Egan may close the debate.

1 SENATOR EGAN:

2 Well, I...I would like to say to Senator Morris that in hopes
3 that he will follow the...the philosophy that I have learned best, and
4 that is, Senator, we live and learn, and I solicit your support.

5 PRESIDENT:

6 The question is shall House Bill 1594 pass. Those in favor vote
7 Aye. Opposed Nay. The voting is open. Have all voted who wish?
8 Take the record. On this question, the Ayes are 42, the Nays are 8,
9 with none Voting Present. House Bill 1594 having received a constitu-
10 tional majority is declared passed. House Bill 2435, Senator Rock.
11 Senator Rock.

12 SENATOR ROCK:

13 I wonder, Mr. President, many are busy on other things, conference
14 committees included. I...this is a very significant bill. I wonder
15 if I might have leave to come back to this later.

16 PRESIDENT:

17 Is leave granted? Leave is granted. House Bill 2439, Senator
18 Brady. Oh, hold that...hold that. House Bill 2473, Senator Newhouse.

19 SECRETARY:

20 House Bill 2473.

21 (Secretary reads title of bill)

22 3rd reading of the bill.

23 PRESIDENT:

24 Senator Newhouse.

25 SENATOR NEWHOUSE:

26 This bill was amended back by the other side of the aisle to
27 conform with the Federal standards, and I would move its adoption.

28 PRESIDENT:

29 Any discussion? The question is shall House Bill 2473 pass.
30 Those in favor will vote Aye. Opposed Nay. The voting is open.
31 Have all voted who wish? Take the record. On this question, the Ayes
32 are 27, the Nays are 18, with 2 Voting Present. Senator Newhouse.
33 Postpone Consideration. House Bill 2538, Senator Johns. Read the bill.

1 SECRETARY:

2 House...House Bill 2538.

3 (Secretary reads title of bill)

4 3rd reading of the bill.

5 PRESIDENT:

6 Senator Johns.

7 SENATOR JOHNS:

8 This piece of legislation, Mr. President and members of the
9 Assembly, amends the Detectives and Investigators Licensing Act. It
10 provides that persons cannot be employed as security guards until
11 they have a completed a study approved and supervised by the Department
12 of Registration and Education. It provides the education is not less
13 than thirty hours training in theory, but it does limit the requirement
14 that security guards must have thirty hours of training to those
15 guards that carry weapons. That's Amendment No. 1. Amendment No. 2
16 changes the present law so that persons over eighteen can be employed
17 as unarmed guards. I would solicit your favorable roll call.

18 PRESIDENT:

19 Senator Graham.

20 SENATOR GRAHAM:

21 Senator Johns, sometimes we have a long hard day in here. I
22 have no real feeling against this bill only to the extent that if I
23 had a large plant or some place where I needed security guards, I think
24 I would be looking to someone more mature than eighteen years old.
25 I think we have a lot of retired people that have that maturity to
26 have their physical ability and could do an adequate job with or without
27 a gun. A security guard anywhere has little chance on living even
28 attempting to use a gun if he's confronted by the wrong people. I think
29 that we've done a pretty good job in honoring the abilities or lack
30 of them of the eighteen year olds. I would hate to see us go too much
31 further afield. This is only a personal opinion on my part as to...
32 as your old friend from southern Illinois, I have to oppose your bill,
33 Senator.

1 PRESIDENT:

2 Senator Lemke.

3 SENATOR LEMKE:

4 I have a question of the sponsor.

5 PRESIDENT:

6 He indicates he will yield...

7 SENATOR LEMKE:

8 Is...is this the one that has the amendment taking out independent
9 insurance adjustors?

10 PRESIDENT:

11 Senator Johns.

12 SENATOR JOHNS:

13 Mr. President and Senator Lemke, it does exclude the independent
14 insurance adjustors completely from the Licensing Act.

15 PRESIDENT:

16 Senator Lemke.

17 SENATOR LEMKE:

18 Is that amendment that's on this bill?

19 PRESIDENT:

20 Senator Johns.

21 SENATOR JOHNS:

22 To my knowledge, it was built into the bill originally.

23 PRESIDENT:

24 Senator Lemke.

25 SENATOR LEMKE:

26 Well, then, I...I think that I can't support the bill with the
27 advent of no fault insurance coming into effect, and independent
28 insurance adjustors dealing with the public. I think we should have
29 some control over there, right now, there's no control and if...if
30 there's a question, if covered under this Act or not, this hasn't
31 been decided. I don't think we should specifically exempt them from
32 this Act. I think it...the...it should be amended out.

33 PRESIDENT:

1 Senator Newhouse.

2 SENATOR NEWHOUSE:

3 Would the sponsor yield to a question please? Senator, is this
4 the bill that the industry came down here and asked you to present?

5 PRESIDENT:

6 Senator Lemke. I mean Senator Johns.

7 SENATOR JOHNS:

8 Thank you, Mr. President. Senator Newhouse, the industry has
9 never approached me. I merely have the file from the Representative
10 Getty which does include a letter from the, for example, the Burns
11 International Security Services, Incorporated. I know that the industry
12 wants this bill, but I don't know to the best of my knowledge anybody has
13 really approached me and worked on it.

14 PRESIDENT:

15 Senator Newhouse.

16 SENATOR NEWHOUSE:

17 Senator, I'm sorry. I didn't mean to either embarrass you or
18 to say that in a derogatory manner, because I did talk to some of the
19 people from the industry who did say they were for this bill. I wanted
20 to make that clear. One of the factors on this bill, it seems to me,
21 is very important to point out is this, that many of the security
22 type functions that take place have no need for firearms. They're
23 little more than sort of supervisory positions, and the fact is that
24 this is going to open up slots for a lot of young people who presently
25 are not working, and I think many of us are for that. If there is no
26 need for a gun, then there is no need for the training for the gun.
27 When the people attain the age and acquire that...the skill and ability
28 then I'm sure that they can move on to another position. Meanwhile,
29 here are jobs that are open. We have youngsters that we say that we
30 want to put to work. This will provide an opportunity for some of
31 them. I would suggest that this is a good bill I will support,
32 and I hope everyone else will vote for it.

33 PRESIDENT:

1 Any further discussion? The question is shall House Bill 2538
2 pass. Those in favor vote Aye. Opposed Nay. The voting is open.
3 Have all voted who wish? Take the record. Take the record. On this
4 question, the Ayes are 44, the Nays are 2, with 6 Voting Present.
5 House Bill 2538 having received a constitutional majority is declared
6 passed. House Bill 2558, Senator Hynes. Senator Rock.

7 SENATOR ROCK:

8 Thank you, Mr. President. Senator Hynes is, in fact, in a Con-
9 ference Committee on appropriations, and there is, I'm told, an amend-
10 ment coming to this bill. I wonder if we might have leave to get
11 back to it when he gets back on the Floor?

12 PRESIDENT:

13 Is leave granted? Leave is granted. House Bill 2559, Senator
14 Hynes. Oh no, hold that one. House Bill 2576, Senator Davidson.
15 Senator Davidson is recognized.

16 SENATOR DAVIDSON:

17 Since this bill has already been passed, it's now on the Governor's
18 Desk, I move to Table 2576.

19 PRESIDENT:

20 All in favor say Aye. Opposed Nay. House Bill 2576 is Tabled.
21 House Bill 2625, Senator Rock. Read the bill.

22 SECRETARY:

23 House Bill 2625.

24 (Secretary reads title of bill)

25 3rd reading of the bill.

26 PRESIDENT:

27 Senator Rock.

28 SENATOR ROCK:

29 Thank you, Mr. President. Thank you, Mr. President, Ladies
30 and Gentlemen of the Senate. This is sponsored by Representative
31 Houlihan and Senator Rock, and it provides for an additional thirty
32 judges in the Circuit Court of Cook County. It was amended in the
33 Senate, Amendment No. 1 offered by Senator Philip which provides for

1 four more Circuit Judges in...in the county he represents. I know of
2 no objection to the bill. It's been approved by the court administra-
3 tor, and I urge a favorable vote.

4 PRESIDENT:

5 On that question, the Ayes are...Senator Berning.

6 SENATOR BERNING:

7 Could I attempt to get some kind of expression of moral if not
8 outright physical support through the good offices of the sponsor of
9 this in an effort to importune the court administrators to authorize
10 some additional associate Circuit Court Judges for the 19th Judicial
11 Circuit?

12 PRESIDENT:

13 Senator Rock.

14 SENATOR ROCK:

15 Senator Berning, I think your point is well taken. The 19th
16 Judicial Circuit has been the subject of discussion, frankly, between
17 myself and Senator Schaffer and Senator Graham for about the last ten
18 days. Frankly, the...the Chief Judge of your Circuit is at this
19 point has not yet contacted the court administrator. When that happens,
20 you may be sure that I will cosponsor such a bill and help you in
21 any way I can. At this point, I think we had best get this bill back
22 to the House so they can concur in it.

23 PRESIDENT:

24 Senator...Senator Harris.

25 SENATOR HARRIS:

26 Senator Rock, is this a new program?

27 PRESIDENT:

28 Senator Rock.

29 SENATOR ROCK:

30 ...It...it's an expansion of a continuing program, and it...it
31 merely...it authorizes thirty new judges and four in DuPage.

32 PRESIDENT:

33 Senator Harris.

1 SENATOR HARRIS:

2 Well, I just want to say that if this is a new program, it's the
3 kind that I think is absolutely essential, and I'm enthusiastic about
4 this bill and, of course, any absolute declaration has to have valid
5 exceptions, and this is certainly one. I hope this side supports this
6 bill.

7 PRESIDENT:

8 Any further discussion? Senator Graham.

9 SENATOR GRAHAM:

10 I'm going to support this bill too, but I had hoped that some
11 consideration would have been given to the Judicial District of Kane
12 and Lake. I think it could have been worked out, however, the judge
13 from that area was so interested that he called me sometime today.
14 Senator Rock has held off as long as he could for me trying to nego-
15 tiate some kind of a proposed amendment for this. Time hasn't availed
16 itself, availed us for this opportunity to do this job, and I want
17 to thank Senator Rock for being so considerate and if, I guess, the
18 people back home find out the impossible takes longer than five
19 minutes. Thank you, Senator Rock.

20 PRESIDENT:

21 Senator Knuppel.

22 SENATOR KNUPPEL:

23 Well, I'm sure you need the judges, and I'm going to vote for
24 the legislation. However, I'm not so enthusiastic about it because
25 what generally happens, I remember Senator Cherry, what generally
26 happens is you pass some legislation like this, and we lose three or
27 four good Senators from Cook County.

28 PRESIDENT:

29 Thank you, judge. Senator Demuzio.

30 SENATOR DEMUZIO:

31 Would the sponsor yield to a question?

32 PRESIDENT:

33 He indicates he'll yield.

1 SENATOR DEMUZIO: *

2 What's the...what is the cost of this...this continuing program?

3 PRESIDENT:

4 Senator Rock. Senator Nimrod, give Senator Rock a chance to
5 answer Senator Demuzio's question which is, what is the cost of this
6 continuing program.

7 SENATOR ROCK:

8 The...the cost will be after...after these now authorized posi-
9 tions are, in fact, filled by general election in 1976, and are sworn
10 in in December of '76, the cost will be thirty-four times whatever the
11 judicial salary is.

12 PRESIDENT:

13 Senator...oh, Senator Demuzio has another question.

14 SENATOR DEMUZIO:

15 Well, I just hope that the court acts on these judges a lot
16 faster than they've been acting on the judge vacancy that we've had
17 in Macoupin County since last October because if they don't, all you're
18 going to do is just return the money to the General Assembly anyway.

19 PRESIDENT:

20 Any further discussion? The question is shall House Bill 2625
21 pass. Those in favor vote Aye. Opposed Nay. The voting is open.
22 Have all voted who wish? Take the record. On this question, the Ayes
23 are 47, the Nays are 4, with none Voting Present. House Bill 2625
24 having received the constitutional majority is declared passed. House
25 Bill 2627, Senator Carroll.

26 SECRETARY:

27 House...House Bill 2627.

28 (Secretary reads title of bill)

29 3rd reading of the bill.

30 PRESIDENT:

31 Senator Carroll.

32 SENATOR CARROLL:

33 Thank...thank you, Mr. President...excuse me, and members of

1 the Senate. House Bill 2627, as I think we all know, is a two part
2 bill. Part one directs the Department of Mental Health and Develop-
3 mental Disability under the Civil Administrative Code that they shall
4 have the power to provide mental health care for persons incarcerated
5 in county jails and penal institutions. As you know, we passed the
6 companion bill to that a couple days ago which the Sun Times editorial-
7 ized on today that said that the local units of government should have
8 the right to demand that type of service from the Department of Mental
9 Health and Developmental Disabilities. The other part of the bill in
10 the Civil Administrative Code deals with another area of government
11 that needs to redress a grievance, and that is providing for the
12 collectability of compatible taxes by the State Department of Revenue
13 as opposed to the unit of local government, and that the State
14 Department of Revenue shall determine what is compatible and shall
15 establish a schedule for the collection of those taxes. The point
16 being that there's a savings of money when one group does it and fits
17 it into its existing personnel, than if both groups have to do it, and
18 have to provide the additional manpower to collect a compatible tax.
19 And I would suggest to some of the members of our Body, such as
20 Senator Mitchler et al, that when you're dealing with things such as the
21 cigarette tax, it's a lot easier to have one department affixing the
22 tax and therefore the stamp and collecting this compatible tax and
23 returning the local government's portion back to it after charging
24 that local government the cost of collecting it. I would ask for a
25 favorable roll call and be willing to answer questions.

26 PRESIDENT:

27 Senator Netsch.

28 SENATOR NETSCH:

29 Mr. President, this bill is only slightly better than it was
30 originally. I would still point out that the amendment is totally
31 irrelevant to the original subject matter of the bill, and while I
32 can see we've had a parliamentary ruling on that, I think that the sub-
33 stance is still as valid as it was when the point was first raised.

1 Secondly, while there have been a few improvements made in this, it
2 seems to me, it does not really get to the heart of the objection to the
3 Carroll Amendment, and that is not that the State should not be in
4 a position to collect local taxes when there is, in fact, a saving
5 when they are, in fact, identical taxes and when there is a...a proper
6 allocation of the legal enforcement responsibilities which I think his
7 amendment does not adequately deal with. But it seems to me that the
8 "compatibility" ...meaning is really not enough because, ...even
9 though the department is theoretically given the power to rule on
10 compatibility, the pressures, including perhaps court suits that will
11 be brought upon it to force it to collect local taxes, may be pressures
12 too strong to withstand. And if the taxes are merely compatible but
13 not, in fact, piggybacked, then it is not at all clear that there will
14 be a savings in administrative and enforcement costs because the...
15 it is only when you have identical taxes and can have duplicate record
16 keeping that you do, in fact, have that kind of savings in the cost
17 of administration. So, that it seems to me that the objections not in
18 abstract principle but, in fact, on this amendment that were raised
19 earlier are almost as valid now as they were then, and this bill still
20 needs a great deal of work. I would urge a No vote.

21 PRESIDENT:

22 Senator Wooten.

23 SENATOR WOOTEN:

24 Well, Mr. President and colleagues, I would merely point out that
25 what began life on our Calendars, a simple vehicle bill, is now
26 equipped with wings, engine, tank, treads, bumpers, everthing, and I hope
27 that it is now so heavily weighted that it simply will not fly out
28 of here.

29 PRESIDING OFFICER (SENATOR ROCK):

30 Senator Carroll.

31 SENATOR CARROLL:

32 To close...

33 PRESIDING OFFICER (SENATOR ROCK):

1 Any further discussion? Senator Carroll may close the debate.

2 SENATOR CARROLL:

3 Thank you, Mr. President and members of the Body. I would only
4 repeat to you as to that provision that has been debated as to one
5 of the comments about nonpiggyback type taxes, and although I won't
6 take umbrage with the language used, the facts are that when the costs
7 are related back to the units of government, no unit of government is
8 going to pay more to have it done by the State than it would cost
9 itself to do it. That's the whole purpose of this, but save a little
10 money for all of the units of taxing and try and keep the taxes down
11 in a very sane and sensible way. I would urge to the Body that this
12 is outstanding legislation and would seek a favorable roll call.

13 PRESIDING OFFICER (SENATOR ROCK):

14 The question is shall House Bill 2627 as amended pass. Those
15 in favor will vote Aye. Those opposed will vote Nay. The voting is
16 open. Have all voted who wish? On that question, the Ayes are 24...
17 oh, take the record. Senator Carroll requests that this bill be
18 placed on the order of Consideration Postponed. So ordered. 2720,
19 Senator Wooten. Are you going to bring...bring it back? Senator
20 Wooten.

21 SENATOR WOOTEN:

22 Mr. President and colleagues, I would like to just make a brief
23 statement, then re-refer this to committee. I appreciate the attention
24 and assistance that was given by some members in attempting to solve
25 the problem that this bill attempted to address. I've talked with
26 the House sponsor and have been assured by a couple of people that
27 we can, give it a little time, we can probably achieve the objective
28 we seek in this bill if we just take a little time to work on it. So,
29 I would request that House Bill 2720 be re-referred to the Committee
30 on Agriculture, Conservation, and Energy for consideration in the
31 Fall.

32 PRESIDING OFFICER (SENATOR ROCK):

33 Senator Wooten moves to re-refer House Bill 2720 to committee.

1 All in favor say Aye. Aye. The Ayés have it. Re-referred. 2800.
2 Where's Senator Hall. Oh, I see. Okay. Senator Fawell, 2916.
3 On the order of House Bills on 3rd reading. House Bill 2916.

4 SECRETARY:

5 House Bill 2916.

6 (Secretary reads title of bill)

7 3rd reading of the bill.

8 PRESIDING OFFICER (SENATOR ROCK):

9 Senator Fawell.

10 SENATOR FAWELL:

11 Yes, Mr. President and members of the Senate, this legislation
12 under the amendment which was affixed by the Public Welfare Committee
13 grants to the Department of Public Health the power to establish rules
14 and regulations which will be applicable to all of these State owned
15 and operated facilities which house persons in the custody of the
16 State. Now, this is in regard to the...how these facilities do meet
17 the public health and safety and...requirements as determined by the
18 Department of Public Health. They're not actually binding and appli-
19 cable because the bill sets forth that they'll be report back to
20 the Legislature from which we would be able to determine if any legis-
21 lation would be necessary to...to be able to make mandatory requirements
22 upon them. And I don't believe there's any opposition to the bill
23 that I know of and I'd appreciate a favorable roll call.

24 PRESIDING OFFICER (SENATOR ROCK):

25 Any discussion? Senator Graham.

26 SENATOR GRAHAM:

27 Included in this bill, Senator Fawell, are the penal institutions?

28 PRESIDING OFFICER (SENATOR ROCK):

29 Any further discussion? Senator Don Moore.

30 SENATOR MOORE:

31 Yes, in...in difference to the...the Senator, I see nothing
32 basically with this...wrong with this bill other than again expanding
33 the authority of the Department of Public Health. I don't know when

1 they're going to stop, or whether this was one of their bills, or it
2 was your own, Senator, but I think that there are probably other
3 agencies that could...could enforce these various standards and rules
4 and regulations. I'd have to oppose the bill, Mr. President.

5 PRESIDING OFFICER (SENATOR ROCK):

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

7 SENATOR FAWELL:

8 Yes, well, Senator, the only thing I could say to that, these
9 are public health questions as to the facilities. That is the...the
10 sewage facilities and these basic questions as to whether the facili-
11 ties meet public health. I'd appreciate a favorable roll call.

12 PRESIDING OFFICER (SENATOR ROCK):

13 The question is shall House Bill 2916 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
16 are 19, the Nays are 6, 10 Voting Present. House Bill 2916 having
17 failed to receive a constitutional majority is declared lost. If
18 I may have the attention of the membership, I was informed by the
19 President that we would now proceed back to the front end of the House
20 Bills on 3rd reading, and attempt at least to give the membership a
21 run at those bills which were not, in fact, called the first time around.
22 The...the bills in the three thousand series are committee bills, and
23 as such, are exempt from today's deadline. So, my understanding is
24 that we are to proceed to the order of House Bills on 3rd reading
25 commencing at number three, go down the Calendar right again to the
26 end, and there's a good chance we will probably not get back until
27 later, if at all. Okay. House Bills on 3rd reading. House Bill 3,
28 Senator Lemke...Senator Hynes, for what purpose do you arise?

29 SENATOR HYNES:

30 Mr. President, we...we passed two bills that I have on the Calen-
31 dar and with leave of the Senate, I'd like to bring one of them back
32 to 2nd reading for the purpose of offering an amendment.

33 PRESIDING OFFICER (SENATOR ROCK):

1 I'm sorry, Senator Hynes. I was distracted here. Which bill
2 do you want to bring back?

3 SENATOR HYNES:

4 House...House Bill 2558.

5 PRESIDING OFFICER (SENATOR ROCK):

6 Oh, that's the one you...you were off the Floor. Senator Hynes
7 seeks leave to move House Bill 2558 back to the order of 2nd reading
8 for the purpose of an amendment. On the order of House Bills on 2nd
9 reading. House Bill 2558, Senator Hynes.

10 SENATOR HYNES:

11 An amendment was adopted yesterday to which Senator Carroll
12 had, I think, some well pointed objections, and I would like to move
13 to reconsider the vote by which that amendment was adopted.

14 PRESIDING OFFICER (SENATOR ROCK):

15 You move to reconsider the vote by which Amendment No. 1 was
16 adopted. All those in favor signify by saying Aye. Those Opposed.
17 The Ayes have it. The vote is reconsidered.

18 SENATOR HYNES:

19 I would move to Table Amendment No. 1.

20 PRESIDING OFFICER (SENATOR ROCK):

21 Senator Hynes now moves to Table Amendment No. 1 to House Bill
22 2558. All those in favor signify by saying Aye. All those Opposed.
23 The Ayes have it. The amendment is Tabled.

24 SENATOR HYNES:

25 I would now offer Amendment No. 2 which is substantially the
26 same as Amendment No. 1 except it does tighten up the...the language,
27 and it provides that the grants would apply only to the rehabilitation
28 of single family residential properties in amount not to exceed
29 one thousand dollars. And I move the adoption of the amendment.

30 PRESIDING OFFICER (SENATOR ROCK):

31 Senator Hynes...any discussion? Senator Hynes has moved the
32 adoption of Amendment No. 2 to House Bill 2558. All those in favor
33 signify by saying Aye. All those Opposed. The Ayes have it. The

1 amendment is adopted. Any further amendments? 3rd reading. Alright,
2 Gentlemen, my understanding now is that we will commence at House Bill
3 3 and go down the Calendar on...for one last go around of those sub-
4 stantive bills. Under the Joint Rules, today is the day. Additionally,
5 I am informed that the President has, in fact, ordered dinner. It
6 will be served in his office as...as it was served yesterday evening.
7 House...House Bills on 3rd reading. House Bill 3.

8 SECRETARY:

9 House Bill 3.

10 (Secretary reads title of bill)

11 1st...3rd reading of the bill.

12 PRESIDING OFFICER (SENATOR ROCK):

13 Is there...do you...you...is there an amendment for this, Senator
14 Lemke? Senator Lemke.

15 SENATOR LEMKE:

16 I...there's an amendment, but I understand, that hasn't been
17 distributed. So, can we hold this for awhile?

18 PRESIDING OFFICER (SENATOR ROCK):

19 Whose...whose amendment is it?

20 SENATOR LEMKE:

21 Mine.

22 PRESIDING OFFICER (SENATOR ROCK):

23 Can you...can you just explain it?

24 SENATOR LEMKE:

25 Well, what we...what we're doing here under amendment...on this
26 bill...

27 PRESIDING OFFICER (SENATOR ROCK):

28 Well, wait a minute. Let's get in the right order. Senator
29 Lemke seeks leave to move House Bill 3 back to the order of 2nd read-
30 ing for the purpose of an amendment. Is leave granted? So ordered.
31 On the order of House Bills on 2nd reading. House Bill 3. Amendment
32 No. 1 offered by Senator Lemke.

33 SENATOR LEMKE:

1 Amendment No. 1 to House Bill 3 amends the Act, strikes every-
2 thing but the enacting clause, and it puts thereon there a provision
3 to put franchisers and distributors under the Act to...for liability
4 in case the franchisee or lessee does not have insurance. I ask for
5 adoption of the amendment.

6 PRESIDING OFFICER (SENATOR ROCK):

7 Any discussion? Senator Lemke moves the adoption of Amendment
8 No. 1 to House Bill 3. All those in favor signify by saying Aye.
9 All those Opposed. The Ayes have it. The amendment is adopted. Any
10 further amendments? 3rd reading. I think in fairness, we'll wait
11 a little...Senator Lemke, we'll...we'll wait a few minutes before we
12 call that one to give them a chance to take a look at that. Senator
13 Graham, for what purpose do you arise?

14 SENATOR GRAHAM:

15 Where are we with...with House Bill 3 right now?

16 PRESIDING OFFICER (SENATOR ROCK):

17 Well, the...the amendment has been offered and...

18 SENATOR GRAHAM:

19 I couldn't hear...

20 PRESIDING OFFICER (SENATOR ROCK):

21 I appreciate that. Having a little difficulty my...

22 SENATOR GRAHAM:

23 We're having a caucus.

24 PRESIDING OFFICER (SENATOR ROCK):

25 Right. The amendment was offered and adopted and Senator Lemke
26 has agreed to hold that bill to give you adequate time to take a look
27 at it. Okay?

28 SENATOR GRAHAM:

29 That's good. Thank you very much.

30 PRESIDING OFFICER (SENATOR ROCK):

31 You will...you will not...yeah, right.

32 SENATOR GRAHAM:

33 It's a sizable amendment. Thank you.

1 PRESIDING OFFICER (SENATOR ROCK):

2 Yes, Sir. Yes, Sir, that is correct. House Bill...House Bills
3 on 3rd reading. House Bill 2558. Mr. Secretary. This bill was just
4 amended. Senator Hynes had leave to get back to that order.

5 SECRETARY:

6 House Bill 2558.

7 (Secretary reads title of bill)

8 3rd reading of the bill.

9 PRESIDING OFFICER (SENATOR ROCK):

10 Senator Hynes.

11 SENATOR HYNES:

12 As amended, this bill would allow the Illinois Housing Develop-
13 ment Authority to make grants to nonprofit entities for the purpose
14 of...rehabilitating single family residential properties. It is an
15 important bill to combat an increasing problem all over the State.
16 The problem has been created in great part by the failure of Federal
17 housing developments in the single family area. The...there are many
18 communities in which houses have been abandoned but yet are basically
19 in the position to be corrected and rehabilitated. The communities
20 have, in many cases, put together not-for-profit corporations which
21 attempt to rehabilitate...rehabilitate these homes with the assistance
22 of an IDA loan. Unfortunately, IDA's regulations do not permit a loss
23 to be sustained in any of these transactions, and this would provide
24 a fund of one hundred thousand dollars which would hopefully be in the
25 nature of a revolving fund to allow a small loss to be taken on each of the
26 transactions. One thousand dollars is the maximum loss that could
27 be involved, the grant that could be made by IDA to the community
28 organization. I think it's a desirable piece of legislation, and I
29 would seek your support. Be happy to answer any questions.

30 PRESIDENT:

31 Any further discussion? The question is shall House Bill 2558
32 pass. Those in favor vote Aye. Opposed Nay. The voting is open.
33 Have all voted who wish? Take the record. On this question, the

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1 Ayes are 43, the Nays are none, with 4 Voting Present. House Bill
2 2558 having received a constitutional majority is declared passed.
3 For what purpose does Senator Hynes arise?

4 SENATOR HYNES:

5 There's a companion bill that's the next number, 2559.

6 PRESIDENT:

7 Senator Hynes. House Bill 2559, read the bill.

8 SECRETARY:

9 House Bill 2559.

10 (Secretary reads title of bill)

11 3rd reading of the bill.

12 PRESIDENT:

13 Senator Hynes.

14 SENATOR HYNES:

15 This is the appropriation bill for the bill we just passed.

16 PRESIDENT:

17 The question is shall House Bill 25...Senator Harber Hall.

18 SENATOR HALL:

19 Irrespective of the fact that the previous bill passed over-
20 whelmingly, I want to point out this is a new program, new expenditure
21 of funds.

22 PRESIDENT:

23 The question is shall House Bill 2559 pass. Those in favor will
24 vote Aye. Opposed Nay. The voting is open. Have all voted who wish?
25 Take the record. On this question, the Ayes are 48, the Nays are 3,
26 with none Voting Present. House Bill 2559 having received a consti-
27 tutional majority is declared passed. House Bill 44, Senator Kenneth Hall

28 SECRETARY:

29 House Bill 44.

30 (Secretary reads title of bill)

31 3rd reading of the bill.

32 PRESIDENT:

33 Senator Kenneth Hall.

1 registered beauty culturists. I'd ask your most favorable support of
2 the bill.

3 PRESIDENT:

4 Any discussion? The question is shall House Bill 45 pass. Those
5 in favor vote Aye. Opposed Nay. The voting is open. Have all voted
6 who wish? Take the record. On this question, the Ayes are 22, the
7 Nays are 19, with 4 Voting Present. House Bill 45 having received...
8 failed to receive a constitutional majority is declared lost. House
9 Bill 222, Senator Newhouse. Senator Newhouse. Read the bill. House
10 Bill 222. For what purpose does Senator Buzbee arise?

11 SENATOR NEWHOUSE:

12 Mr. President, I'd like to call House...House Bill 222 back to
13 2nd reading for purpose of amendment. I'd like unanimous leave for that
14 purpose.

15 PRESIDENT:

16 Is leave granted? Leave is granted. House Bill 222 is on the
17 order of 2nd reading. Senator Newhouse is recognized. Or does...
18 Senator Buzbee have the amendment? Senator Buzbee is recognized.

19 SENATOR BUZBEE:

20 Mr. President, having voted on the prevailing side on Amendment
21 No. 1, I now wish to reconsider the vote by which Amendment No. 1
22 passed.

23 PRESIDENT:

24 You heard the motion. All in favor will say Aye. Opposed Nay.
25 The motion carries. Senator...Senator Buzbee.

26 SENATOR BUZBEE:

27 Now, Mr. President, I offer what I believe is Amendment No. 3.

28 PRESIDENT:

29 No, we have to first...you're going to Table it.

30 SENATOR BUZBEE:

31 Oh, I now wish to Table Amendment No. 1.

32 PRESIDENT:

33 All in favor say Aye. Opposed Nay. Amendment No. 1 is Tabled.

1 Senator Buzbee.

2 SENATOR BUZBEE:

3 I now offer Amendment No. 3, I believe. Is that right, Mr.
4 Secretary?

5 PRESIDENT:

6 That is correct.

7 SENATOR BUZBEE:

8 And Amendment No. ...

9 PRESIDENT:

10 Explain the amendment.

11 SENATOR BUZBEE:

12 Amendment No. 3 does basically what Amendment No. 1 does except
13 that it deletes the first three lines of Amendment No. 1, and what
14 we did was that we...put a requirement of three years in instead of
15 one year in Amendment No. 1, found that we were excluding some people
16 from the system by doing that, and went back to the original language
17 of the old Act. So, we have now included those people again, and I
18 would move the adoption of Amendment No. 3.

19 PRESIDENT:

20 Is there discussion? Senator Buzbee moves the adoption of
21 Amendment No. 3 to House Bill 222. All in favor say Aye. Opposed Nay.
22 Amendment No. 3 is adopted. Any further amendments? 3rd reading.
23 Senator Graham, are you and Senator Lemke ready now on House Bill 3?
24 Oh, Senator Lemke isn't on the Floor. House Bill 378, Senator
25 Kosinski. Senator Kosinski is recognized.

26 SENATOR KOSINSKI:

27 Mr. President and members of the Senate, then I'd like to have leave
28 of the body to bring back Senate Bill 3...House Bill 378 for an amendment.

29 PRESIDENT:

30 Is leave granted? Leave is granted. Senator Kosinski.

31 SENATOR KOSINSKI:

32 That's all this...

33 PRESIDENT:

1 ...Senator Kosinski.

2 SENATOR KOSINSKI:

3 That's all this amendment does is...it's a technical amendment as far
4 as effective date, it takes effect upon becoming law if it should pass.

5 PRESIDENT:

6 Senator Kosinski moves adoption of Amendment No. 1 to House Bill
7 378. All in favor say Aye. Opposed Nay. The amendment is adopted.
8 Any further amendments? 3rd reading. House Bill 396, Senator Kenneth
9 Hall. Just hold it a minute, Senator Hall. We're going back to House
10 Bill 222, Senator Newhouse.

11 SECRETARY:

12 House Bill...House Bill 222.

13 (Secretary reads title of bill)

14 3rd reading of the bill.

15 PRESIDENT:

16 Senator Newhouse.

17 SENATOR NEWHOUSE:

18 Thank you, Mr. President, Senators. Senators, this came out
19 of Pensions Committee with a vote of eight to six. It takes care of
20 some of those people in the...in the...who should be in the Pension
21 Commission who for one reason or another are not. It gives them the
22 opportunity to re-enter with with the payment of the allotment that
23 they would have been required to pay had they been in up to this time.
24 The amendment that Senator Buzbee placed on it has already been
25 explained, and I would answer any questions and ask for a roll call on
26 the bill.

27 PRESIDENT:

28 Any discussion? Senator Harris.

29 SENATOR HARRIS:

30 Well, I rise to call attention to the membership of the fact
31 that a new principle for full qualification of retirement benefits
32 is enacted into the State Employees' Article. It would produce rather
33 than the old actuarily principle of age alone a combination factor

1 between age and years of service. Now, the immediate impact of that
2 as I understand it in consultation with Mr. Weinberg, the...one of the
3 outstanding consulting actuaries that most of us have come to respect
4 as really having a great interest in the long run integrity of these
5 systems indicates to me that the first year liability of this in
6 actual cash payout would probably only amount to a hundred thousand
7 dollars because there are not so very many State employees that would
8 have this combination qualification factor of years of service and
9 age to mesh, so to speak, to reach full retirement privilege as so far
10 as their benefits are concerned. But the actuarial funded cost which
11 is the more accurate method of measuring pension costs would amount
12 to seven hundred forty thousand dollars per year, with an increase in
13 the accrued liability of some eight million two hundred thousand.
14 Now, those are factors calculated as a result of the amendment that
15 has been referred to that really does charge us on a new system of
16 measuring full pension qualification for State employees. I think we
17 should be mindful of this situation rather than the old formula...I'm
18 sorry, the old criteria of having attained a certain age before you
19 begin taking out without penalty for early retirement. I just think
20 that we...we've got to keep in mind, and I think it's our obligation
21 to do those things that will preserve even the present deplorable
22 level of integrity that there is in this system, and to contribute
23 to its possible deterioration is just something that we should not do.

24 PRESIDENT:

25 Senator Rock.

26 SENATOR ROCK:

27 Thank you, Mr. President. I think in fairness to Senator New-
28 house, this is a good bill, and I urge support of it. The amendment
29 to which Senator Harris refers is the amendment which I offered and
30 was, in fact, adopted. And let me point out that I disagree seldom
31 if ever with Mr. Weinberg whose opinion and expertise I certainly
32 respect, but in this particular instance, I think his actuarial pre-
33 mise...premises are...are a little far-fetched. I don't think that

1 there are very many people, as a matter-of-fact, less than a dozen,
2 to whom this supposed newly chartered course would apply. In addition
3 to that, there was an alternative offered from that side of the aisle
4 which, in fact, chartered an even worse course; and one that I, frankly,
5 rejected. I think the...the amendment is good. I think the bill as
6 a whole is good, and I would urge favorable action. I do not think,
7 and I reiterate, I do not think that the...the cost factor is as great
8 as was stated, and I have so indicated to Mr. Weinberg.

9 PRESIDENT:

10 Senator Buzbee.

11 SENATOR BUZBEE:

12 Well, in support of what Senator Rock said, I would point out
13 that the number of employees who would be covered by this particular
14 section would be miniscule because we say that you have to have thirty
15 with at least thirty but less than thirty-five years of service after
16 having attained age fifty-five. So, there are very few employees
17 in the State of Illinois who would fall under that category, and the
18 retirement allowance would then be reduced by one half of one percent
19 for each month that total creditable service of the member computed
20 in months is less than the total number of months contained in thirty-
21 five years of creditable service.

22 PRESIDENT:

23 Senator Soper.

24 SENATOR SOPER:

25 Thank you, Mr. President. It always...it always amazes me when
26 we come to a proposition like this that we're always trying to do
27 something for a few people and...and put a pension plan in jeopardy.
28 Now, this pension is not fully funded. The State hasn't done what
29 it's supposed to do, and to have the State owe more money on this and
30 jeopardize the whole...whole system when you state yourself that it
31 really isn't going to cost anything because it won't...won't take
32 very many people, and it's not going to do anything for anybody, but
33 we ought to do it anyway even though we jeopardize the whole fund.

1 You...you know, it reminds me of a guy that goes out and he wants
2 four ears of corn, a porterhouse steak, beans, and he hasn't got
3 enough money to pay for the beans.

4 PRESIDENT:

5 Any further discussion? Senator Berning. Senator Rock, for
6 what purpose do you arise?

7 SENATOR ROCK:

8 Well, just...just to make the point again. Now, we went through this,
9 I think on another bill. (Machine cut-off)...rise. This bill and
10 others of...of similar nature as in some way jeopardizing the fund.
11 That's just simply inaccurate.

12 PRESIDENT:

13 Any further discussion? Senator Soper...no, Senator Berning.

14 SENATOR BERNING:

15 That's my legal counsel, Mr. President.

16 PRESIDENT:

17 Now, I understand some things.

18 SENATOR BERNING:

19 May...excuse me. May I just make a couple of additional
20 comments on this particular bill as now amended. To say that it
21 application is miniscule is, of course, begging the issue. We do have
22 sixty thousand employees in the State of Illinois, and obviously,
23 there are going to more than a miniscule number who ultimately would
24 benefit by the provisions of this Act with extended periods of service.
25 But just briefly, let me make the point that by completely revising
26 what is at this time and has been the system for computing retirement
27 benefits, this ought to interest you. Under the existing conditions,
28 someone retiring on his fifty-fifth birthday would have a total
29 reduction of thirty percent of pension benefits. That's taking the
30 ...diminution provision that is in effect as compared to retirement
31 on...at age sixty. Amendment No. 2 changes this whole concept and
32 instead it's based on age differences, the reduction being based on
33 the difference in length of service, length of service versus age.

1 The net result would be that someone, anyone, retiring on his fifty-
2 fifth birthday after thirty-three years of service would incur only
3 a twelve percent reduction in pension benefits instead of that thirty
4 percent. Obviously, this is very attractive. I am not to...the one
5 to criticize anyone who seeks a benefit for himself or someone. All
6 of us have a bit of greed in our system, but what this actually does
7 first is emphasize that this formula is prescribed...as prescribed has
8 no actuarial basis, and it's simply an effort to negate the present
9 provisions of all pension codes. This Act would, again, be establish-
10 ing by its bad provisions another precedent to subject us to a
11 continuing round of the same provisions in other systems.

12 PRESIDENT:

13 Your time has expired, Senator. Please bring your remarks to
14 a close.

15 SENATOR BERNING:

16 Thank you.

17 PRESIDENT:

18 For what purpose does Senator Rock arise?

19 SENATOR ROCK:

20 Well, on...on another point of order. I...I...the problem is
21 that Senator Newhouse has a good bill, and the argument seems to be
22 ...about the amendment which I offered and was, in fact, adopted.
23 Senator Berning has thrown up the trial balloon that there are sixty
24 thousand employees. I'm sure he is aware, as we all are, that more
25 than two-thirds of those employees who are potential qualifiers in
26 this system have, in fact, less than five years of service. Addi-
27 tionally, I wish to point out, that amendment does, in fact, call
28 for a reduction, admittedly, the reduction because of the number of
29 years in service, the reduction is taken down from thirty percent to
30 twelve percent. The alternative formula, as a matter-of-fact, as
31 suggested by Senator Berning was thirty-three years at age fifty-five
32 and out with no reduction whatever. So, I think his...his point...
33 his points were not well taken, and I again solicit a favorable vote

1 for House Bill 222.

2 PRESIDENT:

3 The question is shall House Bill 222 pass. Those in favor will
4 vote Aye. Opposed Nay. The voting is open. Have all voted who
5 wish? Take the record. On this question, the Ayes are 37, the Nays
6 are 16, with none Voting Present. House Bill 222 having received a
7 constitutional majority is declared passed. House Bill 378, Senator
8 Kosinski.

9 ACTING SECRETARY (MR. FERNANDES):

10 House Bill 378.

11 (Secretary reads title of bill)

12 3rd reading of the bill.

13 PRESIDENT:

14 Senator Kosinski.

15 SENATOR KOSINSKI:

16 Mr. President and members of the Senate, House Bill 378 amends
17 the Election Code to provide that the county clerk or a board of
18 election commissioners shall, as the case may be, divide the precincts
19 within this county or its jurisdiction with the same legislation dis-
20 trict into as many groups as there are candidates for each office of
21 representatives in the General Assembly in the primary election, and
22 the first group, such names shall be printed in such order as certified
23 by the State Board of Elections. Thereafter, the order for the next round
24 shall be reserved, and such rotation followed as to subsequent groups.

25 PRESIDENT:

26 Have you concluded? Oh, excuse me. Go right ahead, Senator.

27 SENATOR KOSINSKI:

28 The impact...the impact, the elimination of poor ballot positions
29 on voting machines for those candidates whose nominating petitions for
30 representatives were filed at the same time. The purpose of the bill
31 is to avoid candidates losing due to poor ballot position on the voting
32 machine. Since ballot position is now determined largely by lottery,
33 the bill would...negate the effect of chance in unlimited number of cases.

1 Second, the bill would cause expense to election authorities as they
2 would have to prepare multiple additions of absentee ballots, canvass
3 sheets, etc., in legislative districts where this bill applies. Politi-
4 cally, the bill would cause candidates additional expense in contested
5 primaries since a single ballot position could not be printed on cam-
6 paign literature. Either the candidate would be prevented from using
7 his...on the lever number, or he would have to print the multiple addi-
8 tions for his literature and carefully distribute each addition to the
9 proper precincts. This probably favors organized candidates, also, the
10 trained precinct workers to extend the help if...I believe that this is
11 a good bill because it allows candidates to be equally treated within
12 their districts.

13 PRESIDENT:

14 Any further discussion? Senator Wooten.

15 SENATOR WOOTEN:

16 Mr. Chairman and colleagues, when this bill came up for hearing
17 before the Elections Committee, I was assured that it had no impact
18 on my county. I didn't think that was quite right, and I have checked.
19 It has total impact on my county. We also use voting machines and we
20 would be affected by this. I can understand what impels people to
21 want to rotate the positions on the machine, but I submit to you that
22 that would give us an absolute circus in my area. We'd have to put
23 out...a different sample ballots for different precincts. I think it
24 is, as I say, I understand what impels it, but I'm absolutely opposed
25 to going through that kind of rigamarole with the voting machines in
26 my area. I note there are other downstate counties which are affected
27 as well, down around the East St. Louis area, the St. Clair County
28 area. Now, I submit, I've talked to the county clerk in...in my
29 county. We want no part of this.

30 PRESIDENT:

31 Any further...Senator Bloom.

32 SENATOR BLOOM:

33 Thank you, Mr. President. Much as I admire the sponsor, I have .

1 received from the county clerks in Knox, Peoria, Stark and Henry
2 Counties objections much the same as Senator Wooten has gotten them.
3 Do you know how much this would cost, Norbie?

4 PRESIDENT:

5 Senator...Senator Kosinski.

6 SENATOR KOSINSKI:

7 I was just interrupted...

8 PRESIDENT:

9 No, he said do you know how much this would cost.

10 SENATOR KOSINSKI:

11 I don't...I don't know what it would cost. Each...I'm sure that
12 each county would...there would be a difference in what the cost would
13 be, but I think the cost pertaining would be little as to how the
14 candidates are elected, and in all fairness, I think this is the fair-
15 est way of treating candidates who run for office.

16 PRESIDENT:

17 Senator Bloom.

18 SENATOR BLOOM:

19 Well, I appreciate that, and...and I'm...I'm sympathetic to the
20 intent, but as I said, the county clerks of Knox, Peoria, Stark, and
21 Henry County have written me opposing it. So, there's a lot of oppo-
22 sition within the district. Thank you.

23 PRESIDENT:

24 Senator Newhouse.

25 SENATOR NEWHOUSE:

26 Would the sponsor yield to a question please?

233.
27 PRESIDENT:

28 He indicates he will.

29 SENATOR NEWHOUSE:

30 Senator, if...if...does this mean that in the future a candidate
31 can't say I'm on line 5a and be assured that those who vote on that
32 method would understand that and they would...

33 PRESIDENT:

1 This relates only to legislative candidates. Is that correct,
2 Senator?

3 SENATOR KOSINSKI:

4 Strictly legislative candidates, yes. Only for representatives.

5 PRESIDENT:

6 Senator Newhouse.

7 SENATOR NEWHOUSE:

8 Yeah, but...but you didn't answer the question. This means that
9 a candidate will no longer have a key number.

10 PRESIDENT:

11 Senator Kosinski.

12 SENATOR KOSINSKI:

13 See if they can't fit on one line.

14 PRESIDENT:

15 Any further discussion?

16 SENATOR KOSINSKI:

17 That...that's right. The key changes and it rotates.

18 PRESIDENT:

19 Senator Davidson.

20 SENATOR DAVIDSON:

21 Mr. President and members of the Senate, my good friend, Senator
22 Kosinski, has really got a hold of a bad bill. This bill is going to
23 increase the cost not only to the Election Commission, but let's talk
24 about the cost to the candidate. The candidate will not be able to campaign
25 throughout the district where this applies, and it does not apply in this
26 district, thank goodness, but you will not be able to campaign through-
27 out the district that to punch number so and so, or what position on
28 the ballot. He will have to tailor his ballot and his work indivi-
29 dually to each precinct where he is on the ballot in that precinct
30 cause that's what this is all about. This is going to rotate the can-
31 didates for State Representative primary, if there's one, two,
32 three or four or five, every fifth or time they're going to roll around,
33 he'll be first. The others, he'll be second, third or fourth. This is

1 going to be a tremendous amount of expense to the Election Commission
2 which has to deal with this. It's also going to have tremendous amount
3 of expense to any candidate who's trying to put together a viable candi-
4 dicate when he has to put his literature tailored to individual pre-
5 cincts, and all he has to do is get mixed up in the wrong precinct and
6 then he'll have the people trying to find him on the wrong place on
7 the ballot. This legislation I think is unneeded, and I urge all of
8 you to vote No.

9 PRESIDENT:

10 The Chair would admonish you that we have a lot of bills, and...
11 Senator Howard Mohr.

12 SENATOR MOHR:

13 Yes, Mr. President, I'll be brief. There's been a lot said on
14 this bill. To be honest with you, the thing that concerns me is what
15 could happen to this bill should it leave this Chamber. There is an
16 amendment on it. It could go over to the House. House could non-
17 concur. It probably would, if they could tack the map into that Con-
18 ference Committee, and we'd have a big hassle. I think that the...the
19 map was buried last night. I'd like to insure its burial and vote No
20 on this bill.

21 PRESIDENT:

22 Senator Bruce.

23 SENATOR BRUCE:

24 As much as I hate to oppose a bill of Senator Kosinski's, the
25 President of the County Clerks Association happens to live in my home
26 town and he has called me and indicated this bill is just not meeting
27 with the approval of the County Clerks Association.

28 PRESIDENT:

29 Senator Kosinski...Senator Nudelman.

30 SENATOR NUDELMAN:

31 I really had thought, Mr. President, that this bill would pass
32 this Body by a vote of something like forty-two or forty-three to
33 nothing because the other fellows would be doing something else rather

1 than pushing their button because it should be unanimous. This bill
2 is merely a bill to create a fair and equitable situation in an election.
3 I think the...the membership will remember the last election where one
4 or two people who seemed to be a shoo-in lost in the primary for the
5 simple reason that their names were placed on the fourth or fifth lines
6 throughout and the voters who wanted to vote for them were unable to
7 find their names, and we all have been apprised that the top line is
8 worth something by...in the nature of a ten percent addition on the vote.
9 In order to be fair to all candidates running so that the lottery
10 system would not...would not take hold and that somebody pulling the
11 name, number...pulling the number one spot out of the lottery would
12 automatically get an additional number of votes. This...this bill
13 should pass so that each candidate for office would have an equal
14 chance at getting the top spot and so on down the line and an equal
15 number of precincts so that nobody would have an advantage over another,
16 and the people would have an opportunity to vote for the real candidate
17 of their choice. I commend this bill to you, and I would suggest an
18 Aye vote.

19 PRESIDENT:

20 The question is shall House Bill 378 pass. Those in favor will
21 vote Aye. Opposed Nay. The voting is open. Have all voted who wish?
22 Have all voted who wish? Senator...Senator Kosinski.

23 SENATOR KOSINSKI:

24 Postpone...

25 PRESIDENT:

26 Postponed Consideration. House Bill 3, Senator Lemke. House
27 Bill 396, Senator Kenneth Hall.

28 SECRETARY:

29 House Bill 396.

30 (Secretary reads title of bill)

31 3rd reading of the bill.

32 PRESIDENT:

33 Senator Kenneth Hall.

1 SENATOR HALL:

2 Thank you, Mr. President and fellow members of the Senate. I'd
3 like to say at the outset that House Bill 396 has undergone a major
4 revision. There have been a number of amendments put on to shape it
5 up, to tighten it up, and we have also, I've gotten word from the
6 House sponsor now, that House Bill 2454, which was the appropriation
7 will not be needed. So, in this shape, the reason that we must have
8 396 is that the Federal Government, that she has been assured that there
9 are funds available, if we can get this type of legislation enacted by
10 the State where the Federal Government will send to the State monies
11 to carry on such projects like that. Now, this will create the Illi-
12 nois Depressed Land Use and Community Development Authority. It would
13 serve its public developers in conjunction with private enterprise and
14 local citizens and governmental agencies to carry out a comprehensive
15 community development in depressed areas. This is vitally needed
16 throughout the country. This is vitally needed in our own State,
17 Illinois. It will be and this...now, we find out that we do not need
18 the five hundred thousand dollars which on a bill that is on 2nd read-
19 ing. So, I'd be glad to answer any questions, and I would ask your
20 most favorable support for this bill.

21 PRESIDENT:

22 Senator Vadalabene.

23 SENATOR VADALABENE:

24 Yes, thank you, Mr. President and members of the Senate. This
25 is a good bill, and I rise in support of Senator Hall on House Bill
26 396. This bill introduces a new approach to the problem of the urban
27 environment, and I feel that the State should set up a special authority
28 that comes up with a total redevelopment plan for the depressed area.
29 The State can, through the authority, serve as a coordinator of the
30 activities of various State and Federal agencies, efforts to help
31 these depressed areas. This bill carefully ties in control of the
32 planning and implementation process by local citizens, and I encourage
33 my colleagues on both sides of the aisle to support House Bill 396.

1 PRESIDENT:

2 Any further discussion? Senator Regner.

3 SENATOR REGNER:

4 Yes, I have no questions. I would just like to explain the bill
5 further and why it is a bad bill and should be defeated. This bill
6 would create what appears to be a State agency with the authority to
7 contract for and construct buildings which could be used for public
8 and private purposes, plan for the reconstruction of blighted areas,
9 implement the plans prepared, and enforce ordinances and regulations
10 promulgated by the authority, and the authority is an appointed
11 authority. In Section 5.02 of the bill, it gives the administrator
12 hired by the board of the authority the responsibility to enforce all
13 rule...all rules, regulations and resolutions promulgated by the
14 authority. This could be a very...very rather expensive grant of
15 power to an appointee of appointees. Section 4(a), it may prohibit
16 private developers from operating in those areas defined as blighted.
17 Environmentally, all inclusive, says depressed areas not defined any-
18 where in the bill.

19 PRESIDENT:

20 Could we have some order please. Continue, Senator Regner.

21 SENATOR REGNER:

22 In Section 607, the bill gives the authority created in this
23 bill the ability to refund bonds issued by the local governor...govern-
24 ments without any limit at all. An item like this could bankrupt the
25 State, the Treasury, or this board. Now, we go one step further, and in
26 Section 8, and this is combined with above, states that bonds issued
27 by the authority which would be created in this bill are not subject
28 to referendum. Now, in Section 6.10, it requires the authority created
29 in this bill to review all State, Federal, local policy that would
30 affect the rather expansive duties of the authority created in this
31 bill. And now...again, another very, very large level of bureaucracy.
32 In Section 6.11, this would give the authority created in the bill
33 the option of purchasing properties at any price to meet...to meet it

1 for any function. Simultaneously, the authority is given the option
2 to sell any land at less than the acquisition price. Now, these are
3 just a few of the items that are contained in this bill. I would say
4 if it passes, we're setting a horrible precedent and a precedent that
5 could bankrupt the State and cost us untold amounts of tax dollars,
6 and this bill should be soundly defeated.

7 PRESIDENT:

8 Any further discussion? Senator Morris.

9 SENATOR MORRIS:

10 I rise in support of this bill. We heard this in the Local
11 Government Committee, a subcommittee studied it, and found that
12 the concept involved and the way this bill is structured will do a
13 long...go a long way in solving the problems of the blighted communi-
14 ties, and I would urge every member of this Chamber whose concern for
15 renewing the communities that we have, to vote in favor of this bill.

16 PRESIDENT:

17 Any further discussion? Senator Nimrod.

18 SENATOR NIMROD:

19 Well, Mr. President, I just have a question or two to ask the sponsor.

20 PRESIDENT:

21 He indicates he'll yield.

22 SENATOR NIMROD:

23 Senator Hall, we have a couple of bills that have passed through
24 here for redevelopment of blighted areas, for redevelopment of indus-
25 trial areas. Senator Welsh's bill last year and the one before that
26 that I had, this...and...and what I'm...should we then allow bonds
27 to be sold and provisions to do some of the things you're talking about.
28 Are there some things that you want to do that existing legislation
29 does not provide for? Is there some reason you have to go into this?
30 Now, I've read a lot of this bill that Representative Younge had given
31 to me, and I...I just was wondering, I noticed there's a lot of dupli-
32 cation of those particular laws.

33 PRESIDENT:

1 Senator Kenneth Hall.

2 SENATOR HALL:

3 I think you went to the core of it, Senator. This agency will
4 coordinate these agencies, and that's the purpose of it. It would do
5 exactly that.

6 PRESIDENT:

7 Senator Nimrod.

8 SENATOR HALL:

9 And plan, I might say.

10 SENATOR NIMROD:

11 Yeah, the...the present legislation provides for the local
12 governments to go ahead and enact in cooperation with the private
13 industry or by themselves to do many a things you want to do. Now,
14 we're setting up another agency that is just going to compete with
15 the local governments. That's the only thing I'm concerned with.

16 PRESIDENT:

17 Senator Kenneth Hall.

18 SENATOR HALL:

19 Well, the purpose of that, Senator, is that the State level here
20 needs to work with the local agencies, and that's what we're trying to get.

21 PRESIDENT:

22 Any further discussion?

23 SENATOR HALL:

24 We're having trouble getting coordination between these things,
25 and I would just like to say, Senator...

26 PRESIDENT:

27 Senator Hall may close the debate.

28 SENATOR HALL:

29 In closing, just an answer to Senator Regner that this will serve
30 as, of course, the reason for a comprehensive thing like this and the
31 reason for the depressed area is what is depressed areas, blight?
32 It's unemployment, and we need something like this, and...and second,
33 in answer to his last question there that anything that is developed

1 must come back here to this Body. It must come back to the General
2 Assembly, and we're not asking for any money now, we're getting...
3 we're...we're hopeful of getting these Federal programs. So, I'd just
4 like to leave that with you, and would like to ask for your most
5 favorable support of this bill.

6 PRESIDENT:

7 The question is shall House Bill 396 pass. Those in favor will
8 vote Aye. Opposed Nay. The voting is open. Have all voted who
9 wish? Take the record. On this question, the Ayes are 33, the Nays
10 are 14, with none Voting Present. House Bill 396 having received a
11 constitutional majority is declared passed. Senator Regner, for what
12 purpose do you arise? A verification has been requested. Will the
13 members be in their seats. The Secretary will call the negative...or
14 the affirmative vote.

15 SECRETARY:

16 The following voted in the affirmative:

17 Brady, Bruce, Buzbee, Carroll, Course, Daley, Davidson, Demuzio,
18 Donnewald, Dougherty, Egan, Kenneth Hall, Hickey, Hynes, Johns, Joyce,
19 Knuppel, Kosinski, Lemke, McCarthy, Morris, Netsch, Newhouse, Nudelman,
20 Palmer, Rock, Romano, Savickas, Smith, Vadalabene, Welsh, Wooten,
21 Mr. President.

22 PRESIDENT:

23 Senator Regner.

24 SENATOR REGNER:

25 Senator Buzbee.

26 PRESIDENT:

27 He's on the Floor.

28 SENATOR REGNER:

29 Romano.

30 PRESIDENT:

31 He's on the Floor.

32 SENATOR REGNER:

33 Senator Palmer.

1 PRESIDENT:
2 Is Senator Palmer on the Floor? Take...strike him from the roll
3 call.
4 SENATOR REGNER:
5 Senator Johns.
6 PRESIDENT:
7 Senator Johns on the Floor? Strike him from the roll call.
8 SENATOR REGNER:
9 Senator Egan.
10 PRESIDENT:
11 Senator Egan is right here.
12 SENATOR REGNER:
13 Senator Netsch.
14 PRESIDENT:
15 Senator Netsch on the Floor? Strike him from the roll call.
16 The roll call has been verified. There are thirty Ayes, and fourteen
17 Nays. House Bill 396 is declared passed. House...Senator Morris
18 moves to reconsider. Senator Carroll moves to Table. All in favor
19 will say Aye. Opposed Nay. The Ayes have it. House Bill 439, Senator
20 Dougherty. That's 449. Senator Dougherty.
21 SENATOR DOUGHERTY:
22 Mr. President, I would like to have leave to call this bill back
23 to the order of 2nd reading...reading for the purpose of an amendment.
24 PRESIDENT:
25 Is there leave? Leave is granted. Senator Dougherty.
26 SENATOR DOUGHERTY:
27 Thank you, Mr. President. The...amendment I have to offer, I
28 would move to Table Amendment...move to Table Amendment No. 1 to
29 Senate...House Bill 449.
30 PRESIDENT:
31 Senator Dougherty moves to reconsider the vote by which Amendment
32 No. 1 was adopted. All in favor will say Aye. Opposed Nay. The
33 motion is under reconsideration. Senator Dougherty moves to Table

1 Amendment No. 1. All in favor will say Aye. Opposed Nay. The amend-
2 ment is Tabled. Senator Dougherty is recognized.

3 SENATOR DOUGHERTY:

4 -- Amendment No. 5 as proposed, it's...the Clerk has copies on his
5 desk there. It provides, as I said, for the amendment of number...for
6 the Table Amendment No. 1 and move the adoption of No. 5. The Amend-
7 ment No. 5 lowers the qualifying rate for both equalization grants,
8 and per capita grants from thirteen cents to fourteen point five
9 cents. It also delays the effective date of the Act to July the 1st,
10 1976. Further, it allows nonlibrary systems to participate. As for
11 the qualifying rate as...as grant is at thirteen cents. It will
12 remain at thirteen cents as will all other qualifying rates. And the
13 amount that will be allowed will be four dollars and twenty-five cents
14 instead of five-fifty in order to...to sustain the same...of funds
15 ...rate of funding. I think it's a good amendment. I've talked it
16 over with...fellows on the other side of the aisle, submitted to their
17 staff. This deal...this amendment has been given a great deal of study
18 and I move its adoption.

19 PRESIDENT:

20 Senator Dougherty moves the adoption of Amendment No. 5. Any
21 discussion? All in favor say Aye. Opposed Nay. Amendment No. 5 is
22 adopted. Any further amendments? 3rd reading. House Bill 474,
23 Senator Knuppel. Read the bill.

24 SECRETARY:

25 House Bill 474.

26 (Secretary reads title of bill)

27 3rd reading of the bill.

28 PRESIDENT:

29 Senator Knuppel.

30 SENATOR KNUPPEL:

31 Mr. Chairman, this is a bill we...debated last night when I
32 amended it. It's a bill that provides that teachers who are on retire-
33 ment need only have been married one year before their separation as

1 presently three years or if retired be after the...after the 30th of
2 September, 1975, have been married one year to their surviving spouse.
3 This is good legislation for the benefit of retired teachers, and I
4 would solicit a favorable roll call from the members of this Body.

5 PRESIDENT:

6 Any further discussion? Senator Berning.

7 SENATOR BERNING:

8 Thank you, Mr. President. It may be good legislation for some
9 few individuals, but I merely want to tell the Body again, this is
10 another example of bad legislation to meet a particular need and in
11 the end result we're setting a very, very costly precedent that is
12 deteriorating our whole pension funding system. And it is not a bill
13 that ought to be supported. It should not pass.

14 PRESIDENT:

15 Any further discussion? The question is will...shall House Bill
16 474 pass. Those in favor will vote Aye. Opposed Nay. The voting is
17 open. Have all voted who wish? Take the record. On this question,
18 the Ayes are 37, the Nays are 12, with none Voting Present. House
19 Bill 474 having received a constitutional majority is declared passed.
20 For what purpose does Senator Hall arise, Kenneth Hall?

21 SENATOR HALL:

22 I did the usual. I failed to hit my green switch. I...let the
23 record show I would have voted Aye for this bill.

24 PRESIDENT:

25 Let the record so show. Modify that, I think that's unusual.
26 You usually are pretty much on the ball. House Bill 449, Senator
27 Dougherty.

28 SECRETARY:

29 House Bill 449.

30 (Secretary reads title of bill)

31 3rd reading of the bill.

32 PRESIDENT:

33 Senator Dougherty.

1 SENATOR DOUGHERTY:

2 Thank you, Mr. President and this...members of the Senate. House
3 Bill 449 as amended provides this system of grants will continue at
4 the same rate of...of equalization. It provides that there will be
5 no increase in taxes either at any level at...at the continuity of this
6 rate. This is...and postpone the effective rate. For one...the
7 effective date I should say, for one year, will provide a continuity
8 of this system. It provides that other...those libraries other than
9 those...contained within the system may participate under the same grants.
10 This is good legislation. It's been studied very much, and I move the
11 adoption of the bill...

12 PRESIDENT:

13 Senator Clarke.

14 SENATOR CLARKE:

15 Mr. President, we had quite a discussion on this bill in the
16 Revenue Committee. I think one of the fatal flaws in this bill aside
17 from the fact that's it's a new program, and I question whether the
18 State can afford when this is fully funded, the...I don't know just
19 what it is, seven, eight, nine million dollars, is the fact that this
20 is another program where we dangle money out there like the Federal
21 Government does to the State and say you must increase your property
22 tax in order to qualify for this program, and it's, as I recall...
23 understand now, Senator Dougherty, it's from .06 to .13 or a hundred
24 percent increase when it's fully funded, or a year from next July now
25 that you've advanced the date for that property tax increase. And I
26 think that's...really, I think that we should resent it when the
27 Federal Government does it to us, and I don't think we should do it to
28 local government or to the local taxpayers.

29 PRESIDENT:

30 Senator Wooten.

31 SENATOR WOOTEN:

32 First of all, a technical point. If you put in the amendment on
33 Page 2 by striking lines 12, 13, 14 and 15...Page 2, lines 13, 14 and

1 15...now, wait a minute. You strike those lines and by deleting... I
2 don't understand that. I really don't understand what the amendment does.

3 PRESIDENT:

4 Senator Dougherty.

5 SENATOR DOUGHERTY:

6 And on page...you say on Page 2, line 19, by striking...

7 PRESIDENT:

8 Senator Wooten. Senator Wooten...

9 SENATOR DOUGHERTY:

10 ...you're just striking 1975 and insert 1976.

11 PRESIDENT:

12 Senator Wooten.

13 SENATOR WOOTEN:

14 Okay. I...I see now. I thought it didn't make sense. What
15 ...do I understand then that if a library wants to take advantage of
16 this, it's got to raise its rate up to .13?

17 PRESIDENT:

18 Senator Dougherty. He said that's correct, Senator.

19 SENATOR WOOTEN:

20 Are there any library districts currently at .13?

21 PRESIDENT:

22 Senator Dougherty.

23 SENATOR DOUGHERTY:

24 I think there are some that are higher than that. I'm not sure
25 because it all depends upon the individual library districts of which
26 there are three hundred and ninety-four in the State. There are some
27 ...levying higher than that. Yes, there are.

28 PRESIDENT:

29 Senator Wooten.

30 SENATOR WOOTEN:

31 Well, all I can say is it's going to take quite a while for my
32 library districts to come close to qualifying for this. What is...what
33 is the State going to have to put out in monies then to fund this?

1 PRESIDENT:

2 Senator Dougherty.

3 SENATOR DOUGHERTY:

4 I think that Senator Clarke is to...to a degree correct in what
5 he is saying that it could run, and...I...upwards. My fee is around
6 five million, I'm not sure. He could be correct in his calculation.

7 PRESIDENT:

8 Senator Wooten.

9 SENATOR WOOTEN:

10 Well, quite frankly, I've not had time to try to sort it out and
11 make sense of it. These things are difficult to understand at best,
12 but it seems to me that the program is going to cost us some money.
13 It's nothing any of my districts can take advantage of without increasing
14 a levy, and I just don't see the advantages to it.

15 PRESIDENT:

16 Any further discussion? Senator Harber Hall.

17 SENATOR HALL:

18 Well, I have such a high respect for the Senate sponsor of this
19 measure.. I think I have even more respect for him now working for his
20 constituents. As I can...as I compute this bill, Chicago would get
21 without any increase in taxes about five million dollars a year for
22 four years and after that about another five million dollars a year
23 or a little less than five million dollars a year from then on.
24 Wherein the rest of the libraries in the State except with the excep-
25 tion of Springfield would have to raise the...their property tax to
26 get any contribution at all from the State. The total impact to the
27 State is forty-four million dollars in four years and an annual cost
28 of about seventeen million dollars per year after that. Now, I don't
29 ...I...I don't have any brief with library systems. In fact, I think
30 the State of Illinois probably has the finest library system of any
31 State in the country, but why we have to fund individual libraries
32 out of the State Treasury any more than we already do which in this
33 case is doubling the actual cost right now to the State. We pay out

1 about ten million dollars a year for the State Library System. After
2 this, it'll be twenty million...I fail to see...and I'm going to oppose
3 this bill.

4 PRESIDENT:

5 Any further discussion? Senator Nimrod.

6 SENATOR NIMROD:

7 Yes, Mr. President, I think most of the things that we discussed
8 in Revenue Committee have been brought out. I...I just would like to
9 reiterate that. I do think that there was every attempt made to
10 include everyone and to make it a part of this program, and I would
11 have no...normally no objection to Chicago not having to raise its
12 rates, its tax, and I do know that libraries in general are somewhat
13 troubled, but I just think this is the wrong time for us to institute
14 a new program. And certainly, on this basis, we are increasing two
15 separate programs here. One, on the assessed equalization where we're
16 increasing that from a dollar fifty to four twenty-five, then we're
17 making a per capita grant, and on this basis, the amounts and everything
18 have been stated, and I...and I just think that we're not in a position
19 in the State to be able to...to tax some specific...

20 PRESIDENT:

21 Could we have some order, and will those not entitled to the
22 Floor, please leave the Floor. Senator Dougherty indicates he is not
23 able to hear. Senator Dougherty may close the debate.

24 SENATOR DOUGHERTY:

25 In all...in all truthfulness, I must admit that...that there
26 will be an increase in the rates. There's no denying that, but this
27 is frozen for one year, at the same time, they...disagree to some
28 extent about the cost. I don't think it's going to run any forty-four
29 million. It could possibly over a period of years run maybe as high
30 as ten million, I will not disagree with that, but I think it's a good
31 program. They need it for the education of the people...all the
32 children of Illinois. This is vitally needed, and the...the libraries
33 as such are lacking in the funds necessary. We hold our corporate

1 rates down. We can do everything else. This...we are not increasing
2 any rates right at this particular time. We're setting it off for a
3 year. It gives them a time, maybe the country...the country will
4 recover some of the prosperity that we've lost. I hope we do and
5 regardless of the libraries, but I would ask favorable consideration
6 of this bill. Thank you.

7 PRESIDENT:

8 The question is shall House Bill 449 pass. Those in favor will
9 vote Aye. Opposed Nay. The voting is open. Have all voted who
10 wish? Take the record. On this question, the Ayes are 27, the Nays
11 are 21, with none Voting Present. Postpone Consideration. The Chair
12 has two announcements. One, the dinner will be very shortly served.
13 That does not mean short in terms of rations, very soonly served. The
14 second announcement is that we have a substantial number of bills to
15 be dealt with, both on the order of 3rd reading...and on the order
16 of Postponed Consideration. These bills on Postponed Consideration
17 can only be dealt with this evening. The Chair would actually appre-
18 ciate the lack of repetitive debate on the rest of the questions.
19 House Bill 525, Senator Newhouse.

20 SECRETARY:

21 House Bill 525.

22 (Secretary reads title of bill)

23 3rd reading of the bill.

24 PRESIDENT:

25 Senator Newhouse.

26 SENATOR NEWHOUSE:

27 Thank you, Mr. President and fellow Senators. The description
28 in the Calendar describes the bill accurately, and won't be universal
29 approved, but I'd ask for a favorable roll call.

30 PRESIDENT:

31 The question is shall House Bill 525 pass. Those in favor vote
32 Aye. Opposed Nay. The voting is open. Have all voted who wish?
33 Take the record. On this question, the Ayes are 29, the Nays are 8,

1 with 1 Voting Present. House Bill 525 having...Postponed Consideration.
2 House Bill 534, Senator Davidson and Brady. Senator Davidson.

3 SENATOR DAVIDSON:

4 Mr. President, I'd like leave of the Body to come back to this later
5 because this is dealing with the education subcommittee that is now
6 meeting.

7 PRESIDENT:

8 Is leave granted? Leave is granted. House Bill 5...pardon me.
9 House Bill 604, Senator Bruce.

10 SECRETARY:

11 House Bill 604.

12 (Secretary reads title of bill)

13 3rd reading of the bill.

14 PRESIDENT:

15 Senator Bruce.

16 SENATOR BRUCE:

17 Yes, Mr. President, this is to correct an error. Presently, the
18 State Fire Marshal and this bill was introduced at his request has
19 no power to inspect without an invitation of public buildings, but he
20 can go into private schools and make an inspection without being
21 invited. There...he cannot issue a mandatory correction rule if there
22 is no invitation. So, and I would point out to the members that the
23 Life Safety Code is not affected, and I know of no real objection.
24 The bill came up because of a building in Addison, Illinois, where the
25 State Fire Marshal could not inspect. Ask for a favorable roll call.

26 PRESIDENT:

27 The question is shall House Bill 604 pass. Those in favor vote
28 Aye. Opposed Nay. The voting is open. Have all voted who wish?
29 Take the record. On this question, the Ayes are 40, the Nays are 3,
30 with 2 Voting Present. House Bill 604 having received a constitutional
31 majority is declared passed. House Bill 757, Senator Bruce.

32 SECRETARY:

33 House Bill 757.

1 (Secretary reads title of bill)

2 3rd reading of the bill.

3 PRESIDENT:

4 Senator Bruce.

5 SENATOR BRUCE:

6 Yes, Mr. President, this is an Audit Commission recommendation
7 relative to the Department of Law Enforcement. It's introduced at
8 their recommendation. It makes the payments...the...the charge for
9 services at race tracks on an annual rather than a monthly basis. That's
10 what is presently done. The Audit Commission said that since that is
11 what they presently do, it ought...that we ought to change the statute.
12 I would ask for a favorable roll call.

13 PRESIDENT:

14 Senator Harris.

15 SENATOR HARRIS:

16 Senator Bruce, I have the amendment on the Secretary's Desk that
17 would cure the problem. You know, we discussed the fact that the
18 policy of the board has now changed, and they indicate that this ought
19 to come, the payment for this ought to come out of the Agricultural
20 Premium Fund. We have absolutely no quarrel with the annual payment
21 basis instead of the present monthly basis. Would you want, and I
22 think you're aware that 37 overwhelmingly passed the House today.

23 PRESIDENT:

24 Senator Bruce.

25 SENATOR BRUCE:

26 Well, I agree with all that you say, except that I personally
27 don't want to get into whether the tracks ought to pay or whether the
28 Ag Premium Fund ought to pay, and the problem I had with 37 is...I don't
29 know what the eventual outcome of that might be, and this is strictly
30 housekeeping. The Audit Commission said it ought to be done. I would
31 rather avoid it if...if you don't mind. It...it does do what the Audit
32 Commission wants. If 37 is signed, the Governor can do with this what
33 he wishes.

1 PRESIDENT:

2 Any further discussion? The question is shall House Bill 757
3 pass. Those in favor vote Aye. Opposed Nay. The voting is open.
4 Have all voted who wish? Take the record. On this question, the Ayes
5 are 47, the Nays are none, with 3 Voting Present. House Bill 757
6 having received a constitutional majority is declared passed. House
7 Bill 852, Senator Joyce. Is this to be amended? Senator Joyce is
8 recognized.

9 SENATOR JOYCE:

10 Yes, Mr. Chairman...Mr. President. Would I have leave to bring
11 this back to 2nd reading for amendments?

12 PRESIDENT:

13 Is leave granted? Leave is granted. Senator Joyce.

14 SENATOR JOYCE:

15 Senator...Senator Latherow has the amendments which I am going to
16 resist, but I...

17 PRESIDENT:

18 Is Senator Latherow on the Floor? Here he is. Senator Latherow.

19 SENATOR LATHEROW:

20 I have two amendments to this, Mr. President. One of them has
21 to do with...

22 PRESIDENT:

23 Amendment No. 1, Senator Latherow.

24 SENATOR LATHEROW:

25 Where it...on Page 2 by...deleting lines 32 and 33 in its entirety.
26 I'd like for that to be Amendment No. 1. Now, in this amendment
27 there has been added to this bill the payment of precise premiums and
28 awards has been added to it, the payment for expenses incurred in
29 connection with, and that's what I am striking in this. I think there's
30 no question but what we or Senator Dougherty will remember in years
31 past, I've begun to give general assistance to the livestock...Inter-
32 nation Livestock Exposition, and for awards and so forth, but I do not
33 believe we should get in an open-ended statement of paying expenses

1 incurred in connection with. This also has to do with another live-
2 stock exposition, and we're taking on another extra one. So, I would
3 move the adoption of Amendment No. 1.

4 PRESIDENT:

5 Senator Joyce.

6 SENATOR JOYCE:

7 Well, as far...the State now pays and I...I don't think this was
8 the intention of the bill to begin with, but I've talked to people
9 from the staff on the Appropriations, and the State pays forty
10 thousand dollars to the International in Chicago, and it comes from
11 the...from the General Revenue Fund, and it would come, if...if in
12 fact this did happen, it would now come out of the Premium Fund...the
13 Parimutuel Fund, you know, the horse thing, and it would...and in that
14 fund, there is...there will be a surplus of, I think, of five million
15 dollars at the end of FY '76. So, I think it, inadvertently, it might
16 be a good thing for the...for the State.

17 PRESIDENT:

18 Any further discussion? Senator Shapiro.

19 SENATOR SHAPIRO:

20 Well, Mr. President, Ladies and Gentlemen of the Senate, if this
21 is what I think it is, I think this is about the first time I've ever
22 been up on my feet to oppose an amendment by my esteemed colleague
23 from Carthage. The Mid-Continent Livestock Exposition, as probably
24 everyone knows, is a exposition that has been in existence for four
25 or five years, and the local groups there...livestock breeders and
26 raisers throughout northern Illinois have organized this on their own.
27 The Department of Agriculture has given them moral support, and this
28 amendm^{nt}, if it's what I think it is, would harm the State's parti-
29 cipation in the ongoing of this exposition, and I would urge everyone
30 to reject the amendment.

31 PRESIDENT:

32 Senator Latherow may close the debate.

33 SENATOR LATHEROW:

1 Well, I might add, Mr. President, that this bill calls for the
2 usual fifty thousand dollars annually for purchase, appropriated from
3 the Agriculture Premium Funds to be distributed to county fairs and
4 so forth and also the Agriculture Premium Fund shall be used for the
5 expenses and operation of the State Fair including payments. This is
6 in there, and for distribution at county fairs, vocational agriculture
7 and so forth. And I merely think that we should not add the additional
8 effort to begin to pay the expenses incurred in the Amboy Fair and
9 also in the International Livestock Exposition. I move the adoption
10 of Amendment No. 1.

11 PRESIDENT:

12 The question...Senator Latherow moves the adoption of Amendment
13 No. 1 to House Bill 852. All in favor say Aye. Opposed Nay. The
14 motion fails. Amendment No. 2, Senator Latherow.

15 SENATOR LATHEROW:

16 Well, Amendment No. 2, Mr. President, I had thought possibly
17 Amendment No. 1 might not be successful. So, if it weren't, I wanted
18 to have a little piece of the exposition, see? So, I am amending the
19 ...on Page 2 by deleting lines 31 and 32 and inserting in lieu of...
20 thereof the International Livestock Exposition after that, the Mid-
21 Continent Livestock Exposition which is Senator Shapiro's exposition
22 and the Hancock County Livestock Exposition and 4-H Show which has
23 something to do with an area from which I come. I move the adoption
24 of Amendment No. 2.

25 PRESIDENT:

26 Senator Joyce.

27 SENATOR JOYCE:

28 We have a companion appropriation bill, 851, and it appropriates
29 fifteen thousand dollars from the Department of Agriculture Premium
30 Fund to the Mid-Continent Livestock Exposition at Amboy, and I'm
31 afraid it doesn't include the Hancock...Hancock County Livestock
32 Exposition. I wish it would, Senator, but I...I'm afraid it isn't in
33 there. I would oppose this amendment.

1 PRESIDENT:

2 Senator Latherow.

3 SENATOR LATHEROW:

4 We'll worry about that one when the time comes. It's this one
5 I'm after right now.

6 PRESIDENT:

7 Senator Latherow moves the adoption of Amendment No. 2 to House
8 Bill 852. Those in favor will say Aye. Opposed Nay. The Nays have
9 it. The amendment is lost. Further amendments? Oh, you seek a roll
10 call. Fine. A roll call has been requested. Senator Latherow moves
11 the adoption of Amendment No. 2 to House Bill 852. Those in favor
12 will vote Aye. Opposed will vote Nay. The voting is open. Have all
13 voted who wish? Take the record. On this question, the Ayes are 15,
14 the Nays are 27. Amendment No. 2 fails. Senator Latherow.

15 SENATOR LATHEROW:

16 By your efforts here on the Floor tonight, you're saving me a
17 little further problem. I had an organization if this would have
18 carried. I would have had to hurry to have got...amended, the name
19 amended of...so, I'll belay that particular job then.

20 PRESIDENT:

21 Thank you. There being no...amendments adopted, intervening
22 business is not required. The question is shall House Bill 852 pass.
23 Read it a third time.

24 SECRETARY:

25 House Bill 852.

26 (Secretary reads title of bill)

27 3rd reading of the bill.

28 PRESIDENT:

29 The question is shall House Bill 852 pass. Those in favor vote
30 Aye. Opposed Nay. The voting is open. Have all voted who wish?
31 Take the record. On this question, the Ayes are 45, the Nays are 8,
32 with none Voting Present. House Bill 852 having received a constitu-
33 tional majority is declared passed. House Bill 88...no, House Bill

1 911, Senator Knuppel. House Bill 940, Senator Lemke. House Bill 955,
2 Senator Johns. Oh, those have been called, you're right. House Bill
3 1053, Senator Lemke. House Bill 1070, Senator Savickas. House Bill
4 1122, Senator Savickas. House Bill 1257, Senator Knuppel. Pardon me.
5 House Bill 1299, Senator Knuppel. House Bill...House Bill 1487, Senator
6 Savickas. Call the bill.

7 SECRETARY:

8 House...House Bill 1487.

9 (Secretary reads title of bill)

10 3rd reading of the bill.

11 PRESIDENT:

12 Senator Savickas.

13 SENATOR SAVICKAS:

14 Yes, Mr. President and members of the Senate, this Act applies
15 to all units of local government. It sets up for the examination of
16 elevators, passenger elevators, to be administered by the Department
17 of Labor. I would appreciate a favorable roll call.

18 PRESIDENT:

19 Any discussion? The question is shall House Bill 1487 pass.
20 Those in favor vote Aye. Opposed Nay. The voting is open. Have all
21 voted who wished? Take the record. On this question, the Ayes are
22 48, the Nays are none, with none Voting Present. House Bill 1487
23 having received a constitutional majority is declared passed. House
24 Bill 1299, Senator Knuppel.

25 SECRETARY:

26 House Bill 1299.

27 (Secretary reads title of bill)

28 3rd reading of the bill.

29 PRESIDENT:

30 Senator Knuppel.

31 SENATOR KNUPPEL:

32 Mr. Chairman, I'd like to have this bill returned to the order
33 of 2nd reading which is what I attempted to do this morning to have

1 an amendment which is on the Secretary's Desk attached thereto.

2 PRESIDENT:

3 I'm sorry, Senator, I was diverted. Oh.

4 SENATOR KNUPPEL:

5 I'd like to have it moved to 2nd reading.

6 PRESIDENT:

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

8 House Bill 1299 is on 2nd reading. Senator Knuppel is recognized.

9 SENATOR KNUPPEL:

10 I think this is Amendment No. 2, and the purpose of the amendment
11 is to incorporate in the State's Attorney Study Commission the...what
12 was the content of House Bill 3037 creating a...a State's Attorneys'
13 Advisory Council for the purpose of administering funds for training
14 of assistance in the prosecutorial field in the State of Illinois.
15 It creates a commission composed of State's Attorneys with one adminis-
16 trative director and this was worked out with leadership on both sides
17 of the...of the House here yesterday, I believe, by the President of
18 the State's Attorneys, Ron...in...I forgot his last name, but he was
19 here and worked this out for the State's Attorneys to get this on this
20 bill because there wasn't time for House Bill 3037. I move the adoption
21 of Amendment No. 2.

22 PRESIDENT:

23 Senator Nudelman.

24 SENATOR NUDELMAN:

25 Senator Knuppel, is...is there a fiscal note on this?

26 PRESIDENT:

27 Just one moment. The Chair wishes to announce that the food is
28 here and is being served. Senator Knuppel.

29 SENATOR KNUPPEL:

30 No Sir, there is not a fiscal note, and there would be a separate
31 appropriation bill that would have to be approved for these monies,
32 otherwise, the...the agency wouldn't function right.

33 PRESIDENT:

1 Senator Nudelman.

2 SENATOR NUDELMAN:

3 Is there such a bill in existence?

4 PRESIDENT:

5 Senator Knuppel.

6 SENATOR KNUPPEL:

7 Well, it was my understanding that there was, yes, to...to
8 appropriate money and it was my understanding and I'm not sure about
9 this but it was in the vicinity of some two hundred and fifty thousand
10 dollars or something to...to carry on this program, but I can't be
11 accurate on that.

12 PRESIDENT:

13 Senator Nudelman.

14 SENATOR NUDELMAN:

15 Is this...is this the continuation of a Federally funded program
16 that is gone, that the...Federal government is no longer funding and
17 now they are seeking to have the State continue the expense of the
18 commission?

19 PRESIDENT:

20 Senator Knuppel.

21 SENATOR KNUPPEL:

22 Well, it's my understanding then, the director of that was here
23 a little bit ago, but it is my understanding that this is in some
24 degree what's happening, that we're taking over the responsibility in
25 some measure of this Federally funded program of assistance to prosecutors.

26 PRESIDENT:

27 Senator Knuppel, have you completed...Nudelman, have you completed
28 your question? Senator Nudelman.

29 SENATOR NUDELMAN:

30 Yes, I have, and I would like to add one small comment that I don't
31 know the need for this. We don't know what the costs will be. We don't
32 know what the effect would be, and I would urge a No vote on this amend-
33 ment.

1 PRESIDENT:

2 Senator...Knuppel may close the debate.

3 SENATOR KNUPPEL:

4 Well, of course, this was introduced by the leadership in the
5 House. I realize that makes no difference, but this the State's
6 Attorneys feel that they need. They feel that...that it served a
7 useful purpose, that they do need young men to be trained in the field
8 of prosecution and to assist the prosecutors in the downstate counties
9 as well as in the appellate sections in the handling of criminal cases.
10 I would...I would solicit a favorable roll call.

11 PRESIDENT:

12 The question is shall House Bill 1299 pass. Oh, pardon me.
13 This is on the amendment? Senator Knuppel moves the adoption of
14 Amendment No. 2 to House Bill 1299. All in favor say Aye. Opposed
15 ...a roll call has been requested. Senator Knuppel moves the adoption
16 of Amendment No. 2 to House Bill 1299. All in favor will vote Aye.
17 Opposed will vote Nay. The voting is open. Have all voted who wish?
18 Take the record. On this question, the Ayes are 28, the Nays are 11 with
19 1 Voting Present. Amendment No. 2 is adopted. Any further amendments?

20 SECRETARY:

21 Amendment No. 3, Senator Harris.

22 PRESIDENT:

23 Senator Harris is recognized.

24 SENATOR HARRIS:

25 Thank you, Mr. President. Amendment No. 3 just adds four State's
26 Attorneys to serve as members of this office of the State's Attorneys'
27 Study Commission. It would provide for the appointment of one each
28 by the four legislative leaders. It has the support of Representative
29 Palmer, and Senator Knuppel. I think it's a very sound amendment to
30 provide for this kind of direct input from serving State's Attorneys
31 and would move its adoption.

32 PRESIDENT:

33 Senator Nudelman.

1 SENATOR NUDELMAN:

2 Thank you, Mr. President. I would just comment that I don't know
3 of any farmer in this room or any other farmer who would have the
4 foxes watching the chickens, and that's what putting State's Attorney
5 on this commission would ultimately do. This is a commission that's
6 supposed to watch the State's Attorneys, not vice versa.

7 PRESIDENT:

8 Any further discussion? Senator Knuppel.

9 SENATOR KNUPPEL:

10 The work, I think, the State's Attorneys' Study Commission has
11 done a real good job, both Senator Nudelman and I are members of it.
12 I've been told by Senator Harris that some of the State's Attorneys
13 in his area have complained to him that they're unhappy with the
14 results. Now, I personally know that the State's Attorneys have been
15 asked to participate at all stages and in all divisions of the work.
16 I...I too am somewhat opposed to this, but Senator Harris said that
17 he wanted...he'd like to have some on there. This is a compromise.
18 There's only four of them. The Legislative members constitute twelve
19 and if...if the...if the twelve of us can't take care of the foxes,
20 why, we're in bad...we're in bad shape.

21 PRESIDENT:

22 Senator Egan.

23 SENATOR EGAN:

24 Yes, Mr. President and members of the Senate, I would like to
25 refute the...the suggestion that this Study Commission is a watchdog
26 for the State's Attorneys in Illinois. That is not the intention of
27 the legislation whatsoever. It was not the intention of the creation
28 of the commission, and it no longer is the intention, and it...certainly
29 it is not now the intention to do so. This Study Commission is a commis-
30 sion to aid in those areas that it's difficult for State's Attorneys
31 throughout Illinois to coordinate.

32 PRESIDENT:

33 Any further discussion? Senator Nudelman again.

1 SENATOR NUDELMAN:

2 Thank you, Mr. President. Of course, Senator Egan is correct.
3 I did, in fact, misspeak myself, and I did not intend to imply that
4 it was a watchdog operation. It is an investigatory operation on behalf
5 of the State's Attorneys and I don't think it...it should be prejudice.
6 Its...its findings should be prejudice and they would be with the...
7 with the inclusion of four State's Attorneys who would color the
8 opinions, I think, of the membership on the commission. I think they
9 don't belong as members. It's...I did misspeak myself about calling
10 it an investigation, that was not correct.

11 PRESIDENT:

12 Senator Knuppel may speak again.

13 SENATOR KNUPPEL:

14 Mr. Chairman...Mr. Chairman, if anybody can color the thinking
15 of Harold Nudelman and John Knuppel, by God, they deserve a medal.

16 PRESIDENT:

17 The question is on the adoption of Amendment No. 3. Those in
18 favor of adopting Amendment No. 3 will say Aye. Opposed Nay. The
19 Ayes have it. Amendment No. 3 is adopted. Any further amendments?
20 3rd reading. House Bill 1662, Senator Schaffer. Do you have amendments?

21 SENATOR SCHAFFER:

22 Mr. Chairman, when this bill cleared the Judiciary Committee,
23 we had agreed to work out an amendment. Frankly, due to the press of
24 time, it has not been possible to work out that amendment, and we
25 aren't going to have a chance. I'd like to move to re-refer this
26 bill back to the Judiciary Committee...

27 PRESIDENT:

28 All in favor will say Aye.

29 SENATOR SCHAFFER:

30 We'll work it out in the Fall.

31 PRESIDENT:

32 Opposed Nay. The bill is re-referred to Judiciary. House Bill 1299,
33 Senator Knuppel. Read the bill a third time.

1 SECRETARY:

2 House Bill 1299.

3 (Secretary reads title of bill)

4 3rd reading of the bill.

5 PRESIDENT:

6 Senator Knuppel.

7 SENATOR KNUPPEL:

8 Mr. Chairman and members of the Body, the State's Attorneys' Study
9 Commission has worked diligently for the last year, and they've come
10 up with some very, very poignant suggestions for improving criminal
11 justice and among the people who have done a real good job on the
12 commission and even though he and I disagree as frequently as Harold
13 Nudelman and others. I feel that there's still a need for this
14 commission. There's a lot of work to be completed. There's the thing
15 that's confronting us like with Senator Johns here, the possible con-
16 solidation in some of the poorer counties of the functions of the
17 State's Attorneys office at least that have to be considered. This
18 is the only vehicle alive today that will keep in tact the needed
19 training and assistance for the State's Attorney and prosecutorial
20 officers here in the State of Illinois and continue to investigate and
21 to improve on the...on the prosecutorial system that we have. I
22 submit that this is good legislation. It's the kind of legislation
23 that we need. It's the kind of legislation which was supported in
24 the House when it came out with House Bill 30...

25 PRESIDENT:

26 Any objections to this bill?

27 SENATOR KNUPPEL:

28 ./.3037. I submit that we get a favorable roll call.

29 PRESIDENT:

30 Senator Sommer.

31 SENATOR SOMMER:

32 I'm a member of this commission, and Senator Knuppel, are we...
33 endeavoring to get into State funding for the State's Attorneys pro-

1 ject? Is this...is this part of this bill now?

2 PRESIDENT:

3 Senator Knuppel.

4 SENATOR KNUPPTEL:

5 It's my understanding that what this bill does is sets up a...a
6 council of State's Attorneys to administer this program whether we
7 get Federal aid or whether part of it is to be State financed, yes.
8 And I assume there is an...appropriation bill because it's my under-
9 standing that it will require some State financing, but that these
10 State's Attorneys want and need this type of assistance.

11 PRESIDENT:

12 Senator Sommer.

13 SENATOR SOMMER:

14 Is this the same project that came into one meeting I had here...
15 or we had here and opposed any changes in structures in the State's
16 Attorneys even though there's some State's Attorneys, I can think of
17 one, that had six felonies in one year and nol-prossed them all?

18 PRESIDENT:

19 Senator Knuppel.

20 SENATOR KNUPPTEL:

21 No, I...I think I've attended all but about one meeting of this
22 advisory group. We had State's Attorneys whom we pulled who indivi-
23 dually came in and expressed the sentiment that you are expressing,
24 but Hutchins who I think is the head of this Federally funded program
25 has never advocated to my knowledge at least going this far. What
26 he has...what they have done is they've had a pilot program, I think,
27 in McLean County and in the appellate court up near Aurora and in the
28 State's Attorneys offices in some of the more populous counties, but
29 I don't know that they've ever passed an opinion on whether or not we
30 should combine State's Attorneys or whether State's Attorneys should
31 or shouldn't practice and those kind of things. I think in large
32 measure that the commission or the...the man whose been the director
33 of it has not interposed himself to that degree.

1 PRESIDENT:

2 Any further discussion? Senator Sommer.

3 SENATOR SOMMER:

4 Senator Knuppel, is it not true that some State's Attorneys are
5 opposed to this commission because we have recommended changes in
6 structure?

7 PRESIDENT:

8 Senator Knuppel.

9 SENATOR KNUPPEL:

10 I didn't hear all of the question, Sir. I heard part of it.

11 PRESIDENT:

12 Repeat the question.

13 SENATOR SOMMER:

14 Senator Knuppel, is it not true that some State's Attorneys are
15 opposed to this commission because we have recommended changes in
16 structure? Currently, we have State's Attorneys in counties of five
17 thousand people who get paid twenty thousand dollars a year for doing
18 nothing. And if we attempt to get into this area, they block it.
19 Now, is this where some of the opposition comes from?

20 PRESIDENT:

21 Senator Knuppel.

22 SENATOR KNUPPEL:

23 I'm sure that some of the opposition comes from those people who
24 would like to curry favor and remain in the position they're in. They
25 would like to make forty or fifty thousand dollars from private prac-
26 tice and at the same time get twenty thousand dollars for handling
27 a few cases, but this is the same way with the judiciary or any other
28 group. You will find a few who work very hard and some who don't
29 do a damn thing. It has its failing, but there's...and you will also
30 find disagreement. Some State's Attorneys feel one way while others
31 feel another. Now, I feel that the great majority of the State's
32 Attorneys have been responsible and have cooperated while some have
33 objected. I think that's the purpose of the advisory commission is

1 to come back to this Body and make recommendations. We've done so in
2 a report. I would think it would be a shame to terminate its work.

3 PRESIDENT:

4 The question is shall House Bill 1299 pass. Those in favor will
5 vote Aye. Opposed Nay. The voting is open. Have all voted who wish?
6 Take the record. On this question, the Ayes are 34, the Nays are 5,
7 with 3 Voting Present. House Bill 1299 having received a constitutional
8 majority is declared passed. House Bill 1670. Senator Howard Mohr.

9 ACTING SECRETARY (MR. FERNANDES):

10 House Bill 1670.

11 (Secretary begins reading title of bill)...

12 PRESIDENT:

13 Wait a minute. He may be inside eating. Hold it a minute.
14 House Bill 1685, Senator Lemke. Read the bill.

15 ACTING SECRETARY (MR. FERNANDES):

16 House Bill 1685.

17 (Secretary reads title of bill)

18 3rd reading of the bill.

19 PRESIDENT:

20 Senator Lemke.

21 SENATOR LEMKE:

22 This is a bill that...to correct a mistake that was passed in
23 the bill passed last Session. It adds the Torrens Department, Registrar
24 of Titles. It was forgotten out, all it was, they added was registered
25 these and when the bill was passed, and this would correct the error
26 and make it Registrar of Titles.

233

17

27 PRESIDENT:

28 The question is shall House Bill 1685 pass. Those in favor vote
29 Aye. Opposed Nay. The voting is open. Have all voted who wish?
30 Take the record. On this question, the Ayes are 41, the Nays are none,
31 with 2 Voting Present. House Bill 1685 having received a constitu-
32 tional majority is declared passed. House Bill 1884, Senator Brady.

33 ACTING SECRETARY (MR. FERNANDES):

1 House Bill 1884.

2 (Secretary reads title of bill)

3 PRESIDENT:

4 Pardon me, Senator. Senator Brady, you desire to call it back
5 for an amendment?

6 SENATOR BRADY:

7 There is an amendment on the Secretary's Desk. We have leave to
8 bring it back to 2nd?

9 PRESIDENT:

10 Is leave granted? Leave is granted. House Bill 1884 is on the
11 order of 2nd reading. Senator Brady offers Amendment No. ...it's
12 the first amendment.

13 ACTING SECRETARY (MR. FERNANDES):

14 Amendment No. 1.

15 PRESIDENT:

16 Amendment No. 1. Senator Brady.

17 SENATOR BRADY:

18 Yes, this amendment to the Citizens School Record Act takes the
19 private or nonpublic schools out of the Act. This amendment was
20 agreed to by what I thought was the opposition and the House sponsor,
21 and I'm offering...move for its adoption.

22 PRESIDENT:

23 Any discussion? Senator Fawell.

24 SENATOR FAWELL:

25 Well, Mr. President and members of the Senate, I find this to be
26 ...I'm not...I struggle for the word, why in the world we should
27 consider when we present such an Act as this, why in the world we
28 should say that a large segment of what is within the educational field
29 should be given a path is utterly beyond me. And if...if this Body
30 will...will accept an amendment like this, it...it can only bespeak
31 of special interest and legislators that I think are...are succumbing
32 to a pressure, and I think it endangers the whole bill because I think
33 there are a lot of people on this side and I think on...on your side

1 too that just cannot look at the bill under these circumstances.
2 There's no justification other than a very special interest for a
3 segment of the educational area for the passage of this amendment and
4 I...I will point out, of course, the very obvious that we've already
5 made a decision, debated this point, and...and here we are again, and
6 I can say to you that I...I am one person that I shall not support this
7 bill if you commit a travesty like this, and I hope that an awful lot
8 of other people take the same attitude. This...there's just no
9 justification, no justification for what you're doing here.

10 PRESIDENT:

11 Senator Netsch.

12 SENATOR NETSCH:

13 Mr. President, I think on the merits, I can't totally disagree
14 with Senator Fawell except for one thing. This is an extremely
15 important step, the School Records Act, and I think the reason for
16 the reoffering of this amendment or the offering of this amendment,
17 Senator Fawell, is very simple. It looks as if we can't pass the
18 bill without it, and while I deeply regret not including all students
19 in the State because I think the right is a personal one and it should
20 be extended to all. I think it is so important that if we can at
21 least extend it to all of those which are the vast majority of students
22 in the State who are in the public school system, then that at least
23 is an extremely important and major step. It hurts me personally, but
24 I will vote for the amendment because I think we have got to have this
25 bill in the best and most extensive form in which we can get it.

26 PRESIDENT:

27 Senator Glass.

28 SENATOR GLASS:

29 Mr. President, very briefly, Senator Fawell was correct. We did
30 go through the debate on this amendment previously, and it was kept
31 on the bill. And I suspect what Senator Netsch has said is also true
32 that it isn't going to pass unless this amendment goes. I think it's
33 a good bill and ought to pass. I certainly think the amendment should

1 be defeated and the bill ought to at least be voted on in its present
2 pristine form. So, I would...would join in opposition to the amendment.

3 PRESIDENT:

4 Senator Newhouse.

5 SENATOR NEWHOUSE:

6 Thank you, Mr. President. I...I certainly agree entirely with
7 Senator Netsch while I have a great...my heart is with the argument
8 that was propounded by Senator Fawell. But let me just suggest to
9 the other side something else that's about to happen or that is happen-
10 ing, and that is this. There are a number of people in this Body, I
11 think, who feel as if the public education system has gotten itself
12 into such low esteem that there probably ought to be some competition
13 for it, and in that connection, perhaps there ought to be some way to
14 finance that competition so that we make certain that there would be
15 a high level of...of competence, efficiency, and interest in our public
16 school system. For those who are on that...in that kind of dilemma
17 separating out the private from the public in this kind of bill pre-
18 sents another kind of hurdle to get over, and it seems as if the
19 privates are asking again for a special consideration while at the same
20 time they're looking for public money. You can't have it both ways,
21 and I suggest what's try...what's being done here is enforcing an
22 attempt to have it both ways. It's impossible. It's not going to
23 work. I'm going to vote for it because I think we ought to get some-
24 thing out of here, but it just is bad tactically.

25 PRESIDING OFFICER (SENATOR DONNEWALD):

26 Is there further discussion? Senator Brady may close the debate.

27 SENATOR BRADY:

28 Thank you, Mr. President. This amendment has...has come to me
29 as a...as a compromise between the opposition and the...and the House
30 sponsorship of the bill. I'm placing the amendment on because whoever
31 was going to do it was not here at the time. The question here is
32 somewhat similar, I think to what Senator Newhouse was articulating
33 and that is, if we are going to add this kind of legislation including

1 the private sector and not give them the money to operate and the
2 clerical staff needed and the necessary finances to do it, we are fur-
3 ther putting them at a financial disadvantage and forcing them to close.
4 I think that's the reason for the amendment, and I move for its adoption.
5 PRESIDING OFFICER (SENATOR DONNEWALD):

6 The question is shall Amendment No. 1 be adopted to House Bill
7 1884. All those in favor indicate by saying Aye. Those Opposed.
8 The Ayes have it. The amendment is adopted. Is there a roll call
9 requested? Roll call is requested. All those in favor of the adoption
10 of Amendment No. 1 will indicate by voting Aye. Those opposed No. The
11 voting is open. (Machine cut-off)...those voted who wish? Take the
12 record. On that question, the Ayes are 32, the Nays are 17. Amendment
13 No. 1 is adopted. Are there further amendments? 3rd reading. Senator
14 Mitchler, 1902. House Bill 1930, Senator...House Bill 2052, Senator
15 Rock. Read the bill. Just a moment. Senator Rock wishes to bring...
16 SENATOR ROCK:

17 I wish to re-refer 2052 and 2053 to the Committee on Local
18 Government.

19 PRESIDING OFFICER (SENATOR DONNEWALD):

20 Is there leave? Leave is granted. 2073, Senator Savickas.
21 20...2096, Senator Bloom. 2100, Senator Bruce. 2142, Senator Knuppel.
22 Do we have leave to re-refer it to the Executive Committee? Leave is
23 granted. 2142 is re-referred to the Committee on Executive. 2196,
24 Senator Philip-Rock. Read the bill.

25 ACTING SECRETARY (MR. FERNANDES):

26 House Bill 2196.

27 (Secretary reads title of bill)

28 3rd reading of the bill.

29 PRESIDING OFFICER (SENATOR DONNEWALD):

30 Senator Philip-Rock.

31 SENATOR PHILIP:

32 Yes, Mr. President, I'd like to have leave to return it to 2nd
33 reading for the purpose of an amendment.

1 PRESIDING OFFICER (SENATOR DONNEWALD):

2 Is there leave? Leave is granted. You're now on 2nd reading
3 adjourning House Bill 2196. Proceed.

4 SENATOR PHILIP:

5 Mr. ...Mr. President, having voting on the prevailing side on
6 Amendment No. 3, I move to reconsider the vote which that prevailed.

7 PRESIDING OFFICER (SENATOR DONNEWALD):

8 You've heard the motion. All those in favor indicate by saying
9 Aye. Those opposed No. The Ayes have it. The...the amendment is
10 reconsidered.

11 SENATOR PHILIP:

12 Now...now, I'd like to Table Amendment No. 3 to House Bill 2196.

13 PRESIDING OFFICER (SENATOR DONNEWALD):

14 The motion is to Table No. ...Amendment No. 3 to House Bill 2196.
15 All those in favor indicate by saying Aye. Those opposed No. The
16 Ayes have it. The amendment is Tabled.

17 SENATOR PHILIP:

18 Thank you, Mr. President.

19 PRESIDING OFFICER (SENATOR DONNEWALD):

20 Senator Philip.

21 SENATOR PHILIP:

22 Now...now, I'd like to move the adoption of Amendment No. 4 which
23 simply changes one word, the word shall to may.

24 PRESIDING OFFICER (SENATOR DONNEWALD):

25 Is there further discussion? The question is shall Amendment
26 No. 4 be adopted. Those in favor indicate by saying Aye. Those
27 opposed No. The Ayes have it. The amendment is adopted. Are there
28 further amendments?

29 SENATOR PHILIP:

30 No, thank you, Mr. President. I now would ask for a ruling of the
31 Chair how many votes it takes to pass.

32 PRESIDING OFFICER (SENATOR DONNEWALD):

33 The...just a moment. Senator Partee.

1 SENATOR PARTEE:

2 I'd like to ask the Secretary to check the number on the amend-
3 ment. There were four amendments on already. He only had Tabled
4 Amendment No. 3. So, this amendment probably should be Amendment No. 5.

5 PRESIDING OFFICER (SENATOR DONNEWALD):

6 Alright, the...just a moment. The Chair will...the Secretary will
7 investigate. Is that correct, Mr. Secretary? Alright, the motion
8 would be proper...in order to adopt Amendment No. 5 to House Bill
9 2196. All those in favor indicate by saying Aye. Those opposed No.
10 The Ayes have it. The amendment is adopted. Now, Senator Philip.
11 Are there further amendments? 3rd reading. Senator Philip.

12 SENATOR PHILIP:

13 Thank you, Mr. President. You know we've discussed this before,
14 and I just might remind the Body that as amended, House Bill 2196
15 creates the Residential Care Facility Act. It provides for the State
16 to guarantee of loans, the construction of...

17 PRESIDING OFFICER (SENATOR DONNEWALD):

18 Well, just...just a moment, Senator. We have to have intervening
19 business. Are you addressing yourself to the order of 3rd reading?

20 SENATOR PHILIP:

21 Yes.

22 PRESIDING OFFICER (SENATOR DONNEWALD):

23 Well, we cannot...we have to have intervening business. I'm sorry.
24 I thought that you wanted to make an inquiry of the Chair. We will
25 get to that in just a moment. Senator Brady, 1884. Read the bill.

26 ACTING SECRETARY (MR. FERNANDES):

27 House Bill 1884.

28 (Secretary reads title of bill)

29 3rd reading of the bill.

30 PRESIDING OFFICER (SENATOR DONNEWALD):

31 Senator Brady.

32 SENATOR BRADY:

33 Yes, House Bill 18...1884 is the Citizens School Record Act as

1 amended. Let me just say further that there are new standards and
2 regulations coming out under HEW relative to this area. They expect
3 them to be adopted by the end of this month. Anybody, whether public
4 or private who's receiving any Federal funds will be covered by this
5 statute, but the Citizens School Record Act as proposed here goes a
6 little further than that in Illinois. I think it's good legislation.
7 I look forward to the day when it will cover all schools because the
8 financial assistance will be there for all of them to afford it. I
9 urge your favorable support.

10 PRESIDING OFFICER (SENATOR DONNEWALD):

11 Senator Netsch.

12 SENATOR NETSCH:

13 Senator Brady is correct. This is an extremely important bill,
14 and it provides an extremely important area of protection for the
15 privacy and confidentiality of school records of all the public school
16 students in the State of Illinois, and however you may have felt about
17 the inclusion or exclusion of those in private schools, what remains
18 here is very, very much worth support. I hope that it will have that
19 support.

20 PRESIDING OFFICER (SENATOR DONNEWALD):

21 Is there further debate? The question is shall House Bill 1884
22 pass. Those in favor vote Aye. Those opposed No. The voting is open.
23 Have all voted who wish? Take the record. On that question, the
24 Ayes are 42, the Nays are 7. House Bill 1884 having received a con-
25 stitutional majority is declared passed. Senator Philip, 2196. Read
26 the bill.

27 ACTING SECRETARY (MR. FERNANDES):

28 House Bill 2196.

29 (Secretary reads title of bill)

30 3rd reading of the bill.

31 PRESIDING OFFICER (SENATOR DONNEWALD):

32 Senator Philip.

33 SENATOR PHILIP:

1 Thank you, Mr. President. As you're probably aware, what this
2 does is allow non-for-profit mental disabled organizations to put
3 up a limited care facility authorized through the Department of Mental
4 Health. We already do this. What this would do would have the State
5 secure that loan in case that facility would go bankrupt. Now, we
6 already do it for scholarships. I think we've discussed it sufficient,
7 and I ask for your favorable consideration.

8 PRESIDING OFFICER (SENATOR DONNEWALD):

9 Is there further discussion? Senator Merritt.

10 SENATOR MERRITT:

11 Mr. President and members of the Senate, would the sponsor yield
12 to a question?

13 PRESIDING OFFICER (SENATOR DONNEWALD):

14 He shakes his head as indicates he will.

15 SENATOR MERRITT:

16 I can't understand exactly. You shuffled this amendment so fast
17 at us. I think I see the design and the area you're trying to move in
18 here, and it's pretty cute. Has there been a ruling incidentally, Mr.
19 President, on the...

20 PRESIDING OFFICER (SENATOR DONNEWALD):

21 As to...as to what, Senator?

22 SENATOR MERRITT:

23 As to the number of votes it takes.

24 PRESIDING OFFICER (SENATOR DONNEWALD):

25 The Chair ruled earlier that it would require thirty votes.

26 SENATOR MERRITT:

27 Well, the inquiry was made though on...at the time of this amend-
28 ment.

29 PRESIDING OFFICER (SENATOR DONNEWALD):

30 The Chair further rules that this amendment is of no consequence.
31 It still would require thirty votes.

32 SENATOR MERRITT:

33 Well, it seemed to me like it's quite a bit of consequence that

1 ...that amendment when you take it from shall to may. I don't know
2 how in the world you can tell a department that they may include it
3 in their budget when we know that they're going to have to guarantee
4 it. I don't know how you can say may include it. I'd just like the
5 sponsor to clarify it for me.

6 PRESIDING OFFICER (SENATOR DONNEWALD):

7 Senator Philip.

8 SENATOR PHILIP:

9 Yes, I...I think the problem with the word is, you know, the
10 problem is it constitutional or not. When you say shall or may, and
11 may makes it permissive, and I think that's what it does, and that's
12 why...that's what we amended.

13 PRESIDING OFFICER (SENATOR DONNEWALD):

14 Senator Merritt.

15 SENATOR MERRITT:

16 How in the world can it be may when they've got an obligation
17 to meet? You have to direct them to meet it, don't you?

18 PRESIDING OFFICER (SENATOR DONNEWALD):

19 Senator Philip.

20 SENATOR PHILIP:

21 Yes, I...I would think that might be correct. Now, let me say
22 this, that the Department of Mental Health has the authority to...to
23 give the authority for them to issue the bonds for the facility. Now,
24 if...if the organization would go bankrupt, now the State would have
25 that moral obligation, but I think what they intend to doing is finding
26 another non-for-profit mental organization to pick up that facility,
27 and I really don't actually think that the State will ever end up
28 being obligated for any of these...bonds or money.

29 PRESIDING OFFICER (SENATOR DONNEWALD):

30 Senator Merritt.

31 SENATOR MERRITT:

32 I just think it's a pretty cute trick. Anyway you got it on there.

33 PRESIDING OFFICER (SENATOR DONNEWALD):

1 Senator Buzbee.

2 SENATOR BUZBEE:

3 Yes, Mr. President, I would like to point out to this Senate
4 that we have in State mental institutions under the Department of
5 Mental Health and Developmental Disabilities, we have scores of build-
6 ings setting empty with, in some cases right now, employee to patient
7 ratio at three to one and better. I'm talking about three employees
8 for every one patient in hospitals throughout the State of Illinois.
9 I give you an example. The Anna State Hospital used to take care of
10 twenty-two hundred patients with twelve hundred employees. They
11 now have some three hundred and thirty patients with seven hundred
12 and fifteen employees. They are right now taking care of develop-
13 mentally disabled. We have huge capital expenditures that we have
14 made over the past in this State at State institutions all over
15 Illinois without and with the decrease in patients, we have not seen
16 the corresponding decrease in State employees in those institutions.
17 Now, it is absolutely...I simply cannot understand how in the world
18 we want to start going around now and giving private entrepreneurs
19 state capital to build additional facilities to house developmentally
20 disabled patients when we already have scores of empty buildings in
21 State owned institutions with State employees already there to take
22 care of them. I don't understand that kind of logic. Mr. President...

23 PRESIDING OFFICER (SENATOR DONNEWALD):

24 Yes, Senator Buzbee.

25 SENATOR BUZBEE:

26 I have just been given an explanation for that kind of logic,
27 however, I still think I'm right and I would point out that we are
28 spending money foolishly in my opinion in passing this kind of legis-
29 lation. The note that I have in my hand to the contrary notwithstanding.

30 PRESIDING OFFICER (SENATOR DONNEWALD):

31 Everybody has the right to their own opinion. Senator Carroll.
32 Just a moment. For what purpose does Senator Philip arise?

33 SENATOR PHILIP:

1 Well, I...I took his comments as kind of a question. I'd like
2 to try to answer them, Mr. President.

3 PRESIDING OFFICER (SENATOR DONNEWALD):

4 Was it a question, Senator Buzbee? He indicates it wasn't.
5 Senator Carroll.

6 SENATOR CARROLL:

7 Thank you, Mr. President, members of the Senate. I still
8 rise to oppose this legislation even as amended. I think this is a
9 bad piece of legislation. I think it's the wrong way to go, and I
10 know of the noble purposes to which Senator Philip hopes that this
11 legislation will bring about an end result. However, I do believe
12 that the ruling of the Chair to the contrary notwithstanding and nor
13 the message notwithstanding this is a situation where the State, the
14 State, is guaranteeing twenty million dollars. The guarantee is still
15 there. All...the only thing you changed from shall to may was that
16 if they default, the department may put it in their next year's budget.
17 They're going to have to pay it. That's still a shall, but they may put
18 it in their next years budget if they don't find someone else to operate
19 it. What we're doing here is we're putting the State General Revenue
20 Fund obligation behind private, though not-for-profit mental health
21 institutions. If you want to do it cheap enough, at least do it through a
22 State bond, a revenue bond, like we do with pollution control authorities.
23 At least then, you're getting a lower interest rate. Here you're going
24 to pay a point above prime to guarantee at twenty million dollars of
25 state obligation, general revenue obligation, a private not-for-profit
26 mental health institution of some kind. I think this is a bad way to go
27 even though the purposes you're trying to accomplish are good. There's
28 got to be other ways to solve your problem in DuPage, not this way.

29 PRESIDING OFFICER (SENATOR DONNEWALD):

30 Is there further debate? The question is...the question is shall
31 House Bill 2196 pass. All those in favor vote Aye. Those opposed No.
32 The voting is open. Have all those voted who wish? Have all those
33 voted who wish? Oh, this is the auctioneer. Have all those voted

1 who wish? Take the record. On that question, the Ayes are 28, the
2 Nays are 16, none Voting Present. House Bill 2196 not having received
3 a constitutional majority...there is a request for Postponed Considera-
4 tion. Consideration is Postponed. Senator Graham.

5 SENATOR GRAHAM:

6 Just on the brief point of personal privilege, I...

7 PRESIDING OFFICER (SENATOR DONNEWALD):

8 You must state your brief point, Senator.

9 SENATOR GRAHAM:

10 I...I wanted to commiserate with Senator Buzbee. I thought
11 that speech of his was tear-jerking. I think the only thing, he was
12 talking to the wrong people. He should have taken that whole thing
13 down to second floor and explained it down there.

14 PRESIDING OFFICER (SENATOR DONNEWALD):

15 House Bill 2252, Senator Lane. House Bill...just a moment.

16 Senator Lemke, for what purpose do you arise?

17 SENATOR LEMKE:

18 I'd like to have leave to be the sponsor on 2252 and 2250...53
19 which are...and Senator Lane would like to withdraw as sponsor.

20 PRESIDING OFFICER (SENATOR DONNEWALD):

21 Is there leave? Leave is granted. You wish to address yourself
22 to that bill now, Senator?

23 SENATOR LEMKE:

24 Yes, I do. I'd like to have it brought back to 2nd reading if
25 Senator Graham is ready.

26 PRESIDING OFFICER (SENATOR DONNEWALD):

27 20...now wait, no. Now, just a moment. We're talking about 2252 now.

28 SENATOR LEMKE:

29 No, 2252 passed.

30 PRESIDING OFFICER (SENATOR DONNEWALD):

31 You mean skip it?

32 SENATOR LEMKE:

33 Skip it.

1 PRESIDING OFFICER (SENATOR DONNEWALD):

2 Alright. There is a difference. 2253, Senator Lemke requests
3 that it be brought back to the order of 2nd reading for the purposes
4 of amendment.

5 SENATOR LEMKE:

6 Is Senator...Graham ready or...

7 PRESIDING OFFICER (SENATOR DONNEWALD):

8 Is there leave...is there leave to bring the bill back? Leave
9 is granted. The bill is on 2nd reading. Senator Graham.

10 SENATOR GRAHAM:

11 The amendments were handed to me by Senator Lemke. I thought
12 he was going to introduce them, and I was going to oppose them. Any-
13 way, I haven't had time to digest them, Senator. I...I got ten
14 pages of material here. So, you would give the Senator leave to go
15 back to this later when I make a decision wouldn't you?

16 PRESIDING OFFICER (SENATOR DONNEWALD):

17 Absolutely, Senator. If I'm still up on the Chair.

18 SENATOR GRAHAM:

19 Well, thank you.

20 PRESIDING OFFICER (SENATOR DONNEWALD):

21 I'm on the Chair now, and leave is granted. House Bill 534.
22 Leave was granted earlier in the Session for Senator Davidson to
23 return to House Bill 534. Senator Davidson.

24 SENATOR DAVIDSON:

25 Mr. President and members of the Senate, this bill does exactly
26 what it says on a counter. This gives an opportunity for school
27 districts which have passed a referendum to increase their maintenance
28 or corporate tax levy to use it now to compute for their resource
29 equalizer. Also, deals with high school districts, who...who have
30 a decrease in assessed valuation below 1971. I know of no opposition
31 to the bill. I'd appreciate a most favorable roll call.

32 PRESIDING OFFICER (SENATOR DONNEWALD):

33 Is there further...just a moment. Sorry, we...we must read the

1 bill a third time.

2 SECRETARY:

3 House Bill 534.

4 (Secretary reads title of bill)

5 3rd reading of the bill.

6 PRESIDING OFFICER (SENATOR DONNEWALD):

7 The question is shall House Bill 534 pass. All those in favor
8 indicate by voting Aye. Those opposed No. The voting is open. Have
9 all those voted who wish? Take the record. On that question, the
10 Ayes are 43, the Nays are none. House Bill 534 having received a
11 constitutional majority is declared passed. House Bill 3, Senator
12 Lemke. Senator Lemke.

13 SENATOR LEMKE:

14 Did Senator Graham review the amendments?

15 PRESIDING OFFICER (SENATOR DONNEWALD):

16 Senator Graham.

17 SENATOR GRAHAM:

18 On House Bill 3, yes, I...

19 PRESIDING OFFICER (SENATOR DONNEWALD):

20 He indicates he has, and your request is to...

21 SENATOR GRAHAM:

22 The amendment is on House Bill...

23 PRESIDING OFFICER (SENATOR DONNEWALD):

24 Return...now, just a moment. It's your desire to return to the
25 order of 2nd reading, Senator?

26 SENATOR LEMKE:

27 3.

28 PRESIDING OFFICER (SENATOR DONNEWALD):

29 On House Bill 3. The motion is...just a moment. Senator Graham.

30 SENATOR GRAHAM:

31 If I'm going to be a participant in this thing other than to be
32 in opposition, I'd like to know what we're...what's going on. Wasn't
33 this amendment put on this large one...on House Bill...?

1 PRESIDING OFFICER (SENATOR DONNEWALD):

2 Senator Lemke.

3 SENATOR LEMKE:

4 Senator Graham, which amendment do you have, on 2253 or House Bill...?
5 Bill...?

6 PRESIDING OFFICER (SENATOR DONNEWALD):

7 No, we're addressing ourselves to House Bill 3.

8 SENATOR LEMKE:

9 3, that's the one we called earlier about an hour ago.

10 PRESIDING OFFICER (SENATOR DONNEWALD):

11 I'm...I'm advised that this has...

12 SENATOR LEMKE:

13 Well, why don't you...

14 PRESIDING OFFICER (SENATOR DONNEWALD):

15 ...This has the big amendment whatever that means. Senator Lemke.
16 Alright, lets take it from the record.

17 SENATOR LEMKE:

18 Alright.

19 PRESIDING OFFICER (SENATOR DONNEWALD):

20 On the order of 3rd reading. Have we leave to go to the...House
21 Bill 2073, Senator Savickas...do we have leave? Leave is granted.
22 Senator Savickas. Read the bill.

23 SECRETARY:

24 House Bill...House Bill 2073.

25 (Secretary reads title of bill)

26 3rd reading of the bill.

27 PRESIDING OFFICER (SENATOR DONNEWALD):

28 Senator Savickas.

29 SENATOR SAVICKAS:

30 Yes, Mr. President, all House Bill 2073 does is to require the
31 judges seeking retention to file a declaration of candidacy before
32 the first Monday in December when they seek election. I would appre-
33 ciate your favorable support.

1 PRESIDING OFFICER (SENATOR DONNEWALD):

2 Is there further discussion? The question is shall House Bill
3 ...just a moment. Senator Wooten.

4 SENATOR WOOTEN:

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

6 PRESIDING OFFICER (SENATOR DONNEWALD):

7 He indicates he will.

8 SENATOR WOOTEN:

9 Senator Savickas, as I recall, this was one that in which the
10 question of constitutionality was presented, and that is that you're
11 advancing to eleven months the period of time in which a judge...
12 judicial candidate must file that he's going to run for retention. Is
13 that right?

14 PRESIDING OFFICER (SENATOR DONNEWALD):

15 Senator Savickas.

16 SENATOR SAVICKAS:

17 Yes.

18 PRESIDING OFFICER (SENATOR DONNEWALD):

19 Senator Wooten.

20 SENATOR WOOTEN:

21 And we were questioning what happens if...I know the purpose of
22 it is to get those judges to declare plenty early so we can have a
23 primary and won't have a vacancy, but the question remains that if
24 a judge does not declare eleven months ahead, if this bill becomes
25 law, and a candidate is duly installed, then the judge can still under
26 the existing law, under the Constitution, declare his candidacy six
27 months out and then you're left with the question as to who is the
28 candidate. Is there not really that flaw in the procedure?

29 PRESIDING OFFICER (SENATOR DONNEWALD):

30 Senator Savickas.

31 SENATOR SAVICKAS:

32 Yes, there are a few basic flaws, but I thought that we could
33 work them out if we weren't able to...I would think, though, that this

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1 law would be at least a start in the right direction.

2 PRESIDING OFFICER (SENATOR DONNEWALD):

3 Senator Wooten.

4 SENATOR WOOTEN:

5 Well, maybe it's a minor point. I...I don't know, but it seems
6 to me that the...the bill is going out, this is final passage, and it
7 does have that question about it, and I simply want to bring it to the
8 attention of the Body because I thought it was rather confusing when
9 we heard it in committee, and as I recall, we never did resolve the
10 question. We just all kind of shook our heads about it and let it go.
11 And I've been kind of waiting for the bill to show up because I was
12 really kind of confused myself, and I still think that there is that and...
13 there are a couple of problems that this could very easily present to us.

14 PRESIDING OFFICER (SENATOR DONNEWALD):

15 Senator Rock.

16 SENATOR ROCK:

17 Well, I find myself in a peculiar position, but one that I take
18 delight in. I am agreeing with Senator Wooten, and I am urging oppo-
19 sition to Senator Savickas' bill.

20 PRESIDING OFFICER (SENATOR DONNEWALD):

21 Is there further debate? The question is shall House Bill 2073
22 pass. Those in favor vote Aye. Those opposed No. The voting is open.
23 Have all those voted who wish? We may establish a record. Have all
24 those voted...have all those voted who wish? Take the record. On
25 that question, the Ayes are 16, the Nays are 23, 2 Voting Present.
26 House Bill 2073 not having received a constitutional majority is
27 declared lost. Senator Lemke, is he...Senator Rock, do you wish to
28 call 2435? Senator Rock.

29 SENATOR ROCK:

30 Well, let...let me say I do indeed wish to call 2435, and I am
31 just, frankly, a little concerned. Are there any other bills on 3rd
32 reading? I'm just kind of looking over the...you're ready....you're
33 ready to roll it?

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1 PRESIDING OFFICER (SENATOR DONNEWALD):

2 Senator Partee.

3 SENATOR PARTEE:

4 There can be intervening business with those matters on Postponed
5 Consideration because those bills have to be out of here tonight if
6 they are going to be acted on in the House. And if we went to that
7 order, I would only suggest that we employ the system we employed the
8 last time we had bills on Postponed Consideration, and that is to give
9 the sponsor a minute to explain it if he desires or to ask...as the
10 sponsor, to simply ask for a roll call so that we could...could deal
11 with them. And on that...on that...with that kind of a basis without
12 debate, we can go through...you've got to remember that all of these
13 bills have been very thoroughly debated before, and if we wanted to
14 do that, we could do that.

15 PRESIDING OFFICER (SENATOR DONNEWALD):

16 Well, I've had a request for considering House Bill 2096 which
17 is on 3rd reading. Is there leave to go to that? Senator Bloom.
18 Now, read...oh. The request is made to return to the order of 2nd
19 reading on House Bill 2096. Is there leave? Leave is granted. The
20 bill is now on 2nd reading. Proceed.

21 SENATOR BLOOM:

22 Alright, well, thank you, Mr. President. I would like leave to
23 suspend the rules to...I offered Amendment No. 1 to reconsider the
24 vote by which Amendment No. 1 was taken and...

25 PRESIDING OFFICER (SENATOR DONNEWALD):

26 The motion is not to suspend the rules, but the motion is to
27 reconsider the vote by which Amendment No. 1 was adopted. All those
28 in favor indicate by saying Aye. Those opposed No. The Ayes have it.
29 We are now reconsidering Amendment No. 1.

30 SENATOR BLOOM:

31 Okay, I'd like...I'd move to Table Amendment No. 1.

32 PRESIDING OFFICER (SENATOR DONNEWALD):

33 The motion is to Table Amendment No. 1 to House Bill 2096. All

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1 those in favor indicate by saying Aye. Those opposed No. The Ayes
2 have it. The amendment is Tabled. Senator Bloom.

3 SENATOR BLOOM:

4 Thank you very much. The merits of the bill - it authorizes...

5 PRESIDING OFFICER (SENATOR DONNEWALD):

6 Just a moment. Are you offering another amendment?

7 SENATOR BLOOM:

8 No, I'm not.

9 PRESIDING OFFICER (SENATOR DONNEWALD):

10 3rd reading. We have to go to 3rd reading, Senator. As to
11 House Bill 940, Senator Lemke.

12 SENATOR LEMKE:

13 Senator Nudelman has an amendment on that, though.

14 PRESIDING OFFICER (SENATOR DONNEWALD):

15 Well, it's...it's your desire, Senator, to return to the order
16 of 2nd reading for the purposes of amendment.

17 SENATOR LEMKE:

18 2nd reading, yeah.

19 PRESIDING OFFICER (SENATOR DONNEWALD):

20 Is there leave? Leave is granted. The bill is on 2nd reading.
21 And...Senator Lemke, where...

22 SENATOR LEMKE:

23 There's an amendment offered by Senator Nudelman.

24 PRESIDING OFFICER (SENATOR DONNEWALD):

25 Where...is Senator Nudelman on the Floor? Is that amendment on
26 the Secretary's Desk, Senator Nudelman? Senator...Senator...

27 SENATOR NUDELMAN:

28 Thank you, Mr. President. I don't know the number of this amend-
29 ment. I believe it's No. 1.

30 PRESIDING OFFICER (SENATOR DONNEWALD):

31 Just a moment. That's correct. It is Amendment No. 1. You may
32 proceed.

33 SENATOR NUDELMAN:

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1 Thank you. The only thing that Senate Amendment No. 1 does, it
2 changes the fee that the employer can charge out of the amount due to the
3 creditor from four dollars to eight dollars. I would move its passage.

4 PRESIDING OFFICER (SENATOR DONNEWALD):

5 Is there further discussion? The question is shall Amendment
6 No. 1 to House Bill 940 be adopted. Those in favor indicate by saying
7 Aye. Those opposed No. The Ayes have it. The amendment is adopted.
8 Are there further amendments? 3rd reading. Senator Carroll, for what
9 purpose do you arise?

10 SENATOR CARROLL:

11 I have a...a House Bill that's on Postponed Consideration that
12 there's been an amendment on the Secretary's Desk for several days.
13 I thought it might be appropriate to move that now back to the order
14 of 2nd to amend it and then put it back on Postponed so when we go
15 through it, it's already amended. House Bill 2592.

16 PRESIDING OFFICER (SENATOR DONNEWALD):

17 Senator, we will get to that order momentarily. Senator Bloom,
18 as to 2096. On the order of 3rd reading. Read the bill.

19 SECRETARY:

20 House Bill 2096.

21 (Secretary reads title of bill)

22 3rd reading of the bill.

23 PRESIDING OFFICER (SENATOR DONNEWALD):

24 Senator Bloom.

25 SENATOR BLOOM:

26 Well, thank you very much, Mr. President and fellow members.
27 This adds to the Municipal Code and allows your downstate municipalities
28 to impose a hotel operators occupation tax...for to...funding of your
29 convention center purposes. It will help Peoria, Rockford, Decatur,
30 quad cities, and I'd urge a favorable roll call.

31 PRESIDING OFFICER (SENATOR DONNEWALD):

32 Is there further discussion? The question is shall House Bill
33 2096 pass. Those in favor indicate by voting Aye. Those opposed No.

1 The voting is open. Have all those voted who wish? Take the record.
2 On that question, the Ayes are 37, the Nays are 10, 3 Voting Present.
3 House Bill 2096 having received a constitutional majority is declared
4 passed. House Bill 940, Senator Lemke. Read...just a moment. Read
5 the bill.

6 SECRETARY:

7 House Bill 940.

8 (Secretary reads title of bill)

9 3rd reading of the bill.

10 PRESIDING OFFICER (SENATOR DONNEWALD):

11 Senator Lemke.

12 SENATOR LEMKE:

13 All House 914...940 does is...it amends the Wage Deduction for the
14 Benefit of Creditors Act, increases the fee from...to eight dollars. It
15 pays the employer for processing the garnishments. I ask for a favorable
16 roll call.

17 PRESIDING OFFICER (SENATOR DONNEWALD):

18 Senator Wooten.

19 SENATOR WOOTEN:

20 Just...just a question. I missed the explanation of the amendment,
21 Senator.

22 PRESIDING OFFICER (SENATOR DONNEWALD):

23 Senator Lemke.

24 SENATOR LEMKE:

25 The amendment raises the fee to eight dollars for the processing
26 garnishment paid to the employer. This is to prevent...in these times
27 employees from being fired from their jobs because the employer will
28 be reimbursed for his costs.

29 PRESIDING OFFICER (SENATOR DONNEWALD):

30 Senator Wooten. Is there further discussion? The question is
31 shall House Bill 940 pass. Those in favor vote Aye. Those opposed No.
32 The voting is open. Have all those voted who wish? Have all those
33 voted who wish? Take the record. On that question, the Ayes are 34,

1 the Nays are none, 5 Voting Present. House Bill 940 having received
2 a constitutional majority is declared passed. Senator Rock.

3 SENATOR ROCK:

4 We...we've come to the point...

5 PRESIDING OFFICER (SENATOR DONNEWALD):

6 Hold the bill. Senator Vadalabene, for what purpose do you arise?

7 SENATOR VADALABENE:

8 Well, if you're looking for a little time. I have an amendment
9 on 3026 and I'd like to...

10 PRESIDING OFFICER (SENATOR DONNEWALD):

11 Just...just a moment, Senator. Messages. A Message from the House.

12 SECRETARY:

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

14 Mr. President - I am directed to inform the Senate that
15 the House of Representatives has refused to concur with the Senate in
16 the adoption of Amendment No. ...Amendment No. 3 to House Bill 1443
17 and Senator Schaffer is the chief sponsor.

18 The same Message on House Bill 1881 with House Amendment...or
19 Senate Amendments No. 2 and 3. Senator Rock is the chief sponsor.

20 The same Message on House Bill 2065 with House...Senate Amend-
21 ments 1 and 2. Senator Howard Mohr is the chief sponsor.

22 PRESIDENT:

23 All to the Secretary's Desk. Senator Lemke is recognized.

24 SENATOR LEMKE:

25 I'd like to re-refer House Bill 3 with the amendments to...back
26 to committee. It came out of Labor and Industrial.

27 PRESIDENT:

28 Is there leave? Leave is granted.

29 SENATOR LEMKE:

30 I...I also would like to refer to committee, House Bills 2252
31 and 2253 back to the committee it came from, Labor and Commerce, with
32 the amendments.

33 PRESIDENT:

1 20...2252?

2 SENATOR LEMKE:

3 2252, 2253, with the amendments.

4 PRESIDENT:

5 Is leave granted? Is leave granted? Leave is granted. Is there
6 leave to go to the order of Consideration Postponed for a period to
7 deal with those bills? The Chair would...would make this announcement
8 and request that the sponsor, when the bill is called, utilize a minute
9 or so to remind us of what the bill is about. We would certainly
10 appreciate there be no debate on these matters. They've been debated
11 thoroughly prior to today. On that basis, we can go through this
12 Calendar. Senator Soper.

13 SENATOR SOPER:

14 Mr. President and members of the Senate, I'd like to make one
15 suggestion on this that we read the...if we have the record on this
16 if we don't have a record on the Postponement, we also say that we go
17 through this list once, and we don't waitz around with this three or four
18 times and pass it up and come back and pass it up and come back. If
19 you're called, you're ready, if you're not ready, Sunday school is over.

20 PRESIDENT:

21 Senator Harris.

22 SENATOR HARRIS:

23 Might I inquire whether it will be the intention of the Chair to
24 go through and call the Postponed Consideration bills that are on the
25 printed Calendar and then go through those that just...achieved that
26 dubious distinction today.

27 PRESIDENT:

28 Yes, absolutely.

29 SENATOR HARRIS:

30 Yes, right.

31 PRESIDENT:

32 Those that are already on the Calendar would certainly have
33 priority over those that reached that status today.

1 SENATOR HARRIS:

2 Okay.

3 PRESIDENT:

4 Senator Sommer.

5 SENATOR SOMMER:

6 Mr. President, I am struck by the fact that this is final passage
7 on these bills, and it's not like the bills we had initially in the
8 Senate that were going to the House, and these bills all hit significant
9 opposition or they wouldn't be there. Would it be possible to suggest
10 that if anyone really feels strongly moved against a particular bill,
11 they get up and within thirty seconds deliver the other side in response
12 to what the sponsor has, and then no one else will...will debate it?
13 Is that practical?

14 PRESIDENT:

15 Well, I don't really see anything wrong with that. Let's see
16 how it goes. Senator Rock.

17 SENATOR ROCK:

18 No, I think...I'm sure the President agree with him. I think
19 that's a good idea. In addition to that, I might suggest just for
20 the purpose of expediting this, I have an amendment to a bill that is
21 on Consideration Postponed. I think there are probably others. Why
22 don't we find out who has an amendment, and then they can sit, and
23 we can take a look at the amendments while we're going through the process?

24 PRESIDENT:

25 It's a good idea. If you have amendments on these bills, on
26 Consideration Postponed, bring them up now so we can take a look at
27 them. Senator Nudelman, for what purpose do you arise?

28 SENATOR NUDELMAN:

29 Thank you, Mr. President. I...I rise merely to remind the Chair
30 that up until two or three days ago, the Chair had reassured this
31 Body that we would be leaving Springfield tomorrow night. I think now
32 we are all real...come to the realization that we will not leave here
33 tomorrow night, that the status of the Calendar is such that we will

1 be dealing with these appropriation bills for tomorrow and possibly
2 ...not possibly, un...undoubtedly on Saturday and conceivably on
3 Sunday, and I would suggest, Mr. President, that a more appropriate
4 course of action would be to start considering appropriation bills at
5 this time and leave these odds and ends and nits and lice to the end
6 if at all and if they're not taking care of, it's...so be it, but we've
7 got a lot of budgetary work to done...do, and I...and I suggest, Mr.
8 President, that in attempting to keep with your previous schedule,
9 we should get on with the business of this Body which is to pass
10 the budgets, and I would suggest that that is a more appropriate course
11 of action to follow.

12 PRESIDENT:

13 Senator Rock.

14 SENATOR ROCK:

15 Well, just as a countersuggestion, I would like to point out that
16 we have thus far maintained the schedule called for under the Joint
17 Rules, and under the Joint Rules, this is the end for House Bills on
18 3rd reading. Tonight is it.

19 PRESIDENT:

20 Senator Hynes.

21 SENATOR HYNES:

22 Under ordinary suggestion...circumstances, I would agree whole-
23 heartedly with Senator Nudelman, but I think the action we took last
24 night has put us in as good a posture as we can be in. There are a
25 couple of other matters on the Calendar now that we can move, but they
26 can be moved later in the evening. So, we are not going to...we are
27 not going to save any additional time.

28 PRESIDENT:

29 Thank you. Senator Nudelman.

30 SENATOR NUDELMAN:

31 Senator Rock has correctly stated the fact. I just looked at
32 the Calendar which was previously presented to us, and I see that
33 tonight is the last night for these bills, and I retract my comments.

1 PRESIDENT:

2 I appreciate that. The Secretary read the...read a list of the
3 bills on which there are amendments on this order of business.

4 SECRETARY:

5 At...at the present time, I have amendments on 853, one amendment;
6 one on 955; one on 956; one on 2592; and one on 2825.

7 PRESIDENT:

8 Well, some of the bills you read are not on the printed Calendar.
9 They will be read and taken up after the...those on the printed
10 Calendar will be first. Those bills which are on Consideration Post-
11 poned which are not on the Calendar which means that they have very
12 recently reached that status. We are asking the Secretary's Office
13 to prepare a list of those bills with just the head notes for distri-
14 bution to the members so that when we arrive at that point, each member
15 will have the head notes as they appear here on each of those bills.
16 Any other bills on the order of Consideration Postponed on which you
17 choose to offer amendments that you've not brought here? And the Chair
18 would also make this announcement that you would not feel any obliga-
19 tion to call a bill on Consideration Postponed because we are on this
20 order. You do not have to call the bill that's on Consideration Post-
21 poned. It can languish there without any problem. Consideration Post-
22 poned. House Bill 5, Senator Knuppel.

23 SENATOR KNUPPEL:

24 Mr. Chairman, House Bill 5...

25 PRESIDENT:

26 Just...just a moment. Well, just...just a moment. I...I didn't under-
27 stand you, Senator Rock. One moment.

28 SENATOR ROCK:

29 Well, I thought the suggestion was and...and was kind of agreed
30 upon that we would...those bills that the sponsor felt necessitated
31 an amendment, we would get those amendments on now and afford every-
32 body the opportunity to take a look at them before we get to them in
33 the pecking order.

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Reconsider
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1 PRESIDENT:

2 Well, I think that's right. There's only one on this Calendar,
3 853...which other one? What? 25...2592, yes. 2825. 1094. Let...
4 let me give them to you in sequential order. 853, 1094, 2592, 2825,
5 those are the ones for which we have amendments and on the printed
6 Calendar. Is that correct? That are on the printed Calendar now.
7 Would you give me the numbers. 2440. And that...that is it. Now,
8 let's call then House Bill 853. Senator Morris moves to move the
9 bill, House Bill 853, from the order of Consideration Postponed to
10 the order of 2nd reading for the purpose of an amendment. Senator Morris.

11 SENATOR MORRIS:

12 Having voted on the prevailing side on Amendment No. 1, I would
13 move to Table that amendment. That amendment made the population
14 two hundred thousand to one million...

15 PRESIDENT:

16 No...no, first...first, Senator...first, Senator, we have to take
17 a vote on your motion to move the bill from the Consideration Postponed
18 Calendar and bring it to the order of 2nd reading. On that question. All
19 in favor say Aye. Opposed Nay. Now, ...853 is on 2nd reading. Senator
20 Morris.

21 SENATOR MORRIS:

22 Having voted on the prevailing side on Amendment No. 1, I would
23 move to Table that amendment...reconsider that amendment.

24 PRESIDENT:

25 Senator Morris moves to reconsider the vote by which Amendment
26 No. 1 was adopted. All in favor will say Aye. Opposed Nay. The...
27 amendment is reconsidered. Senator Morris now moves to Table Amend-
28 ment No. 1. Explain the amendment, Senator.

29 SENATOR MORRIS:

30 I would substitute Amendment No. 5. Amendment No. 1 put the
31 population between two hundred thousand and one million. It should
32 have said two hundred and fifty thousand. It was a typographical
33 error. Amendment No. 5 would limit the Township Open Space Act to

1 counties of two hundred and fifty thousand to one million, and I
2 would move adoption of Amendment No. 5.

3 PRESIDENT:

4 Senator Morris moves the adoption of Amendment No. 5. All in
5 favor will say Aye. The amendment is...all...opposed Nay. The amend-
6 ment is adopted. Any further amendments? Back to the order of
7 Consideration Postponed. House Bill 1094, Senator Buzbee.

8 SENATOR BUZBEE:

9 Mr. President, I wish that Senator Mitchler were on the Floor.
10 This is the amendment that he and I and the Department of Public Health
11 and plumbing contractors and plumbers and just about everybody else
12 that worked out. This is the amendment that Senator Mitchler desired,
13 and I would now offer Amendment No. 1. What it does is to delete...

14 PRESIDENT:

15 One moment, Senator. The bill is...is on the order of Considera-
16 tion Postponed. Before we can deal with the amendment, we must first
17 move to return the bill to the order of 2nd reading. Is there leave?
18 Leave is granted. It is now on the order of 2nd reading, and you...
19 you are now moving having voted on the prevailing side to reconsider...

20 SENATOR BUZBEE:

21 No, no. No, there was no amendment to start with.

22 PRESIDENT:

23 Oh, there is no amendment. Very good. It's on 2nd reading.

24 SENATOR BUZBEE:

25 I'm...I am now offering Amendment No. 1 which says that plumbers
26 ...Senator Schaffer is also gone. He was very interested in the honey
27 dippers the other day. It says that plumbers as now here and after
28 amended, shall not be required to pay the annual license fee to become
29 a honey dipper, and since they already pay a plumbers license fee.
30 And I move the adoption of Amendment No. 1.

31 PRESIDENT:

32 Any discussion? Senator Buzbee moves the adoption of Amendment
33 No. 1 to House Bill 1094. All in favor will say Aye. Opposed Nay.

1 Amendment No. 1 is adopted. Any further amendments? Back to the
2 order of Consideration Postponed. House Bill 5, will you pull that
3 one? You didn't know about that yet. House Bill 5, Senator Knuppel.
4 Senator Carroll, for what purpose do you arise?
5 SENATOR KNUPPEL:
6 Mr. ...
7 SENATOR CARROLL:
8 I'm confused.
9 PRESIDENT:
10 One moment. One moment. Senator Carroll, for what purpose?
11 SENATOR CARROLL:
12 You read a bill of mine that was also to be brought back to 2nd
13 for purposes of amendment.
14 PRESIDENT:
15 I have not reached that sequential number.
16 SENATOR CARROLL:
17 Oh, I thought you were doing them all at once, and then coming
18 down the list.
19 PRESIDENT:
20 No, we are taking them one at a time. We have to.
21 SENATOR CARROLL:
22 The ones you were bringing back for amendments, I thought you
23 were doing all the amending first. I thought we were to it now.
24 PRESIDENT:
25 We are but on individual basis.
26 SENATOR CARROLL:
27 Yeah, and I had...
28 PRESIDENT:
29 We'll get to you. House Bill 5, Senator Knuppel.
30 SENATOR KNUPPEL:
31 Mr. Chairman, I've been asked to return House Bill 5 to the order
32 of 2nd reading for the purpose of an amendment or an attempt an amendment
33 by Senator Nudelman.

1 PRESIDENT:

2 Senator Knuppel moves to take House Bill 5 from the order of Consid-
3 eration Postponed and return it to the order of 2nd reading. Is there
4 leave? Leave is granted. Now, there are no amendments on the bill.
5 Is that correct?

6 SENATOR KNUPPEL:

7 Time.

8 PRESIDENT:

9 Are you...

10 SENATOR KNUPPEL:

11 There's one amendment. This would be Amendment No. 2.

12 PRESIDENT:

13 Alright. Senator Nudelman offers Amendment No. 2. Would you
14 explain the amendment, Senator. Senator Nudelman, you have Amendment
15 No. 2 to House Bill 5.

16 SENATOR NUDELMAN:

17 Thank you, Mr. President. Amendment No. 2 is a very simple
18 amendment. It would increase the penalty for the use of a pistol,
19 shotgun, spring gun, revolver, rifle, bomb, and the other grenade,
20 and the other items listed in Section 33A-1 of the bill to the same
21 penalty as for a sawed...sawed-off shotgun. I think the penalty...

22 PRESIDENT:

23 Senator Nudelman moves the adoption of Amendment No. 2 to House
24 Bill 5. All in favor will say Aye. Senator Knuppel.

25 SENATOR KNUPPEL:

26 Now, I...I resist this amendment, and the reason I resist it
27 is because there is, in my opinion, a vast difference between a sawed-
28 off shotgun and...on the one hand, with bombs which are listed. Any
29 bomb, bomb shell, grenade, bomb or other container containing an
30 explosive...substance and between a pistol and a rifle, and that's
31 the reason I resist the amendment, not because of any ill-will or any-
32 thing else, but I just think that those instruments have been defined
33 and are vastly more dangerous than a rifle or pistol in anybody's hand,

1 drunk or sober, and that's the reason I resist the amendment and the
2 House sponsor has asked me to resist the amendment.

3 PRESIDENT:

4 Senator Wooten.

5 SENATOR WOOTEN:

6 Well, Mr. President and colleagues, I would concur the adoption
7 of that amendment by tossing in bombs and so on, it makes it attrac-
8 tive, but including rifles and pistols, it makes it fatal to the bill's
9 chance of success. I think we all know that.

10 PRESIDENT:

11 Senator Nudelman moves the adoption of Amendment No. 2 to House
12 Bill 5. All in favor vote Aye. Opposed Nay. The voting is open.
13 Have all voted who wish? Take the record. On this question, the
14 Ayes are 24, the Nays are 19, with 1 Voting Present. Amendment No. 2
15 is adopted. Any further amendments? 3rd reading. ...Consideration
16 Postponed, yes. House Bill 2440, Senator Course. House Bill 2592,
17 Senator Carroll.

18 SENATOR CARROLL:

19 My apologies before, Mr. President, I didn't realize House Bill
20 5 was being amended. I thought you had gone back to the regular list.
21 There is an amendment on the Secretary's Desk. It cures the problem
22 raised by Senator Glass and Senator Sommer and says that as to this
23 Act, we're talking only about conduct that takes place within the
24 United States affecting occupations within the State of Illinois. I
25 would move the adoption of the amendment.

26 PRESIDENT:

27 Senator Carroll moves to remove House Bill 2592 from the order
28 of Consideration Postponed to the order...to the order of 2nd reading
29 for the purpose of an amendment. All in favor will say Aye. Opposed
30 Nay. The bill is on 2nd reading. Senator Carroll.

31 SENATOR CARROLL:

32 I'm sorry, Mr. President, I think I just explained the amendment.
33 This met the objection raised by Senator Glass and Senator Sommer, and

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1 this...what we are trying to accomplish is to prohibit these types
2 of activities within the United States as it affects business within
3 the State of Illinois. We are not trying to superimpose our moral
4 standards on any foreign country as to activities that go over there.
5 This amendment would clarify that, and I would move its adoption.

6 PRESIDENT:

7 Senator Carroll moves the adoption of Amendment No. 2 to House
8 Bill 2592. All in favor say Aye. Opposed Nay. Amendment No. 2 is
9 adopted. Any further amendments? Return to the order of Considera-
10 tion Postponed. House Bill 2825, Senator Rock.

11 SENATOR ROCK:

12 Thank you, Mr. President. I have on the Secretary's Desk Amend-
13 ment No. 1 which, in fact, deletes three words. This, as you know,
14 is the bill which exempted from the licensing provision the scrap
15 metal processors, and this just makes it perfectly clear, at least
16 I hope it does, that we are talking about one single segment of the
17 industry. It takes out...the words recycling and manufacturing. I
18 would move its adoption.

19 PRESIDENT:

20 Senator Rock moves to remove House Bill 2825 from the order of
21 Consideration Postponed to the order of 2nd reading. Is there leave?
22 Leave is granted. Senator Rock moves having voted on the prevailing
23 side...are you Tabling an amendment? Alright. Senator Rock moves to
24 adopt Amendment No. 1 to House Bill 2825. All in favor say Aye.
25 Opposed Nay. The amendment is adopted. Any further amendments?
26 Return to the order of Consideration Postponed. For what purpose does
27 Senator Lemke arise?

28 SENATOR LEMKE:

29 ...To save the time of the Senate, I talked to Senator Soper
30 myself. I have House Bill 223. I'd like to have that re-referred
31 back to Registration, Senator Romano's committee.

32 PRESIDENT:

33 Is there leave? House Bill 223 being re-referred to the

1 Committee on Insurance. Pardon. Insurance and Licensed Activities.
2 Is there leave? Leave is granted. On the order of bills on Post-
3 poned Consideration. House Bill 5, Senator Knuppel. The bills...
4 all of these bills have been read a third time. Senator Knuppel.
5 SENATOR KNUPPEL:

6 Mr. Chairman, House Bill 5 is not in its original condition at
7 this time. It's been amended, and the amendment creates something
8 a little bit different here than was intended by the original bill.
9 I...the bill as it originally existed was approved by all the rifle
10 associations and other people. I don't know that it would be approved
11 in its present form because I have no way of checking that, but it
12 says that violation of 33A or 33A2-1 is a Class 1 felony in the
13 maximum sentence provided by the same Act while unarmed, whichever is
14 greater. I...I don't believe that this is what was intended by the
15 bill, however, I think it's the will of the Body, and I'm going to
16 ask for a favorable roll call. Maybe we can get some differences
17 worked out so that...that the bill is acceptable.

18 PRESIDENT:

19 The question is shall House Bill 5 pass. Those in favor vote
20 Aye. Opposed Nay. The voting is open. Have all voted who wish?
21 Take the record. On this question, the Ayes are 31, the Nays are 12,
22 with 2 Voting Present. House Bill 5 having received a constitutional
23 majority is declared passed. House Bill 13, Senator Berning. For
24 what purpose does Senator Soper arise?

25 SENATOR SOPER:

26 Well, I just wanted the...the Journal to show that if I hadn't been
27 talking to someone, I would have pushed the yes button on this, but I...

28 PRESIDENT:

29 The record will so show. Senator Berning, House Bill 13.

30 SENATOR BERNING:

31 Thank you, Mr. President. House Bill 13 is a recreational water-
32 craft safety bill supported by the Department of Conservation. I urge
33 a Yes vote.

1 PRESIDENT:

2 The question is shall House Bill 13 pass. Those in favor will
3 vote Aye. Opposed NO. The voting is open. Have all voted who wish?
4 Take the record. On this question, the Ayes are 24, the Nays are 10,
5 with 4 Voting Present. House Bill 13 having failed to receive a con-
6 stitutional majority is declared lost. House Bill 160, Senator Knuppel.

7 SENATOR KNUPPEL:

8 Mr. Chairman, this bill was debated only last night. It provides
9 a penalty of one hundred dollars for each offense for anyone who knowingly
10 and intentionally hires an alien in this country without visa to per-
11 form work. I still say it's a good bill in light of our unemployment
12 situation and the continuing rise of...of problems with respect to
13 such wetbacks. I would appreciate a favorable roll call.

14 PRESIDENT:

15 The question is shall House Bill 160...Sir...Senator Nudelman.

16 SENATOR NUDELMAN:

17 My...apologies, Mr. President, but I didn't hear your pronounce-
18 ment. Are we allowed to mention the opposition to...to bills in this
19 ...in this procedure?

20 PRESIDENT:

21 It was indicated that thirty...thirty seconds will be allotted.

22 SENATOR NUDELMAN:

23 Thank you...thank you...thank you, Mr. President. I would just
24 point out that the passage of twenty-four hours of so...or so has not
25 improved this bill. It's the same bill. It's the same beginning of
26 the...of the...of the fascist state, the same beginning of keeping
27 of records on everybody, and I would again point out that this bill
28 doesn't only refer to the blacks and the Latinos and the other minori-
29 ties. This bill refers to you and me because anybody, anybody I
30 submit, applying for a job would need...have to have a proof that he
31 were a citizen and such proof is not only a voting card...

32 PRESIDENT:

33 Time...time is expired...

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1 SENATOR NUDELMAN:

2 There's more to it, and I would recommend a No vote.

3 PRESIDENT:

4 The question is shall House Bill 160 pass. Those in favor vote Aye.
5 Opposed Nay. The voting is open. Have all voted who wish? Take the
6 record. On this question, the Ayes are 16, the Nays are 25, with 1 Voting
7 Present. House Bill 160 having failed to receive a constitutional
8 majority is declared lost. House Bill 202, Senator Wooten.

9 SENATOR WOOTEN:

10 Mr. President, this bill seeks to cure the problem a person on
11 unemployment compensation encounters when he is ill and cannot
12 physically get down to the office to check in once he is already on
13 unemployment compensation. Would like a favorable roll call.

14 PRESIDENT:

15 The question is will...shall House Bill 202 pass. Those in favor
16 vote Aye. Opposed Nay. The voting is open. Have all voted who wish?
17 Take the record. On this question, the Ayes are 23, the Nays are 21,
18 with none Voting Present. House Bill 202 having failed to receive
19 a constitutional majority is declared lost. House Bill 402, Senator
20 Latherow.

21 SENATOR LATHEROW:

22 Thank you, Mr. President. This is a bill sponsored...handed to
23 me by Representative Neff for the mail carriers. It is supported by
24 the Department of Transportation, and I move for a favorable roll call.

25 PRESIDENT:

26 The question is shall House Bill 402 pass. Those in favor vote
27 Aye. Opposed Nay. The voting is open. Have all voted who wish?
28 Take the record. On this question, the Ayes are 24, the Nays are 14,
29 with 5 Voting Present. House Bill 402 having failed to receive a
30 constitutional majority is declared lost. House Bill 25, Senator Netsch.

31 SENATOR NETSCH:

32 Mr. President, this is the only lively bill at the moment that
33 requires nursing homes...could we stop the whistling for just a moment.

1 PRESIDENT:

2 I think they're flirting.

3 SENATOR NETSCH:

4 ---- It was not...it was not the kind of whistling to which I usually
5 respond.

6 PRESIDENT:

7 Right on. Your time has just expired.

8 SENATOR NETSCH:

9 Yes. Yes, thank you very...Mr. President, this is the only
10 lively bill at the moment which would require nursing homes to
11 submit financial statements. The State pays millions of dollars to
12 these nursing homes every year. This information is absolutely
13 essential both now and in the future in order that we may have some
14 control over the expenditures that we make.

15 PRESIDENT:

16 Senator Dawn Netsch...I mean Senator Don Moore.

17 SENATOR MOORE:

18 I know my initials are DAM, Mr. President, but in deference to
19 Senator Netsch, there is also a lively bill that is still alive on
20 Motions in Writing, Senate Bill 946, which gives this same authority
21 to the Department of Public Aid. This bill gives it to the Department
22 of Public Health. It's no better now than what it was before, and it
23 should receive the same vote. Thank you, Mr. President.

24 PRESIDENT:

25 The question is shall House Bill 425 pass. Those in favor vote
26 Aye. Opposed Nay. The voting is open. Have all voted who wish?
27 Take the record. On this question, the Ayes are 27, the Nays are 16,
28 with none Voting Present. House Bill 425 having received a...having
29 failed to receive a constitutional majority is declared lost. House
30 Bill 480, Senator Schaffer.

31 SENATOR SCHAFFER:

32 House Bill 480 is a senior citizen real estate tax deferral plan
33 which would allow a senior citizen to defer the taxes on their home.

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1 If they had an income under ten thousand dollars, the cost to the State is
2 minimal, and over the years, in Oregon at least, it has proven to be a
3 break even proposition. It's a good bill. Appreciate a favorable roll
4 call.

5 PRESIDENT:

6 The question is shall House Bill 480 pass. Those in favor vote
7 Aye. Opposed Nay. The voting is open. Have all voted who wish?
8 Take the record. On this question, the Ayes are 25, the Nays are 9,
9 with 6 Voting Present. House Bill 480 having failed to receive a
10 constitutional majority is declared lost. House Bill 526, Senator Graham.

11 SENATOR GRAHAM:

12 Yes, Mr. President, and Senator Netsch, you can whistle at me if
13 you want to, I love it. This bill started out to provide some regula-
14 tions for filing of...of petitions with regard to independent and
15 regular party candidates. It finally got amended on the Floor to the
16 point that independent candidates for office file at the same time
17 the regular party candidates file that they cannot circulate a petition
18 for an independent and or a party candidate or vice versa. I think it's
19 a good bill, and I deserve your vote...I deserve and want votes and
20 your whistle Mrs. Netsch.

21 PRESIDENT:

22 The question is shall House Bill 526 pass. Those in favor vote
23 Aye. Opposed Nay. The voting is open. Have all voted who wish?
24 Take the record. On this question, the Ayes are 40, the Nays are 14,
25 with none Voting Present. House Bill 526 having received a constitu-
26 tional majority is declared passed. House Bill 771, Senator Morris.

27 SENATOR MORRIS:

28 This is the bill that allows local municipalities and government
29 agencies to regulate snowmobiles. The one portion of the bill that was
30 objectionable to Senator Chew and Senator Latherow allowing the Department
31 of Conservation to deputize just about anybody has been removed. Only
32 the game wardens would be allowed to enforce this rule. Roll it.

33 PRESIDENT:

1 The question...the question is shall House Bill 771 pass. Those
2 in favor vote Aye. Opposed Nay. The voting is open. Have all voted
3 who wish? Take the record. On this question, the Ayes are 40, the
4 Nays are 4, with 3 Voting Present. House Bill 771 having received a
5 constitutional majority is declared passed. House Bill 809, Senator
6 Vadalabene. Senator Vadalabene is recognized.

7 SENATOR VADALABENE:

8 Yes, House Bill 809 permits the DOT to lease lands acquired for
9 highways, including air rights and rights under the highways, and I
10 appreciate a favorable vote.

11 PRESIDENT:

12 The question is shall House Bill 809 pass. Those in favor vote
13 Aye. Opposed Nay. The voting is open. Have all voted who wish?
14 Take the record. On this question, the Ayes are 16, the Nays are 28.
15 809, House Bill, having failed to receive a constitutional majority
16 is declared lost. House Bill 829, Senator Don Moore.

17 SENATOR MOORE:

18 Thank you, Mr. President and members of the Senate. House Bill
19 829 is the front license plate with the State seal on it. The rear
20 license plate remains the same as they are now in the House and Senate
21 with the district number in the Senate and the seniority in the House.
22 It's sponsored by myself and Senator Chew. The Secretary of State and
23 the State Police have no objection to this bill. It is important to
24 the members of the House of Representatives that this bill pass. I'd
25 request a favorable roll call.

26 PRESIDENT:

27 The question is shall...Senator Don...Senator Howard Mohr.

28 SENATOR MOHR:

29 Real quick. Senator Chew should be here to help the Senator. This
30 is the ego plate bill, and I would...I would suggest that this bill should
31 be amended to include the Shrine insignia for a front plate, the KC
32 insignia for a front plate, the B'nai B'rith, your country club...

33 PRESIDENT:

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1 NAACP.

2 SENATOR MOHR:

3 Or whatever...or...or whatever. They put numbers on a license
4 plate for a good reason. We should eliminate the front plate altogether
5 for everybody if we're going to do this. I oppose the bill.

6 PRESIDENT:

7 The question is shall House Bill 829 pass. Those in favor vote
8 Aye. Opposed Nay. The voting is open. Have all voted who wish?
9 Take the record. On this question, the Ayes are 30, the Nays are 21.
10 House Bill 829 having received a constitutional majority is declared
11 passed. House Bill...Senator Harris.

12 SENATOR HARRIS:

13 My name is Senator Chew, and if I had been here, I would have
14 voted for that bill, and I want the record to show it.

15 PRESIDENT:

16 Thank you, Mohammed Ali. House Bill 853, Senator Morris.

17 SENATOR MORRIS:

18 Thank you very much. This is Representative Matijevich's open
19 space bill. I passed out a memo on it. It's supported by the Urban
20 County's Council. Art Gottschalk has been working for it. Roll it.

21 PRESIDENT:

22 Oh, boy. The question is shall House Bill 853 pass. All in
23 favor will vote Aye. Opposed Nay. The voting is open. Name dropper.
24 Have all voted who wish? Take the record. On this question, the Ayes
25 are 50, the Nays are 1. House Bill 853 having received a constitutional
26 majority is declared passed. House Bill 858, Senator Mitchler.

27 SENATOR MITCHLER:

28 Mr. President and members of the Senate, House Bill 858 adds a
29 section to the Veterans' Commission Act. It provides that benefits
30 shall be available as long as the Federal Government provides educa-
31 tional benefits and provides for Illinois Veterans' Scholarships to be
32 administered by...by the Illinois Veterans' Commission. And I'd appre-
33 ciate the last favorable roll call.

1 PRESIDENT:

2 Shows that man is faster than machine. The machine has to take a
3 little air here for a moment. For what purpose does Senator Buzbee arise?

4 SENATOR BUZBEE:

5 Well, you said thirty seconds for the opposition. I was opposed
6 the other day. I had Senator Shapiro and Senator Mitchler explain that...
7 the reasoning for this bill, and I have now removed my opposition and am
8 in favor of it.

9 PRESIDENT:

10 Senator Howard Mohr.

11 SENATOR MOHR:

12 Mr. President, there must be some reason for that change.

13 PRESIDENT:

14 Tell him, Colonel. Senator Don Moore.

15 SENATOR MOORE:

16 Just a comment. Under a bill that we passed here, he may be a
17 brigadier general, Mr. President.

18 PRESIDENT:

19 The question is shall House Bill 858 pass. Those in favor vote
20 Aye. Opposed Nay. The voting is open. Have all voted who wish?
21 Take the record. On that question, the Ayes are 49, the Nays are 5,
22 with none Voting Present. House Bill 858 having recieved a constitu-
23 tional majority is declared passed. House Bill 859, Senator Carroll.

24 SENATOR CARROLL:

25 Thank you, Mr. President and members of the Senate. House Bill
26 859 is a bill to stabilize the real estate tax of the senior citizen
27 and allow him to apply during the year in which they become sixty-five.
28 I would ask for a favorable roll call.

29 PRESIDENT:

30 Senator Harris.

31 SENATOR HARRIS:

32 Yes, it does stabilize, but it also provides that the State picks
33 up the difference, and there is a considerable obligation connected

1 herewith, and as assessments and procedures of administering the
2 local property taxes, I just call to your attention the fact that it
3 is ten million the first year and it will increase. It's a new program.
4 We've done a great deal for this class of...of important citizenary
5 but I just think there comes a time when we've got to keep in mind
6 that we have a financial crisis.

7 PRESIDENT:

8 The question is shall House Bill 859 pass. Those in favor vote
9 Aye. Opposed Nay. The voting is open. Have all voted who wish?
10 Take the record. On this question, the Ayes are 25, the Nays are 23,
11 with 2 Voting Present. House Bill 859 having failed to receive a
12 constitutional majority is declared lost. House Bill 932, Senator Lemke.

13 SENATOR LEMKE:

14 House Bill 932 is a bill to make franchisers and...and distributors
15 liable if the franchisee or lessee doesn't have insurance to protect the
16 employees in the particular business, and I ask for a favorable vote.

17 PRESIDENT:

18 Senator Graham.

19 SENATOR GRAHAM:

20 This bill isn't any better than it was last week, and we have
21 just now, just a few moments ago, returned House Bill 3 with proper
22 amendments along with two other bills, and one of those amendments
23 incorporates this very bill and 932, and let us work on it in the
24 Committee on Labor and Commerce. Urge a No vote.

25 PRESIDENT:

26 The question is shall House Bill 932 pass. Those in favor vote
27 Aye. Opposed Nay. The voting is open. Have all voted who wish?
28 Take the record. On this question, the Ayes are 23, the Nays are 31,
29 with none Voting Present. House Bill 932 is declared lost. House
30 Bill 960, Senator Egan.

31 SENATOR EGAN:

32 Thank you, Mr. President and members of the Senate. This bill
33 in its original form allowed nothing more than the facility operated

1 by the county to be included for the handicapped children program in
2 the State. As amended, it provides that any construction for the
3 handicapped children be paid from the School Construction Fund. I
4 urge its support. I can't imagine any opposition.

5 PRESIDENT:

6 Senator Fawell.

7 SENATOR FAWELL:

8 Well, I would say this...this bill still is a raid upon the Bond
9 Fund which has been set aside for those districts that are...are the
10 poorest district and that will qualify for the Capital Development
11 Board Grant. It...it is still, in my opinion, a very poor bill. May
12 I ask this, Mr. ...Mr. President?

13 PRESIDENT:

14 Five seconds.

15 SENATOR FAWELL:

16 As a matter of parliamentary procedure, I construe this bill to
17 be an alteration of the bonding authority under the...under the Act
18 by which authority for the issuance of bonds to the Capital Develop-
19 ment Board was initially made, and therefore, it would seem to me
20 that thirty-six votes would be needed for passage. Could I have a
21 ruling from the Chair in that regard?

22 PRESIDENT:

23 (Machine cut-off)...see the bill for a moment and we can tell
24 you. Senator Egan, the Chair would ask the question, does the money
25 come from the CDB Bond Fund?

26 SENATOR EGAN:

27 School Construction Bond Fund.

28 PRESIDENT:

29 It takes thirty-six votes to pass it. The question is shall
30 House Bill 960 pass. Those in favor will vote Aye...960. It takes
31 thirty-five votes...thirty...thirty-six votes. The question is shall
32 House Bill 960 pass. Those in favor will vote Aye. Opposed Nay. The
33 voting is open. Have all voted who wish? Take the record. On this

1 question, the Ayes are 35, the Nays are 9, with 1 Voting Present.
2 House Bill 960 having failed to receive a constitutional majority
3 is declared lost. House Bill 1057, Senator Johns.

4 SENATOR JOHNS:

5 It's just like the digest says, increases the minimum salary
6 for teachers in each category of education experience.

7 PRESIDENT:

8 Senator Glass.

9 SENATOR GLASS:

10 Thank you, Mr. President. In opposition to the bill, I encouraged
11 Senator Johns to accept an amendment which would modify some of these
12 increases that would make it much more palatable to the school dis-
13 tricts. As it is, many school districts will suffer from the bill
14 and have to increase...their salary payments pursuant to contracts
15 already agreed to, and so I would urge the defeat of the bill.

16 PRESIDENT:

17 The question is shall House Bill 1057 pass. Those in favor vote
18 Aye. Opposed Nay. The voting is open. Have all voted who wish? Take
19 the record. On this question, the Ayes are 25, the Nays are 18, with 1
20 Voting Present. House Bill 1057 having failed to receive a constitutional
21 majority is declared lost. House Bill 1094, Senator Buzbee.

22 SENATOR BUZBEE:

23 Read the bill. Oh...

24 PRESIDENT:

25 All of these bills have been read a third time.

26 SENATOR BUZBEE:

27 Mr. President, before the bombs start too fast, I do have my
28 helmet in my car and I'd like to explain first though that we have
29 worked on an amendment that's agreeable to those folks who were
30 opposed to the bill the other day, and what we're doing now is saying
31 that plumbers who are already licensed as plumbers do not have to pay
32 a fee to become honey dippers, and I'd ask for a favorable roll call.

33 PRESIDENT:

1 The question is shall House Bill 1094 pass. Those in favor vote
2 Aye. Opposed Nay. The voting is open. Have all voted who wish?
3 Take the record. On this question, the Ayes are 42, the Nays are 7,
4 with 2 Voting Present. House Bill 1094 having received a constitu-
5 tional majority is declared passed. House Bill 1112, Senator Vadalabene.
6 SENATOR VADALABENE:

7 Thank you, Mr. President and members of the Senate. This bill
8 provides identical retained percentage trust agreement plan for the
9 Capital Development Board as that...as that which was passed by the
10 Senate in 1971 for the Department of Transportation. This is permissive
11 legislation, and I would appreciate a favorable vote.

12 PRESIDENT:

13 Senator Clarke.

14 SENATOR CLARKE:

15 I'd just like to say, Mr. Chairman, that this bill was considered
16 by the Audit Commission, endorsed, it is an Audit Commission bill. I
17 urge your Yes vote too.

18 PRESIDENT:

19 The question is shall House Bill 1112 pass. Those in favor vote
20 Aye. Opposed Nay...Senator Bruce, for what purpose do you arise?

21 SENATOR BRUCE:

22 Well, I want to move up...use up some of that...thirty seconds in
23 opposition to this bill. If you're worried about subcontractors in
24 the State of Illinois, I think you better take a very close look at what
25 you're doing to them and their hopes of...getting some money back in
26 case the projects fails.

27 PRESIDENT:

28 The question is shall House Bill 1112 pass. Those in favor will
29 vote Aye. Opposed Nay. The voting is open. Have all voted who wish?
30 Take the record. On this question, the Ayes are 32, the Nays are 17,
31 with 1 Voting Present. House Bill 1112 having...having received a
32 constitutional majority is declared passed. House Bill 1275, Senator
33 Hickey.

1 SENATOR HICKEY:

2 The Street Trade Law was written for the protection of children
3 who are at the present time being exploited, cheated, and endangered
4 by adults who employ them. It requires registration of those who
5 employ minors except for newsboys and those working for nonprofit
6 organizations to which their families belong. I ask for a favorable
7 roll call.

8 PRESIDENT:

9 The question is shall House Bill 1275 pass. Those in favor vote
10 Aye. Opposed Nay. The voting is open. Have all voted who wish?
11 Take the record. On this question, the Ayes are 33, the Nays are 14,
12 with 2 Voting Present. House Bill 1275 having received a constitutional
13 majority is declared passed. House Bill 1422, Senator McCarthy.

14 SENATOR McCARTHY:

15 Yes, Mr. President, this one has to do with collective bargaining
16 at the universities. In the original debate, I incorrectly said that
17 the academic part of the university was included, and I was in err.
18 So, this is...this is the employees other than academic. Backed by
19 organized labor, recommended an Aye vote.

20 PRESIDENT:

21 Senator Graham.

22 SENATOR GRAHAM:

23 Well, here we go again, Senator McCarthy. This is just absolutely
24 a bad bill. It would mandate negotiation of the union security
25 and dues checkoff. It allows agency shop...provision wherein all
26 employees pay dues even though whether...whether or not they want to
27 belong to a union. I don't think we've gotten to that. I heard a
28 little speech a while ago about fascist states, so how far are we going
29 to go with this monkey business? A red light will be a good thing to
30 do.

31 PRESIDENT:

32 The question is shall House Bill 1422 pass. Those in favor
33 will vote Aye. Opposed Nay. The voting is open. Have all voted who

1 wish? Take the record. On this question, the Ayes are 26, the Nays
2 are 21, with 3 Voting Present. House Bill 1422 having failed to
3 receive a constitutional majority is declared lost. Now, the bills
4 on Postponed...Postponed Consideration which are not on the Calendar
5 have been reproduced for us. We will have the Sergeant-at-Arms and
6 Pages pass them out, and you will add one other number to this page.
7 It was inadvertently left off. That bill is 2196, 2196. House Bill
8 1513, Senator Glass.

9 SENATOR GLASS:

10 Thank...thank you, Mr. President. House Bill 1513 provides for
11 the recovery of...waste paper from State offices and the recycling
12 of it will cut down on the production of new paper through the
13 recycling of old paper, and the State, under the bill, would award
14 to the highest bidder for the recovery and sale of waste paper, would
15 award the paper for recycling to the highest bidder. I would urge a
16 favorable roll call.

17 PRESIDENT:

18 The question is shall House Bill 1513 pass. Those in favor will
19 vote Aye. Opposed Nay. The voting is open. Have all voted who wish?
20 Take the record. On this question, the Ayes are 27, the Nays are 16,
21 with 4 Voting Present. House Bill 1513 having failed to receive a
22 constitutional majority is declared lost. House Bill 1598, Senator
23 Berning.

24 SENATOR BERNING:

25 Thank you, Mr. President. 1598 is a necessary bill in order to
26 provide that in those instances where the Environmental Protection
27 Agency or the court mandates, mandates, a sewage or sanitary district
28 to make improvements and that district no longer has bonding power.
29 This is not a direct tax increase as was implied earlier, but it
30 simply provides the tool whereby in those instances where the EPA or
31 a court says to a sanitary district, you make improvements. Now, this
32 was the case with the Northshore Sanitary District in my county. The
33 bond houses are loath to approve the bonds without this particular

1 bill. And I would urge a favorable roll call.

2 PRESIDENT:

3 The question is shall House Bill 1598 pass. Those in favor vote
4 Aye. Opposed Nay. The voting is open. Have all voted who wish?
5 Take the record. On this question, the Ayes are 28, the Nays are 10,
6 with 1 Voting Present. House Bill 1598 having failed to receive a
7 constitutional majority is declared lost. House Bill 1645, Senator
8 Berning.

9 SENATOR BERNING:

10 Thank you, Mr. President. As I tried to explain before, this
11 is an alternative proposal for an answer to the dilemma that was
12 created by the Attorney General's opinion. This is another avenue
13 for the...for the simultaneous holding of the office of supervisor
14 and county board member, and authorizes the dual...dual office holding
15 through the current term of the county board member.

16 PRESIDENT:

17 The question is shall House Bill 1645 pass. Those in favor vote
18 Aye. Opposed Nay. The voting is open. Have all voted who wish?
19 Take the record. On this question, the Ayes are 34, the Nays are 5,
20 with 1 Voting Present. House Bill 1645 having received a constitutional
21 majority is declared passed. House Bill 1693, Senator Hickey.

22 SENATOR HICKEY:

23 House Bill 1693 concerns the maximum award for Illinois students
24 in private colleges and universities. It sets fifteen hundred dollars
25 as the permissive amount. It's not mandatory, and with a two and a
26 half million dollar cut that the Senate has approved on the ISSC
27 appropriation bill, the commission could authorize a fourteen hundred
28 dollar award up to...up fifty dollars from thirteen fifty or could
29 hold off on summer 1976 awards. I don't know exactly what...which
30 thing they'll do. I think they will try not to cut down on the number
31 of students getting awards during the regular school year, and I ask
32 for a favorable roll call.

33 PPRESIDENT:

1 The question is shall House Bill...Senator Harris.

2 SENATOR HARRIS:

3 It's a new program. I think it's at least two and a half million
4 dollars. It's...it's worthy, but just too costly.

5 PRESIDENT:

6 The question is shall House Bill 1693 pass. Those in favor vote
7 Aye. Opposed Nay. The voting is open. Have all voted who wish?
8 Take the record. On this question, the Ayes are 37, the Nays are 16,
9 with 1 Voting Present. House Bill 1693 having received a constitutional
10 majority is declared passed. House Bill 1704, Senator Knuppel.

11 SENATOR KNUPPEL:

12 Mr. Chairman and members of the Body, House Bill 1704 has been
13 amended pursuant to the request of Senator Nimrod and Senator Harris
14 since it was first heard. It provides for use of ten million dollars
15 of funds that have already been appropriated to the commission for
16 alternate sources of energy rather than coal. It also provides that
17 rejected applications for use of these funds can be brought to the
18 commission for review. I say this bill is a much better bill than it
19 was before. It has been amended to meet the objections of Senator
20 Harris and I solicit a favorable roll call.

21 PRESIDENT:

22 The question is shall House Bill 1704 pass. Those in favor will
23 vote Aye. Opposed Nay. The voting is open. Pardon me. Senator
24 Harris. I'm sorry.

25 SENATOR HARRIS:

26 I think, I'm not sure, but I think this takes thirty-six votes. I..
27 just...it changes the authorization, I believe, so I just think
28 people ought to be on notice on it. It's a good bill.

29 PRESIDENT:

30 ...Thirty-six votes required. Have all voted...have all voted
31 who wish? It requires thirty-six votes. Take the record. On this
32 question, the Ayes are 42, the Nays are 5, with 2 Voting Present.
33 House Bill 1704 having received a constitutional majority is declared

1 passed. House Bill 1766, Senator Newhouse.

2 SENATOR NEWHOUSE:

3 Thank you, Mr. President and fellow Senators. This is the bill
4 for minority contractors. It...it...it removes the provision for
5 bonding. The standard for small contractors is five hundred thousand,
6 the maximum amount in any contract is thirty thousand. There's a
7 minimum amount of money involved. It'll put into business a number of
8 contractors to...to increase the competition in the State, and I'd
9 like a...urge its adoption.

10 PRESIDENT:

11 Senator Sommer.

12 SENATOR SOMMER:

13 Mr. President, I opposed this the other day based upon the fact
14 that the performance bonds are waived, but I come...come to the belief
15 that we have to help these people get started in the business, and
16 this is the way to do it.

17 PRESIDENT:

18 The question is shall House Bill 1766 pass. Those in...those in
19 favor vote Aye. Opposed Nay. The voting is open. Have all voted who
20 wish? Take the record. On this question, the Ayes are 33, the Nays
21 are 11, with 4 Voting...Voting Present. House Bill 1766 having
22 achieved a constitutional majority is declared passed. House Bill
23 1785, Senator Knuppel.

24 SENATOR KNUPPEL:

25 Mr. Chairman, I'd like to have leave to re-refer this bill to the
26 committee for further interim study.

27 PRESIDENT:

28 Is leave granted? Leave is granted. House Bill 1845, Senator
29 Philip.

30 SENATOR PHILIP:

31 Thank you, Mr. President and Ladies and Gentlemen of the Senate.
32 Senate Bill 1845 as amended and described on the Calendar is incorrect.
33 We amended out the section that provided for four years for public

1 defenders, they now serve at the leisure of the court, but it
2 does permit county boards from adjoining counties in more than one
3 ...circuit to have one public defender office for those counties.
4 Also states reasons for removal of office, also provides that if you
5 have a full-time public defender, he would have the same salary as
6 the State's Attorney. This is a...recommendation of the National
7 Commission on Public Defenders and the Illinois Public Defenders
8 Association are in favor. I ask for a green vote.

9 PRESIDENT:

10 Senator Roe.

11 SENATOR ROE:

12 Just want to remind the membership that this is county money.
13 County money pays for the public defender and the assistant public
14 defenders, and this bill is tied to the State's Attorney's salary which,
15 if it passes at forty-two five, will double and triple the salaries
16 of public defenders in this State with no requirement that they prac-
17 tice public defending as a full-time practice and not practice law.

18 PRESIDENT:

19 The question is shall House Bill 1845 pass. Those in favor will
20 vote Aye. Opposed Nay. The voting is open. Have all voted who wish?
21 Take the record. On this question, the Ayes are 27, the Nays are 18,
22 with none Voting Present. House Bill 1845 having failed to receive a
23 constitutional majority is declared lost. House Bill 1876, Senator
24 Graham.

25 SENATOR GRAHAM:

26 Yes, Mr. President and members of the Senate, last week when we
27 discussed this thing, there was a feeling that this was licensing
28 tree experts. It does not. They are already licensed. This only
29 regulates corporations and prevents them from having unlicensed tree
30 experts doing their work or supervising their work on our landscape,
31 and there is no extra additional licensing provisions in the bill.

32 PRESIDENT:

33 The question is shall House Bill...Senator Bruce.

1 SENATOR BRUCE:

2 I just would point out to the membership again, for a fellow
3 that's gone to four years of forestry school, it still removes the...
4 the allowance for him to practice without being licensed. It seems to
5 me still that if we give a degree in forestry, he ought to be able to
6 do forestry work.

7 PRESIDENT:

8 The question is shall House Bill 1876 pass. Those in favor will
9 vote...vote Aye. Opposed Nay. The voting is open. Have all voted
10 who wish? Take the record. On...on this question, the Ayes are 26,
11 the Nays are 15, with 2 Voting Present. House Bill 1876 having failed
12 to achieve a constitutional majority is declared lost. House Bill
13 1890, Senator Demuzio.

14 SENATOR DEMUZIO:

15 Thank you, Mr. President. 8...House Bill 1890 does exactly as
16 the digest indicates. It changes the name of the Department of
17 Registration and Education to the Department of Consumer Affairs and
18 Licensing.

19 PRESIDENT:

20 The question is shall House Bill 1890 pass. Those in favor vote
21 Aye. Opposed...Senator Harris. Senator Nudelman, were you seeking
22 recognition?

23 SENATOR NUDELMAN:

24 For my good friend Senator Harris.

25 PRESIDENT:

26 Does Senator Harris desire recognition?

27 SENATOR HARRIS:

28 Well, the Body has spoken on this question repeatedly. I hope
29 it continues to speak with the same resounding negative voice.

30 PRESIDENT:

31 The question...for what purpose does Senator Demuzio arise?

32 SENATOR DEMUZIO:

33 I have the feeling I spoke too much.

1 PRESIDENT:

2 The question is shall House Bill 1890 pass. Those in favor vote
3 Aye. Opposed Nay. The voting is open. Have all voted who wish?
4 Take the record. On this question, the Ayes are 15, the Nays are 36,
5 with none Voting Present. House Bill 1890 having failed to receive a
6 ...constitutional majority is declared lost. Senator Mitchler is
7 recognized on House Bill 1900.

8 SENATOR MITCHLER:

9 Mr. President and members of the Senate, I'd like leave to bring
10 House Bill 1900 back to 2nd reading for the purpose of an amendment.

11 PRESIDENT:

12 Is leave granted? Leave is granted.

13 SENATOR MITCHLER:

14 Mr. President, on the Secretary's Desk is an amendment to House
15 Bill 1900.

16 PRESIDENT:

17 Explain the amendment.

18 SENATOR MITCHLER:

19 The amendment reduces the amount on Page 4, line 12, by deleting
20 five hundred million down to ten million. I stuttered when I first
21 read that five hundred million, reducing it by four hundred ninety
22 million.

23 PRESIDENT:

24 Senator Howard Mohr.

25 SENATOR MITCHLER:

26 I'd move for adoption of the amendment.

27 PRESIDENT:

28 Senator Howard Mohr.

29 SENATOR MOHR:

30 Well, it makes...makes a person feel good when you...able to hold
31 up a bill for a couple of days and save four hundred and ninety million.

32 PRESIDENT:

33 Senator Clarke.

1 SENATOR CLARKE:

2 You know, it reminds of some other people that increased their
3 budget thirty-six percent then cut it back by six percent.

4 PRESIDENT:

5 Senator Harris.

6 SENATOR HARRIS:

7 Well, two things I want to caution the membership. This is a
8 new program, and ten million dollars is just the absolute, absolute
9 minimal tip of a huge iceberg. How many votes will this require? Oh,
10 I'm...excuse me. On the amendment, I'm...I'm sorry...I'm sorry.

11 PRESIDENT:

12 Senator Mitchler moves the adoption of Amendment No. 1 to House
13 Bill 1900. All in favor will say Aye. Opposed Nay. Ayes have it.
14 The amendment is adopted. Any further amendments? 3rd reading. Back
15 to the order of Consideration Postponed. House Bill 4...1942, Senator
16 McCarthy.

17 SENATOR McCARTHY:

18 Yes, Mr. President and members of the Body, 1942 is the exemption
19 of recommendation of the Barbers Association to the Antitrust Act.
20 And this bill has been received thirty-one votes, but two were...two
21 were taken off and it's backed by the AF of L, the CIO and I would
22 recommend a favorable roll call.

23 PRESIDENT:

24 Senator Netsch.

25 SENATOR NETSCH:

26 Mr. President, I appreciate the fact that the whistles start
27 every time I stand up. It is not a good bill.

28 PRESIDENT:

29 Let's not overdo it, fellows.

30 SENATOR NETSCH:

31 Yeah, right. I...and my time is up, right?

32 PRESIDENT:

33 No, not this time.

1 SENATOR NETSCH:

2 Alright, it is not a good bill. What we are doing is writing
3 into the laws another exemption for another form of legalized price
4 fixing. The Supreme Court has recently knocked it out for the lawyers,
5 the minimum suggested fee schedule. It should go out for everyone.
6 This is exactly the wrong direction to go on price fixing.

7 PRESIDENT:

8 The question is shall House Bill 1942 pass. Those in favor vote
9 Aye. Opposed Nay. For what purpose...well, just a moment. What
10 purpose does Senator Clarke arise?

11 SENATOR CLARKE:

12 I just wanted to comment, Mr. President. ...for the third
13 time, this gets to be a worse and worse bill. Let me point out to
14 you as I said yesterday that there's a big scandal developing in this
15 union, and this is no time to be passing this kind of an exemption.

16 PRESIDENT:

17 The question is shall House Bill 1942 pass. Those in favor vote
18 Aye. Opposed Nay. The voting is open. Have all voted who wish?
19 Take the record. On this question, the Ayes are 27, the Nays are 23,
20 with 1 Voting Present. House Bill 1942 having failed to receive a
21 constitutional majority is declared lost. House Bill 1900, Senator
22 Mitchler.

23 SENATOR MITCHLER:

24 Mr. President and members of the Senate, this bill will require
25 thirty-six votes to pass. It received thirty-four votes before due
26 to the absence of some members of the Senate. This creates the South-
27 east Asian Veterans Home Loan Program. I know there's a lot of money
28 committed here, but I want to point out that Oregon made a profit of
29 four point one million dollars on this benefit program for the veteran.
30 California made a profit of seventeen million dollars. This is not
31 a negative type of a program. This is to give five thousand dollars
32 home loan to purchasers of homes by Southeast Asian Veterans who have
33 qualified by service in Vietnam. Let us not forget those forgotten,

1 people. I would ask for a favorable roll call please.

2 PRESIDENT:

3 Senator...Senator Harber Hall.

4 SENATOR HALL:

5 Mr. President, I rise to support this bill. Ten million dollars
6 is an investment...

7 PRESIDENT:

8 Senator...Senator, you're out of order. The rule...the ground
9 rules are, Senator Harber Hall, you're out of order. The ground rules
10 are that we would ask those persons who want to speak in opposition
11 could speak on behalf. Senator, now you see...Senator Wooten.

12 SENATOR WOOTEN:

13 Well, I would simply point out that while the sponsor has pulled
14 back the badly inflated figure, the language in the bill is still very
15 loosely constructed. People can move in to take advantage of it. It
16 just is not a well drawn bill.

17 PRESIDENT:

18 The question is shall House Bill 1900 pass. Those in favor vote
19 Aye. Opposed Nay. The voting is open. Have all voted who wish?
20 Take the record. On this question, the Ayes are 30, the Nays are 7,
21 with 4 Voting Present. House Bill 1900 having failed to receive a
22 constitutional majority is declared lost. For what...purpose does
23 Senator Nudelman arise?

24 SENATOR NUDELMAN:

25 Two reasons, Mr. President. One, I...I turned to sneeze and the
26 whole 1704 passed by, and I'd like the record to show that had I been
27 awake, I would have voted Aye on 1704, and the second point is, on
28 this bill, is it thirty to pass...thirty-six to pass to make it
29 effective immediately?

30 PRESIDENT:

31 You must have sneezed twice. I said thirty-six votes required.

32 SENATOR NUDELMAN:

33 So, in other words, it has failed even though it had thirty?

1 PRESIDENT:

2 I'll share...I'll share my...my anacin with you...

3 SENATOR NUDELMAN:

4 Thank you.

5 PRESIDENT:

6 House Bill 2140, Senator Davidson.

7 SENATOR DAVIDSON:

8 Yes, Mr. President and members of the Senate, this bill gives you
9 an opportunity to get the township roads and get the people out of
10 the mud. We need it, they need it, you need. Appreciate a favorable
11 roll call.

12 PRESIDENT:

13 Senator Harris.

14 SENATOR HARRIS:

15 It's eight and a half million dollars gang. Doctor Davidson,
16 accountant Davidson suggests it's only seven million two. I...I
17 point out that it's new and we just absolutely can't afford it.

18 PRESIDENT:

19 The question is shall House Bill 2140 pass. Those in favor vote
20 Aye. Opposed Nay. The voting is open. Have all voted who wish?
21 Take the record. On this question, the Ayes are 20, the Nays are 25,
22 with 2 Voting Present. House Bill 2140 having failed to receive a
23 constitutional majority is declared lost. The Chair would just like
24 to make a statement. I'll leave it to your judgement to determine
25 what this means, but on Senator Mitchler's bill, at five hundred
26 million, there were thirty-four votes. At ten million, there were
27 thirty. For what purpose does Senator Soper arise?

28 SENATOR SOPER:

29 Well, when he took off four hundred and ninety million, we'd
30 make less profit on account of the reason that we couldn't invest the
31 other money at two percent more. So, two percent from five...four
32 hundred and ninety million would be more than two percent on ten
33 million, see.

HB 2440
6. P. 1

1 PRESIDENT:

2 Oh, thank you. That clears it all up for us. House Bill 2440,
3 Senator Course is recognized for an amendment. Senator Course.

4 SENATOR COURSE:

5 Thank you, Mr. President. I'd like unanimous...consent to have
6 2440 returned to the order of 2nd reading for the purpose of amending.

7 PRESIDENT:

8 Is there leave? Leave is granted. Senator Course.

9 SENATOR COURSE:

10 The Chair has a copy. This will be Senate Amendment No. 1 to
11 House Bill 2440, and what it does, Ladies and Gentlemen, on page 1,
12 line 21, by inserting immediately after and the following, including
13 in counties of two hundred thousand population which classify real
14 property. It makes this Act applicable to counties of over two hundred
15 thousand. I have cleared this with the leadership on the other side
16 of the aisle, and this was one of their objections. I would move its
17 adoption.

18 PRESIDENT:

19 Senator Course moves the adoption of Amendment No. 1 to House
20 Bill 2440. All in favor say Aye. Opposed Nay. Amendment No. 1 is
21 adopted. Any further amendments? The bill is returned to the order
22 of Consideration Postponed. (Machine cut-off)...does Senator Hickey
23 arise?

24 SENATOR HICKEY:

25 Amendment No. 2. This amendment is the same as was offered
26 yesterday on HB 990, but it was kept off principally in order to be
27 sure that 990 didn't have to go back to the House for concurrence.
28 It rights the assessment wrongs that HB 990 would do to Winnegago
29 County, and it would help to make up the penalties which that county
30 has undergone through the State Aid Formula because it's been obeying
31 the law and assessing better than any county in this State. This
32 will put everybody on the side of the angels. Thank you.

33 PRESIDENT:

1 Any discussion? Senator Clarke.

2 SENATOR CLARKE:

3 Well, Mr. President, I feel very deeply for Mrs. Hickey in Rock-
4 ford County as I said yesterday...or Winnebago, yesterday. I think
5 that we have got to look at this situation because there are a lot
6 of other districts that are impacted other than just the two districts
7 in Winnebago County. I think this is the wrong way to go about this.
8 I think this amendment has some defects in itself because I think it's
9 unconstitutional treating one county different from all the rest. I
10 would urge we resist this amendment.

11 PRESIDENT:

12 Senator Hickey moves the adoption of Amendment No. 2 to House
13 Bill...Senator Harris.

14 SENATOR HARRIS:

15 Well, I would raise the question of germaneness. I just talked
16 to Mr. Giebelhausen. Would the Chair want to rule that if this amend-
17 ment were adopted, would 2440, in fact, then be tied on the basis of
18 germaneness or would not this amendment be exclusory?

19 PRESIDENT:

20 Well, the Chair...the Chair would rule that it is germane, and
21 at the end of the amendment, there is a severability clause so it
22 wouldn't in any way jeopardize the bill. Senator Harber Hall.

23 SENATOR HALL:

24 Well, I rise to oppose this amendment, Mr. President. We discussed
25 this at length yesterday on another bill. The main point that I would
26 like to make here tonight is that one Senator wants to increase the
27 taxes in her district in an unfair proportion with...with other tax-
28 payers throughout the State. We've...if we're going to have equality,
29 let's have equality.

30 PRESIDENT:

31 The question is shall Amendment No. 2 be adopted. Senator Hickey
32 moves the adoption of Amendment No. 2. All in favor say Aye. Opposed
33 Nay. A roll call is requested. On the question of the adoption of

1 . Amendment No. 2. Those in favor will vote Aye. Opposed will vote
2 Nay. The voting is open. Have all voted who wish? Take the record.
3 On this question, the Ayes are 31, the Nays are 22, with none Voting
4 Present. Amendment No. 2 is adopted. Any further amendments? The
5 bill returned to the order of Consideration Postponed. House Bill
6 2455, Senator Kenneth Hall.

7 SENATOR HALL:

8 Mr. President, I'd like to...

9 PRESIDENT:

10 Excuse me a moment. I'm sorry, Senator Vadalabene. I'll get
11 back to you. Senator Kenneth Hall.

12 SENATOR HALL:

13 I would like leave of this Body to re-refer 2455 back to the
14 Committee on Education.

15 PRESIDENT:

16 Is there leave? Leave is granted. House Bill 2204, Senator
17 Vadalabene.

18 SENATOR VADALABENE:

19 Yes, thank you, Mr. President and members of the Senate. House
20 Bill 2204 to the Secretary of State for expenses in conjunction with
21 a new photo drivers license program, and I appreciate a favorable
22 vote.

23 PRESIDENT:

24 The question is shall House Bill 2204 pass. Senator Weaver.

25 SENATOR WEAVER:

26 Mr. President, I'd just like to point out this is a new program.

27 PRESIDENT:

28 The question is shall House Bill 2204 pass. Those in favor vote
29 Aye. Opposed Nay. The voting is open. Have all voted who wish?
30 Take the record. On this question, the Ayes are 34, the Nays are 18,
31 with none Voting Present. House Bill 2204 having received a consti-
32 tutional majority is declared passed. House Bill 2263, Senator
33 Vadalabene.

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H B 2592
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SENATOR VADALABENE:

2 Mr. Speaker and members of...Mr. President and members of the
3 Senate, House Bill 2263 is an appropriation of three thousand and
4 eighty-eight dollars for retirement contributions on behalf of a former
5 employee of the OSPI. It's a retirement contribution on behalf of
6 a former employee of the OSPI and is deserving of Senate approval, and
7 I would appreciate a favorable vote.

8 PRESIDENT:

9 The question is shall House Bill 2263 pass. Those in favor vote
10 Aye. Opposed Nay. The voting is open. Have all voted who wish?
11 Take the record. On this question, the Ayes are 18, the Nays are 14,
12 with 2 Voting Present. House Bill 2263 having failed to receive a
13 constitutional majority is declared lost. House Bill 2592, Senator
14 Carroll.

15 SENATOR CARROLL:

16 Thank you, Mr. President and members of the Senate. I think we
17 have clarified all the problems that were with this bill. Now, what
18 it would do is that it forbids discriminatory acts on the basis of
19 ethnic or religious grounds by foreign governments when acting within
20 the United States as to employment within the State of Illinois. I
21 think this answers the problems that we have had, and I would ask for
22 a favorable roll call.

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24 (Continued on the next page)
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H.B. 2592
12-2-52

1 PRESIDENT:

2 Question is shall House Bill 2592 pass. Those in favor vote Aye.
3 Opposed Nay. The voting is open. Have all voted who wish? Take
4 the record. On this question, the Ayes are 35, the Nays are 14 with
5 2 Voting Present. House Bill 2592 having received a constitutional
6 majority is declared passed. House Bill 2784, Senator Egan.

7 SENATOR EGAN:

8 Thank you, Mr. President and members of the Senate. This...

9 PRESIDENT:

10 One moment. One moment, Senator Egan. For what purpose does
11 Senator Newhouse arise?

12 SENATOR NEWHOUSE:

13 To suggest to the sponsor that he might want to hold 2784. This
14 is a committee bill that we've been working on. We're still working
15 on it. Going to have a report back at some later time, and until such
16 time, I suggest you hold the bill.

17 PRESIDENT:

18 Senator Egan, what is your pleasure?

19 SENATOR EGAN:

20 I would defer that question to the President and to the Minority
21 Leader, Senator Harris.

22 PRESIDENT:

23 Senator Harris.

24 SENATOR HARRIS:

25 Well, Mr. President, I would just acknowledge that I have made
26 a personal commitment to this bill, but I know there are a great
27 many members who feel differently about it. And I know that the
28 Chairman of the Committee is trying to get something worked out that
29 might be an acceptable...solution. It's, I think, really up to the
30 Body. If the sponsor wants to take a chance, this is, of course, the
31 last chance. Some viable alternative might be able to be worked out
32 yet tonight. I...I just don't want to comment really.

33 PRESIDENT:

1 Question is shall House Bill 2784 pass. Those in favor vote Aye.
2 Opposed Nay. The voting is open. Senator Newhouse, for what purpose
3 do you arise? For what purpose do you arise, Senator?

4 SENATOR NEWHOUSE:

5 Mr. President, I...I rose...first, I'm sorry I didn't ask for
6 a point of personal privilege in...in the initial phase.

7 PRESIDENT:

8 I'm not offended. Go ahead.

9 SENATOR NEWHOUSE:

10 Well, thanks. I want to speak against the passage of this bill
11 at this time. Our committee has been working very hard to try to
12 resolve this problem. We have calls into the principals. Everybody
13 is convinced that this bill has been discussed apparently with everybody
14 but the committee people. There is a committee report on my desk right
15 now which we passed out to the members of this committee tonight. This
16 committee will, then, if it wants, make a decision on a recommendation.
17 And until such time, all we're doing now is absolutely circumventing
18 the committee system in the most blatant sort of way.

19 PRESIDENT:

20 Have all voted who wish? Have all voted who wish? Take the
21 record. On this question, the Ayes are 34, the Nays are 3 with 5
22 Voting Present. House Bill 2784 having achieved a constitutional
23 majority is declared passed. House Bill 2818, Senator Course.

24 SENATOR COURSE:

25 Thank you, Mr. President. This is exactly as the synopsis says
26 that...it will allow municipalities to levy a one cent tax on ciga-
27 rettes if they do not have a tax...or the sales tax on cigarettes
28 now. This is...it's...it's not mandatory. It...it's permissive,
29 and these...some of these municipalities that need money for their
30 roads. This is an easy way of getting it. I would appreciate a favor-
31 able roll call.

32 PRESIDENT:

33 Senator...Senator Clarke.

HB 2825
6/26/75

1 SENATOR CLARKE:

2 Well, Mr. President, while...while Senator Mitchler is against...
3 you know for taxing tobacco out of existence, still every cent you
4 increase it at the municipal level, it takes one cent out of the State
5 Treasury, and I don't think we can afford this. I think it's a bad
6 bill now just as it was when we voted on it before. I think it should
7 be defeated.

8 PRESIDENT:

9 The question is shall House Bill 2818 pass. Those in favor vote
10 Aye. Opposed Nay. The voting is open. Have all voted who wish?
11 Take the record. On this question, the Ayes are 24, the Nays are 26.
12 House Bill 2818 having received a constitutional majority is declared
13 lost...having failed to receive the majority is declared lost. House
14 Bill 2825, Senator Rock.

15 SENATOR ROCK:

16 Thank you, Mr. President. This is the bill that was amended.
17 I'd appreciate if it be read a third time.

18 PRESIDENT:

19 The question is shall House Bill...oh, I'm sorry.

20 SENATOR ROCK:

21 No, no. I...I amended it just a few minutes ago, and I think
22 it should be read again a third time.

23 PRESIDENT:

24 Read the bill.

25 SECRETARY:

26 House Bill 2852.

27 (Secretary reads title of bill)

28 3rd reading of the bill.

29 PRESIDENT:

30 Senator Rock.

31 SENATOR ROCK:

32 Well, we have the wrong number, and he read the wrong number.
33 It's 2825.

1 PRESIDENT:

2 2825. We're on the order of House Bills...we're on the order
3 of House Bills on Consideration Postponed, and the bill under con-
4 sideration is House Bill 2825. We'll bringing it out of the Secretary's
5 Office. We'll get right back to you, Senator Rock. House Bill 2852,
6 Senator Berning.

7 SENATOR BERNING:

8 Thank you, Mr. President. 2852 does for the Retail Installment
9 Sales Act exactly what 6...House Bill 1608 did for the Consumers Fraud
10 Act. 1608 has passed this Body. There's no real reason why we
11 shouldn't pass this. It is a help to many consumers. I would urge
12 a favorable roll call.

13 PRESIDENT:

14 The question is shall House Bill 285...52...Senator Soper.

15 SENATOR SOPER:

16 I still say you'd...you'd have to have about four hundred
17 different language contracts on this in four hundred difference dia-
18 lects. God help the American people.

19 PRESIDENT:

20 The question is shall House Bill 2852 pass. Those in favor will
21 vote Aye. Opposed Nay. The voting is open. Have all voted who wish?
22 Take the record. On this question, the Ayes are 32, the Nays are 15,
23 with none Voting Present. House Bill 2852 having received a consti-
24 tutional majority is declared passed. House Bill 2825, Senator Rock.

25 SECRETARY:

26 House Bill 2825.

27 (Secretary reads title of bill)

28 *Rec'd 11*
3rd reading of the bill.

29 PRESIDENT:

30 Senator Rock.

31 SENATOR ROCK:

32 Thank you, Mr. ...thank you, Mr. President and Ladies and
33 Gentlemen of the Senate. This is the bill that is an amendment to

HB 2825
4/24/75

1 the Illinois Vehicle Code, and I would like to point out that until
2 the enactment of the law providing for the recycling board which is
3 contained in Section IV of this chapter. Those persons who were
4 scrap processors were never required to obtain any kind of a salvage
5 certificate or junking certificate. This bill maintains that status.
6 It has been amended to make it perfectly clear that it applies only
7 to those persons who are engaged in the scrap business concerning
8 hulks, that is unidentifiable vehicles. I have...I think this amendment
9 solves some of the objections we heard. I...I seek a favorable roll
10 call.

11 PRESIDENT:

12 The question is shall House Bill 2825 pass. Those in favor vote
13 Aye. Opposed Nay. The voting is open. Have all voted who wish?
14 Take the record. On this question, the Ayes are 35, the Nays are 13,
15 with 1 Voting Present, House Bill 2825 having received a constitutional
16 majority is declared...declared passed. We'll go now to the order
17 of Consideration Postponed, your supplemental list. House Bill 378,
18 Senator Kosinski.

19 SENATOR KOSINSKI:

20 Mr. President and members of the Senate, I would like to...
21 re-refer House Bill 378 to one of the outstanding committees, the
22 Election and Reapportionment.

23 PRESIDENT:

24 Is there leave? Leave is granted. House Bill 449, Senator
25 Dougherty.

26 SENATOR DOUGHERTY:

27 There was considerable argument on it Mr. President, thank you
28 very much. There was considerable argument some time ago. I amended
29 this bill to suit...to do what I thought would bring it in line. The
30 effective date of the bill itself is...is set back one year. I would
31 appreciate a favorable roll call because I believe the continuity of
32 this library system is vitally necessary, and I might add that they've
33 ...received considerable comment from the press. They...they think

1 it's a good bill, and the one year postponement will put us in a
2 better position and the bill will not cost forty million dollars. It
3 might over a four or five year period, but it's...I'd anticipate in
4 answer to your question would run from five to six million dollars
5 a year. It's a good bill and I'd ask favorable consideration.

6 PRESIDENT:

7 Senator Harris.

8 SENATOR HARRIS:

9 It is a new program of some eleven million dollars a year for
10 the first four years. My recollection is, yes, the...a total of
11 forty-four million in the first four years. Thereafter, it flattens
12 out, I believe, at the annual rate of seventeen million. We just
13 can't afford it. We just cannot afford it. Man, we're scooping the
14 money out.

15 PRESIDENT:

16 The question is shall House Bill 449 pass. Those in favor vote
17 Aye. Opposed Nay. The voting is open. Have all voted who wish?
18 Senator Dougherty, do you desire to vote? Have all voted who wish?
19 Take the record. On this question, the Ayes are 27, the Nays are 21,
20 with none Voting Present. House Bill 449 having failed to receive
21 a constitutional majority is declared lost. House Bill 525, Senator
22 Newhouse. House Bill 581, Senator Nimrod.

23 SENATOR NIMROD:

24 Yes, Mr. President and fellow Senators, the problems that we
25 had with this bill before have been straightened out and I have dis-
26 tributed some maps and some information. This will...require no
27 additional money, and what they do is they will have...be able to have
28 teleph^{ne} referral service. It provides an additional service which
29 is not being provided now within the area councils where these people
30 have money distributed. It certainly facilitates an...opportunity for
31 those senior citizens to get to the area where these agencies are,
32 and I would ask for a favorable roll call.

33 PRESIDENT:

1 The question is...Senator Harris.

2 SENATOR HARRIS:

3 Well, this just has to be categorized as a new program, and
4 there's absolutely no way it can be put into effect without costing
5 more money. Now, that...that's just as plain as the back of my hand.

6 PRESIDENT:

7 The question is shall House Bill 581 pass. Those in favor vote
8 Aye. Opposed Nay. The voting is open. Have all voted who wish?
9 Take the record. On this question, the Ayes are 17, the Nays are 18,
10 with none Voting Present. House Bill 581 having failed to receive a
11 constitutional majority is declared lost. Senator Newhouse, we just
12 passed your bill. You desire to call 525? Senator Newhouse is recog-
13 nized on House Bill 525.

14 SENATOR NEWHOUSE:

15 This bill has been debated previously. The description is
16 accurate on it. I'd move for a favorable roll call.

17 PRESIDENT:

18 The question is shall House Bill 525 pass. Those in favor vote
19 Aye. Opposed Nay. The voting is open. Have all voted who wish?
20 Take the record. On this question, the Ayes are 29, the Nays are 15,
21 with 2 Voting Present. House Bill 525 having failed to receive a
22 constitutional majority is declared lost. House Bill 955, Senator
23 Johns is recognized.

24 SENATOR JOHNS:

25 Okay, Soper. Am I on? Okay. Mr. President, I move that we
26 bring this back from Postponed Consideration...

27 PRESIDENT:

28 S/nator...Senator Johns seeks leave to bring back House Bill...

29 SENATOR JOHNS:

30 ...for the purpose of an amendment...

31 PRESIDENT:

32 ...955 from the order of 3rd...from Consideration Postponed to the
33 order of 2nd reading for the purpose of amendment. Is there leave?

1 Leave is granted. The bill is on 2nd reading. The Chair recognizes
2 Senator Johns.

3 SENATOR JOHNS:

4 Now, what I intend to do on 955 is make the threshold at thirty
5 percent which would eliminate the two counties other than Pope that's
6 involved, and it would cut down the appropriation from a hundred and
7 forty-seven thousand to about eighty-two thousand four hundred something.
8 And that's the amendment, and copies of the amendment should be on
9 your desks, and I move for the adoption of the amendment.

10 PRESIDENT:

11 Senator Soper.

12 SENATOR SOPER:

13 Well, this would be a better bill, Mr. President, if you eliminate
14 the whole threshold and you allowed everybody to get in on these
15 freebies, and then we could all cry with you. We'd all have rich
16 cousins.

17 PRESIDENT:

18 Any further discussion? Senator Johns, could we just take 55
19 and 56 out of the record for a moment until they are returned to the
20 Secretary here? They're in the office there. They'll bring them out
21 in just a moment. We'll get right back to you. House Bill 1521,
22 Senator Sommer.

23 SENATOR SOMMER:

24 Mr. President, this is probably one of the better consumer bills
25 of the Session. The reason I say that, it doesn't seem to have the
26 support of anybody here.

27 PRESIDENT:

28 The question is shall House Bill 1521 pass. Those in favor
29 vote Aye. Opposed No. The voting is open. Have all voted who wish?
30 Take the record. On this question, the Ayes are 14, the Nays are 29.
31 House Bill 1521 having failed to receive a constitutional majority
32 is declared lost. House Bill 1930, Senator McCarthy.

33 SENATOR McCARTHY:

1 Yes, Mr. President, on this matter, I move that the bill be
2 recommitted to the ...to the Committee on Labor and Commerce.

3 PRESIDENT:

4 Is there leave? Leave is granted. House Bill 2074, Senator
5 McCarthy.

6 SENATOR MCCARTHY:

7 On this bill, unless I have some indication to the contrary, I
8 would move that it be recommitted to the Committee on Labor and
9 Commerce.

10 PRESIDENT:

11 Is there leave? Leave is granted. House Bill 2138, Senator
12 Demuzio.

13 SENATOR DEMUZIO:

14 Thank you, Mr. President. House Bill 2138 creates the Consumer
15 Warranty Act designed doubletailed into the recent Federal Warranty
16 Act, and I ask for your favorable consideration.

17 PRESIDENT:

18 The question is, shall House Bill 2138 pass. Those in favor will
19 vote Aye. Opposed Nay. The voting is open. Have all voted who wish?
20 Take the record. On this question, the Ayes are 22, the Nays are 17,
21 with 1 Voting Present. House Bill 2138 having received a constitu-
22 tional majority is declared lost...having failed to receive a consti-
23 tutional majority is declared lost. House Bill 2473, Senator Newhouse.
24 House Bill 2627, Senator Carroll.

25 SENATOR CARROLL:

26 Thank you, Mr. President. I think most people know what this
27 bill does. It does two things. It requires the Department of Mental
28 Health to provide care to prisoners in jail, and secondly, it allows
29 for the Department of Revenue to set up a schedule to collect local
30 compatible taxes. I would ask for a favorable roll call.

31 PRESIDENT:

32 The question is, shall House Bill 2627 pass. Those in favor vote

1 Aye. Opposed Nay. The voting is open. Have all voted who wish?
2 Have all voted who wish? Take the record. On this question, the Ayes
3 are 32, the Nays are 21, with none Voting Present. House Bill 2627
4 having achieved a constitutional majority is declared passed. House
5 Bill 2473, ...Senator Newhouse.

6 SENATOR NEWHOUSE:

7 Yes, Mr. President and Senators, this is the FEP bill that was
8 voted on earlier today. There was some confusion on it. I think
9 that's been all squared away, and I'd ask for a favorable roll call.

10 PRESIDENT:

11 ...Senator Soper.

12 SENATOR SOPER:

13 How in the last fifteen minutes did this get cleared up?

14 PRESIDENT:

15 Senator Newhouse.

16 SENATOR NEWHOUSE:

17 It didn't get cleared up in the last few minutes, Senator. It
18 was cleared up previously. There's some misunderstanding as to what
19 clarity was, you want to consult with Senator Hall?

20 PRESIDENT:

21 The question is shall House Bill 2473 pass. Those in favor vote
22 Aye. Opposed Nay. The voting is open. Have all voted who wish?
23 Take the record. On this question, the Ayes are 36, the Nays are 13,
24 with none Voting Present. House Bill 34...2473 is declared passed.
25 House Bill 2196, Senator Philip.

26 SENATOR PHILIP:

27 Thank you, Mr. President. House Bill 2196 as amended provides
28 the State guarantee of loans for the construction of residential care
29 facilities for the mentally disabled. I ask for your favorable
30 consideration.

31 PRESIDENT:

32 Senator Buzbee.

33 SENATOR BUZBEE:

1 Well, Mr. President, unfortunately, the description of this bill
2 was left off the little fly sheet that was passed around, but again,
3 I submit to you, there are empty State facilities right today with
4 State employees there already manning them, ready to take care of these
5 people. This is a new program, new money. We're being conservative.
6 We're trying to save money. I submit that the bill is no better now
7 than it was fifteen minutes ago.

8 PRESIDENT:

9 The question is shall House Bill 29...2196 pass. For what
10 purpose does Senator McCarthy arise?

11 SENATOR McCARTHY:

12 I just wanted to indicate...

13 PRESIDENT:

14 For what purpose...yes?

15 SENATOR McCARTHY:

16 To indicate some opposition to the bill.

17 PRESIDENT:

18 Well, we have limited the opposition to one person per bill.
19 That has been the rule.

20 SENATOR McCARTHY:

21 Well, then I rise to give a award to Senator Philip for
22 perseverance.

23 PRESIDENT:

24 Take a bow, Senator. Says he'd rather have you vote than
25 the award. The question is shall House Bill 2196 pass. Those in
26 favor will vote Aye. Opposed Nay. The voting is open. Have all
27 voted who wish to vote? Take...pardon me. What did you say, Senator?
28 I'm sorry, I couldn't hear you over the laughter.

29 SENATOR BUZBEE:

30 As the Presiding Officer, would you please go ahead and...and
31 perform in the manner in which you have been accustomed and the...
32 the extremely fair and delicate way that you've been handling the
33 situation and take the record.

1 PRESIDENT:

2 I was about to do that until I wanted to know what you wanted
3 to say, Senator. Have all voted who wish? Take the record. On this
4 question, the Ayes are 22, the Nays are 20, with 7 Voting Present.
5 House Bill 2196 having failed to receive a constitutional majority
6 is declared lost. Now, we do have two other bills on Consideration
7 Postponed which are committee bills. I think we can run them and
8 we'll get this whole order out of the way. House Bill 3082, Senator
9 Egan.

10 SENATOR EGAN:

11 Thank you, Mr. President and members of the Senate. I'm sure
12 that House Bill 3082 needs no explanation. Let me just say that for
13 the newest profession in the world, let's nip it in the bud.

14 PRESIDENT:

15 The question is shall House Bill 3082 pass. Those in favor
16 vote Aye. Opposed Nay. The voting is open. Have all voted who wish?
17 Take the record. On this question, the Ayes are 25, the Nays are 16,
18 with 2 Voting Present. House Bill 3082 having failed to receive a
19 constitutional majority is declared lost. House Bill 3098, Senator
20 Romano.

21 SENATOR ROMANO:

22 Mr. President and members of the Senate, this is the bill that
23 would give the Legislators pension credit for the per diem expense.
24 Yesterday, we had to put this on Postponed Consideration because
25 some people thought this was a raid on our pension fund, but today
26 we voted to take in the Governor and all of the State elected officials
27 into the General Assembly Fund, and I...I really don't think that this
28 is a raid on our fund. These members have to make their contributions.
29 We have provided safeguards in the amendments that was put on by
30 Senator Shapiro, and I believe that we ought to pass this bill.
31 Senator Wooten was worried when...about the wrong time that we may be
32 doing something for ourselves. I'd like to know when is the right
33 time, and I think tonight is the right time, and I urge everyone to

1 vote for this bill.

2 PRESIDENT:

3 The question is shall House Bill 3098 pass. Those in favor vote
4 Aye. Opposed Nay. The voting is open. Have all voted who wish?
5 Have all voted who wish? Take the record. On this question, the
6 Ayes are 23, the Nays are 27, with 3 Voting Present. House Bill 3098
7 having failed to receive a constitutional majority is declared lost.
8 Senator...Romano, for what purpose do you arise?

9 SENATOR ROMANO:

10 Well, I did one vote better than yesterday. If I get another
11 shot at this, I might do a little better the next time.

12 PRESIDENT:

13 That's progress. On the order of House Bills on Consideration
14 Postponed, House Bill 955, Senator Johns.

15 SENATOR JOHNS:

16 Well, Mr. President, it's been a long day, a lot of people
17 have... had a great deal of fun out of perhaps my appeal for funds
18 for a county that's near bankrupt. I doubt very much if the citizens
19 of that county could see any humor in what has transpired. I seek
20 a favorable vote on a bill that I didn't have the original sponsorship
21 of, but I tell you that the people down there desperately need this
22 money, and I desperately need your vote for this bill. Thank you,
23 Mr. President.

24 PRESIDENT:

25 Senator Clarke.

26 SENATOR CLARKE:

27 Well, as I understand the amendment, now we only have Pope County
28 to contend with. I think this makes it more special legislation than
29 before. The threshold has been raised. I really question when you
30 look at the assessment levels how long it's going to be before Pope
31 County can take advantage of this, because they have to come up to
32 thirty-three percent before they qualify.

33 PRESIDENT:

1 Just a moment. Senator, but we held this for...a few moments
2 ago. I think we held it for the purpose of putting on the amendment.
3 I am not sure that we did that, did we? We did not put on the amend-
4 ment, I'm sorry. No, it didn't go on, I'm sorry. Take the bill out
5 of the record. Let's call it again and start over. Alright. Senator
6 Johns moves to take it from 3rd reading to 2nd reading for the
7 purpose of this amendment. Is there leave? Amendment No. 2. Senator
8 Johns has already explained the amendment. Senator Johns moves the
9 adoption of Amendment No. 2. All in favor will say Aye. Opposed Nay.
10 Amendment No. 2 is adopted. That is the amendment that you previously
11 explained, is that correct? Now, the question is...alright. Any
12 further amendments? Back to the order of Consideration Postponed.
13 (Machine cut-off)...read 956. It's been read a third time. Senator
14 Johns moves to remove House Bill 956 from the order of Consideration
15 Postponed to return to 2nd reading for the purpose of an amendment.
16 Amendment No. 2, Senator Johns. Is there leave? Leave is granted.
17 Senator Nimrod, for what purpose do you arise?

18 SENATOR NIMROD:

19 Yeah, I...just before you adopt this amendment, I'd like to call
20 attention to Senator Johns that this is doing something he might
21 not want to do. Senator Johns, I think what you're doing here is
22 you're...you are taking five percent of assessed valuation and in a
23 new amendment, you're putting five percent on cash value. So, instead
24 of really cutting the money down, you're doubling the amount of money
25 or tripling it.

26 PRESIDENT:

27 Senator Johns.

28 SENATOR NIMROD:

29 I don't know if you want to do that.

30 SENATOR JOHNS:

31 No, that is not my intention at all. The staff drafted this for
32 me with the design in mind just to raise the threshold of the land...

33 PRESIDENT:

1 May the Chair, make a suggestion?

2 SENATOR JOHNS:

3 Yes.

4 PRESIDENT:

5 Let's take the 955 and 956 out of the record. Let's get the
6 amendment straight. We can come back to it later in the evening.
7 Well, 955 is alright. 956 is the problem. Now, 955...956 take it out
8 of the record. We're now on the order of Consideration Postponed.
9 House Bill 955 with Amendment No. 2 just adopted. Let's take them
10 both out of the record because we've got to have intervening...we
11 have to have intervening business. Let's take both of them out...
12 let's take...let's take both of them out of the record, get the members
13 straight on 9...956. We'll run 955 and 56 at the same time. Take it
14 out of the record. Senator Johns.

15 SENATOR JOHNS:

16 May I make a suggestion. I see the difficulty in 956, may I
17 move to Table that complete bill?

18 PRESIDENT:

19 Is there leave?

20 SENATOR JOHNS:

21 Let's just handle 955.

22 PRESIDENT:

23 956 is Tabled. Now, we're on the...that's the intervening
24 business. We're now on the order of House Bills on Consideration
25 Postponed. Addressing House Bill 955 which has just been amended by
26 ...no, addressing 955.

27 SENATOR JOHNS:

28 Now, may I explain this or do I have the permission to explain...

29 PRESIDENT:

30 Yes, I think in light of what has transpired, it would be best
31 to explain 955 together with the amendment just adopted.

32 SENATOR JOHNS:

33 Okay, now, if you all will remember, the original bill, 955...

1 PRESIDENT:

2 One moment, Senator. Now, we must have some order. Those not
3 entitled to the Floor...Floor please leave the Floor, and the members
4 be in their seats. We have a few other things to do tonight. We're
5 going to try to get you out of here before too long. Senator Johns.
6 SENATOR JOHNS:

7 955 as originally drafted and amended in the House had within
8 its confines the purpose of aiding three counties at a total of a
9 hundred and forty-seven thousand one hundred and six dollars at a
10 twenty...at a dollar per acre. I've amended that and it also had a
11 a threshold of twenty percent or more of the total area of the county
12 under Federal and State ownership. I've amended it down to make it
13 specifically for the County of Pope which would reduce it some sixty
14 thousand dollars down to a total of eighty-six thousand four hundred
15 and sixty-nine, and I would appreciate a favorable roll call.

16 PRESIDENT:

17 The question is shall House Bill 955 pass. Those in favor vote
18 Aye. Opposed Nay. The voting is open. Have all voted who wish?
19 Take the record. On this question, the Ayes are 27, the Nays are 14,
20 with none Voting Present. House Bill 955 having failed to receive
21 a constitutional majority is declared lost. On the order of the
22 Secretary's Desk, Page 19 of your Calendar, nonconcurrences. House
23 Bill 650, Senator Hickey. House Bill 726, Senator Romano.

24 SENATOR ROMANO:

25 Mr. President, I move that the Senate do not concur with the
26 House and a Conference Committee be appointed.

27 PRESIDENT:

28 Senator Romano moves that the Senate refuse to recede from the
29 adoption of Amendment No. 1 to House Bill 726 and that a Conference
30 Committee be appointed. All in favor say Aye. Opposed say Nay. The
31 Ayes have it. The motion carries, and the Secretary shall so inform
32 the House. House Bill 1098, Senator Welsh.

33 SENATOR WELSH:

1 Mr. President, I move now that the Senate do recede from Senate
2 Amendment No. 2.

3 PRESIDENT:

4 Any discussion? Any discussion? Senator Bruce.

5 SENATOR BRUCE:

6 Can we just...you know, we put it on for a purpose. What purpose
7 are we taking it off, that's all?

8 PRESIDENT:

9 Senator Welsh will explain.

10 SENATOR WELSH:

11 The purpose was to accommodate a...a colleague of mine across
12 the aisle, and I will now yield to Senator Glass.

13 PRESIDENT:

14 Senator Glass.

15 SENATOR GLASS:

16 Thank you, Mr. President. It was felt that this bill would
17 conflict with another bill that set the term for leases for school
18 districts to twenty-five years. In examining this bill, this allowed
19 fifty year leases and it defines municipalities. We think the...the
20 other bill would prevail, and it...it simply isn't worth going into
21 a Conference Committee, and I would support Senator Welsh's motion.

22 PRESIDENT:

23 The question is shall the Senate recede from Amendment No. 2 to
24 House Bill 1098. Those in favor vote Aye. Those opposed vote Nay.
25 The voting is open and this is final action. Have all voted who
26 wish? Take the record. On this question, the Ayes are 42, the Nays
27 are 4, with none Voting Present. The Senate recedes from Senate
28 Amendment No. 2 to House Bill 1098, and the bill having received the
29 required constitutional majority is declared passed. House Bill 1608,
30 Senator McCarthy. Page 19, House Bill 1608 on nonconcurrences.

31 SENATOR McCARTHY:

32 Yes, ready.

33 PRESIDENT:

1 Yes, Sir. Senator McCarthy.

2 SENATOR McCARTHY:

3 Yes, Mr. President and members of the Body, I move that the
4 Senate refuse to recede from Senate Amendments No. 1 and 2, so inform
5 the House, and ask for a Conference...Committee on Conference.

6 PRESIDENT:

7 Senator McCarthy refuses...he moves that the Senate refuse to
8 recede from the adoption of Amendments No. 1 and 2 to House Bill 1608
9 and that a Conference Committee be appointed. All those in favor
10 say Aye. Opposed Nay. The Ayes have it. The motion carries, and
11 the Secretary shall so inform the House. House Bill 1821, Senator
12 Glass.

13 SENATOR GLASS:

14 Mr. ...Mr. President, I move that the Senate refuse to recede
15 from Senate Amendment No. 3 and that a Conference Committee be formed.

16 PRESIDENT:

17 Senator Glass moves that the Senate refuse to recede from the
18 adoption of Senate Amendment No. 3 to House Bill 1821 and that a
19 Conference Committee be appointed. All those in favor say Aye.
20 Opposed Nay. The Ayes have it. The motion carries, and the Secretary
21 shall so inform the House. House Bill 1910, Senator Bloom.

22 SENATOR BLOOM:

23 Thank you, Mr. President. I move that the Senate recede from
24 Senate Amendment No. 1. It has some germaneness problems.

25 PRESIDENT:

26 Senator Bloom moves...the question...the question is...any fur-
27 ther discussion? Senator...Senator Bruce.

28 SENATOR BRUCE:

29 This is Senator Rock's Amendment, and it runs three or four
30 pages, and I...I wonder what the problem of germaneness is.

31 PRESIDENT:

32 Senator Bloom.

33 SENATOR BLOOM:

1 No, it's not Senator Rock's Amendment. It's Senator Mitchler's
2 Amendment, and it included a bill that Senator Mitchler had had, right?
3 Perhaps Senator Rock would like to be heard.

4 PRESIDENT:

5 Was it Panama in it? Senator...Senator Rock.

6 SENATOR ROCK:

7 Well, at...at least on a point of personal privilege. I have
8 never...I've had an amendment called a lot of things, but never non-
9 germane. It had to be Senator Mitchler's Amendment.

10 PRESIDENT:

11 The question is shall the Senate recede from Amendment...from
12 Senate Amendment No. 1 to House Bill 1910. Those in favor vote Aye.
13 Those opposed will vote Nay. The voting is open. Have all voted who
14 wish? Take the record. On this question, the Ayes are 39, the Nays
15 are none, with none Voting Present. The Senate recesses from Senate
16 Amendment No. 1 to House Bill 1910, and the bill having received the
17 required constitutional majority is declared passed. House Bill 1935,
18 Senator Philip. Senator Philip.

19 SENATOR PHILIP:

20 Thank you, Mr. President. I move the Senate refuse to recede
21 from Senate Amendment No. 1 and a Conference Committee be reported.

22 PRESIDENT:

23 Senator Philip moves that the Senate refuse to recede from the
24 adoption of Senate Amendment No. 1 to House Bill 1935, and that a
25 Conference Committee be appointed. For what purpose does Senator
26 Morris arise?

27 SENATOR MORRIS:

28 A question of Senator Philip, if I may.

29 PRESIDENT:

30 He indicates he'll yield.

31 SENATOR MORRIS:

32 Would Senate Amendment No. 1, that's the amendment we put on
33 over here, and the House has said they don't want that amendment?

1 SENATOR PHILIP:

2 That is correct.

3 PRESIDENT:

4 ...nonconcurrent in the...in the amendment, and they sent it back
5 here, and he has now asked to either recede from the amendment
6 or refuse to recede. He has refused to recede from the amendment,
7 and the question is...no, I...I've stated the question. He moved
8 that the Senate refuse to recede from the adoption of Senate Amend-
9 ment No. 1 to House Bill 1935. All those in favor say Aye. Opposed
10 Nay. The Ayes have it. The motion carries, and the Secretary shall
11 so inform the House. House Bill 1939, Senator Vadalabene.

12 SENATOR VADALABENE:

13 Thank you, Mr. President and members of the Senate. I move that
14 the Senate refuse to recede from its position and request that a
15 Conference Committee be appointed to House Bill 1939 in the Senate.

16 PRESIDENT:

17 Senator vadalabene moves that the Senate refuse to receive...
18 recede from the adoption of Senate Amendment No. 1 to House Bill
19 1939, and that a Conference Committee be appointed. All in favor say
20 Aye. Opposed Nay. The Ayes have it. The motion carries, and the
21 Secretary shall so inform the House. House Bill 2296, Senator
22 Nudelman.

23 SENATOR NUDELMAN:

24 Thank you, Mr. President. My motion is that the Senate do not
25 recede from Senate Amendment No. 1 and that...that a Conference
26 Committee be appointed.

27 PRESIDENT:

28 Senator Nudelman moves that the Senate refuse to recede from
29 the adoption of Senate Amendment No. 1 to House Bill 2296, and that
30 a Conference Committee be appointed. All those in favor say Aye.
31 Opposed Nay. The motion carries. The Ayes have it, and the Secretary
32 shall so inform the House. House Bill 2868, Senator Savickas. House
33 Bill 2868, Senator Savickas.

1 SENATOR SAVICKAS:

2 Yes, I move that the Senate...do not recede from its amendments,
3 Senate Amendment No. 1.

4 PRESIDENT:

5 Senator Savickas moves that the Senate refuse to recede from
6 Senate Amendment No. 1 to House Bill 2868, and that a Conference
7 Committee be appointed. All in favor say Aye. Opposed Nay. The
8 Ayes have it. The motion carries, and the Secretary shall so inform
9 the House. House Bill 2869, Senator Savickas.

10 SENATOR SAVICKAS:

11 I move that the Senate do not recede from Senate Amendment No. 1
12 to 2869 and a Conference Committee be...

13 PRESIDENT:

14 Senator Savickas moves that the Senate refuse to recede from
15 the adoption of Senate Amendment No. 1 to House Bill 2869, and that
16 aConference Committee be appointed. All in favor say Aye. Opposed
17 Nay. The Ayes have it. The motion carries, and...and the Secretary
18 shall so inform the House. House Bill 650, Senator Hickey.

19 SENATOR HICKEY:

20 (Machine cut-off) I move to recede from the Senate Amendment No. 1
21 at the request of the House sponsor.

22 PRESIDENT:

23 Would you explain the amendment.

24 SENATOR HICKEY:

25 It was one which I put on that restored some language that was
26 in the original bill...in the definition of strikebreaker.

27 PRESIDENT:

28 The question is...Senator Graham.

29 SENATOR GRAHAM:

30 I was busy doing something else. Would you run that again me...
31 again by me real slowly, Mrs. Hickey.

32 PRESIDENT:

33 Senator Hickey.

1 SENATOR HICKEY:

2 The amendment which was put on in the Senate was put on with
3 the consent of the House sponsor. It restored some language which
4 was in the...in the definition of strikebreaker which was in the
5 original bill and had been removed in the House. I restored it here
6 with his consent. He now has requested that I remove that, and I so
7 move to recede from Senate Amendment 1...2, sorry. Senate Amendment 2.

8 PRESIDENT:

9 Senator Graham.

10 SENATOR GRAHAM:

11 Mr. President, could we just hold this a little bit. Mrs. Hickey,
12 I appreciate your...your dialogue there, but I don't understand what
13 you're saying.

14 PRESIDENT:

15 Senator...wait a minute. Senator Hickey.

16 SENATOR HICKEY:

17 Should I go over and explain it to him so that we can save time, or
18 do you want me to do it on the Floor?

19 PRESIDENT:

20 Pardon me, Senator Graham. Senator Glass.

21 SENATOR GLASS:

22 It is...Senator Hickey refusing to recede? Is that correct?

23 PRESIDENT:

24 No, she is receding. She is moving to recede from the Senate
25 amendment.

26 SENATOR GLASS:

27 Yeah, then...then I agree with Senator Graham. We should have
28 an opportunity to look at it.

29 PRESIDENT:

30 Senator Savickas.

31 SENATOR SAVICKAS:

32 Well, Senator Hickey, Senator Glass, Mr. President, all the
33 amendment said was that this Act shall not apply to any bonafide,

1 permanent replacement who's hired while a strike or lock out is in
2 progress, but who is not hired solely for the duration of a strike
3 with the intention of leaving that employment upon termination of the
4 strike, and I think we should support Senator Hickey's receding in
5 this...adoption of this amendment.

6 PRESIDENT:

7 What is the...Senator Glass and Senator Graham, have you changed
8 your position or what do you desire? Senator Glass.

9 SENATOR GLASS:

10 Mr. President, we would just like to see the amendment if you
11 could hold it for a few minutes.

12 PRESIDENT:

13 What...what is your pleasure, Senator Hickey?

14 SENATOR HICKEY:

15 Do you...do you want me to read the amendment to...Senator
16 Savickas just read it. In the very original bill as it was introduced
17 in the House, the definition of professional strikebreaker included
18 the part which Senator Savickas just read. That was removed in the
19 House, and it came over here, I saw it was not in the bill, I thought
20 it was a better bill with it in it. And...and so, I added that as an
21 amendment at the end of the bill. It was added as Section 4. Now, the...
22 the House sponsor requests that that be removed, and so, I therefore
23 move to recede from Senate Amendment No. 2.

24 PRESIDENT:

25 Senator Regner.

26 SENATOR REGNER:

27 If this amendment is taken off, then they will be able to hire
28 part-time strikebreakers. And I would suggest we do not recede from
29 Senate Amendment No. 2, I think it is.

30 PRESIDENT:

31 Senator Glass, have you and your staff...just be at ease for
32 a moment. The Senate will be at ease for a minute. Maybe we can
33 get this straightened out. Senator Glass.

1 SENATOR GLASS:

2 Well, Mr. President, I think I understand this having a copy
3 of the amendment in front of me, and I'd like to call the attention
4 of the membership and confirm with Senator Hickey, but this is alright.
5 Your amendment, Senator Hickey, from which you're now moving to
6 recede provides that the Act shall not apply to any bonafide permanent
7 replacement who is hired while a strike or lock out is in progress
8 but who is not hired solely for the duration of the strike with the
9 intention of leaving that employment upon termination of the strike.
10 I think that's a good amendment. If you're moving to recede from
11 that amendment, I would suggest to the Body that we resist that motion.
12 I would like...and instead of receding, I would like to keep that
13 amendment on, so if you persist in your motion, I...I would resist it.

14 PRESIDENT:

15 Senator McCarthy.

16 SENATOR MCCARTHY:

17 Well, Mr. President and members of the Body, I join Senator
18 Hickey in moving to recede from Senate Amendment No. 1. Is it No. 1?

19 PRESIDENT:

20 It's Amendment No. 2.

21 SENATOR MCCARTHY:

22 No. 2, because the way I understand Senate Amendment No. 2 was
23 that the prohibition against strikebreakers would apply to people
24 who came in during the strike under the conditions set forth by Senator
25 Glass. So, it was really an exception to the strikebreaker bill. I
26 have no particular feelings as to whether or not the addition of this
27 amendment by Senator Hickey made it a better bill, but I do know that
28 the House has decided they don't want that amendment on there. Now,
29 we came to this addition, Mr. President. The opposite side, the men on
30 the east side would like...would like to have the Senate stand on this
31 amendment. That if they were to prevail would force us into a Committee
32 on Conference from which perhaps no antistrikebreaking bill at all would
33 result. So, if that is their purpose, it is contrary to the entire thrust

1 of the legislation. What we wish to do is prohibit strikebreakers, and
2 Senator Hickey is now in agreement with Representative...Stubblefield
3 and Senator Savickas, the Chairman of the Labor Committee and myself,
4 and the other members of the Democratic side, is that as long as
5 Senator Hickey wishes to recede from Senate Amendment No. 2, we join
6 her in so receding which would be final action in the bill - would
7 then go to the Governor which is what we want.

8 PRESIDENT:

9 Any further discussion? Senator Graham.

10 SENATOR GRAHAM:

11 In answer to Senator McCarthy, of course, we do not agree with
12 you. We feel that we have an opportunity to object to any action
13 taken by this Senate on the Floor or in committee and that's what
14 we're doing now. We have that absolute right. We do not agree with
15 the provision of this amendment as adopted by Senator Hickey and
16 agreed to by...by Representative Stubblefield. And we don't agree with
17 you, so we're acting on final passage on this bill. We tried to get
18 some more negotiation with it. You have the votes. We can't stop
19 you, but we are opposed to it, and we ask that we vote unfavorable to
20 Senator Hickey's request which actually puts a negative vote on this
21 side with regard to the final passage of this bill.

22 PRESIDENT:

23 Senator Hickey, what is your pleasure?

24 SENATOR HICKEY:

25 I...I wish we'd take a roll call.

26 PRESIDENT:

27 Senator Hickey. The question is and while we have you attention
28 now, the question is...Senator Hickey has moved that the Senate
29 recede from Amendment No. 2 to House Bill 650. The question is shall
30 the Senate recede from Amendment No. 2 to House Bill 650. Those in
31 favor vote Aye. Those opposed vote Nay. The voting is open. (Machine
32 cut-off)...roll call, Senator. For what purpose do you arise?

33 SENATOR GLASS:

1 This take thirty votes?

2 PRESIDENT:

3 Yes, it takes thirty votes. Have all voted who wish? Take the
4 record. ...question, the Ayes are 34, the Nays are 21, with 2
5 Voting Present. The Senate recedes from Amendment No. 1 to House
6 Bill 650 and the bill having received the required constitutional
7 majority is declared passed. A verification has been requested.
8 Will the members be in their seats. Will the members be in their
9 seats. A verification is requested. The motion is withdrawn. The
10 Senate recedes from Amemdment No. 1 to House Bill...House...Amendment
11 No. 2 to House Bill 650, and the bill having received the required
12 constitutional majority is declared passed. House Bill 2440, Senator
13 Course. On the order of Consideration Postponed, House Bill 2440.
14 Senator Course. For what purpose does Senator Nudelman arise?
15 SENATOR COURSE:

16 I yield...yes, Mr. President, I yield to Senator Nudelman.

17 PRESIDENT:

18 Senator Nudelman is recognized.

19 SENATOR NUDELMAN:

20 Mr. Chair...Mr. President, I...after pulling that bill, I filed
21 a Motion in Writing relative to an amendment.

22 PRESIDENT:

23 Read the motion.

24 SECRETARY:

25 Having voted on the prevailing side, I hereby move to reconsider
26 the vote by which Amendment No. 2 to House Bill 2440 passed. Signed,
27 Senator Nudelman.

28 PRESIDENT:

29 You heard the motion. All in favor will say Aye. Senator Bruce
30 is recognized.

31 SENATOR BRUCE:

32 ... I think this relates to an amendment of Senator Hickey's
33 and she is not on the Floor.

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1 PRESIDENT:

2 Senator Hickey is on the Floor. Senator Nudelman...move to
3 reconsider the vote by which Amendment No. 2 was adopted. All in
4 favor will say Aye. Opposed Nay. The motion carries. For what
5 purpose does Senator Morris arise? Senator Nudelman is recognized.
6 The...the motion just put places Amendment No. 2 on consideration.
7 Now, what is your question?

8 SENATOR NUDELMAN:

9 I have no question now. I think the amendment was just taken
10 off by my motion, and the bill is...

11 PRESIDENT:

12 Your motion...the...the amendment...your motion was to reconsider
13 the vote by which it was adopted. That motion carried. It is now
14 under...

15 SENATOR NUDELMAN:

16 I now move that the motion...that the amendment lay on the Table.

17 PRESIDENT:

18 Senator Hickey, do you... The motion is to Table Amendment
19 No. 2. All...Senator Hickey. All in favor say Aye. Opposed Nay.
20 The motion carries. Amendment No. 2 is Tabled. The bill goes back
21 now to the order of Consideration Postponed. Wait a minute. Senator
22 Rock. House Bill 2435. On the order of 3rd reading.

23 SENATOR ROCK:

24 Might I ask...

25 PRESIDENT:

26 Senator Rock is recognized.

27 SENATOR ROCK:

28 ...Senator...Senator Dougherty, would you...

29 PRESIDENT:

30 Will...will the members be in their seats. Will the members be
31 in their seats please. It's so confusing around here.

32 SENATOR ROCK:

33 Thank you, Mr. President. At this point, I'm asking leave of

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1 the Body to go back to the order of House Bills on 3rd reading. I
2 think most of the membership, if not all, are present. This is an
3 extremely important bill, and I would ask leave of the Body to go back
4 to that order of business for the consideration of House Bill 2435.

5 PRESIDENT:

6 Is leave granted? Leave is granted. Read the bill.

7 SECRETARY:

8 House Bill 2435.

9 (Secretary reads title of bill)

10 3rd reading of the bill.

11 PRESIDENT:

12 Senator Rock.

13 SENATOR ROCK:

14 Thank you, Mr. President, Ladies and Gentlemen of the Senate.
15 House Bill 2435 is an amendment, in fact, to the Election Code. It
16 provides that those persons who wish to vote in Democratic or Republi-
17 can Primaries must declare their party affiliation twenty-eight days
18 prior to that election. It has been called euphemistically the lock
19 out bill. The lock out period has been substantially reduced under
20 Senator Dougherty's amendment to a period of twenty-eight days which
21 is the same lock out period as for party or any registration. I think
22 the bill is a good one. If we are to preserve, in fact, the two
23 party system, this bill is absolutely essential. In addition to
24 that, the party that I purport to carry the flag for has issued in
25 its call to the 1976 Nominating Convention a plea to the States, not
26 ...not only a plea, but a mandate, that we do whatever we can to make
27 sure and insure and assure that those persons who vote, vote for
28 delegates to the National Convention, and in the party primaries are,
29 in fact, people of our political persuasion. I urge a favorable vote
30 and before that, I would yield to Senator Dougherty whose amendment
31 this is.

32 PRESIDENT:

33 Senator Dougherty.

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1 SENATOR DOUGHERTY:

2 Thank you, Mr. President. I urge everyone here, every Senator
3 on this Floor to vote for this bill, House Bill...

4 PRESIDENT:

5 Just a minute, Senator. Will the members please be in their
6 seats. Let's have some order. Senator Dougherty.

7 SENATOR DOUGHERTY:

8 House Bill 2435 is an attempt to correct what we believe is
9 an error that was created in a decision some years ago in the United
10 States Supreme Court in the case of Cusper vs. Pontigas. Wherein
11 there's no overturn completely, the primary law you may as well say
12 is the retention of people by their own preference and the party of their
13 own choice, and in order to...in order to insure that we would have
14 people...there would be two parties with voices in the affairs of our
15 nation. However, due to this Pontigas vs. Cusper, there's been a
16 great deal of error...error in the...in the attempt to interpret this
17 properly. This was a decision that was made in error, I'm quite sure,
18 but even then the Supreme Court of the United States tried to rectify
19 it by indicating that in passing on this Pontigas vs. Cusper that there
20 should be a method evolved within the court system whereby the people
21 of America, the people of our country, would be able to set up two
22 ...two definite or even three definite political parties within the...
23 within the groupings to follow the policies and...and the philosophies
24 and the ideologies of the party they embrace in order to make a
25 better America. Now, we've run into many anguishes here in this 2435.
26 I have witnessed some that...heard some of the opponents of this bill,
27 and I believe they're right in their thinking, I mean, they think
28 they're right in their thinking. However, I'm afraid that some people
29 seem to have a parochially approach to this problem. They...thinking
30 only in terms locally, but remember this is a shade of a hundred and
31 two counties, and there is a difference philosophy on the way from the
32 ...from Lake County to Adams...Alexander County in the south. They're
33 different philosophies, we have forms of government. We have the

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1 township government and we have the commission form of government.
2 We've been different in our philosophies, but we have maintained an
3 Americanism, and it is my belief that I share it with many, and I know
4 that the people within the...who make up this greater population of
5 ours have a feeling towards the sort of...party declaration in order
6 that they are the same as you in their religious beliefs. In order to
7 ...arrive at a conclusion, what is best for all, and they can best be
8 decided by a grouping and getting together and expressing their
9 philosophy as opposed to the other fellow and they who having a
10 greater belief in a particular ideology will emerge victorious. This
11 bill here does not do all of a sudden in the past, it's going to
12 lock us in for five months. This does not do it. This bill as
13 amended by myself and Senator Nimrod who helped, provided there's
14 only a thirty day lock on period, only thirty days from the last day
15 of registration and two days after the primary. So, you're free to
16 make your choice. You can change your voice up to the last...your
17 ...your voting...your voting voice if you will, till the last day of
18 registration, and you can again change the day after the primary if
19 you will.

20 PRESIDENT:

21 Senator will conclude his remarks.

22 SENATOR DOUGHERTY:

23 This is necessary for the maintenance of what I would say a
24 party system in order to set people of our party or your party, as
25 the case may be, to participate in the affairs of government. Thank you.

26 PRESIDENT:

27 Senator Wooten.

28 SENATOR WOOTEN:

29 Mr. President, we have come to the fifth and final encounter
30 with this bill, and I think the outcome is for ordained. It has been
31 a difficult fight for me because it is a fight within my party. My
32 own feeling is, and I...I fear I'm speaking not in anger, not in
33 indignation, but in sorrow. I do not question the conviction of my

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1 colleagues from Chicago as to the necessity of this bill." With every
2 fiber of my being, I believe they are mistaken, and while it may
3 serve an immediate proximate goal in the long run, it will prove
4 your undoing. We downstate have discovered in the new relaxed rules
5 an opportunity for growth, an opportunity for growth, I may say to my
6 colleagues on the right side of the Chamber, for both parties. I
7 submit to you that if you will just look a little bit down the road,
8 you will see that this is a mistake. Now, I know the arrangements
9 have been made, and we're going to go through the vote, and I will
10 lose this proposition, but I think that we are all going to lose, and
11 if I could just get you to listen to this one bit, remember, Ladies
12 and Gentlemen of the Senate, the first time a voter goes into the
13 primary, if this becomes law, and is told he or she may not vote, I
14 wish you would think of the impact that will have. Now, it may seem
15 a perfectly normal and simple arrangement for us to follow the pro-
16 cesses of this to become registered, but I...if you believe that, you
17 are sadly out of touch with the way the American people operate and
18 think today. I do not believe we ought to tell them you must conform
19 to what those of us in the party now decide is right. I think we
20 ought to be open to all the people. It is a sad moment, for I think
21 we're all going to lose.

22 PRESIDENT:

23 Senator...Senator Nimrod.

24 SENATOR NIMROD:

25 Mr. President and fellow Senators, I'm sure that most of us need
26 not to review what the merits or demerits of this particular bill are.
27 I think we have had an opportunity to express our views, however, I
28 would like to just probably close in saying just one sentence, and
29 saying that this is probably the most controversial, political bill
30 to come before this Session. However, I am sincere when I say that
31 I do believe that the net result of this bill and this passage will
32 be the strengthening of the two party system. I do believe also that
33 we will have greater participation of the voters in the primaries,

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1 and we will again restore integrity to the two party system and have
2 it mean something. I want to tell you that if we don't have respect
3 for ourselves, no one else is going to respect us. And I do believe
4 that this is a vehicle, this is a challenge, and with it comes res-
5 ponsibilities, and I'm sure each of us who are politically involved
6 are willing to accept. In no way does this hinder or obscure or
7 limit the involvement of independence either in elections or declaring
8 a candidacy or working even in the primaries. Everyone is welcome
9 to participate, and I would urge a support for this vote so it would
10 carry over to the House.

11 PRESIDENT:

12 Senator Davidson.

13 SENATOR DAVIDSON:

14 Mr. President and members of the Senate, as was stated, we have
15 belabored this issue for many hours and many times. This bill as it
16 now is before you is very similar to Senate Bill 18 and a couple other
17 amendments we talked about, but this bill has two very different parts
18 in it. One, unless the person is notified that he has the opportunity
19 of changing his registration prior twenty-eight days before the elec-
20 tion, he's not going to think about it until he goes in to vote. Then
21 they're going to tell him he can't vote. The other, our original
22 bill called for a mailing for the person to be notified. If he wanted
23 to change, he sent it back. If he wanted to stay the same, he did.
24 This has no such notification. This only calls for two kinds of
25 notification. One, that the registration officer will be notified to
26 put up a sign and it'll be one public notice. Now, this bill is
27 going to very effectively lock out the people who want to vote and
28 partic/pate because they're going to remain as they were in '74 or
29 '72 though this goes back to '68. This is going to deny the people
30 who want to participate in a party election that opportunity because
31 they're not going to think about going down to the courthouse and
32 changing their registration thirty days before the election. I urge
33 you to vote No on this, so it'll give everybody an opportunity to

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1 do what he's supposed to do as a registered voter, have the opportunity
2 under this Constitution to go in and vote for the person in the party
3 of his choice. I urge a No vote.

4 PRESIDENT:

5 The Chair has seen at least three or four of the people who
6 desire to debate this question. The Chair would only admonish you
7 that this is the third time we've debated this question. Senator Bell.

8 SENATOR BELL:

9 Thank you, Mr. President. Well, I'd like to say right at this
10 stage that as we move through the day certainly we, as members of the
11 Senate, must sense a shifting of position of what's taking place as
12 various legislation has passed or failed or have been set aside or
13 referred back to committee. Now, my good friend, Senator Nimrod, is
14 in favor of this particular legislation, and when...and he and I have
15 had an ideological difference on this from the beginning, and I find
16 myself really in the corner of Senator Wooten. I think that this is
17 bad legislation. I think it's dangerous for the two party system. I
18 think that we're digging our own graves, and I think it should be
19 defeated. Thank you.

20 PRESIDENT:

21 Senator...Senator Harber Hall.

22 SENATOR HALL:

23 In rising to support this measure, Mr. President, I would like
24 to in some way reflect on Senator Davidson's objection that the
25 voters will go to the polls and not know that they will be turned
26 away because they hadn't been notified. There are, of course, in
27 the bill provisions for notification of all election officials. There
28 are...is provision for publication of notification to all voters, and in
29 addition to that, my good friends, I would suggest to you that those
30 who have a real interest in government through the two party political
31 system will be very interested in notifying those people in their
32 blocks or their precincts or their wards as to what individual voters
33 may and may not do. I would hope, for example, if I run as a Repub-

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1 lican, that Republicans who want me back in office would help me
2 solicit the voters on an individual basis and talk to those voters
3 about why Republican candidates, and Senator Hall for example, might
4 be just as good or a lot better than others offered on the same
5 perspective ballot. So, I think that the voters will become very
6 well aware of what they...entitled to do at voting time in a primary
7 election. Now, we say open up the party. I say we have been opening
8 up the...the party and the parties, both parties, as much as we can,
9 but there becomes a limit, Ladies and Gentlemen of the Senate, how
10 far do you go and still maintain that you do have a two party system?
11 Do you say that every jackleg interested person in a certain...one
12 individual or a certain interest in government only on one occasion
13 at one time? Do you assist them by opening up the party and say
14 come in on primary election day and defeat the people who have worked
15 in government for a long time, beat them with your man on this one
16 issue, and then they'll be easier to be defeated by another party in
17 the Fall or...or they will bid you your way when it comes voting time
18 on that particular one issue. These are not people that are interested
19 in government year around. These are fly by nights...

20 PRESIDENT:

21 Your time has expired, Senator. Close your remarks...

22 SENATOR HALL:

23 ...who want to control the two parties individually. So, I
24 say this is a good measure. I did not regret when the...when the
25 Supreme Court overruled the twenty-three days provisions...

26 PRESIDENT:

27 ...Time is expired. You will conclude your remarks...

28 SENATOR HALL:

29 ...but I would say this is a reasonable twenty-eight day
30 notification.

31 PRESIDENT:

32 Senator Harris.

33 SENATOR HARRIS:

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1 Thank you, Mr. President. I hope that my activity over the last
2 some thirty years identifies me as a regular partisan Republican,
3 and I'm committed to the two party system, and one thing that has
4 been increasingly of concern to me over those thirty years of direct
5 involvement is the withdrawal by increasing numbers of the general
6 constituency from being either a regular Republican or a regular
7 Democrat. And I was distressed that day in '72 when the Federal
8 Court struck down our twenty-three month law. And since that day,
9 I've really rethought that immediate reaction, and I conclude that
10 the thing that we regulars really need to do is to adopt an attitude
11 of open invitation, and stimulate participation by the encouragement
12 of attractive candidates to be our standard bearer and to seek our
13 nomination in an open contested primary in which all the constituency
14 is free to participate. I believe that's the right way to go. This
15 bill would deny that, and I know there are those among us who really
16 believe this bill is the right way to go also, but I suggest the
17 record over the last many years is that the regulars have got to wake
18 up and adopt a policy of invitation and beckoning and encouragement.
19 This bill should be rejected.

20 PRESIDENT:

21 Senator Schaffer.

22 SENATOR SCHAFFER:

23 I would like to concur with my minority leaders comments. I
24 believe this bill is a march back into time, a march against the
25 current of...current popular opinions. This bill is a reaction to the
26 decline of the party organizations. That decline, I believe, has been
27 brought about by a more enlightened, a more interested electorate. I
28 would suggest to you that this bill will accomplish several things
29 if passed into law which I sincerely believe it will not be regardless
30 of what happens here tonight. One, it will strengthen and perhaps
31 extend the Daley machine in Chicago which truly does have the finest
32 precinct organization in the State, bar any, with high marks for Cicero.
33 Two, it will provide the long term death blow to the Republican Party

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1 and thereby the two party system in this State, and three, ironically,
2 it will put Governor Walker on stage center for his finest hour when
3 he vetoes this bill, and I do not happen to be a fan of the Governor,
4 but I'll tell you, the day he vetoes this bill, I'll be happy to
5 stand there in the photograph and shake his hand because it will truly
6 be his finest hour. I personally would prefer to deny the Governor
7 his finest hour and perhaps his reelection by defeating this bill in
8 the Legislature. I'd like to see the Governor retired. I hope this
9 bill will be defeated if for no other reason.

10 PRESIDENT:

11 Any further discussion? Senator...Senator Soper.

12 SENATOR SOPER:

13 Well, I want to thank the Senator from McHenry County for the
14 compliment he gives the Cicero organization, and I want to say this,
15 I believe in the two party system, but I say...I also say that if you
16 have a two party system, it means you've got people that belong to
17 two parties. Now, if you're going to allow someone to come out and
18 sign a petition for someone to be a candidate in the Democratic Party
19 or a candidate for the Republican Party, and then you find that there's
20 no opposition to your candidate and then you have the right to go
21 over and vote in the opposition party primary and help elect the
22 weakest member or the weakest candidate so you can take...so you can
23 take your candidate who you believe is the best who has no opposition
24 to have weak opposition or more file a candidate in your party and
25 then have a phony filed in the other party and go over there and
26 nominate him, then you don't have a two party system. You've got a
27 one party system. Now, the rating will be done if this bill isn't
28 passed. If you can go and wander all over and...and not make up your
29 mind at any time and nominate the candidates in both parties, don't
30 tell me that you believe in the two party system, and don't tell me
31 about the Daley Democrats or about the Cicero Republicans. We're
32 Republicans, we work it there, we've got Democrats, they work their
33 side of the aisle. We present our propositions. We count our votes,

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1 and if you want to be willy nilly and you want to be all over the
2 board, have your own party, and don't tell me you're Republican, and
3 don't tell me you're a Democrat. You want to have both sides, the
4 best of both worlds, but don't come over after you've nominated your
5 candidate without opposition by filing a petition and then rate my
6 party. You take care of your own business, and we'll take care of
7 ours, and if we fail to put up the best candidate in our party, then
8 we should lose. And if the Democrats fail to do that where they come
9 from, they should lose, but I wouldn't want any county that's all
10 Republican to be able to put in Democratic candidates that weren't
11 worthy of the name and defeat them because they were bad, and I
12 wouldn't want Democrats to come into a good Republican county and...
13 and put in candidates and defeat them because our candidates were
14 good. Now, it's up to you, Ladies and Gentlemen. You're either a
15 ...you either belong to a party or don't. You don't want to
16 belong to it, fine. If you want to file a petition, if you want to
17 fight your own party, you go ahead, and you do it, and if you've got
18 a better candidate, you nominate him.

19 PRESIDENT:

20 Time has expired, Senator, you will...

21 SENATOR SOPER:

22 But don't rate me.

23 PRESIDENT:

24 ...conclude your remarks.

25 SENTOR SOPER:

26 Thank you.

27 PRESIDENT:

28 Senator Morris.

29 SENATOR MORRIS:

30 Well, this bill has probably been the best learning experience
31 that I've had in the Legislature since January. I even issued a
32 news release which Senator Rock has which said I killed this bill
33 once with the help of twenty-nine other members of this Chamber. I

Handwritten notes in the top left corner, including the number 75 and some illegible scribbles.

1 issued the news release a second time and a third time, but I...looks
2 like tonight I'm not going to get to issue it a fourth time because
3 apparently something has happened and the famous word I've heard in
4 Springfield accommodations have been made. Apparently, this bill is
5 going to pass. I hope to God the Governor will veto it, and what is sad
6 is so many of the people who vote for this bill are the very people who
7 don't want to see the Governor of this State reelected. They're
8 giving him a free issue to run around Illinois on saying how he vetoed
9 this terrible bill, and he doesn't have to deal with his record.
10 After Senator Soper and being a member of a party, I've been a
11 Democrat all my life and I'm proud of it. In fact, in my community
12 according to my newspaper which is rather Republican, I'm called one
13 of the party bosses. But the reason we're doing that is because we're
14 building a Democratic Party in Lake County, and we've been building
15 Democratic Parties throughout the State. This bill will see the day
16 come to haunt it when there will not be thirty-four Democrats on this
17 side of the aisle. This bill is going to damage the Democratic Party
18 outside of Cook County, and it's going to stunt its growth and pro-
19 bably help the Republican Party in that case. What's it's going to
20 do to the Republican Party in Chicago is almost a...something you
21 can't describe. I really don't know what to say. There's some people
22 that I had a lot of respect for, that I took their word, but in the
23 last forty-eight hours, I've seen them waffle as the expression goes
24 and switch sides on the issue. I'm very disappointed, but as I said,
25 I guess it's a lesson to be learned. The bill will probably pass
26 tonight, and we're going to lock people out of the political process.
27 I just hope if this bill becomes law that those of you who vote for
28 it won't be around the polling places next year when people walk in
29 to vote and are told they can't. That's one thing about this country
30 that I've always been told is...is great is the freedom to vote and
31 make decisions, but we're moving in a direction with this bill to
32 something that we've never experienced in this country before. It's
33 a sad situation, and it probably will guarantee that Dan Walker will

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1 be a Governor of this State for two more years and he'll be given a
2 free bonus tonight by the people who say they don't like him most.
3 Think about that and try to vote No.

4 PRESIDENT:

5 Senator Graham.

6 SENATOR GRAHAM:

7 In a slight response to the old veteran from Waukegan, if I've
8 learned anything here in seventeen years, I've learned not to put
9 out a lot of predictions, and I've learned that a hell of a lot of
10 news releases is going to get you in a lot of trouble. So, predic-
11 tions and news releases are probably one of...two of the worst things
12 you can do if you predict wrong. So, just let that be a lesson to you.

13 PRESIDENT:

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

15 SENATOR ROCK:

16 Thank you, Mr. President and Ladies...

17 PRESIDENT:

18 Will the members be in their seats. Let's have some order.

19 SENATOR ROCK:

20 Thank you, Mr. President, Ladies and Gentlemen of the Senate.
21 I appreciated particularly Senator Graham's remarks. I for one and
22 many others in this Chamber have never ever waffled, and I want to
23 point out that House Bill 2435 as amended is not, in fact, a press
24 release bill. I haven't issued any. It is not, and I repeat, it is
25 not underlined, it is not a vehicle bill. This is, in fact, a party
26 matter. It is a party matter that concerns two political parties,
27 the Republican Party and the Democratic Party. I heard an earlier
28 speaker speak from the fiber of his being. Well, I will speak from
29 the fiber of my being, I am a Democrat, and I am not looking for the
30 immediate proximate result, whatever that might be, I'm talking about
31 the long term survival of the two party system in our State and in
32 our country. We are a two party system, and that is the reason we
33 survive and thrive. I have heard only two half-way valid arguments

1 that somehow there's no notice provided for the poor, illiterate voter.
2 Well, the fact is there is notice provided for, and the second was
3 that we will give the Governor his finest hour. Well, in fact, he has
4 had so many fine hours at our expense, another one isn't going to mean
5 a damn thing to me. Just in closing, let me point out that in a
6 major metropolitan newspaper in our town, on Tuesday, April the 8th,
7 1975, this was on their editorial page, and I usually don't read
8 those, but I did this time. The completely open primary weakens
9 political parties, and this is a time when they need an infusion of
10 new and dedicated followers. This is particularly true when they are
11 speaking of our local Cook County party of the local Republican
12 Party, and I would also point to an editorial on WMAQ TV broadcast
13 April 6th, 1975, and when I heard the Senator from Waukegan speak about
14 we are denying some kind of American freedom, he fails to point out
15 that there is a twenty-eight day registration period so that if...if,
16 in fact, somebody walks in, they can't vote. Let me point out what
17 WMAQ TV says in conclusion, a person should be able to declare party
18 affiliation at a time and place where voter registration is conducted
19 in his own neighborhood. Registration closes twenty-eight days before
20 an election. By that time, a voter knows who is running, which is the
21 time when he should be able to decide whether he wants to be a Repub-
22 lican or a Democrat period. I say Amen, and I ask for a favorable
23 roll call.

24 PRESIDENT:

25 The question is shall Senate...House Bill 2435 pass. Those in
26 favor will vote Aye. Opposed will vote Nay. The voting is open.
27 Have all voted who wish? Take the record. On this question, the
28 Ayes are 33, the Nays are 24, with none Voting Present. House Bill
29 2435 having received a constitutional majority is declared passed.
30 Senator Dougherty.

31 SENATOR DOUGHERTY:

32 Thank you, Mr. President. Having voting on the prevailing side,
33 I move that this...

1 PRESIDENT:

2 Senator Knuppel...Senator...

3 SENATOR DOUGHERTY:

4 ...the vote by which this vote be...could be reconsidered.

5 PRESIDENT:

6 ...Senator Nudelman moves to Table. All in favor will say Aye.
7 Opposed Nay. The Ayes have it. Senator Netsch, for what purpose do you
8 arise?

9 SENATOR NETSCH:

10 I requested verification.

11 PRESIDENT:

12 Well, it's a little late, Senator.

13 SENATOR NETSCH:

14 I was on my feet requesting verification.

15 PRESIDENT:

16 Senator Dougherty moved to reconsider the vote by which the
17 bill passed. Senator Nudelman may...moved to Table that amendment...
18 that motion. The motion carried. You subsequently asked for a roll
19 call. I don't know what that means.

20 SENATOR NETSCH:

21 Mr. President, I...

22 PRESIDENT:

23 You subsequently asked for a verification after...

24 SENATOR NETSCH:

25 It was not...

26 PRESIDENT:

27 ...after it was locked in.

28 SENATOR NETSCH:

29 ...It was not subsequent.

30 PRESIDENT:

31 Now, let's...Senator...Senator Smith. I...I understand your
32 feeling, Senator. Let's verify the roll call. I understand your
33 feeling. Don't be annoyed. (Machine cut-off)...have the roll call

1 please. The...Secretary has the roll call. It's not on the board.

2 Read the affirmative votes.

3 SECRETARY:

4 The follow...

5 PRESIDENT:

6 Is...is it the affirmative votes that you request so that the
7 record may be clear? Yes. Read the affirmative vote.

8 SECRETARY:

9 The following voted in the affirmative:

10 Berning, Brady, Carroll, Course, Daley, Donnewald, Dougherty,
11 Egan, Graham, Harber Hall, Hynes, Johns, Knuppel, Kosinski, Lane,
12 Lemke, McCarthy, Howard Mohr, Don Moore, Nimrod, Nudelman, Palmer,
13 Philip, Regner, Rock, Romano, Savickas, Shapiro, Smith, Soper,
14 Vadalabene, Welsh, Mr. President.

15 PRESIDENT:

16 Senator Netsch.

17 SENATOR NETSCH:

18 Is Senator Philip on the Floor?

19 PRESIDENT:

20 Philip. Senator Philip on the Floor? Well, I know you thought
21 it... Senator Dougherty.

22 SENATOR DOUGHERTY:

23 Prevailing side on this roll...this roll call...

24 PRESIDENT:

25 It hasn't been verified yet, Senator. Strike Senator Philip.

26 SENATOR NETSCH:

27 Mr. President, is Senator Regner on the Floor?

28 PRESIDENT:

29 Yes, he is. He's sitting in his seat. That would be the place
30 to look for him. Anyone else, Senator?

31 SENATOR NETSCH:

32 Is Senator Knuppel on the Floor?

33 PRESIDENT:

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1 Remove his name. Senator Nimrod is in my purview and view.
2 Senator Nimrod...Senator Philip, put Senator Philip back on the roll
3 call. The roll call has been verified. (Machine cut-off)...the
4 rules that we verify it. The result will be announced again. On
5 this...on this roll call, the Ayes were 32, the Nays were 24, with
6 none Voting Present. House Bill 2453 having received a constitutional
7 majority...2435 having received a constitutional majority is declared
8 passed. Senator Dougherty moves again to reconsider. Senator
9 Nudelman moves to Table. All in favor say Aye. The Ayes have it.
10 It's over. Senator Course, for what purpose do you arise?

11 SENATOR COURSE:

12 I have a bill, House Bill 2440, Mr. President.

13 PRESIDENT:

14 On the order of Postponed Consideration. Is there leave? Leave
15 to go. House Bill 2440 on Consideration Postponed. Senator Course.
16 The bill has been read a third time. Senator Course is recognized.

17 SENATOR COURSE:

18 Thank you, Mr. President. House Bill 2440 amends the Revenue
19 Act of 1939. It deals with the taxation of property for school
20 purposes. It adds to the exemption of those properties which have...
21 are already exempt. I think...

22 PRESIDENT:

23 The question is shall House Bill 2440 pass. All in favor will
24 say Aye...I mean all will vote Aye. All opposed will vote Nay. The
25 voting is open. Have all voted who wish? Take the record. On this
26 question, the Ayes are 39, the Nays are 15, with none Voting Present.
27 House Bill 2440 having received a constitutional majority is declared
28 passed. House Bill 1506, Senator Kosinski. Senate Bills...pardon me.
29 Senate Bills on 3rd reading. Is there leave to go to that order?
30 Leave is granted. Senate Bill 1506, Senator Kosinski.

31 SENATOR KOSINSKI:

32 Mr. President and members of the Senate, Senate Bill 1506 is an
33 Election Reapportionment Committee Bill which creates the State

1 Board of Elections Travel Control Board. The board will meet quarterly
2 and establish travel regulations of all employees of the State Board
3 of Elections. The bill supports Senate Joint Resolution 41 which
4 expresses the desire of the General Assembly to support the State
5 Board of Elections as an independent agency and not subject to the
6 Executive Branch in any way. Mr. President, I seek a favorable roll call.
7 PRESIDENT:

8 The question is shall Senate Bill 1506 pass. Those in favor...
9 Read the bill a third time. I'm sorry.

10 SECRETARY:

11 Senate Bill 1503.

12 (Secretary reads title of bill)

13 3rd reading of the bill.

14 PRESIDING OFFICER (SENATOR ROCK):

15 The...Senator Bruce.

16 SENATOR BRUCE:

17 As much as I don't think I support this bill, the Secretary did
18 read Senate Bill 1503, and it should be Senate Bill 1506.

19 PRESIDING OFFICER (SENATOR ROCK):

20 Thank you. Senator Davidson, what purpose do you arise?

21 SENATOR DAVIDSON:

22 I'd rise in support of this bill. This is exactly as Senator
23 Kosinski said. It did come out of the committee bill. We need this
24 for the regulations for the State Board of Election. I urge an Aye vote.

25 PRESIDING OFFICER (SENATOR ROCK):

26 Thank you. I'm asking the Secretary to read the bill again so
27 everybody is quite sure.

28 SECRETARY:

29 Senate Bill 1506.

30 (Secretary reads title of bill)

31 3rd reading of the bill.

32 PRESIDING OFFICER (SENATOR ROCK):

33 The question is shall Senate Bill 1506 pass. Those in favor

1 will vote Aye. Those opposed will vote Nay. The voting is open.
2 Senator Bruce, will you vote Senator Rock Aye. Have all voted who
3 wish? Take the record. On that question, the Ayes are 37, the Nays
4 are 15, 1 Voting Present. Senate Bill 1506 having received a consti-
5 tutional majority is declared passed. Now, we're in a...let my
6 Secretary get ready. Senator Mohr has a motion. What...

7 SENATOR MOHR:

8 Yes, Mr. President...

9 PRESIDING OFFICER (SENATOR ROCK):

10 On the order of House Bills on 3rd reading. Leave is granted.

11 SENATOR MOHR:

12 House Bill 3rd...3rd reading, House Bill 1670. I'd like to
13 recommit that to committee.

14 PRESIDING OFFICER (SENATOR ROCK):

15 That motion is always in order. All those in favor signify by
16 saying Aye. And all those Opposed. The bill is recommitted. Back
17 to the order of Senate Bills on 3rd reading with leave of the Senate.
18 On the order of Senate Bills on 3rd reading. Senate Bill 1505. Mr.
19 Secretary. Senator Partee, I understand there are amendments at the
20 Secretary's Desk.

21 SENATOR PARTEE:

22 Who is offering the amendment, may I ask?

23 PRESIDING OFFICER (SENATOR ROCK):

24 Senator Hickey.

25 SENATOR PARTEE:

26 Senator Hickey...

27 PRESIDING OFFICER (SENATOR ROCK):

28 I...I'm not sure she's been informed that the...the other amend-
29 ment came over on 3116, the House Bill. I'm just not sure she knows
30 that. She knows that, alright.

31 SENATOR PARTEE:

32 Does this amendment...may I ask her a question? Senator...
33 Senator Hickey, this is the amendment you choose to offer on this

1 bill? Well, Senator Hickey, how long have these amendments been prepared?

2 PRESIDING OFFICER (SENATOR ROCK):

3 Senator Hickey. On a...on a point...

4 SENATOR HICKEY:

5 I guess about a day, this morning. Just this morning...

6 PRESIDING OFFICER (SENATOR ROCK):

7 Senator Partee.

8 SENATOR PARTEE:

9 Have you proffered a...a copy of this amendment before this
10 morning, before...is this the one you showed me yesterday, Senator
11 Bruce? I just wanted to know. Now, let me ask you this, Senator.
12 You are asking me to bring the bill back to the order of 2nd reading
13 so you may offer this amendment?

14 PRESIDING OFFICER (SENATOR ROCK):

15 Senator...

16 SENATOR PARTEE:

17 May I ask you a question, Senator.

18 PRESIDING OFFICER (SENATOR ROCK):

19 ...Senator Hickey.

20 SENATOR HICKEY:

21 Senator Partee, there is...there is the longer amendment, and
22 then there is another amendment because there is an error in the
23 wording in line 16 on Page 2 of Senate Bill 1505. It now reads
24 Attorney General and I'm sure you intended it to read Auditor General
25 as one of the certifying officers because in another place...in another
26 place it talks about the Attorney General as a certifying officer.

27 PRESIDING OFFICER (SENATOR ROCK):

28 Senator Partee.

29 SENATOR PARTEE:

30 You're asking me to bring the bill back from 3rd reading to 2nd
31 so that you might offer this amendment, Senator? Now, could I ask you,
32 Senator, if your amendment is adopted, are you going to vote for the bill?

33 PRESIDING OFFICER (SENATOR ROCK):

1 Senator Hickey. Senator Hickey.

2 SENATOR HICKEY:

3 Yes, I will vote for the bill if my amendment is adopted.

4 PRESIDING OFFICER (SENATOR ROCK):

5 Senator Partee.

6 SENATOR PARTEE:

7 And if your amendment is not adopted, I assume the answer is
8 that you will not vote for the bill?

9 PRESIDING OFFICER (SENATOR ROCK):

10 Senator Hickey.

11 SENATOR HICKEY:

12 You are right, Senator Partee.

13 PRESIDING OFFICER (SENATOR ROCK):

14 Senator Partee.

15 SENATOR PARTEE:

16 Well, at this point in time, I really have the feeling that I
17 should not bring the bill back to 2nd reading for the purpose of
18 an amendment, but I'll tell you what I'm going to do, Senator, because
19 I don't play it away from the chest, I play it out where everybody
20 can see it. I'm going to bring the bill back from 3rd reading to
21 2nd reading for the purpose of your offering your amendment, although
22 I know that the concept of the bill is distasteful to you and it's
23 an anathema to you. I have the feeling, though, that the legislative
24 process suggests to all of us that everybody should have his input,
25 and that whatever the final judgement is, it should be a judgement
26 based on everybody having his input to that subject matter. So, on
27 that basis, Mr. President, I move that the bill be brought back from
28 the order of 3rd reading to the order of 2nd reading for the purpose
29 of the offering of any amendments that the membership desires to offer.

30 PRESIDING OFFICER (SENATOR ROCK):

31 Senator Partee seeks leave to bring Senate Bill 1505 to the order
32 of 2nd reading for the purpose of an amendment. Is leave granted?
33 On the order of Senate Bills on 2nd reading is Senate Bill 1505.

1 Mr. Secretary.

2 SECRETARY:

3 Amendment No. 1 offered by Senator Hickey.

4 PRESIDING OFFICER (SENATOR ROCK):

5 Senator Hickey.

6 SENATOR HICKEY:

7 ...Which...do you have the long one or the short one first? The

8 long one?

9 PRESIDING OFFICER (SENATOR ROCK):

10 The long...the long one.

11 SENATOR HICKEY:

12 Alright, fine.

13 PRESIDING OFFICER (SENATOR ROCK):

14 Pardon me. Senator Partee.

15 SENATOR PARTEE:

16 Could we make the short one No. 1?

17 PRESIDING OFFICER (SENATOR ROCK):

18 Well...

19 SENATOR PARTEE:

20 That's the one that changes the Attorney General to the Auditor

21 General. I'd like to go with that one first. Well, now, Senator

22 Bruce, I'm trying to be fair. Now, let me be fair. Now, you're try-

23 ing to be subrosa about the whole thing. No, no, just a moment.

24 Just a moment. I'm saying that the first amendment ought to be the

25 short one that puts the language correct.

26 PRESIDING OFFICER (SENATOR ROCK):

27 Wait...wait just a minute. Communication in our party is super.

28 That's why we needed that last bill, Senator Mohr. Senator Bruce.

29 SENATOR BRUCE:

30 Mr. President, I was not trying to act subrosa. The problem is

31 if the amendment that you asked to be offered is adopted, then the

32 xerox company of this State gets another big one. It would not fit

33 the second amendment which then would be the long amendment.

1 PRESIDING OFFICER (SENATOR ROCK):

2 Do you wish...

3 SENATOR BRUCE:

4 If you offer the long amendment first and then it's adopted,
5 the short amendment fits. There is logic in what Senator Hickey is
6 doing. I would just not want her to be precluded from offering her
7 amendment by the order in which she offers them, and I think that your
8 comments were that everyone ought to have input and that allows her
9 the input.

10 PRESIDING OFFICER (SENATOR ROCK):

11 Do you...do you wish a ruling from the Chair? Senator Hickey.

12 SENATOR HICKEY:

13 Did offer the long amendment first...the Secretary's desk.

14 PRESIDING OFFICER (SENATOR ROCK):

15 You are well entitled to offer it anyway you wish.

16 SENATOR HICKEY:

17 Shall we proceed with Amendment No. 1?

18 PRESIDING OFFICER (SENATOR ROCK):

19 Well, the question is the adoption of Amendment No. 1 offered
20 by Senator Hickey. Senator Hickey.

21 SENATOR HICKEY:

22 Senate Bill 1505 raises very serious questions related to the
23 separation of powers in State Government. This question was faced on
24 the Federal level recently, and recourse was sought in the courts
25 and granted. Senate Bill 1505 would give the Governor of this State
26 similar powers which Congress rightfully recovered from the Federal
27 Chief Executive after litigation. This amendment would allow the
28 impoundment designated by 1505, but it would provide for additional
29 legislative authorization before a contingency fund could be obligated,
30 encumbered or expended. A special legislative committee made up of
31 five House members and five Senate members appointed by leadership
32 would be the agents of the Legislature, would have twenty days to act
33 at the request of certifying officers named in 1505. There is no time

1 problem. Someone has suggested that it would be difficult to get
2 members together to do something...with this amendment. They'd have
3 twenty days within which to act, and I ask for a favorable roll call.
4 I...I should add, I...something which I suppose most all of you know
5 that a similar amendment which I knew nothing about at all, until
6 after it had happened was put on the same bill in the House. Apparently,
7 some people over there, too, recognize the danger in impoundment with-
8 out legislative authorization. Wisconsin does this, Michigan does
9 this, other States do this kind of thing thus making impoundment
10 palatable. I ask for a favorable roll call.

11 PRESIDING OFFICER (SENATOR ROCK):

12 Senator Harris.

13 SENATOR HARRIS:

14 Mr. President, I...I know I should confine my remarks to the
15 amendment, but I think I'm going to abuse that restriction just
16 slightly. The amendment I find unacceptable because of the inclusion
17 of legislative intrusion on an operating budget, an actual budget,
18 one of the great achievements of the 1970 Constitution and more and
19 more I come to conclude that its achievements are few is the clear
20 understanding of an executive budget, and we truly have that now. The
21 Executive proposes, we determine and authorize, and the Executive
22 carries it out. Senate Bill 1505, I think, is an exercise in mis-
23 direction and wasted energy, and Amendment No. 1 to Senate Bill 1505
24 in the Senate is confusion to existing unnecessary. We may have here
25 just a continuing effort on the part of the majority party here in
26 juxtaposition with the Chief Executive each engaged in a game of
27 oneupmanship, and I think both the amendment and the bill itself are
28 a waste of time. Clearly, the Executive has the obligation once we've
29 spoken and gone home to implement the authorizations and clearly
30 the Executive Department has the power not to spend, not to spend.
31 This amendment is an unnecessary suggestion to an unnecessary bill.

32 PRESIDING OFFICER (SENATOR ROCK):

33 Senator Wooten.

1 SENATOR WOOTEN:

2 Mr. President and colleagues, I oppose Senate Bill 1505 and
3 since that...my own unhappiness with that situation because I wanted
4 to find a way to support the position of my party and my party leader
5 in the Senate. Senator Hickey suggested this which...this approach
6 which while it doesn't make me that happy, I nevertheless can accept
7 it as a compromise. The difficulty seems to be that what we propose
8 to do is what no legislature should ever propose to do and that is
9 let the Governor make final decisions about the budget, that is
10 clearly our job. And this will at least cure one part of that, that we
11 all say that there is no certainly that money will be scarce or money
12 will be available. We really don't know for sure. We're making some
13 guesses. Now, what happens if money is impounded, and this is the
14 sense of this amendment, and then the Governor finds that he has money
15 to spend. Clearly, he should not make that decision, Senator Partee,
16 I think we should make that decision. If we leave the Governor that
17 option, we have abandoned a pretty basic legislative function. Now,
18 I don't think that 1505 is the best way to approach, but I'm willing
19 to submerge my opposition to that if we retain some kind of legislative
20 control over monies which may indeed be available. If we can provide
21 for that contingency, I'll be glad to lock step with you and support 1505.

22 PRESIDING OFFICER (SENATOR ROCK):

23 Senator Netsch.

24 SENATOR NETSCH:

25 Mr. President, with all due respect to the minority leader, I
26 think Senator Harris has misread the Constitution which is perhaps
27 why he finds it so generally distasteful. If you will look very care-
28 fully at the Constitution, Senator Harris, the...okay, we'll...we'll
29 have a lesson in that later. The...the Governor proposes, it is indeed
30 an Executive budget, but it is the Legislature and the Legislature
31 alone which has the power to determine the expenditure level. We
32 very carefully granted that power, and as a matter-of-fact, one of
33 the reasons why the reduction veto was included in the Constitution

1 was to make sure that no Governor would ever have the authority on
2 his own to impound funds, to hold back expenditures. We wanted the
3 whole process of the budget and the level of appropriations to be
4 worked out while the Legislature was in Session or by returning and
5 acting on reduction and item vetoes. That was a critical part of
6 that whole package. This bill, Senate Bill 1505, as it is written
7 right now, gives the Governor the power to determine the level of
8 expenditure, that power which belongs in the Legislature. I genuinely
9 believe that if we give that power, if we legalize impoundment and
10 give that power to the Governor now, we will regret it for the rest of
11 our legislative lives. We will have made a dramatic turn around in
12 the whole appropriation budget process, and I would predict that the
13 budget itself as well as the appropriation process would be in chaos
14 from this day forward. What we are trying to do in this amendment is
15 to restore at least some semblance of legislative control over the
16 appropriation process. That is the purpose of the amendment.

17 PRESIDING OFFICER (SENATOR ROCK):

18 Further discussion? Senator Partee. Oh, Senator Bruce, I beg
19 your pardon.

20 SENATOR BRUCE:

21 Well, speaking solely to the question of the amendment, I had a
22 chance to see how other States involved themselves with impoundment of
23 funds. Now, maybe they don't do it appropriately, but from time to
24 time, we hear on this Floor other States have done it this way, or
25 other States have not done it this way as the reason for why we should
26 or should not do something. The Legislative Council in a study that
27 they did on June 18th at my request found that five other States,
28 Arkansas, Michigan, New...New Mexico, Pennsylvania and Wisconsin also
29 involved themselves with some sort of impoundment. It's interesting to
30 note that the Legislature in those States have seen fit to involve
31 themselves throughout the process of impoundment. In Arkansas, they
32 allocate, A allocation, B allocation. They make the tough decision of
33 who gets A and who gets B. If the revenues are sufficient, then everyone

1 .slops over into the B column and gets a portion of their B column,
2 but the priorities as created by the Legislative Body maintain.
3 There's only ten percent of the B column. Everybody gets ten percent
4 of their B allocation as it was made by the Legislature. In Michigan,
5 not only do they allow impoundment, but then they say before any
6 money can be expended, the Governor must come to the Legislature and
7 seek by joint resolution and a majority of both Houses in that State
8 before the funds are released. In New Mexico, they also impound but
9 only a certain percentage, and it is designated shall be impounded.
10 If the subsequent revenue estimates provide that sufficient funds will
11 be...available, then the Governor is authorized to expend as stated by
12 the Legislature. In Pennsylvania, they also impound. They impound
13 one twelfth, the last months payment. But before the last one
14 twelfth is paid, authorization must be given. In Wisconsin, the Legis-
15 lature freezes a portion of the budget until the Governor provides
16 sufficient data to a joint revenue committee before the funds are
17 released. As you go over the other States and what they have done,
18 each State maintains the legislative prerogative to make priorities.
19 That is what the amendment to 1505 attempts to do, and that is give
20 this Body the right to make priorities. I will discuss in more detail
21 1505 if this amendment is not adopted, but I've heard on this amend-
22 ment that it require a great deal of time, the time will be involved,
23 that the ten members suggested will be down here, that they'll have
24 to review budgets. Well, Gentlemen, I would say that one of the
25 reasons as I read the newspapers that we are saying that we cannot
26 make the six percent cut is the time involved, that we don't have the
27 time, that the Governor spoke to us too late. Well, when is the time?
28 If we can't do it in May or June, and we don't have the time to do it
29 in July or August or September, then what is the purpose of the
30 Legislature? Why don't we assume that the Governor's budget is correct
31 and accept it? I think what 1505 and the amendment thereto will allow
32 us to do is to review the budget, to determine the priorities, and yes
33 it's going to take time, but I think as the salary is given, full time

1 legislative bodies involved, we have the time and ought to take the
2 time. Thank you.

3 PRESIDING OFFICER (SENATOR ROCK):

4 Further discussion? Senator Partee.

5 SENATOR PARTEE:

6 Well, Mr. President and members of the Senate, I did not bring
7 about the subject of impoundment. Its introduction into the legisla-
8 tive process this year did not have its genesis in my mind, but it
9 was a reaction and I think a viable reaction to the request of the
10 Governor. For many months, many people had been saying that we were
11 near a fiscal crisis. The Governor about two months...or two weeks
12 before we were to finalize this Session said that he wanted a six
13 percent reduction in all of the appropriations bills. Time itself
14 prevented our posting it on that basis. Hence, we did what we thought
15 was best not knowing what futuristically, the economics of this State
16 will be, and we proposed this theorem of impoundment. I was very
17 interested in Senator Bruce's remarks. He is a very scholarly young
18 man, and that is why I was very delighted when he came on board as
19 an assistant majority leader because of his scholarliness, but I would
20 point out to him that the impoundment that he alluded to comes about
21 under very different circumstances, comes about under calculated
22 planned circumstances on a priority basis which is in absolute con-
23 tradistinction to the impoundment that we suggest which is a reaction
24 to a crisis situation. I would not say the comparison is odious, but
25 they certainly are not correlated. I'm happy that there are those
26 who would like to find a way to support it, and I am concerned about
27 the amendment per se because it gives legislative authorization to
28 make a determination, and it requires five House members and five
29 Senate members to make a decision which in turn will then be sent to
30 the person running that particular department. That troubles me.
31 Who's going to pick what five members of the House and what five
32 members of the Senate are you going to pick? I can see that that
33 process could be fought with all kinds of disaster. It's very

1 difficult on occasion to get ten people, five from the House and
2 five from the Senate to meet on a Conference Committee when we are
3 in Session. They'd be...required to meet when we were not in Session,
4 and I can see it now, I can here a secretary walking down and saying
5 Senator some...so and so can't be here because this is the day that
6 he has a case set in court where the judge has suggested that he must
7 be there today. So, then you have nine. And somebody else says, well,
8 I can't be there today because this is a funeral of my ward committee-
9 man's wife, or this is a funeral of an old, old friend of ours. Some-
10 body else will not be there because they have a sick mother, and
11 you've got to remember, we are not in Session when these calls are made.
12 Somebody else will say, my husband and I have been planning a vacation
13 for many, many years and this is the day that we must go, and I cannot
14 be there. As a matter-of-fact, there have been times when persons
15 who were in Session who had planned vacations had to go, and certainly,
16 when we're out of Session, people have to go places, and they have
17 things planned that includes not only themselves but their families.
18 I'm only suggesting to you that to get the ten people together at all
19 times when a decision has to be made is just fought with disaster,
20 and this isn't a one time thing. This is a series of every agency
21 in this State that has this problem and will have to have this committee
22 get together, and I would not like to believe this, but human nature
23 being what it is, I can certainly see some member of that commission,
24 some member of that ten member group making subtle, perhaps not so
25 subtle, demands on someone in that department to fulfill some obliga-
26 tion, to do something for them, and I can see that those ten people
27 would become Gods under themselves. It...it is to be remembered
28 that every single legislative commission has in and within our system
29 a check and balance operation. No commission, no commission can make
30 any decision for all of us without bringing it back here for our
31 approval or rejection. This is the first group of ten representing
32 us who on their own would make final decisions with no opportunity for
33 the rest of the Legislature to either approve or reject their action.

1 So, it would not really be legislative input. It would be ten people
2 out of fifty-nine plus a hundred and seventy-seven making an irrevocable
3 cable decision for all of us. I think that is bureaucracy at its
4 worst. One of the things that we seek to do is to have less bureau-
5 cracy not more, and you know you're not going to get ten people there
6 every time you...want them and need them when you're out of Session,
7 when you can't get them when they're in Session, ten people to meet,
8 hence it's where it ought to be, and this has some options in it, and
9 I suppose the part of...my expression about the amendment will relate
10 to the real...but it gives the Governor precisely what he wants.
11 It gives him the option of impounding ten percent...six percent of
12 the finances involved so that at a later time...so that at the present
13 time, he does not have to make a...an irrevocable decision, and at
14 a later time, depending on the financial climate of our State he can
15 then make the proper economic adjustments. This makes sense to me.
16 I appreciate the effort of Senator Hickey and those who are allied
17 with this cause to offer a new approach to the question. I say, how-
18 ever, that the...the offer is not only violative of the spirit of the
19 ...of the legislative process, but it's just cumbersome. It won't
20 work, and you'll finally find one day you'll have four or five members
21 of a ten member...member committee making almost a unilateral decision
22 about a huge department supposedly there to represent the Legislature
23 where the Legislature itself has no input, has no right to either
24 reject or approve those activities. I will not make a motion to Table.
25 Let's vote it straight. I would simply say to those of you who are...
26 who see this issue as it really is to vote No on the adoption of this
27 amendment.

28 PRESIDING OFFICER (SENATOR ROCK):

29 Senator Hickey may close the debate.

30 SENATOR HICKEY:

31 Thank you, Mr. President. I first of all would like to tell
32 Senator Partee how the ten members are chosen since he did ask that
33 question. Five members from the Senate, three would be appointed by

1 the President, and two by the Minority Leader, five members of the
2 House, three would be appointed by the Speaker and two by the Minority
3 Leader. You speak of this being cumbersome of ten people being too
4 many. This was reduced to ten after we conferred with you on yester-
5 day, Senator Partee. We suggested that possibly it might be the...it
6 might be two Appropriations Committees, one of the...one of the two in
7 the House and the one in the Senate who do this. You objected to that
8 many people making the decision yesterday, and so we reduced it to
9 ten. Tonight, you are saying, Senator Partee, that you object to only
10 ten people making the decision for the whole Legislature. Senator
11 Partee and the rest of the members of the Senate, I want you to know
12 that I object to the Governor making the decisions which the Legisla-
13 ture...should make. This is probably going to pass tonight, 1505.
14 As you vote for this amendment, I'd like for you to remember that. If
15 you find the...the whole bill distasteful, don't let that carry over
16 into your judgement on the amendment because we're probably going to
17 have 1505 whether you like it or not, and I'm begging you not to
18 despumate your own statutory and constitutional prerogatives and
19 responsibilities and advocate them in favor of the Governor, not only
20 for this next Session, but setting up a very dangerous precedent
21 which could weaken the power of the Legislative Branch of the govern-
22 ment in the State of Illinois for years and years to come. I ask for
23 a favorable roll call.

24 PRESIDING OFFICER (SENATOR ROCK):

25 Senator, I'm assuming you're asking for a roll call. Is that
26 correct?

27 SENATOR HICKEY:

28 Yes.

29 PRESIDING OFFICER (SENATOR ROCK):

30 Senator Hickey moves the adoption of Amendment No. 1 to House
31 Bill 1505. Those in favor will vote Aye. Those opposed will vote
32 Nay. The voting is open. The question is the adoption of Amendment
33 No. 1. Have all voted who wish? Take the record. And...and we may

1 have to verify that one. On that question, the Ayes are 8, the Nays
2 are 45, 1 Voting Present. Amendment No. 1 fails. Any further amend-
3 ments? Senator Partee.

4 SENATOR PARTEE:

5 Amendment No. 2 is on the Secretary's Desk. That corrects the
6 matter...wait a minute.

7 PRESIDING OFFICER (SENATOR ROCK):

8 Senator...Senator Hickey does, in fact, have an amendment on
9 the Secretary's Desk labeled Amendment No. 2. I think, Senator, if
10 I might...go ahead. Senator Hickey.

11 SENATOR HICKEY:

12 Mr. President, inasmuch as Amendment No. 1 failed, Amendment
13 No. 2 is not written to correspond to the failure of Amendment No. 1,
14 and so I will ask to Table Amendment No. 2 and the bill goes through
15 with an error in it.

16 PRESIDING OFFICER (SENATOR ROCK):

17 Well, I think...I think it's best just to withdraw it.

18 SENATOR HICKEY:

19 Alright, withdraw it.

20 PRESIDING OFFICER (SENATOR ROCK):

21 Okay. Senator Bruce.

22 SENATOR BRUCE:

23 I talked with your parliamentarian. It could be amended on its
24 face, but...okay, let's...

25 PRESIDING OFFICER (SENATOR ROCK):

26 Senator Partee.

27 SENATOR PARTEE:

28 Senator Hickey says the bill will go through wrong. It will
29 not go through wrong, Senator Hickey. I have an amendment that
30 corrects it, and I offer it. It's on the Secretary's Desk.

31 PRESIDING OFFICER (SENATOR ROCK):

32 Senator Bruce.

33 SENATOR BRUCE:

1 Just so no one thinks Senator Hickey errored, the Legislative
2 Reference Bureau prepared that amendment. A copy of the bill that
3 I have, it matches. For some reason, the Secretary of the Senate has
4 that bill printed on different lines, and why I don't know or any...
5 it's never happened to me before. It matches the printed bill that's
6 distributed. It's the one that...Legislative Reference Bureau's
7 parliamentarian agrees with me, there's no way that you can understand
8 why the error was created.

9 PRESIDING OFFICER (SENATOR ROCK):

10 Well, you know, I think, you know...wait a minute. Wait just
11 a minute, please. You know, it's like Shakespeare said, it's much
12 adieu about nothing. Both amendments, you know, who...no matter who
13 offers what, they both do the same thing. Alright. Now, I was pre-
14 pared to rule your amendment, Senator Bruce, out of order because it
15 didn't fit. You know...you know, what is the printing...they both
16 accomplish the same thing. The question is Amendment No. 2 and I will
17 recognize Senator Partee who's offering the amendment.

18 SENATOR PARTEE:

19 Senator No. 2 as offered by Senator Hickey has been withdrawn. I
20 offer the correct Senate Amendment No. 2 which changes the word from
21 attorney to auditor which now brings it into proper form and I ask
22 the adoption of this amendment.

23 PRESIDING OFFICER (SENATOR ROCK):

24 Senator Partee moves...Senator Harris.

25 SENATOR HARRIS:

26 Mr. President, I just asked Mr. Campbell to go check the original
27 bill that the Secretary is working with, and the printed bill that
28 I have. And the line numberings are different between the original
29 bill and the printed bill.

30 PRESIDING OFFICER (SENATOR ROCK):

31 That...that is...

32 SENATOR HARRIS:

33 Now...

1 PRESIDING OFFICER (SENATOR ROCK):

2 ...excuse me, Senator...

3 SENATOR HARRIS:

4 ...alright.

5 PRESIDING OFFICER (SENATOR ROCK):

6 That is one...one of the problems, in fact...

7 SENATOR HARRIS:

8 That's...that obviously is what we're being troubled with
9 because Mrs. Hickey's amendment is in proper coordination with my
10 printed bill.

11 PRESIDING OFFICER (SENATOR ROCK):

12 With the printed bill, but not the bill as is on the Secretary's
13 Desk.

14 SENATOR HARRIS:

15 Yes. Okay. Well...

16 PRESIDING OFFICER (SENATOR ROCK):

17 That is correct. Senator...

18 SENATOR HARRIS:

19 There...therein lies the problem. I just wanted to...

20 PRESIDING OFFICER (SENATOR ROCK):

21 Well, in a...and I...I...alright. I attempted to convey that
22 from my point...vantage point here that I was not in saying anything
23 in derogation of Senator Bruce or Senator Hickey. All I was saying
24 was, as a matter-of-fact, I was giving an argument in favor of my
25 increase to the printing aspect of our operation. The...the printer
26 just made a mistake, you know, and that happens. Alright. Senator
27 Harris. Okay. The question is the adoption of Amendment No. 2 to
28 Senate Bill 1505. All those in favor signify by saying Aye. All
29 those Opposed. The Ayes have it. Any further amendments? 3rd reading.
30 Senator Partee.

31 SENATOR PARTEE:

32 For intervening business, Senator Romano has a bill, and he's
33 not feeling well. Maybe we could take that for intervening business.

1 PRESIDING OFFICER (SENATOR ROCK):

2 Senator Soper, before I ever recognize you, I'm going to recog-
3 nize Senator Romano. Senator Romano. Senator Soper, alright.

4 SENATOR SOPER:

5 Alright, was that Amendment No. 2 adopted? Did you announce that?

6 PRESIDING OFFICER (SENATOR ROCK):

7 It was...it was, in fact, adopted. Yes, Sir, I did announce that.

8 SENATOR SOPER:

9 Thank you.

10 PRESIDING OFFICER (SENATOR ROCK):

11 Senator Romano.

12 SENATOR ROMANO:

13 Senate Bill 1387 on the Secretary's Desk was amended in the
14 House, and I've been informed that it was a faulty amendment. So, I
15 would like to move that the Senate do not concur with the House amend-
16 ment and that a Conference Committee be appointed to make this correction.

17 PRESIDING OFFICER (SENATOR ROCK):

18 Might we have leave to...leave of the Body to go to the order
19 of the business on the Secretary's Desk? On the Secretary's Desk is
20 Senate Bill 1387 with House Amendment No. 1. Senator Romano, the
21 chair...the sponsor of that bill moves to nonconcur in House Amendment
22 No. 1 to Senate Bill 1387. All those in favor signify by saying Aye.
23 All those Opposed. The Ayes have it. The motion carries. And the
24 Secretary will so...inform the Senate. Senator Partee, do you wish
25 to go back to the Senate Bills on 3rd reading?

26 SENATOR PARTEE:

27 Yes, Sir.

28 PRESIDING OFFICER (SENATOR ROCK):

29 Might we have leave to return to the order of business, Senate
30 Bills on 3rd reading. On the order of Senate Bills on 3rd reading,
31 Senate Bill 1505. Mr. Secretary, read the bill.

32 SECRETARY:

33 Senate Bill 1505.

1 (Secretary reads title of bill)

2 3rd reading of the bill.

3 PRESIDING OFFICER (SENATOR ROCK):

4 Senator Partee.

5 SENATOR PARTEE:

6 Well, Mr. President and members of the Senate, this issue is one
7 known by all. I think that during the course of the debate on the
8 amendments, the subject matter was clarified. I'd ask for a roll call.

9 PRESIDING OFFICER (SENATOR ROCK):

10 Senator Glass.

11 SENATOR GLASS:

12 Thank you, Mr. President. I think it is appropriate, however,
13 to point out that the Constitution as drafted may be criticized by
14 some, but I certainly think that it covers the legislative process,
15 the powers of the Governor, the appropriation process very well.
16 Items can be reduced or vetoed by the Governor. If we appropriate
17 money, he certainly can exercise his powers to reduce them or veto
18 them, eliminate them, I see no reason whatsoever for this bill. We
19 can simply go through our customary legislative process without the
20 need for this legislation, and I would certainly urge its defeat.

21 PRESIDING OFFICER (SENATOR ROCK):

22 *ad 13* Further discussion? Senator Bruce.

23 SENATOR BRUCE:

24 I have my two parliamentarians behind me, Mr. President, so I
25 warn you. They...they've already got the question, whether it now be put
26 or now...put now, whatever they usually say. I think...we ought to...

27 PRESIDING OFFICER (SENATOR ROCK):

28 Ask...ask the back row, shall now be put or shall be put now...

29 SENATOR BRUCE:

30 They're going to take a conference on it, and give me an opinion...

31 PRESIDING OFFICER (SENATOR ROCK):

32 Thank you...

33 SENATOR BRUCE:

1 ...right after I comment.

2 PRESIDING OFFICER (SENATOR ROCK):.

3 Senator Bruce.

4 SENATOR BRUCE:

5 Yes, Mr. President, I think that we ought to just review now
6 that the amendment has not been adopted some of the problems that
7 may be created by this bill. First of all, I think that the consti-
8 tutionally created agencies within the Constitution to be very closely
9 looked at. For example, we passed out 1506 here that relates to the
10 State Election Board which is created in Article III, Section 5. What
11 do we do with them? Can the Governor impound those? We've been very,
12 very sensitive about the fact that the Governor has absolutely nothing
13 to do with the impoundment of those funds. Is someone on the State
14 Election Board to be the certifying officer, if so, they're not
15 denominated. Who is to withhold the funds for the State Board of
16 Education created under Article X, Section 2? Is the Governor, or is
17 it the State School Board? Will they regulate and let the...the...
18 Mr. Cronin, will he be the one to impound the funds for the State
19 Common School Fund? It's not denominated in the bill. Who is going
20 to do very...two...two very sensitive agencies? The...Judicial Inquiry
21 Board in Article VI, Section 15(b), in the Courts Commission in
22 Article VI, Section 15(e). In both of those Articles, I would point
23 out to the sponsor that it says the General Assembly by law shall
24 appropriate funds. Who shall impound those funds? Shall it be the
25 Supreme Court? I should hope not, for if a...if a judge rendered an
26 unpopular decision or acted in a...an allegedly inappropriate fashion,
27 is it appropriate that the Supreme Court be able to cut off funds,
28 to either the Judicial Inquiry Board or the Courts Commission so that
29 that investigation could not go forward? I think that in itself is a
30 very serious problem with the bill. What are we going to do in this
31 bill about appropriating more than revenues as...which is prohibited
32 under Article VIII, Section 2(b) which it says the General Assembly
33 shall appropriate for a fiscal year funds not exceeding revenues

1 estimated to be available. Where do we go then? Is there anyone in
2 this Chamber that thinks that this money is not appropriated? I hear
3 them not for if the Governor does not impound, the money, in fact, can
4 be spent, and if it can be spent, then it is appropriated, and if
5 we've appropriated it, we've exceeded revenues. I, too, have been
6 concerned about the lateness of the Governor's statement, but I
7 also noted that on the day before the Governor spoke, the Chairman
8 of our Appropriations Committee, the Majority Leader issued a press
9 statement in which they stated an expressed grave concern over the
10 State's gloomy revenue picture. I, too, concur that there is a very
11 gloomy revenue picture, and if that is the case, how do we avoid
12 appropriating more than available revenues. Would also call the
13 attention to the membership of Article II, Section 1 which sets forth
14 the separation of power between the Executive, the Legislative and
15 Judicial Branches of this government. Then, I would refer you from
16 that section on separation of powers to Article VIII, Section 2(b).
17 Those sections state explicitly that the Governor prepares a budget
18 which he shall...shall submit, and he plans what is going to occur.
19 Is my...

20 PRESIDING OFFICER (SENATOR ROCK):

21 I turned off the clock, but I think your time is pretty...
22 pretty close.

23 SENATOR BRUCE:

24 Alright. I will conclude. Also in Article VIII, Section
25 2(b), that the General Assembly shall make the appropriations. I
26 was interested in the comments of the President concerning the amend-
27 ment because I concur in his statements relating to the effect of
28 what the committee could do. First of all, he said the committee will
29 make irrevocable decisions for all of us. So will the Governor. If
30 he cuts the Department of Mental Health budget by impounding, what
31 response do we have? Do we say he must release those funds? If he
32 says that highways will not go forward in this State and cuts by
33 six percent the...the appropriations going to highways or to other

1 programs, he will not be able to cut the Road Fund, but Children and
2 Family Services...finally just say that several changes can be
3 made, and they can be made by the Governor if it can be made by
4 committee, and I would say those are not subtle changes, but very
5 great changes. There is criticism that unilateral decisions could be
6 made by the committee, and the Legislature has no right to reject
7 or approve. That is exactly, Gentlemen, what the Governor will do,
8 and we will have no right to reject or approve. Thank you.

9 PRESIDING OFFICER (SENATOR ROCK):

10 Senator Soper.

11 SENATOR SOPER:

12 Well, Mr. President and members of the Senate, we know what this
13 is all about, but to answer Senator Bruce, you know, that we can always
14 come and have a special session on our own, have a supplemental appro-
15 priation if we feel that something is wrong, there's not enough money.
16 So, I...I move the previous question. This all to do about nothing.

17 PRESIDING OFFICER (SENATOR ROCK):

18 Your motion is...is in order. I would recognize, however, the
19 Minority Leader, Senator Harris.

20 SENATOR HARRIS:

21 Well, I think probably Senator Soper's motion is timely. I
22 would just say that this bill is not necessary. The Governor's
23 suggestion with less than two weeks...slightly more than two weeks
24 remaining in our traditional appropriating opportunity before the 30th
25 of June was ridiculous, and the power to control expenditures reside
26 with the Chief Executive and we are, in fact, just wasting our time
27 in considering this bill. I yield to Senator Soper, and of course
28 under^{stand} and that the President should have the right to close debate.

29 PRESIDING OFFICER (SENATOR ROCK):

30 Thank you, Senator Harris. Senator ParTEE may close the debate.

31 SENATOR PARTEE:

32 Let me just say this, in cogitating this matter, there were two
33 words in the English language that troubled me. One was...one was

1 shall and the other was may. When I first drew this bill, I had the
2 word shall in it, that the Governor shall impound these funds. On
3 reflection, it became apparent to me that it might cause the Governor
4 to believe that some of the items that Senator Bruce mentioned might
5 give him the feeling that he had some obligation to impound their
6 funds, independent agencies such as the State Board of Elections,
7 State Board of Education, and the Judicial Inquiry Board. There was
8 one of the components of the decision that which caused us to change the
9 word from shall to may because I know that he, too, is a lawyer and
10 that he would recognize that the State Board of Elections is an inde-
11 pendent agency and that he would not make an attempt to cut the budget
12 on that basis, the same for the other two mentioned. It also gives
13 him some vital options where if it is not necessary, if he feels it
14 is not necessary, he would not have to impound the funds. If he felt
15 that it was then on the basis of the may, he could. He could be just
16 as selective as we have been in the Appropriations Committee in making
17 assessments as to what the needed dollar was in various branches of
18 government. I'm happy that Senator Bruce mentioned that because I
19 forgotte~~p~~ to mention to you that that is one of the reasons we used
20 may instead of shall because we knew that those agencies that he is
21 concerned about would be then placed in the position where the Governor
22 would make a proper decision recognizing their independence, and
23 would not feel because of the word shall that he had to make an im-
24 poundment of their funds. Hence, the bill is in very good shape, and
25 it is a good bill and certainly it is responsive to the Governor's
26 request. I would only hope that he would recognize that we were res-
27 ponding to his request, and he will take the bill for what it's worth
28 on its merit and will utilize it in the best interests of our people,
29 and will utilize it department to department as it should be taking
30 into consideration the changing...economic climate of our State. I
31 would ask a favorable roll call.

32 PRESIDING OFFICER (SENATOR ROCK):

33 The question is shall Senate Bill 1505 pass. 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 30,
3 the Nays are 27, none Voting Present. Senate Bill 1505 as amended
4 having received a constitutional majority is declared passed.
5 Senator Morris has requested a verification. Senator Soper, for what
6 purpose do you arise?

7 SENATOR SOPER:

8 Inquiry on this. How many votes does it take to pass this bill?

9 PRESIDING OFFICER (SENATOR ROCK):

10 Thirty, I think.

11 SENATOR SOPER:

12 I've got a parliamentary genius, ...unintelligible twenty-nine.

13 I thought he was giving us Morris' age.

14 PRESIDING OFFICER (SENATOR ROCK):

15 No...

16 SENATOR SOPER:

17 Oh, there's another interest bearing...advocate.

18 PRESIDING OFFICER (SENATOR ROCK):

19 Senator Morris has requested a verification. Will all the members
20 be in their seats. The Secretary please read the...Senator Donnewald.

21 SENATOR DONNEWALD:

22 Was the request for the affirmative or the negative? Who...who
23 did that?

24 PRESIDING OFFICER (SENATOR ROCK):

25 In fact, Senator Morris has requested a verification of the
26 affirmative votes. Will all the Senators please be in their seats.

27 The Secretary will read the affirmative votes.

28 SECRETARY:

29 The following voted in the affirmative:

30 Berning, Brady, Buzbee, Carroll, Course, Daley, Demuzio,
31 Donnewald, Dougherty, Egan, Harber Hall, Kenneth Hall, Hynes, Knuppel,
32 Kosinski, Lane, Lemke, McCarthy, Don Moore, Nudelman, Palmer, Rock,
33 Romano, Savickas, Shapiro, Smith, Soper, Vadalabene, Welsh, and Mr.

1 President.

2 PRESIDING OFFICER (SENATOR ROCK):

3 Senator Knuppel on the Floor? Take his name from the roll.

4 Senator Demuzio on the Floor? He's...he's in the favorite seat.

5 Senator Buzbee on the Floor? Senator Buzbee is standing behind the
6 favorite seat. Senator Berning is on the Floor. I...that...that in fact,

7 has already been done. All you have to do is listen. You know all

8 you have to do is listen. The Ayes are 29...request for Postponed

9 Consideration will be Postponed. We have a request from the Appro-
10 priations Committee to go to the order of House Bills on 3rd reading.

11 Is leave granted? Is that to be moved to 2nd and come back again?

12 Senate...on the order of House Bills on 3rd reading is House Bill 1366.

13 Senator Wooten.

14 SENATOR WOOTEN:

15 Mr. President, I would request leave to take this back to the
16 order of 2nd reading for the purpose of an amendment.

17 PRESIDING OFFICER (SENATOR ROCK):

18 Thank you. Senator Wooten requests leave to go to the...move
19 1366 back to the order of 2nd reading. Is leave granted? I would

20 like to point out to the members and the guests in the Gallery that

21 it's not over yet. On the order of House Bills on 2nd reading is

22 House Bill 1366. Mr. Secretary.

23 SENATOR WOOTEN:

24 I yield to Senator Savickas.

25 PRESIDING OFFICER (SENATOR ROCK):

26 Well, let's just find out where we're at here. What...what amend-
27 ment are we talking about? Now, ...House Bill 1366 has been moved to the

28 order of 2nd reading for the purpose of amendment. 1366 is now on the

29 order of 2nd reading for the purpose of amendment. Mr. Secretary.

30 SECRETARY:

31 Amend...Amendment No. 4 offered by Senator Savickas.

32 PRESIDING OFFICER (SENATOR ROCK):

33 Senator Savickas.

1 SENATOR SAVICKAS:

2 Yes, Mr. President and members of the Senate, Amendment No. 4
3 increases the contractual services by a total of a hundred and
4 twenty-nine thousand, three hundred and twenty-six dollars at the
5 following prisons - Joliet, Vandalia, Stateville, and Pontiac. These
6 contractual services were cut below the funding levels of fiscal year
7 '75 would have caused some impairment in the services as far as utilities
8 and medical services in these institutions. The total reduction from
9 House Bill 1366 with the adoption of this amendment would become five
10 million, three hundred and forty-three thousand, nine hundred and twenty-
11 four dollars. I would move adoption of Amendment No. 4.
12 Amendment No. 4.

13 PRESIDING OFFICER (SENATOR ROCK):

14 Well, before I entertain that motion, I'm going to ask for a
15 little discussion and quite a bit of order. Senator Hynes on the
16 Floor? Well, I'm...I'm being questioned by the Minority Spokesman
17 of the Appropriations Committee. I assumed, you know, before we got
18 here everything was...that's why I'm slowing things up. All I'm
19 trying to do is get a little order. Senator Weaver.

20 SENATOR WEAVER:

21 Is Senator Hynes on the Floor, Mr. President?

22 PRESIDING OFFICER (SENATOR ROCK):

23 He was, in fact. If he...if he's not, he should be.

24 SENATOR WEAVER:

25 I think that we probably ought to talk to Senator Hynes before
26 we act on this amendment, Mr. President.

27 PRESIDING OFFICER (SENATOR ROCK):

28 Y...I had frankly assumed that had been done. Senator Wooten,
29 your motion is recognized. We'll take this out of the record for a
30 few moments. We have another order of business to which we can go
31 with...with leave. Senator Wooten.

32 SENATOR WOOTEN:

33 Just a point of inquiry. Did we, in fact, adopt that amendment?

1 PRESIDING OFFICER (SENATOR ROCK):

2 We did not, Sir. It is on the order of 2nd reading, and the...
3 you know, okay. Let's just leave it there, and we'll go to another
4 order of business. Is there leave to go to the order of Motions in
5 Writing? If everybody will take a look...alright, Ladies and
6 Gentlemen, on Page 15 of the Calendar on the order of business...
7 I've asked leave to go to the order of business of Motions in Writing.
8 There are, in fact, some bills that have to be dealt with. Is there
9 leave to go to the order of Motions in Writing? Thank you, Senator
10 Welsh and...Senate Bill 946, Senator Ozinga. Senator Ozinga.

11 SENATOR OZINGA:

12 Mr. President, that was come...coming awake all of a sudden.
13 I didn't expect that. However, I believe I have a motion there to
14 reconsider the vote on which the Amendment No. 1 to Senate Bill 946
15 was nonconcurrent in. So, my motion now is to...reconsider that vote.
16 PRESIDING OFFICER (SENATOR ROCK):

17 Senator Ozinga has made a motion to reconsider the vote by
18 which Amendment No. 1 to Senate Bill 946 was nonconcurrent in. Senator,
19 will you explain your motion.

20 SENATOR OZINGA:

21 Well, Mr. President, this motion was pretty thoroughly explained
22 at the time of the nonconcurrency, however, in explaining it again,
23 this is the same motion, my motion after we...we reconsidered. I
24 would understand that you are giving me leave to reconsider this now.
25 The next motion would be that we do concur in Amendment No. 1 which
26 was the Representative Flinn's Amendment to Senate Bill 946 in the
27 House. This amendment was to the effect that each licensee of a
28 facility license under the Nursing Home, Sheltered Care Home, and Home
29 for Aged Act who applies for or received public funds administered by
30 the Illinois Department of Public Aid shall file with the department
31 an annual financial statement providing uniform cost information, and
32 this shall be in writing under oath before a notary public by the
33 administrator of each, and each person who possesses at least twenty-

1 five percent of the equitable interest in the ownership of the Nursing
2 Home, Sheltered Care Home or Home for the Aged. This is the same
3 thing as was explained, identical, the only difference is that now
4 this will be reported to the Department of Public Aid and I would
5 urge you all to concur in this amendment.

6 PRESIDING OFFICER (SENATOR ROCK):

7 Alright, the question is a motion to reconsider. I understand
8 Senator Netsch is recognized.

9 SENATOR NETSCH:

10 Mr. President, the argument can be made either on the motion or
11 on the concurrence. I don't know which is the proper place for it.

12 PRESIDING OFFICER (SENATOR ROCK):

13 No, the motion is to reconsider the vote by which Amendment No. 1...

14 SENATOR NETSCH:

15 Right...

16 PRESIDING OFFICER (SENATOR ROCK):

17 ...to Senate Bill 946 was nonconcurring in.

18 SENATOR NETSCH:

19 Oh, very well, then, I'll make the argument now. This I gather is
20 Senator Moore's answer to the problem of trying to get some information
21 from nursing homes, but I would like to point out to him a few things,
22 if you're listening, Senator Moore, that are very serious problems that
23 we have not had time to expand on in great detail before. For one thing,
24 you have been assuming that if this amendment were adopted or concurred
25 in that gives the information to the Department of Public Aid that it
26 would therefore be available to all of the other State agencies including
27 at least the Department of Mental Health which does make payments to
28 people who are in nursing homes and to the Department of Public Health
29 which has the licensing and regulatory authority under the Federal Program
30 that we must comply with by July 1, 1976. I think that is simply not so.
31 If you'll look at Section 11-9 of Chapter 23 which is the Public Aid Code,
32 it seems pretty clear that the Department of Public Aid receives any
33 reports or information of this sort in confidence and it does not have

1 the authority to share it with anyone else including another State
2 agency. So, this very much needed information will come to the Depart-
3 ment of Public Aid but it will not be available to the Department of
4 Public Health. It will not be available to the Department of Mental
5 Health, and the need for it will, in fact, just die not totally
6 aborning. It is true Public Aid will still be able to use it, but no
7 one else will be able to. In addition, because you have limited it
8 to those which are receiving funds, under Public Aid, you're probably
9 leaving out a very substantial portion of the nursing homes. For
10 example, there are three hundred and eight sheltered care homes in
11 this State with Public Aid patients, but they are beginning July...or
12 June 30th, they are ineligible for Medicaid. The money must be paid
13 for all of those who are on SSI directly to the patient, and the
14 State's supplement must also be paid directly to the patient. That
15 money does not go to the nursing home. It is the patient's own money.
16 So, that there is no reason to think that they would be covered by
17 the provisions of this, and we would therefore be leaving out a very
18 substantial portion of the nursing homes from coverage of this Act.
19 Now, all of those are fairly concrete reasons why it makes no sense
20 whatever as I have been saying for several days now to give this
21 information to the Department of Public Aid. There is in addition an
22 overriding consideration which is that the Department of Public Health
23 is that agency of State Government which is charged with the responsi-
24 bility for the licensing and regulation of nursing homes which has
25 in it already a health finance department which...is expert in deter-
26 mining this kind of information and auditing it, and has already since
27 1967 been collecting the same kind of fiscal information for all the
28 hospitals in the State because they also receive State funds. So,
29 that on grounds of both principal and the fact that it simply will not
30 work to put it in Public Aid, this amendment simply makes no sense.
31 I am sorry. I have not been able to get that point through to you
32 after hours and hours of arguing. I would urge that we do not concur
33 in this amendment.

1 PRESIDING OFFICER (SENATOR ROCK):

2 Alright, the question is the motion to reconsider the vote by
3 which Amendment No. 1 to Senate Bill 946 was nonconcurrent in. Those
4 in favor of the motion to reconsider will vote Aye. Those opposed will
5 vote No. The voting is open. Have all voted who wish? Take the
6 record. On that question, the Ayes are 33, the Nays are 17, 2 Voting
7 Present. The motion to reconsider the vote by which Amendment No. 1
8 to Senate Bill 946 was nonconcurrent in is now reconsidered. Senator
9 Ozinga.

10 SENATOR OZINGA:

11 Now...I would now move that we do concur in the Amendment No. 1
12 as proposed to Senate Bill 946.

13 PRESIDING OFFICER (SENATOR ROCK):

14 Well, I would suggest the Secretary...Mr. Secretary, clear the
15 board, but in...might it not be better to leave that on the Calendar
16 now that we're back in the concurrence stage? Alright, the question
17 is shall the Senate concur in Amendment No. 1 to Senate Bill 946.
18 Those in favor will vote Aye. Those opposed will vote Nay. The voting
19 is open. Have all voted who wish? Take the record. On that question,
20 the Ayes are 33, the Nays are 18, 1 Voting Present. The Senate concurs
21 in Amendment No. 1 to Senate Bill 946. And that bill having received
22 the required constitutional majority is declared passed. On the order
23 of Motions in Writing. House Bill 212, Senator Nimrod. Senator Nimrod
24 has asked leave to have that motion concerning House Bill 212 heard
25 tomorrow. Is leave granted? House Bill 309, Senator Netsch. Senator
26 Netsch asks leave to have that...motion heard tomorrow. House Bill
27 709, Senator Glass. Senator Glass.

28 SENATOR GLASS:

29 Thank you, Mr. President. My motion...having voted on the prevail-
30 ing side is to reconsider the vote by which House Bill 709 passed.
31 House Bill 709 was the bill that amended the gambling section of the
32 Criminal Code to legalize card games when played at a persons residence
33 or on the premises of a nonprofit organization when dues paying members

1 provided that no one receives any payment for providing the place for
2 the card game. Now, I think on reflection that this bill opens up the
3 door far too wide to gambling games, to infiltration by the...the
4 syndicate. I think that it should be limited simply to card playing
5 in the residence, and I've talked to the House sponsor of the bill,
6 Representative Giorgi who indicated to me that that was his intention
7 in originally introducing the bill, and I have an amendment which I
8 will offer if this motion prevails which would authorize card games
9 when played by adults at a persons residence when no one receives any
10 payment or other thing of value directly or indirectly for providing
11 a place for a card game. In my judgement, the...the legislation should
12 be limited to that type of activity, but not extend to other types of
13 organizations where you could have an individual perhaps owning a
14 restaurant and having ten or twelve card games going on in that res-
15 taurant under this legislation making money on the sale of food and
16 drink and attracting people to the establishment in that manner. I
17 think as I say as it passed the bill goes too far, and I would...urge
18 the Body to support this motion to reconsider.

19 PRESIDING OFFICER (SENATOR ROCK):

20 The question is to reconsider the vote by which House Bill 709
21 passed. Senator Savickas.

22 SENATOR SAVICKAS:

23 I would respectfully ask that we defeat this motion.

24 PRESIDING OFFICER (SENATOR ROCK):

25 Pardon me. I...I missed...

26 SENATOR SAVICKAS:

27 In closing the debate, I would respectfully ask that we defeat
28 this motion.

29 PRESIDING OFFICER (SENATOR ROCK):

30 No, well, there are...Senator Soper.

31 SENATOR SOPER:

32 Well, Mr. President, members of the Senate, if the amendment that
33 Senator Glass just read does what he thinks it's going to do, it

1 doesn't do it. All he talks about is that no money shall be charged
2 for holding the game. You should say that...you want to talk, Senator
3 Sommer? You should say that no money shall be wagered or exchange
4 hands beside that other section that he put in there. Then, you've got
5 no gambling.

6 PRESIDING OFFICER (SENATOR ROCK):

7 The motion is to reconsider...Senator Fawell.

8 SENATOR FAWELL:

9 I...I simply want to rise in support of the...of the motion here.
10 I...I frankly, at the time we were arguing this, I didn't think that we
11 would ever pass such an outlandish, foolish bill as this one. This
12 authorizes gambling as long as it can be called card games by any not-
13 for-profit organization or any organization which charges dues. It
14 doesn't even have to be not-for-profit. The only inhibition that is
15 thrown into this bill is that there...there cannot be anything charged
16 for providing the place for the card game, minors, adults, high stakes,
17 low stakes, you name it, wide open gambling, and I...I suppose what
18 we should have is a couple of flailing armed speeches on something like
19 this, and maybe I should have done that at the time we first debated
20 this. This is a lousy bill, and if we had any sense whatsoever, we'll
21 call it back, not even allow an amendment, but just shoot it dead.

22 PRESIDING OFFICER (SENATOR ROCK):

23 The question is on a motion to reconsider the vote...the
24 question is the motion to reconsider the vote by which House Bill 709
25 passed. This takes thirty votes. All those in favor signify by...
26 all those in favor will vote Aye. Those opposed will vote Nay. The
27 voting is open. Have all voted who wish? Take the record. On that
28 question, the Ayes are 24, the Nays are 23, one Voting Present. The
29 motion fails. Motions in Writing. House Bill 1124, Senator Egan moves
30 to postpone that until tomorrow. Senator Bruce.

31 SENATOR BRUCE:

32 I have a parliamentary inquiry.

33 PRESIDING OFFICER (SENATOR ROCK):

1 Yes, Sir, state your point.

2 SENATOR BRUCE:

3 On...On House Bill 212, Senator Nimrod had filed a motion to
4 reconsider. He did not call that motion. That bill is on Senator
5 Nudelman's Bill. He got a substantial vote. The bill passed out of
6 this Body, and now, one member has been able to preclude that bill
7 being passed. Since, if we act on the motion tomorrow, it's ineffec-
8 tive. The bill is in...is in effect dead. It would pass this Body
9 after our cut-off time. And I...how...how do we do that that one
10 member can prohibit Senator Nudelman's Bill from passage when he got
11 a majority vote of this Body.

12 PRESIDING OFFICER (SENATOR ROCK):

13 Parliamentarily, if one is as sharp as you are, one would move
14 to Table.

15 SENATOR BRUCE:

16 Oh, well, thank you.

17 PRESIDING OFFICER (SENATOR ROCK):

18 Senator Nudelman.

19 SENATOR NUDELMAN:

20 Thank you, Mr. President. I'm not as sharp as Senator Bruce, but
21 I appreciate the tip, and I now move...I now move to Table Senator
22 Nimrod's Motion to reconsider the vote on passage of 212.

23 PRESIDING OFFICER (SENATOR ROCK):

24 That is not a debatable motion, but I will recognize Senator
25 Nimrod for whatever purpose...on a point of personal privilege.

26 SENATOR NIMROD:

27 Yeah, Mr....Mr. President, I asked a question. Is it okay for
28 me to hold this off till tomorrow, and...and your answer was...

29 PRESIDING OFFICER (SENATOR ROCK):

30 And the question was...in the affirmative. That is correct.

31 SENATOR NIMROD:

32 In other words, there's no parliamentary procedure of any kind?

33 PRESIDING OFFICER (SENATOR ROCK):

1 No, there...there is, in fact, a...

2 SENATOR NIMROD:

3 It...would the bill be dead tomorrow? Well, that's what I was
4 asking, and I was, you know, I...I either...I asked the wrong question
5 or I got the wrong answer.

6 PRESIDING OFFICER (SENATOR ROCK):

7 No, no, you didn't get the wrong answer. You asked me a direct
8 question and I'll give you a direct answer...

9 SENATOR NIMROD:

10 ...Okay. I asked the wrong question. Okay, but my question was
11 intended that is it parliament...and in fact, I came up to the par-
12 liamentarian and asked this question before, did I not?

13 PRESIDING OFFICER (SENATOR ROCK):

14 Well, you know, the parliamentarian doesn't have the gavel...

15 SENATOR NIMROD:

16 No, I understand that...

17 PRESIDING OFFICER (SENATOR ROCK):

18 I have the gavel. You asked a direct question. I gave a direct
19 answer...

20 SENATOR NIMROD:

21 ...I understand that, but if...if my motion was going to be
22 subjected to that, I would have gone ahead and called the bill tonight.

23 PRESIDING OFFICER (SENATOR ROCK):

24 Well, do you wish to call it?

25 SENATOR NIMROD:

26 Well, if my motion is going to be dead for tomorrow, of course...

27 PRESIDING OFFICER (SENATOR ROCK):

28 Will...

29 SENATOR NIMROD:

30 I must call it then.

31 PRESIDING OFFICER (SENATOR ROCK):

32 ...There's already been a motion to Table by Senator Nudelman.
33 He...he is kind of pushing it. Should we go to that order of business?

1 SENATOR NIMROD:

2 I would like to then call the...

3 PRESIDING OFFICER (SENATOR ROCK):

4 Thank you...

5 SENATOR NIMROD:

6 ...call the motion.

7 PRESIDING OFFICER (SENATOR ROCK):

8 The question before the House is Motions in Writing. The motion
9 on House Bill 212. There's a motion to reconsider the vote by which
10 House Bill 212 passed. Senator Nudelman will...will withhold his
11 motion until Senator Nimrod has a chance to explain it. Senator Nimrod.

12 SENATOR NIMROD:

13 Yes, Mr. President and fellow Senators, when this was passed, I
14 was not aware of all the facts and information that was available that
15 pertained to this particular bill, and since then, I have become in-
16 formed and there is some writings and some information. I would like
17 to yield to Senators Glass or Roe...who...and Senator Clarke who has
18 some additional information. I'll be glad to close at that time.
19 time.

20 PRESIDING OFFICER (SENATOR ROCK):

21 Senator Roe.

22 SENATOR ROE:

23 Is that permissible, Mr. President?

24 PRESIDING OFFICER (SENATOR ROCK):

25 It most certainly is, as long as you're within the thirty second
26 time frame.

27 SENATOR ROE:

28 Well, I would just like to point out to the...to the Senate...
29 Thank you, Mr. President...that the essential issue involved in House
30 Bill 212 is whether or not we are going to permit as a public policy
31 any eavesdropping in Illinois or we are not. I would submit to you
32 within the thirty seconds that have been allotted to me that it is next to
33 impossible to meet the standards required by House Bill 212 in order

1 to obtain a court order to have a wire tap, and I would suggest to you
2 further that this is an important investigative tool of the prosecu-
3 tion and there has been no demonstration that the State's Attorney in
4 any county has abused the present statute that we have in this State
5 which requires one party at the request of the State's Attorney in
6 order to obtain a wire tap order, and I think that the Senate should
7 properly reconsider the vote on House Bill 212.

8 PRESIDING OFFICER (SENATOR ROCK):

9 Further discussion? Senator Glass.

10 SENATOR GLASS:

11 Mr. President, I would also support Senator Nimrod's motion to
12 reconsider based on information given to me by the State's Attorney
13 of Cook County which does consider the bill far too restrictive to
14 permit reasonable investigations by that office. I will admit that
15 in voting on the bill, I was not fully aware of the extensive nature
16 of it, and I would urge the Body to reconsider this action and to give
17 a full debate and full look at that legislation. So, I am in support
18 of Senator Nimrod's motion.

19 PRESIDING OFFICER (SENATOR ROCK):

20 Senator...Senator Nimrod, do you wish to close before Senator
21 Nudelman...Senator Nudelman, I understand, has withdrawn. Senator
22 Nudelman, I will recognize you.

23 SENATOR NUDELMAN:

24 Thank you, Mr. President. I would temporarily withdraw my
25 motion to lay Mr. ...Senator Nimrod's Motion in Writing on the Table.

26 PRESIDING OFFICER (SENATOR ROCK):

27 He has withdrawn the motion. Senator Nimrod.

28 SENATOR NIMROD:

29 Yes, Mr. President, and I did speak with the...the State's Attor-
30 ney from Cook County, and he's asked me to pursue this and he was
31 very much opposed to this bill and...and asked if we wouldn't recon-
32 sider this because he felt that his office would be very much happier
33 if this bill remains on the books.

1 PRESIDING OFFICER. (SENATOR ROCK):

2 The question is to...the motion to reconsider the vote by which
3 House Bill 212 passed. All those in favor of the motion to reconsider
4 will vote Aye. Those opposed will vote Nay. The voting is open.
5 Senator McCarthy, will you vote me No please. Have all voted who wish?
6 Take the record. On that question, the Ayes are 21, the Nays are 26,
7 none Voting Present. The motion fails. The Motion in Writing with
8 respect to House Bill 1124 will be postponed until tomorrow at the
9 request of the sponsor. Motion in Writing with respect to House Bill
10 1470 will be postponed until tomorrow at the...who's that...request
11 of the sponsor, right. Motion in Writing with respect to House Bill
12 1682, Senator Joyce.

13 SENATOR JOYCE:

14 Mr. President and members of the Senate, having voted on the nega-
15 tive side of House Bill 1682, I hereby move that vote by which said
16 bill failed to be reconsidered.

17 PRESIDING OFFICER (SENATOR ROCK):

18 Senator Joyce has moved to reconsider the vote by which House
19 Bill 1682 lost. Any discussion? Senator...Senator Fawell.

20 SENATOR FAWELL:

21 I...I'm just trying to find out what is...

22 PRESIDING OFFICER (SENATOR ROCK):

23 Senator Joyce, will you explain it.

24 SENATOR FAWELL:

25 ...House Bill 1682.

26 PRESIDING OFFICER (SENATOR ROCK):

27 Senator Joyce, will you explain your motion please.

28 SENATOR JOYCE:

29 It is Senator Course's Motion, his Bill.

30 PRESIDING OFFICER (SENATOR ROCK):

31 Senator Course.

32 SENATOR COURSE:

33 Yes, I yield to Senator Joyce.

1 PRESIDING OFFICER (SENATOR ROCK):

2 Senator Joyce. Senator Joyce has yielded it to you. Senator Course.
3 Senator Course.

4 SENATOR COURSE:

5 Yes, Mr. President, I'd like unanimous consent to return House
6 Bill 1682 to the order of 2nd reading for the purpose of amendment.

7 PRESIDING OFFICER (SENATOR ROCK):

8 Well, the fact of the matter is we...we can't even ask leave for
9 that because we're on the order of Motions in Writing. We have to
10 settle that question first, okay. The motion is to reconsider the vote
11 by which House Bill 1682 failed. Once we...what, then...then you're
12 in favor of the motion I take it. Senator Fawell, it has been satis-
13 factorily explained to you.

14 SENATOR FAWELL:

15 Well, I...I know what the bill is all about.

16 PRESIDING OFFICER (SENATOR ROCK):

17 Okay. The question is shall the motion to reconsider the vote
18 on the failure of House Bill 1682 prevail. Those in favor will vote
19 Aye. Those opposed will vote Nay. The voting is open. Have all
20 voted who wish? Take the record. On that question, the Ayes are 35,
21 the Nays are 6, none Voting Present. Senator Joyce's Motion to
22 reconsider the vote by which House Bill 1682 lost, prevails. House
23 Bill 1682 is now before the Senate on 3rd reading. We recognize Senator
24 Course.

25 SENATOR COURSE:

26 Now, Mr. President, I'd like to return House Bill 1682 to the
27 order of 2nd reading for the purpose of amending.

28 PRESIDING OFFICER (SENATOR ROCK):

29 Is there leave to return House Bill 1682 to the order of 2nd
30 reading for the purpose of an amendment? Leave is granted. On the
31 order of House Bills on 2nd reading is House Bill 1682. Amendment
32 No. 2 offered by Senator Course.

33 SENATOR COURSE:

1 Yes, Mr. President, I'm...asking for the adoption of this amend-
2 ment. It was requested by Senator Hickey, and it...what it does is
3 it now requires public notice to be given for all closed sessions.
4 In the original bill, it had the public notice was not required to be
5 given. It strikes the not. I would ask the adoption of the amendment.

6 PRESIDING OFFICER (SENATOR ROCK):

7 Any discussion? Senator Soper.

8 SENATOR SOPER:

9 You're going to give notice to the public of a closed meeting.
10 Who are you going to give the notice to, the people who aren't
11 supposed to come.

12 PRESIDING OFFICER (SENATOR ROCK):

13 Senator Course.

14 SENATOR COURSE:

15 I'm sorry, Senator Soper, I was disrupted.

16 PRESIDING OFFICER (SENATOR ROCK):

17 Senator Soper.

18 SENATOR SOPER:

19 It just amazes me...what you say this amendment does, and if
20 Senator Hickey drew this, I...I...maybe I don't understand it. She
21 doesn't want to take blame for this thing, she says, but you said you
22 were going to give notice to somebody for a closed meeting. Now,
23 are you going to give notice about a closed meeting to the people
24 who can't come?

25 PRESIDING OFFICER (SENATOR ROCK):

26 Senator Course.

27 SENATOR COURSE:

28 Notice will be given. There will be no closed meeting.

29 PRESIDING OFFICER (SENATOR ROCK):

30 Senator Soper.

31 SENATOR SOPER:

32 You mean you're going to take out of this bill, if I understand
33 this bill, where you're discussing bargaining or something else. It's

1 a closed meeting. If you're...discussing employees or...or the firing
2 of an employee, the combination of any of those things or salaries,
3 then you're going to have an open meeting on everything. Is that
4 what you're going to do?

5 PRESIDING OFFICER (SENATOR ROCK):

6 Senator Course.

7 SENATOR COURSE:

8 Senator Soper, the bill reads now, when anybody subject to this
9 Act holds a closed session as authorized under Section 2, such body
10 is not required to give public notice of such meeting...of the closed
11 meeting. I've stricken the not.

12 PRESIDING OFFICER (SENATOR ROCK):

13 Senator Soper.

14 SENATOR COURSE:

15 N-o-t, Senator Soper.

16 PRESIDING OFFICER (SENATOR ROCK):

17 N-o-t, Senator Soper.

18 SENATOR SOPER:

19 Well, that's what I thought you said. Now, where you're...where
20 you're going to have a closed meeting, you're going to give notice
21 to the people that can't come. That's what I'm saying.

22 PRESIDING OFFICER (SENATOR ROCK):

23 For the fourteenth time, that is, in fact, what he has said.

24 Senator Course.

25 SENATOR COURSE:

26 Yeah, well, maybe...maybe they do that in Berwyn, I don't know,

27 Senator Soper, but they're giving notice of a closed meeting, yes.

28 That's right, and if you...you...

29 PRESIDING OFFICER (SENATOR ROCK):

30 Alright, Senator Soper.

31 SENATOR SOPER:

32 Now, that leads me to another question.

33 PRESIDING OFFICER (SENATOR ROCK):

1 Oh, I was afraid of that. Senator Soper.

2 SENATOR SOPER:

3 If you're going to say that you're going to have a closed meet-
4 ing, and it's legal, why do you have to give notice of a closed meeting?

5 PRESIDING OFFICER (SENATOR ROCK):

6 Senator Course.

7 SENATOR COURSE:

8 Oh, shut up. So they know they can't come.

9 PRESIDING OFFICER (SENATOR ROCK):

10 The Chair would just remark that I was afraid of that too.

11 Senator Soper.

12 SENATOR SOPER:

13 Well, I'll tell you this, I know it's a little late and I know
14 that...that the sanitarium is closed, but there are a couple of guys
15 out here with the nets and the white coats, and they're going to get
16 you because I'll tell you one thing you're going to do now, you've
17 done a lot of foolish things, but if you want to spend money, why you
18 know, you're going to spend money. Maybe you own a newspaper and you
19 want some publications or maybe you want to send the kid around with
20 the bugle and blow the horn and say there's a closed meeting. You
21 can't come to it. Well, have a lot of fun, but I think this is a
22 little nutty.

23 PRESIDING OFFICER (SENATOR ROCK):

24 The question is the adoption of Amendment No. 2 to House Bill
25 1682. All those in favor signify by saying Aye. All those Opposed.
26 A roll call has been requested. Those in favor of the adoption of
27 Amendment No. 2 to House Bill 1682 will vote Aye. Those opposed will
28 vote Nay. The voting is open. Have all voted who wish? Take the
29 record. On that question, the Ayes are 25, the Nays are 17, none
30 Voting Present. Amendment No. 2 to House Bill 1682 is adopted. Any
31 further amendments? 3rd reading. Senator Mohr, for what purpose do
32 you arise?

33 SENATOR MOHR:

1 Is he going to call this bill right back?

2 PRESIDING OFFICER (SENATOR ROCK):

3 Well, there...there, obviously, has to be intervening business.

4 SENATOR MOHR:

5 Well, I know, I mean, intervening business, is he going to call
6 it back?

7 PRESIDING OFFICER (SENATOR ROCK):

8 Senator Course.

9 SENATOR MOHR:

10 Alright, I had a question to ask. I'll hold it.

11 PRESIDING OFFICER (SENATOR ROCK):

12 Okay. Yeah, we'll...you know, we'll give reasonable time to...
13 House Bill 1703. Senator Newhouse has a motion to reconsider the vote
14 on...on the passage of House Bill 1703. Senator Newhouse.

15 SENATOR NEWHOUSE:

16 Yes, Mr. President, Senators, having voted on the prevailing side,
17 I now move that the vote by which House Bill 1703 lost be reconsidered.

18 PRESIDING OFFICER (SENATOR ROCK):

19 Senator, will you explain what the bill is about and what the
20 purpose of the purpose of the motion is.

21 SENATOR NEWHOUSE:

22 Yes, I will, Senator. This is the weed cutting bill. This is
23 ...Senator Glass, I believe, is the sponsor, and it provides for
24 township organizations to permit the Board of...Auditors to take
25 measures to cut the weeds where the property owner refuses to do so,
26 and so forth. The description is just accurate.

27 PRESIDING OFFICER (SENATOR ROCK):

28 Thank you. Senator Glass.

29 SENATOR GLASS:

30 Well, Mr. President, I...I do, of course, rise in support of this
31 bill...thank you, Mr. President, and the motion. It is a simple bill.
32 It would authorize the Board of Township...Auditors in each township
33 to provide for the cutting of weeds in the township, and of course,

1 that would be in the unincorporated areas, and to fix a lien against
2 the property in the event the cost of the cutting is not paid. This
3 is a right that is now enjoyed by the municipalities in Illinois, but
4 in the unincorporated areas, particularly in my district and Cook
5 County, that right does not exist. It's a simple, permissive right,
6 and I hope the membership will support the motion.

7 PRESIDING OFFICER (SENATOR ROCK):

8 Further discussion? Senator McCarthy.

9 SENATOR McCARTHY:

10 Yes, a point of order, and I think I'm going to try to be helpful.
11 The digest shows that the vote by which this measure failed was
12 reconsidered, and I'm wondering if perhaps the people in order to do
13 what they want to do would have to suspend the rules.

14 PRESIDING OFFICER (SENATOR ROCK):

15 Well, my...my digest or the digest at the...President's desk on
16 Page 1595 shows that there was a motion filed to reconsider the vote
17 and I believe that Senator...

18 SENATOR McCARTHY:

19 I'm sorry. I was just trying to be helpful in...exercise in the
20 event something else comes along.

21 PRESIDING OFFICER (SENATOR ROCK):

22 Senator Sommer.

23 SENATOR SOMMER:

24 Mr. President, I'm surprised that the fellows from the city want
25 to cut weeds in the country. The township I live in has probably
26 about six hundred people in two hundred square miles and there's a
27 lot of weeds out there, and it's a silly bill.

28 PRESIDING OFFICER (SENATOR ROCK):

29 Further discussion? The question is the motion...Senator Newhouse
30 has moved to reconsider the vote by which House Bill 1703 failed.
31 Those in favor of Senator Newhouse's motion will vote Aye. Those
32 opposed will vote Nay. The voting is open. Have all voted who wish?
33 Take the record. On that question, the Ayes are 35, the Nays are 11,

1 none Voting Present. The motion to reconsider the vote by which
2 House Bill 1703 failed prevails. House Bill 1703 on the order of 3rd
3 reading. Senator Donnewald, for what purpose do you arise?

4 SENATOR DONNEWALD:

5 Mr. President and members of the Senate, I would request that
6 we return to the order of...the order of 1st reading as to Senate
7 Bills...House Bills 1947 and 1948...

8 PRESIDING OFFICER (SENATOR ROCK):

9 The...the question is...

10 SENATOR DONNEWALD:

11 Do I have leave?

12 PRESIDING OFFICER (SENATOR ROCK):

13 ...well, the...the question is returning to the order of Messages
14 from the House before we get back to Senator Glass' grass cutting bill.
15 Is leave granted? Leave.

16 SENATOR DONNEWALD:

17 Those...those...

18 PRESIDING OFFICER (SENATOR ROCK):

19 Message...Messages from the House. Senator Newhouse. Senator
20 Newhouse, for what purpose do you arise?

21 SENATOR NEWHOUSE:

22 A point of parliamentary inquiry.

23 PRESIDING OFFICER (SENATOR ROCK):

24 Yes, Sir.

25 SENATOR NEWHOUSE:

26 You were still on 1703...

27 PRESIDING OFFICER (SENATOR ROCK):

28 Yes, Sir...

29 SENATOR NEWHOUSE:

30 Is there a requirement for intervening business?

31 PRESIDING OFFICER (SENATOR ROCK):

32 No, Sir, there is not. All I'm...all I'm suggesting, Sir, is that
33 leave has been asked to go to the order of Messages from the House

1 for the purpose of moving the appropriation bills into the committee
2 tomorrow morning. We will get immediately back to 170...thank you.
3 Messages from the House.

4 SECRETARY:

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

6 Mr. President - I am directed to inform the Senate that
7 the House of Representatives has passed bills with the following title,
8 in the passage of which I am instructed to ask the concurrence of
9 the Senate, to-wit:

10 House Bill 835, 1947, 1948, 3101, 3118, and 3122.

11 PRESIDING OFFICER (SENATOR ROCK):

12 The motion is to ask leave of this Body to read the bills a
13 first time and have them assigned to the committee...discharge the
14 Committee on Assignment of Bills, have them signed to the Committee on
15 Appropriations to be heard tomorrow morning at eight o'clock. Is
16 leave granted? Leave. Mr. Secretary, read the bills a first time.

17 SECRETARY:

18 House Bill...

19 PRESIDING OFFICER (SENATOR ROCK):

20 Read the bills.

21 SECRETARY:

22 House Bill 835.

23 (Secretary reads title of bill)

24 1st reading of the bill.

25 House Bill 1947.

26 (Secretary reads title of bill)

27 House Bill 1948.

28 (Secretary reads title of bill)

29 House Bill 3101.

30 (Secretary reads title of bill)

31 1st reading of the following bills.

32 PRESIDING OFFICER (SENATOR ROCK):

33 Leave is granted to hear those bills in the Appropriations

1 Committee which meets at eight o'clock tomorrow morning. We're back
2 on the order of Motions in Writing. As a matter-of-fact, we're back
3 on the...order of business, House Bills on 3rd reading. There is, in
4 fact, one more bill on the order of House Bills...

5 SECRETARY:

6 I overlooked one bill that I had read in, and that's House Bill 3118.

7 (Secretary reads title of bill)

8 1st reading of the bill.

9 PRESIDING OFFICER (SENATOR ROCK):

10 Senator Partee.

11 SENATOR PARTEE:

12 3101...3118 is a counterpart to 1505. I move the bill go to...
13 the order of 2nd reading without reference to a committee. 3118.

14 PRESIDING OFFICER (SENATOR ROCK):

15 Please put the number on the board, Mr. Secretary.

16 SENATOR PARTEE:

17 It's the House version or 1505, Senate Bill 1505.

18 PRESIDING OFFICER (SENATOR ROCK):

19 Is leave...is leave granted? So ordered. 2nd reading. Senator
20 Harris.

21 SENATOR HARRIS:

22 Now, do I understand, Mr. President, that House Bill 3109 has
23 been referred to the Committee on Appropriations.

24 PRESIDING OFFICER (SENATOR ROCK):

25 That is correct.

26 SENATOR HARRIS:

27 Well, I would just point out that I had absolutely no knowledge
28 that any bills other than 1947 and 1948 were going to be referred to
29 Appropriations. Now, that bill is a bill dealing with an amendment
30 to the State Board of Education Act as...

31 PRESIDING OFFICER (SENATOR ROCK):

32 No, no wait. Then...then we're...then we're mistaken. 3109 has
33 not, in fact, even read in.

1 SENATOR HARRIS:
2 ...Alright. I...
3 PRESIDING OFFICER (SENATOR ROCK):
4 There...there is no 3109.
5 SENATOR HARRIS:
6 Okay, then...then, we have 3118. That is the counterpart to 1505...
7 PRESIDING OFFICER (SENATOR ROCK):
8 That...
9 SENATOR HARRIS:
10 Is that correct?
11 PRESIDING OFFICER (SENATOR ROCK):
12 That is the representation, yes, Sir.
13 SENATOR HARRIS:
14 Okay, that's fine. I have no trouble with that going to 2nd reading
15 PRESIDING OFFICER (SENATOR ROCK):
16 Senator Savickas, just wait just a minute please...
17 SENATOR HARRIS:
18 ...Now...did...was 3101 read? Alright, that is the bill that does
19 not...it did go to committee?
20 PRESIDING OFFICER (SENATOR ROCK):
21 It...it, in fact, will show up on the Calendar tomorrow on first
22 reading.
23 SENATOR HARRIS:
24 That'll be fine.
25 PRESIDING OFFICER (SENATOR ROCK):
26 That's what I thought too.
27 SENATOR HARRIS:
28 Yeah, good. 3101 has...
29 PRESIDING OFFICER (SENATOR ROCK):
30 No, that...that's not an appropriation bill. That's going through
31 the process.
32 SENATOR HARRIS:
33 Yeah, it...it's just going to be on the Calendar on the order of

1 1st reading tomorrow. Is that correct?

2 PRESIDING OFFICER (SENATOR ROCK):

3 It...it'll be in the Assignment of Bills Committee. It...it was
4 read as a Message from the House.

5 SENATOR HARRIS:

6 Yes, but not read a first time.

7 PRESIDING OFFICER (SENATOR ROCK):

8 Well, it was, in fact, read a first time...

9 SENATOR HARRIS:

10 And then will be automatically referred to the Committee on
11 Assignment of Bills.

12 PRESIDING OFFICER (SENATOR ROCK):

13 That will, in fact, be referred to the Committee on Assignment
14 of Bills.

15 SENATOR HARRIS:

16 Alright, I just wanted to make sure that there was...

17 PRESIDING OFFICER (SENATOR ROCK):

18 Yes, Sir...

19 SENATOR HARRIS:

20 ...distinction between it and 1947 and 1948.

21 PRESIDING OFFICER (SENATOR ROCK):

22 That is correct.

23 SENATOR HARRIS:

24 Okay, fine and dandy. It...it will have been, then, automatically
25 referred to the Committee on Assignment of Bills?

26 PRESIDING OFFICER (SENATOR ROCK):

27 That is correct.

28 SENATOR HARRIS:

29 Very good. Thank you.

30 PRESIDING OFFICER (SENATOR ROCK):

31 Everybody knows. Senator Savickas.

32 SENATOR SAVICKAS:

33 Mr. President, I rise to ask leave to put...House Bill 1122 back

1 into Committee on Pensions.

2 PRESIDING OFFICER (SENATOR ROCK):

3 Senator Savickas has a House Bill on 3rd reading, 1122, he's
4 asked to re-refer to the Committee on Pensions. Is leave granted?
5 Leave is granted. We are, in fact, ...there are two bills which have,
6 in fact, been reconsidered and are back on the order of 3rd reading.
7 We are waiting the mechanical process. We have to have the physical
8 bill. They are House Bill 1682 and House Bill 1703. In the meantime,
9 might we continue with Motions in Writing, just to keep the process
10 rolling? Would that be fair? House Bill 2044, Senator Donnewald.
11 Do you wish to postpone that until tomorrow? Yes. That will be postponed
12 until at least tomorrow. House Bill 3047. 3047, Senator Knuppel.
13 Let's postpone that until tomorrow. Which? Senator Shapiro is a
14 absolute, academic purist. We can still continue it until tomorrow.
15 Senator Bloom, for what purpose do you arise?

16 SENATOR BLOOM:

17 Well, Mr. President, thank you. I...I think he skipped over
18 1880. I don't know whether it was unintentional or not.

19 PRESIDING OFFICER (SENATOR ROCK):

20 No, it...it was, in fact, intentional. 3048.

21 SENATOR BLOOM:

22 Thank you.

23 PRESIDING OFFICER (SENATOR ROCK):

24 Senator Demuzio.

25 SENATOR DEMUZIO:

26 A point of parliamentary inquiry, Mr. President. On House Bill
27 3048 and House Bill 3102, both shown on the Calendar, these, in fact,
28 are both committee bills. Would I be correct in assuming that...the
29 both of these bills would remain in committee, that they would, in
30 fact, be alive and could, in fact, be considered in the Fall Session?

31 PRESIDING OFFICER (SENATOR ROCK):

32 That is correct.

33 SENATOR DEMUZIO:

1 Then, I move to withdraw both motions then.

2 PRESIDING OFFICER (SENATOR ROCK):

3 Thank you, Sir.

4 SENATOR DEMUZIO:

5 I'm...in withdrawing both motions, then, they still remain in
6 committee, is that correct?

7 PRESIDING OFFICER (SENATOR ROCK):

8 They are...are in committee and they are committee bills, and
9 as such, are exempt from the Joint Rules. 3049, Senator Harber Hall.

10 SENATOR HALL:

11 Please Table Motion in Writing in relation to House Bill 3049.

12 PRESIDING OFFICER (SENATOR ROCK):

13 Senator Harber Hall moves to Table the motion with respect to
14 House Bill 3049. All in favor say Aye. ...Ayes have it. Now, House
15 Bill 1880, Senator Bloom.

16 SENATOR BLOOM:

17 Thank you, Mr. President. Having voted on the prevailing side,
18 by which House Bill 1880 lost, I would move to reconsider the vote and
19 would yield my time to Senator Carroll. I hope you don't yield it back.

20 PRESIDING OFFICER (SENATOR ROCK):

21 There...there is, in fact, no provision under our rules to...to
22 yield the time. Senator Carroll can certainly be recognized. Senator
23 Carroll.

24 SENATOR CARROLL:

25 Thank you, Mr. ...excuse me, Mr. President. I appreciate Senator
26 Bloom's Motion and would urge everyone to support the motion. This is
27 the Consumer Advocacy Act and the Consumer Advocate, I would...and
28 I think most people are familiar with the bill. It would set up a
29 three man board made up of the Lt. Governor, the designee of the
30 Governor, and the designee of the Attorney General to serve as the
31 agency who would pick an advocate and I would urge a favorable roll call.

32 PRESIDING OFFICER (SENATOR ROCK):

33 Any discussion? Senator Harris.

1 SENATOR HARRIS:

2 Well, I would just urge the Senate to sustain its earlier wise
3 action, and reject Senator Bloom's Motion. We have disposed of this
4 bill, and it's quite comfortable where it is, and I would urge a No
5 vote on the motion to reconsider.

6 PRESIDING OFFICER (SENATOR ROCK):

7 Further discussion? The question is the motion to reconsider
8 the vote by which House Bill 1880 failed. Those in favor of the
9 motion to reconsider will vote Aye. Those opposed will vote Nay. The
10 voting is open. Have all voted who wish? Take the record. On that
11 question, the Ayes are 13, the Nays are 24, none Voting Present.
12 The motion fails. Motions in Writing. Motions in Writing.

13 ACTING SECRETARY (MR. FERNANDES):

14 Having voted on the prevailing side, I move that the vote by
15 which House Bill 2160 was defeated be reconsidered. Signed, Senator
16 Ben E. Palmer.

17 PRESIDING OFFICER (SENATOR ROCK):

18 Change the board, Mr. Secretary, please. Senator Palmer, it's
19 a motion to reconsider.

20 SENATOR PALMER:

21 Yeah, having voted on the prevailing side, I move that the vote
22 by which House Bill 2160 was defeated, I move that it be reconsidered.

23 PRESIDING OFFICER (SENATOR ROCK):

24 We already heard that. We want to know what the bill does...

25 SENATOR PALMER:

26 ...Oh, you...you want...oh, is that what you read? I didn't hear...

27 PRESIDING OFFICER (SENATOR ROCK):

28 Yeah, well...okay.

29 SENATOR PALMER:

30 I didn't hear him. I'm sorry. I'm sorry.

31 PRESIDING OFFICER (SENATOR ROCK):

32 Senator Palmer.

33 SENATOR PALMER:

1 Earlier in this Session, Senate Bill 1088 was in the good judge-
2 ment of this Senate was passed and I was the sponsor which dealt with
3 vocational education and rehabilitation transferring the...that to the
4 State Board of Education. Now, House Bill 2160 appeared to be in
5 conflict, but really is not in conflict, but it will affect a more
6 effective and better transfer, and I...I believe that the Senate knew
7 or was apprised of these facts. This would not...this bill would not
8 have been defeated.

9 PRESIDING OFFICER (SENATOR ROCK):

10 Any discussion? Senator Howard Mohr.

11 SENATOR MOHR:

12 Well, based on Senator Palmer's excellent presentation, I think
13 that we all should support this bill now. As I said earlier, it's
14 the way the bills are presented from time to time that sway us.

15 PRESIDING OFFICER (SENATOR ROCK):

16 Senator...Senator Demuzio.

17 SENATOR DEMUZIO:

18 It's my impression that if House Bill 2160 which was defeated
19 today, eleven votes to twenty something, for whatever it may be, has
20 failed. The committee bill that I have, 3102, is still alive for the
21 Fall Session. I don't know why we're considering House Bill 2160, and
22 would not support this motion.

23 PRESIDING OFFICER (SENATOR ROCK):

24 Senator Graham.

25 SENATOR GRAHAM:

26 You know, a long time ago when I had a little time down in the
27 Ozarks, I ran into a joint snake, and I whacked that snake up pretty
28 good, flew into a lot of pieces. The next day, I went back to see
29 what I'd done to it, and it pulled itself all together and it was
30 gone. That reminds of this Session. We have killed more bills, more
31 times, had them dead, found them alive and thriving than any Session
32 in the history of the State of Illinois; I'm sure of that, if no other
33 record we've set there...we've set that this year of having to kill

1 . them about ten times before they're dead, or we could have been gone
2 home by now.

3 PRESIDING OFFICER (SENATOR ROCK):

4 Well, I think the question was asked rightfully. Senator Palmer,
5 you have a right to answer that question.

6 SENATOR PALMER:

7 Are you referring to Senator Demuzio's question?

8 PRESIDING OFFICER (SENATOR ROCK):

9 And Senator Graham's.

10 SENATOR PALMER:

11 Senator Demuzio's bill creates or the subject, it creates an
12 entirely new department which is a code department which is entirely
13 different than the program and procedures that will be followed by
14 House Bill 2160 which we...we and I could recommend to this Senate is
15 more advisable and more efficient and more...more acceptable, more
16 better, like he...he said more better...more...more acceptable to the
17 State...State Board.

18 PRESIDING OFFICER (SENATOR ROCK):

19 Alright, the question is...Senator Demuzio, do you wish recognition?

20 SENATOR DEMUZIO:

21 I just want to say that that is Senator Palmer's opinion. That
22 is not an opinion that has been shared by the...members of the Senate
23 since the bill only received eleven votes today.

24 PRESIDING OFFICER (SENATOR ROCK):

25 Well, I...I tried to ask Senator Palmer to explain the reason
26 for the eleven votes. He didn't do it, but the Chair shares Senator
27 Palmer's reasoning. The question is having voted on the prevailing
28 side, Senator Palmer moves that the vote by which House Bill 2160
29 was defeated be reconsidered. Those in favor of Senator Palmer's...
30 Motion will vote Aye. Those opposed will vote Nay. The voting is
31 open. Have all voted who wish? The motion is to reconsider the vote
32 by which 2109...2160 failed. Have all voted who wish? Take the
33 record. On that question, the Ayes are 35, the Nays are 12, none

1 Voting Present. The motion prevails. House...House Bill 2160 will
2 now be returned to the order of 3rd reading, and after the other two
3 bills, it will...will, in fact, be considered. On the order of...
4 might we have leave to go to the order of House Bills on 2nd reading?
5 Leave is granted. House Bill 1366, on the order of 2nd reading for
6 the purpose of considering amendments. Senator Wooten. 1366, the
7 appropriation for the Department of Corrections, I believe. Senator
8 Wooten.

9 SENATOR WOOTEN:

10 When...when last we visited our hero here, I think we were talking
11 about Amendment No. 4 to House Bill 1366...

12 PRESIDING OFFICER (SENATOR ROCK):

13 That is correct.

14 SENATOR WOOTEN:

15 ...which would increase contractual services by a total of one
16 hundred twenty-nine thousand, three hundred and twenty-six dollars.
17 That money divided between the institutions of Joliet, Vandalia,
18 Stateville and Pontiac, and Senator Savickas who is just coming in
19 the door now was going to offer this amendment, and I would certainly
20 like to leave him the honor of doing that if he wishes, otherwise,
21 I'll move it. I don't really care.

22 PRESIDING OFFICER (SENATOR ROCK):

23 Senator Savickas moves the adoption of Amendment No. 4 to House
24 Bill 1366. All those in favor signify by saying Aye. All those
25 Opposed. The Ayes have it. The amendment is adopted. Any further
26 amendments? 3rd reading. On the order of House Bills on 3rd reading.
27 On the order of House Bills on 3rd reading is House Bill 1703. Mr.
28 Secretary, read the bill.

29 SECRETARY:

30 House Bill 1703.

31 (Secretary reads title of bill)

32 3rd reading of the bill.

33 PRESIDING OFFICER (SENATOR ROCK):

1 Senator Newhouse.

2 SENATOR NEWHOUSE:

3 Yes, Mr. President...

4 PRESIDING OFFICER (SENATOR ROCK):

5 Oh, I beg...I wish to recognize Senator Newhouse. It's...
6 Senator Glass' bill I think. Senator Newhouse.

7 SENATOR NEWHOUSE:

8 Thank you, Mr. President. I'll yield to Senator Glass on this bill.

9 PRESIDING OFFICER (SENATOR ROCK):

10 Senator Glass.

11 SENATOR GLASS:

12 Thank you, Mr. President. Thank you, Senator Newhouse. I think
13 the bill has been adequately explained. It authorizes townships to...
14 to weed cutting in the unincorporated areas. We just had a discussion
15 of the bill...it was the bill that we just reconsidered. I would
16 appreciate a favorable roll call.

17 PRESIDING OFFICER (SENATOR ROCK):

18 Any further discussion? The question is shall House Bill 1703
19 pass. Those in favor will vote Aye. Those opposed will vote Nay.
20 The voting is open. Have all voted who wish? Take the record. On
21 that question, the Ayes are 41, the Nays are 5, none Voting Present.
22 House Bill 1703 having received a constitutional majority is declared
23 passed. Senator Morris, for what purpose do you arise?

24 SENATOR MORRIS:

25 Having voted on the prevailing side on House Bill 1703, I move
26 to reconsider.

27 PRESIDING OFFICER (SENATOR ROCK):

28 Senator Morris moves to reconsider the vote by which House...
29 House Bill 1703 has passed. Senator Newhouse moves to Table. All in
30 favor of the motion to Table signify by saying Aye. All those Opposed.
31 The Ayes have it. The motion carries. On the order of House Bills on
32 3rd reading. House Bill 1682.

33 SECRETARY:

1 3rd reading. House Bill 1682.

2 SECRETARY:

3 House Bill 1682.

4 (Secretary reads title of bill)

5 3rd reading of the bill.

6 PRESIDING OFFICER (SENATOR ROCK):

7 Senator Course.

8 SENATOR COURSE:

9 Thank you, Mr. President and members of the Senate. This is
10 the same bill with the same amendment. There's nothing wrong with
11 the amendment. It requires that public notice be given if the...the
12 ...of a closed session. That's all it does. It's a good bill. I'd
13 appreciate your support.

14 PRESIDING OFFICER (SENATOR ROCK):

15 Senator...Senator Soper, Sir, gets Senator Mohr seeks recognition.
16 Senator Howard Mohr.

17 SENATOR MOHR:

18 Senator Soper...Senator Soper can't be here for a few minutes,
19 so I wanted to ask you a question to make sure that I understand
20 this amendment. Now, you have to publish notice that you're having
21 a closed door meeting, is that correct?

22 PRESIDING OFFICER (SENATOR ROCK):

23 Senator Course.

24 SENATOR COURSE:

25 That is correct, yes.

26 SENATOR MOHR:

27 Okay, now do you have to publish the minutes of that particular
28 meeting? ...of...meeting.

29 PRESIDING OFFICER (SENATOR ROCK):

30 Senator Course.

31 SENATOR COURSE:

32 No, you wouldn't.

33 SENATOR MOHR:

1 In other words, the people who all know what's going on or what's
2 happened in that meeting?

3 PRESIDING OFFICER (SENATOR ROCK):

4 Senator Course.

5 SENATOR COURSE:

6 This applies to collective bargaining, and I don't think it's...

7 PRESIDING OFFICER (SENATOR ROCK):

8 Senator Course is getting upset now. If Senator Soper, Sir, get
9 I think you ought to back off. Senator Mohr.

10 SENATOR MOHR:

11 Okay, well, it...as long as I understand it now. You...you
12 don't publish the...you don't publish...or you publish a notice of
13 a closed door meeting, but you don't publish the minutes of that meeting?

14 PRESIDING OFFICER (SENATOR ROCK):

15 Senator Course.

16 SENATOR COURSE:

17 I don't even know if they're going to take minutes.

18 PRESIDING OFFICER (SENATOR ROCK):

19 Senator Mohr.

20 SENATOR COURSE:

21 Maybe you can tell me, Senator Mohr.

22 PRESIDING OFFICER (SENATOR ROCK):

23 Senator Mohr.

24 SENATOR MOHR:

25 Well, I understand. It's been properly explained now.

26 PRESIDING OFFICER (SENATOR ROCK):

27 Further discussion? Senator Morris.

28 SENATOR MORRIS:

29 I'd like to rise in opposition to this truly horrible piece of
30 legislation. It emasculates the Open Meetings Act, and...dovetailed
31 in with House bill 3047 which was the Principals Hearing bill which
32 we passed yesterday, you're setting a very dangerous precedent. This
33 bill will allow for closed door sessions, not just to discuss the

1 appointment to a position which would be collective bargaining as Senator
2 Course has said, but it would also allow for closed door sessions for
3 promotion, demotion, compensation, assignment, responsibilities and
4 capabilities. In other words, you can conduct about all of the busi-
5 ness of a governmental agency behind closed doors. This is a severe
6 encroachment upon the Open Meetings Act, and I would urge you to vote
7 No if we're going to protect that Act in any way, shape or form.
8 We're trying to have openness in government and this just seeks to
9 close up government even more. It's a bad bill and it should be defeated

10 PRESIDING OFFICER (SENATOR ROCK):

11 Senator Fawell.

12 SENATOR FAWELL:

13 Well, I...I rise to say a few good words about this bill. I...
14 I've agreed with Senator Morris on a number of points, but I think
15 he greatly overstates the case. The...what we...it should be...it
16 should be borne in mind that...

17 PRESIDING OFFICER (SENATOR ROCK):

18 Let's have a little order please.

19 SENATOR FAWELL:

20 ...that at a closed session, you cannot take final action, and
21 this has been requested, I might add, by...because of an Attorney
22 General's opinion...because of an Attorney General's opinion wherein
23 he pointed out the rather ludicrous situation where the...the law
24 as it now exists does say that you can have a closed session in regard
25 to the...the appointment and the employment, and then, the dismissal
26 of an employee, but if you want to discuss questions of promoting or
27 demoting and compensation and changing of assignment, that it cannot
28 be discussed in a closed session. And again, I repeat, that this is
29 not a final decision that can be made. The final decision has to be
30 reported in public, and then, also when we talked jokingly about the
31 fact that you have to give notice of a closed session. Actually, this
32 is a significant change because there...there is quite a lot of debate
33 as to whether or not a notice actually has to be given. I've always

1 taken the viewpoint that it does because other portions of usually
2 the School Code and the Park District Code had said it usually require
3 notices of all meetings, special or...or regular, and I've generally
4 suggested that you do have to do this, but bear in mind that if you
5 do have a closed session, it may be only a portion of the total meeting,
6 and what we're saying here now in a very significant way is that you
7 cannot have a closed session unless you've given previous notice of
8 that. Otherwise, you're going to have to continue and...and not be
9 able to go into an Executive Session. So, it's a very significant
10 change that I think has strengthened the Open Meetings Act, but as far
11 as the other changes that are concerned, we're talking only about
12 personnel matters, to say that you're emasculating the Open Meetings
13 Act is just simply not fair, and I rise in defense to the bill. I
14 think that it is a reasonable request. I realize that some news media
15 don't believe that that is so, but I happen to believe it is, and I
16 think Senator Course has a bill that's reasonable in the...especially
17 with the amendment it...that has been put to it.

18 PRESIDING OFFICER (SENATOR ROCK):

19 The question is shall House Bill 1682 pass. Those in favor will
20 vote Aye. Those opposed will...I beg your pardon. Senator Berning.

21 SENATOR BERNING:

22 Well, I...I have a question as to the proper form of this
23 amendment, if the bill that I have is numbered correctly, then the
24 amendment which I have is striking lines that are not sought to be
25 stricken.

26 PRESIDING OFFICER (SENATOR ROCK):

27 Well, we...we've had that problem before with the printer.
28 Senato Course.

29 SENATOR COURSE:

30 Yes it ...it strikes line 29, that's...and inserts...in lieu thereof
31 required to give public notice of the closed...session.

32 PRESIDING OFFICER (SENATOR ROCK):

33 Senator Berning.

1 SENATOR BERNING:

2 Well, Mr. President, as I said, if my bill is properly numbered,
3 and the...amendment strikes lines 29 through 32, the portion that is
4 stricken is not germane to the...that's just what I was trying to find
5 out, whether I have the proper numbers.

6 PRESIDING OFFICER (SENATOR ROCK):

7 Senator Course. Senator Course.

8 SENATOR COURSE:

9 Senator Berning, you have a copy of the wrong amendment. I'm
10 sorry, I...

11 PRESIDING OFFICER (SENATOR ROCK):

12 That...that also has happened before. The question is shall
13 House Bill 1682 pass. Those in favor will vote Aye. Those opposed
14 will vote Nay. The voting is open. Senator McCarthy, will you...
15 Have all voted who wish? Take the record. On that question, the
16 Ayes are 22, the Nays are 19, none Voting Present. House Bill 1682
17 having failed to receive a constitutional majority is declared lost.
18 On the order of House Bills on 3rd reading. House Bill 1366. This
19 bill has been read a third time. It's the ordinary and contingent
20 expenses to the Department of Corrections. House Bill 1366. Suggestion
21 is that it be read a third time. Mr. Secretary.

22 SECRETARY:

23 House Bill 1366.

24 (Secretary reads title of bill)

25 3rd reading of the bill.

26 PRESIDING OFFICER (SENATOR ROCK):

27 This is House Bill 1366, an appropriation bill, page 5 on the
28 Calendar. It has been amended very recently. Senator Wooten.

29 SENATOR WOOTEN:

30 Mr. President and colleagues, I would like to take just a moment
31 to tell you that we have discussed up and down about this bill, and
32 there seems to be some uncertainty about what figures we should
33 finally arrive at, what levels of funding, particularly in the adult

1 institutions, and. I think given the press of time, we are going to
2 wait and resolve this in a conference committee. There is contention
3 that we have cut too deeply. Some think it's just about right. What
4 I would like to do is pass the bill out now, and then, hope that we
5 can resolve the difficulties which have been voiced on both sides of
6 the aisle. So, with that in mind, I would ask for a favorable roll call.

7 PRESIDING OFFICER (SENATOR ROCK):

8 Any discussion? Senator Bruce.

9 SENATOR BRUCE:

10 I...I must apologize that I'm told there was a million dollar
11 amendment or a discussion of such, and I...we amended the bill. I
12 want to know what...what the present posture of the legislation is.

13 PRESIDING OFFICER (SENATOR ROCK):

14 Senator Wooten.

15 SENATOR WOOTEN:

16 I don't know to what extent, Senator, if we want to go into that.
17 Senator Weaver did, in fact, mention something about increasing the
18 appropriation by a million or something, and I think it was his...
19 Senator Weaver, am I correct?

20 PRESIDING OFFICER (SENATOR ROCK):

21 Senator Weaver, your expertise has been...

22 SENATOR WEAVER:

23 I have very little expertise, but as Senator Wooten said, this
24 amendment should be adopted, and maybe we can come to some resolution
25 in a Conference Committee. There seems to be some problems involved
26 here, but in order to get this bill moving, I'd move to...do pass as
27 amended.

28 PRESIDING OFFICER (SENATOR ROCK):

29 The amendment already has been adopted, Senator Bruce. That
30 is correct. Senator Bruce.

31 SENATOR BRUCE:

32 All I want to know is, did we add back a million dollars or some-
33 thing to that effect in this amendment? I...I wonder what posture

1 the Senate is before we pass this bill out on corrections, and I...
2 although it relates to the amendment, it...it is actually on
3 the bill as it's going to pass, and I think we ought to have some
4 explanation of what it does.

5 PRESIDING OFFICER (SENATOR ROCK):

6 The question is perfectly in order. Senator Wooten.

7 SENATOR WOOTEN:

8 In the amendment that we just added, I'll be glad to give you
9 an analysis sheet, Senator Bruce, increases contractual services by
10 only a hundred and twenty-nine thousand some odd dollars. The question
11 of the million dollars which arose by some confusion as to the...
12 whether or not the original appropriation requested by the department
13 is the figure we ought to be dealing with or whether that figure plus
14 the addition they requested in view of an increased clientele, let's
15 say, by the end of this coming fiscal year. Now, that's where the
16 confusion comes. What is the original figure? What is the figure
17 we ought to be dealing with, and that's what we're going to take up
18 when we get into the Conference Committee. It's a question of a
19 million dollars, and we just don't have all the facts yet.

20 PRESIDING OFFICER (SENATOR ROCK):

21 The question is shall House Bill 1366 pass. Those in favor will
22 vote Aye. Those opposed will vote Nay. The voting is open. All
23 voted who wish? Take the record. On that question, the Ayes are
24 48, the Nays are none, none Voting Present. House Bill 1366 as
25 amended having received a constitutional majority is declared passed.
26 On the order of House Bills on 3rd reading is House Bill 2160. Mr.
27 Secretary, read the bill.

28 SECRETARY:

29 House Bill 2160.

30 (Secretary reads title of bill)

31 3rd reading of the bill.

32 PRESIDING OFFICER (SENATOR ROCK):

33 Senator Brady.

1 SENATOR BRADY:

2 Thank you, Mr. President. As Senator Howard Mohr put it a few
3 minutes ago, some times it's in the presentation of the bill. So, I
4 would say that in the words of Senator Palmer, this is a good bill.
5 It's been debated a few times today, and I urge your favorable support.

6 PRESIDING OFFICER (SENATOR ROCK):

7 Any further discussion? Senator Bruce.

8 SENATOR BRUCE:

9 Well, I...I...you know, this is a fairly significant change...

10 PRESIDING OFFICER (SENATOR ROCK):

11 Senator Bruce is recognized.

12 SENATOR BRUCE:

13 Right, I wonder if, you know, the bill was defeated, and I don't
14 know whether there's an amendment placed on it or not. I think we
15 ought to have some explanation. This is final passage. The bill has
16 been on Postponed Consideration and brought back...

17 PRESIDING OFFICER (SENATOR ROCK):

18 You are...you are perfectly in order. This is, in fact, final
19 passage. Senator Brady will explain the amendment. Senator Brady.

20 SENATOR BRADY:

21 Yes, thank you. There has been no amendment since it was
22 presented previously, Senator Bruce. What...what has happened here
23 is that there is a Senate Bill 1088 that has passed both Houses. It's
24 sponsored by Senator Palmer. There was some confusion earlier that
25 this bill was in conflict with it. House Bill 2160 is the same bill
26 as that with the exception that it covers, it goes beyond that, and
27 covers the Board of Vocational Rehabilitation with a new or reconsti-
28 tuted board, otherwise, we would leave that area without one.

29 PRESIDING OFFICER (SENATOR ROCK):

30 Further discussion? Senator Bruce.

31 SENATOR BRUCE:

32 Well, that was the question I asked you earlier and we had
33 discussion. If this bill does not pass, the present statute would

1 control. So, it would not leave us without anything. The...the
2 present DVR and everything would continue. This would abolish the
3 Executive, as I understand, I certainly don't understand all that I
4 wish I did about this, is removed it from the Executive into the
5 Illinois Office of Education, but if we do nothing, to say that there
6 would be no...nothing in the statute is incorrect. It would be in
7 the statutes because it...it is presently there and the board is
8 presently operating. I...

9 PRESIDING OFFICER (SENATOR ROCK):

10 Further discussion? The question is shall House Bill 2160 pass.
11 Those in favor will vote Aye. Those opposed will vote Nay. The
12 voting is open. Have all voted who wish? Take the record. On that
13 question, the Ayes are 42, the Nays are 3, 1 Voting Present. House
14 Bill 2160 having received the constitutional majority is declared
15 passed. We are, in fact, Gentlemen, close to the bewitching hour.
16 Does anybody, any Senator, any member, have a bill on 3rd reading or
17 Consideration Postponed that he wishes called? This is the moment of
18 truth. Senator Berning.

19 SENATOR BERNING:

20 Just a question for my own edification.

21 PRESIDING OFFICER (SENATOR ROCK):

22 You're...you're wasting our precious time here. We...we can
23 edify you later. Let's find out if anyone's got a bill.

24 SENATOR BERNING:

25 I...I want to know whether those on the Secretary's Desk are
26 dead today.

27 PRESIDING OFFICER (SENATOR ROCK):

28 No, Sir. No, Sir. Not...not...not...okay. Senator Partee.

29 SENATOR PARTEE:

30 I rise to make an announcement. The schedule had called for a
31 meeting of Appropriations tomorrow at eight, and for the Session to
32 commence at noon. In light of the present condition of our Calendar
33 and in light of the fact that a large number of very important bills

1 came over from the House, the schedule will be altered thusly. The
2 Senate will meet at nine o'clock in the morning. We'll be involved
3 with those things on the Secretary's Desk. It occurs to me that it
4 will probably take an hour or an hour and a half to dispose of it
5 which would mean we ought to be through about nine, nine-thirty, and
6 then there will be a series of Conference Committees during the morning.
7 During that same period after we have...shall have left the Floor,
8 the Appropriations Committee will be meeting. It seems to me it will
9 take at least four hours, maybe five, for the Appropriations Committee
10 to address all of the bills that are in that committee. We will go
11 to the Appropriations Committee meeting. We'll come back at the call of
12 the Chair as soon as that committee has finished. So, to...to
13 repeat it. Nine o'clock in the morning, the Session begins. As soon
14 as the Session has...is over in the morning, Appropriations will meet.
15 As soon as Appropriations is over, the Session will recommence.

16 PRESIDING OFFICER (SENATOR ROCK):

17 Now, we...we have just a number of things that have come over
18 from the House. I'm going to recognize Senator Nimrod for a motion,
19 if I can find him. Senator Nimrod. There are some motions and
20 announcements...yes, Senator Partee.

21 SENATOR PARTEE:

22 Time being what it is, could we read in what's on the Secretary's
23 Desk.

24 PRESIDING OFFICER (SENATOR ROCK):

25 Yes, Sir, then we're going to do that, then Senator Nimrod has
26 got a motion and...Mr. Secretary.

27 SECRETARY:

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

29 Mr. President - I'm directed to inform the Senate that the
30 House of Representatives has concurred with the Senate in the passage
31 of the following bills along with the House amendments:

32 Senate Bill No. 37 with House Amendments No. 1, 2, 3, 4, 5,
33 6, 11, 12, 13, 19, 20, 22, 25, 26, 27, 28, 29, and 34. Senator Rock

1 is the chief sponsor.

2 PRESIDING OFFICER (SENATOR ROCK):

3 I remember you.

4 SECRETARY:

5 Senate Bill No. 241 with House Amendment No. 2. Senator Chew
6 is the chief sponsor.

7 Senate Bill No. 347 with House Amendment No. 2. Senator Hynes
8 is the chief sponsor.

9 Senate Bill No. 39...379 with House Amendments No. 1 and 2.
10 Senator Rock is the chief sponsor.

11 Senate Bill No. 461 with House Amendment No. 1. Senator Rock
12 is the chief sponsor.

13 Senate Bill No. 478 with House Amendments No. 1 and 2. Senator
14 Knuppel is the chief sponsor.

15 Senate Bill 484 with House Amendments No. 1, 2, and 3. Senator
16 Johns is the chief sponsor.

17 Senate Bill No. 555 with House Amendment...Amendments No. 1 and
18 2. Senator Palmer is the chief sponsor.

19 Senate Bill No. 598 with House Amendment No. 1. Senator Egan is
20 the chief sponsor.

21 Senate Bill No. 632 with House Amendments No. 1, 2, and 3.
22 Senator Rock is the chief sponsor.

23 Senate Bill No. 635 with House...House Amendments No. 1, 2, 4,
24 5, 6, 7, and 8. Senator Rock is the chief sponsor.

25 PRESIDING OFFICER (SENATOR ROCK):

26 All to the Secretary's Desk, except Senator Rock's Bills. They'll go
27 on 3rd reading. Senator Nimrod.

28 SENATOR NIMROD:

29 Yes, Mr. President, I would ask leave to be shown as a cosponsor
30 on House Bill 2435 along with Senator Dougherty.

31 PRESIDING OFFICER (SENATOR ROCK):

32 Senator Dougherty and...Nimrod have asked leave to be shown as
33 a cosponsor of Senate...House Bill 2435 as amended. Is leave granted?

1 Leave. Any further announcements? Any further business to come
2 before the Senate? Anybody got another bill they want to run? Alright,
3 the Senate will stand adjourned until 9 a.m. tomorrow morning.

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