

78th GENERAL ASSEMBLY
REGULAR SESSION
June 4, 1974

1. SERGEANT AT ARMS:

2. All persons not entitled to the Floor please retire to the
3. Gallery.

4. PRESIDENT:

5. Pursuant to our Adjournment Resolution the Senate will come
6. to order. The prayer will be offered by the Reverend Gary
7. Spurgeon of the Fiatt Christian Church of Fiatt. Will our
8. guests in the Galleries please rise. Reverend Spurgeon.

9. REVEREND SPURGEON:

10. I've been waiting for about an hour and a half to get ahold
11. of this microphone, and if Senator Rock is around I want
12. him to know I just got an extension. He'll know what I mean.
13. Can I share with you and take just a moment maybe extra than
14. what usually is done to share something with you out of the Old
15. Testament before a word of prayer. (Reads from the Old Testament.)
16. Let us pray. (Prayer by Reverend Spurgeon.)

17. PRESIDENT:

18. Thank you. Reading of the Journal.

19. SECRETARY:

20. Wednesday, May 22, 1974.

21. PRESIDENT:

22. Senator Soper.

23. SENATOR SOPER:

24. Mr. President, I now move that we dispense with the...further
25. reading of the Journal of May twenty-second unless we have some
26. corrections or additions, that the Journal stand approved.

27. PRESIDENT:

28. Are there additions or corrections? Senator Soper moves that
29. we dispense with further reading and approve the Journal. Discus-
30. sion. All in favor signify by saying Aye. Contrary No. The
31. motion carries and the Journal of May 24 is approved. Senator
32. Soper.

33. SENATOR SOPER:

1. Now, Mr. President, I move that we postpone the reading of
2. the Journal and the approval of the Journals of May 28 and May
3. 29th pending the arrival of the printed Journals.

4. PRESIDENT:

5. Senator Soper moves that we postpone reading of the Jour-
6. nals of May 28th and 29, pending the arrival of the printed
7. Journals. Discussion. All in favor, signify by saying Aye.
8. Contrary No. The motion carries. So ordered. Committee reports.

9. SECRETARY:

10. Senator Ozinga, Chairman of the Committee on
11. Executive, reports Senate Bills 14...1467, 1562 and
12. 1568 with the recommendation the bills Do Pass.
13. Senate Bill 1235 with the recommendation the bill
14. Do Pass As Amended. Senate Bill 1427 with the re-
15. commendation the bill Do Not Pass. Senate Resolu-
16. tion No. 305 with the recommendation that the Re-
17. solution be adopted. House Joint Resolutions No.
18. 101 and 102 with the recommendation the Resolutions
19. be adopted.

20. Senator Ozinga, Chairman of the Committee on
21. Executive, to which was referred the Governor's
22. Message to the Senate of May 4, 1974, reports the
23. same back in part with the recommendation that the
24. Senate advise and consent to the following appoint-
25. ments.

26. To be Public Administrator of Morgan
27. County -- Russell Lovell of Jacksonville.
28. Moultrie County -- Wayne H. Smith of
29. Sullivan. To be Public Guardian and
30. Conservator of McHenry County -- Jeanne
31. A. Holm of McHenry.

32. PRESIDENT:

33. Senator Ozinga. Senator Ozinga.

1. SENATOR OZINGA:

2. Mr. President and members of the Senate, I would now move
3. that the Senate resolve itself into Executive Session for the
4. purpose of receiving the report of the Committee on the appoint-
5. ments of the Governor.

6. PRESIDENT:

7. Senator Ozinga moves that the Senate resolve itself into
8. Executive Session for the purpose of considering the recommenda-
9. tions of the Executive Committee on the Governor's appointments.
10. All in favor signify by saying Aye. Contrary No. The motion
11. carries. Senator Ozinga is recognized.

12. SENATOR OZINGA:

13. Now, Mr. President, I would move that the Senate advise
14. and consent to the nomination of Mr. Russell...well, Mr. President,
15. maybe I should first move that the Senate would hear three
16. nominees, all for the office of Public Administrator in one
17. motion. I don't believe there's any objections....

18. PRESIDENT:

19. Is...is there leave to consider the three nominees for
20. Public Administrators in three separate counties to be considered
21. on a single motion. Leave is granted. Proceed.

22. SENATOR OZINGA:

23. I would now move that the Senate advise and consent to the
24. nomination of Russell Lovell of Jacksonville to be the Public
25. Administrator of Morgan County for a term expiring the first
26. Monday in...

27. PRESIDENT:

28. We are...just a minute, Senator Ozinga. We are being
29. terribly noisy. I am certain that it is not possible to hear the
30. nominations that Senator Ozinga is placing before the Senate.
31. Will the Senators please be in their seats. Proceed.

32. SENATOR OZINGA:

33. I would move that the Senate advise and consent to the

1. nomination of Russell Lovell of Jacksonville to be Public Admin-
2. istrator of Morgan County for a term expiring the first Monday
3. in December in 1977, and further that Wayne H. Smith of Sullivan,
4. Illinois, to be the Public Administrator of Moultrie County for
5. a term expiring the first Monday in December of '77, and also
6. Holm of McHenry County to be Public Guardian and
7. Conservator of McHenry County for a term expiring the first
8. Monday of December, 1977.

9. PRESIDENT:

10. The question is, does the Senate advise and consent to the
11. nominations just made. I am advised that our electronic miracle
12. is non-functional so the Secretary will proceed with calling the
13. roll. Those in favor will vote Aye. Those opposed will vote No.
14. The Secretary will call the roll.

15. SECRETARY:

16. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
17. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
18. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth Hall,
19. Hickey, Hynes, Johns, Knuepfer, Knuppel, Kosinski, Latherow,
20. McBroom, McCarthy, Merritt, Mitchler, Howard Mohr, Don Moore,
21. Netsch, Newhouse, Nimrod, Nudelman, Ozinga, Palmer, Partee,
22. Regner, Rock, Roe, Romano, Saperstein, Savickas, Schaffer,
23. Scholl, Shapiro, Smith, Sommer, Soper, Sours, Swinarski,
24. Vadalabene, Walker, Weaver, Welsh, Wooten, Mr. President.

25. PRESIDENT:

26. On that question the Yeas are 40, the Nays are none. A
27. majority of Senators elected concurring by record vote, the
28. Senate does advise and consent to the nominations just made.
29. Senator Ozinga.

30. SENATOR OZINGA:

31. Now, Mr. President, I would make this announcement, while
32. in Executive Session. It is an important announcement; I think
33. that it is important enough that we should hear about it while

1. we have a little bit of attention on the Floor, and that is that
2. next Wednesday at 9 a.m., the Executive Committee will meet and
3. we will hear the nominees for the Board of Education. The entire
4. 17 will be on the call next Wednesday morning, 9 a.m. There'll
5. be no further nominees to come before the House at this time. I
6. would move that the Senate do now arise from its Executive Session.

7. PRESIDENT:

8. Senator Ozinga moves that the Senate arise from its Execu-
9. tive Session. All in favor signify by saying Aye. Contrary No.
10. The motion carries. So ordered. Resolutions.

11. SECRETARY:

12. Senate Resolution No. 465...I'm sorry...by Senator Schaffer.

13. PRESIDENT:

14. Senator Schaffer moves to suspend the rules for the immediate
15. consideration of the Resolution. All in favor signify by saying
16. Aye. Contrary No. The motion carries. On the motion to adopt
17. all in favor signify by saying Aye. Contrary No. The motion
18. carries. The Resolution is adopted.

19. SECRETARY:

20. Senate Resolution 466 - by Senator Nimrod.

21. PRESIDENT:

22. Senator Nimrod moves to suspend for the immediate consideration
23. of the Resolution. All in favor signify by saying Aye. Contrary
24. No. The motion carries. On the motion to adopt all in favor
25. signify by saying Aye. Contrary No. Senator Partee.

26. SENATOR PARTEE:

27. I might have missed your original announcement. All of these
28. are Congratulatory or...

29. PRESIDENT:

30. Yes.

31. SENATOR PARTEE:

32. OK.

33. PRESIDENT:

1. Yes. These are Congratulatory. On...on the motion to adopt
2. all in favor signify by saying Aye. Contrary No. The motion
3. carries and the Resolution is adopted.

4. SECRETARY:

5. Senate Joint Resolution No. 71 offered by Senators Harris,
6. Partee, Clarke, Graham, Donnewald, Howard Mohr, Rock, Weaver,
7. and all members of the Senate.

8. PRESIDENT:

9. Mr. Secretary, might I just call attention to the fact that
10. on the Senate Floor at this time is the subject of this Senate
11. Joint Resolution. That subject is the Honorable W. Russell Arrington.
12. It would be pleasing to me if the Chamber might give some atten-
13. tion to this Resolution. Most of you are aware that many of the
14. former Republican members of the Senate are visiting us today
15. and we are particularly pleased at this time to have on the Floor
16. Senator Rosander and I noticed a minuté ago that Senator Bill
17. Carroll was also here. I know Senator Bidwill is in the Capitol
18. Building; there are a good many others, but it would be a fitting
19. note of, I think, mutual respect for the outstanding National
20. record that Senator Arrington has contributed to the Legislative
21. Process that we give some attention to this Joint Resolution
22. which I've asked Senators Partee, Clarke, the Leadership and all
23. members to join in co-sponsoring and so Mr. Secretary would you
24. proceed with the Joint Resolution.

25. SECRETARY:

26. (Reads Senate Joint Resolution No. 71.)

27. PRESIDENT:

28. The Resolution speaks eloquently for itself. The life of
29. Russ Arrington speaks eloquently in deed and in action of his ,
30. dedication to service for his fellow man through the process of
31. vigorous enlightened response to the needs of Government and the
32. needs of people in Governments service to the governed. Senator
33. Partee.

1. SENATOR PARTEE:

2. Mr. President, you are a hard act to follow. But I would be
3. remiss, I think, in my responsibility if I did not add just a
4. simple addendum to the words that you have expressed about our
5. colleague. I might just inject a note of levity, Mr. President,
6. because I listened rather carefully. I heard you describe the
7. gentleman as a former Republican member of this body. I thought
8. for a moment that he had been persuaded to the Democratic philo-
9. sophy as you referred to him as a former Republican member. I
10. think what you intended to say that he was a Republican former
11. member. I thought, of course, that that was too much to hope for.
12. I knew, of course, that he was deeply imbued with the philosophy
13. of your party, but party aside, Russ Arrington has been a pillar
14. of strength, a vision of delight in the Legislative Process. I
15. think that whatever contribution I and others have been able to
16. make to the Legislative Process has in part been inspired by
17. his dedication, by his vision as to how we could elasticize the
18. Leg...Legislative Process. It has been a pleasure to have served
19. with him. May he have many more years of peace and tranquility.

20. PRESIDENT:

21. Senator Graham.

22. SENATOR GRAHAM:

23. Mr. President and members of the Senate. Probably no man
24. more than I understands what the past few years of Russ Arring-
25. ton's life has been like. I think that his progress in overcom-
26. ing a problem, which was inflicted upon him, is a further indica-
27. tion by this great man that he has the will to continue and the
28. guts to win, which is indicative of the Russ Arrington when he
29. was over there behind that microphone for the...his many great
30. years in the Senate and all of us certainly do recognize the fact
31. that he is still that fighting Russ Arrington we always knew. I
32. think it's great.

33. PRESIDENT:

1. Motion is to suspend the rules for the immediate consideration
2. of the Joint Resolution. All in favor signify by saying Aye.
3. Contrary No. The motion carries. The rules are suspended.
4. All in favor of the adoption of the Joint Resolution please
5. rise. Let the record show the Resolution carried unanimously.
6. Introduction of bills. Senator Weaver.

7. SENATOR WEAVER:

8. / Mr. President, the Secretary has a number of bills on his
9. desk for introduction and I would move that the rules be suspended,
10. that those bills be assigned a number, identified by principal
11. sponsor, and referred to the Committee on Rules.

12. PRESIDENT:

13. Senator Weaver moves that the bills on the Secretary's
14. desk read by...be assigned a number and referred to the
15. Committee on Rules. And for that purpose that the rules be
16. suspended. All in favor of the motion signify by saying Aye.
17. Contrary No. The motion carries. Proceed, Mr. Secretary.

18. SECRETARY:

19. Senate Bill 1634 - by Senators Carroll, Romano and Harris.
20. 1635 - by Senators Harris, Partee, Conolly,
21. and McBroom.

22. Senate Bill 1636 - by Senator Knuppel.

23. PRESIDENT:

24. Pursuant to Senator Weaver's motion then Senate Bills 1634
25. through 1636 are referred to the Committee on Rules. Messages
26. from the House.

27. SECRETARY:

28. (Secretary reads Messages from the House.)

29. Mr. President, I am directed to inform the Senate that
30. the House of Representatives has passed bills of the
31. following titles, in the passage of which I am instructed
32. to ask concurrence of the Senate to wit:

33. House Bills 2349, 2457, 2506, 2608, 2426.

1. Mr. President, I am directed to inform the Senate that
2. the House of Representatives has concurred with the
3. Senate in the passage of a bill of the following
4. title.

5. Senate Bill 1380, together with the following
6. amendment, House Amendment No. 1.

7. PRESIDENT:

8. Secretary's desk. Senate Bills on Second Reading.
9. Senator Bruce do you want to proceed with 1355? Alright.
10. Proceed.

11. SECRETARY:

12. Senate Bill 1355.

13. (Secretary reads title of bill.)

14. Second reading of the bill, no Committee Amendments.

15. PRESIDENT:

16. Are there amendments from the Floor? Third reading.
17. Senator Berning, 1475? Do you wish it called? Yes.

18. SECRETARY:

19. Senate Bill 1475.

20. (Secretary reads title of bill.)

21. Second reading of the bill. This bill was read a Second
22. time on May 28 and Amendment No. 1 adopted. Amendment No. 2
23. offered and the bill held on Second reading.

24. PRESIDENT:

25. Senator Berning.

26. SENATOR BERNING:

27. Mr. President, I move Amendment No. 2 be Tabled.

28. PRESIDENT:

29. Senator Buzbee.

30. SENATOR BUZBEE:

31. Thank you, Mr. President. Mr. President, we started into
32. this dis...this discussion the other day and I would just like
33. to point out one thing, Mr. President, and that is that if this

1. amendment is Tabled, given the Court's ruling on strict construc-
2. tion, that Senate Bill 1475 includes prevailing rates but it ex-
3. cludes negotiable rates. Therefore, all of the rates under Sec-
4. tion of the play...pay plan, prevailing rates would still be in
5. effect and all of the rates under Section 2, Negotiable Rates,
6. would not be in effect. So, we're talking about an awful lot of
7. state employees, Mr. President, who will be working and with no
8. authority to...for the pay scale they're working under. I think
9. that this amendment is one that needs to stay on and I would
10. plead with the members of both sides of the aisle to consider
11. what you're doing before you decide to vote to strike this amend-
12. ment. Thank you, Mr. President.

13. PRESIDENT:

14. Senator Knuppel.

15. SENATOR KNUPPEL:

16. Is this the same resolution? This is a question addressed
17. to the Sponsor. Is the same...

18. PRESIDENT:

19. Senator Berning.

20. SENATOR KNUPPEL:

21. Is this the same amendment that we wasted so much time with
22. the other day? Are we back on that again?

23. PRESIDENT:

24. Senator Berning.

25. SENATOR BERNING:

26. You're entitled to your own interpretation.

27. PRESIDENT:

28. Senator Knuppel.

29. SENATOR KNUPPEL:

30. That doesn't hardly answer the question. Is this the same...
31. is this the same amendment that you had a motion on the Floor on
32. the other day? It's not a question of interpretation. Is it or
33. isn't it?

PRESIDENT:

Senator Berning.

1. SENATOR BERNING:

2. Yes.

3. PRESIDENT:

4. Senator Berning....Senator Berning has moved to Table
5. Amendment No. 2. On that motion all in favor signify by saying
6. Aye. Contrary No. On the motion to Table all in favor signify
7. by rising. Alright, be seated. Those opposed to the motion
8. to Table, rise. The motion to Table prevails. Amendment No. 2
9. is Tabled. Are...Senator...yes...for what purpose does Senator
10. Hynes arise?

11. SENATOR HYNES:

12. I just wanted to make sure that you counted Senator Rosander
13. in the...in the...

14. PRESIDENT:

15. No, I did not.

16. SENATOR HYNES:

17. Oh...OK.

18. PRESIDENT:

19. We didn't need him. Amendment No. 3.

20. SECRETARY:

21. Amendment No. 3 by Senator Berning.

22. PRESIDENT:

23. Senator Berning.

24. SENATOR BERNING:

25. Yes, Mr. President and members of the body, Amendment No.
26. 3 makes numerous small changes that are accommodating requests
27. and suggestions from various sources including the Secretary of
28. State, the Civil Service Commission, and among which is the
29. elimination of the salary for the advisory group of members. I
30. move the adoption of Amendment No. 3.

31. PRESIDENT:

32. Senator Buzbee.

33. SENATOR BUZBEE:

1. Now, Mr. President, we have just been handed a two-page
2. amendment, an amendment we have never seen before. It was not
3. discussed in Committee whatsoever and I don't know about the
4. rest of you but I don't remember what page 12, line 2 says of
5. that particular bill and so therefore I don't know by deleting
6. act and inserting in lieu thereof code, I don't know what that
7. means. There are several other, if you'll count Mr. President,
8. there are some 70 lines on Amendment No. 3. I don't have any
9. idea what any of them do at this point. Now, Mr. President, I
10. would appeal to you and to the sponsor of the bill and the
11. sponsor of the amendment, by all that's right and decent in
12. this body to at least give us some time to study this amendment
13. before you ask us to cast a vote on it. Now, I'm a big boy,
14. I can count up to 30, but the point still remains that we are
15. changing the whole Personnel Code of the State of Illinois, an
16. instrument that took some two years to write, and you see fit to
17. change it all in 3 weeks. That's alright. You have the 30 votes.
18. But I still will...would appeal to your sense of decency to at
19. least give us one day to read this amendment and see what it does
20. to the bill. Thank you.

21. PRESIDENT:

22. Senator Berning.

23. SENATOR BERNING:

24. Well, I am deeply impressed by the great concern of the
25. Senator from Carbondale over this bill, particularly when I
26. know he has no sentiment for the bill one way or the other,
27. particularly no favor...no sentiment for it. insofar as support-
28. ing it is concerned. This amendment merely brings various
29. sections into conformity with the body of the bill, does accom-
30. modate some minor suggestions from various interested people,
31. does no substantive change and I invite your consideration of it
32. between now when we move it to Third reading and the time at
33. which we call it for passage. Mr. President, I move the adoption

1. of Amendment No. 3.

2. PRESIDENT:

3. Is there further discussion. All in favor of the motion
4. to adopt, signify by saying Aye. Contrary No. All in favor
5. of the motion to adopt rise. Will the members stand behind
6. their desk and please not move about the Floor. The Secretary
7. cannot record you. A roll call has been requested. The
8. question is does the Senate adopt Amendment No. 3 to Senate
9. Bill 1475 and on that question those in favor will vote Aye.
10. Those opposed will vote No. The voting is open. Have all
11. voted who wish. Have all voted who wish. Take the record.
12. On that question the Yeas are 28, the nays are 19 and Amendment
13. No. 3 is adopted. Are there further amendments from the Floor.
14. Third reading. Senator Knuppel do you wish to call 1264? I'm
15. informed that Senators Nimrod and McBroom are ready to proceed
16. if you're ready to call the bill, Senator Knuppel. Alright.
17. Senate Bill 1264.

18. SECRETARY:

19. Senate Bill 1264.

20. (Secretary reads title of the bill.)

21. Second reading of the bill. The Committee on Appropriations
22. offers amendments numbered 1, 2, and 3.

23. PRESIDENT:

24. Senator Knuppel.

25. SENATOR KNUPPEL:

26. It was my understanding that the Committee was going to
27. withdraw certain of those amendments and that was the reason
28. I was waiting.

29. PRESIDENT:

30. Senator Nimrod.

31. SENATOR NIMROD:

32. Mr. President, on the one amendment that pertained to the
33. Controlled Medication Board, I think there needs to be some further

1. discussion on this and there will be some proposals presented to
2. go ahead with it, but I think if you want to go ahead and move
3. it to Third and then bring it back after that's been explored
4. why it's perfectly alright with us, but we want to keep the
5. amendments on. We want to adopt the amendments.

6. PRESIDENT:

7. Senator Nimrod, do you move to adopt the committee amend-
8. ments?

9. SENATOR NIMROD:

10. I move to adopt the Committee Amendments, Mr. President.

11. PRESIDENT:

12. Alright. Senator Nimrod moves the adoption of the amend-
13. ments. Senator Knuppel.

14. SENATOR KNUPPEL:

15. I just...just hold it, because that is not what the agree-
16. ment was and I...and I'm opposed to the amendments.

17. PRESIDENT:

18. Alright then, you want to take the bill out of the Record.

19. SENATOR KNUPPEL:

20. Well, just leave it where it's at, because we had an agree-
21. ment and I don't want that.

22. PRESIDENT:

23. OK, take the bill...take the bill out of the Record. Sena-
24. tor Swinarski is not on the Floor. Yes...yes. Senator...yes...

25. Senator Netsch. Senator Netsch, do you wish to call 1357, the
26. EPA...alright...OK. Senator Rock do you wish to call 1346?

27. Senator Berning, do you wish to advance 1550?

28. SECRETARY:

29. Senate Bill 1550.

30. (Secretary reads title of bill.)

31. Second reading of the bill, no Committee amendments.

32. Amendment No. 1 by Senator Berning.

33. PRESIDENT:

SB 1559
2nd Reading
6/4/74

1. Senator Berning.

2. SENATOR BERNING:

3. Thank you, Mr. President. Amendment No. 1 is a corrective
4. amendment. It's been discussed with the members on both sides
5. of the aisle. There is no disagreement and I therefore move
6. the adoption of Amendment No. 1.

7. PRESIDENT:

8. Senator Berning moves the adoption of Amendment No. 1.

9. Senator Rock.

10. SENATOR ROCK:

11. Yes, Mr. Chairman, the amendment, Senator Berning has
12. brought it over. It's a...merely a technical amendment. We
13. would have no objections.

14. PRESIDENT:

15. Is there further discussion? All in the...all in favor of.
16. Amendment No. 1 being adopted, signify by saying Aye. Contrary
17. No. Motion carries. The Res...The amendment is adopted. Are there
18. further amendments from the Floor? Third reading. Senator
19. Don Moore do you wish to advance 1559?

20. SECRETARY:

21. Senate Bill 1559.

22. (Secretary reads title of bill.)

23. Second reading of the bill. The Committee on Appropriations
24. offers Amendments Numbered 1 and 2.

25. PRESIDENT:

26. Senator Moore.

27. SENATOR MOORE:

28. A...thank you, Mr. President. Mr. President, I would move for
29. the adoption of Committee Amendments No. 1 and 2. Committee
30. amend...Amendment No. 1 deals with the increase in the pension
31. benefits and Amendment No. 2 deals with a line item for legal
32. services for the Department that are going to be worked out
33. through the Attorney General's office, and I would move, Mr.

1. President, for the adoption of the two amendments.

2. PRESIDENT:

3. Is there further discussion? All in favor of the adoption
4. of Com...Committee Amendments 1 and 2, signify by saying Aye.
5. Contrary No. For what purpose Senator Rock arise?

6. SENATOR ROCK:

7. I wish to be recorded No on Amendment No. 2. One, I...

8. PRESIDENT:

9. Alright. On...we'll separate them. All in favor of the
10. adoption of Amendment No. 1 signify by saying Aye. Contrary
11. No. Motion carries. Amendment No. 1 is adopted. On Amend-
12. ment No. 2, all in favor signify by saying Aye. Senator Partee.

13. SENATOR PARTEE:

14. Could we just have a...an explanation on Amendment No. 2
15. again? Slow it down a little bit. Let's....

16. PRESIDENT:

17. Sure. Senator Moore.

18. SENATOR MOORE:

19. Yes, Senator Partee, the amount of contractual that was in
20. the budget for the attorneys that are with the Department of
21. Public Aid presently amounts to some \$646,000. That amount by
22. part of the amendment was taken out of the contractual and added
23. to one million, two hundred and fifty-six thousand dollars as
24. a line item for the administrative cost of legal services to be
25. secured through the Attorney General's office. So in effect the
26. amendment is for one million, nine hundred and two thousand,
27. four hundred dollars of which there was a transfer so to speak
28. of four hundred and sixty...or six hundred and forty-six thousand
29. dollars. The net amount is one million, two hundred and fifty-
30. six thousand.

31. PRESIDENT:

32. Senator Partee.

33. SENATOR PARTEE:

1. The economics I understood, but what I was concerned about
2. is what does that do in terms of the jobs now held as...by
3. attorneys within that Department. What happens to them?

4. PRESIDENT:

5. Senator Moore.

6. SENATOR MOORE:

7. The attorneys that are in the Department now are...I'm ex-
8. cluding the County of Cook, the attorneys downstate are ...
9. Assistant Attorney Generals. And they will remain as Assistant
10. Attorney Generals unless there is an agreement to make a change
11. with the Director and the Attorney General. There is some 300
12. and some thousand dollars that is put in here to take over the
13. functions of the State's Attorney's office in the County of Cook,
14. who up to this point has been handling the support enforcement
15. aspects of the Public Aid Code, but who, as of July 1st, will no
16. longer do so.

17. PRESIDENT:

18. Senator Partee.

19. SENATOR PARTEE:

20. Now are you saying that those persons who serve as attorneys
21. for the Department in Cook County remain in that status? Or...

22. PRESIDENT:

23. Senator Moore.

24. SENATOR MOORE:

25. No, I did not say that, Senator. I said that in all the
26. counties outside the County of Cook they will remain. In the
27. County of Cook the enforcement is handled by the State's Attorney
28. of Cook County. They are Assistant State's Attorneys of the
29. County of Cook who are doing our prosecution now. As of July 1
30. they will cease to be Assistant State's Attorneys and they will
31. in turn become, if there's an agreement between the Director
32. and the Attorney General, they will become Assistant Attorney
33. Generals.

1. PRESIDENT:
2. Senator Partee, have you concluded?
3. SENATOR PARTEE:
4. Yes, that answers my question.
5. PRESIDENT:
6. Senator Rock.
7. SENATOR ROCK:
8. As I read this then, we are just engrafting a new section
9. into the bill and we are appropriating the sum of one million,
10. nine hundred thousand dollars to the Department of Public Aid
11. for the sole and exclusive use of the Office of the Attorney
12. General for the purpose of all cost of legal services. Does
13. that mean that all attorneys who do anything with regard to
14. the Department of Public Aid will be on contractual services?
15. PRESIDENT:
16. Senator Moore.
17. SENATOR MOORE:
18. They may be on contractual services. They may be on a
19. per diem basis. They may be on a salary basis, Senator Rock.
20. PRESIDENT:
21. Senator Rock.
22. SENATOR ROCK:
23. Can the Attorney General use all or any of this money for
24. purposes other than the Department of Public Aid?
25. PRESIDENT:
26. Senator Moore.
27. SENATOR MOORE:
28. No, it's for the administrative cost of legal services.-
29. That is solely what this money can be used for.- In the Depart-
30. ment of Public Aid.
31. PRESIDENT:
32. Senator Rock.
33. SENATOR ROCK:

1. Well, the problem that I have frankly is if, in fact,
2. these young men are going to be on the payroll there are cer-
3. tain other costs, such as Retirement. Where is that money
4. coming from?

5. PRESIDENT:

6. Senator Moore.

7. SENATOR MOORE:

8. I believe in the drafting of this amendment when the bill
9. was up for hearing in the Appropriations Committee, the amount
10. that they came up with the one million, two hundred and fifty-
11. six thousand plus the six hundred and forty-six thousand that
12. came out of contractual and went into this particular fund, the
13. Retirement, the pension, the taxes, and so forth were considered
14. in the computation of this amount.

15. PRESIDENT:

16. Senator Rock, have you concluded your questions? Senator
17. Dougherty.

18. SENATOR DOUGHERTY:

19. I think that what Senator Moore has failed to state is
20. that these were in-house attorneys at present on the staff of
21. the Department of Public Aid and under the terms of this bill
22. they will then become Attor...Attorneys...Assistant Attorneys
23. General...is that right? I mean these have been in-house
24. attorneys on the staff that are working at...for some time,
25. and they will now, as a result of this amendment become con-
26. tractual employees if you will to the Attorney General. Is
27. that right, Senator? And as far as Cook County is concerned,
28. and since this legislation was passed it provided the Cook
29. County Department of Public Aid would then become a State
30. Department of Public Aid taken over entirely by the operations
31. that the State...State's Attorney of Cook County said that he
32. was no longer responsible as a County employee...or as a County
33. Administrator of the State's Attorney's office, so therefore he

1. was transferring this function over to the Attorney General and
2. perhaps you would use the same attorneys, I do not know, but
3. they would in effect be on the State payroll as opposed to the
4. County payroll. Is that correct?

5. PRESIDENT:

6. Senator Moore.

7. SENATOR MOORE:

8. That is correct, Senator. If there's no other discussion,
9. Mr. President...

10. PRESIDENT:

11. Senator Hynes wished recognition and Senator Netsch.

12. Senator Hynes.

13. SENATOR HYNES:

14. Another question for the sponsor. How many Assistant
15. State's Attorneys in Cook County are presently involved in this
16. area?

17. PRESIDENT:

18. Senator Moore.

19. SENATOR MOORE:

20. To the best of my recollection, I believe there are 12 or
21. 14.

22. SENATOR HYNES:

23. Well, is the plan then that they would...they would continue
24. to do this work but be paid as Assistant Attorneys General as
25. opposed to Assistant State's Attorneys?

26. PRESIDENT:

27. Senator Moore.

28. SENATOR MOORE:

29. In the event they are retained they would be Assistant
30. Attorney Generals. Now I know one of them...one of the attorneys
31. for the Cook County Department, an Assistant State's Attorney,
32. assigned to the Cook County Department, is presently under
33. indictment. He has resigned, I believe, from the office. I

1. don't know if that's been filled or not. I do not know what
2. the intention of the Director of Public Aid is in so far as the
3. assistance that they...that the Cook County Department presently
4. has in the City of Chicago.

5. PRESIDENT:

6. Senator Netsch.

7. SENATOR NETSCH:

8. May I ask Senator Moore one more question. I am not sure
9. I understand one aspect of this, Senator Moore. The attorneys
10. who are doing that kind of legal work for the...what was the
11. Cook County Department of Public Aid at the present time, by
12. whom are they hired?

13. PRESIDENT:

14. Senator Moore.

15. SENATOR MOORE:

16. They are hired by the Cook County Department of Public Aid,
17. paid by the Department of Public Aid, and placed in that position
18. of authority by the State's Attorney of Cook County.

19. SENATOR NETSCH:

20. But they are actually hired by the Department of Public Aid
21. and then they are...they automatically become Assistant State's
22. Attorneys. Once they are put into that position. Is that what
23. you were saying?

24. SENATOR MOORE:

25. No, they're not automatically made Assistant State's
26. Attorneys. If the State's Attorney of Cook County does not
27. desire to appoint one of those individuals why then he won't
28. appoint that individual and that individual will not be an
29. Assistant State's Attorney that can go into Court and enforce
30. the provisions of the Public Aid Code.

31. SENATOR NETSCH:

32. Would he be able to continue to do any legal work for the
33. Department?

1. PRESIDENT:

2. Senator Moore.

3. SENATOR MOORE:

4. Under this bill, as it is amended, particularly with this
5. particular amendment, they would have to be an attorney...an
6. Assistant Attorney General in order to go into Court on either
7. Civil or Criminal matters.

8. PRESIDENT:

9. Senator Netsch.

10. SENATOR NETSCH:

11. Then, the...the primary thing that is being changed as far
12. as I can see is that instead of...as at present the Department
13. hiring the attorneys and then trying to persuade the State's
14. Attorney to accept them as Assistant Attorney...Assistant State's
15. Attorneys, that whole system would be abandoned and the attorneys
16. would be hired initially by the Attorney General and then given
17. to the Department of Public Aid. Is that substantially correct?

18. SENATOR MOORE:

19. I think it should be just the reverse around. I believe what
20. will happen, Senator, and that is after discussion that was held
21. with Attorney General Scott, Director Edelman and myself, the
22. Department will find these attorneys and recommend them to the
23. Attorney General and he, in turn, will appoint them as an Assistant
24. Attorney General and in turn they will work solely for the De-
25. partment of Public Aid. The one big advantage that we have with
26. this type of particular setup is that we will have, and I say we,
27. I mean the State Department of Public Aid, will have control over
28. the enforcement proceedings from within the Department, which we
29. do not presently have now. The Assistant Attorney Generals that
30. we have now are hired by the Attorney General. We give them cases.
31. If they do a good job on them fine. If they don't, well then that's
32. too bad. So there will be, I think from a Governmental point of
33. view, it will be easier and there will be more direct control

1. over the legal enforcement proceedings that are held in the
2. Department of Public Aid if the Director of the Department of
3. Public Aid has control over them, and this bill does that.

4. PRESIDENT:

5. Senator Netsch, have you concluded? Senator ParTEE.

6. SENATOR PARTEE:

7. Well, I want to speak to the amendment. I don't quarrel
8. with that part of it which coordinates the services of a group
9. of people who are going to be in the enforcement sector at
10. all. Now, the information came to us in the Committee that
11. the State's Attorney of Cook County indicated that he no longer
12. had a desire to have any members of his staff in the prosecu-
13. torial part of this area. I have no quarrel with that. So,
14. the arrangement was made and Director Edelman said that he and
15. Attorney General Scott would work out an arrangement whereby
16. persons who would be appointed as Attorney Generals...Assistant
17. Attorney Generals, would handle the prosecution. I have no
18. quarrel with that. What I do quarrel with is that there are
19. several attorneys who now are employed by the Department of
20. Public Aid who may or may not be accepted by the Attorney General
21. as Assistant Attorney Generals. They are persons with a great
22. deal of expertise in handling matters relating to the Public
23. Welfare Department. They are not necessarily persons who
24. would be, or have been, handling cases of prosecution for
25. fraud and otherwise. They are persons entirely familiar with
26. the Federal rules and regulations, guidelines and standards
27. which happen to operate on the Department of Public Welfare.
28. Now it occurs to me that this amendment is in no measure pro-
29. tective of the job rights, the expertise of those persons who
30. may or may not be accepted as Assistant Attorneys General and
31. that is the part of the amendment that gives me pause and
32. causes me to take a negative position toward its adoption.

33. PRESIDENT:

1. Is there further discussion? Senator Moore.

2. SENATOR MOORE:

3. Just in a brief reply to Senator Partee. I am sure, Senator,
4. and I am well aware that there are members in the Attorney Gen-
5. eral's office in the City of Chicago that have extreme competence
6. and knowledge of the many, many lawsuits that befall the Depart-
7. ment of Public Aid in this state. I have no reason to believe
8. that those individuals are going to be replaced. They are there
9. now. I am sure that they are competent and that is the only
10. thing the Director and I believe the Attorney General is concerned
11. with. Just in one other aspect of this, Mr. President and members
12. of the Senate, by transferring these previous employees of the
13. Attorney General's office to the Department of Public Aid the
14. State does become eligible for matching Federal funds, which in
15. this case will be approximately six hundred thousand dollars of
16. matching Federal funds that we will receive and in effect there
17. will be a savings over the present system as it is being admin-
18. istered by the State. If there are no other questions, Mr.
19. President, I would move for the adoption of Amendment No. 2.

20. PRESIDENT:

21. Is there further discussion? Senator Moore moves the
22. adoption of Amendment No. 2 to Senate Bill 1559. All in favor
23. signify by saying Aye. Con...Roll call has been requested.
24. Question is does the Senate concur in the adoption of Amendment
25. No. 2 to Senate Bill 1559. Those in favor will vote Aye. Those
26. opposed vote No. The voting is open. Have all voted who wish?
27. Have all voted who wish? Take the record. On that question the
28. Yeas are 28, the Nays are 18, one voting present, and the Senate
29. concurs in the adoption of Amendment No. 2 to Senate Bill 1559.
30. Are there further amendments? Third reading.

31.
32.
33.

1. PRESIDENT:

2. Senator Carroll, all right, Senator Carroll's not here. 1633.

3. SECRETARY:

4. 1633

5. (Secretary reads title of bill)

6. 2nd reading of the bill. No Committee Amendments.

7. PRESIDENT:

8. Are there amendments from the Floor? 3rd reading. Now that
9. completes the call of all of the bills on 2nd reading, that
10. sponsors have indicated that they requested be considered. We
11. will then proceed to Senate Bills on 3rd reading and before we do
12. that, the Chair recognizes Senator Dixon.

13. SENATOR DIXON:

14. Mr. President and Members of the Senate, would Senator
15. Arrington please pay attention, he's still not paying attention.
16. Mr. President, I've got Senator McGloon on the telephone, he's
17. asked that you hold up everything, he wants to come down here with
18. me, we want to abuse Senator Arrington just one more time.

19. PRESIDENT:

20. Well, there were some great days here and I'm certain that
21. Judge McGloon joins us all in this occasion of acknowledging our
22. colleagues contribution. Senator Berning.

23. SENATOR BERNING:

24. Mr. President, I must acknowledge the presence of former
25. Senator Dixon with what I came to regard as his favorite comment
26. during those years when Senator Arrington was Majority Leader.
27. But, they are particularly apropos today when I see not only former
28. Senator Dixon, but other Senators here and say to you Senator
29. how sweet it is.

30. PRESIDENT:

31. Senator Soper.

32. SENATOR SOPER:

33. Now, Mr. President and Members of the Senate, I remember one

1. time when there was an argument going on in debate and Senator
2. McGlooin got up and he was debating Senator Arrington and subject
3. matter, I forget what it was, he spoke for about ten or fifteen
4. minutes and then he nudged Senator Dixon. And, Senator Dixon
5. got up and he spoke for about five minutes and about that time
6. McGlooin woke up and he found out that...that Dixon was on
7. Arrington's side. And, he told Dixon, no...no... the other side,
8. then Dixon said, well, now that's the way Arrington would like
9. to have it, but then he reversed the whole thing and he remembered
10. what side he's on, so I know Allen Dixon, he can speak on either
11. side at anytime.

12. PRESIDENT:

13. Senate Bills on 3rd reading. Senator McBroom, SB 1246.

14. SECRETARY:

15. SB 1246.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDENT:

19. Senator McBroom.

20. SENATOR MCBROOM:

21. Well, Mr. President, I would be happy to explain this bill
22. it...it amounts to a 20 percent increase, it's similar to...iden-
23. tical to a bill that you passed last session Mr. President and I
24. think the key to it is that it gives the County Fairs a certain
25. specific amount that they can depend on, rather than having to
26. depend on the whim of the Director of the Department of Agriculture.
27. They were at the committee meeting and testified in favor of it.
28. And I'd appreciate a favorable roll call.

29. PRESIDENT:

30. Senator Rock.

31. SENATOR ROCK:

32. Two questions if the sponsor will yield, Mr. President.

33. PRESIDENT:

1. He indicates that he'll yield. Proceed Senator Rock.

2. SENATOR ROCK:

3. What is the amount of money about which we are speaking
4. and is it in fact in the Budget?

5. PRESIDENT:

6. Senator McBroom.

7. SENATOR MCBROOM:

8. The...the money, Senator Rock, as I understand it is...is
9. not in the Budget. Not all of it. It comes out of the
10. Agriculture Premium Fund as you know Senator Rock.

11. PRESIDENT:

12. Senator McBroom.

13. SENATOR MCBROOM:

14. Yeah, Senator Rock, the amount in the Governor's budget is
15. a 196,000, what we're proposing is 326,000 about 125,000 dollars,
16. Senator Rock. If my figures are correct, here.

17. PRESIDENT:

18. Senator Rock.

19. SENATOR ROCK:

20. Well, the...the reason I asked, it seems to me if memory serves
21. me, that we had an identical bill last Session that emanated from
22. the Senate. And, it also seems to me if I recall, that the Governor
23. vetoed that bill and it also seems to me that the reason he vetoed
24. it was because a large amount of this money had lapsed. So that
25. there was really no need for an increase. Do you recall that
26. Senator McBroom?

27. SENATOR MCBROOM:

28. Why...why then if that is correct Senator Rock, did he re-
29. quest an increase this year and why did the Representatives of
30. the County Fairs testify in favor of this bill? Senator Rock,
31. we...I didn't think you were against the County Fairs in downstate
32. Illinois.

33. PRESIDENT:

34. Senator Rock.

1. SENATOR ROCK:

2. No, I am for Motherhood, the hot dog, Lawrence Welk and
3. certainly County Fairs. I...I my question is though that
4. the 20%, I'm reading now from his message of September 14,
5. where it says the 20% increase in the original base compu-
6. tation for County Fairs is unnecessary, because last year,
7. Fairs of all sizes failed to claim over 100,000 of their
8. authorized base. I...I would assume whatever natural
9. increment is reflected in the book is just that, just a
10. natural increment.

11. PRESIDENT:

12. Senator McBroom.

13. SENATOR MCBROOM:

14. Senator Rock, for two years I have not been persuaded by
15. the Governor's opinion on many subjects and I remain consistent on
16. that today. I would appreciate a favorable roll call Mr. President.

17. PRESIDENT:

18. Is there further discussion? Question is, shall SB 1246 pass.
19. Senator Buzbee.

20. SENATOR BUZBEE:

21. Mr. President, I kept hoping that Senator McBroom was going
22. to answer Senator Rock's question directly but he chose to make
23. references to the Governor and so forth. And, I think that a
24. very persuasive argument Senator Rock, that was used in the
25. committee in favor of this bill, was the fact that these funds that
26. are not used by those particular County Fairs then are picked up by
27. the fund and are distributed to other County Fairs who do use them.
28. And so in effect that this bill, the 20% increase will give
29. the increase to those Fairs who want to use them. And I speak
30. specifically of the DuQuoin State Fair now, which happens to be
31. in my district. And is a tremendous income booster for the economy
32. of my area that it will mean some 12 or 14 thousand dollars
33. of additional funds to them for prize money. And, as you know

1. County Fairs have a tough time of making it financially and this
2. is simply another way of attracting more people who want to show
3. their products and their animals and so forth, and allow the
4. particular fairs to be able to give a little higher fair income or
5. rather a little higher prize money, and also the fact that these
6. will...the fairs will get to use this money in addition to that...
7. that's the other Fairs do not use.

8. PRESIDENT:

9. Is there further discussion? Senator McBroom may close the
10. debate.

11. SENATOR MCBROOM:

12. Well, thank you Mr. President, and thank you Senator Buzbee.
13. I concur with the Sen...with the remarks that you made, also
14. want to state that the Governor that...what I'm concerned about if
15. I...I read the newspapers correctly the Governor has repeatedly
16. said that he is for increased aid to County Fairs and that's
17. what this amounts to.

18. PRESIDENT:

19. The question is, shall SB 1246 pass? Those in favor will
20. vote Aye. Those opposed vote No. The voting is open. Have all
21. voted who wish? Take the record. On that question, the Yeas are
22. 42, the Nays are 4. SB 1246 having received a constitutional ma-
23. jority is declared passed. Senator Bruce, you wish to call 1354?

24. SECRETARY:

25. SB 1354

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDENT:

29. For what purpose does Senator Scholl arise?

30. SENATOR SCHOLL:

31. A point of personal privilege.

32. PRESIDENT:

33. Proceed.

1. SENATOR SCHOLL:

2. I'd like to introduce former State Senator Walter Hoffelder,
3. who's with us today.

4. PRESIDENT:

5. Senator Bruce.

6. SENATOR BRUCE:

7. Yes, Mr. President and members of the Senate, this is an
8. annual appropriation of 71 million dollars with payment of
9. interest on Bonded indebtedness. I don't believe I'll bore
10. you with all the various funds we pay into. I would ask for a
11. favorable roll call.

12. PRESIDENT:

13. Is there further discussion? The question is, shall SB 1354
14. pass. Those in favor will vote Aye. Those opposed will vote
15. No. The voting is open. Have all voted who wish? Take the record.
16. On that question, the Yeas are 44, the Nays are none. SB 1354,
17. having received a constitutional majority is declared passed.
18. SB 1359, Senator Netsch.

19. SECRETARY:

20. SB 1359.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDENT:

24. Senator Netsch.

25. SENATOR NETSCH:

26. Mr. President, this bill transfers \$30,000 within the
27. Federal Funds for this current biennium's appropriation to EPA
28. so they can pay the Social Security amount out of the Federal
29. Funds rather than out of General Revenue Funds.

30. PRESIDENT:

31. Is there further discussion? The question is, shall SB 1359
32. pass? Those in favor will vote Aye. Those opposed vote No. The
33. voting is open. Have all voted who wish? Have all voted who wish?

1. Take the record. On that question, the Yeas are 42, the Nays
2. are 3. SB 1359, having received a constitutional majority is
3. declared passed. Senator Regner, do you wish to call 1284?
4. SB 1284.

5. SECRETARY:

6. SB...

7. PRESIDENT:

8. For what purpose does...for what purpose does Senator
9. McBroom arise?

10. SENATOR MCBROOM:

11. I wonder...I might arise on a point of personal priv...
12. privilege and if Senator Regner would yield to me for one minute.

13. PRESIDENT:

14. Indicates he'll yield, proceed.

15. SENATOR MCBROOM:

16. Well, Mr. President, I voted no...no on the last roll call
17. on the EPA. I would like to...Senator Netsch and I have had
18. some words in regard to the EPA, she does not agree with me and
19. I do not agree with her. But I would like to tell you, an
20. experience, the members very quickly that I had just the other
21. day and imagine if you were a common garden variety voter in my
22. district and were confronted with this sort of situation. I
23. wanted to talk to a Mr. Miller. This Mr. Miller had steadfastly
24. refused to talk to the Mayor of the Community in my district, he
25. was too busy for that. Apparently much busier than you, Mr. Presi-
26. dent, or I. So I called and I couldn't get through to Dr. Briceland
27. he was too busy to talk to me, I finally got through to Mr. Diver,
28. Mr. Diver didn't know who I was talking about. I finally identi-
29. fied him, he said yes, I think we have such an employee, he's
30. in Champaign, so I got...took the number in Champaign where I could
31. get Mr. Miller. I called Mr. Miller at Champaign, got some girl
32. on the phone, gave the first name, I believe it's Warren Miller isn't
33. like a John Miller or George Miller somewhat of an unusual first

1. name. They'd never heard of him in Champaign, they didn't think
2. he was employed by the Environmental Protection Agency. So, I
3. called Mr. Diver back and I will say this that Mr. Diver received
4. my series of phone calls and acted as a liaison for me, so finally
5. Mr. Diver called me back. He said I think that Mr. Miller
6. can be found in Lake County, I don't want to say the town but it
7. occurs to me that it might have been Waukegan where he was, but at
8. any rate he gave me another phone number and I called, let's say it
9. was Waukegan, it was a community in Lake County. Said he could
10. be reached at this phone immediately if you call him. So I called
11. I don't know if I received...got the public library there or the
12. City Hall but again the girl didn't know who I was talking about.
13. She said...she said to me, there is a meeting going on here and I
14. said he's affiliated with the Environmental Protection Agency. Oh,
15. she said, well he might be in this meeting, so you hold on, so I
16. held on to the phone 10 or 15 minutes, finally Mr. Miller was
17. summoned from a meeting on the 2nd Floor or 3rd Floor or the 4th
18. Floor, whatever it might be. I did communicate with him, I told
19. him that apparently that he was busier than I was or Mr. Diver,
20. that we were able to communicate by telephone but why wouldn't he talk
21. to the Mayor of a community in my dist...district? Well, he said
22. he'd never received any phone calls from him, well, I can see Mr.
23. Miller why you've never received any phone calls. I said he's
24. repeatedly tried to get through to...with a Mr. Beaver in your
25. agency. Well, Mr. Miller finally agreed that he would call the Mayor
26. ...and knew and discuss the problem. Now ladies and gentlemen of
27. the Senate, if...if that's what this Government of our's is all
28. about, it's not what I was trained in, my...my training is to try
29. to respond to constituents in my district when they have a problem
30. and not have a lot of bureaucratic razzle-dazzle run around as I had
31. the other day. I hope that Dr. Briceland is listening and some-
32. one else from the EPA is listening. As I said the other day in
33. Appropriations Committee, it was...it's one of the saddest

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1. votes that I've ever cast since I've been a member of the Senate.
2. Thank you Senator Regner and Mr. President.

3. PRESIDENT:

4. Senator Regner.

5. SECRETARY:

6. ...1284.

7. (Secretary reads title of bill)

8. 3rd reading of the bill.

9. SENATOR REGNER:

10. Yes, Mr. President and members of the Senate, SB 1284
11. appropriates 722,100 dollars to the Department of Finance for
12. Data Processing Services for the General Assembly. And, I
13. would ask for a favorable roll call.

14. PRESIDENT:

15. Is there further discussion? The question is, shall SB 1284
16. pass. Those in favor vote Aye. Those opposed vote No. The
17. voting is open. Have all voted who wish? Have all voted who wish?
18. Take the record. On that question, the Yeas are 45, the Nays are
19. None. SB 1284, having received a constitutional majority is de-
20. clared passed. Senator Shapiro...Senator Shapiro.

21. SENATOR SHAPIRO:

22. Yeah, Mr. President, I would like to make a motion in
23. regards to SB 1395.

24. PRESIDENT:

25. Proceed.

26. SENATOR SHAPIRO:

27. Mr. President, Ladies and Gentlemen of the Senate, I would
28. like leave of the Senate to take SB 1395 from 3rd reading back
29. to 2nd reading for purposes of Tabling one amendment and adding
30. several other amendments.

31. PRESIDENT:

32. All right, Senator Shapiro moves to recall from 3rd
33. to 2nd reading for purposes of reconsidering one amendment and

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1. considering others. All in favor signify by saying Aye. Contrary
2. No. The motion carries. SB 1395 is recalled to 2nd reading.
3. Proceed, Senator Shapiro.

4. SENATOR SHAPIRO:

5. Mr. President, I would now move that Amendment No. 1
6. be Tabled to SB 1395.

7. PRESIDENT:

8. Well I, the motion would be to reconsider the vote by which
9. Amendment No. 1 was adopted. All in favor of the motion to
10. reconsider signify by saying Aye. Contrary No. The motion carries.

11. The motion...the amendment now is before us. Senator Shapiro and
12. you move to Table Amendment No. 1. All in favor of motion to
13. Table Amendment No. 1, signify by saying Aye. Contrary No.
14. The motion carries. Amendment No. 1 is Tabled. Senator Shapiro.

15. SENATOR SHAPIRO:

16. I would now like to move that Amendment No. 2 to SB 1395
17. be adopted. This Amendment merely places the bill in proper
18. form, it was a paragraph inadvertently left out, when the Bureau
19. drafted the original bill.

20. PRESIDENT:

21. Senator Shapiro moves to adopt Amendment No. 2. All in
22. favor signify by saying Aye. Contrary No. The motion carries.
23. Amendment No. 2 is adopted.

24. SENATOR SHAPIRO:

25. Mr. President and Ladies and Gentlemen of the Senate,
26. I would now like to move adoption of Amendment No. 3 to
27. SB 1395. This is an agreed upon amendment by Leadership on
28. both sides of the aisle and what it does is give the Bureau of
29. the Budget with the approval of the Governor the power to transfer
30. monies from the Federal Fiscal Assistant Trust Fund to the Common
31. School Fund. I would urge its adoption.

32. PRESIDENT:

33. Is there discussion? Senator Hynes.

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1. SENATOR HYNES:

2. I would like to simply say that all of these amendments have
3. been agreed and it might be helpful if the entire package could
4. be discussed here so that everyone will have an idea of what...
5. what it's all about. And, then we could take the amendments one
6. at a time.

7. PRESIDENT:

8. I don't think Senator Shapiro heard what you said.

9. SENATOR HYNES:

10. I was just going to suggest Senator that you might explain
11. the entire package what this bill will ultimately do and then
12. take the amendments one at a time so the big picture could be
13. in front of us.

14. PRESIDENT:

15. Senator Shapiro.

16. SENATOR SHAPIRO:

17. Your point is well taken. Mr. President and ladies and
18. gentlemen of the Senate, SB 1395 as originally introduced
19. provides for ten monthly payments through the distributive fund
20. to our common schools throughout the state of the monies that
21. we appropriate to the Superintendent of Public Instruction. These
22. series of amendments which will be placed on the bill, change the
23. payment schedule to 11 payments throughout the year starting in
24. August with a single 1/12th payment through the Month of May and
25. then a 1/6th payment in the month of June much the same as Governor
26. Walker is now doing. In addition it also gives the Governor and
27. the Bureau of the Budget the authority to transfer monies from the
28. Federal Fiscal Assistant Trust Fund to the Common School Fund.
29. Then the last...the 1st amendment was a technical amendment. The last
30. amendment has to do with the dispersment of funds for summer school
31. transportation for special education districts. Senator Hynes will
32. handle that amendment.

33. PRESIDENT:

1. Is there further discussion? The...Senator Hynes, you wish
2. recognition? Senator Hynes.

3. SENATOR HYNES:

4. Just one comment. I think this is a very important bill
5. or will be as amended, what it will do is make it certain the
6. dates on...on which school aid payments will be distributed to
7. school districts. The districts will be able to plan their budgets
8. and will know in advance when they're going to receive their
9. payments and this schedule has been worked out so that there will
10. be no loss of interest whatever to the state. Because of the schedule
11. that's set up, so I think it's a very desirable procedure and I...
12. I think that everyone that's worked on it is in agreement.

13. PRESIDENT:

14. Is there further discussion? Question is, does the Senate
15. adopt Amendment No. 3 to SB 1395. All in favor signify by saying
16. Aye. Contrary No. The motion carries, Amendment No. 3 is adopted.
17. Are there further amendments?

18. SECRETARY:

19. Amendment No. 4.

20. PRESIDENT:

21. Senator Shapiro.

22. SENATOR SHAPIRO:

23. Mr. President, Amendment No. 4 is the main thrust of the bill.
24. And, this amendment provides for a 1/12th payment starting in the
25. month of August through the month of May. In the month of June it
26. will provide for a 1/6th payment making a total of 12/12's through...
27. for the fiscal year. This will insure school districts throughout
28. the state that the monies appropriated to the Superintendent of Public
29. Instruction will be dispersed to them. It in no way deters or hampers
30. the power of the Governor to reduce the payment for the power of the
31. Comptroller to reduce the payment if funds are not available. It al...
32. it amends the State Finance Act as well as the School Code brings them
33. both in to conformity with the amendment and I would urge its adoption.

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1. PRESIDENT:

2. Is there further discussion? The question is, does the Senate
3. adopt Amendment No. 4 to SB 1395? All in favor signify by saying
4. Aye. Contrary No. The motion carries. Amendment No. 4 is adopted.
5. Amendment No. 5, I believe is by Senator Hynes. Senator Hynes.

6. SENATOR HYNES:

7. Mr. President and members of the Senate, this amendment is
8. on a...another subject in the area of education and it is extremely
9. important in it...of itself. In a fact it will incorporate the
10. provisions of SB 1448 which I introduced and which is presently
11. in to rules...in the rules committee, into this bill. And, SB
12. 1448 has been the subject of much interest in the part of Senator
13. Schaffer and num...a number of other members of the General As-
14. sembly. What the amendment will do is simply this, it will
15. specifically authorize the Superintendent of Public Instruction
16. to reimburse local school districts for the cost of transportation
17. provided to pupils attending special education classes during the
18. summer. We passed legislation last session...last year authorizing
19. this reimbursement but there is an inconsistency in the School Code
20. and this will remove it. The money is already in the superintendent's
21. budget, these programs have already been planned for this summer.
22. And, unless this amendment is adopted and...and signed...bill
23. signed into law, those programs will not go ahead. So, I would
24. move the adoption of the amendment.

25. PRESIDENT:

26. Is there further discussion? Senator...Senator Hynes moves
27. the adoption of Amendment No. 5. All in favor signify by saying Aye.
28. Contrary No. The motion carries. Amendment No. 5 is adopted. Are
29. there further amendments from the Floor? 3rd reading. Senator
30. Nimrod, you wish to call 1452, 54? Senator Knuepfer, 1486.

31. SECRETARY:

32. SB 14...

33. PRESIDENT:

34. Do you wish...wish to call it? Yes.

1. SECRETARY:

2. ...1486

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDENT:

6. Senator Knuepfer.

7. SENATOR KNUEPFER:

8. / SB 14...the need for SB 1486 is occasioned by many requests for
9. formation of unit districts in the county to which...which I come
10. from. The bill relates to a particular school that voted to form
11. a unit district, unfortunately because some of the children in
12. that present district were already involved in another petition,
13. they could not be included in the unit district, that petition is
14. still not resolved. All that this bill does is to let about 100
15. students, have the option of cont...that are presently going to this
16. high school, have the option of continuing to go to this high school
17. that they started in. It does nothing else and I would solicit
18. your support.

19. PRESIDENT:

20. Is there further discussion? The question is, shall SB 1486
21. pass. Those in favor will vote Aye. Those opposed, No. The
22. voting is open. Have all voted who wish? Take the record. On
23. that question, the Yeas are 43, the Nays are none. SB 1486 having
24. received a constitutional majority is declared passed. House
25. Bills on 2nd reading. Senator Hickey, do you wish to advance 2418?

26. SECRETARY:

27. HB 2417

28. (Secretary reads title of bill)

29. 2nd reading of the bill. No committee amendments.

30. PRESIDENT:

31. Are there amendments from the Floor? 3rd reading.

32. SECRETARY:

33. HB 2418

34. (Secretary reads title of bill)

1. 2nd reading of the bill. No Committee Amendments.

2. PRESIDENT:

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

4. SECRETARY:

5. HB 2489

6. (Secretary reads title of bill)

7. 2nd reading of the bill. No Committee Amendments.

8. PRESIDENT:

9. Are there amendments from the Floor? 3rd reading.

10. House Bills on 1st reading. Senator Shapiro, has identified

11. himself as the sponsor for 2287.

12. SECRETARY:

13. HB 2287

14. (Secretary reads title of bill)

15. 1st reading of the bill.

16. PRESIDENT:

17. Rules. Yes. Well, there's some question of...Senator Shapiro.

18. SENATOR SHAPIRO:

19. No, Mr. President, the Board of Higher Education called me

20. yesterday and asked me to...if I would sponsor it, but it makes

21. no difference.

22. PRESIDENT:

23. Ok. Well then, alright, continue to show Senator Shapiro as

24. the sponsor. 2714, Senator Soper.

25. SECRETARY:

26. HB 2714

27. (Secretary reads title of bill)

28. 1st reading of the bill.

29. PRESIDENT:

30. Rules. We've gone well beyond the posted time for the Revenue

31. Committee meeting. I think we'll leave the other items on the

32. Calendar rather than...some of them still on the Calendar might

33. get into controversy. Is there further business to come before

1. the Senate? Senator Knuepfer.

2. SENATOR KNUEPFER:

3. Not a lot of business, but just an announcement. Doc...Doctor

4. Lashoff is waiting for the committee on Public Health, Welfare and

5. Corrections would you join us as soon as this is over in room 400?

6. PRESIDENT:

7. Health, Education and Corrections in room 400 immediately after

8. adjournment. Senator Clarke.

9. SENATOR CLARKE:

10. Mr. President, the Revenue Committee will meet immediately

11. in room A-1, so those sponsors of the bills come on over.

12. PRESIDENT:

13. Are there further announcements? We have a death resolution.

14. Will the members please be in their seats. Senator Schaffer.

15. SECRETARY:

16. SR 467 Senator Schaffer.

17. SENATOR SCHAFFER:

18. This resolution pertains to an old friend recently passed on,

19. Vicky Garner of Cary, a poet noted in my area. Mr. President, I'd

20. like to make the appropriate motion to suspend the rules for

21. immediate consideration.

22. PRESIDENT:

23. Senator Schaffer, would you hold your motion for just a moment

24. please. The Appropriations Committee report just reached the

25. Secretary's desk, let us proceed with that and then that report

26. will then place the bills on tomorrow's Calendar, otherwise we'll

27. lose a legislative day and I will recognize you after that committee

28. report. Committee reports.

29. SECRETARY:

30. Senator McBroom, Chairman of the Committee on Appropriations

31. reports SB 1261, 1348, 1382 and 1560. With the recommendation the

32. bills Do Pass, As Amended.

33. PRESIDENT:

1. Will the members please be in their seats...will the members
2. please be in their seats. Senator Schaffer moves to suspend the
3. rules for the immediate consideration of the resolution. All in
4. favor signify by saying Aye. Contrary No. On the motion to
5. adopt, all in favor please rise. The resolution is adopted. The
6. Senate stands adjourned until 10:30, Wednesday, June 5th.

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