

80TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 27, 1977

1 PRESIDENT:

2. The hour of 9:00 o'clock having arrived, the Senate
3. will please come to...to order. Prayer will be by
4. Senator Davidson. Will our guests in the Galleries
5. please rise.

SENATOR DAVIDSON:

(Revised by Senator Davidson)

7.

8. PRESIDENT:
(Machine cut-off) Journal, Senator Rock.

9. SWILTON ROCK

10. SENATOR ROCK.
11. Thank you, Mr. President, Ladies and Gentlemen
12. of the Senate. I move that reading and approval of
13. the Journals of Wednesday, June 22nd, Thursday, June
14. 23rd, Friday, June 24th, Saturday, June 25th and
15. Sunday, June 26th, 1977 be postponed pending arrival
of the printed Journals.

PRESIDENT:

17. You've heard the motion. Is there any discussion?
18. If not, all those in favor signify by saying Aye.
19. : Opposed? The Ayes have it. The motion carries. Leave
20. . . of the Body to go to the Order of House Bills 3rd
21. reading for the purpose of bringing bills back for
22. amendment? Leave is granted. 17, Senator Knuppel.
23. Do you wish to bring that back to the Order of
24. 2nd reading? Senator Knuppel has asked leave to
25. bring House Bill 17 back to the Order of 2nd reading
26. for purpose of an amendment. Is leave granted?
27. Leave is granted. Senator Knuppel.

28.

SENATOR KNUFFEL.
29. The amendment is a short technical amendment which
30. corresponds this...or this bill more correctly with
31. the recent decision handed down...the United States
32. Supreme Court on obscenity. It's just one sentence
33.

1. long and it...it makes a small change in it. I move
2. adoption of Amendment No...

3. SECRETARY:

4. Amendment No. 1 offered by Senator Knuppel.

5. PRESIDENT:

6. Senator Knuppel...Senator Shapiro.

7. SENATOR SHAPIRO:

8. Mr. President, as I recall Senator Coffey raised
9. a point concerning this amendment and pointed out to
10. me that this amendment puts...weakens the present
11. obscenity law. Now, I'm not absolutely sure I'm...
12. presenting it in the right way, but my understanding
13. there is a question concerning this amendment on
14. this particular bill and I was wondering if two
15. of them couldn't get together.

16. SENATOR KNUPPEL:

17. ...long amendment.

18. PRESIDENT:

19. Senator Knuppel.

20. SENATOR KNUPPEL:

21. No, the amendment I have does not; it just...it's
22. just about one sentence long.

23. PRESIDENT:

24. Is there any...Senator Shapiro. ...Knuppel.

25. SENATOR KNUPPEL:

26. All this does is, it strikes a line...it strikes line
27. five and inserts in lieu thereof a few other words.
28. It says instead of saying the thing contains neither
29. potentially offensive, it now says the work depicts
30. or described in a patently offensive way. I move
31. the adoption of the amendment.

32. PRESIDENT:

33. Senator Coffey.

1. SENATOR COFFEY:

2. Yes, Senator Knuppel, the only question I have,
3. this does not, I don't think this was the amendment
4. we was talking about earlier. The amendment I believe
5. we was talking about earlier that I was referring to
6. would put the House Bill 17 the same as House Bill
7. 1915 that's already passed out of here, but that's
8. not true.

9. PRESIDENT:

10. Senator Knuppel.

11. SENATOR KNUPPEL:

12. The proposed amendment did, but that was never
13. distributed or anything. It was never used.

14. PRESIDENT:

15. Senator Knuppel moves the adoption...Senator Berning.

16. SENATOR BERNING:

17. Thank you, Mr. President. My question is the word,
18. work, the second word in his new amendment, the work
19. depicts. I want to help the bill, Senator, and when
20. you say the work, I'm curious as to whether or not
21. that covers adequately what it is you want to cover.
22. Thing, of course, is rather indefinite, but it covers
23. in the minds of most people a wide range. But the
24. work it seems to me would have to be a picture or a...a
25. writing...that normal interpretation.

26. PRESIDENT:

27. Senator Knuppel.

28. SENATOR KNUPPEL:

29. The only reason for the amendment is to get this
30. in...complete keeping with the language of the United
31. States Supreme Court. They used the word, work, instead
32. of the word, thing, and therefore that's the reason
33. for the change. The recent Supreme Court decision

1. the Miller case, both use the term, work. Thing is...is
2. not indentified, it could be a tree or something else.
3. A work is a piece of art, a picture, a...a book, whatever
4. it may be. This...this amendment more closely covers
5. or follows the language of the Supreme Court cases.

6. PRESIDENT:

7. Senator Knuppel moves the adoption of Amendment
8. No. 1. All those in favor signify by saying Aye.
9. Opposed. The Ayes have it. The amendment is adopted.
10. Any further amendments?

11. SECRETARY:

12. No further...no further amendments.

13. PRESIDENT:

14. 3rd reading. House Bill 41, Senator Chew. Senator
15. Chew requests leave to bring the bill back to the
16. Order of 2nd reading for the purpose of amendment.
17. Is leave granted? Leave is granted.

18. SECRETARY:

19. Amendment No. 2 offered by Senator Chew.

20. PRESIDENT:

21. Senator Chew. Senator Chew.

22. SENATOR CHEW:

23. Mr. President, thank you, Ladies and Gentlemen.
24. This amendment merely divides Revenue equally between
25. municipalities, counties or municipalities and counties
26. and state. Municipalities or counties or state and
27. I'd ask for its adoption.

28. PRESIDENT:

29. Senator Soper.

30. SENATOR SOPHER:

31. Can we see the amendment and look at it a little
32. bit? And could you hold that till we read it and
33. digest it a little bit.

1. PRESIDENT:

2. Senator Soper.

3. SENATOR SOPER:

4. Well, will he hold it till we know what this does?

5. PRESIDENT:

6. He indicates that he will.

7. SENATOR SOPER:

8. Thank you, thank you, sir.

9. PRESIDENT:

10. We'll come back to the...take House Bill 41

11. out of the record. It will be returned to the Order

12. of 3rd reading and we will return to it after Senator

13. Soper has had an opportunity to digest the amendment.

14. House Bill 198, Senator Egan. House Bill 236, Senator

15. Rock. Senator Rock asks leave to bring House Bill

16. 236 back to the Order of 2nd reading for the purpose

17. of amendment. Is leave granted? Leave is granted.

18. Senator...Mr. Secretary.

19. SECRETARY:

20. Amendment No. 1 offered by Senator Rock.

21. PRESIDENT:

22. Senator Rock.

23. SENATOR ROCK:

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

25. of the Senate. This lengthy it's about fifty-seven

26. page amendment, is being offered this morning to deal

27. with a couple of very complex and significant issues.

28. As I'm sure you have all been made aware, we...we

29. in Illinois are required or mandated, really, to get

30. in compliance with the Federal Unemployment Compensation

31. Amendments and by virtue of this amendment, I believe

32. we...we will, in fact, be...be in compliance. If it

33. does...if this bill is not amended this way, there will

1. be a huge monetary loss to the employers of Illinois
2. and a slightly less, but no less significant loss to
3. the State of Illinois in terms of money. Illinois
4. would be threatened with a loss of Federal funds
5. to administer the program in the amount of seventy-
6. five to eighty million dollars. And I would like
7. this amendment to be adopted. I will represent
8. to the Body that it is a lengthy amendment and
9. hopefully if the Secretary's office can be kind
10. enough either to get it to the printer or get
11. copies of this thing distributed and the bill
12. as amended distributed, so that we can take it
13. up late tomorrow and by that time everybody will
14. have had a chance if they wish to go through
15. it. I would further request, and I'm speaking
16. specifically to Senator Shapiro and Senator Hall
17. that this bill, as amended, be left alone. I
18. think if we attempt to try to tack on various
19. other proposals to amend in one way or another
20. the Unemployment Compensation Insurance provisions
21. that it will, in fact, become a subject of some
22. controversy and...and may not pass at all. So
23. I think, if we're going to do this, if we're
24. going to have a Federal Compliance Amendment, it
25. better be the only thing on that bill and on
26. that basis I would move the adoption of Amendment
27. No. 1.

28. PRESIDENT:

29. Is there any discussion? Senator Harber Hall.

30. SENATOR HARBER HALL:

31. I don't have any opposition to the amendment,
32. but we've used bills and this is one of them, to
33. amend for various purposes and with my deep respect
34. for the sponsor of the amendment and the sponsor of

1. this bill. I have got to point out that we have
2. done nothing in the area of correcting the Unemployment
3. Compensation in the State as it relates to the
4. opportunity for thousands of people to cause business
5. to underwrite their needless pay outs to undeserving
6. recipients. I have an amendment that I would like
7. to offer to this bill and I see no reason why, if
8. it is adopted, this bill would not be as effective
9. for the purposes of which...Senator Rock wants to
10. ...change 236, as well as correcting the deficiencies
11. in our present State law relating to Unemployment
12. Compensation for undeserving individuals. So I...
13. will I would like to have a response from Senator
14. Rock about my intention to offer...another amendment
15. to this bill, I certainly would suggest there's
16. nothing that would conflict with his intention to
17. correct our State Law to comply with a Federal
18. mandate that we provide unemployment insurance
19. for all municipalities in all levels of government.

20. PRESIDENT:

21. Is there any...Senator Shapiro.

22. SENATOR SHAPIRO:

23. I am fairly sure that this amendment is substantially
24. in the same form as Senate Bill 1354 was concerned but
25. I was wondering if, after going through it, if we
26. do find some changes that we think are necessary, if
27. Senator Rock will be willing to bring it back?

28. PRESIDENT:

29. He indicates that he is. Senator Rock moves the
30. adoption of Amendment No. 1. All those in favor
31. signify by saying Aye. Opposed. The Ayes have it.
32. The amendment is adopted. Any further amendments?
33. 3rd reading. Oh, excuse me...

1. SECRETARY:

2. Amendment No. 2 offered by Senator Harber Hall.

3. PRESIDENT:

4. Senator Harber Hall indicates he's willing to
5. withdraw that amendment? Senator Rock.

6. SENATOR ROCK:

7. Well, the...the difficulty that I have in accepting
8. again other provisions for change with respect to the
9. Unemployment Compensation Act. There is a bill on
10. the Secretary's Desk being handled by Senator Carroll,
11. Senate Bill 152, and it seems to me, at least as I
12. understand it, having read...read what the House
13. did to that bill that there's a likelihood at least
14. of a conference committee. And I might suggest that
15. any of these proposed changes other than the...the
16. strict compliance, which seems to have at least
17. some modicum of agreement around here, be aimed
18. towards Senate Bill 152. 'Cause frankly, if...if
19. a lot of this stuff gets on this bill, Senator Hall,
20. I'm just not going to call it.

21. PRESIDENT:

22. Senator Harber Hall.

23. SENATOR HARBER HALL:

24. Well, what I don't understand is why the urgency to...
25. to provide one vehicle that was never intended to have
26. this amendment that we just adopted be on it. In fact,
27. it was intended for something else. Why the urgency to
28. not...to exclude anything else from being offered to
29. this bill, when, in fact, all...all the Majority Leader
30. would need to do would be to make a motion to discharge
31. on a bill that was bottled up in committee that was
32. offered by this side of the aisle that would do exactly
33. what he's doing here. We could pass that bill, forthwith,
34. without changing it, and do the same thing you're trying

1. to do with your vehicle bill, Senate Bill 236.

2. PRESIDENT:

3. Senator Rock.

4. SENATOR ROCK:

5. Well, I'm not sure I understand the...the total
6. observation of the Senator from...the...the problem
7. that I have is that there was a bill introduced,
8. Senate Bill 1354 to accomplish this end. It just
9. didn't go anywhere and I understand that that
10. was...it was not bottled up in committee. It was
11. not called and now there is some urgency because
12. more recent conversations with the Federal Department
13. of Labor indicate that they will begin to evaluate
14. the various and respective states compliance or
15. noncompliance with this Federal mandate sometime
16. this summer. And compliance or noncompliance will
17. be determined, I am informed, in September. And
18. if, in fact, the State of Illinois is not in
19. compliance, there will be a loss of some six to
20. seven hundred million dollars for the hundred and
21. ninety thousand employers of Illinois and additionally
22. a loss of about seventy-five million dollars to
23. the State of Illinois itself. I am not convinced
24. that the administration, with all due respect, under-
25. stands the urgency of this program. I have been
26. convinced of its urgency and I have taken it upon
27. myself to allow my bill to be used as a vehicle
28. to accomplish this. Now, if, in fact, the Republican
29. administration or the other side of the aisle doesn't
30. want to accomplish this, fine. Take it out of the
31. record.

32. PRESIDENT:

33. Senator Harber Hall. Excuse me, Senator Hall,

1. I think Senator Rock has made the point that he is
2. not going to allow this bill to become a Christmas
3. tree for all of the improvements or modifications
4. that you would like to make in this Act. Could we
5. have an agreement that this amendment be adopted
6. so the membership may look at it. If you wish
7. to persist in your offering this amendment prior
8. to the time it is called, you'll have the opportunity
9. to do so with the understanding that that may
10. prevent the bill from never being called. Rather
11. than getting to debating all of these amendments
12. now...Senator Rock.

13. SENATOR ROCK:

14. Well, why don't we do this. Allow me if you
15. will to adopt Amendment No. 1, it is as I say,
16. sixty pages, all right, it's already adopted.
17. Allow the bill to go to 3rd and I will represent
18. to you that if you wish to persist I will bring
19. the bill back tomorrow and allow you the opportunity
20. to offer your amendment.

21. PRESIDENT:

22. Senator Harber Hall withdraws his amendment.

23. Senator Glass.

24. SENATOR GLASS:

25. Well, thank you, Mr. President. I think Senator
26. Rock's proposal is reasonable and I...I would just
27. commend to the membership for its...its review of
28. this problem a concise summary. There are a number
29. around, but...but the consequences of not acting
30. to adopt the amendment that Senator Rock has
31. placed on the bill, are extremely serious and the
32. administration is well aware of that problem as
33. I think Senator Rock knows. And I...the a...June
34. 27th, Illinois State Chamber of Commerce magazine

1. or newsletter has an excellent, in brief, summary of
2. the problem that I would commend to the membership.
3. So I think this is a good course of procedure, Mr.
4. President.

5. PRESIDENT:

6. Senator Harber Hall has withdrawn Amendment

7. No. 2. Are there any further amendments?

8. SECRETARY:

9. No further amendments.

10. PRESIDENT:

11. 3rd reading. House Bill 41. Is leave granted
12. to bring it back to the Order of 2nd reading? Leave
13. is granted. Senator Chew on Amendment No. 2. Senator
14. Chew. Senator Chew has previously explained the
15. amendment, Senator Soper...

16. SENATOR CHEW:

17. The amendment has been distributed to each member
18. of the Senate and it's a very short amendment. I
19. assume it has been digest and I would ask for...

20. PRESIDENT:

21. Senator Chew moves the adoption of Amendment
22. No. 2. All those in favor signify by saying Aye.
23. Opposed. The Ayes have it. The amendment is
24. adopted. Any further amendments?

25. SECRETARY:

26. No further amendments.

27. PRESIDENT:

28. 3rd reading. House Bill 375, Senator D'Arco.
29. Senator D'Arco asks leave to bring the bill back
30. to the Order of 2nd reading for amendment. Is leave
31. granted? Leave is granted. Mr. Secretary.

32. SECRETARY:

33. Senator D'Arco offers Amendment No. 3.

34. PRESIDENT:

1. Senator D'Arco.

2. SENATOR D'ARCO:

3. Before I do that, Mr. President, I would like
4. to Table Amendment No. 2. It's technically incorrect.

5. PRESIDENT:

6. Senator D'Arco moves to reconsider the vote
7. by which Amendment No. 2 was adopted. All those
8. in favor signify by saying Aye. Opposed. The Ayes
9. have it. The vote is reconsidered. Senator D'Arco
10. moves to Table Amendment No. 2. All those in favor
11. signify by saying Aye. Opposed. The Ayes have it.
12. The amendment is Tabled. Senator D'Arco moves
13. the adoption of Amendment No. 3. All those in
14. favor signify by saying Aye. Opposed. The Ayes
15. have it. The amendment is adopted. Any further
16. amendments?

17. SECRETARY:

18. No further amendments.

19. PRESIDENT:

20. 3rd reading. House Bill 623, Senator Netsch.
21. Senator Donnewald. For what purpose does Senator
22. Donnewald arise?

23. SENATOR DONNEWALD:

24. Well, Mr. President, I talked to... Senator Netsch
25. is busy in a...

26. PRESIDENT:

27. Senator Netsch is now...

28. SENATOR DONNEWALD:

29. No, there she is... Senator... with your consent, we're
30. taking House Bill 623 back to the Order of 2nd reading for
31. the purpose of a very good amendment.

32. PRESIDENT:

33. Senator Netsch.

1. SENATOR NETSCH:

2. For the sake of Senator Donnewald and a few others,
3. I have agreed to bring this bill back. I think it's
4. a terrible amendment, but I have agreed to do it.

5. PRESIDENT:

6. Leave has been requested to bring House Bill 623
7. back to the Order of 2nd reading for amendment. Is
8. leave granted? Leave is granted.

9. SECRETARY:

10. Amendment No. 4 offered by Senator Donnewald.

11. PRESIDENT:

12. Senator Donnewald.

13. SENATOR DONNEWALD:

14. Yes, Mr. President, what the amendment does is
15. to take care of those people that volunteers that do
16. take nursing home residents for walks, rides, wheel...
17. in...in wheel chairs for weekday and weekend rides
18. and automobiles and around the surrounding community.
19. Comb their hair and polish their resident's...nails
20. and so on if they have any, but this amendment
21. does, in fact, accomplish that and I move its
22. adoption.

23. PRESIDENT:

24. Is there any discussion? Senator Schaffer.

25. SENATOR SCHAFFER:

26. This is a, I think, an improvement to this bill.
27. I'm not sure that it still makes the bill acceptable,
28. but it's a good amendment.

29. PRESIDENT:

30. Senator Donnewald moves the adoption of
31. Amendment No. 4. All those in favor signify by
32. saying Aye. Opposed. The Ayes have it. The amend-
33. ment is adopted. Any further amendments?

HB 818
Received
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1. SECRETARY:

2. No further amendments.

3. PRESIDENT:

4. 3rd reading. House Bill 818, Senator Demuzio.

5. Senator Demuzio requests leave to bring the bill
6. back to the Order of 2nd reading for the purpose
7. of amendment. Is leave granted? Leave is granted.

8. House Bill 818.

9. SECRETARY:

10. Amendment No. 2 offered by Senator Demuzio.

11. PRESIDENT:

12. Senator Demuzio.

13. SENATOR DEMUZIO:

14. Yes, if I could have Senator McMillan's attention
15. and perhaps Senator Mitchler if he's on the Floor.
16. On House Bill 818, the Soil and Water Conservation
17. District Law, yesterday, the other day, I said that
18. all the parties had...had gotten together and worked
19. out a compromise. Well, in fact, they have. The
20. amendment that I'm offering today makes the program
21. totally voluntary. Takes out the penalty provisions
22. and does not make it mandatory. It is a...the
23. amendment makes it a total voluntary program on
24. a state-wide basis, not a mandatory program and I
25. move for the adoption of the amendment.

26. PRESIDENT:

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

31. SECRETARY:

32. No further amendments.

33. PRESIDENT:

1. 3rd reading. House Bill 1025, Senator Kenneth
2. Hall. House Bill 1074, Senator Merlo. You wish
3. to have the bill brought back for the purpose of
4. amendment?

5. SENATOR MERLO:

6. I have 420.

7. PRESIDENT:

8. House Bill 1025, Senator Hall requests leave
9. to bring the bill back to the Order of 2nd reading
10. for the purpose of amendment. Is leave granted?
11. Leave is granted. On the Order of 2nd reading,
12. House Bill 1025.

13. SECRETARY:

14. Amendment No. 2 offered by Senator Regner.

15. PRESIDENT:

16. Senator Kenneth Hall.

17. SENATOR KENNETH HALL:

18. Thank you, Mr. President. Is Senator Regner
19. on the Floor? Senator Regner? Senator Soper,
20. is this...is he putting on...the Soper Amendment
21. on this bill? Are you Soperizing this...this bill?
22. Senator Regner, are you...have you got your amendment
23. ready for this bill? We're returning the bill.
24. It's going to be Senator Soper, Mr. President.

25. PRESIDENT:

26. Senator Soper, on Amendment No. 2. Senator Soper.

27. SENATOR SOPER:

28. Yes, wait till I get the coffee out of the way.
29. All this does is require a...a referendum by the
30. people. It allows the people to determine what
31. they want. And everybody here is desirous of
32. referendums on everything that ever happens, so
33. the people can get in the act, so this is all this does.

1. And I know Senator Hall is for referendums 'cause he
2. wants the people to be accommodated.

3. PRESIDENT:

4. Senator Hall.

5. SENATOR HALL:

6. Well, Mr. President, now I'm going to resist this
7. amendment. Senator Soper, you did not discuss this
8. amendment with me. I didn't...I did not know you
9. had this amendment. Now, you have never contacted
10. me on this particular amendment.

11. PRESIDENT:

12. Senator Soper.

13. SENATOR SOPER:

14. Senator Regner had the...had the amendment and
15. I don't find Senator Regner. Is he behind me?

16. PRESIDENT:

17. Senator Soper, do you wish to withdraw the
18. amendment? Senator Regner.

19. SENATOR REGNER:

20. Yes, Mr. President and members of the Senate
21. and Senator Hall. I thought we had talked about
22. this after a committee meeting on it and all
23. it is...is a...is to insert a referenda on the
24. program if you area doesn't, in fact, want it, it'll
25. have to go to referendum of the people. I think
26. it's a fine amendment, since it is going to affect
27. their pocket books a great deal and I would move
28. for the adoption of Amendment No. 2.

29. PRESIDENT:

30. Senator Graham.

31. SENATOR GRAHAM:

32. Mr. President, you think we ought to adjourn
33. for a joint caucus so we can not have it on the Floor.

1. If you can hear, you're lucky, because I can't.
2. PRESIDENT:
3. Senator Graham, you are absolutely right. Will
4. the members please be in their seats. Senator
5. Kenneth Hall.
6. SENATOR KENNETH HALL:
7. Well, Mr. President and Ladies and Gentlemen of
8. the Senate. Now, this is the first time this has
9. been brought to my attention, Senator Regner. Now,
10. are the amendments printed, Senator Regner? And
11. are they distributed?
12. PRESIDENT:
13. Senator Regner.
14. SENATOR REGNER:
15. No, Senator Hall, I don't think they are.
16. SENATOR KENNETH HALL:
17. Mr. ...Mr. President, I would...Senator Regner,
18. I'm not going to return the bill to 2nd reading
19. until we get a chance to discuss this and I see
20. and talk to you about the amendment. So, Mr...
21. Mr. President, I assumed that Senator Soper had
22. his other amendment and that's what I was calling.
23. Do you want to put your amendment on, Senator
24. Soper? You're amendment's on. Well see, that's
25. the only amendment I had knowledge of. So, I'm
26. not going to call it back for this one, I'm...
27. I'll have to leave it stay on 3rd reading for the
28. time being until we discuss, Senator Regner.
29. PRESIDENT:
30. The amendment is withdrawn. The bill will be
31. returned to the Order of 3rd reading. House Bill
32. 1115. On the Order of House Bills 3rd reading.
33. Senator Regner. Senator Regner asks leave to
34. bring the bill back to the Order of 2nd reading.

1. Senator Regner, do you wish to bring this bill back?
2. Appropriation of the Attorney General.

3. SENATOR REGNER:

4. Mr. President, I think Senator Carroll wanted
5. to withdraw the amendments that he had.

6. PRESIDENT:

7. Senator Carroll.

8. SENATOR CARROLL:

9. Thank you, Mr. President. With leave of the
10. Body, I would ask to Table...these were Committee
11. Amendments, we're they not? Oh, no, these were
12. Floor Amendments. I would then ask leave to
13. withdraw them. The Attorney General has requested
14. that we not send his bill back to the House
15. where he was a little nervous, so I withdraw the
16. amendments.

17. PRESIDENT:

18. All right. Senator Carroll is withdrawing
19. the amendments and Senator Regner is withdrawing
20. the request to bring the bill back.

21. PRESIDING OFFICER: (SENATOR DONNEWÄLD)

22. House Bill 1309. Senator Guidice, do you wish
23. that bill recalled? Do we have leave to return
24. to the Order of 2nd reading for the purpose of
25. amendment? Leave is granted. 2nd reading, Senator
26. Guidice.

27. SECRETARY:

28. Amendment No. 2 offered by Senator Guidice.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Guidice.

31. SENATOR GUIDICE:

32. Thank you, Mr. President. Amendment No. 2 just
33. adds a responsibility section to it and I move its
34. ...adoption.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Is there further discussion? The question is
3. shall Amendment No. 2 to House Bill 1309 be adopted.
4. Those in favor indicate by saying Aye. Those
5. opposed. The Ayes have it. Amendment No. 2 is
6. adopted. Are there further amendments?

7. SECRETARY:

8. No further amendments.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. 3rd reading. House Bill 1431, Senator Clewis.
11. Do we have leave to return to the Order of 2nd
12. reading for the purpose of amendment? Leave
13. is granted. 2nd reading.

14. SECRETARY:

15. Amendment No. 1 offered by Senator Clewis.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Clewis.

18. SENATOR CLEWIS:

19. The amendment to House Bill 1431, very briefly,
20. reduces the amount of tax levy that we're asking
21. for, two percent per year and four percent in the
22. overall picture. I think it improves the bill
23. and I would ask for a favorable adoption.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Is there further discussion? Senator Rhoads.

26. SENATOR RHOADS:

27. Question on the amendment. If the sponsor
28. will yield.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Clewis, indicates he will.

31. SENATOR RHOADS:

32. Senator Clewis, what is the status of...of the
33. Senate Bill over in the House, if you know...

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Just...just...just a moment...just a moment. It
3. seems to me that there's a lot of conservation on
4. my left, to the rear. Would the members please
5. be in their seats. There's also conservation on
6. the right. Proceed.

7. SENATOR RHOADS:

8. I think I'm supporting this amendment, Senator
9. Clewis, but I'm trying to find out, is...does this
10. put the bill into a similiar posture with the
11. Senate Bill over in the House? Are they now
12. identical?

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Clewis.

15. SENATOR CLEWIS:

16. No, Senator Rhoads, they are not. We have
17. reduced the...original bill was...was asking for
18. forty-two percent in 1978. We're asking...our
19. amendment is reducing this to forty percent and
20. in 1979 instead of forty-eight percent, we're
21. asking for forty-six percent, so it is not in
22. the same shape to the best of my knowledge as
23. the Senate Bill.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Rhoads.

26. SENATOR RHOADS:

27. I yield to Senator Hynes.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Hynes.

30. SENATOR HYNES:

31. This...this will put it in...into the same shape
32. as the...the House sponsor wanted to put the Senate
33. Bill into, but was unable to. The other distinction

1. is that the Senate Bill is dead.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Is there further discussion? Senator Netsch.

4. SENATOR NETSCH:

5. Has this amendment...I'm not going to object to
6. the amendment, because you should get the bill as
7. you want it, but it's fairly important, I think
8. and I think some of us would like to see exactly
9. what those figures are. You've been using percentages
10. and I'm...I'm, I've got to translate that into some
11. other terms. Well, I know it lowers it, but I
12. want to see by how much. I'm sorry, I was also
13. addressing Senator Savickas. Go ahead and put the
14. amendment on, but would you get some information
15. to us about exactly what those figures are before
16. it's called on 3rd reading, Senator Clewis?

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Is there further discussion? The question is
19. shall Amendment No. 1 to House Bill 1431 be adopted.
20. Those in favor indicate by saying Aye. Those opposed.
21. The Ayes have it. Amendment No. 1 is adopted. Are
22. there further amendments?

23. SECRETARY:

24. No further amendments.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. 3rd reading. Senator Graham, for what purpose
27. do you arise?

28. SENATOR GRAHAM:

29. Mr. President, we just...just adopted a very
30. significant amendment to a very important agency
31. of our government and I will bet you that ninety-five
32. percent of the people on this Floor don't know
33. what it did and when we get on 3rd reading, they're

1. going to be asking. Now, I say to you and I say to them.
2. If you haven't been around here very long, you're going
3. to find out that...we're in the season now where you
4. can have bills amended and you're going to be voting
5. for them on 3rd reading...you're...you're not going
6. to know what the hell you're voting for. Now, this
7. is the time to protect yourself from something that
8. may happen to you later. If you don't want to listen,
9. fine, if the people don't want to listen then they
10. ought to get off the Floor and let us...those of us
11. who want to listen, know what the hell's going on.
12. And this...this is terrible.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. House Bill 420. Do we have leave to return to
15. the Order of 2nd reading for the purpose of amendment?
16. Leave is granted. Senator Merlo.

17. SENATOR MERLO:

18. Thank you, Mr. President. And I wonder if I
19. could have leave of the Senate to keep this bill
20. on 2nd reading. We're in the process now of working
21. out an agreement on an amendment.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Is there leave? Leave is granted. (Machine
24. cut-off) Bill 1508. Senator Berman. Do we have
25. leave to return to the Order of 2nd reading for
26. the purpose of amendment? Leave is granted. 2nd
27. reading.

28. SECRETARY:

29. Amendment No. 1 offered by Senator Grotberg.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Grotberg.

32. SENATOR GROTBURG:

33. Yes, Mr. President, members of the Senate. This
34. amendment to Senate Bill...House Bill 1508 strikes

1. the requirement regarding the junior college mandatory
2. inclusion that is presently on another bill. I appreciate
3. the sponsor allowing me to offer this amendment to Senate
4. Bill or House Bill 1508. The language that says, such
5. tax may be levied through the year 1975 is not more
6. than sixty days later than the effective date of this
7. Amendatory Act of 1976. A petition is filed or a
8. resolution adopted under either article seeking the
9. inclusion of such territory in the school district
10. lying outside a community college district in a
11. new community college...community college district
12. or annexation of such territory to an existing
13. community college et cetera is the stricken language.
14. It would, in fact, then leave the Act regarding
15. those twenty-six districts that are not included,
16. school districts, that are included in community
17. college districts, the same. And...I will answer
18. questions, but we've debated this topic time
19. and time again and there...there's no other way
20. in my posture and the districts that I represent
21. to...try to salvage these districts and the
22. independence of them from particularly McLean
23. County, Livingston and LaSalle Counties in Illinois.
24. I move the adoption.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Rock.

27. SENATOR ROCK:

28. Thank you, Mr. President, Ladies and Gentlemen
29. of the Senate. If I understood that rather convoluted
30. explanation, are we back arguing about Senator Walsh's
31. bill? Well, I...

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Rock.

1. SENATOR ROCK:

2. The indication was in the affirmative from the
3. sponsor and I would...it seems to me we have fought
4. this battle a couple of times this semester and to
5. get at it at this point is simply not in the
6. best interest of this bill or our legislative
7. posture. I would also, therefore, Mr. President
8. and Ladies and Gentlemen of the Senate, I would
9. ask for a ruling of the Chair as to the germaneness
10. of this amendment or proposed amendment.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Grotberg, while we're...Senator Grotberg.

13. SENATOR GROTBURG:

14. ...Senator Rock, I stand corrected. This...this
15. is the charge back language that...that is continued.
16. We allow the charge back to...to continue through this.
17. I...I explained it wrong. And...and it's...

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Rock.

20. SENATOR GROTBURG:

21. I can see I'm not getting a whole lot of excitement,
22. but I got several amendments.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Take it out of the record. House Bill 1521,
25. Senator Knappel, do you wish the...bill recalled?
26. House Bill 1638. Senator Schaffer. House Bill
27. 1650, Senator Netsch. Do we have leave to return
28. to the Order of 2nd reading? Senator Netsch.

29. SENATOR NETSCH:

30. Senator Shapiro and I have discussed this this
31. morning. He had originally requested that the bill
32. be brought back for an amendment. We have now
33. decided, or at least I've decided with his blessing,

1. that it will not be brought back. He has agreed that
2. he's going to vote against the bill even if his
3. amendment were adopted and so we're just going to
4. save one additional hassle on this bill and just, it'll
5. go up or down as it is and that is understood and
6. agreed to by Senator Shapiro.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. House Bill 1769. Senator Glass, you wish the
9. bill recalled? Do we have leave to return to the
10. Order of 2nd reading for the purpose of amendment?
11. Leave is granted. 2nd reading.

12. SECRETARY:

13. Amendment No. 2 offered by Senator Glass.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Glass.

16. SENATOR GLASS:

17. Well, thank you, Mr. President and Ladies and
18. Gentlemen. A few minutes ago Senator Rock amended
19. House Bill 236 to add into that bill the compliance
20. by the State of Illinois with the Federal require-
21. ments that all local government and school district
22. employees be covered by Unemployment Compensation.
23. What this amendment does, is to give the school
24. districts authority to tax for the cost of their
25. Unemployment Compensation Insurance and I would
26. move its adoption.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Is there further discussion? The question is
29. shall Amendment No. 2 to House Bill 1769 be adopted.
30. Those in favor indicate by saying Aye. Those opposed.
31. The Ayes have it. Amendment No. 2 is adopted. Are
32. there further amendments?

33. SECRETARY:

34. No further amendments.

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1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. 3rd reading. House Bill 1833, Senator Rock. Do
3. you wish the bill...House Bill 15...House Bill 1958,
4. Senator Bruce. House Bill 2161, Senator Rock. 2161,
5. do you wish the bill recalled? Do we have leave
6. to return to the Order of 2nd reading for the purpose
7. of amendment? Leave is granted. 2nd reading.

8. SECRETARY:

9. Amendment No. 2 offered by Senator Joyce.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Joyce.

12. SENATOR JOYCE:

13. Yes, thank you, Mr. President. I'm sorry for
14. the delay, I...but this amendment would just restrict
15. it to DuPage and Lake County. It says that counties
16. a population of at least three hundred and fifty
17. thousand, less than a million, could have more than
18. one public building commission. It's my feeling
19. that we...in most of the counties we just don't
20. have that many fat cats to put on public building
21. commissions and one ought to be enough.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Rock.

24. SENATOR ROCK:

25. Thank you, Mr. President. I have spoken with
26. the House sponsor, the Speaker. He has no objection
27. to this amendment and I would also urge its adoption.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Is there further discussion? The question is
30. shall Amendment No. 2 to House Bill 2161 be adopted.
31. Those in favor indicate by saying Aye. Those opposed.
32. The Ayes have it. Amendment No. 2 is adopted. Are
33. there further amendments?

1. SECRETARY:
2. No further amendments.
3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. 3rd reading. House Bill 22...House Bill 2243.
5. Senator Berman. Do you wish the bill recalled?
6. Do we have leave to return the bill to the Order
7. of 2nd reading for the purpose of amendment? Leave
8. is granted. 2nd reading.
9. SECRETARY:
10. Amendment No. 2 offered by Senator Rock.
11. PRESIDING OFFICER: (SENATOR DONNEWALD)
12. Senator Rock.
13. SENATOR ROCK:
14. Yes, thank you. Thank you, Mr. President and
15. Ladies and Gentlemen of the Senate. I think, Senator
16. Shapiro, have you been provided a copy of this
17. amendment?
18. PRESIDING OFFICER: (SENATOR DONNEWALD)
19. Senator Shapiro.
20. SENATOR ROCK:
21. This...this, I'm sure will be a matter, I just
22. wanted to alert you, I'm sure this will be a matter
23. of some controversy. House Bill 2243 is that bill
24. which allows insurance companies, or removes the
25. prohibition against insurance companies from making
26. political contributions. What I am attempting to
27. say at least by virtue of Amendment No. 2 is that
28. they...they...that prohibition is removed except
29. in the case of the incumbent or candidate for the
30. office of Governor and the Director of the Depart-
31. ment of Insurance or any employee. It is similiar
32. to, but not identical to the one offered the
33. other day by...Senator Berman. It is, in fact,
34. placed in a different section. It is worded

1. differently so it is, in fact, a different amendment.
2. It has the same effect and I would move the adoption
3. of Amendment No. 2. This, by the way, in the Committee
4. on Executive, the Department of Insurance came in and
5. testified against the bill and frankly persuaded some
6. of us that while the idea was a good one, and I firmly
7. believe that every citizen and every company ought
8. to have the opportunity to contribute to the party
9. and candidate of their choice, that because of the
10. severe regulatory feature of this department that
11. it would be in everybody's best interest, at least
12. for the appearance of propriety, that no contributions
13. would be allowed in this instance. And I supported,
14. or they persuaded me and thus the origin and genesis
15. of Amendment No. 2 and I would move its adoption.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Shapiro.

18. SENATOR SHAPIRO:

19. Well, Mr. President and Ladies and Gentlemen of
20. the Senate. The sponsor of the amendment is different
21. and the amendment has been written a little differently,
22. but it's still the same amendment that we defeated here
23. several days ago concerning the prohibition of political
24. contributions by the insurance industry to a...members
25. of the Executive Branch of the government who are
26. probably involved in the advise and consent process
27. and in placing names before the Senate for advise and
28. consent. It just appears to me that a...there should
29. be no prohibition on political contributions for any
30. regulated industry or we ought to prohibit contributions
31. by all of them for every person involved in the advise
32. and consent in the appointing of these particular people.
33. I think it's discriminatory to put this type of prohibition

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1. in with the liquor industry and the insurance industry
2. and leave it out of other regulated industries and
3. I would oppose the...amendment and urge everyone else
4. to vote against it.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Is there further discussion? The question is
7. shall Amendment No. 2 to 22...House Bill 2243 be
8. adopted. Those in favor indicate by saying Aye.
9. Those opposed. There is a request for a roll call.
10. On that question those in favor of voting for
11. Amendment No. 2 shall vote Aye. Those opposed Nay.
12. The voting is open. Have all those voted who wish?
13. Take the record. On that question the Ayes are 27,
14. the Nays are 24, 1 Voting Present. House Bill...Amend-
15. ment No. 2 is adopted...to House Bill 2243. Are
16. there further amendments?

17. SECRETARY:

18. No further amendments.

19. PRESIDING OFFICER:

20. 3rd reading. House Bill 2272, Senator Soper. Do
21. you wish the bill recalled? Senator Soper. Well, you
22. are...you have control of the bill, Senator. If you don't
23. want it recalled, it won't be. Senator Soper.

24. SENATOR SOPER:

25. Well, it seems that...it seems that under other
26. conditions, everybody, any sponsor has control of
27. his bill except mine. And if I don't want an amendment...
28. if I want an amendment, I can't put it on, the rules
29. change, but if somebody doesn't want an amendment,
30. a committee amendment, they can take it off, they
31. can do anything they want with it. Within three
32. minutes the rules change in this place and I just
33. want to know if the rule has changed again.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator, if you want you do not have to recall the
3. bill.
4. SENATOR SOPER:
5. I know I don't, but I said I would and I'll...I'll
6. do that, but I...I just don't like somebody messing
7. around with the bill that I have and when they don't
8. want their bills messed around with and I want to
9. know what the policy is going to be around here.
10. Does the sponsor have control of his bill? Does
11. he put it in the condition he wants or doesn't
12. he? And I'm asking Senator Rock if the policy has changed
13. again, I just want to know.
14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. Senator Rock.
16. SENATOR ROCK:
17. Senator, I think the policy is...is fluid certainly,
18. flexible certainly. All we were attempting to do, at
19. least I was, was 2272 as it sits is...is really not
20. a bad bill and I just hated to see you amend it to death.
21. PRESIDING OFFICER: (SENATOR DONNEWALD)
22. Senator Soper.
23. SENATOR SOPER:
24. Well, thank you, very much, but I wish you'd
25. admonish other Senators that...that have bills that
26. were amended, would be amended properly, that they're
27. not unamended to death.
28. PRESIDING OFFICER: (SENATOR DONNEWALD)
29. Is there further discussion? Just...just a moment.
30. First of all, Senator, do you have...do you wish to
31. have the bill recalled?
32. SENATOR SOPER:
33. Egan wants to put on his amendment, I don't care.
34. Bring it back.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator, do you wish the bill recalled?
3. SENATOR SOPER:
4. I'll recall it. If you...
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. All right. Do we have leave...
7. SENATOR SOPER:
8. Has he got an amendment?
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. ...to return to the Order of 2nd reading for the
11. purpose of amendment? Leave is granted. The bill
12. is on 2nd reading.
13. SECRETARY:
14. Amendment No. 3 offered by Senator Egan.
15. PRESIDING OFFICER: (SENATOR DONNEWALD)
16. Senator Egan. Senator Egan.
17. SENATOR EGAN:
18. Thank you, Mr. President and members of the Senate.
19. The amendment...the amendment would a...
20. PRESIDING OFFICER: (SENATOR DONNEWALD)
21. Just...just a moment, Senator. There's an awful...the
22. noise level is rather high. Proceed.
23. SENATOR EGAN:
24. Yes, thank you, Mr. President and members. The...there
25. are certain enumerated systems which are allowed to transfer
26. credible service to the General Assembly Retirement System
27. and it provides for the payment of the difference in
28. contributions. The...the amendment is consistent with
29. the policy of the Pension Laws Commission. It has
30. always passed favorably upon these transfers of credit.
31. It does have the commission's approval and I ask for
32. your support on...move the adoption of the amendment.
33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Is there further discussion? Senator Soper.
2. SENATOR SOPER:
3. I just want to ask Senator Rock, if he's listening...
4. PRESIDING OFFICER: (SENATOR DONNEWALD)
5. He is.]
6. SENATOR SOPER:
7. ...that this is the one occasion that if I didn't
8. want this amendment, that if all I'd have to say is
9. I don't want the amendment and I don't want this bill
10. to put in this posture, if he would say that I should
11. have it in the posture that I want it. Or was this
12. the exception to the general philosophy and rule?
13. PRESIDING OFFICER: (SENATOR DONNEWALD)
14. Senator Rock.
15. SENATOR ROCK:
16. Well, you're calling on me to make some pretty
17. heavy policy here. I would...I'm not in favor of
18. Amendment No. 2 and if it, in fact, goes on, I do
19. not intend to...to vote in favor...oh, this is 3,
20. all right, I'm not in favor of 3 and I don't intend
21. to vote in favor of this bill if the amendment goes
22. on and I would suggest to you as the sponsor that
23. if an amendment, in fact, goes on which you don't
24. care to have on, don't call it.
25. PRESIDING OFFICER: (SENATOR DONNEWALD)
26. Senator Soper.
27. SENATOR SOPER:
28. Well, that's not the question. That's not the
29. question. The question is, if I want a bill in a
30. certain posture, has...has the rule changed again,
31. that's all?
32. PRESIDING OFFICER: (SENATOR DONNEWALD)
33. Let's...yes, Senator Rock. Gentlemen, let's...let's
34. be moving. We've got a hundred bills or better to consider

1. today. Let's...let's move along. Senator Rock.

2. SENATOR ROCK:

3. Yes, I'm...I'm, I'm almost sorry I opposed your
4. amendment. I wish it had gotten on now, that would
5. have killed the bill dead. What I'm suggesting to
6. you is that...that we are constitutionally mandated
7. to have an amendment stage; otherwise we could
8. go right from 1st to 3rd or 4th reading. And...and
9. members are entitled to proffer amendments. If you
10. don't wish it, stand up and oppose it. If you want
11. it on, stand up and agree with it and if it gets
12. on over your opposition, Table it.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Wooten. Senator Soper.

15. SENATOR SOPER:

16. I'll end the argument. I understand all that, Senator
17. Rock. Let's get on with this amendment.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Wooten.

20. SENATOR WOOTEN:

21. A...a question of the sponsor of the amendment.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. ...Senator Egan indicates he will respond.

24. SENATOR WOOTEN:

25. What additional categories are you adding? Service
26. is what particular areas? There's a lot of verbiage
27. here and I'm not adept at understanding. I know we
28. put these on to cover certain individuals, I'll not
29. ask you to name them, although I understand Fred
30. Selke, is in here somewhere, but I would like...like
31. to know at least what the catagories are?

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Egan.

1. SENATOR EGAN:
2. Municipal employees, county employees, the forest
3. preserve district employees, the laborers, and retirement
4. board employees.
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. Just...just a moment. Senator Graham, for what
7. purpose do you arise?
8. SENATOR GRAHAM:
9. This Body just can't hear. At least I can't and
10. we've got caucuses all over the place and I resent it.
11. PRESIDING OFFICER: (SENATOR DONNEWALD)
12. I'm in complete accord with that. Sergeant-at-Arms
13. clear the Floor. The members will be in their seats.
14. Senator Wooten.
15. SENATOR WOOTEN:
16. No, I...I guess that's, I assume they're about
17. twice as many as I heard listed. I...I just think
18. it's a mistake. I oppose the amendment.
19. PRESIDING OFFICER: (SENATOR DONNEWALD)
20. All right. Senator Egan.
21. SENATOR EGAN:
22. Well, it's a...we've been doing this with other
23. systems, it's nothing new, it's approved. It has
24. the full approval...there's no fiscal impact. The
25. contribution is totaled by the participant and I
26. move its adoption.
27. PRESIDING OFFICER: (SENATOR DONNEWALD)
28. The question is shall Amendment No. 3 to House
29. Bill 2272 be...just a minute...Senator Mitchler.
30. SENATOR MITCHLER:
31. I'm sorry, Mr. President, but I still don't
32. understand the amendment, Senator Egan. Would you
33. repeat it again. I'm sorry.
34. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. I...I...the Chair did close debate, Senator. If...
2. Senator Egan, if you wish to respond? He indicates
3. he will explain it to you, privately. The question is
4. shall Amendment No. 3 to House Bill 2272 be adopted.
5. Those in favor indicate by saying Aye. Those opposed.
6. Amendment No. 3 fails. Are there further amendments?
7. SECRETARY:
8. Amendment No. 4 offered by Senator Egan.
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. Senator Egan. Senator Egan. Senator Egan.
11. SENATOR EGAN:
12. I believe this is the...the amendment that would
13. include the Constitutional Convention delegates into
14. the General Assembly Retirement System and I...as I
15. promised Senator Soper because of his full support
16. of this amendment, that I would Table it.
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. Well, is it your desire to Table Amendment No. 4?
19. SENATOR EGAN:
20. Yes.
21. PRESIDING OFFICER: (SENATOR DONNEWALD)
22. It....it....it has not been adopted. You wish to
23. withdraw, Senator? The proper...Senator, the proper
24. ...Senator Egan, the proper motion is to withdraw
25. the...the amendment.
26. SENATOR SOPER:
27. I then ask, Mr. President, that you allow me
28. to withdraw my motion.
29. PRESIDING OFFICER: (SENATOR DONNEWALD)
30. Is there leave? Leave is granted. Are there
31. further amendments?
32. SECRETARY:
33. No further amendments.
34. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. 3rd reaing. House Bill 2358, Senator Maragos. You
2. wish the bill recalled to the Order of 2nd reading?
3. Do we have leave? Leave is granted. 2nd reading.
4. Senator Maragos.

5. SENATOR MARAGOS:

6. Mr. President, we had placed...Senate Amendment
7. No. 1 on 2358 and it appears now that the other bill
8. that was a concomitant bill was defeated yesterday
9. by this Body. There's no reason to have this amend-
10. ment on this bill, 2358 and I therefore I ask that
11. the vote by which Amendment No. 1 was...was passed,
12. be reconsidered.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. You've heard the motion. Those in favor indicate
15. by saying Aye. Those opposed Nay. The matter is
16. reconsidered. Senator Maragos moves that Amendment
17. No. 1 be Tabled. Those in favor indicate by saying
18. Aye. Those opposed. The Ayes have it. Amendment
19. No. 1 is Tabled. Are there further amendments?

20. SECRETARY:

21. No further amendments.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. 3rd reading. Senator Egan, House Bill 198.
24. Do we have leave to return to the Order of 2nd reading
25. for the purpose of amendment? Leave is granted.

26. 2nd reading.

27. SECRETARY:

28. Amendment No. 1 offered by Senator Egan.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Egan.

31. SENATOR EGAN:

32. Thank you, Mr. President. When the bill was in
33. the Pensions Committee, it...the request was made to

1. remove the House amendment which the Pension Laws
2. Commission objected to. It was...I promised at that
3. time that I would do it on 2nd reading and that's
4. precisely what I'm doing. I'm removing the House
5. Amendment. It now structures the bill as it was
6. originally introduced and I move its adoption.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Is there further discussion? The question is
9. shall Amendment No. 1 to House Bill 198 be adopted.
10. Those in favor indicate by saying Aye. Those
11. opposed. The Ayes have it. Amendment No. 1 is
12. adopted. Are there further amendments?

13. SECRETARY:

14. No further amendments.

15. PRESIDING OFFCIER: (SENATOR DONNEWALD)

16. 3rd reading. House Bill 1098. Senator Nimrod,
17. do we have leave to return to the Oder of 2nd reading
18. for the purpose of amendment on House Bill 1098?
19. Do we have leave to return to the order? Leave
20. is granted. 2nd reading.

21. SECRETARY:

22. Amendment No. 1 offered by Senator Joyce and Nimrod.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Joyce.

25. SENATOR JOYCE:

26. Yes, thank you, Mr. President. This is the
27. Kankakee River Commission that has been around for awhile
28. and I would like to give the House members an opportunity
29. to vote on that again.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Is there further discussion? Senator Nimrod.

32. SENATOR NIMROD:

33. Yes, I have...

1. SENATOR NIMROD:
2. ...discussed this with Senator Joyce and I've
3. also discussed this with the House sponsor and I would
4. accept this amendment and urge its support.
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. Senator Regner.
7. SENATOR REGNER:
8. A question for Senator Joyce.
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. Senator Joyce.
11. SENATOR REGNER:
12. Senator Joyce, what makes this proposal on a...
13. regarding a commission, better than all those that you
14. voted against in the last several days?
15. PRESIDING OFFICER: (SENATOR DONNEWALD)
16. Senator...Senator Joyce.
17. SENATOR JOYCE:
18. We have reconsidered a bunch of those and some of
19. those might be around to get voted on again.
20. PRESIDING OFFICER: (SENATOR DONNEWALD)
21. Is there further discussion? Just...just a moment.
22. ...Senator Mitchler.
23. SENATOR MITCHLER:
24. Well, do I understand that this is to create a
25. Kankakee River Study Commission, Senator?
26. PRESIDING OFFICER: (SENATOR DONNEWALD)
27. Senator Joyce.
28. SENATOR JOYCE:
29. Yes, Senator.
30. PRESIDING OFFICER: (SENATOR DONNEWALD)
31. Senator Mitchler.
32. SENATOR MITCHLER:
33. Passed that out of here once and I understand...did it

1. run into any trouble in the House, is that what happened,
2. Jerry?
3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. Senator Joyce.

5. SENATOR JOYCE:

6. Yes, it did, Senator. It was called on Postponed
7. Consideration the other night and there was like
8. forty members absent.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Mitchler.

11. SENATOR MITCHLER:

12. So, we're going to amend this House Bill so it goes
13. back and they'll have a right to either concur or nonconcur
14. in that... I oppose the Kankakee River Study Commission
15. not anything against Senator Joyce, what he was trying to
16. do, but the...we do have an Illinois Water Resources
17. Commission that is addressing itself in subcommittees to
18. specific river projects. I'm serving as a chairman of a
19. subcommittee of the Water Resources Commission on the
20. Fox River and we meet, we work with different organizations
21. to take care of that. This could be handled by merely asking
22. the Water Resources Commission if they would establish
23. a subcommittee to give specific study and recommendations
24. and report on and hold some hearings as related to the
25. Kankakee river. We've been involved in the Kankakee River
26. because of the need of additional water supply in the City
27. of Joliet and some of the surrounding areas and the Kankakee
28. River has been mentioned as one of the most favorable
29. sources of that additional water. So, all of this study
30. that the Water Resources Commission has already done on the
31. Kankakee River could be implemented into an expanded study and
32. you could accomplish your goal merely by asking an existing
33. commission that is charged with all the responsibilities

1. for water resources and the likes in the entire State of
2. Illinois. Now, I don't know what happened to the bill that we
3. passed out of here first, even though it was over my
4. objections, but who is the sponsor over there? The...
5. why did they Table it?

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator, your time has expired. Is there further
8. debate? Senator Joyce, do you wish a roll call or...

9. SENATOR JOYCE:

10. Yeah.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. All right. The question is shall House...shall
13. Amendment No. 1 to House Bill 1098 be adopted.
14. Those in favor indicate by saying Aye. Those opposed
15. Nay. Roll call is requested. Those in favor of the
16. adoption of Amendment No. 1 to House Bill 1098 vote
17. Aye. Those opposed Nay. The voting is open.

18. Have all those voted who wish? Take the record. On that
19. question the Ayes are 37, the Nays are 15, 1 Voting
20. Present. Amendment No. 1 to House Bill 1098 is adopted.

21. Is there further...are there further amendments?

22. SECRETARY:

23. No further amendments.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. 3rd reading. House Bill 1769, Senator Glass,
26. do you wish the bill recalled? Do we have leave to return
27. to the Order of 2nd reading for the purpose of amendment?
28. Leave is granted. The bill is on 2nd reading. Senator,
29. it seems...would you try the other one. Senator Glass.

30. SENATOR GLASS:

31. Thank you, Mr. President. I put an amendment on this
32. bill a short time ago. 1769, Mr. Secretary. And it
33. was not in proper form and I therefore, move to reconsider

1. the vote by which Amendment No. 2 was adopted.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. The motion is to reconsider the vote by which Amendment
4. No. 2 is adopted. Those in favor indicate by saying
5. Aye. Those opposed. The Ayes have it. The matter is
6. reconsidered. Senator Glass now moves to Table Amendment
7. No. 2. Those in favor indicate by saying Aye. Those opposed
8. Nay. Amendment No. 2 is Tabled. Are there further
9. amendments?

10. SECRETARY:

11. No further amendments.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. 3rd reading. Senator Vadalabene, for what purpose
14. do you arise?

15. SENATOR VADALABENE:

16. Yes, Mr. President, there seems to be a lot of noise
17. and a lot of confusion. I thought maybe I would probably
18. give another announcement at this particular time so
19. everybody could find out what's going on with Senator Sam.
20. It ran again the day before yesterday and I've had a first
21. hand report. Senator Sam went off at ninety-nine to one
22. odds and came in dead last again. Senator Nimrod's
23. secretary, Betsy, went down to the race and put a show bet
24. on the horse of two dollars. We have a lot of faith in
25. this horse and I'll keep giving you announcements as they
26. come along, but it's still running last.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. House Bill 2052, Senator Weaver. Do you wish the bill
29. recalled? Do we have leave to return to the Order of
30. 2nd reading? Leave is granted. 2nd reading.

31. SECRETARY:

32. Amendment No. 4 offered by Senator Joyce.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

34. Senator Joyce.

SENATOR JOYCE:

1. Yes, thank you, Mr. President. This...this amendment...
2. I've talked to some of the park district board of directors
3. and they were not aware that there was a...in this land
4. that we're giving to the park, that the Kankakee River
5. dam was in the...in the proposal and they felt that there
6. was no way that they could afford the upkeep and liability
7. on the dam so what this does is delete the...the dam from
8. the bill and it also makes one little clerical correction.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Is there further discussion? Senator Maragos.

11. SENATOR MARAGOS:

12. What you're saying, then, Senator Joyce, is
13. you don't give a damn.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Is there further discussion? Question is shall
16. Amendment No. 4 to House Bill 2052 be adopted. Those
17. in favor indicate by saying Aye. Those opposed. The Ayes
18. have it. Amendment No. 4 is adopted. Is there further
19. debate? Is there further amendments?

20. SECRETARY:

21. No further amendments.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. 3rd reading. Senator Lemke, do you wish to call
24. House Bill 192 to the Order of 2nd reading for the purpose
25. of amendment? Is there leave? Leave is granted. 2nd
26. reading.

27. SECRETARY:

28. Amendment No. 1 offered by Senator Mitchler.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Mitchler. Senator Mitchler.

31. SENATOR MITCHLER:

32. Mr. President and members of the Senate. I have a
33. series of amendments to House Bill 192 that I have drawn

1. up and submitted. They're very similar...

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Just...just a moment. Will the members please be
4. in their seats. Will all unauthorized personnel
5. disappear. Proceed.

6. SENATOR MITCHLER:

7. Thank you, Mr. President. The...these amendments
8. are very similar in nature to amendments that were offered
9. to a Senate Bill that related to the same subject. However,
10. this House Bill 192 is called the Raffles and Jar Games
11. Act. The Illinois Raffles and Chances Act amended the
12. Illinois Raffles and Jar Games Act. Amendment No. 1
13. is an amendment that clearly defines what raffles and
14. jar games are. And it does that by excluding policy,
15. boleto, similar games, dice slot machines, bookmaking,
16. wagering pools with respect to a sporting event or that
17. game specifically known as punchboards or any other game
18. or activity not expressly permitted in the Act. It's
19. a clarifying amendment. I would ask for adoption.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Is there further discussion? Question is shall
22. Amendment No. 1 to House Bill 192 be adopted. Those in
23. favor indicate by saying Aye. Those opposed. The Ayes have
24. it. Amendment No. 1 is adopted. Are there further
25. amendments?

26. SECRETARY:

27. Amendment No. 2 offered by Senator Mitchler.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Mitchler.

30. SENATOR MITCHLER:

31. Mr. President and members of the Senate. Amendment
32. No. 2 to House Bill 192 authorizes the same organizations
33. to participate in the Raffles and Jar Games Act as are now
authorized to operate bingo games. Now, the reason that I

1. am introducing this amendment and I think this is a very
2. key amendment. The Bingo Act was a product of several
3. years investigation and construction and when finally
4. passed, was passed in a form that has proven and I emphasize
5. proven, to be very acceptable. To my knowledge, there has
6. been only one revocation of a bingo operator's license
7. since the game of bingo was formed. It's producing
8. a great deal of revenue to the State of Illinois about
9. eighty million dollars, but in turn, produces about that
10. eighty...did I...I said eight million dollars to the State
11. of Illinois in revenue but about eighty million dollars that
12. is used by the operators of bingo. Now, of course, they
13. have to take out their expenses out of that but that is used
14. locally. And it's proven very good. Now, the jar games,
15. if they were authorized, should not be authorized to
16. organizations that have not proven themselves to be capable
17. of getting into this field of what it is, it's gambling.
18. And these are the ones that would be authorized under
19. this amendment. Jar games to any bona fide religious,
20. charitable, labor, fraternal, educational, or veterans
21. organization which operates without profit to its members,
22. which has been in existence continuously for a period of
23. five years immediately before making application for a license
24. which has had during the entire five year period, a
25. favorable operating status. Now, the five year period is
26. important. It's not so that you can have some fly by night
27. social group formed to start operating raffles and chances.
28. And if you're going to go to this, for goodness sakes,
29. Ladies and Gentlemen of the Senate, let's have it
30. within the bounds and something that will be operated so that
31. the schlocky operators and the...those that would prey on
32. gambling in the State of Illinois would not be allowed to
33. enter. I ask for adoption of this amendment.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Lemke.

3. SENATOR LEMKE:

4. I oppose this amendment. Number one, it takes out the
5. recreational activities which include the little leagues.
6. It takes out scouting. It takes out many things that
7. are included. Also takes out the local chamber of commerce
8. in small towns. When we put the Bingo Act in,,they...
9. chambers raised some question in regards to that because you
10. left labor in. Well,...and I discussed this with most of the
11. local merchants and local chamber of commerce and they
12. feel that they don't have bingos but what they have is
13. raffles. Usually, the raffle off a car to raise money
14. for their Christmas decorations or their parade and this
15. amendment goes too far and I ask...I must resist the amendment.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Is there further discussion? The question is shall
18. Amendment No....Senator Mitchler.

19. SENATOR MITCHLER:

20. I just want to close by saying yes, this amendment
21. eliminates the following, civic, social, recreational,
22. scouting. Now, the word...just take the word scouting,
23. that...that has a wide area. You think of Boy Scouts and
24. Girl Scouts at the first. But there's other scouting.
25. Recreational. What is recreational? You can get into where
26. you are going to have the solicitation of raffles and chances and that
27. by any recreational group that's organized and that would also
28. apply to the word social. As far as civic, I think that this
29. is intended for one or two specific chamber of commerce
30. that wouldn't come under the Act. Well, you're going to open
31. this up to all chambers of commerce to mail out...have
32. just a general mailing to everybody for the purpose of
33. raising funds. That is what my amendment is attempting to

1. prohibit. Not so you're just making it a flagrant
2. distribution of all of these raffles and chances and
3. turning Illinois into a raffles and chances emporium.
4. I'd ask for adoption of this amendment.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Question is shall Amendment No. 2 to House Bill 192
7. be adopted. Those in favor vote Aye. Those opposed Nay.
8. The voting is open. Have all those voted who wish?
9. Take the record. On that question the Ayes are
10. 27, the Nays are 28, 1 Voting Present. Amendment No. 2
11. fails. Senator Mitchler.

12. SENATOR MITCHLER:

13. ...negatives. Just to make certain that they're all here.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. There is a request for the negative vote. Will the
16. members please be in their seats. Secretary will call
17. the negative vote.

18. SECRETARY:

19. The following voted in the negative: Berman, Bruce,
20. Buzbee, Carroll, Chew, Clewis, Collins, D'Arco, Daley,
21. Demuzio, Donnewald, Guidice, Kenneth Hall, Hickey,
22. Johns, Joyce, Kosinski, Lemke, Leonard, McMillan, no
23. ...I'm sorry, Maragos, Merlo, Netsch, Newhouse, Rock,
24. Savickas, Smith, Vadalabene, Washington, Mr. President.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Mitchler. Senator Smith on the Floor?
27. Take...take him from the roll.

28. SENATOR MITCHLER:

29. Senator Merlo.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Merlo is on the Floor.

32. SENATOR MITCHLER:

33. Senator Hickey.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator Hickey is on the Floor.
3. SENATOR MITCHLER:
4. Senator Guidice.
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. Senator Guidice on the Floor? Senator Guidice is
7. right in front of you.
8. SENATOR MITCHLER:
9. Senator D'Arco...Senator D'Arco.
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. Senator D'Arco on the Floor? Senator D'Arco on
12. the Floor? Take him from the roll.
13. SENATOR MITCHLER:
14. That's good.
15. PRESIDING OFFICER: (SENATOR DONNEWALD)
16. Senator Rock.
17. SENATOR ROCK:
18. Request a verification of the affirmative vote.
19. PRESIDING OFFICER: (SENATOR DONNEWALD)
20. There is a request for the verification of the
21. affirmative votes. The members will please be in their
22. seats. The Secretary will read the affirmative vote.
23. SECRETARY:
24. Berning, Bloom, Bowers, Coffey, Davidson,
25. Glass, Graham, Grotberg, Harber Hall, Knuppel, Leonard,
26. McMillan, Mitchler, Moore, Nimrod, Ozinga, Philip,
27. Regner, Rhoads, Roe, Rupp, Schaffer, Shapiro, Sommer,
28. Soper, Walsh, Weaver.
29. PRESIDING OFFICER: (SENATOR DONNEWALD)
30. Senator Rock.
31. SENATOR ROCK:
32. Senator Davidson on the Floor?
33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Davidson is on the Floor.
2. SENATOR ROCK:
 3. Senator... Senator Bowers on the Floor?
4. PRESIDING OFFICER: (SENATOR DONNEWALD)
 5. Senator Bowers. Is Senator... Senator Bowers is on the
 6. Floor.
7. SENATOR ROCK:
 8. Senator Nimrod on the Floor?
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
 10. Senator Nimrod on the Floor? Take him from the
 11. roll.
12. SENATOR ROCK:
 13. Senator Soper on the Floor?
14. PRESIDING OFFICER: (SENATOR DONNEWALD)
 15. Is Senator Soper on the Floor? Take him from the
 16. roll.
17. SENATOR ROCK:
 18. Senator Ozinga on the Floor?
19. PRESIDING OFFICER: (SENATOR DONNEWALD)
 20. Senator Ozinga is in his seat. The roll has been verified. The Ayes are 25, the Nays are 26 fails. Amendment No. 2 fails.
 21. Amendment No. 3 fails. I beg your pardon. I'm sorry.
 22. The roll... the Chair was correct in the first place.
 23. That was Amendment No. 2. Are there further amendments?
24. SECRETARY:
 25. Amendment No. 3 offered by Senator Mitchler.
26. PRESIDING OFFICER: (SENATOR DONNEWALD)
 27. Just... just a moment. Will the members please be quiet. No hollering, no screaming. Please.
28. Senator Mitchler.
29. SENATOR MITCHLER:
 30. Mr. President and members of the Senate. Amendment No. 3 to House Bill 192 defines minor as a person under
31. 33.

1. 18 years of age. There should be no objection of this.

2. I move adoption of the amendment.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Is there further discussion? Question is shall
5. Amendment No. 3 to House Bill 192 be adopted. Those in
6. favor indicate by saying Aye. Those opposed. The Ayes
7. have it. Amendment No. 3 is adopted. Are there
8. further amendments?

9. SECRETARY:

10. Amendment No. 4 offered by Senator Mitchler.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Mitchler.

13. SENATOR MITCHLER:

14. Amendment No. 4...Mr. President and members of the
15. Senate. Amendment No. 4 to House Bill 192
16. makes all of the funds go to the Common School Fund that
17. are collected by the State. It eliminates the distribution
18. of half of the funds to the Local Government Distribution...
19. Distributive Fund. All the funds would go into the Common
20. School Fund. We continually hear that when lottery
21. was put through, the people think that the money goes
22. all into the School Fund and that was the way it was
23. originally presented, but it was amended so that it goes
24. into the General Revenue Fund and out of there is
25. distributed proportionately into the School Fund. This would
26. say that all of the revenue coming into the State
27. would go into the Common School Fund. I ask for adoption of
28. the amendment.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Wooten.

31. SENATOR WOOTEN:

32. Well, Mr. President and colleagues. I think this
33. ...this would amount to a deceptive practice because all it

1. means is that whatever funds would come in from here would
2. be subtracted from General Revenue Funds, the amount that
3. goes to the Common School Fund would be the amount that we
4. appropriate period. And I really don't think we ought
5. to deceive people into making them think that the schools
6. are going to get more money by putting on amendments of
7. this kind. It just doesn't work out that way and I...
8. I think it's a lot cleaner if we don't deceive people. I think
9. the amendment should not be adopted.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Is there further discussion? Senator Lemke.

12. SENATOR LEMKE:

13. I think the amendment is a good amendment. I think the
14. lottery people thought the money was going for the School
15. Fund. I think that should be amended to go to the School
16. Fund. I think this should go to the Common School Fund.
17. I ask for the adoption.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. The...Senator Mitchler moves the adoption of Amendment
20. No. 4. Those in favor indicate by saying Aye. Those
21. opposed. The Ayes have it. Amendment No. 4 is adopted.
22. Are there further amendments?

23. SECRETARY:

24. Amendment No. 5 offered by Senator Mitchler.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Mitchler.

27. SENATOR MITCHLER:

28. Mr. President and members of the Senate. Amendment
29. No. 5 to House Bill 192 deletes lines 30 through 34
30. on page 4 of the bill as it is now before us.
31. Actually what this Section 6-A which is the section
32. that we're deleting, says that any organization qualified
33. for a license, but not holding one, shall be exempt from

1. the payment of any taxes or fees imposed under the Act if the
2. prizes offered at any drawing of raffles or jar games
3. have a value of less than one hundred dollars. Now,
4. this...I want to eliminate that out of the Act because
5. these are what would be termed small operators.
6. That means that they would be offering a prize of less than
7. one hundred dollars. Maybe a fifty dollar savings bond
8. or something like that, but they could sell a thousand and
9. one tickets for such a...an operation. But if the prize is
10. just under a hundred dollars, they would be exempt from the
11. other provisions of the Act in paying a contribution in and
12. taking out the license and paying the fee. So, I would
13. ask for elimination of this section in the Act.

14. Move for adoption of the amendment.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Lemke.

17. SENATOR LEMKE:

18. Does this amendment take away the exemption
19. for these people? The idea of this exemption was put
20. in because of...of many members on the last bill and
21. the department because of the administration problems
22. and when the prizes are less than a hundred dollars, the
23. usually...one...one time raffle and I think it's a bad...
24. bad amendment because I think we're talking about little
25. organizations that have a dinner and have a raffle
26. maybe for a bottle of booze or something like that or
27. war bond and I don't think they should...these people
28. aren't going to violate the...the law and they're doing it
29. now and I think we should just exempt them because of the
30. administration...just the administration costs involved.
31. I...I have to resist the amendment.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Is there further discussion? Senator Mitchler

1. may close.

2. SENATOR MITCHLER:

3. Well, just to close briefly, this is the very thing
4. that makes me originally opposed to any raffles or jar
5. games or chances because if you're going to regulate this
6. in the State of Illinois and...and you're going to have
7. it regulated and you're going to issue licenses, then let's
8. everybody come under the Act because when you exempt
9. somebody just because they're going to give a prize
10. of less than a hundred dollars, that's where you are
11. going to get into trouble. Now, if you say they're
12. doing it already, well then why the need of the Act
13. if they're doing it already. They're doing it already
14. for more than a hundred dollars so why the need of the Act.
15. You're trying to exempt these for less a hundred dollars
16. and I might say to you that many, many of the...of the
17. little coupons that I get in the mail and that each and
18. everyone of you get in the mail from your different organizations
19. you belong to or that you don't belong to, that they solicit
20. you are for prizes of a lot less than a hundred dollars.
21. Turkey raffles...going to raffle off three or four chickens
22. and a couple turkeys and whatever you have. It's less
23. than a hundred dollars so there would be a wide area
24. that would not participate under this. And they should not
25. be exempt. They should be included and regulated and if it's
26. going to be an overburden in the regulation, that's...
27. that's more the reasons why I was originally opposed
28. to the Act. I ask for adoption of this amendment.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Question is shall Amendment No. 5 be adopted.

31. Those in favor vote Aye. No, just a moment. We will take

32. a roll call. Question is shall Amendment No. 5 be adopted.

33. Those in favor vote Aye. Those opposed Nay. The voting is

1. open. Have all voted who wish? Have all those voted who
2. wish? Take the record. On that question the Ayes are
3. 27, the Nays are 24. Amendment No. 5 is adopted.
4. Are there further amendments?

5. SECRETARY:

6. Amendment No. 6 offered by Senator Mitchler.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Mitchler.

9. SENATOR MITCHLER:

10. Mr. President and members of the Senate. Amendment
11. No. 6 to House Bill 192 clarifies the fine for violation
12. of this Act. It makes a misdemeanor a fine up to five
13. hundred dollars or the penitentiary up to one year or
14. both. It makes more clear the specific fine for those who
15. violate the Act. I ask for adoption of this amendment.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Is there further discussion? Question is shall Amendment
18. No. 6 be adopted. Those in favor signify by saying Aye.
19. Those opposed. The Ayes have it. Amendment No. 6
20. is adopted. Are there further amendments?

21. SECRETARY:

22. No further amendments.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. 3rd reading. Leave was granted to Senator Merlo
25. to consider House Bill 420 which is on...which rests on the
26. Order of 2nd reading. Senator Merlo. Do we have leave to
27. return to that order? Leave is granted.

28. SECRETARY:

29. Amendment...

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Merlo as to House Bill 420. 2nd reading.

32. SECRETARY:

33. Amendment No. 1 offered by Senator Merlo.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator Merlo.
3. SENATOR MERLO:
 4. Thank you, Mr. President and members of the Senate.
 5. 420...would require the disclosure of a beneficiary
 6. of a land trust that own property that is alleged
 7. to violate building code laws. This amendment would put it
 8. in more or less, a realistic status. What it would be...do,
 9. at the present time, our Statutes read that an enforcement
 10. agency after giving notice to a trust, would, within
 11. ten days, have the name of the beneficiary or owners of that
 12. trust. However, he would not disclose the name of the
 13. beneficiary or owner for a period of ninety days. However,
 14. at the conclusion of ninety days if the violation were not
 15. corrected, the owner or beneficiary could come to the en-
 16. forcement agency and ask for additional time and it would
 17. be up to the department to grant them this time up to
 18. a period of nine months and then with a total of a
 19. completion of the work by twelve months. I think it's
 20. a more realistic approach because of the various degrees of
 21. violation and the time needed to correct these
 22. violations and I do ask for the favorable consideration of
 23. the amendment.
24. PRESIDING OFFICER: (SENATOR DONNEWALD)
 25. Is there further discussion? Question is shall
 26. Amendment No. 1 to House Bill 420 be adopted. Those in
 27. favor indicate by saying Aye. Those opposed. The
 28. Ayes have it. Amendment No. 1 is adopted. Are there
 29. further amendments?
30. SECRETARY:
 31. No further amendments.
32. PRESIDING OFFICER: (SENATOR DONNEWALD)
 33. 3rd reading. House Bill 1566, Senator Demuzio.

1. Senator Berman, for what purpose do you arise?

2. SENATOR BERMAN:

3. Would it...

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Demuzio, just...yes, for what purpose do you
6. arise, Senator?

7. SENATOR BERMAN:

8. 1508 is ready to go.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. House Bill 1508. Do we have leave to return to the
11. ...Senator Demuzio is not on the Floor, so we will proceed with
12. 1508. Senator...do we have leave to return to the Order of
13. 2nd reading for the purpose of amendment? Leave is granted.
14. 2nd reading.

15. SECRETARY:

16. Amendment No. 1 offered by Senator Grotberg.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Grotberg.

19. SENATOR GROTBURG:

20. Thank you, Mr. President. Is this Amendment No. 1,
21. Mr. Secretary?

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Yes, it is.

24. SECRETARY:

25. Amendment No. 1, yes, Sir.

26. SENATOR GROTBURG:

27. Now, for a better explanation of Amendment No. 1,
28. I appreciate the opportunity to have done my homework.
29. We are facing, through Senate Bill....or House Bill 1508
30. in its existing language, that the charge back opportunity
31. of the local school districts to levy for kids that go to
32. community college outside of their school district
33. a...an extension through the existing language only for

1. those schools that are in negotiation to join the district.
2. Amendment No. 1 would let the rollback...or the charge back
3. still apply to all school districts who are not in
4. community college districts and only for two years, through
5. 1977 for one more year, really. And I'll answer questions
6. but it is the...this amendment then would include the
7. financing capability of local school districts to continue
8. to send their kids to junior college districts and still
9. pay the price. And I move for the adoption of Amendment
10. No. 1.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Berman.

13. SENATOR BERMAN:

14. Thank you, Mr. President. I stand in opposition
15. to the amendment. The question that's involved here
16. is whether as the bill was introduced and amended in the
17. House whether those high school districts that have taken steps
18. to go into junior college districts can have the charge back
19. tax continued for one more year. In fact, because of the
20. debate in the House, the limiting language was, in fact,
21. added. Now, what that means is this, that there are areas
22. of the State such as in Evanston in my district that have
23. gone up and back on the question of whether they should
24. or should not be in a junior college district.
25. We have been in litigation. We have filed lawsuits. We have
26. gone to referenda on the question of annexation or creation
27. of a junior college district in Evanston and we have now
28. filed a petition to annex to the Oakton junior...
29. Oakton Community College. Now, we have put this bill together
30. in the House in very restricted language because every year
31. we get into this fight as to whether we should or should not
32. extend the charge back tax to everybody that's not in a
33. junior college district. This is a restricted bill.

1. Apparently, it was made so because of the opposition to
2. an unrestricted bill in the House. Senator Grotberg
3. is trying to make this an unrestricted extension. As
4. far as Evanston is concerned, it really wouldn't make
5. any difference. But it's a...it's a policy decision that
6. is being proposed to us here. I think in keeping with the
7. feelings of the House sponsor and his feeling of the House
8. pulse, this bill, which is important that it be passed
9. in one form or another but that it be passed, not get caught
10. up in the debate involving districts that have not tried
11. to come into a junior college district. So, for that reason,
12. I stand in opposition to Amendment No. 1.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Is there further discussion? Senator Harber Hall.

15. SENATOR HARBER HALL:

16. Well, I think this is a good amendment simply because
17. we don't know what's going to happen with Senator Rhoad's
18. bill. I think it's a...it's an insurance and that we ought
19. to have it if Senator Rhoads' bill happens to pass and
20. be signed, this wouldn't be necessary. But we don't know
21. that and should it be passed and signed, this...it won't
22. hurt to have this in there so I...I favor the amendment.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Glass.

25. SENATOR GLASS:

26. Well, thank you, Mr. President. I see Senator Bruce
27. seeking recognition. This is an old issue that has been
28. bouncing around a long time but I think the Body should
29. understand what's happening here. Although we attempted
30. to do so, a number of us on this side failed to adopt an
31. amendment that would have allowed a referendum for territory
32. not in a district so that that territory could not be
33. forced into a community college district without a

1. referendum. Now, that...that failed so under the
2. stature we're in now, there is some territory presumably
3. that will be put into community college districts without
4. ...without referendum if the community college board
5. chooses to do that. But until that happens and if it
6. happens, the people in the high school districts are going
7. to have to pay tuition for their students that go to
8. community colleges outside their district. And all that
9. this amendment does is allow those community colleges
10. to continue the tax in order to pay that tuition and
11. I think it's only fair that those districts be allowed
12. as privileged and I would urge adoption of the amendment.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Bruce.

15. SENATOR BRUCE:

16. Thank you, Mr. President. As Senator Glass points
17. out, we have gone through this many times. It is the
18. charge back allowed to high school districts. It terminated
19. in 1975. They were able to charge it on taxes levied in
20. '76 and that was it. The idea was that we would allow those
21. districts that had not petitioned to enter one additional
22. year. Now, they want another additional year and we let
23. Senator Berman's bill out of the Committee on Higher Education
24. with the clear understanding that the only reason the charge
25. back would be allowed is for those districts that have
26. petitioned to annex to another community college district.
27. It had the support of the Community College Board based on
28. that one fact and I am sure, although I have not checked with
29. them, that they would oppose this bill as they have in the
30. past with this amendment. And I think that we are
31. ...what we are doing by this amendment is endangering
32. Senator Berman's bill in the House.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Rhoads.

2. SENATOR RHOADS:

3. Thank you, Mr. President. A question of the sponsor
4. of the amendment.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Grotberg.

7. SENATOR GROTBURG:

8. House Bill 1524, the current status of that bill is
9. that it has a...an effective date of July 1, 1978.
10. That bill passed this Chamber with thirty votes. I understand
11. that there has been a motion to reconsider filed but
12. at least action has been taken by the Body once. Now,
13. since that bill has an effective date of July 1, 1978,
14. what is it that you are seeking to accomplish with this
15. amendment between July 1 of this year and July 1 of next
16. year?

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Grotberg.

19. SENATOR GROTBURG:

20. What I'm trying to do with this amendment, Senator
21. Rhoads, is that if anything happens to 1524 we've got
22. to have available the levy power for at least one more
23. year for the schools that are still out. It would also
24. include Senator Berman's districts by description.
25. So that it will accomplish both goals and the...I get the name
26. of the game plan now atleast from the previous speaker
27. to us that the first thing you do is you choke them to death
28. you know and then they will die. You know, they'll die
29. and the bureaucracy will prevail and democracy goes
30. down the shoot because the original Community College
31. Act was by referendum and now we've cut out the referendum.
32. We're mandating them all. They've got about a million dollars
33. worth of high paid personnel to make damn sure that the

1. people don't get their way and this would let them have
2. their money in case the democracy prevails. That's very
3. simple and that's all there is to it. I would like to have
4. the amendment adopted for the people. I don't go to
5. college. To hell with it.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Rhoads.

8. SENATOR RHOADS:

9. Well, I...appreciate the explanation but I don't
10. think you answered my question. What I'm...what I'm
11. trying to find out, this is a simple extension of one year
12. of a levy for the charge back. Now, would that authorization
13. otherwise expire July 1 of this year? What's...what's the
14. danger involved?

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Grotberg.

17. SENATOR GROTBURG:

18. The danger is...involved is without this we're
19. dead in the tank for this year. We'll be back here in
20. January. There is another General Session of the General
21. Assembly in 1977...'78. You know...

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

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

24. Senator Grotberg, you may close if you wish.

25. SENATOR GROTBURG:

26. I would just like a good favorable roll call for the
27. people once. Let's try it.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Question is shall Amendment No. 1 to House Bill 1508
30. be adopted. Those in favor indicate by saying Aye.
31. Those opposed. A roll call is requested. Question is
32. shall Amendment No. 1 to House Bill 1508 pass. Those
33. in favor vote Aye. Those opposed Nay. The voting is open.

1. Have all those voted who wish? Take the record.
2. On that question the Ayes are 29, the Nays are 27.
3. House Bill...Amendment No. 1 is adopted. Are there
4. further amendments?

5. SECRETARY:

6. Amendment No. 2 offered by Senator Davidson.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Davidson.

9. SENATOR DAVIDSON:

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

11. Amendment No. 2 clarifies this language to make absolutely
12. sure that this charge back cannot be counted in the
13. operating tax rate on the resource equalizer funding from
14. the State. This was agreed on in committee that this would
15. be added with the sponsor of the bill.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Is there further...Senator Berman.

18. SENATOR BERMAN:

19. I've discussed this one with Senator Davidson.

20. I have no objection to it.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Is there further debate? The question is shall
23. Amendment No. 2 to House Bill 1508 be adopted. Those
24. in favor indicate by saying Aye. Those opposed. The
25. Ayes have it. Amendment No. 2 is adopted. Are there
26. further amendments?

27. SECRETARY:

28. Amendment No. 3 offered by Senator Harber Hall.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Is Senator Harber Hall on the Floor? You're recognized.

31. SENATOR HARBER HALL:

32. Ladies and Gentlemen of the Senate, Amendment 3
33. to House Bill 1508 provides a backdoor referendum for those

1. school districts who otherwise would be forced into a
2. junior college district. The reason these districts
3. do not want to go into a junior college district is not
4. because they don't have students who presently go to junior
5. colleges and who will go to junior colleges presently formed,
6. but the reason they don't want to form a new district
7. is that they have sufficient educational facilities already
8. available to them and they do pay the tuition to any
9. junior college that they're...

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Just a moment. No one else can either. I've
12. asked for order at least a dozen times this morning and
13. at each occasion, we had it just a little bit and then
14. the noise level rises again. Could we please have order.
15. Will the pages be in their seats unless they're needed.
16. Will all unauthorized personnel please remove themselves.
17. Proceed.

18. SENATOR HARBER HALL:

19. The reason is that they have sufficient educational
20. facilities available. Facilities such as junior colleges
21. already formed where they pay the tuition costs for their
22. students who desire to go there. Now, to form and to force
23. to be formed a new junior college district where they're
24. all ready and in some cases a superfluous number of
25. educational facilities is a mistake. But more importantly
26. than that and without wanting to duplicate arguments
27. that has already been made on this Floor on this subject on
28. a prior bill, I would point out to you that in 1965
29. we authorized the junior college program by stating it
30. was a locally initiated program. These districts have been
31. planning in accordance with the law that we passed, planning
32. their educational program for their youth and they know
33. exactly where they are but now we summarily say, we're changing

1. that. We no longer give you the vote and the right to
2. determine what you want to do. So you...you would disrupt
3. what they have been planning for all these years by mandating
4. to be in a junior college district that isn't needed and
5. isn't wanted. Now, this is not representative government
6. when you do that. We, at least, should have a backdoor
7. referendum in there and for those who say, you are selfish,
8. you don't want to pay the cost through taxation of junior
9. college districts, I say that is wrong. It's the other
10. way around. You formed your junior college district because
11. you wanted it. You knew the territory that was in that
12. district. You voted it that way. You are now taxing
13. yourselves for that because you needed it, but now you
14. want more money from those who did other planning
15. and you want to force them to pay their taxes into your
16. junior college district that they had not even
17. planned for and that you didn't even expect at the time
18. you formed your district. So, I say it's you who are selfish.
19. And that is right and if you vote for this amendment, you
20. will give the people back the opportunity to decide for
21. themselves if they need a junior...another junior college,
22. they will certainly be willing to do that. I sincerely
23. request that you support this opportunity for the people
24. to have a backdoor referendum.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Berman.

27. SENATOR BERMAN:

28. Thank you, Mr. President. I stand in opposition to
29. this amendment for several reasons. Number 1, the sponsor
30. of this amendment has yet to advise me that he intended to
31. offer this amendment on my bill, not until my...majority
32. staff. I've been talking with Senator Grotberg about his.
33. I didn't know anything about Senator Hall filing this

1. amendment until my staff...the majority staff came up
2. and showed me this amendment and that's number 1.
3. Number 2, he's using the vehicle of this bill to do
4. what we still have an opportunity to fully debate
5. unincumbered in House Bill 1524. Senator Rhoads indicated
6. to you that he as the sponsor of Senate Bill 1524,
7. as the sponsor of Senate Bill 1524, submitted that bill
8. for 3rd reading the other day. The bill received thirty
9. votes and now there's a motion pending to reconsider.
10. I would submit to you that the proper way to address the
11. question that Senator Hall is offering in this amendment
12. is by your vote on the motion to reconsider on House
13. Bill 1524, not by incumbering House Bill 1508 which
14. does not address this direct problem. Also,
15. because of the nature of this amendment, the need of
16. ...for 1508 is jeopardized or the success of it is
17. going to be substantially jeopardized, if it goes back
18. to the House with this amendment because it's interjecting
19. an entirely new and cumbersome highly debatable issue.
20. I don't think that is fair to either the House sponsor or
21. to the Senate sponsor on this bill and I think that
22. Senator Hall will have his day to prevail on his side of
23. this issue on the vote to reconsider the vote involving
24. House Bill 1524, so I ask you to vote No on this
25. amendment to allow 1508 to just address the issues
26. that were involved as it left the House and as I hope it
27. will be able to leave the Senate. I urge a No vote.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Is there further discussion? Senator Grotberg.

30. SENATOR GROTBURG:

31. For all...for all of the same reasons, and I, like
32. Mr. Berman, was not aware of this amendment in full until
33. I heard it debated, but for the same reasons exactly I would

1. support this.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Is there further...Senator Demuzio.

4. SENATOR DEMUZIO:

5. Yes, I too, rise in support of this amendment. I think
6. that Senator Hall is fighting for principle to let these
7. people in these junior college districts that are not
8. organized to have the opportunity to vote on the question
9. again. I know in my own area, we've had two referendums
10. and both have failed. Don't take that right away from us.

11. Pass this amendment.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Walsh.

14. SENATOR WALSH:

15. Mr. President and members of the Senate. I don't
16. know how many times the people in our districts have to vote
17. on this issue, but we certainly get enough opportunities
18. here in the Senate. It would seem to me that this issue
19. has been debated thoroughly. This bill, it so happened,
20. was reported out of the Higher Education Committee ten to
21. zero and there was no discussion of the prior amendment or
22. any other amendment. I think that what the proponents
23. of this amendment and the prior amendment may be doing is
24. just killing the bill which would in effect, be killing
25. any charge back for 1977. I think the...the issue of...
26. of whether communities in this State are going to be in
27. junior college districts or not has been determined. I don't
28. think we should keep rehashing it. I think we're running
29. the risk of having this bill defeated and this amendment
30. should be defeated.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Is there further discussion? Senator Hall may close
33. if he wishes. That's Harber Hall. Question is shall Amendment

1. No. 3 to House Bill 1508 be adopted. Those in favor
2. indicate by voting Aye. Those opposed Nay.

3. The voting is open. Have all those voted who wish?

4. Take the record. On that question the Ayes are

5. 22, the Nays are 30. Amendment No. 3 fails.

6. House Bill 5...any further amendments?

7. SECRETARY:

8. No further amendments.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. 3rd reading. House...House Bill 1566, Senator
11. Demuzio. Do...do you wish to call the bill back for the
12. purpose of amendment? Senator Demuzio. Do we have leave
13. to return to the Order of 2nd reading? Leave is granted.

14. 2nd reading.

15. SECRETARY:

16. Amendment No. 1 offered by Senator Hynes.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Hynes.

19. SENATOR HYNES:

20. Mr. President and members of the Senate. I would
21. move the adoption of Amendment No. 1. It provides that
22. the judges of election will be reimbursed at the rate of
23. five dollars per hour for the additional hour that is
24. required under this bill. One of the principal objections
25. that I have to this bill is the undue burden that it
26. places on election judges. At the present moment, the
27. election process has become so complicated in the precincts
28. that judges are very reluctant to continue serving.

29. And this bill will add an additional burden to an already over-
30. burdened dedicated group of citizens and I think that
31. this modest increase in their compensation perhaps will
32. lighten and lessen the burden that the bill would otherwise impose
33. and I would move the adoption of the amendment.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator Wooten.
3. SENATOR WOOTEN:
4. I join with President Hynes in the determination
5. to secure more money for downstate judges. However,
6. I suggest that that be done in a separate bill. If this
7. bill remains unamended, then we will have the fact of an
8. additional hour and then I think once that becomes reality
9. we may address the question of reimbursement.
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. Is there further discussion? Senator Rhoads.
12. SENATOR RHOADS:
13. Well, Senator Wooten is perfectly correct. There
14. are many other vehicles laying around the Calendar that
15. myself and Representative Collins have reserved for just
16. such an emergency, Senator Hynes. I think this amendment
17. would have been far more appropriate in the Lucco-
18. Vadalabene bill, House Bill 96, which raised the compensation
19. for downstate election judges to forty dollars and I...I
20. stood in support of that bill. But this amendment on this
21. particular bill is nothing more than an attempt to get this
22. bill into a Conference Committee and God only knows what
23. fate it would have in a Conference Committee. So, this is a
24. bad amendment. It should be defeated.
25. PRESIDING OFFICER: (SENATOR DONNEWALD)
26. Is there further discussion? Senator Kosinski.
27. SENATOR KOSINSKI:
28. If you call, Mr. President and members of the Senate,
29. if you call this a bad amendment, just imagine these people
30. who have to work those precincts. Do you realize the
31. amount of hours, not only that extra hour. That
32. extra hour winds up to two or three. How would you like to
33. take the people home at twelve, one o'clock in the morning?

1. You wouldn't do it. I'm sure you don't. The poor precinct
2. captain or precinct committeeman or committeewoman who has
3. to see to it that the members of the board are safely
4. brought home. He winds up or she winds up at two, three
5. o'clock in the morning coming herself, by herself to her home.
6. Where is the security? Where is the safety of these people?
7. None whatsoever. And this is why at least if we're going to
8. do anything for these people, is to pay them an extra five,
9. seven, ten as far as I am concerned, twenty-five dollars
10. extra wouldn't be enough. Mr. President, I am in favor
11. of your bill...of your amendment.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Philip.

14. SENATOR PHILIP:

15. Thank you, Mr. President. I just might make a few
16. comments. And I have the great amount of respect for
17. election judges. They work hard, they do a good job.
18. The only time they really, really, really are put to the
19. test is every four years at the Presidential election
20. and in a lot of cases, they do work late hours.
21. I would agree to that. The rest of the elections, very
22. honestly, the primary, township elections there isn't
23. very much of a turn out and most of them are done early.
24. In our county, we have gone to the IBM cards. And our
25. elections judges, very honestly, are through in an hour or
26. an hour and a half after the election. And there really...
27. since we've gone to the IBA...punch type cards, there just
28. isn't that problem with judges working into the late, late
29. hours anymore.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Is there further discussion? Senator Demuzio, for
32. what purpose...this is your amendment...no, your bill.
33. Senator Demuzio.

1. SENATOR DEMUZIO:

2. Yes, thank you, Mr. President. I, too, share the
3. same concern that has been voiced here this morning
4. by Senator Wooten and Senator Rhoads about the fact of the
5. bill going to cross the Rotunda back into a Conference
6. Committee. However, I'm also concerned about the fact
7. that if we are going to require that the polls be open
8. an additional hour, it would only seem fair that the
9. additional compensation be paid. And it appears to me
10. that it's an amendment that...it's very difficult to be
11. against.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. May I interrupt to...is it...will the Senate give
14. leave for Channel 17 for silent...silent filming?
15. Leave is granted. Senator Rhoads, for what purpose do
16. you arise?

17. SENATOR RHOADS:

18. Well, just in rebuttal to Senators Kosinski and et al,
19. we did pass a bill increasing the compensation of downstate
20. judges. That was the Vadalabene bill. I supported that
21. bill. Now, I would support this amendment on any other
22. bill but it's obvious this is a merely an attempt to knock
23. this otherwise good bill into a Conference Committee. This
24. amendment should be defeated soundly.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Is there further discussion? Senator Collins. :

27. SENATOR COLLINS:

28. Mr. President, I, too, rise in opposition
29. to this amendment, I agree with Senator Rhoads
30. that this is an attempt to get this bill back to the House
31. and into a Conference Committee with an...it's really an
32. attempt to kill this bill. I...the question of whether or not
33. we can find qualified judges in the City of Chicago that really...

1. that really isn't a problem and issue. As a matter of
2. fact, the independents have a very difficult time
3. with very well trained judges which we conduct classes
4. and instructions over long period of time to get qualified
5. judges placed in...on election day because the organization
6. there...have a monopoly on placing judges. The question of
7. whether or not we have the people available is not an
8. issue and therefore, I would move the defeat of this
9. amendment.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Hynes may close.

12. SENATOR HYNES:

13. Mr. President, I repeat my earlier comment
14. that the electoral process as it exists in this
15. State has become an extreme burden on those persons who
16. have dedicated themselves and are willing to serve as
17. election judges. The compensation that they receive for the hours that
18. they put in is wholly inadequate at the present time.
19. The bill that Senator Rhoads referred to which would increase
20. the compensation increases it assuming the existing hours
21. of operation. And it is long overdue on that ground alone.
22. This bill would extend the hours an additional hour and
23. will add to the burden and I think there ought to be
24. additional compensation and this is true in Cook County
25. as well as downstate. The bill that Senator Rhoads refers
26. to gives an increase downstate alone. I think that to try
27. and put this amendment on another bill will simply mean that
28. it will get sidetracked somewhere in the Legislature or that it
29. may not get signed or whatever it is and I think that the
30. increase in compensation that these judges are entitled to
31. should be part of the package to increase the hours of voting
32. in the polling place and I would urge your support of this
33. amendment.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Question is shall Amendment No. 1 to House Bill 1566
3. be adopted. Those in favor vote Aye. Those opposed Nay.
4. The voting is open. Have all those voted who wish?
5. Take the record. Senator Hynes...you...
6. SENATOR HYNES:
 7. Verification of the negative votes.
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
 9. I should announce it first. On that question the
 10. Ayes are 28, the Nays are 28. There is a request for
 11. a verification of the negative votes. Will the members
 12. please be in their seats. Will the members please be in
 13. their seats. The Secretary will call the negative vote.
14. SECRETARY:
 15. The following voted in the negative: Berning,
 16. Bloom, Bowers, Bruce, Coffey, Collins, Davidson,
 17. Glass, Graham, Grotberg, Harber Hall, McMillan, Mitchler,
 18. Moore, Netsch, Newhouse, Nimrod, Philip, Regner, Rhoads,
 19. Roe, Rupp, Schaffer, Shapiro, Soper, Walsh, Wooten...Weaver
 20. and Wooten.
21. PRESIDING OFFICER: (SENATOR DONNEWALD)
22. Senator Hynes.
23. SENATOR HYNES:
24. Senator Philip.
25. PRESIDING OFFICER: (SENATOR DONNEWALD)
 26. Is Senator Philip on the Floor? He is.
27. SENATOR HYNES:
 28. Senator Rhoads.
29. PRESIDING OFFICER: (SENATOR DONNEWALD)
 30. Senator Rhoads on the Floor? Senator Rhoads is on
 31. the Floor.
32. SENATOR HYNES:
 33. Senator Soper.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Is Senator... Senator Soper is in his seat.
3. SENATOR HYNES:
4. Senator... Senator Bowers.
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. Senator... Senator Bowers is on the Floor.
7. Senator Rhoads, for what purpose do you arise?
8. SENATOR RHOADS:
9. Request a verification of the...
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. Amendment No. 1 fails. Are there further amendments?
12. SECRETARY:
13. No further amendments.
14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. 3rd reading. House Bill 1545, Senator Clewis.
16. Do we have leave to return to the Order of 2nd reading for the purposes of amendment? Leave is granted. 2nd reading.
- 17.
- 18.
- 19.
20. End of reel.
- 21.
- 22.
- 23.
- 24.
- 25.
- 26.
- 27.
- 28.
- 29.
- 30.
- 31.
- 32.
- 33.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Clewis.

3. SENATOR CLEWIS:

4. Mr. President, members of the Senate. I rise to
5. Table Senate Amendment No. 1 to House Bill 1545. The
6. purpose...the purpose is that when this bill came over
7. from the House in its purest form, all it was intended
8. to do was to provide that counties could charge a fee for
9. the pick-up of dead animals. We put an...amendment
10. No. 1 which provided for the disbursements of money
11. and inadvertently knocked out the Section of the bill
12. that provided for said monies. So I would ask for a
13. favorable roll call on the Tabling of Amendment No. 1.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. On the question is, shall the vote by which Amend-
16. ment No. 1 was adopted be reconsidered. Those in favor
17. indicate by saying Aye. Those opposed. The matter is
18. reconsidered. Senator Clewis now moves that Amendment
19. No. 1 be Tabled. Those in favor indicate by saying
20. Aye. Those opposed Nay. The Ayes have it. Amendment
21. No. 1 is Tabled. Are there further amendments?

22. SECRETARY:

23. No further amendments.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. 3rd reading. House Bill 2000. Senator Glass.
26. House Bills, 1st reading. House Bill 2422. Senator
27. Maragos-Smith. Read the bill, Mr. Secretary. Just...I've
28. been corrected. The Calendar is incorrect. It is Smith-
29. Maragos. Read the bill, Mr. Secretary.

30. SECRETARY:

31. House Bill 2422.

32. (Secretary reads title of bill)

33. 1st reading of the bill.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator Carroll, for what purpose do you arise?
3. SENATOR CARROLL:
4. On behalf of the sponsors ask that we waive...suspend
5. the rules to bypass the Committee on Assignment of Bills
6. and the substantive committee and advance 242 to the Order
7. of 2nd reading without reference to committee.
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. ...You've heard the motion. Those in favor indicate
10. by saying Aye. Those opposed. The Ayes have it. Motion
11. carries. (Machine cut-off)...was to advance the bill to
12. the Order of 2nd reading. Take it from the Committee on
13. Assignment of Bills and advance it to the Order of 2nd
14. reading. And the motion did carry. House Bill 2424,
15. Senator McMillan.
16. SECRETARY:
17. House Bill 2424.
18. (Secretary reads title of bill)
19. 1st reading of the bill.
20. PRESIDING OFFICER: (SENATOR DONNEWALD)
21. Senator...Senator McMillan.
22. SENATOR McMILLAN:
23. Yes, this...this transfer bill has been agreed upon and
24. I'd ask leave of the Body to bypass committee and have
25. this bill placed immediately on 2rd reading.
26. PRESIDING OFFICER: (SENATOR DONNEWALD)
27. You've heard the motion. Those in favor indicate by
28. saying Aye. Those opposed. The Ayes have it. The bill
29. is now on 2rd reading. All right, Ladies and Gentlemen.
30. We're going to the Order of...Just a moment.
31. SENATOR HYNES:
32. Let me have the attention of the membership for a
33. moment. We have a very special guest with us today.

1. Senator Oliver Okasick, President of the Ohio Senate.
2. And he's visiting us as Chairman of the Midwestern
3. Conference of the Council of State Governments. And I'd
4. ask that the members greet him warmly and I would appreciate
5. if he would say a word or two to us. Senator.

6. SENATOR OKASICK:

7. (Remarks by Senator Okasick)

8. SENATOR HYNES:

9. Senator, with three...with three bills a day and
10. no weekends, I'm happy that you're leaving this after-
11. noon because you might be elected to President of the
12. Illinois Senate. For what purpose does Senator Harber
13. Hall arise?

14. SENATOR HARBER HALL:

15. Well, Mr. President. Your speaker, the leader of the
16. Ohio Senate deserved a warm round of applause in any case.
17. But I think we would like to know which party he is. It
18. wouldn't have anything to do with the applause though.

19. SENATOR OKASICK:

20. (Remarks by Senator Okasick).

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. All right. Do we have leave to return to the Order
23. of 2nd reading for the purpose of amendment as to House
24. Bill 2000? This is the last bill that we're going to
25. consider in that regard. Senator...Leave is granted.
26. 2nd reading.

27. SECRETARY:

28. Amendment No. 1 offered by Senator Glass.

29. SENATOR GLASS:

30. Thank you, Mr. President and Ladies and Gentlemen.
31. This is the commission on the future of the State of
32. Illinois. I think some of the members who have had some
33. questions about this commission will be pleased to know

1. that this amendment reduces the membership from thirty-five to seventeen. And I move its adoption.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Is there further discussion? Question is, shall
5. Amendment No...Amendment No. 1 be adopted. Those in
6. favor indicate by saying Aye. Those opposed Nay. The
7. Ayes have it. Amendment No. 1 is adopted. Are there
8. further amendments?

9. SECRETARY:

10. No further amendments.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. 3rd reading. House Bills on 3rd...Senator Graham.

13. SENATOR GRAHAM:

14. We're going to House...Mr. President.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Graham.

17. SENATOR GRAHAM:

18. Some time along the line we're going to do the
19. same thing again as they do in Ohio occasionally.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Just a moment. If we can hear what you're going to
22. say.

23. SENATOR GRAHAM:

24. Yes, I want...

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Will the members...will the members settle down?

27. Proceed.

28. SENATOR GRAHAM:

29. Mr. President. I wonder if the President of the
30. Ohio Senate has as much trouble as we're having here
31. today?

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. I don't think anybody can have as much...

1. SENATOR GRAHAM:

2. It couldn't be.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. ...trouble as we had.

5. SENATOR GRAHAM:

6. I would like to at the convenient time and very
7. shortly to ask that the Senate do stand in recess for
8. the purpose of a Republican caucus. We got to get our
9. ducks lined up. We had thought maybe we would do it
10. before we returned to 2nd reading.

11. SENATOR HYNES:

12. Senator Graham, I think you misunderstood Senator
13. Donnewald's request. We're simply bringing one bill
14. back from 3rd reading to 2nd for amendment.

15. SENATOR GRAHAM:

16. Thanks. No problem.

17. SENATOR HYNES:

18. Now we're not going to...we're going to 3rd reading
19. now and we will honor that request before we go to 2nd
20. reading.

21. SENATOR GRAHAM:

22. All right.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Guidice, for what purpose do you arise?

25. SENATOR GUIDICE:

26. Thank you, Mr. President. I'd like to move to
27. recommit...House Bills 1307 and 1309 to the Committee on
28. ...on Local Government.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. You've heard the motion. Those indicate by saying
31. Aye. Those opposed Nay. The Ayes have it. Two bills
32. will be recommitted. House Bills, 3rd reading. House
33. Bill 635, Senator Vadalabene. Read the bill, Mr. Secretary.

1. SECRETARY:

2. House Bill 635.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Vadalabene.

7. SENATOR VADALABENE:

8. Yes, Thank you, Mr. President. Just what the Digest
9. says. It's the ordinary and contingent expense of the
10. Auditor General. I approve of roll call.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Is there further discussion? Question is, shall
13. House Bill 635 pass. Those in favor will vote Aye.
14. Those opposed Nay. The voting is open. Have all those
15. voted who wish? Take the record. On that question, the
16. Ayes are 55, the Nays are None. House Bill 635 having
17. received the constitutional majority is declared passed.

18. House Bill 658. Senator Netsch. Read the bill, Mr.

19. Secretary.

20. SECRETARY:

21. House Bill 658.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Netsch.

26. SENATOR NETSCH:

27. Thank you, Mr. President. As it is this bill is
28. in its present form is simply one of the series that
29. eliminates discriminatory language or adds non-
30. sex discrimination to already existing Statutes. The
31. bill had the potential for being a lot more interesting by
32. virtue of several amendments that were offered, but they
33. were both defeated so that it is in relatively pure form.

1. This one happens to deal with the various licensing Acts
2. and in terms of those schools which are to be approved by
3. the Department of Registration and Education as acceptable
4. for purposes of meeting the licensing requirements. It
5. adds that they may not discriminate on account of sex or
6. national origin. Race and color and creed were already
7. a part of the Statute.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Is there further discussion? Question is, shall
10. House Bill 658 pass. Those in...favor vote Aye. Those
11. opposed Nay. The voting is open. Have all those voted
12. who wish? Take the record. On that question, the Ayes
13. are 46, the Nays are 4. House Bill 658 having received
14. the constitutional majority is declared passed. House
15. Bill 675. Senator Vadalabene. Read the bill, Mr. Secretary.

16. SECRETARY:

17. House Bill 675.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER:(SENATOR DONNEWALD)

21. Senator Vadalabene.

22. SENATOR VADALABENE:

23. Yes, House Bill 675 as amended would...would allow
24. fire protection districts which are special districts
25. formed to...provide fire and other life and property
26. saving services. They are governed by a three member
27. board which may be appointed by township, municipal,
28. or county authorities or elected by referendum and I
29. would approve a favorable vote. Roll call.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Is there further discussion? Senator McMillan.

32. SENATOR McMILLAN:

33. Question of the sponsor, please.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Indicates he will respond.
3. SENATOR McMILLAN:
4. Is it my understanding that the referendum provided
5. for is a backdoor referendum rather than the regular
6. front door referendum?
7. PRESIDING OFFICER: (SENATOR DONNEWALD)
8. Senator Vadalabene.
9. SENATOR VADALABENE:
10. Yes.
11. PRESIDING OFFICER: (SENATOR DONNEWALD)
12. Senator McMillan.
13. SENATOR McMILLAN:
14. I would then rise in opposition to the bill
15. since it does not have a regular referendum.
16. PRESIDING OFFICER: (SENATOR DONNEWALD)
17. Is there further discussion? Question is, shall House
18. Bill 675 pass. Those in favor vote Aye. Those opposed Nay.
19. The voting is open. Have all those voted who wish? Take
20. the record. On that question, the Ayes are 42, the Nays
21. are 11. 1 Voting Present. House Bill 675 having received
22. the constitutional majority is declared passed. House Bill
23. 681. Senator Rhoads. Read the...just a moment, Senator
24. Bruce, for what purpose do you arise?
25. SENATOR BRUCE:
26. Well, I just wondered. We passed three bills and
27. according to Ohio we could adjourn for the day. Would
28. ...would that be appropriate now?
29. PRESIDING OFFICER: (SENATOR DONNEWALD)
30. That would be great. Read the bill, Mr. Secretary.
31. SECRETARY:
32. House Bill 681.
33. (Secretary reads title of bill)

1. 3rd reading of the bill.
2. PRESIDING OFFICER: (SENATOR DONNEWALD)
3. Senator Rhoads.
4. SENATOR RHOADS:
 5. Thank you, Mr. President and members of the Senate.
 6. First of all, I would hope that you would totally dis-
 7. regard the synopsis on your Calendar. I...that synopsis
 8. does not describe this bill at all. What this bill does,
 9. is provides that for Will County and Lake County and
 10. counties other than Cook and it is permissive. That when
 11. the ballot card envelopes are printed they...need not
 12. pre-print the township name and the precinct number.
 13. That they can just print the words Official Ballot and
 14. then if the...this ballot envelope is used, the only time
 15. it is used is for write in votes. Then the judges can
 16. initial it and write in in ink the precinct number. It's
 17. a cost saving thing that was requested by the county
 18. clerks. I do not know of any opposition.
19. PRESIDING OFFICER:(SENATOR DONNEWALD)
 20. Is there further discussion? Question is, shall House
 21. Bill 681 pass. Those in favor vote Aye. Those opposed..
 22. Nay. The voting is open. Have all those voted who wish?
 23. Take the record. On that question, the Ayes are 55, the
 24. Nays are None. House Bill 681 having received the
 25. constitutional majority is declared passed. House Bill
 26. 687. Senator Graham, for what purpose do you arise?
27. SENATOR GRAHAM:
 28. A point of personal privilege...
29. PRESIDING OFFICER: (SENATOR DONNEWALD)
 30. State your point, Sir.
31. SENATOR GRAHAM:
 32. ...suggest to Senator Bruce when he wanted to adjourn
 33. awhile ago that the President of the Ohio Senate told me

1. that they had three hundred and twenty bills introduced
2. in the Senate this year and seven hundred and forty in
3. the House and amendments on 2nd reading were almost
4. totally unheard of. Maybe that's some of the reason.
5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Great. Senator Buzbee. ...just a moment. Is
7. Senator Buzbee on the Floor? Senator, do you wish your
8. bill called? Read the bill, Mr. Secretary.

9. SECRETARY:

10. House Bill 687.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Buzbee.

15. SENATOR BUZBEE:

16. Thank you, Mr. President. Mr. President, this is
17. a bill that was handled by Representative Walsh in...in
18. the House. It is an idea that originated with the Office
19. of Education. It is their bill. I asked to handle it in
20. the Senate because of the particular problem that I have
21. in my district. This provides for the 1977 and '78 school
22. year and thereafter reimbursement for special education
23. classes for children from orphanages, foster family homes,
24. children's homes or in State housing units shall be on a
25. current basis instead of on a reimbursement basis a year
26. behind as they are at the present time. So, because
27. these children fall under the category of wards of the
28. State they are not...they are not our local children.
29. But are wards of the State and the feeling from the
30. Office of Education is that that reimbursement ought
31. to be done on a current basis rather than a year behind.
32. Now we added an amendment the other day, actually it was
33. added in the committee, I believe, that would put on a sort

1. of a hold harmless clause. That is in my school district
2. right now, we are providing education for some sixty-nine
3. of these children in one particular nursing home. And we
4. have about a hundred and fifty, I believe it was, a hundred
5. and fifty thousand dollars invested last year in that
6. particular thing. This bill as it was originally written
7. ...would have simply said, that last year you don't ever
8. get reimbursed. We're going to reimburse you currently
9. this year. But from now on you won't ever get that one...
10. that one year. The 1976-'77 school year. So we put a
11. hold harmless on...on there saying if you ever go out
12. of business then you will get reimbursed for that 1976-'77
13. school year. As an example, we have no control over
14. whether this nursing home operator continues to operate
15. his home or not. If he decides to close it down that
16. portion of the operation and we don't have to provide
17. that educational service for those children any more.
18. Fine, but we would like to be reimbursed for that one
19. year, 1976-77. And so we do have a hold harmless clause
20. on there that at this point says that we're going to a
21. current reimbursement period...basis rather. However,
22. in the future if you ever close your program down, then
23. you will be reimbursed for the 76-'77 school year, which
24. you would not be reimbursed for otherwise. If I have
25. sufficiently confused everybody I would now ask for a
26. favorable roll call.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Is there further discussion? Senator Berning.

29. SENATOR BERNING:

30. Thank you, Mr. President. Yes. I...I believe you
31. have thoroughly confused me. I thought the hold harmless
32. was for the benefit of the school district not the nursing
33. home.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator Buzbee.
3. SENATOR BUZBEE:
4. Your absolutely right, Senator. It is for the benefit
5. of the school district not the nursing home. We provide
6. the education for the children in the nursing home. All
7. that I was simply trying to say was, if that nursing home
8. decides to close down his operation at some point.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Is there further discussion?

11. SENATOR BUZBEE:

12. ...Wait a minute. I'm not finished. If the nursing
13. home operator closes down his operation at some point, we
14. have, in fact, already provided the school services for
15. the school year 1976-'77 and we just want the State to re-
16. imburse us, the school district for that service. The
17. nursing home operator is not going to benefit in any way,
18. whatsoever, one way or the other from this bill.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Berning. Is there further discussion? Senator...
21. Question is, shall House Bill 687 pass. Those in favor vote
22. Aye. Those opposed Nay. The voting is open. Have all
23. those voted who wish? Take the record. On that question,
24. the Ayes are 55, the Nays are None. House Bill 687 having
25. received the constitutional majority is declared passed.
26. House Bill 688, Senator Weaver. Read the bill, Mr. Secretary.

27. SECRETARY:

28. House Bill 688.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Weaver.

33. SENATOR WEAVER:

1. Thank you, Mr. President and members of the Senate.
2. This is the annual appropriation for the downstate and the
3. Chicago Teachers Retirement System in the amount of two
4. hundred and eight million six hundred and fifteen thousand
5. eight hundred dollars and I'd appreciate a favorable roll
6. call.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Question is, shall House Bill...just a moment.

9. Senator Rock.

10. SENATOR ROCK:

11. Thank you. Just a question of the sponsor, Mr.
12. President.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Weaver indicates he will respond.

15. SENATOR ROCK:

16. With respect to these two retirement systems the
17. ...the request in House Bill 688 is the payout level.

18. Is that correct?

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Weaver.

21. SENATOR WEAVER:

22. I believe you're correct, Sir.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Is there further discussion? Question is, shall 688
25. pass. Those in favor vote Aye. Those opposed Nay. The
26. voting is open. Have all those voted who wish? Take the
27. record. On that question, the Ayes are 53, the Nays are
28. None. House Bill 688 having received the constitutional
29. majority is declared passed. House Bill 694, Senator
30. Bruce. Read the bill, Mr. Secretary.

31. SECRETARY:

32. House Bill 694.

33. (Secretary reads title of bill)

1. 3rd reading of the bill.
2. PRESIDING OFFICER: (SENATOR DONNEWALD)
3. Senator Bruce.
4. SENATOR BRUCE:
 5. Thank you, Mr. President and members of the Senate.
 6. We passed legislation which allowed for quarterly payments
 7. of special ed and transportation grants. This would ex-
 8. tend those quarterly payments, not just for next year, but
 9. for each future Fiscal Year. The bill was introduced just
 10. for next year and the thought was that we might as well
 11. just go ahead and extend it for each coming Fiscal Year.
 12. And the bill did...a two additional things. It removed the
 13. discretion of the Illinois Office of Education to determine
 14. the cash flow problems. This bill was drafted and no one
 15. can seem to remember why, but it said that the superintendent
 16. would have the discretion to see whether there was a...a
 17. crisis in cash flow. That has been removed along with the
 18. interest payments due to school districts because of the
 19. lateness of the payment. We've gone one year and the idea
 20. now without opposition is that we would delete those interest
 21. payments. I would ask for a favorable roll call on this
 22. legislation.
23. PRESIDING OFFICER: (SENATOR DONNEWALD)
 24. Is there further discussion? Question is, shall
 25. House Bill 694 pass. Those in favor vote Aye. Those
 26. opposed Nay. The voting is open. Have all those voted
 27. who wish? Take the record. On that question, the Ayes
 28. are 55, the Nays are None. House Bill 694 having re-
 29. ceived the constitutional majority is declared passed.
 30. House Bill 695. Senator Vadalabene. Read the bill, Mr.
 31. Secretary.
32. SECRETARY:
33. House Bill 695.

1. (Secretary reads title of bill)

2. 3rd reading of the bill.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Vadalabene.

5. SENATOR VADALABENE:

6. Yes, thank you, Mr. President and members of the
7. Senate. House Bill 695 permits school districts to
8. engage in services of a realtor in a sale of unused
9. school facilities. If the school district does not
10. receive an adequate bid at the public sale of the
11. building. It will be permitted to turn over the sale
12. of a property to a licensed realtor. Fees for such
13. services would be negotiable between the local school
14. board and the real estate broker. This bill
15. provides school districts with an additional means
16. through which to dispose of unnecessary facilities.
17. It enhances their opportunities to locate potential
18. buyers and obtain the highest possible price for such
19. buildings.. It grants school districts access of the
20. realtors knowledge of current market conditions and
21. his expertise in marketing techniques. These skills
22. which cannot be utilized fully under existing law could
23. provide school districts with needed resources during
24. times of economic difficulty and I would appreciate a
25. favorable vote.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Is there further discussion? Question is, shall
28. House Bill 695 pass. Those in favor vote Aye. Those
29. opposed Nay. The voting is open. Have all those voted
30. who wish? Take the record. On that question, the Ayes
31. are 48, the Nays are 2. 3 Voting Present. House Bill
32. 695 having received the constitutional majority is
33. declared passed. House Bill 696, Senator Vadalabene.

1. Read the bill, Mr. Secretary.
2. SECRETARY:
3. House Bill 696.
4. (Secretary reads title of bill)
5. 3rd reading of the bill.
6. PRESIDING OFFICER: (SENATOR DONNEWALD)
7. Senator Vadalabene.
8. SENATOR VADALABENE:
 9. Yes, thank you, Mr. President and members of the Senate. Why this bill is needed, in 1969 the consolidation of county wide educational service regions in multi-county regions began. And today eighteen of the seventy eight educational service regions are comprised of more than one county. And yet the regional superintendent in each of these eighteen regions continues to receive the same amount of supervisory expense money from the State that he received on...his region was comprised only one county of one thousand dollars. The bill amended Sections 8.6 of the School Code, which...required that each regional superintendent receive annually one thousand dollars for each county in his region for supervisory expenses and I would appreciate a favorable vote.
23. PRESIDING OFFICER: (SENATOR DONNEWALD)
 24. Is there further discussion? Question is, shall House Bill 696 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all those voted who wish? Take the record. On that question, the Ayes are 35, the Nays are 18. 1 Voting Present. House Bill 696 having received the constitutional majority is declared passed.
 30. House Bill 714, Senator Kenneth Hall. Read the bill...
 31. just a moment. Senator Kenneth Hall, for what purpose do you arise?
33. SENATOR KENNETH HALL:

1. Thank you, Mr. President. I'm going to hold this
2. pending what happens to Senator Chew's bill, House Bill
3. 41.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. The bill will be held.

6. SENATOR KENNETH HALL:

7. So we'll just hold it.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. House Bill 737, Senator Graham. Read the bill, Mr.

10. Secretary.

11. SECRETARY:

12. House Bill 737.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Graham.

17. SENATOR GRAHAM:

18. Mr. President and members of the Senate. If you
19. read the title of this bill and don't look at the entire
20. bill or the amendment you might easily be concerned. What
21. this bill does and why it is here comes about as a result
22. of so-called "tree trimming organizations" particularly
23. in the northeastern portion of Illinois who...who afford
24. us more destruction than they do construction. When it
25. comes to issuing contracts and trimming trees, particular-
26. ly at the municipal and/or park district level. This bill
27. simply states by allowing it...it deletes the clause that
28. requires that they have a college education in forestry.
29. It prescribes a little tighter recommendation with regard
30. to the written examination. We talk about registering
31. tree trimmers, Ladies and Gentlemen of this Senate, they
32. are registered now. And they must have a...a license
33. now. The most important function of this bill, is contained

1. in the amendment that we offered. It says any person
2. associated with the tree business as an employee or an
3. officer, who is directly responsible for contracts must
4. have a license. This is a reasonable request because here,
5. it could be a gentlemen and it happens. People have gone
6. out and gave themselves some contracts and made recommenda-
7. tions that were not,in fact, tree experts and had little or
8. no knowledge of the real damage they could do by issuing
9. a bad contract. They also, in many cases, when they have
10. been refused and caught up with, their organization then
11. will dismantle and this same unscrupulous guy will go buy
12. up another tree trimming outfit and he's back in business
13. again. All we're saying, in fact, is that if a man or a
14. company is going to be involved in issuing contracts for
15. trimming trees,where ever they may be, but particularly
16. in...municipalities, he should know something about his
17. business, such as required of plumbers and many other
18. people and I suggest this bill does entitle us to give
19. it a favorable vote. It's a good bill and we should
20. approve it.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Kenneth Hall.

23. SENATOR KENNETH HALL:

24. Would the sponsor yield to a question?

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Indicates he will.

27. SENATOR KENNETH HALL:

28. Senator Graham, the term tree expert. Now, what is
29. considered a tree expert?

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Graham.

32. SENATOR GRAHAM:

33. A...a tree expert is the one as the term defined by

1. Registration and Education. Those...requirements are on
2. the books. Those are people who go out and trim trees for
3. a living and are paid for being tree experts and they are
4. now currently licensed under Registration and Education.
5. And they do recommend this bill, too.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Kenneth Hall.

8. SENATOR KENNETH HALL:

9. Well, there's nothing in this bill that would...
10. prevent an individual from cutting his own trees, is there?

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Graham.

13. SENATOR GRAHAM:

14. No. And there's nothing really in this bill that
15. would prevent you from hiring a gardener to go out and
16. cut your trees. And if you want to hire someone that
17. doesn't know what the hell he's doing, that's your
18. privilege.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Is there further discussion? Question is, shall
21. House Bill 737 pass. Those in favor vote Aye. Those
22. opposed Nay. The voting is open. (Machine cut-off)
23. all those voted who wish? Have all those voted who wish?
24. Senator Buzbee, would you vote me Aye, please? I've
25. done that. Have all those voted who wish? Take the
26. record. On that question, the Ayes are 48, the Nays are
27. 4. House Bill 737 having received the constitutional
28. majority is declared passed. House Bill 741, Senator
29. Joyce. Read the bill, Mr. Secretary.

30. SECRETARY:

31. House Bill 741.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator Joyce.
3. SENATOR JOYCE:
 4. Thank you, Mr. President. This bill would permit the deposit of pension benefits directly in a bank or a savings association upon written request of the beneficiaries. It's where the downstate firemen's article...
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
 9. Is there further discussion? Question is, shall House Bill 741 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all those voted who wish? Take the record. On that question, the Ayes are 52, the Nays are None. House Bill 741 having received the constitutional majority is declared passed.
 15. House Bill 743, Senator Harber Hall. Read the bill, Mr. Secretary.
17. SECRETARY:
 18. House Bill 743.
 19. (Secretary reads title of bill)
 20. 3rd reading of the bill.
21. PRESIDING OFFICER: (SENATOR DONNEWALD)
 22. Senator Harber Hall.
23. SENATOR HARBER HALL:
 24. Mr. President and fellow Senators. 743 is Act to have the State establish in the Department of Public Health a program to aid hemophiliacs in this State. It's a serious problem for a very, very few people. It...it involves large...constant transfusions of blood at a cost that is...exceeds the power of individuals to cover.
 30. However, there are so few of them that the actual cost to the State in this program with this...with the amendment that we put on on 2nd reading is estimated to be about forty to forty-five thousand dollars per year. I

1. know of no objection to this. It's been worked on for
2. several years since the establishment of the blood
3. labeling bill in Illinois, which was objected to by
4. the Hemophiliac Society because of their concern for the
5. availability of blood in Illinois. Those problems have
6. been solved. The blood is available for them now, but
7. this program would establish the State program of
8. assistance to these. I'd solicit your support.
9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Is there further discussion? Question is, shall
11. House Bill 743 pass. Those in favor vote Aye. Those
12. opposed Nay. The voting is open. Have all those voted
13. who wish? Take the record. On that question, the Ayes
14. are 56, the Nays are None. House Bill 743 having received
15. the constitutional majority is declared passed. House Bill
16. 747. Senator Buzbee. Read the bill, Mr. Secretary.

17. SECRETARY:

18. House Bill 747.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Buzbee.

23. SENATOR BUZBEE:

24. Can we take this out of the record just a minute?

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Take it out of the record. House Bill 748. Senator
27. Buzbee. For what purpose do you arise? Just a moment.
28. You wish to call 747.

29. SENATOR BUZBEE:

30. Yes.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

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

33. SECRETARY:

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1. House Bill 747.
2. (Secretary reads title of bill)
3. 3rd reading of the bill.
4. PRESIDING OFFICER: (SENATOR DONNEWALD)
5. Senator Buzbee.
6. SENATOR BUZBEE:

7. Thank you, Mr. President. This is a bill that was
8. worked out that we have complete agreement from the
9. utilities now on...on the bill. What it does, it
10. prohibits a public utility from furnishing electrical
11. or gas service from considering the use of solar energy
12. by a customer as a basis for establishing higher rates
13. or charges for any service or commodity sold to such
14. customer and prohibits subjecting the customer to any
15. other prejudice or disadvantage on account of such use.
16. As I said we...it has been worked out with the utilities.
17. There's no objection to the bill that I'm aware of and I
18. would ask for a favorable roll call.
19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Is there further discussion? Question is, shall
21. House Bill 747 pass. Those in favor will vote Aye. Those
22. opposed Nay. The voting is open. Have all those voted
23. who wish? Take the record. On that question, the Ayes
24. are 50, the Nays are None. House Bill 747 having received
25. the constitutional majority is declared passed. House Bill
26. 748, Senator Buzbee. Read the bill, Mr. Secretary.
27. SECRETARY:

28. House Bill 748.

29. (Secretary reads title of bill)
30. 3rd reading of the bill.
31. PRESIDING OFFICER: (SENATOR DONNEWALD)
32. Senator Buzbee.
33. SENATOR BUZBEE:

1. Thank you, Mr. President. This bill provides for
2. the suspension pending commission hearings and investiga-
3. gations of any proposed fuel adjustment rate increase
4. based on increased cost for electrical power generation
5. or production or purchase of gas cost increases. And
6. no suspension shall exceed ninety days and again I think
7. we've worked it out with the utilities where they, to
8. the best of my knowledge, do not object to this and I
9. would ask for a favorable roll call.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Is there further discussion? Question is, shall
12. House Bill 748 pass. Those in favor vote Aye. Those
13. opposed Nay. The voting is open. Have all those voted
14. who wish? Take the record. On that question, the Ayes
15. are 53, the Nays are 1. One Voting Present. House Bill
16. 748 having received the constitutional majority is de-
17. clared passed. House Bill 750, Senator Hynes. Senator
18. Rock will...Read the bill, Mr. Secretary.

19. SECRETARY:

20. House Bill 750.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Thank you, Mr. President and Ladies and Gentlemen of
25. the Senate. House Bill 750 is an appropriation of one
26. hundred and twenty-five thousand dollars as amended.
27. Twenty-five thousand dollars in Federal funds and a hundred
28. thousand dollars to the Secretary of State for the expenses
29. of State activities preceding and in preparation for the
30. White House Conference on Library and Information Services
31. in Fiscal Year 1978. I know of no objection and I
32. would solicit a favorable roll call.
33. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

HB 760
6/27/77

1. Is there further discussion? Question is, shall House
2. Bill 750 pass. Those in favor vote Aye. Those opposed
3. Nay. The voting is open. Have all those voted who wish?
4. Take the record. On that question, the Ayes are 52, the
5. Nays are 2. House Bill 750 having received the constitu-
6. tional majority is declared passed. House Bill 760,
7. Senator Washington. Read the bill, Mr. Secretary.
8. SECRETARY:

9. House Bill 760.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Washington.

14. SENATOR WASHINGTON:

15. Mr. President. House Bill 760 had a thorough dis-
16. cussion several days ago. And out of that discussion
17. grew an amendment suggested by Senator Knuppel and con-
18. curred in by Senators Netsch, Egan and Bowers who
19. raised the same question. I think the bill is now the
20. form acceptable to the Body. It provides that testimony
21. as to past sexual conduct of a prosecuting witness in a
22. rape case opinioned evidence as to her sexual conduct
23. and evidence as to specific acts of sexual conduct with
24. the defendant in the past are admissible if ruled admiss-
25. ible and relevant by the trial court judge in camera. I
26. know of no opposition of the bill in its present form.
27. I solicit your support.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Is there further discussion? Senator Guidice.

30. SENATOR GUIDICE:

31. Thank you, Mr. President. Will the sponsor yield to
32. a question?

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Indicates he will.
2. SENATOR GUIDICE:
 3. We indicate in this bill here that in only two instances
 4. now that we will allow this particular defense to be used.
5. Is that correct, Senator Washington?
6. PRESIDING OFFICER: (SENATOR DONNEWALD)
7. Senator Washington.
8. SENATOR WASHINGTON:
 9. That's correct and I can't imagine any other categories
 10. which would...which would fall here. You're dealing one
 11. in the area of opinioned evidence and the bill very
 12. specifically says that it's admissible depending upon
 13. the discretion of the trial court judge. And the other
 14. specific acts of sexual conduct with the defendant in the
 15. past, and that, too, is admissible. I can think of no
 16. other category.
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. Senator Guidice.
19. SENATOR GUIDICE:
 20. Well...well when this particular witness and that
 21. being the...the complainant in this particular case gets
 22. on the stand and starts bringing in her...her reputation and
 23. her for truthfulness and veracity and the like and all...
 24. all the other defenses that go along with it when she takes
 25. the particular stand. When she takes the stand, why would
 26. we omit those particular...we're being very selective here
 27. when we're only allowing it in two instances rather than
 28. the...the present situation as it exists.
29. PRESIDING OFFICER: (SENATOR FONNEWALD)
30. Senator Washington.
31. SENATOR WASHINGTON:
 32. Well, I know of no other way you could impeach her,
 33. in response to her testimony as to her character and so

1. forth. It doesn't preclude rebuttal testimony negating
2. that testimony of hers. It simply provides that it must
3. be screened by the trial court judge. What we've done
4. here, I think, is struck a happy balance. In the one
5. area we've protected the prosecuting witness against
6. scurrilous and unfounded allegations, and too, we are
7. certainly protecting the defendant in the sense that
8. ...evidence that was admissible prior to the past of
9. this act if it passes is also admissible. Other states
10. have done this and all that we're saying here is if
11. you have that kind of testimony to impeach the character
12. of a prosecuting witness in a rape case then you take one
13. step to an offer of proof in camera to a court, you can
14. screen that testimony if the judge says it's relevant and
15. admissible it comes in. It doesn't change the basic law,
16. Senator Guidice. It simply provides a safeguard for the
17. prosecuting witness without doing a disservice, as I see
18. it, to the defendant.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Guidice.

21. SENATOR GUIDICE:

22. Well, I...I disagree with you, Senator Washington.
23. I think it does change the existing law. I...I see no
24. ...or no problem as far as going into an in camera pro-
25. ceeding. But it...it should be regarding all the evidence
26. concerned in that particular field, if that's what you
27. want to do. I would be opposed to this bill because
28. it does change the rights of the defendant and he...he's
29. the one that has to have his...his day in...in court and
30. has to be given his...his basic rights. So I...I would
31. still stand opposed to this bill in its present form.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Daley.

1. SENATOR DALEY:

2. Mr. President, fellow Senators. It's very difficult
3. to even question someone in regards to this bill because of
4. the crime involved. But a year ago we got a number of these
5. bills and the only reason why they're introduced, these
6. bills, this bill and also another bill coming on and
7. changing a new crime, bringing aggravated rape is because
8. the state's attorneys throughout the State cannot prosecute
9. or not getting a good conviction record. And I told the
10. sponsor of the bill that the state's attorneys should
11. get better qualified people. Better investigators and
12. then prosecute the cases. We're making, bringing this
13. bill into effect, making it admissible to go into the
14. past sexual conduct of the...of the complainant. I think
15. it changes the law, as well as, the bill is just helping
16. the state's attorneys because they don't think this is
17. a crime that should be put...place...better prosecutors
18. or investigators. This is strictly a PR bill.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Is there further discussion? Senator Washington may
21. close.

22. SENATOR WASHINGTON:

23. Well, I don't know if the prosecutors in the State
24. support this bill. If they don't they should. But in-
25. sofar as pressuring for this bill, it's unknown to me,
26. Senator Daley. This bill is the work product of the
27. House Rape Study Committee, which has been working for
28. three years on this subject. And they've taken testimony
29. from judges and police officers and prosecutors and
30. witnesses, victims of rape. They've even interviewed,
31. if you will, past people who've been convicted of rape.
32. I don't think it changes the basic law at all. It leaves
33. it wide open. It simply adds one ingredient which other

1. states have utilized very effectively. I don't know if
2. the rape convictions score will go up, but I do know
3. that it's totally unnecessary. It's debilitating. It's
4. frustrating. It's degrading to trot a woman up on front
5. of a court who is bringing a prosecution based on rape
6. and to run the whole plan or plea of her past sexual conduct
7. in front of her if it is not relevant. And that's all
8. this bill does. The safeguard to the defendant is the
9. judge. And I simply cannot believe that if relevant
10. testimony bearing upon the credibility of a prosecuting
11. witness is presented to a court to a judge in camera
12. and that judge has a chance to weigh it. I simply do
13. not see that judge negating the admissibility or re-
14. levancy of such testimony. It's a good bill. It's a
15. forward thinking bill. It might increase the rape
16. convictions, I don't know. But I certainly think it
17. will induce more victims of rape to come into court and
18. not feel that they're going to be harrassed unnecessarily
19. by defendants counsel. This is a good bill. It's a well
20. balanced bill. It's had the acceptability of the Gentleman
21. who raised questions on 2nd reading. I solicit your
22. support.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Egan. ...the debate was closed. I asked if
25. there was further debate.

26. SENATOR EGAN:

27. Well, I...I, Mr. President, I'm sorry. Senator Graham,
28. I have to support in...in the entirity of his remarks about
29. the noise. But I'm sorry I didn't hear you say that. I
30. would just like to make the remark that this bill is de-
31. signed to facilitate the prosecution of rape. And, in my
32. opinion, I think that that in and of itself is a good thing.
33. We...we attended to the bill on 2nd reading to make sure

1. that it did not prejudice the defendant's rights. I think
2. it does that. What it does, particularly, do, is that it
3. would definitely, statutorily eliminate from the trial any
4. prejudicial evidence about the private...the...the complaining
5. witnesses background relative to the slightest bit of sexual
6. promiscuity and it facilitates the...the whole prosecution
7. of the crime of rape and I support the bill.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Question is, well, Senator Guidice, for...we, Senator
10. Guidice.

11. SENATOR GUIDICE:

12. Thank you, Mr. President. I'd like to point out one other
13. thing here and...I...just talking to the Representative.
14. You know if...if we get into a matter where a woman has
15. been promiscuous with five individuals in a row and she
16. decides on the sixth one to indicate that, well, you know,
17. he raped her. That's going to go to an in camera proceedings
18. and that court and that judge might rule at that time
19. that that evidence shouldn't come into play. And it's not
20. going to be out before a jury. Certainly, he's going to have
21. his right to appeal, but this is going to cost the defendant
22. money. And we got a lot of people who can't afford to go
23. into appeals and they're going to have to take this kind of
24. rap. So this is still a bad bill.

25. PRESIDING OFFICER:(SENATOR DONNEWALD)

26. Senator Washington.

27. SENATOR WASHINGTON:

28. Just to respond to Senator Guidice. I think he's raising
29. up a straw issue. Take the hypothetical case he poses. If
30. the prosecuting witness has had sexual conduct with four
31. men prior...and then with him number five and that testi-
32. mony is presented to the trial court judge in camera. Let
33. him weigh it. We can't weigh it here. That's what judges are

1. for. That's why we pay them these atrocious salaries to
2. do this kind of work. We have to assume they're competent
3. and we have to assume...we have to assume that they're going
4. to rule relevant and admissible testimony which bears upon
5. the credibility of the prosecuting witness. That's all
6. this bill does. It adds some uniformity and cohesion to
7. the...to the...to the trial of rape defendants as Senator
8. Egan says. I think it's a good bill. I ask your support.
9. PRESIDING OFFICER:(SENATOR DONNEWALD)

10. The Chair wants to observe that we and I'm sure the
11. members are fully aware that we have a very, very long day
12. ahead. Now I...when I do close debate I think the members
13. should be alert and ready to debate prior to my doing that
14. and I would certainly request and anybody else up here
15. presiding would request that you be in your seats and
16. be on the ball for the rest of the day. The question is,
17. shall House Bill 760 pass. Those in favor vote Aye. Those
18. opposed Nay. The voting is open. Have all those voted
19. who wish? Have all those voted who wish? Take the record.
20. On that question, the Ayes are 31, the Nays are 12. 5
21. Voting Present. House Bill 760 having received the consti-
22. tutional majority is declared passed. Senator Guidice. House
23. Bill 761, Senator Rock. Read the bill, Mr. Secretary.

24. SECRETARY:

25. House Bill 761.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Rock.

30. SENATOR ROCK:

31. Thank you, Mr. President and Ladies and Gentlemen of
32. the Senate. House Bill 761 is an amendment to the Child
33. Care Act, which would statutorily allow or give the authority

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1. to the Department of Children and Family Services to investigate the backgrounds of those persons who are applicants for licensing as foster parents. As I'm sure you are aware under the Federal Privacy Act the department could not obtain this kind of...background information, especially criminal background information or potential criminal background from the police departments or our own Department of Law Enforcement without statutory authority. That's the reason for this bill. It has undergone two amendments. Amendment by Senator Schaffer to make it clear that any employee of the department who gives or releases this kind of confidential background information is...is...would be guilty of a Class A misdemeanor. Secondly, it was amended by Senator Newhouse to reflect what I understand is the current practice of the Department of Public Aid with respect to requiring parents or persons having their children under six to accept employment. I know of no objection to the bill as amended and I would solicit your favorable support.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Is there further discussion? Question is, shall House Bill 761 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all those voted who wish? Take the record. On that question, the Ayes are 54, the Nays are None. House Bill 761 having received the constitutional majority is declared passed.

27. House Bill 763. Read the bill, Mr. Secretary.

28. SECRETARY:

29. House Bill 763.

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 and Ladies and Gentlemen of
3. the Senate. House Bill 763 would provide for a reduction
4. of disability or survivors benefits under five of the
5. State pension systems when an individual has already re-
6. ceived Workmen's Compensation or Workmen's Occupational
7. Disease benefits for the same injury. In other words,
8. this...prevents a windfall or a double recovery of bene-
9. fits and, thereby, would save the pension system some money.
10. It brings these five pension systems in line with the other
11. pension systems of the State. I appreciate a favorable
12. roll call.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Is there further discussion? Question is, shall
15. House Bill 763 pass. Those in favor vote Aye. Those
16. opposed Nay. The voting is open. Have all those voted
17. who wish? Take the record. On that question, the Ayes
18. are 55, the Nays are None. House Bill 763 having re-
19. ceived the constitutional majority is declared passed.
20. House Bill 766. Read the bill, Mr. Secretary.

21. SECRETARY:

22. House Bill 766.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. - PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Leonard.

27. SENATOR LEONARD:

28. Mr. Chairman, this creates an eighteen member commission.
29. Ten of them will be Legislators. Eight will be public members.
30. Four of those will be appointed by the leadership of the
31. Legislature. Four will be appointed by the Governor. It
32. is to terminate in 1979. It is to study major land use
33. problems and report back to this Body. It will study the

1. affect of State law that already is relating to land use
2. and the problems between regional and local governments
3. on these matters. And I ask for a favorable vote.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Any discussion? Senator Regner.

6. SENATOR REGNER:

7. Yes, Mr. President and members of the Senate. I rise in...

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Regner.

10. SENATOR REGNER:

11. I rise in opposition to this bill. The way I read it,
12. it's a first step to proposing of regional government. Now
13. anyone that believes in home rule or individual decisions
14. on what they want to do in their own home or local govern-
15. ment certainly should be opposed to this bill. It suggests
16. that they report back and make recommendations to the
17. General Assembly and when you look at the composition
18. and the membership the people most effected by this kind
19. of a commission and this kind of a study the local
20. governments really aren't represented very well in the
21. makeup of this commission. I...like I said we had one
22. in a couple of years ago that would prevent any Udall or
23. Jackson bill from having any effect on Illinois. We just
24. do our own study and that...that was defeated this time.
25. But this one has no protections against any Federal
26. imposition into the State of Illinois or any other State.
27. And I suggest this is a very bad commission. It...pro-
28. posing some fifty sum thousand dollars expenditures and
29. I would urge it's defeat.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Further discussion? Senator Philip. All right. Let's
32. have...wait. Let's have a little bit of order. We've got
33. three or four more members who have indicated they wish to

1. be heard on this bill. Senator Philip.

2. SENATOR PHILIP:

3. Thank you, Mr. President and Ladies and Gentlemen of
4. the Senate. I also rise to voice my opposition to this
5. useless commission. Every other State in the Midwest
6. who has come to this same type of commission two or three
7. or four later, if it ends up in State-wide zoning. Takes
8. away from local control and I suggest to you this is what
9. this commissions end aim is. And it's a bad concept and
10. I would certainly think that we ought to vote No. It's
11. another useless commission, Senator Joyce. And you've
12. been voting No against all the commissions. Here's an-
13. other chance for you. In Northern Illinois we have NIPC.
14. If there's any area we should have planning in, it's in
15. northern Illinois that where there is heavy growth. And
16. NIPC takes care of that problem now. And I have a lot
17. of questions on NIPC. And this is a needless, useless
18. commission and ought to be voted down.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. . . Further discussion?, Senator Berning.

21. SENATOR BERNING:

22. Thank you...Thank you, Mr. President. It appears to
23. me that this bill would be...or this commission established
24. by this bill would be very much duplicatory of efforts by
25. the Zoning Study Commission of a session or two ago. Which
26. commission did a very comprehensive job and made some very
27. important and worthwhile recommendations to the General
28. Assembly. All of which were summarily rejected. The
29. intent here is probably laudable, but I think we've been
30. over that ground already. It does establish another
31. commission and I think we ought to reject this one on
32. the basis that the objectives have already been tried and
33. found wanting.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Any further discussion? Senator Leonard may...
3. oh, Senator Wooten.
4. SENATOR WOOTEN:
5. I simply want to make the point, Mr. President, that
6. one of our problems in this Body, is we tend to deal with
7. problems just a few years too late. You mention the word
8. land use and everyone flies into a panic. I think the
9. prudent and practical approach for any Legislature who's
10. interest runs beyond the next year or so, would be to
11. look forward to address seriously the problem of the
12. management of our resources. And to shy away from that
13. to say that it's already taken care of at a local level
14. is simply to avoid problems which are going to be
15. manifest before the next generation takes over. I think
16. if we are a responsible Body we ought to look into the
17. problems this commission is designed to address.
18. PRESIDING OFFICER: (SENATOR ROCK)
19. Further discussion? Senator Mitchler.
20. SENATOR MITCHLER:
21. I hesitated to rise on this, but when you look at
22. this, this is the Land Resources Management Study Commission.
23. And out of this can come only one thing. The Land Re-
24. sources Management Act. All of State of Illinois. The
25. State of Illinois does not have any zoning. We leave that
26. to the county, the township, the municipalities. Now,
27. the way our land is being used you can look at it and
28. figure it out any way you want to, but it's a pure case
29. of economics. Now Senator Knuppel over there said that
30. he has six hundred acres some place in his district or
31. in Illinois here somewhere and he's going to continue
32. farming that. But if somebody comes along and offers him
33. ten thousand dollars an acre, he's going to consider

1. and very seriously consider using it for other purposes.
2. Now it's pure economics. And the people that get all ex-
3. cited about this, sure, more land is leaving farm production
4. every year. But we're producing more with the land we got
5. by using technology. And all of this has been studied over
6. and over again. I've got a file, I don't know how thick.
7. I'm going to have to get another file drawer to have on
8. land use. The Federal Government studied it. They've
9. studied it here. And as Senator Berning pointed out, we
10. had the Zoning Laws Study Commission and they made a lot
11. of recommendations. But out of this can only come the
12. one thing and that was alluded to by Senator Philip.
13. Land Resources Managing...Management Act. With the
14. State of Illinois getting into zoning and land control.
15. Why spend this fifty-five thousand dollars to study
16. something that's been studied to death already.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Any further discussion? All right. Senator
19. Leonard may close the debate.

20. SENATOR LEONARD:

21. I'd like...I'd like to clear up. Let's have no
22. misunderstanding on what this is about. I am intrigued
23. by the arguments that come from the other side of the
24. House considering that the Governor of this State is for
25. it. This is...this is not giving up on land use. This is
26. not the Federal Government. This is the State Government.
27. There are eighteen members on this commission. We start
28. out by putting ten members of the Legislature on. There
29. are eight other public ones. The Legislature picks half
30. of them. The Governor picks half of them. There is a
31. great deal of control on land use. Someone said I'm
32. concerned about NIPC. Therefore, I'm against this.
33. Gentlemen, if you're concerned about NIPC be for this

1. this is our study to find out what there is. To take a
2. look at what already exists and make recommendations as to
3. how a Body such as this can have some say and what direction
4. we ought to go. The recommendations that this commission
5. brings back will depend on the people in this Body and I
6. ask for passage.

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10. (End of reel)

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1. PRESIDING OFFICER: (SENATOR ROCK)
2. The question is shall House Bill 766 pass. Those in favor will vote Aye. Those opposed will vote Nay.
3. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question
4. the Ayes are 30, the Nays are 18, none Voting Present.
5. House Bill 766 having received a constitutional
6. majority is declared passed. Senator Regner, for
7. what purpose do you arise?
8. SENATOR REGNER:
Verification.
9. PRESIDING OFFICER: (SENATOR ROCK)
Senator Regner has requested a verification of the affirmative votes. Will the members please be in their seats. And will those not entitled to the Floor, please vacate. Secretary will read the affirmative votes.
10. SECRETARY:
The following voted in the affirmative: Berman, Bruce, Buzbee, Carroll, Clewis, Coffey, Collins, Daley, Demuzio, Egan, Glass, Harber Hall, Kenneth Hall, Hickey, Joyce, Knuppel, Kosinski, Leonard, Maragos, Netsch, Newhouse, Rhoads, Rock, Schaffer, Shapiro, Smith, VadalaBene, Washington, Wooten, Mr. President.
11. PRESIDING OFFICER: (SENATOR ROCK)
Senator Regner. Senator Daley on the Floor?
Senator Daley on the Floor? Remove his name from the record. Yes, sponsor has requested consideration postponed. It will be postponed. Senator Walsh, 778. On the Order of House Bills 3rd reading is House Bill 778. Read the bill, Mr. Secretary.
12. SECRETARY:
House Bill 778.

1. (Secretary reads title of bill)
2. 3rd reading of the bill.
3. PRESIDING OFFICER: (SENATOR ROCK)
4. Senator Walsh.
5. SENATOR WALSH:
 6. Mr. President and members of the Senate. House
 7. Bill 778 will provide just as described in the
 8. Calendar. Provides that where a home rule municipality
 9. has imposed a real estate transfer tax, the county
 10. recorder may not transfer title without proof of
 11. payment of the tax. This would...would assist those
 12. municipalities which have adopted real estate transfer
 13. tax to see to the payment of that tax. I would urge
 14. your support.
15. PRESIDING OFFICER: (SENATOR ROCK)
 16. Is there any discussion? The question is shall
 17. House Bill 778 pass. Those in favor will vote Aye.
 18. Those opposed will vote Nay. The voting is open.
 19. Have all voted who wish? Have all voted who wish?
 20. Take the record. On that question the Ayes are
 21. 54, the Nays are none, none Voting Present. House
 22. Bill 778 having received a constitutional majority
 23. is declared passed. Senator Nimrod. On the Order
 24. of House Bills 3rd reading, House Bill 796. Read
 25. the bill, Mr. Secretary.
26. SECRETARY:
 27. House Bill 796.
 28. (Secretary reads title of bill)
 29. 3rd reading of the bill.
 30. PRESIDING OFFICER: (SENATOR ROCK)
 31. Senator Nimrod.
 32. SENATOR NIMROD:
 33. Yes, thank you, Mr. President and Ladies and Gentlemen
 34. of the Senate. What this bill does is it provides for

1. the confirmation to put in legislative language the Attorney
2. General's opinion that this particular right is implicit.
3. And what we want to do in this particular bill is make
4. it explicit. And putting this into the law, of course, only
5. allows them to enforce the right that they already have to
6. do. And we know that this is subject however to the
7. rights of the witnesses if they so choose, but it does
8. give the right...the Legislature is exempt and so are
9. the courts. But I would like to...be happy to answer
10. any questions pertaining to this bill. If not, I would
11. ask for a favorable roll call.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Is there any discussion? Senator Donnewald.

14. SENATOR DONNEWALD:

15. Well, I...I believe, Mr. President and members of
16. the Body that this is duplication again. We already
17. have a Statute on the books and I think this is
18. totally unnecessary.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Further discussion? Senator Nimrod may close the
21. debate.

22. SENATOR NIMROD:

23. Yes, thank you, Mr. President. I just want to state,
24. Senator Donnewald, that I have in my hand here from
25. the Journal Courier in Jacksonville on May 17th, the
26. most recent dates that are involved, that there was
27. a physical removal of a television crew from a
28. hearing and in opposition to the right which they
29. already have and I would hope that all this bill
30. does is put the Attorney General's opinion into
31. Statutes. We have many cases where we do not have
32. ...we have this problem, we have done this before
33. and I would urge for a favorable roll call.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. The question is shall House Bill 796 pass. Those
3. in favor will vote Aye. Those opposed will vote Nay.
4. 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 34, the Nays are 5, 2 Voting Present.
7. House Bill 796 having received a constitutional
8. majority is declared passed. On the Order of House
9. Bills 3rd reading, House Bill 806. Read the bill,
10. Mr. Secretary.
11. SECRETARY:
12. House Bill 806.
13. (Secretary reads title of bill)
14. 3rd reading of the bill.
15. PRESIDING OFFICER: (SENATOR ROCK)
16. Senator Netsch.
17. SENATOR NETSCH:
18. Thank you, Mr. President. The bill creates a
19. Real Estate Rental Finding Service Act and provides
20. for licensing of those who are engaged in the business,
21. although the licensing is really more a registration
22. than a pure licensing act. It's intended to deal
23. with a problem that has become very difficult for a
24. lot of people throughout the State and...and certainly
25. in the Chicago Metropolitan Area where people who purport
26. to find real estate, in fact, engage in some practices
27. which are fraudulent and misrepresentative of what
28. they have available and in the process they often charge
29. a fee for it, so that they're...large number of people
30. who, in fact, have been harmed by those who purport
31. to engage in the business. The Attorney General has had
32. to...has had about hundreds of complaints in the last
33. year or so about this business and has had to attempt

1. to go after some of these people, but has indicated
2. through their Consumer Fraud Office that a licensing
3. act would be very helpful to them. The real estate
4. brokers have strongly supported this because they
5. have also found that the business has been greatly
6. abused and the amendments that we have made to the
7. act have cleared up all the problems that the
8. Department of Registration and Education had with
9. it. They now feel that if they have no additional,
10. other responsibilities added this year that they
11. could administer it without any additional personnel.
12. I think the bill has been put in very good shape
13. now and I would solicit your support.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Is there any discussion? Senator Mitchler.

16. SENATOR MITCHLER:

17. Mr. President and members of the Senate. I guess
18. there's exception to all rules, but I thought the
19. sponsor of this bill in the Senate here was opposed
20. to all these licensing and regulations, but I
21. guess this is an exception to the rule.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Further discussion? Senator Netsch may close the
24. debate.

25. SENATOR NETSCH:

26. I...I will also respond to Senator Mitchler. I
27. think I pointed out because you are right in your
28. basic premise, Senator Mitchler, that although it
29. is formally called a licensing act, it does not have
30. any of the complicated structure. The prequalification
31. and so forth that is typically involved...it is really
32. just a registration act.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. The question is shall House Bill 806 pass. Those
2. in favor will vote Aye. Those opposed will vote Nay.
3. The voting is open. Have all voted who wish? Have all
4. voted who wish? Take the record. On that question
5. the Ayes are 48, the Nays are none, 2 Voting Present.
6. House Bill 806 having received a constitutional
7. majority is declared passed. On the Order of House
8. Bills 3rd reading, House Bill 818. Read the bill,
9. Mr. Secretary. ...the bill has not yet returned from
10. Enrolling and Engrossing. We will go get it physically
11. and bring it back. In the meantime on the Order of
12. House Bills 3rd reading, House Bill 819, Senator
13. Berman. Read the bill, Mr. Secretary.

14. SECRETARY:

15. House Bill 819.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Berman.

20. SENATOR BERMAN:

21. Thank you, Mr. President and Ladies and Gentlemen
22. of the Senate. House Bill 819 makes changes to the
23. Structural Pest Control Act that was passed two years
24. ago. In that period of time, it was found that the
25. provisions in that bill really hamstrung part of
26. the industry rather than giving it proper regulation.
27. The purpose of this bill is to provide the categories
28. of regulation into the commercial businesses which
29. render pest control services and to the...and to
30. the in-house activities of the non-commercial pest
31. control activities. The bill has been supported by
32. the Department of Public Health, by the industry.
33. I'm aware of no opposition. It passed out of committee
34. without a descending vote. Be glad to respond to

1. any questions. Solicit your Aye vote.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. There any discussion? The question is shall House

4. Bill 819 pass. Those in favor will vote Aye. Those

5. opposed will vote Nay. The voting is open. Have

6. all voted who wish? Have all voted who wish? Take

7. the record. On that question the Ayes are 52, the

8. Nays are none, none Voting Present. House Bill 819

9. having received a constitutional majority is

10. declared passed. On the Order of House Bills 3rd

11. reading, House Bill 818. Read the bill, Mr. Secretary.

12. SECRETARY:

13. House Bill 818.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Demuzio.

18. SENATOR DEMUZIO:

19. In...thank you, Mr. President. House Bill 818, the
20. bill amends the Soil and Water Conservation District
21. Law to allow the Department of Agriculture to develop
22. a comprehensive State erosion and sediment control
23. program and to establish guidelines for the implementation
24. of such a program by the Soil and Water Conservation
25. Districts in Illinois. The department will consult
26. and advise with the Soil and Water Conservation Districts
27. Advisory Boards in regard to a State erosion and sediment
28. control program and the bill provides requirements
29. for the department to meet in critera for consideration
30. in the development of the program. The Soil and Water
31. Conservation Districts would adopt erosion and sediment
32. control programs at the local level with the assistance
33. of the local advisory committee. The advisory committee

1. will consist of representatives of agriculture, business,
2. commerce, financing and other various groups. This bill
3. had several objections to it by the Illinois Agriculture
4. Association, the Home Builders Association, the Municipal
5. League. I've removed by various amendments all of the
6. penalty provisions. We have made it a totally...a voluntary
7. program. The IAA, the Illinois Agriculture Association
8. now supports this program as well as the Soil and Water
9. Conservation...State office as well as the Department
10. of Agriculture, the Metropolitan Sanitary District
11. has no objections to the program. I think that it's
12. been completely worked out at this point and I ask for
13. your favorable support.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Is there any discussion? Senator Bowers.

16. SENATOR BOWERS:

17. Would the sponsor yield to a question?

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Sponsor indicates he will yield. Senator Bowers.

20. SENATOR BOWERS:

21. Senator Demuzio, at one time I expressed some
22. concern about this bill in that it regulated the subdivision
23. of property within municipalities and counties that
24. had a Subdivision Control Act. Now are they exempted
25. out of it as it stands today?

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Demuzio.

28. SENATOR DEMUZIO:

29. It is my understanding that the...with the various
30. amendments, it makes the total a voluntary program as
31. far as the exemption that you're...that you are addressing
32. yourself to. It originally had changed the districts,
33. it now provides that the same districts that are in

1. existence now will be that which will be implementing
2. the program at the local level. I don't know if that
3. answers your question or not.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Bowers.

6. SENATOR BOWERS:

7. Well, it doesn't really because...the bill was
8. originally drafted there isn't any question in my
9. mind that it gave this...this appointive Body control
10. over the subdividing of property and I...and I...that's
11. not acceptable to me. I thought there was an amend-
12. ment put on that...that stated that where the municipi-
13. pality and the county or any local government controls
14. the subdivision of land that it made it clear that
15. this...this appointive Body would not anymore...or would
16. not control the subdivision of land. It doesn't today
17. and I...and I am concerned about that.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Demuzio.

20. SENATOR DEMUZIO:

21. Well, I think that the section, I believe that
22. you're referring to is Section 3.2...12 on page 4.
23. It...we have put in that landscaping repairs, maintenance
24. of any plat or subdivision approved by the...municipality
25. or county units of government. And I think that's the
26. section that you're referring to and I think we have by
27. virtue of this clean up this problem, I believe.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Bowers.

30. SENATOR BOWERS:

31. Is the language you just read an exception to the
32. bill, exception to the application to the act?

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Demuzio.

2. SENATOR DEMUZIO:

3. Well, it's...it's the language that we had put into
4. this bill. It is now amended in by virtue of Amendment
5. No. 1.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Bowers.

8. SENATOR BOWERS:

9. Well, I...I'm still not clear. I thought that
10. amendment excepted from the act those...those provisions
11. or those that language you just read is an exception to...
12. to the application of the act and if it is that takes
13. care of it and that's...that's my question.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Demuzio.

16. SENATOR DEMUZIO:

17. I'm sorry. I...I understand your problem now.
18. Well under that section, that section dealt with
19. the land disturbing activity. And let...let me just
20. read it to you so you might catch it. Land disturbing
21. activity means any change in land which may result in
22. soil erosion from water or wind and the movement
23. of sediments into State waters and or under the lands
24. of the State including but not limited to the...the
25. tiling, clearing, grating, excavating, rehabilitation,
26. transporting, depositing or filling of land other than
27. the Federal lands. Land disturbing activity does
28. not include such minor activities as home gardens,
29. individual home landscaping, repairs, maintenance of
30. any plat or subdivision approved by municipal or
31. county units of government. This act shall encourage
32. the establishment of sediments and erosion control
33. ordinances at the municipal and county levels. It

1. does not mandate it.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Further discussion? Senator Berning.

4. SENATOR BERNING:

5. Thank you, Mr. President. I think my question has
6. been answered.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator McMillan.

9. SENATOR McMILLAN:

10. Mr. President and members of the Senate. I simply
11. rise to support the bill as it's been amended. The
12. problems have been worked out and I seek a favorable
13. roll call on it.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Walsh. Senator Harber Hall.

16. SENATOR HARBER HALL:

17. Well, would the sponsor yield for a question?
18. I...I just wonder. Senator Demuzio, why we need this
19. when we have the United States Department of Agriculture
20. Stabilization Conservation Service which does all of these
21. things right now.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Walsh, I mean, Senator Demuzio.

24. SENATOR DEMUZIO:

25. Yes, Senator Hall, this bill was requested by the
26. Department of Agriculture by the Director, John Block.
27. I can assume that what they want to do is to have some
28. ...some rules and regulations that are simply voluntary,
29. that each district is following, it establishes a State
30. plan. Those, I would assume, follows the Federal
31. regulations impertinent to the question that you addressed
32. plus the fact that we have the legislation at the State
33. level with the involvement of the Department of Agriculture.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Senator Glass.
3. SENATOR GLASS:
4. Mr. President, I have just a procedural question that
5. I think may alleviate some of the problem rising on this
6. bill. I understand we're fast approaching our deadline,
7. but it seems to me that bills which have been amended
8. today, at least might be held till a later order of
9. business to give members an opportunity to examine them.
10. And I just make that suggestion.
11. PRESIDING OFFICER: (SENATOR ROCK)
12. That...that suggestion frankly, is a good one Senator.
13. I'm...I'm not opposed. Last night when we did not get
14. to the order of recalling bills on 3rd reading the
15. Presiding Officer indicated that it would be done this
16. morning and then we could proceed, but if, however, if
17. there's strong objection or if the members request
18. as a courtesy that it be held out, I think it should
19. be. Senator Demuzio, can we take this from the record,
20. it might...All right. Take it from the record. 820,
21. Senator Bloom. Senator Graham, for what purpose do
22. you arise?
23. SENATOR GRAHAM:
24. I rise for the purpose of making an announcement
25. that might be helpful, Mr. President. With regard to
26. the suggested Republican Caucus, I've checked with
27. the leadership and to give all of you people an
28. opportunity to order your lunches and if we'll listen
29. you'll find out what we're...planning on doing. After
30. the Special Order of Business, which I am...advised
31. will convene at 2:00 o'clock...
32. PRESIDING OFFICER: (SENATOR ROCK)
33. That is correct.

1. SENATOR GRAHAM:
2. ...right after the Special Order of Business then
3. we will propose to have a Republican Caucus, so those
4. who want to order their lunch will know what the
5. plan is.
6. PRESIDING OFFICER: (SENATOR ROCK)
7. Thank you, Senator. 825, Senator Vadalabene.
8. On the Order of House Bills 3rd reading, House Bill 825.
9. Read the bill, Mr. Secretary.
10. SECRETARY:
11. House Bill 825.
12. (Secretary reads title of bill)
13. 3rd reading of the bill.
14. PRESIDING OFFICER: (SENATOR ROCK)
15. Senator Vadalabene.
16. SENATOR VADALABENE:
17. Yes, thank you, Mr. President and members of the
18. Senate. House Bill 825...transfers ten percent of
19. the Hotel Operators' Occupation Tax Fund to the
20. Department of Business and Economic Development for
21. the creation of a tourism promotion fund. The sponsors
22. of this bill, the hotel endorsed this or the Hotel, Motel
23. Association, the State Chamber of Commerce, the Springfield
24. Convention and Tourism Commission and the Central Illinois
25. Tourism Council and I would appreciate a favorable vote.
26. PRESIDING OFFICER: (SENATOR ROCK)
27. Any discussion? The question is shall House Bill
28. 825 pass. Those in favor will vote Aye. Those opposed
29. will vote Nay. The voting is open. Have all voted who
30. wish? Have all voted who wish? Take the record. On
31. that question the Ayes are 48, the Nays are 4, 3 Voting
32. Present. House Bill 825 having received a constitutional
33. majority is declared passed. Senator Buzbee, 830. Page 6,

1. yes. On the Order of House Bills 3rd reading is House
2. Bill 830. Read the bill, Mr. Secretary.

3. SECRETARY:

4. House Bill 830.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. All right, Gentlemen, could we have a little order.

9. Senator Buzbee.

10. SENATOR BUZBEE:

11. Thank you, Mr. President. This provides for a
12. partial refund of contributions from the State University
13. Retirement System made between December 31st, 1972 and
14. August 28th, 1973 to obtain service credit for time
15. spent in either public employment including prior
16. military service to reflect a reduction made in the
17. rate of such contributions by Public Act 78-474. And
18. I would ask your favorable roll call.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Any discussion? The question is shall House Bill
21. 830 pass. Those in favor will vote Aye. Those opposed
22. will vote Nay. The voting is open. Have all voted who
23. wish? Have all voted who wish? Take the record. On
24. that question the Ayes are 36, the Nays are 18, none
25. Voting Present. House Bill 830 having received a
26. constitutional majority is declared passed. On the
27. Order of House Bills 3rd reading, House Bill 84...840.
28. Read the bill, Mr. Secretary.

29. SECRETARY:

30. House Bill 840.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Glass.

2. SENATOR GLASS:

3. Thank you, Mr. President, Ladies and Gentlemen. This
4. bill is repealer of obsolete provisions and it is a
5. recommendation of the the Law Revision Commission. I'd
6. appreciate a favorable roll call. It's approved by the
7. Department of Conservation.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Any discussion? The question is shall House Bill
10. 840 pass. Those in favor will vote Aye. Those opposed
11. will vote Nay. The voting is open. Have all voted who
12. wish? Have all voted who wish? Take the record. On
13. that question the Ayes are 54, the Nays are 1, none
14. Voting Present. House Bill 840 having received a
15. constitutional majority is declared passed. On the
16. Order of House Bills 3rd reading, House Bill 841. Read
17. the bill, Mr. Secretary.

18. SECRETARY:

19. House Bill 841.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Glass.

24. SENATOR GLASS:

25. Thank you, Mr. President, Ladies and Gentlemen of
26. the Senate. This also is a Law Revision Commission
27. bill which deletes references to the superintendent of
28. parks. It was, however, amended by Senator Weaver, with
29. my concurrence and the amendment provides that senior
30. citizens are entitled to admission to the parks in
31. Illinois without charge during weekdays, but on week-
32. ends there will be the normal charge and I would appreciate
33. a favorable roll call.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Any discussion? The question is shall House Bill
3. 841 pass. Those in favor will vote Aye. Those opposed
4. will vote Nay. The voting is open. Have all voted who
5. wish? Have all voted who wish? Take the record. On
6. that question the Ayes are 41, the Nays are 4, 5 Voting
7. Present. House Bill 841 having received a constitutional
8. majority is declared passed. On the Order of House
9. Bills 3rd reading, House Bill 844. Read the bill, Mr.
10. Secretary.

11. SECRETARY:

12. House Bill 844.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Savickas.

17. SENATOR SAVICKAS:

18. Yes, Mr. President and members of the Senate. This
19. is a Law Revision Commission bill. It repeals the Act
20. providing for the funding of community action agencies
21. which was administered by the Governor's Office on
22. Human Resources and it's an agency which has not
23. existed since June, 1974. This bill passed the House
24. by a hundred and thirty-two to one.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Further discussion? The question is shall House
27. Bill 844 pass. Those in favor will vote Aye. Those
28. opposed will vote Nay. The voting is open. Have
29. all voted who wish? Have all voted who wish? Take
30. the record. On that question the Ayes are 57, the
31. Nays are none, none Voting Present. House Bill 844
32. having received a constitutional majority is declared
33. passed. 845, Senator Lemke. On the Order of House

1. Bills 3rd reading, House Bill 845. Read the bill, Mr.
2. Secretary.
3. SECRETARY:
4. House Bill 845.
5. (Secretary reads title of bill)
6. 3rd reading of the bill.
7. PRESIDING OFFICER: (SENATOR ROCK)
8. Senator Lemke.
9. SENATOR LEMKE:
 10. What this bill does is amends Workmen's Compensation Act as reference to the Supreme Court to clarify procedures for appeals to the Supreme Court under the Act. It's proposed by the Illinois Revisory Commission.
 11. There's also an amendment on here by Senator Leonard
 12. for the...asbestosis Statute which was requested by
 13. industry and by labor. I ask for a favorable adoption.
17. PRESIDING OFFICER: (SENATOR ROCK)
18. Senator Leonard.
19. SENATOR LEONARD:
 20. Asbestosis has been explained as a disease that breaks out ten to twenty years after one is employed.
 21. It is ruinous. It's fatal. And it is financially
 22. ruinous to the people that get it. The Occupational
 23. Disease Act does not cover it up to this point because
 24. the limitation is three years. As Senator Lemke has
 25. pointed out, it is something that both labor and
 26. industry agree on. We ask for your support.
28. PRESIDING OFFICER: (SENATOR ROCK)
 29. Any further discussion? The question is shall
 30. House Bill 845 pass. Those in favor will vote Aye.
 31. Those opposed will vote Nay. The voting is open.
 32. Have all voted who wish? Have all voted who wish?
 33. Take the record. On that question the Ayes are 49,
 34. the Nays are none, 9 Voting Present. House Bill
 35. 845 having received the constitutional majority is

1. declared passed. On the Order of House Bills 3rd reading,
2. House Bill 879. Read the bill, Mr. Secretary.
3. SECRETARY:
4. House Bill 879.
5. (Secretary reads title of bill)
6. 3rd reading of the bill.
7. PRESIDING OFFICER: (SENATOR ROCK)
8. Senator Nimrod.
9. SENATOR NIMROD:
10. Thank you, Mr. President and Ladies and Gentlemen
11. of the Senate. This bill would provide that the
12. Department of Public Health would maintain a list of
13. those seeds and plants which have proved to be dangerous
14. or hazardous to the public. I know...of no opposition
15. to this particular bill and ask for a favorable roll
16. call.
17. PRESIDING OFFICER: (SENATOR ROCK)
18. Any discussion? Senator Daley.
19. SENATOR DALEY:
20. Mr. President, will the sponsor yield to a question?
21. PRESIDING OFFICER: (SENATOR ROCK)
22. Indicates he will yield. Senator Daley.
23. SENATOR DALEY:
24. What is the penalty if someone does sell a seed
25. or plant that is toxic to a...humans?
26. PRESIDING OFFICER: (SENATOR ROCK)
27. Senator Nimrod.
28. SENATOR DALEY:
29. What is the penalty?
30. SENATOR NIMROD:
31. Senator Daley, that has not been changed in the
32. law and I'm looking for it here and I do not...do
33. not see it.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Senator Daley.
3. SENATOR DALEY:
4. Well, this will require every store in Illinois
5. and anyone that has a plant store or a Walgreen's,
6. A and P, any store, they have to label each plant
7. that is...toxic, I'm sorry. It gives them the
8. responsibility. I'm glad to see Senator Nimrod for
9. labeling all types of plants and I hope it prevails
10. to the whole industry. You...when you look at
11. this bill, it's a sincere bill, but this is going
12. to place a burden upon anyone that sells plants
13. or seeds throughout Illinois to...label each one
14. and I think that's what you're doing. I think it's
15. a good bill and will directly affect every farmer
16. in Illinois.
17. PRESIDING OFFICER: (SENATOR ROCK)
18. Further discussion? Senator Nimrod may close
19. the debate.
20. SENATOR NIMROD:
21. Yes, thank you, Senator Daley for your help.
22. Actually, all...all this requires is those plants
23. and seeds which have been found toxic to human
24. beings should be labeled and I think those that are
25. toxic to human beings ought to be labeled and...and
26. if you don't...if you really want to inquire about
27. the Department of...Public Health would have a
28. list for you to call for. That's all the bill does.
29. Favorable roll call please.
30. PRESIDING OFFICER: (SENATOR ROCK)
31. The question is shall House Bill 879...Senator
32. Daley for what purpose do you arise?
33. SENATOR DALEY:

1. I would hope that Senator Nimrod contacts the
2. Department of Agriculture in Illinois. They're against
3. it.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. The question is shall House Bill 879 pass. Those
6. in favor will vote Aye. Those opposed will vote Nay.
7. The voting is open. Have all voted who wish? Have
8. all voted who wish? Take the record. On that question
9. the Ayes are 18, the Nays are 18. Senator Nimrod.

10. SENATOR NIMROD:

11. I would like to find out about the Department of
12. Agriculture. I postpone consideration.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Sponsor's request that...this bill be placed on
15. the Order of Consideration Postponed. So ordered.
16. On the Order of House Bills 3rd reading, House Bill
17. 896. Read the bill, Mr. Secretary.

18. ACTING SECRETARY: (MR. FERNANDES)

19. House Bill 896.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Ozinga.

24. SENATOR OZINGA:

25. Mr. President and members of the Senate. This
26. bill amends the Election Code. Requires the ;
27. State Board of Elections or its successor to prepare
28. and publish books, plural, which has been amended.
29. Originally it said, a book, now it's been amended to
30. say books and I believe there are five of them that
31. containing the required Statute or provisions in
32. relation to running for public office. The book is to
33. be available to, at a reasonable charge, to all election

1. authorities and to the public at large. I think this is a
2. good bill. It will eliminate an awful lot of confusion
3. that has been created in Worth Township especially.
4. However, I would accept a favorable roll call.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Is there any discussion? Senator Graham.

7. SENATOR GRAHAM:

8. I don't have any quarrel, Mr. President, thank you
9. and members of the Senate with educating our opponents
10. or the public. I have one feeling though. The Department...
11. the Election Laws, State Board of Elections budget is
12. now in a very untenable position currently. We don't
13. know what we're going to do. We don't know how much
14. money we're going to have. It might seem more prudent
15. if we could hold this bill till after we pass the
16. State Board's budget and find out if they're going
17. to have any money to publish these or not. They may
18. even be out of business.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Ozinga.

21. SENATOR OZINGA:

22. Senator, this bill will not create any fiscal impact
23. upon the department. I agree with you, it might be out
24. of business, but this also provides for the successor and
25. all that it really does, is it asks that they print these
26. books and have them available at a charge of approximately
27. the same cost as what they cost to print.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Any further discussion? The question is shall House
30. Bill 896 pass. Those in favor will vote Aye. Those
31. opposed will vote Nay. The voting is open. Senator
32. Donnewald, vote me No, please. Have all voted who
33. wish? Have all voted who wish? Take the record. On

HB901
6/2/77
3rd

1. that question the Ayes are 26, the Nays are 7, 3 Voting
2. Present. Senate...Senator Ozinga requests that this
3. matter be placed on the Order of Consideration Postponed.
4. So ordered. 901. On the Order of House Bills 3rd
5. reading is House Bill 901. Senator Hall for what
6. purpose do you arise? Oh, all right, okay. On the
7. Order of House Bills 3rd reading is House Bill 901.
8. Read the bill, Mr. Secretary.

9. SECRETARY:

10. House Bill 901.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Kenneth Hall.

15. SENATOR KENNETH HALL:

16. Thank you, Mr. President, Ladies and Gentlemen of
17. the Senate. House Bill 901 requires a municipality
18. to pay the cost of an election to organize a fire
19. protection district. Now, this bill was introduced
20. in the House by Representative Steele and the effect
21. it establishes who shall pay the cost of an election
22. to organize a fire protection district. If the proposed
23. fire protection district is conterminous with or
24. wholly contained within a municipality then the
25. municipality would pay the cost of election. If it's
26. not contained wholly within one municipality then the
27. county pays the cost. If it's contained in more than
28. one county, the cost is to be apportioned between or
29. among the counties. Now, the background and the
30. advantage of this, it will insure consistency and
31. uniformity as who is to pay the cost of elections.
32. It will insure that the election costs are paid,
33. especially in cases where the formation election

1. fails. Now, we put an amendment on to this to provide
2. that when fire protection districts hold their referendum
3. to determine whether or not fire protection districts
4. shall form, it shall be done at the general election
5. rather than a special election so there won't be any
6. additional cost. I would ask your most favorable support
7. of this bill.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Any discussion? The question is shall House Bill
10. 901 pass. Those in favor will vote Aye. Those opposed
11. will vote Nay. The voting is open. Have all voted
12. who wish? Have all voted who wish? Take the record.
13. On that question the Ayes are 57, the Nays are none,
14. none Voting Present. House Bill 901 having received
15. the constitutional majority is declared passed. On
16. the Order of House Bills 3rd reading, House Bill 902.
17. Read the bill, Mr. Secretary.

18. SECRETARY:

19. House Bill 902.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Knuppel.

24. SENATOR KNUPPEL:

25. Ladies and...this bill is now amended conveys...would
26. convey seventy-seven acres of land in what used to be
27. the old Peoria State Hospital farm gounds to the
28. City of Bartonville...Village of Bartonville to be used
29. as a library. It has a reverter clause in case it's
30. no longer used for recreation or educational purposes.
31. It also carries with it land in the Fox...Fox River Valley
32. Parkway that's been added here by Representative...
33. PRESIDING OFFICER: (SENATOR ROCK)

1. Can we have a little order. Will the members please
2. be in their seats. Representative Levin, will you take
3. your press conference off the Senate Floor please.
4. Senator Knuppel.

5. SENATOR KNUPPEL:

6. ...by Representative Kempiners who brought it over,
7. missed the House part of it and other lands in the...in
8. Tazewell on an amendment that was attached by Senator
9. Sommers. This is land that's not presently being used
10. by the State and will be conveyed to the...three different
11. or various park districts or communitites, municipalities,
12. for use by local authorities.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Any discussion? Senator Donnewald.

15. SENATOR DONNEWALD:

16. I guess it would be appropriate to address this to
17. Senator Sommer. I think that Senator Knuppel indicated
18. that you were the principal sponsor of Amendment No. 6.
19. Senator Sommer, Amendment No. 6 provided for a land
20. transfer of certain land that an individual...that an
21. individual donated to the State or Conservation Department and
22. of course it...there were restrictive covenants with
23. that. Could you explain to us the background of this.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Sommer.

26. SENATOR SOMMER:

27. Yes, Senator Donnewald, a...a rather elderly lady
28. conveyed thirty acres of land to the Illinois Department
29. of Conservation during the tenure of Director Rutherford
30. at Director Rutherford's bequest or behest. Director
31. Rutherford indicated that the State would use this for
32. a prairie park. Subsequent directors have indicated
33. that they have no use for this because it's out in the

1. middle of farm land, it's flat land. Our bill would
2. convey this to the Forrest Park Foundation in Peoria,
3. which maintains thousands of acres of public land and
4. that...that foundation would then maintain it, they
5. hope, as a prairie park, so that it will have the
6. same use, it will simply go to this nonprofit foundation
7. that maintains this property.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Donnewald.

10. SENATOR DONNEWALD:

11. That isn't a governmental unit, that's a nonprofit
12. corporation?

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Sommer.

15. SENATOR SOMMER:

16. Yes, that's correct. I think there's reverter in
17. this, Senator Donnewald, that if they do not use it
18. or sell it, it would...they could not do that because
19. it would come back to the State.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Donnewald.

22. SENATOR DONNEWALD:

23. I presume that you described the corporate purposes
24. of the general not-for-profit corporation that did
25. accept the land. Do you happen to know what that might
26. be?

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Sommer.

29. SENATOR SOMMER:

30. This is a nonprofit corporation to marshall land
31. in the area. They...they are the biggest...biggest
32. landholder probably in the Peoria area. They maintain
33. thousands and thousands of acres of park land and they

1. predate efforts of the Department of Conservation and
2. other groups to marshall valuable land and keep it
3. as parkland and there's no question that they'll
4. be an problems.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Donnewald.

7. SENATOR DONNEWALD:

8. I presume you're saying, for public use, is that
9. correct?

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Sommer.

12. SENATOR SOMMER:

13. Absolutely, Senator Donnewald.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Grotberg.

16. SENATOR GROTBURG:

17. Will the...will the sponsor yield? Senator Knuppel...

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Indicates he will yield.

20. SENATOR GROTBURG:

21. Senator Knuppel, the Floor was noisy when you started
22. your introduction. I thought I heard you say seventy-
23. seven acres for a library is one of these transfers. I
24. thought that...that was your opening remark.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Knuppel.

27. SENATOR KNUPPEL:

28. Part of it is to be used for a library. It's to
29. be used for parks, recreation and part of it will be,
30. and has been used, for a library.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Grotberg.

33. SENATOR GROTBURG:

1. I would ask then if anyone...there are a lot of good
2. pieces to this bill, I'm sure, and I'll be in favor of
3. them, but has anyone talked to the Governor on the...
4. problem of surplus State land. It seems that this adminis-
5. tration is going to take a new posture and if possible
6. liquidate and get some money for some of these lands
7. rather than go into transfer. Is there any word on that?
8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Knuppel.

10. SENATOR KNUPPEL:

11. Well, sir, as you know, I've probably been the most
12. vocal person in the world here on this Floor of this
13. Senate the last four years about the way we take land
14. and especially the Department of Conservation, now
15. this actually ended up in the Department of Conservation.
16. The rest of the State hospital is over in General
17. Services. There has been no inventory. Other bills
18. have gone through here conveying this land...Alton,
19. Kankakee, and everywhere else. The answer is, I
20. don't have the answer, nobody has come forth.. In
21. the Agriculture Committee I ate the hell out of
22. the assistant director because the Department of...
23. Conservation had set up no criteria or anything
24. else. This is a House Bill and this is land that
25. they've been leasing, renting out to the City of
26. Bartonville, anywhere for these kinds of uses. But
27. for me to tell you, you know, what the Governor's
28. policy is going to be, hell, there is no policy at
29. this point.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Further discussion? Senator Knuppel, you wish
32. to close the debate?

33. SENATOR KNUPPEL:

1. I'd just appreciate a favorable roll call.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. The question is shall House Bill 902 pass. Those
4. in favor will vote Aye. Those opposed will vote Nay.
5. The voting is open. Have all voted who wish? Have
6. all voted who wish? Take the record. On that question
7. the Ayes are 46, the Nays are 1, 3 Voting Present.

8. House Bill 902 having received a constitutional
9. majority is declared passed. On the Order of House
10. Bills 3rd reading, House Bill 903. Read the bill,

11. Mr. Secretary.

12. SECRETARY:

13. House Bill 903.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Roe.

18. SENATOR ROE:

19. Mr. President and members of the Senate. This bill
20. does not apply to Cook County and it provides that zoning
21. board of appeals hearings can be held in the courthouse
22. of the county where the petition for zoning change may
23. be pending if, in fact, none of the contiguous property
24. owners object, in which case it would held in a township
25. as it presently is.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Is there any discussion? Senator Demuzio.

28. SENATOR DEMUZIO:

29. Mr. President, wasn't this bill amended this morning?

30. PRESIDING OFFICER: (SENATOR ROCK)

31. I'm informed by the Secretary it was not. Any
32. further discussion? Senator Demuzio.

33. SENATOR DEMUZIO:

1. I'll...I'll have to come down and get a list so that
2. I can keep track of those that were amended this morning.
3. Thank you.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Any further discussion? The question is...question
6. is shall House Bill 903 pass. Those in favor will vote
7. Aye. Those opposed will vote Nay. The voting is open.
8. Have all voted who wish? Senator Egan, will you spin
9. around and vote me Aye, please. Have all voted who wish?
10. Take the record. On that question the Ayes are 43, the
11. Nays are 3, 47...the Nays are 3, 1 Voting Present.
12. House Bill 903 having received a constitutional majority
13. is declared passed. 908, Senator Regner. On the Order
14. of House Bills 3rd reading, House Bill 908. Read the
15. bill, Mr. Secretary.

16. SECRETARY:

17. House Bill 908.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Regner. "

22. SENATOR REGNER:

23. Mr. President and members of the Senate. This bill
24. amends the provision concerning criminal identification
25. and investigation to allow the Department of Law Enforcement
26. to release information concerning the existence or nonexistence
27. of a persons criminal record, if that person so requests.
28. Presently, not even the person himself can get that
29. information. There was an amendment put on the bill in
30. committee which would allow State and Federal agencies
31. to get that information if they requested it for the
32. purpose of looking at the persons record when applying
33. for a job.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Any discussion? Senator Maragos.
3. SENATOR MARAGOS:
4. Would the sponsor yield to a question?
5. PRESIDING OFFICER: (SENATOR ROCK)
6. Sponsor indicates he will yield. Senator Maragos.
7. SENATOR MARAGOS:
 8. Senator Regner, which persons can ask for this information? Does it specifically list their...enumerate
 9. the individuals of companies that are allowed to do this?
11. PRESIDING OFFICER: (SENATOR ROCK)
12. Senator Regner.
13. SENATOR REGNER:
 14. Well, Senator Maragos, the original bill specified that person who is looking at his own record. And then the amendment that was put on in committee specifies that State agencies and municipalities and departments of the United States upon request of that agency or department, certifying either that the files and information requested for the...purpose of considering the employment of the individual. That was a committee amendment. The original bill, as I said, was just the person that's under consideration could request that information for himself.
 25. PRESIDING OFFICER: (SENATOR ROCK)
 26. Senator Maragos.
27. SENATOR MARAGOS:
 28. Well, in the last several years we have passed legislation allowing certain criminal records to be expunged where they have been found not guilty. Now, how will this bill affect those statutes?
32. PRESIDING OFFICER: (SENATOR ROCK)
33. Senator Regner.
34. SENATOR REGNER:

1. It doesn't at all. If the records are expunged there
2. would be a nonexistence of records.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Maragos.

5. SENATOR MARAGOS:

6. Are they concerned primarily with the findings of
7. guilty or just any...even the fact that you were arrested
8. for any and found not guilty later.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Regner.

11. SENATOR REGNER:

12. Well, I would assume that if it was on the record
13. and they were not expunged that that information would
14. be available.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Further discussion? Senator Berman. Senator
17. Collins.

18. SENATOR COLLINS:

19. A question to the sponsor, please.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Indicates he will yield. Senator Collins.

22. SENATOR COLLINS:

23. Senator Regner, will the individual know that these
24. department has requested this information. Will he
25. be notified or she be notified?

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Regner.

28. SENATOR REGNER:

29. Yes.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Further discussion? The question is shall House
32. Bill...Senator Regner, you wish to close? The
33. question is shall House Bill 908 pass. Those in favor

1. will vote Aye. Those opposed will vote Nay. The voing
2. is open. Senator Donnewald, Aye please. Have all voted
3. who wish? Have all voted who wish? Take the record. On
4. that question the Ayes are 45, the Nays are 4, 5 Voting
5. Present. House Bill 908 having received a constitutional
6. majority is declared passed. On the Order of House Bills
7. 3rd reading, House Bill 910. Read the bill, Mr. Secretary.

8. SECRETARY:

9. House Bill 910.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Glass. Representative Jones, can I ask
14. you to... Senator Glass.

15. SENATOR GLASS:

16. Thank you, Mr. President and Ladies and Gentlemen
17. of the Senate. Senate Bill 910 would establish a
18. conservation right or easement which could be granted
19. by an individual to the State or unit of local govern-
20. ment or not-for-profit corporation. And could be
21. accepted by such a...an entity upon whatever terms
22. and conditions the entity would choose to required.
23. This bill is now in the same form as Senate Bill 1148
24. which this Body passed and has now been passed by
25. the House. There were some amendments added. The
26. Department of Conservation had several requests that have
27. now been met. I'd be happy to answer any questions.
28. If there are none, request a favorable roll call.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Any discussion? The question is shall House Bill
31. 910 pass. Those in favor will vote Aye. Those opposed
32. will vote Nay. The voing is open. Senator Donnewald,
33. Aye, please. Have all voted who wish? Have all voted

1. who wish? Take the record. On that question the Ayes
2. are 53, the Nays are none, none Voting Present. House
3. Bill 910 having received a constitutional majority
4. is declared passed. On the Order of House Bills 3rd
5. reading, House Bill 931. Read the bill, Mr. Secretary.

6. SECRETARY:

7. House Bill 931.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Regner.

12. SENATOR REGNER:

13. Mr. President and members of the Senate. This bill
14. excludes clients in vocational rehabilitation facilities
15. from the...definition of employee under the Fair
16. Employment Practices Act. The exempted clients are
17. very...in very short term programs and are limited
18. to six to twelve months duration. The relationship
19. in the rehabilitation facilities is more clinical than
20. work oriented. There have been problems in the
21. past where these people who are clients or patients
22. in reality have come under consideration for vacations
23. and such as that and this bill is really to eliminate
24. that problem that these facilities have had and I'd
25. ask a favorable roll call.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Any discussion? Senator Kenneth Hall.

28. SENATOR KENNETH HALL:

29. Would the sponsor yield to a question?

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Sponsor indicates he will yield, Senator Hall.

32. SENATOR KENNETH HALL:

33. Senator, I...I must apologize, I know you made some

1. explanation, but you're amending the FEP Act and I just
2. didn't really understand just what you were saying.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Regner.

5. SENATOR REGNER:

6. Senator Hall, what...what the problem is, in some
7. of the vocational rehabilitation facilities where
8. people that are called employees are really patients
9. for help in that particular facility. They are usually
10. there for six to twelve month duration, a very short
11. duration, for their therapy. And there have been
12. problems in the past regarding vacation time, pay, and
13. so forth. And since they are patients, they're not,
14. in reality, employees, they asked the facilities.
15. I asked for this exclusion. I know of no one that's
16. particularly against the bill and it has been sponsored
17. and put forth by the Illinois Association of Rehabilitation
18. Facilities. Senator Newhouse put an amendment on the
19. bill that specified vocational rehabilitation facilities.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Knuppel. Senator Netsch.

22. SENATOR NETSCH:

23. Thank you, Mr. President. We have been round and round
24. robin on this bill in attempting to...determine just what
25. it does, in fact, do and what it does, in fact, mean. I
26. have absolutely no objection to the...the motive of those
27. who asked for this piece of legislation. That is they
28. should not be subjected to a lot of the intricacies that
29. might be imposed upon them by the Fair Employment Practices
30. Act. The one thing that I have objected to is that I
31. think they just did their amending in the wrong place,

32. (Continued on next page)

33.

1. by excluding these people from the definition of the
2. word, employee, for purposes of the entire Act. I
3. think they may also have removed the...grounds of
4. racial discrimination, sex discrimination and so forth
5. and eliminated that entirely as a protective device
6. for these people. And I don't see any reason why
7. that had to be done. It's...it's a matter on which
8. all of us, including the sponsor and I have simply
9. not been able to agree and I say this mostly by
10. way of explanation of the way that I am going to
11. vote.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Yes, Senator Regner.

14. SENATOR REGNER:

15. Well, Senator Netsch and I have been talking and
16. also the association. And the one thing I'd like to
17. point out in regards to that particular, and it
18. wasn't a question it was a statement, but these facilities
19. must sign statements of affirmative action and if they
20. do not comply with those statements of nondiscrimination,
21. the monies can be withheld from those facilities.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Knuppel.

24. SENATOR KNUPPEL:

25. Well, here's the danger that arises from this
26. bill. It removes legally, the term, employee, as
27. an identification. Now these people go out and it's
28. true that these facilities are badly needed and
29. they serve a good and useful purpose, but if a
30. person while working on one of these jobs is injured
31. you've legally excluded him from the definition of,
32. employee, and under this bill I believe that he
33. would...that he would be barred from any coverage
34. by the Occupational Diseases or Workmen's Compensation

1. Act. I had a...an individual that this happened to and
2. he may be one of several that's brought this thing
3. about. I can't understand any need. Now, domestics
4. were excluded under the Workmen's Compensation Act
5. generally anyway, but now they expand it, they say
6. employee does not include domestic service in private
7. homes; but they want to exclude all of these other
8. people from the act. And it's a...I...I think it's
9. very dangerous. I had a fellow that was working over at
10. Jacksonville, he fell and struck his head and died
11. as a result of the injuries. He was being paid two
12. dollars an hour or something like that for chopping
13. wood, but he was covered by Workmen's Compensation.
14. And maybe the high rates we have in Illinois is
15. what brought this about by these people that are
16. doing this kind of work, these rehabilitation people,
17. to...to have these people identified as not being
18. employees. I think they are employees, if they're
19. going to take them out, work them and so forth, they
20. ought to have the same protection as any other
21. employee on a job.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Further discussion? Senator Demuzio.

24. SENATOR DEMUZIO:

25. Well, Senator Regner, the...the...by eliminating the
26. word, employee, these clients are still covered under
27. Workmen's Compensation, are they not?

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Regner.

30. SENATOR REGNER:

31. That's what I was told.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Demuzio.

34. SENATOR DEMUZIO

1. Do you know under what classification?
2. PRESIDING OFFICER: (SENATOR ROCK)
3. Senator Regner.
4. SENATOR REGNER:
5. No, I don't know under what specific classification,
6. Senator Demuzio.
7. PRESIDING OFFICER: (SENATOR ROCK)
8. Any further discussion? Senator...Newhouse.
9. SENATOR NEWHOUSE:
10. Thank you, Mr. President. Senator Regner indicated,
11. and correctly so, that I was satisfied with this bill in
12. its form as it presently is. However, this bill is a
13. very ticklish one and I think Senator that I'm going
14. to vote for it, but I would like us both to look at
15. it a year from now to see what results it has produced
16. and if the problems that have been anticipated do
17. surface, I think we ought to consider another alternative
18. to this approach.
19. PRESIDING OFFICER: (SENATOR ROCK)
20. Further discussion? Senator Knuppel.
21. SENATOR KNUPPEL:
22. Well, for what reason except, except, to have them
23. not be considered employees for the benefits of the
24. laws that have been enacted for employees, would you
25. want to designate them as non employees. What other
26. thing happens under this law that helps them?
27. PRESIDING OFFICER: (SENATOR ROCK)
28. Senator Regner.
29. SENATOR REGNER:
30. Well, Senator Knuppel, these people that we're
31. talking about are not employees, they're not there
32. as employees. They're there for various medical
33. reasons, therapeutic reasons, and they're cover people

1. in the classification of mentally retarded, mentally
2. ill, alcoholics, stroke, drug addicts and so forth.
3. And it's therapeutic, it is not for work. The work
4. is strictly related to give them something to do.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Knuppel.

7. SENATOR KNUPPEL: ...
8. But I can assure you that the Industrial Commission
9. has found and they did in the very case that I handled,
10. that they are employees for the purpose of Workmen's
11. Compensation Act. So what you're telling me is just
12. exactly what I said. They don't want them to be
13. considered employees because they say, well, now we
14. pay them a little bit, but we're going this for them.
15. We don't want them if they get hurt to get Workmen's
16. Compensation. That's exactly what you're saying.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Further discussion? Senator Nimrod.

19. SENATOR NIMROD:

20. Yes, Mr. President and Ladies and Gentlemen of
21. the Senate. If you want to close all the workshops
22. in this State and if you want to get these people,
23. these handicapped and those who are underprivileged,
24. with the...unable to find work some place else or
25. the aged back and to other problems that we worked
26. so hard to provide these services for, just oppose
27. the bill. This is a good bill. It does provide
28. and allow these workshops to continue and to able
29. to compete and to provide a place for those aged
30. and handicapped, a place to be without being considered
31. as employees and complicating the whole problem
32. surrounding them.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Grotberg.
 2. SENATOR GROTBURG:
 3. Just...just a word that up in Pontiac we have a little
 4. struggling sheltered workshop. They pay a gentlemen who works about
 5. sixteen hours a day about nine thousand dollars a year.
 6. They raise local money and they get some match from
 7. rehab and they're going to have to go out of business
 8. based on the one thing that Senator Regner is getting
 9. at and you're not far from right, Senator Knuppel,
 10. you're not far from right, but it is going to blow
 11. out of the box that whole organization called sheltered
 12. workshops. Most of the labor which comes from loving
 13. parents, but because of the bureaucracy, we have to have
 14. an executive hired for each one of those sheltered
 15. workshops. It's a community effort that should not
 16. be bogged down by the penailities involved in some
 17. of the things going on with the term, employee, in
 18. today's marketplace and I suggest an Aye vote for
 19. this good bill.
20. PRESIDING OFFICER: (SENATOR ROCK)
 21. Senator Knuppel...Senator Kenneth Hall.
 22. SENATOR KENNETH HALL:
 23. Well, I just want to ask Senator Regner if he
 24. will yield, please.
 25. PRESIDING OFFICER: (SENATOR ROCK)
 26. Indicates he will yield. Senator Kenneth Hall.
 27. SENATOR KENNETH HALL:
 28. Senator Demuzio addressed a question to you and
 29. you said, it's my understanding, that's what I was
 30. told. You were told by whom?
 31. PRESIDING OFFICER: (SENATOR ROCK)
 32. Senator Regner.
 33. SENATOR REGNER:

1. The Illinois Association of Vocational Rehabilitation
2. Facilities.
3. PRESIDING OFFICER: (SENATOR ROCK)
4. Senator Kenneth Hall.
5. SENATOR KENNETH HALL:
6. They told you what, Senator?
7. PRESIDING OFFICER: (SENATOR ROCK)
8. Senator Regner.
9. SENATOR REGNER:
10. That they were covered.
11. PRESIDING OFFICER: (SENATOR ROCK)
12. Senator Kenneth Hall.
13. SENATOR KENNETH HALL:
14. By Workmen's Compensation.
15. PRESIDING OFFICER: (SENATOR ROCK)
16. Further discussion? Senator Graham.
17. SENATOR GRAHAM:
 18. Yes, Mr. President and members of the Senate. I am one member here who has had an opportunity to view in an institution the need for this type of legislation.
 19. The Rehabilitation Institute of Chicago and others cannot continue to handle the great load they have of these people who need help. Neither can the sheltered care homes hope to relieve them if we don't give them some help. We are making a great contribution to remove some of the overcrowding in some of our rehabilitation institutes that perform a real good function. Letting them be...letting it happen in the local communities at a price they can afford. But if we don't adopt this amendment of Senator Regner's, I'm afraid they're not going to be able to afford it and I don't have any idea what we're going to do with these people and neither does anyone else.
 34. PRESIDING OFFICER: (SENATOR ROCK)
35. Further discussion? With leave of the Body...Senator Knuppel.

1. SENATOR KNUPPEL:

2. Well, just so that the Body understands what they're
3. doing. I made an impassioned plea here yesterday about the
4. illegal aliens and how they're being used and it seems
5. strange, you know, here we are, now we're going to use the...
6. the mentally handicapped, the drunks, the...that are getting
7. rehabilitated and so forth and they're going to get less benefits.
8. They're going to get worse treatment, they're going to get
9. less salary. Gee whiz, let's at least give them the coverage
10. of Workmen's Compensation, as for their families and others,
11. they go out on the job and...and because they don't know
12. what's happening they wander down the road or they get hit
13. and killed and the people that are dependent upon them for
14. support are left for us to support on relief. Now, maybe
15. that's what you want. But you know, it seems strange to me.
16. First of all, we mistreat and abuse and the very people who
17. the bill was intended for are abused. Here now, we're
18. going to take advantage of those least able to take care
19. of themselves. That, I think, is irresponsible.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Any further discussion? Senator Mitchler.

22. SENATOR MITCHLER:

23. I...I hesitated to rise on this, but this is a good
24. bill. We've got the Kennedy workshop up in my district,
25. we've got the IED unit there in Aurora and these people
26. want it. If you...to them, they would want this here because
27. it protects them and brings them in align with what they're
28. trying to do and they're doing a good job. Don't harrass
29. them anymore. They're doing it at the local level. Good
30. bill.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Regner may close the debate.

33. SENATOR REGNER:

1. Just very shortly in closing, Mr. President and members,
2. I resent Senator Knuppel's statement that we are trying
3. to use these patients. All he had to do is listen to what
4. Senator Graham said in his experience. It's a good bill and
5. I ask for a favorable roll call.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Question is shall House Bill 931 pass. Those in
8. favor will vote Aye. Those opposed will vote Nay. The
9. voting is open. Have all voted who wish? Have all voted
10. who wish? Take the record. On that question the Ayes
11. are 42, the Nays are 4, 5 Voting Present. House Bill 931
12. having received a constitutional majority is declared passed.
13. On the Order of House Bills, 3rd reading, House Bill 936.
14. Read the bill, Mr. Secretary.

15. SECRETARY:

16. House Bill 936.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Bruce.

21. SENATOR BRUCE:

22. Thank you, Mr. President. For about two years, the State
23. Police have been working with an AD HOC Committee to recommend
24. revisions in Article V of the Supreme Court rules and this
25. bill emanates from that committee relative to the penalties
26. within the Motor Vehicle Code. A Judge Heneger pointed out
27. to the committee that several of the general Statute
28. of the Vehicle Code requires that anyone who is guilty of
29. one of the provisions which there is not a specific offense
30. set forth is guilty of a Class A misdemeanor. What this
31. bill will do is set forth as a petty offense, several items.
32. For example, jaywalking, speeding, U-turns, pedestrian using
33. the left half of a cross walk, double parking, parking with

1. the wheels more than twelve inches from the curb,
2. opening a vehicle door toward traffic, riding double
3. on a bicycle or equipping a bicycle with a siren are presently
4. all Class A misdemeanors, potentially a one thousand dollar
5. fine and imprisoning a child for one year. The judge
6. thought that was somewhat inappropriate, so what we have done
7. is put all those as petty offenses was a five hundred dollar
8. fine and no jail which also gets us around the requirement
9. that a minor would have a jury trial and then we put in
10. seven exemptions to that and these would remain as Class
11. A misdemeanors. A display of an unauthorized sign defacing
12. a sign, damage to a highway or structure, failure to stop
13. at a scene of an accident, failure to give information
14. and render aid in...of a car involved in an accident,
15. duties upon damaging an unattended vehicle and those would
16. all remain as Class A misdemeanors. I believe the bill has
17. had a fair hearing. We've...I think made a just division between
18. what should be a Class A misdemeanor and what ought to be a
19. petty offense.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Is there any discussion? Senator Mitchler.

22. SENATOR MITCHLER:

23. Ask the sponsor a question.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Sponsor indicates he will yield. Senator Mitchler.

26. SENATOR MITCHLER:

27. Senator Bruce, what did you refer to damaging a highway
28. sign?

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Bruce.

31. SENATOR BRUCE:

32. Yes, one of the specific offenses which is still a
33. Class A misdemeanor is defacing a sign or removing it which
34. could lead to the death of some individual, removing a stop

1. sign. It was the feeling that that ought to remain a
2. Class A misdemeanor, one thousand dollar fine up
3. to a year in jail. So, that is still a Class A misdemeanor.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Coffey.

6. SENATOR COFFEY:

7. Mr. President, I have a question for the
8. sponsor.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Sponsor indicates he will yield. Senator Coffey.

11. SENATOR COFFEY:

12. Senator Bruce, as this bill presently reads, according
13. to my analysis I have before me, it shows that hit and run...
14. this bill makes hit and run a petty offense. Maybe you
15. addressed that a while ago, but I would like if you would
16. answer that question.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Bruce.

19. SENATOR BRUCE:

20. Yes, at the suggestion of Senator Lemke, we put on
21. some additional items. In error, the staff added the hit
22. and run provisions. Those were exempted by, I think, Amendment
23. No. 3 and all we make as a petty offense is hitchhiking.
24. As you may recall in a Transportation Committee, of which you
25. are a member, there was discussion about hitchhiking.
26. We put on a hitchhiking amendment, but they inadvertently
27. included hit and run which was deleted by Amendment No. 3.
28. We...the State Police contacted and said they did not wish that
29. to be a petty offense, neither did we, so we deleted, I think
30. in Amendment No. 2 or 3. It does not apply to that now.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Kenneth Hall.

33. SENATOR KENNETH HALL:

1. Would the sponsor yield to a question?
2. PRESIDING OFFICER: (SENATOR ROCK)
3. Sponsor indicates he will yield. Senator Kenneth Hall.
4. SENATOR KENNETH HALL:
5. Senator, did I understand you to say that if you
6. get out of the car, in other words, if you get out of the
7. car on the driver's side, and you're...unless you're on
8. the one way street where you're closer to the curb, what
9. offense is that?
10. PRESIDING OFFICER: (SENATOR ROCK)
11. Senator Bruce.
12. SENATOR BRUCE:
13. Right now, the Statute says that if you open a door
14. into traffic, you can go to jail for one year and pay a
15. thousand dollar fine. That seems to be absurd and we made
16. that one of the petty offenses, a five hundred dollar fine.
17. PRESIDING OFFICER: (SENATOR ROCK)
18. Senator Kenneth Hall.
19. SENATOR KENNETH HALL:
20. Well then, everytime that you get out on your
21. driver's side, if it's...it's a violation of the law, but
22. it's now down to five hundred dollars, correct?
23. PRESIDING OFFICER: (SENATOR ROCK)
24. Senator Bruce.
25. SENATOR BRUCE:
26. The present law makes it a misdemeanor. This law will
27. make it a petty offense.
28. PRESIDING OFFICER: (SENATOR ROCK)
29. Further discussion? Senator Buzbee.
30. SENATOR BUZBEE:
31. Question of the sponsor.
32. PRESIDING OFFICER: (SENATOR ROCK)
33. Sponsor indicates he will yield. Senator Buzbee.

1. SENATOR BUZBEE:

2. You know, Senator Bruce, I'm one of those forgetful
3. people who runs out of gasoline every once in a while.
4. If I run out of gasoline, I'm standing outside the road
5. with my thumb out to try to get down the road. Am I now
6. a criminal?

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Bruce.

9. SENATOR BRUCE:

10. As of the law right now, Senator Buzbee, they may pick
11. you up, throw you in the clink for a year and fine you or
12. your family a thousand dollars. This bill will make that
13. a petty offense of five hundred dollars and no jail. So,
14. if you want to get some gas, it...you just saved yourself
15. five hundred dollars.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Buzbee.

18. SENATOR BUZBEE:

19. Well, I guess the press has finally got us on this
20. one because there's no doubt that the members of the Legislature
21. are all lawbreakers then, I guess, because I'm sure we all
22. have done those sorts of things. I didn't even know it was
23. a violation of the law at all in the past. As a matter of
24. fact, I have seen police cars stop and pick people up and
25. give them rides and...and I'm wondering why we didn't
26. eliminate the opening of the door, as an example, into
27. traffic and eliminate the hitchhiking as a...as an offense
28. at all. Why make it a petty offense?

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Bruce.

31. SENATOR BRUCE:

32. I think the...the AD HOC Committee to advise the
33. Supreme Court rules did not wish to get into our discussion

1. of...of whether or not hitchhiking is legal or illegal
2. or whether or not opening a door into traffic is legal or
3. illegal. Their recommendations only were as to the
4. appropriate sentence and frankly, I'm handling a bill for them
5. and the State Police and they just wanted to address the
6. issue of what should ought to be a petty offense as opposed
7. to a Class A misdemeanor and I've been very careful not
8. to get in the whole issue of whether we ought to legalize
9. or make legal hitchhiking.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Further discussion? Senator Bowers.

12. SENATOR BOWERS:

13. Well, I...I don't want to prolong this, Mr. President,
14. but I just want to say to the Body Judge Henenger happens
15. to be from my district and this is a good bill. Those of
16. you who are concerned about it, are concerned for the wrong
17. reasons. Those things you're concerned about saying the
18. offense is too great, keep in mind that they're making it
19. less than it is now. The Statute is ridiculous the way it's
20. written. This makes it a little better and I would urge a
21. favorable roll call.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Any further discussion? Senator Grotberg.

24. SENATOR GROTBURG:

25. Just a self confession of Senator Buzbee that he
26. occasionally runs out of gas is good enough to make me vote
27. for this bill.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Lemke.

30. SENATOR LEMKE:

31. With the...with the amendment, it makes a good bill
32. because we've got offenses where a guy is hitchhiking,
33. he goes under...the present law, I think he goes to jail for

1. a year. He goes...he gets a heavier sentence than a guy
2. that speeds or something like this and I think with the
3. amendment it makes...makes this bill good. Of course, some
4. of the...maybe we might criticize that the five hundred
5. dollar fine for hitchhiker is a lot but we've got to
6. remember that right now it's more and this at least gives
7. us something. We're reducing it and I think we need the
8. bill as it is now and amend it and I...I'd ask for a
9. favorable...

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Further discussion? Senator Rupp.

12. SENATOR RUPP:

13. Sponsor answer a question?

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Sponsor indicates he will yield. Senator Rupp.

16. SENATOR RUPP:

17. Mr. Senator, if I do commit one of these crimes
18. and the officer stops his car and gets out on the wrong
19. side, as he does, and comes over and talks to me, what do you
20. think that does to the whole process? What I'm...what
21. my point is, why should we leave in any bill something that
22. we all, everyday, violate?

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator Bruce.

25. SENATOR BRUCE:

26. Well, I don't know. Am I authorized as a member of the
27. bar to answer the question or...is that a legal question I
28. can answer?

29. PRESIDING OFFICER: (SENATOR ROCK)

30. The Chair will rule you are authorized.

31. SENATOR BRUCE:

32. All right. I suppose the question would be on whether
33. or not he opened the door into traffic. That is the offense.

1. And if you pull far enough off the road and open your
2. door, then you haven't opened into traffic. Right now,
3. it makes it a one year fine...a one year sentence and
4. a potential thousand dollar fine. And...maybe you could make
5. a citizens arrest, Senator Rupp.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Further discussion? Senator Chew.

8. SENATOR CHEW:

9. Mr. President, as the...as the law reads now, it does
10. not say open into traffic. It states open into traffic
11. lanes which means that each time we're on a highway or
12. street and we get out of our driver's side, it's an
13. automatic violation as it is written into the Vehicle Code.
14. The problem is that it's never enforced until there's an
15. accident. When the accident has occurred, if it involves
16. the opening of that driver's door to traffic, the driver
17. of the car where the door was in operation is, in fact,
18. held at fault. As far as the hitchhiking is concerned,
19. it's never enforced until there is an accident or a robbery
20. of some kind like that and once the culprit has been
21. apprehended, then that hitchhiking charge is there.
22. I find no fault to the bill. Now, it came through my
23. committee and the amendments were adequate, those that
24. were attached and promised and I would ask for a favorable
25. roll call on it also.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Any further... : /

28. SENATOR CHEW:

29. The Vehicle Code may need rewriting in its entirety,
30. but right now, I think to lower these penalties would be
31. good.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Any further discussion? Senator Bruce, you wish to

1. close the debate?
2. SENATOR BRUCE:
 3. No, just to point out, Senator Carroll tells me that only Senator Chew's chauffeur would be guilty.
 4. He would...as a chauffeur driven car would be getting out on the right hand side, so you're safe, Senator.
7. PRESIDING OFFICER: (SENATOR ROCK)
 8. Question is shall House 936 pass. Those in favor will vote Aye. Those opposed will vote Nay.
 10. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question the
 11. Ayes are 50, the Nays are none, none Voting Present.
 13. House Bill 936 having received a constitutional majority
 14. is declared passed. On the Order of House Bills, 3rd reading,
 15. House Bill 945, read the bill, Mr. Secretary.
16. SECRETARY:
 17. House Bill 945.
 18. (Secretary reads title of bill)
 19. 3rd reading of the bill.
 20. PRESIDING OFFICER: (SENATOR ROCK)
 21. Senator Berman.
 22. SENATOR BERMAN:
 23. Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 945 has been introduced at the response...to respond to a request by a number of nursing schools and other medical training facilities that run twelve month school programs. This bill provides that where a school as of two years ago, had a twelve month curriculum. Now, that does not mean a summer school as we usually understand it, but rather a twelve month curriculum as do most of the nursing schools. Where a school had this type of twelve month curriculum as of two years ago, in awarding Illinois State Scholarship Commission Grants,

1. the award shall be on the basis of the twelve month
2. school. Right now, the young people enrolled in these
3. schools of nursing and medical schools are prejudiced
4. because the grants are only made on a basis of a two
5. semester or three quarter year. This will provide that
6. it could also be considered on a basis of a twelve month
7. curriculum. This bill does not, I want to underline that,
8. does not increase the dollar amounts that would be available.
9. The second part of this bill which has not been changed,
10. still has certain limits including the dollar maximum
11. limit that applies to all applicants for the Illinois
12. State Scholarship Commission. Be glad to respond to any
13. questions.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Any discussion? Senator Bowers.

16. SENATOR BOWERS:

17. Sponsor yield to a question?

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Sponsor indicates he will yield. Senator Bowers.

20. SENATOR BOWERS:

21. I...the thing that raised my ears was the question
22. of must. Now, doesn't the Scholarship Commission have the
23. power to do this now?

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Berman.

26. SENATOR BERMAN:

27. As I read the bill, on page 2, lines 10 through...
28. paragraph C on page 2, they say that the...all monetary
29. scholarships shall be applicable only to tuition and necessary
30. fee costs for two semesters or three quarters. Now,
31. that...that would be...seem to be that...and it also says
32. requests for summer term scholarship assistance will be
33. treated separately. These are not...these curriculum that
we are addressing in this bill, are not summer school

1. curriculum as we usually know it. These are twelve
2. month curriculum and I think that this has to be addressed
3. in this language as I read the bill strictly, I'm not
4. sure the Scholarship Commission can do this.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Bowers.

7. SENATOR BOWERS:

8. Well, the question that bothers me, is why are you
9. mandating that they do it? Why...why don't you just give
10. them the right to do it?

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Berman.

13. SENATOR BERAMN:

14. I'm not making it any different than the guidelines
15. presently. It says...the old language says that all
16. monetary scholarships shall be applicable to tuition
17. and necessary fee costs for two semesters or three quarters
18. or where we have a twelve month curriculum. That's their
19. guidelines. They...they can pick and choose between any
20. of the applicants, but if there is a twelve month curriculum,
21. they should give recognition to that fact.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Bowers.

24. SENATOR BOWERS:

25. Well, I'm not necessarily opposed to the bill. I...
26. it bothers me, however, when we start mandating things
27. that...that I frankly don't understand the reason for and
28. it just bothers me when you say they have to do it that way.
29. It seems to me that we ought to leave it up to them and
30. to that basis, I...I'm going to yield to Senator Hickey
31. because I think she may have the answer for me.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Further discussion? Senator Davidson.

1. SENATOR DAVIDSON:

2. Yes, Mr. President and members of the Senate. I rise
3. in support of this bill. We argued the point which Senator
4. Bowers asked in committee and it was brought forth that
5. the Scholarship Commission presently cannot do a twelve
6. month tuition for mainly the nurses program, where a
7. mandated year around participation in schooling.
8. They have...theirs is based on a twelve month year and
9. this student who is going on a three year basis rather than
10. a normal four will have an opportunity to collect from the
11. Scholarship Commission if they have been awarded within
12. the award limits, tuition for that...what you and I would
13. call a summer semester which is not a summer semester.
14. It's a mandated year around program. It applies to a few
15. other professional schools, but this is mainly relation to
16. a nursing program who qualify for help from the Scholarship
17. Commission and there was difficulty on this and this
18. clarifies the language so that these people get treated
19. equally the same as all the other scholarship tuition
20. recipients throughout the State.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Hickey.

23. SENATOR HICKEY:

24. Thank you, Mr. President. I have learned more about
25. this than I knew when we were in committee. As I understand
26. it, the two semesters of fifteen hundred dollars is not a
27. limit. The Scholarship Commission now can award more
28. for a...for a...more than the two semesters if that's the
29. way their priorities are set up for everybody.
30. If this...if this goes into effect, it would cost more than
31. the fifteen hundred dollars for the two semesters and
32. I think that in consideration of all of the other
33. people who also would like to shorten up the length of time

1. that they're in higher education by going to school summers,
2. and still because of shortage of funds, cannot get summer
3. school help, I think that we should vote against this bill.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Further discussion? Senator Maragos.

6. SENATOR MARAGOS:

7. Mr. President and fellow colleagues. I'd like to
8. rise in support of this measure even though Senator
9. Hickey feels that the other schools and the other
10. recipients may not be equally treated, then we should put
11. a bill to make them as equally treated. But in the meantime,
12. we should not deprive these particular nursing schools
13. which are trying to do a good job and providing the
14. graduates for nursing for which we have much need in our
15. society, I think we should give them that opportunity
16. to do so. Now, I would like to state that many nursing
17. programs are four year programs where they get a
18. degree like in the...they start in some of the junior colleges
19. and then go on later on into the graduate schools, but I would
20. like to say in this particular case, many of the hospitals
21. such as one in the South Chicago Community Hospital, is being
22. unfairly discriminated against because of the fact...
23. full year program and they have been discriminated against
24. all these years...this is going to cause additional dis-
25. crimination, we can correct that, but I don't think we should
26. deny them the opportunity to become...to get in the
27. mainstream of allowing them and I'd like to say that many
28. of these young ladies, primarily young ladies, who are
29. recipients of these awards in the nursing schools, are the
30. ones whose families cannot afford to send them to school
31. and they need the scholarship awards.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Nimrod.

SENATOR NIMROD:

1. Yes, a question of the sponsor,, Mr. President.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Sponsor indicates he will yield. Senator Nimrod.

4. SENATOR NIMROD:

5. Yes, Senator Berman, we discussed this particular
6. bill at length in committee and there were a couple of
7. questions I...that I still am unclear about and I thought
8. you might be able to assist me. One is would this
9. apply...the payment of the twelve month schedule, apply
10. to any schools that other than nursing or in a special
11. category, would it apply to any of the regular
12. curriculum type public schools or any of our higher
13. education schools which is other than the special kind of
14. instruction similar to the nursing?

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Berman.

17. SENATOR BERMAN:

18. We've tried to limit the language to apply to those
19. schools that have a twelve month curriculum course. Now,
20. that twelve month curriculum course is different than a
21. school that runs a summer school. Now, if I point out to
22. you that on...the language on lines 13 through 17
23. specifically, lines 14 through 17 of the bill, it
24. says as follows, institutions which require attendance for
25. a twelve month period and which have had this requirement
26. for at least two years prior to...to July 1, '77. In other
27. words, there has to be a twelve month curriculum two years
28. ago.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Nimrod.

31. SENATOR NIMROD:

32. To the best of your knowledge, are there...are there
33. any other programs other than nursing that would qualify for

1. this?

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Berman.

4. SENATOR BERMAN:

5. I am told and I have not done an exhaustive study,

6. but I am told that it might qualify for a couple of the

7. other professional type medical type categories but I

8. understand it's nursing primarily that's involved.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Nimrod.

11. SENATOR NIMROD:

12. The other categories are what?

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Berman.

15. SENATOR BERMAN:

16. Other medical type training programs.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Nimrod.

19. SENATOR NIMROD:

20. All right. Would...would the recipients of the

21. scholarships as a result of the twelve year program,

22. get more money than they would have if they were only

23. a nine year program...nine month program?

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Berman.

26. SENATOR BERMAN:

27. All right. Senator Hickey, I hope you'll listen

28. very carefully to my answer 'cause this was your point.

29. If you look at the bill, on line...page 2, line 23,

30. there are certain maximums set up for the awards.

31. The first paragraph or the introductory line to these

32. maximums says that the scholarship cannot exceed the

33. smallest...cannot exceed the smallest of the following amounts:

1. number one, fifteen hundred and fifty dollars, number
2. two is the...is another limitation and number three is the
3. financial resources as determined by the Scholarship Commission.
4. So, in answer to your question, Senator Nimrod, even when
5. you have a twelve month curriculum, the fifteen fifty is
6. still the maximum award that that applicant can receive.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Further discussion? Senator Nimrod.

9. SENATOR NIMROD:

10. Thank you, Mr. President and I thank you, Senator
11. Berman for the answers.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Any further discussion? Senator Berman, you wish
14. to close the debate?

15. SENATOR BERMAN:

16. I ask for a favorable roll call.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Question is shall House Bill 945 pass. Those in
19. favor will vote Aye. Those opposed will vote Nay. The
20. voting is open. Have all voted who wish? Have all voted
21. who wish? Take the record. On that question the Ayes
22. are 48, the Nays are 3, 2 Voting Present. House Bill 945
23. having received a constitutional majority is declared passed.

24. Senator Chew on 975? On the Order of House Bills, 3rd
25. reading is House Bill 975. Read the bill, Mr. Secretary.

26. ACTING SECRETARY: (MR. FERNANDES)

27. House Bill 975.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Chew.

32. SENATOR CHEW:

33. Mr. President, the actual change in this bill

1. financially, it has a fiscal note, is increase by...from
2. fifty-five cents to sixty cents, the amount that can be
3. charged for a decal to be affixed to one's automobile after it
4. has passed a safety testing lane. Originally the bill
5. called for fees to be increased on the testers and
6. et cetera but by two amendments number...House Amendment
7. No. 1, deleted that charge and that's all it does. I would
8. ask for a favorable roll call. If there are any questions...
9. PRESIDING OFFICER: (SENATOR ROCK)

10. Is there any discussion? The question is shall
11. House Bill 975 pass. Those in favor will vote Aye.
12. Those opposed will vote Nay. The voting is open.
13. Have all voted who wish? Have all voted who wish?
14. Take the record. On that question the Ayes are 43, the
15. Nays are 1, 4 Voting Present. House Bill 975 having
16. received a constitutional majority is declared passed.
17. On the Order of House Bills, 3rd reading, House Bill 980.
18. Read the bill, Mr. Secretary.

19. ACTING SECRETARY: (MR. FERNANDES)

20. House Bill 980.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator Weaver.

25. SENATOR WEAVER:

26. Mr. President and members of the Senate. This is the
27. annual appropriation to the...State University Civil Service
28. Merit Board in the amount of four hundred and fifty-
29. eight thousand three hundred dollars and I would appreciate
30. a favorable roll call.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Is there any discussion? The question is shall House
33. Bill 980 pass. Those in favor will vote Aye. Those opposed will

1. vote Nay. The voting is open. Have all voted who wish?
2. Have all voted who wish? Take the record. On that question
3. the Ayes are 54, the Nays are none, 1 Voting Present. House
4. Bill 980 having received a constitutional majority is
5. declared passed. 1011, Senator Maragos. Senator Maragos.
6. All right. 1018, Senator Knuppel. On the Order of House
7. Bills, 3rd reading is House Bill 1018. Read the bill,
8. Mr. Secretary.

9. ACTING SECRETARY: (MR. FERNANDES)

10. House Bill 1018.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Knuppel.

15. SENATOR KNUPPEL:

16. House Bill 1018 would allow a credit union to issue
17. shares in trust to a member or an individual as trustee.
18. Should not be confused with granting trust powers to the
19. company, however. They will have to use...they are expressly
20. forbidden from...from exercising trust powers and they
21. would have to use, under Senator Bloom's amendment,
22. if they were an Illinois credit union, they would have to
23. use an Illinois State or national bank with trust powers to
24. direct and exercise those trust functions. I submit that
25. this, in its amended form, is good legislation and deserves
26. a favorable roll call.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Any discussion? The question is shall House Bill 1018
29. pass. Those in favor will vote Aye. Those opposed will
30. vote Nay. The voting is open. Have all voted who wish?
31. Have all voted who wish? Take the record. On that question,
32. the Ayes are 41, the Nays are 6, 6 Voting Present. House
33. Bill 1018 having received a constitutional majority is declared

1. passed. 1025, Senator Hall. 1029, Senator Maragos.
2. On the Order of House Bills, 3rd reading, is House Bill
3. 1029. Senator Maragos, for what purpose do you arise?
4. SENATOR MARAGOS:

5. Mr. President and members of the Senate. I would like
6. at this time to move and have leave of the Senate to recommit
7. House Bill 1029 back to Judiciary I Committee for further
8. study because the concomitant bill which I had the appropriation,
9. is dead and this...does...

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Maragos moves to recommit House Bill 1029
12. back to the Committee on Judiciary I. Is leave granted?
13. So ordered. Leave to come back to 1046 and 47? Leave
14. is granted. 1055, Senator Leonard. 1060. 1074,
15. Senator Merlo. On the Order of House Bills, 3rd reading,
16. is House Bill 1074. Read the bill, Mr. Secretary.

17. ACTING SECRETARY: (MR. FERNANDES)

18. House Bill 1074.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Merlo.

23. SENATOR MERLO:

24. Mr. President and members of the Senate, this bill
25. amends the Chicago Teachers' Pension Code and allows the
26. contributors, the retirees, or the annuitants who are
27. contributors to the Teachers' Pension Fund in the days
28. immediately preceding the economic layoff in Chicago which
29. was the equivalent of sixteen days in 1976, to make the
30. proper contribution so that they may be accredited
31. with this and that is their portion would be paid in plus
32. the employers plus five percent interest and I ask your
33. favorable consideration.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Is there any discussion? Senator Berning.
3. SENATOR BERNING:
4. Thank you, Mr. President, members of the Senate.
5. Senate Bill...House Bill 1074 does as Senator Merlo indicated.
6. This, of course, provides the acquisition of pension time
7. and pension benefits for time not worked. It is contrary
8. to the basic philosophy of a pension. A pension system which
9. is benefits granted for service rendered. It is the
10. principle involved here rather than the substance. Yes,
11. some people are going to have a decided advantage
12. if this bill passes and they are granted this extra few
13. days. But the precedent we established is once again,
14. in my opinion, going to be established which will continue
15. then to haunt us with other like or similar situations.
16. The sensible thing for us to do is to maintain the integrity
17. of our pension systems and the philosophy on which they
18. are predicated and I cannot support 1074.
19. PRESIDING OFFICER: (SENATOR ROCK)
20. Senator Harber Hall.
21. SENATOR HARBER HALL:
22. Would the sponsor yield for a question?
23. PRESIDING OFFICER: (SENATOR ROCK)
24. Sponsor indicates he will yield. Senator Hall.
25. SENATOR HARBER HALL:
26. Senator Merlo, do you have some idea of what this
27. could cost in terms of money from the Pension Fund, how
28. many people this would affect and how much it would be?
29. PRESIDING OFFICER: (SENATOR ROCK)
30. Senator Merlo.
31. SENATOR MERLO:
32. Yes, it could amount to two hundred and forty thousand
33. dollars. I might mention this, Senator Hall and also to Senator Berning, that this bill is practically identical to

1. Senate Bill 533 which was passed out of this Chamber and
2. passed in the House, returned with an amendment and
3. we concurred to the amendment that was presented in the
4. House so there's very little difference in this than what
5. we passed out in 533, however the sponsor insisted
6. that I go ahead and call this bill. I might tell you that
7. there's another one that's equivalent to this which is
8. Representative Telcser's and it's Senate...it's House Bill
9. 1608 and that will be up shortly too.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Further discussion? Senator Egan.

12. SENATOR EGAN:

13. Yes, I would just like to point out insofar
14. Senator Berning has spoken in opposition to the bill
15. that this bill was submitted to the Pension Laws Commission
16. and amended to meet their objections to the original bill.
17. As the bill now stands, it is so limited due to economic
18. factors that it has very little effect. It has the...
19. the actuarial soundness that the commission always looks
20. for and I urge your favorable consideration.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Any further discussion? Senator Merlo, you wish to
23. close the debate?

24. SENATOR MERLO:

25. I merely would appreciate a favorable roll call.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Question is shall House Bill 1074 pass. Those in
28. favor will vote Aye. Those opposed will vote Nay. The voting
29. is open. Have all voted who wish? Have all voted who wish?
30. Take the record. On that question the Ayes are 38, the
31. Nays are 15, 2 Voting Present. House Bill 1074 having
32. received a constitutional majority is declared passed.
33. Senator Kenneth Hall, for what purpose do you arise?

1. SENATOR KENNETH HALL:
2. Well, I was going to re-refer a bill, but I see you
3. skipped past it so I...I guess...
4. PRESIDING OFFICER: (SENATOR ROCK)
5. That...that...
6. SENATOR KENNETH HALL:
7. ...I'll wait till later in the day.
8. PRESIDING OFFICER: (SENATOR ROCK)
9. No,.that motion is always in order.
10. SENATOR KENNETH HALL:
11. Is Senator Regner and Senator Soper on the Floor?
12. PRESIDING OFFICER: (SENATOR ROCK)
13. They are, indeed.
14. SENATOR KENNETH HALL:
15. Well, Mr. President, I'd like leave to re-refer
16. House Bill 1025 to some interim study commission or someplace
17. back there.
18. PRESIDING OFFICER: (SENATOR ROCK)
19. Senator Hall moves to recommit House Bill 1025 back
20. to the Committee on Executive. Is leave granted?
21. So ordered. 1077, Senator Vadalabene. Senator Johns, for
22. what purpose do you arise?
23. SENATOR JOHNS:
24. Mr. President, while we're on that order, I'd like
25. to recommit House Bill 504 back to committee at the request
26. of the sponsor, if that's all right, Mr. President, while
27. we're in that order.
28. PRESIDING OFFICER: (SENATOR ROCK)
29. That...that motion is always in order.
30. Senator Johns moves to recommit House Bill 504
31. back to the Committee on Revenue. Is leave granted?
32. So ordered. 1077, Senator Vadalabene. On the Order of
33. House Bills, 3rd reading, is House Bill 1077. Read the

1. bill, Mr. Secretary.

2. ACTING SECRETARY: (MR. FERNANDES)

3. House Bill 1077.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Vadalabene.

8. SENATOR VADALABENE:

9. Yes, thank you, Mr. President and members of the Senate.

10. House Bill 1077 gives the State Scholarship Commission

11. a specific statutory authority to participate

12. in any Federal program established to improve student financial

13. aid services or the proficiency of persons engaged in

14. student financial aid services. The commission is authorized

15. to receive, hold and disburse funds provided by any Federal

16. agency for this purpose. Amendment No. 1 to House Bill

17. 1077 provides that the commission's authority to receive

18. and spend Federal funds to improve student financial aid

19. services or the proficiency of persons engaged in student

20. financial aid services, is subject to the appropriations

21. of the General Assembly and I would appreciate a favorable

22. vote.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Is there any discussion? The question is shall House

25. Bill 1077 pass. Those in favor will vote Aye. Those opposed

26. will vote Nay. The voting is open. Have all voted who wish?

27. Have all voted who wish? Take the record. On that question

28. the Ayes are 53, the Nays are none, none Voting Present.

29. House Bill 1077 having received a constitutional majority is

30. declared passed. 1098, Senator Nimrod. It was amended today.

31. Unless there's strong objection, we can proceed.

32. On the Order of House Bills, 3rd reading, House Bill 1098.

33. Read the bill, Mr. Secretary. I'll have to get it from

1. Enrolling and Engrossing. We'll get right back to it.
2. Senator Vadalabene on 1101. On the Order of House Bills,
3. 3rd reading, House Bill 1101. Read the bill, Mr. Secretary.
4. ACTING SECRETARY:

5. House Bill 1101.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Vadalabene.

10. SENATOR VADALABENE:

11. Yes, thank you, Mr. President and members of the
12. Senate. Just like the Digest says, appropriates
13. funds for ordinary and contingent expenses of the Legislative
14. Council. Appreciate a favorable vote.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Any discussion? Question is shall House Bill 1101
17. pass. Those in favor will vote Aye. Those opposed
18. will vote Nay. The voting is open. Have all voted who wish?
19. Have all voted who wish? Take the record. On that
20. question the Ayes are 53, the Nays are none, none Voting
21. Present. House Bill 1101 having received a constitutional
22. majority is declared passed. On the Order of House Bills,
23. 3rd reading, House Bill 1109. Read the bill, Mr. Secretary.

24. ACTING SECRETARY: (MR. FERNANDES)

25. House Bill 1109.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Rhoade.

30. SENATOR RHOADS:

31. Thank you, Mr. President, members of the Senate.
32. The purpose of this bill is to require reporting of transfers
33. of funds between political committees over fifty dollars.
34. At present, all such transfers have to be reported. It was

1. felt that for the small amounts, the ticket sales and so forth,
2. that this exclusion would be permissible and I would
3. seek a favorable roll call.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Is there any discussion? The question is shall House
6. Bill 1109 pass. Those in favor will vote Aye. Those opposed
7. will vote Nay. The voting is open. Have all voted who
8. wish? Have all voted who wish? Take the record. On that
9. question the Ayes are 50, the Nays are 1, none Voting
10. Present. House Bill 1109 having received a constitutional
11. majority is declared passed. On the Order of House Bills,
12. 3rd reading, House Bill 1098. Read the bill, Mr. Secretary.

13. ACTING SECRETARY: (MR. FERNANDES)

14. House Bill 1098.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Nimrod.

19. SENATOR NIMROD:

20. Yes, Mr. President and Ladies and Gentlemen of the
21. Senate. Senate Bill 1098 provides for continuation of
22. Township Study Laws Commission and as you are aware,
23. there was an amendment put on today creating the Kankakee
24. River Commission which has been added to it.

25. Now, I think that...far as I know, we are interested in
26. ...trying to do it in the House. Might have some objections
27. to this particular amendment but we ought to pass it back
28. there and let the House decide what...and the sponsor of that
29. bill who is Representative McMasters, who, I'm sure, will deal
30. with those...consult with those that are concerned,
31. at least on our side of the aisle will do the thing that
32. is proper or agreeable to them. And I think this ought to be
33. a decision for them to make. I am particularly concerned and
34. interested that the Township Study Laws Commission be appropriated...

1. provided for this year in order for it to terminate its
2. work which is about three quarters done.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Joyce.

5. SENATOR JOYCE:

6. Yes, thank you, Mr. President. I would urge an
7. Aye vote on this side of the aisle on this bill.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Question is shall House Bill 1098 pass. Those
10. in favor will vote Aye. Those opposed will vote Nay.
11. The voting is open. Have all voted who wish? Have all
12. voted who wish? Take the record. On that question the
13. Ayes are 49, the Nays are 3, 2 Voting Present. House Bill
14. 1098 having received a constitutional majority is declared
15. passed. Senator Regner, 1115. On the Order of House
16. Bills, 3rd reading, House Bill 1115. Read the bill,
17. Mr. Secretary.

18. SECRETARY:

19. House Bill 1115.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Regner.

24. SENATOR REGNER:

25. Mr. President and members of the Senate. This is
26. the ordinary and contingent for the Attorney General.
27. Total eleven million thirty thousand dollars four hundred
28. and thirty-five and it's a two hundred and seventy-
29. four thousand six hundred less than introduced and I ask
30. for a favorable roll call.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Any discussion? The question is shall House Bill
33. 1115 pass. Those in favor will vote Aye. Those opposed
34. will vote Nay. The voting is open. Have all voted who wish?

1. Have all voted who wish? Take the record. On that question
2. the Ayes are 54, the Nays are none, none Voting Present.
3. House Bill 1115 having received a constitutional majority
4. is declared passed. 1197, Senator Glass. On the Order of
5. House Bills, 3rd reading, House Bill 1197. Read the bill,
6. Mr. Secretary.

7. SECRETARY:

8. House Bill 1197.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Glass.

13. SENATOR GLASS:

14. Thank you, Mr. President, Ladies and Gentlemen.
15. The Uniform Child Custody Act is an act that would hopefully
16. deter child stealing. The big problem in this area now
17. is that there is no uniform rule for establishing what
18. court has jurisdiction over a child custody matter and as
19. a result, I think all of us have heard about instances
20. where parents have taken children out of a State just so they
21. do not have to be bound by a given court decree and the ones
22. who suffer as a result are the children. This Act which has
23. been now adopted by sixteen other states, would provide
24. a sound basis for establishing jurisdiction of the decree
25. of child custody in one state. I'd be happy to answer any
26. questions. Appreciate a favorable roll call.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Knuppel.

29. SENATOR KNUPPEL:

30. Well, I read the bill the other day here. I don't
31. recall specifically the details of it, but I...I recall that
32. I read it, some of the material on it and I'm left with
33. the same kind of a flat impression that I was left with

1. concerning Senator Berman's injunction bill in cases of married
2. people who want to go to bed togther and they're enjoined from
3. doing it living in the same house and I got the impression
4. that it was a lot more law that spells out a lot of rules and
5. regulations but doesn't really solve anything. But...that it
6. was a kind of a fuzzy law that leaves undistinguished...
7. really, the divorce courts have authority to regulate these
8. things now and...in divorce actions and I don't know if this
9. is acting in in front of the divorce proceedings but it gets
10. into the domestic thing and tries to solve problems that it's
11. just not designed to do. And it will be another law in the
12. books that is seldom used, accomplishes very little and is
13. more often abused than correctly used.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Bowers.

16. SENATOR BOWERS:

17. Sponsor yield to a question?

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Sponsor indicates he will yield. Senator Bowers.

20. SENATOR BOWERS:

21. Is this...how does this gel...and my question is
22. almost the same as Senator Knuppel's, how does this gel with
23. the Divorce Act?

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Glass.

26. SENATOR GLASS:

27. Senator Bowers and also Senator Knuppel, this does not
28. affect the substantive divorce law of the State. It merely
29. establishes a basis for providing which court shall have
30. jurisdiction when there is a multi-state problem. I think
31. one of the more tragic problems in our society today is when
32. parents are fighting over the custody of children and you
33. have instances where, for example, the Court of Illinois would

1. issue a divorce decree but since that decree is always
2. subject to modification, the court of Iowa may well choose
3. to ignore it, and...and take jurisdiction itself and issue
4. a decree in Iowa giving custody let's say to a mother who
5. has taken the child across the border without the father's
6. knowledge. And this kind of problem exists throughout the
7. United States. I know that I have personally handled a
8. case of this nature and there isn't any good answer to it.
9. This is a bill that is...has the support of all of the
10. divorce division judges in Chicago and both the Illinois and
11. the Chicago Bar Associations. It attempts to resolve this
12. dispute between states over jurisdiction. I think it...it
13. ...it goes a long way toward accomplishing that.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Donnewald.

16. SENATOR DONNEWALD:

17. Yes, Mr. President. There's no question that this
18. legislation is, in fact, needed. However, it is too complex
19. and lengthy to be considered at this time. We...we...
20. you have to be considering jurisdiction, contestants,
21. notice, service, res adjudicata, pending proceedings, conduct of
22. the petitioner, support, affidavits. All of these matters
23. are extremely complex. I think that it would be wise for the
24. sponsor to re-refer it to a committee and give it detailed
25. study in order that it can be put in shape and eventually
26. become law. I would urge that the sponsor do that.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Bruce.

29. SENATOR BRUCE:

30. Thank you, Mr. President. I rise in opposition.
31. Senator Donnewald raised the question, probably the biggest
32. problem with the bill is jurisdiction. There is no exception
33. for jurisdiction on a case where there's a hearing in another

1. state which it very well could violate a standing court
2. order. We are allowing and inviting competing jurisdictions
3. to attempt to resolve complicated custody questions without
4. Illinois petitioners being in front of the court. The
5. definition of contestant is bad. You need not even be a
6. parent or even a relative to be a contestant. As a consequence,
7. any person who claims to have a right to custody, falls under
8. the Act and among other things, must be given notice of all
9. proceedings. A problem was the notice then, we get to is the
10. fact that notice is given on the basis of an interested party
11. there's no guarantee that he would disclose all contestants
12. to the matter. Service of process is by publication
13. which is fundamentally unfair probably in a child custody
14. suit. The new court or the second court to handle the matter
15. should be required to send notice by registered mail to the
16. last known address of all parties rather than just by
17. publication. The pending proceedings problems, as Senator
18. Donnewald mentioned, we could have...right now, we have
19. jurisdiction. Once we take the divorce, we have jurisdiction
20. in the custody till the children are no longer minors.
21. It raises the whole question of pending jurisdiction by the
22. Illinois courts. The...the second court involved may communicate
23. with the original court which could be an Illinois court.
24. There's no mandate that they should and get a full record
25. of all the proceedings in Illinois which they ought to be mandated
26. to. The conduct of the petitioner. The court may consider the
27. conduct if it's reprehensible, they can decline jurisdiction.
28. It seems to me that that ought to be a requirement. There is
29. no mention in the Act of any compliance with the child
30. support requirement which I think is essential if we're
31. talking about child custody and a sister court has given
32. a support order, that ought to be at least enforced
33. before custody is discussed in a second court. The affidavit

1. in Section 10 is inadequate. Res adjudicata in Section 13
2. particularly in light of notice by publication ought to be
3. very closely reviewed. Separation of powers in Section
4. 25 could be in violation of Separations Clause which we are
5. mandating. Consideration by the Judicial Branch, the costs
6. of transcripts in Section 23, there's no person stated as
7. to who would pay for the certified copy. In the
8. definition of home state, in Section 3-04 is unclear and
9. confusing. For all those reasons, Mr. President, I think
10. the bill ought to be recommitted to committee or
11. at least defeated today.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Berman.

14. SENATOR BERMAN:

15. Well, Mr. President, I stand in support of House
16. Bill 1197. I chaired a subcommittee of the Judiciary I Committee.
17. I think many of the apprehensions that were raised were along
18. two lines. Number one was the limitations imposed upon or
19. the non-availability of the clerk of the courts to
20. set forth fee schedules for the added requirements imposed
21. upon them. That's been cured by...that's been cured by
22. an amendment. The other concern that we went into and
23. satisfied me, at least, was the question of whether we are
24. putting Illinois residents at any disadvantage as a result of
25. the passage of this bill. I'm satisfied in my own mind that
26. the passage of this bill will not hurt any Illinois
27. resident. In fact, I think that there are many cases
28. where it will help us considerably. But I think that many
29. times with the uniform acts, we are concerned and the
30. questions were raised in committee, are we putting our
31. people, our constituents, our Illinois citizens
32. at a disadvantage by adopting certain uniform laws.
33. I'm satisfied in my own mind that we are not and that's why
34. I intend to support this bill.

35. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Maragos.

2. SENATOR MARAGOS:

3. Mr. President and members of the Senate. I, too,
4. arise in favor of this bill. As you can see that the
5. Judiciary I did go through this bill rather lengthily
6. and had the subcommittee study it before it came out
7. with a Do Pass recommendation...unanimous recommendation.
8. And there's no doubt that there are...there's no bill that
9. comes out a perfect condition to satisfy all people in this
10. Senate. However, I think it's a step in the right
11. direction. It is long overdue and I think we should give
12. it...try to make a wholehearted attempt to solve this
13. problem which is real...real urgent in many ways
14. in this society where we have so many divorces and broken
15. homes and I ask for the support and the adoption...and the
16. passage of this bill.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Graham.

19. SENATOR GRAHAM:

20. As an...as a...nonpracticing lawyer. I think the
21. opponents of ERA would be awfully interested in the people
22. that have been testifying for this bill today that all of
23. a sudden have gotten interested in child custody.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Further discussion? Senator Glass may close the...
26. oh, I beg your pardon. Senator Bruce.

27. SENATOR BRUCE:

28. Just on the one point. We've gone around jurisdiction,
29. but I think that this bill would allow a court not located
30. in Illinois to ad judge jurisdiction of your children or ad judge
31. custody of your children by merely giving publication
32. in a local paper and if your wife should take your children,
33. go to another state, get publication in Albuquerque, New Mexico

1. and you have no idea where she is, they're going to
2. adjudicate the custody of your children. At the very
3. least, the father or the mother of the children ought
4. to get personal notice that a court located somewhere in the
5. United States is going to discuss the custody of your
6. children.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Knuppel.

9. SENATOR KNUPPEL:

10. Well, I can say one thing, it will make a lot more
11. legal fees. I've practiced for twenty-five years and
12. probably handled three thousand domestic matters and I've
13. never found the need for this much of garbage in all
14. my life. And just as Senator Bruce says, he went into a
15. detailed...I mean, this thing smells so bad, I couldn't
16. read it all. As he said...as he said, he went through it
17. and he's pointed jurisdictional defects and everything else.
18. I don't know how in the hell we got along the last fifty years
19. and I...as I say, I've handled three thousand domestic
20. matters, most of them we've been able to work the thing
21. out without this.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Further discussion? Senator Glass may close the debate.

24. SENATOR GLASS:

25. Well, thank you, Mr. President and members of the Senate.
26. It is just precisely because of the problems raised by Senator
27. Bruce that we have the bill before us. The bill does, indeed,
28. present a basis for determining jurisdiction in child
29. custody matters. If there is childsnatching from Illinois,
30. the Illinois court decree may well be respected by courts
31. of other jurisdictions. That's what this Act provides.
32. It gives it a base for jurisdiction and if there is a valid
33. court decree, another state with this Act would have to give

1. it full faith and credit and as far as Senator Knuppel's
2. practice is concerned, he may not have had any problems
3. with jurisdiction in other states, but many attorneys have.
4. And there is nothing more tragic than child stealing
5. and the consequences upon the children of parents fighting
6. over the child because you have conflicting decrees awarding
7. custody by courts of different states. That's precisely the
8. problem which this bill addresses. It has been, as I said,
9. adopted by seventeen other states and is well supported by
10. the court...the judges of the Divorce Division in Chicago
11. as well as the bar associations and I would urge a favorable
12. roll call.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Question is shall House Bill 1197 pass. Those in
15. favor will vote Aye. Those opposed will vote Nay. The
16. voting is open. Have all voted who wish? Have all voted
17. who wish? Take the record. On that question the Ayes are
18. 21, the Nays are 27, 2 Voting Present. House Bill 1197
19. having failed to receive the constitutional majority
20. is declared lost. Senator...all right. Yes. Ladies and
21. Gentlemen of the Senate, if I may have your attention.
22. There was scheduled, as you well know, a Special Order of
23. Business for 2:00 o'clock concerning House Bill 333 and
24. 1650. I have just heard from the President, he is off the
25. Floor on a official Senate business and I would ask leave
26. of the Body at this time to defer that until the hour of
27. 3:00 o'clock. We're rolling pretty good here. I think we
28. should keep rolling. Leave is granted. On the Order of
29. House Bills, 3rd reading, is House Bill 1216. Read the bill
30. Mr. Secretary.

31. SECRETARY:

32. House Bill 1216.

33. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Walsh.

4. SENATOR WALSH:

5. Mr. President, may I have leave to discuss House
6. Bills 1216 and 1217?

7. PRESIDING OFFICER: (SENATOR ROCK)

8. You've heard the request. Is leave granted? So
9. ordered. If we can have...we can keep the noise down,
10. we're rolling pretty good. Senator Walsh.

11. SENATOR WALSH:

12. Mr. President and members of the Senate. These two
13. bills amend the Campaign Financing Act. And they provide
14. merely that news stories, editorials about a candidate
15. favorable to a candidate, would not be included as an
16. expenditure or a contribution. That the use of real property,
17. for the cost of food and beverages, for example, at ..
18. a coffee on behalf of a candidate, providing that service
19. would not exceed one hundred and fifty dollars, would not
20. be included as a contribution or an expenditure. And also
21. that the...sale of any food or beverage by a vendor
22. at less than market price, would not be considered a
23. contribution or expenditure providing that that sale was
24. at least equal to the cost to the vendor. Now, House Bill
25. 1216 relates to the expenditure reporting requirement
26. and House Bill 1217 relates to the contribution reporting
27. requirement. The bills are...contain the exact same language
28. in all other respects. And I would urge support first of
29. House Bill 1216.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Is there any discussion? Question is shall House
32. Bill 1216 pass. Those in favor will vote Aye. Those
33. opposed will vote Nay. The voting is open. Have all voted
34. who wish? Have all voted who wish? Take the record. On that
35. question the Ayes are 51, the Nays are none, 1 Voting

1. Present. House Bill 1216 having received a constitutional
2. majority is declared passed. On the Order of House
3. Bills, 3rd reading, House Bill 1217. Read the bill,
4. Mr. Secretary.

5. SECRETARY:

6. House Bill 1217.

7. (Secretary reads title of bill)

8. 3rd reading of the bill.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Walsh.

11. SENATOR WALSH:

12. Mr. President, members of the Senate. House Bill
13. 1217 relates to the contribution section. Contains the
14. exact same language and I would urge its support.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Any discussion? The question is shall House Bill
17. 1217 pass. Senator Bruce.

18. SENATOR BRUCE:

19. I guess the last one got by me too quick, but I'm
20. curious about this one, too. I think the first one says,
21. they can expend certain things and we don't have to report
22. them. Now, the second one says, if you receive it as
23. a contribution. Now, I really want to rise, I think, in
24. opposition to this bill. If...if a committee that I have
25. set up or Senator Wooten or someone else has set up is
26. contributing five thousand dollars to my campaign, it ought
27. to show up in my campaign disclosure form if I picked
28. up an extra five grand from somebody else and I
29. ...I don't know what the different committees set up are
30. doing, but I am...I am not certain that we ought to have
31. intra or intercommittee fund transfers without some track
32. of that. It seems to me that Bruce sets up ABC and D. I keep
33. contributing between A and B and C and D and A has a dinner

1. and they make a pretty good profit and it just seems to me
2. that I'd like to have a better explanation of at least
3. this bill and...and I wish I hadn't have voted on
4. 1216 I'm afraid.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Walsh.

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13. End of reel.

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1. SENATOR WALSH:

2. Mr. President...Senator Bruce, I think you're vote
3. on 1216 was good and I hope you'll vote for 1217.
4. Neither bill relates to transfers, so any transfer
5. from one committee to another is not covered in
6. either bill. The...Calendar is incorrect insofar as
7. it would imply that I think as to one of the two bills.
8. Once again, the bills only provide and let me just
9. repeat so that none of the members have any...any
10. doubt because the amendment...the amendment is the...
11. is the bill. First, that any news story, editorial,
12. et cetera complimentary to a candidate...some of
13. us are fortunate enough to be endorsed by newspapers,
14. such as Senator Harber Hall has always enjoyed that...
15. that luxury. It had been suggested, I think there
16. was possibly a ruling from the Board of Elections or
17. someone suggested that maybe that should be something
18. that the candidate should declare as a contribution
19. and that a newspaper might have to declare as an
20. expenditure. All right. Then that...that is the
21. first part of it. The second part of it is the
22. coffee that might be held on behalf of a candidate.
23. So long as whatever is expended or the value of the
24. service does not exceed one hundred and fifty dollars.
25. And then the third part of the two bills is the sale
26. of any food or beverage for a campaign event that
27. might be held at less than the retail price so long
28. as it is not less than the cost to the vendor or less
29. than the wholesale price. That would not be either
30. an expenditure on...the part of the person furnishing
31. the food or beverage or service nor a contribution
32. on the part of the recipient. So, once again, neither
33. of these bills relate to transfers. Senator Rhoads

1. had a bill which related to transfers from one political
2. committee to another and neither of these bills relate
3. to that.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Bruce.

6. SENATOR BRUCE:

7. I rise to correct the record. It has been amended
8. to do exactly what Senator Walsh has said. It excludes
9. from what is a campaign contribution and relates exactly
10. to 1216 which was a companion bill when a definition
11. of a political expenditure is news stories, the use of
12. your personal home for a...a party, food, invitations
13. and beverages voluntarily furnished by someone in his
14. own residence where it does not exceed a hundred and
15. fifty dollars...has that been amended to fifty or
16. is it still a hundred and fifty, it still remains a
17. hundred and fifty and food and drinks sold for use
18. in a candidates campaign, if it's at least charged
19. equal to what the vendor paid for it. I...I see
20. no objection. I...I did not see the amendment.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Berman.

23. SENATOR BERMAN:

24. Will the sponsor yield?

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Indicates he will yield, Senator Berman.

27. SENATOR BERMAN:

28. On the exclusion where you've taken out the newspapers
29. and editorials and radio endorsements, how does...how
30. does this affect an operation like WCFL which is owned
31. by the Chicago Federation of Labor.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Walsh.

1. SENATOR WALSH:

2. Well, I don't think it...it would, I'm not, I'm really
3. not sure how it would relate to WCFL if it is owned
4. or controlled by a political party or a political committee,
5. they're not that. If a station or newspaper is owned by
6. a, and this is the way it reads, Senator Berman, unless
7. such facilities are owned or controlled by any political
8. party, political committee or candidate. So since WCFL
9. is not owned by any one of those three, I would say
10. that they just fall into the same situation that WGN
11. would.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Berman.

14. SENATOR BERMAN:

15. What about the candidate, I think we may even
16. have some in this Body, fellow who runs for the
17. State Senate and owns a chain of newspapers and
18. the newspaper endorses him. How do you evaluate...
19. that seems to be outside the exclusion, otherwords
20. you have to put a value on that. How do you evaluate
21. the value of that endorsement by that fellow's newspapers?

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Walsh.

24. SENATOR WALSH:

25. Well, I think if a person, you know, owns his
26. own newspaper then he might have to do some reporting
27. that the rest of us wouldn't have to do.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Berman.

30. SENATOR BERMAN:

31. The question is, how do you value them?

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Walsh.

1. SENATOR WALSH:
2. It's always a...you'd probably just have to evaluate
3. the reasonable value of whatever is provided, we
4. have that situation now in...in the case of space that's
5. provided or whatever services might be provided by...by
6. someone to another. Valuing services is always a
7. problem.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Further discussion? The question is shall House
10. Bill 1217 pass? Those in...Senator Vadalabene, for
11. what purpose do you arise?

12. SENATOR VADALABENE:

13. Yes, I have a short question. Just a short one.
14. I rarely ask one.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Vadalabene.

17. SENATOR VADALABENE:

18. Senator Walsh, yes, I really have a short question
19. and I...I don't regard it as serious, but...but this
20. last campaign, my opponent used the letter to the
21. editor in continuously saying something negative about
22. my campaign and then signed it so and so candidate for
23. Senator of 56th Senatorial District. Would you
24. regard that as using the news media for advertising
25. and getting it for nothing?

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Walsh.

28. SENATOR WALSH:

29. Well, I'm not really qualified to answer that,
30. Senator Vadalabene, but you might speak to your
31. public relations man to see what he thinks about that.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. The question is shall House Bill 1217 pass. Those
34. in favor will vote Aye. Those opposed will vote Nay.

1. The voting is open. Have all voted who wish? Have all
2. voted who wish? Take the record. On that question the
3. Ayes are 54, the Nays are none, 1 Voting Present.
4. House Bill 1217 having received a constitutional
5. majority is declared passed. 1220, Senator Vadalabene.
6. On the Order of House Bills 3rd reading, House Bill
7. 1220. Read the bill, Mr. Secretary.

8. SECRETARY:

9. House Bill 1220.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Vadalabene.

14. SENATOR VADALABENE:

15. Yes, thank you, Mr. President and members of the
16. Senate. House Bill 1220 appropriates two million
17. dollars from the Capital Development Bond Fund to
18. the Secretary of State for public library construction
19. grants which were authorized and have already passed
20. the Senate and the companion bill, House Bill 1218.
21. The other companion bill which has also passed the
22. Senate, House Bill 1219 amends the Capital Development
23. Bond Act by creating a new category for which CD funds
24. may be used, library construction grants. And I would
25. appreciate a favorable vote.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Is there any discussion? Now that Senator Vadalabene
28. has finished, Channel 20 wishes to shoot some silent
29. film. Is leave granted? Leave is granted. The question
30. is shall House Bill 1220 pass. Those in favor will vote
31. Aye. Those opposed will vote Nay. The voting is open.
32. Have all voted who wish? Have all voted who wish?
33. Take the record. On that question the Ayes are 44, the
34. Nays are 2, none Voting Present. House Bill 1220, having
35. received a constitutional majority is declared passed.

1. Senator Regner, 1237. Senator Regner, 1237. Senator
2. Regner.

3. SENATOR REGNER:

4. Yes, Mr. President, would you put that on the
5. list to call back to 2nd for amendment. I was
6. informed a member has an amendment for it.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. All right, we'll skip it for the time being. 1248,
9. Senator D'Arco. On the Order of House Bills 3rd reading,
10. House Bill 1248. Read the bill, Mr. Secretary.

11. SECRETARY:

12. House Bill 1248.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator D'Arco.

17. SENATOR D'ARCO:

18. Thank you, Mr. President. What this bill does, it
19. allows security guards who are transporting mentally
20. ill patients from the Illinois State Psychiatric Institute
21. in Chicago to the facility in Chester to carry guns across
22. the county line where they don't presently have jurisdiction.
23. And I would ask for a favorable vote.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Any discussion? The question is shall House Bill
26. 1248 pass. Those in favor will vote Aye. Those opposed
27. will vote Nay. The voting is open. Have all voted
28. who wish? Have all voted who wish? Take the record.
29. On that question the Ayes are 49, the Nays are 1,
30. 2 Voting Present. House Bill 1248 having received the
31. constitutional majority is declared passed. 1253,
32. Senator Knuppel. On the Order of House Bills 3rd
33. reading, House Bill 1253. Read the bill, Mr. Secretary.

34. SECRETARY:

35. House Bill 1253.

1. (Secretary reads title of bill)
2. 3rd reading of the bill.
3. PRESIDING OFFICER: (SENATOR ROCK)
4. Senator Knuppel.
5. SENATOR KNUPPEL:
 6. Mr. President and members of the Body. This is a...
 7. an Illinois Medical Association supported legislation.
 8. It amends the Medical Practice Act and grants immunity
 9. from liability to any physician, association, society,
 10. or person who in good faith reports information
 11. that a...physician is in violation of any provision
 12. of Section 16 of the Medical Practice Act. And the
 13. Qualified Immunity Statute offers adequate incentives
 14. protection to well motivated physicians and physicians
 15. organization while shielding third persons from
 16. abuse and malicious action since the accuser or
 17. complainant is required always to act in good faith
 18. and with a sense of duty to the public. This is a
 19. bill to protect the public and to give some protection
 20. to a person who would turn in a physician for violating
 21. his ethics as a...as a physician. I think it's good
 22. legislation. As I say it is supported by the Illinois
 23. Medical Association. They would be the most...people
 24. most vitally affected and I suggest that it should
 25. have a favorable roll call.
26. PRESIDING OFFICER: (SENATOR ROCK)
 27. Is there any discussion? Senator Berman.
28. SENATOR BERMAN:
 29. Will the sponsor yield?
30. PRESIDING OFFICER: (SENATOR ROCK)
 31. Indicates he will yield. Senator Berman.
32. PRESIDING OFFICER: (SENATOR ROCK)
 33. Senator Knuppel the Digest says the good faith

1. of any such physician, association, society, or person
2. shall be presumed. In a court of law or on a question
3. of...of defamation of character, what does that language
4. mean?

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Knuppel.

7. SENATOR KNUPPEL:

8. Well, I think it states nothing more than what the
9. common law would be. I think good faith is presumed
10. and you'd have to prove that that it was in bad faith.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Berman.

13. SENATOR BERMAN:

14. If it is the common law why are we stating it in
15. this bill?

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Knuppel.

18. SENATOR KNUPPEL:

19. Well, sir, there's five volumes they tell me the
20. next time, there's four now of law and most of it
21. is law that wasn't the common law interpreted by the
22. courts and we've codified it. I don't see anything
23. so unusual about that.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Further discussion? Senator Maragos.

26. SENATOR MARAGOS:

27. Is this limited, Senator Knuppel to physicians
28. reporting within their own ranks or this is any
29. person?

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Knuppel.

32. SENATOR KNUPPEL:

33. This protects any person, any society, any physician

1. or any association. So you're protected and that's the
2. reason...one of the reasons I think it's good is
3. because if you think that some...some physician is
4. a charletan and you report him to the medical
5. association so that they can investigate him, you are
6. protected if you did that in good faith.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Maragos.

9. SENATOR MARAGOS:

10. Even if in due course he is found not to be
11. guilty of the...allegations that you have charged?

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Knuppel.

14. SENATOR KNUPPEL:

15. Well, it wouldn't start in a court, it would
16. start with the medical association and if he was
17. cleared, it's just like the bar association. We
18. shouldn't have any right to sue somebody that's
19. a practicing lawyer because in good faith turn
20. us in thinking we violated. I don't feel so.

21. Now, if they...if they went out publicly and
22. damaged our reputation or business that'd be
23. a different thing. But this is for when they
24. report you to your own association.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Any further discussion? The question is shall
27. House Bill 1253 pass. Those in favor will vote Aye.
28. Those opposed will vote Nay. The voting is open.
29. Have all voted who wish? Have all voted who wish?
30. Take the record. On that question the Ayes are 49,
31. the Nays are none, 3 Voting Present. House Bill
32. 1253 having received a constitutional majority
33. is declared passed. 1255, Senator Chew. 1266,
34. Senator Lane. On the Order of House Bills 3rd

1. reading, House Bill 1266. Read the bill, Mr. Secretary.
2. SECRETARY:
3. House Bill 1266.
4. (Secretary reads title of bill)
5. 3rd reading of the bill.
6. PRESIDING OFFICER: (SENATOR ROCK)
7. Senator Lane.
8. SENATOR LANE:
 9. Yes, sir, Mr. President and members of the Senate.
10. House Bill 1266 amends the Northeastern Illinois
11. Planning Act. Requires the advise and the consent of
12. the Senate for the Governor's appointees to the
13. Northeastern Illinois Metropolitan Area Planning
14. Commission. As simply stated, that's all it does.
15. I ask for a favorable roll call.
16. PRESIDING OFFICER: (SENATOR ROCK)
 17. Is there any discussion? The question is shall
 18. House Bill 1266 pass. Those in favor will vote Aye.
 19. Those opposed will vote Nay. The voting is open.
 20. Have all voted who wish? Have all voted who wish?
 21. Take the record. On that question the Ayes are 53,
 22. the Nays are none, none Voting Present. House Bill
 23. 1266 having received a constitutional majority is
 24. declared passed. On the Order of House Bills 3rd
 25. reading, House Bill 1278. Read the bill, Mr. Secretary.
26. SECRETARY:
 27. House Bill 1278.
28. (Secretary reads title of bill)
29. 3rd reading of the bill.
30. PRESIDING OFFICER: (SENATOR ROCK)
31. Senator Carroll.
32. SENATOR CARROLL:
 33. Thank you, Mr. President and members of the Senate.

1. House Bill 1278 has met with approval of all areas of
2. financial institutions in that it allows the credit
3. unions to deposit more money in banks and more money
4. in savings and loans as well as a few other investments that
5. they can have. Therefore, it was not on any of the
6. hit list letters because it allows them to put more
7. money in and I don't think there are any questions. I
8. would therefore ask for a favorable roll call.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Any discussion? The question is shall House Bill
11. 1278 pass. Those in favor will vote Aye. Those opposed
12. will vote Nay. The voting is open. Have all voted who
13. wish? Have all voted who wish? Take the record. On
14. that question the Ayes are 50, the Nays are 1, 3 Voting
15. Present. House Bill 1278 having received a constitutional
16. majority is declared passed. 1313, Senator Schaffer.
17. 1325, Senator Joyce. 1384, Senator Maragos. On the
18. Order of House Bills 3rd reading, House Bill 1384.
19. Read the bill, Mr. Secretary.

20. SECRETARY:

21. House Bill 1384.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Maragos.

26. SENATOR MARAGOS:

27. Mr. President and members of the Senate. House Bill
28. 1384 is similiar to two bills that passed out of this
29. Body a month or so ago, which is 607 and 608, it has
30. to do with amending the Capital Development Board Act and
31. it provides for joint control of the expenditures of the
32. capital funds by both the school districts involved, the
33. community colleges and common school districts as well as
34. the Capital Development Board. It has been approved by the
35. Capital Development Board in its amended form and I ask for

your support.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Any discussion? Question is, shall House Bill 1384
3. pass. Those in favor will vote Aye. Those opposed will
4. vote Nay. The voting is open. Have all voted who wish?
5. Have all voted who wish? Take the record. On that ques-
6. tion the Ayes are 48, the Nays are none. None Voting
7. Present. 4 Voting Present. House Bill 1384 having
8. received the constitutional majority is declared passed.
9. With leave of the Body Senator Schaffer was indisposed.
10. House Bill 1313. On the Order of House Bills, 3rd reading,
11. House Bill 1313. Read the bill, Mr. Secretary.

12. SECRETARY:

13. House Bill 1313.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Schaffer.

18. SENATOR SCHAFFER:

19. Mr. President and members of the Senate. House Bill
20. 1313, I think, is a very simple bill. There are copies of
21. it, as amended, on each desk and the bill simply provides
22. that when a vehicle, meaning a truck, loaded with loose
23. material the size of gravel or larger, that if the load extends
24. above the sides or the back of the truck, the rear of the
25. truck, that the truck has to be covered with a tarp or
26. other materials, which means sideboards. I think everyone
27. of us has had our windshields cracked or broken and if you
28. live in an area like I do the...you know, there's so many
29. windshields broken, so much damage done by these gravel
30. trucks in the gravel areas and I suspect the coal areas
31. have similar problems. I think this is a very reasonable
32. bill. We've compromised it to the best of our ability to
33. allow for...taking out sand and farm products and I think

1. the bill is in good shape and I think it deserves all of
2. our support.
3. PRESIDING OFFICER: (SENATOR ROCK)
4. Senator Hickey.
5. SENATOR HICKEY:
6. I'd...I'd like to ask the sponsor...
7. PRESIDING OFFICER: (SENATOR ROCK)
8. ...Pardon me, Senator. Senator Kenneth Hall, for what
9. purpose do you arise?
10. SENATOR KENNETH HALL:
 11. Well, I was just asking. Senator Chew was asking to
 12. be on the Floor. I...he was...when he called that. Did he...
 13. did he make that request to you, Senator? Okay. Go ahead.
14. PRESIDING OFFICER: (SENATOR ROCK)
15. Senator Hickey.
16. SENATOR HICKEY:
17. Would the sponsor yield for a question?
18. PRESIDING OFFICER: (SENATOR ROCK)
19. Sponsor indicates he will yield. Senator Hicky.
20. SENATOR HICKEY:
 21. Senator Schaffer, somebody is represented to me today
 22. that this would also include covering anything much larger
 23. which couldn't possibly fly off of a truck. Is that right?
24. PRESIDING OFFICER: (SENATOR ROCK)
25. Senator Schaffer.
26. SENATOR SCHAFFER:
 27. I think that was the amendment of Senator Chew's that
 28. we defeated yesterday or day before yesterday.
29. PRESIDING OFFICER: (SENATOR ROCK)
30. Senator Hickey. Senator Philip.
31. SENATOR PHILIP:
 32. Would the sponsor yield for a question?
33. PRESIDING OFFICER: (SENATOR ROCK)

1. Sponsor indicates he will yield. Senator Philip.

2. SENATOR PHILIP:

3. Yah. Senator Schaffer, I'd like to...to set up a
4. hypothetical question, where you would have a stone
5. quarry or gravel pit, which has two or three pits in a
6. local area and because there is a State or a county or
7. a municipal highway that runs in between the two pits, when the...
8. when those trucks go from pit to pit or pile to pile
9. and they just happen to go on that state highway for,
10. how should I say it, just to cross it, not any length
11. of distance, would they still be covered under this
12. bill? Will they still be required to have the tarps.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Schaffer.

15. SENATOR SCHAFFER:

16. First of all, that's one thing I'd like to emphasize.
17. There is no requirement for tarps in this bill. The problem
18. can be solved with sideboards. Yes, if they load the truck
19. dangerously and bring it across the State highway and...and
20. that type of a situation they would have to comply. Now,
21. I would suggest to you that that would be a very rare in-
22. stance and, in all candor, they probably would shoot back and
23. forth in violation of the law and unless we put a State
24. cop there we probably couldn't stop them.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Philip.

27. SENATOR PHILIP:

28. Well, I would just say this, Senator. That I happen to
29. have that situation in my local community. We happen to have
30. the second largest material supplier in the State of Illinois
31. and it happens to be in the City of Elmhurst. And between their
32. two piles and their two pits they have a...local road and
33. I suppose every time they take their truck across that road,

1. they'd be in violation of this. It's a shame you didn't
2. put some provision in the bills to...to take care of those
3. types of instances. Because I agree with you, on the
4. highway, completely. You know when they're going some kind
5. of a distance, but when they just go across a road, to make
6. them comply would seem to be just a little...ridiculous.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Further discussion? Senator Ozinga.

9. SENATOR OZINGA:

10. Question to the sponsor. Are the local State highway
11. operations, county and township maintenance vehicles and
12. farm vehicles still exempt from this bill?

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Schaffer.

15. SENATOR SCHAFFER:

16. State vehicles are in the bill. County and township
17. vehicles are exempted, if they are engaged in maintenance
18. work on the roads. In other words, it's difficult for them
19. to be, say working on the shoulder and pouring gravel out
20. the one side through the chute and have sideboards and the
21. tarp on. We put, but there are...there are involved if
22. they're hauling. Farm products are exempted. Most of the
23. farm products we're talking about will not break a wind-
24. shield or cause somebody physical damage.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Now, the needless noise will only delay this. There are
27. seven members who have indicated they wish to be heard on this
28. matter. Senator Ozinga, have you concluded your remarks?

29. Senator Regner.

30. SENATOR REGNER.

31. Yes. A question for the sponsor.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Indicates he will yield. Senator...

1. SENATOR REGNER:
2. This is along the same line of Senator Ozinga's question.
3. If a private enterprise guy is working on trucks, he has to
4. comply with this, right?
5. PRESIDING OFFICER: (SENATOR ROCK)
6. Senator Schaffer.
7. SENATOR SCHAFFER:
8. One point I should make. Again, it's only...when the
9. load extends above the side and the rear and since we're
10. talking about aggregate and gravel, this probably means
11. it's illegally loaded anyway. Yes, this is if they're in
12. violation, this law applies to them.
13. PRESIDING OFFICER: (SENATOR ROCK)
14. Senator Regner.
15. SENATOR REGNER:
16. Well, the thing I don't understand, is why under the
17. same circumstances county and...township vehicles are
18. exempted?
19. PRESIDING OFFICER: (SENATOR ROCK)
20. Senator Schaffer.
21. SENATOR SCHAFFER:
22. Well, the exemption we put in is when they are engaged
23. in maintenance work. Now, if you're saying to me a private
24. truck that might be engaged in work on a county or township
25. road under a contract, well, I'm not, frankly, the counties
26. and townships in my area don't do that. It's something that
27. might happen and I suspect that we get into one of those
28. extremely gray areas of the law, that is very difficult to
29. interpret and if the truck is under contract with the
30. township and it's doing township work, it probably falls
31. under the category of a township vehicle. But they're only
32. exempted while they're doing the maintenance work. Now,
33. if they're hauling rocks and gravel, that's not maintenance

1. work.
2. PRESIDING OFFICER: (SENATOR ROCK)
3. Senator Regner.
4. SENATOR REGNER:
5. Well, Senator Schaffer, you know, this might not be
6. bad. But I think if it's good for private business, it
7. should be good for government business, too.
8. PRESIDING OFFICER: (SENATOR ROCK)
9. Senator Netsch.
10. SENATOR NETSCH:
11. No.
12. PRESIDING OFFICER: (SENATOR ROCK)
13. Senator Chew.
14. SENATOR CHEW:
15. Thank you, Mr. President. First of all, I'd like to
16. bring it to the attention of the Body that this is the same
17. bill that I attempted to put an amendment on last week that
18. would cover all of the things that we are discussing now.
19. The amendment was rejected...I'd like to ask the sponsor
20. one or two questions, if he'll yield?
21. PRESIDING OFFICER: (SENATOR ROCK)
22. Sponsor indicates he will yield. Senator Chew.
23. SENATOR CHEW:
24. Senator Schaffer, is it true that you Tabled the
25. amendment that you put on...on one day last week?
26. PRESIDING OFFICER: (SENATOR ROCK)
27. Senator Schaffer.
28. SENATOR SCHAFFER:
29. The amendment I tabled,I tabled it because it referred
30. to ensilage and it turns out that that word...was poorly
31. chosed and we replaced the term, farm products. Ensilage
32. as it turns out means farm products stored in a building,
33. an,obviously,if they are not...if they are in a truck, they

1. are not stored in a building and that definition would have
2. caused many of our friends in the legal trade some problem.
3. That is the amendment that I Tabled.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Chew.

6. SENATOR CHEW:

7. Thank you, Mr. President. I merely say if this bill
8. were designed for the safety of the motorists in the State
9. of Illinois, it would,in fact, cover all trucks that are
10. hauling the kinds of materials that this bill referred to...
11. refers to. Now, Senator Schaffer said something about
12. vehicles being exempted, if they are carrying materials
13. for maintenance work. I don't find anywhere in the bill,
14. I could have overread it or misread it or maybe it just
15. isn't there that takes that particular vehicle out of
16. the exempt status once it is on a highway traveling down
17. with or without materials for maintaining the highways.
18. I just don't find it, Senator, if you could refer...refresh
19. my memory in the bill to substantiate your statement, I...
20. I'd like to know.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Schaffer.

23. SENATOR SCHAFFER:

24. The exemption reads, county and township highway
25. vehicles engaged in any type of maintenance work upon
26. roads.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Chew.

29. SENATOR CHEW:

30. Yes. Any time a highway truck is on the highway or
31. parked in a garage, it is, in fact, as far as they're con-
32. cerned engaged in the maintenance of a road. If it's
33. designed for that purpose and assigned for that purpose,

1. how could you ascertain whether it is or is not. It's
2. impossible. Number two, it's a totally discriminatory
3. bill, as far as truckers are concerned. I don't have
4. any problems with what your concept is. My problem is,
5. if we are dealing in areas of safety for the motorist,
6. who might get his windshield broken out or might not,
7. as has been alledged, then why would I want to have a
8. private truck loaded with materials that would, in fact,
9. blow off and break your windshield and here comes a
10. truck that's owned by a municipality or township and
11. he has the same kinds of materials on his truck, so it
12. is exempted whereby you can allow that truck to break
13. my windshield. But yet the private owner cannot do it.
14. I think it was a...sneaky idea to take that amendment
15. off...it...the amendment was not taken off just to remove
16. one word. After I attempted to get an amendment on the
17. bill and then the Senator said to me, in which he did not
18. assure me, that the amendment he had coming on, which was
19. number two amendment would, in fact, do what my amendment
20. was doing, which I didn't take as being a serious statement.
21. So that amendment was tabled. We have another amendment.
22. The whole concept of 1313 is bad. The whole concept, if
23. we are going to make it safe as the bill alledged to do,
24. then why not include all trucks that are going to be loaded,
25. farm...products can haul melons up and down the road. They
26. can fall off the truck, they'll burst in the highway. It's
27. the danger that's involved. So why should we eliminate one
28. type and include another. The purpose of this bill, Ladies
29. and Gentlemen, is for no purpose connected with safety. And
30. I would ask a sound defeat on it.
31. PRESIDING OFFICER: (SENATOR ROCK)
32. Senator Davidson.
33. SENATOR DAVIDSON:

1. One point which has not been raised in relation to
2. this bill. The concept may be well and good, but the point
3. which was brought home to me, is the increased cost this is
4. going to mean on all construction, including our own state
5. highways, is because I know how it is in other areas, but
6. in the Central Illinois area there is a joint agreement between
7. the Central Illinois...Associated General Contractors and
8. the International Laborers, since 1947 that any tarp that's
9. going to be handled on any truck on any project covered by
10. their negotiated agreement shall be handled by common labor.
11. The truck driver or teamster cannot touch it. He can touch the
12. tailgate to unload the truck, but he cannot touch the tarp
13. There's going to be such a need it's going to have to be
14. done by a common labor union member and this is going to
15. make an additional cost on all projects that no one talked
16. about. The concept for safety maybe well and good and I...
17. since I have a broken windshield from a...from a rock from
18. a truck in February, I well have reasons to be for this bill.
19. But under the circumstances, I'm going to vote No and one of
20. the biggest reasons is that union agreement which is going
21. to compound the cost on any project in this area.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Yes, Senator Schaffer. Seven more members have indicated
24. they wish to be heard.

25. SENATOR SCHAFFER:

26. That's the process, Sir.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. No, I understand that. Are you...

29. SENATOR SCHAFFER:

30. Well, specifically to his comment. I might add that
31. same agreement...

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Wait, wait, wait. Now we can't have your responding to

1. every comment. You better start taking some notes. Senator
2. Wooten.

3. SENATOR WOOTEN:

4. Mr. President, I simply want to comment that some
5. complaints are seasonal. One year I'll have a lot of letters
6. concerning...a particular projects and then it'll drop out of
7. sight. The one complaint that seems regular is motorists who
8. have rocks and other debris from trucks striking their wind-
9. shields. We seem to get a...a steady stream of these because
10. of some operations in Rock Island County and this seems to
11. be a good response to that problem and I plan to support the
12. bill.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Leonard.

15. SENATOR LEONARD:

16. I would like to speak for the guy who doesn't have a
17. lobby down here and that is the fellow who drives a Ford or
18. Chevy or some other car. I have about sixty thousand miles
19. on mine. I'm sorry I can't bring it in as a display.
20. Presently, after sixty thousand miles I still have more
21. paint than rust on the front end, but the rust is closing
22. fast and after about another twenty thousand the rust will
23. catch up. My...the front end of my car which has picked up
24. most of this mileage in Lake and McHenry Counties looks
25. like it was sandblasted by a drunk and most of it is from
26. the debris that is on the highways. I'm sorry that all
27. trucks aren't included. I am sorry that this bill is not
28. more restrictive. I've got no doubts listening to the conver-
29. sation in this room, that such a bill would never get through
30. this General Assembly. This is, I think, an inadequate first
31. step, but it's a first step and I intend to support it.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Grotberg.

1. SENATOR GROTBURG:

2. Thank you, Mr. President. I don't have a lobby down
3. here either, but there's one thing that my good colleague,
4. Mr. Schaffer and I'm almost terribly sorry you sponsored
5. this bad bill because you're such a good friend. One
6. thing has never changed about hauling stuff, all the
7. aggregate you're talking about when you and I were young,
8. Knuppel, and drove trucks, you back up to a chute and they
9. dumped something in it and it leaves a pile and now you're
10. asking that that pile be below the top...edge of the truck.
11. That pile only gets down one way and I don't care what you're
12. hauling. There's a man goes up there with a shovel and
13. he takes the heap off. There is no other known way to
14. effectively handle what you're getting about and that costs
15. dough today and that is a laborer now, about nine dollars
16. an hour and I'm here to submit that it's a forgotten factor
17. on how you load merchandise on trucks. I don't like to get
18. hit by rocks, either, but there's...there's an element here
19. we just can't deal with and I would recommend a No vote.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Knuppel.

22. SENATOR KNUPPEL:

23. All I can say is, garbage to all this here. This is
24. a good bill who's time just hasn't come. It's a good bill
25. with bad press. Now, that's all there is to it. The
26. trucking lobby doesn't even know what the bill says. They've
27. called me and talked to me. I'm going to vote against it,
28. but that doesn't mean I'm going to have to vote against it
29. because of what the people in my district think. The fellows
30. who drive trucks. They're mad because you turn township
31. trucks loose. I come to Springfield here by passed Indian
32. Point Limestone out here and three trucks pulled out in front
33. of me. I passed three trucks coming to Springfield and they

1. were like driving through a rain storm. They were all
2. piled up. No question, this is good legislation for the
3. little man, the common man, but the truck lobbies got it.
4. They...they've, it's got bad press. Nobody knows what
5. the bill says that calls you. They think they have to
6. have a tarp whether or no. But fellows, it's a good
7. idea whose time just hasn't come.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Any further discussion? Senator Schaffer may close
10. the debate.

11. SENATOR SCHAFFER:

12. Mr. President, turn your time around. I'd like to
13. rebut a couple of comments. First of all, the proposition
14. or the idea that local governmental trucks have been
15. exempted. State trucks have not been exempted at all.
16. They're totally covered. Local, county and municipal trucks
17. have been exempted while engaged on maintenance work and I
18. suggest to you in all sincerity that those of you who's
19. spoken against me because of that exemption would have
20. spoken against me had I not exempted...them and demanded
21. local control by your counties; townships and municipalities.
22. You'll pardon me, Gentlemen, if I accuse you of a mild form
23. of hypocrisy. As to the labor agreement that Senator
24. Davidson mentioned, the truth be known the teamsters don't
25. even have to get out and throw the...the back door on the
26. dump trucks...they're prohibited from doing that by their
27. contract, but they do it on certain types of trucks if it's
28. necessary. The teamsters, by the way, support this bill
29. because they happen to be, I think, a little more interested
30. in the public interest, than perhaps, their employers are.
31. In certain parts of this State, certain parts of the states
32. that many of the people sitting in this room represent, the
33. truckers have rode roughshod over the people of this State

1. for forty years. For forty years they have broken wind-
2. shields, smashed cars, and maimed our citizens with little
3. opposition and barely one voice raised against them in
4. this Body. Certain parts of my district located near
5. gravel pits, the downtown sections, the streets are covered
6. with gravel, the stores have broken windows, every car is
7. dented, cut, smashed. The accidents, the tragedies that
8. these trucks have caused are hard to exaggerate. The
9. trucking industry in this State has overreacted to this
10. bill. This bill simply would, in the final analysis, force
11. them to spend a hundred and eighty dollars a truck and put
12. some sideboards on the trucks to protect the citizens. That's
13. what this bill actually does. But they've worked hard.
14. They've harassed me for two weeks. They've bugged my
15. family at home and they've bothered you and you're going to
16. vote against it, I think, some of you, for some of the very
17. wrong reasons. This is a reasonable proposal. This polled
18. proposal will not have any great impact losswise, but it
19. will protect the citizens of this State. I agree with those
20. of you who said it's not the absolute answer. There are still
21. other problems that this bill cannot address because I honest-
22. ly don't know how to draft a bill to ask the trucking industry
23. to act in a civic, responsible manner. I don't think that
24. type of legislation is possible. You've all been worked hard.
25. You have your choice. The situation right now...the situation
26. right now is that if you get your windshield broken and you
27. pull the truck over, he's going to smile at you and say,
28. act of God. Well, Gentlemen, my God is not Mr. Crown in
29. Chicago. The God I worship is a completely different Body
30. person and I hope you'll join me and vote for this bill.
31. PRESIDING OFFICER: (SENATOR ROCK)
32. Senator Chew. Senator Chew, for what purpose do you arise?
33. SENATOR CHEW:

1. A point of personal privilege.
2. PRESIDING OFFICER: (SENATOR ROCK)
3. State your point.
4. SENATOR CHEW:
 5. If the gentlemen states that his family has been bugged, we have laws to protect you for that. What did he do about it? Did they bug his family to the extent where it is distasteful or is he trying to get some sympathy on the bill?
 9. The other thing, I don't even know no Crown family, anybody else and if you making that allegation to me, you're lying.
12. PRESIDING OFFICER: (SENATOR ROCK)
 13. ...Wait a minute now. This conversation is going nowhere. The question is, shall House Bill 1313 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 18, the Nays are 8, 10 Voting Present. House Bill 1313, having failed to receive the constitutional majority is declared lost. Senator Newhouse, for what purpose do you arise?
22. SENATOR NEWHOUSE:
 23. I've got a defective switch here, Mr. President.
 24. I intended to vote Yes on that bill and I...
25. PRESIDING OFFICER: (SENATOR ROCK)
 26. All right. Yes. The...
27. SENATOR NEWHOUSE:
 28. I'd like the record to show that, but I don't...
29. PRESIDING OFFICER: (SENATOR ROCK)
 30. The record will so indicate. I'm informed by the electrician that there is something, your switch does, in fact, at times malfunction. 1399, Senator Daley, on the Order of House Bills, 3rd reading is House Bill 1399.
 34. Read the bill, Mr. Secretary.

1. SECRETARY:
2. House Bill 1399.
3. (Secretary reads title of bill)
4. 3rd reading of the bill.
5. PRESIDING OFFICER: (SENATOR ROCK)
6. Senator Daley.
7. SENATOR DALEY:
 8. Mr. President and fellow Senators, this...repeals
 9. the provisions the Illinois Banking Act which were enacted
 10. in the last General Assembly in regards to service of
 11. a subpeona on a depositer in any financial institution.
 12. This changes the procedure because presently the...law
 13. was enjoined in the Circuit Court of Cook County by
 14. a number of banks. This will set out a procedure to
 15. rectify the situation that they enjoined the...the law
 16. that was enacted in the last Session. I ask for a
 17. favorable roll call.
18. PRESIDING OFFICER: (SENATOR ROCK)
 19. Any discussion? The question is shall House Bill
 20. 1399 pass. Those in favor will vote Aye. Those opposed
 21. will vote Nay. The voting is open. Have all voted who
 22. wish? Have all voted who wish? Take the record. On
 23. that question the Ayes are 56, the Nays are none, 1 Voting
 24. Present. House Bill 1399 having received a constitutional
 25. majority is declared passed. 1425, Senator Demuzio.
 26. On the Order of House Bills 3rd reading, House Bill 1425.
 27. Read the bill, Mr. Secretary. Wait a minute, Mr...:
 28. Senator Newhouse...as I understand it, on that roll call,
 29. you were recorded Yes. I think the problem probably is
 30. up on the board, the board is not properly reflecting
 31. your vote. Well, it records on the...on the print out.
 32. It...it works on the print out. Okay. Yes, okay. It's...it's
 33. correct on the roll call. All right. On the Order of House

1. Bills 3rd reading, House Bill 1425. Read the bill, Mr.

2. Secretary.

3. SECRETARY:

4. House Bill 1425.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Demuzio.

9. SENATOR DEMUZIO:

10. Thank you, Mr. President. Thank you, Mr. President and
11. members of the Senate. House Bill 1425 would require the
12. Environmental Protection Agency to continue to test water
13. for local governments. It also provides that the identity
14. of substances that are being deposited in land fills may
15. not be kept confidential by the EPA regardless of their
16. trade secret status. I think that the amended section
17. that was taken out by Senator Mitchler was that all
18. reference to the Medical School and the University of
19. Health, Science and Medical...Chicago School of...Chicago
20. Medical School at 2200 North Ogden Avenue, has all
21. been amended out.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Any discussion? The question is shall House Bill
24. 1425 pass. Those in favor will vote Aye. Those opposed
25. will vote Nay. The voting is open. Have all voted who
26. wish? Have all voted who wish? Take the record. On
27. that question the Ayes are 53, the Nays are none, none
28. Voting Present. House Bill 1425 having received a
29. constitutional majority is declared passed. On the
30. Order of House Bills 3rd reading, House Bill 1436.
31. Read the bill, Mr. Secretary. Senator Newhouse, for
32. what purpose do you arise?

33. SENATOR NEWHOUSE:

34. How am I recorded on 1425?

*HB 1436
3rd reading
6-27-77*

1. PRESIDING OFFICER: (SENATOR ROCK)
2. You are recorded Aye. On the Order of House Bills 3rd reading, House Bill 1436. Read the bill, Mr. Secretary.
3. SECRETARY:
4. House Bill 1436.
5. (Secretary reads title of bill)
6. 3rd reading of the bill.
7. PRESIDING OFFICER: (SENATOR ROCK)
8. Senator Clewis.
9. SENATOR CLEWIS:
10. Mr. President and members of the Senate. House Bill 1436 amends an Act to revise law in relation to the construction of the Statutes. It provides that no law enacted after January 12th, 1977, denies or limits any power of functions of a home rule unit. Pursuant to Paragraphs G, H, I, J or K of Section 6 of Article 7 of the Illinois Constitution, unless and this is very important, Gentlemen, unless there is specific language limiting or denying the power or function in the language sets forth in what manner and to what extent it is a limitation or denial of the power or function of a home rule unit. This would...would avoid inadvertent preemption of home rule authority. It would eliminate many cases that we've had where it's taken court cases to settle who actually has the jurisdiction and I urge a favorable roll call.
11. PRESIDING OFFICER: (SENATOR ROCK)
12. Any discussion? Senator Glass.
13. SENATOR GLASS:
14. Well, Mr. President, Ladies and Gentlemen. I rise in opposition to House Bill 1436. The Constitution, I believe, provides adequately for this problem. And I...I don't think we in the Legislature ought to be required to specify in each piece of legislation we pass, the extent to which we

1. mean to preempt a home rule unit. If there is an intended
2. preemption or if it is intended that a bill not preempt, we...
3. we can provide that in each bill, but I think this goes too
4. far and is unnecessary. I urge its defeat.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Wooten.

7. SENATOR WOOTEN:

8. Well, Mr. President, this is a bill we soundly defeated
9. in its Senate form. It's exactly backwards. I think if
10. we want to exempt home rule units we ought to so indicate.
11. I am here representing the people of my area for the
12. State of Illinois. As far as I'm concerned the State
13. and its Constitution prevails. And if we want to make
14. an exception to that, we so note. To say that exceptions
15. are automatic simply dilutes the power of this General
16. Assembly and is an absolutely backward way to approach
17. things. I oppose the bill.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Yes, I would point out that the Chair's recollection
20. is that the identical bill passed this Body. Senator
21. Rhoads.

22. SENATOR RHOADS:

23. I was...I was going to make the same observation that
24. the Chair did, but it...it still isn't the best idea in
25. the world. This is a State Senate, a General Assembly for
26. the entire State and I think any law that we pass, it
27. ought to be presumed that it does apply State-wide.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Further discussion? Senator Clewis may close the
30. debate. Senator Netsh, do you wish...Senator Clewis
31. may close the debate.

32. SENATOR CLEWIS:

33. I think that all laws that enacted by the Illinois
34. State Senate should apply to all of Illinois, too. The

1. issue that we're speaking to is mistakes. I have a sheet
2. here with several examples where we've inadvertently
3. preempted home rule units. It was not our intent. All
4. I'm asking the Illinois State Senate to do is be clear
5. and clarify their intent in a bill. And I would seek
6. a favorable roll call.

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15. The following typed previously.

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1. PRESIDING OFFICER: (SENATOR ROCK)

2. Question is shall House Bill 1436 pass. Those
3. in favor will vote Aye. Those opposed will vote Nay.
4. The voting is open. Have all voted who wish?
5. Have all voted who wish? Take the record. On that
6. question the Ayes are 25, the Nays are 23. Sponsor
7. requests this matter be placed on the Order of Consideration
8. Postponed. So ordered. Senator Hynes, do you wish
9. at this point to go to that Special Order of Business?

10. All right. Ladies and Gentlemen, on page 27 of
11. your Calendar, we have a Special Order of Business
12. which was set for 2:00 o'clock and with leave
13. of the Body was deferred. On the...on the Special
14. Order of Business, page 27, House Bill 333. Read the
15. bill, Mr. Secretary.

16. SECRETARY:

17. House Bill 333.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Lemke.

22. SENATOR LEMKE:

23. This amends the Illinois Public Aid Code to
24. eliminate abortions as medical assistance for which
25. payments will be authorized unless in the opinion of
26. a physician, such procedures are necessary for the
27. preservation of the life of the woman. I ask for
28. a favorable adoption.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Is there further discussion? Senator Carroll.

31. SENATOR CARROLL:

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

33. I will keep it very brief. We discussed parts of this

1. yesterday. I just want to again say that this action,
2. in my opinion, is totally discriminatory for it does
3. nothing to those who can afford to pay for this
4. medical procedure and merely eliminates those who cannot
5. afford to pay for it of their own funds and therefore,
6. use public aid. We discussed very briefly the effects of
7. this on public aid and the effects are very simple.
8. Before the 1973 opinion of the Supreme Court, Cook
9. County Hospital was receiving over four thousand people
10. a year who had received abortions through some type of
11. improper procedure and had to come in for medical
12. services. It cost the hospital in those days,
13. twenty-five hundred dollars per person for each of those
14. four thousand people who had had already, had had
15. abortions prior to coming into the hospital, over
16. seven hundred of those people per year died,
17. over seven hundred people of those per year died.
18. Since 1973, they have been performing approximately
19. thirty-two hundred per year, thirty-two hundred
20. abortions per year at a cost of two hundred and fifty
21. dollars per person. So, I think you can see then
22. instead of spending a little under a million dollars
23. a year for this service, we, the people, are spending
24. over ten million dollars a year for the results of the
25. exact same service. We have not eliminated the service,
26. we will just be paying ten times a year more. I might
27. add that the Supreme Court opinion did not say, did not
28. say, the State should not be providing monies for this.
29. They did say, and I think Senator Lemke is correct in
30. pursuing it, that the State may set the policy and that the
31. Supreme Court will not review that policy. I think it is
32. up to us to set the policy for the people of Illinois.
33. I don't think it will do what many of those who support this

1. want to do and that is to eliminate some of these
2. abortions. There's only one way to do that and I think
3. that is for each of us with a strong church and a strong
4. family, strong counseling to advise each and every one
5. of us who are ever in that situation as to how to best
6. deal with it. I know what my personal choice would be
7. and it would not be for an abortion. But, that does
8. not change my objection to this legislation. I think it
9. takes strong counseling with your clergy, with your
10. family to make an intelligent decision. All this bill
11. does is discriminate against those who can't afford
12. to have the surgery performed in a hospital, forces
13. them to go elsewhere and raises the cost twelve-fold
14. to us, the taxpayers. I think it should be defeated.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Netsch.

17. SENATOR NETSCH:

18. Thank you, Mr. President. Senator Carroll and I
19. were privy to some of the same statistics and
20. information about the experience in at least one
21. area of the State, the number of septic abortions
22. and the death rate that they, in fact, have caused also
23. and I think he has pretty well set forth those statistics.
24. It does not achieve what we think it is going to achieve.
25. There will continue to be abortions, there will continue
26. to be septic abortions, there will continue to be deaths
27. on that account. And either on financial grounds, which I
28. don't think ought to be the main consideration or on
29. humanitarian grounds, it simply does not make sense.
30. I think I might share two sentences from the dissenting
31. opinion in the recent Supreme Court opinion. Because
32. the opinion is not that of the usual, if I may use the
33. expression, liberals on the court, but it's Mr. Justice

1. Blackman's opinion and I don't think he needs any
2. credentials to demonstrate that he is a genuine
3. conservative. Mr. Justice Blackman said, "the court
4. concedes the existence of a constitutional right, but
5. denies the realization and enjoyment of that right
6. on the ground that existence and realization are separate
7. and distinct. For the individual woman concerned,
8. indigent and financially helpless as the courts
9. opinions in three cases concede her to be, the result
10. is punative and tragic. Implicit in the courts
11. holdings is the condescension that she may go elsewhere
12. for her abortion. I find that disingenuous and alarming,
13. almost reminiscent of let them eat cake. There is another
14. world out there, the existence of which the court,
15. I suspect, either chooses to ignore or fears to
16. recognize and so the cancer of poverty will continue to
17. grow. This is a sad day for those who regard
18. the Constitution as a force that would serve justice
19. to all evenhandedly and in so doing, would better the lot
20. of the poorest among us."

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Washington.

23. SENATOR WASHINGTON:

24. Will the sponsor yield to a question?

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Indicates he will.

27. SENATOR WASHINGTON:

28. Senator Lemke, would not your bill prevent medical
29. purveyors or doctors from giving adequate treatment
30. to a victim of a rape case or to an incestuous
31. relationship?

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Lemke.

1. SENATOR LEMKE:

2. This bill is in conformity with the Supreme
3. Court rule. It does not abolish therapeutic
4. abortions. If it's up to the physician to decide
5. if it's...if this will jeopardize the...the woman's
6. life physically or mentally and...and this will not
7. in any way affect that.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Washington.

10. SENATOR WASHINGTON:

11. Then you interpret mental jeopardy to be the
12. status, the mental status of...mental attitude of
13. a raped woman or one who has been the victim of an
14. incest, you interpret that language to cover this?

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Lemke.

17. SENATOR LEMKE:

18. Yes.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Washington.

21. SENATOR WASHINGTON:

22. Well, Mr. Speaker...Mr. President, it appears to me
23. that's stretching the language quite far. A clear reading
24. of House Bill 333 indicates quite clearly that if a person
25. is on welfare and goes to a clinic or a hospital
26. for treatment pursuant to a rape situation, or if an
27. individual, the victim of an incestuous situation applies
28. for the same kind of treatment, that this bill would
29. effectively deny it. That seems to be...to me to be
30. callous and extreme. How can you possibly ask, expect
31. a woman to fertilize and give birth to a child, the
32. offspring of rape or incest? I think it defies common
33. sense and reason. It seems to me that the whole purpose

1. of the Abortion Statute, which I don't necessarily
2. subscribe to or the abortion laws, is to prevent
3. just in a sense, this kind of thing. Even if I
4. could agree with the full support of the Supreme Court
5. decision or this bill, I could not stretch it to that
6. extent. It seems to me that if it must pass,
7. or if it will pass, at least, it must have some
8. clear exclusions from it than this. I think it's a
9. horrible bill as cast. I think all it's going
10. to do as Senator Carroll and Netsch have stated, is to
11. increase the road. I think it's going to bring
12. unnecessary psychological hardship to people such as I have
13. categorized as the victims of rape and incest. I think
14. it's a...a poorly conceived bill. I think it's a
15. detriment to the State. I simply don't think the Senate
16. of this great State of Illinois should subscribe to
17. such a theory. I oppose the bill.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Do we have leave for the UPI to take :
20. still photographs? Leave is granted. Senator Rock.
21. SENATOR ROCK:

22. Thank you, Mr. President and Ladies and Gentlemen
23. of the Senate. I rise in support of House Bill 333
24. and I think unfortunately, the issue has been framed as to
25. whether or not there should, in fact, be abortions.
26. That is not the issue. We have passed, in this General
27. Assembly, the Abortion Act of 1975 which was jointly
28. sponsored by Senators Egan and Philip, which attempted
29. to bring some medical sense to the fact of abortion
30. and say that only under limits...limited circumstances
31. only...only in...in closely medically controlled areas
32. could an abortion be, in fact, allowed. That bill, in
33. the provisions thereof, have been enjoined by Federal District

1. Court. This bill...with or without this bill, abortions
2. will continue, that is correct. But, to throw in the
3. question as whether or not there should be abortion
4. is just simply not correctly stating the issue. And to
5. bring in the fact of rape and incest is simply not
6. statistically valid. If you will talk to the people
7. at County Hospital or any other major medical center
8. that does, in fact, have abortions, few, if any,
9. are as the result of rape or incest. The question
10. before the Body by virtue of House Bill 333 is one of
11. severe public policy. What are we going to allow
12. the taxpayers' money in the State of Illinois to be
13. used for? And I submit to you that the overwhelming
14. majority of the people of the State of Illinois
15. do not want their tax dollars used for abortions
16. and that's the issue and I rise in support of
17. House Bill 333.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Maragos.

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24. End of reel

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1. SENATOR MARAGOS:

2. Mr. President, and members of the Senate, I
3. rise in support of 333 after having been one of
4. those who have kept that bill in committee until
5. the Supreme Court made its decision a few weeks
6. ago, my concern was, first of all, that it met
7. the constitutional grounds, which now the Supreme
8. Court says it has. But, my other concern is
9. this, although I have stated all along that the
10. State should keep out of the private business
11. in many cases, even though I disagree with
12. that opinion of whether a woman should have
13. an abortion in the first trimester, which is the
14. State's law at the present time. By the same
15. token, however, I also say that the State
16. should not encourage it by publicly financing
17. this particular Act. There's where I stand, because
18. now, we say it's all right for the State
19. not to interfere when a woman desires to
20. have it, for whatever reason, by the same
21. token, we do say though they can help her
22. when she decides to do something by financing
23. her and it's unfortunate it has to be in
24. the area of Public Aid that we're talking about,
25. but I'm sure that if even a poor woman has
26. ...wants to obtain an abortion under the
27. certain circumstances described by Senator
28. Washington, she can find other eleemosynary
29. institutions that will help her get that
30. abortion and she doesn't have to depend
31. on Public Aid. And for those reasons, I vote...I
32. will vote in support of 333.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Rhoads.

2. SENATOR RHOADS:

3. Thank you...thank you, Mr. President, and
4. members of the Senate. I also rise in support
5. of the bill. I think Senator Rock has stated
6. the issue very clearly. But, I don't think
7. that anyone who has spoken on either side
8. of this issue has spoken with insincerity.
9. This is an issue that you simply cannot
10. debate and change minds on. Either one
11. accepts the premise that the unborn is
12. a human life and therefore the termination
13. of the child is an act of homicide, or one
14. does not accept that premise. I do, and
15. therefore can't vote any other way but
16. yes on the bill.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Glass.

19. SENATOR GLASS:

20. Well, Mr. President, Ladies and Gentlemen.
21. I think that Senator Rhoads is right in one
22. sense, that we're not going to change any votes
23. and I think that's unfortunate. If we would
24. look out into the real world, we would see that
25. the public policy purportedly adopted by this
26. bill is not going to in any way discourage
27. abortions and in fact, it would encourage
28. safety...when abortions are performed and
29. as Senator Carroll has so eloquently point out...
30. pointed out, there would be significant cost
31. savings to the State. It really is difficult
32. to justify this bill as I see it on any basis,
33. certainly not a humanitarian one and I would

1. urge its defeat.
2. PRESIDING OFFICER: (SENATOR DONNEWALD)
3. Senator Newhouse.
4. SENATOR NEWHOUSE:
 5. Would the sponsor yield to a question, please?
6. PRESIDING OFFICER: (SENATOR DONNEWALD)
7. He indicates he will.
8. SENATOR NEWHOUSE:
 9. If a minor child, for example, becomes a
 10. rape victim, and is taken to, let's say,
 11. Cook County Hospital, would this bill preclude
 12. medical procedure that would insure that she
 13. would not conceive a...a child unwanted?
14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. Senator Lemke.
16. SENATOR LEMKE:
 17. If the...if the medical personnel at that
 18. hospital, or any hospital, determines that this
 19. is a...that she is in need of a therapeutic
 20. abortion, which is a medical determination
 21. and is not my determination, she can have
 22. it. This will not in...in any way reflect
 23. on her. Therapeutic abortion can be for
 24. physical or mental reasons and I...I think
 25. that this bill in no way will affect that.
26. PRESIDING OFFICER: (SENATOR DONNEWALD)
27. Senator Newhouse.
28. SENATOR NEWHOUSE:
 29. Would you read me the language in the
 30. bill that would permit such an occurrence
 31. to take place?
32. PRESIDING OFFICER: (SENATOR DONNEWALD)
33. Senator Lemke.

1. SENATOR LEMKE:
2. Well, the Supreme Court decision allows
3. therapeutic abortions, if they're for emergency
4. situations. If a young girl has been molested
5. and raped and is pregnant and she's in a bad
6. mental state, that abortion will be performed,
7. based on medical testimony by the doctors
8. and I'm looking for that...it says here on
9. page 4, lines 19 to 26 is the clarifying
10. language that says this, it's the opinion
11. of a physician if such procedures are
12. necessary for life for the preservation
13. of life for the woman seeking such treatment
14. or...so this is a...the language. This is
15. a medical termination. I am not a doctor
16. to determine this. This is up to something
17. that happens and this bill does no way
18. affect therapeutic abortions. It...it
19. affects voluntary abortions, this is what
20. it affects. Abortions that are performed
21. in the second trimester also, which not
22. even private citizens have.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Newhouse, your time is nearly
25. expired.

26. SENATOR NEWHOUSE:

27. But, the language that you read, Senator,
28. does not cover the case that I posed to you.
29. I did not suggest that the life would be in
30. jeopardy at this stage. So, it appears to me
31. that that case isn't covered by your bill.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Lemke.

1. SENATOR LEMKE:
2. I am not a doctor, I'm not the doctor ruling.
3. Every case is held on its merits. The medical
4. determination on every case, every factual
5. situation. And I think this is what this
6. bill allows to and this is what the Supreme
7. Court says we can allow.
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. Senator Newhouse, your time is expired.
10. Please close.
11. SENATOR NEWHOUSE:
12. Thank you, Mr. President. My time
13. probably encompassed a lot of other things,
14. but I don't mind yielding the Floor, but, I must say that
15. I did not get an answer to the question that
16. I posed. I'm satisfied with the answer
17. as a nonanswer.
18. PRESIDING OFFICER: (SENATOR DONNEWALD)
19. Senator Wooten.
20. SENATOR WOOTEN:
21. Yes, Mr. President. The point that
22. Senator Newhouse made is an excellent one.
23. A friend of mine in this Chamber tells
24. me he votes for all capital punishment
25. bills because they're all drafted in such
26. haste, they're all unconstitutional and
27. he feels comfortable that nothing will
28. ever happen. I think here, we have a bill
29. that enables us to express the...the rage,
30. if you will, that people feel at abortion
31. and at Public Aids. Wonderful when those
32. two emotions can come together and you can
33. get one vote and capitalize on both those

1. feelings. But, the plain fact is, it says here,
2. that except for such aids for the purpose of
3. obtaining an abortion, induced miscarriage or
4. induced premature birth unless, in the opinion
5. of a physician, such procedures are necessary
6. for the preservation of the life of the woman
7. seeking such treatment and so on. It's a...
8. you clearly left out two exceptions that have
9. been in the law for a long time and the marvelous
10. thing about this is...I believe, by the way, that
11. we probably should have a Right to Life Amendment
12. to the Constitution, but saving that, we're going
13. to force somebody to live up to our ethics. If
14. we can't get the public at large to do it, then
15. by golly, we're going to make the poor do it.
16. I just don't think that's a decent, responsible,
17. human way to behave. And, the thing that really
18. bothers me, is so many people are going to vote
19. for this because it's too hard to explain a
20. rational vote. And, I think we don't do ourselves
21. of this whole process of service, and we vote
22. on emotions. That's precisely what's happening
23. here. I do not believe in abortions but my ethics
24. and my morals are not determined by what's
25. written in the law, or is that true of anyone
26. who has a true ethical system. And, the compulsion
27. we feel on forcing our own ethics on others, is,
28. I think, the least pleasant characteristic of
29. many public officials. This bill is badly flawed
30. and it's flawed in the very two ways that
31. Senator Newhouse pointed out, Senator Washington
32. pointed out, and that's reason enough to oppose
33. it.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator Lemke may close.
3. SENATOR LEMKE:
4. Mr. President, and members of the Senate.
5. The issue is upon us. It's a very important
6. issue to my constituents. It's a very...very
7. important issue to your constituents. This is
8. something that my people have prayed for and
9. helped try to pass. We have the Supreme Court
10. ruling that says we can do this, it's consti-
11. tutional. My constituents and your consti-
12. tuents are the people that pay the bills and
13. they have many times quoted that they do not
14. want their money used for purposes that they
15. feel are immoral. We're talking about their
16. money and this is what we're talking about.
17. Some people reflect to me that we have...to
18. have the child, it would cost more. Well,
19. I'll tell you this, my people sacrificed
20. all their life to provide for their children
21. and for other children through their many
22. charities and churches and they do not feel
23. offended if a child is born is on Public
24. Aid, as long as that child's money that's
25. given to them as a dependent children under
26. Public Aid is properly used. They object
27. when the money is improperly used and
28. improperly spent. And to me, to look
29. back to my childhood, after reading a
30. speech by Ernst Bender, the President of
31. the West German Supreme Court, a country
32. in the thirties and the forties, who
33. suppressed the rights of everybody, not

1. just the unborn, but also the born. I hear the
2. cries from Dachau, I hear the cries from all
3. the concentration camps, I hear the cries of
4. many of the babies that were killed through the
5. years and we still hear those cries. And, they
6. cry, where's my mother, I want to live and enjoy
7. life. My people came here from East Europe
8. for one reason and that was to have a right
9. to live, a right to be...be alive and a right
10. for those people to be alive. When they went
11. to war in World War I and World War II, they
12. fought many times their own relatives for this
13. basic right of freedom and life for all and
14. it's only enough for us to ask, even if it
15. only includes a little bit, to say let's give
16. life to those children that want to be born.
17. This is what we want to do. These children
18. have no voices here. We treat them like
19. baggage and garbage. And they talk about
20. that it going to lead to back alley abortions.
21. Well, I want to tell you, these clinics that
22. perform these Public Aid abortions, the majority
23. of them are butcher shops. There's no way the
24. Board of Health in the City of Chicago can go
25. in, even make a cleanliness inspection, they're
26. prohibited from doing this. They're resorting
27. to back alley abortions. And, when you look at
28. what's being done by the Department of Public
29. Aid and they're allowing for abortions in the
30. second trimester, this is where life is involved,
31. the second trimester we're also talking about.
32. What's going on? My people don't want abortions
33. being performed with their money. If it costs

1. them more to support these children after they're
2. born, they will pay that money gladly as long as
3. it's properly used. But, if it's for something
4. that they girure is not properly used, and it's going to
5. terminate the life of some person, they are not
6. for it...

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator...

9. SENATOR LEMKE:

10. ...they did not fight and die in foreign
11. countries, but they fought for the freedom of all
12. people because this is our country...

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. ...Senator...

15. SENATOR LEMKE:

16. America should lead the way. We shouldn't let
17. West Germany lead us, we should show them that we are the
18. land of the free. I ask for a favorable adoption.

19.

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21. The following typed previously.

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NB 1650
6/27/77
3rd reading

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Just...the question is shall House Bill 333 pass.
3. Those in favor vote Aye. Those opposed Nay. The
4. voting is open. Have all those voted who wish? Take
5. the record. On that question the Ayes are 41, the Nays
6. are 11, 3 Voting Present. House Bill 333 having received
7. a constitutional majority is declared passed.
8. The members of the gallery will please refrain from
9. demonstrations. House Bill 1650, Senator Netsch. Read the
10. bill, Mr. Secretary.

11. SECRETARY:

12. House Bill 1650.

13. ~ (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Netsch. Will...can we have order, please? Senator Netsch.

17. SENATOR NETSCH:

18. Thank you, Mr. President. House Bill 1650 is, as
19. everyone...

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Just a moment. Proceed.

22. SENATOR NETSCH:

23. Thank you, Mr. President. House Bill 1650 is, as
24. everyone knows, the generic substitution bill. The
25. bill has been in the Legislature for a long time in
26. one form or another and I think the bill that is before
27. you today is in very good shape. It is not in precisely
28. the shape that I would have chosen myself. It is not
29. in precisely the shape that the pharmacists or the doctors
30. or anyone else would have chosen but it is in good shape. It is
31. a workable bill and it meets...

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Just...just a moment, Senator. We won't proceed until
34. we have order. Proceed.

1. SENATOR NETSCH:

2. Thank you, Mr. President. I think the bill meets
3. several basic concerns of those who have an interest one
4. way or the other in it. From the point of view of the
5. doctors, the medical profession whose primary concern,
6. obviously, should be the safety of the patient, I think,
7. the bill has several major safeguards. One, the doctor
8. retains absolute control over deciding whether there will
9. or will not be substitution. The bill specifically
10. requires that the prescription forms contain a two
11. box, may substitute, may not substitute. At any time that the
12. doctor feels that substitution is not safe, or is not
13. desirable, he may simply check...he or she may simply
14. check do not substitute and that ends the matter. In
15. addition to that, we have provided for a positive
16. formulary which gives the doctor, in a sense, or at least
17. the factor of safety, in a sense, even greater control.
18. And I should point out, incidentally, that generic drugs...drugs just
19. as brand name drugs are absolutely subject to the
20. standards of the Federal Food Drug Administration. They
21. have minimum quality standards. Those standards cannot be
22. varied from, at least not without imposing liability
23. on the drug manufacturers. So, there is no difference in that
24. respect between generic and brand name drugs. From the point
25. of view of the pharmacists, the bill, I think, is really
26. not cumbersome at all. The...it is true that we require
27. that the pharmacist maintain a record when substitution does,
28. in fact, take place but I think that there really is not
29. much argument about that. There obviously should be such
30. a record maintained. It is also true that the pharmacist
31. must consult a formulary , a positive formulary. But even
32. if we had gone the route of a negative formulary, the
33. result would have been the same. There would have had to

1. have been consultation. Finally, I think that the important
2. part of it is having satisfied safety and the interests
3. of the pharmacists, that the consumer really does stand to
4. benefit from this. I have passed out on several occasions
5. to members of the Senate, price lists which show not
6. hypothetical cost savings but actual current prices
7. charged by one major drugstore or drug chain in the
8. Chicagoland area for generic drugs and the comparable
9. prices for brand name drugs. One alone, ampicillin,
10. a generic brand, nine dollars and fifty cents per one
11. hundred. The...the branded names are...range from fifteen
12. dollars to twenty-one dollars. That is a genuine saving...
13. that kind of saving means a great deal to people who
14. are heavily dependent upon prescription drugs. I think that
15. the bill is in excellent form to accomplish a...a
16. modest but very important purpose for a huge number
17. of people in this State and particularly, of course,
18. senior citizens who have been so highly supportive of
19. it. I would commend it to your favorable support.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Is there discussion? Senator Shapiro.

22. SENATOR SHAPIRO:

23. Well, Mr. President and Ladies and Gentlemen
24. of the Senate. I think we ought to point out some
25. things concerning this bill and I want to direct my
26. remarks particularly to those of you who have a commitment
27. to the senior citizens of this State to pass...some type
28. of law that would lead to lower drug costs for them.
29. And I submit to you that this bill will not accomplish
30. that one iota. And I think if you vote for this bill,
31. you will not be fulfilling that equipment....the commitment.
32. There are many ways in which this bill could have been
33. constructed and written to provide for lower drug costs for

1. our senior citizens throughout the State of Illinois.
2. But what this bill actually does is emasculate the
3. Pharmacy Practice Act here in the State of Illinois.
4. I really doubt that many of you are aware of what's
5. in this bill but the bill, as it is written, intervenes
6. and interrupts the relationship between the physician
7. the patient and the pharmacist by allowing three other
8. people, a parent, a spouse or a guardian, either orally,
9. or with written statement to change the prescription at
10. the pharmacist from a brand name drug, if the physician
11. writes that on the prescription to a generic drug.
12. And I submit to you that this is a bad practice to
13. write into the law of the State of Illinois. But in closing
14. and I am going to be brief, because we do still have a long
15. agenda, in closing, there is nothing in this bill that
16. guarantees that the cost of these generic type drugs
17. will be any less than the brand name drug and I also
18. submit to you that if we really want to do something so that
19. the patient does have a chance to have a generic drug
20. that we should write the law so that it is accomplished
21. back at the physician's office and that the discussion be
22. held at that point between the physician and the patient
23. and the decision made there, not at the pharmacy, by either
24. the patient or three other people as the case may be
25. but at the physician's office. That's the place for it
26. and that's the way it should be done and I would urge a No
27. vote on House Bill 1650.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Is there further discussion? The Chair has Senators
30. Rock, Mitchler, Berman, Grotberg and Davidson. Senator
31. Rock.

32. SENATOR ROCK:

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

1. Senate. I have discussed this bill at some length with
2. the sponsor but I cannot sit quite quietly by and listen
3. to statements that the bill is in excellent form.
4. Frankly, the bill is in terrible shape. I think
5. some of the amendments, at least the ones I heard yesterday,
6. would have at least made some semblance of sense about
7. House Bill 1650 but the sponsor chose, and that is her
8. choice, to go with the bill in its present form. Now
9. even if you assume and I, for one, am not prepared to
10. so assume but let's assume for the sake of argument
11. that there is some financial or economic benefit to the
12. senior citizens or to those who are regularly called upon
13. to use these kinds of drugs, even if you assume that
14. and as I say, that hasn't been proved nor is it mandated,
15. as Senator Shapiro pointed out, the scientific or medical
16. problem with the bill is one, frankly, not being a doctor
17. or a pharmacist, I am not sure of but it is certainly not
18. addressed in this legislation nor in anything that I have
19. read because what we are talking about is a chemical or
20. generic equivalent. What about a therapeutic or...or
21. clinical equivalent? That question, frankly, isn't
22. even addressed. What about a biological equivalent?
23. My point is that different...there are different effects,
24. biologically and therapeutically, from drugs who are...
25. chemically appear to be the same. And all this bill
26. addresses is the generic...the chemical equivalent.
27. But I suggest to you that a generic or chemical equivalent
28. is not necessarily therapeutically equivalent or even
29. biologically equivalent so we are, in...in effect saying to the
30. person under medical care that, yes, this is generically
31. equivalent and we encourage this but we're not sure, frankly,
32. about the therapeutical or the biological equivalents.
33. This, it seems to me, opens up what I think is the major
34. problem with the bill and that is the question of liability.

1. Who in the world is liable when the poor senior citizen
2. is suffering from some effect that her...his or her
3. medical doctor could not foresee? The liability, I point
4. out to you under House Bill 1650 as drafted, is at best
5. ...at best uncertain and in my judgment affords little,
6. if any, protection for the consumer. And that's what this
7. bill is about, I'm told. It allows the consumer to
8. purchase at a cheaper price. But who is liable if, in
9. fact, there is a dire result from a generic substitution.
10. The bill says at page 4 that a substitution of a drug
11. by a pharmacist shall not constitute evidence of negligence
12. if the substituted drug was included in this formulary
13. listing to be proffered and promulgated by the Department
14. of Public Health. So the pharmacist is out, cause he certainly
15. is not going to give one that's not on the list. Secondly,
16. the bill says right in the next sentence, that failure
17. of a prescribing physician to specify that no substitution
18. is authorized does not constitute evidence of negligence
19. for the doctor. So the doctor is out, it appears under
20. this limited circumstance. And frankly, I don't
21. understand how that circumstance got in there in the first
22. place. But if you look at page 3 of the bill after going
23. through this elaborate procedure to set up may substitute
24. or may not substitute on all these prescription forms,
25. it further says that if the doctor fails to check
26. either one of those boxes, then the pharmacist can
27. substitute. That doesn't make any sense at all. What's
28. the sense in changing the form? So we are left with
29. the pharmacist, apparently, if the drug is on the list,
30. he's not liable. If the doctor fails to mark the form
31. that's prescribed, he apparently, isn't liable. So, who
32. is left? How about the State Department of Public Health,
33. are they liable? What if they put a drug on the list and the
34. drug is not...is not the biological or therapeutic

1. equivalent and there is some dire result. To whom does the
2. consumer turn? I suggest to you that House Bill 1650
3. does not answer that. Senator Netsch also said that the
4. doctor retains absolute control. I suggest to you again,
5. under the terms of 1650 he does not retain absolute
6. control because if he fails to check one of the alternatives
7. the pharmacist may substitute. And then the bill goes on to
8. say that the physician's signature is necessary where
9. it said on page 2 that it can be an oral prescription.
10. If it can be an oral prescription, then the whole
11. process is invalid. And maybe the pharmacist and the
12. physician and the Department of Public Health will be
13. liable anyway. What I'm pointing out are questions.
14. I'm not sure I have the answer but these are valid
15. legitimate questions and they are not, I suggest to you,
16. they are not answered in House Bill 1650
17. and for that reason, I urge a No vote.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Mitchler.

20. SENATOR MITCHLER:

21. Mr. President and members of the Senate. I believe
22. this type of legislation is the product of our inflationary
23. period in which we live, and the fact that we have
24. advanced in our dispensing of prescription drugs and medicine
25. to a point where it is very, very effective. But I think
26. it's all introduced on the assumption that there is available
27. at a lower price prescription drugs that can be purchased
28. and do the job but that are not being made available. I don't
29. think that free enterprise has been lost. I think that if
30. a...an effective drug or prescription drug can be marketed,
31. I believe the competition is there. And these people that
32. market these drugs are always meeting with the physicians,
33. detail men they call them. And bringing on the new
34. products, explaining to them why they've improved a

1. prescription drug that they make available, why they come
2. out with something that's new and they give them samples.
3. My wife is a registered nurse, she worked in a clinic.
4. Samples are dumped in there when she was in charge of the
5. laboratory every day. They're always improving. Now, I think
6. that the senior citizen and we...we refer to the senior
7. citizen as the one to benefit but stop and think of the
8. people with young families, children growing up. I have
9. medical bills every...every month for prescription drugs
10. or something that I have to obtain for my family, as you do.
11. What about them? They're just as interested as the senior
12. citizen. But I believe the Senior Citizen Lobby
13. has been fooled and hoodwinked with the idea that they're
14. going to get their prescription drugs at a lesser cost
15. and get the same product. That...that's what I'm fearful of.
16. I don't think that you can get something of a lesser quality
17. because it's...I think that what you get for less money
18. is a lesser quality. Now, you know, we've been hoodwinked
19. in the State of Illinois into this self-service gasoline
20. with the idea that you were going to get it at a lesser
21. price and there's only one area that you're going to get
22. it at a lesser price and that's in the City of Chicago.
23. That's right. Your city council up there passed
24. an ordinance that it would have to be a ten percent differential
25. but you go around the City of Springfield here and you see
26. gasoline now at self-service stations that are about two, three
27. four cents higher than it was before you had self-service
28. and that's the way it's going to be all over the State of
29. Illinois and you keep that differential up there in the City
30. of Chicago and I hope you use your influence to support
31. it Statewide. And if we had legislation, maybe we could have
32. amended that. But we didn't have an opportunity to do that
33. legislatively. Don't be hoodwinked into think...that you're

1. going to give somebody something of the same quality at
2. a lesser price by this type of legislation. And I respect
3. the sponsor and I think she is sincere in what she is
4. trying to do but you're not going to accomplish it.
5. I'm not going to vote for this bill.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Berman.

8. SENATOR BERMAN:

9. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
10. This has been a project that I have also worked on for a long
11. time and I'm pleased to be the cosponsor of this bill in the
12. Senate. The distinguished Assistant Majority Leader
13. talked about the question of liability. I might point out
14. to you that this bill has been amended in relation to the
15. question of liability and the terminology of that liability
16. provision has been checked out with experts in the field
17. of litigation on product liability and this bill takes
18. nothing away from the rights of the people who must use
19. these drugs. I'm satisfied in that regard and I think many
20. of you know that I am a vocal protector of the rights of
21. persons in their right to bring lawsuits and recover for
22. their injuries. Many times we find that this General
23. Assembly is not very long on consistency. But let me
24. suggest that an Aye vote on this bill would be consistent
25. with positions that this Senate has taken on a very
26. similar issue. Just a day or two ago, we considered a bill
27. which passed overwhelmingly. I believe the votes were in
28. excess of fifty affirmative votes based upon the need
29. of access. Some people called it freedom of choice.
30. That dealt with the question of the drug laetrile.
31. Very few negative votes were cast on that bill. There
32. was very little discussion and debate in opposition to that
33. bill. I submit to you that the same elements that were
34. involved in that, at least the same technical elements

1. involved in that bill, are involved in this. Access
2. to drugs that are in need that our people, that our
3. constituents want to get at the lowest possible price
4. and when we talk about price, we're talking about access.
5. Many people, particularly senior citizens, because of
6. limited income, cannot get the quantity of drugs that they
7. need because of the high price of those patented labeled
8. drugs. This is their access bill. And just as we supported
9. the concepts of access in the laetrile bill, I urge
10. you to support the same concepts of access in the generic
11. drug bill. I urge an Aye vote.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. The Chair has the following Senators who have sought
14. recognition so you will know, Senators Grotberg, Davidson,
15. Philip, Hynes, Graham and Leonard. Senator Grotberg.

16. SENATOR GROTBURG:

17. Mr. President, I'll be very brief. I would just like
18. the record to show that I don't want to influence anyone's
19. vote but only explain my own. From January to June 30th,
20. I'm in Springfield. From June 30th to December 30th,
21. I have to go home to fifty-seven senior citizens in my
22. hotel and my vote will show why I voted for it.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Davidson.

25. SENATOR DAVIDSON:

26. Mr. President and members of the Senate. I rise in
27. support of this bill. When this bill first started out, I
28. was in opposition to it. But with the addition of the positive
29. formula to this bill, the parts that have been talked about,
30. the pharmacists may do this or that, or an imcompetent
31. drug that has been manufactured by a company that is not
32. on the list cannot happen. With the positive formula in this
33. bill...this strengthens this bill...now this bill is not going to

1. be near as bad as the opponents say and it's not going to be
2. near as good as the proponents say but, I think, we have to
3. do something to try to give the senior citizens who must
4. pay their own drug bill an opportunity. Let's give them
5. a choice and if it doesn't work, as the old saying around
6. this place is, what we give, we can take away and if this..if the...
7. doesn't work out as it should, we can...certainly can
8. repeal it. But let's give it a chance. Let's give them
9. the opportunity and if it needs to be corrected, we
10. certainly can do that. But we don't know unless they
11. have a chance whether this will be the financial saving to the
12. individuals, as well as protect their health, 'cause the
13. positive formula will make sure that the drug that's substituted
14. must meet all the standards that any other drug has been...
15. sold under, be it brand name or generic name.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Philip.

18. SENATOR PHILIP:

19. Will the sponsor yield for a question?

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. - Indicates that she will yield. Senator Philip.

22. SENATOR PHILIP:

23. Yes, Senator Netsch, on page 3, lines 7 through 10,
24. it says, if a prescribing physician checks the alternative
25. may substitute or fails to check and to sign besides
26. one of the alternatives, the pharmacist may substitute in
27. accordance with this Act. So, am I to understand this,
28. if the doctor just leaves this blank, doesn't mark anything
29. or doesn't sign it, that the pharmacist could switch drugs
30. and second part of the question is, I've been led to believe
31. even if...that the person who is buying the drugs could come
32. in and say to the pharmacist, I want to switch those drugs
33. and I just want to know what the answers on those two

1. questions are.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Netsch. Could we have some order. Senator Netsch.

4. SENATOR NETSCH:

5. Let me answer your first question, then I may have to
6. ask you to repeat the second one. I'm not sure I heard the
7. last part of it, Senator Philip. One the first one, yes, there
8. are basically two alternatives. The prescription form
9. must contain the words may substitute, may not substitute.

10. At any time the doctor feels that substitution is not
11. appropriate for whatever reason, he checks the may not
12. substitute. If he is indifferent about it, that is ,
13. feels it's not an issue with respect to the particular
14. drug, or has no objection at all, then he can either
15. sign the other one not check it, but nevertheless, has
16. to sign his name. The...the point is, however, that the
17. doctor retains full control and it is...it is his decision
18. as to whether or not there will, in fact, be substitution.
19. I might say that...that this form is the form of virtually
20. all the other substitution laws, some twenty-four or
21. twenty-five that have been adopted.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Philip.

24. SENATOR PHILIP:

25. Well, that...that certainly worries me. What
26. happens when a physician calls over the telephone and gives
27. a prescription over the telephone? And obviously he can't
28. sign or check anything off.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Netsch.

31. SENATOR NETSCH:

32. Well, he gives his instructions at that time, of course,
33. if he chooses for there to be substitution or no substitution.

1. And then if...if he leaves that question open, that is if
2. he permits the substitution, then the form that the
3. druggist maintains on which the...which records the
4. actual filling of the prescription must indicate that.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Philip.

7. SENATOR PHILIP:

8. What worries me...Senator Netsch, is who has the
9. responsibility verbally? There's nothing in writing,
10. there's no form, no check off, no signature and that
11. really worries me because who's got the responsibility,
12. the druggist, the doctor? There's nothing in writing
13. whatsoever and I certainly think that that's a
14. very questionable...particularly if the doctor, also would
15. write a prescription, not sign the prescription or check
16. anything off and send it in to the pharmacist, the
17. pharmacist, you tell me, would be able to substitute drugs.
18. Now, who has the responsibility? And I say that...you
19. almost had me...you did have me convinced into voting
20. for this bill, very honestly. But when I see when they
21. do it verbally, when they don't have to sign it or check
22. it off, nobody has the responsibility and I think that is a
23. gigantic loophole.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Netsch.

26. SENATOR NETSCH:

27. If the doctor is in the habit of using oral prescriptions
28. from time to time, either because of the particular patient,
29. because he knows the drugstore or just because of a long
30. standing relationship, then he may either for one of those
31. reasons or because there is a time bind, give the prescription
32. orally and I think that happens for most of us from time
33. to time. My own doctor usually calls the prescriptions in

1. orally. At some point though, the druggist must
2. reduce that to writing and reflect the doctor's wishes.
3. And since the bill requires that the form that is retained
4. in records must show that it is...it is taken care of at
5. least at that point, even though it may initially be
6. transcribed orally.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Philip.

9. SENATOR PHILIP:

10. And still it boils down to the physician's word
11. against the pharmacist's word. And I had my own personal
12. doctor tell me of one instance he had where he prescribed
13. a drug for one of his patients. The patient came back in
14. about two weeks very upset. The patient was broken out.
15. He looked at the pills that...that his patient had and
16. at the prescription. And he looked at the pills and right
17. away, he knew it was the wrong pill. He called up the
18. pharmacist and the pharmacist said, well, I was out of what
19. you prescribed and I just, on my own, switched the drugs and,
20. of course, it wasn't the drug itself, it was the capsule the
21. drug was in which...which...which had something in it
22. that had a bad reaction to that patient. And they're
23. already doing it, unfortunately and what worries me about
24. this, we don't establish who has the responsibility, the
25. physician or the pharmacist and you could drive a tank
26. through the hole you have in this legislation.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Hynes.

29. SENATOR HYNES:

30. Mr. President and members of the Senate. I rise in support
31. of this legislation. I think the bill contains an idea
32. whose time has finally come. We've been working on this
33. matter for many, many years. The Legislature has debated it

1. in both Houses. I think the bill that is before us today,
2. is the result of many, many hours, weeks and months and years
3. of legislative effort, effort by consumer groups, by the
4. State departments involved and I think it is a product
5. which will provide important savings for the consumer
6. which will enable people of limited means to be able to have
7. adequate drug supply which will protect that same consumer
8. in terms of his health because of the safeguards that have
9. been built into the bill. The physician in the first
10. instance, has the right to veto the substitution. The
11. Department of Public Health is charged with the responsibility
12. of determining those areas in which substitution may be
13. permissible. I think every...everything possible has been
14. done in order to make this bill as safe, sound and secure
15. as could be and at the same time provide the needed relief
16. for the consumer and I would urge your support.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Graham. Senator Leonard.

19. SENATOR LEONARD:

20. A few words on something whose time has come. There
21. are twenty states in this union that have such legislation
22. already. Illinois, a major industrial state, a major
23. state of population, ought to be one of those. We've
24. been talking about all these terrible situations. I think
25. we're talking about chronic situations. It's not just the
26. old. It's the people that have families. It's anybody that
27. has a chronic condition. And there usually is a firm
28. relationship between the doctor, the pharmacist and the
29. patient. It's not something that really is going to get
30. confused over the telephone. And as for what will be the
31. quality of the product, I can't help but be amused. We
32. sit here as if it is going to be this legislation against
33. "the large pharmaceuticals." Gentlemen, who makes the
34. generic brand of drugs? The same companies that make the

1. brand names turn out the generic ones. We were talking
2. the other day about all the different brands that come
3. out of one tap of beer. Well, all the bottles come out of the
4. same pharmaceutical companies. I don't think
5. there's any question in our mind really. What we're
6. talking about is savings. There will be a savings. It
7. won't be perfect but it is something that will help
8. our people and I ask a vote for it.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Smith.

11. SENATOR SMITH:

12. Mr. President and Ladies and Gentlemen of the
13. Senate. I am not going to speak in the behalf of the
14. passage of this bill and I'm not going to speak against
15. the passage of this bill. I have, I think you were indicating
16. to someone, six fingers and I...I'm going to assume that you
17. meant that one is limited to six minutes.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. No, I was indicating to Senator Chew that he would
20. be the sixth speaker.

21. SENATOR SMITH:

22. Oh, that's all right. That's all right. Well, I will
23. take less than six minutes. And for once, less than five
24. minutes. I want to call attention say within one minute,
25. to a situation that, I think, ought not exist in any State
26. Legislature. The Lady who stands here with the green dress
27. on, is the chief sponsor of House Bill 1650. Now, that bill
28. was assigned to a committee chaired by this I would say
29. if I was speaking, Senator, a duodecimo fraction of an infinitesimal
30. nothing, me. I chaired the committee. The little lady
31. was nervous. If the Senator will recall the
32. the one that you sponsored, not the one that you and Senator
33. Berman sponsored, I asked a question of you at least five
34. times before roll call was had on an amendment offered by you.

1. You insisted on your amendment. Your amendment killed
2. that bill. I asked of you after the vote was announced,
3. now don't go out this time and say that Fred J. Smith
4. killed your bill. Many of her bills have been killed
5. in the committee that I chair. I've yielded the chair
6. and let her preside and the bill was killed. No member
7. of that committee will say that I have sought to influence
8. their vote at anytime, at any time. I think and I've
9. said it before, that each and every measure should, if
10. possible, stand or fall upon its merits. I voted in committee
11. against this bill. I'm a peculiar sort of an individual
12. as most of you know. I play the cards close to my
13. bosom. No man can look at Fred J. Smith and take him
14. for granted. I follow the light as God Almighty gives
15. me ability to see the light with a slight variation.
16. I tried to reflect the wishes of my constituents.
17. I remember when Dr. Ivy came forward with animal
18. experimentation. I spoke some four, five or six times
19. in favor of that bill in order to be intellectually
20. honest. And then I voted against it to reflect the views of
21. my constituents. My constituents have been canvassed
22. at least five times when, as a matter-of-fact, I can
23. get their condensed opinion with a phone call the following
24. day because, frankly, in my district, we are organized.
25. Now, I...I have an opinion and I've expressed it to the
26. Senator a few moments ago for the first time. I believe that
27. a bill will pass and I'm not predicating that simply
28. upon the wishes of the people in the twenty-second
29. Senatorial district. I've seen and I've heard expressions
30. and various ones and I have not discussed the probable
31. outcome of your bill with anyone. It appears to me that
32. the wish and the will of the people is that the passage of this
33. bill be consummated here today, Senator. That's my opinion.

1. It doesn't make it a fact. The legislative opinion that
2. I have here is that it's all faulty and you've heard me
3. say many a thing that you of this Body will never agree with.
4. In the final analysis you'll find out someday that this
5. old crazy man was right on many of the things that you
6. thought were foolish and ridiculous. I do not think,
7. as I stand here nor have I ever thought that I should
8. have been presiding over a hearing of such importance
9. as is the outcome of the vote today...as will be the outcome
10. of the vote. On the laetrile bill, I presided over that
11. committee. I didn't think Fred Smith had sufficient
12. knowledge, experience and intelligence to have presided
13. over that. I interrupted no witnesses. But today,
14. Fred Smith will reveal his faking and he will reveal
15. when the Presiding Officer says, you may take the vote,
16. just what the wishes of the people of my district
17. have conveyed to me. I reflect their views. Not my views
18. and I'll reveal it at the proper time when the vote is
19. had...or taken.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Schaffer.

22. SENATOR SCHAFFER:

23. Mr. President, I'd first like to compliment the
24. Senator sponsor for her dogged determination on
25. this particular issue and I know she feels very sincerely
26. about it. I have many concerns about the bill, most of
27. which have been effectively voiced by others thusfar.
28. But there's perhaps one concern that has not yet been
29. voiced that I think should be put on the record. I believe
30. there's a great deal of generic substitution going on in the
31. State right now. I think that most doctors and most
32. druggists substitute generically as a regular part of doing
33. business. I believe that the druggists and the doctors

1. assume the liability for that substitution and I believe
2. that any person regardless of age who asks for consideration .
3. of this type certainly will get it. What concerns me
4. about the bill in its present form is that it will discourage
5. drug substitution and have just the reversed effect
6. that its proponents would believe us to have...it would
7. encourage. Time will only tell if the bill passes but
8. it is my sincere belief that if the bill does pass,
9. we may very well be back here next year with a series
10. of amendments designed to change the bill because we
11. find out, in fact, that it went exactly the opposite
12. direction and if we do, I hope Senator Netsch will remember
13. who mentioned it first.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Berning.

16. SENATOR BERNING:

17. Thank you, Mr. President. Mr. President and members
18. of the Senate. I was initially favorably impressed
19. with this bill and still am heartily in support of this
20. concept. But what has become of great concern to me
21. in attempting to rationalize just the bill itself are
22. a couple of points. One, there isn't anything in the
23. world that I see or certainly nothing in the State
24. of Illinois that prevents a doctor from authorizing
25. generic drugs now. Further, a communication of June
26. 23rd from the Senator...from the sponsor, Senator Netsch,
27. provides a very detailed table of cost savings, prices that
28. obviously are public information. This being the case,
29. the doctors would have it available to them if the
30. patients in the...their best interests are convinced
31. generic drugs are for them. I certainly can't understand
32. how any doctor would refuse to accommodate his or her
33. patients when it is an option they now have since it is

1. not restricted, they are not restricted,
2. they are not prevented from supplying generic drugs.
3. So, this bill, in that sense does nothing.
4. Further and finally, my third great concern with it, is
5. on page 4 starting with line 14 where it mandates
6. the Department of Public Health to undertake a monitoring
7. of cost savings and obviously they would have to monitor
8. the prescriptions to be sure that they were properly Xed
9. so as to justify the use of a generic but then monitor
10. the cost savings affected by substitution, issue rules
11. and regulations to effect such monitoring and shall
12. annually report to the Legislature as to the cost
13. savings achieved. This is a monumental task that is
14. being foisted off on the Department of Public Health,
15. so I repeat, Mr. President, while the germ of the
16. idea is good and perhaps its time has come. The implementation
17. of it has been totally destroyed by the provisions of this
18. bill and there is no choice left but to resist the passage
19. of House Bill 1650.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Chew.

22. SENATOR CHEW:

23. Thank you, Mr. President. I suppose I played a unique
24. role in this bill as the press said that Senator Netsch
25. extracted a vote from me. Well, I'd like to clarify
26. that. Senator Netsch did her homework and the vote at that
27. time was for the benefit of the people that, I hope, this
28. bill would help. There's been a few conversations pertaining
29. to there are no savings, if doctors prescribe a substitute
30. medication. Well, back home where I come from in Chicago,
31. the greatest drug...retailists in Chicago is Walgreens.
32. I have the utmost confidence in the pharmacists and the
33. management of Walgreens. And I hold a list in my hand
34. that is current as of June 21, 1977. It shows, Mr. President,

1. and Ladies and Gentlemen, that on some medications we
2. have as much as a seventy-one percent savings. Frequently,
3. showing forty-eight, fifty-five, sixty-two, forty-
4. three, fifty-nine, forty-seven, sixty-five, sixty and
5. sixty and et cetera. I've heard the argument that
6. it will not help senior citizens. If this statement
7. is true from the Walgreen's druggists, it will help
8. anybody that's going to buy the drug. I think we're
9. all in the business of getting quality for less as long
10. as it's quality. We're not concerned about quality and
11. we're not concerned about quality at all when we're talking
12. about our own health. We further note that the Department
13. of Public Aid does, in fact, only pay for generic drugs if they
14. can be used. There are some drugs that cannot be sub-
15. stituted. Dawn, I'm going to hope to not play a
16. unique roll in this for you. I had a few dreams last
17. night. I dreamed that...

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Can we have some order? Senator Chew.

20. SENATOR CHEW:

21. I...I dreamed that if we passed this bill today,
22. that you finally stopped talking and go to Walter and get
23. a little rest. And I further dreamed that if we passed
24. this bill, that somebody in the State of Illinois is
25. going to be grateful to us as a Legislature with their
26. interests at heart. And the third dream I had, Dawn,
27. the third dream, darling, was that I wasn't going to dream
28. no more.

29.

30.

31.

End of reel

32.

33.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Is there further debate? Is there further debate?
3. Senator Netsch may close.
4. SENATOR NETSCH:
 5. Thank you, Senator Chew. The House sponsor, my Senate co-sponsor, thousands of senior citizens and I urge you to vote Yes.
8. PRESIDING OFFICER: (SENATOR BRUCE)
 9. The question is, shall House Bill 1650 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 42, the Nays are 15. 1 Voting Present. House Bill 1650 having received the constitutional majority is declared passed. For what purpose does Senator Johns rise? Senator Johns.
17. SENATOR JOHNS:
 18. Mr. President, having voted on the prevailing side, I move to reconsider the vote by which House Bill 1650 passed.
20. PRESIDING OFFICER: (SENATOR BRUCE)
 21. Senator Johns moves to reconsider the vote by which the bill passed. Senator Wooten moves to Table that motion. All in favor say Aye. Opposed Nay. The Ayes have it. The motion to reconsider is Tabled. For what purpose does Senator Glass rise?
26. SENATOR GLASS:
 27. Mr. President. Although I was intending to vote No on House Bill 333. I was off the Floor at the time of the roll call and I would like the record to...electronically reflect that.
31. PRESIDING OFFICER: (SENATOR BRUCE)
 32. The record will reflect it electronically. Senator Newhouse.

1. SENATOR NEWHOUSE:
2. How am I recorded on 1650, please?
3. PRESIDING OFFICER: (SENATOR BRUCE)
4. You are recorded as voting in the affirmative.
5. SENATOR NEWHOUSE:
6. Yes, I still have a defective switch over here.
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. All right. Gentlemen, it was our agreement that we
9. would now go to a Republican caucus. That has been changed
10. I am told. That by agreement that... Senator Graham, did
11. you wish to make an announcement? Senator Graham.
12. SENATOR GRAHAM:
13. Mr. President. We have changed our mind again as
14. wise men always do. We're rolling along so well on 3rd
15. reading, we're hopeful now our business will roll along
16. so we can have a caucus about 5:30.
17. PRESIDING OFFICER: (SENATOR BRUCE)
18. There will be a Republican caucus as near to
19. 5:30 as can be arranged. Senator Hynes.
20. SENATOR HYNES:
21. On that subject...
22. PRESIDING OFFICER: (SENATOR BRUCE)
23. Can we have some order, Gentlemen?
24. SENATOR HYNES:
25. On...on that subject...
26. PRESIDING OFFICER: (SENATOR BRUCE)
27. Senator Hynes.
28. SENATOR HYNES:
29. It...it is our intention as Senator Graham indicated to
30. recess for a Republican caucus at about 5:30. Then we
31. will return and work as late as we can considering the...
32. the fact that we put in a rough weekend and have been
33. working the last several days and also that...well, Senator
34. Buzbee will discuss that one privately. But in any event,

1. we will try to get as much of this Calendar cleaned off as we
2. can this evening and I would advise the...would advise the
3. membership to plan for dinner on your own based upon the
4. possibility of being here beyond what the normal dinner
5. hour would be and well into the evening. We will not have
6. dinner in the President's office and we are planning tenta-
7. tively to do that tomorrow evening. But not this evening.
8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Demuzio.

10. SENATOR DEMUZIO:

11. Thanks, Mr. President. Earlier today we passed over
12. House Bill 818. Senator Glass had wanted to hold those
13. bills that were...were amended this morning and it's now
14. been several hours and I was wondering with leave of the
15. Body if we couldn't go back to House Bill...818 and move on it
16. at this time?

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator, we will get back to your request in...in
19. a moment. May I have...the attention of the membership.
20. Several bills have been removed from Agreed Bill List No.
21. 7. There's a feeling of many that...it was by agreement
22. that those Gentlemen who...whose bill's were removed from
23. that list would have an opportunity to call them out of
24. order. We will now go to the bills that were removed from
25. the Agreed Bill List No. 6. And if I might have your
26. attention so that you might mark the bills that have been
27. removed. House Bill 122, Senator Bruce. 526, Bruce. House
28. Bill 1437, Senator Lemke. 1438, Senator Lemke. 1454,
29. Senator Knuppel. 1627, Senator Grotberg. 1734, Senator
30. Harber Hall. 1738, Senator Walsh. 1768, Senator Glass.
31. 1827, Senator Shapiro. 17...1974, Senator Donnewald. 2200,
32. Senator Shapiro-Hynes. 2261, Senator Philip. House Bill
33. 2280, Senator Moore. We will go to those...those bills

1. that have been removed from the Agreed Bill List, since
2. those sponsors did not have an opportunity to call them
3. in the ordinary course of business. House Bill 1437,
4. Senator Lemke. For what purpose does Senator Demuzio rise?
5. SENATOR DEMUZIO:

6. Well, are you going to go back to 818?

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Well, Senator, as soon as...the reason I asked you
9. to stand in abeyance, as soon as we have a chance to go
10. through this, we will have a chance to review what we are
11. going to do when we go back to the ordinary business on
12. 3rd reading. And make a decision at that time. Senator
13. Demuzio.

14. SENATOR DEMUZIO:

15. Well, the...the amendment went on this morning at
16. ...at 9:30 and you know, I...I don't want to lose
17. my...my turn. ...it's a quarter after four and it seems
18. like...to me like there's no one that really has any ob-
19. jection to this bill. I'd like to go back to it with
20. leave of the Body.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Well...

23. SENATOR DEMUZIO:

24. Otherwise you're not going to get to it today.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. The problem is, Senator, that the gentleman's...the
27. gentlemen whose names I just called have gone out of their
28. turn and also lost their opportunity to call their bill
29. in...because they thought their bills would be on the
30. Agreed Bill List. House Bill 1437. Senator Lemke, do
31. you wish to have that bill called? Read the bill, Mr.
32. Secretary.

33. SECRETARY:

1. House Bill 1437.
2. (Secretary reads title of bill)
3. 3rd reading of the bill.
4. PRESIDING OFFICER: (SENATOR BRUCE)
5. Senator Lemke.
6. SENATOR LEMKE:
 7. This bill amends the court...the Court Reporters
 8. Act authorizing chief judge of any circuit having a
 9. population of three...three thousand or more persons
 10. to appoint eleven clerk receptionists to assist the
 11. administrator. There's an amendment on there. What
 12. this bill does is...is to attempt by the circuit courts
 13. to clear up...severe backlog of cases on transcripts.
 14. This would give them additional help to clear it up.
 15. I ask for this favorable adoption.
16. PRESIDING OFFICER: (SENATOR BRUCE)
17. Is there discussion? Senator Wooten.
18. SENATOR WOOTEN:
 19. Just a question as to what precisely the amendment
 20. is, Senator?
21. PRESIDING OFFICER: (SENATOR BRUCE)
22. Senator Lemke.
23. SENATOR LEMKE:
 24. According to the book it makes revision that the
 25. chief judge of any single...county circuit to appoint
 26. up to three secretaries and up to two messenger clerks
 27. and up...up to eleven clerk receptionists to assist the
 28. administrator.
29. PRESIDING OFFICER: (SENATOR BRUCE)
30. Is there further discussion? Senator Berning.
31. SENATOR BERNING:
32. Question, please, of the sponsor.
33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Indicates he will yield. Senator Berning.
2. SENATOR BERNING:
3. I'm curious. The Digest says Cook County but one
4. bit of information I have says it applies to counties of
5. three thousand and over. Is that an error?
6. PRESIDING OFFICER:(SENATOR BRUCE)
7. Senator Lemke.
8. SENATOR LEMKE:
9. ...single county circuit.
10. PRESIDING OFFICER: (SENATOR BRUCE)
11. Senator Lemke, could you repeat your answer.
12. SENATOR LEMKE:
13. The amendment says any single county circuit.
14. PRESIDING OFFICER: (SENATOR BRUCE)
15. Senator Berning.
16. SENATOR BERNING:
17. Does this mean any single county circuit may appoint
18. eleven secretaries?
19. PRESIDING OFFICER:(SENATOR BRUCE)
20. Senator...Senator Lemke.
21. SENATOR LEMKE:
22. Up to. Some have that now.
23. PRESIDING OFFICER: (SENATOR BRUCE)
24. Senator Berning.
25. SENATOR BERNING:
26. Well, let's make it specific. Can you tell me, with
27. my county of three hundred seventy thousand, what do they
28. ...appoint? Or what is their authorization and do they
29. have this unlimited up to eleven?
30. PRESIDING OFFICER:(SENATOR BRUCE)
31. Senator Lemke.
32. SENATOR LEMKE:
33. Is your county a single county circuit? Your circuit

1. court...
2. PRESIDING OFFICER: (SENATOR BRUCE)
 3. The...the Chair will take judicial notice that there
 4. are two single county circuits. Cook and DuPage. Senator
 5. Lemke. Is there further discussion? The question is, shall
 6. House Bill 1437 pass. Those in favor will vote Aye. Those
 7. opposed vote Nay. The voting is open. Have all voted who
 8. wish? Have all voted who wish? Take the record. On that
 9. question, the Ayes are 37, the Nays are 14. 2 Voting Present.
 10. House Bill 1437 having received the constitutional majority
 11. is declared passed. House Bill 1438. Read the bill, Mr.
 12. Secretary.
13. SECRETARY:
 14. House Bill 1438.
 15. (Secretary reads title of bill)
 16. 3rd reading of the bill.
 17. PRESIDING OFFICER: (SENATOR BRUCE)
 18. Senator Lemke.
 19. SENATOR LEMKE:
 20. This bill amends Chapter 37 of the courts, paragraph
 21. 654.1 sub-section on court reporters to allow the chief
 22. judge to appoint one assistant reporter, supervisor in
 23. addition to the reporter supervisor. I ask for its
 24. favorable adoption.
 25. PRESIDING OFFICER: (SENATOR BRUCE)
 26. Is there discussion? Senator Philip.
 27. SENATOR PHILIP:
 28. Yeah, but my only question, who does it apply to?
 29. PRESIDING OFFICER: (SENATOR BRUCE)
 30. Senator Lemke.
 31. SENATOR LEMKE:
 32. It's a companion bill to...this is a companion bill
 33. to the one we just passed, 1437.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Is there further discussion? Senator Wooten.
3. SENATOR WOOTEN:
4. Just curious, how many extra people will be loading
5. on when you total the two bills up?
6. PRESIDING OFFICER: (SENATOR BRUCE)
7. Senator Lemke.
8. SENATOR LEMKE:
9. Well, I...I don't know what DuPage County has, as far
10. as court...assistants. And this bill we only add on one
11. additional. The other bill I don't really know. We might
12. add another five on the other bill. There might be about
13. six total in Cook County. I don't know about DuPage...
14. PRESIDING OFFICER: (SENATOR BRUCE)
15. Further discussion? The question is, shall House Bill
16. 1438 pass. Those in favor vote Aye. Those opposed vote Nay.
17. The voting is open. Have all voted who wish? Take the
18. record. On that question, the Ayes are 40, the Nays are
19. 12. 1 Voting Present. House Bill 1438 having received the
20. constitutional majority is declared passed. House Bill 1454,
21. Senator Knuppel. Read the bill, Mr. Secretary.
22. SECRETARY:
23. House Bill 1454.
24. (Secretary reads title of bill)
25. 3rd reading of the bill.
26. PRESIDING OFFICER: (SENATOR BRUCE)
27. Senator Knuppel.
28. SENATOR KNUPPEL:
29. Mr. President and members of the Body. This is a simple
30. piece of legislation to understand. It extends the period from
31. forty-five to ninety days in which to review proposals by the
32. ...by BED on...on energy conversion plants, et cetera. Plants
33. that they submit for use of the coal development bond. Now,
34. forty-five days we've found to be a little too short. It can

1. happen that the proposal comes in right after we hold a
2. meeting. We've been trying to hold a meeting once every
3. two months. You can see that's sixty days. These are
4. complex propositions. They involve the expenditure of
5. maybe two and half million dollars...two hundred and
6. fifty million dollars when we will be contributing, maybe,
7. as much as twenty or twenty-five million. This requires
8. extensive engineering and economic review. We need the
9. ninety days. The other thing is very simple. It just
10. provides for the commission to be able to set up criteria
11. or rules governing this mission of these proposals.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Is there further discussion? Senator Nimrod.

14. SENATOR NIMROD:

15. Yes, Mr. President and fellow Senators. As the
16. Chairman of the Technical Committee for that particular
17. commission under Senator Knuppel's chairmanship, I can
18. only tell you that many times we, in order to get to-
19. gether the technical people that come from all over the
20. United States. These are usually major companies in-
21. volved in this. It takes, sometimes a month or two
22. and even as many as three to prepare for this. And...
23. and this doesn't mean that we are going to go ninety
24. days. But it allows us that time in case we have to.
25. And we are dealing with multi-million dollar awards
26. and I would think that when you're considering
27. projects that run two, three, four hundred million
28. dollars on demonstration projects, it certainly doesn't
29. hurt to give a little extra time in case it's necessary.
30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Further discussion? Question is, shall House Bill
32. 1454 pass. Those in favor vote Aye. Those opposed
33. vote Nay. The voting is open. Have all voted who wish?

1. Have all voted who wish? Take the record. The question
2. Ayes are 51, the Nays are None. 2 Voting Present. House
3. Bill 1454 having received the constitutional majority is
4. declared passed. House Bill 1627, Senator Grotberg.
5. Read the bill, Mr. Secretary.
6. SECRETARY:
7. House Bill 1627.
8. (Secretary reads title of bill)
9. 3rd reading of the bill.
10. PRESIDING OFFICER: (SENATOR BRUCE)
11. Senator Grotberg.
12. SENATOR GROTBURG:
 13. Yes, Mr. President and members of the Senate. House
 14. Bill 1627 requires that the Department of General Services
 15. to promulgate rules and regulations on the operation of
 16. the motor vehicles of the Code Department's only of the
 17. State of Illinois. This bill was initiated by the Legis-
 18. lative Audit Commission as the result of an audit for the
 19. use of State automobiles conducted last Fall by the Auditor
 20. General. The report found that much of the abuse of State-
 21. owned vehicles and I would ask the members of Appropriations
 22. I, Senator Savickas and others to listen. This was debated
 23. in appropriations rather highly. The report found that much
 24. of the abuse of State-owned vehicles was attributable to
 25. the absence of well defined formal written policies and
 26. procedures. There were examples, for instance, of some
 27. vehicles being driven thirty or forty thousand miles with-
 28. out a maintenance check. Furthermore, many agencies
 29. assigned vehicles to their employees without any formal
 30. criteria being established on whether that employee needs
 31. a car or not. I think we've all heard of the examples of
 32. the abuse of State-owned cars. As the audit report points
 33. out, the first step and this is the first step, toward

1. ending this abuse is to establish some formal policies for
2. employees to abide by. This bill would do that. And I
3. urge a favorable vote and try to the best of my ability
4. to answer questions, if there are any. If not, I urge
5. a favorable roll call.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Is there further discussion? Question is, shall House
8. Bill 1627 pass. Those in favor vote Aye. Those opposed
9. Nay. The voting is open. Have all those voted who wish?
10. Take the record. On that controversial bill, the Ayes are
11. 55, the Nays are None. House Bill 1627 having received the
12. constitutional majority is declared passed. House Bill
13. 1734, Senator Harber Hall. Read the bill, Mr. Secretary.

14. SECRETARY:

15. House Bill 1734.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Harber Hall.

20. SENATOR HARBER HALL:

21. Mr. President and fellow Senators. This is a merely
22. bill. I have yet to find anyone against it. It just
23. indicates that a date stamp on a envelope is deemed to be
24. the date that the notice from the Department of Revenue
25. was received. And it passed the House Revenue Committee
26. with no dissents. The House on 3rd reading with no
27. dissents. The Senate Revenue Committee with no dissents
28. and I hope you will give it the same treatment on 3rd
29. reading now.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Kenneth Hall.

32. SENATOR KENNETH HALL:

33. At...will the sponsor yield to a question?

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Indicates he will.
3. SENATOR KENNETH HALL:
 4. Senator, do you know we're getting mail now that shows no date stamped on it at all? How...how are you going to handle that? In situations like that.
7. SENATOR HARBER HALL:
 8. In that case, as the bill provides, the date would be deemed to be the date it was mailed from the Department of Revenue or the, in the case of counties, the county collector or county treasurer.
12. PRESIDING OFFICER: (SENATOR DONNEWALD)
 13. Is there further discussion? Senator Soper.
14. SENATOR SOPER:
 15. Well, thank you, Mr. President. You mean to tell me that if...if a letter is dated, that's the date that it was received or the date it was mailed?
18. SENATOR HARBER HALL:
 19. Well...
20. PRESIDING OFFICER: (SENATOR DONNEWALD)
 21. Senator Harber Hall. Was that a question? Senator Harber Hall.
22. SENATOR HARBER HALL:
 23. I didn't hear the question.
24. SENATOR SOPER:
 25. Well, we'll run it over again.
26. PRESIDING OFFICER: (SENATOR DONNEWALD)
 27. Let's try one more time.
28. SENATOR SOPER:
 29. One more time. Senator Hall, from Bloomington. Sir. If a letter is dated the 27th day of June, it's sent by the Internal Revenue Service or anybody else to me and that's a date and I have a few days to answer that. You mean to tell me that's the date of the service to me, on

1. the 27th day of June?
2. PRESIDING OFFICER: (SENATOR DONNEWALD)
3. Senator Harber Hall.
4. SENATOR HARBER HALL:
 5. Well, they accept the date you mail your Internal Revenue check to them as the date that they received it.
 6. So it...it works both ways.
8. PRESIDING OFFICER:(SENATOR DONNEWALD)
9. Senator Soper.
10. SENATOR SOPER:
 11. Well, I want to tell you, Sir, that I've been waiting for a check that hasn't arrived and was mailed to me four weeks ago and the second check was mailed and if I was to go by the date on the envelope, I received one the other day that was three years late. Now, you know, if... if you're going to give notices to people and by this bill say that it's either the date on the envelope or the date on the...that the letter was dated. That letter can be dated most any day and put it in an envelope and sent to you. And if that's going to be the day that we're supposed to acknowledge receipt or...or be acknowledged as having received that. This is really a bummer of a bill.
24. PRESIDING OFFICER: (SENATOR DONNEWALD)
25. Senator Harber Hall.
26. SENATOR HARBER HALL:
 27. This doesn't affect anything of that serious consequence. This merely puts into the Statutes some ...some reference that can be referred to in discussing when...when bills were mailed out, which they are usually done en masse and indicates that some action was taken.
 32. The fact that there are occasional...delays in the U.S. mail is not reason for any great concern.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Soper.

3. SENATOR SOPER:

4. Well, if this is of no consequence and if it doesn't
5. mean anything, why the devil are we going to print it and
6. put it in the Statute? Why spend the money?

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Harber Hall.

9. SENATOR HARBER HALL:

10. Often times county treasurers, county collectors
11. and the State have arguments about when they took some
12. mass action of...such as sending out requests for taxes
13. or bills and by establishing this as a reference that they
14. can show that this was done, it is... it alleviates a lot
15. of public questions. We have the same thing in most
16. every instance when taxpayers or citizens mail something
17. to the Government they...it is in those Statutes that the
18. day the citizen can show that something was stamped is the
19. day that it was received, irrespective of when it was
20. actually received by...

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Soper, you're time has expired. Would you
23. conclude?

24. SENATOR SOPER:

25. Yes, I will. My time seems to expire at all times
26. and everybody else's time goes on. That's just like if
27. you want your bill in the order you want it in, you can
28. have it. Except me. Now let's go on with this gem. Now,
29. there's a lot different in mailing...mailing your income
30. tax return and saying if it's postmarked before midnight
31. it's received by the Government. ...or it's mailed on
32. that day. That's the mailing date. But when you say that
33. if...if there's a postmark on a letter or there's a...

1. or there's a date on a...on the letter that that's the
2. day I received it. How can you say I received it?

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Harber Hall.

5. SENATOR HARBER HALL:

6. Well, I...I don't think we ought to continue this
7. type of questioning. But just to answer that particular
8. question, nothing in the bill says that you received it
9. then. It says that it was deemed the day that it was
10. mailed.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Bruce.

13. SENATOR BRUCE:

14. Thank you, Mr. President. I rise in opposition
15. to the bill for the reasons that Senator Soper has
16. illuminated and that, there are to say that...that this
17. is not important that these notices are somehow unimportant
18. I would tell you that you are going to be receiving notices
19. on the following matters: a local assessing official must
20. notify a taxpayer by mail when a change is made in their
21. property assessment. It would apply to that. The Board of
22. Review will make a written notice when it makes a deci-
23. sion, which may be appealed to the State Property Tax Field...
24. Board. That...that notice would be deemed received when
25. mailed whether you receive it or not. And you must file
26. an appeal with the State Board within thirty days. County
27. Tax Collectors will notify property owners fifteen days before
28. an application is made to the court to conduct a sale for a
29. delinquent taxes. This would apply if you never received
30. the notice fifteen days later your house will be sold for
31. delinquent taxes. Notices by certified mail are required
32. six months after a tax sale and three to five months before
33. redemption tax period expires. And all of those would be

1. deemed to have been occurred...to have occurred on a date
2. it was filed or mailed not when you receive it. And in
3. the instances where the notice is not postmarked it certainly
4. is not clear how it's going to be determined, if the person
5. says, I mailed it. You're going to have affidavits and a
6. great deal of problems. I think the bill has...it has
7. good intentions, but the way the bill is drafted I would
8. have to oppose it.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Rhoads.

11. SENATOR RHOADS:

12. Thank you, Mr. President and members of the Senate.
13. We had a similar issue in a bill here about five weeks ago
14. that came through the Public Health Committee dealing with
15. notification of parents. Adoptive parents. And the prob-
16. lem is, if the notice is important enough to be...that
17. you have to be proving the date of the mailing, then it's
18. important enough to use return receipt requested or
19. registered mail. One or the other. I...I don't really
20. see what you're trying to accomplish here. If...if to
21. just take somebody's word for it as...as Senator Kenneth
22. Hall alluded to, the fact that a date was stamped on the
23. ...on the envelope you have to have a great deal more faith
24. in the U.S. Postal Service than I do.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Guidice. Senator Berman. Senator Glass.

27. SENATOR GLASS:

28. Well, Mr. President and Ladies and Gentlemen. I think
29. this opposition is not well founded. There presently is in
30. the Revenue Act this precise procedure for serving notices.
31. ...but with...for...for State tax purposes. But the Revenue
32. Act covers many other notices than those for State tax
33. purposes. And this bill would provide the same procedure

1. for all notices served under the Revenue Act. It is
2. identical to that used by the Department of Revenue.
3. And you've got to have some period which begins the
4. notice...the notice period running. You have to have
5. some date. It's...it's the date that's postmarked on the
6. envelope. I don't know how you're going to establish
7. a date when it...when the document is actually received.
8. But for...for consistency I think Senator Hall's bill
9. is good and it's nothing that isn't already law and
10. I'd urge an Aye vote.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Egan. Senator Egan.

13. SENATOR EGAN:

14. Yes, thank you, Mr. President and members of the
15. Senate. I...I stand in opposition to the bill and I
16. notice that it passed out of the Revenue Committee with
17. one dissenting vote. Senator Kenneth Hall voted against
18. the bill and, I think, with justifiable cause. I apologize
19. to the Body for not having voted against it then myself.
20. Obviously, in the...in the business of the pressing
21. closing hours we didn't consider it carefully enough.
22. But the problem that I see, is that it applies to other
23. county offices. And the...the assessor notices and...and
24. others that were enumerated by Senator Bruce causing in-
25. numerable hardships under all kinds of circumstances. And
26. I think, that perhaps, Senator Glass, you're...you're theory is
27. correct, but this is not the way to...to handle it, in
28. my opinion. And I'm opposed to it.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Harber Hall may close.

31. SENATOR HARBER HALL:

32. Well, I think this is undue alarm over a...a simple bill
33. that's intended to clarify for our citizens and not for the

1. department about when a mass action usually and...that's
2. the intent of it, I know, took place. Time after time
3. a citizen will come in and say, well, you didn't send a
4. ...you didn't send me that bill. I didn't get it or...and
5. all they have to do is show, actually, here is a procedure.
6. We sent out the bills on the 26th of February or whenever
7. and here are the... here are the stamps...here are the
8. post dates to indicate that. And that probably alleviates
9. an awful lot of trouble. There's nothing binding. There's
10. nothing to prevent a...a citizen from showing that he did
11. not receive the bill. He still has the responsibility, but
12. ...if he can prove that his is tax or his bill was received
13. later and was lost in the mails why there's, of course,
14. there's no reason why he can't do that. This is a
15. strictly...elementary Act to help the citizens and not to
16. help the Department of Revenue. It's customary in...in
17. most governmental agencies to accept the same type of
18. reference with citizens who send things in. So, although
19. my synopsis and Digest indicates that there were no
20. dissenting votes, Senator Egan, I hope...I hope maybe
21. you are referring to some other bill, but in the reference
22. in the Digest, it says no dissenting votes in...in the
23. Committee on Revenue. So, I...I this is the first I've
24. heard of any opposition. I think the opposition has...has
25. been unduly wary of a very simple bill and I would ask
26. your support for it.

27. PRESIDING OFFICER:(SENATOR DONNEWALD)

28. All right. The question is, Senator Soper, the
29. debate is concluded. For what purpose do you arise?

30. SENATOR SOPER:

31. (Machine cut-off) want to say one thing. Now, how
32. in the world can you prove the postmark on a letter that
33. you sent to me, if I say I didn't get the letter?

HB/22
3rd Reading
6/27/17

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. All right. (Machine cut-off) is, shall House Bill
3. 1734 pass. Those in favor vote Aye. Those opposed Nay.
4. The voting is open. (Machine cut-off) all those voted
5. who wish? Take the record. On that question, the Ayes
6. are 14, the Nays are 34. House Bill 1734 not having re-
7. ceived the constitutional majority is declared lost.
8. Senator Bruce. House Bill 122. Read the bill, Mr.
9. Secretary.
10. SECRETARY:
11. House Bill 122.
12. (Secretary reads title of bill)
13. 3rd reading of the bill.
14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. Just a moment. Now we're not going to continue until
16. we have a little quiet. If you can battle the noise
17. Senator Bruce, you're on. Read the bill, Mr. Secretary.
18. The bill has been read. Senator Bruce.
19. SENATOR BRUCE:
20. Thank you, Mr. President. This bill was on the
21. Agreed Bill List and Senator Savickas and others did not
22. have a chance to discuss with me what the impact of the
23. bill is. But the bill changes the date for certification
24. of property tax levy of school districts from the last
25. Tuesday in September to the last Tuesday in December.
26. Now last...last September many school districts had not
27. ...did not levy what they could have levied because at
28. the time of the levy when they were made and certified
29. in September they did not...know what there would be in
30. the way of a county multiplier. This would just allow
31. them to pick up the additional time for imformation on
32. ...on the amount of their multiplier from the Department
33. of Local Government Affairs. It was supported in committee

1. by Maurice Scott who testified and indicated this was an
2. appropriate way to solve a problem with school districts
3. when we have made the school...when we have made the
4. School Aid Formula applicable to the assessment level
5. in the operating tax rates. I'd ask for a favorable
6. roll call.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Is there further discussion? Question is, shall
9. House Bill 122 pass. Those in favor vote Aye. Those
10. opposed Nay. The voting is open. Have all those voted
11. who wish? Take the record. On that question, the Ayes
12. are 54, the Nays are None. 1 Voting Present. House
13. Bill 122 having received the constitutional majority
14. is declared passed. House Bill 526, Senator Bruce.

15. Read the bill, Mr. Secretary.

16. SECRETARY:

17. House...excuse me, House Bill 526.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Bruce.

22. SENATOR BRUCE:

23. Thank you, Mr. President. The...the Calendar
24. accurately reflects what the bill does. The problem
25. is in the printout you received on the Agreed Bill List that
26. indicated that this had something to do with raising the
27. level of exclusions and also excluding...various groups,
28. Senator Graham, and I had a chance to debate that issue
29. in...in Executive Committee and with his support I
30. amended the bill to only...to make this one change. And
31. that is, it requires the person filling a statement to list
32. the governmental unit that employs him. At the present
33. time we have many people filing with the county clerks

1. and one of them wrote me and indicated he has problems.
2. In case a person says a sanitarian or a school teacher
3. or some other person making more than twenty thousand
4. dollars in...within the county, he has no way of
5. knowing what district or governmental unit he is with.
6. The form requires us and those other people to put
7. your name, your office or employment for which the
8. statement is filed and your own address. This would
9. add the additional requirement that you put the address
10. of the employing governmental unit so that the
11. county clerk can properly file the document with the
12. school district or the county health department or the
13. county mental health association or whatever group
14. that would pay you more than twenty thousand dollars
15. within the county. I would ask for a favorable roll
16. call.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Is there further discussion? Senator Walsh.

19. SENATOR WALSH:

20. Will the Gentleman yield for a question?

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Indicates he will.

23. SENATOR WALSH:

24. Senator, the...I think you stated and...and it appears now
25. that the...the amendment is a bill. The enacting
26. clause has been struck and it provides that the actual
27. occupation of the person filing would be placed on the
28. ...on the application?

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Bruce.

31. SENATOR BRUCE)

32. No, you have to put your...the position now. You
33. have to put like sanitarian, but you do not have to put

1. the unit of government when...which employs you. This
2. would require you say, the county health department. So
3. that they know to whom they should indicate that...that
4. you have properly filed. They have no way of knowing.
5. There may be several local units. Municipalities, school
6. districts within the county. And the county clerk has
7. no way of knowing with whom...by whom you are employed.
8. And he can't file it properly.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Walsh.

11. SENATOR WALSH:

12. ...information then. Does...does the county clerk
13. then send copies of these to the...to the unit of local
14. government to...or how does it work? How does he check
15. to see who's filed and who hasn't?

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Bruce.

18. SENATOR BRUCE:

19. Well, the...as I recall the county clerk from Kane
20. County. They file them by governmental unit. And I
21. don't know why that is done. I...I don't know the
22. inner workings. But I think if...if the unit wished to
23. know if all of there employees, they could check as a
24. unit. The way it is there...there's no way to file
25. them except alphabetically. And they...what they do
26. is they contact the individual and find out if you're
27. with school district ABC or school district DEF. And
28. then they file it under that appropriate school district
29. or municipality.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Is there further discussion? Question is, shall
32. House Bill 526 pass. Those in favor vote Aye. Those
33. opposed Nay. The voting is open. (Machine cut-off)

1. voted who wish? Take the record. On that question, the
2. Ayes are 55, the Nays are None. House Bill 526 having
3. received the constitutional majority is declared passed.
4. House Bill 1738, Senator Walsh. Read the bill, Mr.

5. Secretary.

6. SECRETARY:

7. House Bill 1738.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Walsh.

12. SENATOR WALSH:

13. Mr. President and members of the Senate. In many...
14. for many years now we've been amending the various parts
15. of the Revenue Act and other acts to provide that notices
16. can be sent by certified mail rather than registered mail.
17. House Bill 1738 provides that notices under the private
18. Carline Companies Act can now be sent by certified mail
19. or regular mail with a certificate of mailing rather
20. than registered mail. And this would...would occasion
21. some...some savings to the department.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Is there further discussion? Question is, shall
24. House Bill 1738 pass. Those in favor vote Aye. Those
25. opposed Nay. The voting is open. Have all those voted
26. who wish? Take the record. On that question, the Ayes
27. are 54, the Nays are None. On this controversial bill,
28. House Bill 1738, having received the constitutional
29. majority is declared passed. House Bill 1768, Senator
30. Glass. Read the bill, Mr. ... No. Senator
31. Glass, for purpose do you arise?

32. SENATOR GLASS:

33. I have to call it back for an amendment, Mr. President.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. House Bill 1827. Senator Shapiro. Read the bill,
3. Mr. Secretary.
4. SECRETARY:
5. House Bill 1827.
6. (Secretary reads title of bill)
7. 3rd reading of the bill.
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. Senator Shapiro.
10. SENATOR SHAPIRO:
 11. Mr. President and Ladies and Gentlemen of the Senate.
 12. House Bill 1827 as amended, allows ambulatory and community currency exchanges upon application to the director to be
 13. licensed to render check cashing and other authorized
 14. services to senior citizens projects, occupants of public
 15. housing at public housing sites to persons receiving
 16. Public Aid pensions and old age assistance at locations
 17. which are designated by the director of...of the currency
 18. exchange division to be suitable permanent locations for
 19. this type of service. Now this bill passed out of here
 20. as Senate Bill 442 some time ago by a vote of 42 to 8.
 21. This amendment makes the bill much better and restricts
 22. the applications in that that the director shall apply
 23. the convenience and the advantage test as is provided
 24. in the present Act in Sections 4.1 or Sections...4.3
 25. and also takes into consideration the effect that
 26. granting a license will have upon the financial stability
 27. of community currency exchanges or the fixed exchanges.
 28. I realize that some people feel that this bill is con-
 29. troversial but we have heard it in the past. It passed
 30. out of here with a substantial margin. I am totally
 31. in favor of the bill as amended and I would appreciate
 32. a favorable roll call. I will attempt to answer any
 - 33.

1. questions that anyone might have on the bill.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Carroll.

4. SENATOR CARROLL:

5. Thank you, Mr. President. I do rise to oppose this
6. legislation. And I rise for some specific reasons. This
7. is different than the bill that passed the Senate that
8. Senator Shapiro referred to. For this does add, as he
9. said, the provisions of 4.3. What he failed to mention,
10. however, is that he has changed the provisions of 4.3
11. from the existing Act to this new structure. My problem
12. with this is I see no problem with Mel Fillans or anyone
13. else doing any business they want to try and do. We
14. have, however, said that there are some hundred and forty
15. exchanges, if the figures I've gotten are correct, that are
16. currently in existence in, what we call, stationary locations
17. throughout, basically, the City of Chicago who will be
18. adversely affected by this in this way. You have set up a
19. new test. Not the test that's been there under existing
20. law that they opened under and that is not what good it's
21. going to do for the community. But whether the particular
22. building involved and there's some loose definitions there.
23. But whether the particular building involved wants this
24. service. This building can be a three flat where some
25. elderly people live. What you end up doing by this and
26. I might add this is after regulating the amounts of money
27. these people can earn. And I was surprised at some people
28. who supported that as free enterprise. But be that as it
29. may, you have now said that there is a limit on how much
30. they can charge these people and that's the will of the
31. General Assembly. You have now gone further in this bill
32. and said, however, to those communities who have found
33. a need, we are going to take away the majority of your

1. business so that those one hundred and forty establishments
2. will have to close regardless...regardless of what the rest
3. of the community wants. For if the one building that gets
4. one service and that is the receipt of these checks
5. wants the service, they and the rest of the community will
6. then suffer by having no one available, no one at all
7. available to provide the other services that these
8. currency exchanges have been allowing people to
9. have in the past such as paying bills, cashing other
10. forms of checks and so-forth. I happen to think this
11. is totally discriminatory. We have already provided
12. the lower payments on these Public Aid checks. So all
13. we are doing here then, is saying let a truck pull up
14. once a month, cash these checks, not provide any of the
15. other services the rest of the month and drive out of
16. business those who have been providing them before. Better
17. we say, in the very beginning instance, do away with
18. currency exchanges altogether, let's get rid of them and
19. find some other form of providing service to people. Let's
20. abolish them altogether rather than hanging them this way.
21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Washington.

23. SENATOR WASHINGTON:

24. Mr. President. In response to Senator Carroll
25. directly, I think he raises problems which simply do
26. not exist in this bill. In the first place, applications
27. for mobile units to service senior citizens and Public
28. Aid establishments at sites selected by the director,
29. approved by the director, those applications are open
30. to the ambulatory services and to the community
31. services. Secondly, there are adequate standards
32. available. For example, in Section 4.3 to which he alluded,
33. there must be an economic benefit and convenience to the

1. persons to be served. And furthermore, as an additional
2. safeguard to make certain, to make abundantly certain, that
3. established community currency exchanges are not threatened,
4. the director is mandated by this bill to take into consideration
5. the financial impact on community currency exchanges. I simply
6. cannot imagine any director with those clear cut mandates
7. and legislative standards set out. I simply can't imagine
8. any director doing what Representative...Senator Carroll
9. suggest that might be done. I think what the director will
10. do, is to make abundantly certain that a mobile unit, whether
11. it springs from a...community exchange or an ambulatory
12. ...exchange will not threaten any existing establishment
13. in that locale. We are not talking about a building making
14. application. We are talking about senior citizens and Public
15. Aid recipients at sites selected by the director, approved by
16. the director making those designations. And furthermore,
17. if there was ever a bill which had indigenous and community
18. support, it is this. Over a period of five years senior
19. citizens and Public Aid recipients have been crying for this
20. kind of service. At every investigation, of which I am
21. familiar, the Shapiro Committee which investigated three
22. or four years ago, the Caldwell Committee, which went
23. into it this year the BGA study. All documented the
24. fact that senior citizens and Public Aid recipients wanted
25. this kind of service. And yet it says, economic benefit
26. and convenience with the safeguard that no mobile unit
27. will...be given this application if it threatens the
28. financial stability of an existing community currency
29. exchange. I can't think of a more tightly, carefully
30. drafted bill that will give additional economic service
31. to people who need it, but at the same time will protect
32. existing establishments. I think it's an excellent
33. bill.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator Berman.
3. SENATOR BERMAN:
 4. Thank you, Mr. President. I rise in opposition to
 5. this bill. We have passed out of this Body and we...the House
 6. has passed out a series of bills aimed at reform of an
 7. industry. This bill before its amendment was probably
 8. in line with many of those bills that have passed out
 9. of here and that I have supported. This bill as amended
 10. changes a reform bill into a bill of vendictiveness. What
 11. we are doing by this amended bill is to really put people
 12. out of business that have seen fit to invest in our
 13. communities, establish payrolls in our communities, Pay
 14. rent or buy property in our communities and exchange their
 15. well being and...and economic stability for people that
 16. try to do business on a here I am today for five minutes
 17. gone five minutes later, kind of an operation. We passed
 18. a bill that allowed the ambulatory currency exchanges to
 19. follow their customers out to the suburbs. In Chicago
 20. where there are senior citizen's residences, permanent
 21. type of currency exchanges have established, in order to
 22. service those places and they render a wide range of services.
 23. I have a large number of senior citizens homes buildings,
 24. large projects in my district. I have never heard one
 25. complaint, not one complaint by any senior citizen of
 26. the permanent fixed currency exchange operation. Not one.
 27. Now what we are doing here is jeopardizing, and in fact,
 28. threatening the very...existence of people who have been
 29. willing to come in and invest in our communities. I think
 30. this bill, as amended, goes too far. I urge a No vote.
31. PRESIDING OFFICER: (SENATOR DONNEWALD)
32. Senator Hickey.
33. SENATOR HICKEY:

1. Thank you, Mr. President. I'd like to ask the sponsor
2. of the amendment a question. Apparently, this whole thing
3. has a lot to do with just business competition. I'd like
4. to ask if there's any thing in the Statutes any place
5. that would prevent an already established permanent
6. installation currency exchange also having a mobile
7. unit to serve the kind of instances that are set up
8. such as senior citizen highrises and...and so forth.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. I presume the question was directed at Senator
11. Washington. We're on 3rd reading...

12. SENATOR HICKEY:

13. Right. I know.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. ...and I presume you're speaking to Senator Washington.
16. He indicates...

17. SENATOR HICKEY:

18. Right.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. ...he will respond.

21. SENATOR WASHINGTON:

22. There is no prohibition against such a thing. As a
23. matter of fact, this bill 1827 as amended, specifically
24. sets out in Section 4.4 ambulatory and community currency
25. exchanges must make application. So the competition is
26. open to the community currency exchanges. And this has
27. been no attempt to frustrate that...competition. The
28. problem has come about through a whole series of reform
29. bills which have been presented this year and to that extent
30. I agree with Senator Berman. There has not been competition
31. in this field. There has been a rigid rate structure
32. which as we have pointed out has been exorbitant and
33. discriminatory. And the whole series of bills which we

1. have presented to this Body are designed to increase the
2. competition within this field to make certain that those
3. people who must rely upon currency exchanges for ambulatory
4. and community get the most efficient, economic service
5. possible. I think this bill adds to that general thrust.
6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Hickey.

8. SENATOR HICKEY:

9. Thanks, Senator Washington. Just in case you...or
10. anyone else misunderstood me. I didn't mean that the
11. bill was aimed at...at closing competition off. I
12. meant that the opposition to the bill, seems to me,
13. possibly could be interpreted that way.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Guidice. Senator Guidice. Would you move to
16. Senator D'Arco's microphone? You've worn yours out.
17. Would you go to Senator Lemke's microphone?

18. SENATOR GUIDICE:

19. ...Lemke's always works. That's loud enough. Thank
20. you, Mr. President. Will the sponsor yield to a question?

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Indicates he will.

23. SENATOR GUIDICE:

24. In Amendment No. 1 to the House Bill on Section 4.4
25. reads ambulatory and community currency exchanges shall
26. upon application to the director be licensed to render
27. check cashing and other authorized services to senior
28. citizens, and then it gets a little blurred. Do you have
29. a...a number or how many people would have to occupy that
30. particular home?

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Shapiro.

33. SENATOR SHAPIRO:

1. No, Senator Guidice. There is not a number in here.
2. But it's at the discretion of the director who will
3. determine what location can be served by a mobile or
4. an ambulatory at the location and still have the con-
5. venience and advantage test applied. In other words,
6. the director is not going to indiscriminately let any
7. one go up and down the street to a public housing site
8. that is...that is strictly for individual units and that
9. type of thing.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Guidice.

12. SENATOR GUIDICE:

13. Well, now I'm thinking in areas where we have a complex
14. or five or six or eight buildings, okay, which are high-
15. rises and...and this is the type of areas that you're
16. suggesting that they're going to service in that particular
17. area?

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Shapiro.

20. SENATOR SHAPIRO:

21. Well, if the director would approve the location, I'm
22. sure an ambulatory or a...or a community currency exchange
23. could work out an arrangement to go into, maybe, a central
24. location in each of the buildings or in one building.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Guidice.

27. SENATOR GUIDICE:

28. Do you know, off hand, Senator if there's a limited
29. number of licenses for currency exchanges? Is there a
30. set figure that we can have in the State...territory?

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Shapiro.

33. SENATOR SHAPIRO:

1. The...you're asking me how many licenses there are?
2. PRESIDING OFFICER:(SENATOR DONNEWALD)
3. Senator Guidice.
4. SENATOR GUIDICE:
 5. Is there a limit to the number of currency exchanges
 6. we can have?
7. PRESIDING OFFICER: (SENATOR DONNEWALD)
8. Senator Shapiro.
9. SENATOR SHAPIRO:
 10. In the law there's not any language that says that
 11. there's a limit. But under the convenience and advantage
 12. test applied in the present Act, it limits the community
 13. currency exchanges to whatever the director designates or
 14. whatever, you know, meets that test. In other words, it's
 15. extremely difficult for another community currency ex-
 16. change to start up where one has already located for...
 17. or for a mobile exchange to come into that community.
18. PRESIDING OFFICER:(SENATOR DONNEWALD)
19. Senator Guidice, you're time is expiring. Please
20. conclude.
21. SENATOR GUIDICE:
 22. It...it's on yellow. Well then, in fact, what we're
 23. doing here though is allowing something that we wouldn't
 24. allow to exist in the first instance. In other words,
 25. if I were to come in there with a...an application for
 26. a new license in that particular area or in that territory
 27. I wouldn't be able to get one. But now we're saying
 28. that the ambulatory, he could come in if it's so
 29. designated by the director. Why would we discriminate
 30. against the...the fixed operation as opposed to this
 31. ambulatory?
32. PRESIDING OFFICER:(SENATOR DONNEWALD)
33. Senator Shapiro.

1. SENATOR SHAPIRO:
2. Well, the way...the way the amendment is written it
3. doesn't. It allows either one to go in and service these
4. locations.
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. Is there further discussion? Senator Carroll, did you
7. wish to speak again? Senator Carroll.
8. SENATOR CARROLL:
9. (Machine cut-off) my name had been used in debate
10. and I felt, therefore, to answer. It was used tenderly as a
11. Senator, whose name I won't mention suggests. Got to be
12. careful about that. Just so that there be no misunder-
13. standing. We've both been discussing the same thing.
14. What, I think, should be noted and stressed, is that we
15. have changed the test for convenience and need. There is
16. a test of convenience and need, but we have changed it
17. from the community to those who have asked for it and I
18. think that is significant 'cause you are no longer,
19. therefore, looking at the rest of the community. But
20. rather the person or persons who come in and say I
21. want it at my location and not the entire area that the
22. stationary and that the prior test had applied to. I think
23. that is a drastic change and not within the types of
24. revisions that have been reformed and proposed by this
25. General Assembly. And I...that is the major reason why
26. I oppose this. . .
27. PRESIDING OFFICER: (SENATOR DONNEWALD)
28. Senator Walsh.
29. SENATOR WALSH:
30. Mr. President and members of the... . Just briefly
31. I'm one of those who...who doesn't feel that there should
32. necessarily be any regulation for someone who's just
33. cashing checks. And that's most, if not all, of what we're

1. talking about in this bill. As long as the...as long as
2. the ambulatory currency exchange is just giving it's
3. currency for somebody else's check, what's all the fuss
4. about? And it doesn't seem to me as though, you know,
5. any convenience and necessity, a regulation would be
6. required. And I think that the...the agency director
7. could control any other remote things that might be
8. covered by this bill. But I think, generally, we're
9. looking at who has the authority to cash checks. Who
10. has the authority to give his currency for somebody
11. else's check and I don't see why we shouldn't let
12. ambulatory currency exchanges have it. I urge an Aye
13. vote.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Shapiro. Senator Shapiro shall close the debate
16. if he wishes.

17. SENATOR SHAPIRO:

18. I'll be very brief. This amendment is much better than
19. the bill we voted out of here 42 to 8. It's much tighter.
20. The C and A advantage...the C and A test is still applied.
21. And it even goes one step further and adds language con-
22. cerning the community currency exchanges and their financial
23. stability. But the most important thing, is service to the
24. people who use community and ambulatory currency exchanges
25. and that's the gist of the whole bill. If they desire a
26. different type of service they should be able to have it.
27. And I would urge an Aye vote.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Question is, shall House Bill 1827 pass. Those in
30. favor vote Aye. Those opposed Nay. The voting is open.
31. (Machine cut-off) voted who wish? Take the record. On
32. that question, the Ayes are 35, the Nays are 8. 4 Voting
33. Present. House Bill 1827 having received the constitutional

1. majority is declared passed. House Bill 1974. Senator
2. Donnewald defers to Senator Bruce. Read the bill, Mr.
3. Secretary.

4. SECRETARY:

5. House Bill 1974.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Bruce.

10. SENATOR BRUCE:

11. Thank you, Mr. President and members of the Senate.
12. Senate Bill 1974 authorizes the school board to adopt
13. a supplemental budget when the value of the taxable
14. property in the school district is increased either one,
15. by the establishment of a new multiplier or by two, the
16. availability of the later assessment by virtue of
17. additions to the tax rolls or increases in the assessments
18. made by the county assessor after the annual school
19. budget is adopted. It was amended on the Floor by
20. Senator Davidson to eliminate the provision which would
21. allow a school district to meet the notice requirements
22. to...to allow...a school district to meet the notice re-
23. quirements in order to make the supplemental tax levy.
24. School districts can make the supplemental levy provided
25. in...in this bill only after a ten day notice by a single
26. ...by a publication in a local newspaper.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Nimrod.

29. SENATOR NIMROD:

30. Mr. President. A...a question of the sponsor.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Bruce indicates he'll respond.

33. SENATOR NIMROD:

1. The questions I have about this bill, Senator Bruce,
2. provide here that this...we passed House Bill 122, which
3. allowed the levy to go to December 31st. So that gives
4. you three more months so that you can put your levy in
5. according to the Attorney General's opinion, which put
6. the deadline as of December 31st. However, now that bill was
7. passed and I...I have no arguments with that. That
8. helps you along. Go ahead with it. But this bill, in fact,
9. as I understand it, it lets the levy go up and it also
10. lets the tax rates go up. And what it does, is provide
11. that guarantees the schools more local money from the local
12. people without them having anything to say about it. Now,
13. is this true or not?

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Bruce.

16. SENATOR BRUCE:

17. No, the school board would have to adopt the supplemental
18. budget within thirty days of the increased assessment by
19. a two-thirds vote of the full membership of the board
20. after ten days notice by a publication in a newspaper.

21. And...

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator...

24. SENATOR BRUCE:

25. ...I'm sorry. It...it did require just posting and
26. that was deleted to require a notice in the newspapers.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Nimrod.

29. SENATOR NIMROD:

30. Yes, but, Senator, what you're saying is the school
31. board does. I'm saying that the people have nothing to
32. say about an increased tax rate. What this will do, regard-
33. less, of what the school board does and how many members of

1. the school board are there. What this bill does, is
2. guarantees the school board members vote for it. It
3. guarantees an increase in the tax rate and it allows
4. the levy to go up and what we're doing, in fact, is
5. finding some means of bypassing the area because with
6. this bill and...as Senate Bill, I mean the House Bill
7. 1958 what we're doing is guaranteeing State aid to
8. a local community that does not assess properly. We're
9. bypassing the thirty-third...three and a third assess-
10. ment we passed before. This...this bill is just totally
11. bad. It provides for a tax increase without the people
12. being involved on the supplemental budget without them
13. having a word to say about it. I think we are doing a
14. total disservice of all the things we tried to do here.
15. And the whole tax system. And I would hope that you
16. would, at least, take this out so we can...of the record,
17. so we can have a chance to...to get together and truly
18. understand it if I have misunderstood it. But if I
19. haven't and I've conferred here, I think, with those
20. that were involved. That there does...it does provide
21. for a levy increase and a tax increase without the
22. public having to do anything about it. And it provides
23. for them for extra money. And it provides for a windfall
24. as a result of the multiplier going up.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Berning.

27. SENATOR BERNING:

28. Thank you, Mr. President. I'd like to pursue that
29. just a bit further with the sponsor, if I may.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Bruce indicates he'll respond.

32. SENATOR BERNING:

33. First, what advantage, if any, is the ten day notice?

1. You say that there must be a ten day notice in the news-
2. paper. So what.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Bruce.

5. SENATOR BRUCE:

6. Well, then the people would be apprised of the fact
7. that they have levied a supplemental budget. I would like
8. to say that there would be no change in a tax rate. This
9. is not a increase in taxes without referendum. The school
10. district would have no change whatsoever in their tax
11. rate. It's an increase in the assessed valuation created
12. either by additional assessing of new property or by a
13. multiplier where they could...they could have a new
14. extension on their levy and capture the new money. It
15. would not, in any way, change the tax rates.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Berning.

18. SENATOR BERNING:

19. Well, getting back to that ten day notice. That's
20. a little notice about that long and about that high in
21. the legal section some where and I would suggest to you
22. that there's never been one hundredth of one percent of
23. the citizens in any of our districts that has ever seen
24. one of those or knew what it was if they saw it. So that
25. is a meaningless gesture. But more significantly, what
26. we are saying or what you are proposing here, if I
27. interpret this properly and I think I am, is that
28. irrespective of what this school has budgeted, anticipating
29. an expenditure of X number of dollars because of the
30. valuation and the rate they have. This having been their
31. ...their determination of what they will function with,
32. because there has been a multiplier applied or because
33. there has been some additonal assessed valuation discovered

1. they should be given the prerogative of increasing,
2. increasing the numbers of dollars they will have to
3. spend. Is that not correct?

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Bruce.

6. SENATOR BRUCE:

7. Yes, this allows them when they've already made
8. their budget and levied, if the State Department of
9. Local Government Affairs issues a multiplier higher
10. than one point zero, it would allow them to capture
11. that additional assessed valuation without changing
12. the tax rate. It would give them more money for
13. the school districts and the county governments and
14. all the other...this would only apply to school
15. districts. Yes.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Berning.

18. SENATOR BERNING:

19. Thank you...

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. You're time has about expired.

22. SENATOR BERNING:

23. Yes, Mr. President. My...my whole point is simply
24. this...

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. It is expired.

27. SENATOR BERNING:

28. ...we are...we are consistently being called on
29. to provide additional funding for the schools and we
30. escalated this over the years. The budgets are prepared.
31. The schools are...are predicated that operation on
32. what they see as the available dollar. Simply because
33. there is some windfall developing there seems little

1. justification that these dollars then, should be made
2. available just because they can be had. I think this
3. bill is in the wrong direction.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Glass.

6. SENATOR GLASS:

7. Well, Mr. President and Ladies and Gentlemen. I
8. rise in support of this bill. And I think it should be
9. pointed out that the people of a school district are
10. entitled to vote by referendum on the maximum tax rate
11. that that district can levy. And once the people have
12. supported that rate, then, of course, it is the maximum
13. that can be levied and it can be levied against all
14. the assessed valuation in the district. And...and
15. the board levies a dollar amount. Now, once...many...
16. many boards already over...over levy. That is they
17. levy more money than...than they actually get and
18. their levy must be cut back to produce the amount of
19. dollars that their tax rate times the assessed valuation
20. will produce. I don't see that this is a problem and...
21. and it does not...a tax increase without a referendum
22. because the...the rate is already approved and it simply
23. ...is a provision that if there is additional assessed
24. valuation and if the board, which has been elected
25. determines that it is necessary for supplemental levy
26. they can...can make it as long as they stay within
27. their statutory rate.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Davidson.

30. SENATOR DAVIDSON:

31. Yes, Mr. Presidents and member of the Senate.
32. I rise in support of this bill. Now let's get part
33. about levy and extension together. Now, a board who's

1. going to send a levy to the county board for ratification
2. levies a dollar amount of what they think the assessed
3. valuation of whatever district it's concerned. In this
4. case the school district plus the maximum rate will
5. bring in. All this bill does is allow a school board
6. who in best estimate of the assessed valuation known at
7. that time levy the dollar amount as to what that assessed
8. valuation times the levy, tax rate levy, will do. And
9. if, due to no control of theirs, the multiplier is
10. changed or is late coming from the Department of Local
11. Government, State of Illinois or the assessed valuation
12. of the district goes up due to the assessors not doing
13. their work on time. This allows them to capture the
14. use of that money for better education for the kids
15. in that district at the maximum level that the people
16. who live in that district have already voted on their
17. selves. There's nothing wrong with this bill. It only
18. gives a school board an opportunity by a two-thirds
19. vote and at the proper notice and forget about the ten
20. day notice. They can't pass it all at one meeting. They've
21. got to file it. Any newspaper worth its salt or news media
22. is going to cover the school board is going to tell every-
23. body what's going to happen at the next meeting. There's
24. going to be plenty of public notice. This is a good bill.
25. I urge you to vote Aye.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Schaffer.

28. SENATOR SCHAFFER:

29. Well, I just wanted to point out that we make the
30. school board's guess on how much money we're going to give
31. them and...and with the State Department of Local Govern-
32. ment's record in the last few years in particular they
33. almost have to have a crystal ball to figure out what

1. their levy is going to be. I think this is a reasonable
2. proposal and, frankly, if the State Department of Local
3. Government was doing the job the way it ought to be done
4. this bill wouldn't be before us today.

5. PRESIDING OFFICER:(SENATOR DONNEWALD)

6. Senator Buzbee.

7. SENATOR BUZBEE:

8. Thank you, Mr. President. I'm so glad that you
9. decided to give me permission to speak because I do
10. want to speak on this, Mr. President and I appreciate
11. your going along with it. This...this is legislation
12. that is needed. It is the school boards or the school
13. superintendents and so forth are not trying to rip off
14. the local taxpayer. They have a problem. They don't
15. know what the tax assessor is doing. They don't know
16. what the Department of Local Government Affairs is
17. going to do. In my county this year, as an example,
18. we have had a multiplier of one point zero two for
19. several years now. The local school superintendent
20. in my...in the high school district in my town put
21. in a...his levy and all of a sudden we came back
22. and he's nine hundred thousand dollars in debt in his
23. school district ot through any fault of his own.
24. But he inherited that debt when he took over the job.
25. He's was used to working with a...with a multiplier
26. of one point zero two. He put in...all of a sudden
27. Local Government Affairs came back now with a multiplier
28. this year of one point two seven and here he's going
29. to lose about four or five hundred thousand dollars
30. in revenue, local revenue that he could have captured
31. which he needs badly to continue our school. And all
32. of a sudden it's too late now for him to do anything
33. about this. I applaud the sponsors of this bill. I think

1. it was a...a good idea. There are all kinds of safe-
2. guards built in. And I think we ought to support the
3. bill.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Nimrod, did you wish to speak again on this
6. bill?

7. SENATOR NIMROD:

8. ...Thanks...

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Nimrod.

11. SENATOR NIMROD:

12. ...Mr. President. And if I were all you were
13. hollering no, I wouldn't want to let the people know
14. either. I say Yes because I think you should know what's
15. happening here. We've...this is a very highly technical
16. particular subject and I think we ought to just go
17. through it once so we know what we're doing. I think
18. you ought to vote with...for it in good conscience. Number
19. one, if you have a levy and the levy is divided by the
20. equalized assessed valuation, you end up with a tax
21. rate. Now, what happens in this case, is that anytime
22. the tax rate goes down as the result of the multiplier
23. going up, then the people would end up getting a tax
24. break. What this bill does, is takes away that tax
25. break and allows the schools to go at the maximum rate
26. which is increasing the tax rate again to the top and,
27. in fact, giving the school more money than they levied
28. for in the first place. Now, what happens is, there
29. is a windfall that comes as a result of this particular
30. maneuver. It's not right. Now there is a way of approach-
31. ing this. Cook County approaches it by coming to you
32. on a special bill each time we think there's an injustice.
33. Rockford took care of this one time. All I'm saying is

1. that we should have to know about this, rather than make
2. this automatic forever. People should be entitled to a
3. tax break if there's one there as a result of the multi-
4. plier going up. The multiplier goes up because the
5. assessed valuation went...went down or up, rather. So
6. what we need to know is that levy divided by the equal-
7. ized assessed valuation gives a tax rate. Any time the
8. tax rates goes down, what this bill will allow it to do is
9. to raise that tax rate up to maximum at any time they
10. want to with an adjusted levy. That's not right.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Bruce may close.

13. SENATOR BRUCE:

14. Just point out that it will affect in any way the
15. maximum tax rate levied by...by Statute. That would be
16. done by referendum, as Senator Davidson so aptly point-
17. ed out. All it says is they can capture additional
18. equalized assesses valuation, which is created by a
19. multiplier and if we do not allow this to happen, as long
20. as we say that you have to levy all...for all the
21. available equalized assessed valuation on the school
22. aid formula, if this bill does not pass, you penalize
23. the school districts two ways. One, by not letting
24. them have the...the local revenue and secondly, by
25. penalizing for the fact that they haven't captured
26. the local revenue. Ask for a favorable roll call.
27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Question is, shall House Bill 1974 pass. Those in
29. favor vote Aye. Those opposed Nay. The voting is open.
30. All those voted who wish? Take the record. On that
31. question, the Ayes are 45, the Nays are 3. 1 Voting
32. Present. House Bill 1974 having received the constitutional
33. majority is declared passed. House Bill 2200, Senator

1. Shapiro. Read the bill, Mr. Secretary.
2. SECRETARY:
3. House Bill 2200.
4. (Secretary reads title of bill)
5. 3rd reading of the bill.
6. PRESIDING OFFICER:(SENATOR DONNEWALD)
7. Senator Shapiro.
8. SENATOR SHAPIRO:
 9. Mr. President and Ladies and Gentlemen of the Senate.
 10. House Bill 2200 extends our present Illinois Act of the
 11. Rail Freight Service Continuation Program which is
 12. administrated by the Illinois Department of Transportation.
 13. As you recall approximately two years ago the General
 14. Assembly enacted that program in wake of the bankruptcy
 15. of the Penn Central and in conformance with and in light
 16. of the Regional Rail Reorganization Act of 1973, which is
 17. a Federal Act. Under the present law, the department
 18. subsidizes freight train operations on former Penn Central
 19. lines that were left out of the Con-Rail System by the
 20. United States Railroad Association. House Bill 2220 extends
 21. the program beyond its present extermination date of
 22. June 30th. In addition in response to the Railroad
 23. Revitalization Irregulatory Reform Act of 1973, House
 24. Bill 2200 permits the department to address the problems
 25. of rail freight lines other than the Penn Central lines.
 26. But are subjected to hearings by the Illinois Commerce
 27. Commission or...pardon me, the Interstate Commerce
 28. Commission. And the bill includes a requirement that
 29. the department continue to obtain Federal financial
 30. assistance. The bill is a fairly comprehensive one.
 31. But basically, it extends our present Act to other freight
 32. lines that may be abandoned. But only after the Illinois
 33. ...the Interstate Commerce Commission has held hearings.

1. It provides that the State will enter into agreements with
2. these railroads that are failing and their rail operations
3. only if Federal funds are available. It is a good bill and
4. I would appreciate a favorable roll call.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Is there further discussion? Question is, shall
7. House Bill 2200 pass. Those in favor vote Aye. Those
8. opposed Nay. The voting is open. Have all those voted
9. who wish? Take the record. On that question, the Ayes
10. are 56, the Nays are None. House Bill 2200 having re-
11. ceived the constitutional...House Bill 2200 having re-
12. ceived the constitutional majority is declared passed.
13. House Bill 2261. Senator Philip. House Bill 2280.
14. Senator Don Moore. Read the bill, Mr. Secretary.

15. SECRETARY:

16. House Bill 2280.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Moore.

21. SENATOR MOORE:

22. Thank you, Mr. President and members of the Senate.
23. House Bill 2280 amends the Illinois Municipal Code Section
24. 8-8-9 and provides that any municipality which files
25. audits or audit reports with the Comptroller in accord-
26. ance with this Act shall not be required to file any
27. additional audits or audit reports with any State Govern-
28. mental agency providing Motor Fuel Fund tax monies to
29. such municipality. It authorizes any State governmental
30. agency to obtain said copies from the Comptroller. We
31. have ran into the problems with our municipalities. We
32. are audited by CPA's. When they audit they also audit
33. the MFT monies and in some municipalities as long as three

1. or four years later the State then comes back to the
2. municipality and wants to reaudit again. It's a waste
3. of time on the part of the municipality and DOT. I
4. think this is a good bill. It has the backing of the
5. Illinois Municipal League. I'd ask for a favorable
6. roll call.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Is there further discussion? Question is, shall
9. House Bill 2280 pass. Those in favor vote Aye. Those
10. opposed Nay. The voting is open. (Machine cut-off) voted
11. who wish? Take the record. On that question, the Ayes
12. are 47, the Nays are 7. House Bill 2280 having received
13. the constitutional majority is declared passed. Message
14. from the Governor.

15. SECRETARY:

16. Message from the Governor by Zale Glauberman, Director
17. of Legislative Affairs.

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

20. To the Honorable Members of the Senate of the
21. 80th General Assembly: I have nominated and appointed the
22. following named persons to the offices enumerated below
23. and respectively ask concurrence in and confirmation of
24. these appoints by your Honorable Body.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Executive Appointments. Senator Vadalabene.

27. SENATOR VADALABENE:

28. Yes, in regard to that message that was just read
29. by the Secretary of the Senate, I would like to have
30. leave to waive the six-day rule in regard to the Governor's
31. Message that was just read into the Senate so that the
32. persons nominated and appointed may be presented to the
33. Committee on Executive and Appointments. And I would like

1. to caution the members of that committee that we will
2. be meeting Wednesday, June the 29th in Room 212 from
3. one p.m. to three p.m. I will make several announcements
4. to this effect as we go along.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Hynes. The hour is five-thirty. Did you
7. wish to make an announcement? Well, just a moment,
8. Senator. Senator Philip. You were up for a bill and...
9. all right, Senator Hynes.

10. SENATOR HYNES:

11. Yes, Mr. President. Pursuant to the previous
12. announcement, I would move that the Senate stand in recess
13. for the purpose of a Republican caucus till six-thirty
14. sharp. And it...at which time we will return to the
15. Floor, continue on the Calendar. And tonight we will
16. have to go to the Order of House Bills, 2nd reading, in
17. order to move them to 3rd. So we do have some important
18. matters coming up this evening. But I would move that we
19. stand in recess until six-thirty p.m.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Rock.

22. SENATOR ROCK:

23. Yes, Thank you, Mr. President and Ladies and Gentlemen
24. of this Senate. Might I suggest to the Presiding Officer
25. that when we return that he in turn suggest to the Sergeant
26. -at-Arms and the Doorkeepers that when we return at six-
27. thirty only those persons entitled to the Floor have
28. access to the Floor. We...

29. PRESIDING OFFICER:(SENATOR DONNEWALD)

30. That's...

31. SENATOR ROCK:

32. ...have, frankly, been bothered all day long by people
33. who are not authorized to be on this Floor. And from now

*HB 1556
3rd Reading
Agreed Bill List*

1. on commencing at six-thirty I'm going to start objecting
2. ...strenuously.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. The Chair is in whole-hearted agreement. Senator
5. Graham.

6. SENATOR GRAHAM:

7. In the conjunction with Senator Rock's suggestion
8. I might also suggest that if we have lights for the page
9. people, if they'd observe the lights and quit looking for
10. trouble, that'd help some, too. They'll be a Republican
11. caucus immediately in Room 400.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. The Senate stands in recess until six-thirty this
14. evening.

15. RECESS

16. AFTER RECESS

17. PRESIDENT:

18. The hour of six-thirty having arrived, the Senate
19. will, please, come to order. With leave of the Body, we
20. will now consider Agreed Bill List No. 6. Is leave granted?
21. Leave is granted. The bills on this Agreed Bill List No. 6
22. were chosen according to the procedures which I described
23. in my memorandum previously distributed to all Senators.
24. The following bills were removed from the Agreed Bill
25. List No. 6 after objections to their presence were made
26. by three Senators. House Bill 122. House Bill 526. House
27. Bill 1437. House Bill 1438. House Bill 1454. House Bill
28. 1627. House Bill 1734. House Bill 1738. House Bill 1768.
29. House Bill 1827. House Bill 1974. House Bill 2200. House
30. Bill 2261. House Bill 2280. We will now consider the re-
31. maining bills on the Agreed Bill List No. 6, which are
32. shown on your Calendar. The Secretary will now read
33. those bills on the Agreed Bill List No. 6 for a 3rd time.

1. SECRETARY:
2. House Bill 306.
3. (Secretary reads title of bill)
4. 3rd reading of the bill.
5. SECRETARY:
6. House Bill 320.
7. (Secretary reads title of bill)
8. 3rd reading of the bill.
9. SECRETARY:
10. House Bill 382.
11. (Secretary reads title of bill)
12. 3rd reading of the bill.
13. SECRETARY:
14. House Bill 385.
15. (Secretary reads title of bill)
16. 3rd reading of the bill.
17. SECRETARY:
18. House Bill 421.
19. (Secretary reads title of bill)
20. 3rd reading of the bill.
21. SECRETARY:
22. House Bill...493.
23. (Secretary reads title of bill)
24. 3rd reading of the bill.
25. SECRETARY:
26. House Bill No. 511.
27. (Secretary reads title of bill)
28. 3rd reading of the bill.
29. SECRETARY:
30. House Bill 550.
31. (Secretary reads title of bill)
32. 3rd reading of the bill.
33. SECRETARY:

1. House Bill 590.
2. (Secretary reads title of bill)
3. 3rd reading of the bill.
4. SECRETARY:
5. House Bill 612.
6. (Secretary reads title of bill)
7. That's House Bill 632.
8. SECRETARY:
9. House Bill 669.
10. (Secretary reads title of bill)
11. SECRETARY:
12. House Bill 685.
13. (Secretary reads title of bill)
14. 3rd reading of the bill.
15. SECRETARY:
16. House Bill 707.
17. (Secretary reads title of bill)
18. 3rd reading of the bill.
19. SECRETARY:
20. House Bill 785.
21. (Secretary reads title of bill)
22. 3rd reading of the bill.
23. SECRETARY:
24. House Bill 891.
25. (Secretary reads title of bill)
26. 3rd reading of the bill.
27. SECRETARY:
28. House Bill 984.
29. (Secretary reads title of bill)
30. 3rd reading of the bill.
31. SECRETARY:
32. House Bill 985.
33. (Secretary reads title of bill)

1. 3rd reading of the bill.
2. SECRETARY:
3. House Bill...986.
4. (Secretary reads title of bill)
5. 3rd reading of the bill.
6. SECRETARY:
7. House Bill 987.
8. (Secretary reads title of bill)
9. 3rd reading of the bill.
10. SECRETARY:
11. House Bill 1188.
12. (Secretary reads title of bill)
13. 3rd reading of the bill.
14. SECRETARY:
15. House Bill 1343.
16. (Secretary reads title of bill)
17. 3rd reading of the bill.
18. SECRETARY:
19. House Bill 1356.
20. (Secretary reads title of bill)
21. 3rd reading of the bill.
22. SECRETARY:
23. House Bill 1389.
24. (Secretary reads title of bill)
25. 3rd reading of the bill.
26. SECRETARY:
27. House Bill 1392.
28. (Secretary reads title of bill)
29. 3rd reading of the bill.
30. SECRETARY:
31. House Bill 1423.
32. (Secretary reads title of bill)
33. 3rd reading of the bill.

*HB 1556
3rd Reading
Agreed Bill's List*

1. SECRETARY:
2. House Bill 1427.
3. (Secretary reads title of bill)
4. 3rd reading of the bill.
5. SECRETARY:
6. " House Bill 1556.
7. (Secretary reads title of bill)
8. 3rd reading of the bill.
9. SECRETARY:
10. House Bill 1596.
11. (Secretary reads title of bill)
12. 3rd reading of the bill.
13. SECRETARY:
14. House Bill 1728.
15. (Secretary reads title of bill)
16. 3rd reading of the bill.
17. SECRETARY:
18. House Bill 1741.
19. (Secretary reads title of bill)
20. 3rd reading of the bill.
21. SECRETARY:
22. House Bill 1756.
23. (Secretary reads title of bill)
24. 3rd reading of the bill.
25. SECRETARY:
26. House Bill 1762.
27. (Secretary reads title of bill)
28. 3rd reading of the bill.
29. SECRETARY:
30. House Bill 1793.
31. (Secretary reads title of bill)
32. 3rd reading of the bill.
33. SECRETARY:

1. House Bill 1809.
2. (Secretary reads title of bill)
3. 1st reading of the bill.
4. SECRETARY:
5. House Bill 1824.
6. (Secretary reads title of bill)
7. 3rd reading of the bill.
8. SECRETARY:
9. House Bill 1879.
10. (Secretary reads title of bill)
11. 3rd reading of the bill.
12. SECRETARY:
13. House Bill 1939.
14. (Secretary reads title of bill)
15. 3rd reading of the bill.
16. SECRETARY:
17. House Bill...1988.
18. (Secretary reads title of bill)
19. 3rd reading of the bill.
20. SECRETARY:
21. House Bill 2022.
22. (Secretary reads title of bill)
23. 3rd reading of the bill.
24. SECRETARY:
25. House Bill 2057.
26. (Secretary reads title of bill)
27. 3rd reading of the bill.
28. SECRETARY:
29. House Bill 2069.
30. (Secretary reads title of bill)
31. 3rd reading of the bill.
32. SECRETARY:
33. House Bill 2104.
34. (Secretary reads title of bill)

1. 3rd reading of the bill.
2. SECRETARY:
3. House Bill 2158.
4. (Secretary reads title of bill)
5. 3rd reading of the bill.
6. SECRETARY:
7. House Bill 2187.
8. (Secretary reads title of bill)
9. 3rd reading of the bill.
10. SECRETARY:
11. House Bill 2197.
12. (Secretary reads title of bill)
13. 3rd reading of the bill.
14. SECRETARY:
15. House Bill 2220.
16. (Secretary reads title of bill)
17. 3rd reading of the bill.
18. SECRETARY:
19. House Bill 2250.
20. (Secretary reads title of bill)
21. 3rd reading of the bill.
22. SECRETARY:
23. House Bill 2264.
24. (Secretary reads title of bill)
25. 3rd reading of the bill.
26. SECRETARY:
27. House Bill 2354.
28. (Secretary reads title of bill)
29. 3rd reading of the bill.
30. PRESIDENT:
31. Will the Sergeant-at-Arms, please, ring the bell?
32. With the unanimous consent of the Body a record vote will
33. now be taken on the bills which have just been read for

1. a third time. Any Senator who has indicated to the
2. Secretary of the Senate pursuant to our earlier agree-
3. ment that he or she wishes to vote No or Present on
4. any bill just read will have that vote so reflected on the
5. Journal of...of the Senate. A separate record vote
6. as to the Yeas and Nays on each of the bills just
7. read will be entered on the Journal. There will be
8. no debate on this Agreed Bill List No. 6. Do I have
9. the unanimous consent of the Senate to follow this
10. procedure, as to the bills just read? Unanimous consent
11. is granted. Leave being granted, the question is, shall
12. House Bills 306, 320, 382, 385, 421, 493, 511, 550, 590,
13. 632, 669, 685, 707, 785, 891, 984, 985, 986, 987, 1188,
14. 1343, 1356, 1389, 1392, 1423, 1427, 1556, 1596, 1728,
15. 1741, 1756, 1762, 1793, 1809, 1824, 1879, 1939, 1988,
16. 2022, 2057, 2069, 2104, 2158, 2187, 2197, 2220, 2250,
17. 2264, and 2354 pass. Those in favor will vote Aye.
18. Those opposed will vote Nay. The voting is open. Have
19. all voted who wish? Have all voted who wish? Take the
20. record. On those bills, the Ayes are 58, the Nays are
21. None. None Voting Present with the following excep-
22. tions: Senator Berning votes No on House Bill 707;
23. Senator Regner votes No on House Bill 2022, Present
24. On House Bills 685, Present on House Bill 1389;
25. Senator Roe votes No on House Bill 1741, House Bill
26. 1793 and House Bill 2069. These bills having received
27. the...required constitutional majority are declared
28. passed. The Secretary informs me that the...
29. the Calendar is in error on page 17 House Bills, 2nd
30. reading, House Bill 973 incorrectly shows Senator
31. Berman as the Senate sponsor. It should be Senator
32. Smith. House Bill 1033 incorrectly shows Senator
33. Smith as principal sponsor. It should be Senator

1. Schaffer. Is leave granted to make those changes?
2. Leave is granted. For what purpose does Senator Lemke
3. arise?

4. SENATOR LEMKE:

5. I would like to re-refer House Bill 1470 to...back
6. to committee. 1470. No, I think...I know where 1470
7. came out of. Local Government, I think.

8. PRESIDENT:

9. Senator Lemke moves to recommit House Bill
10. 1470 to the Committee on Transportation. All those
11. in favor of the motion signify by saying Aye. Opposed.
12. The Ayes have it. The motion carries. So ordered.
13. Messages from the House.

14. SECRETARY:

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

16. Mr. President - I am directed to inform the
17. Senate that the House of Representatives has refused to
18. concur with the Senate in the adoption of their amend-
19. ment to the bill with the following title: House Bill
20. 317 with Senate Amendments No. 2 and 3.

21. A like Message on House Bill 1102 with Senate Amend-
22. ment No. 1.

23. A like Message on House Bill 1108 with Senate Amend-
24. ments Nos. 1 and 2.

25. A like Message on House Bill 1729 with Senate Amend-
26. ment No. 1.

27. A like Message on House Bill 1826 with Senate Amend-
28. ment No. 1.

29. A like Message on House Bill 2030 with Senate Amend-
30. ment No. 1.

31. A like Message on House Bill 2089 with Senate Amend-
32. ment No. 2.

33. A like Message on House Bill 2179 with Senate Amendment

1. No. 1.
2. A like Message on House Bill 641 with Senate Amendments Nos. 2 and 3.
4. A like Message on House Bill 659 with Senate Amendment No. 1.
6. A like Message on House Bill 733 with Senate Amendment No. 1.
8. A like Message on House Bill 822 with Senate Amendments Nos. 1 and 2.
10. A like Message on House Bill 933 with Senate Amendment No. 1.
12. A like Message on House Bill 979 with Senate Amendment No. 3.
14. A like Message on House Bill 1001 with Senate Amendment No. 1.
16. A like Message on House Bill 1038 with Senate Amendments Nos. 1 and 2.
18. A like Message on House Bill 1062 with Senate Amendment No. 1.
20. A like Message on House Bill 1105 with Senate Amendment No. 1.
22. A like Message on House Bill 1412 with Senate Amendments Nos. 1 and 3.
24. A like Message on House Bill 1829 with Senate Amendment No. 1.
26. A like Message on House Bill 2101 with Senate Amendment No. 1.
28. A like Message on House Bill 168 with Senate Amendment No. 1.
30. A like Message on Senate Bill 299 with Senate Amendment No. 1.
32. A like Message on...House Bill 369 with Senate Amendment No. 1.

1. A like Message on House Bill 391 with Senate Amend-
2. ment No. 1.

3. PRESIDENT:

4. House Bills, 2nd reading. House Bill 408, Senator
5. Buzbee. House Bill 409, Senator Buzbee. Senator Buzbee,
6. do you want...Read 408. House Bill 408 on the Order of
7. 2nd reading. Read the bill, Mr. Secretary. On the
8. Order of 2nd reading, House...House Bills, 2nd reading.
9. House Bill 689 which deals with the school aid formula
10. and is related to House Bill 2361 which has the grants in
11. aid. Do we have leave of the Body to consider those
12. two in a series when House Bill 2361 comes up. Leave
13. granted? Leave is granted. House Bill 408. Read the
14. bill.

15. SECRETARY:

16. House Bill 408.

17. (Secretary reads title of bill)

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

19. PRESIDENT:

20. Senator Buzbee. Any amendments from the Floor?
21. Any amendments from the Floor? Any amendments from
22. the Floor?

23. SECRETARY:

24. No amendments from the Floor.

25. PRESIDENT:

26. 3rd reading. House Bill 409, Senator Buzbee. Read
27. the bill.

28. SECRETARY:

29. House Bill 409.

30. (Secretary reads title of bill)

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

32. PRESIDENT:

33. Any amendments from the Floor?

1. SECRETARY:
2. No amendments from the Floor.
3. PRESIDENT:
4. 3rd reading. ...House Bill 921, Senator Guidice.
5. House Bill 922, Senator Collins. Read the bill. Senator
6. Collins. Senator Collins moves to recommit House Bill
7. 922 to the Committee on Pensions and Personnel. All those
8. in favor of the motion signify by saying Aye. Opposed.
9. The Ayes have it. So ordered. House Bill 966, Senator
10. McMillan. Read the bill.
11. SECRETARY:
12. House Bill 966.
(Secretary reads title of bill)
13. 2nd reading of the bill. The Committee on Appropriations
14. I offers four amendments.
15. PRESIDENT:
16. Senator Carroll.
17. SENATOR CARROLL:
Thank you, Mr. President. Amendment No. 1 changes
the amount on the grant reappropriation line item to
reflect EPA's most recent projection of unexpended
balances. The amendment also removes the six percent
transferability clause for reappropriation. I would
adoption of Committee Amendment No.1.
18. PRESIDENT:
Is there any discussion? Senator Carroll moves
the adoption of Amendment No. 1. All those in favor
signify by saying Aye. Opposed. The Ayes have it.
The amendment is adopted. Senator Carroll on Amendment
No. 2.
19. SENATOR CARROLL:
Thank you, Mr. President. This amendment deletes
the reference to Public Health, the Anti-Pollution Bonds

1. Act and gives EPA the power to make that determination.

2. And I would move adoption of Amendment No. 2.

3. PRESIDENT:

4. Is there any discussion? If not, Senator Carroll moves the adoption of Amendment No. 2. All those in favor signify by saying Aye. Opposed. The Ayes have it. The amendment is adopted. Senator Carroll on Amendment No. 3.

5. SENATOR CARROLL:

6. Thank you, Mr. President. Amendment No. 3 removes the six percent transferability provision in the thirty million dollar new appropriation for anti-pollution grants.

7. PRESIDENT:

8. Is there any discussion? Senator Carroll moves the adoption of Amendment No. 3. All those in favor signify by saying Aye. Opposed. The Ayes have it. The amendment is adopted. Amendment No. 4. Senator Carroll.

9. SENATOR CARROLL:

10. One moment.

11. PRESIDENT:

12. Senator Carroll.

13. SENATOR CARROLL:

14. Thank you. Mr. President, after some conferences with various members, I...I would at this time move to Table Amendment No. 4 with the understanding from the sponsor that it will be brought back tomorrow and maybe offered at that point in time. It was a committee amendment so it cannot be withdrawn.

15. PRESIDENT:

16. Senator Carroll moves to Table Amendment No. 4. All those in favor signify by saying Aye. Opposed. The Ayes

1. have it. The amendment is Tabled. Any further amendments?

3. SECRETARY:

4. Amendment No. ...No further committee amendments.

5. PRESIDENT:

6. Any amendments from the Floor?

7. SECRETARY:

8. Amendment No. 5 offered by Senator Carroll.

9. PRESIDENT:

10. Senator Carroll.

11. SENATOR CARROLL:

12. I'll withdraw that amendment.

13. PRESIDENT:

14. Senator Carroll withdraws Amendment No. 5. Any further amendments?

16. SECRETARY:

17. No further amendments.

18. PRESIDENT:

19. 3rd reading. House Bill 979, Senator Harber Hall.
20. House Bill...House Bill 970, Senator Harber Hall. House
21. Bill 973, Senator Berman. Well that...that's the...
22. Senator Smith. I asked everyone in...all of the members
23. to change their Calendars and neglected to change the
24. one up by the podium. Senator Smith, do you wish that
25. bill read? Read the bill, Mr. Secretary.

26. SECRETARY:

27. House Bill 973.

28. (Secretary reads title of bill)

29. 2nd reading of the bill. The Committee on Appropriations
30. I offers three amendments.

31. PRESIDENT:

32. Senator Carroll.

33. SENATOR CARROLL:

1. Thank you, Mr. President and members of the Senate.
2. Committee Amendment No. 1 reduces the appropriation for
3. personal services by ninety-five hundred to reduce their
4. pay plan for the two and a half percent level that we
5. have been holding. All others, too. And I would move
6. adoption of Committee Amendment No. 1.

7. PRESIDENT:

8. Is there any discussion? Senator Carroll moves
9. the adoption of Amendment No. 1. All those in favor
10. signify by saying Aye. Opposed. The Ayes have it.
11. The amendment is adopted. Amendment No. 2. Senator
12. Carroll.

13. SENATOR CARROLL:

14. Thank you, Mr. President. Amendment No. 2 deletes
15. the monies that were added by the House for personal
16. services and its corresponding accounts. Puts it back
17. at what it had been introduced at, as to that particular
18. area, and I would move adoption of Committee Amendment
19. No. 2.

20. PRESIDENT:

21. Is there any discussion? Senator Carroll moves the
22. adoption of Amendment No. 2. All those in favor signify
23. by saying Aye. Opposed. The Ayes have it. The amendment
24. is adopted. Senator Carroll on Amendment No. 3.

25. SENATOR CARROLL:

26. Thank you, Mr. President. Amendment No. 3 reduces
27. personal services and corresponding accounts for one
28. position, which I think, if I recall is a new position.
29. I would move adoption of Committee Amendment No. 3. It's
30. a fourteen thousand one hundred dollar reduction.

31. PRESIDENT:

32. Is there any discussion? If not, Senator Carroll
33. moves the adoption of Amendment No. 3. All those in

1. favor signify by saying Aye. Opposed. The Ayes have it.

2. The amendment is adopted. Excuse me, Senator Smith, did
3. you wish to speak to the amendments?

4. SENATOR SMITH:

5. Just to say this...

6. PRESIDENT:

7. Senator Smith.

8. SENATOR SMITH:

9. ...to the membership proper. The amendments that
10. you have just heard adopted were discussed with the Executive
11. Director of the FEPC. He agreed to the amendments. I
12. merely want to make that statement. It's not of my
13. volition but I'm merely carrying out the agreement
14. that he entered into.

15. PRESIDENT:

16. Thank you, Senator. Are there any further amend-
17. ments?

18. SECRETARY:

19. No further committee amendments.

20. PRESIDENT:

21. Any amendments from the Floor? 3rd reading. House
22. Bill 1005, Senator Schaffer. House...for what purpose
23. does Senator Buzbee arise? Senator Buzbee.

24. SENATOR BUZBEE:

25. Thank you, Mr. President. We have an amendment which
26. is restoring some of the cuts that we made in the committee.
27. It's being prepared right now and will be ready in just
28. a few minutes. If we could skip this one and get back
29. to it as soon as...

30. PRESIDENT:

31. Is leave granted to return...Leave is granted.
32. House Bill 1026, Senator Coffey. Senator Coffey, do you
33. wish to have this bill read? House Bill 1026. Read the

1. bill.
2. SECRETARY:
3. House Bill 1026.
4. (Secretary reads title of bill)
5. 2nd reading of the bill. The Committee on Appropriations
6. I offers two amendments.
7. PRESIDENT:
8. Senator Carroll.
9. SENATOR CARROLL:
 10. Thank you, Mr. President. I would move that we
 11. Table Committee Amendment No. 1 and 2. I have a
 12. substitute Floor amendment and I would thereby move to
 13. Table Committee Amendment No. 1 and Committee Amendment
 14. No. 2. We can be in error once in awhile.
15. PRESIDENT:
 16. Senator Carroll moves to Table Amendments 1 and 2.
 17. All those in favor signify by saying Aye. Opposed. The
 18. Ayes have it. The amendments are Tabled. Any further
 19. amendments?
20. SECRETARY:
 21. No further committee amendments.
22. PRESIDENT:
 23. Any amendments from the Floor?
24. SECRETARY:
 25. No amendments from the Floor.
26. SENATOR CARROLL:
 27. There is an amendment up there, Mr. Secretary. Or
 28. should be. I might add that what we Tabled were the monies
 29. that would have taken out the new area and the...we felt
 30. the department justified it and Tabled...thereby Tabled
 31. the amendments. They have not gone...gotten us the data
 32. before the meeting and we're very quick to get it to us
 33. after.

1. SECRETARY:
2. Amendment No. 3 offered by Senator Carroll.
3. PRESIDENT:
4. Senator Carroll.
5. SENATOR CARROLL:
 6. Well, I thank you, Mr. President. Amendment No. 3 makes no dollar changes, but merely breaks out of the lump sum appropriation and the Gas Pipeline Safety Act into standard accounts for purposes of accountability and
 7. I would move the adoption of Amendment No. 3.
11. PRESIDENT:
 12. Senator Carroll moves the adoption of Amendment No. 3. All those in favor...Is there any discussion?
 14. All those in favor signify by saying Aye. Opposed. The
 15. Ayes have it. The amendment is adopted. Any further amendments?
17. SECRETARY:
 18. No further amendments.
19. PRESIDENT:
 20. 3rd reading.
- 21.
- 22.
23. (End of Reel)
- 24.
- 25.
- 26.
- 27.
- 28.
- 29.
- 30.
- 31.
- 32.
- 33.

- 1.
2. Any further amendments? Any further amendments, Mr. Secretary?
3. House Bill 1033, Senator Schaffer. Read the bill.
4. SECRETARY:
5. House Bill 1033
6. (Secretary reads title of bill)
7. 2nd reading of the bill. Committee on Appropriations I offers
8. four amendments.
9. PRESIDENT:
10. Senator Carroll.
11. SENATOR CARROLL:
12. Thank you, Mr. President. Committee Amendment No. 1 reduces
13. by three hundred and sixty-three thousand General Revenue which
14. was the appropriation for the IIS and I would move adoption of
15. Committee Amendment No. 1.
16. PRESIDENT:
17. Senator Carroll moves the adoption of Amendment No. 1. Is there
18. any discussion? Senator Schaffer.
19. SENATOR SCHAFFER:
20. Mr. President, I would resist this amendment. This is a total
21. elimination of the Illinois Information Service and frankly, I think
22. Governor Thompson, having transferred some of the, shall we say,
23. ghost payrolls back into this section and being up front and honest
24. with us, opening up this service for the first time for all agencies
25. of State government, has proven to me at least that this should
26. continue. I'm not sure I totally understand the motivation on
27. its removal but I would resist it and I would urge all of you who
28. feel as I do that the Governor's openness and frankness
29. and willingness to play this game above board should be rewarded
30. instead of punished would join me in resisting the adoption of
31. this amendment.
32. PRESIDENT:
33. Is there any further discussion? Senator Carroll.

1. SENATOR CARROLL:
2. Thank you, Mr. President. In response to Senator Schaffer,
3. I think the discussion and feeling in the committee was that
4. since most of the agencies, if not all, had retained their
5. public information officers and there was no consideration at
6. any time to bring those people under one roof that the vast
7. majority of the publicity necessary for the State of Illinois
8. was being done by each and every agency through those multiple
9. public information officers in each of those departments. I
10. know there is some feeling that it shouldn't be eliminated at
11. all so at this time I will Table this amendment. I have another
12. one ready that will reduce them to what their prior level was
13. and at this time I will Table Amendment No. 1 and see if you
14. like it a little better if we leave them at their other figure.
15. PRESIDENT:
16. Senator Carroll moves to Table Amendment No. 1. All those
17. in favor of the motion to Table signify by saying Aye. Opposed.
18. The Ayes have it. The amendment is Tabled. Amendment No. 2.
19. Senator Carroll.
20. SENATOR CARROLL:
21. No that's not quite right. Thank you. Amendment No. 2
22. makes changes with regard to the Department of Finance portion
23. of the bill which we had already made in Senate Bill 326 which
24. was the old Department of Finance's original appropriation. I would
25. move adoption of Amendment No. 2.
26. PRESIDENT:
27. Senator Carroll moves the adoption of Amendment No. 2. Is
28. there any discussion? If not, all those in favor signify by
29. saying Aye. Opposed. The Ayes have it. The amendment is
30. adopted. Senator Carroll on Amendment No. 3.
31. SENATOR CARROLL:
32. Thank you, Mr. President. Amendment No. 3 makes some changes
33. in the bill dealing with the Department of Administrative Services

1. by cutting out fifteen new cars in the Property Management
2. Division. If I recall they had asked for some ninety new cars
3. and we have cut fifteen of those. It cuts out four new positions
4. budgeted for six months in the Property Management Division and
5. cuts out one new position budgeted for six months in the Management
6. Information Division and I...it's a total reduction of seventy-two
7. thousand two hundred dollars and I would move adoption of
8. Committee Amendment No. 3.

9. PRESIDENT:

10. Is there any discussion? Senator Carroll moves the adoption
11. of Amendment No. 3. All those in favor signify by saying Aye.
12. Opposed. The Ayes have it. The amendment is adopted. Any
13. further amendments?

14. SECRETARY:

15. Committee Amendment No. 4.

16. PRESIDENT:

17. Senator Carroll.

18. SENATOR CARROLL:

19. Thank you, Mr. President. Committee Amendment No. 4 deletes
20. one hundred thousand dollars for the Vehicle Information Management
21. System and I would move adoption of Committee Amendment No. 4.

22. PRESIDENT:

23. Is there any discussion? Senator Schaffer.

24. SENATOR SCHAFFER:

25. Well, I believe that this particular appropriation is an
26. attempt by the department to get a handle on the runaway expenses
27. of our automobile fleet and I think if we're going...if we're
28. going to cut this money out then we all, in all honesty, should
29. not criticize the department next year when we find out that their
30. motor pool operation is in shambles. I...I'm not totally familiar
31. with this program but as explained to me, I think it did have
32. merit. This area of expenditure in State government seems to be
33. jumping higher each year and I think whenever an agency wants to

1. take a look at something and clean up their act, we ought to
2. encourage them. I would resist this amendment.

3. PRESIDENT:

4. Is there any further discussion? If not, Senator Carroll
5. moves the adoption of Amendment No. 4. All those in favor signify
6. by saying Aye. Opposed. The Ayes have it. The amendment is
7. adopted. There is a request for a roll call on Amendment No. 4.
8. Those in favor of the adoption of the amendment will vote Aye.
9. Those opposed will vote Nay. The voting is open. Have all voted
10. who wish? Have all voted who wish? Take the record. On that
11. question the Ayes are 31, the Nays are 24, none Voting Present.
12. Amendment No. 4 having received a majority of the votes cast is
13. adopted. Any further amendments, Mr. Secretary?

14. SECRETARY:

15. No...no further committee amendments.

16. PRESIDENT:

17. Any amendments from the Floor?

18. SECRETARY:

19. Amendment No. 5 offered by Senator Carroll.

20. PRESIDENT:

21. Senator Carroll.

22. SENATOR CARROLL:

23. Thank you, Mr. President. Very quickly during that interim
24. we were able to bring down Amendment No. 5 which restores the
25. Governor's Information...the IIS, at its last year's level and
26. line items them. It's two hundred and fifty-seven thousand five
27. hundred dollars. A reduction from the three hundred and sixty-three
28. thousand he had been requesting but it leaves it back in at the same
29. level they had last year and I would adoption of Amendment No. 5.

30. PRESIDENT:

31. Is there any discussion? Senator Schaffer.

32. SENATOR SCHAFFER:

33. Mr. President. I'm not...haven't had time obviously to react

1. to this amendment since I still frankly have not seen a copy
2. of it but it occurs to me and I'm prepared to allow this amendment
3. to go on but it occurs to me that in other areas...other agencies
4. in the Appropriations Committee I'm on, we've been cutting out
5. public information officers and photographers and backup people
6. and it occurs to me we're slashing both right and left here
7. denying we're doing...we're doing both and once we get this amend-
8. ment and staff and gets a look at it, if it occurs to me that we've
9. cut in both directions while pretending to only cut in one area,
10. I may be tempted to bring the bill back and try and restore what
11. I think if there are any inequities but for the time being, let's
12. put the amendment on and go.

13. PRESIDENT:

14. Senator Demuzio.

15. SENATOR DEMUZIO:

16. Ask the Senator Carroll a question. Is this the one that
17. all the Legislators can go down and get the television tapes made,
18. sent out to the district and the radio tapes and...is that the
19. amendment?

20. PRESIDENT:

21. Senator Carroll.

22. SENATOR CARROLL:

23. Yes. I think many people would call it that. It's the IIS,
24. many use including the Governor and so on. First amendment took
25. it out all together. A lot of people didn't like that so I with-
26. drew it and now offered the one to put it back at last year's level.
27. I just might answer Senator Schaffer by indicating that Governor
28. told us that he'd put all those people back onto his personal
29. payroll, not in IIS but onto the Office of the Governor and
30. therefore there should be no going both ways on this. He's put
31. them all back in his. We've said fine and therefore I leave the
32. IIS at last year's level and I would once again move adoption
33. of Amendment No. 5.

1. PRESIDENT:

2. Senator Carroll moves the adoption of Amendment No. 5.
3. All those in favor signify by saying Aye. Opposed. The
4. Ayes have it. The amendment is adopted. Any further amendments?

5. SECRETARY:

6. No further amendments.

7. PRESIDENT:

8. 3rd reading. For what purpose does Senator Buzbee arise?

9. SENATOR BUZBEE:

10. If it's all right with Senator Schaffer, we're ready to go
11. on House Bill 1005 now. I think he has a copy of our amendment.

12. If he's here on the Floor.

13. PRESIDENT:

14. All right and Senator Harber Hall, we passed your bill also.
15. Are you ready to go back to it, 970? All right. Read House Bill
16. 1005, Senator Schaffer. Read the bill.

17. SECRETARY:

18. House Bill 1005

19. (Secretary reads title of bill)

20. 2nd reading of the bill. The Committee on Appropriations II
21. offers five amendments.

22. PRESIDENT:

23. Senator Buzbee.

24. SENATOR BUZBEE:

25. Thank you, Mr. President. Amendment No. 1 deletes two million
26. nine hundred ninety-six thousand eight hundred dollars and inserts
27. in lieu thereof one million eight hundred ninety-six thousand
28. eight hundred dollars and on page 10 by deleting line 18 and
29. inserting in lieu thereof the following section: "the amount of
30. one million one hundred thousand are so much thereof as may be
31. necessary is appropriated to the Department of Public Health
32. for a grant to the Illinois Family Planning Council for family
33. planning services in local health agencies. This amount is

1. appropriated from U.S. Public Health Services funds." What this
2. does is that it transfers back to the Family Planning Council
3. the grant money that they have traditionally been receiving and have
4. been disbursing to their subcontractors. The department wanted to
5. take that function over this year. We felt that that was not
6. appropriate that the Family Planning Health Council had been doing
7. an excellent job, in fact, an exemplary job and that they ought to
8. retain that function. So I would move the adoption of Amendment
9. No. 1.

10. PRESIDENT:

11. Is there any discussion? Senator Buzbee moves the adoption
12. of Amendment No. 1. All those in favor signify by saying Aye.
13. Opposed. The Ayes have it. The amendment is adopted. Amendment
14. No. 2, Senator Buzbee.

15. SENATOR BUZBEE:

16. Thank you, Mr. President. Amendment No. 2 appropriates
17. forty thousand dollars to the Department of Public Health for
18. payment of compensation to the Executive Secretary of the
19. State-wide Health Coordinating Council in the amount of four
20. thousand one hundred five dollars for the payment of State
21. contributions to the State Employees Retirement System on his
22. behalf, social security taxes, and employer's contribution to
23. his group insurance premiums. This is a position that the Governor
24. has asked that we insert after his budgetary message. We have a letter from
25. him saying or from Dr. Mandeville, the head of the Bureau of the
26. Budget, that they, in fact, are increasing their budgetary amount
27. by this amount...by this amount, their budgetary request by this
28. amount and I would move the adoption of Amendment No. 2.

29. PRESIDENT:

30. Is there any discussion? Senator Buzbee moves the adoption
31. of Amendment No. 2. All those in favor signify by saying Aye.
32. Opposed. The Ayes have it. The amendment is adopted. Amendment
33. No. 3, Senator Buzbee.

1. SENATOR BUZBEE:

2. Thank you, Mr. President. Amendment No. 3 appropriates
3. ten million dollars from the Hospital Construction Fund. This
4. is the remnants of the Hill-Burton Federal Funds that flow
5. through the State and the State Department of Public Health
6. puts this money out to local hospitals for their Hill-Burton
7. Construction Funds. The department did not want to do this.
8. They did not include it in this year's bill but we feel that it
9. is the...that it is the constitutional mandate of the Illinois
10. Legislature to appropriate funds and therefore we told the
11. department that even though there were a few bookkeeping entries
12. they're going to have to make that we are going to go ahead
13. and continue appropriating these funds even though they are
14. Federal flow through funds and I would move the adoption of
15. Amendment No. 3.

16. PRESIDENT:

17. Is there any discussion? Senator Buzbee moves the adoption
18. of Amendment No. 3. All those in favor signify by saying Aye.
19. Opposed. The Ayes have it. The amendment is adopted. Amendment
20. No. 4, Senator Buzbee.

21. SENATOR BUZBEE:

22. Mr. Chairman, pardon me, Mr. President, at this time I
23. would move that we Table Amendment No. 4. I will have another
24. amendment in a few minutes.

25. PRESIDENT:

26. Senator Buzbee moves to Table Amendment No. 4. All those
27. in favor signify by saying Aye. Opposed. The Ayes have it.
28. The amendment is Tabled. Amendment No. 5, Senator Buzbee.

29. SENATOR BUZBEE:

30. Mr. President. This time I would move that we Table
31. Amendment No. 5 and we will replace that with Amendment No. 7
32. in a few minutes.

33. PRESIDENT:

1. Senator Buzbee moves to Table Amendment No. 5. All those in
2. favor signify by saying Aye. Opposed. The Ayes have it.

3. The amendment is Tabled. Amendment No. 6, Senator Buzbee.

4. SENATOR BUZBEE:

5. Mr. President, I would defer to Senator Regner on Amendment
6. No. 6.

7. PRESIDENT:

8. Senator Regner.

9. SENATOR REGNER:

10. Mr. President, members of the Senate. This is the amendment
11. replacing Amendment No. 4 which Senator Buzbee Tabled.
12. Amendment No. 1 took the...Family Planning Council money out
13. of the department's budget into...directly into the Council.
14. When we had the original budget hearing, it looked like there
15. was about fifty-seven thousand seven hundred dollars of administrative
16. services that were covered in there and after we put Amendment No.
17. 4 on the department did get to us and correctly identified
18. exactly how much money there was to administer that program and
19. it comes to eighteen thousand three hundred dollars which is
20. in this amendment. The department approves of this and I'd move
21. its adoption.

22. PRESIDENT:

23. Is there any...Senator Buzbee.

24. SENATOR BUZBEE:

25. Mr. President, I concur.

26. PRESIDENT:

27. Senator Regner moves the adoption of Amendment No. 6.
28. All those in favor signify by saying Aye. Opposed. The Ayes
29. have it. The amendment is adopted. Amendment No. 7, Senator
30. Buzbee.

31. SENATOR BUZBEE:

32. Thank you, Mr. President. Amendment No. 7 is probably the
33. one that all of you are awaiting and that you have been receiving

1. phone calls all day from doctors and nurses, et cetera, et cetera,
2. who are involved in the hypertension program. There were actually
3. fifty-seven new positions requested by the Department of Public
4. Health in this coming Fiscal Year. This is the department
5. that traditionally asked for an expansion of new jobs that...
6. that the health of this State is going to go right down the tubes
7. if we don't allow them massive new jobs each year. The House
8. cut some twenty-nine of those fifty-seven new positions so we had
9. something like twenty-eight left, as I recall. We cut seven in
10. committee the other day with Amendment No. 5 with the Tabling of
11. Amendment No. 5 we are now going to cut three of the seven that
12. we proposed the other day. The three that we are cutting here.
13. It's...it makes a reduction of nineteen thousand three hundred
14. dollars from the General Revenue Fund to reflect the removal
15. of three new positions. One of these positions is entirely
16. funded under Federal funds. The new positions that we are cutting
17. is the Office of Management Services, a clerk typist II; the Office
18. of Planning Coordination, a research scientist II; and the Office
19. of Health Services, a clerk III. We are restoring the nurse
20. and the health planning coordinator, or whatever that fancy title
21. was that they gave him in the hypertension program. That makes
22. a total of six people now in that program that they're going...
23. they're going to stop all of the hypertension problems in the
24. State of Illinois now with those six people. One of the six
25. is already a clerk so we thought that they did not need an ad-
26. ditional clerk in there. We...as I said, we have eliminated
27. some twenty...the House had already eliminated twenty-eight
28. positions. We have eliminated three more. There still going to
29. have some twenty-six or twenty-five more new jobs next year over
30. what they had last year and I would move adoption of Amendment
31. No. 7.

32. PRESIDENT:

33. Is there any discussion? Senator Schaffer.

1. SENATOR SCHAFFER:

2. Well, I guess my position is mild opposition and I'll...I'll
3. just simply state that I have to note with interest the
4. clerk typist II we're cutting out is the one that processes or
5. what they would propose to have process all those Federal grants that
6. we just insisted that they continue to process. That might be
7. slightly inconsistent with the intellectual honesty. I'm
8. not prepared to make a judgment. That research scientist,
9. I'm not sure I even understand why they want that. But in the
10. hypertension control program an awful large percentage of that
11. program as...as it is described to me is, indeed, clerical and
12. processing of mail. I wonder if we'd had some high priced
13. scientist in there, whether we'd have cut them out but since
14. it's a clerk typist we can all visualize that and we can cut
15. it. I guess my attitude is I wouldn't mind seeing that
16. scientist not be put on board but the other two positions
17. probably are justifiable and I for one would leave them in so
18. I'm two-thirds in opposition, one third in support.

19. PRESIDENT:

20. Senator Buzbee.

21. SENATOR BUZBEE:

22. Well, I would only respond by saying that I was a little bit
23. incorrect when I said there were four in the program while ago
24. and one of them was a clerk typist. I was wrong. There's four
25. in the program and two of them are clerk typists. And so now
26. we are giving them two more people to do some work and they can
27. still continue with a total of six in that program now with
28. two clerk typists, and I might point out as Senator Rock reminded
29. me last night when we were talking about an amendment of the
30. Department of Public Aid bill that in a budget this massive that
31. the department if...if it gets critical that they have to have some-
32. body else to type some forms or type some letters that they can
33. go pick up a secretary from somewhere else within their department

1. as large a budget as they have.

2. PRESIDENT:

3. Is there any further discussion? Senator Regner.

4. SENATOR REGNER:

5. Well, I just rise in the total support of this amendment.

6. One of the clerk typists that was taken out was a second secretary
7. for one of the individuals and I don't think even he needs two
8. secretaries.

9. PRESIDENT:

10. Senator Buzbee moves the adoption of Amendment No. 7. All
11. those in favor signify by saying Aye. Opposed. The Ayes have it.
12. The amendment is adopted. Amendment No. 8. by Senator...is
13. there another amendment? Any further amendments?

14. SECRETARY:

15. No further amendments.

16. PRESIDENT:

17. 3rd reading. House Bill 970, Senator Harber Hall. Read
18. the bill.

19. SECRETARY:

20. House Bill 970

21. (Secretary reads title of bill)

22. 2nd reading of the bill. No committee amendments.

23. PRESIDENT:

24. Any amendments from the Floor?

25. SECRETARY:

26. No amendments from the Floor.

27. PRESIDENT:

28. 3rd reading. House Bill 1039, Senator Bowers. Read the
29. bill. For what purpose does Senator Carroll arise?

30. SENATOR CARROLL:

31. There was an amendment on 970.

32. PRESIDENT:

33. Floor amendment?

1. SENATOR CARROLL:

2. I thought it was a committee amendment. I'm sorry a

3. Floor amendment, I'm sorry.

4. PRESIDENT:

5. Is leave granted to bring the bill back to the Order of
6. 2nd reading? Leave is granted. On the Order of 2nd reading,
7. House Bill 970, Amendment No. 1. Floor amendment offered by
8. Senator Carroll.

9. SENATOR CARROLL:

10. Thank you, Mr. President. Amendment No. 1 reduces the
11. appropriation for operations by thirty-four hundred dollars
12. and I would move adoption of the amendment.

13. PRESIDENT:

14. Is there any discussion? Senator Hall.

15. SENATOR HARBER HALL:

16. That represents a half of one body, I believe and it's a
17. saving of money so I'm not going to object to that amendment.

18. PRESIDENT:

19. Senator Carroll moves the adoption of Amendment No. 1.
20. All those in favor signify by saying Aye. Opposed. The Ayes
21. have it. The amendment is adopted. Any further amendments?

22. SECRETARY:

23. No further amendments.

24. PRESIDENT:

25. 3rd reading. House Bill 1039, Senator Bowers. Read the
26. bill.

27. SECRETARY:

28. House Bill 1039

29. (Secretary reads title of bill)

30. 2nd reading of the bill. The Committee on Appropriations II
31. offers one amendment.

32. PRESIDENT:

33. Senator Buzbee.

1. SENATOR BUZBEE:

2. Yes, thank you, Mr. President. This amendment increases
3. the appropriation from Federal dollars as follows:
4. operations monies for Title III , social services, ombudsmen,
5. and legal operations, seventy thousand dollars; grants from
6. Title IX , five hundred thousand six hundred fifty dollars;
7. grants from Title III for a model project job opportunity
8. program, one million one hundred fifteen thousand six hundred
9. dollars. This is a totally new grant item to employ over
10. three hundred unemployed older workers in State-wide nursing
11. home ombudsmen and outreach programs. Operations monies for
12. Title IX, eighty-eight thousand three hundred fifty dollars;
13. operations monies under Title III for model project job
14. opportunity program, eighty thousand four hundred dollars for
15. a total of one million eight hundred fifty-five thousand dollar
16. increase. Again I would emphasize that's from Federal dollars.
17. This, Mr. President, was an amendment that was requested by the
18. department after their bill had already be...had already been
19. prepared and I would move its adoption.

20. PRESIDENT:

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

25. SECRETARY:

26. No further committee amendments.

27. PRESIDENT:

28. Any amendments from the Floor?

29. SECRETARY:

30. Amendment No. 2 offered by Senator Buzbee.

31. PRESIDENT:

32. Senator Buzbee.

33. SENATOR BUZBEE:

1. Thank you, Mr. President. This deletes fifty thousand
2. dollars for the cost of a new electronic data processing for
3. the agency and one position. It was the feeling of the committee
4. that they are going to be tying into a computer tie with the
5. Department of Public Aid that line item for the Department of
6. Public Aid happens to run fifty-seven hundred dollars a year
7. and we saw no reason why this department which is not really
8. ready to go into this yet at this point needs fifty thousand
9. dollars to tie up with the Department of Publid Aid and the
10. Department of Public Aid is doing it for fifty-seven hundred.
11. The feeling is if they get to the point where they are ready to
12. go later on in the Fall or in the next Winter we could certainly
13. give them some money back in an...in a supplementary appropriation
14. if they need...so need, but at this point we thought fifty
15. thousand dollars was too much and I would move the adoption of
16. Amendment No. 2.

17. PRESIDENT:

18. Is there any discussion? Senator Bowers.

19. SENATOR BOWERS:

20. Well, Mr. President, I'm sorry Senator Buzbee offered this
21. amendment. Frankly, the department felt that they needed these
22. funds because the Federal Government is on them to...to monitor
23. their payouts and they felt that they had to go into this program
24. as they had planned it. And I would hope we would vote down the
25. amendment.

26. PRESIDENT:

27. Is there any further discussion? If not, the question is shall
28. Amendment...Senator Buzbee.

29. SENATOR BUZBEE:

30. I would say in response to that, Mr. President, that the
31. Bureau of the Budget has told us that they plan to hold the money
32. in reserve anyhow and not release it because at this point, the
33. department is...does not have firm plans to...to implement the

1. program.
2. PRESIDENT:
 3. Senator Buzbee moves the adoption of Amendment No. 2.
 4. All those in favor signify by saying Aye. Opposed. The
 5. Ayes have it. The amendment is adopted. Any further amendments?
6. SECRETARY:
 7. No further amendments.
8. PRESIDENT:
 9. 3rd reading. House Bill 1044, Senator Schaffer. Senator
 10. Bloom, the Calendar is incorrect again. Senator Bloom is the
 11. sponsor of 1044. Read the bill.
12. SECRETARY:
 13. House Bill 1044
 14. (Secretary reads title of bill)
15. 2nd reading of the bill. The Committee on Appropriations I
16. offers three amendments.
17. PRESIDENT:
 18. Senator Carroll.
19. SENATOR CARROLL:
 20. Thank you, Mr. President. I will first move to Table
 21. Amendment No. 1. We have broken that down into two amendments
 22. later on because of some technical problems within it. I would
 23. thereby move to Table Amendment No. 1. Committee Amendment No. 1
 24. to House Bill 1044.
25. PRESIDENT:
 26. Senator Carroll moves to Table Amendment No. 1. All those
 27. in favor signify by saying Aye. Opposed. The Ayes have it.
 28. The amendment is Tabled. Amendment No. 2, Senator Carroll.
29. SENATOR CARROLL:
 30. Thank you, Mr. President. Committee Amendment No. 2
 31. requests that Senator Vadalabene takes care of the problem of a
 32. new disease with horeseradish that several of our members were
 33. very concerned with. Senator Daley for St. Patrick's Day, and

1. myself for Passover and it's an eighty-two thousand dollar
2. study on beris lepidy and I would move adoption of Committee
3. Amendment No. 2, the horseradish amendment. This is...

4. PRESIDENT:

5. Senator Carroll moves the adoption of Amendment No. 2.
6. All those in favor signify by saying Aye. Opposed. The
7. Ayes have it. The amendment is adopted. Amendment No. 3.
8. Senator Carroll.

9. SENATOR CARROLL:

10. Thank you, Mr. President. Amendment No. 3 is to break out
11. the real estate enforcement section as in line item and I would
12. move adoption of Committee Amendment No. 3.

13. PRESIDENT:

14. Senator Carroll moves the adoption of Amendment No. 3.
15. All those in favor signify by saying Aye. Opposed. The Ayes
16. have it. The amendment is adopted. Any further amendments?

17. SECRETARY:

18. No further committee amendments.

19. PRESIDENT:

20. Any amendments from the Floor?

21. SECRETARY:

22. Amendment No. 4 and Senator Carroll, I have an A, and a B
23. and then another amendment.

24. PRESIDENT:

25. Are you still trying to make up your mind, Senator Carroll,
26. is that it?

27. SENATOR CARROLL:

28. All right, there should be. We are still trying to make up
29. our mind. The one that shows a total of ninety-four five sixty-
30. six is the one I wish to offer and the one that shows five five
31. seven two hundred. I would like to withdraw the one...eighty-four.

32. PRESIDENT:

33. Is that A or B?

1. SENATOR CARROLL:

2. That would probably be B. What, Amendment No. 4?
3. Amendment No. 4, Mr. President, would be a reduction of
4. ninety-four thousand five hundred and sixty-six dollars
5. as a partial replacement of Amendment No. 1 that we Tabled
6. although it reduces a lot less. Leaves the department a lot
7. more than we had originally intended to do in committee. They
8. supplied us some very good data to justify some of these figures
9. and therefore I would move you that we adopt Amendment No. 4.

10. I move the adoption.

11. PRESIDENT:

12. Senator Carroll moves the adoption of Amendment No. 4.

13. Senator Bloom.

14. SENATOR BLOOM:

15. Thank you, Mr. President. I understood this to be eighty-
16. four five six six. Would you explain the ten thousand discrepancy?

17. PRESIDENT:

18. Senator Carroll.

19. SENATOR CARROLL:

20. Thank you, Mr. President. Senator Bloom, I thought we had
21. shown this to your staff before, if not, I apologize. But this
22. was the ten thousand dollars for the contractual services for
23. the Medical Disciplinary Board. There had been some discussions
24. in the House, as I recall, about that figure and they had agreed
25. to it. Which they now may not.

26. PRESIDENT:

27. Senator Bloom.

28. SENATOR BLOOM:

29. This...oh, I recall now. We didn't...this involves the
30. newsletter, is that correct?

31. SENATOR CARROLL:

32. Yes, that's correct, that's correct.

33. SENATOR BLOOM:

34. I see.

1. Senator CARROLL:

2. And the others are as we had shown you. That's the
3. ten thousand difference. I move the adoption.

4. PRESIDENT:

5. Senator Carroll moves the adoption of Amendment No. 4.
6. All those in favor signify by saying Aye. Opposed. The Ayes
7. have it. The amendment is adopted. Any further amendments?

8. SECRETARY:

9. ...5 offered by Senator Carroll.

10. PRESIDENT:

11. Senator Carroll.

12. SENATOR CARROLL:

13. Why, thank you, Mr. President. This is the second half of
14. the Amendment No. 1 that we Tabled and this deals with the University
15. Retirement Systems Employer Contribution. There's some question
16. on the substantive legislation and how to deal with it at a
17. future time so it was decided to be put into a separate amendment
18. which may or may not stay there depending on what happens to
19. some other legislation. I would move adoption of Amendment No.

20. 5.

21. PRESIDENT:

22. Senator Bloom.

23. SENATOR BLOOM:

24. We have no objection. 543 is in conference.

25. PRESIDENT:

26. Senator Carroll moves the adoption of Amendment No. 5.
27. All those in favor signify by saying Aye. Opposed. The Ayes
28. have it. The amendment is adopted. Any further amendments?

29. SECRETARY:

30. No further amendments.

31. PRESIDENT:

32. 3rd reading. House Bill 1064, Senator Berning. Read the bill.

33. SECRETARY:

1. House Bill 1064
2. (Secretary reads title of bill)
3. 2nd reading of the bill. No committee amendments.
4. PRESIDENT:
5. Any amendments from the Floor?
6. SECRETARY:
7. Amendment No. 1 offered by Senator Buzbee.
8. PRESIDENT:
9. Senator Buzbee.
10. SENATOR BUZBEE:
 11. Thank you, Mr. President. This amendment appropriates by
 12. standard line item the administrative costs of the Teachers'
 13. Retirement System. The appropriation is made from the funds
 14. of the system the same source currently used to pay such
 15. costs without an appropriation.
16. PRESIDENT:
17. Is there any discussion?
18. SENATOR BUZBEE:
 19. No wait, wait, that was a cough break, I'm not finished.
20. PRESIDENT:
 21. Oh, well you were just about to carry the amendment, Senator.
22. SENATOR BUZBEE:
 23. It...it also does something else.
24. PRESIDENT:
 25. Now, you're going to get in trouble, I can see that.
26. SENATOR BUZBEE:
 27. In setting forth the line items, reductions are reflected
 28. in the systems requested amounts as shown by...shown here. Personal
 29. services total reduction of seventy-nine thousand dollars for
 30. one new assistant director and two retirement consultants and
 31. for a fifty percent reduction the amount included for pay raises.
 32. The latter reduction is in part based on the fact that the systems
 33. board of trustees approved a five percent cost of living increase

1. late last month. In travel it reduces five thousand dollars,
2. the original request was up by thirty-six percent over estimated
3. expenditures for FY '77 and in printing it reduced by five
4. thousand dollars but still allows for increased volume and
5. costs. And I would move the adoption of Amendment No. 1.

6. PRESIDENT:

7. Senator Buzbee moves the adoption of Amendment No. 1.
8. All those in favor signify by saying Aye. Opposed. The Ayes
9. have it. The amendment is adopted. Any further amendments?

10. SECRETARY:

11. No further amendments.

12. PRESIDENT:

13. 3rd reading. House Bill 1071, Senator McMillan. Read
14. the bill.

15. SECRETARY:

16. House Bill 1071

17. (Secretary reads title of bill)

18. 2nd reading of the bill. Committee on Appropriations I offers
19. one amendment.

20. PRESIDENT:

21. Senator Carroll.

22. SENATOR CARROLL:

23. Thank you, Mr. President, members of the Senate. Amendment
24. No. 1 deletes a new position for ninety-seven hundred dollars and
25. reduces the appropriation for various research programs by
26. approximately a hundred and fifty thousand dollars. I might add
27. we went through their detailed listings of a lot of the projects
28. and decided it was not wise to attempt to line item each and
29. every project but felt that a lot of the projects did not really
30. warrant their inclusion at this time. And we indicated to the
31. department how we arrived at our figures, which projects we looked
32. at, and indicated that those were the dollars that we had in
33. fact pulled out although they have total discretion in...in

1. somewhat carving down some of their projects or going with some
2. and not going with others, however they seem fit. But we just
3. felt that some of these were totally unnecessary and took out
4. the appropriate dollars accordingly and I would move adoption
5. of Amendment No. 1 to House Bill 1071.

6. PRESIDENT:

7. Is there any discussion? Senator McMillan.

8. SENATOR MCMILLAN:

9. Mr. President, members of the Senate. I rise to resist
10. this amendment. The total amount of the reduction was a
11. hundred and fifty-nine thousand dollars plus. I would point out
12. primarily that the funds involved are from the Public Utility
13. Fund not the General Fund. The funds that are in the Public Utility
14. Fund can be...if not used for this purpose would go to the Inter-
15. State Commerce Commission and if not used there would go back
16. to the utilities. These are funds which in no way can be trans-
17. ferred to the General Fund for use in the public schools or...or
18. in any other place. There are many of these projects which
19. I think do have considerable merit. There is one particular
20. project in there which deals with coordinating many of the different
21. research projects related to energy which we have in action to
22. this Body scattered throughout the Executive Branch of government.
23. That for one is one that I feel would be wise. I think this is
24. a matter for the whole Body to consider but I would resist it.
25. I believe it's not money that could be spent elsewhere where not
26. by cutting these funds bring up money for other purposes and I
27. would call on my colleagues to vote No on this amendment.

28. PRESIDENT:

29. Senator Carroll moves the adoption of Amendment No. 1. All
30. those 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.

HB 1228
6/29/77
J.W. reading

1. PRESIDENT:
2. 3rd reading. House Bill 1180, Senator Carroll. Read the bill.
4. SECRETARY:
5. House Bill 1180
(Secretary reads title of bill)
7. 2nd reading of the bill. No committee amendments.
8. PRESIDENT:
9. Any amendments from the Floor?
10. SECRETARY:
11. No amendments from the Floor.
12. PRESIDENT:
13. 3rd reading. House Bill 1205, Senator Lane. House Bill 1226, Senator Graham. Senator Graham, on House Bill 1226.
15. Senator Graham.
16. SENATOR GRAHAM:
17. Senator Buzbee, I wouldn't mind moving this to 3rd reading.
18. I doubt that it's ever going to get called. We need a letter,
19. I realize that and we're going to have some meetings in the
20. West Chicago area and with that understanding...
21. PRESIDENT:
22. Read the bill.
23. SECRETARY:
24. House Bill 1226
(Secretary reads title of bill)
26. 2nd reading of the bill. No committee amendments.
27. PRESIDENT:
28. Any amendments from the Floor?
29. SECRETARY:
30. No amendments from the Floor.
31. PRESIDENT:
32. 3rd reading. House Bill 1228, Senator Roe, Senator Roe.
33. Read the bill.
- SECRETARY:

1. House Bill 1228
2. (Secretary reads title of bill)
3. 2nd reading of the bill. No committee amendments.
4. PRESIDENT:
5. Any amendments from the Floor?
6. SECRETARY:
7. No amendments from the Floor.
8. PRESIDENT:
9. 3rd reading. House Bill 1348, Senator Lane. House Bill
10. 1424, Senator Lane. House Bill 1500, Senator Egan. House Bill
11. 1593, Senator Sommer, read the bill.
12. SECRETARY:
13. House Bill 1593
14. (Secretary reads title of bill)
15. 2nd reading of the bill. The Committee on Appropriations II
16. offers four amendments.
17. PRESIDENT:
18. Senator Buzbee.
19. SENATOR BUZBEE:
20. Thank you, Mr. President. Amendment No. 1 restored seventy-
21. eight thousand two hundred dollars from Revenue for the Illinois
22. Nature Preserves Commission and I would move its adoption.
23. PRESIDENT:
24. Is there any discussion? Senator Buzbee moves the adoption
25. of Amendment No. 1. All those in favor signify by saying Aye.
26. Opposed. The Ayes have it. The amendment is adopted. Amendment
27. No. 2, Senator Buzbee.
28. SENATOR BUZBEE:
29. Thank you, Mr. President. This amendment appropriates ten
30. million dollars of Federal funds to the Department of Conservation
31. to participate in the Young Adult Conservation program. This
32. appropriation is payable from the National Young Adult Conservation
33. Corp CETA Funds. The guidelines, the Congress is in fact probably

1. going to take final action on this within the next couple of
2. weeks so at this point we had somewhat of a problem in that
3. we do not have final...Federal guidelines or law as to
4. exactly how this is to be spent. We broke it down into
5. the line item as best we could which consists of two line
6. items. Two million nine hundred thousand for personal services
7. and seven million one hundred thousand for all other items
8. incidental to the operation and maintenance of the program.
9. Probably in the Fall we will be in with a...with a bill that
10. will transfer from these line items to various other line
11. items so we can better control it but at this point it is
12. ten million dollars of Federal CETA funds and I would recommend
13. it for your favorable consideration and move adoption
14. of Amendment No. 2.

15. PRESIDENT:

16. Senator Buzbee moves the adoption of Amendment No. 2. Is
17. there any discussion? If not, all those in favor signify by
18. saying Aye. Opposed. The Ayes have it. The amendment is
19. adopted. Senator Buzbee.

20. SENATOR BUZBEE:

21. Thank you, Mr. President. This amendment makes it clear
22. that the State will retain ownership of the Prairie Path Land. The
23. corporation will still operate the project however and I would
24. move adoption of Senate Amendment No. 3.

25. PRESIDENT:

26. Any discussion? Senator Buzbee moves the adoption of
27. Amendment No. 3. All those in favor signify by saying Aye. Opposed.
28. The Ayes have it. The amendment is adopted. Amendment No. 4.
29. Senator Buzbee.

30. SENATOR BUZBEE:

31. Thank you, Mr. President. This amendment adds one hundred
32. sixty thousand dollars from the Capital Development Board
33. Fund for the purpose of a hydrolic dredge. It also adds money for

1. the dredging operation and I would move the adoption of Senate
2. Amendment No. 4.

3. PRESIDENT:

4. Is there any discussion? Senator Buzbee moves the adoption
5. of Amendment No. 4. All those in favor signify by saying Aye.
6. Opposed. The Ayes have it. The amendment is adopted. Any
7. further amendments?

8. SECRETARY:

9. No further committee amendments.

10. PRESIDENT:

11. Any amendments from the Floor?

12. SECRETARY:

13. Amendment No. 5 offered by Senator Sommer.

14. PRESIDENT:

15. Senator Sommer.

16. SENATOR SOMMER:

17. Mr. President and members. This is a...simply a technical
18. amendment and it makes no dollar change.

19. PRESIDENT:

20. Senator Sommer moves the adoption of Amendment No. 5.
21. All those in favor signify by saying Aye. Opposed. The Ayes
22. have it. The amendment is adopted. Any further amendments?

23. SECRETARY:

24. No further amendments.

25. PRESIDENT:

26. 3rd reading. House Bill 1599, Senator Bloom. Senator,
27. Sommer. The Calendar is incorrect. Senator Sommer is the sponsor
28. of 1599. Read the bill.

29. SECRETARY:

30. Senate Bill...House Bill 1599.

31. (Secretary reads title of bill)

32. 2nd reading of the bill. The Committee on Appropriations II offers
33. three amendments.

1. PRESIDENT:
2. Senator Buzbee.
3. SENATOR BUZBEE:
 4. Thank you, Mr. President. This amendment restores House Bill 1599 to its original form and level of funding except the transferability provisions for regional grants in aid and purchase care which was in the bill as introduced are deleted by this amendment. This amendment restores eleven million eight hundred seventy-eight thousand dollars in operations reductions and eliminates six million nine hundred thousand dollar increases in grants and purchase care both approved by the House. The net affect is therefore to add four million nine hundred seventy-two thousand two hundred dollars to the grand total which brings it back to the original level of four hundred six million nine hundred eighty-four thousand five hundred dollars. Quite frankly we thought that the bill was in such bad shape as brought over by the House that the only way to get a handle on it was to restore everything the House had cut and start over again and so this is the first of that move and we're restoring everything they...they cut and we're starting over again. I would move the adoption of Amendment No. 1.
 23. PRESIDENT:
 24. Senator Buzbee moves the adoption of Amendment No. 1. Is there any discussion? If not, all those in favor signify by saying Aye. Opposed. The Ayes have it. The amendment is adopted.
 27. Any further amendments?
 28. SECRETARY:
 29. Committee Amendment No. 2.
 30. PRESIDENT:
 31. Senator Buzbee.
 32. SENATOR BUZBEE:
 33. Thank you, Mr. President. This amendment provides for increased

1. Federal fund appropriations at numerous facilities. It adjusts
2. between line items for community based alcoholism programs and
3. the addition of three hundred seventy thousand dollars to the
4. purchase care component of such programs. Expenditure authority
5. for Federal community grants for developmental disability funds
6. which carry over carry over into Fiscal Year 1978 and I would move the
7. adoption of Senate Amendment No. 2.

8. PRESIDENT:

9. Is there any discussion? Senator Buzbee moves the adoption
10. of Senate Amendment No. 2. All those in favor signify by saying
11. Aye. Opposed. The Ayes have it. The amendment is adopted.
12. Amendment No. 3. Senator Buzbee.

13. SENATOR BUZBEE:

14. Thank you, Mr. President. This amendment adds Section 13
15. to House Bill 1599 permitting the State to complete payment
16. of a construction contract. The installation of drainage tile
17. from the sewage treatment plant to the Rock River at the Dixon
18. Developmental Center was completed in August of 1976. The final
19. payment to the vendor was not made and a change order authorizing
20. it was not permitted due to inadequate appropriations. The vendor's
21. claim was denied by the Court of Claims because no funds had
22. lapsed from the line item appropriation. This amendment merely
23. enables the State to fulfill its legal obligation in this matter
24. and I would move the adoption of Amendment No.3.

25. PRESIDENT:

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

30. SECRETARY:

31. No further committee amendments.

32. PRESIDENT:

33. Any amendments from the Floor?

1. SECRETARY:

2. Amendment No. 4 offered by Senator Buzbee...

3. PRESIDENT:

4. Senator Buzbee.

5. SECRETARY:

6. ...and Regner.

7. SENATOR BUZBEE:

8. This is a joint amendment offered by Senators Buzbee and
9. Regner. And this is a rather lengthy explanation. This is the
10. Senate reduction amendment to House Bill 1599. The regular
11. appropriation to the Department of Mental Health and Developmental
12. Disabilities. The House action on this bill consisted of two
13. reductions in the operations of the department. One, it was
14. a reduction of seven million dollars in operations and a
15. corresponding increase in the community grants line item. Two,
16. a separate reduction of four point nine million in operations with
17. the greatest cuts in the central office of the Illinois Mental
18. Health Institutes, the Illinois Institute for Developmental Disabilities
19. Adler Center and the regional offices. The Senate took the
20. following action in Appropriations Committee II. Amendment No. 1
21. nullified the House action on the bill, returning it to its
22. original form except that the proposed two percent transferability
23. was deleted for the grants. Amendment No. 2 added new money that
24. the Department has said will be forth coming from the Federal
25. Government. Amendment No. 3 was an appropriation to pay a
26. private contractor who had no recourse through the Court of Claims
27. but had a legitimate claim against the department. Now Senate
28. Amendment No. 4, this amendment, makes reductions totally. Four
29. million four hundred sixteen thousand eight hundred dollars in
30. General Revenue Fund money and the operations section of House Bill
31. 1599. The reductions are spread out over virtually all the
32. appropriation entities in the bill including the institutions, the
33. regional offices and the central office. For a breakdown, I could

1. give you a complete breakdown on each institution, if you so
2. desire and the cut as percentage item of the FY '78 request.
3. The four million four hundred sixteen thousand eight hundred
4. reduction amounts to one point four percent, one point four
5. percent of the total FY'78 operations request of the department.
6. No reductions or additions are made to the grant line items in
7. Amendment No. 4. I might tell you that the department in response
8. to our proposed Amendment No. 4 said that they actually would like
9. to have that additional four point six or seven or eight million
10. dollars, what bureaucrat wouldn't but...that quite frankly
11. our reductions made a lot of sense. They could be lived with
12. by the department very easily. We made accomodations at a couple
13. of point places where they thought that we had gone a wee bit
14. too far. We restored some...some of those items and now we're
15. making a four point six million dollar reduction that covers
16. I think virtually every institution, all of the regional offices,
17. and the central office and we're cutting just a little bit better
18. than one percent out of this four hundred and six million dollar
19. budget and I would move the adoption of Senate Amendment No. 4.

20. PRESIDENT:

21. Senator Regner.

22. SENATOR REGNER:

23. Mr. President, members of the Senate. As Senator Buzbee
24. said, the department is in total agreement with this of course
25. like any other agency they said they would like more however they
26. will do their utmost to assure that the House does concur in this-
27. amendment and will not be in a Conference Committee. I would
28. further like to add that this was a product of five different sub-
29. committee meetings. We had those five hearings and the department
30. also is going to do some reforming in next year's budget and the
31. way they represented in accordance with the suggestions of that
32. subcommittee and I would urge the adoption of this amendment.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Is there further discussion? Question is shall Amendment
2. No. 4 to House Bill 1599 be adopted. Those in favor indicate
3. by saying Aye. Those opposed. The Ayes have it. Amendment
4. No. 4 is adopted. Are there further amendments?

5. SECRETARY:

6. No further amendments.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. 3rd reading. House Bill 1736, Senator Regner. Read the
9. bill, Mr. Secretary.

10. SECRETARY:

11. House Bill 1736

12. (Secretary reads title of bill)

13. 2nd reading of the bill. The Committee on Appropriations I
14. offers four amendments.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Carroll.

17. SENATOR CARROLL:

18. Why thank you, Mr. President. By way of explanation there
19. may be some confusion in some of these amendments. Senator
20. Regner has indicated that he will bring it back tomorrow to adjust
21. anything that has to be adjusted but Amendment No. 1 removes
22. five hundred seven thousand dollars which had been the Governor's
23. Advocate Office. I would move adoption of Committee Amendment No.
24. 1.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Is there further discussion? Question is shall Amendment No.

27. 1...

28. SENATOR CARROLL:

29. Oh...were these adopted...were these adopted before?

30. SECRETARY:

31. Wait just a minute, Senator Carroll.

32. SENATOR CARROLL:

33. I think they were and the bill was held on 2nd so it merely

1. has to be advanced then. I don't mind adopting them again but...

2. SECRETARY:

3. Let's not...Mr. President, all four amendments, committee
4. amendments have been adopted.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. All right, Senator Regner.

7. SENATOR REGNER:

8. Yeah, Senator Carroll and I discussed this. I think there
9. is an error in the construction of Amendment No. 4 and possibly
10. in No. 3. I'd like to move it then bring it back tomorrow to
11. clean that up and we do have a further amendment after Senator
12. Carroll and I discuss it. So I'd like to move it to 3rd.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. With that understanding the bill...are there further amendments?

15. SECRETARY:

16. No further amendments.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. 3rd reading. House Bill 2137, Senator Maragos. House Bill
19. 2213, Senator Kenneth Hall. Read the bill, Mr. Secretary.

20. SECRETARY:

21. House Bill 2213

22. (Secretary reads title of bill)

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

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Kenneth Hall.

27. SENATOR KENNETH HALL:

28. I defer to Senator Carroll.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Carroll.

31. SENATOR CARROLL:

32. Thank you. Committee Amendment No. 1 is to itemize and
33. make sure that the grant, should it come from the Federal Economic

1. Development Administration of the Department of Commerce, be a
2. grant specified for the East St. Louis Industrial Development
3. Commission and I would move the adoption of Committee Amendment
4. No. 1.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Is there further discussion? Question is shall Amendment
7. No. 1 to House Bill 2213 be adopted. Those in favor indicate by
8. saying Aye. Those opposed. The Ayes have it. Amendment No.
9. 1 is adopted. Are there further amendments?

10. SECRETARY:

11. No further amendments.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. 3rd reading. Senator Kenneth Hall, for what purpose
14. do you arise?

15. SENATOR KEENETH HALL:

16. Well, Senator...Senator Soper has not Soperized this yet.
17. He has an amendment. I guess that if he doesn't have it prepared
18. we'll call it back tomorrow.

19. PRESIDING OFFICER: (SENATOR DONENWALD)

20. Senator Soper, with the understanding that the bill will
21. be recalled for the purpose of amendment, the bill is
22. advanced to 3rd reading. House Bill 2359, Senator Chew.
23. House Bill 2361, Senator Berman. Read the bill, Mr. Secretary.

24. SECREATY:

25. House Bill 2361

26. (Secretary reads title of bill)

27. 2nd reading of the bill. The Committee on Appropriations II offers
28. two amendments.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Buzbee.

31. SENATOR BUZBEE:

32. Thank you, Mr. President. I'm going to try to make my
33. explanation brief of Amendment No. 1 and then I'll defer to Senator

1. Berman.
2. PRESIDING OFFICER: (SENATOR DONNEWALD)
3. Senator Berman.
4. SENATOR BUZBEE:
 5. Well, I said no...You weren't listening, Mr. President.
 6. I said I'm going to make mine brief, then I'm going to defer
 7. to Senator Berman.
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. Please do...make it brief.
10. SENATOR BUZBEE:
 11. This is an increase, Amendment No. 1, is an increase in
 12. appropriations for the various categorical grant items by
 13. nineteen million one hundred sixty-two thousand dollars. The
 14. increases came about after a lot of consideration and so forth
 15. and we thought they were necessary and I will leave it to
 16. Senator Berman to explain the exact line items in each...in each
 17. instance.
18. PRESIDING OFFICER: (SENATOR DONNEWALD)
19. Senator Berman.
20. SENATOR BERMAN:
 21. Thank you, Mr. President, Ladies and Gentlemen of the Senate.
 22. House Bill 2361 is the appropriation for the categorical grants
 23. for FY'78 for our education facilities throughout the State of
 24. Illinois. There are a number of specific categorical grants.
 25. What I will do is to go down and indicate what Senate Amendment
 26. does and describe the program merely by title and indicate at
 27. the same time the increase which is represented over and
 28. above the House's...I'm sorry, the level of the budget as determined
 29. by the State Board of Education, their interpretation of Governor
 30. Thompson's recommended levels of appropriation. Let me explain
 31. what I mean by that. As you know, in the Governor's budget
 32. message...as you know by the Governor's budget message, he indicated
 33. that it was his desire in March when the budget message was given

1. in the first week of March, that seventy-five million dollars
2. increase over FY '77 was the amount of money that he recommended
3. increased for all of elementary and secondary education. He did
4. not indicate how that money was to be spent, how that increase.
5. As recently as Saturday, Dr. Mandeville, the Director of the Bureau
6. of the Budget, restated the Governor's position that it was not
7. the Governor's intention to line item any part of that seventy-five
8. million. The figures I am giving you is the State Board of
9. Education's translation of what that seventy-five million
10. dollar means as far as the categorical grants are concerned.
11. Senate Amendment No. 1 in relationship to the State Board's
12. allocation of the Governor's budget. Adult education, public
13. assistance, there is no change. That level is five million
14. four hundred thousand dollar. No change from the Governor's
15. recommended level. Adult education, Americanization, no
16. change. Adult education, basic education, no change. The gifted
17. reimbursement, the Governor's level was two million, Senate
18. Amendment No. 1 is an increase of one hundred thousand dollars
19. for two million one hundred thousand dollars. Gifted service
20. centers, Governor's recommended level was six hundred thousand,
21. Senate Amendment No. 1 is a five percent increase. Six hundred
22. adn thirty thousand dollars. Special education, personnel, this
23. is the amount of money that every school district in the State,
24. public school district that has special education programs, under
25. this State Statutes we have committed ourselves to a reimbursement
26. program. A reimbursement program of six thousand two hundred and
27. fifty dollars per certified teacher, twenty-five hundred dollars
28. for noncertified personnel in the public schools for special
29. education reimbhrsement. The schools throughout the State have
30. spent this money. The level that the Governor recommended for
31. special ed personnel reimbursement was ninety-eight million
32. nine hundred and eighty-three thousand dollars,with Senate Amendment
33. No. 1 we are recommending an increase of eleven million dollars for

1. a hundred and ten million dollar appropriation. I would point
2. out on that appropriation that is not the level...still not the
3. level of fully reimbursing the schools in accordance with the
4. level of the Statutory allotment that we had passed two or three
5. years ago. That would require a hundred and twenty million
6. dollars in recognition of fiscal restraints. We are ten million
7. dollars below that figure. Special education, nonpublic...
8. the next item I have, special education, extraordinary. That's
9. for the special education, extraordinary services for severely
10. handicapped children that is conducted in the public schools.
11. The Governor recommended a level of nine million dollars. We are
12. suggesting an increase of one million to ten million dollars. That
13. level is slightly below the amount requested by the State Board
14. of Education. Special education, orphanage reimbursement. The
15. Governor's level of...was ten million dollars. We are recommending
16. a one million dollar cut below that for nine million dollars.
17. Special education, private tuition. The Governor's recommended
18. level was ten million dollars , our recommendation is one
19. million six hundred thousand dollars less than that, eight million
20. four hundred thousand dollars. That amount is higher than BOB
21. or IOE have computed will be necessary to fund the State's share
22. of the private schools amount of their claims for special education.
23. The actual amount is closer to eight million one hundred
24. thousand. We are recommending a level of reimbursement at eight
25. million four hundred thousand which is the same as FY'77 figure.
26. Special education, I'm sorry, instructional materials. The
27. Governor's recommended level was two hundred thousand. We are
28. recommending a five percent increase in that, to two hundred and
29. ten thousand dollars, ten thousand dollar increase. Bilingual
30. education in Chicago, the Governor recommended nine million seven
31. hundred and fifty-thousand dollars. We are recommending ten
32. million five hundred thousand dollars, an increase of seven hundred
33. and fifty thousand dollars. This is still a million and a half

1. dollars below the amount requested by the State Board of
2. Education. The bilingual children throughout the State
3. are roughly seventy-five percent, twenty-five percent between
4. Chicago and downstate, accordingly the bilingual ~~line item~~
5. for downstate is one third of that figure that I just gave you
6. for Chicago. The Governor was three million two hundred and
7. fifty thousand. We are recommending an increase of two hundred
8. and fifty thousand, so bilingual downstate will be three and
9. a half million.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator, could you conclude your remarks. We've gone
12. overtime.

13. SENATOR BERMAN:

14. All right. Let me merely go down the list and indicate
15. where there were additional additions over the Governor's
16. recommended levels. Alternative education for truants, a ten
17. percent increase of fifty thousand dollars for five hundred
18. and fifty thousand. The Governor in the textbook loan program
19. recommended three and a half million, our recommendation is
20. seven million dollars for an increase of three and a half million
21. there. Pupil transporation, we're recommending an increase
22. of three million four hundred and twenty-five thousand. Special
23. education transportation an increase of two and a half million
24. and assessment grants, an increase of sixty-two thousand
25. five hundred for five million nine hundred thousand dollars.
26. In summation, Mr. President, this Amendment No. 1 represents
27. an increase, I'm sorry, and we have...we have decreased,
28. eliminated a new program called desegregation assistance which
29. the government...Governor recommended one million. We have
30. eliminated that one million dollars. In summation, Mr...
31.

32. (End of Reel)
33.

1.
2. ...members of the Senate. Senate Bill...Amendment
3. No. 1 to Senate Bill 2361 represents a net increase |
4. over and above the Governor's levels as interpreted by the
5. State Board of Education of nineteen million one hundred
6. and thirty-eight thousand dollars. We commend this to your...
7. for your consideration. We feel that these additions
8. have been made in areas of great need and justification.
9. Likewise, we think that the...that the decreases have been
10. made in light of fiscal responsibility and nonjustification
11. for the requested amounts of dollars. I'll be glad to
12. respond to any questions.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Shapiro.

15. SENATOR SHAPIRO:

16. Well, Mr. President, will the last speaker, I assume
17. he was the sponsor of the amendment, but I really don't
18. know. Would he yield to a question?

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. He indicates he will. Senator Berman.

21. SENATOR SHAPIRO:

22. Senator Berman, first of all I will preface my remarks
23. in that I am totally opposed to the changes made in the
24. bill as it came from the House and totally opposed to the
25. approximately forty-three million dollars that was added
26. by the Senate committee. But I would like to ask you a
27. question and I want you to try to explain some of the
28. rationale in the changes. Now, take public transportation
29. which helps downstate and suburban school districts who
30. transport their pupils from the House action of 39.1 million,
31. it was increased only eight hundred thousand. Now, that's
32. a program that affects downstate. It does not affect the
33. school district of Chicago. But when you take bilingual

1. education, the bulk of which goes to the Chicago School
2. District, the House action was eight million and you have
3. increased it to fourteen million. In other words,
4. six million dollars most of which goes to Chicago
5. whereas only an eight hundred thousand dollar increase
6. in downstate transportation. How do you rationalize
7. this?

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Berman.

10. SENATOR BERMAN:

11. First of all, Senator Shapiro, may I point out that
12. as you indicated, you didn't agree with the changes made
13. in the House so may I merely try to justify our increases
14. as...as compared not to the House, for which we have
15. no responsibility, but rather to the Governor's recommendations.
16. First of all, as far as transportation is concerned,
17. transportation is a program that is a commercial type of
18. service. And I would think that we would have a better
19. handle on a commercial type of service than we necessarily
20. have with a purely educational type of service. Our increases
21. are providing for downstate pupil transportation,
22. a seven percent increase over and above the amount needed
23. for FY '77. We felt that this is about two and a half times
24. more than your side of the aisle is giving in pay raises.
25. We think this is a response to additional costs of downstate
26. transportation.. That is why we have recommended a seven
27. percent increase. Now, I don't think that it's fair to
28. compare any of the educational programs with that item.
29. Now, in bilingual, if you wish to get into that
30. item at this point, let me explain to you some of the
31. problems pros and cons we have with bilingual. Bilingual
32. is a Federally mandated program. We have given the same
33. increase in the bilingual program downstate as we are proposing

1. in Chicago namely, a 7.7 percent increase over and above
2. the amount spent in FY '77. That's the...that's almost
3. the same increase as we've given to downstate transportation.
4. Now, I'm pointing out to you that fiscally, dollarwise,
5. we are holding bilingual to the same percentage increase
6. as we are doing to transportation. That's causing
7. Chicago and downstate bilingual programs a great problem
8. because in Chicago,in particular, they are under a Federal
9. administrative judges mandate to expand their program even
10. more than the money that we're allocating. But we are
11. keeping a substantial fiscal restraint upon that program.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Shapiro.

14. SENATOR SHAPIRO:

15. Well, Senator Berman, thank you for the very complete
16. explanation but you missed my point. Downstate trans-
17. portation is not funded like the law calls for. It calls
18. for eighty percent of the total costs and the appropriation
19. is eighty percent of that so that's in the neighborhood of around
20. sixty-four or sixty-five percent whereas the bilingual
21. is almost at one hundred percent funding. But be that
22. as it may, I think I would really now like to speak to the
23. bill and my reasons for opposing the increase. This bill
24. as it is now before us with the unadopted amendment,
25. does call for approximately fifty-three million dollars
26. of increased educational funds over...I'm sorry, I don't
27. want to...I don't want to mislead you. This bill calls
28. for approximately eighteen million of increased spending
29. over the Governor's recommendation. Now, it appears to me
30. that the best place we can put extra money if we have it
31. is not in the categorical aids but into the distributive
32. formula. Because then, the school districts can use it as
33. they please. They can use it for everyone of these special

1. grants and categorical aids. But if we put them into this,
2. it can only be used for that special purpose. But above and
3. beyond that, this year, the school aid formula, if we adopt
4. the Governor's budget, will be funded in the neighborhood
5. of ninety-six percent and in addition, we will have the
6. categorical aid which is almost close to full funding.
7. I'm going to oppose this and the fact that we do not have
8. this extra money available, I think if we make any increases
9. at all, we can best do it with the distributive formula
10. and I would urge everyone in the Chamber to oppose this
11. amendment.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Is there further discussion? Senator Davidson.

14. SENATOR DAVIDSON:

15. Yes, Mr. President and members of the Senate.
16. I rise in opposition to this amendment for two reasons.
17. One, it's now fifty-four million dollars over the
18. Governor's proposed budget if we adopt the amendments.
19. The House sent it over here with ten million plus over the
20. Governor's budget, but the thing the House had done,
21. they had reduced this bill as it was introduced a hundred
22. and forty-nine million dollars plus. Now, it behooves
23. us to resist these amendments, keep this budget within the
24. fiscal sights of the budget of the State of Illinois.
25. Now, we're not chopping off the schools. This budget,
26. as presented by the Governor, has an increase of
27. 77.3 million dollars over last year's appropriation.
28. We are given an increase in almost every area throughout
29. the entire State budget whether it's for retirement,
30. common school fund, categorical grants, et cetera. This
31. amendment should be defeated, keep this bill in a
32. reasonable amount of funding that can be done so
33. the Governor doesn't have to put an amendatory or

1. reduction veto and the schools are going to have to wait
2. till next November when we come back as to what their
3. final funding may or may not be. I urge the defeat of this
4. amendment.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Regner.

7. SENATOR REGNER:

8. Mr. President and members of the Senate, this is the
9. same situation we've had for the last couple of years.
10. An education budget...appropriation bill goes out of here
11. and it lights up a Christmas tree for the various school
12. districts around the State and come near the end of the year,
13. we realize the monies really aren't there just like
14. it was predicted earlier in the year. And then they have
15. to be disappointed. Their budgets are wrong and they're
16. scrounging around for the money to pay for it. I feel in
17. looking at the various projections of income from
18. Bureau of the Budget, Chamber of Commerce and so on and
19. so forth, that there's absolutely no justification
20. in estimating that much additional revenue to be available.
21. The only place it could come from possibly to think that
22. this could be available is from the Comptroller's
23. statements and his statements have always been a very...

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Just a moment. Would the members please be in their
26. seats. Would the unauthorized personnel please leave.
27. Now, we've already spent twenty-five minutes on this amendment
28. and we're not finished. Will the members please be in their
29. seat and be very brief. Proceed.

30. SENATOR REGNER:

31. As I was saying, the only place anyone could ever get
32. the numbers from that could justify an amendment such as
33. this is from the bottom line number that the Comptroller

1. keeps using. I can't see how he's justified. We've asked
2. him for several weeks in a row now to please supply us with
3. the individual breakdowns of the line items of...estimating.
4. He never has. He just keeps releasing press releases stating
5. a bottom line projection of additional monies. Now, if we
6. really believe in the oath of office we took when we were
7. sworn into this office, regarding Article VII of the
8. Constitution that we're to appropriate monies but those
9. ...appropriate monies for spending, but those appropriations
10. are not to be in excess of the estimated revenue. We are
11. violating our oath of office when we adopt an amendment such
12. as this because there is no way that this kind of revenue
13. could be projected and justified and I would urge the
14. defeat of this amendment.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Hynes.

17. SENATOR HYNES:

18. Mr. President and members of the Senate. I rise
19. in support of this amendment. It would add some nineteen
20. million dollars to the categorical grants to the school
21. districts around this State in an amount that is large,
22. certainly. But in terms of the overall State budget, it is
23. not a large item. It is an item that is within the
24. capacity of the State to afford and it is an item that the
25. State must afford. The grant items that are involved in
26. this are of extreme significance to school districts,
27. bilingual education, special education, transportation
28. and so on. And I think the increases which were worked out
29. very carefully in the committee and modestly added to each
30. line item can be supported and are justifiable. And I would
31. urge the members of this Body to vote Aye on the amendment.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Is there further discussion? Senator Berman may close

1. if he wishes. Do we have a roll call? Senator Berman.
2. The question is shall Amendment No. 1 to House Bill
3. 2361 be adopted. Those in favor vote Aye. Those opposed
4. Nay. The voting is open. Have all those voted who wish?
5. Take the record. On that question the Ayes are
6. 32, the Nays are 25. Amendment No. 1 is adopted. Are
7. there further amendments?
8. SECRETARY:
Committee Amendment No. 2.
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
Senator Buzbee.
10. SENATOR BUZBEE:
Mr. President, I would defer to Senator Rock on this one.
11. PRESIDING OFFICER: (SENATOR DONNEWALD)
Senator Rock.
12. SENATOR ROCK:
Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 2 or Amendment No. 2 offered by myself in committee, does two...the bionic system shorts out, too. It transfers eighty-one thousand dollars from Commodities and Printing into Telecommunications and EDP and additionally it adds, or adds to what the House action was, one hundred and ninety-eight thousand dollars to the personal services line item. The House saw fit to reduce the personal service line item for the operation of the Illinois Office of Education down to the FY '77 level. Frankly, some of us thought the amendment carried in committee that the House was a little heavy handed and so we restored a hundred and ninety-eight thousand dollars below their... which figure is below their FY '78 request but nonetheless a reasonable compromise, I felt, restored a hundred and ninety-eight thousand dollars to the general operations. I would

1. move the adoption of Amendment No. 2.
2. PRESIDING OFFICER: (SENATOR DONNEWALD)
3. Is there further discussion? The question...Senator
4. Buzbee.
5. SENATOR BUZBEE:
 6. Mr. President, I am supportive of this amendment in
 7. that we have a couple of other amendments in a minute
 8. which will make some reductions again.
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. Senator Regner.
11. SENATOR REGNER:
 12. Well, Senator Buzbee, we could do it a lot easier.
 13. We could defeat this amendment, withdraw the further
 14. amendment, then it would be a better cut. I urge the
 15. defeat of this amendment.
16. PRESIDING OFFICER: (SENATOR DONNEWALD)
 17. Is there further...is there further discussion?
 18. The question is shall Amendment No. 2 be adopted. Those
 19. in favor indicate by saying Aye. Those opposed. The
 20. Ayes have it. Amendment...the Ayes have it. Amendment
 21. No. 2 is adopted. Are there further amendments?
22. SECRETARY:
 23. No further committee amendments.
24. PRESIDING OFFICER: (SENATOR DONNEWALD)
 25. Are there amendments from the Floor?
26. SECRETARY:
 27. Amendment No. 3 offered by Senator Nimrod.
28. PRESIDING OFFICER: (SENATOR DONNEWALD)
 29. Senator Nimrod.
30. SENATOR NIMROD:
 31. Yes, Mr. President and Ladies and Gentlemen of the
 32. Senate. This amendment is an internal adjustment within
 33. the special education field. And what it does, it...the

1. original request for this particular provision provided
2. ten million dollars for the private tuitions and since this
3. basically affects the severely handicapped, which are in
4. the private schools and those that which are in the public
5. schools, these figures are based on estimates as
6. was reported to us in committee and I checked with the
7. Bureau of the Budget and they confirmed that these
8. estimates are...that the figures from this year are not
9. in and that these are based on estimates. In order for
10. us to give confidence to those providers within the
11. private sector and also to confirm what was said to us
12. in committee by the Office of Education, Doctor Cronin
13. indicated that his policy was to indicate support to the
14. schools, that the mainstreaming did not mean that the private
15. schools were going to take over all education. I would
16. suggest...I would propose in this amendment to provide
17. that the original figure of ten million dollars for
18. private tuition repayment be applied to the private tuition
19. category under special education and that the extraordinary
20. costs be reduced to eighty-four hundred and all this does is
21. shift these two figures within the special education area.
22. It does not take away any money from anything, any other
23. department. However, I think that the net result of this is
24. that it does give confidence to those private providers
25. and it does tell them that certainly the attitude that
26. prevailed in the statements of Dr. Cronin are certainly
27. consistent with the indication within this budget.
28. That...

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Berman.

31. SENATOR BERMAN:

32. Thank you, Mr. President. I stand in opposition
33. to this amendment. First, the problem with this amendment

1. is that you are taking money away from a very important
2. area. One...sixteen...one million six hundred thousand
3. dollars is being taken away from what the...what is called
4. special education extraordinary. These are severely handicapped
5. children that are treated in our public school system.
6. This is a special category. They are probably the most
7. severe handicaps in the public system and this...this amendment
8. proposes to take away a million six hundred thousand dollars
9. from that category. Now, I would point out that even
10. at the ten million dollar figure that Amendment 1 carries,
11. that is still a quarter of a million dollars below
12. what the State Board of Education says these extraordinary
13. handicapped children need. Now, as to the shifting of the
14. money to the nonpublic tuitions, that is true, that it
15. is based upon estimates. But that is what most of these
16. things are, based upon estimates. Head counts were taken
17. and submitted by every school district throughout the
18. State and that is what these figures are based on. We don't
19. pick figures out of the air. We're taking them about...
20. upon estimates made. Now, if Senator Nimrod feels that the
21. estimates are low, I suggested to him last Saturday
22. in committee, let him propose an amendment to add on,
23. The reason I oppose this amendment is that you're taking away
24. from severely handicapped children being treated in our
25. public system. I oppose the amendment.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Buzbee.

28. SENATOR BUZBEE:

29. Well, Mr. President, I would point out, first of all,
30. that Senator Nimrod did not even bother to give anybody a
31. copy of the amendment until after it was already offered and until
32. after he had already done his explanation. Quite frankly,
33. we try to do things a little bit differently than that
34. over here and we try to give the Minority Spokesmen and the

1. sponsor of the bill a little bit of forewarning before
2. we go ahead and make some changes with the introduction of
3. dollar amendments. However, I join with Senator Berman
4. in adamant opposition to this amendment. These were worked
5. out very carefully. The figures that we used were actual
6. pay out figures as determined by IOE. And Senator Berman...
7. pardon me, Senator Nimrod has decided that he doesn't like
8. those figures which is fine and as Senator Berman said,
9. he asked him in committee on Saturday if he didn't
10. like that figure, come in with an amendment to offer more
11. money for that one, but don't take it away from that
12. other source that is the source of public education to
13. ...to further the cause that he is interested in and I
14. stand in adamant opposition to this amendment.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Glass.

17. SENATOR GLASS:

18. Thank you, Mr. President. I rise in support of this
19. amendment and I'm frankly surprised that in this
20. enormous increase that has been added by this amendment,
21. forty-three million dollars, which the State simply can't
22. afford, and I think the sponsors know the Governor is going
23. to have to veto and in...despite all of this...

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Just...just a moment. Senator Rock, for what
26. purpose do you arise?

27. SENATOR ROCK:

28. Point of order. I must have missed half of the
29. conversation at least. My indication is it's only nineteen
30. million dollars. I don't know where forty-three comes
31. up. But nineteen is plenty as I heard from Senator Shapiro.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Glass.

1. SENATOR GLASS:
2. All right. I stand corrected on the nineteen
3. rather than forty-three. Thank you, Senator Rock.
4. In the nineteen million dollar increase, there has
5. actually been a reduction in private tuition. Now,
6. these, Senator Berman, are the severely handicapped
7. children. These are the children that cannot be
8. accommodated in the public schools. And despite
9. the fact that there have been substantial increases
10. in a number of other line items, there has been a
11. decrease for private tuition and it looks to me like
12. an attempt to change the policy of the State of Illinois
13. in supporting these private institutions and a move toward
14. mainstreaming and I think this Body ought to reject it
15. by adopting Senator Nimrod's amendment.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Newhouse.

18. SENATOR NEWHOUSE:

19. Thank you, Mr. President. Mr. President, I wonder
20. if I could ask questions of both the sponsor and the...
21. and the person who is proposing the amendment.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. If they will yield.

24. SENATOR NEWHOUSE:

25. Thank you.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. They will.

28. SENATOR NEWHOUSE:

29. Well, I'm going to ask a general question.
30. When we talk about the private institutions, we're talking
31. about multiply handicapped kids. And am I to understand
32. that there was a nineteen million dollar increase and a
33. decrease in the funds allocated to the private schools?

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Well, Senator Rock or Senator Berman or Senator...
3. who wants to answer? Senator Rock.

4. SENATOR ROCK:

5. Well, I would like to because Senator Newhouse and
6. I share part of the same...a great deal of the same concern.
7. One of the largest schools from the multiply handicapped
8. happens to be in the 18th Legislative District on
9. Washington Boulevard and Senator Newhouse has visited that
10. institution, I am sure. The testimony in the committee
11. and the testimony, frankly, is that this is a reimbursable
12. claim and we...the Office of Education has indicated that
13. in their...in their budget request, when the Governor said
14. you have X amount of money, the State Board of Education
15. and the Office of IOE try to allocate that. Their
16. original request was ten million dollars. They have
17. come to the conclusion that it was high and that, in fact,
18. to keep up the level of special ed that is provided by
19. these private schools, that, in fact, it will only be
20. eighty-one. Now, it is not an...it was not...and it's
21. up over...last year, by the way. But it's not an attempt
22. in any respect to...to indicate some of the concerns that
23. you had with respect...you know...I was well aware
24. and voted for the resolution that you had. It's not in
25. any way a derribution of the private schools or saying
26. that we are going to put these kids in a public...public
27. system. Dr. Cronin was before the committee. It was
28. 5:30 or 6:00 o'clock last Saturday. Admittedly, everybody
29. was tired and...and the committee was going pretty fast
30. but we spent an inordinate amount of time on this
31. very subject and I, for one, am convinced that Senator
32. Berman's amendment is a good one and I will support it.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Berman. Well, Senator Newhouse.

2. Senator Berman.

3. SENATOR BERMAN:

4. May I answer further and tell Senator Glass, I'd
5. like you to pay attention, because I want to make a
6. point very clear. The private schools are not getting
7. less money. They are getting more money. Let me explain
8. to you why. Three years ago, we passed a bill that increased
9. the State's commitment for the private school tuition.
10. We increased it from a maximum of two thousand dollars
11. to a maximum of twenty-five hundred dollars. At the same
12. time in the same bill, we changed the way this twenty-
13. five hundred dollars is paid. It used to be that every
14. local school district paid six hundred dollars per
15. pupil that was placed in a private school and the State
16. paid the balance of the tuition up to a maximum of nineteen
17. hundred so there was a total of twenty-five hundred
18. ...I'm sorry, a balance of up to fourteen hundred so it
19. was a total of two thousand dollars. When we upped the
20. amount of tuition that would be reimbursed from two thousand
21. to twenty-five hundred, we changed the local districts
22. participation. We changed it from six hundred dollars
23. per pupil to a per capita contribution. Now, what does
24. that mean? That, in fact, means that instead of every
25. child being...being paid or the tuition for every child
26. being paid six hundred dollars from that local school
27. district, they are now being paid nine hundred, twelve
28. hundred, fifteen hundred, two thousand dollars from each
29. of the local school districts. That's the reason the State's
30. portion can, in fact, be decreased not because the
31. cost or the head count has gone down, but because the
32. State's share of the total contribution is cut down.
33. We've shifted the burden to the local district. And that is

1. why I say to you and that's why IOE and BOB says, the
2. amount of money necessary to fully pay the State's
3. commitment, the State's commitment for all these children
4. that are being treated in these private institutions
5. is, in fact, only eight million one hundred thousand.
6. We've given them, in this recommendation, a three hundred
7. thousand dollar buffer so in case there is some error
8. in figures, we're still over what BOB and IOE says
9. will be necessary. But it does not mean in any way
10. that there is less money, total money, being paid
11. for these children in these private facilities.
12. In fact, it has gone up. According to IOE's figures,
13. the per capita contribution from the local districts
14. has gone up from close to twelve hundred dollars last
15. year to closer to fifteen hundred dollars. That's where
16. the more...that is where more money is coming from but
17. because of the change in the formula, our State obligation
18. has, in fact, decreased dollarwise.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Nimrod.

21. SENATOR NIMROD:

22. Yes.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. We're moving along very slowly. I think that Senator...

25. SENATOR NIMROD:

26. Mr. President, since the two others answered the
27. question, I would just briefly like to answer that question
28. also for Senator Newhouse because we've got two from the
29. other side and we haven't had a chance to...Senator
30. Newhouse, the answer to your question is a simple one.
31. The original bill, as proposed, was ten million...
32. private tuition. The House action left it at ten million.
33. The Senate amendment which added nineteen million reduced it

1. to eight million four hundred thousand. Yes, it was
2. reduced. And my figures are that not eighty-one
3. hundred but the one that the private schools are using
4. are eighty-three hundred and the cost presently ranged
5. somewhere between twelve and thirteen hundred. If you
6. multiply that, that's pretty close to eleven million
7. dollars. The fact is that what we're doing is letting
8. the private schools know that we are reducing the
9. amount while we're increasing by nineteen million.
10. They're getting the idea that mainstreaming and you
11. recall our resolution, Senator Newhouse, was passed
12. in this Legislature last year and we took a stand here
13. which said we support it. Well, we're not supporting it
14. when we reduce that money.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Well, now, just a moment. There are several more
17. that wish to speak. We're very...Senator Newhouse
18. did you wish to reply? Senator Newhouse.

19. SENATOR NEWHOUSE:

20. Senator... Senator Nimrod yield for a question, please.
21. Senator... .

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Indicates he will.

24. SENATOR NEWHOUSE:

25. ...is it accurate that the funds that...in your
26. amendment will come from another group of handicapped kids?

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Nimrod.

29. SENATOR NIMROD:

30. The money for the increase to the eight million says
31. that rather than that money which is staying...there's a
32. total amount of money in special education. We are not
33. reducing that with my amendment. All my amendment does is

1. shift it from one area in special education to another
2. area of special education. So what it does, it takes
3. it from the extraordinary costs, which are the monies |
4. that are kept by the public schools and it takes that
5. money and puts it by the...in other words, that was
6. increased with this...and I'm reducing that and I'm
7. increasing the tuition for the private schools.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Newhouse. Your time has expired. Would you
10. please close.

11. SENATOR NEWHOUSE:

12. I haven't said anything.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator, you asked...question. The time that
15. the Gentlemen have used was on your time. Would you
16. proceed?

17. SENATOR NEWHOUSE:

18. Senator, I didn't expect to support an amendment
19. that would take from one group of handicapped kids and give
20. it to another group of handicapped kids. I want to support
21. an amemdment that gives fresh money to a group of children
22. that I think desprately need it. Now, let me tell you
23. what the problem is. The problem isn't the head count.
24. The problem is that there are so many youngsters in that
25. city unserved who can't get into these institutions
26. because as a matter of fact, there isn't enough money
27. for tuition. And in almost all these schools, there is
28. an additional amount that has to be paid by parents, many
29. of whom cannot afford it so it seems as if when we talk
30. about head count, that the problem has been solved.
31. Well, the problem hasn't been solved. The problem is
32. more severe than ever because some people are now beginning
33. to awaken to the fact that there is some help for their

1. children. And to cut off any of these monies is, in
2. my estimation, absolutely unconscionable. What we ought
3. to be doing is raising the amount possible for tuition
4. and letting some parents who have handicapped children
5. know that the State is providing some measures by which
6. some of these children might even be returned to productivity.
7. That's the point. And I want to support an amendment
8. that provides some fresh money for that purpose. I'm
9. wondering if the sponsor would be willing to bring it
10. back from 3rd on tomorrow for that purpose.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Buzbee.

13. SENATOR BUZBEE:

14. Senator Newhouse, as...as we said once before, we
15. told Senator Nimrod in committee on Saturday, that if he
16. wanted to put an amendment that would raise that up,
17. he could certainly try that and there would be some...
18. probably be supportive. What you're advocating, I don't
19. think it can be got at, if you will, in this bill in that
20. we'll have to change the formula to do what you want to
21. do and perhaps that's the thing we ought to do. The
22. eight million four hundred thousand dollars that is
23. ...was recommended by the adoption of Senate Amendment No.
24. 1, Senator Berman's amendment, was three hundred thousand
25. dollars over what the Office of Education said will
26. be pay out this year. They say the amount will actually
27. be eight million, one hundred thousand dollars. We added...
28. we put it...we put it to eight million four hundred
29. thousand dollars on the basis of giving them some cushion
30. there. And the question you asked Senator Nimrod a
31. while ago, is are you taking away from one category of
32. special ed kids to put to another special...to another
33. category. The answer in a nutshell, he went a long way

1. around it, but the answer in a nutshell to that is yes.
2. So, to get to the problem you're wanting to address, Senator
3. Newhouse,...Senator Newhouse, to get to the problem you
4. want to address, we need to change the formula. We cannot
5. do that in an appropriations bill. All we can do in
6. the appropriations bill is to use the best figures that
7. are available and appropriate the pay out amount, which
8. in this case, is eight million four hundred thousand...
9. again three hundred thousand over what IOE says is necessary.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Is there further discussion? Question...the question...
12. did you wish a roll call, Senator? You want to conclude,
13. Senator? Senator Nimrod.

14. SENATOR NIMROD:

15. Very...very briefly, Mr. President, everyone seems to
16. be speaking for everyone else. I would like to say this,
17. that Senator Newhouse, you voted for an amendment
18. which, in fact, reduced the amount of money that went to
19. private tuition when we increased by nineteen million.
20. I'm not saying add more to the nineteen million. I'm
21. saying just reallocate that money among the nineteen
22. million. Now, this is certainly a...an amendment which
23. is going to have far more strong...stronger effect...and
24. reaching effect on the individual private schools who are
25. going to say that the Senate did not mean what they
26. meant, that they are going along with mainstreaming.
27. And that means take away money from those institutions
28. that we do not support them. There was a nineteen million
29. dollar increase. We did not...we took money away from the
30. private tuition for the...for the severely handicapped.
31. All I'm saying is return it and that's a simple amendment
32. and if we want to show good faith, we would return it.
33. Now, we don't have to add more than nineteen million to do it.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Question is shall Amendment No. 3 be adopted.
3. Those in favor vote Aye. Those opposed Nay. The voting
4. is open. Have all those voted who wish? Have all those
5. voted who wish? Take the record. On that question the
6. Ayes are 24, the Nays are 32. Amendment No. 3 fails.
7. Are there further amendments?
8. SECRETARY:
9. Amendment No. 4 offered by Senator Regner.
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. Senator Regner.
12. SENATOR REGNER:
 13. Mr. President and members of the Senate.
 14. This amendment reduces operations by two hundred and
 15. seventeen thousand dollars. It's thirty-five thousand
 16. six hundred dollars and plus the retirement and social
 17. security for one ombudsman administrative employee,
 18. we try to find out who he was or what he does and no one
 19. seemed to know what he does. Eighty-eight thousand
 20. five hundred dollars contractual services and this is
 21. a reduction in rental. They were proposing much more rental
 22. in their warehousing and with no explanation of what
 23. the increased warehousing was for and the most interesting
 24. part about it, the proposal also would renegotiate...the
 25. total per square foot cost up about sixty-one cents
 26. and that's what the proposal increasing the total square
 27. footage. Reduction of twenty thousand dollars in travel
 28. for the superintendent. What he did in the past year,
 29. the superintendent has spent twenty-one...twenty-nine
 30. thousand dollars personal travel and I think maybe if we
 31. reduce his travel, he could stay in the State a little
 32. bit more time and solve the problems in the office and
 33. sixty thousand dollars in commodities. This is a nonrecurring
 34. expense. The School Code was just printed this last year.

1. It's not printed every year so we took the sixty thousand
2. out in this appropriation and then an eighty-three hundred
3. dollar reduction in equipment and this would provide them
4. for the same amount of money that they had at last year's
5. level.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Is there further discussion? Senator Buzbee.

8. SENATOR BUZBEE:

9. I concur with what Senator Regner is doing, Mr.
10. President.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Is there further discussion? The question is shall
13. Amendment No. 4 be adopted. Those in favor vote...indicate
14. by saying Aye. Those opposed. The Ayes have it.

15. Amendment No. 4 is adopted. Are there further amendments?

16. SECRETARY:

17. No further amendments. Amendment No. 5 offered by
18. Senator Buzbee.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Buzbee.

21. SENATOR BUZBEE:

22. Mr. President, this is...reduces the various line
23. item appropriations by thirty-four thousand eight hundred
24. seventy-four dollars to reduce salary increases to employees...
25. to employees who earn over eighteen thousand dollars a year
26. to a two and a half percent total pay increase they can get.
27. That's...eighteen thousand dollars a year. Your increase...
28. pay increase next year would be two and a half percent.
29. That's a total reduction of thirty-four thousand eight
30. seventy-four. I would move the adoption of this amendment.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Is there further discussion? Senator Regner.

33. SENATOR REGNER:

1. We agree.
2. PRESIDING OFFICER: (SENATOR DONNEWALD)
 3. Question is shall Amendment No. 5 be adopted. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 5 is adopted. Are there further amendments?
 4. SECRETARY:
 5. No further amendments.
 6. PRESIDING OFFICER: (SENATOR DONNEWALD)
 7. 3rd reading. The President has advised me that there was leave given to return to House Bill 689. Read the bill, Mr. Secretary.
 8. SECRETARY:
 9. House Bill 689.
 10. (Secretary reads title of bill)
 11. 2nd reading of the bill. The Committee on Appropriations II offers one amendment.
 12. PRESIDING OFFICER: (SENATOR DONNEWALD)
 13. Senator Buzbee.
 14. SENATOR BUZBEE:
 15. Thank you, Mr. President. This amendment is a simple little amendment. Doesn't do very much. It increases the appropriation for the General State Aid Formula for distribution to schools by thirty-four million, eight hundred eighty thousand dollars over the amount included in the Governor's budget. The appropriation of one billion three hundred twenty-eight million eight hundred eighty thousand dollars will fund the formula at ninety-eight percent. Of total estimated State Aid claims for 1977 - '78 and I would defer to Senator Berman for further explanation.
 16. PRESIDING OFFICER: (SENATOR DONNEWALD)
 17. Senator Berman.

1. SENATOR BERMAN:

2. Thank you, Mr. President. Some of the questions
3. that were raised on the previous bill really pertain to
4. this bill and the last bill. I have distributed to
5. every member of the Senate a letter with attachments
6. from the Comptroller, Dr. Bakalis. In the committee
7. testimony was submitted by Dr. Mandeville, Director of the
8. Bureau of the Budget, challenging the Comptroller's
9. and the Illinois Economic and Fiscal Commission's
10. projections that we will have eighty million dollars
11. more in FY '78 than the Governor anticipated. The
12. bottom line is that the Governor uses an economic
13. forecaster which has been consistently pessimistic
14. and conservative. Let me read to you for a moment
15. some of the quotes from the monthly newsletter of the
16. Chase Econometrics which is the economic forecaster
17. used by the Governor. January 25th, they talk about
18. a bleak picture of the economy. February 25th, stuck
19. with a sluggish economy. March 25th, look for a decline
20. in the growth rate to two to three percent for the
21. fourth quarter. The economy will be plunged into
22. another downturn in '78. April 27th, the economy
23. activity sours once again. May 25th, the economy will
24. enter a three to four quarter period of virtually no growth.
25. Now, compare that with the handouts that I have given
26. you from Dr. Bakalis. This morning's Chicago Tribune
27. Monday A.M. Business Report, quote "The American economy
28. should continue it's recovery..."

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Just a minute. For what purpose do you arise,
31. Senator Harber Hall.

32. SENATOR HARBER HALL:

33. I'd like to have a ruling on a point of order here. I...

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. State your point.
3. SENATOR HARBER HALL:
4. It would seem to me that Senator Berman is not
5. discussing the bill or the amendment at hand.
6. PRESIDING OFFICER: (SENATOR DONNEWALD)
7. He is digressing a bit, but would you stick to the
8. issue, Senator Berman. Your time has about expired...
9. SENATOR BERMAN:
10. All right. I won't...
11. PRESIDING OFFICER: (SENATOR DONNEWALD)
12. ...anyway.
13. SENATOR BERMAN:
14. I won't read from the handout because you can all
15. see that every other type of economic forecaster says
16. there's going to be an upturn. Based on that upturn
17. and based upon a projection of eighty million more,
18. we have recommended in this bill thirty-five million
19. dollars more for the Distributive Aid Formula and the
20. nineteen million dollars more in the bill we just discussed.
21. Based upon these good projections, and the needs of our
22. schools, I commend to you an affirmative vote on Amendment
23. No. 1.
24. PRESIDING OFFICER: (SENATOR ROCK)
25. Is there any discussion? Senator Shapiro.
26. SENATOR SHAPIRO:
27. Would the sponsor yield for a question?
28. PRESIDING OFFICER: (SENATOR ROCK)
29. Sponsor indicates he will yield. Senator Shapiro.
30. SENATOR SHAPIRO:
31. Senator Berman, what does this amendment do?
32. PRESIDING OFFICER: (SENATOR ROCK)
33. Senator Berman.

1. SENATOR BERMAN:
2. This brings the level of the State Aid for the
3. Distributive Fund for schools up to a level of one
4. billion three hundred and thirty million eight hundred
5. and eighty thousand dollars. An increase of thirty-
6. four million eight hundred and twenty-five thousand
7. eight hundred dollars over the Governor's recommended
8. level instead of 95.4 percent of full funding, this will
9. bring us to ninety-eight percent of full funding.
10. PRESIDING OFFICER: (SENATOR ROCK)
11. Senator Shapiro.
12. SENATOR SHAPIRO:
13. Well, I would like to speak to the amendment and
14. as you all know, this amendment has increased the
15. Distributive Formula...Distributive Aid which includes
16. State Aid and hold harmless and so on and so forth.
17. Approximately twenty-four millions over what the House
18. approved and they had increased it approximately ten
19. million prior to that. I think that the Governor's
20. level which provides a funding level of approximately
21. ninety-five to ninety-six percent in a year of austerity
22. is sufficient for our school districts and all we do by
23. adding more money than we can afford is raise the hopes
24. of our school districts and they wait until fall when
25. they veto the Override Session arrives and hopes that
26. the money will be restored because just as sure as we're
27. taking action on this bill tonight, the Governor
28. is going to reduce the amendment, reduce the bill to his
29. level if it comes down to his desk at any increased effort
30. by this Senate or by the House. I think the sponsor of the
31. amendment who used the rationale that Comptroller Bakalis
32. said that there was going to be an additional eighty
33. or a hundred million or sixty million, I never know what

1. the figure is from one day to the next. I think had we
2. listened to his projections on our June 30th fund
3. balance, if we had listened to him back in February
4. when he first made his predictions, today we would be
5. thirty million dollars in the hole. So, I want to urge
6. everyone to resist the amendment. I think the funding
7. level that the Governor has proposed...proposed in his
8. budget is adequate. I think the people of this State expect
9. us to tighten the belts on the State budget to set
10. an example for the rest of our governments throughout the
11. State. The money...the amount of money in there at the
12. Governor's proposed level is adequate. It's more than
13. anyone hoped for and it brings us within striking
14. distance of full funding for next year.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Further discussion? Senator Hynes.

17. SENATOR HYNES:

18. Mr. President and members of the Senate. Not to
19. prolong...not to prolong this discussion, I think Senator
20. Berman very adequately and very excellently outlined
21. the reasons to justify this amendment. I...I would rise
22. in support of the amendment. I think this is much needed
23. additional assistance to the schools of this State and
24. I would hope the membership would adopt the amendment
25. just as we did with the prior bill.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Any further discussion? Senator Regner.

28. SENATOR REGNER:

29. Question of Senator Berman.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Berman indicates he will yield. Senator
32. Regner.

33. SENATOR REGNER:

1. Senator Berman, did Mr. Cronin endorse this
2. amendment?

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Berman.

5. SENATOR BERMAN:

6. I...I'm not sure. I don't think he's taken
7. a position. I don't...I know that originally they asked
8. for full funding. They have submitted what the Governor's
9. projections were. I'm not aware of Dr. Cronin's
10. position on this bill.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Regner.

13. SENATOR REGNER:

14. Well, I did ask him that question in committee and
15. he did answer yes to this amendment and also the amendment
16. on 2361 and that's the biggest fault I find with Dr.
17. Cronin is his irresponsibility on fiscal matters here
18. but as I said in committee, I guess it shouldn't come
19. as any great surprise because my feeling and a great
20. number of the people here...feeling is that ever since
21. he took that office, it's been an irresponsible position
22. he's took...he's taken on issue after issue after issue. And I
23. certainly would urge the defeat of this amendment. The
24. State just can't afford it. We don't have the money
25. and one more time, we're waving the goody goody flag before
26. the various school boards in the State, promising something
27. that they're not going to get, it can't be delivered to them.
28. So, I would rather be...be responsible and truthful with them
29. so they know where they stand and they know what kind of
30. tax levies they have to have and how much money they're
31. going to spend and I would urge the defeat.

32. (The following typed previously)

33.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Is there any further discussion? Senator Berman
3. may close the debate. Question is the adoption of
4. Amendment No. 1 to House Bill 689. All those in favor
5. signify by saying Aye. All those opposed. The Ayes
6. have...the Ayes have it. Roll call has been requested.
7. Those in favor of the adoption of Amendment No. 1 to House
8. Bill 689 will vote Aye. Those opposed will vote Nay.
9. The voting is open. Have all voted who wish? Have all
10. voted who wish? Take the record. On that question the
11. Ayes are 32, the Nays are 25, none Voting Present. Amendment
12. No. 1 to House Bill 689 is adopted. Any further amendments?
13. SECRETARY:
No further amendments.
14. PRESIDING OFFICER: (SENATOR ROCK)
3rd reading. On the Order of House Bills, 2nd reading,
House Bill 921. Senator Guidice. Read the bill, Mr.
Secretary.
15. SECRETARY:
House Bill 921.
(Secretary reads title of bill)
16. 2nd reading of the bill. This bill had a request for a
fiscal note which has been answered. No committee
amendments.
17. PRESIDING OFFICER: (SENATOR ROCK)
Any amendments from the Floor?
18. SECRETARY:
Amendment No. 1 offered by Senator Berning.
19. PRESIDING OFFICER: (SENATOR ROCK)
Senator Berning. Berning.
20. SENATOR BERNING:
Thank you, Mr. President and members of the Senate.
21. Amendment No. 1 would return this Act back to the original

1. state. The request here before us with House Bill 921
2. is to mandate some additional coverage in insurance
3. programs. The reasoning, the justification for this
4. was action taken by the Senate a year ago in mandating
5. another type of professional under this insurance coverage,
6. namely psychologists. Ladies and Gentlemen of the Senate
7. and Mr. President, this amendment would revert back to the
8. original status of this health insurance, eliminating
9. psychologists and therefore, eliminating the drive for
10. further expansion which is the intent of 921. I'd move
11. for the adoption of Amendment No. 1.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Berning has moved the adoption of Amendment No.
14. 1 to House Bill 921. Is there any discussion? Senator
15. Guidice.

16. SENATOR GUIDICE:

17. Thank you, Mr. President and members of the Senate.
18. I resist this amendment. It's a bad amendment. I talked to
19. Senator Berning before. I thought there was an understanding
20. that we weren't going to do this and I oppose it.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Any further discussion? Senator Berning has moved
23. the adoption of Amendment No. 1 to House Bill 921.
24. All those in favor signify by saying Aye. All those opposed.
25. The opinion of the Chair, the Noes have it. The amendment
26. fails. Further amendments?

27. SECRETARY:

28. Amendment No. 2 offered by Senator Berman.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Berman.

31. SENATOR BERMAN:

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

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Senate.
3. SENATOR BERMAN: }
 4. Senate. Just got done talking to my Senator Brady.
 5. Amendment No. 2...Amendment No. 2 is an amendment that
 6. represents a substantial commitment timewise between the
 7. principal sponsor, Senator Guidice and myself, in..
 8. keeping with the discussion that was had on this bill in
 9. committee. This bill changes...this amendment changes
 10. the bill to provide as follows: in the first part of the
 11. bill, we outline the amount of training that a clinical
 12. social worker who seeks to be qualified for third
 13. party reimbursement by an insurance company must take and
 14. that requires two years of graduate education with
 15. a basic social work curriculum, specialization
 16. in clinical social work practice, a Masters or higher
 17. degree in social work and five years of supervised clinical
 18. social work practice relating to the treatment of mental,
 19. emotional or nervous disorders or conditions. They must
 20. be registered under the certified social worker...the
 21. Social Workers Registration Act and we, then, go on
 22. to define the type of facility where this supervised
 23. training for a five year period can take place. We've
 24. described it in generic terms, maybe that's the wrong word
 25. to use, general terms...
26. PRESIDING OFFICER: (SENATOR ROCK)
 27. From the Chair's viewpoint, anyway.
 28. SENATOR BERMAN:
 29. ...and...but what we have said here is that the
 30. Director, which would be the Director of the Department of
 31. Insurance, shall promulgate rules and regulations as deemed
 32. necessary to carry out the intent of this section.
 33. That's the...a very important part of this because we have

1. spelled out in this amendment the perimeters...the
2. perimeters to try to bring in highly qualified social
3. workers into the stream of third party reimbursement
4. and to assure that there will be qualified, competent,
5. dedicated mental help...health services available to the
6. Illinois public. It is my recommendation that this bill
7. ...that this amendment fulfills that kind of guidelines.
8. I offer Amendment No. 2 for adoption to House Bill 921.
9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Berman has moved the adoption of Amendment No.
11. 2 to House Bill 921. Any discussion? Senator Shapiro.

12. SENATOR SHAPIRO:

13. Will the sponsor yield to a question?

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Sponsor indicates he will yield.

16. SENATOR SHAPIRO:

17. Senator Berman, what would be your definition of
18. social service agency?

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Berman.

21. SENATOR BERMAN:

22. My interpretation is irrelevant. That is what the
23. Director of Insurance will hold hearings on.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Shapiro.

26. SENATOR SHAPIRO:

27. Well, I don't know whether that's a proper answer
28. or not, but I can think of several social service agencies
29. where social workers could be reimbursed by insurance
30. companies for counseling in abortion clinics, in a school
31. setting, in any type of a setting where there was a
32. ...a clinical social worker, either in a group practice or
33. in a private practice, without supervision by a psychiatrist
34. or a physician. And as I read this amendment, they would

1. be able to diagnose and treat without the benefit of the
2. necessary medical background to recognize diseases that
3. this person might be have...might have, that could be
4. interpreted as a mental illness.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Berman.

7. SENATOR BERMAN:

8. Senator Shapiro, you show me anywhere in this
9. amendment where you have the word diagnosis. You don't
10. have to look. It's not there. We have taken out the
11. word diagnosis which was in some previous drafts in the
12. previous bill. Diagnosis is excluded and we have
13. tried to keep this totally tight. When we're talking about
14. the...the services that can be reimbursed, I refer you to
15. the last paragraph which says, clinical social work
16. services reimbursable by insurers under this Act shall
17. be restricted solely to services rendered for the treatment
18. of mental, emotional or nervous disorders or conditions
19. provided in the aforementioned settings or in a private
20. clinical social work practice.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Shapiro.

23. SENATOR SHAPIRO:

24. Well, Senator Berman, how is that person going to
25. render a service for treatment if the diagnosis isn't...isn't
26. made? Who is going to make the diagnosis?

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Berman.

29. SENATOR BERMAN:

30. Not the social worker, it will be either...it will
31. be someone who is competent to make a diagnosis. That's
32. exactly the point. I don't want social workers to do
33. diagnoses. They are not allowed to under this bill. One

1. point I missed and Senator Soper called my attention to it,
2. this amendment also has a delayed effective date till July
3. 1 of '78. The purpose of that is so that we can review
4. the impact dollar-wise and treatment-wise of the
5. qualifications for the clinical psychologists before
6. the clinical social workers come into play.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Is there any further discussion? Senator Maragos.

9. SENATOR MARAGOS:

10. Will my worthy colleague submit to a question?

11. PRESIDING OFFICER: (SENATOR ROCK)

12. He indicates he will yield. Senator Maragos.

13. SENATOR MARAGOS:

14. Arthur, are there any parts of this bill that still
15. give some control to the psychiatrist or psychologists
16. before any final treatment is given?

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Berman.

19. SENATOR BERMAN:

20. If a person is...has had the requisite schooling
21. and training, they are qualified to render and be
22. reimbursed for treatment of mental, emotional or
23. nervous disorders without direct supervision...we...
24. of a psychiatrist or a doctor. That's for the level...
25. their level of service. There is no supervision provided
26. in here once they've completed their training requirements.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Further discussion? The question is the adoption
29. of Amendment No. 2 to House Bill 921. All those in favor
30. signify by saying Aye. All those opposed. The Ayes have
31. it. The amendment is adopted. Any further amendments?

32. SECRETARY:

33. Amendment No. 3 offered by Senator Berning.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Berning.

3. SENATOR BERNING:

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

5. Some of the questions raised when Amendment No. 2 was

6. just offered and acted on, I believe fully will be

7. resolved if you seriously consider Amendment No. 3.

8. And let me just read it to you. It's very simple.

9. The treatment protocol of a clinical psychologist or

10. clinical social worker shall be deemed to include referral

11. to a physician for a medical evaluation to identify for the

12. patient the fact that no manifest medical condition

13. exists which cannot be appropriately treated by a clinical

14. psychologist or clinical social worker. This, Ladies

15. and Gentlemen of the Senate, and Mr. President, is designed

16. to assure...to assure that patients will not be inadvertently

17. treated by a clinical social worker or psychologist without

18. prior examination by a doctor, a physician. This, I submit

19. to you, Ladies and Gentlemen of the Senate, has been one

20. of the major concerns expressed by those who have

21. come to us in opposition to this bill. If you would

22. agree with me that this will make the bill a workable bill,

23. I join...ask you to join me in voting for Amendment No. 3.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Berning has moved the adoption of Amendment

26. No. 3 to House Bill 921. Is there any discussion? Senator

27. Guidice.

28. SENATOR GUIDICE:

29. Mr. President. Thank you. I resist the amendment.

30.

31.

32. End of reel.

33.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Shapiro.

3. SENATOR SHAPIRO:

4. Well, I want to rise in support of this amendment because
5. if what Senator Berman tells me is the fact, this just spells
6. it out and says that they cannot diagnose until they are referred
7. to a physician or a psychiatrist. I see no reason why this
8. amendment should be opposed.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Philip.

11. SENATOR PHILIP:

12. Thank you, Mr. President, Ladies and Gentlemen of the
13. Senate. All this amendment does is make a bad bill a little
14. better. And let me tell you what hypothetically happens. A
15. person goes to a clinical social worker with what they think is
16. a mental problem. In effect, they do not have a mental problem.
17. They have a physical or a health problem, a blood deficiency.
18. They could have a tumor. This person is completely unqualified
19. to make that determination. The only person who should be making
20. that determination is an M.D. psychiatrist. This is a good
21. amendment. It should go on and I'm going to tell you this, if
22. you've ever had a person with a mental problem in your family,
23. I'm going to tell you something, you'd better take them to an
24. M.D. psychiatrist not to a clinical social worker.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Further discussion? Senator Guidice. Question is the
27. adoption of Amendment No. 3 to House Bill 921. All those in
28. favor signify by saying Aye. All those opposed. Roll call has
29. been requested. Those in favor of the adoption of Amendment No.
30. 3 to House Bill 921 will vote Aye. Those opposed will vote
31. Nay. The voting is open. Have all voted who wish? Have all
32. voted who wish? Take the record. On that question the Ayes are
33. 28, the Nays are 25, 1 Voting Present. Amendment No. 3 is
34. adopted. Further amendments?

1. SECRETARY:
2. No further amendments.
3. PRESIDING OFFICER: (SENATOR ROCK)
4. 3rd reading. Been a request for a verification of the
5. affirmative votes. Will the members please be in their seats.
6. Senator Guidice has requested a verification of the affirmative
7. votes. Will the members please be in their seats. Will those
8. not entitled to the Floor, please vacate. Secretary will call
9. the affirmative votes.
10. SECRETARY:
11. The following voted in the affirmative: Berning, Bloom,
12. Bowers, Bruce, Coffey, Davidson, Demuzio, Glass, Graham, Harber
13. Hall, Knuppel, Leonard, McMillan, Mitchler, Moore, Nimrod,
14. Ozinga, Philip, Regner, Rhoads, Roe, Rupp, Shapiro, Sommer,
15. Soper, Walsh, Weaver, and Wooten.
16. PRESIDING OFFICER: (SENATOR ROCK)
17. Senator Guidice. I can't hear you, Sir.
18. SENATOR GUIDICE:
19. Senator Regner.
20. PRESIDING OFFICER: (SENATOR ROCK)
21. Senator Regner on the Floor? Senator Regner is on the
22. Floor.
23. SENATOR GUIDICE:
24. Senator Mitchler.
25. PRESIDING OFFICER: (SENATOR ROCK)
26. Senator Mitchler is on the Floor.
27. SENATOR GUIDICE:
28. Senator Sommers.
29. PRESIDING OFFICER: (SENATOR ROCK)
30. Senator Sommer is on the Floor?
31. SENATOR GUIDICE:
32. All right. Senator Soper.
33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Sopper is on the Floor.

2. SENATOR GUIDICE:

3. Okay.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. The roll has been verified. The Ayes are 28, the Nays
6. are 25, 1 Voting Present. The amendment is adopted. Any
7. further amendments?

8. SECRETARY:

9. No further amendments.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. 3rd reading. On the Order of House Bills 2nd reading,
12. House Bill 1205, Senator Lane. Yes, Senator Guidice.

13. SENATOR GUIDICE:

14. A matter of personal privilege.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. State your point, Sir.

17. SENATOR GUIDICE:

18. On this last bill that was just before us, 921, there
19. was a fiscal note that was requested. The fiscal note has been
20. filed pursuant to that request. And I'd just like to point out
21. to this Body, I haven't seen anything anymore irresponsible than
22. this fiscal note. Personnel Department indicated that this bill
23. would cost five hundred thousand dollars to administer. They
24. predicated this on the fact that there was one point five million
25. dollars in outpatient charges for mental and psychiatric treatment.
26. They're telling this Body that it's going to cost five hundred
27. thousand dollars of that one point six that they paid...that the
28. insurance companies paid. Not indicating the fact that what we're...
29. the real interest would be, would be the amount that would be
30. on the Blue Cross or Blue Shield or any other third party
31. type payment. Well, I thought this was kind of odd and I thought
32. it was a fraud upon us and I look over here and I see that
33. Tim Campbell is the one who instituted this particular thing.

HB 1500
2nd Reading
2/6/77

1. Well, now, you know, now it comes out that Bill Boys, the Director
2. of Personnel , well, you know, they work together and you know,
3. it's kind of cute. But I can tell you this much that this Senator
4. is going to watch the Department of Personnel pretty darn close
5. from now on. Along with a few of the other people there.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. 1205, Senator Lane. 13...1348, Senator Lane. 1424, Senator
8. Lane. 1500, Senator Egan. Senator Egan, for what purpose
9. do you arise?

10. SENATOR EGAN:

11. Thank you. I'm going to ask that 1500 proceed and...

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Oh, all right.

14. SENATOR EGAN:

15. ...in the course of events.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. On the Order of House Bills 2nd reading, House Bill 1500.

18. Read the bill, Mr. Secretary.

19. SECRETARY:

20. House Bill 1500

21. (Secretary reads title of bill)

22. 2nd reading of the bill. The Committee on Judiciary II offers
23. one amendment.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Egan.

26. SENATOR EGAN:

27. Yes, Mr. President and members of the Senate. There has
28. arisen over the past few days and weeks some minor controversy
29. or major, depending on your description, on Senate Bill...on House
30. Bill 1500 and I know the hour is approaching adjournment time and
31. I would like therefore to ask that we just do two things with
32. this bill tonight, advance it to 3rd reading to meet the
33. deadline and then I will voluntarily return it to 2nd reading if

1. necessary at the request of any member at a future date. Tonight
2. I would like to Table the committee amendment because it is
3. deficient in its technicalities and replace it with a...with a...
4. another amendment which the Secretary has, which meets
5. only those...technical differences. There is no substantial
6. changes, no substantive changes and advance the bill to 3rd
7. reading. At the request of any member I will return it at a
8. later date.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Egan has moved to Table Committee Amendment No.1
11. to House Bill 1500. All those in favor signify by saying Aye.
12. All those opposed. The Ayes have it. The amendment is Tabled.
13. Further amendments?

14. SECRETARY:

15. Amendment No. 2 offered by Senator Regner, I mean Egan.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Egan.

18. SENATOR EGAN:

19. Thank you, Mr. President, members of the Senate. This is
20. a technically corrected amendment which the committee has
21. already adopted. I move its adoption.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Egan moves the adoption of Amendment No. 2 to House
24. Bill 1500. Is there any discussion? Senator Netsch.

25. SENATOR NETSCH:

26. Well, this is a somewhat awkward situation. I understand
27. what Senator Egan is doing and that there are time constraints
28. but some of us would like an opportunity to be recorded as voting
29. No on this amendment.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. That...that opportunity will be afforded if a roll call is
32. requested. Any discussion?

33. SENATOR NETSCH:

1. It's sort of complicated to do it without any discussion
2. and I understand he doesn't want to get...
3. PRESIDING OFFICER: (SENATOR ROCK)
4. Senator Egan.
5. SENATOR NETSCH:
6. ...lapse into the full discussion tonight.
7. PRESIDING OFFICER: (SENATOR ROCK)
8. Senator Egan.
9. SENATOR EGAN:
10. Yes, I appreciate that, Senator Netsch, that's...that is
11. why I am going to bring it back so that at that time we can
12. then discuss the other amendments that are going to...
13. PRESIDING OFFICER: (SENATOR ROCK)
14. Senator Bowers. Senator Bowers.
15. SENATOR BOWERS:
16. If it will solve the situation, I will not object if you
17. want to move it to 3rd reading without amendment on the understanding
18. that you'll move it back to 2nd. That may solve the problem.
19. PRESIDING OFFICER: (SENATOR ROCK)
20. Why don't we withhold the amendment and just move it to
21. 3rd and then we can offer the amendment tomorrow, how's that?
22. All right. Withdraw the amendment. Further amendments?
23. SECRETARY:
24. No further amendments.
25. PRESIDING OFFICER: (SENATOR ROCK)
26. 3rd reading. Senator Shapiro, I...I beg your pardon. All
27. right, I just...Senator Shapiro.
28. SENATOR SHAPIRO:
29. I'd like to speak on a point of personal privilege.
30. PRESIDING OFFICER: (SENATOR ROCK)
31. State your point, Sir.
32. SENATOR SHAPIRO:
33. Just recently a few moments ago you heard some remarks

1. concerning a fiscal note requirement to House Bill 921 and I
2. think the remarks made by that particular Senator were insulting
3. to every member of this Body and insulting to the public in
4. general. That fiscal note requirement and request was a legi-
5. timate request and he had his facts all wrong. There is a
6. fiscal impact upon...if that bill becomes a law because
7. the State of Illinois has to pay premiums for State employees
8. every time that particular amendment would come into effect.
9. And it was the duty of the Department of Personnel to give
10. us that estimate because they administer the insurance
11. program for the State of Illinois and their estimates are
12. five hundred thousand. If that particular Senator thinks
13. he can get any better facts, let him go get them and substitute
14. that fiscal note. But that fiscal note has no...makes no
15. difference as far as the content of the legislation is
16. concerned and in my opinion, the legislation was bad until that
17. amendment was put on.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Guidice.

20. SENATOR GUIDICE:

21. Well, I am going to argue with it, Senator Chew, because
22. the Department of Insurance came into that committee hearing
23. and they came in and they said we're opposed to it because
24. this is going to cost money and we asked them, how do you
25. figure it's going to cost any money and they say, well,
26. we don't know. The clinical psychologists were put on there
27. and we still haven't got any facts yet so we don't know if
28. it's going to cost a darn dime. Then when we proceeded to ask
29. them, well, now, wouldn't it be cheaper for people to go to
30. a clinical psychologist or go to a clinical social worker. They
31. says, it probably would be. But no, the psychiatrists and the
32. doctors who wanted this particular thing as a vehicle so they
33. make sure that they get some more money from the people who make

1. sure that they can't turn around and go to a person who is
2. qualified under these particular circumstances can't do it.
3. PRESIDING OFFICER: (SENATOR ROCK)

4. All right. I'm sure it will all look a little different
5. in the morning. On the Order of House Bills 2nd reading
6. 2137, Senator Maragos. On the Order of House Bills 2nd reading
7. 2137, read the bill, Mr. Secretary.

8. SECRETARY:

9. House Bill 2137

10. (Secretary reads title of bill)

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

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Any amendments from the Floor? 3rd reading. On the
14. Order of House Bills 2nd reading. House Bill 2359.

15. Read the bill, Mr Secretary.

16. SECRETARY:

17. House Bill 2359

18. (Secretary reads title of bill)

19. 2nd reading of the bill. The Committee on Appropriations

20. I offers one amendment.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Carroll.

23. SENATOR CARROLL:

24. Thank you, Mr. President. Amendment No. 1 reduces the
25. appropriation to five hundred thousand of which four hundred
26. thousand in printing. I would move adoption of Committee Amendment
27. No. 1.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Carroll has moved the adoption of Committee Amendment
30. No. 1 to House Bill 2359. All those in favor signify by saying
31. Aye. All those opposed. The Ayes have it. The amendment
32. is adopted. Any further amendments?

33. SECRETARY:

34. No further amendments.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. 3rd reading. 2368. On the Order of House Bills 2nd reading
3. House Bill 2368. Read the bill, Mr. Secretary.
4. SECRETARY:
 5. House Bill 2368
 6. (Secretary reads title of bill)
7. 2nd reading of the bill. The Committee on Appropriations
8. I offers one amendment.
9. PRESIDING OFFICER: (SENATOR ROCK)
 10. Senator Carroll.
11. SENATOR CARROLL:
 12. Thank...thank you, Mr. President. This amendment reduces
 13. a Federal grant that we took out of another bill and I would
 14. move the adoption of Committee Amendment No. 1.
15. PRESIDING OFFICER: (SENATOR ROCK)
 16. Senator Carroll.
17. SENATOR CARROLL:
 18. I'm sorry...I'm sorry. Committee Amendment No.. 1 was the
 19. two hundred and ten thousand for furnishing of the General
 20. Assembly which we took out of Space Needs. I would move
 21. adoption of Committee Amendment No. 1.
22. PRESIDING OFFICER: (SENATOR ROCK)
 23. Senator Carroll has moved the adoption of Committee Amendment
 24. No. 1 to House Bill 2368. Is there any discussion? All
 25. those in favor signify by saying Aye. All those opposed.
 26. The Ayes have it. The amendment is adopted. Any further
 27. amendments?
28. SECRETARY:
 29. No further committee amendments.
30. PRESIDING OFFICER: (SENATOR ROCK)
 31. Any amendments from the Floor?
32. SECRETARY:
 33. Amendment No. 2 offered by Senator Carroll.
34. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Carroll.

2. SENATOR CARROLL:

3. Thank you, Mr. President. That's the amendment I explained
4. a minute ago and that deletes the Federal grant that
5. we deleted from another bill and I would move adoption
6. of Committee...of Floor Amendment No.2.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Carroll moves the adoption of Amendment No. 2
9. to House Bill 2368. Is there any discussion? All those
10. in favor signify by saying Aye. All those opposed. The
11. Ayes have it. The amendment is adopted. Any further amendments?

12. SECRETARY:

13. No further amendments.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. 3rd reading. On the Order of House Bills 2nd reading, House
16. Bill 2379. Read the bill, Mr. Secretary.

17. SECRETARY:

18. House Bill 2379

19. (Secretary reads title of bill)

20. 2nd reading of the bill. The Committee on Appropriations I
21. offers twenty-one amendments.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Coffey has got the Christmas tree. Senator Coffey.

24. SENATOR COFFEY:

25. Mr...Mr. President and members of the Senate. We have agreed
26. to take this bill on through 2nd reading with these amendments
27. with the agreement with Senator Carroll to bring it back
28. tomorrow for future amendments or changes and Senator Carroll
29. will address that.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Carroll.

32. SENATOR CARROLL:

33. Thank you, Mr. President. With leave of the Body I would

1. move and I will explain them very briefly that we adopt
2. Amendments 1 through 21 in celi atum, on one roll call
3. and that there will be some of them that will probably be
4. Tabled tomorrow, changed, et cetera, we'll do it them.
5. If I may have that leave, I'll begin to explain them.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. You've heard the request. Is leave granted? Leave
8. is granted. Senator Carroll.

9. SENATOR CARROLL:

10. Thank you, Mr. President. Amendment No. 1 was requested
11. by DOT to increase the Road Fund appropriation by some
12. fifty-five million; No. 2, series B bonds by some five point
13. five; series 3...Amendment No. 3 breaks out the reappropriations
14. in accordance with last year's appropriations; No. 4 increases
15. Road Fund new appropriations by a hundred and five million,
16. part of which is supported by DOT and series B, by twelve point
17. four, part of which is also in concordance with DOT, and series
18. A by...new construction by twenty-five point five; Amendment
19. No. 5 is a DOT amendment that had a hundred and ninety-six thousand
20. three hundred...Central Administration and Planning; No. 6
21. by DOT adds a million dollars for acquisition of land and planning
22. for new District 8; No. 7 reduced DOT's budget by one point four
23. million; No. 8 deletes certain projects in the amount of ten
24. point seven million; No. 9 amends the appropriation to put
25. in the fill...full CDB costs of the 1978 water...fiscal '78
26. water resources capital projects which we do and all other type of
27. capital projects; No. 10 increases the fare student transportation
28. by one million dollars; No. 11 was in Senator Lane's district,
29. a specific project; Nos. 12 and 13 were certain projects in Senator
30. Egan's district; No. 14 was certain projects in Senator Lemke's
31. district; No. 15 in Senator Demuzio; No. 16 in Senator Hickey;
32. No. 17 in Senator Bloom; No. 18 in Senator Coffey; these are
33. all chicken projects, I might add. No. 19 in Senator Sommer;

1. No. 20 in Senator Sommer; and the last chicken project was No. 21
2. in Senator Sommer's district. I would move adoption of
3. Amendments No. 1 through 21 inclusive.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. And a partridge in a pear tree. Any discussion? Senator
6. Carroll with Senator...with leave of the Body and with the
7. agreement of the Senate sponsor has moved the adoptions of
8. Amendments No. 1 through 21 to House Bill 2379. Is there any dis-
9. cussion? All those in favor signify by saying Aye. All those
10. opposed. The Ayes have it. The amendments are adopted. Any
11. further amendments?

12. SECRETARY:

13. No further amendments.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. 3rd reading.

16. SENATOR CARROLL:

17. Mr. President, if I can explain again to Senator Berning
18. and all those who were out of earshot at the time...

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Yes, it will...it will...it will...

21. SENATOR CARROLL:

22. ...this will be brought back tomorrow.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. ...be brought back for all the remaining ornaments. On
25. the Order of House Bills 2nd reading, House Bill 2384. Read
26. the bill, Mr. Secretary.

27. SECRETARY:

28. House Bill 2384

29. (Secretary reads title of bill)

30. 2nd reading of the bill. No committee amendments.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Any amendments from the Floor? 3rd reading. On the Order
33. of House Bills 2nd reading, House Bill 2392. Read the bill,

1. Mr. Secretary.
2. SECRETARY:
3. House Bill 2392
4. (Secretary reads title of bill)
5. 2nd reading of the bill. The Committee on Appropriations I
6. offers one amendment.
7. PRESIDING OFFICER: (SENATOR ROCK)
8. Oh, Committee Amendment...Senator Carroll.
9. SENATOR CARROLL:
10. Thank you, Mr. President. Committee Amendment No. 1
11. I would move to Table. We have a replacement up there for
12. a lesser reduction because the department contended that they
13. really needed this money. I would move to Table Committee Amendment
14. No. 1.
15. PRESIDING OFFICER: (SENATOR ROCK)
16. Senator Carroll has moved to Table Committee Amendment No.
17. 1 to House Bill 2392. Is there any discussion? All those in
18. favor signify by saying Aye. All those opposed. The Ayes have
19. it. The amendment is Tabled. Further amendments?
20. SECRETARY:
21. Amendment No. 2 offered by Senator Carroll.
22. PRESIDING OFFICER: (SENATOR ROCK)
23. Senator Carroll.
24. SENATOR CARROLL:
25. Thank you, Mr. President. This amendment is in the amount
26. of nineteen thousand one hundred and thirty dollars and fifty-one
27. cents, the amount that the department claims they need for the
28. rest of the year. I move the adoption.
29. PRESIDING OFFICER: (SENATOR ROCK)
30. Senator Carroll has moved the adoption of Amendment No. 2
31. to House Bill 2392. Is there any discussion? All those in
32. favor signify by saying Aye. All those opposed. The Ayes
33. have it. The amendment is adopted. Any further amendments?

1. SECRETARY:
2. No further amendments.
3. PRESIDING OFFICER: (SENATOR ROCK)
4. 3rd reading. On the Order of House Bills 2nd reading,
5. House Bill 2402, read the bill, Mr. Secretary,
6. SECRETARY:
7. House Bill 2402
8. (Secretary reads title of bill)
9. 2nd reading of the bill. Committee on Appropriations I offers
10. one amendment.
11. PRESIDING OFFICER: (SENATOR ROCK)
12. Senator Carroll.
13. SENATOR CARROLL:
14. Thank you, Mr. President. I move to Table Amendment No.
15. 1. They have supplied us with sufficient data to indicate the
16. need for these monies and I would thereby move to Table Committee
17. Amendment No. 1.
18. PRESIDING OFFICER: (SENATOR ROCK)
19. Senator Carroll moves to Table Committee Amendment No. 1
20. to House Bill 2402. Is there any discussion? All those in
21. favor signify by saying Aye. All those opposed. The Ayes have
22. it. The Amendment is Tabled. Further amendments?
23. SECRETARY:
24. Committee Amendment No. 2.
25. PRESIDING OFFICER: (SENATOR ROCK)
26. Senator Carroll.
27. SENATOR CARROLL:
28. I would also move you that we Table Committee Amendment No.
29. 2. The first amendment, by the way, we thought they had put in
30. for a five percent increase. They had not. We were in error and
31. that's why we Tabled it. And No. 2 they gave us the sufficient
32. data to back up their contentions and I would move to Table
33. Committee Amendment No. 2.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Senator Carroll moves to Table Committee Amendment No. 2
3. to House Bill 2402. Is there any discussion? All those in
4. favor signify by saying Aye. All those opposed. The Ayes have
5. it. The amendment is Tabled. Further amendments?
6. SECRETARY:
7. No further amendments.
8. PRESIDING OFFICER: (SENATOR ROCK)
9. Any amendments from the...Senator Maragos. Senator Maragos.
10. SENATOR MARAGOS:
 11. Will the mover of the motions respond to a question? '
12. PRESIDING OFFICER: (SENATOR ROCK)
13. Indicate he will. Senator Maragos.
14. SENATOR MARAGOS:
 15. The index doesn't say...it says Southern Marion office of the
 16. Southern Illinois area but what department are we talking about?
17. PRESIDING OFFICER: (SENATOR ROCK)
18. Now we have indicated...the Chair had indicated earlier
19. I'm told, that the Calendar was in error, it is the State Board
- 20. of Elections.
21. SENATOR MARAGOS:
 22. That's what I thought...
23. PRESIDING OFFICER: (SENATOR ROCK)
24. That is correct.
25. SENATOR MARAGOS:
 26. Now onw question I have... ;
27. PRESIDING OFFICER: (SENATOR ROCK)
28. Senator Maragos.
29. SENATOR MARAGOS:
 30. ...because unfortunately the right sponsors, I should say,
 31. the right sponsors but the intended sponsors are not on this bill.
 32. Senator Graham and I were supposed to be but I would like to
 33. get some information as to what the intention is regarding the
 34. amendments tomorrow. If any.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. The sponsor is Senator Walsh. Senator Roe. What is...what
3. is your intention. ...we asked...that's an old story. What
4. is your intention, Senator Roe? Thank you. Senator Carroll.
5. SENATOR CARROLL:
6. I was just saying...we have no amendments to offer. I'm
7. sure Senator Roe would bring it back if you wanted to.
8. PRESIDING OFFICER: (SENATOR ROCK)
9. Senator Maragos.
10. SENATOR MARAGOS:
11. I'm not saying I will, but I just wanted to check whether
12. we did tonight...
13. PRESIDING OFFICER: (SENATOR ROCK)
14. The sponsor has indicated that he will bring it back.
15. SENATOR MARAGOS:
16. That's all I wanted to know, thank you.
17. PRESIDING OFFICER: (SENATOR ROCK)
18. That...that is correct. Any amendments from the Floor?
19. SECRETARY:
20. Amendment No. 3 offered by Senator Bloom.
21. PRESIDING OFFICER: (SENATOR ROCK)
22. Senator Bloom.
23. SENATOR BLOOM:
24. Yes, Amendment No. 3 is basically Committee Amendment No.
25. 2 that was Tabled because I feel that the people from the State
26. Board of Elections did not do a thorough job of justifying what
27. they want and they certainly did a wholly inadequate job of
28. justifying their contractuals and everything they did they denied
29. ...they finally furnished us with some information dated yesterday
30. that we got today. And expenditures that they claim they hadn't
31. made, they then said they did make. We had people this...this
32. agency don't forget was run on about a quarter of a million dollars
33. when it was a division of the Secretary of State's where it should

1. have remained, might I add. Now, we're talking about a
2. budget of two and a half, three million dollars and this
3. takes out five hundred thousand as staff both sides of the
4. aisles put. There's...there's fat in the budget. The hour
5. is late and I won't go into a detailed analysis of the alleged
6. explanations of what they've spent. Suffice it to say it's weak
7. and I'd urge the adoption of this amendment.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Bloom has moved the adoption of Amendment No. 3 to
10. House Bill 2402. Is there any discussion? Senator Carroll.

11. SENATOR CARROLL:

12. Briefly, this is identical to the amendment that I just
13. Tabled. We thought there was sufficient data. I leave it up
14. to the membership. I thought there was sufficient data and I
15. Tabled the identical amendment.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Question is the adoption of Amendment No. 3 to House Bill
18. 2402. All those in favor signify by saying Aye. All those
19. opposed. In the opinion of the Chair, the Ayes have it. The
20. amendment...you don't understand, the Ayes have it. Thank you
21. very much. The Ayes have it. The amendment is adopted. Any
22. further amendments?

23. SECRETARY:

24. No further amendments.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. 3rd reading. On the Order of House Bills 3rd reading is
27. House Bill 2411. Read the bill, Mr. Secretary.

28. SECRETARY:

29. House Bill 2411

30. (Secretary reads title of bill)

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

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Any amendments from the Floor? 3rd reading. On the Order
34. of House Bills 2nd reading, House Bill 2412, read the bill,

1. Mr. Secretary.
2. SECRETARY:
3. House Bill 2412
4. (Secretary reads title of bill)
5. 2nd reading of the bill. No committee amendments.
6. PRESIDING OFFICER: (SENATOR ROCK)
7. Any amendments from the Floor?
8. SECRETARY:
9. Amendment No. 1 offered by Senator Carroll.
10. PRESIDING OFFICER: (SENATOR ROCK)
11. Senator Carroll.
12. SENATOR CARROLL:
 13. Thank you, Mr. President. Amendment No. 1 is an increase of one million dollars State-wide for the half fare student transportation. We feel that their estimates are a little bit low.
 14. If it's not, of course, the Governor could always strike his pen to it but our information was that the extra million
 15. was needed State-wide. I would move adoption of Amendment No.
 16. 1.
19. PRESIDING OFFICER: (SENATOR ROCK)
20. Senator Carroll has moved the adoption of Amendment No. 1 to House Bill 2412. Is there any discussion? All those in favor signify by saying Aye. All those opposed. The Ayes have it. The amendment is adopted. Any further amendments?
24. SECRETARY:
25. No further amendments.
26. PRESIDING OFFICER: (SENATOR ROCK)
27. 3rd reading. On the Order of House Bills 2nd reading, House Bill 2416, read the bill, Mr. Secretary.
29. SECRETARY:
30. House Bill 2416
31. (Secretary reads title of bill)
32. 2nd reading of the bill. No committee amendments.
- 33.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Any amendments from the Floor? 3rd reading. On the
3. Order of House Bills 2nd reading, House Bill 2417. Read the
4. bill, Mr. Secretary.
5. SECRETARY:
6. House Bill 2417
7. (Secretary reads title of bill)
8. 2nd reading of the bill. No committee amendments.
9. PRESIDING OFFICER: (SENATOR ROCK)
10. Any amendments from the Floor? 3rd reading. Senator
11. Hynes.
12. SENATOR HYNES:
 13. Mr. President, I think we've put in a good day's work.
 14. There are a number of housekeeping items that we must take
 15. care of but we will not return to the Calendar for 3rd reading
 16. or 2nd reading and I would also like at this time to ask leave
 17. of the Body and unanimous consent for House Bill 2414 which has
 18. not yet arrived in the Senate. 2413 and 14, if they should arrive
 19. later this evening to be read a first time and advanced to the
 20. Order of 2nd reading without reference to committee. The...these
 21. bills are being debated in the House at this moment and it is our
 22. intention to have the Senate stand at ease once we finish these
 23. housekeeping matters. It will not be necessary for the membership
 24. at large to remain. Senator Shapiro has volunteered to be on hand
 25. as I have and I think we can handle that if we have leave.
26. PRESIDING OFFICER: (SENATOR ROCK)
 27. You've heard the request. Is leave granted to receive House
 28. Messages with respect to two bills pending now before the House?
 29. Leave is granted. What...what time tomorrow morning, Senator
 30. Hynes?
31. SENATOR HYNES:
 32. Nine.
33. PRESIDING OFFICER: (SENATOR ROCK)
 34. Gentlemen, we will go to Messages from the House for the purpose

1. of...the House has refused to recede from certain amendments and
2. requested Conference Committee appointments. These are house-
3. keeping matters and then the House will, I mean, the Senate will
4. stand at ease or recess until the Messages from the House are
5. delivered with respect to those two bills still pending.

6. Senator Egan.

7. SENATOR EGAN:

8. Yes, thank you, Mr. President. Just a...an observation that
9. I have not conjured in my mind but I see the press working so
10. hard. I did want to point out that if this was a restaurant,
11. a team of medical people would close it down as a health hazard
12. but we appreciate how hard you're working. Thank you.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. All right, we have...All right, Gentlemen, if I can have
15. your attention. Senator Hynes.

16. SENATOR HYNES:

17. There's one other item, Mr...

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Hynes. All right, let's have a little order, we're
20. not finished yet.

21. SENATOR HYNES:

22. Before we get into the Messages from the House, I would like
23. to...to say for the benefit of...of the membership while we still
24. have the overwhelming majority here that we did put in a good day today
25. but we still have about a hundred bills left on the Calendar which
26. means tomorrow is going to be even a bigger day and I would hope
27. that we would all be here at 9:00 when the Session opens so that
28. we can begin moving these bills and I would also ask again that
29. we take advantage of the offer of the Secretary to receive in
30. writing any of the comments that you might want to make about
31. individual bills and they will be preserved for posterity so
32. that we can get down to the matter of voting for or against these
33. bills. But we're going to have to really move through the Calendar

1. if we're going to meet our deadline and tomorrow is the last day
2. to move House Bills out of the Senate, off 3rd reading. So we
3. have a big day's work ahead of us. I would also, Mr. President,
4. ask that the motions, there are two on the Calendar, and two
5. on the Secretary's Desk, I believe, those four motions be
6. put over until tomorrow for whatever the sponsors may choose
7. to do with them.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. All right. Motions in Writing, there has been...it has...
10. Motions in Writing. Motions. I want you to read them all.

11. SECRETARY:

12. Having voted on the prevailing side, I request that the
13. vote by which House Bill 1524 was passed be reconsidered.
14. Signed by Senator Knuppel. And this was filed with me on the 24th.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Have leave to put that motion over until tomorrow? Leave
17. is granted. So ordered.

18. SECRETARY:

19. Motion in Writing. I move that the vote by which House Bill
20. 2257 failed be reconsidered and the bill be placed on the Order
21. of 3rd reading. Dated June the 25th. Signed by Senator Roe...
22. Rhoads.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Is there leave to put that motion over until tomorrow?
25. So ordered.

26. SECRETARY:

27. Having voted on the prevailing side I move to reconsider the
28. vote by which House Bill 384 was passed. Signed, Senator Maragos.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Leave to put that motion over until tomorrow? So ordered.

31. SECRETARY:

32. Having voted on the prevailing side, I move to reconsider
33. the vote by which Amendment No. 2 to House Bill 1309 was adopted.

1. Signed, Senator Glass.
2. PRESIDING OFFICER: (SENATOR ROCK)
 3. Leave to put that motion over till tomorrow? Leave is granted. Now, the House has refused to recede from amendments with respect to bills. I will read the sponsor's name and would hope that they would accede to the request for the Conference Committees. Senator Sommer, with respect to Senate Bill 325, Senator Roe, with respect to 332, Senator Ozinga, with respect to 337, Senator Berning, with respect to 339, Senator Weaver, with respect to 543, Senator Nimrod, with respect to 1209, and Senator Shapiro, with respect to 1373. All right, Senator Shapiro. Messages from the House. Senate Bill 1373. Start with the back. 13...we're looking for sponsors who are here.
14. SECRETARY:
 15. Okay. Message from the House by Mr. O'Brien, Clerk.
 16. Mr. President - I am directed to inform the Senate that the House of Representatives refused to recede from their Amendments Nos. 1 and 2 to a bill with the following title:
 17. Senate Bill 1373
 18. I am further directed to inform the Senate that the House of Representatives request a first Committee of Conference to consist of five members from each House to consider the differences between the two Houses in regards to the amendments to the bill. Speaker of the House has appointed a such committee on the part of the House. Representative Pierce, Beatty, Yourell, Regner, and Ewing..
 19. PRESIDING OFFICER: (SENATOR ROCK)
 20. Ewing. Senator...Senator Shapiro.
 21. SENATOR SHAPIRO:
 22. I accede to the request of the House that a Conference Committee be appointed...
 23. PRESIDING OFFICER: (SENATOR ROCK)
 24. The question is shall the Senate accede to the request of the House that a Conference Committee be appointed. All in favor

1. signify by saying Aye. All opposed. The Ayes have it. The motion
2. carries. The Senate accedes to the request to appoint a Conference
3. Committee. 1209. Read the Message on 1209, Mr. Secretary.

4. SECRETARY:

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

6. Mr. President - I am directed to inform the Senate that
7. the House of Representatives has refused to recede from their
8. Amendment No. 1 to a bill with the following title, to-wit:

9. Senate Bill 1209

10. Further directed to inform the Senate that the House of Representatives
11. requests a First Committee of Conference to consist of five members
12. of each House to consider the differences of the two Houses in
13. regards to the amendment to the bill. The Speaker of the House
14. has appointed as such committee on the part of the House, Representative
15. Schneider, Giorgi, Brady, Ewing, and Polk.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Grotberg.

18. SENATOR GROTBURG:

19. Yes, Mr. President. The proper motion on my behalf then is
20. to ask to...]

21. PRESIDING OFFICER: (SENATOR ROCK)

22. ...to accede to the House as requested.

23. SENATOR GROTBURG:

24. ...accede to the House's refusal...whatever.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Question is: shall the Senate accede to the request of the House
27. that a Conference Committee be appointed. All those in favor
28. signify by saying Aye. All those opposed. The Ayes have it.
29. The motion carries and the Senate accedes to the request of the
30. House to appoint a Conference Committee. Senator Berning.
31. Read the Message, Mr. Secretary, with respect to Senate Bill 339.

32. SECRETARY:

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

1. Mr. President - I am directed to inform the Senate that
2. the House of Representatives refused to recede from their Amendment
3. No. 1 to a bill with the following title:
4. Senate Bill 339
5. Further directed to inform the Senate that the House of Representatives
6. request a First Committee of Conference to consist of five members
7. from each House to consider the differences between the two
8. Houses in regard to the amendment to the bill. Speaker of the House
9. has appointed as such committee on the part of the House,
10. Representative Barnes, Byers, Bradley, Mahar, and Peters.
11. PRESIDING OFFICER: (SENATOR ROCK)
12. Senator Berning.
13. SENATOR BERNING:
14. Well, Mr. President. I'm not sure I heard the...
15. PRESIDING OFFICER: (SENATOR ROCK)
16. The House has refused to recede from Amendment No. 1 to
17. your Senate Bill 339 and has requested a Conference Committee.
18. SENATOR BERNING:
19. Mr. President. I concur in the request for a Conference
20. Committee.
21. PRESIDING OFFICER: (SENATOR ROCK)
22. All right. The question is shall the Senate accede to
23. the request of the House that a Conference Committee be appointed.
24. All those in favor signify by saying Aye. All those opposed.
25. The Ayes have it. The motion carries and the Senate accedes.
26. Senator Roe, Senate Bill 332. Read the Message, Mr. Secretary.
27. SECRETARY:
28. Message from the House by Mr. O'Brien, Clerk.
29. Mr. President - I am directed to inform the Senate
30. that the House of Representatives refused to recede from their
31. Amendment No. 2 to a bill with the following title:
32. Senate Bill 332
33. Further directed to inform the Senate that the House of Representatives

1. requests a First Committee of Conference to consist of five
2. members from each House to consider the differences of the two
3. Houses in regard to the amendment to the bill. Speaker of the
4. House has appointed as such committee on the part of the House,
5. Representative Barnes, Giorgi, Houlihan, Klosak and Peters.
6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Roe. Do you wish to accede to the request of the
8. House? The question is shall the Senate accede to the request
9. of the House that a Conference Committee be appointed with
10. respect to Senate Bill 332. All those in favor signify by
11. saying Aye. All those opposed. The Ayes have it. The motion
12. carries and the Senate accedes to the request to appoint a
13. Conference Committee. Let the record reflect that the bionic
14. room doesn't work with respect to Senator Roe's microphone either.
15. Senator Ozinga, with respect to Senate Bill 337. Read the Message,
16. Mr. Secretary.

17. SECRETARY:

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

19. Mr. President - I am directed to inform the Senate
20. that the House of Representatives has refused to recede from their
21. Amendment No. 1 to a bill with the following title, to-wit:

22. . Senate Bill 337

23. Further directed to inform the Senate that the House of Representatives
24. requests a First Committee of Conference to consist of five members
25. from each House to consider the differences of the two Houses in
26. regard to the amendment to the bill. The Speaker of the House
27. has appointed a such committee on the part of the House,
28. Representative Matijevich, Madigan, McPike, Cunningham, and
29. McBroom.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Ozinga moves that the Senate accede to the request.
32. The question is...shall the Senate accede to the request of the
33. House that a Conference Committee be appointed. All those in favor

1. signify by saying Aye. All those opposed. The Ayes have it.
2. The motion carries and the Senate accedes to the request
3. to appoint a Conference Committee. Senate Bill 543. Read the
4. Message, Mr. Secretary.

5. SECRETARY:

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

7. Mr. President - I am directed to inform the Senate that
8. the House of Representatives has refused to recede from their
9. Amendment No. 1...Amendments Nos. 1 and 2 to a bill with the
10. following title:

11. Senate Bill 543

12. Further directed to inform the Senate that the House of Representatives
13. requests a First Committee of Conference to consist of five
14. members from each House to consider the differences of the two Houses
15. in regard to the amendment to the bill. The Speaker of the
16. House has appointed a such committee on the part of the House,
17. Representative Barnes, Satterthwaite, Giorgi, Wikoff, and Peters.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Weaver.

20. SENATOR WEAVER:

21. Move to accede to the request of the House.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Question is shall the Senate accede to the request of the
24. House that a Conference Committee be appointed. All those
25. in favor signify by saying Aye. All those opposed. The Ayes
26. have it. The motion carries and the Senate accedes to the request
27. to appoint a Conference Committee. Senator Sommer is on the
28. Floor with respect to Senate Bill 325 which is an appropriation
29. for the Court of Claims. The...read the Message, Mr. Secretary.

30. SECRETARY:

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

32. Mr. President - I am directed to inform the Senate that
33. the House of Representatives has refused to recede from their

1. Amendments 2 and 3 to a bill with the following title:
2. Senate...Senate Bill 325
3. I am further directed to inform the Senate that the House of Representatives requests a First Committee of Conference to consist of five members from each House to consider the differences of the two Houses in regard to the amendment to the House. The Speaker of the House has appointed a such committee on the part of the House, Representative Barnes, Beatty, Byers, Deuster and Peters.
4. PRESIDING OFFICER: (SENATOR ROCK)
 5. Senator Sommer moves that the Senate accede. The question is shall the Senate accede to the request of the House that a Conference Committee be appointed. All in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries and the Senate accedes the request to appoint a Conference Committee.
 6. Messages from the House.
7. SECRETARY:
 8. Message from the House by Mr. O'Brien, Clerk
 9. Mr. President - I am directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of their amendments to a bill with the following title:
 10. House Bill 52 with Senate Amendments 1 and 2.
 11. A like message on House Bill 2355 with Senate Amendment No. 1.
12. PRESIDING OFFICER: (SENATOR ROCK)
 13. Secretary's Desk. All right, pursuant to earlier leave of the Body, the Senate will now stand in recess, awaiting the House Message with respect to those two bills until the call of the Chair. The Senate stands in recess.
 14. RECESS
15. AFTER RECESS
16. PRESIDENT:
 17. The Senate will please come to order. For what purpose does

1. Senator Shapiro arise?

2. SENATOR SHAPIRO:

3. Well, Mr. President, since the Message has not arrived
4. from the House, I move that we stand in adjournment until
5. 12:30 a.m. June 28th.

6. PRESIDENT:

7. Senator Shapiro moves that the Senate stand adjourned
8. until 12:30 a.m. on Tuesday, June 28th. All those in favor
9. signify by saying Aye. Opposed. The Ayes have it. The Senate
10. stands adjourned.

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