

80th GENERAL ASSEMBLY

REGULAR SESSION

MAY 25, 1977

1. PRESIDENT:

2. The hour of ten o'clock having arrived, the Senate
3. will please come to order. Prayer will be by Father
4. James Prendergast, pastor of St. Cecilia Church, Mt.
5. Prospect, Illinois. Will our guests in the galleries
6. please rise.

7. FATHER PRENDERGAST:

8. (Prayer by Father Prendergast)

9. PRESIDENT:

10. Reading of the Journal. Senator Hall.

11. SENATOR KENNETH HALL:

12. Mr. President, I move that reading and approval
13. of the Journals of Tuesday, May 10th, Wednesday, May
14. 11th, Thursday, May 12th, Friday, May 13th, Monday,
15. May 16th, Tuesday, May 17th, Wednesday, May 18th,
16. Thursday, May 19th, Friday, May 20th, Monday, May
17. 23rd, and Tuesday, May 24th in the year of 1977
18. be postponed pending arrival of the printed Journals.

19. PRESIDENT:

20. You've heard the motion by Senator Hall. Is there
21. any discussion? If not, all those in favor signify by
22. saying Aye. Opposed. The Ayes have it. So ordered.
23. Committee Reports.

24. SECRETARY:

25. Senator Joyce, Chairman of the Committee on Local
26. Government reports out the following bills: House Bills
27. 171, 331, 534, 604, 602, 708, 710, 724, 810, 1389,
28. 1457, 1456, 1458 and 2280 with the recommendation Do Pass.
29. House Bill 603 and 2053 with the recommendation Do Pass
30. as Amended.

31. PRESIDENT:

32. ...stand at ease for a moment. ...Senator Demuzio
33. arise?

1. SENATOR DEMUZIO:

2. Well, thank you, Mr. President and members of the
3. Senate. While we're at a lull here this morning, I'd like
4. to introduce sitting in the President's gallery this
5. morning, a group of students from the Braille and
6. Sight Saving School in Jacksonville that are here
7. visting the Illinois Senate, the General Assembly and
8. throughout Springfield today and I'd like to have them
9. to stand and be recognized by the Senate and greeted
10. very warmly.

11. PRESIDENT:

12. Will our guests please rise. May I have the
13. attention of the membership, please? Any Senator
14. having a bill on 3rd reading and wishing to bring it back
15. to the Order of 2nd reading for the purpose of amendment,
16. please notify the Secretary. For what purpose
17. does Senator Bowers arise?

18. SENATOR BOWERS:

19. Mr. President, I have two bills on the Order of
20. 3rd reading that I would like to ask leave to refer
21. back to committee. Would that be in order at this time...

22. PRESIDENT:

23. That is always in order.

24. SENATOR BOWERS:

25. Okay. Senate Bills 1230 and 1231, are on the Order
26. of 3rd reading and I would like leave of the Body to
27. have them moved back to the Committee on Finance
28. and Credit Regulations.

29. PRESIDENT:

30. Senator Bowers moves that Senate Bills 1230 and
31. 1231 be re-referred to the Committee on Finance. All
32. those in favor signify by saying Aye. Opposed. The
33. Ayes have it. So ordered. Any other members having

1. similar motions, the Chair will be glad to recognize
2. him. ...Senator Rhoads arise?

3. SENATOR RHOADS:

4. Mr. President, on page 17 of the Calendar at the
5. top of the page, Senate Bills, 3rd reading, Senate Bill
6. 1139, I would like to move to recommit that to Committee
7. on Elementary and Secondary Education.

8. PRESIDENT:

9. Senator Rhoads moves to recommit Senate Bill
10. 1139 to the Committee on Elementary and Secondary
11. Education. All those in favor signify by saying Aye.
12. Opposed. The Ayes have it. So ordered. For what
13. purpose does Senator Philip arise?

14. SENATOR PHILIP:

15. Mr. President, if I'm in order, I would like to have
16. leave to be removed as the first sponsor on House Bill
17. 112 and ask that Senator Berman be the first sponsor
18. and I will be the second sponsor.

19. PRESIDENT:

20. You have heard the request. Is leave granted?
21. Leave is granted. For what purpose does Senator Lane
22. arise?

23. SENATOR LANE:

24. Thank you, Mr. President. I thought I was the
25. House...or the Senate sponsor on House Bill 112. ...we check the records?

26. PRESIDENT:

27. Senator Philip, was that House Bill 112?
28. No, 1112, Senator Lane. 1112. For what purpose does Senator
29. Rupp arise?

30. SENATOR RUPP:

31. Thank you, Mr. President. I ask that Senate Bill
32. 1072 be Tabled. 1072.

33. PRESIDENT:

1. Senator Rupp, is...is the bill on 3rd reading,
2. Senator?
3. SENATOR RUPP:
4. Yes, it is.
5. PRESIDENT:
6. Senator Rupp moves to Table Senate Bill 10...
7. SENATOR RUPP:
8. 72.
9. PRESIDENT:
10. 1072. All those in favor signify by saying Aye.
11. Opposed. The Ayes have it. The bill is Tabled.
12. For what purpose does Senator Soper arise?
13. SENATOR SOPER:
14. On a point of personal privilege, while we're
15. at a lull here. In the...the gallery behind the President,
16. I have two of my good friends, Mrs. Sylvia Medema of the
17. Clyde Savings and Loan and her son-in-law, Tom Martin.
18. Wish they would rise and be recognized by the Senate.
19. PRESIDENT:
20. Senate Bills, 2nd reading. Any member wishing
21. to advance a bill, please notify the Secretary.
22. Senate Bill 810, Senator Lemke. Read the bill.
23. SECRETARY:
24. Senate...Senate Bill 810.
25. (Secretary reads title of bill)
26. 2nd reading of the bill. No committee amendments.
27. PRESIDENT:
28. Any amendments from the Floor? Any amendments from
29. the Floor? 3rd reading. Senate Bill 1116, Senator Mitchler.
30. Read the bill.
31. SECRETARY:
32. Senate Bill 1116.
33. (Secretary reads title of bill)

1. 2nd reading of the bill. No committee amendments.

2. PRESIDENT:

3. Any amendments from the Floor? Senator
4. Mitchler, there are two amendments, one by Senator
5. Clewis, one by Senator Guidice. Are those amendments...
6. Senator Mitchler.

7. SENATOR MITCHLER:

8. Mr. President and members of the Senate.
9. The two amendments, Amendment 1 and Amendment 2, were
10. amendments that were discussed in the committee and it
11. was agreed that these amendments would be constructed
12. and put on the bill after it reached the Floor and it was
13. voted out of committee. These amendments are both
14. agreed to. Senator Guidice, Senator Clewis, Senator
15. Coffey were in on the amendments, so I would move
16. for adoption of Amendment No. 1.

17. PRESIDENT:

18. Is there any discussion? Senator Mitchler moves
19. moves the adoption of Amendment No. 1. All those in
20. favor signify by saying Aye. Opposed. The Ayes have
21. it. The amendment is adopted. Amendment No. 2.
22. Senator Mitchler moves the adoption of Amendment No. 2.
23. Any discussion? All those in favor signify by saying Aye.
24. Opposed. The Ayes have it. The amendment is adopted. Any
25. further amendments?

26. SECRETARY:

27. No further amendments.

28. PRESIDENT:

29. 3rd reading. Senate Bill 385, Senator Berman.
30. Read the bill.

31. SECRETARY:

32. Senate Bill 385.

33. (Secretary reads title of bill)

SB 386
2nd Reading
5-25-77

1. 2nd reading of the bill. Committee on Elementary and
2. Secondary Education offers one amendment..

3. PRESIDENT:
4. Senator Berman.

5. SECRETARY:
6. I have a request, Senator Berman, for a fiscal note
7. on this.

8. SENATOR BERMAN:
9. I have fiscal notes on all of these. They'll
10. be brought up right now. On Senate Bill 385,
11. Committee Amendment No. 1 is a...an amendment to combine
12. a bill that was previously introduced on the same
13. subject and to bring it into conformity so that the
14. census of handicapped children from the ages of three
15. through twenty-one can be taken by the Illinois Office
16. of Education. I move the adoption of Committee Amendment
17. No. 1.

18. PRESIDENT:
19. Is there any discussion? If not, all those in
20. favor signify by saying Aye. Opposed. The Ayes have it.
21. The amendment is adopted. Any further amendments?

22. SECRETARY:
23. No further...no further committee amendments.

24. PRESIDENT:
25. The fiscal note...the fiscal note has been filed with
26. the Secretary. Any further amendments?

27. SECRETARY:
28. No further committee amendments.

29. PRESIDENT:
30. Any amendments from the Floor? 3rd reading. Senate
31. Bill 386, Senator Berman.

32. SECRETARY:
33. Senate Bill 386.

1. (Secretary reads title of bill)

2. 2nd reading of the bill. The Committee on Elementary

3. and Secondary Education offers one amendment.

4. PRESIDENT:

5. Senator Berman.

6. SENATOR BERMAN:

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

8. 386, 388, 391, 392, 393, 395, and 399 are part of

9. a package of bills that I introduced early in the

10. Session which was the result of a study conducted by the

11. Illinois School Problems Commission to bring

12. Illinois into conformity with a Federal law called

13. the Education of all Handicapped Children Act,

14. Public Act 94142. We have worked on this package of

15. legislation for many months starting last July. However,

16. as a result of our constant review of this very serious

17. problem, we find that certain mandates and restrictions

18. that have been built into the Federal law will impose

19. undue restrictions and some serious potential financial

20. hardships upon the State of Illinois and the local

21. school districts in Illinois. Accordingly, I am going

22. to ask for the following action to be taken that we adopt

23. the committee amendments that have been offered in the

24. Committee on Elementary and Secondary Education to

25. a series of...to the series of bills. We will file the

26. fiscal notes that have been requested on these bills

27. but I'm going to then make a motion that certain of these

28. bills be recommitted to the Committee on Elementary and

29. Secondary Education. We have to get answers from Washington.

30. The Governor has sent a delegation to Washington

31. from the Bureau of the Budget that's in Washington at the

32. present time to get some, hopefully, straight answers on the

33. fiscal support...financial support that we can expect from

1. Congress. The flexibility of the proposed guidelines,
2. rules and regulations that have not, in fact, been adopted
3. yet by HEW and until we get those answers, I think
4. that the only responsible action is as to the bills that
5. have a substantial fiscal impact to recommit those bills
6. to the Committee on Elementary and Secondary Education.
7. In accordance with that, Mr. President, I would move
8. the adoption of Committee Amendment No. 1 to Senate
9. Bill 386 and after that amendment is adopted, I would
10. ask that that...that this bill be recommitted to the
11. Committee on Elementary and Secondary Education.

12. PRESIDENT:

13. Is there any discussion? If not, all those
14. in favor of the adoption of the amendment signify by
15. saying Aye. Opposed. The Ayes have it. The amendment
16. is adopted. Any further amendments?

17. SECRETARY:

18. No further committee amendments.

19. PRESIDENT:

20. Any amendments from the Floor? All right.
21. Senator Berman moves to recommit Senate Bill 386 to the
22. Committee on Elementary and Secondary Education. All those
23. in favor signify by saying Aye. Opposed. The Ayes have
24. it. So ordered. Senate Bill 388, Senator Berman.

25. SECRETARY:

26. Senate Bill 388.

27. (Secretary reads title of bill)

28. 2nd reading of the bill. The Committee on Elementary
29. and Secondary Education offers one amendment.

30. PRESIDENT:

31. Senator Berman.

32. SENATOR BERMAN:

33. Thank you, Mr. President. Again, this bill will be

1. recommitted so I will move the adoption of Committee
2. Amendment No. 1 to Senate Bill 388.
3. PRESIDENT:
4. Any discussion? If not, all...Senator Berman
5. moves the adoption of Amendment No. 1. All those
6. in favor signify by saying Aye. Opposed. The Ayes
7. have it. The amendment is adopted. Any further
8. amendments?
9. SECRETARY:
10. No further committee amendments.
11. PRESIDENT:
12. Any amendments from the Floor? Senator Berman.
13. SENATOR BERMAN:
14. I now move that Senate Bill 388 be recommitted
15. to the Committee on Elementary and Secondary Education.
16. PRESIDENT:
17. Senator Berman moves the Senate Bill 388
18. be recommitted to the Committee on Elementary and
19. Secondary Education. All those in favor signify
20. by saying Aye. Opposed. The Ayes have it. So ordered.
21. Senate Bill 391, Senator Berman.
22. SECRETARY:
23. Senate Bill 391.
24. (Secretary reads title of bill)
25. 2nd reading of the bill. The committee on Elementary
26. and Secondary Education offers one amendment.
27. PRESIDENT:
28. Senator Berman.
29. SENATOR BERMAN:
30. Thank you, Mr. President. On this bill, this is
31. a bill that redefines the categories of exceptionalities
32. regarding handicapped children. What I would like to
33. do with this bill as a courtesy to Representative Gene

1. Hoffman, who chaired the subcommittee of the School
2. Problems Commission dealing with this particular
3. subject. I would like to adopt the amendment and
4. keep this on 2nd reading until I hear from him as to
5. whether it's his desire to recommit or try to
6. move forward on this bill. So, I will now move to
7. adopt Committee Amendment No. 1 to Senate Bill 391.

8. PRESIDENT:

9. Senator Berman moves the adoption of Amendment
10. No. 1. Any...is there any discussion? If not, all those
11. in favor signify by saying Aye. Opposed. The Ayes
12. have it. The amendment is adopted. Any further
13. amendments?

14. SECRETARY:

15. No further committee amendments.

16. PRESIDENT:

17. Any amendments from the Floor? Senator Berman.

18. SENATOR BERMAN:

19. Could we just hold this on 2nd reading till
20. later today.

21. PRESIDENT:

22. No amendments from the Floor, the bill will be
23. left on the Order of 2nd reading at the request of the
24. sponsor. Senate Bill 392, Senator Berman.

25. SECRETARY:

26. Senate Bill 392.

27. (Secretary reads title of bill)

28. 2nd reading of the bill. The Committee on Elementary
29. and Secondary Education offers one amendment.

30. PRESIDENT:

31. Senator Berman.

32. SENATOR BERMAN:

33. Thank you, Mr. President. I move the adoption

1. of Committee Amendment No. 1 to Senate Bill 392. This
2. is a bill that deals with the...allowing maladjusted
3. and TMH, Trainably Mentally Handicapped children.
4. The assurance of a inclusion in the school programs of
5. the State of Illinois, this is a bill that has no
6. cost impact. We think it is a necessary bill and
7. I intend to move forward on this one so I would
8. move the adoption of Committee Amendment No. 1 to
9. Senate Bill 392.

10. PRESIDENT:

11. Is there any discussion? If not, Senator Berman
12. moves the adoption of Amendment No. 1. All those in
13. favor signify by saying Aye. Opposed. The Ayes have it.
14. The amendment is adopted. Any further amendments?

15. SECRETARY:

16. No further amendments. No further committee amendments.

17. PRESIDENT:

18. Any amendments from the Floor? 3rd reading.
19. The fiscal notes have been filed on the entire series
20. of bills by Senator Berman. Senate Bill 392, Senator
21. Berman. 393, Senator Berman.

22. SECRETARY:

23. Senate Bill 393.

24. (Secretary reads title of bill)

25. 2nd reading of the bill. No committee amendments.
26. The fiscal note requirement has been answered.

27. PRESIDENT:

28. No committee amendment and the fiscal note has
29. been filed. Any amendments from the Floor? Senator
30. Berman.

31. SENATOR BERMAN:

32. Because of the uncertainty of the cost impact
33. of this bill dealing with medical services to handicapped
34. children, I'm going to move that this bill be recommitted

1. to the Committee on Elementary and Secondary
2. Education.

3. PRESIDENT:

4. Senator Berman moves to recommit Senate Bill
5. 393 to the Committee on Elementary and Secondary Education.

6. All those in favor signify by saying Aye. Opposed.

7. The Ayes have it. So ordered. Senate Bill 395, Senator,
8. Berman.

9. SECRETARY:

10. Senate Bill 395.

11. (Secretary reads title of bill)

12. 2nd reading of the bill. The fiscal note requirement
13. has been answered. The Committee on Elementary and
14. Secondary Education offers one amendment.

15. PRESIDENT:

16. Senator Berman.

17. SENATOR BERMAN:

18. I move the Committee Amendment No. 1 to Senate
19. Bill 395 and after that's adopted, I'm going to
20. ask that this be recommitted.

21. PRESIDENT:

22. Senator Berman moves the adoption of Amendment No.

23. 1. All those in favor signify by saying Aye. Opposed.

24. The Ayes have it. The amendment is adopted. Any further
25. amendments?

26. SECRETARY:

27. No further committee amendments.

28. PRESIDENT:

29. Any amendments from the Floor? No amendments

30. from the Floor? Senator Berman moves to recommit

31. Senate Bill 395 to the Committee on Elementary and

32. Secondary Education. All those in favor signify by saying

33. Aye. Opposed. The Ayes have it. So ordered. Senate

34. Bill 399, Senator Berman.

SB 1060
2nd Reading
5-25-77

1. SECRETARY:

2. Senate Bill 399.

3. (Secretary reads title of bill)

4. 2nd reading of the bill. The request for the fiscal
5. note has been answered. The Committee on Elementary
6. and Secondary Education offers one amendment.

7. PRESIDENT:

8. Senator Berman.

9. SENATOR BERMAN:

10. This amendment number...Committee Amendment No.
11. 1 clarifies the language regarding reimbursement for
12. hospital and home instruction for handicapped children.
13. I move the adoption of Committee Amendment No. 1.

14. PRESIDENT:

15. Senator Berman moves the adoption of Amendment
16. No. 1. All those in favor signify by saying Aye. Opposed.
17. The Ayes have it. The amendment is adopted. Any
18. further amendments?

19. SECRETARY:

20. No further committee amendments.

21. PRESIDENT:

22. Any amendments from the Floor? 3rd reading.
23. Senate Bill 1060, Senator Berman. Read the bill.

24. SECRETARY:

25. Senate Bill 1060.

26. (Secretary reads title of bill)

27. 2nd reading of the bill. The Committee on Public Health,
28. Welfare and Corrections offers one amendment.

29. PRESIDENT:

30. Senator Berman.

31. SENATOR BERMAN:

32. Mr. Secretary, is there...there is another amendment
33. ...Floor Amendment?

SECRETARY:

1. There is...there is a committee amendment and there
2. is another amendment, yes.

3. SENATOR BERMAN:

4. All right. Ladies and Gentlemen, this is the
5. Hospital Finance Authority Act. In committee, we adopted
6. an amendment but I indicated to the committee at that
7. time that there was a commission made up of the interested
8. parties including state agencies involved in the cost impact
9. of hospital charges that was presently meeting. I
10. indicated to the committee and the committee voted this
11. bill out on...with the understanding that on the Floor,
12. we would amend this bill in conformity with the
13. agreement that was reached by the parties involved.
14. What I'm going...I'm going to, therefore, ask that we
15. Table Committee Amendment No. 1. I will then move to
16. adopt Committee Amendment No. 2. I think there are some
17. questions that the Minority Staff has on this in order
18. to address that. I've asked that the Illinois Hospital
19. Association discuss this amendment with Minority Staff.
20. If they have problems, I'll be glad to bring this back
21. tomorrow so that at this time, I'll move to...to Table
22. Committee Amendment No. 1.

23. PRESIDENT:

24. You've heard the motion by Senator Berman. Is there
25. any discussion? Senator Berman moves to Table Amendment
26. No. 1. All those in favor signify by saying Aye.
27. Opposed. The Ayes have it. So ordered. Senator Berman
28. moves to adopt Amendment No. 2. All those in favor signify
29. ...for what purpose does Senator Netsch arise?

30. SENATOR NETSCH:

31. I'd like to ask a question on Amendment No. 2, if
32. I might.

33. PRESIDENT:

1. Senator Berman indicates he will yield.

2. SENATOR NETSCH:

3. Senator Berman, I don't think any of us have had a
4. chance to see Amendment No. 2. Does this...what
5. relationship does this have to the bill as it left the
6. House, the Tipword bill?

7. PRESIDENT: . . .

8. Senator Berman.

9. SENATOR BERMAN:

10. In...this is substantially, not totally, but
11. substantially similar to the Tipword bill. There are
12. a few differences and this is part of what we are looking
13. at to iron out...Representative Tipword has asked me
14. to pick up his bill over here and if we get this out
15. he's going to pick it up over in the House. What we
16. ...some of the areas that there was some discussion
17. on is the definition of public members, the scope of
18. authority regarding the...the...just one second, I'll
19. tell you. Oh, the...the guidelines regarding conformity
20. with Federal Statutes. It's more of a question of what
21. kind of language do we need in here so that we don't
22. mess up medicare and medicaid payments from the Federal
23. Government, those types of differences between the
24. Tipword bill and this bill.

25. PRESIDENT:

26. Senator Netsch.

27. SENATOR NETSCH:

28. I wonder if you would make available before 1060
29. is called, that kind of a summary of the changes in
30. Amendment No. 2. There are a number of us who have been
31. extremely interested in this issue for a period of time
32. and it would be very helpful if we could have a...
33. either a comparison or at least a summary of what is in the

1. amendment.

2. PRESIDENT:

3. Senator Berman.

4. SENATOR BERMAN:

5. Our staff, Sylvia Davis, is preparing exactly that
6. memo at the present time and as I indicated, I'm going
7. to be in touch with Minority Staff also so we can see
8. what...what the difference is and discrepancies are.

9. PRESIDENT:

10. Senator Berman...any further discussion? Senator
11. Soper.

12. SENATOR SOPER:

13. Thank you, Mr. President. Senator Berman, I heard
14. what you said about availability of bringing this
15. bill back tomorrow after our staff looks at it so I
16. just want to put that in the record so we have that
17. understanding. Thank you.

18. PRESIDENT:

19. There is no further discussion? Senator Berman
20. moves the adoption of Amendment No. 2. All those in
21. favor signify by saying Aye. Opposed. The Ayes have it.
22. The amendment is adopted. Any further amendments?

23. SECRETARY:

24. Amendment No. 3 offered by Senator Carroll.

25. PRESIDENT:

26. Senator Berman, Senator Carroll is not on the Floor.
27. Senator Berman, perhaps we could move the bill to
28. 3rd reading and, unless you are willing to accept that
29. amendment, with the understanding that it will be brought
30. back tomorrow if Senator Carroll wishes to offer it.
31. Senator Berman.

32. SENATOR BERMAN:

33. Let's move it to 3rd and I've got a copy of the amendment

1. here. I'll discuss it with Senator Carroll and if he
2. wishes, I'll bring it back tomorrow.

3. PRESIDENT:

4. Any further amendments?

5. SECRETARY:

6. No further amendments.

7. PRESIDENT:

8. Amendment No. 3 will be held. No...no further
9. amendments from the Floor? 3rd reading. For what
10. purpose does Senator Bloom arise?

11. SENATOR BLOOM:

12. Thank you, Mr. President. Point of inquiry to
13. Senator Berman.

14. PRESIDENT:

15. Senator Berman indicates that he will yield to your
16. inquiry.

17. SENATOR BLOOM:

18. Senator Berman, are you planning to call Senate
19. 1058? I know we passed over it and I do have an amendment
20. on it and we are approaching the deadline.

21. PRESIDENT:

22. Senator Bloom, might that not be handled on a
23. private person to person basis with Senator Berman?

24. SENATOR BLOOM:

25. It might.

26. PRESIDENT:

27. Take the request out of the record. Senate Bill
28. 1000, Senator Rock. Read the bill.

29. SECRETARY:

30. Senate Bill 1000.

31. (Secretary reads title of bill)

32. 2nd reading of the bill. The Committee on Elections
33. and Reapportionment offers one amendment.

1. PRESIDENT:

2. Senator Rock.

3. SENATOR ROCK:

4. Thank you, Mr. President. If I could have Senator
5. Wooten's attention. This is Senate Bill 1000, okay?
6. Committee Amendment No. 1 about which there was some
7. discussion and some confusion yesterday, Mr. President
8. and Ladies and Gentlemen of the Senate, was an attempt
9. really, to make a technical change to put proposed
10. Illinois law into conformity with the Federal Voting
11. Rights Act of 1975. All Amendment No. 1 does is
12. that it says, application for absentee ballot may be
13. made prior to an election. It changed it from the current
14. twenty-seven days to thirty days so that we will conform
15. with the Federal law with respect to presidential
16. election. I would move its adoption.

17. PRESIDENT:

18. Is there any further discussion? If not, Senator
19. Rock moves the adoption of Amendment No. 1.
20. All those in favor signify by saying Aye. Opposed.
21. The Ayes have it. The amendment is adopted.
22. Any further amendments?

23. SECRETARY:

24. No further committee amendments.

25. PRESIDENT:

26. Any amendments from the Floor?

27. SECRETARY:

28. Amendment No. 2 offered by Senator Wooten.

29. PRESIDENT:

30. Senator Wooten.

31. SENATOR WOOTEN:

32. Thank you, Mr. President and colleagues. Yesterday,
33. I had cause to be placed on your desks a copy of

1. proposed Amendment No. 2 to Senate Bill 1000.
2. It deletes everything after the enacting clause and that
3. is necessary in order to accomplish a rather simple thing
4. which I...to which I hope you will give serious consideration.
5. Senate Bill 1000 proposes to move the primary into
6. September except for those years in which a president
7. is to be elected and then the primary would be held in
8. March. I think it would be a much more sensible
9. procedure...

10. PRESIDENT:

11. Excuse me, Senator Wooten. May we have some
12. order? Would the members please be in their seats.
13. This is an important matter with respect to the members
14. of this Body and the public at large. Senator Wooten,
15. has a very important amendment that he is offering.
16. Would the members please be in their seats. Senator
17. Wooten.

18. SENATOR WOOTEN:

19. So what I propose is that if we are going to have
20. the primary in September, we have it in September every
21. year. Now, there's no question, the problem that is presented
22. is the election of delegates and alternate delegate to the national
23. conventions. What Amendment No. 2 would do is set up
24. a procedure for a special election once every four years
25. to elect those delegates. I propose in this amendment
26. that the polls only need be open from five p.m. to
27. eight p.m. in March once every four years for that
28. purpose, and that the primaries will be held in September
29. every year. It is a bulky amendment because you have to
30. change a lot of things to affect that...that simple
31. purpose, but that is what Amendment No. 2 does and I offer
32. it for your consideration. Be glad to answer any
33. questions.

1. PRESIDENT:

2. Is there any further discussion? Senator Rhoads.

3. SENATOR RHOADS:

4. I have a question of the sponsor of the amendment,
5. if he will yield.

6. PRESIDENT:

7. Indicates he will yield.

8. SENATOR RHOADS:

9. Senator Wooten, inasmuch as Senator Rock's
10. bill provides for a March primary in presidential
11. years, what is the purpose of having a separate election
12. for delegates to the national convention? I can understand
13. the purpose of this amendment, if it were a September
14. primary. But, Senate Bill 1000 as it is now written,
15. my understanding is that it calls for a March primary.

16. PRESIDENT:

17. Senator Wooten.

18. SENATOR WOOTEN:

19. Well, then we misunderstand the bill. I thought
20. that Senate Bill 1000 calls for a September primary.
21. Pardon me. Did Amendment No. 1 alter that?

22. PRESIDENT:

23. Senator Rhoads.

24. SENATOR RHOADS:

25. Well, we'll have Senator Rock answer the question.

26. PRESIDENT:

27. Senator Rock.

28. SENATOR RHOADS:

29. But as I...as I understand the bill, it only calls
30. for a September primary in the non-presidential years.
31. Am I correct, Senator Rock?

32. PRESIDENT:

33. That is correct, Senator Rock indicates. Senator Wooten.

1. SENATOR WOOTEN:

2. That's right. What my amendment does, as I said,
3. is to keep the primary in September every year, including
4. presidential years and in those presidential years,
5. we would have a special election in March for the sole
6. purpose of electing delegates and alternate delegates.
7. Said election to last from five p.m. to eight p.m.
8. one day in March.

9. PRESIDENT:

10. Senator Rhoads.

11. SENATOR RHOADS:

12. Do you have any idea what the cost of that special
13. election might be?

14. PRESIDENT:

15. Senator Wooten.

16. SENATOR WOOTEN:

17. No, I do not. It would not cost us much as a regular
18. election. You know, we're faced with the problem
19. ...you know, do we want to have a primary in September?
20. I think if we do, then that's when it ought to be.
21. If we want to elect delegates and alternate delegates,
22. then we ought to elect them and we ought to bear
23. the cost. I've tried to...by compressing the election
24. to the time that I think it will require, we will
25. obviously reduce the cost of the election somewhat. I
26. think we can effect further cost savings by maybe combining
27. precincts. There are several things we can do. I think
28. it is important to keep in mind what we seek to do. If we
29. want the primary in September, then I think it ought to be
30. there every year and then we discuss how we address the
31. problem of the special election for presidential delegates.
32. We have time to do that. This is an immediate response to that
33. and it's the best I can come up with in this time frame.

1. I do want to move the primaries to September. I want
2. them there every year.

3. PRESIDENT:

4. Senator Rhoads.

5. SENATOR RHOADS:

6. Well, Senator Wooten, I oppose this amendment, not
7. on the basis that I don't want to see delegates elected.
8. I do and I...I think that we ought to preserve that. But,
9. I think what Senator Rock was trying to accomplish
10. in this bill was somewhat of an experimental compromise
11. between those people who wanted to no change and those
12. people who wanted to go to the September primary.

13. I agree with you in principal that we should be electing
14. these delegates rather than the convention system.

15. But, I don't think this amendment is ...is the way to go.

16. PRESIDENT:

17. Senator Graham. Excuse me, Senator Rock, did...Senator Graham.

18. SENATOR GRAHAM:

19. Thank you, Mr. President and members of the Senate.
20. I, too, am having a hard time understanding this amendment
21. or some of these bills, when we are soon to be facing,
22. hopefully, a bill that Senator Maragos now will be handling
23. that will address itself to the consolidation of elections,
24. a dream that has been in the minds of many people for
25. a long time. And as we attempt to further confuse
26. the election process and the dates that we have election,
27. at the same time, we're saying we want to create some
28. public interest in our elective process, I think that we're
29. defeating our own purpose many, many times. I think
30. we have to take a good look at what we're trying to
31. do. I think we have to look at this forward to the point
32. that we're going to be able to vote on a consolidation
33. of elections bill and we're going to do something about the

1. dates so the people understand when they're supposed
2. to vote and what they're supposed to vote for and if we
3. keep on fiddling around with dates, we're going to have
4. people doing the same thing they're doing now, getting
5. up every Tuesday and Saturday and going to the polls
6. and find out what the devil they're supposed to vote
7. for that day, then we're defeating our own purpose
8. when we're doing it.

9. PRESIDENT:

10. Senator Rock.

11. SENATOR ROCK:

12. Thank you, Mr. President, Ladies and Gentlemen
13. of the Senate. Senate Bill 1000 was introduced in an
14. attempt really, to address the rising cost of elections
15. and campaigns. Senate Bill 1000 as introduced
16. would provide for a September primary in non-
17. presidential election years. Now, the Constitutional
18. Convention saw fit to change the election schedule of our
19. Illinois Constitutional officers commencing in 1978.
20. And so they have made a legitimate distinction between
21. presidential and non-presidential elections and I think
22. the distinction is a good one and should be honored.
23. What Senate Bill 1000 calls for in its present form
24. is that in non-presidential years, the primary for our
25. Illinois Constitutional officers and all others to be
26. elected, will be held in September and then in presidential
27. years, recognizing the fact of life that we need delegates
28. to the National Convention and if both political parties
29. have opted to have them elected as...as opposed to appointed,
30. we have said that in presidential years, we will move the
31. primary, then, back to March. Now, this is done for a
32. couple of reasons. One, I, too, had considered and
33. had discussed the question of a special election. And frankly,

1. it's difficult to justify the cost Statewide, of a
2. special election to elect convention delegates.
3. We are talking somewhere in the neighborhood of eight
4. million dollars and if, as Senator Wooten proposes, you
5. can cut it down in terms of consolidating precincts
6. or shortening up the hours of the election, it would be
7. obviously something less than eight million dollars.
8. But it is still an enormous cost for the taxpayers
9. to bear. So, Senate Bill 1000 really is kind of,
10. as Senator Rhoads indicated, a compromise position.
11. We are saying we recognize that non-presidential
12. election years are different here in Illinois and
13. therefore, the primary will be in September. And that
14. given the fact that every four years we are to
15. convene nationally and propose candidates for the
16. presidency, we will have that primary in March.
17. That's what Senate Bill 1000 does right now. I stand in
18. opposition to Senator Wooten's amendment for the reason
19. that I think it is just too costly.

20. PRESIDENT:

21. Senator Harber Hall.

22. SENATOR HALL:

23. Mr. President and fellow Senators. I rise to oppose
24. this amendment. Senator Wooten will recall that I was the
25. only member of the Elections Committee who voted against
26. in committee Senate Bill 1000. Since that time, I've
27. talked to many people in my district interested in
28. elections and I don't see in it the problems that I thought
29. I might have seen in it at the committee hearings.
30. But in any case, in respect to this amendment, what
31. troubles me most about it is not only the cost, but
32. nothing is more important to each and every voter than
33. who his next president will be and in a primary, this is

1. still the case and a poll only opened three hours from
2. five p.m. to eight p.m. would deprive so many voters
3. of an opportunity to express their desires in...in
4. this primary way in electing the most important
5. officer of our Nation, so I...I think it's a poor
6. amendment and should be defeated.

7. PRESIDENT:

8. Senator Soper.

9. SENATOR SOPER:

10. Thank you, Mr. President.

11. PRESIDENT:

12. Excuse me, Senator Soper, and...and...this is
13. not directed at you, but I...to all of the members,
14. we have a number of Senators who wish to speak
15. on this matter as I am sure is going to be the case
16. with a number of the other matters coming up today.
17. Brevity would be appreciated by the Chair and by all of
18. your colleagues. Senator Soper.

19. SENATOR SOPER:

20. Thank you, Mr. President. What Harber Hall
21. said, I don't have to repeat, but it would be...it would
22. be unusual for us to talk about allowing more time for
23. the...for the voters to be able to get to the polls or
24. have instant registration, everything else and then cut the
25. ...the availability of twelve hours a day to three hours
26. a day for a...for a national convention or a national delegate
27. election, and then duplicating this and having
28. a primary in the fall again. So, I think, you know,
29. you're not going to save any money with having the polls
30. open for three hours because you're going to have to pay
31. the judges for the full amount of time to put the
32. whole process in, get the polling booths and the boxes and
33. everything else and...and it's just a duplication and a

1. waste of time I think the bill the way it is with the
2. full...full force of twelve hours for...in the ...in the years when
3. we have a presidential primary, will give the switch-hitters
4. a chance to go in there and vote...and vote for either
5. Republican or Democrat for convention delegates. I think
6. that Senator Wooten's bill is going to disenfranchise
7. a lot of...a lot of voters who can't get to the polls
8. between five and eight o'clock. There are a lot of people
9. that go to work at three-thirty and get out at eleven.

10. PRESIDENT:

11. Senator Guidice. Senator Philip. Senator Philip.

12. SENATOR PHILIP:

13. Thank you, Mr. President. Will the sponsor yield
14. for a question?

15. PRESIDENT:

16. Indicates he will yield.

17. SENATOR PHILIP:

18. Yeah, I assume, Senator Wooten, that these judges
19. will be working for only three hours on that election
20. day. I'm also to assume that they would still be paid
21. the full days wages?

22. PRESIDENT:

23. Senator Wooten.

24. SENATOR WOOTEN:

25. Senator Philip, I cannot claim that I can...that
26. what I propose now is even in my mind, what I would
27. intend to have for that special election. I'm simply
28. trying to put something in the works now to...to get the
29. September election isolated in September. Personally,
30. I think we can combine delegate election with local
31. elections which should also be centralized in the spring.
32. And I...you know, I don't know what form we would choose
33. between now and then. This is just a...a form to get the...

1. the thing started.

2. PRESIDENT:

3. Senator Philip.

4. SENATOR PHILIP:

5. Thank you, Mr. President. I intend to agree with
6. your idea, Senator Wooten. I don't believe your...
7. you're going to be able to combine local elections
8. which generally speaking, are non-partisan in my area
9. with a delegate election. I just don't think that's
10. going to fly. I might say this, too, and under the present
11. tax rate which is .01, I don't know of a county in Illinois
12. that, at this point, can pay for their elections. They
13. have to go to the General Fund...take out of the General
14. Fund to pay for elections. Now, we do have a bill that
15. is pending in this Body to increase that, even if we double
16. it, most counties in northern Illinois still will not have
17. enough money to pay for that election. They still have to
18. go to the General Fund. So, I said, I like your idea, I
19. think it's a good idea, but there doesn't seem to be any
20. money available. I'm not sure we're going to pass that
21. increase, which is doubtful and I just have grave
22. reservations, although, I think the theory is
23. excellent.

24. PRESIDENT:

25. Senator Bowers. Is there any further discussion?

26. Senator Wooten.

27. SENATOR WOOTEN:

28. Thank you, Mr. President, and I simply want to
29. emphasize that the general drift of what I have tried to
30. do in Springfield, is to move toward a consolidation of
31. elections in the spring and in the fall. I think it's
32. extremely important that we reduce the number of elections,
33. but I believe that ought to be the drift, that our elections

1. for a national, State and regional purpose ought to be in
2. the fall, primary and general and we ought to concentrate
3. other elections of a local nature in the spring. The
4. difficulty is, I'll admit, the process of delegate selection.
5. If we adopt this amendment, we must force our hands to
6. take some rather progressive steps to move toward such
7. consolidation. I offer the amendment for your consideration.
8. I move its adoption.

9. PRESIDENT:

10. Senator Wooten moves the adoption of Amendment No. 2.
11. All those in favor signify by saying Aye. Opposed. The
12. Nays have it. The amendment is defeated. Any further
13. amendments?

14. SECRETARY:

15. Amendment No. 3 offered by Senator Wooten.

16. PRESIDENT:

17. Senator Wooten.

18. SENATOR WOOTEN:

19. Amendment No. 3, which should be in form C, I believe,
20. Mr. Secretary.

21. SECRETARY:

22. Then you will delete B?

23. SENATOR WOOTEN:

24. Yeah, that was condition on the adoption of No. 2.

25. SECRETARY:

26. Okay.

27. SENATOR WOOTEN:

28. All right. Amendment No. 3 is another idea that I
29. discussed with some of my colleagues and I, at least, want to
30. offer it at this time and that simply is to say that the elections
31. ...the primary elections will be held on the second Sunday in
32. September rather than Tuesday and on the third Sunday in March
33. on the one year when we have a primary in March. I think that
34. the record of other countries that have their elections on
35. Sunday is very good...

1. PRESIDENT:

2. Excuse me, Senator Wooten. Will the members
3. please be in their seats. Will the members please
4. be in their seats. Senator Daley, Senator Knuppel,
5. Senator Buzbee, Senator Walsh. Senator Wooten.

6. SENATOR WOOTEN:

7. Well, it may be that this is not an idea to be
8. taken seriously at this moment, but I do take it
9. seriously. I'm deeply concerned about the declining
10. participation in all elections. It's certainly true in
11. my county and in our areas, we show a progressive decline.
12. It's slight but it's steady. And I think it's time
13. that we consider steps to improve participation.
14. The right to vote is above all other rights, all political
15. rights, all individual considerations. And I believe that
16. if we hold the primary on Sundays, we will increase that
17. participation. As I say, I offer this for your consideration,
18. I move the adoption of Amendment No. 3.

19. PRESIDENT:

20. Any discussion? Senator Rock.

21. SENATOR ROCK:

22. Depending on...to whom you speak, Senator Carroll
23. would disagree with that, but I...I rise in opposition to
24. Amendment No. 3. I...I...a Sunday primary or Sunday...

25. PRESIDENT:

26. Excuse me, Senator Rock. For what purpose
27. does Senator Graham arise?

28. SENATOR GRAHAM:

29. Senator Hynes, I know you're trying, but we just
30. can't hear and I'm amazed that my colleagues are
31. so uninterested in something that affects the political
32. future of them, perhaps. I just can't understand it and
33. I wish I could hear. If they don't care, then go to the

1. rotunda, but I'd like to hear the debate.

2. PRESIDENT:

3. You are absolutely correct, Senator Graham.

4. Will the members please be in their seats. Can

5. we break up the caucuses? Quiet is returning, Senator

6. Rock.

7. SENATOR ROCK:

8. Thank you, Mr. President and Ladies and Gentlemen

9. of the Senate. I don't have any particular religious

10. hangup about the Sabbath or anything. I just

11. think Sunday is a bad day to have an election and I stand

12. in opposition to Amendment No. 3.

13. PRESIDENT:

14. Is there any further discussion? If not, Senator

15. Wooten moves the adoption of Amendment No. 3. All those

16. in favor signify by saying Aye. Opposed. The Nays have

17. it. The amendment is defeated. Any further amendments?

18. SECRETARY:

19. No further amendments.

20. PRESIDENT:

21. 3rd reading. Do we have leave to go to the Order of

22. Senate Bills, 3rd reading, for the purpose of bringing

23. bills back for amendment? Leave is granted. On the Order

24. of 3rd reading, Senate Bill 4, Senator Lane. Senator

25. Lane.

26. SENATOR LANE:

27. Thank you, Mr. President. I understand there's to be

28. an amendment to be offered by Senator Glass on Senate Bill 4.

29. I'd like to wait until you get around to the regular Order

30. of Senate Bills, 3rd because I...the amendment, I think,

31. strikes the bill.

32. PRESIDENT:

33. All right. Senator Lane has asked leave to consider

1. the amendment, when the bills are called for final
2. passage on 3rd reading, as it goes to the very existence
3. of the bill. Is leave granted? Leave is granted.
4. Senate Bill 305...for what purpose does Senator Rupp
5. arise?

6. SENATOR RUPP:

7. Point of personal privilege, Mr. President.

8. PRESIDENT:

9. State your point, Senator.

10. SENATOR RUPP:

11. I do have in the balcony a group of youngsters
12. from Decatur, Illinois, from the Washington Elementary
13. School. I ask that they be properly greeted and shown
14. the courtesy of the Senate.

15. PRESIDENT:

16. Will our guests please rise. For what purpose
17. does Senator Davidson arise?

18. SENATOR DAVIDSON:

19. I was off the Floor before you left 2nd reading
20. and I'd ask permission to go back to 2nd reading for
21. the purpose of sending a bill back to committee.

22. PRESIDENT:

23. We will recognize that motion a little later,
24. Senator. The Secretary...that...that motion is always
25. appreciated. Senate Bill 305, Senator Knuppel. Is leave
26. granted to bring the bill back to the Order of 2nd reading?
27. Leave is granted. On the Order of 2nd reading, Senate
28. Bill 305, Senator Knuppel.

29. SECRETARY:

30. Amendment No. 3 offered by Senator Glass.

31. PRESIDENT:

32. Senator Glass.

33. SENATOR GLASS:

1. Thank you, Mr. President, Ladies and Gentlemen.
2. Amendment No. 3 would delay the effective date of this bill
3. for one year. This is a bill that, in general, would give
4. states which have farm property in them, the same tax
5. benefits as now provided under the new Federal Tax
6. Law because the Federal regulations are not yet out on
7. this. I am suggesting to Senator Knuppel that the bill
8. be delayed in its effectiveness for one year and that's
9. simply what the amendment does and I would urge its
10. adoption.

11. PRESIDENT:

12. Senator Knuppel.

13. SENATOR KNUPPEL:

14. I stand in opposition to this amendment. We amended
15. the bill the other day to provide for an effective date
16. in accordance with the request of the Attorney General's
17. Office of the first day of January, 1977 and the reason
18. is, is the Federal bill becomes effective on death after
19. that date. In this way, the two acts will correspond.
20. People will better understand the...the effect of this bill
21. and the alternate evaluation of property that's provided
22. by the Federal bill. I submit that January 1st, 1977,
23. is the appropriate date. No matter what date you
24. choose, this is a procedure which postpones...doesn't
25. postpone, but it provides for an alternate valuation.
26. Some member of the family has to live on the property or
27. run the business for at least fifteen years. You're
28. going to have to enter into an auxiliary agreement
29. in any...in any event and you can do that as well on...on
30. the January 1st date '77 as you can any other date.
31. I realize the regs are not yet adopted, but they will have
32. to be adopted in time to take care of those...those
33. estates...Federal estates which have to be filed in nine

1. months and you have an additional six months on...on
2. State income tax returns or State inheritance tax
3. returns so there shouldn't be any problem in knowing
4. what...what the Federal Government wants and complying
5. with it in the State inheritance.

6. PRESIDENT:

7. Is there any further discussion? Senator
8. Glass.

9. SENATOR GLASS:

10. Well, thank you, Mr. President, Ladies and
11. Gentlemen. Just by way of closing, I would repeat,
12. although I may not have said it earlier, I think the
13. bill that Senator Knuppel is sponsoring is a good bill.
14. It...it could mean some revenue loss for the State.
15. We have an estimate as possibly seven million. I will
16. admit that influences my thinking in requesting that
17. this be delayed, but I will also repeat that the bill
18. does incorporate a new alternate method of valuing
19. family farms and businesses and it is very complex
20. and since there are no regulations developed by IRS
21. yet, it seems to me that it's prudent to wait a year and
22. I would urge support of the amendment.

23. PRESIDENT:

24. Any further discussion? Senator Glass has requested
25. a roll call. The question is shall Amendment No. 3 be
26. adopted. Those in favor will vote Aye. Those opposed
27. will vote Nay. The voting is open. Have all voted who
28. wish? Have all voted who wish? Take the record. On that
29. question, the Ayes are 16, the Nays are 28, none Voting
30. Present. Amendment No. 3 having failed to receive
31. a majority of the votes cast, is defeated. Any further
32. amendments?

33. SECRETARY:

34. No further amendments.

1. PRESIDENT:

2. 3rd reading. Senate Bill 498, Senator Daley.
3. Is leave granted to bring the bill back to the Order
4. of 2nd reading? Leave is granted. Senator Daley.

5. SENATOR DALEY:

6. Mr. President and fellow Senators. I move to
7. reconsider the vote by which Amendment No. 1 was
8. adopted for the purposes of Tabling Amendment No. 1.
9. There was a technical error. We forgot to put the
10. word "page" in the first amendment and that's
11. what Amendment No. 2 does.

12. PRESIDENT:

13. Is there any discussion? Senator Daley moves to
14. reconsider the vote by which Amendment No. 1 was
15. adopted. All those in favor signify by saying Aye.
16. Opposed. The Ayes have it. The vote is reconsidered.
17. Senator Daley moves to Table Amendment No. 1. All those
18. in favor signify by saying Aye. Opposed. The Ayes
19. have it. The amendment is Tabled. Amendment No. 2,
20. Senator Daley.

21. SENATOR DALEY:

22. Amendment No. 2 is...it is a technical amendment
23. which includes the word "page."

24. PRESIDENT:

25. Is there any discussion? Senator Daley moves the
26. adoption of Amendment No. 2. All those in favor signify
27. by saying Aye. Opposed. The Ayes have it. The amendment
28. is adopted. Any further amendments?

29. SECRETARY:

30. No further amendments.

31. PRESIDENT:

32. 3rd reading.

33.

End of reel.

1. PRESIDENT:

2. Senate Bill 719, Senator Lemke. Do we have leave back
3. to the Order of 2nd reading? Leave is granted. Senator
4. Lemke on Senate Bill 719.

5. SECRETARY:

6. Amendment No. 1 offered by Senator Lemke.

7. SENATOR LEMKE:

8. How does that amendment read?

9. SECRETARY:

10. On page 2 by inserting after line 10 the following:
11. This section is amended by this amendatory Act of 1977.
12. Does not apply to any municipality which is a home rule
13. unit.

14. SENATOR LEMKE:

15. No, that's not it...that's...that's the wrong one.

16. SECRETARY:

17. You want...you want the other one?

18. SENATOR LEMKE:

19. The second amendment should be No. 1. The...this
20. Amendment No. 1 what it does is conforms the bill to make
21. the...instead of requiring the Federal Government to do...
22. send the notice, it's up to the State to send the notice.
23. Ask for the favorable adoption.

24. SECRETARY:

25. Amendment No. 1.

26. PRESIDENT:

27. Senator Lemke moves the adoption of Amendment No. 1.
28. Is there any discussion? Senator Walsh.

29. SENATOR WALSH:

30. Yes, will the gentlemen yield?

31. PRESIDENT:

32. Indicates he will yield.

33. SENATOR WALSH:

1. Senator, is this the...it's going to make the bill in
2. the same form as Senator Daley's bill which was passed
3. yesterday?

4. PRESIDENT:

5. Senator...Senator Lemke.

6. SENATOR LEMKE:

7. This would make it in a similar form. It's a...the bill
8. would be...this does the same thing as Senator Daley. It
9. varies a little bit as a procedure way of...but this makes
10. the...takes the...the burden off the Federal Government
11. sending those and puts it on the State to send a notice
12. when they're...somebody is inquiring as to their records
13. on income tax.

14. PRESIDENT:

15. Senator Walsh.

16. SENATOR WALSH:

17. Is this amendment then the same amendment which Senator
18. Daley had...had adopted to his bill?

19. PRESIDENT:

20. Senator Lemke.

21. SENATOR LEMKE:

22. It's the same amendment.

23. PRESIDENT:

24. Senator Walsh.

25. SENATOR WALSH:

26. But you say the bill does differ in some respects from
27. Senator Daley's?

28. PRESIDENT:

29. Senator Lemke. Is there any further discussion? If
30. not, Senator Lemke moves the adoption of Amendment No. 1.
31. All those in favor signify by saying Aye. Opposed. The
32. Ayes have it. The amendment is adopted. Any further
33. amendments?

1. SECRETARY:
2. Amendment No. 2 offered by Senator Lemke.
3. PRESIDENT:
4. Senator Lemke. Amendment No. 2, Senator Lemke.
5. SENATOR LEMKE:
6. There is an amendment. Is that the...is that the...
7. SECRETARY:
8. Home Rule Amendment...
9. SENATOR LEMKE:
10. ...No...no, that doesn't apply. Withdraw that...Table it.
11. PRESIDENT:
12. Senator Lemke withdraws Amendment No. 2. Any further
13. amendments?
14. SECRETARY:
15. No further amendments.
16. PRESIDENT:
17. 3rd reading. Senate Bill 841, Senator Schaffer. Is
18. leave granted to bring the bill back to the Order of 2nd
19. reading? Leave is granted. Senator Schaffer.
20. SECRETARY:
21. Amendment No. 4 offered by Senator Schaffer.
22. SENATOR SCHAFFER:
23. Mr. Secretary...
24. PRESIDENT:
25. Senator Schaffer...
26. SENATOR SCHAFFER:
27. ...are there two amendments up there? Mr. President,
28. can we take that from the record? There should be two, I
29. believe. Let me check on that.
30. PRESIDENT:
31. All right. Take it from the record. The bill...with
32. leave of the Body will be returned to the Order of 3rd reading.
33. Leave is granted. House Bill 1298, Senator Netsch. Is leave

1. granted to bring the bill back to the Order of 2nd
2. reading? Leave is granted. Senator Netsch. Excuse
3. me. Senator Coffey, we inadvertently skipped 1297, we'll get
4. to that next.

5. SENATOR NETSCH:

6. Thank you, Mr. President. The...this is an amend-
7. ment to one of the Economic and Fiscal Commission bills.
8. The bill deals with the content of the State budget so
9. that it is a more meaningful document for us in the
10. future, that is for us as legislators in the future. At
11. the request of the Bureau of the Budget, we are deleting
12. one word, the word "integrated" The reason...and that
13. word incidently referred to an integration of the tables
14. and charts which are normally in one section of the budget
15. now and the narrative which is another volume of the
16. budget. One of the points of the bill was to require that
17. those two aspects be integrated so that we didn't have
18. to go back and forth from one book to another. The Bureau
19. of the Budget said that because the tables are run on a computer
20. basis that it would be costly and very difficult for them
21. to do that although they recognize our reason for it and will
22. make every effort to...in fact, are now starting to work
23. on ways in which that can eventually be achieved, but in
24. the meantime they asked us not to impose that obligation
25. which would completely change their method of developing
26. and publishing those tables. So, on the understanding that they
27. will continue to work on a way to bring this about, I said
28. that I would be happy to take the word "integrated" out.
29. I, therefore, move the adoption of Amendment No. 2 to
30. Senate Bill 1298.

31. PRESIDENT:

32. Senator Netsch moves to...for the adoption of Amendment
33. No. 2 which removes integration from State Government. All

1. those in favor signify by saying Aye. Opposed. The
2. Ayes have it. The amendment is adopted. Any further amend-
3. ments?
4. SECRETARY:
5. No further amendments.
6. PRESIDENT:
7. 3rd reading. Senator Netsch, for what purpose do
8. you arise?
9. SENATOR NETSCH:
10. In view of the way you put the motion, I think I would
11. like to be recorded as voting No.
12. PRESIDENT:
13. Senate Bill 1297, Senator Coffey. Is leave
14. granted to bring the bill back to 2nd reading for purpose
15. of an amendment? Leave is granted. Senator Coffey, on
16. Senate Bill 1297.
17. SENATOR COFFEY:
18. Mr. President and members of the Senate, on Amendment
19. No. 1 and 2, I voted on the prevailing side and would like
20. to reconsider the vote by which amendments passed for
21. reasons of adding Amendment No. 3 which will include
22. Amendment No. 1 and 2, and I would like to Table Amendment
23. No. 1 and 2.
24. PRESIDENT:
25. Senator Coffey moves to reconsider the vote...votes
26. by which Amendments No. 1 and 2 were adopted. All those in
27. favor signify by saying Aye. Opposed. The Ayes have it.
28. The votes are reconsidered. Senator Coffey moves to Table
29. Amendments 1 and 2. All those in favor signify by saying
30. Aye. Opposed. The Ayes have it. The amendments are
31. Tabled. Senator Coffey moves the adoption of Amendment
32. No. 3. All those in favor signify by saying Aye. Opposed.
33. The Ayes have it. The amendment is adopted Any further amendments?

1. SECRETARY:

2. No...no further amendments.

3. PRESIDENT:

4. 3rd reading. Senate Bill 1326, Senator Bloom. Is
5. leave granted to bring the bill back to the Order of 2nd
6. reading? Leave is granted. Senator Bloom.

7. SENATOR BLOOM:

8. Thank you, Mr. President.

9. PRESIDENT:

10. Excuse me. Will the Secretary please read the...
11. is there an amendment?

12. SECRETARY:

13. Amendment No. 3 offered by Senator Bloom.

14. PRESIDENT:

15. Senator Bloom.

16. SENATOR BLOOM:

17. Thank you, Mr. President. This amendment was offered
18. at the suggestion of Senator Rock. It adds that the
19. chairman shall provide for receipt of all documents and
20. filings required or permitted under the Utilities Act in
21. both Chicago and Springfield, and it also deletes some
22. language...deletes the ceiling language that apparently was
23. taken out by another bill. I would move its adoption.

24. PRESIDENT:

25. Is there any discussion? Senator Bloom moves the
26. adoption of Amendment No. 3. All those in favor signify
27. by saying Aye. Opposed. The Ayes have it. The amendment
28. is adopted. Any further amendments?

29. SECRETARY:

30. No further amendments.

31. PRESIDENT:

32. 3rd reading. Senator Schaffer, I understand you are
33. ready on Senate Bill 841. Is leave granted to bring the bill

1. back to the Order of 2nd reading? Leave is granted. Will
2. the Secretary please read the amendment.

3. SECRETARY:

4. Amendment No. 4 offered by Senator Schaffer.

5. PRESIDENT:

6. Senator Schaffer.

7. SENATOR SCHAFFER:

8. This amendment puts the provision of the Legislative
9. Travel Board into another section of the law that it needs
10. to be in to make the Act operational.

11. PRESIDENT:

12. Senator Schaffer moves the adoption of Amendment No. 4.
13. All those in favor signify by saying Aye. Opposed. The
14. Ayes have it. Any further amendments?

15. SECRETARY:

16. No further amendments.

17. PRESIDENT:

18. 3rd reading. On the Order of 3rd reading, Senate
19. Bill 19. Is leave granted to bring the bill back to the
20. Order of 2nd reading for the purpose of amendment? Leave
21. is granted.

22. SECRETARY:

23. Amendment No. 4 offered by Senator Wooten.

24. PRESIDENT:

25. Senator Wooten.

26. SENATOR WOOTEN:

27. Mr. President and colleagues, having voted on the pre-
28. vailing side, I would like to reconsider the vote by which
29. Amendment No. 2 was adopted. This was an amendment to
30. exempt Cook County. We believe we have much better language
31. in Amendment No. 4, so I'd like to Table Amendment No. 2.

32. PRESIDENT:

33. All right, Senator Wooten moves to reconsider the vote

1. by which Amendment No. 2 was adopted. All those in favor
2. signify by saying Aye.

3. SENATOR WOOTEN:

4. Aye.

5. PRESIDENT:

6. Opposed. The Ayes have it. The vote is reconsidered.
7. Senator Wooten moves to Table Amendment No. 2. All those in favor
8. signify by saying Aye. Opposed. The Ayes have it. The amendment
9. is Tabled. Senator Wooten on Amendment No.4. Senator Wooten.

10. SENATOR WOOTEN:

11. The Republican's staff raised some objection to the
12. language which did seem a little confusing in Amendment No.
13. 2, so we have simply said this Act shall not apply to those
14. counties which have a population of one million or more,
15. nor within any municipality within such counties provided,
16. however, this Act shall apply within any municipality or town-
17. ship within such counties when the municipality or town-
18. ship elects to administer and enforce this Act in accordance
19. with the provisions of Section 4. It's the same thing as
20. Amendment No. 2 except it's...the language is a bit clear,
21. it's a language I've noticed that's being used throughout
22. all bills for this purpose, and so, I would move its adoption.

23. PRESIDENT:

24. Senator Wooten moves the adoption of Amendment No. 4.
25. All those in favor signify by saying Aye. Opposed. The
26. Ayes have it. The amendment is adopted. Any further amendments?

27. SECRETARY:

28. Amendment No. 5 offered by Senator Bloom.

29. PRESIDENT:

30. Senator Bloom.

31. SENATOR BLOOM:

32. Thank you. Apparently according to staff, I'm Mr.
33. Sunset, now. This would add language to Section 29. It says

1. any rule or regulation, issued pursuant to the Act after
2. the effective date of the Act, shall expire two years
3. after the promulgation thereof, unless prior to such date
4. both Houses of the Legislature by concurrent resolution
5. which is approved by the Governor shall approve such
6. rule or regulation. It substantially tightens up legisla-
7. tive oversight on the rule making process.

8. PRESIDENT:

9. Senator Wooten.

10. SENATOR WOOTEN:

11. It is substantially a rotten amendment, Senator
12. Bloom. I endorse the principle of sunset and we,
13. currently are considering several bills to do this, but
14. apply it in this manner to this bill would affectively
15. hamper the department...any local department, any State
16. department for administrating this bill and I absolutely
17. oppose this amendment.

18. PRESIDENT:

19. Any discussion? If not, Senator Bloom moves the
20. adoption of Amendment No. 5. All those in favor signify
21. by saying Aye. Opposed. The Nays have it. The amendment
22. is defeated. Any further amendments?

23. SECRETARY:

24. No further amendments.

25. PRESIDENT:

26. 3rd reading. We will be proceeding to the Order of Senate.
27. Bills 3rd reading momentarily, so would those members who
28. have bills at the beginning of the...of the call, please get
29. them prepared. Message from the Governor.

30. SECRETARY:

31. A Message from the Governor by Zale Glauberman, Director
32. of Legislative Affairs.

33. Mr. President - The Governor directs me to lay

1. before the Senate the following message:

2. To the Honorable Members of the Senate, the 80th
3. General Assembly:

4. I have nominated and appointed the following
5. named persons to the offices enumerated below and respect-
6. fully ask concurrence and confirmation of these appoint-
7. ments by your Honorable Body.

8. PRESIDENT:

9. Executive. Senate Bills 3rd reading. Senate Bill
10. 4, Senator Lane. Senator Lane.

11. SENATOR LANE:

12. Thank you, Mr. President. I believe Senator Glass
13. has an amendment to offer. At this time, I'd like to
14. request leave of the Body to move the Senate Bill 4 back
15. to 2nd for this amendment.

16. PRESIDENT:

17. Senator Lane has asked leave to bring Senate Bill 4
18. back to 2nd reading for the purpose of an amendmenf. Is
19. leave granted? Leave is granted. Senator...

20. SECRETARY:

21. Amendment...

22. PRESIDENT:

23. ...Glass...

24. SECRETARY:

25. ...Amendment No. 3 offered by Senator Glass..

26. PRESIDENT:

27. Senator Glass.

28. SENATOR GLASS:

29. Thank...thank you. Thank you, Mr...President, Ladies
30. and Gentlemen of the Senate. Senate Bill 4 is a price-
31. marking bill which would require marking of the price on
32. the item, food product or other. What the amendment would
33. do is to allow that price information to be disclosed to the

1. consumer by the attachment of a stamp, tag, label or sign
2. directly attached, or directly adjacent to the unit of
3. sale on, above or below the shelf or bin or in any such
4. container in which the unit of sale is displayed or by
5. stamping or affixing the price information on the commodity
6. itself, so it would still leave the price marking re-
7. quirement, but not require that it be on the...the unit
8. itself. I would move for the adoption.

9. PRESIDENT:

10. Senator Lane.

11. SENATOR LANE:

12. Thank you, Mr. President and members of the Senate.
13. Senator Glass' amendment would eliminate the concept of
14. price...unit price marking. The essential part of this
15. Senate Bill 4 is to have the items marked at checkout
16. time, so the consumer will know what...what prices are
17. being rung up on the cash register. According to the
18. concept that Senator Glass advocates, this would be knocked out
19. and would just eliminate the concept of Senate Bill 4.
20. I resist this amendment.

21. PRESIDENT:

22. Is there any further discussion? If not, the...
23. Senator Berning.

24. SENATOR BERNING:

25. Thank you, Mr. President. I'd like to inquire of the
26. sponsor the total impact not...excuse me, not having...to
27. the best of my knowledge, not having a copy of the amendment
28. in front of me, does this eliminate the requirement to
29. mark the individual unit items or does it make it optional?

30. SENATOR GLASS:

31. Senator Berning...

32. PRESIDENT:

33. Senator Glass.

1. SENATOR GLASS:

2. ...I...I think this should be made clear, it does
3. eliminate the need for each unit to have the price marked
4. on it. Yes. The price information may be disclosed under
5. this amendment by attaching a stamp or label to the unit
6. or on the shelf or bin, above or below the...the...the unit.
7. So, this would provide that the price need not be marked
8. on the unit itself but could be displayed on the shelf.

9. PRESIDENT:

10. Senator Soper.

11. SENATOR SOPER:

12. I rise to support this amendment, because if you ever
13. had a grocery store or a meat market or any place where you
14. had goods displayed, you get some articles that are so small
15. it's almost impossible to put any price directly on that
16. article without tedious hours and a great...and a great
17. cost. Now, when you...when you talk about it sound...this
18. sounds like a motherhood and free milk bill when you say
19. every item should be priced, and you should have the price
20. on each item, but who pays for this...for this pricing and
21. putting the tickets and all the little stamps on these
22. articles. It sounds good to tell the customer, but if the
23. customer has...has a...has a mark at the bin or at the place where
24. ...where the article is displayed, that gives him sufficient
25. notice of what the price on that is. Now, with electronic
26. pricing and when all these...all these articles will go
27. through a computer and they're priced, how...what good is
28. it to have a price on each article and have that cost go
29. right down to the party that buys the article. Now, if
30. you want...if you want bring about a ten percent or five
31. percent increase in the cost of...of merchandise in a
32. grocery store or any...or any...any store that...that...
33. that has a...an article that's sold, and then you...you pass

1. bill like this and you'll find what...what your price
2. increase is going to be. You're not going to help any
3. poor people, you're just going to charge the poor people
4. a little more money. Let's be practical. This is not a
5. motherhood and free milk bill that's going to give mother-
6. hood and free milk. This is going to take the milk
7. away from the mother and away from the kids.

8. PRESIDENT:

9. (machine cutoff) further discussion? Senator Lemke.

10. SENATOR LEMKE:

11. I have to speak against this amendment because we
12. all know that in grocery stores that the price on the shelf
13. can be altered by anybody, not saying the store, but by kids
14. coming along, they change the numbers. There's no way
15. for the consumer to know the price, and I think that this
16. bill in no way will help the consumer or the purchaser. I
17. think each item must bear the price because we all know
18. that homeowners when they go to a grocery store each week
19. look at the price on the can that they use and they can
20. find out. You see...fluctuations in prices that are
21. ridiculous and you see them change prices, raise
22. them from day to day, people don't know where they're
23. at, and the price...I've several times gone to a grocery
24. store and the price on the shelf is not the price they
25. charge you at the checkout counter.

26. PRESIDENT:

27. Is there any further discussion? If not, Senator Glass
28. may close the debate. Excuse me, Senator Netsch, did you
29. wish to speak on the amendment. Senator Netsch.

30. SENATOR NETSCH:

31. Thank you, Mr. President. I'm going to rise in
32. support of the amendment. It seems to me that what we are faced
33. here with is really a choice and it's not the easiest choice

1. in the world to make. It has been my personal conviction
2. for a long time as evidenced by legislation that I've
3. sponsored that we should have unit pricing adopted State-
4. wide in the State of Illinois. The amendment proposed
5. is a unit pricing bill, in effect. We have been un-
6. successful, at least to date, in getting the both Houses
7. of the General Assembly to adopt unit pricing and at
8. least while that has been the case, I have felt that a
9. different concept, which is what is embodied in Senator Lane's
10. basic bill, made sense. In the long term, it seems to me
11. that it does not make an awful lot of sense to require
12. that every single product or every single unit that goes
13. on the grocery shelf or the drugstore shelf have the price
14. affixed to it. I don't think that is really the critical
15. thing. The critical thing is that the price be there some
16. place so that the consumer has the information needed at
17. the point of sale. I have always believed that the
18. scanning device whether or not it's...it's practicable does
19. not tell the consumer anything as long as...as the consumer
20. doesn't find that out...

21. PRESIDENT:

22. Excuse me, Senator Netsch. May we have some order.
23. Will the members please be in their seats and break up the
24. caucuses. Senator Buzbee and Senator Egan. Senator Netsch.

25. SENATOR NETSCH:

26. ...If the consumer has no way of knowing what the real
27. price of the product is, and particularly it's unit price until
28. after he or she has passed by the cash register, it's really
29. a little bit too late. So that as long as the information
30. is there at point of sale, that is the critical thing. If
31. something like the unit pricing embodied in this amendment
32. is the law of the entire State of Illinois, then I think
33. probably the concept in Senator Lane's bill is really not

1. necessary and does involve, potentially, some additional
2. cost and is not really critical. The...but there's got to
3. be one or the other. This, it seems to me, is from the
4. prospective both of the consumer, the purchaser and the
5. retail merchant, the most reasonable approach, and I think it does
6. embody a sound concept and at least should be given a try.

7. PRESIDENT:

8. Is there any further discussion? Senator Lane.

9. SENATOR LANE:

10. Yes, Mr. President. In regard to Senator Soper, we
11. take out of the bill any items that are less than three
12. ounces or the size of less than three cubic inches or a
13. price of less than twenty cents. Also, opted out of this
14. bill is any operation that grosses less than a half a million
15. per year, so the mom and pop operation would be taken out
16. of this bill and wouldn't require. Getting back to Senator
17. Netsch's statement about the unit price marking and what
18. you have, the scanner operation has been introduced, hasn't
19. been perfected, so what this bill, Senate Bill 4, would do,
20. would more or less until that perfection of the scanner
21. type operation has arrived, this bill would take the place
22. of it.

23. PRESIDENT:

24. Senator Graham.

25. SENATOR GRAHAM:

26. I just want a point of personal privilege, Senator.

27. PRESIDENT:

28. State your point, Senator.

29. SENATOR GRAHAM:

30. We...Mr. President and members of the Senate, we have
31. in the gallery to your right and to my left, the rear
32. gallery, youngsters from Senator Shapiro's Whiteside County,
33. Jordan School. I'd like to have them stand and be recognized

1. by the Senate.

2. PRESIDENT:

3. Will our guests please rise. Senator Glass, do you
4. wish to close the debate?

5. SENATOR GLASS:

6. Mr. President, only to make it clear to Senator Lemke,
7. who raised this objection and others, that the bill with
8. this amendment would still provide that...every price of
9. each unit of a sale of a food product shall be conspicuously
10. visible to the customer with all such applicable price
11. information expressed in dollars or in dollars and cents,
12. so that that unit pricing is required. It's just that it does
13. not have to be attached to the product, and I'd appreciate
14. a favorable vote on this amendment.

15. PRESIDENT:

16. Senator Glass moves the adoption of Amendment No. 3.
17. All those in favor signify by saying Aye. Opposed. The
18. Nays have it. The amendment is...a roll call has been requested.
19. The question is, shall Amendment No. 3 be adopted. Those
20. in favor will vote Aye. Those opposed will vote Nay. The
21. voting is open. Have all voted who wish? Have all voted
22. who wish? Take the record. On that question, the Ayes are
23. 32, the Nays are 24, none Voting Present. Amendment No. 3
24. having received a majority of those...voting is adopted.
25. Are there any further amendments?

26. SECRETARY:

27. Amendment No. 4 offered by Senator Lemke.

28. PRESIDENT:

29. For what purpose does Senator Lane arise?

30. SENATOR LANE:

31. Yes, I'd like to Table Senate Bill 4.

32. PRESIDENT:

33. Senator Lane has moved to Senate Bill 4. All those

1. in favor signify by saying Aye. Opposed. The Ayes have
2. it. The bill is Tabled. Senate Bill 16, Senator Maragos.
3. For what purpose does Senator Weaver arise?

4. SENATOR WEAVER:

5. I had an amendment. Senator...Senator Maragos bring
6. it back to 2nd for the purpose of an amendment?

7. PRESIDENT:

8. Senator Maragos.

9. SENATOR MARAGOS:

10. Mr. President and members of the Senate, Senate Bill
11. 16 has been sitting on the 3rd reading on the Calendar
12. now for over a month, and just as about ready to call it
13. for 3rd reading, I get an alleged amendment to it, and I
14. will not bring it to 3rd reading till...I have to study
15. it fully. At this time, Mr. President and members of the
16. Senate, I would ask leave to take this bill out of the
17. record with the understanding that I can call it later after
18. I've worked...discussed it with Senator Weaver and others
19. in this...as to its amendment form. Do I have that leave?

20. PRESIDENT:

21. You've heard the request by Senator Maragos for leave
22. to return to this bill later today. Is leave granted?
23. Leave is granted. Take the bill from the record. Senate
24. Bill 19, Senator Wooten. Read the bill.

25. SECRETARY:

26. Senate Bill 19

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDENT:

30. Senator Wooten.

31. SENATOR WOOTEN:

32. Thank you, Mr. President and colleagues. Senate Bill
33. 19 is the Retail Food Establishment Licensing Act. It is the

1. product of over two years work that has involved boards of
2. health all across the State, sanitarians, municipalities.
3. When I first filed this bill, I contacted through the press
4. and privately, members of industries and businesses affected
5. so that they could have significant input into the final
6. shape of this bill. We had a variety of meetings, many
7. discussions with all groups affected and finally in Amendment
8. 1 we embodied several suggestions from boards of public
9. health, from sanitarians and from the industry. From the
10. industry came a request for a uniformity in standards, for
11. a license fee schedule that they approved, for plan
12. approval before a restaurant is constructed, for nonduplication
13. of fees, nonduplication of inspection and the right to
14. appeal. All of which have been embodied in the bill. What
15. the bill provides for is that the State of Illinois will
16. have uniform standards of inspection in all retail food
17. establishments across the State. It gives the Department
18. of Public Health the power it simply does not have now or
19. has in part. But the most important part of the bill is
20. this, that the State will not in any way interfere with
21. local jurisdiction, nor will it impose duplicate fees or
22. inspection schedules. The bill provides that the standards
23. may be applied by local units of government, and there
24. are two different ways they can do this. If a county or a
25. municipality or township has a board of health, it will
26. simply carry out the inspection program, collect all the
27. fees, do all the work itself, or if it wishes if it does not
28. have a full-fledged board of health but has a sanitarian
29. and they wish to undertake the application of this bill
30. locally, they can sign on with the Department and that way
31. they will do the work and collect eighty percent of the
32. fees, the balance going to the State for the part it must
33. play, and then in those areas, and this would be about ten

1. thousand establishments total throughout the State, why
2. then the State would undertake to carry out those inspections
3. where there simply is no local authority. Last time this
4. bill came up, the City of Chicago was neutral. In our
5. discussions with the City of Chicago this year, they are in
6. the process of preparing a comprehensive code in this
7. field and asked that they be left alone so we exempted
8. them. However, we had to make provision for other municipi-
9. palities in Cook County to opt in because they want in.
10. Now, if I can just give you very briefly list of the people
11. who have contributed to the construction of this bill -
12. the Illinois Association of Boards of Health, Illinois
13. Public Health Association, the Illinois Environmental Health
14. Association, the Illinois Nurses Association, the North-
15. west Municipal Conference of the Illinois Municipal
16. League, the Illinois Health System Agency and so on. I have letters
17. and telegrams from a variety of cities, villages and counties -
18. Oak Park, Collinsville, Edwardsville, Champaign, LaSalle,
19. Peru, Oglesby, Newton, Clay City, Atkinson, Cuba, Genese,
20. Farmer City, Clinton and so on; Calhoun County, Jasper,
21. Rock Island, Monroe, Pike, DeWitt, Piatt; towns of...and villages
22. of Barrington, Arlington Heights, and so on. I think we have
23. generated, I hope, the broadest kind of support for this
24. bill. I ask your support. I will be glad to answer any
25. questions you may have.

26. PRESIDENT:

27. For what purpose does Senator Smith arise?

28. SENATOR SMITH:

29. Considerable interest, Mr. President, on this side of
30. the aisle and particularly from the Chicago members with
31. regards to the bill. You will recall that originally when this
32. bill was presented and when it came on for consideration
33. in committee, it did embrace and include the City of Chicago.

1. In connection therewith, we had several conferences. The
2. city attorney for the City of Chicago was here. My
3. recollection is and I'm asking the question, Senator, be-
4. cause of the interest that the Chicago...those of us from
5. Chicago have in this bill, did you or not offer an amend-
6. ment that took out the City of Chicago?

7. PRESIDENT:

8. Senator Wooten.

9. SENATOR WOOTEN:

10. Yes, I did, Senator.

11. PRESIDENT:

12. The answer is yes. Senator Weaver. Pardon me.
13. Senator Rhoads. We'll go back to Senator Weaver shortly.

14. SENATOR RHOADS:

15. Will the sponsor yield to a question?

16. PRESIDENT:

17. Indicates he will yield.

18. SENATOR RHOADS:

19. Senator Wooten, I guess at no point either in sub-
20. committe or subsequently was there a fiscal note requested
21. on this bill, nor is it indicated that there was...that
22. it might be applicable, but...you have a fiscal note?

23. PRESIDENT:

24. Senator...Senator Wooten.

25. SENATOR WOOTEN:

26. Yes. Actually the fees that will be raised by the
27. ...by the Department and the ten thousand establishments
28. that we'll inspect downstate will generate about three
29. hundred and fifty thousand dollars. This combined with the
30. amount currently budgeted in this Department will more than
31. pay for the program.

32. PRESIDENT:

33. Senator Rhoads.

1. All right. Now, the bill has been amended several
2. times. Is it still a pre-condition...as...as originally
3. drafted, I understand the bill provided that in order to
4. build a new restaurant facility, that it was a pre-
5. condition that the plans for that facility be submitted
6. to the Department of Public Health for their approval,
7. raising the question in some minds that were we creating
8. a new master building code here? Is that still in the
9. bill or...

10. PRESIDENT:

11. Senator Wooten.

12. SENATOR WOOTEN:

13. The plans will be submitted to the enforcing agency,
14. as is presently done in municipalities and counties and
15. where they do not intervene with the Board of Public Health,
16. and this is at the request of the industry. You must
17. understand that most of the problems that industry runs
18. into is when they build a...a restaurant and then ask for
19. inspection and find out that they have to make about fifteen
20. or twenty thousand dollars worth of changes in order to be
21. ...to meet sanitary codes. The key to sanitation inspection
22. is putting in the right equipment in the beginning and that's
23. why in my county and yours and all the others, it is re-
24. quired that you submit your plans and you are told this
25. meets specifications or it doesn't, and that way you can make
26. the adjustment ahead of time, and this is...industry is
27. adamant on this point. They want to be protected from
28. spending money that...and then having to spend it again, and
29. that was one of the things that they requested.

30. PRESIDENT:

31. Senator Rhoads.

32. SENATOR RHOADS:

33. One final question, then. Cook County...all of Cook County

1. is...is out, is that correct? You can just nod your head.
2. Yes. All right. Other areas of the State are out, and
3. of course, the bill as it...well, all right...I'll...you
4. can answer that in just a second, but the bill as it was
5. originally introduced was designed to meet a specific
6. problem, I believe, in your district and in...in some areas
7. of downstate. Now, what parts of the State are now covered
8. in the bill and what parts are excluded?

9. SENATOR WOOTEN:

10. Actually my county is in very good shape. We have an
11. excellent program and the interesting thing is that counties
12. that have good programs are adjacent to counties that
13. don't have programs and the problem with...with food
14. poisoning is it's the second most common sickness we have
15. in this country. And the cases are...you know...get kind
16. of phenomenal in the number that are reported as against
17. those that are not reported, but the City of Chicago is
18. exempt for the...that specific reason. They're currently
19. dealing with a code. The idea from the industry was we
20. want uniform standards all over the State. They agreed
21. though, that...that the City of Chicago could be exempted.
22. In order to do that, we exempted the county and checked
23. with the municipalities in Cook County and left a pro-
24. vision they can opt back in. They all indicate that will
25. opt back in, so we'll cover everybody but Chicago.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Rhoads, your time is nearly expired.

28. SENATOR RHOADS:

29. Yes. Are...I thought all of Cook County was exempted.
30. Now, you're saying only the City of Chicago?

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Wooten.

33. SENATOR WOOTEN:

1. That's what I said. We exempted Cook County with the
2. provision that any municipality in Cook County can opt back
3. in. We have indications from all those municipalities except
4. Chicago that they will opt back in.
5. PRESIDING OFFICER: (SENATOR BRUCE)
6. Senator Grotberg.
7. SENATOR GROTBORG:
8. Will the sponsor yield?
9. PRESIDING OFFICER: (SENATOR BRUCE)
10. Indicates that he will yield.
11. SENATOR GROTBORG:
12. Senator Wooten, a couple of quick questions. Is it a
13. flat out Home Rule Amendment? I don't have the bill in
14. front of bill, only the digest.
15. PRESIDING OFFICER: (SENATOR BRUCE)
16. Senator Wooten.
17. SENATOR WOOTEN:
18. The only exemption is for Cook County, and the pro-
19. vision in the exemption will let the municipalities in
20. Cook County outside of Chicago come back in because they've
21. indicated they want to be included. So, everyone's included.
22. PRESIDING OFFICER: (SENATOR BRUCE)
23. ...Senator Grotberg...Senator Grotberg.
24. SENATOR GROTBORG:
25. Then...I'm in Kane County or my home is in Kane County
26. and we...all of our public health referenda have failed.
27. The synopsis indicates that an...a...a county executive
28. elected by the electors...you talking about an elected
29. county health officer or an elected county board member
30. or chairman rather?
31. PRESIDING OFFICER: (SENATOR BRUCE)
32. Senator...Senator Wooten.
33. SENATOR WOOTEN:

1. At the request of the Republican side, that amend-
2. ment was Tabled and we use different language, counties
3. of a million or over.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Grotberg.

6. SENATOR GROTBORG:

7. Now then, my question is, each of us, county health
8. department or not, have county fairs in unincorporated areas.
9. Does this mean that the State of Illinois now is going to
10. monitor every hot dog stand at every county fair in un-
11. incorporated counties?.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Wooten.

14. SENATOR WOOTEN:

15. No. There is a specific list of exemptions which
16. includes temporary food operators at county fairs. Now,
17. there are still counties...we'll...that have their local
18. programs...we'll still look those over, but the State will
19. not be involved in that at all. We've list...we've exempted
20. those vendors, roadside vendors, all the rest.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Grotberg.

23. SENATOR GROTBORG:

24. Well, in closing and thank you, Senator Wooten, for
25. your explanation. I operate a restaurant that is a very
26. successful one and very well handled and it...it would seem
27. to me that I'd better vote Present on this bill on a conflict
28. of interest basis, because we've inspected by every guy that
29. comes by, the way it is now. Thank you.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Weaver. Senator Schaffer.

32. SENATOR SCHAFFER:

33. Mr. President, I intend to support this bill. My

1. counties have departments of public health, that have been created by
2. referendum with these authorities. I think the people see
3. the need for this type of inspection and I think particularly
4. for those counties that have departments of public health,
5. this bill has merit.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Is there further debate? Senator Wooten may close.

8. SENATOR WOOTEN:

9. I realize that a bill of this sort raises questions
10. and it is a comprehensive program. But let me assure you and
11. I do want to make this point as strongly as I can, this
12. bill has been almost three years in the making. We have
13. involved every board of public health in the State. We have
14. contacted just about every municipality. We have contacted
15. the industry and asked for their input and have adopted
16. their suggestions. I believe that this bill will give to
17. the people of Illinois, ironically, the kind of protection
18. they think they already have. I think that you will find
19. your local units of government are quite pleased with the
20. way this bill is structured and are anxious for its passage,
21. and I ask for a favorable roll call.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. The question is, shall Senate Bill 19 pass. Those in
24. favor vote Aye. Those opposed vote Nay. The voting is open.
25. Have all voted who wish? Have all voted who wish? Take
26. the record. On that question, the Ayes are 29, the Nays are
27. 17...Postponed Consideration has been requested by the sponsor.
28. Further consideration will be postponed. Senate Bill 40,
29. Senator Merlo. Read the bill, Mr. Secretary.

30. SECRETARY:

31. Senate Bill 40

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Merlo. Excuse me, Senator Merlo. Could we
3. have some order, Gentlemen and Ladies. Senator Merlo.

4. SENATOR MERLO:

5. Mr. President and members of the Senate, I am sure
6. that many of you will agree with me that condominiums
7. are here to stay. And I wish to make it very clear that
8. I do believe in the condominium concept of housing. They
9. are the fastest growing form of housing throughout the
10. nation and throughout the world. The Department of Housing
11. and Urban Development predicts that within twenty years at
12. least fifty percent, one-half of our nation's population,
13. will reside in condominiums. Illinois ranks number three
14. in the nation. Florida and California only exceed Illinois
15. in the total condominiums established. However, our
16. present Condominium Act which dates back to 1963 does not
17. address itself to the many problems of the condominium
18. phenomenon that presently exists. The House of Representa-
19. tives in 1974 adopted a resolution creating the Legislative
20. Condominium Study Committee which authorized the committee
21. to conduct a comprehensive study of all aspects of con-
22. dominium housing in Illinois. The legislation being con-
23. sidered here this morning are the recommendations of the
24. committee directed toward protecting the purchaser, providing
25. a realistic legal framework for the condominium developer
26. and resolving the serious problem faced by the current
27. unit owners. The package...and this is very important, Mr.
28. President and members. The package consists of twenty bills
29. in all. It is my intention to Table Senate Bill 55 which
30. now is incorporated into Senate Bill 57, leaving nineteen
31. bills to be considered. Seventeen of these bills...seventeen
32. out of the nineteen, have the approval of the Illinois
33. Realtors Association and the Illinois Homeowners Association.

1. Mr. President, I would like leave at this time to consider Senate
2. Bill 60 which is the key bill to the series of nineteen
3. bills that will be considered. As amended, it directs it-
4. self to the home rule aspect. This bill, as amended, does
5. not have the approval of the Illinois Realtors. What the
6. amendment does, it allows my...any home rule unit to
7. supplement the provisions of this Act by ordinance so long
8. as such home rule ordinance is not less restrictive than the
9. State Statute. The net result of this approach is to
10. provide a Statute of general application which will benefit
11. the State as a whole and yet allow home rule units to deal
12. with this area on a local basis by allowing them to tighten
13. the law or to supplement it as necessary in their particular
14. areas. This approach in my estimation, Mr. President and
15. members of the Senate, is the best method of dealing with
16. this growing area of consumer concern on a large scale basis and
17. still provides for...enough flexibility for individual home
18. rule units to adopt...adapt themselves to the contours of
19. this ever changing problem. As I say, Mr. President and
20. members, this is the key bill. This will determine whether
21. the package will go up or down and in closing, I might
22. mention that this is my biggie for 1977 and I do ask your
23. favorable consideration of this bill.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator...Senator Merlo, there is some question. You ask-
26. ed leave to go to Senate Bill 60?

27. SENATOR MERLO:

28. Yes, I did.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. All right. Senate Bill 60 has not been read. Is it
31. your intention to...to vote on your request to vote on
32. Senate Bill 60 first in this series?

33. SENATOR MERLO:

34. This is correct.

SB 60
3rd Reading
5/25/77

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. All right. Senator...

3. SENATOR MERLO:

4. What I'm attempting to do, Mr. President, was there
5. are two bills, as I say. There are nineteen bills remaining.
6. I'm going to Table 55. Seventeen of the nineteen have
7. been approved by the Illinois Realtors and the Illinois Home-
8. owners, and this is agreement with all of the amendments
9. attached and everything else and there's no problem, but
10. there is one other bill, and I...if I pass 60, I'll go
11. to 51 and then consider the rest of the package.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Is there leave to take Senate Bill 40 out of the
14. record? Leave is granted. Is there leave to go to the
15. Order of Senate Bills 3rd reading and go to the...to
16. Senate Bill 60? Leave is granted. Senate Bill 60. Read
17. the bill, Mr. Secretary.

18. SECRETARY:

19. Senate Bill 60
20. (Secretary reads title of bill)
21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Merlo has explained Senate Bill 60...

24. SENATOR MERLO:

25. ...I have and I am asked...

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. ...and is there...is there discussion on that bill?
28. Senator Weaver.

29. SENATOR WEAVER:

30. Thank you, Mr. President. Senator Merlo, just one
31. question. Why...why is the Home Rule Amendment on this
32. bill?

33. PRESIDING OFFICER: (SENATOR BRUCE)

S.B. 40-59.
3rd reading
5-25-77

1. Senator Merlo.

2. SENATOR MERLO:

3. Primarily, Senator Weaver, to make it flexible enough
4. so that I can get the support to pass this most serious
5. package of bills.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Glass.

8. SENATOR GLASS:

9. Thank you, Mr. President. I rise in support of this
10. bill, and I...I think it should be understood that the
11. Home Rule Amendment as Senator Merlo explained is not a typical Home
12. Rule Amendment in that it does make the bill applicable
13. State-wide. It simply provides that home rule units may
14. adopt more restrictive provisions than in the...in the bill.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Is there further discussion? Senator Rock.

17. SENATOR ROCK:

18. Thank you. Senator Glass indicated about the same
19. thing I was going to say and I, too, rise in support of
20. Senate Bill 60 and hope that it would receive a favorable
21. vote from this side of the aisle.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Is there further discussion? The question is, shall
24. Senate Bill 60 pass. Those in favor vote Aye. Those opposed
25. voted Nay. The voting is open. Have all voted who wish?
26. Take the record. On that question, the Ayes are 43, the
27. Nays are 8, 4 Voting Present. Senate Bill 60 having received
28. a constitutional majority is declared passed. Now, Senator
29. Merlo, it's your intention to go to Senate Bill 55? Senator
30. Merlo.

31. SENATOR MERLO:

32. Pardon me. Mr. President, if...if permission of the
33. Senate, I'd like to go to Senate Bill 51 which is the only

LB 51
2nd Reading
5/25/77

1. other bill... (machine cut off)
2. PRESIDING OFFICER: (SENATOR BRUCE)
3. Somehow Senator Merlo was... Senator Merlo.
4. SENATOR MERLO:
5. ...that was objected to and this bill was objected
6. to by the Illinois Homeowners Association.
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. All right. Is there leave to go to the Order of Senate
9. Bills 3rd reading and pick up Senate Bill 51? Leave is
10. granted. Senate Bill 51. Read the bill, Mr. Secretary.
11. SECRETARY:
12. Senate Bill 51
13. (Secretary reads title of bill)
14. 3rd reading of the bill.
15. PRESIDING OFFICER: (SENATOR BRUCE)
16. Senator Merlo to explain the bill.
17. SENATOR MERLO:
18. Mr. President and members of the Senate, this is a
19. most important bill, and it directs itself to monies that
20. are...placed in payments or in deposits on the purchase
21. of a condominium. Monies deposited by a prospective
22. purchaser of one of these units in connection with his
23. purchase, can be applied by the developer and expended
24. by the developer with his sole discretion. Purchaser
25. advances can be invested, they can be applied to pay any
26. cost or expense related to the development, or Ladies
27. and Gentlemen, they can be diverted by the developer for
28. other projects or for his own personal use. The Committee,
29. the Legislative Condominium Committee, felt that it was
30. essential to protect any downpayment made by con-
31. dominium purchasers so that it's return in full could be
32. made promptly and in a manner that would be satisfactory
33. to all. Accordingly this bill provides that any such

1. deposit, advance or payment be made by a prospective
2. condominium purchaser will be kept in a segregated escrow
3. account. This bill passed the House...or Senate Committee
4. in Judiciary I by an eight to nothing vote. It has the
5. ...it...the Illinois Realtors felt that they did not oppose
6. ...they did not oppose the bill, and said that they could
7. live with it. However, the homeowners insist, of course,
8. that this bill not pass. I think it's an excellent bill.
9. I don't know whether you, Ladies and Gentlemen, have witnessed
10. the shells that are standing today in our nation, where
11. people have been ripped off, so to be speak, and have found
12. it in no way or manner that they could get their down
13. payment returned to them. This a consumer bill. It's
14. strictly helps the purchaser of a condominium and I would
15. ...ask your favorable consideration of this bill.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Is there discussion? Senator Netsch.

18. SENATOR NETSCH:

19. If I might just briefly say that Senator Merlo has...has
20. stated something that is very important, I think, State-wide
21. but certainly to those of us who represent some of the
22. urban areas...well, all of Chicago is an urban area, but
23. some of the areas which have been heavily beset by the
24. condominium conversion wave. This is a very important
25. problem for all us. These bills are very important. They...
26. they are perhaps not as dramatic as they were originally,
27. but they are passable now we all believe, and I think
28. Senator Merlo is to be congratulated for the enormous time
29. and energy he has expended to helping to solve something
30. that means a great deal to a lot of people in Chicago.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Rock.

33. SENATOR ROCK:

1. Thank you, Mr. President, Ladies and Gentlemen of
2. the Senate. I, too, rise again in support of Senate Bill
3. 51 and would urge all the members on this side to support
4. Senator Merlo on his...this yeoman effort.

5. PRESIDING OFFICER: (SENATOR BRUCE)
6. Senator Berning.

7. SENATOR BERNING:
8. Yes, a question of the sponsor, Mr...
9. PRESIDING OFFICER: (SENATOR BRUCE)
10. Indicates he will yield. Senator...
11. SENATOR BERNING:
12. ...President...
13. PRESIDING OFFICER: (SENATOR BRUCE)
14. ...Berning.
15. SENATOR BERNING:
16. I believe I understand the objective in Senate Bill
17. 51, and correct me if I am wrong. This provides that escrow
18. deposit monies shall be retained or deposits on a apartment
19. or condominium, it shall be retained in an escrow account
20. and be unavailable to the developer for use. Is that essentially
21. correct?
22. PRESIDING OFFICER: (SENATOR BRUCE)
23. Senator Merlo.
24. SENATOR MERLO:
25. Yes, Senator Berning, and I neglected to...to include
26. another thought and that is that the money would remain in
27. escrow until such time as title is passed to the purchaser
28. of the condominium. So the time is not indefinite. It's
29. the...the...the thought is, of course, that when the
30. developer is in the position to convey title, then, of course,
31. he can do whatever he wishes with the money.
32. PRESIDING OFFICER: (SENATOR BRUCE)
33. Senator Berning.

1. SENATOR BERNING:

2. Well, that was my question. There seems to be no
3. limitation here on the time during which the developer is
4. bound to hold that money. There isn't anything here that
5. says upon acceptance by the purchaser or by occupancy of
6. the purchaser the money is freed up, and I think the...you
7. may be imposing an unwitted burden here.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Merlo.

10. SENATOR MERLO:

11. There is a time certain, Senator Berning. Yours...I
12. am saying in the bill that he holds the money in escrow until
13. such time as title is conveyed. Now, if he can't convey title for
14. two years, three years, one month, thirty...or twenty days
15. that's his prerogative, but he...I would think that he
16. would be in the position to convey as soon as he, perhaps,
17. has that money, so there is a time certain.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Berning, further questions? Senator...Senator
20. Harber Hall.

21. SENATOR HARBER HALL:

22. I rise in support of this bill and urge everyone on
23. this side of the aisle to support it. The only thing this
24. does...it...it's very much needed, but...but the only problem
25. with it and I don't think it's a problem now, is on the
26. financing that the developer...problem of financing that he
27. might have because of this, but it's nevertheless very good,
28. and in this day of heated activity in building and there's
29. certainly no shortage of funds for this type of...of con-
30. struction, this is good protection for the prospective
31. condominium buyer and I...I think it ought to be passed.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Is there further discussion? The question is, shall

1. Senate Bill 51 pass. Those in favor vote Aye. Those opposed
2. vote Nay. The voting is open. Have all voted who wish?
3. Take the record. On that question, the Ayes are 47, the
4. Nays are 4, 5 Voting Present. Senate Bill 51 having received
5. a constitutional majority is declared passed. Senator
6. Merlo, did you wish now to take the series? Senator Merlo.
7. SENATOR MERLO:

8. Mr. President, I...I think that it would be in order
9. now to Table Senate Bill 55 which I mentioned before is
10. incorporated in 57, then I will go with the remainder of
11. the package.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Merlo moves to Table Senate Bill 55. Is there
14. discussion? All in favor say Aye. All opposed Nay. The
15. Ayes have it, and Senate Bill 55 is Tabled. Senate Bill
16. 40, Senator Merlo. Read the bill, Mr. Secretary.

17. SECRETARY:

18. Senate Bill 40

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Merlo. Senator Merlo.

23. SENATOR MERLO:

24. Mr. President and members of the Senate, the seventeen
25. remaining bills as I mentioned in my opening statement has
26. the approval of the Illinois Realtors, has the approval of
27. the Illinois Homeowners. The same package has come over
28. from the House under the direction and sponsorship of
29. Senator...Representative Telcser. These same bills, many
30. of them...I shouldn't say all of them, but many of them
31. were heard in the last Session of the General Assembly in
32. Judiciary I. Now, I will certainly comply with the desire
33. and wishes of the Senate. If you want to consider them as

DB 49
5-25-77
3rd reading

1. a package, fine. If you don't...in order to save time,
2. I'm just suggesting this, or else we could take them
3. individually, it's up to the members of the Senate to make
4. that decision, and I so ask, Mr. President, that the
5. question be placed to the members of the Senate.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Rock.

8. SENATOR ROCK:

9. Thank you, Mr. President. I think Senator Merlo's
10. suggestion is a good one, and I would ask of the Chair
11. leave to have these seventeen bills considered effectively
12. on one roll call. We have done this in the past with the Agreed
13. Bill List, and I think if we vote the first one, just run
14. the same roll call for the balance of the sixteen bills.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Is there leave...so that each member understands,
17. we are going to read the remaining bills in this series a
18. third time and we will take one roll call as we do with the
19. Agreed Bill List and if any Senator wishes to be recorded
20. differently on one bill in the series, please report that
21. to the Secretary prior to the roll call being taken. Is
22. there leave? Leave is granted. Secretary will now read
23. the bills a third time.

24.
25.
26. (end of reel)
27.
28.
29.
30.
31.
32.
33.

Agreed Bill List
5/25/77
SB 41-59

1. SECRETARY:
2. Senate Bill No. 41.
3. (Secretary reads title of bill)
4. Senate Bill 42.
5. (Secretary reads title of bill)
6. Senate Bill 43.
7. (Secretary reads title of bill)
8. Senate Bill 44.
9. (Secretary reads title of bill)
10. Senate Bill 45.
11. (Secretary reads title of bill)
12. Senate Bill 46.
13. (Secretary reads title of bill)
14. Senate Bill 47.
15. (Secretary reads title of bill)
16. Senate Bill 48.
17. (Secretary reads title of bill)
18. Senate Bill 49.
19. (Secretary reads title of bill)
20. Senate Bill 50.
21. (Secretary reads title of bill)
22. Senate Bill 53.
23. (Secretary reads title of bill)
24. Senate Bill 54.
25. (Secretary reads title of bill)
26. Senate Bill 56.
27. (Secretary reads title of bill)
28. Senate Bill 57.
29. (Secretary reads title of bill)
30. Senate Bill 58.
31. (Secretary reads title of bill)
32. Senate Bill 59.
33. (Secretary reads title of bill)

1. 3rd reading of the bills.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. With unanimous consent of this Body, a record
4. vote will now be taken on the bills which have been
5. read for a third time. Does any Senator wish to
6. be recorded separately on any bill in the series
7. just read? Please inform the Secretary at this
8. time. There...there...Senator Carroll.

9. SENATOR CARROLL:

10. Just one very brief comment. Having chaired
11. the subcommittee that then Representative Merlo
12. presented these bills before last year. I think
13. we all owe him a debt of gratitude for the long
14. and diligent work that he did in preparing this
15. legislation and working with all of the groups
16. involved and in it seeing to it that we had sensible
17. condominium laws in the State of Illinois. I
18. think he has dedicated two years to this project
19. and when these bills came before Senator Daley's
20. committee last year, he set up a special subcom-
21. mittee to work on them and I think we should all
22. commend him for this outstanding effort.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Do...do I have the unanimous consent of
25. the Senate to follow the procedure as to the
26. bills just read? Leave is granted. The question
27. is shall Senate Bills 40, 41, 42, 43, 44, 45, 46,
28. 47, 48, 49, 50, 53, 54, 56, 57, 58 and 59 pass.
29. Those in favor vote Aye. Those opposed vote Nay.
30. The voting is open. Have all voted who wish?
31. Take the record. On the bills just mentioned, the
32. Ayes are 57, the Nays are none, none Voting Present.
33. A separate record vote as to the Yeas and Nays on

1. each of the bills just read will be entered on the
2. Journal and bills having received a constitutional
3. majority are declared passed. (Machine cut-off)
4. Merlo.

5. SENATOR MERLO:

6. One brief comment. I...I do really want to
7. thank the members of the Judiciary I and the Senate.
8. I know that these bills have taken an awful lot
9. of time, but I also want to acknowledge the
10. splendid work of Representative Telcser who is
11. the co-chairman of this commission and those of
12. you who served on the committee involving the...this
13. ...litigation and this...these pieces of legislation.
14. I do want to thank each and every one of you.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Thank you. Senate Bill 69, Senator Lenke.
17. For what purpose...Senator Philip.

18. SENATOR PHILIP:

19. Thank you, Mr. President. With leave, I
20. would like to move to discharge the Appropriation Committee
21. and place House Bill 770 on 2nd reading. I've talked
22. to the Chairman of Appropriation, Senator Carroll,
23. and the Minority Spokesman and they're in agreement.
24. It's a supplemental appropriation for the Attorney
25. General's office, some five hundred and sixty-three
26. thousand dollars.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. You've heard the motion discharge. All in
29. favor say Aye. All opposed Nay. The Ayes have it
30. and the bill is discharged and placed on the Order
31. of 2nd reading. House Bill 770. Senate Bill 85,
32. Senator Demuzio. Read the bill, Mr. Secretary.
33. Senate Bill 85.

1. SECRETARY:

2. Senate Bill 85.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Demuzio.

7. SENATOR DEMUZIO:

8. Well, thank you, Mr. President and Ladies and

9. Gentlemen of the Senate. Senate Bill 85 appropriates

10. three hundred and thirteen thousand, four twenty

11. five, from the Capital Development Bond Fund to

12. CDB for the University of Illinois to pay three

13. fourths of the total cost of land acquisition designed

14. construction of an Agriculture Research and Demonstration

15. Center in west central Illinois. The total cost is

16. estimated to be in the area of around four hundred

17. and seventeen thousand, nine hundred, with local

18. efforts coming up with about twenty-five percent.

19. Or a little over a hundred and four thousand dollars

20. in local share. Agriculture is the biggest industry

21. in western Illinois and research provides for a

22. bigger and better agricultural contributions to the

23. whole economy. Research that will be conducted

24. in this research center provides people with a

25. wide variety and an abundance of delicious and

26. wholesome food at reasonable prices. And therefore,

27. research as an investment in agricultural research

28. funds pay dividends to both everyone in urban and

29. rural areas. The establishment of this center, a

30. research and demonstration center in western

31. Illinois will enable research to be carried out

32. in agriculture and related fields. And the results

33. of research would be available to people who can

34. use it all over the State and the research center

1. would make an important contribution to this area's
2. rapidly growing needs for research and also for
3. the development of an economy. In this area is
4. highly dependent on an aggressive and up-to-date
5. research program and research data. Because of
6. the variety of the soil types, the weather farming
7. operations, and topography that it's necessary
8. that research be carried out in this area representing
9. the various conditions and problems not found in
10. other parts of Illinois. It has been recognized
11. for a number of years that there is a lack of
12. information pertaining to the type of soils and
13. their management in this eleven county area. And
14. those counties are Adams, Brown, Schuyler, Cass,
15. Scott, Pike, Morgan, Jersey, Green, Macoupin and
16. Calhoun. The total area is approximately 3.4
17. million acres in size with approximately thirteen
18. thousand farms. Research is currently being
19. done throughout Illinois and the northern part,
20. the eastern part, southern part and it is not
21. being done in the area that it needs to be
22. done in, in western Illinois. This research project
23. will help us in west central Illinois to catch
24. up with the other areas and I ask for your
25. favorable consideration and support of this
26. legislation.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Is there discussion? Senator Harber Hall.

29. SENATOR HARBER HALL:

30. Would sponsor yield for a question?

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Indicates that he will yield. Senator Hall.

33. SENATOR HARBER HALL:

34. Senator Demuzio, I wonder if in your studying
35. this project if any mention was made that a...an

1. experimentation or development of motor fuel from
2. corn might be involved.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Demuzio.

5. SENATOR DEMUZIO:

6. Senator Hall, I can't answer that question
7. specifically, but I'm sure someone somewhere in
8. Illinois is experimenting with that...with that situation
9. It could very well be part of the work program
10. that is being developed by the...by the indivi-
11. duals that are involved including the Two
12. Rivers Research and Demonstration Center that
13. is functioning in that eleven county area. But,
14. I cannot answer your question specifically.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator...Senator Knuppel.

17. SENATOR KNUPPEL:

18. Well, the kind...the kind of area this will
19. serve reminds me of the story of the traveling
20. salesman that was going along the road and he
21. stopped and there was a farmer there trying to
22. grub some rocks and things out of the ground and
23. he said...he said to him, he said this land won't
24. grow very much will it, and the fellow said
25. about all it will grow is man. Had to work that
26. hard. This...all these counties are...what...what's
27. known as "forgotonia." And about all they have over
28. there is...is really farm land and some of the
29. largest swine producing areas in the world are in
30. west central Illinois and it...as the Senator
31. said, these people need this research...center,
32. it'll do a great deal of good in producing food
33. at economical prices. I...I support the legislation.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Senator Berning.
3. SENATOR BERNING:
4. Thank you, Mr. President. A question of the
5. sponsor, please.
6. PRESIDING OFFICER: (SENATOR BRUCE)
7. Indicates he will yield. Senator Berning.
8. SENATOR BERNING:
9. Since this appropriates through the Capital
10. Development Board three quarters of the total
11. cost, what's the source of the other one quarter?
12. PRESIDING OFFICER: (SENATOR BRUCE)
13. Senator Demuzio.
14. SENATOR DEMUZIO:
15. Thank you, Senator. I'm glad you brought
16. that up. For the last four years, the people
17. in this community, specifically, the Two
18. Rivers Research Conservation and Development
19. Project have been working on...receiving some
20. additional in kind contributions, such as,
21. both volunteer help, both land as well as
22. equipment. And the total in kind contribution
23. would total over a hundred and four thousand
24. dollars and I think that is a modest...a modest
25. amount of money that we have put into this and
26. it will be made specific in the...and has been
27. made specific in a work program exactly what
28. we will provide to bring up that amount to
29. a hundred and four thousand dollars locally.
30. It could possibly be more than that, sir.
31. PRESIDING OFFICER: (SENATOR BRUCE)
32. Senator Berning.
33. SENATOR BERNING:

1. Well, there is nothing more admirable, of course,
2. than volunteer participation in a program. But, what
3. concerns me, is that you say, three quarters total
4. cost, land acquisition design and construction.
5. Now, what has been going on up to this point in the
6. way of volunteer participation. As far as I can
7. determine, just looking at the bill and at the
8. summary in our Calendar, would in no way be
9. applicable to the...unappropriated one-fourth which
10. remains after the original three-fourths. And I'm
11. just curious...are you saying that because of the
12. bill, which doesn't spell this out, the other one
13. fourth would be additional voluntary contributions
14. and service in kind, or whatever you call it, from
15. the...for July 1, '77 on.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Demuzio.

18. SENATOR DEMUZIO:

19. Senator Berning, in all categorical programs that
20. you get from the Federal or the State level that
21. are granted to, not for profit making organizations,
22. such as the Mental Health Center in your community
23. or my community, there is always a provision for
24. local share. And local share in those grants and
25. aids and those contracts must be specified. They
26. must be identified in the area of equipment, equipment
27. costs, if it's volunteer time or what have you. There's
28. a monetary value that's affixed to everything in the
29. in kind contribution segment. As far as what has been
30. happening in the past, I would say to you that there
31. has been an effort on behalf of the cooperative
32. extension services, the University of Illinois, the
33. Two Rivers Research and Conservation Project, all

1. of the steering committees of research and demonstration
2. throughout that eleven county area have been vitally
3. interested in this legislation, have been vitally
4. interested in the development of this center and have
5. made the commitment of a hundred and four thousand
6. dollars of local share and I think that you will
7. not find another piece of legislation, nor a bill
8. on the Calendar, either in the House or the Senate,
9. that has that kind of commitment from the local
10. community. What we are saying is that we will
11. specify and have so specified in a work program
12. which I have, that which is to be the in kind
13. contribution, sir.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Berning, your time has expired. Senator
16. Berning.

17. SENATOR BERNING:

18. If the President, please, I have two short
19. questions. What then is the total cost? Is
20. that amount that you mentioned in the bill, three
21. hundred and thirteen thousand, is that three
22. quarters of the total cost of land, buildings,
23. and everything else? And then secondly, is there
24. available to this any Federal funding?

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Demuzio.

27. SENATOR DEMUZIO:

28. Answer to your first question, the total cost is
29. four hundred and seventeen thousand, nine hundred.
30. The three-fourths, the appropriation that I'm asking
31. for here is three-fourths. Three-fourths of that four
32. seventeen, nine hundred, or three hundred and thirteen
33. thousand, four twenty-five. And, secondly, we truly
34. hope that there will be Federal funding because there

1. has been some participation at the Federal level in the
2. agricultural extension services that will be providing
3. some staff and some manpower as well as equipment that
4. has already been purchased through those...through
5. those areas by the university, will be involved in
6. this project. Yes, sir.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Rock.

9. SENATOR ROCK:

10. Thank you, Mr. President, Ladies and Gentlemen
11. of the Senate. I rise in support of Senate Bill
12. 85. This, as I understand it, is closely related
13. to and is, in fact, part of the Food for Century III
14. major program being undertaken by the University
15. of Illinois. I think Senate Bill 85 is a good one
16. and deserves the support of all of us from northern
17. Illinois in an attempt really to help really to
18. help western Illinois.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator McMillan.

21. SENATOR McMILLAN:

22. A question of the sponsor, please.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Indicates he will yield. Senator McMillan.

25. SENATOR McMILLAN:

26. Senator Demuzio, has it been determined, or in
27. the plans that you're talking about, has it been
28. designated exactly where this particular land would
29. be in the large area of western Illinois?

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Demuzio.

32. SENATOR DEMUZIO:

33. Land has not been identified. The area has

1. not been specified. I'm sure that there would be
2. some competition among the eleven counties. I hope that
3. it is in the Pike County area, because it seems to be
4. the, Pike or Adams, they seem to be the ones that...that
5. have the kind of topography that the university at
6. least is interested in experimenting with, however,
7. it will be a decision that will be made between the
8. university as well as the cooperative extension
9. services and...and particularly the Two Rivers
10. Research and...the Two Rivers Research Conservation
11. and Development Project personnel.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator McMillan. Further questions? Senator
14. Weaver.

15. SENATOR WEAVER:

16. Thank you, Mr. President. Well, I stand in support
17. of this project. I think it should be noted that in
18. the Agriculture Committee in the Federal Congress,
19. they have increased support for the ag experiment
20. stations from a hundred and twenty million up to
21. two hundred and twenty million. That's the
22. support that we need, if we have the facilities
23. in the State of Illinois to...to handle these
24. research projects and so I think it's wise to put
25. one in western Illinois and I hope all my colleagues
26. will support Senator Demuzio in this bill.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Is there further discussion? The question is
29. shall Senate Bill 85 pass. Those in favor vote
30. Aye. Those opposed vote Nay. The voting is open.
31. (Machine cut-off) all voted who wish? Take the
32. record. On that question the Ayes are 50, the
33. Nays are 5, none Voting Present. Senate Bill

1. 85 having received a constitutional majority is declared
2. passed. Senate Bill 86, Senator Demuzio. Senate Bill
3. 86, Senator. All right. Senate Bill 149, Senator
4. Regner. Read the bill, Mr. Secretary.

5. SECRETARY:

6. Senate Bill 149.

7. (Secretary reads title of bill)

8. 3rd reading of the bill.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Regner.

11. SENATOR REGNER:

12. Mr. President, and members of the Senate. This
13. bill essentially does two things. When Statutes were
14. originally written they made it virtually impossible
15. for an area to try and secede from a county and create
16. a new county by stating that it takes a majority of
17. all elected...all registered voters in that area to
18. sign petitions to even get it on a ballot. If
19. they were to do that, they would then have to have
20. not only the majority of the people voting on the
21. issue, but a majority of everyone voting. Now, we
22. all know that when a referenda issue is on a ballot,
23. about thirty percent of the people don't even vote
24. on the issue, so, in effect, it would start out with
25. somewhere around thirty percent negative votes.
26. So, what this bill does, it reduces the requirement
27. for petitions to ten percent of the registered
28. voters in the area, which is still the highest of...of
29. any such requirement in the Statutes and it says a
30. majority of the people voting on the issue, which
31. is the same requirement we had in for things such
32. as the RTA. Now, I don't think it should be extremely
33. easy, I think it should still be difficult for an area

1. to attempt such a move, but I don't think it should
2. be impossible. And for that reason, I have Senate
3. Bill 149 in to change those two requirements and
4. I'd ask for a favorable roll call.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Is there discussion? Senator Rock.

7. SENATOR ROCK:

8. Thank you, Mr. President, Ladies and Gentlemen of
9. the Senate. I rise in opposition to Senate Bill 149.
10. In addition to stating what the bill does, it does
11. one other thing that Senator Regner did not state.
12. I'm sure he just overlooked it. But, it also strikes
13. the provision that would require the county board
14. to rule on whether or...whether or not a new county
15. can be constitutionally formed. I don't know why
16. that provision has been stricken, but, it does, in
17. fact, as I read this bill, it is stricken. And I
18. think to reduce it to ten percent is a sham. I
19. think that in...in something as serious as this,
20. we should have the will of the majority. We live
21. in a country that is governed by the will of the
22. majority and I think to reduce it to ten percent,
23. disenfranchises too many people and for that reason
24. I stand in opposition to Senate Bill 149.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Is there further discussion? Senator Regner
27. may close.

28. SENATOR REGNER:

29. Yes, first of all, in answering Senator Rock,
30. I did, in fact, forget to mention the item that was
31. stricken and I apologize for that, but it was done
32. on purpose. As to ruling...as to ruling whether or
33. not the petition is...to ruling whether or not the
34. petition is constitutional...constitutional or not,

1. I don't think that should be in the hands of several
2. ...elected county commissioners, if, in fact, there
3. is a question on the constitutionality of it, it
4. should go before the courts, just like virtually
5. anything else. As far as his statement on the ten
6. percent reduction, I think it's a very valid
7. position, because a majority of the people would
8. still vote on the issue, once it comes before
9. them. But, we shouldn't make it virtually impossible
10. to even get an issue before the people for a vote.
11. And for that reason I ask for a favorable roll
12. call on Senate Bill 149.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. The question is shall Senate Bill 149 pass.
15. Those in favor vote Aye. Those opposed vote
16. Nay. The voting is open. Have all voted who
17. wish? Take the record. On that question the
18. Ayes are 22, the Nays are 30, 1 Voting Present.
19. Senate Bill 149 having failed to receive a
20. constitutional majority is declared lost. For
21. what purpose does Senator Harber Hall arise?

22. SENATOR HARBER HALL:

23. Well, Mr. President, I think we all owe a
24. debt of gratitude for Senator Regner. He's
25. worked hard and diligently for six years on
26. this bill and...it's just fortunate for all of
27. us that he's never managed to get anywhere with
28. it.

29. PRESIDENT:

30. (Machine cut-off) does Senator Mitchler arise?

31. SENATOR MITCHLER:

32. Mr. President, just a sort of an announcement, if I
33. may. As we approach Memorial Day, it is always the

1. custom that the poppies that are made by the veterans
2. are worn in memory of both the living and the dead.
3. Sort of a significant display of support for all
4. the good deeds that they did. Senator Vadalabene
5. does have some on his desk. I have some here. It's
6. purely voluntary. You stop by, pick up your poppy.
7. Thank you.

8. PRESIDENT:

9. Senate Bill 157, Senator Harber Hall. Senate
10. Bill 159, Senator Lemke. Read the bill.

11. SECRETARY:

12. Senate Bill 159.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDENT:

16. Senator Lemke.

17. SENATOR LEMKE:

18. This is a bill similar to Senator Savickas'.
19. The only difference here is that we take...it
20. takes effect immediately. I ask for a favorable
21. roll call.

22. PRESIDENT:

23. Is there any discussion? If not...Senator
24. Glass.

25. SENATOR GLASS:

26. All right, I'm sorry, I...I didn't get the
27. explanation, you say it's the same as Senator
28. Savickas', but what...what does it do, Senator?

29. PRESIDENT:

30. Senator Lemke.

31. SENATOR LEMKE:

32. It voids executive order sixty days after the new
33. governor takes office.

34. PRESIDENT:

35. Is there any further discussion? If not, the

1. question is shall Senate Bill 159 pass. Those in
2. favor will vote Aye. Those opposed will vote Nay.
3. The voting is open. Have all voted who wish? Have
4. all voted who wish? Take the record. On that
5. question the Ayes are 51, the Nays are none, none
6. Voting Present. Senate Bill 159 having received
7. a constitutional majority is declared passed. Senate
8. Bill 169, Senator Glass. Read the bill.

9. SECRETARY:

10. Senate Bill 169.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDENT:

14. Senator Glass.

15. SENATOR GLASS:

16. Thank you, Mr. President, and Ladies and Gentlemen
17. of the Senate. Last year the General Assembly approved
18. a working cash fund for park districts, however, the
19. effective date of the bill was too late to permit
20. the park districts to take advantage of it for the
21. four year period that it was authorized. So, what
22. the bill does that's in front of you, Senate Bill
23. 169, is to validate those levys that were made last
24. year and for those districts which did not levy,
25. would give them one extra year to...to have the
26. levy. It's a period of four years to which this
27. levy is limited. And I added an amendment to
28. make it clear that no district could levy the
29. tax for more than four years. I'd be happy to
30. answer questions and if there are none, appreciate
31. a favorable roll call.

32. PRESIDENT:

33. Senator Rock.

34. SENATOR ROCK:

35. Thank you, Mr. President, Ladies and Gentlemen

1. of the Senate. I rise in support of Senate Bill 169
2. and would ask the sponsor only that he, at some
3. point, explain to Senator Berning, who questioned
4. Senator...Clewis at some length last week concerning
5. a validating bill, what, in fact, we are doing here.
6. And I rise in support and urge...a favorable vote.

7. PRESIDENT:

8. There's no further discussion. The question is
9. shall Senate Bill 169 pass. Those in favor will
10. vote Aye. Those opposed will vote Nay. The
11. voting is open. Have all voted who wish? Have
12. all voted who wish? Take the record. On that
13. question the Ayes are 48, the Nays are 6, 1 Voting
14. Present. Senate Bill 169 having received a
15. constitutional majority is declared passed. Senate
16. Bill 203, Senator Philip. Read the bill.

17. SECRETARY:

18. Senate Bill 203.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDENT:

22. (Machine cut-off) Philip.

23. SENATOR PHILIP:

24. Thank you, Mr. President, Ladies and Gentlemen
25. of the Senate. Senate Bill 203 increases the ceiling
26. on tax which counties may levy for the purpose of
27. conducting elections. At the present rate it's at
28. .1, .01. This increases it to .02. I don't know
29. of a county in the State of Illinois that levies
30. enough tax to pay for an election. Generally
31. speaking, every county board in the State of Illinois
32. is forced to go to the General Fund to take money out
33. of it to pay for elections. I'll give you a few

1. examples, St. Clair County at .01 raises some seventy-
2. two thousand dollars for the purpose of an election.
3. Their last...that last year it cost them two hundred
4. and five thousand dollars to run that election. DeKalb
5. County at a .10 levy raises some thirty-three thousand.
6. Their election costs them seventy-two thousand. So,
7. it's a problem with all the counties downstate. I
8. ask for your favorable consideration.

9. PRESIDENT:

10. Is there any discussion? Senator Kenneth Hall.

11. SENATOR KENNETH HALL:

12. Would the sponsor yield for a question?

13. PRESIDENT:

14. He indicates he will yield.

15. SENATOR KENNETH HALL:

16. Senator, I heard you mention the county that
17. I'm from. I got a call from the chairman of my
18. county board in regards to this matter, but,
19. I want to ask you this question. Now, is this...
20. hinges on, I understand that there's a Senate Bill
21. 312, which allows counties to levy also, and he tells
22. me that the reason this is, that we're talking about
23. giving the newspapers an increase. I'm wondering,
24. is this hinging on that?

25. PRESIDENT:

26. Senator Philip.

27. SENATOR PHILIP:

28. It hasn't got a thing to do with it, Senator
29. Hall, as far as I'm concerned. I...I know of
30. that increase for the publication in newspaper. It's
31. a complete different subject. All this would do, would
32. be allow the...the counties to collect .02 for the
33. purpose of elections.

1. PRESIDENT:
2. Senator Kenneth Hall, is that satisfactory? Is there
3. any further discussion? If not,...Senator Rock.
4. SENATOR ROCK:
5. Thank you, Mr. President, and Ladies and Gentlemen
6. of the Senate. I, frankly, am not convinced of the...of the
7. need for this additional tax. Senator Hall has indicated
8. some confusion. I wonder if we could hold it for
9. awhile or...or I'm prepared to vote Present or No.
10. PRESIDENT:
11. Senator Philip.
12. SENATOR PHILIP:
13. A...a Senator, if you've got hold on the bill or
14. kill on the bill, why don't you just tell me. Why...
15. why should we waste our time.
16. PRESIDENT:
17. Senator...Senator...we don't do things like
18. that.
19. SENATOR PHILIP:
20. I...I know what you do, Senator. You know what
21. you do. And if you got hold on it or kill on the bill,
22. why don't you just say so, I won't waste my time.
23. PRESIDENT:
24. What is your pleasure, Senator?
25. SENATOR PHILIP:
26. You know...you know...you know, we know what's
27. going on over here. You got hold on the bill or
28. kill on the bill, all right, but let's let it
29. roll. You know the bill is right. You know it's
30. needed. Now, you know, let's stand up and do the
31. right thing and ruin our record.
32. PRESIDENT:
33. All right. Is there any further discussion?

1. If not, the question is shall Senate Bill 203 pass.
2. Those in favor will vote Aye. Those opposed will
3. vote Nay. The voting is open. Have all voted
4. who wish? Have all voted who wish? Take the
5. record. On that question the Ayes are 25, the Nays
6. are 12, 7 Voting Present. Senate Bill 203 having
7. failed to receive a constitutional majority is
8. declared lost. Senate Bill 205, Senator Schaffer.

9. SECRETARY:

10. Senate Bill 205.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDENT:

14. Senator Schaffer.

15. SENATOR SCHAFFER:

16. I think most of us remember when we passed the
17. original Campaign Disclosure Act. I think we
18. all assumed that the central committees would
19. fall under the purview of campaign disclosure.
20. Since that time, there's been a ruling of the
21. board that excluded one central committee. I
22. think most of us feel they should be in. This
23. bill simply puts all county and state central
24. committees clearly under the purview of campaign
25. disclosure. It's a good bill. Either you like
26. it or you don't.

27. PRESIDENT:

28. Is there any discussion? Senator Rock.

29. SENATOR ROCK:

30. Well, I...I would just point out to the
31. sponsor that the one committee to which he made
32. reference has, in fact, filed. There are a number
33. of county committees who have, in fact, not filed.

1. And, I'm sure that such a list could be made available
2. to you. I...you really ought to take a look at that
3. list before you pass this.

4. PRESIDENT:

5. Senator Schaffer.

6. SENATOR SCHAFFER:

7. Roll call, please, Mr. Chairman.

8. PRESIDENT:

9. The question is shall Senate Bill 205 pass.
10. Those in favor will vote Aye. Those opposed will
11. vote Nay. The voting is open. Have all voted who
12. wish? Have all voted who wish? Take the record.
13. On that question the Ayes are 56, the Nays are none,
14. none Voting Present. Senate Bill 205 having received
15. a constitutional majority is declared passed. Senate
16. Bill 206, Senator Lemke. Read the bill.

17. SECRETARY:

18. Senate Bill 206.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDENT:

22. Senator Lemke.

23. SENATOR LEMKE:

24. What this bill does is requires motor carriers
25. to file proof of compliance with the financial respon-
26. sibility provisions that they have Workmen's Comp. and
27. Workmen's Occupational Disease. This bill is supported
28. by the trucking industry and by the Teamsters. It
29. appears that what we have is some out of state companies
30. that come in and compete with our business and our
31. companies all buy insurance and that's considered
32. in the rate, so what this bill does is to eliminate
33. what they call gypsies in the business. Supported

1. by industry and labor.

2. PRESIDENT:

3. Is there any discussion? If not, the question
4. is shall Senate Bill 206 pass. Those in favor will
5. vote Aye. Those opposed will vote Nay. The voting
6. is open. Have all voted who wish? Have all voted
7. who wish? Take the record. On that question the
8. Ayes are 38, the Nays are 3, 11 Voting Present.
9. Senate Bill 206 having received a constitutional
10. majority is declared passed. Senate Bill 207,
11. Senator Lemke. Read the bill.

12. SECRETARY:

13. Senate Bill 207.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDENT:

17. Senator Lemke.

18. SENATOR LEMKE:

19. What this bill does, is puts it in the form
20. that we passed it out last year. There's was a
21. problem with how they would provide notice and
22. that we have amended in agreeance with the material
23. men and the contractors and that's allowing another
24. means of...of posting. In other words, this would
25. be similiar to the landlord and tenants. You'd
26. have personal service, certified mail or posting
27. on a...conspicuous place, which means the main
28. entrance. And I ask for a favorable adoption of
29. this bill.

30. PRESIDENT:

31. Is there any discussion? Senator Glass.

32. SENATOR GLASS:

33. A question of the sponsor if he will yield.

34. PRESIDENT:

1. Indicates he will yield.

2. SENATOR GLASS:

3. Senator Lemke, as I understand it now, this bill

4. applies to...any residence including an owner-

5. occupied residence. How does it change the law

6. with regard to the notice of subcontractor's lien,

7. from what it is now?

8. PRESIDENT:

9. Senator Lemke.

10. SENATOR LEMKE:

11. The only additional way of providing notices by

12. posting, which is similiar to Landlord and Tenants

13. Act, in other words, a contractor can post on the...

14. on the door of the premises.

15. PRESIDENT:

16. Senator Glass.

17. SENATOR GLASS:

18. Does it require a new...a notice to be given that

19. is not now required in the law? Or...or does it

20. just provide a new way of...of giving notice?

21. PRESIDENT:

22. Senator Lemke.

23. SENATOR LEMKE:

24. It just gives them an additional option. There's

25. two ways of doing it now and this will give them a

26. second one. The material men had some problems in

27. serving notice by certified mail. This...this will

28. remedy that problem and...and also apply to multiple

29. family owner-occupied five or fewer units.

30. PRESIDENT:

31. Is there any further discussion? If not the

32. question is shall Senate Bill 207 pass. Those in

33. favor will vote Aye. Those opposed will vote Nay.

1. The voting is open. Have all voted who wish? Have
2. all voted who wish? Take the record. On that question
3. the Ayes are 35, the Nays are 14, 4 Voting Present.
4. Senate Bill 207 having received a constitutional
5. majority is declared passed. Senator Lemke, Senate
6. Bill 234. Senate Bill 235, Senator Chew. Senate
7. Bill 241, Senator Lemke. Senator Lemke on 241?
8. Read the bill.

9. SECRETARY:

10. Senate Bill 241.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDENT:

14. Senator Lemke.

15. SENATOR LEMKE:

16. What this bill does is prohibits insurance companies
17. from paying claims for damage to any structure until
18. the tax and demolition expenses owned by such property
19. have been paid. What we have here is that the...we
20. have a problem with the demolition buildings where
21. people milk the buildings, have a...have a fire take
22. the insurance premiums and the local governments
23. are left with...with back taxes and...and...and
24. large demolition costs. What...what our amendment...
25. what we do is we put the burden on the policy holder
26. to show proof that he paid these demolition costs.
27. We also put a five thousand dollar floor on any
28. loss over and above five thousand, will come under
29. this Act. I ask for a favorable adoption.

30. PRESIDENT:

31. Is there any discussion? Senator Glass.

32. SENATOR GLASS:

33. Thank you, Mr. President. Ladies and Gentlemen, I
34. rise in support of this bill. Municipalities all over

1. the State have a problem in collecting these costs and
2. I think this is a reasonable way of assisting them.
3. I urge your favorable roll call.

4. PRESIDENT:

5. Is there any discussion? If not, the question
6. is shall Senate Bill 241 pass. Those in favor will
7. vote Aye. Those opposed will vote Nay. The voting
8. is open. Have all voted who wish? Have all voted
9. who wish? Take the record. On that question the
10. Ayes are 54, the Nays are 1, none Voting Present.
11. Senate Bill 241 having received a constitutional
12. majority is declared passed. Senate Bill 243,
13. Senator Lemke. Senate Bill 245, Senator Maragos.
14. Read the bill.

15. SECRETARY:

16. Senate Bill 2...Senate Bill 245.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDENT:

20. Senator Maragos.

21. SENATOR MARAGOS.

22. Mr. President and members of the Senate. Senate
23. Bill 245 is a bill which has been worked on for three
24. years and it deals with the transportation of hazardous
25. materials on our highways. It does not in any way
26. affect the transportaion on the railroads or on the
27. waterways. This bill has been discussed extensively
28. for many years and we have put Amendment No. 2 on it,
29. which changes the nature of it extensively, with the
30. cooperation of the Illinois Department of Transportation.
31. With the cooperation of the Trucking Industry and with
32. the agricultural interests. What this bill says in
33. essence is that the State of Illinois will adopt for

1. intrastate transportation on its highways, the same
2. regulations that the Federal Government presently
3. has. It makes some exceptions in the...in the case
4. of farmers who have to ship...anhydrous ammonia and
5. others among their own farms, and it takes them out
6. of the...out of the affect of this Act. It is a
7. bill that is long overdue because many times we
8. read and see and hear on TV the questions of many,
9. many, damages and disasters that fall upon us on
10. our highways. By this bill working diligently
11. to correct and to anticipate some of the problems
12. that will arise, may prevent much of this...many
13. of these catastrophes that take place on our
14. highways. I will ask for your favorable support
15. of this bill and if there are any questions, I'll
16. try to answer them.

17. PRESIDENT:

18. Senator Joyce, then Senator Demuzio, Senator
19. Soper. Senator Joyce.

20. SENATOR JOYCE:

21. Yes, Mr. President, thank you. Will the sponsor
22. yield?

23. PRESIDENT:

24. Indicates he will yield.

25. SENATOR JOYCE:

26. All right. You did say, I understood you, that
27. the agricultural products are, it has been modified
28. somewhat, now I believe you said that farmers
29. hauling material from farm to farm and someplace,
30. what...what about the small or large, whatever,
31. fertilizer dealers? And are the...the one thing
32. that I am especially interested in is the...the
33. anhydrous ammonia tanks. They are now at two
34. hundred and fifty, psi, pounds per square inch,
35. that's what the tanks are and the Federal regulations

1. say that they have to be two hundred and sixty-five.
2. And there's like seventeen thousand of them in the
3. State of Illinois. Are...are they exempt, altogether,
4. Senator?

5. PRESIDENT:

6. Senator Maragos.

7. SENATOR MARAGOS:

8. On Section 2 of the Amendment to the Act to the
9. bill, it is not the intent of the General Assembly
10. to regulate the movement of hazardous materials in
11. such quantities that would not pose a substantial
12. danger to public health and safety such as fuels,
13. fertilizers and agricultural chemicals while being
14. used in a normal farming operation or in transit
15. to the farm. So that was the amendment that was
16. put on and with the Farm Bureau and they okayed
17. it.

18. PRESIDENT:

19. Senator Joyce.

20. SENATOR JOYCE:

21. You said in transit to the farm, as well as
22. from...all right, fine.

23. PRESIDENT:

24. Senator Demuzio.

25. SENATOR DEMUZIO:

26. Senator Maragos, I have a couple of questions.
27. Number one, what is the penalty for failure to file
28. or...for failure to comply with the Act?

29. PRESIDENT:

30. Senator Maragos.

31. SENATOR MARAGOS:

32. On Section 12, any person, who willfully violates
33. any provision of this Act or any rule and so on, is

1. ...guilty of Class 3 felony and subject to a fine of
2. not more than twenty-five thousand dollars.

3. PRESIDENT:

4. Senator Demuzio.

5. SENATOR DEMUZIO:

6. Senator, you've defined a...defined hazardous
7. material as a substance and a quantity or form that
8. may pose an unreasonable risk to health and safety
9. of property when transported. Is that definition
10. the same as the Federal definition?

11. PRESIDENT:

12. Senator Maragos.

13. SENATOR MARAGOS:

14. To my knowledge it is. Because we have to...
15. we're adopting the Federal regulations and therefore
16. according to this bill we cannot be anymore stringent
17. than the Federal regulations.

18. SENATOR DEMUZIO:

19. Another question. The Secretary of the Illinois
20. Department of Transportation designates a list of
21. hazardous materials. Would that list be the same
22. as the Federal list, under your last statement?

23. SENATOR MARAGOS:

24. If any of those materials are more inclusive
25. than the Federal Department's list, then they are
26. ...are not involved in this bill, because they...
27. by this bill they cannot have any more stringent
28. regulations than the Federal rules have.

29. SENATOR DEMUZIO:

30. What is the cooperative...or is there any
31. involvement of the Environmental Protection Agency
32. in this legislation at all?

33. SENATOR MARAGOS:

1. Not directly, excepting that the Department of
2. Transportation may at times, when it prepares its
3. rules and regulations, may call on them to coordinate
4. any activities, but they're not directly involved
5. in this particular process, because the almost
6. exclusive authority remains with the...with IDOT.

7. SENATOR DEMUZIO:

8. Well, thank you, Senator. My remaining comments
9. then with...just a moment...what about the twenty-one
10. year old individuals. Can they still...under twenty-one
11. years old, can they still be involved in transportation
12. of farm chemicals and material?

13. PRESIDENT:

14. Senator Maragos.

15. SENATOR MARAGOS:

16. Yes, that was brought up with Senator Joyce
17. and with the agricultural interests and by transportation,
18. too, they were...they are exempt from this particular
19. Statute.

20. PRESIDENT:

21. Senator Demuzio.

22. SENATOR DEMUZIO:

23. Let me just say that I'm rising in support of
24. this legislation. I think that it's perhaps not
25. tough enough. I think all of you on Monday saw
26. the group from Wilsonville, Illinois, that was
27. here to protest the hazardous waste sight in their
28. community, and the hazardous materials that is
29. coming into Illinois from all over the country.
30. And, Illinois, Ladies and Gentlemen, if you wish,
31. is becoming the hazardous waste stomping ground
32. of the entire United States. I do not happen to
33. be in favor of that. Anything that we can do to

1. have some kind of comprehensive plan for the distribution
2. of hazardous waste, we ought to do. Anything that we
3. can do to regulate both on an intrastate and an interstate
4. basis with hazardous materials, we ought to do. And
5. I urge all of you to vote for this legislation.

6. PRESIDENT:

7. Senator Soper.

8. SENATOR SOPER:

9. I thank you, Mr. President. I can't yell that
10. loud. Understand, did you amend Cook County out
11. of this?

12. PRESIDENT:

13. Senator Maragos.

14. SENATOR MARAGOS:

15. Cook County is in just like every other county.

16. SENATOR SOPER:

17. Oh, thank you.

18. PRESIDENT:

19. Senator Bowers.

20. SENATOR BOWERS:

21. Senator, as I understood your explanation, you
22. said that the...the Act limits, in other words, the
23. lid on the...on the hazardous materials are those
24. that are in the Federal statutes. Now, the...the
25. Digest says just the other way around. That it
26. has to be at least...

27. PRESIDENT:

28. Senator Maragos.

29. SENATOR MARAGOS:

30. Gentlemen, I stated in my earlier remarks, that
31. Amendment No. 2 changes the original bill in that
32. aspect.

33. PRESIDENT:

1. Senator Grothberg. Senator Mitchler, does that
2. answer your question? Senator Mitchler.

3. SENATOR MITCHLER:

4. Mr. President, and members of the Senate. I think
5. that Senator Maragos should be recognized and complimented
6. for the work and the effort that he has put into this
7. particular legislation. He did serve as Chairman of
8. the Atomic Energy Commission in Illinois and during
9. that period when he said that there's gone over
10. three years of work into this legislation, I think
11. he's even stopping it short of the time that's been
12. spent. The commission did have different hearings,
13. different meetings, met with various people that
14. are experts in this area and I know that Senator
15. Maragos, when he was even in the House, was instru-
16. mental in the introduction of legislation so they
17. could be presented and people could view it. It
18. could be worked over. I think that he has the
19. bill in perhaps the best form that he can possibly
20. get it at this time. I don't know of any legislation
21. that when it's the first Act is perfect, but
22. I think that it's in the order in which he feels it's
23. best to be presented. He held it off until the very
24. late period that he has and I think that he is to
25. be complimented and I think that the bill does deserve
26. a favorable vote of this Body so that we can have
27. an Illinois Hazardous Materials Transportation Act.

28. PRESIDENT:

29. Any further...Senator Bruce.

30. SENATOR BRUCE:

31. There's some discussion, Mr. President, and members
32. of the Senate, as to where the amendment, which is now
33. in fact, a bill, exempts the transportation of agricultural

1. chemicals. And what worries me, as a member of this Body,
2. is that in the declaration section of the bill, it states
3. that it is the intent of the General Assembly not to
4. regulate the movement of hazardous materials in such
5. quantities that would pose a substantial danger to
6. public health and safety, such as, fertilizer and
7. agricultural chemicals. What bothers me, is in the
8. portion of the bill that it has the exceptions, however,
9. where it states explicitly, this Act shall not apply
10. to natural gas pipelines, individual firearms, or
11. firearms and ammunition in transportation and commerce.
12. It would seem to me the Act very clearly applies to
13. the transportation of farm chemicals. Even though
14. in our declaration section we intend not to, it is
15. not accepted. And I'm...it is my...would be my
16. interpretation that that would mean that farm chemicals
17. and the transportation of anhydrous ammonia, for example,
18. would be covered by this Act.

19. PRESIDENT:

20. Senator Maragos.

21. SENATOR MARAGOS:

22. I don't know what section you just read from,
23. Senator Bruce, excepting to state that the declaration
24. of this particular...bill states that the farm chemicals
25. are excluded. Now, if you're talking about Section 7,
26. it doesn't specifically state natural gas pipelines,
27. because first of all they're not highway produced and
28. ...and it tries to eliminate any other form of trans-
29. portation except highway transportation. And...and
30. the firearm, that's for the police purposes, and for
31. transportation of firearms or ammunition and commerce,
32. that is something again that has to do for defense
33. purposes. And this follows almost the exact language

1. that the Federal Statutes apply to. But, by declaration,
2. we checked this over with the Farm Bureau and with the
3. downstate Senators here and the language in the exculpatory
4. sections of the bill, do not apply to the agricultural
5. interests, especially for the operation of a farm or
6. transportation to a farm.

7. PRESIDENT:

8. Senator Bruce.

9. SENATOR BRUCE:

10. The problem as I see it, Senator Maragos, is the
11. definition says that you only exclude agricultural
12. chemicals and the regulation thereof, if they're
13. transported in sufficient quantities to be a threat
14. to the public health, welfare and safety of the
15. State, which would automatically mean that anything
16. that does not affect the public health, safety,
17. welfare in the State, would thereby be regulated.
18. And, I don't know what one single two hundred and
19. fifty gallon anhydrous ammonia tank moving down
20. in my county is going...if that's going to be a
21. threat to the public health, welfare and safety
22. of the State, but I'm afraid that it might not
23. be and then would be regulated.

24. PRESIDENT:

25. Senator Maragos.

26. SENATOR MARAGOS:

27. If you would read Section 6 of the amendment on
28. page 2, please, on lines 32 through 36. The department
29. shall seek exemptions...pursuant to the Federal Act
30. for the transportation of these quantities of hazardous
31. materials which do not pose a substantial danger to
32. the public health and safety including fuels, fertilizers
33. and agricultural chemicals while being used of a normal
34. farming operation or in transit to the farm.

1. PRESIDENT:

2. Senator Bruce.

3. SENATOR BRUCE:

4. That is exactly where we get into trouble with
5. the Federal DOT. It is my understanding on, for
6. example, it says it must be identical to the exemption
7. issued by the Secretary of the United States Department
8. of Transportation. On anhydrous ammonia tanks, I
9. am told that they require a hundred and sixty-
10. one psi tanks. In Illinois, the maximum that we have
11. is a hundred and fifty psi, two fifty. Which means
12. that every anhydrous ammonia tank in Illinois could
13. not be exempted because it is not identical to the
14. Federal DOT standards. And...and your...in Section 6,
15. you are correct, they can be exempted. But, it also
16. says the exemption must be identical to the exemption
17. issued by the Secretary of the United States, Department
18. of Transportation, and they have not exempted those
19. tanks.

20. PRESIDENT:

21. Senator Maragos.

22. SENATOR MARAGOS:

23. ...Mr. President, I think, Mr. Bruce, Senator
24. Bruce, you are putting in something, the bill that
25. is not there. You are assuming something that is
26. not, should be assumed. Because the department has
27. a right to exempt these chemicals and these fertilizers
28. in...even in contrast to the Federal regulations. I
29. think your interpretation is incorrect as to how you
30. read this bill.

31. PRESIDENT:

32. Senator...Senator Joyce.

33. SENATOR JOYCE:

1. Thank you, Mr. President. Will the sponsor yield?
2. I...I'm wondering, are the farmers or the fertilizer
3. companies going to have to ask for a separate exemption,
4. say every year, or...it was my understanding that this was
5. not the case, as we talked before, but...

6. PRESIDENT:

7. Senator Maragos.

8. SENATOR MARAGOS:

9. Mr. President, and members of the Senate. What
10. we're trying to do here, we don't...assuming a very
11. large tanker of chemicals, whether they be used for
12. agricultural purposes or otherwise, is coming down
13. the highway from interstate or otherwise. They
14. already are locked out because of the Federal
15. regulations. We're talking about intrastate now.
16. What we're saying now is by this amendment is that
17. if, once they get down to the bulk, what's used for
18. farming operations, no matter what the size or
19. for transporting to the farm, they will be exempt.
20. And that is the intent of this bill. And the...IDOT
21. has to follow the intent of the Legislature, otherwise
22. it was not fulfilling its purposes.

23. PRESIDENT:

24. Senator Walsh.

25. SENATOR WALSH:

26. Will the gentlemen yield for a question?

27. PRESIDENT:

28. He indicates he will yield.

29. SENATOR WALSH:

30. Sam, the bill as originally introduced, exempted
31. Cook County, is that correct? Did you bring it back
32. in by amendment?

33. PRESIDENT:

1. Senator Maragos.

2. SENATOR MARAGOS:

3. No, it did not exempt Cook County. It said the
4. enforcement can be done on the county level. That's
5. it didn't exempt it from the law or from its restrictions.

6. PRESIDENT:

7. Senator Walsh.

8. SENATOR WALSH:

9. Well, it says nothing in this Act or the rules
10. adopted under this Act. It shall...shall apply
11. to a county of over three million. I think that's,
12. what is it paragraph 35 on page 8.

13. PRESIDENT:

14. Senator Maragos.

15. SENATOR MARAGOS:

16. As I understand it, this amendment deleted everything
17. after the enacting clause. If you'll read it. And,
18. therefore, this amendment is the complete bill.

19. PRESIDENT:

20. Senator Walsh.

21. SENATOR WALSH:

22. Well, unfortunately, I don't have that amendment.
23. So,...is that...is that paragraph that I just alluded
24. to deleted from the amendment?

25. PRESIDENT:

26. Senator Maragos.

27. SENATOR MARAGOS:

28. Cook...yes...Mr....Senator Walsh, yes, it is, because
29. everything else in the enacting clause on is...taken
30. out by this amendment and the Amendment No. 2 is the
31. complete bill.

32. PRESIDENT:

33. Senator Walsh.

1. SENATOR WALSH:

2. I don't have the amendment, so I just...you know,
3. maybe I'm saying the same thing over again, but the
4. paragraph that I alluded to which would have exempted
5. Cook is not in the bill as amended. If you can assure
6. me of that, I'll be happy.

7. SENATOR MARAGOS:

8. Mr. President and Senator Walsh, I will state
9. to you that I have no intent to exclude Cook
10. County and is not, when the bill...when the amendment
11. says...in my understanding, when it takes everything
12. else after the enacting clause, it also takes out all
13. the prior language of the bill as it was originally
14. filed.

15. PRESIDENT:

16. Senator Shapiro.

17. SENATOR SHAPIRO:

18. Would the sponsor yield to a question?

19. PRESIDENT:

20. Indicates he will yield.

21. SENATOR SHAPIRO:

22. Senator Maragos, in the original bill, Section 2,
23. on page 1, it said, states, it is declared to be the
24. policy of the General Assembly in this Act, et cetera,
25. et cetera, et cetera. That was stricken and the
26. new bill now says on page 1, Section 2. It is the
27. finding of the General Assembly that hazardous
28. materials are essential for various industrial, commercial
29. and other purposes and that their transportation is a
30. necessary incident to their use and so on and so forth.
31. Now, has the General Assembly conducted a study or is
32. there a findings that the General Assembly did that
33. are...available to us? The point I'm raising is that
34. I've run into this problem in other legislation about
35. findings of the General Assembly and when we attempt

1. to find those findings or a committee or commission
2. report, they're not available. I mean it's a figment
3. of someone's imagination.

4. PRESIDENT:

5. Senator Maragos.

6. SENATOR MARAGOS:

7. Senator Shapiro, last year we authorized the
8. Illinois Department of Transportation to make an
9. investigation because we had this bill three...this
10. was Senate Bill...House Bill 357 and by act of the
11. House at that time, we authorized and appropriated
12. sixty thousand dollars to the Illinois Department
13. of Transportation to make these studies for the
14. Legislature. And as a result of these studies,
15. this bill and similiar bills were adopted and
16. there's where the word findings come in.

17. PRESIDENT:

18. Senator Shapiro. Senator Berning.

19. SENATOR BERNING:

20. Thank you, Mr. President. I'd like to ask Senator
21. Maragos...

22. PRESIDENT:

23. Indicates he will yield.

24. SENATOR BERNING:

25. ...a question.

26. PRESIDENT:

27. Senator Berning. Senator Maragos is waiting for you.

28. SENATOR BERNING:

29. I'm waiting for the attention of Senator Maragos.
30. Senator, how does this bill correlate with, or does
31. it supersede or what's the relationship of it to a
32. measure we passed last year charging the Department
33. of Emergency Services or whatever this new terminology,
34. the Civil Service Department, with enacting or with
35. controlling hazardous substances. It is a responsibility

we gave them? We provided some funding and I'm curious.

Now, have we an overlapping jurisdiction here?

1. SENATOR MARAGOS:

2. Mr. President and Senator Berning, the...I was
3. a House sponsor of Senator Partee's bill which gave
4. the authority to the...Emergency and Disaster Relief
5. Agency the power to placard and to identify certain
6. chemicals when...when they're being transported
7. in the State of Illinois. This bill will not deal with
8. the problem of...of placarding because that has already
9. been given to the...the other agency. However, the Department
10. of Transportation will be correlating those efforts with
11. the other efforts to control these substances on
12. our highways. So, we'll be complementing or supplementing
13. rather than in any way overlapping.

14. PRESIDENT:

15. Is there any further discussion? Senator Kenneth
16. Hall.

17. SENATOR HALL:

18. Would the sponsor yield for a question?

19. PRESIDENT:

20. Indicates he will yield.

21. SENATOR HALL:

22. Senator, just for my edification, I just want to
23. ask this question. Senator Demuzio has a problem somewhere
24. down in his area. Now, when we're talking about hazard
25. material and hazard waste, are they identically the
26. same things?

27. PRESIDENT:

28. Senator Maragos.

29. SENATOR MARAGOS:

30. Senator Hall, the word hazard...material includes
31. hazardous wastes because no matter if it's a waste or
32. what form the hazard is, it's still...when it's being
33. transported, will be subject to this Act. If the...it will

1. not include the storage of waste. This only has to
2. do with the element of transportation of that...particular
3. particles. But, I...and I told Senator Demuzio, if there's...
4. if there's a misinterpretation of this on my part, I'll
5. see to it that it's put on in the House to make it more
6. clear because I've been well aware of the waste problem
7. that he's concerned with, not only in his district, but
8. other districts. When I was chairman, as was pointed out,
9. of the Atomic Energy Commission, we're vitally concerned
10. in Sheffield and other areas where these wastes occur.
11. But, that is a horse of a different color because it does
12. not involve the transportation of these materials, but
13. that's more involving the storage of them. But those
14. wastes going from any intrastate agency to these
15. waste...or dump's. if you want to call them, will be controlled
16. by this Act.

17. PRESIDENT:

18. Senator Hall...Senator Savickas.

19. SENATOR SAVICKAS:

20. Yes, Mr. President, I would move the previous
21. question.

22. PRESIDENT:

23. Well, Senator, we have two additional speakers
24. and if you would hold the motion till they have completed.
25. Senator Rupp. Your light is on, Senator. You do not wish...
26. Senator Demuzio. For the second time...Senator Savickas
27. has moved the previous question. All those in favor
28. signify by saying Aye. Opposed. The Ayes have it. Senator
29. Maragos may close the debate.

30. SENATOR MARAGOS:

31. Mr. President and members of the Senate.
32. In asking for your approval and for a vote in support
33. of this Senate Bill 245 as amended, I ask you to take a step
34. in a direction of trying to control these materials which are

1. being transported on our highways day in and day out
2. at the...to the detriment...possible detriment many
3. times of our...our citizens. Many of you realize about a year
4. and a half ago or almost two years ago when Dwight
5. itself had to be evacuated. The whole town of Dwight
6. had to be evacuated because a truck overturned on its
7. highways near Dwight on Highway 55 coming right down
8. between Chicago and Springfield and because there
9. was no such legislation as this to control the packaging
10. of it, the identification of those materials, the
11. disaster came about because many of the local authorities
12. were not aware of how to treat the chemical involved and
13. did not even know the identification of that chemical.
14. By this bill, the Department of Transportation will be
15. given the authority to prepare rules and regulations
16. to govern these materials...the...to govern the packaging
17. shipping of these materials and to train local
18. authorities to know what actions to take when these
19. disasters take place. I ask you on behalf of the citizens
20. of the State of Illinois to vote for this for their
21. public health and safety. It is not as tough a bill as I would
22. like it, but we live in a very reasonable and practical
23. world and we have to take into account not only the farmers
24. but the industry that's involved in this and this is
25. what is great as and as strong as the Federal regulations
26. which the intrastate carriers are involved with. I ask
27. for your favorable support.

28. PRESIDENT:

29. The question is shall Senate Bill 245 pass. Those
30. in favor will vote Aye. Those opposed will vote Nay.
31. The voting is open. Have all voted who wish? Have all voted
32. who wish? Take the record. On that question, the Ayes
33. are 52, the Nays are none, 3 Voting Present. Senate Bill

1. 245 having received a constitutional majority is declared
2. passed. Senate Bill 246, Senator Glass. Read the bill.
3. ...does Senator Rhoads arise?
4. SENATOR RHOADS:
5. On a point of personal privilege.
6. PRESIDENT:
7. State your point, Senator.
8. SENATOR RHOADS:
9. I wanted to acknowledge the presence in the gallery
10. behind the President of a class of political science
11. students from the College of DuPage in the 6th
12. Legislative District. They are here with their
13. professor, Cynthia Ingalls.
14. PRESIDENT:
15. Will our guests please rise and be acknowledged
16. by the Senate. Senate Bill 246, Senator Glass. Read the
17. bill.
18. SECRETARY:
19. Senate Bill 246.
20. (Secretary reads title of bill)
21. 3rd reading of the bill.
22. PRESIDENT:
23. Senator Glass.
24. SENATOR GLASS:
25. ...you, Mr. President, Ladies and Gentlemen. This
26. is a...simply a codifying bill which places the
27. provisions for certification of a bilingual teacher into
28. the certification article of the School Code. Appreciate
29. a favorable roll call.
30. PRESIDENT:
31. Senator Berman.
32. SENATOR BERMAN:
33. Thank you, Mr. President. I rise in opposition
34. to this bill. Senator Glass' explanation is correct, if the

1. bill had not been amended. With the amendment, it is
2. a bill that has a...an impact which concerns me as a
3. representative of a...of the Chicago district. We have
4. had a relationship with the State Certification Board
5. and the Chicago Board of Examiners that has existed for a
6. long time with mutual cooperation. The amendment that's
7. been placed on this bill changes that relationship.
8. I am apprehensive that it may be a harmful change. And
9. the...the language change that the amendment addresses itself
10. to addresses only one area. It's an area that we've
11. had a great deal of debate upon, the bilingual area and
12. I am concerned that there may be damage done to the
13. bilingual program in the City of Chicago as a result of
14. this amendment. Chicago has been in the forefront
15. of placing the needs of the children regarding bilingual
16. education to provide the kind of education that these
17. children of non-English speaking families require.
18. The certification system has worked well for a number
19. of years. This amendment would change it and I am
20. sure that as the bill was introduced again, we had no
21. objection. That's the way the bill came out of committee.
22. That's not the way this bill sits on 3rd reading. For that
23. reason, I must oppose the bill.

24. PRESIDENT:

25. Is there any further discussion? If not, the question
26. is shall Senate...Senator...excuse me, Senator. Senator
27. Glass may close the debate.

28. SENATOR GLASS:

29. Mr. President and Ladies and Gentlemen, the purpose
30. of the amendment was in response to bilingual teachers in
31. Chicago who felt that the way the bill was...existed before
32. that the way it came out of committee, might mean that different
33. criteria could be used to certify Chicago bilingual teachers

1. than for the rest of the State. The amendment was not
2. intended to make any substantive change. I...I would
3. appreciate the opportunity to discuss this with Senator
4. Berman and I would therefore, request that the bill be
5. taken out of the record.

6. PRESIDENT:

7. Take the bill out of the record. Senate Bill
8. 277, Senator Glass. Read the bill.

9. SECRETARY:

10. Senate Bill 277.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDENT:

14. Senator Glass.

15. SENATOR GLASS:

16. Thank you, Mr. President, Ladies and Gentlemen
17. of the Senate. Senate Bill 277 would establish
18. a personalized license plate program for Illinois similar
19. to that of many other states. Some people have said, well,
20. don't we have a personalized vanity system right now where
21. you can get up to three letters. Well, I would point
22. out, Ladies and Gentlemen, that there's only one
23. Senator here that can take advantage of having his name
24. on his license plate and that's Senator Roe. He's
25. the only one with...with three letters. And he...he adds that
26. he hasn't yet taken advantage. What the bill would do
27. would allow any citizen to order a license plate with
28. up to six letters and would...and the citizen would have
29. to pay a twenty-five dollar fee for that privilege.
30. The renewal fee would be ten dollars. That...that's all
31. it does. The bill is similar to legislation in California
32. which was enacted some years ago and it provided about
33. three million dollars additional revenue for that state.

1. And since that time, many other states have adopted
2. a similar program. I'd be happy to answer any
3. questions.

4. PRESIDENT:
5. Senator Kenneth Hall.

6. SENATOR HALL:
7. Would the sponsor yield to a question?

8. PRESIDENT:
9. Indicates he will yield.

10. SENATOR HALL:
11. Senator, would you tell me what is the position of the
12. Secretary of State on this bill?

13. PRESIDENT:
14. Senator Glass.

15. SENATOR GLASS:
16. Secretary of State is opposed to the bill.

17. PRESIDENT:
18. Senator Kenneth Hall.

19. SENATOR HALL:
20. I rise in opposition. The reason I'm asking
21. you that and Senator, I happen...Senator Roe is not
22. the only person who could have his name on the license
23. plate. I have Ken, K-E-N so that's on the license
24. plate that I have, for your edification. But, I want
25. to tell you this, now I know that a number of us have
26. secured license plates for our constituents and what
27. you're doing with this bill, Senator, you're asking that
28. these people that we have been able to...as something for
29. our constitutents, you know how people love to...all of
30. us become errand boys, we all carry license plates back.
31. But, with this bill, you're asking that they be raised
32. to twenty-five dollars to have their initial on their
33. license plate. I think this is an imposition on people.
34. I think it's wrong and so I rise in opposition for this

1. bill.
2. PRESIDENT:
3. Senator Knuppel.
4. SENATOR KNUPPTEL:
5. Oh, boy. Just think, I could put the word soup
6. on there.
7. PRESIDENT:
8. Is there any further discussion? If not, Senator
9. Glass may close...Senator Rock.
10. SENATOR ROCK:
11. Thank you, Mr. President and Ladies and Gentlemen
12. of the Senate. I, too, rise in opposition to Senate
13. Bill 277. I would like to point out that Illinois
14. now enjoys...or the Illinois citizenry now enjoys the
15. privilege of reassignment of plates that many hold
16. near and dear to their hearts. We have all, I'm sure,
17. been subjected to the requests of our constituents
18. for special numbers and special letters and special
19. combinations. There are approximately, the Secretary
20. informs me, a million two hundred thousand of these
21. reassigned plates each and every year. And the Secretary
22. of State's position as I understand it, is not that he is
23. against a California type system, but that the way this
24. bill currently stands, it would seem to have those who
25. currently have plates which they wish to have reassigned
26. year after year, it would seem to impose upon them
27. the liability for this additional twenty-five dollar
28. payment per year. Now, I know that Senator Glass has some
29. difference of opinion but I think unless that is made
30. crystal clear, the Secretary's opposition is quite correct.
31. All those persons who have requested and do request reassignment
32. of either a number or a letter plate, would, under the terms of
33. this bill in his opinion, be subjected to that additional

1. twenty-five dollar fee. For those 1.2 million people,
2. it just...it's a mistake and I would urge opposition
3. to Senate Bill 277.

4. PRESIDENT:

5. Senator Glass may close the debate.

6. SENATOR GLASS:

7. Thank you, Mr. President and...and Senator Rock in
8. particular, you're...you're correct, Senator. I do
9. have a difference of opinion with the Secretary on what
10. the bill does. There...

11. PRESIDENT:

12. Excuse me, Senator Glass. May we have some order.
13. Will the members please be in their seats. Senator
14. D'Arco and Senator Netsch. Representative Stearney, would
15. you break up the conference. Senator Glass.

16. SENATOR GLASS:

17. Thank you, Mr. President. Senator Rock and
18. other Senators, there is absolutely no intent, I repeat
19. that, there is no intent to take away the reassignment
20. privilege that now exists in the law for all people who
21. want their same license plate reassigned. If there's
22. any doubt on that point, I am prepared to amend the bill
23. and in fact, will do it either here and hold it for that
24. purpose, if that is a factor because it...it is not
25. intended and I don't believe the bill does take away
26. the right of reassignment. It simply creates this new
27. type of plate which may be acquired with a payment
28. of twenty-five dollars and a ten dollar renewal fee and
29. Senator Hall, Kenneth Hall, that is, I would say to you that
30. one of the problems I have with the present system
31. is just the one you raised. It seems to me that anyone
32. who would like to have a plate like this, ought to have the
33. same opportunity to get one and by this system, they will

1. be able to do it. They will just...the request would be
2. filled in order of...order of preference, so I...I think
3. it is a good bill and if, Senator Rock, you are...if you are
4. influenced by the Secretary of State position, I would
5. like to hold this bill and make clear that reassignment
6. is not affected.

7. PRESIDENT:

8. Is there any further discussion? Senator Glass
9. has asked the bill be taken out of the record. Take it
10. from the record. Senate Bill 289, Senator Wooten.
11. Read the bill.

12. SECRETARY:

13. Senate Bill 289.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDENT:

17. Senator Wooten.

18. SENATOR WOOTEN:

19. Senate Bill 289, now under heavy bombardment,
20. is a bill that provides for the confidentiality
21. of health and social service information. This bill
22. comes as a result of a year and a half study of the
23. Commission on Children and the Rights of Minors
24. Subcommittee. It had the...the considered opinion and
25. input, a word I hate to use, but I guess is very
26. appropriate here, from a variety of disciplines
27. in State agencies and from citizens concerned with the
28. problem of confidentiality of information. The bill
29. moves step by step in defining its scope, definitions,
30. authorized disclosures, waivers. It sets out a whole
31. series of conditions under which personal information
32. may or may not be disclosed. It has been subjected to
33. five amendments and just to take you through the series,

1. the first two were to answer the concerns of the
2. psychiatrist in the Medical Society. Oddly enough, one
3. of their concerns was that we put in the term client
4. rather a patient in with client because they thought
5. the...they found the use of the term client offensive.
6. In addition, we met the concerns of the Hospital
7. Association, hospitals are secondary sources of
8. information and ought not come within the purview
9. of the bill. However, the Department of Mental Health
10. and other agencies should and I think in a series of
11. two amendments, we made that clear. And then finally,
12. there were, quite frankly, some technical legal problems
13. which I am quick to admit are beyond my competence,
14. but we had our staff prepare an amendment which seemed
15. to address the problems of confidentiality and
16. disclosure of information in cases regarding
17. treatment of abnormal conditions, homicides, divorce
18. and so one. I believe and hope that we have taken
19. care of all of those specific legal difficulties.
20. To the best of my ability, I'll be glad to answer any
21. questions on the bill. It has been subjected to a good
22. deal of pulling and hauling and I hope it is in sufficient
23. condition for passage. I might mention that various sections
24. of the bill have been drawn from existing law. The attempt
25. was to try to put all of the provisions regarding
26. confidentiality into one Statute. And I hope that's
27. what we've done and I offer it for your consideration
28. and ask for a favorable roll call.

29. PRESIDENT:

30. Senator Grotberg.

31. SENATOR GROTEBERG:

32. Thank you, Mr. President. As a fellow
33. commissioner with Senator Wooten on the Commission

1. on Children, I rise in support of the amendment to
2. Senate Bill 289. I think, perhaps, the only thing
3. I can say that Senator did not say that the model
4. for this is the Illinois School Student Records Act
5. passed by this General Assembly two years ago,
6. which set up the confidentiality procedures for school
7. records and they're very similar to the procedures
8. being recommended in this Act for health and social
9. service information in the interest of privacy of
10. kids and I would ask for a positive roll call on this
11. bill.

12. PRESIDENT:

13. Senator Schaffer.

14. SENATOR SCHAFFER:

15. Wonder if the sponsor would yield for a question?

16. PRESIDENT:

17. Indicates he will yield.

18. SENATOR SCHAFFER:

19. If I had a twelve year old daughter and
20. she went in for medical treatment, would she have the
21. right to waive confidentiality without informing
22. me as her parent?

23. PRESIDENT:

24. Senator Wooten.

25. SENATOR WOOTEN:

26. Under existing law, she has that right now.

27. PRESIDENT:

28. Senator Schaffer.

29. SENATOR SCHAFFER:

30. For everything? I believe she has the right for
31. venereal disease but what about the rest of the whole
32. gamut of medical treatment?

33. SENATOR WOOTEN:

1. What we're talking about here is social service
2. and medical treatment that is in that area. I'll
3. admit right off that I find some difficulty with that
4. age limit of twelve. I've talked to the Commission
5. on Children People and I said that that is
6. a difficult age to defend. They point out it is now
7. the Medical Practices Act for treatment of venereal
8. disease and they had to come down to some kind of
9. age that would work in putting them all together and
10. that's the one that the Commission put together.
11. and that's in the bill.

12. PRESIDENT:

13. Senator Schaffer.

14. SENATOR SCHAFFER:

15. Well, I don't consider that much of a compromise.
16. I wouldn't want my twelve year old child exercising
17. that kind of authority. I note...also note in the bill
18. there appears to be a reference in here that waives
19. the confidentiality requirements to allow "a legislative
20. commission delegated with authority to study the needs of
21. minors to go through records." Now what that appears
22. to be to me is a provision in the law to let the Commission
23. on Children go examine any of these records they care to.
24. And I'm not sure I'm that wild to give that particular
25. commission or for that matter any other commission the
26. right to go through confidential records.

27. PRESIDENT:

28. Senator Wooten. That a statement, Senator.

29. SENATOR WOOTEN:

30. That's a statement, I believe.

31. PRESIDENT:

32. Is there any further...Senator Walsh. Senator Rhoads.

33. SENATOR RHOADS:

1. Question of the sponsor, if he'll yield.

2. PRESIDENT:

3. Indicates he'll yield.

4. SENATOR RHOADS:

5. You explained a series of amendments. Now, all
6. these amendments were added after the bill was reported
7. out of committee. We have three of them, a synopsis
8. of three in the Digest. What do Amendments 4 and 5 do?

9. PRESIDENT:

10. Senator Wooten.

11. SENATOR WOOTEN:

12. All right. Let me go through those amendments for
13. you. Amendment 4 was to exempt...no, it's to clarify
14. Amendment No. 3. In Amendment No. 3 we exempted hospitals
15. along with three other things, but we didn't really want
16. that general an exemption. And so it...No. 4...Amendment
17. No. 4 spells out in detail what we mean by hospital.
18. For purpose of the fact, hospital means any private hospital
19. or any hospital operated by the...any municipal
20. corporation, political subdivision. Is devoted primarily
21. to providing inpatient - out patient medical or
22. surgical care. It does not include any of the following:
23. facility devoted primarily providing psychiatric
24. and related services, facility devoted solely to the care
25. of pregnant females, tuberculosis sanitarium, person or
26. institution required to be licensed pursuant to an Act in
27. relation to the licensing and regulation of homes for the
28. maintenance care, nursing of persons who are ill and
29. physically infirmed. In other words, all those...all those
30. institutions which are not per say, hospitals, what we
31. understand by the term hospitals. The Amendment No. 3
32. was requested by the Illinois Press Association, the Illinois
33. Hospital Association. It was not their intent to exclude all

1. these others. We found that we have simply gone
2. too far. We certainly wanted to keep the Department of
3. Mental Health and nursing homes and all the rest, under
4. the provisions of the Act. So, that's what 4 did.
5. Amendment No. 5 was to enable lawyers to get information
6. they required in divorce proceedings, homicides, those
7. areas where we were really treading in legal territory
8. where we had no right to tread and so we just stepped
9. back in Amendment 5.

10. PRESIDENT:

11. Senator Rhoads.

12. SENATOR RHOADS:

13. Well, in the case of transmission of records
14. between hospitals, say, for example, an out of state
15. institution such as the Mayo Clinic requests hospital
16. ...access to hospital records in an Illinois hospital.
17. Does this place any limitation on the transmittal of those
18. records?

19. SENATOR WOOTEN:

20. That request, I believe must originate with the
21. doctor, must it not? It would not interfere with that.

22. PRESIDENT:

23. Senator Rhoads.

24. SENATOR RHOADS:

25. I'm sorry. I didn't understand the...your answer
26. to my question.

27. PRESIDENT:

28. Senator Wooten.

29. SENATOR WOOTEN:

30. Such requests really are between doctors and there
31. is no limit...you know, that is not impeded by this bill.

32. PRESIDENT:

33. Senator Don Moore.

1. SENATOR MOORE:
2. Thank you, Mr. President. Will the sponsor
3. yield?
4. PRESIDING OFFICER: (SENATOR DONNEWALD)
5. Indicates he will.
6. SENATOR MOORE:
7. Senator Wooten, on page 8, line 12, billings
8. and claims. Were there any amendments to that
9. particular portion of the bill and the amendments that
10. you were discussing before?
11. PRESIDING OFFICER: (SENATOR DONNEWALD)
12. Senator Wooten.
13. SENATOR WOOTEN:
14. Let me quickly refer to a copy in which I think
15. I have all the amendments laid out. Page 8, there is
16. language that...that precedes line 12 which has to do
17. with some of those legal considerations I mentioned.
18. Now, your specific question was what, Senator Moore?
19. SENATOR MOORE:
20. Were there any changes made on...from line 12 to
21. line 25 on page 8?
22. PRESIDING OFFICER: (SENATOR DONNEWALD)
23. Senator Wooten.
24. SENATOR WOOTEN:
25. In any civil or criminal action against the
26. ...I'm afraid I can't read what is written in here.
27. There was an amendment that had to do with criminal or
28. civil actions...access to information there.
29. PRESIDING OFFICER: (SENATOR DONNEWALD)
30. Senator Moore.
31. SENATOR MOORE:
32. Well, Mr. President, I'm afraid I'm going to have
33. to oppose this bill. On page 8, Section D, billings and claims.

1. I'm going by the original LBR bill. Oh, is this as
2. amended? All right. It states as follows: information
3. supplied by a service provider to person involved in the
4. billing for or collection of charges for services shall
5. be limited to the name, address, dates on which services
6. were performed and the amounts charged for such service
7. and shall not otherwise indicate the nature of the
8. conditions for which services were provided. Under this
9. provision, a medical provider with the Illinois Department
10. of Public Aid would be required to furnish the name,
11. address and so forth and the amount of his charges but would
12. not have to state what services he performed. There would
13. be no way whatsoever for the Department of Public Aid
14. to ascertain on behalf of...of its medical vendor what
15. services were performed before payment was made.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Wooten.

18. SENATOR WOOTEN:

19. I believe it says, shall not otherwise indicate the
20. nature of the conditions for which services were provided.
21. And that's a different thing from the service itself.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Moore.

24. SENATOR MOORE:

25. Well, I think it's very, very vague, Senator. I
26. ...I can see a potential problem in...with our...our medical
27. vendors with this particular language. I don't think it's
28. your intention as far as our Public Aid...or our recipients
29. and our medical vendors to deprive the Department of
30. Public Aid from any information, whether it has to do
31. with a preexisting condition, peer review, et cetera.
32. I think this is...is very vague language.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Wooten.
2. SENATOR WOOTEN:
3. Well, Senator Moore, why do you need to know for
4. what condition a blood sedimentation rate was taken?
5. You don't have to know what the doctor was looking
6. for, what kind of disease he was pursuing, if you know
7. that this patient living at this address and so on
8. had a blood sedimentation rate taken, the charge for it
9. is thus and so. What do you need beyond that?
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. Senator Moore.
12. SENATOR MOORE:
13. Well, I don't know, particularly, how to answer
14. your...your many questions, but when we get into
15. the peer review aspect of whether or not a...the doctor
16. suspected a certain type of...of illness, there would be
17. certain laboratory tests, et cetera, that could be
18. connected with that. If this particular illness did
19. not require those laboratory tests, then it would not
20. be a proper charge. I...
21. PRESIDING OFFICER: (SENATOR DONNEWALD)
22. Senator Wooten.
23. SENATOR WOOTEN:
24. There's no problem in peer review that takes place
25. within the institution and there's no restriction
26. on access of information within the institution. Peer
27. review is a different matter. We're talking about billing
28. and claims here. That's not peer review.
29. PRESIDING OFFICER: (SENATOR DONNEWALD)
30. Senator Moore. We are, Gentlemen,...
31. SENATOR MOORE:
32. And this...this would be...
33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. ...your time has expired as to...concerning your
2. debate. Senator Moore, could you...

3. SENATOR MOORE:

4. Thank you, Mr. Chairman...

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. ...be very brief.

7. SENATOR MOORE:

8. ...Mr. President. The only thing we have to know is
9. the amounts charged for the services. There's nothing
10. here that says what the services are. Unless we know what
11. the services are, it's going to create havoc in the
12. Department of Public Aid. We think we saw fraud before.
13. This will really open the door in my opinion. I think it's
14. a bad bill and I intend to vote No.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Rhoads.

17. SENATOR RHOADS:

18. Well, Senator Wooten, just one final hypothetical
19. example which may clear up the question I had earlier.
20. Let us assume that an Illinois resident is being
21. treated in an out of state hospital and suddenly
22. that patient is unconscious. There is no conservator
23. around, no one to waive that person's rights of
24. confidentiality and yet the records are needed to...
25. in order to properly diagnose the patient or to treat the
26. patient. I know that's sort of a horror story, but what
27. would you do in an instance like that?

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Wooten.

30. SENATOR WOOTEN:

31. The bill does not prevent disclosure between doctors
32. treating a patient. It simply does not.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Is there further discussion? Senator Berning.

2. SENATOR BERNING:

3. Just an observation, Mr. President and members
4. of the Senate. If I interpret the impact of at least a
5. portion of this bill, it authorizes very, very young
6. people to seek medical attention without so much as
7. advising their parents or guardians. Now, it's obvious
8. that anyone seeking medical attention is going to have to
9. pay for it or someone is going to have to pay for it
10. and if very young children, and twelve is still a child
11. and as far as I'm concerned, if very young children
12. are authorized to seek medical attention, obviously
13. having no way, no way that's apparent to me, to pay
14. for it, it appears to me we are engendering a reliance
15. on public assistance. In other words, we are generating
16. a new attitude toward let the public pay. And I think
17. that is a regrettable aspect of this bill.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Is there further discussion? Senator Wooten,
20. you may close the debate or have a roll call. Do you wish...

21. SENATOR WOOTEN:

22. I think it is important to dwell on that business
23. of the twelve year old. As I said, in my discussions with
24. the Commission on the Rights of Minors...or the Subcommittee
25. on the Rights of Minors and the Commission on Children,
26. I found this a very troubling matter, the establishment
27. of the age of twelve. The simple fact is, it is in the
28. Medical Practices Act. That age is cited in the proposed
29. Mental Health Code. It is a date paralleling the onset
30. of puberty when checks are made for venereal disease,
31. for pregnancies, for situations in which, and this is
32. important, we presently, presently grant confidential
33. status to the patient. Please remember that this is not

1. pulled out of the air. This is a codification
2. of much that is presently existing in the law and what
3. the Commission on Children has attempted to do is to pull
4. it all together in one reasonably coherent Statute.
5. It is involved, it is complicated, it entails detailed
6. technical, legal, medical, social service questions.
7. The best minds who have worked on it concluded this
8. package gives us the best single approach to the problem.
9. I wish I had enough medical and legal background to go
10. through every step of this with you. I've had to take
11. some of this on faith, because those are not my
12. professions. But, I have confidence in the people
13. who have presented this bill to me and explained those
14. sections to my understanding. I think it...it is
15. endorsed by a wide range of people who deal in this area
16. and I request a favorable roll call.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Question is shall Senate Bill 289 pass. Those
19. in favor vote Aye. Those opposed Nay. The voting
20. is open. Have all those voted who wish? Have
21. all those voted who wish? Take the record. On that
22. question, the Ayes are 16, the Nays are 26, 5 Voting
23. Present. Senate Bill 289 not having received a
24. constitutional majority is declared lost. Senate Bill
25. 293, Senator Berman. Read the bill, Mr. Secretary.

26. SECRETARY:

27. Senate Bill 293.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Berman.

32. SENATOR BERMAN:

33. Thank you, Mr. President. Senate Bill 293 is a bill that's

1. very important to every school district in the State of
2. Illinois. It's a bill that would set forth in the Statute
3. exactly what we did do in Fiscal Year '74 and... '73 and
4. '74 when we passed the Resource Equalizer Formula. This
5. bill would pay to every school district in the State of
6. Illinois, one-twelfth of their State entitlement between...
7. during the months of August through May and one-sixth
8. of the prorated amount in a double payment in June.
9. What this bill does is to allow school districts to
10. receive everything that they would have received if we
11. were able to fully fund the School Aid Formula...

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. May we have order. Will the members please be in
14. their seats. Proceed.

15. SENATOR BERMAN:

16. Thank you, Mr. President. This bill will allow
17. every school district to receive in monthly checks
18. from August through May the amount that that school
19. district would have received if we would have fully
20. funded the School Aid Formula.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Just a moment, Senator. I don't think that the
23. membership heard the last request. Would the members
24. please be in their seats. Would the members please
25. be in their seats. We won't continue until we have
26. order. Proceed.

27. SENATOR BERMAN:

28. Thank you. To repeat, this bill would allow
29. every school district in the State to receive between
30. the months of May...August and May the amount of money
31. that they were promised in the School Aid Formula and
32. if we are not able to fully fund the Formula, the
33. reduced amounts, the prorated payments would come in a double

1. payment in June. This bill will allow school districts
2. throughout the State to plan their courses with a greater
3. degree of...of certainly than presently exists. As we are
4. well aware, for the past two years for example, the
5. Legislature and the Governor were in a fight regarding
6. the level of State aid to schools. That same fight
7. very possibly might exist this year. What happens is
8. that we pass a bill, an appropriation bill, indicating
9. the level of school aid. Many times that's a level
10. that is higher than the Governor's recommended level.
11. The Governor takes...can take up to sixty days up
12. through July and August, sometimes even through September,
13. to act on that bill through a reduction veto, then we come
14. back in October or November to act on that veto.
15. In the meantime, every school district in the State
16. is strung out, so to speak, because they don't know
17. exactly how much money they're going to be receiving.
18. Several years ago, a lawsuit was filed because the
19. Office of Education determined that they would
20. pay out based upon entitlement and a lawsuit was brought
21. to require the State Board to pay on appropriation
22. and this lawsuit was resolved, in essence, against the
23. school districts. This bill is intended to correct
24. that situation. It won't cost the State any more money
25. in the total expenditure than it would if the bill is
26. not passed. There is an effect on this State budget, however,
27. and I want to be candid about that. It does change the
28. impact as far as the cash flow is concerned. Because we are
29. allowing more dollars to come from the State to the school
30. districts in accord with the Resource Equalizer Formula
31. or the general Distributive Aid Formula than would
32. otherwise be available. But, I think we owe this to the
33. school districts throughout the State to give them the

1. degree of certainly, for at least the first ten payments,
2. that we committed ourselves to in the passage of the
3. School Aid Formula back in 1973. I'll be glad to respond
4. to any questions.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Shapiro.

7. SENATOR SHAPIRO:

8. Well, Mr. President and Ladies and Gentlemen of the
9. Senate. It is with some reluctance that I arise to oppose
10. this bill because I did sponsor the identical bill
11. approximately two years ago when the State Treasury
12. was in much better shape than it is now and I am opposing
13. the bill because it does and will affect cash flows of the
14. State Treasury, General Revenue Funds and the Common
15. School Funds very adversely. And I want to point out
16. to you a little of the history of the State Aid
17. payments. Always in the past, even though the school...
18. the School Code was ambiguous on this type of legislation,
19. always in the past the Superintendent of Public Instruction
20. and the Office of Education made the monthly payments
21. to the school districts on the basis of entitlement,
22. always with the understanding that in the spring when
23. additional funds were available, if they were short, they
24. could make a supplemental. And the State always kept
25. its commitment on the supplemental up until several
26. years ago but now the situation has changed. There is
27. no longer the hope that we could even come close to
28. a supplemental in the spring when we don't even come near
29. getting the amount of money to fund the Formula fully.
30. What this will do is take out of the State's Treasury,
31. approximately twelve to fourteen million dollars
32. additional every month in advance of the May and June payments.
33. When the Governor of...the previous Governor of this State

1. decreed through an amendatory veto that the payments
2. would be made on the basis of the appropriation, one-
3. twelfth for all the months of August through May and
4. one-sixth during the month of June, one-twelfth of
5. the appropriation instead of one-twelfth of the
6. entitlement, the Illinois Office of Education and
7. other interested parties took the Governor into court
8. and the court ruled on the basis of the present
9. Statutes that the monthly apportionment had to
10. be made on the basis of the amount of money appropriated
11. by the General Assembly. This bill would change that
12. so that the monthly payment up to the month of June
13. would be on the basis of entitlement. In other words,
14. they would get more money. However, because the
15. Resource Equalizer is not being funded fully, that
16. June payment could take a drastic dip. The school
17. districts of the State are now used to the idea that they
18. are only going to get one-twelfth of their monies.
19. I contend that if we pass the bill giving them entitlement,
20. with the reduction in June, it will confuse them even
21. more. Because, Ladies and Gentlemen, I don't think the
22. Governor has any other choice but to veto this bill
23. if it reaches his desk and to pass it would only raise
24. the hopes of the school districts throughout the State,
25. but mainly and generally speaking, it is because of the
26. adverse effect on the State's cash flows that this bill
27. would have. It is true that dollar amount over the period
28. of the fiscal year, it will not take any more dollars,
29. but they will be dissipated at a much faster rate which
30. would lead to loss of interest income for the State
31. of Illinois. Naturally, it would help our school
32. districts, cause if they could bank some of this money,
33. they would be able to gain interest on it. So, because of that

1. reason, I am in opposition to the bill. I think school
2. districts are used to the present program. Passing this
3. bill will only confuse them and add to the confusion
4. and I really don't know that any school district throughout
5. the State really wants to...is really in favor of the bill.
6. Naturally, they would like to have it, but I think they
7. are willing to go along with the situation as it is.
8. And the last point I want to make, by passage of this
9. bill we are really jeopardizing anything that we may
10. want to do with additional funds for the Resource Equalizer
11. for Fiscal Year '78. In other words, if we are
12. going to take out money out of the State's economy
13. faster and distribute it to school districts, we are going
14. to have less money to consider so that we can come closer
15. to funding the Resource Equalizer. I would urge everyone
16. in this Senate just on the basis of fiscal integrity,
17. to oppose the bill.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Buzbee.

20. SENATOR BUZBEE:

21. Well, thank you, Mr. President. I, like Senator
22. Shapiro, have changed my position on this bill, but
23. Senator Shapiro, as you have already stated, things do
24. change. A couple of years ago, you sponsored the bill.
25. There was a Democratic Governor. You now oppose the bill.
26. Two years ago I opposed the bill. There's a Republican
27. Governor, I now...I now favor the bill. However, it's not
28. quite all that simple Democrat and Republican type politics.
29. Democratic and Republican type politics. Pardon me.
30. Two years ago, as Senator Shapiro said, I agree with you
31. first of all, on that part that we do have the right
32. to change our mind. Secondly, I disagree with you on the
33. point you made about its adding confusion. I think it's
34. just exactly the opposite. It's going to eliminate confusion

1. to the school districts. Two years ago, we made a
2. conscious decision in this Illinois Legislature to
3. sustain the Governor's reduction veto of School Aid
4. Formula money. Now, as to whether we made the decision
5. correctly or incorrectly at that time is a matter for
6. history to decide, I guess, except that I think the biggest
7. error we made in that decision was not making
8. that decision in May or June but instead letting
9. Dan Walker take the...take the heat and let him make
10. the decision in the summer and then in the fall when
11. we ultimately sustained his reduction veto, we, in effect,
12. put those school districts really deep in the rut because
13. they had made their budgets, had gone through their
14. contractual negotiations, et cetera, on the basis of
15. the amount of dollars we had passed in the General
16. Assembly. I think all of us knew at that time the
17. probability of that amount of dollars every reaching
18. the school districts was extremely limited. And so,
19. we, in effect, mislead them. We lead them down the
20. primrose path. With Senator Berman's addressal of this
21. issue, I think we are going to explain to them exactly
22. how much money they are going to get. They're going
23. to see in June that this is the amount of money that the
24. Governor has proposed to fund Resource Equalizer and the
25. amount of money that the Legislature has agreed to go
26. along with. Or whatever we may agree to go along with...
27. if...if we go further than what the Governor has agreed
28. to, but the issue is very clearly delineated with the passage
29. of this bill in that come September they are going to
30. get the entitlement that they...that they...we tell them
31. they are going to get and then any money that falls short,
32. they will have to make do with the following July and
33. August. I think this is a good approach especially...given

1. the limited resources that we have available at the
2. present time and especially given the unreliability
3. as to the exact dollars that are going to be available
4. to them, they will be able to go through their school
5. year, September through May on the basis of money that
6. ...that they need and then they'll have the make up
7. period coming in June and July and August. So, I think
8. the approach is a good one and I think that it ought to
9. be supported.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Is there further...oh, Senator D'Arco, for what purpose
12. do you arise?

13. SENATOR D'ARCO:

14. Point of personal privilege, Mr. President.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. State your point, Senator.

17. SENATOR D'ARCO:

18. In the gallery on the Democratic side I have the
19. students from Harvard Elementary from the 20th Legislative
20. district. Will they please stand and be recognized
21. by the Senate.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Please stand. Is there further discussion?

24. Senator Berman may close the debate.

25. SENATOR BERMAN:

26. Thank you, Mr. President. I think the wisdom
27. of this bill is born out by the fact that the fine
28. Minority Leader sponsored the same bill a couple of
29. years ago. If it was good legislation then, I daresay,
30. it's good legislation today. The bill has been amended,
31. I want to point out, to reduce the cash flow impact of this
32. bill as it was when we originally introduced it. Amendment
33. No. 4 splits the payments to the school districts so that

1. they are split in two payments per month on the 10th
2. and 25th of each month. That, in itself, will reduce
3. the impact on the...on the State Treasury. One of the
4. things that this bill does and I think it's important to
5. every Legislature...every Legislator in this Body, it allows
6. us to do our thing as far as exercising our full
7. legislative prerogatives. Without this bill, school
8. districts have to start to cut back on programs with
9. the most conservative approach whether it be the
10. Governor's approach or the Legislature's approach, following
11. the June 30th adjournment. What this bill allows school
12. districts to do is to plan on a basis of entitlement
13. namely, give the children the kind of programs that
14. they are entitled to at the outset of the school
15. program, not cut back and allow the Legislature to act
16. fully as to any overrides by the Governor. It won't
17. be a fait accompli as far as the children having been
18. denied programs when we come back to vote on overrides
19. in September or October or November. So, I think it's
20. important to pass this bill to maintain our legislative
21. prerogatives. Senator Buzbee talked about the unreliability
22. of projections of revenue and the monies that are going
23. to the schools. I think that's very important and I think
24. we all recognize it. Just to bear that out, the Office
25. of the Comptroller has pointed out that the fiscal...
26. that the economic indicator that the Governor's Office
27. relied upon in his budget message Chase Econometrics
28. Incorporated, has since the delivery of the Governor's
29. budget message, revised its forecast for revenues
30. upward in each of the months since the Governor's
31. budget message. Chase Econometrics increased its
32. forecast of revenues nationwide in February, in March
33. and in April. If we're going to be fair to the school

1. children and fair to the school districts, we should pass
2. this bill so that the House and the Governor will have
3. a better handle on the kind of monies that's available
4. on the cash flow that will, in fact, be in existence
5. in the next twelve, thirteen, fourteen months in Illinois
6. so that we can try to do the best for the schools and
7. still be fiscally responsible. I urge your Aye vote
8. on 293.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Question is shall Senate Bill 293 pass. Those
11. in favor vote Aye. Those opposed Nay. The voting is open.
12. Have all those voted who wish? Have all those voted
13. who wish? Take the record. On that question, the Ayes
14. are 35, the Nays are 19, 1 Voting Present. Senate Bill
15. 293 having received a constitutional majority is declared
16. passed. Senate Bill 295, Senator Philip. Read the
17. bill, Mr. Secretary.

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The following typed previously.

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1. SECRETARY:
2. Senate Bill 295
3. (Secretary reads title of bill)
4. 3rd reading of the bill.
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. Senator Philip.
7. SENATOR PHILIP:
8. Thank you, Mr. President and Ladies and Gentlemen of
9. the Senate. Senate Bill 295 would allow senior citizens
10. over 65 to buy one State license plate at half cost. As you
11. know, the senior citizens have a problem in this State, this
12. would be a big benefit for them. It got out of the
13. Transportation Committee without a descending vote.
14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. Is there further discussion? Senator Schaffer.
16. SENATOR SCHAFFER:
17. I think this is a good bill. I'd ask leave to be added
18. as a cosponsor.
19. PRESIDING OFFICER: (SENATOR DONNEWALD)
20. Is there leave? Leave is granted. The question is
21. shall Senate Bill 295 pass...just a moment, Senator Hickey,
22. do you wish to debate?
23. SENATOR HICKEY:
24. Yes, I'd like to ask the sponsor what this will cost the
25. State.
26. PRESIDING OFFICER: (SENATOR DONNEWALD)
27. Indicates he will respond.
28. SENATOR PHILIP:
29. The Secretary of State's office indicated to me in the
30. round area of about six million dollars.
31. PRESIDING OFFICER: (SENATOR DONNEWALD)
32. Is there further discussion? Senator Buzbee.
33. SENATOR BUZBEE:

1. I'd like to know how much of that six million dollars is
2. going to come out of the Road Fund, so that we will not have
3. that money available to build cross town expressways and to
4. build roads in downstate and in DuPage County and to provide
5. State Troopers out there to patrol those roads.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Philip.

8. SENATOR PHILIP:

9. Thank you, Mr. President. If you on the other side of
10. the aisle would have accepted my amendment that would limit
11. it to people that make under ten thousand dollars a year,
12. it would have been 3.2 million dollars instead of six.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Mitchler.

15. SENATOR MITCHLER:

16. Just...

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Buzbee.

19. SENATOR BUZBEE:

20. Well, I don't feel that I got an answer to the question
21. but that's...so that's all right. It was a rather rhetorical
22. question, anyhow, Senator, but I would point out to you,
23. that...you know, senior citizen legislation has gotten to be
24. like God, apple pie, motherhood and the American flag and
25. special education. They all fall in the same category,
26. we're all hesitant to vote against anything. But, you know,
27. some point at some time or other, we've got to stop and say
28. hey, who's paying the bill around here. Who's going...who's going to
29. provide the tax dollars for all of those things that we want
30. our citizens keep demanding of us and I submit to you that
31. if a senior citizen can afford to drive a car, they can afford
32. to pay the thirty-two dollar per year, which is, I believe,
33. is the maximum car license plate fee in this State, they can

1. afford to pay thirty-two dollars a year to buy a license plate
2. and at some point or another, we've just got to say, that's it,
3. that's enough. We try to provide them with...with adequate
4. tax breaks for their residences and I agree, perhaps, we
5. ought to go further in that sometime. But, you know, we're...
6. we're giving them free fishing license and at some point or
7. another we've just got to say, if you can afford to drive
8. an automobile, you can afford to buy the license plates.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. That wasn't in the nature of a question. That
11. was a statement, is that correct, Senator? Senator
12. Mitchler.

13. SENATOR MITCHLER:

14. Like to ask the sponsor a question.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Indicates he'll yield.

17. SENATOR MITCHLER:

18. Does this apply to all persons sixty-five years
19. of age and over?

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Philip.

22. SENATOR PHILIP:

23. That is correct.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Mitchler.

26. SENATOR MITCHLER:

27. Well, I would assume that the intent of your bill
28. is to relieve the financial problem that some citizens
29. sixty-five years of age and over are experiencing and that
30. would be to give them a half price license plate
31. for one car but there are many senior citizens sixty-
32. five years of age and over who really do not need this
33. type of financial relief. Now, just to blanket them in because

1. they're sixty-five years of age and over, you might
2. have a constitutional question when you're
3. blanketing everybody in there on discrimination because
4. of age. You're discriminating against those people
5. under sixty-five years of age. Now, if you had it like
6. all persons who qualified for the senior citizens and
7. Disabled Persons Property Tax Relief Act and included
8. disabled persons who have the same financial problems.
9. But, just to say because someone sixty-five years
10. of age and over, they may use that same car that
11. they get a half a license...half priced license
12. plate to drive down to Florida or out to Arizona
13. for the winter and I don't think that the State
14. should suffer a setback in money up to six million dollars
15. like you say to get financial relief to those.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Berning.

18. SENATOR BERNING:

19. Thank you, Mr. President. I just want to
20. record a potential conflict of interest and I will
21. refrain from voting.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Is there...is there further discussion? Senator
24. Philip may close the debate or ask for a roll call
25. or both.

26. SENATOR PHILIP:

27. Are you trying to give me the word, Mr. President?

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Yes.

30. SENATOR PHILIP:

31. I will be very brief and make just a few statements,
32. then. As you probably know, in the City of Chicago,
33. senior citizens over sixty-five receive their city vehicle

1. tag at half cost. Obviously, it's a big plus for those
2. people leaving the city. Of all the people in Illinois
3. that we seem to be doing least for and thinking least of
4. are senior citizens. They have a financial problem.
5. I think this is in the interest of people who
6. we want to keep in the State of Illinois. You
7. know, we keep chasing our senior citizens out. They
8. get sixty-five years of age, they can't afford to live
9. in the State, they move to Arkansas, Florida, Alabama
10. where they can afford to live. I think this is a good
11. bill and we should pass it.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Question is shall Senate Bill 295 pass.
14. Those in favor vote Aye. Those opposed Nay. The voting
15. is open. Have all those voted who wish? Have all
16. those voted who wish? Take the record. On that question,
17. the Ayes are 29, the Nays are 16, 2 Voting Present.
18. Senate Bill 295 having received...not having received
19. a constitutional majority is declared lost. Senate
20. Bill 298. Read the bill, Mr. Secretary.

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End of reel.

1. SECRETARY:

2. Senate Bill 298

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Glass.

7. SENATOR GLASS:

8. Thank you, Mr. President, Ladies and Gentlemen.

9. Senate Bill 298, as amended, provides that the curriculum
10. in all public schools shall include family life education.
11. Originally this read sex education. It is now family
12. life education. Each school district shall develop
13. a program to meet this requirement with the assistance
14. and guidance of the Division of Sex Education in the Illinois
15. Office of Education. I think that I can probably highlight
16. the need for this legislation in...in no way better than
17. to quote to you a recent article from the Suburban Trib
18. which is published as...as most of you know in the north...
19. in the suburban area of Chicago. The...the teenage girl
20. who gets pregnant faces the same shame and embarrassment
21. of decades ago. Her teachers are frequently uncomfortable
22. having her in the classroom. Her parents may not support
23. her. Her boyfriend often deserts her, and the attitude
24. of her peers is, it's all right to be sexually active but
25. ,don't get pregnant. The young woman who sinned is still the
26. prevalent attitude of the community according to the leaders
27. of suburban programs for these young adults and for these
28. young parents. Although statistics reflect that most pregnant
29. teenagers are of black or Latino origin, there are about a
30. hundred and forty girls a year from...just from Districts
31. 214 and 211 who have babies. Pregnancy is the greatest
32. health problem and the greatest single cause of female drop-
33. outs in suburban schools according to the leaders of five

1. programs. The girls usually don't decide to get pregnant
2. according to Mary Anderson of District 211. The girls
3. tell us they didn't believe it would happen to them. They
4. didn't believe it was that easy to get pregnant. The programs
5. of two school districts in Lake County and Evanston have
6. been set up in the last few years not only to teach prenatal
7. care and provide medical services, but also to help these girls
8. cope practically with their problems. And...and what are
9. some of their problems? Well, the father of the girl in-
10. volved often deserts her. He...he...he either marries the
11. girl or is completely out of the picture. Lots of people
12. make...make a lot of promises to these girls they don't
13. keep. The girls hang on a lot of false promises. Through-
14. out the pregnancy, the girl must decide whether to marry,
15. have the baby with or without the support of her parents
16. or put it up for...for adoption. No option is easy. I
17. try to expose them to all of the options to get them to
18. consider their goals and values in terms of what is good
19. for the child. I place a lot of emphasis on the child.
20. I asked a fifteen year old what...what will you be in five
21. years, and will you be able to meet the needs of that
22. child. To give you some idea of...of the problems faced by
23. these girls, just the initial cost of the doctor, eight
24. hundred dollars or more and the hospital, eight hundred
25. dollars or more is mind boggling for a younger girl. She
26. may come up with it in six months if she's lucky. These
27. girls are usually under...under educated and underemployed
28. for the rest of their lives. I think this is a problem,
29. Ladies and Gentlemen, that society ought not to turn its back
30. on, and I think we've been doing that for too long. In the
31. City of Chicago alone last year or rather in the year 1975,
32. there were slightly in excess of nine thousand illegitimate
33. births to girls under the age of twenty. I have other

1. statistics that I'm going to quote briefly of...of this
2. subject nationally and then I'd be happy to take any questions
3. regarding the bill. Close to thirteen million of the sixty...
4. million women who become mothers in 1975 became parents
5. before they became adults. Each year more than one million
6. fifteen to nineteen year olds become pregnant which is one-
7. tenth of all the women in this age group. Two-thirds of
8. these pregnancies are conceived out of wedlock. There are
9. other statistics which I can quote for you and provide
10. for you if you are interested. I know many of you have
11. seen these. The...the job simply is not being done in the
12. family and...or anywhere else and so the bill would require
13. that the schools develop a program of family life education
14. on their own. They would be left with the opportunity to
15. do this with the cooperation of the Illinois Office of
16. Education which is already set up for the purpose. The...
17. the only other comment I would add is that the cost
18. of setting up these programs I would expect to be very low
19. and I have some figures from schools that have set up
20. programs and have been able to include them in existing
21. curriculum without great cost. It's a problem as I said that
22. I think deserves our attention, and I would..would also advise
23. those who have reservations that if any parent or guardian
24. of a child desires that that child not take sex education
25. or family life education, the child would be excused, so it...
26. it is not compulsory for the student but it would have to
27. be in the curriculum of the schools. Be happy to answer
28. any questions.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Rock.

31. SENATOR ROCK:

32. Thank you, Mr. President. If the sponsor will yield?

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Indicates he will.
2. SENATOR ROCK:
3. Senator Glass, do not the school boards now have
4. this program availability?
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. Senator Glass.
7. SENATOR GLASS:
8. Senator Rock, it is within the discretion of the
9. boards to do this. That it is correct, and the facts are that...
10. that...that not significant number have developed these
11. courses.
12. PRESIDING OFFICER: (SENATOR DONNEWALD)
13. Senator Rock.
14. SENATOR ROCK:
15. Well, the...the problem that I have, frankly, is that
16. over the past couple of years we have been receiving numerous
17. complaints especially from the suburban school boards that
18. we...we down here in Springfield decide what should and
19. should not be in a curriculum and then we mandate programs
20. and don't, in fact, fund them. We have mandated all kinds
21. of things like bilingual and special ed and everything
22. and we seem to come up short on the funding, so we are on
23. the one hand usurping the school boards prerogative and
24. telling them what they must do and what the curriculum must
25. contain and then we fail to properly fund it. I think this
26. is another mandated program. It says the curriculum in all
27. public schools shall include this family...whatever the
28. amendment says...family life education, and...and I think
29. it's a mistake, and I would rise in opposition to Senate
30. Bill 298.
31. PRESIDING OFFICER: (SENATOR DONNEWALD)
32. Senator Hall...Kenneth Hall.
33. SENATOR KENNETH HALL:

1. Would the sponsor yield to a question?

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Indicates he will.

4. SENATOR KENNETH HALL:

5. Senator, what age are you talking about?

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Glass.

8. SENATOR GLASS:

9. Senator Hall, the curriculum would be developed by

10. each school in...for the K through 12 school districts. Now

11. it...it would be up to them to decide at what level to put

12. the course in and complete flexibility is left to each

13. school in that regard.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Kenneth Hall.

16. SENATOR KENNETH HALL:

17. Are you telling me that you're going to start sex

18. education in kindergarten?

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Glass.

21. SENATOR GLASS:

22. Senator, no, I'm...I'm not. That's exactly what I'm

23. not telling you. I'm telling you that it is within the

24. discretion of each school district to decide that question.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Kenneth Hall.

27. SENATOR KENNETH HALL:

28. Senator, your bill does exactly that. From kindergarten

29. from 12. Now, it's ridiculous for us to stand here. You

30. know the question today is not the teaching of sex education.

31. The question is, the parents in those homes. You're not

32. supposed to be telling teachers today that they're going to

33. not only to teach, they're going to be babysitters. If the

1. parents in these homes would stay with these children and
2. do what parents should do, it wouldn't be necessary for us
3. to add this kind of legislation to the books. You're a
4. highly intelligent man. I have great regard for you, but
5. for you to come and say that you are introducing a bill
6. for sex education from kids in kindergarten to 12, it's
7. just beyond my comprehension. This is a bad bill and it
8. should be defeated.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Coffey.

11. SENATOR COFFEY:

12. Mr. President and...

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. I might just a moment prior to your starting, Senator,
15. I might just comment that the list is growing longer by the
16. minute, and we're on a short schedule. Senator Coffey.

17. SENATOR COFFEY:

18. Mr. President and members of the Senate, I'll be very
19. brief, and I'd just like to echo what Senator Rock has
20. already spoke on and that's the fact that mandating more
21. programs without the finances to go along with those
22. programs is certainly...my people in my district are
23. certainly against this and my school boards, and
24. therefore, I can't support this type of legislation without
25. funds somewhere along the line to implement these programs, and
26. I'll have to vote No on this issue.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Lemke.

29. SENATOR LEMKE:

30. Senator Glass, ...have a question.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Indicates he'll respond.

33. SENATOR LEMKE:

34. These sex education programs that you're proposing in

1. school to teach to kindergarten kids and up, they...they I
2. understand include the abortion and certain things they tell
3. these kids about certain things?

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Glass.

6. SENATOR GLASS:

7. Senator Lemke, I'm glad you asked about that, because
8. it is inaccurate. I...I've said before, and I would say
9. again to you, each school district shall develop a program
10. to meet this requirement with the assistance and guidance
11. of the Division of Sex Education in the Illinois Office of
12. Education. In other words, the idea would be to develop a
13. course under perhaps health education within the curriculum
14. that would...that would...would explain to the students in
15. a normal rational fashion, sex education and other related
16. problems, so it...it would not get into abortion unless it
17. was determined by that district that it was appropriate
18. for them to...to use that in...in the course.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Hickey. Just a moment. Senator Lemke, conclude. Excuse me.

21. SENATOR LEMKE:

22. I have to oppose this bill on the one grounds, and
23. that's to allow teachers to infiltrate in...in school districts
24. to start teaching my kids how to...about abortion and to
25. teach every other kids. I believe sex education should come
26. from the parents and through the guidance of...of their
27. religious beliefs, and I'm not going to let none of these
28. women libbers try to teach my kids about abortion, therefore,
29. I'm going to oppose this, and I urge everybody else to
30. oppose it, too.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Clewis, for what purpose do you arise?

33. SENATOR CLEWIS:

1. For the sake of brevity, Mr. President. I'd like to
2. move the previous question.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Well...well, Senator, we have one, two...we have Senator
5. Hickey, Senator Collins, Senator Berning...

6. SENATOR CLEWIS:

7. That's why...

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. ...Senator Knuppel, Senator Graham...

10. SENATOR CLEWIS:

11. ...that's the intent of my motion.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. ...Well, I know that the next few speakers will be
14. very brief. Senator Hickey.

15. SENATOR HICKEY:

16. Thank you...

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. ...Before we put the motion.

19. SENATOR HICKEY:

20. ...Mr. President and fellow members of the Senate. I
21. think Senator Glass has done his bill a disservice by in-
22. advertently sometimes using the word courses in the dialogue
23. about it, because as he earlier explained, he's not talking
24. about new courses. He's talking about programs which can
25. be included in courses which already exist. I think we
26. need to be very careful about that, because that changes the
27. whole business about the mandated programs. My district
28. has been very strong on getting rid of mandated programs,
29. but this one doesn't cost anymore. There's the flexibility
30. that the school districts want. They can...they can decide
31. where it fits in between kindergarten and twelfth grade, and
32. they can decide what they want to teach and how they want to
33. do it, which is one of the principle things also that they...

1. that they object to in mandated programs. I want just to
2. read one...one short statement by the page of our Time,
3. Ann Landers, and I'd like to address this somewhat to Senator
4. Lemke who talks about parents doing this. The problem is
5. parents haven't been doing it, and she says, information
6. is good, ignorance is bad. To assume that giving teenagers
7. the facts will encourage experimentation is nonsense. They're
8. experimenting without the facts and that's dangerous.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Collins.

11. SENATOR COLLINS:

12. Mr. President, I think there's a lot of confusion here about
13. this bill. I don't know how abortion and all of that got
14. involved in the bill. I think Senator Hickey explained,
15. basically, my concerns, but let me say to those of you who
16. are concerned about sex education being taught at the kindergarten
17. level. I'd like to inform you that, in fact, it is already being taught
18. at that level now. It's...it's...the degree to which it is
19. being taught, because I'm sure all of you recognize that
20. in...even in kindergarten and even preschool children are
21. taught about the reproduction. They have chickens there,
22. they watch the egg hatch. They are taught the reproduction
23. cycle, what's it all about. There are mice there, gerbils there,
24. animals there. The kids are taught about the...the whole
25. process of reproduction. I think the question here is that
26. in our day and time that we must face the realities that
27. sex is no longer a subject to be discussed in the bedrooms
28. or behind closed doors, and it is no more...it is just as
29. antiquated to...to maintain and hold on to that concept
30. today is to think in terms or to believe in the concept that
31. babies are delivered by a stork, and therefore, I rise in
32. support of this bill.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Berning. Senator Knuppel.

2. SENATOR KNUPPEL:

3. Well, I listened to some of these arguments, and I just
4. want to say one thing, you know. Whether you teach your
5. children about abortions or not, they're going to find out.
6. Somebody else will teach them. My dad didn't teach me any-
7. thing about sex, but you know something, I found out about
8. it, and you know something...and you know something else,
9. I've got a fifteen year old boy, and when I try to talk to
10. him about these things, you know, he...he gets a frown on
11. his face. He wants somebody else to tell him..You know,
12. he don't want Dad to tell him. He gets a frown on his
13. face, and he says, ah, Dad, so maybe there's some place
14. that it ought to be taught, and it ought to be taught right. I
15. learned down behind the barn. You've heard that song.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Graham.

18. SENATOR GRAHAM:

19. Mr. President and members of the Senate, here again
20. we're getting ready to adopt a policy of cradle to the
21. grave and of government control and of government raising
22. our families, and of government providing babysitters, and
23. government doing everything for us, everything for us.
24. You know, we've attempted...I've been here nineteen years,
25. and I have watched hundreds of time people that come in with
26. the best intentions in the world and introduce bills, perhaps,
27. to do something about morality, legislate morality. It
28. hasn't happened, it hasn't ever succeeded, it will not
29. succeed now. I just want to tell...I know there's going to
30. be some votes on this. I want to tell you that if you compare
31. the votes when we get to the liberalization of marijuana
32. bills which we'll get to someday and compare them to the
33. votes you're going to get on this one, you'll find that they're

1. almost going to be the same, and I'm going to oppose the bill.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Is there further discussion? The question is...Senator
4. Glass, do you wish to close the debate?

5. SENATOR GLASS:

6. As a matter-of-fact, Mr. President, I would like to close
7. briefly, because I think...

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Okay...

10. SENATOR GLASS:

11. ...there have been several remarks raised that...that
12. need answering. One of them is the cost. I appreciate Senator
13. Hickey pointing out that this is a not new mandated program,
14. but, in fact, where this kind of a program has been put into
15. schools by the school boards the cost has...has not been
16. great. I have a letter from the Wilmette School District
17. indicating that their cost of starting up the program was
18. five hundred dollars for parents and teacher consultants,
19. two thousand dollars for materials, the ongoing cost about
20. five hundred dollars a year. That is a school district with
21. some two to three thousand pupils. So, it is not a signifi-
22. cant cost. To Senator Graham, I would say that there are
23. many children born as a result of teenagers having illegitimate
24. children, dropping out of school. Those people are now on
25. Public Aid, Senator. And I think if there was an opportunity
26. for education in...in the schools where all the children
27. would be subject to it, would...there...it would be a great
28. opportunity for learning that it is simply not available
29. anywhere else. It's a good bill. I'd appreciate a favorable
30. roll call.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. The question is, shall Senate Bill 298 pass. Those in
33. favor vote Aye. Those opposed Nay. The voting is open.

1. Have all those voted who wish? Have all those voted who wish?
2. Take the record. On that question, the Ayes are 14, the
3. Nays are 40. Senate Bill 298 not having received a constitu-
4. tional majority is declared lost. Senate Bill 304, Senator
5. Graham. Just a moment. Senator Joyce, for what purpose do
6. you arise?
7. SENATOR JOYCE:
8. Yes, thank you, Mr. President. I would like to have
9. a point of personal privilege.
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. State your point.
12. SENATOR JOYCE:
13. In the gallery to the back of me is the Franklin School
14. from Kankakee. I'd like to have them rise and be...
15. PRESIDING OFFICER: (SENATOR DONNEWALD)
16. Please rise and be...
17. SENATOR JOYCE:
18. ...recognized...
19. PRESIDING OFFICER: (SENATOR DONNEWALD)
20. ...recognized. Senator Graham.
21. SENATOR GRAHAM:
22. Were we going till tomorrow on that or...
23. PRESIDING OFFICER: (SENATOR DONNEWALD)
24. As to...just a moment. Senator, do you wish to call
25. 304?
26. SENATOR GRAHAM:
27. ...Were we going to call it?
28. PRESIDING OFFICER: (SENATOR DONNEWALD)
29. Oh, I'm sorry...I'm...
30. SENATOR GRAHAM:
31. Tomorrow?
32. PRESIDING OFFICER: (SENATOR DONNEWALD)
33. ...that is...

SB 305
3rd Reading
5/25/77

1. SENATOR GRAHAM:
2. ...I thought we was going to have it on Special
3. Order tomorrow.
4. PRESIDING OFFICER: (SENATOR DONNEWALD)
5. ...That is correct. You are correct, Senator.
6. Senator Knuppel as to Senate Bill 305. Read the bill,
7. Mr. Secretary.
8. SECRETARY:
9. Senate Bill 305
10. (Secretary reads title of bill)
11. 3rd reading of the bill.
12. PRESIDING OFFICER: (SENATOR DONNEWALD)
13. Senator Knuppel.
14. SENATOR KNUPPTEL:
15. Mr. President, this bill...
16. PRESIDING OFFICER: (SENATOR DONNEWALD)
17. Just a moment, Senator. Now, we all know that Senator
18. Knuppel is very quiet all of the time. Let's please have
19. order. Senator Knuppel.
20. SENATOR KNUPPTEL:
21. ...Mr...I'm just loud when I talk. That's all. This
22. bill amends the Illinois Inheritance Act so that it will
23. correspond with the Internal Revenue Code of 1976 and allow
24. for an alternate method of valuation for inheritance tax
25. purposes on land or closely held businessess that have...have been
26. run by a proprietor who materially participates in the business
27. for five out eight years. Now, this requires that the person
28. enter into a contract with the taxing authority and the land
29. will be assessed then on the basis of capitalized earnings
30. rather than on the full fair cash market value. This agree-
31. ment must be over a fifteen year period. It must be held
32. by some member, some close immediate member of the person's
33. family for at least fifteen years. This will allow the

1. alternate valuation, and as I say the valuation then, will
2. correspond with the Federal so that if a person chooses the
3. Federal method of alternate valuation he can also
4. follow that for the State. This bill is legisla-
5. tion that will take confusion out of preparation of...of
6. estate planning for people, it will make for a better
7. understanding and will assist in the preparation of tax
8. returns and...and the appraisal of property and estate.
9. I submit this is good legislation. It's supported by the
10. IAA and other groups who...who would like to see this type
11. of a...of a situation. We've had farmlands advanced
12. to sometimes as many as five and seven times in the last
13. seven years making it a very difficult thing to pay tax
14. on fair cash market value when the land may only be pro-
15. ducing one or two percent on its...on its real full...full
16. cash market value. This allows it to be...taxed on its
17. capitalized earnings. I submit this is good legislation.
18. It correlates the Federal and State laws on inheritance
19. taxes and I would appreciate a favorable roll call.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Is there further discussion? Question is, shall Senate
22. Bill 305 pass. Those in favor vote Aye. Those opposed Nay.
23. The voting is open. (machine cut off) those voted who wish?
24. Take the record. On that question, the Ayes are 54, the
25. Nays are none, 2 Voting Present. Senate Bill 305 having
26. received the constitutional majority is declared passed.
27. Senate Bill...312, Senator Joyce. Read the bill, Mr. Secretary.

28. SECRETARY:

29. Senate Bill 312

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Joyce.

1. SENATOR JOYCE:
2. Thank you, Mr. President. Senate Bill 312 lets counties
3. levy a tax for publication of .015, and this is come about...
4. the...we're about to pass or it seems that we're about to
5. pass a bill letting the publishers increase the cost of
6. publishing certain notices and this would hopefully cover
7. that, and it...there is no referendum I might add...add to
8. it.
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. Senator...just a moment. Senator Philip.
11. SENATOR PHILIP:
12. I'd like to ask the sponsor a question.
13. PRESIDING OFFICER: (SENATOR DONNEWALD)
14. Indicates he will yield.
15. SENATOR PHILIP:
16. Do you have a referendum on it, Senator?
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. Senator Joyce.
19. SENATOR JOYCE:
20. I said in my explanation there is no referendum.
21. PRESIDING OFFICER: (SENATOR DONNEWALD)
22. Senator Philip.
23. SENATOR PHILIP:
24. No referendum at all?
25. PRESIDING OFFICER: (SENATOR DONNEWALD)
26. Senator Joyce...
27. SENATOR PHILIP:
28. ...how about publishing, Senator? Are you going to
29. publish some kind of a notice?
30. PRESIDING OFFICER: (SENATOR DONNEWALD)
31. Senator Joyce.
32. SENATOR JOYCE:
33. No. It is up to the county boards. They can do it by

1. themselves.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Philip.

4. SENATOR PHILIP:

5. Well, that...that's kind of interesting, Senator. I

6. had a bill here not so long ago that provided for a back door

7. referendum, also provided for publishing, and you know what,

8. I couldn't get enough votes to do it. Now, here you come

9. with the same type of bill, you have no back door referendum,

10. you have no publishing. Now, you know, it...I suppose we

11. have a double standard, right?

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator...Senator Joyce.

14. SENATOR JOYCE:

15. Well, maybe I won't get enough votes to pass mine

16. either, Senator.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Kenneth Hall.

19. SENATOR KENNETH HALL:

20. Will the sponsor yield to a question?

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Indicates he will.

23. SENATOR KENNETH HALL:

24. Senator, suppose we don't give the newspapers this

25. increase. It won't be necessary for this bill, will it?

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Joyce.

28. SENATOR JOYCE:

29. Well, you might get some arguments out of the county

30. boards about that, Senator. I...you know, I suppose that

31. if that's the case, they could maybe do something about the

32. bill in the House.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Kenneth Hall.

2. SENATOR KENNETH HALL:

3. Well, I mean...but we're on the assumption that they're
4. going to pass a bill out here to give them a raise. It's
5. interesting because you know, when our raise came up all the
6. newspapers screamed and yelled that we were getting a raise
7. and said this is no time for...this is an austerity time,
8. nobody should be in raising...no raises should be given.
9. Now, we going to come along and give newspapers an increase?
10. You know, that's quite...that's quite interesting here. I
11. mean that...it's something we ought to think about. Maybe
12. that my constituents all think I got a raise because of the
13. big headlines in the papers, which you know as well as all.
14. I just want to know in your mind, do you think we need
15. this if we defeat the other bill?

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Joyce.

18. SENATOR JOYCE:

19. Well, Senator, I don't know what...that we're going to
20. defeat the other bill. In...in the meantime, I think it's
21. entirely up to the Body. If they want to pass it out, fine.
22. If they don't, I'm not going to go into a snit about it.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Regner...Senator Regner.

25. SENATOR REGNER:

26. Sponsor yield to a couple of questions?

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Indicates he will.

29. SENATOR REGNER:

30. Senator Joyce, in the synopsis it refers in...it
31. says "in certain counties", and I was just wondering if that
32. covers Lincoln County?

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Joyce.

2. SENATOR JOYCE:

3. It might of until a litte awhile ago, Senator.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Regner.

6. SENATOR REGNER:

7. Serious question. Senator Joyce, does this bill

8. relate in anyway to Senate Bills 511, 12 and 13 which is

9. Senator Bruce is sponsoring referring to publications?

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Joyce.

12. SENATOR JOYCE:

13. Yes, I would think it would.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Grotberg.

16. SENATOR GROTBORG:

17. Thank you, Mr. President. I have to rise in favor of

18. this good bill, because you realize the reason it is so

19. much better than it used to be is that if we Tabled the

20. bill, it would have charged two dollars a notice for an

21. awful lot of these notices, and this is the only vehicle

22. the counties...the urban counties could get involved in

23. probably more publication costs than the lesser populated

24. ones. There's just got to be something done. I don't

25. know...any other way to do it than this way. The...the

26. one percent per publication cost that...that they are

27. running now way above any available revenue. It'll segregate

28. the revenues for the first time, and it'd be...we will be

29. able to find out what it costs and what's been appropriated

30. and what's spent for publication in the counties so that

31. all the people back home would know, and that's one of the

32. reasons I think we should have this bill.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Davidson.
2. SENATOR DAVIDSON:
3. Senator Joyce, did the amendment you put on clarify
4. the language about over and above the taxes which Taxpay-
5. ers Federation had had some problems with how it was
6. clarified, to where this tax would or would not be put?
7. PRESIDING OFFICER: (SENATOR DONNEWALD)
8. Senator Joyce.
9. SENATOR JOYCE:
10. Yes, it did, Senator. This is the amendment that
11. the Taxpayers Federation wanted.
12. PRESIDING OFFICER: (SENATOR DONNEWALD)
13. Senator Harber Hall.
14. SENATOR HARBER HALL:
15. Question from the sponsor.
16. PRESIDING OFFICER: (SENATOR DONNEWALD)
17. Indicates he'll respond.
18. SENATOR HARBER HALL:
19. Would this...would this include the...the cost of
20. publication of delinquent tax lists?
21. PRESIDING OFFICER: (SENATOR DONNEWALD)
22. Senator Joyce.
23. SENATOR JOYCE:
24. Yes, I believe it just generally says public...or
25. public notices in newspapers. Yes.
26. PRESIDING OFFICER: (SENATOR DONNEWALD)
27. Senator Harber Hall.
28. SENATOR HARBER HALL:
29. In that case, I...I don't know if you aware that the
30. counties have passed that on to the delinquent taxpayers and
31. that's paid for by the taxpayer who eventually has to redeem
32. his property.
33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Joyce.

2. SENATOR JOYCE:

3. Yes. It is for all public notices. It...it just a

4. broad coverage.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Demuzio.

7. SENATOR DEMUZIO:

8. I just have one question of the sponsor. It's my

9. understanding that the Illinois Taxpayers Federation is in

10. support of this bill. Is that correct?

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Joyce.

13. SENATOR JOYCE:

14. That...yes, that it is correct.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Demuzio.

17. SENATOR DEMUZIO:

18. And that it passed out of the Local Government Committee

19. with no descending votes?

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Joyce.

22. SENATOR JOYCE:

23. That is correct, Senator.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Demuzio. Senator Rock.

26. SENATOR ROCK:

27. Thank you, Mr. President, Ladies and Gentlemen of the

28. Senate. I rise in support of Senate Bill 312 and to respond

29. at least in part to Senator Philip. I have submitted a

30. Motion in Writing with the Secretary to reconsider the vote

31. by which Senate Bill 203 lost. I was persuaded very ably

32. by a gentleman from the County of DuPage who walked over

33. from the Chamber and asked me to reconsider my position

1. which I will do shortly and I would urge everyone to vote
2. Aye on this bill.
3. PRESIDING OFFICER: (SENATOR BRUCE)
4. Senator Joyce may close the debate.
5. SENATOR JOYCE:
6. Roll call.
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. The question is, shall Senate Bill 312 pass. Those in
9. favor vote Aye. Those opposed vote Nay. The voting is
10. open. Have all voted who wish? Have all voted who wish?
11. Take the record. On that question, the Ayes are 37, the
12. Nays are 11, 2 Voting Present. Senate Bill 312 having
13. received a constitutional majority is declared passed.
14. Senate Bill 314, Senator Vadalabene. Read the bill, Mr.
15. Secretary.
16. SECRETARY:
17. Senate Bill 314.
18. (Secretary reads title of bill)
19. 3rd reading of the bill.
20. PRESIDING OFFICER: (SENATOR BRUCE)
21. Senator Vadalabene.
22. SENATOR VADALABENE:
23. Yes, thank you, Mr. President and members of the Senate.
24. Does just what the pigst says. It makes an appropriation
25. to the Capital Development Board for the planning and a
26. permanent physical education building at SIU Edwardsville.
27. PRESIDING OFFICER: (SENATOR BRUCE)
28. Is there discussion? Senator Sommer. Your...your
29. microphone evidently, Senator, is not functioning.
30. SENATOR SOMMER:
31. Mr. President and members, just...just to point out
32. that this is not, I repeat, not in the Governor's capital
33. budget.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is there further debate? The question is, shall Senate
3. Bill 314 pass. Those in favor vote Aye. Those opposed vote
4. Nay. The voting is open. Have all voted who wish? Have
5. all voted who wish? Take the record. On that question,
6. the Ayes are 32, the Nays are 18, 5 Voting Present. Senate
7. Bill 314 having received the constitutional majority is
8. declared passed. Senator Vadalabene. Senator Vadalabene
9. moves to...to reconsider the vote by which Senate Bill 314
10. was passed. Senator Buzbee moves to Table. All in favor
11. say Aye. All opposed Nay. The Ayes have it. The motion
12. to reconsider is Tabled. Senator Vadalabene.

13. SENATOR VADALABENE:

14. Yes, on a point of personal privilege.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. State your point. State your point.

17. SENATOR VADALABENE:

18. Yes, I did want to close the debate that this did
19. have the approval of the Illinois Board of Higher Education.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. All right. Senate Bill 326, Senator Regner. Senator
22. Regner.

23. SENATOR REGNER:

24. Mr. President, I'd like to seek leave to return Senate
25. Bill 326 to the Order of 2nd reading for an amendment.

26. PRESIDING OFFICER: (SENATOR BRUCE)

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

29. SENATOR REGNER:

30. I believe this would be Amendment No. 4. Amendment No. 4...

31. SECRETARY:

32. Amendment No. 4...

33. SENATOR REGNER:

1. ...puts eighty-six thousand six hundred dollars back
2. into the budget for the cost of two vacancies in MID and the
3. cost of one new position, a software specialists and it's a
4. total of eighty-six thousand six hundred. The Chairman of
5. Appropriations I is in agreement. We've discussed it and
6. they do need these positions, and I'd move the adoption of
7. Amendment No. 4.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. You've heard the motion. Is there discussion? All in
10. favor say Aye. All opposed Nay. They Ayes have it. The
11. amendment is adopted. Are there further amendments?

12. SECRETARY:

13. No further amendments.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. 3rd reading. Senate Bill 332, Senator Roe. Read the
16. bill, Mr. Secretary.

17. SECRETARY:

18. Senate Bill 332

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Roe.

23. SENATOR ROE:

24. Mr. President and members of the Senate, would request
25. a favorable roll call. I think Senator Carroll wants to make
26. a brief comment. No. No racing passes.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Is...is there discussion? The question is, shall
29. Senate...Senate Bill 332 pass. Those in favor vote Aye.
30. Those opposed vote Nay. The voting is open. Have all voted
31. who wish? Have all voted who wish? Take the record. On
32. that question, the Ayes are 53, the Nays are 2, none Voting
33. Present. Senate Bill 332 having received the constitutional

1. majority is declared passed. Senator Regner, do wish to
2. call 326 now? All right. Senate Bill 380, Senator Kenneth
3. Hall. Read the bill, Mr. Secretary.
4. SECRETARY:
5. Senate Bill 380
6. (Secretary reads title of bill)
7. 3rd reading of the bill.
8. PRESIDING OFFICER: (SENATOR BRUCE)
9. Senator Kenneth Hall.
10. SENATOR KENNETH HALL:
11. Thank you, Mr. President, Ladies and Gentlemen of the
12. Senate. Senate Bill 380 is now in the shape, I think, that
13. everybody wants it in. It was amended by Senator Nimrod and
14. they...the third amendment was that before January the 1st,
15. 1982, the Illinois Community College Board shall submit
16. to the General Assembly a written report on the status of
17. the State Community College of East St. Louis. The report
18. shall contain the recommendations of the Board with respect
19. to future funding and governors of the college and will
20. include the recommendation of the State Community College
21. Board with particular emphasis on the feasibility of the
22. establishment of the college as a community college with
23. local responsibility for participation and funding and
24. governors. Now, as all of you know, that under Senate...
25. under Governor Ogilive, that this experimental college was
26. established and this merely changed it from where you have
27. people that run for the board that they will be appointed by
28. the Governor with the advise and consent of the Senate,
29. and...and it will give a double check on the board and
30. they'll still...the State Community College Board will
31. still have an input and what I'm...and so we feel that we
32. will be able to get people who will not run for an office
33. but would accept an Governor's appointment. I would ask

1. your most favorable support for this bill.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Is there discussion? Senator Walsh.

4. SENATOR WALSH:

5. Yes, will the Gentlemen for a question?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Indicates he will yield. Senator Walsh.

8. SENATOR WALSH:

9. Senator, in the Higher Education Committee, there
10. were two amendments adopted, I believe. One is that the
11. ...the people appointed to this board can be from anywhere
12. in the State, is that correct, or must they live in East
13. St. Louis?

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Hall.

16. SENATOR KENNETH HALL:

17. Not necessary East St. Louis, Senator, but they must
18. be citizens and residents of the area that the State
19. community college covers.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Walsh.

22. SENATOR WALSH:

23. All right. So then to that extent it just changes the board
24. from an elective board to an appointed board, is that correct?

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Hall.

27. SENATOR KENNETH HALL:

28. That's correct, Senator. We have difficulty getting
29. responsible people to run for that office.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Walsh.

32. SENATOR WALSH:

33. Well, Mr. President and members of the...of the Senate,

1. that answer I think is...is an enlightening one. If you
2. can't get responsible people to run for the office, there
3. must be something wrong with the office which they seek.
4. This experimental community college was...which was created,
5. I think, four or six years ago or so, was to be just that,
6. an experiment, and once it got off the ground, it was to
7. be delivered to the community and operated by the community
8. just as every other community college in the State is
9. operated. This community college is operated solely with
10. State funds, and it was thought at the time that...with community
11. input it could stand on its own feet. Now, we find that
12. they can't even provide enough input to elect qualified
13. people to operate the school. It seems to me, Mr. President
14. and members of the Senate, that this bill should not be
15. passed, that if anything should be done, we should stop
16. funding this community college because apparently the people
17. in the community don't want it, they're not willing to run
18. for the office, and it's a concept whose time has come and gone.
19. I urge the defeat of this bill.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator...Senator Kenneth Hall.

22. SENATOR KENNETH HALL:

23. In...in...in answer to Senator Walsh, it isn't that we
24. can't find, Senator...I might have used the...a bad term
25. there, but the point is, that a number of people will not
26. run to serve on a board, but they would consider it an
27. honor to be appointed by the Governor to serve on the board,
28. and contrary to what you're saying, Senator, that the State
29. only supports seventy percent of this, twenty percent is
30. funded by the Federal Government, and ten percent is...is
31. funded by the local, so now, it's not exactly one hundred
32. percent financed...by the State as is...as so many people have the
33. wrong impression. Also, it covers not only the City of East

1. St. Louis, it covers Allerton, Brooklyn, Lovejoy, Centerville,
2. Fairmont City, National City, Washington Park and East St.
3. Louis, so it's just not in one area.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Glass.

6. SENATOR GLASS:

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

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Indicates he will yield. Senator Glass.

10. SENATOR GLASS:

11. Senator Hall, would...would you call this a merit
12. selection of school board members bill?

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Kenneth Hall.

15. SENATOR KENNETH HALL:

16. Senator, I think that we would be able to get some
17. highly qualified people who would consider it an honor to
18. serve on a board if they were appointed by the Governor,
19. but with all the wrangle that so many people have to go
20. through today to serve on a board, many people do not
21. choose to run.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Hickey.

24. SENATOR HICKEY:

25. Mr. President and members of the Senate, I think we
26. all need to remember about how this particular college got
27. started and all of the rest of us remember how all the
28. community colleges got started in Illinois back in '64.
29. There was recognition of a need for such a college as this
30. in that area, and still there was also recognition of some
31. very special circumstances which would prohibit that area from going
32. ahead and doing the thing the way...establishing a district
33. the way the others were established throughout the State.

1. I feel that this second step is simply a step forward in
2. the development and sort of the coming into adolescence and
3. on in adulthood of this very special situation. I think this is
4. a very good way to do it, and I think the bill should be
5. totally supported by everyone.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Nimrod.

8. SENATOR NIMROD:

9. Yeah, just a remark. We did hear this in committee,
10. and Mr. President and fellow Senators, I do want to say that
11. I six years of experiment was long enough. I think the
12. community should be in the position to start making some
13. progress. I think that this continuing on to be a fully
14. State funded proposition or ninety percent funded, and I
15. ...I'd...I think there ought to be changes made in this
16. even though we have amended it to have a report. Even the
17. State Board has...trying to wash its hands of the situation,
18. and I think that's a bad way of handling it.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Savickas.

21. SENATOR SAVICKAS:

22. I'm sorry, Mr. President, I was talking about another
23. bill with Senator Donnewald, but isn't this in East St. Louis
24. where we have that...now, they want to set up a separate
25. board.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Kenneth Hall.

28. SENATOR KENNETH HALL:

29. No, Senator Savickas. The only...changes we're making,
30. instead of the...the people running for the board, they will
31. be appointed by the Governor with advise and consent of the
32. Senate.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Savickas.

2. SENATOR SAVICKAS:

3. And they are what now, elected now?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Kenneth Hall.

6. SENATOR SAVICKAS:

7. Well, I'd like to speak on that. I think that if
8. they are elected, that we should continue this policy and
9. not have appointments. After all, they are elected to the
10. board that would have the responsibility then to answer to
11. the electorate. And in this case. I think it's very important
12. in this case because this is where they've had quite a few
13. problems in the financial handling of the college and I
14. think it should be the elected officials that are held re-
15. sponsible for it.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Chew.

18. SENATOR CHEW:

19. Apparently Senator Savickas was listening to Senator
20. Donnewald a little too hard and didn't get any impact of what Senator
21. Hall had stated. Now, he's merely asking for this district
22. the same thing that occurs in Chicago, Senator Savickas, and I
23. haven't had any grumbling about your dislike of the fact that
24. the mayor has the authority to appoint school board members
25. of the City of Chicago where you and I both live. Now, he's
26. asking here for the privilege of the Governor, the Governor
27. making the appointment because in his opinion and the opinion
28. of the people down in those areas that to be elected to the
29. school board involves having to go through many areas dealing
30. with politics. Let's face it. And we're supposed to have
31. Chicago school board out of politics. They are confirmed by
32. the Chicago City Council. This bill is asking that the
33. Governor can make some appointments, and I don't believe or

1. maybe I'm wrong whether it covers all of the school board
2. members, but if I understood Senator Hall correctly, that it
3. would be those that didn't chose to run...didn't choose
4. to run, so I find nothing wrong with the Governor making
5. this appointment if they're having problems with finding
6. qualified people to get into politics for school board
7. membership. I recall very well when we could not find
8. sufficient number of recruits for the Chicago Police Depart-
9. ment. Our city ordinance required that all applicants live
10. within the city limits of Chicago. That ordinance was
11. amended where we were taking them anywhere in Cook County, so
12. when we talk about confinement...this bill is requesting
13. that it not only be confined to St. Louis but surrounding
14. areas. We've done it in Chicago and we're doing in Chicago
15. exactly what this bill is requesting to do here and I find
16. nothing wrong with it.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Is there further discussion? Senator Savickas.

19. SENATOR SAVICKAS:

20. Yes, Senator Chew is concerned about making this more
21. like Chicago, then we should make it completely like Chicago
22. and let the people tax locally as Chicago does instead of
23. having it fully funded by the State and Federal Government.
24. This is...if we're going to go way of Chicago, let's do it
25. on all...all sides of it, not just on partial points.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Is there further discussion? Senator Chew.

28. SENATOR CHEW:

29. Just to answer you, Senator Savickas. Again you were
30. listening a little too hard. He explained that the State was
31. not fully funding this program. It was only seventy percent
32. State, twenty percent Federal, and ten percent local, so that
33. wouldn't be in anyway coming near to Chicago.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Is there further debate? The question is, shall
3. Senate Bill 380 pass. Those in favor vote Aye. Those
4. opposed vote Nay. The voting is open. Have all voted who
5. wish? Have all voted who wish? Take the record. On...
6. on that question, the Ayes are 29...well, Gentlemen, if...
7. if the system has malfunctioned, there are only 29 votes recorded,
8. and we've never changed that system. Senator Hall...
9. Senator Hall, do you request Postponed Consideration?
10. SENATOR KENNETH HALL:
11. ...Postponed...postponed...postponed....
12. PRESIDING OFFICER: (SENATOR BRUCE)
13. Senator Newhouse is recognized.
14. SENATOR NEWHOUSE:
15. Now, Mr. President, it seems to me that we're in this
16. position that I would have been .. denied the privilege to
17. exercise the franchise for the people of my district. Now,
18. I punched this green button. It did not show up. My vote
19. is Aye on this bill, and I'd like to have it counted.
20. PRESIDING OFFICER: (SENATOR BRUCE)
21. Well, Senator Newhouse, if, in fact, your switch did
22. not work, it would be the Chair's suggestion with unanimous
23. consent of the Body that we have a second roll call taken.
24. SENATOR NEWHOUSE:
25. I would request such.
26. PRESIDING OFFICER: (SENATOR BRUCE)
27. Is...is unanimous given? Unanimous consent is not
28. given. The bill will be placed on the Order of Postponed
29. Consideration. Senator Newhouse.
30. SENATOR NEWHOUSE:
31. Mr. President, you know, we...we're speaking in terms
32. of a courtesy and I would have appreciated it if it had been
33. a courtesy, but that's not a courtesy, that's the denial of a

1. right, and my district just has been denied the right to
2. have exercised its vote. And to me that's absolutely wrong.
3. If there's any sense of fair play in this Legislature at all,
4. it's that each of us have the right to exercise a franchise
5. for our district. My district has just been cheated of that
6. opportunity.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Newhouse, my only suggestion is from the Chair
9. is that we sought unanimous consent to have another roll call taken.
10. We could open the system to see whether your switch is
11. functioning at the present time. It would be my suggestion we try the next
12. roll call to see if it is in operation then. There...there
13. doesn't seem to be very many alternatives to the situation.
14. Senator Newhouse.

15. SENATOR NEWHOUSE:

16. Then, Mr. Chairman...Mr. President, I...I want to go
17. on record as voicing my very strong objection to the action
18. that was taken. Thank you.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Well, the Chair would also point out that another
21. alternative is any Senator who voted in Negative could move
22. to reconsider and have another vote. Senator Rhoads.

23. SENATOR RHOADS:

24. I voted in the Negative. Having voted on the prevailing
25. side, I move to reconsider the vote.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. There's been a motion by Senator Rhoads to...to reconsider
28. the vote by which this bill was placed on Postponed Considera-
29. tion. Senator Walsh.

30. SENATOR WALSH:

31. Well, I...Mr. President, I raise a point of order. That
32. ...that motion would be in order if the bill had been declared
33. lost. The bill was not declared lost. It was placed on Postponed

1. Consideration, and I suggest, Mr. President, that the
2. Gentlemen's motion is out of order.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Well, Gentlemen, let me make this suggestion, then, so
5. that we can...so that we can continue with the business of
6. the Senate, the bill is on the Order of Postponed Consideration.
7. I'm sure that Senator Rhoads would be more than willing to
8. withdraw his motion to reconsider since we do not normally
9. according to the Secretary journalize the motion to postpone
10. further consideration and so that motion was made and...and
11. usually is a pro forma motion that is granted always
12. to the sponsor, so we don't know who voted on the prevailing
13. side, and my suggestion is we leave on the Postponed Considera-
14. tion...Senator Chew, for what purpose do you arise?

15. SENATOR CHEW:

16. Isn't it a normal course that the sponsor would request
17. a Postponed Consideration? I didn't hear it, and I don't
18. think you did either.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. He did request it. Senator Hall, can you...Senator
21. Kenneth Hall.

22. SENATOR KENNETH HALL:

23. I...I requested Postpone, Senator Chew. No, at the
24. time. I...I requested it to be postponed.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. All right. We are honored to have with us some special
27. guests who will be introduced by Senator Rupp.

28. SENATOR RUPP:..

29. Thank you, Mr. President. Real pleased to introduce
30. today some young folks, all of them, Henry Able of Illiopolis,
31. who has been elected the 1977 President of the Illinois
32. Society of the Children of American Revolution and his...proud
33. young mother, Mrs. Darrell Able, and then next I'd like to skip

1. over to Dana. I think you've all seen her walking around.
2. She's the 1977 National Second Vice President of the same
3. organization, and then John Drew Mitchler who is the '76 President of
4. the Illinois Society of Children of American Revolution and
5. Kirk David Mitchler who is the National Vice President of
6. the Great Lakes Region and then proud parent, Senator Mitchler.
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. Senate Bill 326, Senator Regner. (machine cutoff)
9. Secretary.
10. SECRETARY:
11. Senate Bill 326
12. (Secretary reads title of bill)
13. 3rd reading of the bill.
14. PRESIDING OFFICER: (SENATOR BRUCE)
15. Senator Regner.
16. SENATOR REGNER:
17. Mr. President and members of the Senate, this is the
18. FY '78 appropriation for ordinary and contingent expense for
19. Department of Finance. Total appropriation is twenty-seven
20. million eight hundred and forty-eight thousand dollars, and
21. I ask a favorable roll call.
22. PRESIDING OFFICER: (SENATOR BRUCE)
23. Is there discussion? The question is, shall Senate Bill
24. 326 pass. Those in favor vote Aye. Those opposed vote Nay.
25. The voting is open. Have all voted who wish? Take the record.
26. On that question, the Ayes are 53, the Nays are none, none
27. Voting Present. Senate Bill 326 having received the constitu-
28. tional majority is declared passed. Senator Hynes, for what
29. purpose do you arise?
30. SENATOR HYNES:
31. For the purpose of an announcement, Mr. President, if I...
32. PRESIDING OFFICER: (SENATOR BRUCE)
33. Gentlemen, can we have the order...your order...your

1. attention, please. Senator Hynes.

2. SENATOR HYNES:

3. I have an announcement with respect to the schedule for
4. today and tomorrow. We will work straight today until approx-
5. imately 9:00 p.m., perhaps a little later, but at least 9:00
6. p.m., and we will bring in food which will be available in
7. the President's Office later this afternoon, so members can
8. avail themselves of that when it...when it arrives at approx-
9. imately 6:00 p.m. We are also distributing at this moment
10. a list of bills that we propose to put on a Special Order of
11. Business tomorrow at noon, from noon until 3:00 p.m., and when
12. I will complete I...I will ask leave of the Body, unanimous
13. consent of the Body to have that Special Order of Business
14. set up, and on that list are the two bills dealing with branch
15. banking, the currency exchange package, the Governor's
16. Executive Orders and the two bills dealing with the State
17. Board of Elections. This will give the membership an
18. opportunity to prepare for those bills with a time certain
19. for...for calling them. The schedule tomorrow will be this.
20. We will begin at 10:30 as opposed to ten o'clock as...as pre-
21. viously indicated and we will again work late tomorrow night
22. in an effort to finish up this Calendar. If there are any...
23. any questions...Senator Hall.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Harber Hall.

26. SENATOR HARBER HALL:

27. Yes, I wonder if Senator Hynes would indicate when he
28. intends to call motions.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Hynes.

31. SENATOR HYNES:

32. The motions have been set for today and they will be
33. called today.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Further announcements, Gentlemen? Senator Johns.
3. SENATOR JOHNS:
4. Mr. President, as Chairman of the Democratic Caucus,
5. I want to call a caucus at 9:30 in the morning in the
6. President's Office. 9:30. We come in at 10:30, so I want
7. to see you there at 9:30 in a caucus. Please.
8. PRESIDING OFFICER: (SENATOR BRUCE)
9. Democratic Caucus at 9:30, Session tomorrow at 10:30.
10. Senate Bill 382, Senator...Senator Netsch. Senator Wooten,
11. for what purpose do you arise?
12. SENATOR WOOTEN:
13. Mr. President, we have been graced in this Body by
14. the presence of our charming colleague from Rockford, and
15. I thought that we might see some of the origin of that
16. charming grace in the presence of her mother who is visiting
17. us today in the visitor's gallery to the rear of the Chamber.
18. PRESIDING OFFICER: (SENATOR BRUCE)
19. Would she...would she please stand and be recognized
20. by the Senate. Senator Netsch.
21. SENATOR NETSCH:
22. Thank you. One more announcement, particularly if
23. Senator Bowers is on the Floor, I would like to have his
24. attention. At his request and other members of the Judiciary
25. Committee, we are going to have a special meeting to go
26. over again the criminal justice bills and the penalty bills
27. that...that are sort of languishing on 2nd reading, and see
28. if we can figure out what to do. As far as I can determine
29. from the President's schedule, the only possible time is
30. immediately following adjournment tonight. So immediately
31. following adjournment tonight, Judiciary II will meet on the...
32. Room 212.
33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Room 212. Senator Johns.

2. SENATOR JOHNS:

3. Now, about...about committee meetings that are being
4. held in the morning. Naturally they start at 8:30. Run
5. them for one hour, 8:30 to 9:30 then caucus. Okay.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator D'Arco.

8. SENATOR D'ARCO:

9. Mr. President, I have an announcement. This is very
10. important, so I hope everyone is listening. The Committee
11. on State Government Organization will meet tomorrow morning
12. at 8:00 a.m. in Room 212. It's very important that all of
13. the members be there.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. State Government Reorganization Committee tomorrow
16. at 8:00 a.m.

17. SENATOR D'ARCO:

18. 212.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Hynes.

21. SENATOR HYNES:

22. Mr. President, I would ask leave of the Body to have
23. the bills that I outlined and that are outlined on the...the
24. notice set for Special Order of Business tomorrow at...at
25. twelve o'clock noon.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Is there leave? Leave is granted.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Merlo, for what purpose do you arise?

30. SENATOR MERLO:

31. For the purposes of an announcement, Mr. President.
32. In lieu of the announcement that was made by the President,
33. I would like to call the attention to the members of the

1. Pension and Personnel and Veterans Affairs, in order to
2. complete the number of bills, and there aren't too many, we
3. will meet tomorrow morning at eight o'clock in Room 400.
4. Get out here.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. All right. Is there leave to return to the Order of
7. Senate Bills 3rd reading? Senator Nimrod. On the Order
8. of Senate Bills 3rd reading is Senate Bill 382. Read the
9. bill, Mr. Secretary.

10. SECRETARY:

11. Senate Bill 382

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Nimrod.

16. SENATOR NIMROD:

17. Yes, Mr. President and fellow Senators, this bill has
18. attempted to address itself to a problem that exists as a
19. result of a court action separating the responsibility of
20. pertaining to General Assistance Records in the hands of
21. the town clerk rather than in the hands of the supervisor...
22. that is the current records, and what this bill attempts to
23. do is to straighten that provision out and provide for a
24. uniform twenty day notice that the supervisor and the clerk
25. must both adhere to in signing warrants and checks on town-
26. ships expenditures and also straightening out the fact that
27. the board of auditors shall audit its accounts at a...at
28. it...at its meetings and the place it proposes that the
29. board sets. I would ask for your support. The Township
30. Officials Association is in support of the bill, and I did
31. discuss this with the two Senators who had some comments
32. about it and I hope...be glad to answer any questions.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Is there any discussion? Question is, shall Senate
2. Bill 382 pass. Those in favor will vote Aye. Those opposed
3. will vote Nay. The voting is open. Have all voted who
4. wish? Have all voted who wish? Take the record. On that
5. question, the Ayes are 42, the Nays are 1, 4 Voting Present.
6. Senate Bill 382 having received a constitutional majority
7. is declared passed.

8. (end of reel)
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1. PRESIDING OFFICER: (SENATOR ROCK)

2. On the Order of Senate Bills, 3rd reading is
3. Senate Bill 384. Read the bill, Mr. Secretary.

4. SECRETARY:

5. Senate Bill 384.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Shapiro.

10. SENATOR SHAPIRO:

11. Mr. President and members of the Senate. Senate
12. Bill 384 amends Section 18-4 of the School Code to limit
13. reimbursement for the 1977 summer school program
14. to those programs which serve the severely and
15. profoundly handicapped children and the amendment
16. continues for another fiscal year into Fiscal Year
17. 1978. The Summer School Reimbursement Program, which
18. was authorized in FY 1977, the problem is that
19. regular summer school is not a mandated program
20. but the reimbursement to regular summer school and special
21. ed summer school is made out of the same line item and
22. out of the same section of the School Code. Since there
23. are limited funds and only two million dollars is being
24. appropriated for the special ed summer school, it is
25. necessary to pass this substantive legislation for another
26. fiscal year in order that regular summer school claims
27. can not be made against the two million dollars. We did
28. it for FY '77. It's necessary to do it for FY '78
29. and the reason we are not doing it in a continuing
30. program is in the hopes that in the future years, there
31. will be the necessary amount of money for regular summer
32. school so it can be reimbursed also. This is a bill that's
33. requested by the Illinois Office of Education. We passed
34. it a year ago and I would appreciate a favorable roll call.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Any discussion? Senator Berman.

3. SENATOR BERMAN:

4. Would the sponsor yield.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Sponsor indicates he will yield. Senator Berman.

7. SENATOR BERMAN:

8. Senator Shapiro, it's been called to my attention
9. that under this program which I have no objections to the
10. bill as it stands, but the private schools that provide
11. special education classes in the summer are, in fact,
12. receiving double payment under this bill and I'd like to
13. suggest that you...I'll be glad to talk to you about
14. that problem and we might want to amend it in the House
15. to eliminate double reimbursement. They get eighteen
16. eight money and they also get Article 14 money. The
17. public schools aren't getting that kind of benefit as the
18. result of the passage of this bill. I'm not sure that
19. the private schools should get a double payment.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Shapiro.

22. SENATOR SHAPIRO:

23. Senator Berman, if that is going on, I agree with
24. you wholeheartedly. I will ask the House sponsor that
25. this matter be checked into and taken care of in the House
26. with an amendment if necessary.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Any further discussion? The question is shall Senate
29. Bill 384 pass. Those in favor will vote Aye. Those
30. opposed will vote Nay. The voting is open. Have all
31. voted who wish? Have all voted who wish? Take the record.
32. On that question, the Ayes are 56, the Nays are none,
33. none Voting Present. Senate Bill 384 having received a

1. constitutional majority is declared passed. Senator
2. Berning on 401? On the Order of Senate Bills, 3rd reading,
3. is Senate Bill 401. Read the bill, Mr. Secretary.

4. SECRETARY:

5. Senate Bill 401.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Berning.

10. SENATOR BERNING:

11. Thank you, Mr....thank you, Mr. President and
12. members of the Senate. This bill had a thorough
13. discussion the other day. We took it out of the record
14. so as to confer with two members of the Senate who had
15. some question. I hope that those questions have been
16. resolved. The purpose of the bill simply is to provide
17. an avenue for assistance to the deaf and hard of hearing
18. and particularly, in light of innovative new techniques
19. and equipment that is available and we hope that it will
20. be...provide our small segment of our society the deaf
21. and hard of hearing with the help they need. It's been
22. introduced and is supported by the Deaf and Hard
23. of Hearing Association and Mr. John Davis, the Chairman
24. of the Board of Vocational Rehabilitation. I'd appreciate
25. a favorable roll call. Will attempt to answer questions
26. if there are some.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Any discussion? Senator Hickey.

29. SENATOR HICKEY:

30. Yes, thank you, Mr. President. I'd like to ask the
31. sponsor a question.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Indicates he will yield. Senator Hickey.

1. SENATOR HICKEY:
2. Senator Berning, what is the fiscal note on this
3. bill?
4. PRESIDING OFFICER: (SENATOR ROCK)
5. Senator Berning.
6. SENATOR BERNING:
7. One hundred eighty-seven thousand dollars.
8. PRESIDING OFFICER: (SENATOR ROCK)
9. Any further discussion? Senator Demuzio.
10. SENATOR DEMUZIO:
11. Yes, Senator Berning on the fiscal note of a hundred
12. and eighty-seven thousand, I thought we were talking
13. the last time that this bill was on the Floor that this
14. would more or less just be reshuffling of various
15. employees that already concern themselves with hearing
16. problems and have a special division within the Division
17. of Vocational Rehabilitation. As I recall, that is
18. ...is that...is that changed or...
19. PRESIDING OFFICER: (SENATOR ROCK)
20. Senator Berning.
21. SENATOR BERNING:
22. No, that is not correct, Senator. As I attempted
23. to point out last time, there is a provision for
24. a coordinator and an assistant coordinator. However,
25. the major portion of the appropriation is to establish
26. a revolving fund from which deaf and hard of hearing
27. people would borrow for the acquisition of TTY, Telecommunications
28. Type Equipment so as to allow them to utilize telephones
29. and other equipment. This, then, is repaid by the individuals
30. as they proceed and the money becomes available for
31. additional purchases.
32. PRESIDING OFFICER: (SENATOR ROCK)
33. Senator Demuzio.

1. SENATOR DEMUZIO:

2. One final question. Is the hundred and eighty-seven
3. thousand in the Governor's budget?

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Berning.

6. SENATOR BERNING:

7. It is now. It's been incorporated into the
8. Division of Voc-Rehab and there has been no objection
9. to it. And I...I should emphasize that this program
10. has no bearing whatsoever on the Jacksonville School
11. for the Deaf.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Demuzio.

14. SENATOR DEMUZIO:

15. Well, I was prepared to support it until you told
16. me that. I thought we were getting some additional
17. benefits as a result of a hundred and eighty-seven
18. thousand. Now, you have me thoroughly confused, Senator
19. Berning.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Any further discussion? Senator Berning may close
22. the debate.

23. SENATOR BERNING:

24. Thank you, Mr. President. It has no impact on
25. the Jacksonville School for the Deaf but the availability
26. of the revolving fund would benefit those students as well
27. as others. I would appreciate a favorable roll call, Mr.
28. President.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Question is shall Senate Bill 401 pass. Those
31. in favor will vote Aye. Those opposed will vote Nay.
32. The voting is open. Have all voted who wish? Have
33. all voted who wish? Take the record. On that question the

1. Ayes are 54, the Nays are none, none Voting Present.
2. Senate Bill 401 having received a constitutional
3. majority is declared passed. On the Order of Senate
4. Bills, 3rd reading, is Senate Bill 408. Read the
5. bill, Mr. Secretary.

6. SECRETARY:

7. Senate Bill 408.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Lemke.

12. SENATOR LEMKE:

13. This bill exempts from garnishment public employees
14. funds that are contributed into a state or local
15. government pension funds. What this does is, there's
16. a question in regards to whether these funds can be
17. garnished and with this bill, it will clear up that
18. question. It will keep the funds and keep our pension
19. funds in state whereby the...we won't have trouble with
20. them by having garnishments coming and taking out
21. assets that were paid into it by employees and I think
22. it's a good bill and I ask for a favorable roll call.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Any discussion? Question is shall Senate Bill
25. 408 pass. Those in favor will vote Aye. Those opposed will
26. vote Nay. The voting is open. Have all voted who wish?
27. Have all voted who wish? Take therecord. On that question
28. the Ayes are 55, the Nays are none, 1 Voting Present.
29. Senate Bill 408 having received a constitutional majority
30. is declared passed. Senator Sam, 413. On the Order of
31. Senate Bills, 3rd reading, is Senate Bill 413. Read
32. the bill, Mr. Secretary.

33. SECRETARY:

1. Senate Bill 413.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Vadalabene.

6. SENATOR VADALABENE:

7. Yes, thank you, Mr. President and members of the Senate.
8. Senate Bill 413 deals with the...with the problem of the
9. Department of Revenue which collects the taxes...
10. gasoline taxes on the airplane users and then refunds
11. the money. The levy has, since its inception, contributed
12. nothing to the development of the Illinois Network of
13. Public and Privately Owned Airports or to the well being
14. of economic growth of general aviation in our State
15. and I'm sure that many of you have...remember Mr.
16. Willard Ice, a long time and respected official of the
17. Illinois Department of Revenue and he states that the tax
18. is clearly a nuisance. It's a classic example of a
19. bureaucratic paper shuffling involving an obnoxious
20. transfer of documents from the charter or airfield
21. operator to the Department of Revenue and then back to
22. the seller and I would appreciate a favorable vote.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Is there any discussion? The question is shall Senate
25. Bill 413 pass. Those in favor will vote Aye. Those
26. opposed will vote Nay. The voting is open. Have all
27. voted who wish? Have all voted who wish? Take the
28. record. On that question, the Ayes are 50, the Nays
29. are 3, none Voting Present. Senate Bill 413 having
30. received a constitutional majority is declared passed.
31. On the Order of Senate Bills, 3rd reading, Senate Bill
32. 425. Read the bill, Mr. Secretary.

33. SECRETARY:

1. Senate Bill 425.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Maragos.

6. SENATOR MARAGOS:

7. Mr. President and members of the Senate. I again
8. arise this afternoon to ask for your consideration
9. and approval of another measure which will affect
10. the safety and the energy needs of our State for the
11. ensuing years to come. In my prior remarks when we
12. were dealing with the transportation of hazardous
13. materials, I was supported by, at that time, by Senator
14. Mitchler and by Senator Kosinski and I'd like to state
15. that these gentlemen also were members and have...and are
16. still members of the Atomic Energy Commission, State
17. of Illinois and they were also instrumental in bringing
18. about this legislation we call Senate Bill 425.
19. What this bill does at the present time is, as amended,
20. as you will note, there have been fifteen amendments
21. placed on this bill in order to facilitate and
22. to accommodate the power plant companies, the electric
23. cooperatives, some industrial interests, the agricultural
24. interests and others who are concerned with this particular
25. very vital subject. We have labored again many years
26. on this particular bill and we have attempted, finally,
27. to make it practicable where we allow any power company
28. which wants to establish a new plant, power plant in this
29. ...in this State, to do so on a one stop basis instead of
30. having to go to about ten or twelve agencies in the State
31. of Illinois. This bill affects not only the nuclear
32. plants, but also affects fossil plants and as you know, we in
33. Illinois, are the greatest resource of coal and it is hoped

1. that in the near future, we'll find enough technology
2. adequate to make this coal again usable after overcoming
3. the objections and the standards that are needed...that
4. are required by our pollution controls. I ask for your
5. support on this vital legislation. It has been...many members
6. here have been cosponsors of this bill and I will attempt
7. to answer any questions if there are any.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Discussion? Senator Mitchler.

10. SENATOR MITCHLER:

11. Mr. President and members of the Senate.

12. Once again, I rise to pay a compliment to Senator
13. Maragos for the work that he has done in this Session
14. and in past Sessions and while he served as Chairman
15. of the Illinois Commission on Atomic Energy in
16. developing the legislation that we have before us.
17. It is indeed a very complicated piece of legislation
18. but it is very necessary and I believe is a very good step
19. in the right direction. As Senator Maragos pointed out,
20. there are numerous amendments, I believe you said fifteen,
21. Senator, indicating that the Senator and his people that
22. are working with him on this legislation have met with
23. everybody and anybody that wants to have input into the
24. bill. And as many of our bills, we are never perfect.
25. We'll probably have amendments on this in the future
26. because we're dealing with something that is comparatively
27. new and as Senator Merlo said, condominiums are here to stay,
28. something that is just...something that happens. And
29. also our new methods of providing our type of energy
30. through electric generating and facilities and different
31. new methods that we have, they're are going to be new
32. concepts and if we can make it easier for the development
33. of these new concepts, without requiring a lot of red tape,

1. when they want to come into the State of Illinois,
2. I think that it's good legislation. That's what basically
3. this legislation does. I think it's something that
4. once we have all of the things ironed out of it that
5. are unnecessary and it is workable and we can only
6. achieve this by practice. I think that we will attract
7. industry into Illinois and attract new sources of
8. energy, new concepts and I think that this will be
9. the bill that took it the step in the right direction.
10. It's the product of many, many years of work of the
11. Atomic Energy Commission members and Senator Maragos,
12. you are to be commended for carrying it through with all
13. the amendments that you have to this point. I would ask
14. for support of Senate Bill 425.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Wooten.

17. SENATOR WOOTEN:

18. Thank you, Mr. President. I don't know
19. whether I'm arising in opposition or support of this
20. bill. It's kind of hard to tell. It's got thirteen
21. amendments on it. Fifteen now? I'm sorry, I lost
22. count. And my concern with this bill in years past,
23. has been that, at least, in its original form, original
24. to me when I first came here, it overruled local
25. zoning so that the State would really decide that a
26. nuclear power plant or any other power plant could
27. go someplace in your community even if you didn't want it
28. there. Senator Maragos, is that the case with this bill?

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Maragos.

31. SENATOR MARAGOS:

32. I apologize to Senator Wooten because Senator Knuppel
33. was asking me a question. Would you please repeat the

1. question?

2. PRESIDING OFFICER: (SENATOR ROCK)

3. All right. Senator Wooten.

4. SENATOR WOOTEN:

5. Does this bill deprive the local community
6. from the sanctity of its ordinance laws? No, pardon
7. me, zoning laws, can the State supercede local
8. zoning?

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Maragos.

11. SENATOR MARAGOS:

12. No, it does not and I would like to state further
13. that the Municipal League has placed the amendment which
14. I approved and they are now in support of the bill.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Wooten.

17. SENATOR WOOTEN:

18. As one who is caught between the positions of the
19. Municipal League here and the position of its
20. constituent members, that really doesn't persuade me.
21. You're telling me, though, that if a county zoning
22. board says no, we don't want the plant here, then the plant
23. doesn't go there absolutely?

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Maragos.

26. SENATOR MARAGOS:

27. First of all, I would direct your attention to
28. Section 92 which is the first paragraph of the bill
29. which states that it is...we have...make a finding
30. as a Legislature, there's the public interest that
31. determinations regarding the proposed sites of
32. electrical generating facilities shall be governed by
33. and subject to all municipal rules, regulations and ordinances

1. in respect, thereto, and so on. That's the first of all
2. finding. On...and 105...Section 105 of the bill, we also
3. make a determination that nothing, herein, will prevent
4. the plant...no, I should say that...the plant should
5. not be done in violation of any of the local ordinances
6. or regulations. We have put another amendment in to state
7. that even the location of that plant shall not be put in
8. the city unless it complies with the local ordinances
9. and zoning procedures of the municipality. So, you will
10. have enough safeguards now to...to overcome the questions
11. that you have brought up.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Wooten.

14. SENATOR WOOTEN:

15. Well, Senator, the language in the beginning
16. I don't think would impress a judge at all. We say
17. a lot of things in the beginning you know, but it's
18. what's in the bill and quite frankly, I want to look
19. at those provisions while the debate continues just
20. to see what they provide. Now, would you cite those
21. parts of the bill for me again?

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Maragos.

24. SENATOR MARAGOS:

25. Senator Wooten, if you would look on page
26. 12, Section 105 of the bill, and one of the amendments,
27. I think it's either Amendment 13 or 14...no 14 or 15,
28. is...states that after...from lines 21 to lines 30, it
29. specifically shows that not only...states rather that not
30. only does it concern a construction and the operation, but
31. the location of a facility. So, I think that will take
32. care of the...so look on...on page 12 of the bill.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Further discussion? Senator Glass. Senator
2. Davidson.

3. SENATOR DAVIDSON:

4. Will the sponsor yield to a question?

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Indicates he will yield. Senator Davidson.

7. SENATOR DAVIDSON:

8. I'm sorry, Senator Maragos. I didn't hear all
9. the explanation due to the noise when you responded
10. to Senator Wooten's question that this did not override
11. the zoning ordinance of the municipalities. What does it
12. do to the zoning ordinance for counties in the unincorporated
13. areas? Will this bill override the zoning ordinance
14. or the control of the counties in the unincorporated
15. areas?

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Maragos.

18. SENATOR MARAGOS:

19. Not to my knowledge because it...if you have a zoning
20. ordinance, it will not be preempted.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Davidson.

23. SENATOR DAVIDSON:

24. I'm sorry. I didn't hear the last two words.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Maragos.

27. SENATOR MARAGOS:

28. It will not preempt any local authority.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Further discussion? Senator Shapiro.

31. SENATOR SHAPIRO:

32. Will the sponsor yield to a question?

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Indicates he will yield. Senator Shapiro.

2. SENATOR SHAPIRO:

3. Yeah, Senator Maragos, I know the bill has
4. been amended extensively, but I want to know Section
5. 104, Jurisdiction of the Courts, is that still in
6. the amended bill?

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Maragos.

9. SENATOR MARAGOS:

10. The answer is yes.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Shapiro.

13. SENATOR SHAPIRO:

14. Now, I wish to speak to the bill very briefly.
15. This is one of my concerns about your bill because
16. if I read Section 104 correctly, it says, except
17. as expressly set forth in Section 103 of the Act which
18. does give an aggrieved party, some judicial review
19. but only into the appellate court, it goes on further,
20. it says, no court of this State shall have jurisdiction
21. to hear or determine any matter, case or controversy,
22. concerning any matter which has or could have been determined
23. in a preceding under this Article or to stop or delay
24. the construction or operation of an electric generating
25. facility...facility except to enforce compliance
26. with this Article or the terms or conditions of a
27. certificate issued thereunder...or hereunder. Now, it appears
28. to me that if a land owner or property owner whose
29. property was to be used to construct a generating plant
30. of any kind would only have an appellate court to go into
31. to hear his...his grievance in case he was not satisfied.
32. It appears to me that he would not have his local courts
33. to go into. There would be practically no local jurisdiction

1. and I'm just a little leary about that provision, if it's
2. ...if it's still in there and if I am interpreting
3. it correctly.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Maragos.

6. SENATOR MARAGOS:

7. Senator Shapiro, the local owner of the property
8. or the owner of the property is not in any way preempted
9. from his rights under condemnation or eminent domain
10. or for fair value. What this refers to is that
11. if anyone has any complaints or is not satisfied with
12. the procedures being established by this board, then
13. they have a right to appeal it but not during the interim
14. while the hearings are going on, so it could not have
15. necessarily collateral proceedings going on at the same
16. time. Until there is a final determination by the board
17. there will be no appeals to any jurisdiction and then in
18. that case, it goes instead of to the circuit court
19. it goes directly to the appellate court similar to the
20. many other cases we have with the environmental
21. laws. This is done for the purpose of expediting
22. the questions of law in these areas, since they are new
23. laws. This has also been tried in many other states
24. besides Illinois. And it is found to be more effective and
25. in the long run less costly to those who are opposing
26. these particular procedures or who have some grievance
27. with the procedure. But the other questions of
28. eminent domain are not involved in these court
29. procedures so the local property owners as I say, will not...
30. still has his rights under the Eminent Domain Acts of the
31. State of Illinois and this is not in any preempt...take
32. those rights away from him.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Shapiro.

2. SENATOR SHAPIRO:

3. In other words what you're saying is, if a
4. person's property is condemned, under the provisions
5. of this Act, he and you know, the...the local zoning
6. boards, Zoning Board of Appeals rule against him,
7. he can still go into the court, his local court to hear...the
8. the proceedings.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Maragos.

11. SENATOR MARAGOS:

12. That is correct, Senator Shapiro. All this Article
13. 104 refers to is to the jurisdictional matters during
14. the hearing before the board that is going to be created by this
15. Act to supervise the...the...the establishment of the...
16. of the power plant site. It has nothing to do with
17. his rights of eminent domain because his rights
18. are still protected by...not only by our Statutes
19. but by our Constitution. We cannot do by Statute
20. override his rights of eminent domain which are already
21. guaranteed by our Constitution.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Hynes.

24. SENATOR HYNES:

25. Mr. President and members of the Senate. Not...not to
26. preempt any other speaker that might be coming up, but
27. we have several questions about this bill. It is a very
28. important piece of legislation and I think a good one
29. but there are a number of questions and I understand
30. there are a number of other speakers. I wonder if the
31. sponsor would be willing to take this bill out of the record
32. if...if we could get leave of the body to come back to it
33. tomorrow morning so that we can get these questions answered

1. rather than spend the next hour trying to thrash them
2. out here on the Floor.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Maragos.

5. SENATOR MARAGOS:

6. Mr. President, I accede to the wishes of the
7. President of the Senate. I'll be glad to take it out
8. of the record.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Is leave granted for that purpose? All right.
11. Take it out of the record, Mr. Secretary.

12. Senator Wooten.

13. SENATOR WOOTEN:

14. Mr. President, I've been able to track down
15. Amendments 3 through 11 and I have seen some analyses
16. of Amendment 14. I wonder if before we get to this
17. bill if we could have copies of all the amendments,
18. the bill itself because...

19. PRESIDING OFFICER: (SENATOR ROCK)

20. That suggestion is well taken. I will ask the
21. Secretary if that can be done before the matter will be
22. considered tomorrow.

23. SENATOR WOOTEN:

24. Thank you.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Make copies available to every member. Senator
27. Grotberg, for what purpose do you arise? Senator Maragos, for
28. what purpose do you arise?

29. SENATOR MARAGOS:

30. I would respectfully request that if the amendments
31. can be incorporated and engrossed embossed copies and show
32. them as they are.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Yes, that...I have just...

2. SENATOR MARAGOS:

3. Is that what he's going to do?

4. PRESIDING OFFICER: (SENATOR ROCK)

5. ...requested. Thank you.

6. SENATOR MARAGOS:

7. Thank you.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Grothberg, for what purpose do you arise?

10. SENATOR GROTHBERG:

11. To be shown as a joint sponsor with Senator Berman

12. on Senate Bill 1060 with leave of the Body, Mr...

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Is leave...you've heard the request. Is leave

15. granted? Leave is granted. So ordered. Senator Berman,

16. 429. On the Order of Senate Bills, 3rd reading, is

17. Senate Bill 429.

18. SECRETARY:

19. Senate...

20. PRESIDING OFFICER: (SENATOR ROCK)

21. All right. Read the bill, Mr. Secretary.

22. SECRETARY:

23. Senate Bill 429.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Berman.

28. SENATOR BERMAN:

29. Thank you, Mr. President. For those of us who want

30. to do something for our school districts and other taxing

31. bodies back home, in the...probably the least painful way,

32. this is the bill to do it with. This bill increases the

33. penalty for late payment of real estate taxes from one percent

1. to two percent a month. It provides that the...that the...
2. that one percent of that two percent goes to the taxing
3. body, to the collection agency, namely the county, but
4. the other one percent would be distributed to the
5. taxing bodies within the county in their same proportion
6. that they bear to the total tax bill. This will help
7. your school districts, your library boards, your
8. sanitary districts, every other taxing body back home.
9. This is a bill that will not, in my...this is a bill that
10. will not, in my opinion, hurt the little guy because the
11. little guy for the most part; pays his real estate taxes
12. each month into the savings and loan and they pay the
13. taxes on time. This is aimed at those manipulators
14. and operators of buildings that many times milk the buildings,
15. don't pay the taxes, try to skim off and make a profit
16. at the expense of the taxing bodies and everyone of us
17. who are good, honest, prompt taxpayers. The bill has
18. been amended to extend beyond just the county of Cook
19. as it was originally introduced so it covers all of the
20. counties in the State. I solicit your affirmative vote.
21. PRESIDING OFFICER: (SENATOR ROCK)

22. Any discussion? Senator Glass.

23. SENATOR GLASS:

24. Thank you, Mr. President, Ladies and Gentlemen.
25. I rise to oppose this bill which would impose a twenty-
26. four percent per year interest rate on late payment
27. of real estate taxes. Now, Senator Berman has mentioned
28. that the bill is really directed at...manipulators
29. who don't pay their real estate taxes on time but...but
30. the bill isn't limited to anyone and it would apply to
31. some elderly people and people who are hard up and for
32. some reason in financial straits who...who do not pay their
33. real estate taxes on time or possibly even for inadvertance.

1. I think it places an inordinate burden on these people
2. by increasing...actually doubling the interest rate from
3. twelve percent a year to twenty-four percent a year for
4. late payment of taxes and I think the bill should be
5. defeated.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Further discussion? Senator...all right. Senator
8. Bloom.

9. SENATOR BLOOM:

10. How much do you anticipate in revenues Cook
11. County will get, I mean just for interest?

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Berman.

14. SENATOR BERMAN:

15. I don't have a figure on that. I've...I have a figure
16. that five million dollars was collected last year through
17. late payments. Now, keep in mind, this...this interest
18. rate only runs from the date the tax bill is due until
19. forfeiture which as far as the first payment is due, is
20. usually about eight or nine or ten months only about
21. four or five months on the second payment. Five million
22. dollars was the figure. I would think if we...if we're
23. going to double the penalties, it won't double the
24. income because I think it will cause a lot of people to
25. pay on time. That was a figure I had from Cook County.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Any further discussion? Question is shall Senate
28. Bill 429 pass. Those in favor will vote Aye. Those
29. opposed will vote Nay. The voting is open. Have all
30. voted who wish? Have all voted who wish? Take the
31. record. On that question the Ayes are 35, the Nays are
32. 13, 1 Voting Present. Senate Bill 429 having received
33. a constitutional majority is declared passed. On the Order of

1. Senate Bills, 3rd reading, is Senate Bill 433. Read
2. the bill, Mr. Secretary.

3. SECRETARY:

4. Senate Bill 433.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Carroll. Senator Buzbee, might I ask
9. you to...just...Senator Carroll is being recognized.

10. Senator Carroll.

11. SENATOR CARROLL:

12. Thank you, Mr. President, some of the members
13. of the Senate and other colleagues. Senator Bruce.
14. Senate Bill 433 has been introduced to redress a problem
15. that has developed since we have come about with the
16. use of physician's assistants. Mainly at the governing
17. commission of Cook County Hospital, where all employees,
18. including the medical staff are employees of the hospital
19. itself. They do not use the outside contractual type
20. doctors help as most hospitals do. And therefore, their
21. use of physician's assistants would have to be by the
22. hospital commission, in fact, hiring them and having
23. them under the direct supervisory control of a licensed
24. doctor. Additionally, they had a severe shortage of
25. personnel and a great problem at the Cook County jail
26. where they provide the medical services and needed
27. a ratio of three to one, three physician's assistants
28. to each supervising doctor. It is to redress
29. this as this bill has been amended, to allow first at
30. the Cermak jail, three physician's assistants
31. per direct supervising doctor, at the health and hospital's
32. governing commission, one physician's assistant per doctor
33. and at seven other hospitals selected by R and E throughout the

1. State, who are teaching facilities the ability to hire
2. for the hospital to hire on a one to one ratio. We have
3. created a board at the suggestion of R and E to be a
4. joint practice committee composed of representatives
5. of the health care professions as well as others,
6. selected by the Department to review this on a
7. regular basis. These are needed changes in the Physician's
8. Assistant's Act to allow a more competent and capable
9. delivery of health services at the lowest possible cost,
10. especially at the county jail and county hospital
11. and I would ask for a favorable roll call.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Is there any discussion? Senator Schaffer.

14. SENATOR SCHAFFER:

15. Senator Carroll, am I correct in assuming
16. that this still has a provision in there for the doctor
17. or for the hospital to hire the physician's assistant?

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Carroll.

20. SENATOR CARROLL:

21. Both are correct. The hospital can hire under the
22. direct supervision of the doctor. Suggestions were made
23. by the Medical Society on changing the amendment. They
24. are in consort with amendment, although, I believe, they
25. have taken no position on the legislation. But, the
26. amendment was drafted in consort with them. They were
27. concerned that a doctor be directly be responsible
28. and that has been provided for.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Schaffer.

31. SENATOR SCHAFFER:

32. There is a provision for each physician assistant
33. to have a specific doctor assume the responsibilities for the

1. activities of the physician assistant?

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Carroll.

4. SENATOR CARROLL:

5. Yes, other than the three for one ratio in the
6. hospital where a specific doctor is responsible for
7. three physician's assistants. We did put in the word
8. "direct control" where in the prior version of the bill
9. it had that a general term instead of the word
10. "direct."

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Any further discussion? Senator Berman.

13. SENATOR BERMAN:

14. I stand in support of this bill. I just want
15. to...the only place where you have three to one would be
16. at the county jail. Everyplace else is one to one.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Any further discussion? The question is shall Senate
19. Bill 433 pass. Those in favor will vote Aye. Those
20. opposed will vote Nay. The voting is open. Have all
21. voted who wish? Have all voted who wish? Take the
22. record. On that question the Ayes are 54, the Nays
23. are none, none Voting Present. Senate Bill 433
24. having received a constitutional majority is declared
25. passed. The next nine bills have, with leave of this
26. Body, been placed on a Special Order of Business for
27. tomorrow afternoon, so we are now at the top of page
28. 10. On the Order of Senate Bills, 3rd reading,
29. Senate Bill 462. Read the bill, Mr. Secretary.

30. SECRETARY:

31. Senate Bill 462.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Davidson.

3. SENATOR DAVIDSON:

4. Mr. President and members of the Senate. This
5. is a codification bill to go through the Act where the
6. words "superintendent of public instruction" is will
7. be replaced by the words "State Board of Education" and
8. where a "county superintendent" is will be placed
9. with "regional superintendent" as what's already
10. been passed in previous... I'll be glad to answer
11. any questions. Otherwise, appreciate a favorable
12. roll call.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Any discussion? Senator Hynes.

15. SENATOR HYNES:

16. Will the sponsor yield to a question?

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Indicates he will yield. Senator Hynes.

19. SENATOR HYNES:

20. Senator, at whose request was this bill introduced?

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Davidson.

23. SENATOR DAVIDSON:

24. It was put in by...the request that we four members...
25. Republican members of the...education on...when I asked
26. Dave Elder, our staff man, if there was any codification
27. bills to get...antique or obsolete language out of the
28. Statutes and this is one of the series...the next bill
29. is of the same gender.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Hynes.

32. SENATOR HYNES:

33. Mr. President, we've spent an awful lot of time on the

1. Floor of the Senate passing bills, the Secretary goes
2. through a lot of paperwork and so on. This bill and
3. the impact of the bill could have been taken care of in
4. a number of other bills that have passed here
5. including one of Senator Shapiro's that went out
6. a short while ago and I'd suggest that that bill
7. ought to be amended in the House to do just that.
8. And I just think it ought to be left right where it is
9. or else sent back to committee.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Davidson.

12. SENATOR DAVIDSON:

13. Let it run. If it dies, it dies. If it passes,
14. it passes.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Further discussion? The question is shall Senate
17. Bill 462 pass. Those in favor will vote Aye. Those
18. opposed will vote Nay. The voting is open.
19. Have all voted who wish? Have all voted who wish? Take
20. the record. On that question the Ayes are 30, the
21. Nays are 18, none Voting Present. Senate Bill 462
22. having received a constitutional majority is declared
23. passed. Senator Maragos has requested a verification
24. of the roll call. Will all the Senators please be in
25. their seats? The Secretary will read the affirmative votes.

26. SECRETARY:

27. The following voted in the affirmative: Berning,
28. Bloom, Bowers, Coffey, Collins, Davidson, Glass, Graham,
29. Grothberg, Harber Hall, Hickey, Knuppel, Kosinski, McMillan,
30. Mitchler, Moore, Leonard, Nimrod, Philip, Regner, Rhoads,
31. Roe, Rupp, Schaffer, Shapiro, Sommer, Soper, Walsh,
32. Weaver, and Wooten.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Wooten on the Floor? Take his name
2. from the roll, Mr. Secretary. The roll has been
3. verified. The Ayes are 29, the Nays are 18, none
4. Voting Present. The sponsor has requested Consideration
5. Postponed. So ordered. 464. Okay. 466. On the
6. Order of Senate Bills, 3rd reading, Senate Bill 466.
7. Read the bill, Mr. Secretary.

8. SECRETARY:

9. Senate Bill 466.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Davidson.

14. SENATOR DAVIDSON:

15. Mr. President and members of the Senate.
16. This is probably one of the most important bills that
17. this Senate will consider this Session in relation to
18. controlling or attempting to control the health care
19. costs. This is a bill which was brought forth
20. due to the increase in cost for hospital malpractice.
21. This bill was in committee, went to subcommittee, came
22. back. We worked with all people concerned to remove,
23. hopefully, all objections to it. The Illinois
24. Hospital Association supports this. The Department of
25. Insurance has no position for or against it. I checked
26. with the Trial Lawyer's Association executive secretary
27. this morning 'cause someone had said they had some
28. problems. They have no position on this bill. I'll
29. be glad to try to answer any questions. This is a need
30. to solve the cost problems on hospital malpractice and
31. give you two prime examples. Right here locally
32. and that's what engendered this bill was the practice
33. which changed their premium in three years from fifty
34. thousand dollars to four hundred and some odd thousand to

1. nine hundred and some odd thousand dollars until this
2. year, October of '76, the premium would have been
3. one million four hundred thousand dollars for an
4. aggregate of one million dollars worth of coverage on a
5. claims made basis. Not an occurrence but a claim made
6. basis. They went bare. St. John's Hospital and their
7. group had the same situation. This is an attempt to
8. address a crying need so that umbrella policy can
9. be offered and I'll be glad to try to answer any
10. questions. Appreciate a favorable roll call.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Any discussion? Senator Daley.

13. SENATOR DALEY:

14. Would the sponsor yield to a question?

15. PRESIDING OFFICER: (SENATOR DALEY):

16. Indicates he will yield. Senator Daley.

17. SENATOR DALEY:

18. Who...will the State of Illinois be liable for
19. failure of this fund?

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator...Senator Davidson.

22. SENATOR DAVIDSON:

23. No.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Daley.

26. SENATOR DALEY:

27. Who...who will be liable for the fund?

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator...Senator Davidson.

30. SENATOR DAVIDSON:

31. The fund, when it's activated on whichever the
32. individuals that...or groups that it's going to be
33. activated on and mostly will be activated with relation to the

1. hospital group. They'll be liable for the fund.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Daley.

4. SENATOR DALEY:

5. I can't understand. What hospital group is it?
6. They say it's not the physicians. They say it's not the
7. nurses. Is it the employees that are working in the
8. ...in the hospital? Which ones are they...are going to
9. be in this fund?

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Davidson.

12. SENATOR DAVIDSON:

13. Any hospital who is a member will be responsible
14. for that...for their share of it under the law.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Daley.

17. SENATOR DALEY:

18. What employees of the hospital will be in the fund?
19. Will it just be the hospital per say? You're mandating
20. that the hospital has to be in it. Every hospital will be
21. included in this fund, as I understand.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Davidson.

24. SENATOR DAVIDSON:

25. The hospitals will be in. The employee of the hospital will
26. be covered by the hospital and the hospitals are not
27. mandated. The hospitals are mandated with the option for them
28. to opt out. This other part of the bill and the volunteer
29. opt out basis which was put in at the request of the Illinois
30. Hospital Association is why they're now in support of this
31. legislation.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Daley.

1. SENATOR DALEY:

2. You said they can opt out, correct? Are they
3. mandated in?

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Davidson.

6. SENATOR DAVIDSON:

7. They are mandated in with a voluntary opt out
8. provision so that they will show to the people and the
9. public of Illinois that they either have coverage
10. to cover legitimate cost and or if they want to stand
11. bare as many of them are doing now due to the cost
12. that the person who has a legitimate claim for
13. malpractice will be able to recover cost and expenses.
14. They can opt out and that was put in at their request
15. because as you well know, that in Florida or somewhere
16. else, a couple of states where it was totally...mandatory,
17. it was declared unconstitutional. This opt out
18. provision meets their test and they're very much for
19. it and they asked that it be written that way
20. that they do it on a voluntary opt out basis.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Daley.

23. SENATOR DALEY:

24. If the physicians are excluded, who will be in the
25. fund?

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Davidson.

28. SENATOR DAVIDSON:

29. Well, first off, the other people who will be in the fund...
30. nobody will be in the fund unless first they make a request to
31. ...activate the fund. Secondly, if the Director
32. holds a public hearing and finds it's necessary and then
33. the seven of the eleven man board of directors vote

1. accordingly to do it. It will cover hospitals and any
2. other licensed health care providers in the State.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Further discussion? Senator Berman.

5. SENATOR BERMAN:

6. Will the sponsor yield?

7. PRESIDING OFFICER: (SENATOR ROCK)

8. He indicates he will yield. Senator

9. Berman.

10. SENATOR BERMAN:

11. Senator Davidson, what's...last year, we passed
12. the Joint Underwriting Association Package that dealt
13. with doctors as well as other medical providers including
14. hospitals. Why do we need this bill if the JUA is
15. available to the hospitals?

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Davidson.

18. SENATOR DAVIDSON:

19. Well, the JUA only covers individuals, only
20. one hospital who couldn't get insurance or one
21. physician who couldn't get insurance.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Berman.

24. SENATOR DAVIDSON:

25. It does not do what...the JUA does not do what
26. this bill will do. This bill will make it available
27. as a group which will cover...recover the cost...or I should
28. say, hopefully stabilize the cost that presently hospitals
29. which are buying malpractice are paying any place...if they're
30. self-insured, five to six dollars a day per patient per
31. bed, up to as high as fifteen dollars per day, if they
32. buy it from insurance company. This will reduce that amount
33. to a very minimal figure guesstimated by the Hospital Association

1. from two to five dollars a bed depending on what they
2. would need and the loss ratio would be. If...if Illinois
3. is any indication ratio wise to what Wisconsin, which is already
4. part of the bill, will be, it will be a reduction. Wisconsin
5. started out at seventy-five dollars a bed per year and
6. after three years experience this year reduced it to
7. thirty-five dollars a bed per year.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Berman.

10. SENATOR BERMAN:

11. If the hospital is the only one that's covered
12. under this group or pool, and an employee of the
13. hospital, such as a nurse is sued and receives
14. a judgment, and the hospital itself is not also
15. found negligent and a judgment is not entered against
16. the hospital, what funds are available under this plan
17. to reimburse the nurse as to her judgment?

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Davidson.

20. SENATOR DAVIDSON:

21. There would be none as far as the nurse by herself
22. but if she's an employee of the hospital, the hospital
23. has to have liability for her actions and she would, therefore,
24. would be covered under this plan because as an employee
25. of the hospital, she's covered. But, as her as an
26. individual, it would be none for an individual nurse.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Berman.

29. SENATOR BERMAN:

30. Thank you, Mr. President. On...on the bill, we have
31. right now the existing forum and facility to address the
32. problem of a crunch in medical malpractice coverage
33. regarding hospitals. That's in the bills that we passed

1. two years ago that were agreed upon by, I believe, almost
2. every facet of the health care provider industry, including
3. the hospitals, if I'm not mistaken. I think there
4. are gaps in this bill. The gaps that I'm referring to
5. is the question of the situation that I posed to Senator
6. Davidson where a...an employee of the hospital will be
7. sued, a judgment entered against the employee and a
8. judgment is not entered against the hospital, I'm
9. not sure that the coverage under this plan would
10. be required to reimburse or indemnify that employee.
11. I think also the...

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Yes, would the Senate please come to order.

14. SENATOR BERMAN:

15. I think also there is a question as to the costs
16. of this program. Again, under the existing JUA
17. program, the Director of the Department of Insurance
18. is the one who can trigger it if there is a malpractice
19. insurance crisis. There's a whole set up regarding
20. raising of costs and funds. I think this bill is
21. unnecessary and perhaps even dangerous. I intend to
22. vote No.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Any further discussion? Senator Davidson may close
25. the debate.

26. SENATOR DAVIDSON:

27. Well, Mr. President and members of the Senate.
28. In one answer to the nurse situation which was the...
29. was talked to, I'm sure that Senator Berman as an
30. active lawyer, would know that any lawyer who's
31. representing that nurse is certainly going to make the
32. hospital a co-conspirator or a co-defendant in that
33. suit. Any person who is an employee of an organization

1. is going to certainly bring the organization in.
2. This is a very vital, necessary needed thing. If the JUA
3. would have answered this problem, it would already
4. been activated. But the JUA can only be activated
5. for one individual hospital, one individual doctor
6. and it's not been activated in the time. More importantly,
7. the continuation of keeping JUA alive is included in this
8. bill because, otherwise, it will die July 1st, 1977.
9. This extends it for five years more. This is a...
10. all of you are talking about you want to do something
11. to reduce the cost for the people who are receiving
12. health care. This is your opportunity. This will
13. ...this fund can be triggered either by a request
14. from the hospital and the Director must hold the public
15. hearing and make a reason for it to be triggered, then
16. seven of the eleven members of that board must
17. vote for it, for it to be triggered and it also can apply
18. to other licensed health care people such as
19. podiatrists, dentists, optometrists, et cetera
20. who have use of the hospital facility as well as the
21. nurses. Now, this is a very needed item and if all of you
22. are sincere in trying to reduce or stabilize health care
23. costs, this is your opportunity to do it. This is a bill
24. that's been worked on since November. It was brought
25. forth by a crying necessity of hospitals in this
26. area as well as throughout the State. The Illinois
27. Hospital Association supports this bill. The Illinois
28. State Med Society supports this bill among a number of
29. others. Now, I'd appreciate a favorable roll call and for
30. you to do something for the health care delivery system
31. of people to give health care the most reasonable cost
32. to the people of Illinois.
33. PRESIDING OFFICER: (SENATOR ROCK)

1. Question is shall Senate Bill 466 pass. Those
2. in favor will vote Aye. Those opposed will vote Nay.
3. The voting is open. Have all voted who wish?
4. Have all voted who wish? Take the record. On
5. that question the Ayes are 30, the Nays are 9, 3 Voting
6. Present. Senate Bill 466 having received a constitutional
7. majority is declared passed. Senator Daley has
8. requested a verification. Will all the Senators please
9. be in their seats. Secretary will read the affirmative
10. votes.

11. SECRETARY:

12. The following voted in the affirmative:
13. Berning, Bloom, Bowers, Buzbee, Coffey, Collins,
14. Davidson, Demuzio, Egan, Glass, Graham, Grotberg,
15. Guidice, Hickey, Knuppel, McMillan, Mitchler,
16. Moore, Leonard, Ozinga, Rhoads, Roe, Rupp, Schaffer,
17. Shapiro, Soper, Vadalabene, Washington, Weaver and
18. Wooten.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Wooten on the Floor? Take his name
21. from the roll. Roll has been verified. The Ayes are
22. 29...sponsor has requested Consideration Postponed.
23. 467, Senator Vadalabene. Yes, Senator Maragos, for
24. what purpose do you arise?

25. SENATOR MARAGOS:

26. On a point of personal privilege.

27. PRESIDING OFFICER:(SENATOR ROCK)

28. State your point, Sir.

29. SENATOR MARAGOS:

30. In the balcony behind you, Mr. President, is an
31. outstanding lady with several other ladies from the
32. City of Chicago and that is the mother of State Senator
33. Arthur Berman. Mrs. Berman, would you please rise and be

1. introduced please.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Will our guests please rise and be recognized.

4. On the Order of Senate Bills, 3rd reading, is Senate

5. Bill 467. Read the bill, Mr. Secretary.

6. SECRETARY:

7. Senate Bill 467.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Vadalabene.

12. SENATOR VADALABENE:

13. Yes, thank you, Mr. President and members of the
14. Senate. Senate Bill 467 provides a pay increase

15. for the circuit court clerks for the State of Illinois.

16. You must consider that most of these clerks are still

17. making the same salary as they made in 1972 and without

18. proper legislation, they will have worked for eight

19. years without an increase until the next election in

20. 1980. And I would appreciate a favorable vote.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Yes, Senator Sommer.

23. SENATOR SOMMER:

24. Just a question for the sponsor and one question.

25. Is it possible for a circuit clerk to receive a salary

26. increase anytime that it's granted by the, I assume,

27. county board?

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Vadalabene.

30. SENATOR VADALABENE:

31. I don't think they can get a salary increase

32. while they're in office. They have to run for reelection.

33. I'm not sure. Are you...

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Senator Sommer.
3. SENATOR SOMMER:
4. The fact is that they can receive as judicial officers
5. a salary increase any...any year that the board wishes
6. to give it to them. They don't have to wait till the
7. next election.
8. PRESIDING OFFICER: (SENATOR ROCK)
9. Senator Vadalabene.
10. SENATOR VADALABENE:
11. Yes, Senator Sommer, it would have been nice if
12. you would have said that rather than ask me.
13. PRESIDING OFFICER: (SENATOR ROCK)
14. Any further discussion? The question is shall
15. Senate Bill 467 pass. Those...Senator Philip.
16. SENATOR PHILIP:
17. I just have a question of the sponsor.
18. PRESIDING OFFICER:(SENATOR ROCK)
19. Indicates he will yield. Senator Philip.
20. SENATOR PHILIP:
21. Are we increasing the circuit clerk in Cook County
22. to fifty thousand dollars a year?
23. PRESIDING OFFICER: (SENATOR ROCK)
24. Senator Vadalabene.
25. SENATOR VADALABENE:
26. We're not increasing his salary. The range goes
27. to fifty thousand dollars, but it would be at the
28. discretion of the county board. They would have the
29. discretion whether to give it to him or not. This bill
30. just raises the maximum to fifty thousand. It does not
31. give him fifty thousand.
32. PRESIDING OFFICER: (SENATOR ROCK)
33. Senator Philip.

1. SENATOR PHILIP:

2. Well, if we would look at the past record
3. of the Cook County Board, we would automatically know
4. that he's going to be raised to fifty thousand dollars
5. a year. I'd like to make this point that the Governor
6. of Illinois only makes fifty thousand dollars a year.
7. And here we're going to be paying a circuit clerk
8. of Cook County fifty thousand dollars a year and I just
9. can't see that he's on the same level as the Governor,
10. has the same responsibility as the Governor and it just
11. seems to me it's a little bit out of line.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Rhoads.

14. SENATOR RHOADS:

15. Well, normally, I wouldn't be supporting a bill
16. like this and...and I agree with the philosophy that's
17. just been advocated by Senator Philip. On the other
18. hand, I did take the trouble to talk to the Republican
19. Cook County Commissioners and I quizzed them very
20. carefully on what their attitude was on this bill and they
21. had no objection to it. So for that reason, I'll be
22. voting Yes.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Is there any further discussion? Senator Grotberg.

25. SENATOR GROTBORG:

26. Yes, thank you, Mr. President. I think for those
27. that have read the bill, they will find that there's
28. a range from counties of less than fourteen thousand on
29. up to over a million. And there's...little goodies
30. in there for everybody and this bill went out of committee
31. something in the order of ten to...six to two or something
32. like that. Several of us voted Present on it because we
33. couldn't get too excited about it, but I find I'm a cosponsor

1. of this genuinely good bill and I think that the raise
2. is due downstate at least. I wish we could find some way
3. to get enough votes to change that other amendment.
4. I move...encourage an Aye vote.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Further discussion? Senator Vadalabene may close
7. the debate. All right. The question is shall Senate
8. Bill 467 pass. Those in favor will vote Aye. Those
9. opposed will vote Nay. The voting is open.

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End of reel.

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1. PRESIDING OFFICER: (SENATOR ROCK)

2. Have all voted who wish? Have all voted who wish?

3. Take the record. On that question, the Ayes are 38,

4. the...the Noes are 8, 3 Voting Present. Senate Bill 467

5. having received a constitutional majority is declared

6. passed. Senator Grotberg for what purpose do you arise?

7. SENATOR GROTEBERG:

8. The gallery right behind you, Mr. President, is graced by

9. two distinguished manufacturers from St. Charles, Illinois,

10. Mr. John Donnelly and Dick Benson of the Hawley Products

11. down here on the Industry Day in Illinois, and I would

12. ask them to rise and be recognized.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Will our guests please and be recognized by the Senate.

15. Senator Carroll, for what purpose do you arise?

16. SENATOR CARROLL:

17. While we're on that order of business, I notice that

18. in the gallery we are graced by the charming mother of

19. Senator Arthur Berman...

20. PRESIDING OFFICER: (SENATOR ROCK)

21. That's the second time.

22. SENATOR CARROLL:

23. ...Mrs. Berman. Oh, I'm sorry. Okay.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Okay. Senator Daley, 498? All right. On the Order of

26. Senate Bills 3rd reading is Senate Bill 498. Read the bill,

27. Mr. Secretary.

28. SECRETARY:

29. Senate Bill 498

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Daley.

1. SENATOR DALEY:

2. Mr. President and fellow Senators, this enacts the
3. Illinois Price Advertising Act. It states that all selling
4. prices on goods must be visible. The sale of an item must
5. have a time limitation whether it's one day, two days,
6. three days or a week. The reference price in regards to
7. the selling price must be visible. If they're comparing
8. prices of one item with another item, it must be on the
9. same line. Also, the reference price must be identical
10. to the actual price. When there is a sale of goods, what
11. is the actual price? Is it a retail price? It is a whole-
12. sale price. The other item is the reference of prices on
13. two or three items. The goods must be similar. If they're
14. selling paint, they must be the same type of paint. Also,
15. special sales such as a clearance sale, a fire sale, or a
16. closeout, it must be true and correct. Many a times,
17. they're advertising gimmicks when they call it a fire sale
18. or a clearance sale, or a closeout sale. Also, we prohibit
19. the use of so-called wholesale or factory sales which are
20. not true. Many of them are just advertising gimmicks to
21. bring people into the stores. Also, the advertisers must
22. state his place of business and the location. The address must be
23. stated in the advertising. Also, there is a unit pricing
24. in accordance to per pound or per quart in regards to the
25. items on for sale. The bill specifies different types of
26. items such as meat per pound, vegetable juices and fruit and
27. other drinks per quart, other items per quart or per pound,
28. other...other items per pound or individual or a whole unit.
29. The bill states that...an example is in every Sunday news-
30. paper each and everyone of us gets, especially your wives,
31. when they say you can save fifty to six percent. Is it a
32. wholesale price? Is it a retail price? No one ever knows.
33. Is there a time limitation? What is the quality of the

1. material being sold? We don't know what the quality is.
2. What I'm trying to do in this bill is to get some truth in
3. the advertising field. I know there is much opposition to
4. it...valid opposition and valid...criticism to the bill, but
5. just the other day Walgreen's because of the Federal Trade
6. Commission finally agreed to use shelf signs to indicate
7. the location and price of advertising items, mark each
8. item with the advertised price, as well as sell advertised
9. items at or below the advertised price, and post copies of
10. advertisement in the stores. The Federal Trade Commission
11. had to do this, and not one department in the State of
12. Illinois had the authority to do it. I think this is a
13. good bill. Though it...not only help the consumer, but it would
14. help each and everyone of the people who live in your district.
15. I don't like the name...this is a consumer bill. I think this
16. is a good bill, and I ask for your endorsement.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Any discussion? Senator Coffey.

19. SENATOR COFFEY:

20. Yes, Mr. President and members of the Senate, I would
21. like to speak in opposition of this bill although I'm sure
22. the fine sponsor of this bill has worked very hard to try to
23. come up with a bill that would protect the consumer, but as
24. a businessman for twelve to fourteen years, I see a lot of
25. problems with this particular legislation, and I think it's
26. going to be extremely costly to the consumer, more so than
27. it will protect the consumer. In some situations and I'm
28. sure maybe in the sponsor of this bills particular area,
29. they maybe have different problems. As a retailer, I can
30. see many problems that could create, at least, for the downstate
31. merchants and I would be sure that...I would be relatively
32. sure that it would cause problems for many of the consumers
33. in the State of Illinois, so I think that we ought to take

1. a real good look at this bill, see if it's going to do more
2. damage than be a benefit to the consumer, and I would ask you
3. for a No vote on this bill.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Further discussion? Senator Philip.

6. SENATOR PHILIP:

7. Will the sponsor yield for a question.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Indicates he will yield. Senator Philip.

10. SENATOR PHILIP:

11. If I remember, Senator Daley, you had put an amendment
12. on that provided that any store that had under nine hundred items
13. was exempt from this bill. Is that amendment still on the
14. bill?

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Daley.

17. SENATOR DALEY:

18. Amendment.

19. SENATOR PHILIP:

20. Oh...oh, okay...

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Philip.

23. SENATOR PHILIP:

24. ...that...that's most interesting to me. I...I think,
25. first of all, it's obvious to me anyway, that it's unconstitu-
26. tional. Secondly, I understand it was done for a small
27. chain called Aldi which, incidently is a German owned corpora-
28. tion which enjoys about ten percent of the total food sold
29. in Europe. And now, here we're going to give them the
30. benefit here in the United States of not marking their...their
31. item...each item individually. I would say this to you if
32. ...if you're sincere about your bill, if it's good for the
33. large supermarkets, it certainly is good for the little mom

1. and pop store, and I would...I would say to you, it's
2. going to increase, increase the cost per unit of a cent to
3. a cent and a half on baby food, canned soup, I don't care
4. what it is. And if you'll go in a supermarket...and when I
5. was kid, I worked in a supermarket. It's very difficult
6. to keep up with the sales, and when the manufacturer gives
7. that supermarket a break because they buy in quantity or
8. a promotional allowance, they want to pass it on to the
9. consumer. If they have to go back and...and wipe everything
10. off that can or that product and restamp it, they're
11. liable not to pass it on to the consumer, so you know, on
12. the...on the surface, this looks like a good bill. Really
13. all it accomplishes is increasing the cost of food in the
14. State of Illinois and on that basis, I would certainly
15. suggest we vote No.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Grotberg.

18. SENATOR GROTBORG:

19. ...A question of the sponsor, Mr. President.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Sponsor indicates he will yield. Senator Grotberg.

22. SENATOR GROTBORG:

23. Are the automobile dealers in this?

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Daley.

26. SENATOR DALEY:

27. Why I would hope so.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Grotberg.

30. SENATOR GROTBORG:

31. That helps. Thank you, Senator.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Egan.

1. SENATOR EGAN:

2. Would the sponsor yield please?

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Indicates he will yield. Senator Egan.

5. SENATOR EGAN:

6. There's one thing in this bill that I have trouble with,
7. and that is the credit that a...a retail outlet might get
8. for underweighing. In other words, if the local grocery
9. store were to give the customer more than is on the package,
10. does he get a credit for that against all of those violations
11. that he must answer to?

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Daley.

14. SENATOR DALEY:

15. ...First of all, it won't pertain to the ma and pa stores.
16. This pertains to the larger chains. It deals with mostly
17. advertising. Advertising inside the store. Advertising
18. outside the store as well as newspapers, TV or radio. This
19. is what we're trying to get after. In regards to a typical
20. example is to take the Sunday newspapers dealing with a
21. sale, you can save four dollars. Where do you save the four
22. dollars? Is it a wholesale price? Is it retail price
23. or is it just an advertising gimmick? And that's what we're
24. trying to see, trying to terminate these advertising gimmicks.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Egan.

27. SENATOR EGAN:

28. No, I...I...that I have no quarrel with. But I have,
29. in fact, represented some, not ma and pa grocery stores, some
30. chain stores, in...in court for violations that they did not
31. have enough of the product in the package that they claimed
32. is weighed on the little stamp that's put on the package.
33. Maybe fifty violations out of a possible five hundred thousand.

1. My question is, do they get a credit for the weighing that
2. they do in the opposite direction. If they put more in
3. the package than say on the package, can they get a credit
4. for that?

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Daley.

7. SENATOR DALEY:

8. No, they can't.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Egan.

11. SENATOR EGAN:

12. It seems only fair that they could. That's my objection
13. to the bill.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Any further discussion? Senator Regner.

16. SENATOR REGNER:

17. Senator Daley, do you have a cost estimate for the
18. enactment and operation of this agency?

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Daley.

21. SENATOR DALEY:

22. Well, they figure it would be around a hundred
23. thousand or less. Already Department of Registration and
24. Education goes go into the supermarkets presently on other
25. inspections and...and this would slightly increase their
26. load. We have very good State workers and...and men and
27. women are dedicated in protecting the consumers of Illinois.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Regner.

30. SENATOR REGNER:

31. Why, I understand that the Department of Registration
32. and Education who has the authorization and the...to...to do
33. this operation, that they estimate their cost will about three

1. million dollars, and that...that was the information we
2. received.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Daley.

5. SENATOR DALEY:

6. This bill has been introduced since January, and they
7. have never contacted me in regards to the cost estimates.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Regner.

10. SENATOR REGNER:

11. This is the information we have, Senator Daley, that
12. they are estimating about three millions for the enactment
13. and operation of this, and I would suggest, maybe ask you
14. if that's the case, do you have an amendment prepared for
15. R & E's budget to increase their operations?

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Daley.

18. SENATOR DALEY:

19. We can take care of that in the House.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. All right, any further discussion? Senator Daley may
22. close...Senator Berning.

23. SENATOR BERNING:

24. Thank you, Mr. President. I...I...I understand what the
25. sponsor is attempting to achieve here, and I am basically in
26. ...in agreement, but I...I have just discovered that on page
27. 4, line 9, something that now gives me great hesitation.
28. Indicating that a certain grouping of food products, meat,
29. poultry, and going on through cereals, candy, preserves,
30. peanut butter, coffee, shall be shown per pound. Well, I...
31. I wonder how that is possible when so frequently these things
32. are shown only by unit and a can might be seven and a half
33. ounces, and that's what the housewife is interested. How

1. much is that can going to cost, rather than have to take
2. the per pound price and divide it by the weight of a..of a
3. single item. It seems to me that that is an almost
4. totally confusing provision in there.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Daley.

7. SENATOR DALEY:

8. Well, Senator, we're found the Standard Industrial
9. Classification Manual published by the Executive
10. Office of the President of the United States, the
11. Bureau of the Budget and this is the standard we must
12. follow throughout the country and...and it's something
13. that it's mandated by law that we should follow this
14. and that's what we're doing in this bill.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Any further discussion? Senator Daley may close
17. the debate.

18. SENATOR DALEY:

19. Mr. President, and fellow Senators. I would hope
20. that this bill would get...receive thirty votes. If
21. not, I would hope that the industry would be
22. awakened and understand that they must protect the
23. consumer. If it's not a State Agency, the Federal
24. Trade Commission will be upon every supermarket in
25. the State of Illinois, such as they did just a week ago
26. at Walgreen's. Thank you very much.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. The question is shall Senate Bill 498 pass.
29. Those in favor will vote Aye. Those opposed will
30. vote Nay. The voting is open. Have all voted who
31. wish? Have all voted who wish? Have all voted
32. who wish? Take the record. On that question the
33. Ayes are 23, the Nays are 26, 2 Voting Present.
34. Senate Bill 498 having failed to receive a constitutional

1. majority is declared lost. Senator Bruce, you wish to
2. run that series of bills. On the Order of Senate Bills
3. 3rd reading, Senate Bill 510. Read the bill, Mr. Secretary.

4. SECRETARY:

5. Senate Bill 510.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Bruce.

10. SENATOR BRUCE:

11. Thank you, Mr. President, and members of the
12. Senate. Senate Bill 510 relates to the Motor Vehicle
13. Code in allowing a dealer or agent for a dealer to
14. operate a vehicle towing two semi-trailers in tandem
15. from the point of manufacture to the point of first
16. delivery. Part of the problem that some of the people
17. in my part of the State have is...is bringing in
18. horse trailers and other like trailers and they are
19. not able to tow them as they can in Arkansas, Missouri
20. and Texas. This bill would allow those vehicles to be
21. towed as long as they met the requirements as set forth
22. in articles two and three of Section 12 of the Vehicle
23. Code which relates to lighting and breaking possibilities.
24. And the...the bill has been reviewed by the Transportation
25. Committee, the Department of Transportation, the State
26. Police have withdrawn all objections. We put an amend-
27. ment on which met the problems they have that it be
28. lighted and it have brakes in operation. I would move
29. for a favorable vote.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Any discussion? Senator Hickey.

32. SENATOR HICKEY:

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

34. PRESIDING OFFICER: (SENATOR ROCK)

1. The sponsor indicates he will yield. Senator
2. Hickey.

3. SENATOR HICKEY:

4. Senator Bruce, is this any longer than regular
5. automobile trailers are now?

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Bruce.

8. SENATOR BRUCE:

9. No, they would have to stay within the maximum
10. limit as set forth by the Statute.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Further discussion? Senator Daley.

13. SENATOR DALEY:

14. Will the sponsor yield to a question?

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Indicates he will yield. Senator Daley.

17. SENATOR DALEY:

18. As I understand it, Amendment No. 1 allows
19. an agent for a dealer now to operate a vehicle towing
20. two semi-trailers from the point of manufacture to
21. the point of delivery. In the bill it doesn't allow
22. a...an agent as a dealer.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator Bruce.

25. SENATOR BRUCE:

26. Well, I'm not sure what your question is. The
27. bill reads, not...as amended, it reads, notwithstanding
28. other provisions of this section, a dealer, or an
29. agent for a dealer may operate a vehicle.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Daley.

32. SENATOR DALEY:

33. As I understand the present section only allows

1. a dealer, not an agent. You could have twenty agents
2. do it, thirty, forty agents bringing in trucks and
3. that's...that's what you're doing in this bill. You
4. won't...

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Bruce. Oh, I'm sorry...Senator Daley.

7. SENATOR DALEY:

8. As I understand, it was only for a dealer, now
9. it's an agent for a dealer.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Bruce.

12. SENATOR BRUCE:

13. The...the dealer that handed me this bill obviously
14. is from Fairfield, Illinois. He hires drivers to go to
15. Texas to pick up the trailers. And it was at the suggestion
16. of DOT that we put in the agent of the dealer. We want
17. to make sure, Senator Daley, that these are not hauled
18. by anyone who is in the business of hauling trailers.
19. They are actually employees of the dealer. They go
20. to Texas, pick them up, drive them through Arkansas,
21. Missouri and into Illinois. And the present situation,
22. is they have to break the trailers at the Missouri-
23. Illinois border and make two trips and it just seemed
24. to him and a lot of the other dealers it makes sense.
25. And that's why I added the agent. It's not to...not to
26. allow trucking companies to do this, but only agents
27. of dealers. It is only from the point of manufacture,
28. whatever that may be, to the point of delivery at
29. the dealer's place of business.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Daley.

32. SENATOR DALEY:

33. As I understand Amendment No. 1, you...you

1. state...or an agent for a dealer. You could have five,
2. six agents for a dealer. So, it isn't just one man
3. working for a dealer. And I think under the original
4. bill, it only allows a dealer. The bill deals with a
5. dealer. Now, you're allowing agents to come in. And
6. I think you're trying to get around the law.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Bruce.

9. SENATOR BRUCE:

10. No, in fact, the original bill did not put any
11. restriction whatsoever. That it could have been done
12. by towing companies and it...at the request, I think,
13. of Senator Lenke and others who were worried about
14. Teamsters. The...the question of agent of a dealer
15. was added to restrict the bill, not to open it up,
16. cause in the original language it said, any vehicle
17. may be operated in towing two trailers, in tandem
18. and transit. And that the...all we want to do, I
19. think...I think it was Senator Lenke, was to limit
20. it to dealers or agents of dealers from the point of
21. manufacture to the point of first sale.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Daley.

24. SENATOR DALEY:

25. But, as I understand the bill, you're going
26. to allow agents bringing in these towing two semitrailers
27. throughout the State of Illinois. And I think it would
28. be very unsafe and...also we're interested in keeping
29. the business community going. People working and you're
30. doing away with another job for someone else in Illinois.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Further discussion? Senator Coffey.

33. SENATOR COFFEY:

1. A question of the sponsor, please.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Indicates he will yield. Senator Coffey.

4. SENATOR COFFEY:

5. Senator Bruce...there was a...and I can't recall

6. whether we got this clarified in committee, but, the

7. definition of vehicles. Does this only speak of on

8. ...on the towing of trucks? Is there other vehicles

9. that could be...

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Bruce.

12. SENATOR BRUCE:

13. The question in committee was the difference

14. between trailers and semitrailers. And the reference

15. Bureau missed that point and a trailer, under the

16. Motor Vehicle Code, is a...is a motor vehicle having

17. four wheels, no part of which the bearing load is

18. on the towing vehicle. A semitrailer is a two wheeled

19. item which has part of the weight borne by the towing

20. vehicle. And that's why I changed it from trailer

21. to semitrailer. That's what I always intended, but

22. the Reference Bureau did not catch that fine...distinction

23. in the Vehicle Code.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Coffey.

26. SENATOR COFFEY:

27. Does this only address itself to empty trailers,

28. or, I understood that was the content of the bill.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Bruce.

31. SENATOR BRUCE:

32. It would not relate only to empty trailers, only

33. to the extent that it would come from the manufacturer

1. to the point of first delivery. It'd be unusual, I would
2. think, that they would be loaded. That was one of the
3. things I...I asked the State Police and the DOT said that
4. they did not think that would be required since that all the
5. requirements of lighting, of braking, and the fact that
6. they would make...meet all the other standards of length, weight
7. and height would be sufficient and they did not see...think
8. it would be a problem.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Coffey.

11. SENATOR COFFEY:

12. Just one other question. Did the Department of
13. Transportation, did they finally...they were opposing
14. earlier to this bill...are they finally satisfied with
15. the bill as it now...

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator...Senator Bruce.

18. SENATOR BRUCE:

19. This is DOT and the State Police's amendment
20. as they drew it up and handed it to me.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Any further discussion? Senator Guidice.

23. SENATOR GUIDICE:

24. Thank you, Mr. President. Would the sponsor
25. yield to a question?

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Indicates he will yield. Senator Guidice.

28. SENATOR GUIDICE:

29. You've...you've indicated in this bill that it's
30. daytime...you've indicated in this bill that it's all
31. right in the daytime?

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Bruce.

1. SENATOR BRUCE:

2. The original bill, at my suggestion, was daytime.
3. The DOT and State Police said that they do not normally
4. do that and it was their suggestion that once you
5. have the lights and brakes on that the vehicle would
6. be safe both for daytime and nighttime towing. It
7. was my...the original bill said daytime, they...they
8. on their suggestion removed that from the bill.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Guidice.

11. SENATOR GUIDICE:

12. Well...well, Senator Bruce, did you see a
13. problem in the nighttime as far as these particular
14. vehicles were concerned?

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Bruce.

17. SENATOR BRUCE:

18. Well, when I put it in, I asked the...the dealer who
19. asked me to present the bill and he said, he could get by
20. if they just restricted it to daytime. And that was why
21. I put it in. DOT and State Police said they didn't care.
22. It did not present any greater safety problem at night
23. as in day as long as it was...had the operating lights
24. and running lights on it, so at their suggestion we...we
25. put it in. I guess it would not create any safety
26. problems. If they say it doesn't, I believe them.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Guidice.

29. SENATOR GUIDICE:

30. All right.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Any further discussion? Senator Bruce to close
33. the debate.

1. SENATOR BRUCE:

2. No, it's all right. Roll call.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. The question is shall Senate Bill 510 pass. Those
5. in favor vote Aye. Those opposed vote Nay. The voting
6. is open. Have all voted who wish? Have all voted who
7. wish? Take the record. On that question the Ayes are
8. 29, the Nays are 3, 6 Voting Present. Senate Bill 510
9. having failed to receive a constitutional majority is
10. declared lost. Senator Bloom, for what purpose do you
11. arise?

12. SENATOR BLOOM:

13. Point of personal privilege.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. State your point, sir.

16. SENATOR BLOOM:

17. Seated in the southwest gallery are two stalwart
18. businessmen from Peoria and friends of mine, Ted
19. Wañlfeld and Mike Lukasiwicz. I'd like them to stand
20. and be recognized.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Will our guests please stand and be recognized.

23. On the Order of Senate Bills 3rd reading, Senate Bill
24. 511. Read the bill, Mr. Secretary.

25. SECRETARY:

26. Senate Bill 511.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Bruce.

31. SENATOR BRUCE:

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

33. The following three bills, Senate Bill 511, 512 and 513, relate

1. to increasing the rates for various publications required
2. by the Statute. The last increase in the legal ad. rates
3. was in 1957 and the costs have certainly increased for
4. newspapers throughout the State since that time. The
5. Senate Bill 511 to explain it in particular, relates
6. to publishing an assessment list and for delinquent
7. lists for personal property tax. Included within the
8. legislation is presently the law requires that there
9. will be a one dollar charge for the publication of
10. the delinquent personal property tax list. That would
11. be increased from one dollar to two dollars. These
12. bills passed out of the Senate two years ago. I think
13. there were some thirty-six sponsors on at the time.
14. They went to the House and got caught in a late
15. problem over there. The Senate...Representative Tipsword
16. has put in the same bills in the House. Two of those
17. three have passed and come over and I...I cannot recall
18. which of the three bills has not passed, but the House
19. has acted on them. I've amended the bill to remove
20. the objection in the House...in the Senate of 511 and I
21. think that when it gets to the House it also will pass.
22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Regner.

24. SENATOR REGNER:

25. Question, the sponsor?

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Indicates he'll yield.

28. SENATOR REGNER:

29. Senator Bruce, would I make the correct assumption
30. if I said it's the Illinois Press Association that wants
31. these three bills.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Bruce.

1. SENATOR BRUCE:

2. I...I would say that that is correct. They would
3. be in support of this legislation.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Regner.

6. SENATOR REGNER:

7. Well, on that basis, if I vote Yes and anybody
8. who votes yes, I would assume they'd think we're
9. nice guys and might say something nice about us, however,
10. if we'd vote No, they'd probably say something nasty
11. about us. Therefore, due to the conflict, I'm going
12. to vote Present.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Is there further discussion? Senator Walsh.

15. SENATOR WALSH:

16. Will the gentlemen yield for a question?

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. He indicates he will.

19. SENATOR WALSH:

20. Senate Bill 511 was amended, Senator. Can you
21. tell me what the amendment provided?

22. SENATOR BRUCE:

23. Yes, in committee...the bill as introduced had
24. a two dollar charge per taxpayer for publication of the
25. list. That caused some great degree of consternation
26. in the House and that bill was defeated over there and
27. we have removed that. There is...so that there's no
28. confusion, there were two charges in bill, each would
29. have been two dollars. The present Statute requires
30. a one dollar charge. That would be increased from
31. one dollar to two dollars, which should help the
32. counties offset the cost. The two dollar additional
33. charge which was new, it has been deleted by amendment.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator Walsh.
3. SENATOR WALSH:
4. So the...the one dollar charge is...that has
5. been increased to two dollars is for publishing the
6. names of delinquent taxpayers, is that correct?
7. PRESIDING OFFICER: (SENATOR DONNEWALD)
8. Senator Bruce.
9. SENATOR BRUCE:
10. Yes, for delinquent personal property taxpayers.
11. PRESIDING OFFICER: (SENATOR DONNEWALD)
12. Senator Walsh.
13. SENATOR WALSH:
14. And the new two dollar charge that you've eliminated
15. completely would have been passed on to taxpayers who
16. were named in the assessment lists for increases or
17. decreases. Thank you.
18. PRESIDING OFFICER: (SENATOR DONNEWALD)
19. Senator Grotberg.
20. SENATOR GROTBURG:
21. Mr. President and members. Again, this is the
22. companion bills that went...that go with the bill that
23. just went out of here a little bit ago in a long overdue
24. situation. I think a lot of jesting has been going on
25. on this subject matter for as long as I've been down
26. here, which is not all that many years. But, they've
27. had unanimous committee approval and the...the publication
28. costs like everything else have gone up. I think most
29. of us that are in business understand that. And I
30. would certainly recommend an Aye vote on these bills,
31. all three of them.
32. PRESIDING OFFICER: (SENATOR DONNEWALD)
33. Senator Nimrod.

1. SENATOR NIMROD:

2. A...a question, Mr. President, of the sponsor.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Indicates he will respond.

5. SENATOR NIMROD:

6. Senator Bruce, this bill provides for...you removed
7. the two dollars, that was my one question. But, we just
8. passed a bill, number 312, which provided for a tax
9. increase without referendum. If, in fact, we're allowing
10. a tax increase, why are we allowing for another dollar
11. increase against the individuals who are being taxed
12. for this purpose?

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Bruce.

15. SENATOR BRUCE:

16. Well, part of the reason that that was done is
17. that the...the dollar charge has not been raised since
18. 1957 either. And that's been thirty years ago that
19. people who have not paid their taxes who are delinquent,
20. get a by...get by with an only additional one dollar
21. charge. It was my feeling and others that it's time
22. if we're going to raise the rates, we ought to make it
23. also a little more difficult on those who are delinquent,
24. and we raised it from one dollar to two dollars.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Nimrod.

27. SENATOR NIMROD:

28. Yes, Senator Bruce, does 511 address itself to
29. setting the thirty cent limit...in addition, yes, I
30. guess it does, on page 2. It says...says that it
31. shall be thirty dollar...thirty cents instead of
32. twenty cents per column.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Bruce.

2. SENATOR BRUCE:

3. That...that's the reason for the legislation. It
4. raises the rates from twenty cents to thirty cents. On
5. both assessment lists and delinquent personal property
6. tax lists.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Nimrod.

9. SENATOR NIMROD:

10. Thank...thank you. I...I support the concept
11. of increasing this to thirty cents. But I disagree
12. with the concept of setting it at a fixed price, the
13. thirty cents becomes a minimum and a maximum. And I
14. have...I...remember when we had this in Revenue during
15. the last Session. One of the problems that was
16. perplexing to me was the fact that we are, in many
17. cases, going to be mandating for the downstate newspapers,
18. a rate to pay for this that's going to be higher than
19. their commercial rates. I have the reproduction of
20. that, for example, of those rates in my hands, they run
21. twenty-six cents, fifteen...fifteen cents a line,
22. eighteen cents a line. What we're going to be doing
23. here is mandating a rate higher than we're going
24. to pay as taxpayers for thirty cents a line, when on
25. the commercial rates, these newspapers are charging
26. much less. Now, I think that what I would suggest,
27. and I think would probably meet everyone's approval,
28. if we were to amend your bills to the point to say
29. not to exceed thirty cents. Then they could bid in
30. those areas...in the areas where it's not much
31. money and that we will not be overpaying and in
32. areas, in urban areas where we do have a high competition
33. that certainly it will go for the thirty cent price.
34. This to me seems like it'll be a far more reasonable

1. and proper means of addressing the subject. I do support
2. the concept, but I think we're taking some wrong steps
3. here when we are providing thirty cent payments, mandating
4. them for people that on commercial rates are charging
5. much less.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Soper.

8. SENATOR SOPER:

9. Well, thank you, Mr. President. Senator Bruce,
10. there seems to be some confusion about the amendment
11. that took out the...the requirement that the person
12. who was delinquent would pay the two dollars. Now,
13. you took that amendment out and there was something
14. said about a dollar, but the dollar was increased
15. to two dollars per...per line or...or...or per notice
16. of each...of each party that was delinquent. Now, is
17. that true?

18. SENATOR BRUCE:

19. Well, part of the confusion, Senator Soper, is
20. over the fact that both charges would have been two
21. dollars. The new two dollar charge was deleted entirely
22. from the bill, absolutely. It is out, gone, by amendment.
23. There is a present one dollar charge for delinquent
24. taxpayers. That's been increased to two dollars.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Soper.

27. SENATOR SOPER:

28. Well, you just told me that you took the two
29. dollars out. In other words, you took out the
30. requirement that the taxpayer that was listed would
31. have to pay the two dollars, right. But, there's
32. two dollars for every listing of a taxpayer, that's
33. to be paid by the...

1. SENATOR BRUCE:

2. Presently, we charge every delinquent taxpayer, just
3. a delinquent taxpayers, a buck. That will be increased for
4. every delinquent taxpayer to two dollars. Only the
5. delinquents. Only the people who have not paid their
6. taxes.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Soper.

9. SENATOR SOPER:

10. Next, you charge the delinquent taxpayer that, but,
11. we're talking about the publication. It's nothing to do
12. with the publication. But, you're going to have a standard
13. thirty cents a column inch charge and it's not going to
14. be...it's not going to be by bidding then. In other
15. words, you have three or four newspapers and one wanted
16. to charge twenty-five cents or twenty-two cents a
17. column inch, they couldn't do that. They'd get thirty
18. cents. There'd be no more open bidding on this, right?

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Bruce.

21. SENATOR BRUCE:

22. No, I don't believe that is correct. It just...
23. says they shall be entitled to that much. I don't
24. believe that they are mandated to take it and they
25. can charge less than that. But at the present
26. rates, they cannot charge more than twenty cents.
27. This would say they cannot charge more now than thirty
28. cents.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Kenneth Hall.

31. SENATOR KENNETH HALL:

32. Will the sponsor yield to a question?

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Indicates he will, he's right next to you.

2. SENATOR KENNETH HALL:

3. Senator, what...why is it necessary that we're
4. giving them an increase? I understand that most papers
5. that I read are saying that this is the wrong time now
6. to be getting any increases. We should show that we're
7. having austerity and everything. Why is it necessary
8. that we're increasing them?

9. SENATOR BRUCE:

10. Well, Senator Hall, the last change we'd made in
11. legal ad rates was in 1957, thirty years ago, and Senator
12. Regner, if you may...if I might have your attention.
13. For those reporters who are covering us, from 1957 until
14. 1977 the average increase for reporters and editors was
15. a hundred and seventy-six percent increase for composing
16. room people. A hundred and seventy percent increase for the press
17. room people. A hundred and sixty-two percent increase,
18. postage is increased from three cents in 1957 per the
19. first ounce to thirteen cents, where a three hundred and
20. thirty-three percent increase in postage rates, second
21. class from 0225 to 0095 or a two hundred and eighty
22. percent increase.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Kenneth Hall.

25. SENATOR KENNETH HALL:

26. Well, how much will this actually mean in dollars
27. and cents to them?

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Bruce.

30. SENATOR BRUCE:

31. I asked the Illinois Press Association to run the
32. biggest county and the largest publication area, during the
33. quad year, during the quadrennial reassessment year, the

1. increase in Cook County would be about six hundred and
2. forty-seven dollars per township. It is not a large
3. increase.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Kenneth Hall.

6. SENATOR KENNETH HALL:

7. Well, the only thing that I see is that I remember
8. here...I was thinking it was...I think in the last
9. Session, I know, that you had a similiar bill and I
10. think that you...you told me that it died in the House.
11. Now, but I...I haven't seen anything in the headlines
12. of the papers about the...an increase for newspapers.
13. As soon as something came for legislators, it was
14. headlined all over, legislators getting an increase.
15. And that's a shame that they're taking increases, and
16. yet we didn't get an increase. Most of your constituents
17. back there think that you got an increase. Today we
18. have a bill here giving the newspapers an increase
19. and you can't see one word in the newspapers about it.
20. I wonder why they don't come out and publish that.
21. The point is that I don't believe that they need an
22. increase. They're not for us having an increase. They
23. say we should have anausterity program, so let's have
24. one.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Schaffer.

27. SENATOR SCHAFFER:

28. Senator Hall, I...I kind of take the opposite
29. tact. You know, many times increases are necessary
30. and they're kind of difficult to vote for and I
31. think there's some merit in these bills. I would only
32. request that if these bills are passed that a little
33. later in the Session there's some other bills that increase

1. some of benefits to legislators. I would only request
2. our friends in the press would give those increases as
3. much attention as they're going to give these increases,
4. if they're enacted into law.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Shiparo.

7. SENATOR SHAPIRO:

8. A point of personal privilege, Mr. President.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. State your point, Senator.

11. SENATOR SHAPIRO:

12. For all of you Republican Senators who have
13. never seen Mike Dunn, Patronage Chief for the Governor,
14. he is back there talking with Senator Soper.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Please stand and be recognized by your constituency.
17. Senator Berning.

18. SENATOR BERNING:

19. Thank you, Mr. President. A question of the
20. sponsor.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Bruce.

23. SENATOR BERNING:

24. Senator Bruce.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. May we have order. Talk about jobs and the place
27. goes crazy.

28. SENATOR BERNING:

29. Yes, we're all looking for something better, Mr.
30. President. Senator Bruce, would you object to bringing
31. this back to 2nd reading and put the amendment on to
32. say not to exceed thirty cents.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Bruce.

2. SENATOR BERNING:

3. More palatable.

4. SENATOR BRUCE:

5. Well, that's exactly what the bill says now. It

6. says shall be entitled to a fee of thirty cents per

7. column line, and that's the maximum rate that they

8. could charge. I don't...I don't know what...

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Berning.

11. SENATOR BERNING:

12. Senator Bruce, as I read that, that is minimum

13. and maximum. If you were to leave it optional, not

14. to exceed, at least there would be some room for

15. negotiation.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Bruce.

18. SENATOR BRUCE:

19. Well, it doesn't say they shall charge, it says

20. they shall be entitled to charge and it...they set the

21. rates throughout the State and I can tell you that I...

22. there is a good deal of negotiation with some of these

23. newspapers on how much they're going to charge. It's

24. not an automatic thirty cents per column line.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Is there further debate? Senator Bruce you

27. may close the debate or take a vote or both.

28. SENATOR BRUCE:

29. I would just point out that there has not

30. been a rate increase since 1957. All of us were mailing

31. our postage and letters for three cents. Now, we're

32. doing it for thirteen cents. They have the same problem,

33. and they are a business in the State, we regulate their

1. rates, we say what they will charge the various local
2. units of government and it's time after thirty years
3. to increase those rates ten cents.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. The question is shall Senate Bill 511 pass.
6. Those in favor vote Aye. Those opposed Nay. The voting
7. is open. Have all those voted who wish? Have all those
8. voted who wish? Have all those voted who wish? Take
9. the record. On that question the Ayes are 47, the
10. Nays are 5, 3 Voting Present. Senate Bill 511 having
11. received a constitutional majority is declared passed.
12. Senate Bill 512. Read the bill, Mr. Secretary.

13. SECRETARY:

14. Senate Bill 512.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Bruce.

19. SENATOR BRUCE:

20. Thank you, Mr. President, and members of the
21. Senate. This is the bill that relates to the delinquent
22. list and raises the rates from twenty to thirty cents
23. and from...let's see, thirty to...twenty to thirty throughout.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Is there further discussion? Senator Nimrod.

26. SENATOR NIMROD:

27. Yes, a question of the sponsor.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Indicates he will yield.

30. SENATOR NIMROD:

31. Senator Bruce, when I asked that question before,
32. I didn't get an answer. I thought I'd get an answer
33. in your closing remarks. Would you consider having

1. these amended in the House to say not to exceed thirty
2. cents, so that we don't worry about paying more for
3. some of those areas where they really charge less and
4. really doubling their rate for commercial rates.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Bruce.

7. SENATOR BRUCE:

8. I think part of the problem with that would
9. be that the smallest paper may very well be able to
10. offer the cheapest price. And once...the purpose for
11. the publication is to let people know who is not
12. paying the property tax. A very small newspaper could
13. probably undercut the price significantly, but I'm
14. not sure that's the purpose of the Statute. And these
15. contracts are entered into by the, I would imagine it
16. would be the County Treasurer and I have not had any
17. complaint from them that they cannot get a reasonable
18. and just rate from these newspapers.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Nimrod.

21. SENATOR NIMROD:

22. Well, the only thing is that we're mandating that
23. they must charge thirty cents, there's not going to be
24. any reasonable rate that they can request. They couldn't
25. accept less than thirty cents according to this, even
26. if they wanted to. So, we're really forcing the papers
27. to charge the governmental agencies twice as much as
28. they charge anybody else.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Bruce.

31. SENATOR BRUCE:

32. Well, we're raising the rates from twenty to thirty
33. cents. Now, whether that sets the maximum or minimum, as

1. far as I can understand, there is competition between
2. newspapers on this business. But, if you mandate that
3. this is the...that they have to go to a set fee, it's
4. always going to go to the smallest newspaper. And it
5. would be a competitive disadvantage for those papers
6. who are trying to publish in a large area.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Is there further discussion? Senator Buzbee.

9. SENATOR BUZBEE:

10. Thank you, Mr. President: Mr. President, if I
11. were to be convinced that the newspapers are...would
12. be as concerned about truth and accuracy in their...in
13. their editorial and their reportorial policy, as they
14. are...and in their business policies, as they are in
15. being concerned about getting increases and rates
16. from government; then I might be willing to support
17. these bills. But, until then, why I think they're
18. making enough money and I'm going to continue voting
19. No on them.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Is there further discussion? Senator Bruce
22. may close the debate or take a vote.

23. SENATOR BRUCE:

24. Roll call.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. The question is shall Senate Bill 512 pass. Those
27. in favor vote Aye. Those opposed Nay. The voting is open.
28. (Machine cut-off) voted who wish? Take the record. On
29. that question the Ayes are 45, the Nays are 6, 1 Voting
30. Present. Senate Bill 512 having received a constitutional
31. majority is declared passed. (Machine cut-off) Bill 513,
32. Senator Bruce. Read the bill, Mr. Secretary.

33. SECRETARY:

1. Senate Bill 513.
2. (Secretary reads title of bill)
3. 3rd reading of the bill.
4. PRESIDING OFFICER: (SENATOR DONNEWALD)
5. Senator Bruce.
6. SENATOR BRUCE:
7. Yes, Mr. President, this relates to legal publications.
8. Ninety-nine percent of the newspapers are presently charging
9. more than the minimum. This is a minimum charge as stated
10. in this piece of legislation. Over ninety-nine percent
11. of them are charging more than the minimum. They would
12. like to raise the minimum from twenty cents to thirty
13. cents.
14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. Is there further discussion? Senator Walsh.
16. SENATOR WALSH:
17. Will the gentleman yield?
18. PRESIDING OFFICER: (SENATOR DONNEWALD)
19. Indicates he will.
20. SENATOR WALSH:
21. Can you explain how this bill differs from the
22. other two? The other related to...publications for
23. assessment lists and delinquent taxpayers, I believe.
24. Is that right?
25. PRESIDING OFFICER: (SENATOR DONNEWALD)
26. Senator Bruce.
27. SENATOR BRUCE:
28. 511 dealt with the assessment list and delinquent
29. personal property. 512 dealt with delinquent real estate
30. lists. This deals with all other legal notices required
31. to be published or required to be published by a court
32. order.
33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Walsh.

2. SENATOR WALSH:

3. And the...the minimum now is...is ten cents?

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Bruce.

6. SENATOR BRUCE:

7. That is correct. It would go to twenty cents.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Walsh.

10. SENATOR WALSH:

11. But...but it's just a minimum, it...it...there

12. is no maximum right now, is that right?

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Bruce.

15. SENATOR BRUCE:

16. That is correct. I am informed by the Press

17. Association that ninety-nine percent of the papers

18. already charge more than ten cents.

19. SENATOR WALSH:

20. And...and there is...there is no maximum...your

21. minimum is ten, so you're raising the minimum from

22. ten to twenty.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Bruce.

25. SENATOR BRUCE:

26. That is correct. This is the...the one that says

27. a minimum reasonable charge shall be ten cents. We're changing

28. the minimum reasonable charge to twenty cents.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Walsh.

31. SENATOR WALSH:

32. Well, just briefly, in opposition, Mr. President.

33. Since some of those who spoke against this bill, these

1. other two bills aren't here. It seems to me that to
2. increase a minimum is...is not a very good idea. A...
3. if they're charging nineteen cents or over twenty cents,
4. they're going to charge it anyway, we don't have to
5. increase the floor in order to permit them to do it.
6. This bill, it wouldn't seem to me, should be introduced
7. because the rate is going to be what the traffic would
8. bear anyway and I would see no necessity for this bill
9. and suggest a No vote.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Is..is there further...Senator Bruce.

12. SENATOR BRUCE:

13. Well, I think Senator Walsh, part of that makes
14. good sense and that's the question I asked. Why increase
15. the floor when ninety-nine percent of them are already
16. paying more than that. The...the problem they have
17. is that everytime you go into one of these bodies, they
18. say, look at the law, the law says ten cents and you're
19. charging me twice that already. All they would like
20. to do is move it up ten cents so that they don't get
21. in a hassle with all these taxing bodies. I don't...
22. like I say, their data to me is ninety-nine percent
23. already charging that, they'd just like to get the
24. headache out of the Statute.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Is there further discussion? The question is
27. shall Senate Bill 513 pass. Those in favor vote Aye.
28. Those opposed Nay. The voting is open. Have all those
29. voted who wish? Have all those voted who wish? Take
30. the record. On that question the Ayes are 43, the Nays
31. are 9, 1 Voting Present. Senate Bill 513 having
32. received a constitutional majority is declared passed.
33. Senate Bill 516, Senator Rupp. Read the bill, Mr. Secretary.

1. SECRETARY:
2. Senate Bill 516.
3. (Secretary reads title of bill)
4. 3rd reading of the bill.
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. Senator Rupp.
7. SENATOR RUPP:
8. Yes, sir. The original Group Life Insurance Law,
9. Mr. President, did three things. It authorized the
10. sale of the group life insurance, a limited amount
11. of life insurance, which could be sold, and then
12. provided a guaranteed conversion privilege. What
13. this bill does is remove the limit of twenty-five
14. thousand dollars which was in the old Act and then
15. it also provides for a requirement for a person to be
16. entitled to a...conversion privilege after being insured
17. for five years. It also increases the conversion
18. privilege from two thousand up to five thousand.
19. I ask favorable consideration of the bill.
20. PRESIDING OFFICER: (SENATOR DONNEWALD)
21. Is there further discussion? The question is
22. shall Senate Bill 516 pass. Those in favor vote Aye.
23. Those opposed Nay. The voting is open. Have all the...
24. have all those voted who wish? Take the record. On
25. that question the Ayes are 54, the Nays are none. Senate
26. Bill 516 having received a constitutional majority
27. is declared passed. While we're taking the record,
28. I've been asked to announce that as to Senate Bill
29. 425, the engrossed copy and all the amendments to that
30. bill are now being passed to all of the members.
31. Senate Bill 517, Senator Rupp. Senate Bill 517.
32. Read the bill, Mr. Secretary.
33. SECRETARY:

SB 517
3rd Reading
5/25/77

1. Senate Bill 517.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Rupp.

6. SENATOR RUPP:

7. Thank you, Mr. President. This, Senate Bill 517,
8. amends the Illinois Insurance Code in relation to the
9. extent of recovery permitted an insurance claimant in
10. an action against an insurance company which had resisted
11. or delayed the settlement unreasonably. When we had this
12. on 3rd reading it was discussed and Senator Rock did
13. raise a question as to why lines 13...12, 13 and 14 were
14. eliminated. In conversation with Senator Rock, he indicated
15. that if I would agreed to attempt to get that put back in
16. in the House that he would eliminate his objection to
17. it. I ask a favorable roll call on the bill.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Is there further discussion? The question is
20. shall Senate Bill 517 pass. Those in favor vote Aye.
21. Those opposed Nay. The voting is open. Senator
22. Savickas would you vote my switch, please. Have all
23. those voted who wish? Take the record. On that question
24. the Ayes are 55, the Nays are none. Senate Bill 517
25. having received a constitutional majority is declared
26. passed. Senate Bill 521, Senator Glass. Read the bill,
27. Mr. Secretary.

28. SECRETARY:

29. Senate Bill 521.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Glass.

1. SENATOR GLASS:

2. Thank you, Mr. President, Ladies and Gentlemen of
3. the Senate. Senate Bill 521 makes some admendments
4. relative to school bus driver's courses and other
5. provisions relating to the operation of school buses.
6. The...one of the major provisions in it is to provide
7. that a school bus driver who is now required to take
8. and complete an initial refresher course before he
9. is able to drive is instead allowed to enroll in an
10. initial course to be completed within forty-five
11. school days and failure to satisfactorily complete
12. the course is a cause for his suspension of his
13. permit. The reason for this is that IOE simply wasn't
14. able to provide enough courses so that the drivers
15. could complete them before they began driving. We
16. also provide in this bill that there be a thirty
17. day suspension of the driver's license of a person
18. convicted of passing a stopped school bus while the
19. bus is loading or unloading passengers. There's
20. a...repealer section relative to school bus fuel
21. tanks and the placement thereof. These provisions
22. were requested by the different offices of the
23. IOE, Department of Transportation and the State
24. Police. The State Police specifically requested
25. the provision regarding the stopping of school buses
26. at railroad crossings. They now will be required
27. to stop at all railroad crossings except on controlled
28. access highways. I'd be happy to answer any questions.
29. And I'd appreciate a favorable roll call.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Is there further discussion? Senator Kenneth
32. Hall.

33. SENATOR KENNETH HALL:

1. Would the sponsor yield to a question?

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. He indicates he will.

4. SENATOR KENNETH HALL:

5. Senator, I'm looking at this now. Amendment No. 2

6. eliminates the provision in Senate Bill 521 which

7. required that the physical examination be conducted

8. by a physician licensed to practice medicine all of

9. its branches. And it does...it goes on to say physical

10. examination will continue to be conducted by a licensed

11. physician. A...explain that.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Glass.

14. SENATOR GLASS:

15. Right, Senator Hall. That simply was in the

16. bill originally, changing it to a physician licensed

17. in all of its branches. That was not...that was not

18. an amendment that was requested by any of these agencies

19. and we were requested in committee to leave the law in...in the

20. present form. So the...the amendment just returns the

21. law to the position it's in now...without this bill.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Kenneth Hall.

24. SENATOR KENNETH HALL:

25. Well, is this the same bill that you had last

26. Session, Senator? You had such a bill though, didn't

27. you?

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Glass.

30. SENATOR GLASS:

31. Senator Hall, I did sponsor a bill relative to

32. school buses. What this does is...is more or less of

33. a clean up bill requested by the different agencies as

1. a result of some of the provisions in the new law.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Kenneth Hall.

4. SENATOR KENNETH HALL:

5. When you saying different agencies, what...what

6. are you referring to?

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Glass.

9. SENATOR GLASS:

10. The Illinois Office of Education, the Department

11. of Transportation and the State Police.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Kenneth Hall.

14. SENATOR KENNETH HALL:

15. I have...great reservations about this now.

16. We've had bus drivers for a number of years and now

17. all of a sudden that we coming up with this. I mean,

18. what has happened to cause this bill to be introduced?

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Glass.

21. SENATOR GLASS:

22. Senator Hall, as I explained, one of the things

23. we did the last Session was require that all bus drivers

24. take a course before they get...got their license. The

25. course is be...to be prescribed by the Illinois Office

26. of Education. The Illinois Office of Education said we...

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Just a moment, Senator. There's an awful lot

29. of noise back there, Gentlemen and Ladies. Could we

30. have order. Proceed.

31. SENATOR GLASS:

32. The Illinois Office of Education said simply

33. that they could not gear up to give that many courses

1. to all the new drivers. That they would be giving the
2. course approximately quarterly and they requested this
3. provision. So that the drivers under this bill will
4. simply have to enroll in a course and complete it
5. within the normal period of time. They will be given
6. the opportunity to have some instruction, as they do
7. now, but will be able to begin driving buses immediately.
8. Otherwise, the school districts were afraid that they
9. wouldn't have enough bus drivers under the present
10. law, and I certainly agreed with them. So, this is
11. the provision that we worked out to allow them to
12. enroll in the course and finish it as quickly as
13. possible.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Well, Senator Hall, your time is about up, but,
16. go ahead, proceed.

17. SENATOR KENNETH HALL:

18. I don't take that much time, Senator, so, the
19. question I want to ask you now, Senator, is this.
20. Is there any provision in the bill in case that a...a
21. person is examined by a physician and this physician
22. states that something is...impedes his...his physical fitness
23. to do the job, does he have any recourse?

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Glass.

26. SENATOR GLASS:

27. Yeah, Senator, the bill doesn't get to that problem
28. at all. I...I really would...would have to say no. That...there
29. undoubtedly in the law now is the requirement for a physical
30. exam. That is not changed.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Is there further...Senator Hall.

33. SENATOR KENNETH HALL:

1. Well, the reason I asked you, Senator, I had a
2. young man who was examined for the State Police and
3. their doctor stated that he had a heart condition.
4. He went to his...to another physician, he said he
5. did not have one. This delayed and kept him off for
6. several months, almost six months. Finally, it was
7. decided that he didn't have the heart condition.
8. He was accepted and he became one of the...as a
9. matter of fact, the State Police praise how highly
10. he is and what a great man he is today. I just
11. want to be sure that we aren't using this as some
12. vehicle to knock off some people who are bus drivers
13. at present and they won't have any recourse. This
14. would cause many people to lose jobs who are
15. performing their jobs right now.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Schaffer.

18. SENATOR SCHAFFER:

19. I rise in support of this bill. Senator Hall, I
20. think you've missed the point of this bill by about oh,
21. two hundred miles. Some of the smaller districts that
22. I represent, have a hard time finding bus drivers and
23. they have, say, six buses that need drivers, one of
24. the bus drivers quits or gets pregnant or whatever and
25. they can't put anybody to drive that bus because they
26. haven't got anybody who certified the test and the next
27. test is three months away. So they're down, they're
28. down a bus. They got the vehicle, they've got the
29. money all...but they can't hire anybody. This is a
30. good bill. It's a necessary bill and without it there's
31. going to be some hardship in all of the smaller districts
32. in the rural parts of the State.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Is there further debate? Senator Berning.

2. SENATOR BERNING:

3. Just one...one question. Why was the provision

4. stricken which requires a school bus to stop at a

5. railroad crossing?

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Glass.

8. SENATOR GLASS:

9. Senator Berning, I...as I indicated, the...the

10. bill now provided, as amended, that school buses will

11. stop at all railroad crossings except those on controlled

12. access highways, such as I-55, the State Police indicated

13. that it is more of a traffic hazard on a high speed

14. controlled access highway to have a bus stop at the

15. railroad crossing than not. So, that is the only situation

16. that has been accepted from the stop requirement.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Coffey.

19. SENATOR COFFEY:

20. Question of the sponsor, please.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Now...now, just a moment. Senator...Senator Hall,

23. you completed your...your first speech. And there was

24. no...you...now...Senator...Senator Coffey.

25. SENATOR COFFEY:

26. Question the sponsor, please.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Indicates he will respond.

29. SENATOR COFFEY:

30. Part of my question, I think has been answered.

31. But, I would like to...to go over this just one more

32. time. First of all you say the...I would like to know

33. when the effective date of this bill would be. I would

1. like you to clarify the forty-five days if that's for
2. new bus drivers or if that's presently the bus drivers
3. that are not...have their proper license authority.
4. And then, one other question I would like to ask. If
5. a bus driver is fired tomorrow, after this bill becomes
6. effective, how many days does he have to conform to
7. these rules?

8. SENATOR GLASS:

9. Senator Coffey, under the law, without this bill,
10. all bus drivers, before they can be hired must take a
11. course prescribed by IOE. IOE has said, it simply
12. cannot give enough courses, except quarterly, so that
13. bus drivers would have to wait the ninety day period.
14. As Senator Schaffer has indicated, that creates a
15. hardship on the school districts. So, to alleviate
16. that, we're changing it to simply say they have to
17. enroll in the course. And once they've enrolled in the
18. course and if they complete it in...in forty-five school
19. days, which is according to IOE consistent with
20. their schedule. They'll be able to give everybody
21. a course within that time. They can get their driver's
22. permit immediately, complete the course and keep the
23. permit. So, that...that would take care of it.

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End of Reel 7

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Grotberg.

3. SENATOR GROTBORG:

4. Will the sponsor yield? You...you almost sat down
5. there, Senator Glass. I see nothing in this bill...you
6. know...I don't know how many bus drivers drop dead on the
7. job or get a bellyache, but I think most of the accidents
8. are from lack of vision and I see nothing in here...
9. according to a roommate of mine who's asked the question
10. and I'm asking it on all of our behalf and the...the children of Illinois
11. of all people...this bill does not include a vision test.
12. A medical exam, you know, you go to the doctor, he can't
13. give you an eye test. Do you have any objection to an
14. amendment somewhere along the line, probably in the House
15. that would say that we better check if they can see?

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Glass.

18. SENATOR GLASS:

19. Well, Senator Grotberg, I don't know if that's...is
20. that a serious question? All right. Well, there is, of
21. course, in the law already the requirement for medically
22. tests and I...I assume that the eye test would be part of
23. it. This bill doesn't address that problem one way or
24. the other. I'd be happy to work with that...with you on
25. that.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Grotberg.

28. SENATOR GROTBORG:

29. I think it does not specifically require a vision
30. test by an optometrist or an ophthalmologist, whichever the case
31. may be, and with your word...it's good enough for me, and
32. let's take care of it. It's a good bill.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Guidice.

2. SENATOR GUIDICE:

3. Thank you, Mr. President. Will the sponsor yield to a
4. question?

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Glass.

7. SENATOR GUIDICE:

8. I want to ask him a question if it's okay.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. I say...proceed.

11. SENATOR GUIDICE:

12. In the amendment you indicate the Education Service
13. Region Superintendent shall forthwith suspend or revoke
14. a school bus driver's permit upon receiving notice in
15. violation of paragraph 9. And paragraph 9 indicates he's
16. not been convicted of more than two offenses against
17. traffic regulations governing the movement of vehicles
18. within two years of the date of application, however,
19. that the educational service region superintendent may
20. issue a permit to an applicant who has been convicted of
21. two such offenses within two years if after a hearing he
22. finds that these violations...what I'm getting at is, what
23. happens if he makes a mistake? You've got it mandatory
24. that he suspends him. What provision are you making for
25. the bus driver if he was wrongfully suspended?

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Glass.

28. SENATOR GLASS:

29. Senator Guidice, the...the law now provides as you
30. indicate that a bus driver who has had two violations within,
31. I think it's two years..has his license suspended. So what
32. the bill is doing is to be sure that if there's an existing
33. driver and he has that second violation, the suspension

1. occurs, but we...we also provide for a hearing so that the
2. Illinois Office of Education can make a determination as to
3. whether he should continue to be able to drive and that...
4. that again is...is a provision that's already within the
5. law and he is entitled to a hearing and an opportunity to
6. keep his license if IOE determines he's a safe driver.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Guidice.

9. SENATOR GUIDICE:

10. But the question I have is, if they make a mistake?
11. Now, this man has been off work or...or...or stopped from
12. being...working because of this, and what we're talking
13. about, you go on in that...that same bill to...to indicate
14. that certain violations...what, such as reckless driving,
15. driving while intoxicated, et cetera. They...they could
16. be minor violations and is it your intention at that point
17. to make it mandatory that he will automatically be suspended
18. pending this particular hearing?

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Glass.

21. SENATOR GLASS:

22. I don't believe there are...that that is the case.
23. I think the hearing is given immediately. I frankly don't
24. have that part of the bill in front of me, and...and again,
25. this is...this is not, Senator Guidice, directed to change
26. the law in that regard. The only thing we're doing is...is
27. this, in the law right now it says that a...a person who is
28. ...who has been convicted of two offenses within a two year
29. period should lose his...bus driver's permit. In other words,
30. it's slightly more restrictive than for the regular driver,
31. and this was put into the law at the last Session. Now, what
32. I'm saying, the only thing the bill does is to say that if
33. a driver has this happen that while he is a...does have a

1. permit, that the...the suspension notice is...forthwith, it
2. comes out right away. And...and then as you've indicated,
3. he is entitled to a hearing as specified in paragraph 9.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator...is there further...Senator Kenneth Hall, for
6. the second time around.

7. SENATOR KENNETH HALL:

8. Well..

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. We've already spent twenty some minutes on this bill,
11. Gentlemen and Ladies.

12. SENATOR KENNETH HALL:

13. ...Mr. President and Ladies and Gentlemen of the Senate,
14. I don't usually take up too much time, but I just want to
15. tell Senator Schaffer, if you need some bus drivers, I...
16. just tell me how many you need and I can have as many as
17. you need tomorrow morning. If you've got some bus drivers open,
18. give me the number. I'll have them at your place tomorrow
19. morning.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Is there further debate? Senator Glass. The...the
22. question is, shall Senate Bill 521 pass. Those in favor
23. vote Aye. Those opposed Nay. The voting is open.
24. (machine cut off) voted who wish? Have all those voted who
25. wish? Take the record. On that question, the Ayes are 41,
26. the Nays are 3, 2 Voting Present. The Ayes are 43, the Nays
27. are 3, 2 Voting Present. Senate Bill 521 having received
28. a constitutional majority is declared passed. Senate Bill
29. 533, Senator Merlo. Read the bill, Mr. Secretary.

30. SECRETARY:

31. Senate Bill 533

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Merlo.

3. SENATOR MERLO:

4. Mr. President and members of the Senate, Senate Bill
5. 533 amends the Chicago Public School Teachers Pension and
6. Retirement. The bill developed out of the economic layoff by the
7. Chicago School Board in the Spring of 1976 due to an early
8. school closing which resulted, of course, in a lack of
9. adequate funding. The action caused the teachers to not
10. only lose out on earned income for the year but it also
11. reduced their pensionable salary. The bill would permit
12. the members of this fund, immediately before the economic
13. layoff who desire credit for the number of days on which
14. the school district was closed, and that Ladies and Gentlemen,
15. was sixteen days, to make the payment, they would have
16. normally made into the fund. The bill was amended at the
17. recommendation of the Illinois Pension Laws Commission
18. which provided that the employee would have to pay their
19. share into the fund plus the...the employer's share plus
20. five percent interest, and with that amendment, the Illinois
21. Pension Laws Commission endorsed the bill, and I ask your
22. favorable consideration.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Kenneth Hall.

25. SENATOR KENNETH HALL:

26. Senator Merlo, I...I have to apologize. I had talked
27. to Senator Berman at the time, and I was busy. I didn't know
28. that you were going with this bill. I had mentioned that we
29. would like to have an amendment that would include us down-
30. state, see your bill just takes care of Chicago. Would you
31. be amenable to...to have us included in it? I mean, I had
32. mentioned that and I was...understanding that we were going
33. to get such an amendment. I'm sorry I didn't confer with you

1. before. I'm really sorry on this.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Merlo.

4. SENATOR MERLO:

5. Senator Hall, there was nothing confirmed on the dis-
6. cussion between you and I, and if there were, I would have
7. said to you that absolutely no would I consider an amendment
8. and basically on the recommendation of the Illinois Pension
9. Laws Commission which said...that this would throw this entire
10. thing off kilter, it would involve too much money, and they
11. would not support the bill. So, as a result, I think I
12. suggested to other members who suggested the same thing that
13. they would have introduced their own bill at the time to take
14. care of the down school teachers. It's...it's their problem.
15. I also talked to the...the...what is it? The IAS, and I told
16. them my sentiments and feelings of the Pension Laws Commission,
17. so I think it would be unfair to jeopardize the Chicago school
18. teachers by amending it, of course, to include the under pension
19. funds which they could not support.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Kenneth Hall.

22. SENATOR KENNETH HALL:

23. Well, I'm just trying to get clear in my mind, are...are you
24. saying that we ought to have a bill other than this bill?
25. I mean if it's going to come to the same thing, that's what
26. I'm trying to get straight in my mind. I'm not trying to
27. shoot your bill down. The only thing is that I think this is
28. a good idea, but my teachers have contacted me and they want
29. to know if it's good for Chicago, why isn't it good for us down-
30. state, and I've...I thought that the easy way to do was just
31. amend and put it right on your bill rather than go...it's too
32. late now for us to in...a bill. And I was thinking...I was
33. under the impression...I'm sorry I didn't confer with you, but

1. I...I should have, but I know this has been kicked around,
2. and I thought someone had an amendment that they were going
3. to introduce.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Merlo. Or was that a question or a statement?

6. Sorry. All right, is there further discussion? Question is,
7. shall Senate Bill 533 pass. Those in favor vote Aye. Those
8. opposed Nay. The voting is open. Have all those voted who
9. wish? Have all those voted who wish? Take the record. On
10. that question, the Ayes are 36, the Nays are 6, 1 Voting
11. Present. Senate Bill 533 having received a constitutional
12. majority is declared passed. (machine cutoff) Hynes.

13. SENATOR HYNES.

14. Yes, Mr. President, the food is available in the
15. President's Office, and I would suggest so that the members
16. can get a head start that we go to Order of Committee Reports.
17. We have a lengthy committee report from the Committee on
18. Assignment of Bills. With leave of the Body, the Secretary
19. will go to that order of business. Members...members first.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Committee Reports.

22. SECRETARY:

23. Senator Donnewald, Chairman of the Committee on Assign-
24. ment of Bills, assigns the following House Bills to committee:
25. Agriculture, Conservation and Energy - House Bills, 1412, 1454,
26. 1537, 1560, 1561, 1598, 2108, 2125, 2257, 2291, 2310, 2320;
27. Appropriations I...Appropriations II rather - House Bill 1433
28. and 1726 and 2325; ...Elementary and Secondary Education -
29. House Bills 517, 945, 1203, 1769, 1879, 1974, 2033, 2117,
30. 2119, 2208, and 2209; Higher Education - House Bills 940, 1384,
31. 1508, 1524, 1749; Elections and Reapportionment - House Bill
32. 274, 896, 1126, 1216, 1217, 1950 and 2271; Executive - House
33. Bills 320, 802, 886, 1140, 1179, 1248, 1436, 1499, 1543, 1585,

1. 1600, 1702, 1714, 2272, 2294 and 2354; Finance and Credit
2. Regulations - House Bills 936, 940, 1096, 1278, 1798, 2154
3. and 2324; Insurance and Licensed Activities - House Bill
4. 921, 1191, 1234, 1475, 1762, 1785, 1976 and 2013; Judiciary
5. I - House Bills 156, 485, 1112, 1197, 1253, 1437, 1438, 1473,
6. 1512, 1690, 1804, 2032, 2047 and 2156; Judiciary II - House
7. Bills 760, 1185, 1186, 1361, 1363, 1547, 1615, 1975, 1982 and
8. 2087; Labor and Commerce - House Bills 560, 1407, 1697 and
9. 1874; Local Government - House Bills 384, 385, 429, 740, 778,
10. 901, 956, 957, 1012, 1050, 1284, 1285, 1286, 1306, 1431, 1699,
11. 1791, 1793, 2138, 2179, 2249 and 2308; Pensions, Personnel
12. and Veterans Affairs - House Bills 426, 535, 1294, 1348, 1424,
13. 1562, 1563, 1608, 1782 and 2229; Public Health, Welfare and
14. Corrections - House Bills 106, 1020, 1210, 1612, 1650, 1753,
15. 1767 and 2062; Revenue - House Bills 44, 1833 and 2089;
16. Transportation - House Bills 1110, 1313, 1470, 1786, 2030,
17. 2187 and 2238.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. The Senate will stand at ease. House Bills 1st reading.
20. House Bill 127. Read the bill, Mr...House Bill 127, Senator
21. Daley.

22. SECRETARY:

23. House Bill 127

24. (Secretary reads title of bill)

25. 1st reading of the bill.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. House Bill 268, Senator Leonard.

28. SECRETARY:

29. House Bill 268

30. (Secretary reads title of bill)

31. 1st reading of the bill.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. House Bill 375, Senator D'Arco.

1. SECRETARY:
2. House Bill 375
3. (Secretary reads title of bill)
4. 1st reading of the bill.
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. House Bill 391, Senator D'Arco.
7. SECRETARY:
8. House Bill 391
9. (Secretary reads title of bill)
10. 1st reading of the bill.
11. PRESIDING OFFICER: (SENATOR DONNEWALD)
12. House Bill 712, Senator Schaffer.
13. SECRETARY:
14. House Bill 712
15. (Secretary reads title of bill)
16. 1st reading of the bill.
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. House Bill 743, Senator Harber Hall.
19. SECRETARY:
20. House Bill 743
21. (Secretary reads title of bill)
22. 1st reading of the bill.
23. PRESIDING OFFICER: (SENATOR DONNEWALD)
24. House Bill 795, Senator Harber Hall.
25. SECRETARY:
26. House Bill 795
27. (Secretary reads title of bill)
28. 1st reading of the bill.
29. PRESIDING OFFICER: (SENATOR DONNEWALD)
30. House Bill 808, Senator Rupp.
31. SECRETARY:
32. House Bill 808
33. (Secretary reads title of bill)
34. 1st reading of the bill.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. House Bill 858, Senator Glass.
3. SECRETARY:
4. House Bill 858
5. (Secretary reads title of bill)
6. 1st reading of the bill.
7. PRESIDING OFFICER: (SENATOR DONNEWALD)
8. House Bill 862, Senator Glass.
9. SECRETARY:
10. House Bill 862
11. (Secretary reads title of bill)
12. 1st reading of the bill.
13. PRESIDING OFFICER: (SENATOR DONNEWALD)
14. House Bill 879, Senator Nimrod.
15. SECRETARY:
16. House Bill 879
17. (Secretary reads title of bill)
18. 1st reading of the bill.
19. PRESIDING OFFICER: (SENATOR DONNEWALD)
20. House Bill 889, Senator Maragos.
21. SECRETARY:
22. House Bill 889
23. (Secretary reads title of bill)
24. 1st reading of the bill.
25. PRESIDING OFFICER: (SENATOR DONNEWALD)
26. House Bill 905, Senator Rock.
27. ACTING SECRETARY: (MR. FERNANDES)
28. House Bill 905
29. (Secretary reads title of bill)
30. 1st reading of the bill.
31. PRESIDING OFFICER: (SENATOR DONNEWALD)
32. House Bill 1011, Senator Maragos.
33. ACTING SECRETARY: (MR. FERNANDES)

1. House Bill 1011
2. (Secretary reads title of bill)
3. 1st reading of the bill.
4. PRESIDING OFFICER: (SENATOR DONNEWALD)
5. House Bill 1029, Senator Maragos.
6. ACTING SECRETARY: (MR. FERNANDES)
7. House Bill 1029
8. (Secretary reads title of bill)
9. 1st reading of the bill.
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. House Bill 1041, Senator Donnewald.
12. ACTING SECRETARY: (MR. FERNANDES)
13. House Bill 1041
14. (Secretary reads title of bill)
15. 1st reading of the bill.
16. PRESIDING OFFICER: (SENATOR DONNEWALD)
17. House Bill 1074, Senator Merlo.
18. ACTING SECRETARY: (MR. FERNANDES)
19. House Bill 1074
20. (Secretary reads title of bill)
21. 1st reading of the bill.
22. PRESIDING OFFICER: (SENATOR DONNEWALD)
23. House Bill 1205, Senator Lane.
24. ACTING SECRETARY: (MR. FERNANDES)
25. House Bill 1205
26. (Secretary reads title of bill)
27. 1st reading of the bill.
28. PRESIDING OFFICER: (SENATOR DONNEWALD)
29. House Bill 1222, Senator Rock.
30. ACTING SECRETARY: (MR. FERNANDES)
31. House Bill 1222
32. (Secretary reads title of bill)
33. 1st reading of the bill.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. House Bill 1249, Senator Maragos.
3. ACTING SECRETARY: (MR. FERNANDES)
4. House Bill 1249
5. (Secretary reads title of bill)
6. 1st reading of the bill.
7. PRESIDING OFFICER: (SENATOR DONNEWALD)
8. House Bill 1257, Senator Maragos.
9. ACTING SECRETARY: (MR. FERNANDES)
10. House Bill 1257
11. (Secretary reads title of bill)
12. 1st reading of the bill.
13. PRESIDING OFFICER: (SENATOR DONNEWALD)
14. House Bill 1323, Senator Clewis.
15. ACTING SECRETARY: (MR. FERNANDES)
16. House Bill 1323
17. (Secretary reads title of bill)
18. 1st reading of the bill.
19. PRESIDING OFFICER: (SENATOR DONNEWALD)
20. House Bill 1354, Senator Rock.
21. ACTING SECRETARY: (MR. FERNANDES)
22. House Bill 1354
23. (Secretary reads title of bill)
24. 1st reading of the bill.
25. PRESIDING OFFICER: (SENATOR DONNEWALD)
26. House Bill 1372, Senator Carroll.
27. ACTING SECRETARY: (MR. FERNANDES)
28. House Bill 1372
29. (Secretary reads title of bill)
30. 1st reading of the bill.
31. PRESIDING OFFICER: (SENATOR DONNEWALD)
32. House Bill 1399, Senator Daley)
33. ACTING SECRETARY: (MR. FERNANDES)

1. House Bill 1399
2. (Secretary reads title of bill)
3. 1st reading of the bill.
4. PRESIDING OFFICER: (SENATOR DONNEWALD)
5. House Bill 1432, Senator Lemke.
6. ACTING SECRETARY: (MR. FERNANDES)
7. House Bill 1432
8. (Secretary reads title of bill)
9. 1st reading of the bill.
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. House Bill 1479, Senator Rupp.
12. ACTING SECRETARY: (MR. FERNANDES)
13. House Bill 1479
14. (Secretary reads title of bill)
15. 1st reading of the bill.
16. PRESIDING OFFICER: (SENATOR DONNEWALD)
17. House Bill 1480, Senator Rupp.
18. ACTING SECRETARY: (MR. FERNANDES)
19. House Bill 1480
20. (Secretary reads title of bill)
21. 1st reading of the bill.
22. PRESIDING OFFICER: (SENATOR DONNEWALD)
23. House Bill 1481, Senator Rupp.
24. ACTING SECRETARY: (MR. FERNANDES)
25. House Bill 1481
26. (Secretary reads title of bill)
27. 1st reading of the bill.
28. PRESIDING OFFICER: (SENATOR DONNEWALD)
29. House Bill 1503, Senator Maragos.
30. ACTING SECRETARY: (MR. FERNANDES)
31. House Bill 1503
32. (Secretary reads title of bill)
33. 1st reading of the bill.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. House Bill 1504, Senator Maragos.
3. ACTING SECRETARY: (MR. FERNANDES)
4. House Bill 1504
5. (Secretary reads title of bill)
6. 1st reading of the bill.
7. PRESIDING OFFICER: (SENATOR DONNEWALD)
8. House Bill 1545, Senator Clewis.
9. ACTING SECRETARY: (MR. FERNANDES)
10. House Bill 1545
11. (Secretary reads title of bill)
12. 1st reading of the bill.
13. PRESIDING OFFICER: (SENATOR DONNEWALD)
14. House Bill 1556, Senator Kosinski.
15. ACTING SECRETARY: (MR. FERNANDES)
16. House Bill 1556
17. (Secretary reads title of bill)
18. 1st reading of the bill.
19. PRESIDING OFFICER: (SENATOR DONNEWALD)
20. House Bill 1566, Senator Demuzio.
21. ACTING SECRETARY: (MR. FERNANDES)
22. House Bill 1566
23. (Secretary reads title of bill)
24. 1st reading of the bill.
25. PRESIDING OFFICER: (SENATOR DONNEWALD)
26. House Bill 1604, Senator Chew.
27. ACTING SECRETARY: (MR. FERNANDES)
28. House Bill 1604
29. (Secretary reads title of bill)
30. 1st reading of the bill.
31. PRESIDING OFFICER: (SENATOR DONNEWALD)
32. House Bill 1641, Senator Harber Hall.
33. ACTING SECRETARY: (MR. FERNANDES)

1. House Bill 1641
2. (Secretary reads title of bill)
3. 1st reading of the bill.
4. PRESIDING OFFICER: (SENATOR DONNEWALD)
5. House Bill 1787, Senator Maragos.
6. ACTING SECRETARY: (MR. FERNANDES)
7. House Bill 1787
8. (Secretary reads title of bill)
9. 1st reading of the bill.
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. House...House Bill 1812, Senator Lemke.
12. ACTING SECRETARY: (MR. FERNANDES)
13. House Bill 1812
14. (Secretary reads title of bill)
15. 1st reading of the bill.
16. PRESIDING OFFICER: (SENATOR DONNEWALD)
17. House Bill 1820, Senator Wooten.
18. ACTING SECRETARY: (MR. FERNANDES)
19. House Bill 1820
20. (Secretary reads title of bill)
21. 1st reading of the bill.
22. PRESIDING OFFICER: (SENATOR DONNEWALD)
23. House Bill 1853.
24. ACTING SECRETARY: (MR. FERNANDES)
25. House Bill 1853
26. (Secretary reads title of bill)
27. 1st reading of bill.
28. PRESIDING OFFICER: (SENATOR DONNEWALD)
29. House Bill 1871.
30. ACTING SECRETARY: (MR. FERNANDES)
31. House Bill 1871
32. (Secretary reads title of bill)
33. 1st reading of the bill.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. House Bill 1958, Senator Bruce.
3. ACTING SECRETARY: (MR. FERNANDES)
4. House Bill 1958
5. (Secretary reads title of bill)
6. 1st reading of the bill.
7. PRESIDING OFFICER: (SENATOR DONNEWALD)
8. House Bill 1959, Senator Harber Hall.
9. ACTING SECRETARY: (MR. FERNANDES)
10. House Bill 1959
11. (Secretary reads title of bill)
12. 1st reading of the bill.
13. PRESIDING OFFICER: (SENATOR DONNEWALD)
14. , House Bill 1978, Senator Graham-Maragos.
15. ACTING SECRETARY: (MR. FERNANDES)
16. House Bill 1978
17. (Secretary reads title of bill)
18. 1st reading of the bill.
19. PRESIDING OFFICER: (SENATOR DONNEWALD)
20. House Bill 1981, Senator Glass.
21. ACTING SECRETARY: (MR. FERNANDES)
22. House Bill 1981
23. (Secretary reads title of bill)
24. 1st reading of the bill.
25. PRESIDING OFFICER: (SENATOR DONNEWALD)
26. House Bill 1983, Senator Glass.
27. ACTING SECRETARY: (MR. FERNANDES)
28. House Bill 1953
29. (Secretary reads title of bill)
30. 1st reading of the bill.
31. PRESIDING OFFICER: (SENATOR DONNEWALD)
32. House Bill 1984, Senator Glass.
33. ACTING SECRETARY: (MR. FERNANDES)

1. House Bill 1984
2. (Secretary reads title of bill)
3. 1st reading of the bill.
4. PRESIDING OFFICER: (SENATOR DONNEWALD)
5. House Bill 2037, Senator Harber Hall.
6. ACTING SECRETARY: (MR. FERNANDES)
7. House Bill 1227...2037
8. (Secretary reads title of bill)
9. 1st reading of the bill.
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. House Bill 2059, Senator Bruce.
12. ACTING SECRETARY: (MR. FERNANDES)
13. House Bill 2059
14. (Secretary reads title of bill)
15. 1st reading of the bill.
16. PRESIDING OFFICER: (SENATOR DONNEWALD) ,
17. House Bill 2086, Senator Demuzio.
18. ACTING SECRETARY: (MR. FERNANDES)
19. House Bill 2086
20. (Secretary reads title of bill)
21. 1st reading of the bill.
22. PRESIDING OFFICER: (SENATOR DONNEWALD)
23. House Bill 2118, Senator Leonard.
24. ACTING SECRETARY: (MR. FERNANDES)
25. House Bill 2118
26. (Secretary reads title of bill)
27. 1st reading of the bill.
28. PRESIDING OFFICER: (SENATOR DONNEWALD)
29. House Bill 2155, Senator Glass.
30. ACTING SECRETARY: (MR. FERNANDES)
31. House Bill 2155
32. (Secretary reads title of bill)
33. 1st reading of the bill.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. House Bill 2186, Senator Moore.
3. ACTING SECRETARY: (MR. FERNANDES)
4. House Bill 2186
5. (Secretary reads title of bill)
6. 1st reading of the bill.
7. PRESIDING OFFICER: (SENATOR DONNEWALD)
8. House Bill 2205, Senator Bruce.
9. ACTING SECRETARY: (MR. FERNANDES)
10. House Bill 2205
11. (Secretary reads title of bill)
12. 1st reading of the bill.
13. PRESIDING OFFICER: (SENATOR DONNEWALD)
14. House Bill 2231, Senator Berning-Shapiro.
15. ACTING SECRETARY: (MR. FERNANDES)
16. House Bill 2231
17. (Secretary reads title of bill)
18. 1st reading of the bill.
19. PRESIDING OFFICER: (SENATOR DONNEWALD)
20. House Bill 2246, Senator Guidice.
21. ACTING SECRETARY: (MR. FERNANDES)
22. House Bill 2246
23. (Secretary reads title of bill)
24. 1st reading of the bill.
25. PRESIDING OFFICER: (SENATOR DONNEWALD)
26. House Bill 2318, Senator Glass.
27. ACTING SECRETARY: (MR. FERNANDES)
28. House Bill 2318
29. (Secretary reads title of bill)
30. 1st reading of the bill.
31. PRESIDING OFFICER: (SENATOR DONNEWALD)
32. House Bill 2322, Senator Merlo.
33. ACTING SECRETARY: (MR. FERNANDES)

1. House Bill 2223
2. (Secretary reads title of bill)
3. 1st reading of the bill. And that was House Bill 2322.
4. PRESIDING OFFICER: (SENATOR DONNEWALD)
5. House Bill 2339, Senator Berman.
6. ACTING SECRETARY: (MR. FERNANDES)
7. House Bill 2339
8. (Secretary reads title of bill)
9. 1st reading of the bill.
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. House Bill 2375, Senator Lemke.
12. ACTING SECRETARY: (MR. FERNANDES)
13. House Bill 2375
14. (Secretary reads title of bill)
15. 1st reading of the bill.
16. PRESIDING OFFICER: (SENATOR DONNEWALD)
17. House Bill 2395, Senator Grotberg.
18. ACTING SECRETARY: (MR. FERNANDES)
19. House Bill 2395
20. (Secretary reads title of bill)
21. 1st reading of the bill.
22. PRESIDING OFFICER: (SENATOR DONNEWALD)
23. House Bill 1997, Senator Kenneth Hall.
24. ACTING SECRETARY: (MR. FERNANDES)
25. House Bill 1997
26. (Secretary reads title of bill)
27. 1st reading of the bill.
28. PRESIDING OFFICER: (SENATOR DONNEWALD)
29. Senate Bills on 3rd reading. I'm calling them. Senate
30. Bills on 3rd reading, page 10, Senate Bill 539, Senator Knuppel.
31. Read the bill, Mr. Secretary.
32. ACTING SECRETARY: (MR. FERNANDES)
33. Senate Bill 539

1. (Secretary reads title of bill)

2. 3rd reading of the bill.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Knuppel...

5. SENATOR KNUPPEL:

6. Very simple, Gentlemen. This is the appropriation for the
7. new Department of Agriculture Building in the amount of seven
8. million eight hundred and five thousand three hundred dollars.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Is there further discussion? Senator Sommer.

11. SENATOR SOMMER:

12. Mr. President and members, would like to indicate that
13. this...this particular new building project is right now in
14. the Governor's budget and at the present time, Senator Knuppel's
15. bill is simply...duplicative of what the Governor has already
16. done, and you can make your own choice on whether we need the new
17. building out there.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Just a minute. Senator Carroll.

20. SENATOR CARROLL:

21. I just wanted to support Senator Knuppel on this proposal.
22. The Committee took the posture that Senator Knuppel who has
23. put in this bill many times, that we supported this bill, and
24. because the Governor's budget was duplicative of the measures
25. taken by Senator Knuppel, we amended it out the Governor's
26. bill.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Is there further discussion? The question is, shall
29. House Bill...just a minute...(machine cutoff)number of the bill is Senate
30. Bill 539. Senate Bill 539. The question is, shall Senate
31. Bill 539 pass. Those in favor vote Aye. Those opposed Nay.
32. The voting is open. (machine cutoff) voted who wish? Have
33. all those voted who wish? Take the record. On that question,

*Senate Bill 539
3rd reading
5-25-97*

1. the Ayes are 40, the Nays are 6, 3 Voting Present. Senate
2. Bill 539 having received the constitutional majority is
3. declared passed. Senator Demuzio, for what purpose do you
4. arise?

5. SENATOR DEMUZIO:

6. Yes, Mr. President, with leave of the Senate, I'd like
7. to be added as a cosponsor of 539, and I think Senator Joyce,
8. also.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Leave is granted for Senator Joyce and Senator Demuzio
11. to be added as cosponsors to Senate Bill 539. Senate Bill
12. 548, Senator Regner. Senate Bill 554, Senator Bowers.
13. Senate Bill 569, Senator Roe. Read the bill, Mr. Secretary.

14. ACTING SECRETARY: (MR. FERNANDES)

15. Senate Bill 569

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Roe.

20. SENATOR ROE:

21. Senate...Senate Bill...

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Roe.

24. SENATOR ROE:

25. Mr. President and members of the Senate, Senate Bill
26. 569 makes a change in the penalty provision of the Motor
27. Vehicle Code. At the present time, all offenses in the
28. Motor Vehicle Code that are not categorized as either Class A
29. or Class B misdemeanors are treated as Class C misdemeanors which
30. provides a fine of up to five hundred dollars or in...or up
31. to thirty days in jail. Now, that includes speeding, stop sign
32. violation, what have you, very minor traffic offenses. What
33. this bill does is it provides that if there is not a specific

1. penalty in the Vehicle Code such as a Class A or B misdemeanors
2. as there is for serious traffic offenses, such as drunken
3. driving, reckless driving, drag racing, and what you have, that
4. the penalty is a petty offense, a fine only. And I would
5. be willing to answer any questions, and I would appreciate
6. a favorable roll call.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Is there further discussion? Senator Wooten.

9. SENATOR WOOTEN:

10. You really feel, Senator, it's necessary to reduce as
11. IDOT says indiscriminately these penalties?

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Roe.

14. SENATOR ROE:

15. I'm not familiar with IDOT's thoughts on...or what you're
16. referring to, Senator Wooten, but this is not an indiscriminate
17. reduction of penalties. It is an attempt to...to recognize that
18. no one sentences a person on a first or second offense or
19. third offense or fourth offense in the State of Illinois for
20. a conviction of speeding to thirty days in jail, nor does any-
21. one receive a jail sentence as a practical matter on...on many,
22. if any, of these minor traffic violations. The Supreme Court
23. rule in the State of Illinois requires every person under the
24. age of eighteen who was charged with an offense where imprison-
25. ment may be a penalty to have an attorney. That means nobody
26. under eighteen can plead guilty in the State of Illinois to
27. a stop sign violation under the present law. I think that
28. these minor traffic offenses and they're the only ones that
29. are affected, should be properly treated as fine only offenses.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Is there further discussion? Senator Egan.

32. SENATOR EGAN:

33. Thank you, Mr. President. Excuse me, but I...is this...

SB 574
5/23/77
3rd Reading

1. does this include DWI?

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Roe.

4. SENATOR ROE:

5. No, Senator Egan. Doesn't include DWI, reckless driving,
6. drag racing, or the more serious traffic offenses which...

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Is there further discussion? The question is, shall

9. Senate Bill 569 pass. Those in favor vote Aye. Those opposed

10. No. The voting is open. (machine cut off) those voted who
11. wish? Take the record. On that question, the Ayes are 54,

12. the Nays are none. Senate Bill 569 having received a consti-

13. tutional majority is declared passed. Senate Bill 574, Senator

14. Roe. Read the bill, Mr. Secretary.

15. ACTING SECRETARY: (MR. FERNANDES)

16. Senate Bill 574

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Roe.

21. SENATOR ROE:

22. Mr. President and members of the Senate, the present law
23. in the State of Illinois is that the EPA has total jurisdiction
24. over the granting of landfill permits in the State of Illinois,
25. both by law and by case law and by recent decisions of the Supreme
26. Court. This bill only provides that local authorities, namely
27. the county board chairman and the State's Attorney, at least
28. ...be given notice when someone has applied to the EPA for a
29. landfill permit.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Is there further discussion? The question is, shall

32. Senate Bill 574 pass. Those in favor indicate by voting Aye.

33. Those opposed Nay. The voting is open. Have all those voted

1. who wish? Take the record. On that question, the Ayes are
2. 55, the Nays are none. Senate Bill 574 having received a
3. constitutional majority is declared passed. House Bill 581,
4. Senator Roe. Read the bill, Mr. Secretary.

5. SENATOR ROE:
6. Mr. President, I would move to recommit Senate Bill 581
7. to Elections and...

8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. Motion to recommit...

10. SENATOR ROE:
11. ...Reapportionment...

12. PRESIDING OFFICER: (SENATOR DONNEWALD)
13. ...motion to recommit Senate Bill 581. The motion carries.
14. Senate Bill 591, Senator Rupp. Read the bill, Mr. Secretary.

15. ACTING SECRETARY: (MR. FERNANDES)
16. Senate Bill 591
17. (Secretary reads title of bill)
18. 3rd reading of the bill.

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

21. SENATOR RUPP:
22. Thank you, Mr. President. Could I have some help? No...
23. Oh. All this bill is, it's...it's the Illinois Industrial
24. Pollution Control Financing Act, and basically what it does
25. is to increase the permission for the amount to be issued
26. under this Act from five hundred million to nine hundred
27. million. This...right...what this...it should be understood
28. that the bond financing this way does...it's made available
29. to the authority and through that authority to business and
30. industry, and it's entirely without cost to the citizens in
31. general. This does give them a chance to use the non...or
32. tax exempt approach, and it does help get the pollution changes
33. through in a much more economical manner for those who are

1. endeavoring to do so.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Is there further...

4. SENATOR RUPP:

5. I ask favorable consideration.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. ...Senator Berman.

8. SENATOR BERMAN:

9. Well, Mr. President, if you recall a couple of days ago,
10. we had a bill not for the great financeers and industrialists
11. of the State, but for the little homeowner to use the same
12. method of tax free funding to make available home rehabilitation
13. loans. That wasn't four hundred million dollars. That was
14. twenty million dollars. And yet a number of people on the
15. other side of the aisle, in particular, saw fit to lay off of
16. that bill or to vote No. I think that this bill is not timely
17. at...at this hour of this evening to give four hundred
18. million dollars to people that I think are, perhaps, even less deserving
19. than the little homeowner. I'm going to vote Present tonite,
20. and I hope enough of us join that we can reconsider some of
21. these bond bills.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. This is a...an increased bond authorization, and I would
24. advice the Body...just a moment. Senator Rupp.

25. SENATOR RUPP:

26. Well, I...I think you're going to say what I wanted you
27. to say.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Well, it will take a...a vote of three-fifths, 36 votes.

30. SENATOR RUPP:

31. Yes, Mr...

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Is there further discussion?

1. SENATOR RUPP:

2. The only thing I might add if I might have another
3. moment.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. ...Just...yes, they are revenue bonds. Senator Rock.

6. SENATOR ROCK:

7. Yes, I think, Mr. President, they are, in fact, revenue
8. bonds as opposed to general obligation bonds, and I think a
9. simple majority would be required. When...when the opportunity
10. arises, I would like to rise in opposition to this legislation.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. You have that opportunity, now, Senator.

13. SENATOR ROCK:

14. Thank you, Mr. President and Ladies and Gentlemen of the
15. Senate. I rise in opposition to Senate Bill 591. I think the...
16. the most significant thing is that the...if you look at page 2,
17. at least of the copy of the bill I have, we are kind of re-
18. defining and restating the purpose of this authority which we
19. set up. This is a major shift in policy and one that I think
20. at this point in time is rather ill-advised. We are saying
21. that the project...the proceeds can be used to pay for the
22. project costs for a pollution control facility including one
23. in or to which title at all time remains in the person other
24. than the State authority. This kind of change...I think this
25. ...this is the kind of bill that should be recommitted to the
26. committee from which it came so that it can be further studied.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Is there further discussion? Senator Mitchler.

29. SENATOR MITCHLER:

30. Ask the sponsor a question; if...

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Indicates he will yield.

33. SENATOR MITCHLER:

1. Senator Rupp, this is a sizable increase from five
2. hundred million to nine hundred million, four hundred million
3. increase in bonding authority to the Industrial Pollution
4. Control Financing Act. Who...who really is asking for this?
5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Rupp.

7. SENATOR MITCHLER:

8. Why...why the...

9. SENATOR RUPP:

10. Yeah, one thing if I might make a comment, I think the...
11. it's a little bit strange when a yellow jacket blows it or
12. blows it or whatever you want to call it. I blew it with a
13. yellow jacket. Is that it? But seriously, there are some
14. needs in this particular situation. You ask who wants this.
15. I think there is a list of companies that I could read that
16. have used this, but the Pollution Control Board does need this
17. authority. In fact, it's a little bit...I should mention
18. this, too, that I think they've already gone over the allotted
19. amount. That's interesting. Yes, sir. Yes...yes...But there
20. are some instances...and here, if you want to read some of
21. the names who made use of this. There's Olin Corporation,
22. Illinois Cement Company, Illinois Power Company, IGO Industries.
23. There are instances of small businesses and part of this parti-
24. cular authorization required that seventy-five million out of the
25. five hundred million be allocated to financing pollution control
26. facilities for small businesses.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Mitchler.

29. SENATOR MITCHLER:

30. All right. I...I think...I see where the need comes
31. because additional...that we've had more applicants to
32. participate in this program that we authorized, I believe in
33. 1972, than we have the bonding authority for it at this time.

1. Now, is there any other changes in the Act that gives
2. additional power to the Board or something that we should
3. know about?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Rupp.

6. SENATOR RUPP:

7. There is, and when they talk about the financing...
8. financing technique, there is a change where...but it is not
9. a radical departure from the existing law. It's just there's
10. a requirement in the present law where the title is supposedly
11. ...has to go along with this bonding, and then when the
12. bonding is finished, then the title is turned back to the
13. individual corporation. There are some questions about the
14. State getting into...shall I say ownership, of some of these
15. individual businesses, but I think it should be restated that
16. this is the regular industrial revenue type bond which is
17. limited basically to cleaning up the problems of pollution.
18. It was felt that this is...is a device to help the industries
19. pay for that requirement that we're putting on them, and that's
20. the reason, and I do think it should be also reaffirmed that
21. this does not cost the State anything. The State is not
22. putting any money into this. It's paid for by the industries
23. who are getting the benefit from it. I ask for a...

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Mitchler.

26. SENATOR MITCHLER:

27. That answered some of the questions that I had, Senator
28. Rupp, and gave a little indepth explanation of it. Thank you.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Is there further debate? Senator Carroll.

31. SENATOR CARROLL:

32. Thank you, Mr. President. I was just interested in
33. Senator Rupp's remarks that they have gone beyond their

1. authorization, and since no question had actually been asked
2. at that time, maybe he could clarify.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Rupp. Senator Carroll, can you repeat your
5. question?

6. SENATOR RUPP:

7. Yeah, I'm sorry. I was...

8. SENATOR CARROLL:

9. Surely. Senator Rupp, in your gratuitous comments before
10. you indicated that the authority had gone beyond its authority
11. in bonding and I would like to know if you would amplify those
12. remarks..

13. SENATOR RUPP:

14. Yes, I can give you the exact figures. At present, they
15. have expended...right...and I...I actually...I'm coming to the
16. fact, I'm getting coached from the back here that I didn't
17. do it. I'm new. But actually the total figure that has been
18. authorized or...on which applications are pending, total six
19. hundred and twenty-three thousand six hundred and seventy-nine
20. dollars...million...six hundred and twenty-three million.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Carroll.

23. SENATOR CARROLL:

24. Just...and this is a yellow folder bill? The Governor's
25. Office has requested these additional funds?

26. SENATOR RUPP:

27. No, I just happened to have it in this one...but there is a...
28. ...is a...

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Rupp.

31. SENATOR RUPP:

32. ...there is another question as to whether it will take
33. three-fifths. I think it's the opinion that it will.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Carroll, have you concluded? Senator Carroll.

3. SENATOR CARROLL:

4. My only further comment, I think this is a bad bill at
5. this time. I think we are talking about dangerously reaching
6. that magic number where all of Illinois bonds take on a
7. different interest rate than we have been fortunate enough
8. to have in the past. I think we are also very clearly changing
9. the concept of this authority, because we will no longer re-
10. quire the Authority to hold the facility in its own name when
11. it has bonds outstanding for the construction or renovation
12. of these pollution control facilities. I think this is exactly
13. the wrong way to go in this economic climate, at this point
14. in time, and I...I would think we should not support this
15. bill at this point.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Weaver.

18. SENATOR WEAVER:

19. Thank you, Mr. President. Well, Senator Carroll, I
20. think that what Senator Rupp is trying to do is bail out
21. Governor Walker's administration.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Carroll.

24. SENATOR CARROLL:

25. It doesn't take four hundred million to buy a pail.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Shapiro.

28. SENATOR SHAPIRO:

29. Well, Mr. President and Ladies and Gentlemen of the
30. Senate, I think it's only fair to point out that even though
31. there are in excess of five hundred million dollars, the
32. original authorization of applications which have been
33. approved, that in no way have the bonds issued exceeded five

1. hundred million, and this merely...by raising it four hundred
2. million merely gives the...allows the State to help those
3. businesses that are harrassed by the Environmental Protection
4. Agency regulations that this General Assembly passed approx-
5. imately five years ago. I'm beginning to look at this as
6. nothing more than a ploy to harrass business again. I would
7. urge everyone to affirmatively for the bill. It's much
8. needed. Business throughout the State needs it, and it is
9. a good bill.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Is there further debate? Senator Coffey.

12. SENATOR COFFEY:

13. Mr...Mr. President and members of the Senate, I would
14. also as our leader as pointed out would like to point out that
15. the bond resolutions passed at this time is only a hundred
16. and eighty-six million dollars. The applications pending is
17. the additional amount of money. They're going to be the ones
18. that will need to be turned down, and I think that if you
19. members that have taken the time to look at some of the
20. companies like Commonwealth Edison, Republic Steel, Union...
21. Central Illinois Public Service, Illinois Power and many
22. others, and the...to extend this authority will only help
23. bail them out. The State is not responsible for these bonds,
24. and I would ask you to give a favorable vote.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Is there further debate? Senator Soper.

27. SENATOR SOPER:

28. Well, thank you, Mr. President. You know, many times we
29. take sides on an issue like this, but I want to remind my friends
30. on the other side that if these companies can't do this with-
31. out charge to the State, that they're going to be a lot of
32. them that will have to close up and they're going to lose
33. some jobs, and I think some of the boys you are interested in

1. won't have any dues payers. And I think we'll make the
2. economic situation in this State a little fragile, so at
3. this time, I...I think we ought to think this over before
4. we...refuse a...an issue like this. No matter who the
5. governor was when it happened or is or anything else, I
6. think we need the jobs in this State, and let's keep
7. industry in this State. We've done enough to industry and
8. to the working man where the working man doesn't have a
9. job. We can't put everybody on unemployment compensation
10. and relief, because we're coming to the end of the tunnel.

11. Thank you.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Graham.

14. SENATOR GRAHAM:

15. Only wanted to...Senator Soper is reading my mind a
16. little bit. I'd like to call the attention of the people
17. that are probably objecting to this legislation. Remember
18. that we have business in Illinois reeling from the impact
19. of workmen and unemployment compensation. They're trying to
20. find their way out from the product liability problems that
21. have been afflicted upon them. They're trying to find a way
22. to cope with all the bureaucracies that we've set up that's
23. telling them how to run their everyday life. Now, if we're
24. not willing to cooperate with them and help them...help them
25. v comply with some of those erratic and nonsensical propositions
26. that they're getting from the Federal Government, we might as
27. well fold this State up, Ladies and Gentlemen. There's not
28. going to be...there won't be anybody around to pay the bill.
29. You talk about unemployment and relief, they won't be any-
30. body putting any money in the till, and then what are we...
31. what are we going to do. We're going to ride it again that
32. bicycle without any tires on a place in...some place on Sunday
33. morning with no place to go, because there's no gas there anyway.

1. so we keep on fiddling around and we're doing that with
2. great regularity around here because we want to penalize
3. somebody, then keep on, because you're penalizing the goose
4. that lays the golden egg, and pretty soon that goose is
5. going to get damn tired of being goosed by us, and I think
6. we ought to do something about this bill.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Is there further debate? Senator Rupp may close.

9. SENATOR RUPP:

10. Yes, all I've...thank you, Mr. President. One thing I
11. do want to reaffirm is that there are no fiscal implications
12. of this bill affecting State monies or revenues, except that
13. the State receives as an issuance fee one-fifth of one per-
14. cent of the amount of all the revenue bonds actually
15. issued, and the State receives application fees collected
16. by the Authority. The passage of the bill would not offset
17. the...the Authority's budget. The increase or the bonding
18. authorization to nine hundred thousand dollars is the
19. suggestion of the Bureau of the Budget. I would appreciate
20. favorable consideration.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. The question is, shall Senate Bill 591 pass. Those
23. in favor vote Aye. Those opposed vote Nay. The voting is
24. open. Have all voted who wish? Have all voted who wish?
25. Take the record. On that question, the Ayes are 30, the
26. Nays are 8, 9 Voting Present. Senate Bill 591 having received
27. a constitutional majority is declared passed. Senator Rock,
28. for what purpose do you arise?

29. SENATOR ROCK:

30. I request a verification, Mr. President.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Rock has requested a verification of the affirma-
33. tive vote. Will the members please be in their seats. The
34. Secretary will call those gentlemen who voted in the affirmative.

1. SECRETARY:

2. The following voted in the affirmative: Berning, Bloom,
3. Bowers, Bruce, Coffey, Davidson, Donnewald, Glass, Graham,
4. Grotberg, Harber Hall, Hickey, Joyce, Knuppel, McMillan,
5. Mitchler, Moore, Nimrod, Ozinga, Philip, Regner, Rhoads,
6. Rupp, Schaffer, Shapiro, Sommer, Soper, Vadalabene,
7. Walsh, Weaver.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Rock. Do you question anyone, Senator Rock?

10. SENATOR ROCK:

11. No.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. ...on the verified roll call, the Ayes are 30, the Nays
14. are 8, 9 Voting Present. Senate Bill 591 having
15. received a constitutional majority is declared passed.
16. Senate Bill 598, Senator Weaver. Read the bill,
17. Mr. Secretary.

18. SECRETARY:

19. Senate Bill 598.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Weaver.

24. SENATOR WEAVER:

25. Thank you, Mr. President. This abolishes the
26. Right of Way Fund. These funds will go directly into the
27. Road Fund. The provision is that each district engineer
28. notify the county assessor or supervisor of assessment
29. each year as to highway right of way that is leased
30. and the assessors are spreading the tax on the lease
31. holder. It also mandates that the Department of Transportation
32. annually report to the General Assembly all revenues from
33. this lease of public owned right of ways. If there's any

1. questions, I'll be happy to try to answer them.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Is there discussion? The question is shall Senate
4. Bill 598 pass. Those in favor vote Aye. Those opposed
5. vote Nay. The voting is open. Have all voted who wish?
6. Take the record. On that question the Ayes are 52, the
7. Nays are none, none Voting Present. Senate Bill 598
8. having received a constitutional majority is declared
9. passed. Senate Bill 603, Senator Philip. Read the bill,
10. Mr. Secretary.

11. SECRETARY:

12. Senate Bill 603.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Philip.

17. SENATOR PHILIP:

18. Thank you, Mr. President and Ladies and Gentlemen
19. of the Senate. Senate Bill 603 as amended, amends
20. the Criminal Code, makes the solicitation for prostitution
21. for a person under sixteen years of age, a Class 3
22. felony which would be a penalty of one to ten years.
23. Provides that a use of a minor in a sexually explicit film
24. or photograph is taking of an indecent liberties with a
25. child, would be a Class 1 which is four years to indefinite.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Is there discussion? Senator D'Arco.

28. SENATOR D'ARCO:

29. The...Pate, since we don't have an obscenity
30. Statute as such, how are we going to define in order
31. to have the jury determine what is or what is not a patently
32. offensive scene in a pornographic film? How are we going to
33. define what that is?

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Philip.

3. SENATOR PHILIP:

4. I think it would be a question of facts for the
5. jury.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator D'Arco.

8. SENATOR D'ARCO:

9. Well, would it, in fact, be a crime if we don't
10. have an obscenity Statute?

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Philip.

13. SENATOR PHILIP:

14. If the Supreme Court says...what they say now is
15. the local municipality can decide now what is obscenity.
16. And in some cases, you know they have.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator D'Arco.

19. SENATOR D'ARCO:

20. Well, the whole obscenity question is a very troublesome
21. question and I...the Supreme Court and the Rinehart
22. decision, an Illinois case, is presently reviewing the
23. Illinois Obscenity Statute and what, in fact, they do will
24. have an influence on what we do here today. But, I think
25. you're amending the wrong Statute. I think you should be
26. amending the Obscenity Statute because in your argument
27. about what constitutes sexual conduct, you...you list the
28. three pronged determination for contributing to the
29. sexual delinquency of a minor and there are many other
30. lewd and lascivious and sexually explicit acts that
31. are excluded from your bill that could be considered
32. pornography and people involved in that type of conduct
33. would be free from the repercussions of the bill. And for

1. that reason, I oppose it.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Philip.

4. SENATOR PHILIP:

5. Thank you, Mr. President. As you know, we're
6. amending the Criminal Code because there's much more
7. case law on the Criminal Code. The Obscenity Statute
8. has been ruled unconstitutional, whether I like it or
9. not or agree with it or not. And that's why we amended
10. the Criminal Code. Now, as you're probably aware,
11. Senator D'Arco, the...there is...it's a million dollar
12. business, prostitution for children, the taking of films
13. of children is a million dollar business in the State
14. of Illinois and in other states. And we happen to think
15. that this will go a long way to give the State's
16. Attorney and the Courts the Statutes to prosecute and
17. convict people who are in the business of...of luring
18. children into prostitution and into making illicit
19. films.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Wooten.

22. SENATOR WOOTEN:

23. Senator, I'm not clear. Who is the felon in this
24. situation, the person who makes the film, who produces
25. the film? In other words, is the photographer the
26. producer? Is it the agent for the child and how does the
27. child stand in relationship to all this? Is the child
28. held innocent?

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Philip.

31. SENATOR PHILIP:

32. Under this bill, they would all be conspirators under
33. this Act, if it would become law and the Governor would sign it.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Wooten.

3. SENATOR WOOTEN:

4. Does this have anything to do with conspiracy?

5. I was just...I quickly read through the bill and was
6. trying to understand precisely, you know, who was going
7. to be the felon and I was not sure. And I didn't see anything
8. in there about a conspiracy.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Philip.

11. SENATOR PHILIP:

12. Anybody conspiring...in the conspiracy would be
13. guilty. Anybody participating in the conspiracy would be
14. guilty.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Wooten.

17. SENATOR WOOTEN:

18. Where do you make reference to a conspiracy,
19. Senator? I'm...I'm getting more and more confused.
20. I just want to know who is the felon?

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Philip.

23. SENATOR WOOTEN:

24. Is everyone involved in making the film, is it
25. specific that everyone involved making the film a felon
26. or not? I just...I'm not a lawyer and it doesn't seem to me
27. that that's clearly stated anywhere and I just wondered
28. who all is supposed to be included here.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Philip.

31. SENATOR PHILIP:

32. Anybody who participates in a criminal act. Anybody
33. who participates in a criminal act may be found guilty of that

1. criminal act.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Netsch.

4. SENATOR NETSCH:

5. I think as a matter of clarification it should be
6. pointed out that the bill does not have anything to do
7. with obscenity. And its...its very point was to avoid
8. the problems of trying to define obscenity in this
9. context. As the bill was amended, what it is attempting to
10. do is to get at those people who bring about the
11. acts that would otherwise constitute indecent liberties
12. with a child and photograph and bring about their
13. performance. And it is those people against whom this
14. amendment to the indecent liberties bill...the indecent
15. liberties part of the Statute, is directed. It is not
16. based on obscenity at all. The word obscenity is not
17. mentioned anywhere in the bill. And that was done
18. quite deliberately to try to keep us out of that
19. morass at least for a while. It is also correct to
20. say, Senator Wooten, that there is nothing about
21. conspiracy in the bill. It is aimed directly
22. at those people who bring about the performance
23. by children of the acts which, if otherwise performed,
24. would constitute the taking of indecent liberties with
25. a child. Well, it is any act performed or submitted
26. to which is otherwise prohibited by this section and those
27. three acts are specifically set forth in the existing
28. law dealing with indecent liberties with a child, any
29. act of sexual intercourse, any act of deviate sexual
30. conduct or any lewd fondling or touching of either the
31. child or the person done or submitted to with the intent
32. to arouse or to satisfy the sexual desires of either the
33. child or the person or both. Now, those three things are

1. already in the Indecent Liberties Statute. What this does
2. is to say that if one of those acts is performed or
3. submitted to by a child, that that person who brings
4. about that submitting to or performance by the child
5. and is to be guilty of taking indecent liberties or
6. at least is to be chargeable with taking indecent
7. liberties when it is also recorded on film in the
8. form of sexually explicit motion picture or photograph.
9. It is...it's not an easy set of words to follow. I think
10. that is true. But it was an attempt to tie it into
11. the existing indecent liberties section without mentioning
12. or getting into obscenity at all.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Walsh.

15. SENATOR WALSH:

16. Mr. President, members of the Senate. I think
17. Senator Netsch has very adequately and accurately
18. described the bill as amended. Maybe some of the Gentlemen
19. who spoke on this previously are not aware of...of what
20. the...the amendment did. It's...it's not in our book.
21. I had to ask for it and it's not in the Digest. But, it
22. reads, if I may, it's just an added section to...to
23. indecent liberties. It's another form of taking indecent
24. liberties, if you will and it reads, any recording on
25. film in the form of a motion picture or photograph
26. of any act prohibited under one, two and three. So, it...
27. it doesn't relate to obscenity and it's just adding to the
28. indecent liberties, the recording on film motion picture
29. or photograph and I think it is a good bill and I would hope
30. the Gentlemen on the other side of the aisle would support
31. it.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Bowers. Senator D'Arco for the...Senator Carroll

1. for the first time.

2. SENATOR CARROLL:

3. Question of the sponsor...

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Indicates he will yield.

6. SENATOR CARROLL:

7. ...of his mentors. As I read the present law
8. with the amendments, I agree, by the way, with the approach.
9. I might start off with saying of dealing with this by
10. dealing with the indecent liberties section as opposed to
11. into getting into the whole constitutional gambit
12. of what is or is not a protected right. However, I read
13. this to say that at least one of the participants must
14. be of age seventeen years and upwards in order for
15. the original act to have been indecent liberties with
16. a child and therefore, in order for the taking of
17. pictures to have been so that if the pictures are of
18. two people under the age of seventeen, which is the
19. case in most of these cases, I don't think we have
20. dealt with that and I think that's a defect in this.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Philip.

23. SENATOR PHILIP:

24. I believe that is correct, if the person taking
25. the picture is under seventeen.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Carroll.

28. SENATOR CARROLL:

29. No. I...I don't think that's...no that might be another
30. problem. What I am concerned with is I think what we would
31. like to do, what our preference would be, would be to make
32. it an act of indecent liberties to have photographed
33. the conduct of two minor children, two people under the age

1. of seventeen. However, the way this is worded, it says,
2. it is an illegal act to take such a photograph
3. of something that would be indecent liberties with a child.
4. And you go back to that section, it is only indecent
5. liberties with a child if the person...one of the two
6. participants is over the age of seventeen. One must
7. be under, one must be over. So, I think what we're
8. trying to do is to get at the photography of where
9. either one is over and one is under that age or both
10. are under that age. And I think that we have to do
11. some corrective language on this.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Philip.

14. SENATOR PHILIP:

15. I think, Senator, it's after the recording
16. not after the act.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Carroll, have you...

19. SENATOR PHILIP:

20. I...I should say the recording on film, not after
21. the act.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Carroll.

24. SENATOR CARROLL:

25. That's not what this says and that's my problem
26. with it. I have the amendment in front of me that
27. allegedly was adopted. Any record...this differs from
28. Amendment 2. All right. Any recording on film of any
29. act prohibited under that section would be a violation.
30. I agree with that except, the act that is prohibited
31. under the section requires one of the participants to be
32. over seventeen years of age. We are not getting at the problem.
33. The problem is not only where one is over age, but where both

1. are under age. That is the type of thing we have seen
2. in the newspapers of late. What we want to address
3. is where both of the participants or as many as there are,
4. are under the age of seventeen and someone has pandered
5. them by taking pictures and is using those pictures for
6. profit or otherwise. We want to make those involved with
7. the picture taking guilty of the criminal conduct of
8. indecent liberties with a child. So, we don't get into the
9. arbitrary issues of first amendment rights, et cetera.
10. I would think it best that you hold this a little bit
11. and let's see if we can work out that language.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. All right. We have a number of members who
14. have indicated they wish to speak. May we have a little
15. order. Will those not entitled to the Floor, please
16. vacate. Mr. Sergeant-at-Arms, will those persons not
17. entitled to the Floor, please clear the Floor. Senator
18. Bowers.

19. SENATOR BOWERS:

20. Thank you, Mr. President. I...I think Senator
21. Carroll has a good point and I think all we'd have to
22. do is change the word "prohibited" to "an act that's
23. described" and I would suggest to the sponsor to take it
24. out of the record shortly and I think we can correct it.
25. Cause this is a good concept and I think...

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Philip.

28. SENATOR PHILIP:

29. I would certainly concur with that, Mr. President.
30. If we can get back to it, we should work things out.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. All right. Take it out of the record, Mr. Secretary.
33. 615, Senator D'Arco. On the Order of Senate Bills, 3rd reading,

1. Senate Bill 615. Read the bill, Mr. Secretary.

2. SECRETARY:

3. Senate Bill 615.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator D'Arco.

8. SENATOR D'ARCO:

9. Thank you, Mr. President. 615 provides that when
10. the services of an employee are terminated by retirement
11. or disability he shall be paid for one-half of his
12. accumulated sick leave days at the rate of one-half
13. his per day pay provided no person shall be paid
14. for more than one hundred days under this paragraph.
15. What this amounts to is that the average number of
16. accumulated sick days of a retiring State employee
17. is approximately fifty days. If he would be entitled
18. to one-half of those days, that would be approximately
19. twenty-five days at a rate of one-half his per day
20. pay in the average per day pay for State employees
21. is approximately forty-four dollars so that would be
22. twenty-two dollars and since there are one thousand
23. State employees that retire every year, the fiscal
24. impact of this bill is much less than we had anticipated
25. prior on the same bill because we did include then the
26. overtime and vacation time and personal leave days
27. and we took those days out of the bill so we tried to
28. make it as fiscally responsible as we could and I would
29. move for passage of the bill.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Is there any discussion? Senator Harber Hall.

32. SENATOR HARBER HALL:

33. Mr. President and fellow Senators. I reluctantly

1. rise to oppose the bill. I think we have a serious
2. concern here and should have a serious concern about
3. payment of cash proceeds to State employees that do not
4. represent compensation for services rendered. This bill
5. proposes that all State employees could be paid
6. in lieu of taking sick pay. Sick pay is not a payment
7. for services rendered. It is a gratuity offered to
8. help cover needed expenses and income for those who are
9. unfortunately stricken for sickness...because of
10. sickness. The concept of accumulating this puts a real
11. problem before us. For example, if this bill were to pass,
12. I would presume that many employees would...looking forward
13. to their retirement would save that sick leave in favor
14. of the future cash, not for work performed, but for just a
15. gratuity at the termination of their service. In this way,
16. they would jeopardize the health and welfare of their
17. fellow workers by really staying on the job when they
18. should be off overcoming whatever their ailment is
19. whether it's flu or pneumonia or what. And I think in
20. that case, that it is not just the employee himself,
21. but his fellow employees. And then when we open this
22. Pandora's box of compensation, we also see the term
23. "personal leave days." Here again, is an opportunity
24. that we seized upon to make a State job attractive.
25. It's a side benefit, if you will, that says each employee
26. may on his own volition and his own time ask for a certain
27. amount of days off to take care of personal business.
28. This would include personal leave days that would be
29. compensated at the point of retirement. I believe that we
30. should hear to a policy that is employed in the Personnel
31. Code and that is that this State will pay a fair and
32. reasonable salary and benefits for work performed for all
33. our employees. And I think we do that pretty well, making
34. this in excess, seems unnecessary and unwise.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Further discussion? Senator Soper...Senator
3. D'Arco, for what purpose...Senator Soper. Sponsor
4. has graciously yielded to Senator Soper.

5. SENATOR SOPER:

6. Thank you. Well, I don't like to oppose this
7. thing, but I'll tell you what you're doing here.
8. All the schools, all the municipalities have been
9. gracious enough and they understand that when there's a
10. terminal illness or...or where a family is in need because the...
11. the wage earner has become sick and ill, they've allowed
12. them to accumulate a certain number of days. Now,
13. if the person couldn't accumulate the sick leave when
14. we had a terminal illness, it would have to go on retirement
15. because he couldn't come back. Some give them up
16. to a year's leave and give them full pay. Now, when you're
17. not ill, you get your wages. Now, to say that because
18. you weren't ill, you can accumulate this time, and then
19. receive that time, that would be like double payment.
20. You would be paid for the days that you weren't ill
21. and the days that you were on the job. Now, what's going
22. to happen is this, the municipalities, the schools are going
23. to be put in a bind on this thing and if you put this into
24. their retirement, it's...it's going to be beyond apprehension
25. what this thing is going to cost. I...I faced this.
26. I...I represented some of the school boards in my district
27. and this thing has come up with us, but sick leave is when you're
28. ill and it's shown by a doctor's certificate that you're
29. ill and you get paid for this time that you're...that
30. you're off. The people and school boards, the municipalities
31. and the State have taken this in account and they know
32. exactly by statistics what this is going to cost, but to take
33. this and put this as an extra burden and extra pay, it's like

1. Harber Hall said...Senator Hall said, it's an...it's an
2. additional amount of money that you're not entitled to.
3. Now, if you want to take this and you say that you're
4. allowed to do this, then you...all you have to do is
5. say that you're going to give people a chance to accumulate
6. a hundred days or a year's pay and then give them a year's
7. pay so we know what we're doing in this State with all
8. the municipalities. I think you're going to find a lot
9. of trouble in the City of Chicago and...and...and the
10. rest of the State if you...if you adopt this philosophy.
11. PRESIDING OFFICER: (SENATOR ROCK)

12. Any further discussion? Senator Leonard.
13. SENATOR LEONARD:

14. Mr. President, I'm glad that the municipalities
15. and the governing boards have all been taken into
16. consideration. I was especially interested in the comment
17. that school boards are aware of this because one of things
18. I am aware is school teachers and other people that work
19. for wages, look upon this as a certain equity they have
20. received. We can stand in this room and say, well, do they
21. have it coming or not? The fact is people who earn a wage
22. day by day and try to figure out how much they get for a year
23. count this as something they've got. I know people who plan
24. on when they quit, I've got so much sick leave, I'll take
25. a month off sick and I think the reality is people are going
26. to cash in those sick days whether we, in this room, think
27. it's the right theory or not. If you can get it for a
28. quarter of the price, I think it's a deal.
29. PRESIDING OFFICER: (SENATOR ROCK)

30. Any further discussion? Senator Berning and then Senator Egan.
31. SENATOR BERNING:

32. Well, Mr. President and members of the Senate, I know
33. that the sponsor is a very compassionate person and feels

1. that he is...he is attempting to provide some additional
2. help for people at retirement time. But, I suggest to the
3. members of the Senate that this establishes a very
4. very dangerous precedent if for no other reason, that
5. once we break the bounds then we have opened the door
6. for additional benefits. Yes, it's half time now, but
7. you and I know every year there are bills in to change
8. and change and change the benefits that have previously
9. been provided. Next year or the year after, there will be
10. a bill back in to put this back up to a full day. That
11. is part of the problem with this. The other part, in
12. my opinion, Mr. President and the others of the Senate,
13. is the fact that this does discriminate, discriminates
14. badly against those people who for whatever reason have
15. to utilize their sick leave during the life of their
16. employment, those who must take their sick leave because
17. of ill health will be treated badly because they will not
18. have a benefit of a couple of months free salary at the
19. time of retirement.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Further discussion? Senator Egan.

22. SENATOR EGAN:

23. Thank you, Mr. President, members of the Senate.
24. I...this may have been said. I...I supported the bill
25. in committee and it...the observation that I had was that
26. this is an incentive not to use the sick time which means
27. that the employee is going to be on the job more than he
28. would if he took the sick time leave and so it appears
29. to me that it would be an incentive to keep him on the job.
30. It's logical. Now, Senator Soper, you...you...you
31. have obvious skepticism about that, but with a lid on the
32. number of days...

33. PRESIDING OFFICER: (SENATOR ROCK)

The...the Chair will not allow you to yield to Senator

1. Soper. Continue, Senator Egan.

2. SENATOR EGAN:

3. With a...with a lid on the number of days
4. this does no substantial harm. It...it appears to me
5. that it's an incentive and I...would just simply that
6. and I'm in favor of it.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Netsch, did you seek recognition?

9. Senator Mitchler.

10. SENATOR MITCHLER:

11. Well, Mr. President, members of the Senate,
12. this is a bill that is having its annual time around.
13. With our annual Sessions, we get the same bill over and
14. over. As I mentioned to Senator Vadalabene about that
15. one bill he had, you know, I said, how come you
16. got it this time, Sam? And this bill has been in before
17. ...this has been in before and I'd like to read...

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Excuse me, Senator...excuse me, Senator. Senator
20. Vadalabene, for what purpose do you arise?

21. SENATOR VADALABENE:

22. Point of personal privilege, Sir.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. State your point, Sir.

25. SENATOR VADALABENE:

26. The only difference between the bill that I handled
27. and the one you criticized yesterday is, if you get a
28. a Republican Governor, it goes on that side of the aisle.
29. If you get a Democratic Governor, it goes on this side
30. of the aisle. It really doesn't make any difference
31. who the sponsor is. It's just who gets it. I happened
32. to get that one yesterday.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. All right. Senator Mitchler, you may continue.

2. SENATOR MITCHLER:

3. I didn't see it in a yellow folder this time, Sam.

4. But, anyway, Governor Walker vetoed this and I would...

5. I would think that the Governor now would veto this bill

6. of yours, Senator D'Arco and Governor Walker said, on

7. its face, this is a laudible objective. However, that

8. abuse can and should be controlled by effective management

9. not legislation. House Bill 419, which was the bill last

10. year, would, in effect, penalize those State employees

11. who are forced to use sick days for legitimate illness

12. or disability. Also, it fails to controll directly

13. improper use of sick pay. Now, when sick pay and sick

14. leave was first instituted, it was intended to be a

15. protective insurance for employees in time of

16. illness and today, most workers are allowed a certain

17. number of days for which they're compensated when they

18. are ill. And over the years, I think you'll recall

19. in government especially, the original purpose of

20. sick pay has been subverted and has become another form

21. of financial benefit and this is the problem. You know,

22. it's easy for us to sit here and vote all of these

23. benefits and goodies to people that we have the authority

24. to do so. But, it is the taxpayer who pays and again

25. I remind you, look what Congress has done to the Social

26. Security System. They've bankrupt it by giving out all

27. of those goodies until the point where they're going to

28. have to ask for fourteen billion more. Now, colleagues,

29. this sounds good and as Governor Walker said

30. when he vetoed it, on its face, this is a laudible objective.

31. But it's in the wrong direction. And it's something that

32. if you keep it up, you'll just...what did you say, Senator

33. Graham, a little while ago, you'll kill the goose that lays the

1. golden egg. So, don't goose that goose too hard.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Any further discussion? For the second time,

4. Senator Soper.

5. SENATOR SOPER:

6. I move the previous question.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Your motion is in order. Senator Soper has moved
9. the previous question. All those in favor signify by
10. saying Aye. All those opposed. Senator D'Arco to close
11. the debate.

12. SENATOR D'ARCO:

13. Well, I want to thank Senator Berning for all the
14. help he gave me on this bill because...no, he really
15. did. He helped me work it out and I appreciate his
16. help. I don't think we're...we're going to endanger
17. the goose that lays the golden egg. I'd like to have
18. a few of those eggs myself though, I'll tell you that...
19. but, the school teachers aren't in this bill. The university
20. personnel are not in this bill. We...we took that out of
21. the Finance Act. There was some concern about that.
22. The bill, the old bill that Senator Mitchler
23. is referring to, was a badly written bill. And if you
24. look at that bill, it includes provisions in there for
25. employees that they are entitled to presently and the
26. way the bill's constituted, they would, in fact, lose
27. half of what their entitlement presently is. So we rewrote
28. the bill to keep the provisions in there the way they
29. should be provided and we simply added that those that
30. are entitled to sick leave be able to have it at
31. one-half their average daily pay at one-half the number
32. of days. Now, what really happens in reality is that people
33. take sick leave days not because they're sick, but because

1. they have something else to do outside the scope of their
2. employment. And what this bill will do will be to provide
3. an incentive for those people not to take sick leave
4. days when they're not, in fact, sick, but to, in fact,
5. accumulate the days and get some form of compensation
6. when they do, in fact, retire. Ladies and Gentlemen,
7. I think 615 is a good bill. I believe in the concept
8. and I seek a favorable vote.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Question is shall Senate Bill 615 pass. Those
11. in favor will vote Aye. Those opposed will vote Nay.
12. The voting is open. Have all voted who wish?
13. Have all voted who wish? Have all voted who wish?
14. Take the record. On that question, the Ayes are 34,
15. the Nays are 20, 3 Voting Present. Senate Bill 615
16. having received a constitutional majority is declared passed.
17. Senator Philip, for what purpose do you arise?

18. SENATOR PHILIP:

19. ...thank you, Mr. President. Point of personal
20. privilege.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. State your point, Sir.

23. SENATOR PHILIP:

24. We...we have...we have in the President's
25. gallery the members and directors of the Addison
26. Industry Association. The president is with us,
27. Paul Knuepfer, whose, as you know, father was the Senator
28. from the 40th district for quite a number of years.
29. I'd like to have them rise and be recognized by the Senate.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Will our guests in the gallery please rise and be
32. recognized. Senator Knuppel on 622. On the Order of
33. Senate Bills, 3rd reading, Senate Bill 622. Read the bill,

AB 622
5/25/77
3rd Reading

1. Mr. Secretary.
2. SECRETARY:
3. Senate Bill 622.
4. (Secretary reads title of bill)
5. 3rd reading of the bill.
6. PRESIDING OFFICER: (SENATOR ROCK)
7. Senator Knuppel.
8. SENATOR KNUPPEL:
9. Mr. President and members of the Body.
10. This legislation is designed to stop the pernicious
11. practice of health insurance and accident insurance
12. companies which write policies of insurance and let people
13. pay premiums for years and then when they...when they have
14. one loss or two losses or become uninsurable, they cancel
15. them having taken advantage of the best years, leaving
16. these people without the opportunity to secure other
17. insurance because they've become uninsurable. Now this
18. bill basically provides three things. One is, is that,
19. a company cannot reduce benefits or cancel a policy
20. unless done with all policies of that type, unless there
21. was fraud committed by the...by the insured at the time
22. of the application. Two, the insurance company must
23. allow the insured the right to purchase a noncancelable
24. insurance policy at the same time they're offering him
25. the cancelable policy, so, that he has his choice.
26. They may tell him what the price is and he may not want
27. ...he may not want the cancelable policy. He may...or
28. he may not want the noncancelable, he may want to but the
29. other one. But at least he must be offered a noncancelable
30. policy and third, to deny payment under an existing policy
31. on a preexisting condition, it puts the burden on the
32. insurance company to establish that the insured's
33. doctor or a legally qualified physician has within

1. twelve months prior to the issuance of the policy
2. diagnosed a preexisting condition. This is all to
3. be done according to rules to be adopted and
4. promulgated by the Director of Insurance. This is
5. good legislation. It will put a stop to this business
6. of selling a man a policy, letting him pay his premiums
7. for five or six years, then cancelling the policy
8. when he becomes uninsurable.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Is there any discussion? Senator Maragos.

11. SENATOR MARAGOS:

12. Mr. President and members of the Senate.
13. I commend Senator Knuppel for his sponsorship of this
14. bill. I will support it and I would like to have leave
15. of the Senate to become a cosponsor on this bill.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Maragos has asked leave to be a cosponsor
18. of Senate Bill 622. Is leave granted? So ordered.
19. Any further discussion? Question is shall Senate
20. Bill 622 pass. Those in favor will vote Aye. Those
21. opposed will vote Nay. The voting is open. Have all
22. voted who wish? Have all voted who wish? Take the record.
23. On that question the Ayes are 51, the Nays are none,
24. 3 Voting Present. Senate Bill 622 having received a
25. constitutional majority is declared passed. 26, Senator
26. Knuppel. On the Order of Senate Bills, 3rd reading,
27. is Senate Bill 626. Read the bill, Mr. Secretary.

28. SECRETARY:

29. Senate Bill 626.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Knuppel.

1. SENATOR KNUPPEL:
2. The bill does exactly what the caption says it does.
3. It passed the House last Session. Was presented here
4. and it has been reproduced. The purpose of the bill is
5. to provide licensing provisions for those people who have...
6. practice in this area to prevent environmental...de-
7. spoilation...all right, let's have a roll call.
8. PRESIDING OFFICER: (SENATOR ROCK)
9. Any discussion? Senator Bloom.
10. SENATOR BLOOM:
11. Question of the sponsor.
12. PRESIDING OFFICER: (SENATOR ROCK)
13. Sponsor indicates he will yield. Senator Bloom.
14. SENATOR BLOOM:
15. How does this bill deal with the guy that probably
16. doesn't read or write but is fabulous at, you know,
17. landscaping and trees, has a green thumb. You know what
18. I'm talking about.
19. PRESIDING OFFICER: (SENATOR ROCK)
20. Senator Knuppel.
21. SENATOR BLOOM:
22. ...cause I...
23. PRESIDING OFFICER: (SENATOR ROCK)
24. I beg your pardon. Senator Bloom.
25. SENATOR KNUPPEL;
26. Of course, if this guy has been practicing that
27. profession and he can satisfy the director, he will be
28. grandfathered in. This is not...this is on the order
29. of people, however, once it's in effect, you have to have
30. a lot more training than this. This...this deals
31. with people like doctors, dentists and so forth. People
32. who have at least four years of college or graduation.
33. But, if a person has been practicing this and can

1. establish this qualification, he will be grandfathered
2. in.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Bloom.

5. SENATOR BLOOM:

6. No, what I'm...you know, this was the problem
7. with the bill two years ago and we...we had an exchange on
8. this and it...I'm sincere and it bothers me. You'll...
9. you'll have something like...like you know, the
10. hair nurserys in my district and people that you know,
11. they got out of high school and daddy ran that and they
12. can landscape and put the trees and move things around
13. but you know, this...this just doesn't...you know,
14. this just really creates kind of a union for architects
15. who want to be in the landscaping business.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Knuppel.

18. SENATOR KNUPPEL:

19. No, it doesn't deal with architects. It expressly
20. excludes them. However, this is far more than planting
21. trees or planting grass. This has to do with designing
22. subdivisions, laying out drainage, placing buildings
23. and to maintain the environmental quality in the
24. large undertakings that go with roads, subdivisions,
25. et cetera. Now, this doesn't affect the man who comes
26. out and...and sets a few bushes around your house.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Bloom.

29. SENATOR BLOOM:

30. Well, I don't want to belabor the subject, but you know,
31. architects and builders lay out subdivisions already.
32. The point is, this does have an impact on the people I was
33. talking about. And it did two years ago and I say this to the

1. membership that this...this was a bad bill then and it's
2. a bad bill now. And I...I hate to rise in opposition
3. cause I usually support your legislation, John, but it's
4. bad.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Further discussion? Senator Hickey.

7. SENATOR HICKEY:

8. Mr. President and fellow Senators. I rise in
9. support of this bill. I had some doubts about it myself
10. two years when it was first presented to me, but this is
11. not for planters. This is for planners, not the people
12. who go out and do the digging, but the people
13. who have been to school and understand environmental
14. concerns. People who know how...who are trained in
15. site preparation and need to understand intricacies
16. and this which the man who goes out and plant the tree
17. doesn't. Because of environmental concerns, I, at that
18. time, did vote for the bill, but I'm even more for it
19. now because I found out that the State of Illinois
20. in its Purchase Act, will not allow people with
21. degrees, even advanced degrees in landscape architecture
22. to have any contractual work with the State because
23. they are not licensed and registered with the State.
24. That's the way the Purchasing Act reads and they are
25. precluded...they have to have an engineer or an architect
26. who knows absolutely nothing about site preparation
27. and landscape architecture contract for them because they
28. are shut out since they are not licensed or registered.
29. Therefore, they should be.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Any further discussion? Senator Knuppel to close...
32. the question is shall Senate Bill 626 pass. Those in
33. favor will vote Aye. Those opposed will vote Nay. The

1. voting is open. Senator Egan, will you vote me Aye,
2. please? Have all voted who wish? Have all voted who
3. wish? Take the record. On that question, the Ayes
4. are 36, the Nays are 9, none Voting Present. Senate
5. Bill 626 having received a constitutional majority
6. is declared passed. On the Order of Senate Bills,
7. 3rd reading, Senate Bill 634. Read the bill, Mr.
8. Secretary.

9. SECRETARY:

10. Senate Bill 634.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Rupp.

15. SENATOR RUPP:

16. Thank you, Mr. President. This is a standard
17. nonforfeiture invaluation bill. Presently, all fifty
18. states are operating under a uniform nonforfeiture
19. invaluation Statute for life insurance and annuity
20. contracts and this...what this bill does is it
21. ...it has new mortality tables, it sets up reserves
22. for life insurance companies for writing these forms
23. or contracts. This is in the best interest of the
24. insurance buying public. Obviously, if we're living
25. longer, we should be paying less in annual premiums
26. to purchase life insurance. And also, if interest
27. earnings of life companies are getting higher, there
28. should be further reductions of the amount we must
29. pay in premiums. This is the National Association of Insurance
30. Commissioner's model bill which was worked out with such
31. technically qualified groups as the Society of
32. Actuaries joined for the purpose of framing out a new
33. nonforfeiture invaluation law. I ask that...favorable
34. roll call on this bill.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Is there any discussion? Senator Philip.
3. SENATOR PHILIP:
4. You know, I love the Senator's presentation.
5. I'm just saying, am I getting the right message, that
6. this is going to lower insurance premiums?
7. If it is, Senator, it would be the first bill introduced
8. in this Session that's going to do something for the
9. public and I'm going to support you if that's correct.
10. PRESIDING OFFICER: (SENATOR ROCK)
11. Senator Rupp.
12. SENATOR RUPP:
13. Well, I'm real pleased to be able to say that's
14. exactly so.
15. PRESIDING OFFICER: (SENATOR ROCK)
16. Further discussion? Senator Grotberg.
17. SENATOR GROTBORG:
18. Will the sponsor yield?
19. PRESIDING OFFICER: (SENATOR ROCK)
20. Indicates he will yield. Senator Grotberg.
21. SENATOR GROTBORG:
22. What happened to the original bill, Senator Rupp?
23. PRESIDING OFFICER: (SENATOR ROCK)
24. Senator Rupp.
25. SENATOR GROTBORG:
26. Is it gone? That thing about reinstatement and...
27. guaranteed the same rights, et cetera. First amendment deletes
28. all that...
29. PRESIDING OFFICER: (SENATOR ROCK)
30. That's...that's...I think that's 33.
31. We're on 634.
32. SENATOR GROTBORG:
33. Thank you and I apologize to the Body. Wrong bill.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Senator Mitchler.
3. SENATOR MITCHLER:
4. Ask the sponsor a question.
5. PRESIDING OFFICER: (SENATOR ROCK)
6. Indicates he will yield. Senator Mitchler.
7. SENATOR MITCHLER:
8. In the explanation of the bill, the last sentence
9. it says it permits valuation of the policies issued
10. for female risks to be calculated at an age up
11. to six years younger than the actual age of the
12. insured? No, what does this mean? It means that
13. the females get insurance at a lesser rate?
14. PRESIDING OFFICER: (SENATOR ROCK)
15. Senator Rupp.
16. SENATOR RUPP:
17. Yes, it does. It means exactly that.
18. PRESIDING OFFICER: (SENATOR ROCK)
19. Senator Mitchler.
20. SENATOR MITCHLER:
21. Well, no, no. That's...now wait. That's permissible.
22. We haven't...they haven't amended the United
23. States Constitution yet and they won't. But, I just
24. want to point out to you that if that's true, I think it's
25. a legitimate thing in insurance because there is a
26. difference in the actuarial calculation of insurance
27. rates of male and female and I just want to point out that
28. you know, if you're on the one side there, you certainly
29. don't want to have any discrimination so we're going to watch
30. the vote on this one.
31. PRESIDING OFFICER: (SENATOR ROCK)
32. Further discussion? Senator Rupp, do you wish to
33. close the debate?

SB 635
3rd Reading

1. SENATOR RUPP:

2. No, I'm fine. Just roll call will be fine.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Question is shall Senate Bill 634 pass. Those
5. in favor will vote Aye. Those opposed will vote Nay.

6. The voting is open. Have all voted who wish?

7. Have all voted who wish? Take the record. On that

8. question the Ayes are 50, the Nays are none, none

9. Voting Present. Senate Bill 634 having received

10. a constitutional majority is declared passed.

11. On the Order of Senate Bills, 3rd reading, is Senate

12. Bill 635. Read the bill, Mr. Secretary.

13. SECRETARY:

14. Senate Bill 635.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Rupp.

19. SENATOR RUPP:

20. Thank you, Mr. President. What this bill does is

21. to put into the annuity policies some of the same

22. provisions that are in the life policies. The life

23. policies now do include a nonforfeiture type

24. provision, but the Insurance Code is silent on the

25. nonforfeiture value for annuities. This corrects that

26. and it does make the requirement for nonforfeiture

27. values to apply to annuities. I ask for a favorable

28. roll call.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Is there any discussion? The question is shall

31. Senate Bill 635 pass. Those in favor will vote Aye.

32. Those opposed will vote Nay. The voting is open.

33. Senator Egan, will you vote me please. Have all voted who

1. wish? Have all voted who wish? Take the record. On
2. that question the Ayes are 52, the Nays are none, none
3. Voting Present. Senate Bill 635 having received
4. a constitutional majority is declared passed. Senator
5. Roe on 643. On the Order of Senate Bills, 3rd reading,
6. is Senate Bill 643. Read the bill, Mr. Secretary.

7. SECRETARY:

8. Senate Bill 643.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Roe.

13. SENATOR ROE:

14. Mr. President and members of the Senate. This is
15. the authorization bill for the State of Illinois to obtain
16. approximately fourteen million dollars in Federal matching
17. funds for roadway improvements in the Great River Road
18. which runs from St. Louis to East Dubuque, Iowa...
19. East Dubuque, Illinois, excuse me. There is an agreed
20. amendment on the bill between DOT and the county superintendents
21. of highways and so all problems have been resolved and I'd
22. appreciate a favorable roll call.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Is there any discussion? The question is shall Senate
25. Bill 643 pass. Those in favor will vote Aye. Those
26. opposed will vote Nay. The voting is open. Have all voted
27. who wish? Have all voted who wish? Take the record.
28. On that question the Ayes are 56, the Nays are none,
29. none Voting Present. Senate Bill 643 having received
30. a constitutional majority is declared passed. Senator
31. Johns on 648. On the Order of Senate Bills, 3rd reading,
32. is Senate Bill 648. Read the bill, Mr. Secretary.

33. SECRETARY:

SB 648
3rd Reading
5/8/77

1. Senate Bill 648.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Johns.

6. SENATOR JOHNS:

7. The bill is just what it is, give it up or
8. down, Gentlemen.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Is there any discussion? Senator Demuzio.

11. SENATOR DEMUZIO:

12. Yes, Mr. President and Ladies and Gentlemen of the
13. Senate and my good friend, Senator Johns. I just want
14. to let you know that I think that this bill is...is one
15. that establishes an extraordinary amount of money as
16. far as I'm concerned for county commissioners and that
17. I am still opposed to this bill as I was the other day
18. when I originally indicated to you my opposition. Thank
19. you.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Further discussion? Senator Glass.

22. SENATOR GLASS:

23. Question of the sponsor, Mr. President.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Sponsor indicates he will yield. Senator Glass.

26. SENATOR GLASS:

27. Thank you. Senator Johns, the summary of the bill I have
28. indicates that this is an increase and am I correct that
29. it increases the minimum salary that can be...that must
30. be paid?

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Johns.

33. SENATOR JOHNS:

1. Senator Glass, the way I understand this bill, it
2. sets the present rates as the minimum rates and sets
3. the maximum rates, period.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Glass.

6. SENATOR GLASS:

7. You mean, it increases the maximum rates and takes
8. the present rates and puts them at the minimum, is that...
9. is that what it does, so it requires that...what...it
10. requires that they be paid what they're being paid now.
11. That's...

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Johns.

14. SENATOR JOHNS:

15. I nod in the affirmative to you.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Glass.

18. SENATOR GLASS:

19. You mean the maximum salary that these officials
20. have been paid or could be paid in the past now becomes
21. the minimum.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Johns.

24. SENATOR JOHNS:

25. That is my understanding.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Further discussion? Senator Berning.

28. SENATOR BERNING:

29. One question of the sponsor. This says county
30. commissioners. Does this apply only to commission
31. counties?

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Johns.

1. SENATOR JOHNS:

2. Yes.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Ozinga.

5. SENATOR OZINGA:

6. One question. Is the minimum as established now
7. will that be raised under the minimum under this bill?

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Johns.

10. SENATOR JOHNS:

11. To my knowledge, that will be the base, probably.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Ozinga.

14. SENATOR OZINGA:

15. Is that higher with this bill than what they
16. are paying presently?

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Johns.

19. SENATOR JOHNS:

20. To my knowledge, yes. No, wait a minute, now.
21. Wait a minute. The minimum is not above these
22. figures set here as a...as a minimum. Now, let me
23. repeat this bill. The sets the present rates as the
24. minimum rates.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Ozinga.

27. SENATOR OZINGA:

28. Are there any of those minimums that are being
29. paid now to some of these counties downstate
30. that can't afford to pay too much money, are these rates
31. that you're establishing as minimums now higher than what
32. they are paying right now?

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Johns.

2. SENATOR JOHNS:

3. Not to my knowledge.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Any further discussion? Senator Johns, you wish
6. to close the debate? The question is shall Senate
7. Bill 648 pass. Those in favor will vote Aye. Those
8. opposed will vote Nay. The voting is open. Senator
9. Egan, will you vote me Present, please? Have all
10. voted who wish? Have all voted who wish? Take the record.
11. On that question the Ayes are 12, the Nays are 22,
12. 9 Voting Present. Senate Bill 648 having failed to
13. receive a constitutional majority is declared lost.

14. PRESIDENT:

15. For what purpose does Senator Rock arise?

16. SENATOR ROCK:

17. Thank you, Mr. President. While we are at ease
18. for just a moment, while we're...I had indicated
19. yesterday, at the request of a couple of the members
20. that I would, in fact, distribute a fact sheet and
21. other information relating to the question of branch
22. banking and holding company change...proposed changes
23. which will, in fact, be voted upon tomorrow at
24. approximately the hour of noon. I have prepared a
25. packet which I will ask the Sergeant-at-arms to have
26. distributed which contains a synopsis of the bill in
27. its final form and it also contains a little propoganda
28. in favor of these measures and I would ask that the
29. members avail themselves of this information. If I can
30. provide them with anything else, I'd be happy to do it.

31. PRESIDENT:

32. If I may have the attention of the membership. On the
33. Calendar are several Motions in Writing and in addition, the

1. Secretary has received other Motions in Writing which
2. are not printed on the Calendar. Do we have leave to go
3. to that Order of Business? Leave is granted. Since all
4. of these matters have been before substantive committees
5. over the past weeks and have been...received hearings in
6. those committees and in many cases, have either been placed
7. in subcommittee or have been held in the committee on a tie
8. vote, the...the matters have been discussed and debated
9. previously. The membership of the Senate is also well
10. aware of the subject matter involved in these items
11. and therefore, if we receive unanimous consent of the Body,
12. we will follow the...the procedure that I will outline
13. with respect to these motions. And that is that the
14. sponsor of the motion will make a statement in support
15. of his motion of two minutes. The chairman of the committee
16. involved will reply for two minutes and the sponsor
17. will then have one minute to conclude. Is leave granted
18. to follow that procedure? Leave is granted. In any
19. situation in which the chairman of a committee is in
20. support of the motion, then another member will be
21. designated to speak in opposition of the...to the motion.

22.
23.
24.
25.
26. End of reel
27.
28.
29.
30.
31.
32.
33.

1. PRESIDENT:

2. Senate Bill 17, Senator Netsch. Senator Netsch.

3. SENATOR NETSCH:

4. I have...I'm...you said I have two minutes to
5. explain it?

6. PRESIDENT:

7. That is correct.

8. SENATOR NETSCH:

9. All right. This is a bill which directs itself
10. to the problem of the sale of meat after six o'clock
11. in Chicago. I am well aware of the fact that at the
12. present time there has been some movement...there is
13. some meat being sold at some meat markets. However,
14. there has not yet been an agreement signed that
15. makes it official. In addition, there is another
16. contract that will be renegotiated beginning in
17. September. It is my judgment that there has been
18. some luring that has taken place among those who
19. are responsible in Chicago, but I think they need
20. an additional prod. This bill has been languishing
21. for...since December 17th, when it was prefiled. It
22. has never been voted on in that committee except
23. to send it to a subcommittee. It is my judgment that
24. the bill should be on the Floor so that the members
25. have a chance to vote on the bill. It's fairly
26. simple, and what it does is to simply say that no
27. labor contract may contain a clause which...prohibits,
28. which limits the hours or days when necessities may
29. be sold during periods when retail sales operation
30. is otherwise open for business. It does not make
31. butchers work after six p. m.. It does not make
32. stores stay open after six p.m. if they would not
33. otherwise do so. What it does do is to remove the
34. one legal barrier that in the past and still, as

1. a matter of fact, legally, stands in the way of doing
2. away with a practice that is anachronistic and which should
3. have been done away with a long, long, time ago. Despite
4. the fact that the practice has now been modified to
5. some extent in Chicago, I think we need a firm reminder
6. that this practice cannot be continued in the future.
7. The only way I know of to bring about that firm
8. reminder is to bring this bill out on the Floor and
9. get a vote on it. There is no question that it
10. reflects the overwhelming sentiment and I mean overwhelming
11. sentiment of all of the people in the Chicago Metro-
12. politan area who have been afflicted with this anachronistic
13. provision for a long period of time. I think this reminder
14. is...has got to be done, and it will be done, only by having
15. a bill on the Floor which will bring this about.

16. PRESIDENT:

17. Senator Savickas may reply to Senator Netsch's
18. motion to prod. Senator Savickas.

19. SENATOR SAVICKAS:

20. Yes, Mr. President, and members of the Senate.
21. There are a few reasons why this bill is kept in a
22. subcommittee. One of them being at the time that the
23. unions had unconditionally agreed to work and open
24. a lot of butchers to cut meat after six p.m.. Another
25. reason is that the bill, although the ends may justify
26. what some people believe are the means, it has
27. not really justified the store openings. What happens
28. here is that the butchers are mandated to work when
29. the store is open, but it does not mandate the store
30. to keep the meat sections open when other parts of
31. the store are open. So, at this point, even though the...
32. the butchers are mandated to cut meat after six, it
33. does not guarantee that the people, the consumer, will

1. be able to go into a store and buy the meat if the store
2. so desires. I think this is a very important issue.
3. When we talk about the great clamor of the consumer for
4. meat sales after six, we find that the meat sales
5. throughout the day has been reported in our local
6. newspapers in Chicago have indicated that the meat
7. sales are the same now as they were before they
8. start selling after six o'clock. There has been
9. some shift in buying patterns from the daytime to
10. the evening, but this has not increased any meat
11. sales. So obviously, obviously, the great need
12. isn't there, or the stores are using their prerogative
13. to keep closed their meat sections without hiring
14. the butchers to put them in there in the evenings.
15. There's one other bill that addresses itself to this
16. specific item that has come over from the House and
17. I would assume that if we are interested in getting
18. a good bill out, one that has the interest of everybody
19. at stake, that we should keep this bill in committee,
20. hear both bills together, take the best parts of both
21. of them and then work out a...a bill that would be
22. compatible to everybody. I would move that this
23. motion be defeated.

24. PRESIDENT:

25. Senator Netsch.

26. SENATOR NETSCH:

27. I assume that the other bills that deal with the
28. same subject will meet the same fate as this bill. That
29. is they will never get out of committee. I have made
30. every effort to get to this bill out over a long period
31. of time. It is the one bill that we now have, at least
32. potentially, actively before us, to address the problem
33. of meat sales after six in Chicago. It is a reasonable

1. approach to that problem. It does again represent what
2. people in Chicago want. That agreement has not yet been
3. signed. There's no guarantee that a new one will be
4. signed. I think it's about time the...that the Senate,
5. as the...as the House has already done, indicate that
6. it wants action, and permanent action in this respect,
7. also. I would request that Senate Bill 17 be discharged.

8. PRESIDENT:

9. The question is shall the Committee on Labor
10. and Commerce be discharged from further consideration
11. of Senate Bill 17 and that bill placed on the Order
12. of 2nd reading. Those in favor of the motion to
13. discharge...Senator Rock.

14. SENATOR ROCK:

15. We might as well do this on the first one, Mr.
16. President, how...parliamentary inquiry, how many votes
17. are required for these motions?

18. PRESIDENT:

19. Thirty votes. Those in favor of the motion to
20. discharge as put by Senator Netsch, will vote Aye.
21. Those opposed will vote Nay. The voting is open.
22. Have all voted who wish? Have all voted who wish?
23. Take the record. On that question the Ayes are
24. 25, the Nays are 10, 2 Voting Present. The motion
25. having failed to receive the required thirty votes
26. is declared lost. Senate Bills 864, 865 and 866,
27. Senator Bloom. These bills are the subject of one
28. motion. Do we have leave to consider the bills
29. in one motion? Leave is granted. Senator Bloom.

30. SENATOR BLOOM:

31. Thank you very much, Mr. President. You know
32. what these bills are. They're our vibrant new Governor's
33. They were our vibrant new Governor's ethics package. I

1. think it's...became so abundantly clear during the hearing
2. on these bills that they had some serious drafting flaws.
3. I would like the Body, by this motion, to make them the
4. Legislature's bills and not the Governor's bills. Because
5. in my judgment, I think that one of the criticisms of
6. some of the...concepts was that they had...contained a
7. certain unvoiced suspicion of the process. And I
8. think that if they were studied and looked at and
9. worked on in the committee or a subcommittee over the
10. summer, that this Body could get a great amount of
11. credit heaped on itself for bringing them into shape
12. and getting rid of some of the alien concepts and
13. certainly meeting and overcoming some of the drafting
14. flaws. I'd solicit your support.

15. PRESIDENT:

16. Senate...Senator Rock. Senator Wooten does
17. not wish to reply, Senator Rock will reply.

18. SENATOR ROCK:

19. Thank you, Mr. President, Ladies and Gentlemen
20. of the Senate. I am pleased at the opportunity to
21. reply and I rise in opposition to the motion to take
22. these bills from the Table and recommit them to the
23. Executive Committee. That offer was, in fact, made
24. in committee at the time the bills were heard, that
25. they be put into a subcommittee for further study.
26. It was the desire of the sponsor, understandably,
27. that he wished to have a roll call vote. These bills
28. are, in my judgment, as drafted, virtually beyond
29. repair. It seems to me that if...if something of this
30. nature is to come out, and there is no reason to
31. believe something of this nature can't come out. But,
32. we, we as a legislative Body and we as the members of
33. the Executive Committee, can, in fact, get together and
34. drop up our own proposal and submit a committee bill.

1. But these bills, as drafted, attempt to address a very
2. serious problem and really don't address it at all.
3. We are confronted on the one hand with the constitutional
4. guarantee that every citizen has, to petition his
5. government for redress, and we are saying on the
6. other hand that in order to petition your government
7. for redress you will have to register and we are
8. saying that in order to support candidates for
9. election you will have to file lengthy and complicated
10. reports and if you fail to do so, you go immediately
11. to jail without passing go. I think the bills were
12. drawn in a hurry, in haste, in an attempt to address
13. a nonexistent problem. I think the motion to discharge
14. should, in fact, be defeated and I would urge the member-
15. ship to vote No or not to vote at all.

16. PRESIDENT:

17. Senator Bloom.

18. SENATOR BLOOM:

19. Well, in response, first, as we so well know,
20. nothing in the General Assembly as bill is virtually
21. beyond repair. As we know nothing is ever dead in
22. the General Assembly. A...and on the one hand, those
23. that oppose this say they attempt to address a serious problem
24. and then say there is no problem. We know there is
25. a problem. All we have to do is read the papers.
26. That being the case, these bills are there, they
27. do address the problem and they do not say...it's
28. a matter of interpretation as to who must register
29. and who must not. And they do not say, go to jail,
30. do not pass go. As a practical matter, these bills,
31. if properly worked on can be good legislative bills
32. and perhaps the General Assembly can repair some
33. of the damage done to its reputation in the previous

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1. ten years. I'd appreciate a favorable roll call.

2. PRESIDENT:

3. The question is shall Senator Bloom's motion
4. to take Senate Bills 864, 865 and 866 from the Table
5. and recommit same to the Executive Committee be
6. adopted. Those in favor of the motion will vote
7. Aye. Those opposed will vote Nay. The voting is
8. open. Have all voted who wish? Have all voted
9. who wish? Take the record. On that question
10. the Ayes are 28, the Nays are 17, none Voting
11. Present. The motion having failed to receive
12. the requisite thirty votes is defeated. Senate
13. Bill 600, Senator Nimrod. Senator, do you wish
14. to have these 600, 601 considered together or
15. or on separate...separately? All right. On Senate
16. Bill 600, Senator Nimrod.

17. SENATOR NIMROD:

18. Mr. President, and fellow Senators. Senate
19. Bill 600 addresses it to a very serious case that we
20. have before us of workmen's compensation. Two
21. minutes is not enough time to really to explain
22. this very critical issue. I'm sure that most of
23. my colleagues here are well aware of the implications
24. and many of the problems that existed pertaining to
25. this. This bill becomes a means of addressing itself
26. to solving an issue. The issue is very simple. We
27. need to address ourselves in this State to the
28. fact that is insurance going to be available, are
29. we, in fact, going to stop the escalation of premiums,
30. which have tripled already, and face another five
31. hundred percent increase. And are we going to drive
32. business out of the State of Illinois. Business
33. presently is planning to leave. Expansion plans

1. are not contemplated in the State of Illinois and the
2. climate is one that is unhealthy to any kind of
3. climate for business itself. I would certainly urge
4. that you assist in getting this bills to the Floor so
5. that we may have a chance to debate this issue at
6. ...greater length and we may be able to give some
7. hope and some ray of light for these businessmen
8. and for the employees as well as the employers. To
9. resolve this very critical problem and bring to
10. rest a situation that is causing us no end of
11. problem in the State of Illinois. I would certainly
12. hope and ask for a favorable roll call to bring this
13. issue to the Floor.

14. PRESIDENT:

15. Senator Savickas.

16. SENATOR SAVICKAS:

17. Yes, Mr. President, and members of the Senate.
18. I rise to suggest that these bills stay in committee.
19. Basically, we have three bills out on the Floor now
20. that are being...attempts made now to amend them to
21. cover many of the problems that have been indicated
22. in committee and many of the problems indicated by
23. Senator Nimrod. We have a House Bill over here now
24. that provides basically for all the points that have
25. been matters of concern on workmen's comp by the
26. Illinois Manufacturers' Association, who's bills
27. Senator Nimrod proposes. I would suggest that we
28. allow these bills to have their hearing. To be
29. passed before we discharge anymore bills. I would
30. suggest at this time when we talk about workmen's
31. compensation and it's...emergency nature, that we look
32. at the report from the Department of Insurance that
33. shows that over five hundred and sixty million

1. dollars was paid into the Workmen's Compensation fund.
2. Only two hundred and seventy million dollars were
3. paid out in losses. That there is a substantial
4. question of where the money is going, if it is being
5. overcharged and what we should be doing in this area.
6. House Bill 1205 that has just come over sets up a
7. panel of physicians as an option for injured employees,
8. makes a reduction of twenty-four percent in maximum
9. compensation rates for permanent disability. Allows
10. a twenty percent increase in maximum compensation
11. rates for accidental injuries resulting in amputation,
12. sets a maximum death benefit of over two hundred...of
13. two hundred fifty thousand dollars or twenty years,
14. whichever is greater. Reduces payments made to
15. injured employees from the 1965 to 1975 period from
16. the rate adjustments fund and the annual adjustments
17. are to be limited to the same increases as states
18. average weekly wage in manufacturing industries.
19. It mandates the Industrial Commission to adopt,
20. publish and apply guidelines in making awards and it
21. eliminates the 1979 and '81 increases in the maximum
22. average weekly wage. I think...

23. PRESIDENT:

24. Senator Savickas, would you conclude your remarks.

25. SENATOR SAVICKAS:

26. Yes. I think these are very substantial changes,
27. very substantial bills, very substantial amendments that
28. are being offered to the present bills that are out on
29. the Floor and I would resist this movement to discharge
30. ...the Committee on Labor and Commerce.

31. PRESIDENT:

32. Senator Nimrod.

33. SENATOR NIMROD:

34. I think that the statements that have been made by
35. Senator Savickas and myself certainly should make you

1. aware of the critical issue that's before us. It's
2. important that we have a package that we can certainly
3. give some ray of hope that we are serious about doing
4. something about an issue that has been brought about
5. in every major newspaper and every particular businessman.
6. The thousands of letters that have gone ahead.
7. And I think that we have not taken a vote on this
8. bill in committee and I ask...to be able to assist
9. in bringing it to the Floor so that we have a chance
10. to debate the issues and put a package together that
11. we can all be proud of.

12. PRESIDENT:

13. The question is the adoption of Senator
14. Nimrod's motion to discharge Senate Bill 600 from
15. further consideration by the Committee on Labor and
16. Commerce and place the bill on the Order of 2nd
17. reading. Those in favor of the motion will vote
18. Aye. Those opposed will vote Nay. The voting is
19. open. Have all voted who wish? Have all voted
20. who wish? Take the record. On that question the
21. Ayes are 36 the Nays are 3, 9 Voting Present. The
22. motion having received the requisite 30 votes, carries
23. the bill, is ordered to 2nd reading. Senator Nimrod,
24. on a similar motion with respect to Senate Bill 601.
25. Senator Nimrod.

26. SENATOR NIMROD:

27. Mr. President, since we do have Senate Bill
28. 600 on the Floor and we are going to have a chance
29. to discuss this, I would ask what would be the
30. procedure for me to be able to Table this particular
31. motion and this bill? Or can I just...

32. PRESIDENT:

33. You simply have to withdraw the...the motion.

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1. SENATOR NIMROD:
2. Okay, I would...do I do that in writing, Mr. President?
3. PRESIDENT:
4. No, you do not.
5. SENATOR NIMROD:
6. I then...I then...
7. PRESIDENT:
8. Leave is granted to withdraw the motion on...on
9. Senate Bill 601. Senate Bill 605, Senator Bloom.
10. (Machine cut-off) Bloom.
11. SENATOR BLOOM:
12. Thank you, Mr. President. 605 is a bill that
13. permits savings and loans and credit unions and banks,
14. all depository financial institutions to offer what
15. are known as automatic teller machines in point of
16. sale terminals. If I could have your attention, please.
17. These are commonly called the Electronic Banking Bills.
18. PRESIDENT:
19. Will the members please be in their...excuse me,
20. Senator Bloom. Will the members please be in their
21. seats. These are important matters. Senator Bloom.
22. SENATOR BLOOM:
23. They are commonly called the Electronic Banking
24. Bills. These are the only bills before Finance and
25. Credit Regulations that actually had real live con-
26. sumers coming down, you know, from limited areas where
27. they've been offered, saying we want this service, we
28. want these facilities. Unlike the other banking
29. legislation where we get inundated with bankers who
30. claim, and allege, to speak for the interest of the
31. consumers. There were real live people down there
32. that had used it, said we liked this service and we'd
33. like them to be allowed. The committee did not let it

1. out. It's held in committee. I think that they deserve...
2. chance to have, the consumers around here deserve a chance
3. to have this service. Cause right now, under a Federal
4. Court Order, it's not allowed. These things are called
5. branches, and they're not, they're conveniences. They
6. don't make loans, they don't do anything that what we
7. consider branches do. And I'd appreciate a favorable
8. roll call.

9. PRESIDENT:

10. Senator Demuzio.

11. SENATOR DEMUZIO:

12. Well, thank you Mr. President, and Ladies and
13. Gentlemen of the Senate. In reference to Senate Bill
14. 605, the sponsor indicates that the bill was held in
15. committee. As I recall the vote of the Senate Finance
16. Committee was 4, on a Do Pass motion, to 7. There
17. was a motion to reverse the roll call and the sponsor
18. requested that since it was his legislation that it
19. be left in the committee and be...referred to an interim
20. study calendar, during at least...during the...the
21. summer. Well, at least to the extent that it would
22. be left in committee. Let me say on 605, it would
23. appear that this bill is really a...a bit premature
24. given the fact that the Electronic Funds Transfer
25. Commission admitted, of which the sponsor is the
26. Chairman, more time was needed to study all the
27. ramifications of this system as well as the mechanical
28. problems. The bill stops short of authorizing transfer
29. between any of the organizations involved and there
30. are structural problems with the bill, such as what
31. is the penalty for vandalism, or misuse of a terminal,
32. et cetera. There's no regulation as to the number of
33. these terminals that may be established and there are

1. so many unanswered questions in the EFTS area that I would
2. urge the Senate that this bill be left in committee and
3. perhaps we could study it over the summer and come back
4. with something, perhaps, in the fall or in the next Session
5. that is worthy of consideration.

6. PRESIDENT:

7. Senator Bloom.

8. SENATOR BLOOM:

9. I note that no where in speaking against this
10. bill...any provision was spoken against. This bill
11. is worthy of...consideration. The...EFTS Commission,
12. you caught the short fight there was on the amendment
13. to try and unstack the commission. Basically, this
14. subject matter has been taken over by bankers. It's
15. a bankers squabble. It shouldn't be. Now, as I said
16. in my opening remarks, now this is one of the few
17. finance things that we actually had real live people
18. who wanted this kind of legislation and wanted the
19. General Assembly to act. To put the quietus on the
20. Federal Court decision that closed everything down.
21. Now, it's that simple. And, to clear the record, I
22. did not request it to be put into an interim study
23. committee. After the vote, I said keep it in
24. committee. I may want to do something with it later.
25. I'm doing something with it later. Because this is
26. your opportunity to respond to and think about people
27. instead of bankers. Appreciate your vote.

28. PRESIDENT:

29. The question is shall the motion to discharge
30. Senate Bill 605 from the Committee on Finance and
31. Credit Regulations be adopted. Those in favor will
32. vote Aye. Those opposed will vote Nay. The voting
33. is open. Have all voted who wish? Have all voted

1. who wish? Take the record. On that question the Ayes are
2. 29, the Nays are 10, 6 Voting Present. The motion having
3. received...failed to receive the requisite majority of
4. votes is defeated. Senate Bill 984, Senator Knuppel.

5. SENATOR KNUPEL:

6. (Machine cut-off) is a bill designed to correct the...

7. PRESIDENT:

8. Excuse me, for what purpose does Senator Savickas
9. arise?

10. SENATOR SAVICKAS:

11. I would rise to support Senator Knuppel's discharge
12. motion in this...these two instances.

13. PRESIDENT:

14. Is there any opposition to the...the motion? If not,
15. Senator Knuppel moves that the Committee on Labor
16. and Commerce be discharged from further consideration
17. of Senate Bill 984. Those in favor will signify by
18. saying Aye. Opposed. The Ayes have it. The motion
19. carries. The bill will be placed on the Order of 2nd
20. reading. Senator Knuppel, on Senate Bill 1012, is
21. that also? Senator Knuppel moves to discharge the
22. Committee on Labor and Commerce from further consideration
23. of Senate Bill 1012 and to have the bill placed on
24. the Order of 2nd reading. All those in favor signify
25. by saying Aye. Opposed. The Ayes have it. The motion
26. carries. The bill is placed on the Order of 2nd reading.
27. Senator Glass.

28. SENATOR GLASS:

29. I would appreciate, Mr. President, knowing what
30. that bill did. I...would like to hear an explanation of
31. both bills. And at least the last one.

32. PRESIDENT:

33. All right. Senator Knuppel, would you explain

1. both...and if you wish to make a motion, Senator Glass, it
2. will be...

3. SENATOR KNUPPEL:

4. Mr. President, the first bill deals with the
5. price per page, paid for transcripts. Now I understand
6. that the amount that's in there at the moment is not
7. the same amount that the court reporters receive, but
8. I have assured Senator Kosinski that it will be. The
9. attempt is to pay court reporters for the Industrial
10. Commission at the same level as court reporters are
11. paid. They put in the same kind of hours, they work
12. just as hard, they travel around, have the same problems
13. that court reporters have. That's the same way with
14. 1012. 1012 says that they will be paid according to
15. their proficiency from the same type of a table that's
16. adopted by the court administrator.

17. PRESIDENT:

18. Senator Shapiro.

19. SENATOR SHAPIRO:

20. Mr. President, just a...a point I wish to raise.
21. It was my understanding that the Chairman of the Committee
22. would be up to make a statement, pro or con, on the
23. motions to discharge. If...if not, then a Minority
24. spokesman would have an opportunity to make a statement.

25. PRESIDENT:

26. Well, I...I did ask...I did request if there
27. was anyone in opposition and...and Senator, if you
28. feel that...I was simply trying to save time. If you
29. have an objection to the procedure, we'll be glad to...
30. I...we will...I will recognize the motion to reconsider
31. and then we will allow someone to...

32. SENATOR SHAPIRO:

33. If there's been an agreement worked out on these
34. bills between the Minority Spokesman or chairman, well

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1. and good, but I...I'd like to hear from the Minority
2. Spokesman of the committee.

3. PRESIDENT:

4. At the present time both bills are on the Order
5. of 2nd reading. I suggest that the Chairman, the
6. Minority Spokesman and the committee, and the sponsor
7. of the bill, get together while we go down the list.
8. If there is a problem we will reconsider and come
9. back and have a vote. I do not want...well, the
10. Minority Spokesman has the next bill that he wishes
11. to discharge from the committee, so apparently relations
12. aren't as amicable as we thought. Senator...Senator
13. Harber Hall on Senate Bill 1155. We will return to
14. those bills with leave of the Body, if there is
15. objection. Senate Bill 1155, Senator Harber Hall.

16. SENATOR HARBER HALL:

17. Mr. President, and fellow Senators. This is
18. another of the very crucial bills that we have to
19. consider in this General Assembly. This is the
20. Unemployment Compensation Bill that we introduced
21. two months ago. I would like to be able to tell
22. you that this bill did not receive a good hearing
23. in committee, but that is not true, it received a
24. very good hearing. We had extensive hearings.
25. Mr. Stanley Johnson, ordinarily thought of as the
26. leading spokesman for organized labor, testified
27. and listened and explained the labor side of this
28. matter. And I can tell you this, that Mr. Johnson
29. said, the pendulum has swung, past, too far past
30. center, and it needs correcting. It needs correcting
31. by the measures that we have in 1155. I voluntarily
32. took out the reduction in benefits, the weekly reduction
33. in benefits then stay presently, a hundred and thirty-five

1. dollars a week. All I get out in this bill is getting the
2. freeloader's off. We increase the earnings requirement
3. from a thousand to twelve hundred dollars. Two hundred
4. dollars earning...increase in annual income to qualify.
5. Twelve hundred dollars is all you have to have to
6. qualify and we would increase from four...to four
7. hundred from one...from two seventy-five. That's
8. a hundred and twenty-five dollar increase in...in
9. the highest quarter. And we increase the penalty
10. period for leaving work voluntarily. Right now,
11. it's only six weeks. We'd increase it up to ten
12. weeks. As you know, people, and you've gotten
13. hundreds of letters and labor people complain about
14. this. You can quit voluntarily and six weeks later,
15. you'll qualify for unemployment compensation. This
16. is the kind of thing that is depleting our unemployment
17. fund to a position where we're not only bankrupt in
18. the State, but we're in debt to the Federal Government
19. by four hundred and fifty million dollars. Correction,
20. seven hundred and fifty million dollars.

21. PRESIDENT:

22. Senator Hall would you conclude your remarks.
23. Would you conclude your remarks, please.

24. SENATOR HARBER HALL:

25. We must address this problem. This bill does it
26. all and I would like to have it placed on the Order
27. of 2nd reading and I move for adoption of this motion.

28. PRESIDENT:

29. Senator Savickas.

30. SENATOR SAVICKAS:

31. Yes, Mr. President, and members of the Senate.
32. I rise in opposition to this motion. Senate Bill 1155
33. would go a little further than we think would be right
34. in trying to straighten out this problem with unemploy-
35. ment compensation. Granted, there are some abuses, but

1. overall, what we will be doing would be penalizing
2. dependent children. We'd be penalizing women who
3. marry and must move from their job to a location
4. with their husband. We would change the benefits,
5. reduce benefits for the unemployed. And I would
6. suspect at this time that all of these problems,
7. although many are valid, there are some that we
8. just cannot afford to...to impose upon the unemployed.
9. We talk about a person that's unemployed, must look
10. for suitable work. Well, what is suitable work?
11. How do you define it? If he was making twelve-fifty
12. an hour, should he now be a dishwasher for two dollars
13. an hour. Just...just where would he go to find
14. the suitable work that he was trained for. This...this
15. bill would cause problems in a married couple by
16. separating them. Cause problems for dependent children.
17. It would make employees ineligible for benefits until
18. ...ten consecutive weeks have elapsed. He would be...
19. he would be really fined for any misconduct and he
20. would reduce his benefits by ten times his weekly
21. benefits. And if...if there was a picket line put
22. across the plant, this would delete his ability to
23. collect unemployment if he did not cross that picket
24. line. And in many areas, any man that has a conscience
25. and is working with his fellow man, will not voluntarily
26. walk across a picket line in...in defiance of his colleague's
27. position. So I would oppose this bill at this time.
28. There are vehicles, we have a vehicle that if we can...
29. PRESIDENT:

30. Senator Savickas, would you conclude your remarks.

31. SENATOR SAVICKAS:

32. ...work out an agreement...agreement. We have
33. House Bill 236 that is on the Floor on 3rd reading that

1. we can amend.

2. PRESIDENT:

3. Senator Harber Hall.

4. SENATOR HARBER HALL:

5. In response to Senator Savickas on two points. Do
6. we want to say that both parents, both work...working
7. parents can each claim for additional compensation, the
8. same child. Right now, twenty-five percent. If you
9. can prove twenty-five percent of the support of the
10. child, you can claim additional child support on
11. your unemployment comp. So either, or both, parents
12. can claim. Do we want to say, as I found in Bloomington,
13. that a one man operation, one union, a separate union,
14. one...one operator, one individual, went on strike,
15. had a dispute and sixty-five other employees walked
16. out, refused to cross a picket line and broke a businessman
17. because of that dispute. All of the rest of them
18. wanted to work, but they refused it...they refused
19. to...cross a picket line and drew unemployment compensation.
20. Do we want that thing? Do we want, as I heard a member
21. of this Body sitting here right tonight, do we want his
22. son in Jamaica drawing unemployment compensation? He
23. doesn't, but he'll probably vote against my motion.
24. He doesn't want him. He told his son he shouldn't be
25. drawing unemployment. He should work the way he had
26. to work all through his life, but he's down in
27. Jamaica drawing unemployment compensation.

28. PRESIDENT:

29. Would you conclude your remarks, Senator Hall.

30. SENATOR HALL:

31. You're hearing those stories all the time. And
32. I think we have to tighten up and this bill does it.
33. That's all it does. No decrease in benefits.

34. PRESIDENT:

1. The question is...the question is shall the motion
2. to discharge Senate Bill 1155 from the Committee on
3. Labor and Commerce and place the bill on the Order of
4. 2nd reading be adopted. Those in favor will vote Aye.
5. Those opposed will vote Nay. The voting is open.
6. Have all voted who wish? Have all voted who wish?
7. Take the record. On that question the Ayes are 30, the
8. Nays are 5, 16 Voting Present. The motion having
9. received the requisite 30 votes is adopted. Senator
10. Savickas.

11. SENATOR SAVICKAS:

12. I'd call for a verification of that roll call.

13. PRESIDENT:

14. A verification of the roll call has been requested.
15. The Secretary will read the affirmative votes.

16. SECRETARY:

17. The following voted in the affirmative: Berning,
18. Bloom, Bowers, Buzbee, Coffey, Davidson, Egan, Glass,
19. Graham, Grotberg, Harber Hall, Hickey, Joyce, Knuppel,
20. McMillan, Mitchler, Moore, Nimrod, Ozinga, Philip,
21. Regner, Rhoads, Roe, Rupp, Schaffer, Shapiro, Sommer,
22. Soper, Walsh and Weaver.

23. PRESIDENT:

24. Senator Davidson on the Floor. He's on the
25. Floor.

26. SENATOR SAVICKAS:

27. Senator Roe?

28. PRESIDENT:

29. Senator Roe. Senator Roe is on the Floor.

30. SENATOR SAVICKAS:

31. How about Senator Rhoads?

32. PRESIDENT:

33. Senator Rhoads is on the Floor. The roll has been

1. verified. The Ayes are 30, the Nays are 5, 16 Voting Present.
2. The motion receives a requisite 30 votes and is adopted.
3. The bill is on the Order of 2nd reading. Senate Bill 731,
4. Senator Lane. Senator Lane.

5. SENATOR LANE:

6. Thank you, Mr. President, and members of the Senate.
7. Senate Bill 731 is an Act to establish the right of
8. public school employees who organize and bargain collectively.
9. To define and resolve unfair practice disputes. And...establish
10. the Education Employment Relations Board to administer the
11. Act. Senate Bill 731 has no compulsory binding arbitration
12. in it and a mutually it...keep talking, Mr. Chairman, I
13. appreciate your comments. Let's see...Senate Bill 731
14. during the 79th General Assembly was on the Floor twice.
15. It had passed through the Education Committee and also
16. passed through the Labor Committee. We have the same
17. Chairman of those committees this Session as we
18. did the last Session and I think this here issue should
19. have a good hearing. I'd appreciate your favorable
20. consideration.

21. PRESIDENT:

22. Senator Savickas.

23. SENATOR SAVICKAS:

24. Well, I'm torn between two ideas here. One, in
25. theory, I support this position, because we do have
26. disability in teachers in Chicago and the other is that
27. we do have another five or six bills coming over from
28. the House that deal with collective bargaining. We have
29. an all encompassing bill from the House. We have
30. individual bills. My feeling would be that we should
31. deal with these collectively, that we should get them
32. all together in a committee and decide what, if any,
33. bills that we should let out that would help the

1. teachers help the public employees. But at this time I
2. would oppose the discharge of the committee until we
3. can decide and study all these bills collectively.

4. PRESIDENT:

5. Senator Lane.

6. SENATOR LANE:

7. Well, Mr. President, members of the Senate.
8. Senate Bill 731, I sincerely believe should be aired
9. by the whole Body, so I'd appreciate a favorable roll
10. call on this issue.

11. PRESIDENT:

12. The question is shall the motion to discharge the
13. Committee on Labor and Commerce from further consideration
14. of Senate Bill 731 and to place that bill on the Order of
15. 2nd reading be adopted. Those in favor will vote Aye.
16. Those opposed will vote Nay. The voting is open. Have
17. all voted who wish? Have all voted who wish? Take
18. the record. On that question the Ayes are 29, the Nays
19. are 12, 3 Voting Present. The motion having failed to
20. receive the requisite 30 votes is defeated. Senate
21. Bill 475, Senator Glass. Senator Glass.

22. SENATOR GLASS:

23. Thank you, Mr. President, Ladies and Gentlemen.
24. Senate Bill 40...475 is a bill that would address the
25. product liability problem that many of our manufacturers
26. and wholesalers in Illinois have. And I'm sure that
27. you have been deluged with calls and letters from
28. businesses in Illinois who are suffering the throes of
29. exorbitant increases in their product liability insurance
30. premiums, if, in fact, they can obtain insurance at
31. all. For those of you who are not familiar with this
32. problem, if there are any, this deals specifically
33. with a...a product that is manufactured in Illinois,
34. put out on the market and a claim is made as a result

1. of an alleged defect in that product, sometimes, forty
2. and fifty years after the product reaches the market. One
3. of the letters I have is illustrative of a brake that is
4. used in industry that was manufactured and sold in 1937,
5. a claim forty years later in 1977 is being made as an
6. ...basing the...the allegations on a defect in that brake.
7. The bill would address this problem in several ways, the
8. most important of which would be to put an eight year
9. Statute of repose or similiar to an eight year Statute
10. of Limitations, which would require that no action
11. could be brought against the manufacturer after an
12. eight year period. I was prepared to amend that to ten
13. years. There are a...a number of other significant
14. provisions in the bill and I would say to the membership
15. that this problem is so significant that I...I would
16. be willing as the sponsor to modify this legislation.
17. Make reasonable modifications if it is brought out on
18. the Floor and to work with you to get something passed
19. at this Session. Now, I'm aware of the fact that there
20. will be an effort made to hold this bill and...and the
21. trial lawyers who oppose it argued in committee that
22. this bill ought to be held in the...in the subcommittee
23. for further study. I think if we don't get this bill
24. out, or...or some bill out on the Floor, that it will
25. not be possible to do anything at this Session. Because
26. we are dealing with a new Act. We are not dealing with
27. an amendment to an existing Statute. So it is highly
28. important that we do get something out on the Floor
29. that we can work with. As I say, I'd be willing to
30. consider reasonable amendments. This is the product
31. of study by the National Product Liability Council, that
32. has worked on this legislation in...in many states. So
33. I would urge a favorable roll call on this motion.

1. PRESIDENT:

2. Senator Daley.

3. SENATOR DALEY:

4. Mr. President, and fellow Senators. I stand opposing
5. this motion. First of all, on the grounds that there's a
6. working subcommittee headed by Senator Moore, as well as
7. Senator Glass who's on the subcommittee, Senator Berman and
8. I think, Senator Guidice and myself. The bill was introduced
9. just a few months ago. It's a bill that...we know there
10. must be change in the products liability, but what this
11. bill does is puts a ten year Statute of Limitations. So
12. remember, if you ever get on a 747, if the plane was
13. built more than ten years ago, don't step on it, because
14. you cannot sue on a products liability. If you drive
15. any type of machinery that's over ten years old, or if
16. it's eight, all depends on what the Statute of Limitations
17. are, and you get injured, you cannot sue on a products liability,
18. I think this bill needs further study. I know that industry
19. and labor needs help. A...number of labor officials
20. appear before our committee. The committee hearing was
21. only held for about forty minutes. There was opposition
22. by the trial lawyers. We stated that we would have a
23. further hearing in this Session.

24. PRESIDENT:

25. Senator Glass.

26. SENATOR GLASS:

27. By way of rebuttal...Mr. President and Ladies and
28. Gentlemen. Senator Daley is correct that organized labor
29. and management both testified in favor of the need to
30. do something. The trial lawyers were against this bill.
31. I asked them if they could suggest amendments to the
32. bill or whether they thought the laws that existed now
33. was all right. They said they didn't see any reason or

1. any need to change the law. I think that's shortsighted,
2. there are individual companies that are going out of
3. business, one...the owner of one of them, testified at
4. the committee hearing. He had actually pulled the plug
5. on his business and...and gone out of business. The
6. problem is that we need to do something about this now
7. and the hour is late and I certainly hope the membership
8. agrees and will vote to discharge this bill.

9. PRESIDENT:

10. The question is shall the motion to discharge
11. the Senate Committee of Judiciary I from further con-
12. sideration of Senate Bill 475 and to place the bill
13. on the Order of 2nd reading be adopted. Those in
14. favor will vote Aye. Those opposed will vote Nay. The
15. voting is open. Have all voted who wish? Have all
16. voted who wish? Take the record. On that question,
17. the Ayes are 31, the Nays are 7, 6 Voting Present. The
18. motion having received the requisite 30 votes is adopted.
19. There's been a request for verification of the roll
20. call. Roll will be verified. Read the affirmative votes,
21. Mr. Secretary.

22. SECRETARY:

23. The following voted in the affirmative: Berning,
24. Bloom, Bowers, Buzbee, Coffey, Collins, Davidson, Glass,
25. Graham, Grotberg, Harber Hall, Hickey, Johns, Lane, McMillan,
26. Mitchler, Moore, Leonard, Nimrod, Ozinga, Philip, Regner,
27. Rhoads, Roe, Schaffer, Shapiro, Sommer, Soper, Walsh,
28. Weaver and Wooten.

29. PRESIDENT:

30. Senator Johns on the Floor? Senator Johns, will be
31. taken off the roll call. Is Senator Wooten on the Floor?
32. Remove his name from the roll call. On that question the
33. Ayes are 29. Senator Wooten is on the Floor. Senator
34. Sommers. Senator Bloom is on the Floor. On that...Senator

1. Roe? Senator Roe is on the Floor. Senator Lane? Senator
2. Lane is on the Floor. On that question, the Ayes are 30,
3. the Nays are 7, 5 Voting Present. The motion having
4. received the requisite 30 votes is adopted. Senate Bill
5. 759, Senator Regner. For what purpose does Senator Philip
6. arise?

7. SENATOR PHILIP:

8. Thank you, Mr. President. I'm assuming that this
9. bill is not...is...is not on the Calendar, but the motion
10. has been filed in writing. What I'm suggesting is, that
11. a supplemental list be prepared in the future so we
12. know...what motions have been filed in writing. Right
13. now we're sitting here and just assuming that all...every-
14. thing is proper. But if we could print something later
15. on...

16. PRESIDENT:

17. Suggestion is well taken and it will be done. Senator
18. Regner.

19. SENATOR REGNER:

20. Mr. President and members of the...

21. PRESIDENT:

22. Senate Bill 759.

23. SENATOR REGNER:

24. Members of the Senate, this also is a product liability
25. and my main interest is that we do have a bill out to work
26. on and we do have Senator Glass' bill out and I would now
27. move to Table or withdraw...withdraw the motion on Senate
28. Bills 759, 760, and 761, which I filed.

29. PRESIDENT:

30. Senator Regner withdraws his motions on Senate Bills
31. 759, 760 and 761, is that correct?

32. SECRETARY:

33. Yes...yes, that is correct.

1. PRESIDENT:

2. We have a Motion in Writing by Senator Rock with
3. respect to Senate Bill 203. Senator Rock.

4. SENATOR ROCK:

5. Thank you, Mr. President, Ladies and Gentlemen of
6. the Senate. I rose earlier today to oppose Senate Bill
7. 203. I have since been visited by the Speaker of the
8. House who indicated the great need, in his judgment of his
9. county and other counties downstate, for this increase in
10. the tax levy for the purpose of conducting elections.
11. Consequently, I have filed a Motion in Writing to

12. reconsider the vote by which Senate Bill 203 was lost
13. and I would ask a favorable disposition of that motion.

14. PRESIDENT:

15. Having voted on the prevailing side, Senator Rock
16. has moved to reconsider the vote by which Senate Bill 203
17. was defeated. Those in favor of the motion to reconsider
18. will vote Aye. Those opposed will vote Nay. The voting
19. is open. Have all voted who wish? Have all voted who
20. wish? Take the record. On that question the Ayes are
21. 43, the Nays are none. None Voting Present. The vote
22. is on...with respect to Senate Bill 203 is reconsidered.
23. The bill is back on the Order of 3rd reading. With leave
24. of the Body, we will go to the Order of Senate Bills 2nd
25. reading. Is leave granted? Leave is granted. On the
26. Order of 2nd reading, Senate Bill 391. Senator Berman.
27. (Machine cut-off) has been read a second time. The
28. amendment has been adopted...an amendment has been
29. adopted. Are there any further amendments?

30. SECRETARY:

31. No further amendments.

32. PRESIDENT:

33. 3rd reading. Senate Bill 391, was not recommitted.

1. Senator Berman.

2. SENATOR BERMAN:

3. Was there an inquiry as to whether it had been recommitted?

4. No, to refresh your memory, Gentlemen and Ladies, 391 I indicated

5. this morning. We adopted the amendment. That was the bill that

6. was...worked on by subcommittee, The School Promise Commission,

7. Chaired by Representative Gene Hoffman. It dealt with the

8. recategorization of the categories of handicapped children.

9. I indicated this morning that I asked that it be kept on

10. 2nd reading until Representative Hoffman had a chance

11. to check with the Governor's Office regarding any problems

12. with the bill. It came back to me later in the afternoon

13. and they indicated there was no problem. I believe he

14. checked with...I thought he checked with Senator Davidson and with

15. Senator Shapiro and that's the reason why we've moved it

16. to 3rd. That was what Representative Hoffman indicated to

17. me this afternoon.

18. PRESIDENT:

19. There are several bills on the Order of 3rd reading

20. that Senators have requested we bring back to the Order

21. of 2nd reading for the purpose of amendment. Is leave

22. granted to go to the Order of Senate Bills 3rd reading?

23. Leave is granted. On the Order of 3rd reading. Senate

24. Bill 16. Senator Maragos. Is leave granted to bring

25. the bill back to the Order of 2nd reading? Leave is

26. granted.

27. SENATOR MARAGOS:

28. Mr. President, there is Amendment No. 1 which is

29. been offering...is being offered by Senator Weaver and

30. I would like at this time to call on Senator Weaver for

31. adoption of Amendment No. 1.

32. SECRETARY:

33. Amendment No. 1 offered by Senator Weaver.

1. PRESIDENT:

2. Senator Weaver.

3. SENATOR WEAVER:

4. Thank you, Mr. President. This amendment to Senate
5. Bill 16 would on page 7, line 10, by inserting, after
6. board, the following: accept those appointed by the
7. Governor. I'd move its adoption.

8. PRESIDENT:

9. Senator Weaver moves the adoption of Amendment No. 1.
10. Is there any discussion? If not, all those in favor signify
11. by saying Aye. Opposed. The Ayes have it. The amendment
12. is adopted. Any further amendments?

13. SECRETARY:

14. No further amendments. 3rd reading. Senate Bill...
15. Senate Bill 277. Senator Glass. We have leave to bring it
16. back to 2nd reading? Leave is granted. Senator Glass.
17. Amendment No. 2.

18. SECRETARY:

19. Amendment No. 2 offered by Senator Glass.

20. SENATOR GLASS:

21. Thank you, Mr. President, Ladies and Gentlemen.
22. This is the personalized licensed plate bill. And, I
23. think by this amendment we have attempted and I think
24. succeeded in making it clear that there will be no
25. conflict in the new personalized plate with the existing
26. series of plates that are now available and that those
27. plates may, in fact, be reassigned without the payment
28. that's required under the new bill and I would move the
29. adoption of this amendment.

30. PRESIDENT:

31. Senator Rock.

32. SENATOR ROCK:

33. Thank you, Mr. President, Ladies and Gentlemen of
34. the Senate. I still firmly believe that the sponsor has

1. the right to have his bill in the shape he wishes it. But
2. lest there be any misapprehension, the Office of the
3. Secretary of State has opposed, and will stand opposed,
4. at least through me, to Senate Bill 277 even with this
5. amendment.

6. PRESIDENT:

7. Senator Glass moves the adoption of Amendment No. 2.
8. All those in favor signify by saying Aye. Opposed. The
9. Ayes have it. The amendment is adopted. Any further
10. amendments?

11. SECRETARY:

12. No further amendments.

13. PRESIDENT:

14. 3rd reading. Senate Bill 603. Senator Philip. We
15. have leave to bring it back to the Order of 2nd reading?
16. Leave is granted. Senator Howard Carroll.

17. SENATOR CARROLL:

18. Thank you, Mr. President. There are two amendments
19. on the Secretary's Desk to clarify the problem we had
20. discussed earlier in debate. One amendment, which will
21. be Amendment No. 3...

22. PRESIDENT:

23. Excuse me, Senator. Would you...would you read
24. the amendments, Mr. Secretary, if you have them.

25. SECRETARY:

26. I already have three amendments on 603. This would
27. be Amendment No. 4, Senator Carroll. And that one that
28. I have here does...amends the bill were...yeah...right.

29. SENATOR CARROLL:

30. Thank you, Mr. President. This one would add the
31. language where one of the participants is under the
32. age of sixteen so that it is clear that the action we
33. are seeking to describe as indecent liberties is where
34. one of those who is filmed, anyone or more, is under the
35. age of sixteen and I would move the adoption of the amendment.

1. PRESIDENT:

2. Is there any further discussion? Is there any
3. discussion? Senator Carroll moves the adoption of
4. Amendment No. 4. All those in favor signify by saying
5. Aye. Opposed. The Ayes have it. The amendment is
6. adopted. Amendment No. 5, Senator Carroll.

7. SENATOR CARROLL:

8. Thank you, Mr. President. Amendment No. 5
9. is a technical amendment to take out a reference
10. that has already been amended out in substance by one
11. of the prior three amendments. So we now are deleting
12. that section from the title and I would move adoption
13. of Amendment No. 5 and ask leave to be added as a cosponsor
14. to the legislation.

15. PRESIDENT:

16. Senator Carroll moves the adoption of Amendment
17. No. 5. All those in favor signify...all those in favor
18. signify by saying Aye. Opposed. The Ayes have it.
19. The amendment is adopted. Any further amendments?

20. SECRETARY:

21. No further amendments.

22. PRESIDENT:

23. 3rd reading. Senator Carroll asks leave of
24. the Body to be shown as a cosponsor as does Senator Harber
25. Hall. Is leave granted? Senator Arthur Berman. Senator...
26. any Senator wishing to be shown as a cosponsor of the
27. Carrollized bill please leave your name with the Secretary
28. and leave will be granted to include all of those names as
29. cosponsors. Senate Bill 708, Senator Sommer. Is leave
30. granted to bring the bill back to 2nd reading? Leave is
31. granted. Senate Bill 708, Senator Sommer.

32. SENATOR SOMMER:

33. Mr. President, there are two amendments on here

1. that are both technical amendments and they don't mesh
2. so I would move to reconsider the vote by which they
3. both passed and then Table them and put the third one
4. on which says the same thing that they mesh.

5. PRESIDENT:

6. Senator...Senator Sommer moves to reconsider
7. the vote by which Amendments 1 and 2 were adopted.
8. All those in favor signify by saying Aye. Opposed.
9. The Ayes have it. The vote is reconsidered. Senator
10. Sommer moves to Table Amendments 1 and 2. All those
11. in favor signify by saying Aye. Opposed. The Ayes
12. have it. The amendments are Tabled. Senator Sommer
13. moves to adopt Amendment No. 3. All those in favor
14. signify by saying Aye. Opposed. The Ayes have it.
15. The amendment is adopted. Any further amendments?

16. SECRETARY:

17. No further amendments.

18. PRESIDENT:

19. 3rd reading. Senate Bill 814, Senator Carroll.
20. Is leave granted to bring the bill back to the Order of
21. 2nd reading? Leave is granted. Senator Carroll.

22. SENATOR CARROLL:

23. Thank you, Mr. President. We have before the Body
24. Amendment No. 2 to Senate Bill 814 suggested by the
25. Republican staff to resectionalize the clarifying language
26. and I would move adoption of Amendment No. 2.

27. PRESIDENT:

28. Senator Carroll moves the adoption of Amendment No. 2.
29. All those in favor...is there any discussion? All those
30. in favor signify by saying Aye. Opposed. The Ayes have it.
31. The amendment is adopted. Any further amendments?

32. SECRETARY:

33. No further amendments.

1. PRESIDENT:

2. 3rd reading. Senate Bill 966, Senator Lemke.
3. Senator Lemke on the Floor? Is leave granted to bring
4. the bill back to the Order of 2nd reading? Leave is
5. granted. Senator Lemke.

6. SENATOR LEMKE:

7. What we're doing here is...ask the bill to be
8. brought back to 2nd for purpose of a couple of amendments.
9. What we're doing here is limiting the part of the thing
10. and saying that every company which offered Workmen's
11. Compensation in this State as of June 30th, 1975,
12. shall continue to offer such insurance in this State
13. as a condition to its authorization to do any insurance
14. business in this State. This is in answer to some
15. casualty companies that just write strictly a certain
16. strict line of casualty in business and never went into
17. the Workmen's Comp field and this amendment is a good amendment
18. because it will help business to get insurance from
19. companies that are...that are canceling out and not
20. writing business, but the cream off the crop and I think
21. this is well rounded and I think it's a good amendment.

22. PRESIDENT:

23. Is there any discussion? Senator Lemke moves the
24. adoption of Amendment No. 1. All those in favor signify
25. by saying Aye. Opposed. The Ayes have it. The amendment
26. is adopted. Any further amendments?

27. SECRETARY:

28. Amendment No. 2 offered by Senator Lemke.

29. PRESIDENT:

30. Senator Lemke.

31. SENATOR LEMKE:

32. What this amendment does is there's a problem that has been
33. caused, I understand, in the underwriting procedures of several

1. large companies that when the Workmen's Compensation
2. benefits are paid, medical, temporary total and permanent,
3. there's a third party recovery from the negligent third
4. party. This amount of money is never credited to the
5. employer's insurance premium. He's never given a rebate
6. back. His loss ratio was figured on what they paid out
7. and not on what they recovered. This amendment...what it
8. does, it says that this money that they recover
9. will be an adjustment. The man will receive a rate
10. reduction and also a refund on his premium if they
11. recover this money in the...in that year, his loss ratio
12. was lower and the premium should have been lowered
13. and I think it's a good bill for the employers in the
14. State of Illinois.

15. PRESIDENT:

16. Is there any discussion? Senator Lemke moves the
17. adoption of Amendment No. 2. All those in favor signify
18. by saying Aye. Opposed. The Ayes have it. The amendment
19. is adopted. Any further amendments?

20. SECRETARY:

21. No further amendments.

22. PRESIDENT:

23. 3rd reading. Senate Bill 1202, Senator Regner.
24. Is leave granted to bring the bill back to the Order of
25. 2nd reading? Leave is granted. Senator Regner.

26. SENATOR REGNER:

27. Mr. President and members of the Senate. This
28. amendment strikes everything after the enacting clause
29. and does create a new bill. What it does...proposes to
30. do is to bring the General Assembly back into the
31. process when the Governor is negotiating along with the
32. Department of Personnel any pay raises and I would move for
33. the adoption of Amendment No. 1 to Senate Bill 1202.

1. PRESIDENT:

2. Is there any discussion? Senator Rock.

3. SENATOR ROCK:

4. Well, again, the sponsor certainly has a right to
5. put the bill in the shape he wishes, but when one deletes
6. everything after the enacting clause and starts over...

7. yeah, we can agree to adopt the amendment and I wish
8. the he would hold it so that we can take a look.

9. Thank you.

10. PRESIDENT:

11. Senator Regner moves the adoption of Amendment No. 1.
12. All those in favor signify by saying Aye. Opposed. The
13. Ayes have it. The amendment is adopted. Any
14. further amendments?

15. SECRETARY:

16. No further amendments.

17. PRESIDENT:

18. 3rd reading. Senate Bill 1258, Senator Moore.
19. Do we have leave to bring the bill back to 2nd
20. reading? Leave is granted. Senator Moore.

21. SENATOR MOORE:

22. I'll yield to Senator Rock. This was the adoption
23. bill that there was some discussion upon. We have
24. arrived at an amendment that is agreeable to Senator
25. Rock and myself and, in fact, it completely eliminates
26. the Section 8 of the bill which was the controversial
27. section with the psychiatrists and the psychologists and
28. the two judicial determinations on taking away parental
29. rights. I'd move for its adoption, Mr. President.'

30. PRESIDENT:

31. Senator Moore moves the...Senator Rock.

32. SENATOR ROCK:

33. Yes, thank you, Mr. President, Ladies and Gentlemen.

1. of the Senate. When this bill was called, there was
2. lengthly discussion by both Senators Knuppel and Bruce
3. and they, frankly, convinced me that the changes that
4. the Department of Children and Family Services proposed
5. with respect to Section 8 and the taking of custody of a
6. child because one who was in need of medical treatment
7. or was medically ill was...were just, frankly, ill-
8. considered. By virtue of this amendment, we have stricken
9. those proposed changes and left the bill in the position
10. in which it was described, namely that the question of
11. drug abuse is still contained therein and the other
12. couple of salutary changes. I think the amendment is
13. a good one. I would move its adoption.

14. PRESIDENT:

15. Senator Rock moves the adoption of Amendment No. 2.
16. All those in favor signify by saying Aye. Opposed.
17. The Ayes have it. The amendment is adopted. Any further
18. amendments?

19. SECRETARY:

20. No further amendments.

21. PRESIDENT:

22. 3rd reading. Senate Bill 1264, Senator Shapiro.
23. Read the bill. Excuse me. Do we have leave to bring
24. the bill back to the Order of 2nd reading for the
25. purpose of amendment? Leave is granted. Senator
26. Shapiro.

27. SENATOR SHAPIRO:

28. Mr. President and members of the Senate. Yesterday
29. during the debate on 1264, an objection was raised to
30. some new language in Section 9-B. This amendment deletes
31. that new language as it was really confusing and returned
32. Section 9-B as it is now without the new language. I would
33. urge the adoption of the amendment.

SB 785
Recall
5/25/77

1. PRESIDENT:

2. Is there any discussion? We do not have a copy
3. of the amendment, Senator. Senator Shapiro moves the
4. adoption of Amendment No. 1. Is there any discussion?
5. If not, all those in favor signify by saying Aye.
6. Opposed. The Ayes have it. The amendment is adopted.
7. Any further amendments?

8. SECRETARY:

9. No further amendments.

10. PRESIDENT:

11. 3rd reading. On the Order of 3rd reading, Senate
12. Bill 785, Senator Netsch. Do we have leave to bring
13. the bill back to the Order of 2nd reading? Leave is
14. granted. Senator Netsch.

15. SENATOR NETSCH:

16. Thank you, Mr. President. This is, I believe,
17. Amendment No. 1 to Senate Bill 785. The bill deals with
18. the extension of health insurance to alcoholism
19. treatment and the amendment considerably limits the extension
20. of that coverage. It confines it to only those alcoholic
21. ...alcoholism treatment facilities or detoxification centers
22. which are licensed and which are residential and which
23. involve rehabilitation in patient services. We have
24. totally stricken out the outpatient services. We have
25. eliminated the halfway houses and other facilities
26. which caused some objection. I would move the adoption
27. of Amendment No. 1 to Senate Bill 785.

28. PRESIDENT:

29. Is there any discussion? Senator Netsch moves
30. the adoption of Amendment No. 1. All those in favor signify
31. by saying Aye. Opposed. The Ayes have it. The amendment
32. is adopted. Any further amendments?

33. SECRETARY:

1. No further amendments.

2. PRESIDENT:

3. 3rd reading. There are two bills on the Order of
4. 2nd reading which members have asked...for what purpose
5. does Senator Harber Hall arise?

6. SENATOR HALL:

7. On a point of personal privilege, Mr. President.
8. Last week we had the annual tennis tournament and
9. we've seen our members walking around with big plaques
10. and having their pictures taken and everything, but
11. sitting in the gallery, Mr. President, is a lovely
12. lady, the wife of Senator Glass, Barbara Glass, and I would
13. like the members to know that she can beat her husband
14. and the first place winners of that meeting we had
15. last week. Anytime they want to take her on because
16. she is an expert tennis player and I'd like to have her
17. stand and her friend, Mrs. Harold Locker, stand and
18. be recognized by the Senate.

19. PRESIDENT:

20. Senate Bills, 3rd reading. For what purpose
21. does Senator Davidson arise?

22. SENATOR DAVIDSON:

23. You were on the Order of Senate Bills, 2nd reading,
24. I thought. While you're on that, I'd like to recommit
25. Senate...Senate Bill...

26. PRESIDENT:

27. Well, we're on...we're on Senate Bills, 3rd. We will
28. get to that...to that motion. I'm as anxious as you are,
29. Senator. Senate Bill 720, Senator Lemke. Is leave
30. granted to bring the bill back to the Order of 2nd reading?
31. Leave is granted. Senator Lemke.

32. SENATOR LEMKE:

33. I'm against bringing the bill back, but my seatmate
34. has an amendment he wants to offer, so I...I'll bring it

1. back to 2nd...
2. PRESIDENT:
3. Well, the bill is on 2nd reading. There's
4. an amendment by Senator Vadalabene.
5. SECRETARY:
6. Amendment No. 1 offered by Senator Vadalabene.
7. PRESIDENT:
8. Senator Vadalabene.
9. SENATOR VADALABENE:
10. Yes, thank you, Mr. President and members of the Senate.
11. House Bill 1205, Amendment No. 1 to House Bill 1205...
12. PRESIDENT:
13. Senate Bill 720.
14. SENATOR VADALABENE:
15. 720, I'm sorry, sets up a panel of physicians
16. as an option for the injured employees. Two,
17. makes a reduction of twenty-four percent in maximum
18. compensation rates for permanent disability and three,
19. allows a twenty percent increase in maximum
20. compensation rates for accidental injuries resulting in
21. amputation of a member of an eye or removal of an organ.
22. Four, sets up a maximum death benefit of two hundred
23. and fifty thousand dollars or twenty years, whichever
24. is greater. And five, reduces payments made to injured
25. employees from 1965 to 1975 from the rate adjustments
26. fund. And the annual adjustments are to be limited
27. to same increases as State average weekly wage in manufacturing
28. industries and six, mandates Industrial Commission to adopt,
29. publish and apply guidelines in making awards.
30. And seven, eliminates the 1979 and '81 increase in the
31. maximum average weekly wage of a hundred and sixty-six
32. and two-thirds in 1979, two hundred percent in 1981 and
33. I move for the adoption of the amendment.

1. PRESIDENT:

2. Is there any discussion? Senator Vadalabene moves
3. the adoption of Amendment No. 1. All those in favor
4. signify by saying Aye. Opposed. The Ayes have it.
5. The amendment is adopted. Any further amendments?

6. SECRETARY:

7. No further amendments.

8. PRESIDENT:

9. 3rd reading. Do we have leave to go to the Order
10. of 2nd reading? There are members having two bills wishing
11. to advance them. Leave is granted. Senate Bill 556,
12. Senator Netsch. Has the bill been read a second time?
13. It has not.

14. SECRETARY:

15. Senate Bill 556.

16. (Secretary reads title of bill)

17. 2nd reading of the bill. The Committee on Judiciary I offers
18. two amendments.

19. PRESIDENT:

20. Senator Netsch.

21. SENATOR NETSCH:

22. Amendment No. 1 responded to the concerns of several
23. members of the committee that the identity of those persons
24. who provided information in the course of investigative
25. consumers...consumer reports, not be disclosed so that they
26. would also have that degree of protection. And the
27. system would not break down as a result. That is
28. incorporated in Amendment No. 1, Committee Amendment No. 1,
29. and I would move its adoption.

30. PRESIDENT:

31. Senator Netsch moves the adoption of Amendment No. 1.
32. All those in favor signify by saying Aye. Opposed.
33. The Ayes have it. The amendment is adopted. Amendment No. 2,

1. Senator Netsch.
2. SENATOR NETSCH:
3. May I defer to Senator Maragos?
4. PRESIDENT:
5. Senator Maragos.
6. SENATOR MARAGOS:
7. Mr. President and fellow Senators, Amendment No.
8. 2 was offered in committee by Senator Lemke which was
9. adopted by the committee, but after we had reviewed it,
10. he has asked that that...that amendment be Tabled and that
11. Amendment No. 3 take its place. So, I move for the Tabling
12. of Amendment No. 2.
13. PRESIDENT:
14. Senator Maragos moves to Table Amendment No. 2
15. to Senate Bill 556. All those in favor signify by saying
16. Aye. Opposed. The Ayes have it. The amendment is Tabled.
17. Senator Maragos moves the adoption of Amendment No. 3.
18. Would you explain the amendment?
19. SENATOR MARAGOS:
20. ...President and members of the Senate. Amendment
21. No. 3 does what Amendment No. 2 should have done
22. in a better language and it says that any claimant,
23. I guess an insurance company, also has a right
24. to investigate his reports excepting that the informers
25. or people that are giving the information are exempt
26. and I would ask for its adoption.
27. PRESIDENT:
28. Senator Maragos moves the adoption of Amendment No.
29. 3. Is there any discussion? If not, all those...Senator
30. Rock.
31. SENATOR ROCK:
32. Why...why, Senator Maragos, are we exempting or
33. accepting the identity of an informant? Why shouldn't I,

1. as a claimant if somebody is reporting about me, why
2. shouldn't I have a right to know who...who is doing that?

3. PRESIDENT:

4. Senator Maragos.

5. SENATOR MARAGOS:

6. Because it's already in Amendment No. 1 which was
7. adopted by the committee, Senator Rock and otherwise,
8. the...they felt that there would be no investigation.
9. It would be complete or given referral because if any
10. so called informer would give that information and he
11. knew that it would be available for the people that they
12. are reporting, then in that event, they would not give
13. the information in the first place. So, that was...
14. covered in the bill and by Amendment No. 1, which was
15. adopted by the committee at that time and...but in
16. Amendment No. 3, puts an additional class of people who
17. are entitled to receive that information excepting for
18. those who did inform and that is that those who have
19. a claim against an insurance company...

20. PRESIDENT:

21. There any further discussion? Senator Maragos
22. moves the adoption of Amendment No. 3. All those in
23. favor signify by saying Aye. Opposed. The Ayes have it.
24. The amendment is adopted. Any further amendments?

25. SECRETARY:

26. No further amendments.

27. PRESIDENT:

28. 3rd reading. Senate Bill 1011, Senator Knuppel.
29. Read the bill.

30. SECRETARY:

31. Senate Bill 1011.

32. (Secretary reads title of bill)

33. 2nd reading of the bill. The Committee on Agriculture,

1. Conservation and Energy offers one amendment.

2. PRESIDENT:

3. Senator Knuppel.

4. SENATOR KNUPPTEL:

5. Mr. President, I'd like leave to Table Amendment
6. No. 1.

7. PRESIDENT:

8. Senator Knuppel moves to Table Amendment No. 1.

9. All those in favor signify by saying Aye. Opposed.

10. The Ayes have it. The amendment is Tabled. Senator
11. Knuppel.

12. SENATOR KNUPPTEL:

13. I'd like to submit Amendment No. 2. It was
14. distributed this morning. It resolves some of the
15. differences between utility and Department of Transportation.

16. PRESIDENT:

17. Senator, did you give copies to the Secretary,
18. Senator?

19. SENATOR KNUPPTEL:

20. I sent them down. They should be down there
21. somewhere. Yes, I sent them down by a page early
22. this morning.

23. PRESIDENT:

24. Senator Knuppel moves the adoption of Amendment
25. No. 2. Is there any discussion? If not, all those
26. in favor signify by saying Aye. Opposed. The Ayes
27. have it. The amendment is adopted. Any further
28. amendments?

29. SECRETARY:

30. No further amendments.

31. PRESIDENT:

32. 3rd reading. Senate Bill 1327, Senator Shapiro.
33. Read the bill. Fiscal note has been requested. Has the

1. fiscal note been filed?

2. SECRETARY:

3. I don't have a request for a fiscal note
4. requirement on this bill. Wait a minute. Here it is on
5. the back. It's been filed, yes.

6. PRESIDENT:

7. The fiscal note has been filed. Read the bill,
8. Mr. Secretary. I'm informed that the bill has been
9. read a second time. Have any amendments been adopted?

10. SECRETARY:

11. One amendment has been adopted.

12. PRESIDENT:

13. Amendment No. 1 has been adopted. Senator
14. Shapiro on Amendment No. 2. Oh, there are no further
15. amendments? Are there any amendments from the Floor?
16. 3rd reading. Any further business to come before
17. the Senate? If not, Senator Soper moves that the
18. Senate stand adjourned until...Senator Netsch.

19. SENATOR NETSCH:

20. Thank you, Mr. President. A reminder that Judiciary
21. II will meet in Room 400 immediately.

22. PRESIDENT:

23. Senator Johns. Senator Johns.

24. SENATOR JOHNS:

25. Just like to remind all Democrats that are listening,
26. secretaries, et cetera, Democratic caucus, 9:30 in the
27. morning.

28. PRESIDENT:

29. Senator Davidson has a motion which I have...

30. SENATOR DAVIDSON:

31. No, no...

32. PRESIDENT:

33. Senator Davidson.

1. SENATOR DAVIDSON:

2. You didn't want to get that bill off the Calendar,
3. so it can stay there. What I'm rising to is to remind
4. all those of the House and Senate who had the invitation
5. from the Illinois Historical Society for the Sight and
6. Sound presentation tonight, this will be the premiere
7. opening for the beginning of the summer season. It
8. starts at 9:00 o'clock at the Old Capitol Building.
9. It's free. You are all invited. It starts at 9:00.

10. PRESIDENT:

11. Senator Davidson, what is the number of that...

12. SENATOR DAVIDSON:

13. Now, it's...

14. PRESIDENT:

15. What is the number of that bill?

16. SENATOR DAVIDSON:

17. You really want to get it off the Calendar?

18. PRESIDENT:

19. Yes.

20. SENATOR DAVIDSON:

21. Leave to Table...I mean recommit to committee Senate
22. Bill 786 to the Committee on Pension and whatever the rest of
23. it is.

24. PRESIDENT:

25. Senator Davidson moves to recommit Senate Bill 786
26. to the Committee on Pension and Personnel. All those in
27. favor signify by saying Aye. Opposed. The Ayes have it.
28. So ordered. Is there any further business to come before the
29. Senate? If not, Senator Soper stand...moves that the
30. Senate stand adjourned until tomorrow at 10:30 a.m.
31. All those in favor signify by saying Aye. Opposed.
32. The Ayes have it. The Senate stands adjourned.
33.