

78TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 28, 1974

1. SERGEANT AT ARMS:

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

4. PRESIDENT:

5. The Senate will come to order. Senate will come to order.
6. The prayer will be offered by the Reverend Thomas J. Luke of the
7. First United Methodist Church of Springfield. Will our guests
8. in the gallery please rise? Reverend Luke.

9. REVEREND LUKE:

10. (Prayer by Reverend Luke.)

11. PRESIDENT:

12. Reading of the Journal. Senator Soper.

13. SENATOR SOPER:

14. Mr...Mr. President, I now move that we postpone the reading
15. and the approval of the Journals of June 19th, 20th, 21st, 22nd,
16. 23rd, 24th, 25th, 26th, and 27th, pending the arrival of the
17. printed Journals.

18. PRESIDENT:

19. Senator Soper moves that we postpone the reading of the
20. Journals of Wednesday, June 19th through Thursday, June 27th,
21. pending the arrival of the printed Journal. Is there discus-
22. sion? All in favor signify by saying Aye. Contrary No. The
23. motion carries. So ordered. Resolutions.

24. SECRETARY:

25. Senate Resolution 506, offered by Senators Harber Hall,
26. Harris, Sommer, and Weaver. Congratulatory.

27. PRESIDENT:

28. Senator Hall moves for the suspension of the rules for
29. the immediate consideration in the adoption of the resolution.
30. All in favor signify by saying Aye. Contrary No. The motion
31. carries. On the motion to adopt. All in favor signify by say-
32. ing Aye. Contrary No. The motion carries. The resolution is
33. adopted.

1. SECRETARY:

2. Senate Resolution 507, offered by Senators Conolly and
3. Berning.

4. PRESIDENT:

5. Senator Conolly moves to suspend for immediate considera-
6. tion. All in favor signify by saying Aye. Contrary No. The
7. motion carries. On the motion to adopt all in favor signify
8. by saying Aye. Contrary No. The motion carries and the reso-
9. lution is adopted.

10. SECRETARY:

11. Senate Resolution 508, offered by Senator Latherow, and
12. it's congratulatory.

13. PRESIDENT:

14. Senator Latherow moves to suspend for immediate consider-
15. ation. All in favor signify by saying Aye. Contrary No. The
16. motion carries. I've...on the motion to adopt. All in favor
17. signify by saying Aye. Contrary No. The motion carries and
18. the resolution is adopted. Conference Committee appointment.

19. SECRETARY:

20. (Secretary reads Conference Committee appointment.)

21. To the members of the Senate. I do hereby appoint
22. the following to serve as members of the Conference Com-
23. mittee on House Bill 2357: Senators Shapiro, McBroom,
24. Weaver, Hickey, and Vadalabene. Senator Howard R. Mohr,
25. Chairman, Committee on Committees.

26. PRESIDENT:

27. House Bills on Third Reading. We are going to go through
28. the call and call the amended bills first. Senator Latherow,
29. do you wish to call 1693? For what purpose does Senator Partee
30. arise?

31. SENATOR PARTEE:

32. Just wanted to praise you of American ingenuity. This, Sir,
33. is not a blue ballot or an orange ballot, this is a telegram.

1. PRESIDENT:
2. Well, thank you.
3. SENATOR PARTEE:
4. Somebody's trying to get my attention.
5. PRESIDENT:
6. Senator Latherow, did you wish to call your bill?
7. SECRETARY:
8. House Bill 1693.
9. PRESIDENT:
10. Senator Latherow.
11. SENATOR LATHEROW:
12. Did we put the amendment on that yesterday? Ok.
13. PRESIDENT:
14. Yes, it has been amended. I stated to the membership that
15. I was going to go through the call and call the amended bills
16. first because they will require House action. So, the first
17. bill for consideration is House Bill 1693. Mr. Secretary, have
18. you read the bill? All right. Proceed.
19. SECRETARY:
20. House Bill 1693.
21. (Secretary reads title of bill)
22. Third reading of the bill.
23. PRESIDENT:
24. Senator Latherow.
25. SENATOR LATHEROW:
26. Mr. President and members of the Senate. I must say that I
27. think probably this is the most realistic one of the bo...many
28. bills that we've have had concerning the safety aspects of school
29. buses. This one here would require the padding of the seats,
30. which by estimates that we have from several companies, estimates
31. of cost per bus, would be about 210 dollars each. The safety
32. glass, which is in here, that now at this time they are using
33. and expect laminated glass later, yesterday was amended out and
to make effective in 1959...or 79, I think the correct date was.

1. Now the noncombustible tank is about a 45 dollar additional cost.
2. This now is standard on General Motors and Dodge, optional on
3. Ford and International. So, in all probability, a lot of them
4. would have it. They have five years now to comply with this,
5. and they are 80% reimbursed in the districts, so they would...
6. don't need a separate appropriation until 1979. I'd be glad to
7. answer any questions, Mr. Chairman. This...no seat belts. This
8. only applies to new buses after July 1, 1975, and to other old
9. buses are not included for five years; and this is going to give
10. a good opportunity for most of them to be out of the picture by
11. the time it's effective.

12. PRESIDENT:

13. Is there...Senator Knuepfer.

14. SENATOR KNUEPFER:

15. Does this just conform, Senator Latherow, with the Federal
16. stan...or the Federal Regulations, I guess they're not statutes.
17. Is this going to conform Illinois with Federal Regulations? It
18. doesn't go beyond Federal Regulations does it?

19. PRESIDENT:

20. Senator Latherow.

21. SENATOR LATHEROW:

22. In preparation for the Motor Vehicle SSS-201 standards,
23. they're beginning to become standards now on all companies.

24. Yes.

25. PRESIDENT:

26. Senator Mitchler.

27. SENATOR MITCHLER:

28. Mr. President and members of the Senate. I'd like to ask
29. the sponsor several questions on this. Does this include safety
30. seat belts? Now, I notice down in line 26, in that paragraph,
31. the Department of Transportation...perscribes standards for the
32. safety equipment required...that was taken out?

33. SENATOR LATHEROW:

1. No seat belts. We had a major accident over by Nauvoo, and
2. one of the first things these people talked about when they called
3. me was that we need seat belts. A week later the same ones were
4. calling back and saying, I believe if they'd had seat belts and
5. would have gone on into the river, many of these small children
6. probably would have been lost.

7. SENATOR MITCHLER:

8. Further questioning Senator Latherow, is Illinois required
9. by the Federal Government to adopt this legislation, or are...
10. will we lose Federal Highway funds? Is that why we're doing
11. this? Because of the Federal Government regulation?

12. PRESIDENT:

13. Senator Latherow.

14. SENATOR LATHEROW:

15. No to both of your questions.

16. SENATOR MITCHLER:

17. Well, I'm very pleased to have that. Then who really was
18. behind getting this legislation enacted? I didn't really re-
19. ceive any communication on this? Is any particular group for
20. this?

21. SENATOR LATHEROW:

22. Well, I'd say, Senator, in all probability, that not many
23. groups correspond with me on the many bills that we have during
24. the Legislative Session. But if you want me to send you some
25. correspondence, I will. I have quite a pad of it here.

26. PRESIDENT:

27. Senator Mitchler.

28. SENATOR MITCHLER:

29. Well, I see this as a...as again, and this is like Senator
30. Glass' bill that he was sponsoring for Representative Catania
31. yesterday, that this again is another additional cost into our
32. school bus program, because it's requiring safety fuel tanks,
33. other type of safety equipment, the backs of the passenger seats

1. and all support poles, and any partitions on the new school buses
2. shall be padded in accordance with standards set by the Depart-
3. ment of Transportation, and this is only a forerunner of requir-
4. ing seat belts just as in passenger cars. The Federal Government
5. saw to it that, first of all, they required seat belts, and then
6. they required the harness, and now you'll go to the air bags, and
7. the only one to really benefit by this are the manufacturers of
8. this equipment, and I...I...I look at this legislation that comes
9. in here that just forces this on you. I believe that this should
10. be at the discretion of the local school districts to see that
11. their equipment is in safe condition. Now no one knows more than
12. I do be...of the Kaneland School Bus tragedy. That's when the
13. Kaneland School Bus went off the road, struck a culvert, and burst
14. into flame, and you know the number of children that were burned
15. very severely. It's...it was about a 750 million dollar deal.
16. Now this is just additional safety measures that are being put
17. on by legislation. I think we could accomplish this without this.

18. PRESIDENT:

19. Senator, your...your time has expired. Senator Glass.

20. SENATOR GLASS:

21. Thank you, Mr. President. This, as Senator Latherow has
22. said, applies to new buses only. It is prescribed by Federal
23. Standards 17. The OSPI Manual includes this...these requirements.
24. My only objection is the 5-year waiting period for existing buses.
25. I'd hope we can shorten that...some other legislation, but I would
26. urge a favorable vote.

27. PRESIDENT:

28. Senator Mohr...Howard Mohr.

29. SENATOR MOHR:

30. Well, I thought this was going to go on, Mr. President. We
31. heard enough about bus safety yesterday, so I'd just ask for a
32. roll call.

33. PRESIDENT:

1. Senate...Senator Latherow may close the debate, or do you
2. just want to proceed to a roll call? Senator Latherow.

3. SENATOR LATHEROW:

4. I just wish they'd vote their judgment, Senator, up or
5. down.

6. PRESIDENT:

7. The question is shall House Bill 1693 pass. Those in favor
8. will vote Aye. Those opposed No. The voting is open. Have all
9. voted who wish? Well...a...one of the Senators asked me to wait.
10. I think he was getting a key. I...have all voted who wish?
11. Take the record. On that question the Yeas are 26, the Nays are
12. 1, 19 voting Present. House Bill 1693, having failed to receive
13. a constitutional majority, is declared lost. Senator Carroll,
14. 2056. Do you wish it called? Yes. Proceed.

15. SECRETARY:

16. House Bill 2056.

17. (Secretary reads title of bill.)

18. Third reading of the bill.

19. PRESIDENT:

20. Senator Carroll.

21. SENATOR CARROLL:

22. Thank you, Mr. President and members of the Senate. Senate
23. ...or House Bill 2056 is before us at the request of the Attorney
24. General of the State of Illinois to make various changes in the
25. administration of the Crime Victims Compensation Act, requested by
26. the Attorney General, in what he felt to be the interests of fair-
27. ness as a result of the experiences and problems encountered in
28. administering the Act. They do such things as redefining the
29. people who are eligible as to not so much whether or not they
30. were dependent upon, but whether they were related to the person
31. who was, in the case of someone killed, the person killed. They
32. had a situation of a little boy, who was killed. In his linger-
33. ing there were some 4,000 dollars of medical expenses that the

1. family could not afford to pay; and they said they felt under
2. existing law they could not help that family because of the fact
3. that they...the family was not dependent upon the child for
4. support. There are other similar type changes requested by the
5. Attorney General. I would ask for a favorable roll call and
6. answer any questions.

7. PRESIDENT:

8. Is there further discussion? The question is shall House
9. Bill 2056 pass. Those in favor will vote Aye. Those opposed
10. No. The voting is open. Have all voted who wish? Take the
11. record. On that question the Yeas are 49, the Nays are 1, 4
12. voting Present. House Bill 2056, having received a constitu-
13. tional majority, is declared passed. Senator Mitchler.

14. SENATOR MITCHLER:

15. Mr. President and members of the Senate. If I may rise to
16. a point of personal privilege and then also ask that we return
17. to the order of Senate Resolutions. We have with us on the
18. President's platform the newly elected officers of 1974 Premier
19. Boys' State. As you know, this is a program sponsored by the
20. American Legion, the Department of Illinois, and it is very
21. proper that Illinois be very proud of Premier Boys' State
22. because it was in Illinois that Boys' State started; and that's
23. why we call Illinois', Premier Boys' State. This is the first
24. year that Premier Boys' State has not been held in Springfield.
25. They always held that out at the Fairgrounds, but unfortunately,
26. the facilities got so deplorable and in such condition that they
27. had to seek a new place, and Eastern Illinois University in
28. Charleston is the scene of the 1974 Premier Boys' State. This
29. is the program which juniór students from all over the State of
30. Illinois come and gather and by two mythical political parties,
31. elect officers and study and learn government from the top State
32. level on down to the Coroner. And, I'm very pleased, Mr. President,
33. to introduce, and as I call their names, if they would just step

1. forward so that they would be recognized: Governor Albert T.
2. Thomas of Lake Forest. One fellow said one time, if every...
3. if the Senators would hold hands with the Senator in the seat
4. next to him, until we get through with the introductions, then
5. that way we'll hold up the applause and then we can give them
6. applause at the end. Lieutenant Governor William Cardenis of
7. Rockford; Secretary of State Tom Hubbard of Canton; Comptroller
8. Bruce L. Decesseric of Sterling...cesseric? Attorney General
9. Keith Anderson of Plainfield; Treasurer Henry Longfellow of
10. Wilmington; and Clerk of the Supreme Court Robert Copeland of
11. Mt. Pulaski. Also elected were four Justices of the Supreme
12. Court, Justice Rodney Hassler of Peoria, Justice Albert M.
13. Peters of Arlington Heights, Justice Jay Sheskey of Skokie,
14. and Justice Mark J. Bernhardt of Elmwood. Mr. President, at this
15. time the Secretary does have a Senate Resolution on his desk,
16. and I don't think it would be necessary to read it, if we would
17. just order that order of business, I'd ask for suspension
18. of the rules, immediate consideration and adoption of the reso-
19. lution commending these fine young men on their new achievement.

20. PRESIDENT:

21. On the order of resolutions Senator Mitchler moves to
22. suspend for immediate consideration. All in favor signify by
23. saying Aye. Contrary No. The motion carries and on the motion
24. to adopt, all in favor signify by saying Aye. Contrary No. The
25. motion carries and the resolution is adopted. Senator Mitchler.

26. SENATOR MITCHLER:

27. One sort of outstanding thing we have to give Senator John
28. Conolly a little credit here. I think he's working in pretty
29. heavy because he has the honor of having the Governor of Illini
30. Girls' State from Waukegan in his district, and now he has the
31. newly elected Governor, Albert T. Thomas of Lake Forest, in his
32. district, so he sort of hit a doubleheader home run here.

33. PRESIDENT:

1. Senator Kenneth Hall.

2. SENATOR HALL:

3. Mr. President, before we go back to the order of business

4. there, I'd like to have a point of personal privilege.

5. PRESIDENT:

6. Proceed.

7. SENATOR HALL:

8. I have visiting at the Senate today, sitting in the President's

9. Gallery, Attorney and Mrs. O'Malley and their lovely daughter,

10. Shelia. I wish they would stand and be recognized by the Senate.

11. Mrs. O'Malley is our candidate for Superintendent of Service

12. Regent. Will you please...Senate?

13. PRESIDENT:

14. House Bill 2243. Do you wish it called, Senator Weaver?

15. Proceed.

16. SECRETARY:

17. House Bill 2243.

18. (Secretary reads title of bill)

19. Third reading of the bill.

20. PRESIDENT:

21. Senator Weaver.

22. SENATOR WEAVER:

23. Mr. President and members of the Senate. This bill is

24. designed to try to improve the instructional media in the library

25. ...through the libraries of the schools...elementary and second-

26. ary schools throughout the State. It has been amended to pro-

27. vide that a committee consisting of seventeen members in the

28. educational field, the teching field, administration, and also

29. members of the House and...and Senate would serve as...on the

30. Advisory Committee. The Director of the State Library would be a

31. member. The general intent is to get better use out of the ele-

32. mentary and the secondary libraries throughout the State of Illinois

33. by providing training and programs in selected schools from the six

1. service regions throughout this State. There would be a maximum
2. of two years, as far as any one school was concerned, for a
3. grant, and this is broken down into those schools under 500
4. pupil attendance, and over 500. If anyone has any questions,
5. I'd be glad to try to answer them, Mr. President. Otherwise,
6. I would appreciate a favorable roll call.

7. PRESIDENT:

8. Is...Senator Rock.

9. SENATOR ROCK:

10. Thank you Mr. President. The sponsor indicated he would
11. yield. I would like to have an estimate on the cost for FY-76.

12. PRESIDENT:

13. Senator Weaver.

14. SENATOR WEAVER:

15. Senator Rock. In the...this is a 99,000 dollar appropriation,
16. FY-75. The limitations set forth by putting in the maximum
17. grant and the 2-year limit and the limit on the number of
18. grants each year certainly should, I would judge, we...I think
19. we had estimated it's be running into the millions of dollars
20. before it was amended, Senator Rock, but by amending this bill
21. in the manner that a school may only have a 2-year grant, and
22. also 25 grants for schools over 500 and 50 grants for schools
23. under 500. I think it will severely limit the fiscal impact to
24. the State in the future. I think the basic reason for allowing
25. more grants in the smaller school is...is because of the fact that
26. their library and media presentation in these smaller schools is
27. ...leaves a lot to be desired. Now, I can't give you an exact
28. figure on what the impact might be in '76, but certainly there
29. ...there will only be granted what money we appropriate for this
30. purpose in future years through the OSPI. All this...all these
31. grants are handled by OSPI and will be handled through future
32. appropriations to the Superintendent, or to the...to that office.

33. PRESIDENT:

1. Is there...Senator Rock.

2. SENATOR ROCK:

3. Well, the amendment it pay...at Section 10 provides that
4. grants to individual school districts shall be made, starting
5. in FY-76. The figures we have indicated a minimum of 1 million
6. dollars under this program. Now it just seems to me that this
7. is a...probably a worthwhile thing. It's a question of how
8. much and how much can we afford and...in...in what direction are
9. we going. It seems to me that this is not the time or the place
10. for this kind of brand new program, and I would, therefore, urge
11. that we vote No.

12. PRESIDENT:

13. Senator Weaver.

14. SENATOR WEAVER:

15. Well, Mr. President. I...I think that this would be unwise
16. not to go into this program to get the maximum utilization out of
17. the instructional mater...materials and technology that is coming
18. to the educational field yearly. This seems like a very small
19. expenditure by the State to try to upgrade the libraries and the
20. instructional media service Statewide for all of the secondary
21. schools of the State of Illinois, and I...I cer...I would certain-
22. ly say that this would be a wise expenditure. I'd appreciate a
23. favorable roll call.

24. PRESIDENT:

25. Is there further discussion? The question is shall House
26. Bill 2243 pass. Those in favor will vote Aye. Those opposed
27. will vote No. The voting is open. Have all voted who wish?
28. Have all voted who wish? Take the record. On that question the
29. Yeas are 32, the Nays are 18, 1 voting Present. House Bill 2243,
30. having received a constitutional majority, is declared passed.
31. Senator McBroom on the Floor? Senator Swinarski on the Floor?
32. Senator Kenneth Hall? Senator Hall, is it correct that you wish
33. to recall this bill? All right. We will take that out of the

1. record. All right. Senator Kosinski...oh...Senator Swinarski
2. has returned to the Floor. Do you wish to recall 2347? Sure.
3. Senator Savickas? Senator Saperstein on...Senator Knuppel.
4. 2361.
5. SECRETARY:
6. House Bill 2361.
7. (Secretary reads title of bill.)
8. Third reading of the bill.
9. PRESIDENT:
10. Senator Knuppel.
11. SENATOR KNUPPEL:
12. This is the appropriation for the Department of Agriculture.
13. I would appreciate a favorable roll call.
14. PRESIDENT:
15. Is there further discussion? Question is shall House Bill
16. 2361 pass. Those in favor will vote Aye. Those opposed will
17. vote No. The voting is open. Have all voted who wish? Take
18. the record. On that question the Yeas are 58, the Nays are
19. none. House Bill 2361, having received the constitutional ma-
20. jority, is declared passed. For what purpose does Senator Rock
21. arise?
22. SENATOR ROCK:
23. Thank you, Mr. President. By virtue of that roll call it
24. does show one absent. I would like the Journal to reflect that
25. Senator Romano is not here today. His brother suffered a heart
26. attack early this morning and the Senator was called back to the
27. city.
28. PRESIDENT:
29. The record will...the Journal will so show. House Bill
30. 2354.
31. SECRETARY:
32. House Bill 2354.
33. (Secretary reads title of bill.)

1. Third reading of the bill.

2. PRESIDENT:

3. Senator Hall.

4. SENATOR HALL:

5. Thank you, Mr. President and members of the Senate. This is

6. the appropriation for the Labor and Industrial Commission. I

7. would ask a most favorable support.

8. PRESIDENT:

9. Is there further discussion? The question is shall House

10. Bill 2354 pass. Those in favor will vote Aye. Those opposed

11. No. The voting is open. Have all voted who wish? Take the

12. record. On that question the Yeas are 58, the Nays are none.

13. House Bill 2354, having received a constitutional majority, is

14. declared passed. Senator Swinarski, are you ready to proceed?

15. All right. Will you let me know when you're ready to call it...

16. that you're aware we are calling the amended bills first today,

17. so you...you let me know. Senator Savickas on the Floor now?

18. Senator Rock, 2588? Hold it? We can proceed with 26...is

19. Senator Bruce on the Floor? Yes. 2616? You're...would you want

20. to handle that bill for me, Senator Bruce? All right.

21. SECRETARY:

22. House Bill 2616.

23. (Secretary reads title of bill.)

24. Third reading of the bill.

25. PRESIDENT:

26. Senator Bruce.

27. SENATOR BRUCE:

28. Yes, Mr. President and members of the Senate. It's a

29. package of bills, 2616, 2617, 2618, which are sponsored by

30. Senator Harris, introduced by C. L. McCormick, have gone

31. through a substantial amount of negotiation and change. It now

32. creates a Public Service Group Insurance System with a membership

33. in...of the Governor, Lieutenant Governor, Attorney General,

1. Secretary of State, Comptroller, Treasurer, and others from the
2. Legislative Branch of government. They would be appointees;
3. they would operate the State Employees' Group Insurance Program
4. and would become effective on January 1, 1975. The bill, as it
5. presently stands, meets with the approval, I believe, I can
6. speak for the Group Advisory Insurance Commission, of which I'm
7. the Chairman. It has gone through a substantial amount of debate
8. in the House; has had full hearing in the Senate and there have
9. been amendments, 6 amendments, placed on the bill last evening,
10. the major one of which removed local governments from this...
11. control of this Board. I know of no opposition to this measure
12. and I would recommend an Aye vote.

13. PRESIDENT:

14. This series of bills have really had a great deal of work.
15. They're in excellent shape and I would urge...join Senator
16. Bruce in urging the Senate to support them. Is there further
17. debate? The question is shall House Bill 2616 pass. Those in
18. favor will vote Aye. Those opposed No. The voting is open.
19. Have all voted who wish? Have all voted who wish? Take the
20. record. On that question the Yeas are 55, the Nays are none,
21. 1 voting Present. House Bill 2616, having received a consti-
22. tutional majority, is declared passed. Is there leave to call
23. 2617. While it has not been amended, perhaps we should send
24. this series over in...in...House Bill 2617.

25. SECRETARY:

26. House Bill 2617.

27. (Secretary reads title of bill)

28. Third reading of the bill.

29. PRESIDENT:

30. Senator Bruce.

31. SENATOR BRUCE:

32. Yes. Again, this bill is in the package. This would allow
33. the Group Insurance to be awarded for a period of three years,

1. renewable at each year without rebidding. We are presently
2. under the law that would require a complete bidding requirement
3. on each contract. We ran into a great deal of trouble. The
4. protection is that both the Commission...or the new Board now
5. and the Director of Personnel would have to agree. Two actu-
6. aries, each selected by the different parties, would also have
7. to concur that the reason for the renewal is based solely on the
8. fact that a cost increase has occurred. I think this would be
9. a very good piece of legislation and would save us a lot of
10. money this year.

11. PRESIDENT:

12. Is there further discussion? The question is shall House
13. Bill 2617 pass. Those in favor will vote Aye. Those opposed
14. No. The voting is open. Have all voted who wish? Take your
15. time, Sam. Take the record. On that question the Yeas are 54,
16. the Nays are none, 2 voting Present. House Bill 2616, having
17. received a constitutional majority, is declared passed...I'm
18. sorry, 2617 is declared passed.

19. SECRETARY:

20. House Bill 2618.

21. (Secretary reads title of bill)

22. Third reading of the bill.

23. PRESIDENT:

24. Senator Bruce.

25. SENATOR BRUCE:

26. This is the appropriation for the System. It is now
27. adequately reflected at 125,000 dollars given at the start-up
28. time and the removal of the one administrator. I'd ask for a
29. favorable roll call.

30. PRESIDENT:

31. Is there further discussion? The question is shall House
32. Bill 2618 pass. Those in favor will vote Aye. Those opposed
33. will vote No. The voting is open. Have all voted who wish?

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1. Take the record. On that question the Yeas are 54, the Nays are
2. none, 1 voting Present. House Bill 2618, having received a
3. constitutional majority, is declared passed. Senator Berning,
4. do you wish to call 2673? Proceed.

5. SECRETARY:

6. House Bill 2673.

7. (Secretary reads title of bill)

8. Third reading of the bill.

9. PRESIDING OFFICER (SENATOR WEAVER):

10. Senator Berning.

11. SENATOR BERNING:

12. House Bill 2673, Mr. President and members of the Body, is
13. a rewrite of a measure we passed last year in both Houses, but
14. was Vetoed by the Governor because of some questions that he had.
15. 2673 incorporates the suggestions of the Governor for improving
16. the legislation. It has been drafted with the help of the Depart-
17. ment of Insurance, and at this point, I believe there are no
18. objections. It's a deferred compensation bill, allowing those
19. employees of the State, who desire to, to defer current income
20. through an annuity program which thereby reduces their income
21. tax, at this time, allows them to draw their compensation upon
22. retirement, at which time, very likely, their income is reduced and
23. consequently their tax burden is considerably less. It's a
24. provision that is already in existence for certain segments of
25. our employees, namely the teachers and school administrators.
26. This is merely broadening it so that any employee, who so elects,
27. may take advantage of this form of tax shelter.

28. PRESIDING OFFICER (SENATOR WEAVER):

29. Senator...Senator Buzbee.

30. SENATOR BUZBEE:

31. A question of the sponsor, Mr. President.

32. PRESIDING OFFICER (SENATOR WEAVER):

33. He indicates he'll yield.

1. SENATOR BUZBEE:

2. Senator Berning, those companies that would be allowed to
3. sell these Deferred Compensation plans, are such things as Mu-
4. tual Fund Companies and so forth included, or is this restricted
5. to one particular class of companies?

6. PRESIDING OFFICER (SENATOR WEAVER):

7. Senator Berning.

8. SENATOR BERNING:

9. No, this has now been broadened to incorporate those features
10. which were eliminated in the previous Act. Mutual funds are in-
11. cluded.

12. PRESIDING OFFICER (SENATOR WEAVER):

13. Senator Buzbee.

14. SENATOR BUZBEE:

15. Well, I...I...I'm...what my question is, can those companies
16. that are Mutual Fund companies and so forth, can it be funded by
17. stocks and...or by Mutual Funds, or...or is it just strictly in-
18. surance companies?

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Senator Berning.

21. SENATOR BERNING:

22. I'm not sure how a Mutual Fund can establish an annuity. I
23. don't believe that that qualifies.

24. PRESIDING OFFICER (SENATOR WEAVER):

25. Senator Buzbee.

26. SENATOR BUZBEE:

27. OK. What I'm trying to find out is, such things as variable
28. annuities, which can be sold by companies that are not involved
29. in the...in the insur...in the life insurance business, can they
30. also sell this plan? The reason I'm asking this is there's a
31. Constitutional question as to if those type of companies cannot
32. sell it.

33. PRESIDING OFFICER (SENATOR WEAVER):

1. Senator Shapiro.

2. SENATOR SHAPIRO:

3. Mr. President and ladies and gentlemen of the House. I...

4. or Senate. I don't know whether this answers the question or

5. not, but the State Board of Investment will be administering

6. this program according to the Act as it is before us. The State

7. Board of Investment is the guardian of...and the investment

8. council and the investor for certain State employee pension

9. funds, those that want to participate in that particular program.

10. As I see the...the way the bill is written, and I may be wrong,

11. but I don't think so; I think it would be up to the State Board

12. to make s...who would be handling the funds and the investment,

13. and that there would be no individual company soliciting an

14. individual employee as to where the money should go.

15. PRESIDING OFFICER (SENATOR WEAVER):

16. Senator...Senator Bell.

17. SENATOR BELL:

18. Ah, yes, Mr. President and members of the Senate. I'd like

19. to ask a question or two of Senator Berning, if he'll yield?

20. PRESIDING OFFICER (SENATOR WEAVER):

21. He indicates he'll yield.

22. SENATOR BELL:

23. Senator Berning, will...I'm sorry, you may have addressed

24. yourself to this, but I didn't catch it. Will, in fact, the

25. ...the bill, as constituted here, allow all State employees

26. to participate?

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Senator Berning.

29. SENATOR BERNING:

30. Yes, it's open to any State employees. It takes...it is an

31. option that a State employee may exercise.

32. PRESIDING OFFICER (SENATOR WEAVER):

33. Senator Bell.

1. SENATOR BELL:

2. All right. My...my next question. .Senator, this council
3. that Senator Shapiro refers to, are...are they going to be
4. discriminatory as to the companies that can come in, or the
5. Mutual Funds or any other investing media that can come in
6. and try to participate? Are they going to be exclusionary?
7. In other words, are they going to have only one company that
8. they're going to deal with and that's it?

9. PRESIDING OFFICER (SENATOR WEAVER):

10. Senator Berning.

11. SENATOR BERNING:

12. Let me point out that by the amendment, which we adopted
13. yesterday, that council has been replaced, as the administrat-
14. ing body, by the Illinois State Board of Investment, so that
15. the existing Body will be the administrating group; and then
16. on page 2, line 14, starting in the middle, I think this sen-
17. tence will answer the question you raised, as well as Senator
18. Buzbee's. The Commission, replacing it then by the department,
19. shall approve any deferred compensation agreement, entered into
20. by the State pursuant to this Article, and shall oversee the
21. orderly administration of the plan in compliance with the sub-
22. sequent provisions of this Article. In other words, there is
23. no exclusion of any type of participation, but the agreement
24. must be entered into with the Department of...or the State Board
25. of Investment.

26. PRESIDING OFFICER (SENATOR WEAVER):

27. Senator Bell.

28. SENATOR BELL:

29. Well, Senator Berning, in other words, I...I can interpret
30. from what you said then that if Sam Jones, working on a highway
31. crew, wants to...wants to apply for a deferred annuity to set
32. his taxes...the tax ramifications aside and that until he re-
33. tires, that he has the right to go to any company or any Mutual

1. Fund that he wants to, and have this approving group approve
2. it. Is that right?

3. PRESIDING OFFICER (SENATOR WEAVER):
4. Senator Berning.

5. SENATOR BERNING:
6. That would be my interpretation. As set out in the amend-
7. ment, the plan shall provide for the Board of Review, proposed
8. investment offerings, and shall require that only investments
9. determined to be acceptable by the Board may be offered to
10. State employees. So that anything that is once approved and
11. there is no restrictions on the types of participation, are
12. eligible and available to the employees.

13. PRESIDING OFFICER (SENATOR WEAVER):
14. Senator Swinarski.

15. SENATOR SWINARSKI:
16. I move the previous question.

17. PRESIDING OFFICER (SENATOR WEAVER):
18. Senator Swinarski moves the previous question. All in...
19. Senator Rock wished to be heard, Senator Swinarski. Pardon?
20. Senator Swinarski?

21. SENATOR SWINARSKI:
22. Was my motion in order Mr. President?

23. PRESIDING OFFICER (SENATOR WEAVER):
24. There was...Senator Rock was on the list.

25. SENATOR SWINARSKI:
26. Ok. Senator Rock and then I persist in my motion.

27. PRESIDING OFFICER (SENATOR WEAVER):
28. Senator Rock.

29. SENATOR ROCK:
30. Thank you Mr. President. I think this bill has much more
31. impact than many realize. Senate Bill 534 was last year Vetoed
32. by the Governor. And, some of the major objections, it seems to
33. me, by virtue of this...in this bill, have not, in fact, been cleaned

1. up. What is the estimated loss to revenue to the State of
2. Illinois?

3. PRESIDING OFFICER (SENATOR WEAVER):

4. Senator Berning.

5. SENATOR BERNING:

6. Estimated lost revenue?

7. SENATOR ROCK:

8. Yes.

9. SENATOR BERNING:

10. I don't anticipate any lost revenue Senator. This is
11. merely taking a portion of an employee's compensation which he
12. him...himself elects to set aside. It will reduce the amount
13. of income tax...Federal Income Tax and State Income Tax, of
14. course, by a small amount, depending on how much the individual
15. sets aside. He will pay the taxes at a reduced rate when he
16. reaches retirement. It's a common practice now with various
17. kinds of industrial tax deferred propositions and merely seeks
18. to give public employees a benefit that they have not had.

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Senator Rock.

21. SENATOR ROCK:

22. Well, two things. There is, in fact, lost income tax revenue
23. to the State of Illinois, and there is additionally in this
24. bill, not even built in any limit on how much one can or cannot
25. defer.

26. SENATOR BERNING:

27. That...that is true. Some individuals, such as, perhaps,
28. you Sir, would want to defer your entire state compensation rate,
29. and there would be no limitation. That's true.

30. PRESIDING OFFICER (SENATOR WEAVER):

31. Senator Rock, are...have you finished? For what...Senator
32. Buzbee.

33. SENATOR BUZBEE:

1. Mr. President, I'd like to point out to Senator Rock that
2. under the Federal Law, that only 16% of an employee's compensa-
3. tion...a public employee's compensation can be deferred. That
4. falls under...under Section 501C3 of the Internal Revenue Code
5. of the Federal Statutes, and only up to 16% is the maximum that
6. can be deferred, so I...it's my understanding that no State
7. employee could have less...could have more than 16% of their
8. income deferred.

9. PRESIDING OFFICER (SENATOR WEAVER):

10. Senator Berning may close debate. Senator Swinarski had
11. moved the previous question. Senator Berning may close.

12. SENATOR BERNING:

13. Mr. President. Let me reiterate that the original bill,
14. Senate Bill 534, I believe it was, which was passed, had some
15. objectionable features insofar as the administration was con-
16. cerned. This measure that we have before us now has been
17. drafted to meet those objections and, while I'm not implying
18. that this is an administration bill, it has the approval of
19. the Department of Insurance, and was in fact drafted by and
20. with the help of Mr...one of the employees. During the Rules
21. Committee meeting, when this measure was allowed to come out
22. of Rules onto our calendar...

23. PRESIDING OFFICER (SENATOR WEAVER):

24. Continue, Senator Berning.

25. SENATOR BERNING:

26. ...I'm informed that a representative of the administration
27. was there and there was no real objection to it. Though I...
28. again I repeat, it is not an administration bill, even though
29. it was redrafted in order to meet the objections that the
30. Governor had to the previous measure. I repeat again, it is
31. strictly optional with any employee and merely seeks to provide
32. for our State employees a tax shelter, tax deferral type program,
33. which is available to others. No one need participate if he

1. doesn't so desire.

2. PRESIDING OFFICER (SENATOR WEAVER):

3. The question is shall House Bill 2673 pass. Those in favor
4. vote Aye. Those opposed vote Nay. The voting is open. Have all
5. voted who wish? Take the record. On this question the Ayes are
6. 37, the Nays are 1 and 16 Present. House Bill 2673, having received
7. the constitutional majority, is declared passed. Senator Harris.

8. SECRETARY:

9. House Bill 2848.

10. (Secretary reads title of bill)

11. Third reading of the bill.

12. PRESIDING OFFICER (SENATOR WEAVER):

13. President Harris.

14. SENATOR HARRIS:

15. Ok.

16. PRESIDING OFFICER (SENATOR WEAVER):

17. 2848.

18. SENATOR HARRIS:

19. This bill provides for the State to pick up the cost increase
20. for dependent coverage, health insurance, that resulted from the
21. fact that the 19...the Fiscal '75 contract had a significant cost
22. increase for dependent coverage. When the bill came over to the
23. Senate, it applied only to those high option employees...the high
24. option dependent coverage employees, who had the \$7.80 a month
25. increase. We amended the bill now to apply to all State employees
26. whether they are at that level or those contracts that the increase
27. is less than 7.80 and have rounded the figure out at \$7.00 per
28. employee who exercise a dependent coverage option, or the actual
29. cost increase, whichever is the greater, up to the figure of \$7.00.
30. Additionally, we apply that benefit to about 15,000 employees,
31. who were not provided for at all under the form of the bill in
32. its original form. We think the bill now, as amended, really
33. militates toward equity for all of the State employees, who exer-

1. cise a dependent coverage option, and it is now at the figure of
2. \$7.00 per month for the cost increase, or the actual cost increase,
3. whichever is the greater, but in no event shall it be for more
4. than the actual cost increase. I think it's a very good piece
5. of legislation and I would urge your favorable vote.

6. PRESIDING OFFICER (SENATOR WEAVER):

7. Senator Bruce.

8. SENATOR BRUCE:

9. Yes, Mr. President, sometimes we often get involved in...in
10. partisan politics and things do not come out to the best benefit
11. of the public, but I really believe that the compromise that
12. have been struck on this bill, 2848, is a reasonable one and one
13. that we should support. I, myself, introduced a bill
14. doing the same thing, 1628, and I am frank to admit that the
15. proposal that is before us now is better than the language that
16. I personally prepared in 1628. We have worked where this bill
17. now benefits all the employees of the State of Illinois. It
18. will give them an additional compensation of \$7.00 per month
19. for the employee benefit optional coverage for their dependents,
20. and I would support this measure and would ask that those on
21. this side of the aisle also support it.

22. PRESIDING OFFICER (SENATOR WEAVER):

23. Is there further discussion? Senator Harris.

24. SENATOR HARRIS:

25. I misstated the fact a minute ago. I said whatever the cost
26. increase is or \$7.00 a month, whichever is greater, and I'm sor-
27. ry. That is a misrepresentation. The bill provides for \$7.00
28. a month or the actual cost increase, whichever is lesser, and
29. let the record be unmistakable about that. I'm sorry. I did
30. not intend to express it that way when I made the earlier explana-
31. tion. It's a good bill.

32. PRESIDING OFFICER (SENATOR WEAVER):

33. The question is shall House Bill 2848 pass. Those in favor

1. vote Aye. Those opposed vote Nay. The voting is open. Have all
2. voted who wish? Take the record. On that question the Ayes are
3. 54 and the Nays are 2. House Bill 2848, having received the con-
4. stitutional majority, is declared passed. Senator Saperstein,
5. are you ready on 2744? Do you wish to call it back to the order
6. of second reading? Senator Saperstein moves to recall House Bill
7. 2744 to the order of second reading for the purposes of an amend-
8. ment. Is there leave? Leave is granted. Senator Saperstein.

9. SENATOR SAPERSTEIN:

10. The amendment adds...

11. PRESIDING OFFICER (SENATOR WEAVER):

12. Excuse me just a second. Do you have the amendment?

13. Senator Saperstein.

14. SENATOR SAPERSTEIN:

15. The amendment reads as the following: it adds the figure
16. 800 per student or per capita cost, whichever is the lesser of
17. the two figures.

18. PRESIDING OFFICER (SENATOR WEAVER):

19. Senator Saperstein moves the adoption of Amendment No. 2 to
20. House Bill 2744. Is there any discussion? All in favor signify
21. by saying Aye. Opposed Nay. The amendment's adopted. Any fur-
22. ther amendments? Third reading.

23. SECRETARY:

24. House Bill 2852.

25. (Secretary reads title of bill.)

26. Third reading of the bill.

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Senator Shapiro.

29. SENATOR SHAPIRO:

30. Mr. Pres...Mr. President, ladies and gentlemen of the Senate.
31. House Bill 2852, as amended, provides 149,400 dollars for the
32. ordinary and contingent expenses of the State Board of Education.
33. I would urge a favorable roll call.

1. PRESIDING OFFICER (SENATOR WEAVER):
2. Is there any discussion? The question is shall House Bill
3. 2852 pass. Those in favor vote Aye. Those opposed vote Nay.
4. The voting is open. Have all voted who wish? Take the record.
5. On that question the Ayes are 55 and the Nays are none. House
6. Bill 2852, having received the constitutional majority, is
7. declared passed. Senator Swinarski, do you want to hold 2347?
8. Do you want to move it? Senator Savickas, 2356? Senator Partee?
9. House Bills on third reading. We'll start back at the top of the
10. list. Harber Hall is not on the Floor. Senator Bell, 927?

11. SECRETARY:

12. House Bill 927.

13. (Secretary reads title of bill)

14. Third reading of the bill.

15. PRESIDING OFFICER (SENATOR WEAVER):

16. Senator Bell.

17. SENATOR BELL:

18. Well, Mr. President and members of the Senate. House Bill
19. 927 addresses itself to the situation of foreign companies that
20. set up a domestic operation within the confines of the State in
21. order to circumvent part of the State Law that gives an advan-
22. tage to domestic...true domestic companies. Now this bill will
23. eliminate the advantage to set up...excuse me...to set up domestic
24. companies that do not meet the new requirements necessary to
25. be exempt from the privileged tax. The intent of the bill is
26. to stop the erosion of the foreign insurance premium tax. The
27. State is losing about 5 million per year due to the establishment
28. of paper subsidiaries which do little to increase employment
29. or to provide more responsive insurance service. Ask for a
30. favorable roll call.

31. PRESIDING OFFICER (SENATOR WEAVER):

32. Is there any discussion? The question is shall House Bill
33. 20...927 pass. Those in favor vote Aye. Those opposed vote Nay.

1. The voting is open. Have all voted who wish? Take the record.
2. On that question the Ayes are 48, the Nays are none, 6 Present.
3. House Bill 927, having received a constitutional majority, is
4. declared passed. Senator McBroom.
5. SECRETARY:
6. House Bill 1375.
7. (Secretary reads title of bill)
8. Third reading of the bill.
9. PRESIDING OFFICER (SENATOR WEAVER):
10. Senator McBroom.
11. SENATOR MCBROOM:
12. Yes, Mr. President. I would certainly appreciate a favor-
13. able roll call on this bill. It is my understanding that the
14. School Problems Commission, the Pension Laws Commission and the
15. Teacher Retirement System are not in opposition to this bill. I
16. think it is something that is long, long overdue. I would
17. appreciate a favorable roll call.
18. PRESIDING OFFICER (SENATOR WEAVER):
19. Is there any discussion? Question is shall House Bill 1375
20. pass. Those in favor vote Aye. Those opposed vote Nay. The
21. voting is open. Have all voted who wish? Take the record. On
22. that question the Ayes are 44 and the Nays are 3. House Bill
23. 1375, having received the constitutional majority, is declared
24. passed. Senator McBroom.
25. SENATOR MCBROOM:
26. Could we take the companion bill, 2827, now, too, Mr.
27. President?
28. PRESIDING OFFICER (SENATOR WEAVER):
29. All right. 2827.
30. SECRETARY:
31. House Bill 2827.
32. (Secretary reads title of bill)
33. Third reading of the bill.

1. PRESIDING OFFICER (SENATOR WEAVER):

2. Senator McBroom.

3. SENATOR MCBROOM:

4. Yes, Mr. President. This is the companion bill to the one
5. that just passed and provides the appropriation. I'd appre...
6. appreciate a favorable roll call.

7. PRESIDING OFFICER (SENATOR WEAVER):

8. Is there any discussion? Question is shall House Bill
9. 2827 pass. Those in favor vote Aye. Those opposed vote Nay.
10. The voting is open. Have all voted who wish? Take the record.
11. On that question the Ayes are 51, the Nays are 2. House Bill
12. 2827, having received a constitutional majority, is declared
13. passed. 2000, Senator Knuppel?

14. SECRETARY:

15. House Bill 2000.

16. (Secretary reads title of bill.)

17. Third reading of the bill.

18. PRESIDING OFFICER (SENATOR WEAVER):

19. Senator Knuppel.

20. SENATOR KNUPPEL:

21. This bill creates a commission to study what should be
22. done with the Peoria State Hospital. This is in line with the
23. comments that were made with respect to Senate Bill 1636, where
24. people like Harris Fawell and Senator Knuepfer felt that something
25. should be done before we sell State property. I would ask for
26. a favorable roll call.

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Is there any discussion? Question is...question is shall
29. House Bill 2000 pass. Those in favor vote Aye. Those opposed,
30. vote Nay. The voting is open. Have all voted who wish? Take
31. the record. On that question the Ayes are 54 and the Nays are
32. none. House Bill 2000, having received the constitutional ma-
33. jority, is declared passed. 1990.

1. SECRETARY:

2. House Bill 1990.

3. (Secretary reads title of bill)

4. Third reading of the bill.

5. PRESIDING OFFICER (SENATOR WEAVER):

6. Senator Daley.

7. SENATOR DALEY:

8. Mr. President, fellow Senators. This is an appropriation
9. of 25,000 dollars, Chicago State University, for a Legislative
10. Staff Intern Program. It would hire one Director, clerical per-
11. sonnel; it would send students in the program down to Springfield
12. for a number of months working with Legislators in the Chicago
13. area. Now the reason why they came under an appropriation bill
14. is because...oh...the Federal Government...Federal Government
15. has cut back financial aid to the University in regard to this
16. program, as well as the Field Foundation in the Chicago area.
17. If there are any questions; I'd ask for a favorable roll call.

18. PRESIDING OFFICER (SENATOR WEAVER):

19. Senator Savickas.

20. SENATOR SAVICKAS:

21. Yes, Mr. President and members of the Senate. I rise to
22. oppose House Bill 1990. This is one of those programs, again,
23. that was started with Federal funds, as a grant. Now, the money's
24. run out. Now, they want the State to not only pick up what was
25. started, but expand the program; expand the program that's very
26. discriminatory, because it only favors certain districts and
27. certain Legislators. This is to be used for certain Chicago
28. districts to have their Legislative Aides, you might say, or
29. interns. It is hard enough now for members that have to go out
30. on their own and do their research to compete with opposition
31. in many cases of Legislators that have hired, salaried interns.
32. If we want to provide Legislative Aides and Interns for the
33. Legislators, let's go right through the front door and appropriate

1. more money so that each and every Legislator in this building
2. could have an aide. Not to go around through the back door
3. and appropriate it through an Intern Program. I think this
4. Legislation should be defeated. It's discriminatory. It only
5. applies to certain few Legislators so that they can have their
6. own private Legislative Aides to do their own pet projects and
7. research on it. I would urge that you vote No on this bill.

8. PRESIDING OFFICER (SENATOR WEAVER):

9. Senator Partee.

10. SENATOR PARTEE:

11. Well, I think...I think it's a good bill. I've seen these
12. young people who've come down from Chicago State University,
13. which is at 95th and King Drive, who have been working as In-
14. terns with various of the Representatives and Senators. I think
15. that Senator Daley is the only one in the Senate that had one,
16. but there are many of them who have been working over in the
17. House with House members. They have a combination program and
18. they work out of Sangamon State University. It's only a 25,000
19. dollar appropriation, and I think it ought to be passed.

20. PRESIDING OFFICER (SENATOR WEAVER):

21. Any further discussion? Senator Thomas Merritt.

22. SENATOR MERRITT:

23. Senator Daley. I wonder if you'd yield to a question?
24. My col...colleague and seat mate, Senator McBroom, and I would
25. like to know if this would provide an aide down in Kankakee
26. and Hoopeston in this program?

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Senator Daley.

29. SENATOR DALEY:

30. Well, I think Sangamon University, and I believe the
31. University in Champaign/Urbana has...have a similar program, and
32. they do provide Legislative assistance through various programs
33. in the State universities to the Legislators.

1. PRESIDING OFFICER (SENATOR WEAVER):
2. Senator Merritt.
3. SENATOR MERRITT:
4. We're almost closer to Chicago State than we are down here.
5. Thank you very much.
6. SENATOR DALEY:
7. Well, we'll provide one.
8. PRESIDING OFFICER (SENATOR WEAVER):
9. Any further discussion? The question is shall House Bill
10. 1990 pass. Those in favor vote Aye. Those opposed vote Nay.
11. The voting is open. Have all voted who wish? Take the record.
12. On that question the Ayes are 48 and the Nays are 7. House Bill
13. 1990, having received a constitutional majority, is declared
14. passed. 20...
15. SECRETARY:
16. House Bill 194.
17. (Secretary reads title of bill.)
18. Third reading of the bill.
19. PRESIDING OFFICER (SENATOR WEAVER):
20. Senator Harber Hall.
21. SENATOR HALL:
22. Mr. President and fellow Senators. One of my good friends
23. in the Senate never fails, at least 3 or 4 times a day, to up-
24. set me by referring to Downstate counties as manure kicker coun-
25. ties. I'm warning him now that I have here a Manure Kicker Coun-
26. ty Bill. This bill will permit Downstate counties the possibility
27. with County Board action to distribute the cost of collecting
28. taxes proportionately to all the taxing bodies. It is a solution
29. to part of the financial difficulties that counties find them-
30. selves in today because of the loss of the 3% collector's fee
31. eliminated by the 1970 Constitution. Senator Soper assures me
32. that he wants Downstate counties to get what they want and need
33. and, of course, he asks us to help Cook County at the slightest

1. provocation, so I will be hoping for his support along with yours
2. and hope you will vote for Senate Bill 194.

3. PRESIDING OFFICER (SENATOR WEAVER):

4. Senator Glass.

5. SENATOR GLASS:

6. Mr. President, I'd like to ask the sponsor if this bill is
7. constitutional? Isn't this a fee?

8. PRESIDING OFFICER (SENATOR WEAVER):

9. Senator Glass...Senator Hall.

10. SENATOR HALL:

11. I'm happy...I'm happy to inform Senator Glass and anyone
12. else who's interested that I am not a lawyer, so...and I say,
13. I...advisedly that I'm happy to say that I'm not a lawyer. I
14. can't say. I can understand that there may be a question
15. that...as to the constitutionality of it, but I think that I
16. could also see the possibility that the assignment of the ac-
17. tual cost of collection would not be classified, a fee, rather
18. as a simple factual cost of doing the operation for another
19. body other than that doing it, similar to billing, if you will,
20. for any other service.

21. PRESIDING OFFICER (SENATOR WEAVER):

22. Any further discussion? Senator Rock.

23. SENATOR ROCK:

24. Well, Mr. President, ladies and gentlemen of the Senate.
25. It seems relatively clear, or pretty obvious, under Article 7,
26. Section 9. It says very simply that fees shall not be based
27. upon funds dispersed or collected, nor upon the levy or exten-
28. tion of taxes. Now a fee by any other name is still a fee, and
29. I would think that this is patently unconstitutional.

30. PRESIDING OFFICER (SENATOR WEAVER):

31. Senator Nimrod.

32. SENATOR NIMROD:

33. Mr. President, I have a couple of questions of the sponsor.

1. Would...would...how would this affect those Downstate counties
2. that have Township officials, Township collectors, and are still
3. collecting. Would they still be able to do that without having
4. to go to the County Collector?

5. PRESIDING OFFICER (SENATOR WEAVER):

6. Senator Hall.

7. SENATOR HALL:

8. They would be if...if they desire. You're...ya...you're
9. referring to such a county as...as DuPage, as an example?

10. SENATOR NIMROD:

11. Well, I'm referring to Will, Madison...

12. SENATOR HALL:

13. Yes, they would be...they would be able to...on...on passage
14. of a board resolution, they would be able to do that.

15. SENATOR NIMROD:

16. Yeah, but they...they already had...they already have this...
17. they already are making these collections, and are you taking
18. that power away from them and putting it in the county...

19. SENATOR HALL:

20. Well, it's the...it's the...the proportional amount of
21. operating the County Collectors' function of collecting the
22. taxes that is distributed out to the taxing bodies that he
23. distributes the money to, such as the schools and...and the
24. sanitary district, et cetera.

25. SENATOR NIMROD:

26. Yeah. I...I understand what...I understand what you want
27. to do and I...and I'm in favor of it as long as it doesn't in-
28. hibit or limit the present powers of those collectors that are
29. in the Townships. In other words...

30. SENATOR HALL:

31. It...it doesn't inhibit the...any...any function of collect-
32. ing taxes, no matter how it's done, it's the cost of doing it that's
33. distributed. It doesn't change the method of collections in any

1. way.

2. SENATOR NIMROD:

3. Does this apply to all counties?

4. SENATOR HALL:

5. All ex...all save Cook.

6. PRESIDING OFFICER (SENATOR WEAVER):

7. Senator Mitchler.

8. SENATOR MITCHLER:

9. Mr. President and members of the Senate. As pointed out by
10. Senator Rock, this bill is definitely unconstitutional. Now you
11. could pass the bill out, because immediately the Downstate School
12. Districts, who depend a great share on the taxes collected locally,
13. will immediately file a court case and take this to the court and
14. they'll win it. But, if that's what you want to prove to them
15. again, they die was cast when the 1970 Illinois Constitution was
16. adopted by referendum of the people; and in that Constitution
17. they eliminated these collection of fees or fines or anything
18. by the County Collector as related to collecting the local taxes.
19. Now since that happened, we, in this General Assembly, have given
20. many great concessions to our local county governments, because
21. of the fact that they did have a tremendous loss of revenue from
22. the loss of the collection fees. Now, we've tried to resolve
23. this, but no matter how you want to get around it, you just cannot
24. under the 1970 Illinois Constitution, alter that section where it
25. prohibits the collection of fees by the County Collector, and this
26. bill is unconstitutional. It'll get a court case, so vote what-
27. ever way you want it. Let your conscience be your guide.

28. PRESIDING OFFICER (SENATOR WEAVER):

29. Senator Bell.

30. SENATOR BELL:

31. Well, Mr. President and members of the Senate. I understand
32. that Senator Mitchler is advising us that it's unconstitutional,
33. but I'd like the members on this side of the aisle to know what

1. Senator Merritt is advising that it is constitutional. So, let
2. your conscience be your guide.

3. PRESIDING OFFICER (SENATOR WEAVER):

4. Senator Berning.

5. SENATOR BERNING:

6. Thank you Mr. President. Let me just add my one word of
7. encouragement to the members of this Body to give the counties
8. the opportunity to recover their cost of doing business. That's
9. all this is. This is a good bill and ought to pass.

10. PRESIDING OFFICER (SENATOR WEAVER):

11. Any further discussion? Senator Hall may close.

12. SENATOR HALL:

13. In closing, Mr. President. I...I would just like to sug-
14. gest that County Collectors could hire firms to do some of the
15. work that they do, such as machine accounting or data process-
16. ing, that would be part of their cost. Most of them do it
17. right at...and they would pay for that on a contract basis.
18. Most of them do it right in their own offices. They have the
19. facilities and the equipment, which is paid for by the County.
20. They do these fees...they do these services for the other taxing
21. bodies and no provision is made for those taxing bodies to
22. share in these costs. Many States actually require the taxing
23. bodies to go out and collect their own taxes. Imagine, if you
24. will, the tremendous additional cost by diffusing this one
25. operation into all the separate taxing bodies that you would
26. have and we don't want that and I suggest this is a good bill.
27. I suggest in...and do not deny the fact that a Constitutional
28. question may arise in your minds, or my mind, but I believe if
29. the court interprets...interprets it as I do, and see the need
30. for it, they will so rule that it's fair. I ask for your
31. favorable vote.

32. PRESIDING OFFICER (SENATOR WEAVER):

33. Question is shall House Bill 194 pass. Those in favor vote

1. Aye. Those opposed vote Nay. The voting is open. Have all
2. voted who wish? Take the record. On that question the Ayes are
3. 36, the Nays are 10, and 3 Present. House Bill 194, having re...
4. constitutional majority, is declared passed.

5. SECRETARY:

6. House Bill 2007.

7. (Secretary reads title of bill)

8. Third reading of the bill.

9. PRESIDING OFFICER (SENATOR WEAVER):

10. Senator Dougherty.

11. SENATOR DOUGHERTY:

12. Members of the Senate. I think this is what might be termed
13. my first crick bill in the years I've been down here. House Bill
14. 2007 appropriates 100,000 dollars to the Department of Conser...
15. Conservation for the acquisition of some 20 acres of land or less
16. to be made a part of the William W. Power's Conservation Area, or
17. otherwise known as Wolf Lake State Park. We...this is to be pro-
18. grammed through the Department of Conservation for FY-76; however,
19. private developers are bidding for this land, which will then for-
20. ever remove it from the chance of being made a part of Wolf Lake
21. State Park. I ask a favorable roll call.

22. PRESIDING OFFICER (SENATOR WEAVER):

23. Is there any discussion? The question is shall House Bill
24. 2007 pass. Those in favor vote Aye. Those opposed vote Nay.
25. The voting is open. Have all voted who wish? Take the record.
26. On that question the Ayes are 53 and the Nays are none. House
27. Bill 2007, having received an...a constitutional majority, is
28. declared passed. Congratulations on your first crick bill,
29. Senator Dougherty.

30. SECRETARY:

31. House Bill 2341.

32. (Secretary reads title of bill)

33. Third reading of the bill.

1. PRESIDING OFFICER (SENATOR WEAVER):

2. Senator McBroom...Senator Mohr, excuse me.

3. SENATOR MOHR:

4. Yes, Mr. President. I know that you're used to calling on
5. Senator McBroom for all those creek bills and river bills. This
6. is my biggie and it's a lot like Senator Dougherty's only it's
7. about half the size. The appropriation is 50,000 dollars. It
8. takes care of a problem, caused by the Addison Creek. It's been
9. destroying some park property through the village of Bellwood,
10. and I'll be happy to answer any questions. I'd ask for a
11. favorable roll call.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. Any further discussion? Question is shall Senate Bill...
14. House Bill 2341 pass. Those in favor will vote Aye. Those
15. opposed will vote Nay. The voting is open. Will someone vote me,
16. please? Have all voted who wish? Take the record. On this
17. question the Yeas are 51, the Nays are none. The bill, having
18. received the constitutional majority, is therefore declared
19. passed. The next bill will be 2181, Senator Don Moore.

20. SECRETARY:

21. House Bill 2181.

22. (Secretary reads title of bill)

23. Third reading of the bill.

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. Senator Moore.

26. SENATOR MOORE:

27. Thank you Mr. President and members of the Senate. House
28. Bill 2181 provides that the maximum age of 35 at the entry into
29. service of...as a fireman; does not apply to a person who has
30. served as a Volunteer Fireman for five years before the munic-
31. ipality begins to use full-time firemen. It pertains strictly
32. to the department to which the man has served for five years
33. and it does allow him to go into the pension code. He still has

1. to go through the various tests with the Board of Fire and Police
2. Commissioners, and so forth. I know of no objection to the bill
3. and would appreciate a favorable roll call.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. Any discussion? Question before the Senate is shall House
6. Bill 2181 pass. Those in favor will vote Aye. Those opposed
7. will vote Nay. The voting is open. Have all voted who wish?
8. Our mechanical wizard got the wrong button pushed, so the ques-
9. tion before the Senate is shall 20...House Bill 2181 pass. Those
10. in favor will vote Aye. Those opposed will vote Nay. The voting
11. is open. The last one was a false start. Have all voted who
12. wish? Take the record. On this question the Yeas are 57, the
13. Nays are none. The bill, having received the constitutional
14. majority, is therefore declared passed. The next bill will be
15. House Bill 2242. Senator Weaver.

16. SECRETARY:

17. House Bill 2242.

18. (Secretary reads title of bill)

19. Third reading of the bill.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Senator Weaver.

22. SENATOR WEAVER:

23. Mr. President, this does just what the Calendar states and
24. I would appreciate a favorable roll call.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Any discussion? Question before the Senate is shall House
27. Bill 2242 pass. Those in favor will vote Aye. Those opposed
28. will vote Nay. The voting is open. Thank you, Senator Shapiro.
29. Have all voted who wish? Have all voted who wish? Take the
30. record. On this question the Yeas are 37, the Nays are 10, 3
31. voting Present. The bill, having received the constitutional
32. majority, is therefore declared passed. The next bill will be
33. House Bill 2303. Is Senator McBroom on the Floor? Just a

1. moment. Do you want to pass it now? The next bill will be
2. House Bill 2437. Senator Latherow on the Floor? Is Senator
3. Latherow on the Floor? Go to another bill. Senator Harris,
4. do you have anything here, like 2506, that you want to deal
5. with? Senator Ozinga. Senator Ozinga, House Bill 2530.
6. Senator Ozinga. Will someone please tell Senator Ozinga I'm
7. trying to get his attention? House Bill 2530.

8. SECRETARY:

9. House Bill 2530.

10. (Secretary reads title of bill)

11. Third reading of the bill.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. Senator Ozinga.

14. SENATOR OZINGA:

15. . Well, Mr. President and members of the Senate. This is a
16. companion bill, really, to the 2531. We really should talk about
17. 2531 first, so I'll explain 2531 and then this is merely the
18. 25,000 dollar appropriation that goes with 2531. Now 2531, these
19. bills were introduced and supported by both the Automatic Sprinkler
20. Industry and the Sprinkler Fitters and Apprentice Union of the
21. A.F. of L./C.I.O. The primary purses...purpose of these bills
22. are the licensing and setting of proper standards on Automatic
23. Sprinkler Contractors, Journeymen, and Apprentice. The design,
24. installation, maintenance and automatic sprinkler systems has
25. become increasingly complex, especially with these condominiums,
26. et cetera in recent years, especially in large installations.
27. The de...demand for such systems has increased tremendously.
28. Now, these bills were passed two years ago; however, by error,
29. they were Vetoed downstairs. The bills would have helped
30. to insure the automatic sprinkler systems and were designed
31. to be designed and installed properly by allowing only those
32. who have been adequately trained and experienced to perform
33. such jobs. The real reason is that these installations are, as

1. you can well imagine, sprinkler systems in public buildings,
2. nursing homes, hospitals, and the like, may never be called upon
3. to perform, but if they are needed during a critical period, the
4. first few moments of the fire, they must work properly and with-
5. out fail. The annual licensing fees will more than cover the cost
6. of administering the Act. I know of no op...no opposition to
7. the bill, and it's been thoroughly discussed a couple of times
8. before. I would appreciate a favorable roll call.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Any discussion?

11. SENATOR OZINGA:

12. This 2530 now is for 25,000 dollars for the administering
13. of the Act.

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. Senator Knuepfer.

16. SENATOR KNUEPFER:

17. Well, I...I just want to ask one thing. We've had...this is
18. a part of the packages, the licensing package. We've had some
19. considerable fights on these. Is this concurrent, or pre-emption,
20. the jurisdiction?

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. Senator Ozinga.

23. SENATOR OZINGA:

24. Concurrent.

25. SENATOR KNUEPFER:

26. If it is concurrent jurisdiction then really it's no stan-
27. dards. The only standards, then, apply to the non-home rule
28. units of Government, which by and large you're not building
29. these kind of structures in anyways, so I think it is...it's
30. usefulness is diminished and, in fact, it may just add to build-
31. ing cost on the part of small installations, most communities
32. that would have other jurisdictions have their own standards,
33. and I would assume this is hardly even effective then.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. Senator Ozinga? Any further discussion? Question before
3. the Senate is shall House Bill 2530 pass. Those in favor will
4. vote Aye. Those opposed will vote Nay. The voting is open.
5. Thank you Senator Fawell. Have all voted...have all voted who
6. wish? Have all voted who wish? Senator Ozinga.

7. SENATOR OZINGA:

8. Well, this is the one...this is the one bill that...this is
9. the appropriation, of course, and the appropriation will bring
10. in more than 400 dollars just for the licensing which will more
11. than triple the income of the State.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. You had a motion, Senator?

14. SENATOR OZINGA:

15. I will move, unless I can get some more votes on here, and
16. I don't...hate to put it back on postponed consideration, but
17. I see no reason for not.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. You'd better postpone consideration, Senator.

20. SENATOR OZINGA:

21. Therefore, I suppose I will have to put it on postponed
22. consideration.

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. Senator moves to postpone consideration. Would you want
25. to call the companion bill at a later time?

26. SENATOR OZINGA:

27. I'd like a copy of that roll call after while.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. You'll get no copy of the roll call. Next bill. Do you
30. want to call 2539, Senator Harris? Senator Ozinga?

31. SENATOR OZINGA:

32. 25...you might as well take a roll call on 2531. That's
33. the one that I've just explained and, actually fellows, I don't

1. what you're holding back for. This is the bill that's for the
2. counties. The counties are the one...the county...

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. Let's read the bill first, Senator.

5. SECRETARY:

6. House Bill 2531.

7. (Secretary reads title of bill.)

8. Third reading of the bill.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Senator Ozinga.

11. SENATOR OZINGA:

12. These sprinkler systems have not been the height of con-
13. troversy as has been explained by Senator Knuepfer. These
14. sprinkler systems for installation by licensed contractors have
15. been in large installations, and naturally they will add to the
16. cost, but not that substantial. It is for the sake of safety
17. that I would plead. Especially in the nursing homes and in the
18. facilities where a large number of people are gathered, and
19. again I would plead for a favorable roll call on House Bill 2531.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Senator Glass.

22. SENATOR GLASS:

23. Well, I...I...Mr. President, I'd like to ask the sponsor
24. a question. I missed some of your other explanations. Is...
25. Senator Ozinga, does this require the licensing of these peo-
26. ple by county, or the State, or what?

27. SENATOR OZINGA:

28. By State. Department of Registration, Education.

29. SENATOR GLASS:

30. Now licensed, is that right?

31. SENATOR OZINGA:

32. Now licensed, and faulty installation could create havoc
33. in the big nursing homes and hospitals.

1. PRESIDING OFFICER (SENATOR GRAHAM):
2. Any further discussion? Senator Netsch.
3. SENATOR NETSCH:
4. Will the sponsor yield for a question?
5. PRESIDING OFFICER (SENATOR GRAHAM):
6. He indicates he'll yield.
7. SENATOR OZINGA:
8. I'll try.
9. SENATOR NETSCH:
10. What is the make-up of the Board that will be governing this
11. occupation?
12. SENATOR OZINGA:
13. The Board will be a designated Board by the...there will be
14. five people on it, who are appointed by the Director, and I
15. believe there's two will be contractors, two will be, well, if
16. you'll just bear with me one second here.
17. SENATOR NETSCH:
18. Maybe...maybe I could simplify the question by saying are
19. there public members?
20. SENATOR OZINGA:
21. Yes, they're all four...four...
22. SENATOR NETSCH:
23. No...no, public...
24. SENATOR OZINGA:
25. Five. All five members are public members. They are
26. appointed by the Director of the Department of Registration...
27. SENATOR NETSCH:
28. No, but they have come out of the profession that is to
29. be licensed. Isn't that correct? Two are contractors and two
30. are on the other side, but are involved in the business and I've
31. forgotten where the fifth one come from, but...
32. SENATOR OZINGA:
33. That's right.

1. SENATOR NETSCH:

2. They are associated with the industry and there are none
3. who are not associated with the industry. Isn't that correct?

4. SENATOR OZINGA:

5. The Board shall consist of five members, appointed by the
6. Director. One member shall be an employee of the Department,
7. selected by the Director to serve as Secretary of the Board.
8. Now that's outside of the industry. Two members shall be li-
9. censed Journeymen, Automatic Fire Sprinkler Fitters. Two
10. members shall licensed Automatic Fire Sprinkler contractors,
11. so they've got to know what they're doing.

12. SENATOR NETSCH:

13. Yes, I...if I may comment on that. I would suggest that
14. one of the problems about...about 95% of the licensing schemes
15. in the State of Illinois right now is that the occupation or
16. profession or business to be licensed is presided over by those
17. who are, in fact, in the same business, and that is not good
18. for the public. It means that those who are the...the cohorts
19. in the same business are those who are making the judgments about
20. whether these people are, in fact, living up to the standards
21. that they ought to be. I think that we...we began on that
22. committee last year to begin to require that there be honest-to-
23. gosh public members on these boards, or we would not...or at
24. least I would not vote to let any of the bills out. I think
25. this one has not really done that, and I think for that reason
26. it is defective. I would suggest one other thing. As I recall
27. the bill, and I assume it's the same as it was last year, it
28. grandfathered in every one who is currently in the business.
29. In other words, anyone who is presently in...in the business of
30. installing these systems may continue to do so without meeting
31. any standards whatsoever. That, I think, has always been one
32. of the fatal defects of a good many of the licensing systems.
33. What is means is that there really is not a public interest

1. protection in...built into them, and for that reason, I don't
2. think we ought to be invoking the licensing power, represent-
3. ing to people that they are being protected by the license,
4. when, in fact, they are not.

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. Any further discussion? Senator Ozinga may close.

7. SENATOR OZINGA:

8. Move for a favorable roll call.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. There's been a request for a roll call. The question be-
11. fore the Senate is shall House Bill 2531 pass. The vote...those
12. in favor will vote Aye. Those opposed will vote Nay. The vot-
13. ing is open. Thank you, Senator Shapiro. Have all voted who
14. wish? Have all voted who wish? Senator Ozinga.

15. SENATOR OZINGA:

16. Postpone consideration on both of them.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Moves to postpone consideration. Senator Harris. 2539,
19. the Sheridan bill? Before, Sen...Before we read this bill...
20. ladies and gentlemen of the Senate, you might just be interested
21. in this. The Joint Leadership has granted permission to the
22. Illinois Association of Electric Coops. to take some photographs
23. of the Senate, which they use for their handbook, which they
24. publish each session. They'll be shooting these pictures from
25. the gallery for the next few minutes, so look sharp. Senator
26. Harris...

27. SECRETARY:

28. House Bill 2539.

29. (Secretary reads title of bill.)

30. Third reading of the bill.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. President Harris.

33. SENATOR HARRIS:

1. This bill amends the County Fees and Salaries Act to provide
2. coverage...or I should say inclusion, of LaSalle County, now
3. that the facility at Sheridan has been classified as an adult
4. institution in the Department of Correction's activities. The
5. Counties of Randolph, Fayette, Livingston, Kane, and Will present-
6. ly have half salary for an Assistant State's Attorney, provided
7. for by the State. This amendatory act to the County Fees and
8. Salaries Act would include LaSalle. I know of no opposition;
9. would urge a favorable roll call.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Any discussion? Question before the Senate is shall House
12. Bill 2539 pass. Those in favor will vote Aye. Those opposed
13. will vote Nay. The voting is open. Have all voted who wish?
14. Take the record. On this question the Yeas are 53, the Nays are
15. none. The bill, having received the ma...constitutional major-
16. ity, is therefore declared passed. Senator Rock. Is Senator
17. Rock on the Floor? Senator Shapiro, would you like to act on
18. 2676 at this time? 2676.

19. SECRETARY:

20. House Bill 2676.

21. (Secretary reads title of bill.)

22. Third reading of the bill.

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. Senator Shapiro.

25. SENATOR SHAPIRO:

26. Mr. President; ladies and gentlemen of the House...or Senate.
27. House Bill 2676 appropriates 424,000 dollars to the Department of
28. Transportation to pay for two-thirds of the operating deficit for
29. an Amtrak run from Chicago to Fulton on the Chicago and Northwestern.
30. I would appreciate a favorable roll call.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Any discussion? Question before the Senate is shall House
33. Bill 2676 pass. Those in favor will vote Aye. Those opposed

1. will vote Nay. The voting is open. Have all voted who wish?
2. Take the record. On this question the Yeas were 54, the Nays
3. were none. Two were voting Present. The bill, having received
4. the constitutional majority, is therefore declared passed.
5. Senator O...McBroom on the Floor? Senator Latherow, are you
6. ready to proceed? 2717.

7. SECRETARY:

8. House Bill 2717.

9. (Secretary reads title of bill)

10. Third reading of the bill.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Senator Latherow.

13. SENATOR LATHEROW:

14. Well, Mr. President and members of the Senate. Many of
15. you recall Carl Sandburg's problems that we talked about some
16. time ago, and the bid's running far in excess of what seems to
17. be the totals of their project. They are somewhat on another
18. program now that this won't be as effective as it was before,
19. and I merely, in addition to the Capital Development Board, for
20. them for funds, and I'd appreciate a favorable roll call.

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. Any discussion? Question before the Senate is shall House
23. Bill 2717 pass. Those in favor will vote Aye. Those opposed
24. will vote Nay. The voting is open. Senator Fawell, please.
25. Have all voted who wish? Have all voted who wish? Take the
26. record. On this question the Yeas were 46, the Nays were 4.
27. The bill, having received the constitutional majority, is
28. therefore declared passed. Senator Latherow was off the Floor
29. temporarily when we called 2437. To keep our Calendar in order,
30. I would like...indicate that he'd like to have that called at
31. this time. House Bill 2437.

32. SECRETARY:

33. House Bill 2437.

1. (Secretary reads title of bill.)
2. Third reading of the bill.
3. PRESIDING OFFICER (SENATOR GRAHAM):
4. Senator Latherow.
5. SENATOR LATHEROW:
6. Mr. President, I'd like to move this back to second for pur-
7. pose of amendment. I think it is there.
8. PRESIDING OFFICER (SENATOR GRAHAM):
9. There's been a request that this...House Bill 2437 be re-
10. turned to the order of second reading for the purpose of consid-
11. ering amendment. Is leave granted? Leave is granted. The bill
12. will be placed on the order of second reading. Senator Latherow.
13. SENATOR LATHEROW:
14. The amendment, Mr. President, changes the language somewhat
15. on...on page 2 of the bill. I have given a copy of it to both
16. sides. I...I think there is no objection to it.
17. PRESIDING OFFICER (SENATOR GRAHAM):
18. The question before the Senate is shall Amendment No. 1 to
19. House Bill 2437 be adopted. All in favor signify by saying Aye.
20. Opposed. The Ayes have it; the amendment's adopted. Any further
21. amendments? Third reading. Senator Rock, 2588. House Bill 258
22. ...no? Hold it. For what purpose does Senator Wooten arise?
23. SENATOR WOOTEN:
24. Mr. President, on a point of personal privilege.
25. PRESIDING OFFICER (SENATOR GRAHAM):
26. State your point, Senator.
27. SENATOR WOOTEN:
28. Among our visitors in the gallery today there's a gentle-
29. man I have only come to know during the past couple of years.
30. A good friend and...to many of us. I'd like to have Mr. Tom
31. Keegan, husband of our late colleague, stand and acknowledge...
32. be acknowledged..
33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Many of us, personally know Tom Keegan. Senator Mohr...
2. Howard Mohr.

3. SENATOR MOHR:

4. Yes, Mr. President. I'd like to have leave of the Body to
5. discharge the Committee on Public Health on House Bill 1464.
6. It's been agreed to by the Chairman, Senator Knuepfer. Do I
7. have leave?

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. There's been a request to go to the order of motions so
10. that Senator Mohr moves to discharge the Committee on Public
11. Health and Welfare for the...from further consideration of
12. House Bill 1464. Is leave granted? Leave is granted. Senator
13. Mohr.

14. SENATOR MOHR:

15. Now, Mr. President, I'd like to have that bill advanced to
16. the order of second reading.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. There's been a request to have the bill advanced to the
19. order of second reading. All in favor signify by saying Aye.
20. Opposed. The Ayes have it and the bill will be on the order
21. of second reading. Message from the House. Just a moment, please.

22. SECRETARY:

23. (Secretary reads message from the House.)

24. Mr. President, I am directed to inform the Senate
25. that the House of Representatives has acceded to the
26. request of the Senate for a Committee of Conference to
27. consider the differences between the two Houses in re-
28. gard to the Senate Amendment No. 3 to a bill of the
29. following title: House Bill 2357.

30. I am further directed to inform the Senate that
31. the Speaker of the House has appointed a such commit-
32. tee on the part of the House: Messrs. Washburn, J. D.
33. Jones, LaFleur, Hart, and J. D. Holloway.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. Senator Knuppel.

3. SENATOR KNUPPEL:

4. Mr. President, if we're on the order of motions, as we were
5. just a moment ago...

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. I didn't want to be, but I got there.

8. SENATOR KNUPPEL:

9. All right. At this time I'd like to move to discharge the
10. Committee on Agriculture and Ecology from further consideration
11. of House Bills 1114 and 1115. These bills were sponsored in the
12. House by Representative Boyle and others. They're bills that
13. call for the reclamation of orphanage strip mine lands. That's
14. lands that were stripped and other.min...otherwise mined and left
15. abandoned prior to 1962. These bills were put in a sub-committee.
16. They're very similar to bills that we passed out of here in the
17. Session in 1971, and bills that were considered here, except that
18. they call for a council of six members with the Lieutenant Gov-
19. ernor serving of Chairman of that Council. It...the appropriation
20. is in 1115; it calls for an appropriation of 2 and then...2.5
21. million dollars for the carrying out of this program. Now, as
22. far as I know, there was no opposition to these bills in the
23. House. We are holding some other strip mining bills for study;
24. however, these bills are quite similar to bills that have pre-
25. viously passed out of here and I'd ask for a favorable roll call
26. to discharge the Committee on...fur...from further consideration
27. of this...of these bills.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. I think you have objection in the Senate. Senator Sommer?

30. SENATOR SOMMER:

31. Well, Mr. President, through the good offices of the Chair-
32. man of the Committee on Agriculture, Conservation and Ecology,
33. I have been named chairman of this particular sub-committee and

1. I object and I would like to hear the position of the Chairman
2. of the Committee also.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. Senator Latherow.

5. SENATOR LATHEROW:

6. Mr. President and members of the Senate. I also object,
7. and I want to give you one of the real reasons why you should
8. object to any of these major pieces of legislation that have
9. hung around over in the House, it was introduced in the House
10. in April of 1973; it got over here on June 19th. Now, I think
11. in all entitlement, as both Senators told you, we have another
12. bill we're working with that has to do with the stripping and
13. mine...and reclamation that would put these all three together
14. and we hope to be back here in November with something that
15. industry people and we can buy, and I object to this being
16. advanced without...

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Senator Knuppel, would you want to withdraw your motion?

19. SENATOR KNUPPEL:

20. Sir, I've been asked by the...by the House sponsor to ask
21. for discharge, because, as...and I...I...I believe I'm correct
22. when I say this, that the bill didn't get heard in committee;
23. however, as far as I know, there are not the problems from the
24. industry that exists with respect to the other bill. In other
25. words, there is a problem with the other reclamation bill, that
26. is the on-going reclamation bill, because the industry says they
27. can't meet the standards that are set forth, while, at the same
28. time, the industry is not opposed to, but favors the Boyle bills,
29. which are for reclamation, of land which was ravaged before Januar
30. ...or before 1962, the first time, so I...I will ask for a roll
31. call, in view of the fact that the House sponsor wants such a
32. roll call. And, I would encourage everybody that's interested in
33. getting a reclamation program started. We've been since 1971, when

1. this idea was first espoused by Governor Ogilvie, and bills were
2. first introduced by myself and former House member, James Nolan;
3. we've been this long already without accomplishing anything. These
4. bills have been heard; they've been heard in committee twice in
5. this Body. That is, the principle concept and they have been
6. heard on the Floor here on two different occasions. I feel it...
7. that it's time that we can study something to death. These bills
8. are different than the other bill that's being held, and I would
9. ask for a favorable roll call.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. There has been a...Senator Latherow.

12. SENATOR LATHEROW:

13. How many votes does it take, Mr. Chairman?

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. It takes 30 votes to discharge.

16. SENATOR LATHEROW:

17. OK, thanks.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. There has been a motion by Senator Knuppel that House Bills
20. 1114 and 1115 be discharged from the Committee on Con...Agricul-
21. ture and Conservation, and he's asked for a roll call. Those in
22. favor of Senator Knuppel's motion will vote Aye. Those in favor
23. of the motion to not discharge will vote Nay, and the voting is
24. open. Have all voted who wish? Take the record. How do you
25. postpone the consideration of a motion? The motion to discharge
26. the committee, having failed to receive 30 votes, is therefore
27. declared lost. Is he...we...Senator Saper...I think we're getting
28. a little bit noisy. Are you prepared, Senator Saperstein? We
29. have the bill back from Enrolling and Engrossing. House Bill
30. 2744.

31. SECRETARY:

32. House Bill 2744.

33. (Secretary reads title of bill.)

1. Third reading of the bill.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. Senator Saperstein.

4. SENATOR SAPERSTEIN:

5. Thank you, Mr. President. Ladies and gentlemen of the Senate.

6. This bill makes some changes in the formula of paying State grants

7. to school districts for children...Special Education children, who

8. attend private facilities. It increases the maximum State grant

9. from 2,000 to 2500 dollars and provides that each school district

10. pay at least 800 or per capita cost, whichever is less. This form

11. ...a formula...the present formula came into being about six years

12. ago and I do not believe there has been any change in the formula

13. for six years. I urge your sup...this bill is supported by the

14. Illinois Association for the Mentally Retarded, the Superintendents

15. of Special Education, the Council for the Handicapped, and they

16. would appreciate your Aye vote. Thank you very much.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Any discussion? Senator Sours.

19. SENATOR SOURS:

20. Will the Senator yield to a question or two?

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. She indicates that she will, and I would respectfully request

23. from the gentlemen and ladies of the Senate that we give these two

24. personalities our undivided attention, please. Senator Sours.

25. SENATOR SOURS:

26. Mr. President and Senators and Senator Saperstein. Is there

27. any element of this bill that would result in any contribution or

28. any defrayment of the costs of a parochial education in a parochial

29. school?

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. Senator Saperstein.

32. SENATOR SAPERSTEIN:

33. I didn't hear the question.

1. PRESIDING OFFICER (SENATOR GRAHAM):
2. That's what I was afraid of.
3. SENATOR SAPERSTEIN:
4. There's so much noise.
5. PRESIDING OFFICER (SENATOR GRAHAM):
6. Let's...ladies and gentlemen, please. These bills may not
7. be important to you, but they are to some people.
8. SENATOR SOURS:
9. Senator Saperstein...
10. PRESIDING OFFICER (SENATOR GRAHAM):
11. When we get a little order...just a minute, Senator. When
12. we get a little order, we'll proceed. We have very little order
13. now; we're wanting a lot of order. Please, gentlemen, will you
14. take your discussions off of the Floor? Senator Sours. Senator Sours.
15. SENATOR SOURS:
16. Senator Saperstein, will any public monies be transmitted
17. to what could be called a parochial school, or be devoted to the
18. furtherance of any parochial education in any private parochial
19. school?
20. PRESIDING OFFICER (SENATOR GRAHAM):
21. Senator Saperstein.
22. SENATOR SAPERSTEIN:
23. These monies will go to any private facility, regardless
24. of religion, color, or race, which are approved by the Office
25. of the Superintendent of Public Instruction.
26. PRESIDING OFFICER (SENATOR GRAHAM):
27. Senator...
28. SENATOR SAPERSTEIN:
29. Not necessary directed to any parochial project.
30. PRESIDING OFFICER (SENATOR GRAHAM):
31. Just a minute. A lot of your interference is coming from
32. the back row and people along the rail. Sergeant at Arms, I'm
33. going to ask your help, because we...Senator Sours.

1. SENATOR SOURS:

2. How do you intend, then, Senator, to circumvene the stric-
3. tures of three United States' Supreme Court cases, which have
4. stricken aid to parochial education, meaning private education?

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. Senator Saperstein.

7. SENATOR SAPERSTEIN:

8. I think, Senator Sours, in the legislation that was passed
9. about six or seven years ago, ESEA, which provided funds for
10. various titles in education, such as libraries, special educa-
11. tion, the funds go to the schools who qualify under the ESEA, regard-
12. less of race, color, or creed.

13. SENATOR SOURS:

14. Well, Mr. President and Senators. Looking...

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Senator Sours.

17. SENATOR SOURS:

18. ...looking on page 1 of the bill, line 34, it refers to a
19. non-public school or Special Education facility. Senator Saper-
20. stein, if it is a non-public school, I don't see why this Cham-
21. ber for the fourth time should enact legislation which will on-
22. ly precipitate considerable expensive and almost interminable
23. litigation to decide whether or not it conforms to the require-
24. ments set out in Supreme Court decisions. For that reason I think
25. we've about had our bellies full of passing unconstitutional law
26. concerning private schools, the recipients of public money.
27. Now if the private schools want to get money from the Rockefeller
28. Foundation or any of the large huge foundations, Ford, and they're
29. up in the billions, that's one thing, but once, I think, we in-
30. vade the...the corner of public money, we call it taxes, we're
31. in trouble, and for that reason I believe this bill ought to be
32. defeated.

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Senator Fawell.

2. SENATOR FAWELL:

3. Well, Mr. President. Far be it for me to speak on behalf
4. of Parochaid, but I don't think we are here. This is a statute
5. which has been on the books for quite some time, and I think the
6. very important distinguishment that we must make is that we are
7. talking about children who have severe handicaps and along with
8. that a public school...

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. You gentlemen in the back row are hampering Senator Saper-
11. stein from hearing the questions and hearing the debate. Will
12. you please cease and desist? Continue.

13. SENATOR FAWELL:

14. In addition to having a child with a severe handicap, we
15. have the necessity also of the public school district in which
16. the child resides being unable to supply the public school edu-
17. cation which is necessary for that child. Under those limited
18. circumstances, then, the parents have a right to seek a private
19. school where the child can receive the education the child needs.
20. The law, as it now stands, states that the school district, I
21. believe, has to pay the first 600 dollars, and then everything
22. over that the State pays up to a...an ultimate amount of 2,000
23. dollars, as I recall. This bill would increase the local school
24. district obligation to that of 800, and the maximum to 2500.
25. I actually favored...liked the bill better in its initial...in
26. the way in which it was initially introduced because the school
27. district would have to assume the full per capita cost, which is,
28. of course, the amount of money the school district assumes for
29. all other children in the district. However, several school
30. districts, including the Chicago School District, felt this would
31. be too much of an obligation, so that we have here, simply a con-
32. tinuation of a very fine program in the State of Illinois, and I
33. think you will...that the amendment here is in the right direction,

1. because it does obligate the public school districts by obligat-
2. ing them to meet more of the per capita costs, ultimately tool
3. up and do the job they should be doing, which is to educate all
4. children regardless of how much of a handicap a child may have,
5. so I do rise in support of the bill.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Senator Glass.

8. SENATOR GLASS:

9. Well, thank you Mr. President. I...I think Senator Fawell
10. has covered it, but Senator Sours, a question regarding non-
11. public schools. I think we should emphasize, Senator Sours, I
12. would just like to emphasize that...that this program is avail-
13. able only when the public schools cannot provide the necessary
14. training for the type of handicapped child involved. If the
15. public schools can provide it through their Special Education
16. programs, the student is not eligible to go to the private school,
17. and if...if the...they can provide it...if they cannot provide it,
18. then he goes to the non-public school and is eligible for this
19. payment of tuition. So I...I think it's a program, Senator Fawell
20. said, that has been working effectively in the State, and I
21. would urge a favorable roll call.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. Further discussion? Senator Mitchler.

24. SENATOR MITCHLER:

25. Mr. President and members of the Senate. I went over to
26. discuss this with the sponsor, Senator Saperstein, because the
27. amendment that we are making to the School Code to provide this
28. summer Special Education Program to a program that now exists
29. during the regular school year is good legislation, and it's in-
30. creasing the amount for these students from 2,000 to 2500. Now,
31. I noticed in the new language that it said that tuition may be
32. paid for a child, who attends a public school during the regular
33. school year, and who is found to have a learning disability,

1. who would be materially benefited by the summer Special Education
2. program of a non-public school or Special Education facility.
3. Now that's what threw a flag up to me, but I notice in...up high-
4. er in Section 14-7.02, it refers to non-public schools, so evi-
5. dently, even during the regular school year now, they are send-
6. ing these children who need Special Education to non-public or
7. Special Education facilities. Now, I...evidently that has not
8. been challenged, and I'm not going to challenge it at this time,
9. but if they're doing it now and it's working and they want to
10. extend this so the children can have this special education during
11. the summer months, and this is needed for those Special Education
12. children, you can't stop them and take them out of their program
13. for three or four months, like you can a normal child, because
14. that's like walking ahead one step and back two, and it's a good
15. program; I'm going to support it, although some day somebody may
16. challenge this on the constitutionality of the program.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Senator Ozinga.

19. SENATOR OZINGA:

20. Mr. Pres...Mr. President, I'm not used to speaking too much
21. on these bills or even speaking over the microphone here, but
22. I've got to bring to mind, if you'll recall over the years, we
23. advocated the educating of the disabled children, handicapped
24. children. We left it permissive for, I believe, approximately
25. four years and at that time I had Senator Davis sitting along
26. side of me and he said, you'll bankrupt the school districts if
27. you make it mandatory, and at that time I said, I'll give you
28. four years to get in line. We took six years to get in line.
29. We finally made it mandatory after a bit of time. It was then.
30. shown, or some of the districts just could not comply because
31. there would possibly be only one child in a district, and in some
32. places they'd have 10 or 15. Now. The crux of this whole situa-
33. tion lies in the bill itself, not in the amendments necessarily.

1. The amendments only go to aid and abet the situation, but they
2. can only pay this money. Nothing in this section authorizes
3. the reimbursement of a school district for the amount paid
4. for tuition of a child attending a non-public school or Special
5. Education facility, unless the school district certifies to the
6. Superintendent of Public Instruction that the Special Education
7. Program of that district is unable to meet the needs of that
8. child. Now that's the only way that they'll get any money and
9. this is a good program and I urge your support.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Further discussion? Senator Saperstein requests a favor-
12. able roll call. Senator...Senator Saperstein.

13. SENATOR SAPERSTEIN:

14. Mr. President, I think enough has been said. I think the
15. issue's been clarified and I urge your support.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. The question before the Senate is shall House Bill 2744
18. pass. Those in favor will vote Aye. Those opposed will vote
19. Nay, and the voting is open. Have all voted who wish? Have
20. all voted who wish? Take the record. On this question the Yeas
21. were 52, the Nays were 4, 1 voting Present. The bill, having
22. received the constitutional majority, is declared passed. The
23. next bill will be House Bill 2207. Well, they passed them over
24. so we're going back and trying to keep our calendar numerically
25. sound.

26. SECRETARY:

27. House Bill...House Bill 2207.

28. (Secretary reads title of bill.)

29. Third reading of the bill:

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. Senator Johns.

32. SENATOR JOHNS:

33. Forgive me, Mr. President.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. Fine time to lose your microphone.

3. SENATOR JOHNS:

4. Fine time to lose the microphone. I think this bill, accord-
5. ing to Senator Harris and I, is in good shape, and I would appre-
6. ciate a favorable roll call.

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. Any further discussion? Question before the Senate is shall
9. House Bill 2207 pass. Those in favor will vote Aye. Those opposed
10. will vote Nay. The voting is open. Have all voted who wish?
11. Have all voted who wish? Take the record. On this question the
12. Yeas were 52, the Nays were none. The bill, having received the
13. constitutional majority, is therefore declared passed. The next
14. bill will be one that we skipped over, House Bill 2383 by the
15. gentleman from Mosquito Gulch.

16. SECRETARY:

17. House Bill 2383.

18. (Secretary reads title of bill.)

19. Third reading of the bill.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Senator Gene Johns.

22. SENATOR JOHNS:

23. Thank you again, Mr. President. This aids us...this is the
24. appropriation to the Department of Transportation for use for the
25. Division of Waterways for acquisition of necessary rights-of-way
26. and relocation of utilities in connection with Federal improve-
27. ments. I would appreciate a favorable roll call.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. Senator Swinarski.

30. SENATOR SWINARSKI:

31. I'd like to direct a question, Mr. President, if I might, to
32. the sponsor of the bill. He'll yield for a question?

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Your colleague, Senator Johns, will be glad to answer your
2. question.

3. SENATOR SWINARSKI:

4. Has this matter been taken up with the EPA? And, there was
5. a priority list I...established, I understand, with the Pollution
6. Control Board as to priorities in the amount of Federal grants
7. and State money to be directed toward projects like that.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Senator Johns.

10. SENATOR JOHNS:

11. I'll be very truthful. Senator Swinarski, I have no idea.
12. This is the cleaning up of some very much needed flood plains,
13. and will permit the farmers to utilize this to raise crops to
14. feed you and I, especially you and the northern regions and
15. that's why we get the name of Little Egypt.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. Senator Swinarski.

18. SENATOR SWINARSKI:

19. I...I'd like to make a suggestion to the sponsor. I...I
20. believe that there are Federal funds available for this particular
21. project through the EPA, and we might not have to go into the
22. General Revenue Fund if an application were made to the EPA.

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. Senator Johns.

25. SENATOR JOHNS:

26. Senator Swinarski, at this late date, I'd rather not take
27. that chance, if you don't mind. I would appreciate a favorable
28. roll call.

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. Any further discussion? Question before the Senate is
31. shall House Bill 2383 pass. Those in favor will vote Aye. Those
32. opposed will vote Nay. The voting is open. Have all voted who
33. wish? Have all voted who wish? Take the record. On this

1. question the Yeas were 40, the Nays were 4, 3 were voting Present.
2. The bill, having received the constitutional majority, is there-
3. fore declared passed. Senator McBroom, we skipped over a bill in
4. your absence on a Conference Committee, 2303. You're going to
5. hold. 2710? You holding that? 2710, that's the one we skipped
6. over for you. Next bill will be House Bill 2710.

7. SECRETARY:

8. House Bill 2710.

9. (Secretary reads title of bill.)

10. Third reading of the bill.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Senator McBroom, the gentleman from Kankakee.

13. SENATOR MCBROOM:

14. Well, yes...yes, Mr. President and members of the Senate.

15. This Act the...amends the Department...Department of Mental

16. Health and requires the Department to obtain approval of the

17. General Assembly before closing or discontinuing the use of any

18. Mental Health facility under its jurisdiction. This...I have a

19. letter here, Mr. President and members of the Senate, wherein

20. the Illinois Association of Mental Health supports this, and the

21. Department of Mental Health takes no position on House Bill 2710.

22. I'd appreciate a...a favorable roll call.

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. Any discussion? The question before the Senate...Senator

25. Knuepfer.

26. SENATOR KNUEPFER:

27. This bill...I have talked to Senator McBroom about this bill,

28. and I want to express my reservations about it. The problem is

29. a very simple one. There is no institution in this State of

30. Illinois that isn't in someone's Legislative District and this

31. bill, incidentally, did not come to Committee, and had it come to

32. my committee we would have given it a thorough hearing but it

33. went right on by without reference. The concern I have is, insti-

1. tutions do become obsolete, but when, since each of these insti-
2. tutions has a built in block of proponents, and those are the
3. Legislators in that district, it seems to me that this does not
4. make sense as good public policy for the State of Illinois. It's
5. obviously very difficult to change institutional settings as they
6. become obsolete. Once you have somebody who is on the bandwagon
7. to say we gotta keep this, and we fight this battle every session,
8. the institution is here; I've got people employed in my district;
9. they are my friends; and I want it kept regardless of the cost
10. impact, or regardless of the effect of the program. I don't think
11. it's a desirable kind of a concept. Government's got to move along.
12. Obsolete facilities and programs have to be eliminated so that we
13. can spend our money on better ones and more effective ones; and it
14. seems to me that because of the built-in protectiveness that we,
15. of Legislators have, of programs or institutions in our districts,
16. it is not advisable that we have this kind of long forewarning in
17. order to marshall the troops to oppose this...these kinds of cut-
18. backs or programs, whatever they may be. We just lock Governors
19. into situations where they would like to get out but may not be
20. able to.

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. Senator Latherow.

23. SENATOR LATHEROW:

24. Thank you, Mr. President and members of the Senate. I'd
25. just like to say about this bill. When you can sit idly by and
26. see them...and hear words of them attempting to close areas such
27. as the Quincy Soldiers and Sailors Home at Quincy Illinois,
28. Thudichum's Lab. in Galesburg and the research there, and so on
29. and say that you think you'd ought to accept Executive decisions
30. on such things as that, true or not true, I think you need to
31. have that Legislative input in here to see why such things are
32. going on long before it happens. I think you'll find with this
33. that if there is indications of something like this, we in the

1. General Assembly will hear it before the populous starts coming
2. to us and say they're gradually phasing us out.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. We have yet to speak Senators Bell, Saperstein, Carroll,
5. and Ozinga, in that order. Senator Bell.

6. SENATOR BELL:

7. Well, Mr. President and members of the Senate. I...I'm
8. afraid I have to take issue with my good friend, Senator Knuepfer,
9. on this. I think his...I think his points are meaningful points
10. that the General Assembly should be very careful in how it ad-
11. dresses itself to various Executive departments, in reference
12. to this matter. Flexibility is certainly needed. However, on
13. the other hand, when you have various State institutions within
14. these various Legislative Districts, I think it's awfully impor-
15. tant that the people of those districts have the opportunity
16. through their representatives, and in this case, their Senators,
17. to specify that which they like or that which they don't like
18. about a change over of a facility, or the continuing of the
19. facility, or problems that may remain...come about within that
20. facility, and I think this is a...an excellent bill; I think it
21. should be passed by the General Assembly. It helps us in our
22. watchdog activities of the...of these Executive departments. It
23. shouldn't serve as a hindrance to the Executive, but allow the
24. people from our districts to have some meaningful comment through
25. their Legislative representatives. Thank you.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. Senator Saperstein.

28. SENATOR SAPERSTEIN:

29. Mr. President and ladies and gentlemen of the Senate. I
30. rise in opposition to this bill. I am sure that all of us are
31. aware that through these many months all of us have in...or some
32. of us in some way or another have...we've criticized the Depart-
33. ment of Mental Health because of the traumatic changes that are

1. taking place, and sometimes we are very frustrated because we
2. can't get the information and we just don't know what is happen-
3. ing. However, one, I think, among very important reasons, the
4. ...the foremost, that is that this bill, if passed, would result
5. in administrative chaos. Just carry it to your...to the logical
6. conclusion that you would ask the Director of the Department of
7. Corrections to do the same thing to that department, or the
8. Children and Family Services. It...it would be untenable. It
9. would be just incredible to have to go through the maze of that
10. kind of administration, and then, may I point out to you that
11. we have already, this Legislature, attempted to correct the
12. absence of information from the Department of Mental Health,
13. especially. Remember that we passed the 5-year plan, which makes
14. it mandatory that the Department submit a 5-year plan to us,
15. which can be changed every two years. We have done other things
16. and we hope that we can also create a very comprehensive Mental
17. Health Commission, which would have the means of receiving infor-
18. mation about what is happening in the Department of Mental Health,
19. so I think, to answer our frustrations, that we have already, I
20. think, addressed ourselves, at least partially, to the frustra-
21. tions that we experience because we don't know what's going on in
22. the Department of Mental Health; and also, may I tell you about
23. the Commission that is studying the Mental Health Code, or revi-
24. sion of it, and this also will be, I...I think, some kind of tool
25. for us to keep track of what is happening in the Department of
26. Mental Health. I urge that you defeat this bill. Thank you.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. Senator Ozinga. He passes. Senator Carroll.

29. SENATOR CARROLL:

30. Thank you Mr. President and members of the Senate. Very
31. briefly, I think Senator Saperstein touched upon the point that
32. which...wish to raise to this Body. We took very definitive
33. action this Session of the General Assembly in demanding of

1. that Department that it create and establish and dispense to us
2. and all the members of the...the people of Illinois a 5-year
3. plan, which included, included specifically, any information deal-
4. ing with the closing of any facilities. We required public hear-
5. ings; public hearings throughout the State if they were disman-
6. tling or in any way affecting a Statewide program; public hear-
7. ings in the region, if they were closing or dismantling any in-
8. stitution or program that affected just one region. I think that's
9. the way to go. That bill, right now, is in passage stage in the
10. House and I would hope the House sees the wisdom of this action.
11. I think the concept, the concept of requiring planning, and the
12. concept of requiring knowledge to not only us, but to all of the
13. citizens, is a correct one; however, I do feel very strongly that
14. the way to go is a much more comprehensive way of the 5-year plan
15. which does come back to us through the appropriation process year
16. in and year out. I think that's much more responsive than to take
17. the approach offered here.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. The last one registered to speak will be Senator Wooten.

20. SENATOR WOOTEN:

21. Mr. President and colleagues. I rise in support of this bill
22. with some reservation. It originates in my area and I'm still
23. a little puzzled as to how it wound up in Senator McBroom's loving
24. care rather in mine, but so be it. However, I do want to...to
25. support the contingents set forth so eloquently by Senators Knuep-
26. fer, Saperstein and Carroll. I do not think, in ordinary circum-
27. stances, this is the proper way to address the problem. The dif-
28. ficulty is that institutions are established to serve particular
29. needs, and after a while the institutions gradually shift focus
30. so that they serve the needs of the institutions as well. I think
31. a day is definitely coming when there must needs be some serious
32. readjustment in the Department of Mental Health and this will,
33. undoubtedly cut into the job situation and it will be a very

1. painful adjustment for many of us in this Chamber. At the present
2. time, though, I believe that we have a...in addition to our Legis-
3. lative function, we have an obligation to teach and even console
4. the public and those who are...

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. Senator Wooten, I think most of the caucuses are on your side
7. of the aisle. If we could break them up we might be able to hear
8. you.

9. SENATOR WOOTEN:

10. In addition to our Legislative function I believe we must
11. serve a teaching function as well, and in these days I believe
12. we must do what we can to allay some apprehension and mistrust,
13. not only on the part of the public, but on the part of many
14. State employees. I'm absolutely in support of the 5-year plan;
15. I think that is the way to go. Until we have that plan set forth
16. so that we see clearly where we're going, I think this is a good
17. temporary device. Once that plan is set forth and we have a
18. clear program outlined, I will move that this action be set aside
19. and that we propose our confidence in the judgment of the Execu-
20. tive and the Legislature, but for the present time I will support
21. this bill, but I do want to make clear my general support of the
22. statements that have been made in opposition to it.

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. I inadvertently overlooked my esteemed colleague, Senator
25. Rock, but I recognize you now.

26. SENATOR ROCK:

27. Thank you, Mr. President. I wonder if the sponsor would
28. yield for a question?

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. Senator McBroom says that he will, and I would again request
31. that the conferences go to Room 212, or somewhere far away. Sen-
32. ator McBroom will yield.

33. SENATOR ROCK:

1. Senator McBroom, do you have any indication from the Depart-
2. ment as to their position on this legislation?

3. SENATOR MCBROOM:

4. Senator Rock, I have before me a letter that I alluded to a
5. moment ago, dated June 11th, to Representative Geo-Karis in re-
6. gard to House Bill 2710. I can give you a copy of it when I'm
7. through. It's signed by Doctor Leroy P. Levett. The last para-
8. graph is this. As Mr. LeNear reported, the Department of Mental
9. Health takes no position on House Bill 2710. I would deduce that
10. they're not opposed to it, Senator Rock, from what is said here.

11. SENATOR ROCK:

12. Thank you, Senator. Mr...Mr. President, ladies and gentle-
13. men of the Senate. In view of the somewhat neutral position that
14. the Department has taken, I think it's incumbent upon us to take
15. a look at this, and I...while I hesitate to disagree with Senator
16. Saperstein, I think Senator Wooten's comments were well taken.
17. With Senator Carroll's 5-year plan bill, I think this is an extra-
18. ordinarily good compliment to that. Now if you'll take a look at
19. the amendment that was offered and adopted. It says any facility
20. closure or discontinuation or phasing out, termination or altera-
21. tion of a program or service, which involves over 10% or 25 of
22. the employees or employee positions. Now we have, for the past
23. few days, been very concerned about State employees. Senator
24. Berning had a deferred compensation plan; I see a bill on the
25. calendar to raise the pay; and I think if we are concerned about
26. State employees, this is the way the Legislature can keep a handle
27. on State employees, and provide for them. I urge affirmative sup-
28. port.

29. PRESIDING OFFICER (SENATOR MOHR):

30. Senator McBroom close.

31. SENATOR MCBROOM:

32. I simply want to say, Mr. President, that this bill simply
33. requires the Department to inform the General Assembly before

1. a closing is made. It doesn't give the General Assembly life and
2. death powers. I think enough has been said. I'd certainly ap-
3.preciate a favorable roll call. Thank you.

4. PRESIDING OFFICER (SENATOR MOHR):

5. The question is shall House Bill 2710 pass. Those in favor
6. will vote Aye. Those opposed will vote Nay. The voting is open.
7. Have all voted who wish? Take the record. On that question the
8. Yeas are 40, the Nays are 9, 5 voting Present. House Bill 2710,
9. having received the constitutional majority, is declared passed.
10. Senator Latherow, on 2437, are you ready? Secretary will read
11. that one in just a minute. Yeah.

12. SECRETARY:

13. House Bill 2437.

14. (Secretary reads title of bill.)

15. Third reading of the bill.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Senator Latherow.

18. SENATOR LATHEROW:

19. Mr. President and members of the Senate. This does exactly
20. what it says in the synopsis on the bill. It allows for reinstatement
21. of service credits in the Illinois Municipal Retirement Fund.
22. Several have been drawing from that fund in retirement as members
23. of the General Assembly. They wish to pay it back at interest, so
24. they'll have the prerogative of a...putting that into the General
25. Assembly Retirement System, and I'd appreciate a favorable roll
26. call.

27. PRESIDING OFFICER (SENATOR MOHR):

28. Further discussion? Question is shall House Bill 2437 pass.
29. Those in favor will vote Aye. Those opposed will vote Nay. The
30. voting is open. Have all voted who wish? Take the record. On
31. that question the Yeas are 33, the Nays are 6, 12 voting Present.
32. House Bill 2437, having received the constitutional majority, is
33. declared passed. Senator Bartulis, are you ready on 2774?

1. SECRETARY:
2. House Bill 2774.
3. (Secretary reads title of bill.)
4. Third reading of the bill.
5. PRESIDING OFFICER (SENATOR MOHR):
6. Senator Bartulis.
7. SENATOR BARTULIS:
8. Thank you, Mr. President and members of the Senate. House
9. Bill 2774 authorizes the conveyance of about an acre of land in
10. Perry County to the Oak Grove Baptist Church, and I would appre-
11. ciate a favorable roll call.
12. PRESIDING OFFICER (SENATOR MOHR):
13. Further discussion? Question is shall House Bill 2774 pass.
14. Senator Buzbee.
15. SENATOR BUZBEE:
16. Yes, Mr. President. Perry County is in my district, and I
17. certainly think this bill ought to pass. Thank you.
18. PRESIDING OFFICER (SENATOR MOHR):
19. Question is shall House Bill 2744 pass. Those in favor will
20. vote Aye. Those opposed will vote Nay. The voting is open. Have
21. all voted who wish? Take the record. On that question the Yeas
22. are 48, the Nays are none, 4 voting Present. House Bill 2774 is
23. declared passed. Senator Daley or Senator Bruce. Senator Daley,
24. House Bill 2787.
25. SECRETARY:
26. House Bill 2787.
27. (Secretary reads title of bill.)
28. Third reading of the bill.
29. PRESIDING OFFICER (SENATOR MOHR):
30. Senator Daley.
31. SENATOR DALEY:
32. Mr. President, fellow Senators. This is an appropriation of
33. 25,000 dollars for the Vehicle Recycling Board to pay the contingent

1. expenses of the Board. It's already...it's been created, and
2. they're waiting for the appropriation.

3. PRESIDING OFFICER (SENATOR MOHR):

4. Further discussion? Question is shall House Bill 2787
5. pass. Those in favor will vote Aye. Those opposed will vote
6. Nay. The voting is open. Have all voted who wish? Take the
7. record. On that question the Yeas are 49, the Nays are none.
8. House Bill 2787, having received the constitutional majority,
9. is declared passed. President Harris.

10. SENATOR HARRIS:

11. Mr. President, on the order of third reading is House Bill
12. 2506. I notice now that Senator Sours, Senator Rock, and Sena-
13. tor Don Moore are all three on the Floor. Awhile ago when it
14. was called, Senator Sours was not on the Floor. I would like
15. leave of the Senate to recall the bill again to...oh...have you
16. disposed of 2787? I...

17. PRESIDING OFFICER (SENATOR MOHR):

18. Yes we have, Senator.

19. SENATOR HARRIS:

20. Yeah, OK. I would like leave of the Senate to recall 2506
21. to the order of second reading again for the purpose of Senator
22. Moore to make a motion.

23. PRESIDING OFFICER (SENATOR MOHR):

24. Senator Don Moore. The bill has...will be returned to the
25. order of second reading. House Bill 2506.

26. SENATOR MOORE:

27. Thank you, Mr. President. Mr. President, in the early hours
28. this morning, when there was an amendment proposed to this, one
29. way or another, I did end up on the prevailing side, which I did
30. not desire to be. So having voted on the prevailing side, by
31. which Amendment No. 1 to House Bill 2506 was adopted, I move to
32. reconsider the vote by which that amendment prevailed.

33. PRESIDING OFFICER (SENATOR MOHR):

1. Senator Don Moore moves to reconsider the vote by which
2. Amendment No. 2 to House Bill 2506...Amendment No. 1 prevailed
3. on that question. Failed. Senator Netsch.

4. SENATOR NETSCH:

5. May we simply ask for an identification of the amendment
6. and what it does.

7. PRESIDING OFFICER (SENATOR MOHR):

8. President Harris.

9. SENATOR HARRIS:

10. I think it should be restated that Senator Moore's motion
11. is to reconsider the vote by which the...the amendment failed,
12. because, if you'll recall, it was a 27/27 vote and the...the
13. amendment was not adopted. Now the amendment involved, Senator
14. Netsch, is the subpoena power amendment, and changing the Com-
15. mission from the original purpose of the bill, which was to
16. make the Commission permanent to withdraw that amendatory language
17. making it permanent and to continue the Commission in its present
18. form, exclusive of this bill, but under the present law, which
19. would provide it, would then expire on the 30th of June, 1975.
20. In other words, continue it as a temporary commission. Further,
21. the amendment changes the name of the Commission from the Insurance
22. Laws Study Commission to the Illinois Insurance Laws Investigative,
23. I. V. E., Commission. Senator Sours objects to the amendment.
24. Senator Don Moore thought he was voting Aye on adoption, when,
25. in fact, he did express himself in the Negative. He has moved to
26. reconsider and the motion that we will be considering now, and
27. I'll be glad to respond to any further inquiries about the amendment,
28. and in truth the key vote here, of course, is the motion to re-
29. consider. I certainly would have no objection...objection to
30. Senator Sours also having an opportunity to discuss the recon-
31. sideration question if there is leave of the Senate. I think we
32. are probably bending a rule or two here.

33. PRESIDING OFFICER (SENATOR MOHR):

1. Senator Sours.

2. SENATOR SOURS:

3. Mr. President and Senators. This isn't a fight to the death
4. struggle at all. I think I stated earlier in the wee hours this
5. morning that the subpoena power is a very great power, because it
6. also ought to contain the right of granting immunity. So far as
7. I know, the only entity, having that right today, or that power,
8. is the Illinois Crime Commission, now known as the Illinois Inves-
9. tigating Commission. Now, of course, that Commission has been
10. dealing with such stalwarts as Milwaukee Phil, Al DaRezio, and
11. Joe Gags, Kilyano, the Buchari's, and a few of the other anti-
12. social citizens. I have this feeling about this. I think once
13. that power is granted to this Commission, we will have established
14. a precedent, that just about any commission that comes down the
15. pike will similarly seek that identical awesome power, and pretty
16. soon we'll be approaching some form or other of a Police State.
17. I think the right of subpoena; I think the right of granting
18. immunity is a highly privileged right. I don't think we're deal-
19. ing with felons; I don't think we're dealing with The Syndicate;
20. I don't think we're dealing with the World's Most Atrocious
21. Malifactors, when we deal with the personnel operating insurance
22. companies in this State. I don't think the World is going to come
23. to an end, but I think we're establishing a very terrible precedent
24. if this...if this Commission has that power.

25. PRESIDING OFFICER (SENATOR MOHR):

26. President Harris.

27. SENATOR HARRIS:

28. Well, I just want to respond, as I did last night. Every
29. standing committee of the General Assembly has this subpoena power.
30. Every one. It is accurate, of course, to state that the Legisla-
31. tive Investigative Commission is the only commission that has the
32. power. That doesn't trouble me a bit. Every standing committee
33. has the power that is being requested in this amendment. If you

1. can live comfortably...if you can live comfortably with our stand-
2. ing committee subpoena power, you should have no problem with this.
3. I do hope that Senator Moore's motion prevails.

4. PRESIDING OFFICER (SENATOR MOHR):

5. Senator Don Moore moves to reconsider the vote by which amend-
6. ment No. 1 failed on House Bill 2506. All those in favor vote Aye.
7. Those opposed will vote Nay. The voting is open. This takes the
8. majority of those voting on the question. Have all voted who wish?
9. Take the record. On that question the Yeas are 19, the Nays are
10. 27, 4 voting Present. The motion to reconsider fails. Senator
11. Swinarski.

12. SENATOR SWINARSKI:

13. Mr. President, I move to take House Bill 2752 from the Table.

14. PRESIDING OFFICER (SENATOR MOHR):

15. Senator Swinarski moves to take House Bill 2752 from the
16. Table. It was Tabled yesterday, I believe, Senator? Is there
17. leave? Senator Chew.

18. SENATOR CHEW:

19. Yeah. Would the request...

20. PRESIDING OFFICER (SENATOR MOHR):

21. Yeah. Will you hold...hold your remarks just a moment?
22. House Bill 2506 advanced to the order of third reading. Senator
23. Chew.

24. SENATOR CHEW:

25. Mr. President, this bill's already been Tabled. I would
26. suggest that we leave it there, because it's nothing but...but
27. another time consuming item. The Senator doesn't know what he's
28. doing.

29. PRESIDING OFFICER (SENATOR MOHR):

30. It's getting late in the sess'on, Senator Swinarski. I'll
31. apologize for Senator Chew. Is there leave to take House Bill
32. 2752 from the Table? Those in favor will vote Aye. Those opposed
33. will vote Nay. We'll do it on a voice vote. All those in favor

1. of taking House Bill 2752 from the Table say Aye. Opposed. Mo...
2. it was close. The motion fails. Senator Rock, 2588? Senator
3. Rock.

4. SENATOR ROCK:

5. Thank you Mr. President. I'm asking leave of the Body to
6. return House Bill 2588 for the purpose of amendment.

7. PRESIDING OFFICER (SENATOR MOHR):

8. Senator Rock is asking leave to take House Bill 2588 back to
9. the order of second reading for purpose of an amendment. Is there
10. leave? Leave is granted. Senator Rock, explain your amendment.

11. SENATOR ROCK:

12. Thank you Mr. President. I would first move to reconsider
13. the vote by which Amendment No. 1 was adopted. You will recall
14. last night that Amendment No. 1 was the quote, unquote, "agreed
15. amendment". There were, in fact, two typographical errors, which
16. Enrolling and Engrossing was afraid they could not cure, and in
17. addition we are adding one substantive category to those list
18. of exemptions from the Act. So, I would move to reconsider the
19. vote by which Amendment No. 1 was adopted. And then, I would
20. move to Table Amendment No. 1.

21. PRESIDING OFFICER (SENATOR MOHR):

22. Senator Rock moves to reconsider the vote by which Amendment
23. No. 1 was adopted. All...is there leave? Leave is granted. No.
24. l...Amendment No. 1 is...reconsider now. Senator Rock moves to
25. recon...to Table Amendment No. 1. All those in favor vote Aye.
26. Opposed. Amendment No. 1 is Tabled. Senator Rock.

27. SENATOR ROCK:

28. Yes. On the Secretary's Desk, Mr. President, is Amendment
29. No. 2, which is identical to the amendment just Tabled, but for
30. those three exceptions. The two typographical errors have been
31. cured, and additionally, one additional category in the exemp-
32. tion list has been added. I would move adoption of Amendment
33. No. 2.

1. PRESIDING OFFICER (SENATOR MOHR):
2. Senator Rock moves adoption of Amendment No. 2. All those
3. in favor signify by saying Aye. Opposed. Amendment No. 2 is
4. adopted. Further amendments? Third reading. Senator Bruce,
5. are you ready on 2804?
6. SECRETARY:
7. House Bill 2804.
8. (Secretary reads title of bill.)
9. Third reading.
10. PRESIDING OFFICER (SENATOR MOHR):
11. Senator Bruce.
12. SENATOR BRUCE:
13. Yes. And the Board should 2804. This is an appropriation
14. of 100,000 dollars for beef val...beef evaluation station at
15. Southern. We already have one at...at Western. They're self-
16. supporting. The Appropriations Committee approved this unanimous-
17. ly. I'd ask for a favorable roll call.
18. PRESIDING OFFICER (SENATOR MOHR):
19. Further discussion? Question is shall House Bill 2804 pass.
20. Those in favor will vote Aye. Those opposed will vote Nay. The
21. voting is open. Have all voted who wish? Take the record. On
22. that question the Yeas are 45, the Nays are 3, 2 voting Present.
23. House Bill 2804, having received the constitutional majority, is
24. declared passed. Senator Hall.
25. SENATOR KENNETH HALL:
26. If you're looking for something to call, 2565's on the...the
27. calendar.
28. PRESIDING OFFICER (SENATOR MOHR):
29. I see that one there, Senator. Senator Glass, are you ready
30. on 2822? I'm glad you called it to my attention, Senator Hall.
31. Senator Dougherty, 2866? 2866.
32. SECRETARY:
33. House Bill 2866.

1. (Secretary reads title of bill)

2. Third reading of the bill.

3. SENATOR DOUGHERTY:

4. Mr. President and members of the Senate. 2866 provides an
5. increase in the Capital Development Bond from...by 4 and 1/2
6. million dollars. This has already been in the appropriation
7. bill; it already passed this House; it's in the Senate. It's
8. for the facilities on the Calumet River for the installation of
9. containment facilities in the Chicago Regional Port District.
10. I ask a favorable roll call.

11. PRESIDING OFFICER (SENATOR MOHR):

12. Further discussion? Question is shall House Bill 2866
13. pass. Those in favor will vote Aye. Those opposed will vote
14. Nay. The voting is open. Have all voted...have all voted who
15. wish? Take the record. On that question the Yeas are 44, the
16. Nays are 2, 4 voting Present. House Bill 2866, having received
17. the constitutional majority, is declared passed.

18. SENATOR DOUGHERTY:

19. Thank you.

20. PRESIDING OFFICER (SENATOR MOHR):

21. Senator Davidson on the Floor? Senator Shapiro, 2890?
22. 2890.

23. SECRETARY:

24. House Bill 2890.

25. (Secretary reads title of bill)

26. Third reading of the bill.

27. PRESIDING OFFICER (SENATOR MOHR):

28. Senator Shapiro.

29. SENATOR SHAPIRO:

30. Mr. President, ladies and gentlemen of the Senate. House
31. Bill 2890 creates the Illinois Mississippi Canal and Sinnissippi
32. Lake Commission. This is a temporary Commission, that needs to
33. be recreated every year. In addition it also creates a Local

1. Government Tax Study Commission. I would urge a favorable roll
2. call.

3. PRESIDING OFFICER (SENATOR MOHR):

4. Senator Bruce.

5. SENATOR BRUCE:

6. Senator Shapiro, can you tell me how many times this Com-
7. mission met last year?

8. PRESIDING OFFICER (SENATOR MOHR):

9. Senator Shapiro.

10. SENATOR SHAPIRO:

11. I'm at a loss to tell you, cause I was unable to attend of
12. the meetings, if they were called.

13. SENATOR BRUCE:

14. Well, I...I'm also a Commission member, as you are, and to
15. my knowledge we didn't meet at all last year except one time here
16. for about 15 minutes to organize. I...I'm sure this is a hard-
17. working Commission, but I, like you, have somehow not gotten the
18. notices of their multi-mini meetings throughout this last year.

19. PRESIDING OFFICER (SENATOR MOHR):

20. Senator Shapiro.

21. SENATOR SHAPIRO:

22. Senator Bruce, I'm doing this for a friend.

23. PRESIDING OFFICER (SENATOR MOHR):

24. Further discussion? Senator Shapiro, do you want to close,
25. or did you? The question is shall House Bill 2890 pass. Those
26. in favor will vote Aye. Those opposed will vote Nay. Voting is
27. open. Have all voted who wish? Take the record. On that ques-
28. tion the Yeas are 43, the Nays are 7, 1 voting Present. House
29. Bill 2890, having received the constitutional majority, is de-
30. clared passed. Senator Rock, are you ready on 2588? 2876,
31. Senator Davidson.

32. SENATOR DAVIDSON:

33. Yes, Mr. President and members of the Senate. This bill cor-

1. rects an inequity that only happens one time...excuse me...

2. PRESIDING OFFICER (SENATOR MOHR):

3. Is there an amendment for that? Secretary will read the
4. bill.

5. SECRETARY:

6. House Bill 2876.

7. (Secretary reads title of bill)

8. Third reading of the bill.

9. PRESIDING OFFICER (SENATOR MOHR):

10. Senator Davidson.

11. SENATOR DAVIDSON:

12. Mr. President and members of the Senate. This is a bill
13. to correct an inequity on an own...own...one time only. Has
14. nothing to do with changing of the budget. This is money that
15. was-already in the Board of Higher Education's budget, but they
16. did change the i...on matching tuitions in the middle of the
17. different schools tuition. This supplies to 41, not-for-profit
18. private colleges throughout the State of Illinois. I know of
19. no opposition to this bill; appreciate a favorable roll call.

20. PRESIDING OFFICER (SENATOR MOHR):

21. Further discussion? Senator Bruce.

22. SENATOR BRUCE:

23. I just wonder if the sponsor would yield to a question?

24. PRESIDING OFFICER (SENATOR MOHR):

25. He indicates he will.

26. SENATOR BRUCE:

27. I unfortunately was involved in a debate of some great
28. importance and did not catch the explanation. For what are we
29. paying 28,500...247 dollars? What...

30. PRESIDING OFFICER (SENATOR MOHR):

31. Senator Davidson.

32. SENATOR DAVIDSON:

33. Actually it's 186,000 dollars involved and there's a hundred

1. and some odd dollars that's not committed. This amounts to...
2. the Board of Higher Education, after two years of giving a tuition
3. grants that they...maximum to students in these institutions
4. in the middle of the year, budget year, for the colleges
5. decide to hold it to the limit of their tuition, and it's made
6. a hardship on 41 colleges throughout the State. This is a one
7. time only, the money's already in the Board of Higher Education,
8. in their 6 million dollar appropriation. I'd appreciate a favorable
9. roll call.

10. PRESIDING OFFICER (SENATOR MOHR):

11. Senator Bruce. Senator Buzbee.

12. SENATOR BUZBEE:

13. Well, Mr. President, I...I'm just wondering why we've got
14. the Board of Higher Education that's working in all these programs
15. and so forth, and supposedly has everything straightened
16. out, and here this bill apparently's brought in at the last
17. minute, as I see it, without reference to committee even, and
18. ...and why did it take him, if this has been accumulating over
19. two years, why did they just now discover this and have to put
20. in a bill here in the last wanning hours?

21. PRESIDING OFFICER (SENATOR MOHR):

22. Senator Davidson.

23. SENATOR DAVIDSON:

24. Senator Buzbee, you wasn't listening. It hasn't been accumulated
25. over two years. The Board of Higher Education has been allowing
26. this for two years and now, just this year, changed the rules
27. in the middle of the stream. And this is only correcting an
28. inequity, one time only. The colleges, now and in the future,
29. will know there's no...this is not available. There're budgets
30. of these 41 colleges involved; had planned their school year
31. on this amount of income, and this is only correcting an
32. inequity, one time only. It comes out of the 6 million dollars,
33. which is already appropriated. The Governor is in support of

1. this, as I understand it, from the people who spoke to me from
2. the Springfield College in Illinois, and I'd appreciate a favor-
3. able roll call.

4. PRESIDING OFFICER (SENATOR MOHR):

5. Senator Soper.

6. SENATOR SOPER:

7. Senator Davidson, is this some money that was left over and
8. you finally found this money, and you want to do something with
9. it now in a hurry, before it...before it lapses?

10. PRESIDING OFFICER (SENATOR MOHR):

11. Senator Davidson.

12. SENATOR DAVIDSON:

13. No, this is not money that I found. This was a problem that
14. was addressed by the Chairman of the Board in Springfield College
15. in Illinois to Representative J. David Jones and said, can we
16. correct it? So, when we looked at it, or he had it looked at
17. and the staff from the House as long as here, that it didn't
18. only apply to Springfield College in Illinois, it applied to 41
19. other colleges in the State of Illinois and they put the bill
20. into supply for all of them. It runs...the purse...the college
21. that gets the most out of it is 41,000 dollars for the Central
22. Y College in Chicago, as I understand it. The bill has a line
23. item for each college is involved and...and it's not an...some-
24. thing they just found. It's something to try to solve a problem
25. for these schools' budgets.

26. PRESIDING OFFICER (SENATOR MOHR):

27. Senator Soper.

28. SENATOR SOPER:

29. I see that Senator Fawell has the bill in front of him.
30. While he's asking the questions, I'm going to get a copy of the
31. bill...

32. PRESIDING OFFICER (SENATOR MOHR):

33. Senator Berning.

1. SENATOR BERNING:

2. I just have a question to ask to the affect of what is stated
3. on the face of the bill as being effective through June, 1974.
4. Will that invalidate your bill, Senator?

5. PRESIDING OFFICER (SENATOR MOHR):

6. Senator Davidson.

7. SENATOR DAVIDSON:

8. To my knowledge it will not if we can get it out of here and
9. get it passed, because the money's there and Representative J.
10. David Jones, when I asked the question, said it would not. So
11. other than that I cannot tell you, Senator Berning.

12. PRESIDING OFFICER (SENATOR MOHR):

13. Senator Fawell.

14. SENATOR FAWELL:

15. Senator Davidson, I...I wasn't listening as closely as I
16. should have. These...these excess funds from...from whence do
17. they come? And, what...what is the genesis here?

18. PRESIDING OFFICER (SENATOR MOHR):

19. Senator Davidson.

20. SENATOR DAVIDSON:

21. This is in the 6 million dollar appropriation, was in the
22. Board of Higher Education for assistance to not profit insti-
23. tutions, and this year, prior to the past two years, the Board
24. of Higher Education had granted the tuition grant to the level
25. within the State limits. This year, in the middle of the bud-
26. get year, they then changed the rules and said we will only
27. give the tuition to the level of the tuition with the institu-
28. tion, which is fine. I've got no argument with that, if they'd
29. just told them ahead of time. Really what it amounts to, the
30. Board of Higher Education is penalizing the not-for-profit pri-
31. vate institutions that's tried to keep their tuition down for
32. their students, and this is so that with the coming fiscal year
33. the colleges are on notice that this is not available anymore

1. and it will not put them in the bind that it has, because they
2. changed the ruling in the middle of their budget year.

3. PRESIDING OFFICER (SENATOR MOHR):

4. Senator Fawell.

5. SENATOR FAWELL:

6. This is...this is...this is for the fiscal year 73/74,
7. as I understand from the head note. What about, well, the
8. existent...the existent fiscal year of...of the...the fiscal
9. year in which we're...we're going into, I gather, is going
10. to be...well, we...we could have...we could have the same thing
11. occur, then, I suppose, and a...a...again.

12. PRESIDING OFFICER (SENATOR MOHR):

13. Senator Davidson.

14. SENATOR DAVIDSON:

15. I'd say there's a possibility but not with my support or
16. my record. This...they've come to us. This is a one time only.
17. The colleges are now on notice by the Board that this is going
18. to be their policy and they're not willing to building something
19. into a budget that they expect to receive, that in the middle
20. of their fiscal year was changed on them. This is a one time
21. only, and they're on record, and it will not happen again and I
22. certainly would not be in support of any legislation next year
23. to do it. This is...came to Representative Jones and he came
24. to me on a one time need only, now. No more.

25. PRESIDING OFFICER (SENATOR MOHR):

26. Senator Fawell.

27. SENATOR FAWELL:

28. The only...the only point I wish to make is that evidently
29. by following the formula in the non-public Higher Educational
30. Act, the...there were more funds than the formula could actually
31. end up utilizing, and I...I think probably if Senator Newhouse's
32. bill, which is Senate Bill 917, that is soon...that is pending
33. on the Secretary's Desk. If the amendments, which were on those...

1. in that bill actually goes through the full six...the full six
2. million, I am sure is going to be utilized every year. I...I
3. ...I understand the situation now.

4. PRESIDING OFFICER (SENATOR MOHR):

5. Senator Hickey.

6. SENATOR HICKEY:

7. Mr. President, I still don't understand this. If this is
8. a grant straight to the school, is this the grant that's based
9. on the formula of a hundred dollars for the Freshman and Sopho-
10. more years and 200 for the scholarships? I...I...well, I don't
11. understand what it is.

12. PRESIDING OFFICER (SENATOR MOHR):

13. Senator Davidson.

14. SENATOR DAVIDSON:

15. This is the scholarship grant money that goes to not...
16. non-public institutions of higher learning, not-for-profit
17. non-public institutions that has to do with tuition grant.
18. Not the 100/200, this has to do, like the scholarship grant
19. money of 1300 dollars.

20. SENATOR HICKEY:

21. Well, it...it is the 100/200 dollar grant to the in...to
22. the institution, but I don't understand what...what tuition
23. changes have to do with that.

24. SENATOR DAVIDSON:

25. Senator Hickey, I stand corrected. You are right. It does
26. apply to the 100/200 dollar grants, but as it is now, it will
27. not let them go over the 100/200 dollar grant, if their tuition's
28. exceedingly low, and they...the past two years the Board had been
29. allowing the full 100/200 dollars without regard to the tuition.
30. In the middle of the stream this year, in the fiscal year of the
31. colleges, they then now put in the rule so that they would not go
32. to the full 100/200 and these colleges, which are in this bill, are
33. being penalized in the middle of their fiscal year for having a

1. low tuition. This is a one time shot only to correct an inequity.
2. PRESIDING OFFICER (SENATOR MOHR):
3. Senator Swinarski.
4. SENATOR SWINARSKI:
5. The pre...I move the previous question.
6. PRESIDING OFFICER (SENATOR MOHR):
7. Senator Swinarski moves the previous question. All those in
8. favor signify by saying Aye. Opposed. Motion carries. Senator
9. Davidson may close.
10. SENATOR DAVIDSON:
11. I think it's been well debated. I'd appreciate a favorable
12. roll call for a one time only to help some institutions out of a
13. tough spot.
14. PRESIDING OFFICER (SENATOR MOHR):
15. The question is shall House Bill 2876 pass. Those in favor
16. will vote Aye. Those opposed will vote Nay. The voting is open.
17. Have all voted who wish? Take the record. On that question the
18. Yeas are 44; the Nays are 1; 6 voting Present. House Bill 2876,
19. having received the constitutional majority, is declared passed.
20. Next bill will be House Bill 2870.
21. ACTING SECRETARY (MR. WRIGHT):
22. House Bill 2870.
23. (Acting Secretary reads title of bill.)
24. Third reading of the bill.
25. PRESIDING OFFICER (SENATOR MOHR):
26. Senator Shapiro.
27. SENATOR SHAPIRO:
28. Mr. President and ladies and gentlemen of the Senate. House
29. Bill 2870 permits a State employee, who executed a waiver of mem-
30. bership to recend his waiver prior to January 1st, 1975, it had...
31. the payment has to be made full...within 90 days after the initial
32. date of participation for credit of service, and the...all the
33. back payments plus interest compounded have to be paid into the

1. System. I would appreciate a favorable roll call.

2. PRESIDING OFFICER (SENATOR MOHR):

3. Senator Rock.

4. SENATOR ROCK:

5. Thank you, Mr. President, ladies and gentlemen of the Senate.

6. In Senator Romano's absence I would rise in support of House Bill

7. 2870. It merely allows the requalification into the System upon

8. the proper payment and I would urge adoption by our members.

9. PRESIDING OFFICER (SENATOR MOHR):

10. Further discussion? Question is shall House Bill 2870 pass.

11. Those in favor will vote Aye. Those opposed will vote Nay. Vot-

12. ing is open. Senator Nimrod, vote me Aye, please. Have all voted

13. who wish? Take the record. On that question the Yeas are 53,

14. the Nays are none. House Bill 2870, having received the constitu-

15. tional majority, is declared passed. Go to the order of the

16. Secretary's Desk. Senator Newhouse, are you ready with 917?

17. SENATOR NEWHOUSE:

18. Thank you Mr. Chairman. Mr. President, I move that the

19. Senate nonconcur in the amendment to Senate Bill 917 and that

20. it be sent to a conference committee.

21. PRESIDING OFFICER (SENATOR MOHR):

22. Senator Newhouse moves to nonconcur in House Amendment...

23. which...which amendment, Senator?

24. SENATOR NEWHOUSE:

25. It's Amendment No. 2, Mr. President.

26. PRESIDING OFFICER (SENATOR MOHR):

27. No. 2 to Senate Bill 917. All those in favor say Aye.

28. Opposed. The motion carries and the Secretary will so inform

29. the House. Senator Conolly, are you ready on the order of the

30. Secretary's Desk? On 880? Any member have a bill on the Sec-

31. retary's Desk, or consideration postponed that they would like

32. to call? Conference Committee reports.

33. SECRETARY:

1. Conference Committee report on Senate Bill 210, submitted by
2. Senator Bell.

3. PRESIDING OFFICER (SENATOR MOHR):

4. Senator Bell.

5. SENATOR BELL:

6. Yes, Mr. President. I'd like to move that we concur with
7. the Conference Committee report on Senate Bill 210.

8. PRESIDING OFFICER (SENATOR MOHR):

9. I'm sorry, Senator.

10. SENATOR BELL:

11. Mr. President, I'd like to move that we concur to the Con-
12. ference Committee report on Senate Bill 210. What...what the
13. Conference Committee has settled on, in reference to this bill,
14. was two amendments that I feel certain will resolve many of the
15. problems that have been discussed in reference to this bill. One
16. amendment, if you'll turn to your legislation, Senate Bill 210,
17. on page 1, by deleting line 24 and inserting, in lieu thereof,
18. the following, each Junior College District may require physical
19. education...may require physical education activity courses for
20. credit toward graduation or certification, but...but such courses
21. shall be made available on an equal and non-discriminatory basis
22. to men and women. It's a non-discrimin...a non-discrimination
23. clause. Mr. President, the...

24. PRESIDING OFFICER (SENATOR MOHR):

25. May we have some order, please?

26. SENATOR BELL:

27. Mr. President, the second amendment, that was adopted by
28. the Conference Committee, begins on page 1, line 30, and deletes
29. the portion that reads, reimbursement for physical education
30. activity courses shall be at a rate not less than that for other
31. credit courses. Now, as I understand it, I think maybe Senator
32. Shapiro or Senator Fawell may have some additional information
33. on this. I'm not an ex...an expert on these school matters, but

1. as I understand it, the basic State funding is at 18.50 per hour.
2. The change here is in reflection to a reduction to 17 dollars, and
3. I believe it's 61 cents. Senator Shapiro, would you like to...is
4. that right?

5. PRESIDING OFFICER (SENATOR MOHR):

6. May we have a little order? Senator Shapiro.

7. SENATOR SHAPIRO:

8. Mr. President, ladies and gentlemen of the Senate. Senate
9. Bill 210 is...at...as it is now amended, first of all it requires the
10. approval of the local Junior College Board and then after that
11. approval of the State Board...Junior College Board, before the
12. thing can be funded from State funds, as it stands now, if a
13. local junior college approves this program or requires physical
14. ...physical education, they have to pay for it out of their own
15. resources, and I would urge adoption of the Conference Committee
16. report on Senate Bill 210.

17. PRESIDING OFFICER (SENATOR MOHR):

18. Senator Mitchler.

19. SENATOR MITCHLER:

20. Mr. President and members of the Senate. I believe we're
21. all acquainted with the provisions of House Bill 210, and it
22. kicked around. Now it's got the discrimination clause off, has
23. it Senator, or is that still on?

24. PRESIDING OFFICER (SENATOR MOHR):

25. Senator Bell.

26. SENATOR BELL:

27. Senator Mitchler, the non-discrimination clause is a part
28. of the Conference Committee report that's being offered at this
29. time.

30. PRESIDING OFFICER (SENATOR MOHR):

31. Senator Mitchler.

32. SENATOR MITCHLER:

33. That...that...that's important that that's on in...in the

1. event that this bill passes, but again, I point out, and I think
2. that I have supported the Junior College Program ever since 1965
3. when we created it, but, like everything else, they can find ways
4. to get into new programs, and if we approve this, that permissive-
5. ness that you give to them is going to be taken as a mandatory
6. program and they're going to move ahead with it and you're going
7. to find that they'll be out recruiting all of these athletes from
8. all over the country, as they're doing now, and first thing you
9. know they'll be in big competition amongst themselves for athletic
10. programs and all these physical education programs, rather than
11. spending the money on the real things that they need, and they
12. tell me that they're short in many, many areas, and I think we
13. have to look at it in the area of priorities, because they can
14. get enough of this physical education locally because they're
15. not away from school. You don't have the dormitories and that
16. like. I'm opposed to the bill. It passed last year by a 30/4
17. vote and I know Senator Netsch was very interested in her vote and
18. when she saw that she voted in the affirmative, indicated to me
19. when this bill was up before that she was going to reconsider,
20. and I know many others.

21. PRESIDING OFFICER (SENATOR MOHR):

22. Senator Wooten.

23. SENATOR WOOTEN:

24. A question for the sponsor. The main matter for me is the
25. reimbursement. Does the State still reimburse?

26. PRESIDING OFFICER (SENATOR MOHR):

27. Senator Be...Senator Bell.

28. SENATOR BELL:

29. I'm not...Senator Wooten, would you clarify that question?

30. SENATOR WOOTEN:

31. Well, what...what...what is...what is the status of State
32. reimbursement now, to the Junior Colleges?

33. SENATOR BELL:

1. Well...

2. SENATOR WOOTEN:

3. ...for phys. ed. courses?

4. SENATOR BELL:

5. ...as...as I understand it, and this...and this, I've got to
6. admit to you, I'm not cognizant of how State funding works in all
7. the Junior College Programs, all together, but as I understand it, for
8. courses that are approved for graduation from a Junior College, part
9. of that 60 hours, State funding is set at 18.50 per hour. Now...
10. again, as I understand it, there seems to be a differentiation
11. between some courses for accreditation, and for some others, and
12. as I understand it, the funding for...for instance, for P.E., as
13. a part of those 60 hours that would be funded, would come in at
14. 17.60. This is what I asked Senator Shapiro to...or Senator
15. Fawell, that's had some greater indepth experience over the years,
16. than I have at this particular matter, to give...to help in some
17. of these answers, because I frankly don't know...

18. SENATOR WOOTEN:

19. Well, Senator Bell, I can just make this even simpler. Is
20. there any change in the matter of reimbursement?

21. PRESIDING OFFICER (SENATOR MOHR):

22. Senator Bell.

23. SENATOR WOOTEN:

24. The...the...

25. SENATOR BELL:

26. Is there any change in the...

27. SENATOR WOOTEN:

28. The last time we considered this, you know, I...we're taking
29. this up again. Has there been any substantive change in the mat-
30. ter of State reimbursement?

31. PRESIDING OFFICER (SENATOR MOHR):

32. Senator Bell.

33. SENATOR BELL:

1. No.

2. PRESIDING OFFICER (SENATOR MOHR):

3. Further discussion? Senator Glass.

4. SENATOR GLASS:

5. Alright. Just a point of clarification. Is...is this a

6. motion to concur, Senator Bell?

7. PRESIDING OFFICER (SENATOR MOHR):

8. That is the motion.

9. SENATOR GLASS:

10. Is this...is this the First Conference Committee, or is

11. it the Second? First...and...and if this is defeated, there

12. will be a Second Conference Committee, is that correct? All

13. right, thank you.

14. PRESIDING OFFICER (SENATOR MOHR):

15. Senator Bruce.

16. SENATOR BRUCE:

17. As I understand it, the Conference Committee report makes

18. three relatively non-understandable changes. First of all, it

19. requires the local Junior College Board to consent...if I could

20. get the attention of Senator Bell, perhaps we could go quicker

21. on these things.

22. PRESIDING OFFICER (SENATOR MOHR):

23. Senator Bell. Senator Bruce's directing a question to you.

24. SENATOR BRUCE:

25. I know. We're all busy. Am I correct in assuming that the

26. Conference Committee makes three changes? First of all that they

27. will be paid at a rate no higher than the normal rate, 18.50?

28. SENATOR BELL:

29. No. 17.60.

30. SENATOR BRUCE:

31. 17.60. That's what's approved by the Board now. Is that

32. right? So, in any event, no...whether this was put in the

33. Conference Committee report or not, they would not be paid higher

1. than 17.60.

2. SENATOR BELL:

3. Right.

4. SENATOR BRUCE:

5. So, the change that you propose has no affect? All right,

6. the second change...

7. SENATOR BELL:

8. Yes, let...let me reply to that. The Reference Bureau, as

9. they were working up the Conference Committee report, updated

10. the legislation and that's where the 17.60 came into the picture.

11. SENATOR BRUCE:

12. All right. But that's the standard rate? Is that not

13. right?

14. SENATOR BELL:

15. Well, I'm...Senator Bruce, I'm not sure on that. I under-

16. stood the standard rate was 18.50, but that there's a differen-

17. tiation here, for some reason.

18. SENATOR BRUCE:

19. For P.E. courses. Right?

20. SENATOR BELL:

21. Yeah, I...and I...that I don't under...

22. SENATOR BRUCE:

23. The...the second change is that you require the consent of

24. the local board. Is that correct?

25. SENATOR BELL:

26. That change was brought in some time back. Not by Confer-

27. ence Committee action.

28. SENATOR BRUCE:

29. All right. That's been in for awhile, then?

30. SENATOR BELL:

31. Yes.

32. SENATOR BRUCE:

33. And...and now we also require the consent of the Junior

1. College Board?

2. SENATOR BELL:

3. That change was in for some while too.

4. SENATOR BRUCE:

5. All right. Now we're down...what have we changed?

6. SENATOR BELL:

7. We have added a non-discriminative...a non-discrimination
8. clause that I just read, and we have deleted...we have deleted
9. reimbursement for physical education activity courses shall be
10. at a rate not less than that for other credit courses, which
11. was...my mind was this 18.50, as a 17.60 problem.

12. SENATOR BRUCE:

13. All right. If I may just address myself to the problem
14. then, we're basically talking about an identical bill that's
15. been before this Body, I believe, three times before. It is
16. not voluntary in the sense that the State of Illinois will
17. not have the option. We will have to accept this program if
18. submitted to us. It's unfair to those downstate schools that
19. have not...that have been really, frankly, the most responsi-
20. ble in...in developing primary educational facilities for
21. classroom teaching and awards those...rewards those that have
22. not done so by building secondary buildings, namely gymnasium
23. space and recreational facilities. That was not the plan when
24. we began the Junior College System. We should reward those
25. that have been frugal with our dollars and not penalize them.
26. That is just another reason, I believe, that we should not sup-
27. port this legislation.

28. PRESIDING OFFICER (SENATOR MOHR):

29. Senator Palmer.

30. SENATOR PALMER:

31. Thank you, Mr. President. I'd like to rise on a point of
32. person...personal privilege. We have the privilege and pleasure
33. of having Senator Bruce's wife here with us in the balcony, and

1. I...I think we ought to acknowledge her presence. Thank you very
2. much.

3. PRESIDING OFFICER (SENATOR MOHR):

4. Further discussion? Senator Bell may close.

5. SENATOR BELL:

6. Yes, Mr. President. This bill was passed out of the Illinois
7. Senate, as Senator Mitchler refers to, by 30/4 votes. It was
8. passed by...it was amended and changed in order to pass out of
9. the Senate. It was passed by the House, came back and we've
10. had some difficulty, trying to get it worked out into a final
11. passable form. I believe that...ladies and gentlemen of the
12. Senate, I believe that the bill's in positive shape to address
13. itself to some of the problems of our culture today and I'm
14. not going to go into all of this again. You...you've heard it
15. for the past year on and off, about the need for physical training
16. ...need for physical education; the need for this type of educa-
17. tion courses for Senior Citizens, whether they're taking bowling,
18. or whether they're taking various other types of P.E. courses
19. that are amenable to the Senior Citizen to try to help them to
20. enjoy their later years in some form of reasonable physical
21. activity. It's a program that's certainly needed in the United
22. States for the health and welfare of not only our youth by our
23. ...our middle aged people and our elderly people. Now I'd like
24. to mention in reference to Senator Mitchler's comments about the
25. Junior Colleges going out and recruiting...about the Junior Col-
26. leges going out and recruiting athletes and all. This bill
27. doesn't address itself in any way, shape, or form, or possibility
28. to that situation. It talks about physical education as a course
29. of instruction, not as a recruiting device or...or for football
30. teams, or basketball teams, or...or ladies soccer teams. Talk
31. about the need for additional P.E. facilities. The bill doesn't
32. talk about that. So I'm going to...we've covered it well. I
33. hope that I'll have a favorable roll call, and let's move this

1. forward. Thank you, Mr. President. I want an Aye vote, you
2. guys.

3. PRESIDING OFFICER (SENATOR MOHR):

4. The question is, shall House...Sen...Senate...the Senate
5. concur...adopt the Conference Committee report on Senate Bill
6. 210. Those in favor will vote Aye. Those opposed will vote
7. Nay. The voting is open. This is on...for final passage. It
8. will take 30 votes. Have all voted who wish? Take the record.
9. On that question the Yeas are 24, the Nays are 26, 1 voting
10. Present. The Conference Committee report is not adopted and
11. the Secretary shall so inform the House. Senator Harber Hall,
12. are you ready on 2512? 2512. All right...we have one more
13. motion and then we'll get to you, Senator.

14. SECRETARY:

15. Conference Committee report on Senate Bill 589. Senator
16. Bartulis.

17. SENATOR BARTULIS:

18. Thank you, Mr. President and members of the Senate. As
19. sponsor of Senate Bill 589 and a member of the Conference Com-
20. mittee, I wish you would adopt and...the Conference Committee
21. report on Senate Bill 589. Now the purpose of this bill is to
22. determine the economic impact of the existing and proposed
23. Illinois Pollution Control Regulations, and it would require a
24. study of economic in...affects and regulations of all segments
25. of Illinois society, including Ag...Ag. interests, labor,
26. commerce, Governmental units, and industry; and this bill is
27. intended to strike a balance between the State's economic and
28. environmental needs. Now we all agreed that the massive efforts
29. must be devoted in cleaning up our environment. Now this issue
30. can be...we can accomplish this goal of reducing pollution without
31. hurting the economy. The public needs to know the economic in-
32. terests, as well as the environmental benefits of pollution
33. control regulations, and that's all this bill attempts to do, and

1. I ask for your support in a vote approving the Conference Commit-
2. tee report.

3. PRESIDING OFFICER (SENATOR MOHR):
4. Senator Donnewald.

5. SENATOR DONNEWALD:
6. Senator Bartulis, would you repeat that please?
7. SENATOR BARTULIS:
8. I'd appreciate a favorable roll call.

9. PRESIDING OFFICER (SENATOR MOHR):
10. Senator Graham.

11. SENATOR GRAHAM:
12. Senator Bartulis, does this report include the deletion of
13. the former Amendment No. 2?
14. PRESIDING OFFICER (SENATOR MOHR):
15. Senator Bartulis.
16. SENATOR BARTULIS:
17. Yes.

18. PRESIDING OFFICER (SENATOR MOHR):
19. Senator Wooten.
20. SENATOR WOOTEN:
21. Thank you, Mr. President. Please refresh my memory, Senator.
22. What did Amendment 2 do? The one that was taken off?
23. SENATOR BARTULIS:
24. It...pardon me...Amendment No. 2 more or less killed the
25. bill. It...it struck out existing regulations, and we've got
26. it back in.

27. PRESIDING OFFICER (SENATOR MOHR):
28. Senator Wooten.
29. SENATOR WOOTEN:
30. In what way would this bill accomplish...what different
31. would be done? I mean, actual work accomplished that is not
32. done now under regular EPA procedures?
33. PRESIDING OFFICER (SENATOR MOHR):

1. Senator Bartulis.

2. SENATOR BARTULIS:

3. Well, all the regulations we have now, Senator, would be

4. ...this bill would not come...would affect. In other words,

5. with striking existing, this bill would affect all new regula-

6. tions.

7. PRESIDING OFFICER (SENATOR MOHR):

8. Excuse me...Senator Wooten.

9. SENATOR WOOTEN:

10. Senator, that was not clear. Would you repeat that, please?

11. What would...what would be done now that is not done under exist-

12. ing EPA regulations? That's my question.

13. PRESIDING OFFICER (SENATOR MOHR):

14. Senator Bartulis.

15. SENATOR BARTULIS:

16. Well, what it does, really, is evaluates the economic impact

17. of the situation as it is now. Otherwise, it wouldn't. It'd

18. just be on present re...I mean, new regulations, instead of

19. present regulations.

20. PRESIDING OFFICER (SENATOR MOHR):

21. Senator Wooten.

22. SENATOR WOOTEN:

23. It seems to me that I'm having a hard time remembering,

24. because it's been some time ago, but I believe in our original

25. discussion of this bill, the point was made that economic factors

26. are presently considered un...in...under EPA hearings.

27. SENATOR BARTULIS:

28. No, they aren't.

29. SENATOR WOOTEN:

30. Well, then...the...we have a fundamental misunderstanding

31. within the department because as I recall they...they testified

32. that such things were taken into account.

33. PRESIDING OFFICER (SENATOR MOHR):

1. Further discussion? Senator Bartulis may close.

2. SENATOR BARTULIS:

3. Well, I want to refresh your memory. This bill that passed the
4. Senate previously in its original form, as it is now, 44 to 1,
5. and I ask...I ask for a favorable roll call.

6. PRESIDING OFFICER (SENATOR MOHR):

7. The question is shall the Senate adopt the Conference Commit-
8. tee report on Senate Bill 589. Those in favor will vote Aye.
9. Those opposed will vote Nay. The voting is open. Have all voted
10. who wish? Take the record. On that question the Yeas are 54, the
11. Nays are none. The Senate adopts the Conference Re...Committee
12. report on Senate Bill 910; and the bill, having received the re-
13. quired constitutional majority, is declared passed. Senator
14. Shapiro on 2512. Senator Shapiro? House Bill 2512, Senator
15. Shapiro.

16. SECRETARY:

17. House...House Bill 2512.

18. (Secretary reads title of bill.)

19. Third reading of the bill.

20. PRESIDING OFFICER (SENATOR MOHR):

21. Senator Shapiro. Harber Hall, I'm sorry, Senator.

22. SENATOR HALL:

23. Yes, Mr. President. House Bill 2512 is designed to assist
24. some largely rural area school districts that have been losing
25. students, as a annual occurrence and a phenomena affecting their
26. ability to finance their school...their local school districts.
27. This bill would permit the school districts to use...use the
28. 12¢ transportation tax rate that they may levy if they so choose
29. as a part of their total local effort in order to determine
30. State aid to those school districts. The evaluation of the cost
31. to the State, if this bill passes, is approximately 6 million
32. dollars. However, we would like to point out that while that
33. would cost the State about 6 million dollars, we believe, and I

1. think the statistics show that through the rate of student loss
2. in these districts that the forecasted State aid to the districts
3. will be also reduced because of the loss of student population
4. and so therefore it will offset that 6 million dollars, so the
5. actual cost to the State would probably be very little, if any-
6. thing. I believe it's good legislation; I believe that the
7. transportation tax is, in effect, a tax to help educate the
8. students and should...and could properly be considered as a local
9. effort for education of students in determining State aid. I
10. don't know of any objection to it. I hope I've explained it.
11. I...if there are any questions, I'd be glad to attempt to answer
12. them.

13. PRESIDING OFFICER (SENATOR MOHR):

14. Senator Partee.

15. SENATOR PARTEE:

16. I...would Senator Hall yield to a question? Now that we
17. have the full funding, and if that's signed into law, what'll
18. be the fiscal impact in this district in terms of a need for
19. this bill, which as I understand it, requires an expenditure of
20. 6 million dollars?

21. PRESIDING OFFICER (SENATOR MOHR):

22. Senator Hall.

23. SENATOR HALL:

24. In our small school districts, I'm not talking about small
25. Bloomington, Illinois, School District 87, I'm talking about
26. Lexington School District and Hudson, and some of these towns
27. that my friend, Senator Soper, may not have even heard of, but
28. in our small rural school districts, while full funding, of
29. course, helps them over and above the 92% funding, they do have
30. an unusually painful situation created by this loss of students.
31. The...the...the...they don't have a...a...a concurrent buildup
32. in their population, they have people leaving the farms and they
33. have a reduction in birth rates that is affecting their school

1. districts and they...they...they either have to consolidate or
2. they've got to increase their taxes, and a lot of them, who are
3. taxed to their maximum anyway, this doesn't even affect...affect
4. them, but the full funding will help them a little bit, but they
5. are really in desperate straits - the ones that will utilize
6. this. I also point out, of course, the transportation tax is
7. of major importance to rural districts in per...in terms of
8. percent of their total expenditure compared with a...a more
9. cosmopolitan, larger city tax. So, I hope that answers your
10. question, Senator Partee. It'll...if full funding helps them,
11. this will help them a little bit too.

12. PRESIDING OFFICER (SENATOR MOHR):

13. Further discussion? The question is shall House Bill 2512
14. pass. Those in favor will vote Aye. Those opposed will vote
15. Nay. Voting is open. Have all voted who wish? Take the record.
16. On that question the Yeas are 51, the Nays are none, 3 voting
17. Present. House Bill 2512, having received the constitutional
18. majority, is declared passed. Senator Rock on 2588?

19. SECRETARY:

20. Senate Bill 2588.

21. (Secretary reads title of bill.)

22. Third reading of the bill.

23. PRESIDING OFFICER (SENATOR MOHR):

24. Senator Rock.

25. SENATOR ROCK:

26. Thank you, Mr. President, ladies and gentlemen of the Senate.
27. House Bill 2588 is kind of an amalgam of various legislation that
28. was considered in the House Judiciary Committee and sub-committee.
29. The Attorney General had a couple of bills; Department of Finance
30. had a bill. This bill is actually three separate sections. In
31. the first section we set up that all collection agencies who wish
32. to do business in Illinois have to register with the Department of
33. Registration and Education and post a 25,000 dollar bond. In the

1. second section there is a laundry list of unlawful practices.
2. Now these...this list of unlawful practices was again a result
3. of a sub-committee and was that list that was also contained
4. in the bill proposed by the Attorney General's Office. There
5. are some 20 enumerated unlawful practices. The third section
6. then is an amendment to the Criminal Code, which provides for
7. six specific deceptive collection practices and imposes the
8. sanction of a business offense under the Uniform Code of Cor-
9. rections, which is a fine only. The bill is...has almost unani-
10. mous support of the House and the committees, and has been
11. scrutinized by both sides of the aisle. There was an agreed
12. amendment. I think the bill is in good shape. It is an attempt,
13. at least, to regulate that area of business that heretofore was
14. not regulated and I would move your favorable consideration and
15. ask for a favorable roll call.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Further discussion? Question is shall House Bill 2588 pass.
18. Those in favor will vote Aye. Those opposed will vote Nay. The
19. voting is open. Have all voted who wish? Take the record. On
20. that question the Yeas are 53, the Nays are none, 1 voting Present
21. to House Bill 2588. Having received the constitutional majority,
22. declared passed. Next bill will be House Bill 2362, Senator
23. Partee.

24. SECRETARY:

25. House Bill 2362.

26. (Secretary reads title of bill.)

27. Third reading of the bill.

28. PRESIDING OFFICER (SENATOR MOHR):

29. Senator Partee.

30. SENATOR PARTEE:

31. Mr. President and members of the Senate. House Bill 2362
32. is the annual appropriation for the Office of the Governor. I'd
33. appreciate a favorable roll call.

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2199
5/2/74

1. PRESIDING OFFICER (SENATOR MOHR):
2. Further discussion? Question is shall House Bill 2362 pass.
3. Those in favor will vote Aye. Those opposed will vote Nay. The
4. voting is open. Have all voted who wish? Take the record. On
5. that question the Yeas are 53, the Nays are none, 1 voting Present.
6. House Bill 2362, having received the constitutional majority, is
7. declared passed. We'll...we'll go to House Bills on Second.
8. House Bill 2133, Senator Regner, do you wish it moved? Move it.
9. SECRETARY:
10. House Bill 2133.
11. (Secretary reads title of bill.)
12. Second reading of the bill. No committee amendments.
13. PRESIDING OFFICER (SENATOR MOHR):
14. Amendments from the Floor? Third reading. House Bill 2199.
15. Senator Schaffer.
16. SECRETARY:
17. House Bill 2199.
18. (Secretary reads title of bill.)
19. Second reading of the bill. No committee amendments.
20. PRESIDING OFFICER (SENATOR MOHR):
21. Amendments from the Floor? Third reading. 2200, Senator
22. Schaffer.
23. SECRETARY:
24. House Bill 2200.
25. (Secretary reads title of bill.)
26. Second reading of the bill. No committee amendments.
27. PRESIDING OFFICER (SENATOR MOHR):
28. Amendments from the Floor? Third reading. The order of
29. the Secretary's Desk. House Bill 2...Senator Rock.
30. SENATOR ROCK:
31. I wonder, Mr. President, if the sponsor would be kind enough.
32. We are preparing an amendment for House Bill 2199. If he would
33. agree to call it back tomorrow. I don't have any objections...

1. PRESIDING OFFICER (SENATOR MOHR):
2. I...I think all of these bills, Senator, would have that
3. agreement. Secretary's Desk, Senator Weaver, 2797.
4. SENATOR WEAVER:
5. Mr. President and members of the Senate. This bill...
6. PRESIDING OFFICER (SENATOR MOHR):
7. Po...consideration postponed, I'm sorry, Senator.
8. SENATOR WEAVER:
9. House Bill 2797 does just as the calendar states. It ap-
10. propriates 350,000 to the Illinois Community Education Act, and
11. I would appreciate a favorable roll call.
12. PRESIDING OFFICER (SENATOR MOHR):
13. Further discussion? Senator Partee.
14. SENATOR PARTEE:
15. (Mumbling by Senator Partee.)...This mumbling, I'll mumble
16. that this is still as bad a bill as it was yesterday.
17. PRESIDING OFFICER (SENATOR MOHR):
18. Senator Buzbee.
19. SENATOR BUZBEE:
20. Mr. President, I appreciate Senator Partee's mumblings, but
21. I think it's just as good a bill as it was yesterday, and Sena-
22. tor Weaver and I have been working very hard, and I...I believe
23. maybe we may have the...the votes now and I would appreciate a
24. favorable roll call.
25. PRESIDING OFFICER (SENATOR MOHR):
26. Further discussion? Senator Rock.
27. SENATOR ROCK:
28. Senator Weaver, would it be possible to amend this to include
29. the Nurses Baccalaureate Program?
30. PRESIDING OFFICER (SENATOR MOHR):
31. Further discussion? Senator Weaver may close.
32. SENATOR WEAVER:
33. Roll call.

1. PRESIDING OFFICER (SENATOR MOHR):
2. Question is shall House Bill 2797 pass. Those in favor
3. will vote Aye. Those opposed will vote Nay. Voting is open.
4. Have all voted who wish? Take the record. On that question
5. the Yeas are 32, the Nays are 16, 4 voting Present. House
6. Bill 2797, having received the constitutional majority, is
7. declared passed. Senator McBroom, do you wish to call a bill
8. back to the order of second reading? 2303?
9. SENATOR MCBROOM:
10. Yes, Mr. President, I'd like leave of the Body to call
11. House Bill 2303 back to second reading for the purpose of an
12. amendment. I'll be...
13. PRESIDING OFFICER (SENATOR MOHR):
14. Is there leave?
15. SENATOR MCBROOM:
16. I'll be happy to explain the amendment.
17. PRESIDING OFFICER (SENATOR MOHR):
18. Leave is granted. Explain your amendment, Senator.
19. SENATOR MCBROOM:
20. The amendment adds 5,000 dollars for the Commission of...on
21. Women. It was 25,000 originally, cut to 15, and this is a com-
22. promise. It adds 5. Move for the adoption of the amendment.
23. PRESIDING OFFICER (SENATOR MOHR):
24. Further discussion? Qu...Question is shall House Bill 2303
25. pass. Those in fa...I'm sorry. The adoption of the amendment.
26. Senator McBroom moves the adoption of Amendment No. 2 to House
27. Bill 2303. All those in favor signify by saying Aye. Opposed.
28. Amendment No. 2 is adopted. Further amendments? Third reading.
29. Senator Latherow, you have an amendment for 2477? Senator Vadala-
30. bene, that's your bill. Do you wish that called back for an
31. amendment? 2477? Senator Vadalabene.
32. SENATOR VADALABENE:
33. Yes, I would like to have House Bill 2477 brought back to

1. the order of second reading for the purpose of an amendment, and
2. Senator Latherow then will explain the elec...the amendment.

3. PRESIDING OFFICER (SENATOR MOHR):

4. Is there leave? Leave is granted. Senator Lath...explain
5. the amendment.

6. SENATOR LATHEROW:

7. Well, Mr. President, we made merely some minor changes in
8. this. I've distributed the amendment to the leadership on both
9. sides. Now we're giving the county the...it re...remains in the
10. bill, the county, having the power of dropping the fee for the
11. registration of dogs from 4...below 4 dollars, or also put
12. back into the bill section 7, which has to do with the payment
13. of losses of livestock due to being killed by...by dogs. We
14. deleted another area in the...and the bill, at the last, which
15. is referred to in prior sections.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Is there further discussion? Senator Latherow moves the
18. adoption of Amendment No. 1 to House Bill 2477. All those in
19. favor signify by saying Aye. Opposed. Amendment No. 1 is
20. adopted. Further amendments? Third reading. The amendment,
21. which was just adopted to House Bill 2303 was Amendment No. 5
22. for the record. Return to the order of second reading, House
23. Bill 1464.

24. SECRETARY:

25. House Bill 1464.

26. (Secretary reads title of bill.)

27. Second reading of the bill. No committee amendments.

28. PRESIDING OFFICER (SENATOR MOHR):

29. Amendments from the Floor? Third reading. Senator Vadala-
30. bene, we don't have that back just yet. It'll be a few minutes.
31. Resolutions.

32. SECRETARY:

33. Senate Resolution 510, offered by Senator Newhouse.

1. It's congratulatory. Senate Resolution 510, offered by Senator
2. Newhouse and it's congratulatory.

3. PRESIDING OFFICER (SENATOR MOHR):

4. Senator Newhouse.

5. SENATOR NEWHOUSE:

6. Mr. President and Senators. This is a congratulatory re-
7. solution to a policeman, whom I don't even know. He performed
8. a fantastic feat in the City of Chicago that's indicative of
9. the kind of service that police officers give from time-to-time
10. that ought to be recognized. Here's a man, who took a gun off
11. his hip, walked into an apartment where there was a man who was
12. demented, and talked him out of shooting with a rifle out into
13. the streets. That kind of courage it seems to be...ought to be
14. signified and I'd ask every Senator to join me on this resolu-
15. tion.

16. PRESIDING OFFICER (SENATOR MOHR):

17. All members will be shown, Senator, as sponsors. Senator
18. Newhouse moves for the suspension of the rules for the consider-
19. ation of the adoption of the resolution. All those in favor of the
20. suspension of the rules signify by saying Aye. Opposed. The
21. rules have been suspended. Senator Newhouse moves the adoption
22. of the resolution. All those in favor signify by saying Aye.
23. Opposed. The resolution is adopted.

24. SECRETARY:

25. Senate Resolution No. 511, offered by Senators Mitchler and
26. Bell. It's congratulatory.

27. PRESIDING OFFICER (SENATOR MOHR):

28. Senator Mitchler asks leave for the suspension of the rules,
29. and the...for consideration of the adoption. Is there leave for
30. the suspension of the rules? Rules have been suspended. Senator
31. Mitchler moves for the adoption of the resolution. All those in
32. favor signify by saying Aye. Opposed. The resolution is adopted.

33. SECRETARY:

1. Senate Resolution No. 512, offered by Senators Mitchler
2. and Bell.

3. PRESIDING OFFICER (SENATOR MOHR):

4. What...what...what is that resolution?

5. SECRETARY:

6. Congratulatory.

7. PRESIDING OFFICER (SENATOR MOHR):

8. Senator Mitchler moves for the suspension of the rules
9. for consideration of the adoption of the resolution. All those
10. in favor signify by saying Aye. Opposed. The rules have been
11. suspended. Senator Mitchler moves the adoption of the resolu-
12. tion. All those in favor signify by saying Aye. Resolution is
13. adopted.

14. SECRETARY:

15. Senate Resolution 513, offered by Senator Chew.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Senator Chew.

18. SENATOR CHEW:

19. Mr. President, this is a resolution on a birthday. I would
20. ask that the rules be suspended for immediate adoption. I'd like
21. to comment on the resolution. I'll have the Secretary read it.

22. PRESIDING OFFICER (SENATOR MOHR):

23. All right. Do you want to comment on the resolution? It
24. sounds like to might be a little controversial.

25. SENATOR CHEW:

26. I..well, it is, Mr. President. The mere fact that this
27. resolution is for one of our distinguished members, or former
28. distinguished, but he's still a member, Senator Fred Smith,
29. and it's a birthday resolution, congratulating him for having
30. served 30 years...32 years in the Senate. Mr. Smith, in the
31. General Assembly. Fred is the War Horse here and Senator Partee
32. decided that he ought to have a resolution celebrating his 96th
33. birthday. I would ask all Senators to join me in this resolution,

1. and I will not allow Fred Smith to speak.

2. PRESIDING OFFICER (SENATOR MOHR):

3. Senator Smith.

4. SENATOR SMITH:

5. You've done your part. Just let me say this. And I now
6. know for perhaps the first time in my life that there comes a
7. time when words are inadequate to express the real mintage
8. of one's heart. Along about this time of year, and I didn't
9. know that anyone recalled it, I become a little nervous, and
10. perhaps irritable, because my mind begins to...I'd better sit
11. down...

12. PRESIDING OFFICER (SENATOR MOHR):

13. Senator Chew moves for the suspension of the rules for the
14. consideration of the adoption of the resolu...resolution. All
15. those in favor of the suspension of the rules, signify by say-
16. ing Aye. Opposed. Rules have been suspended. Now, Senator Chew
17. moves for the adoption of the resolution. All those in favor
18. signify by saying Aye. Opposed. The resolution is adopted.
19. One more resolution.

20. SECRETARY:

21. Senate Joint...Senate Joint Resolution No. 82, offered by
22. Senators Ozinga and Knuepfer.

23. PRESIDING OFFICER (SENATOR MOHR):

24. Senator Ozinga.

25. SENATOR OZINGA:

26. Mr. President, I would move for suspension of the rules and
27. the immediate consideration of this resolution and ask the Sec-
28. retary to read the same and would ask is Senator Daley here?
29. After the hearing of the resolution, there may be some other
30. people that might want to co-sponsor on here and would invite
31. all Senators to join in the sponsorship of this resolution. Would
32. the Secretary please read it?

33. SECRETARY:

1. Senate Joint Resolution No. 81.

2. (Secretary reads Senate Joint Resolution.)

3. PRESIDING OFFICER (SENATOR MOHR):

4. Senator Ozinga.

5. SENATOR OZINGA:

6. ...adoption of this resolution.

7. PRESIDING OFFICER (SENATOR MOHR):

8. Senator Knuepfer.

9. SENATOR KNUEPFER:

10. You will note that the resolution is sponsored by a Dutch-

11. man and a Kraut. There was a very good reason for that. We

12. were afraid that if we invited the...any of the Irish to get on

13. the resolution there might be a veritable donnybrook about who

14. was first, and Kissinger, being a good German, can undoubtedly

15. solve the problems of that troubled island.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Senator Dougherty.

18. SENATOR DOUGHERTY:

19. Mr. President and members of the Senate. As a descendent

20. from that land, that you speak of, so far away, let me tell you

21. we don't need any Dutchmen over there to solve our problems; and

22. I resent very much, I resent very much the fact that it is Fa-

23. cists - there are no Facists in Ireland and there are no Com-

24. munists in Ireland. Leave them alone, they'll settle their

25. troubles. I was over there when the trouble started the last

26. time. I'm sorry I left there; I may have been able to settle it.

27. I'm willing to go back.

28. PRESIDING OFFICER (SENATOR MOHR):

29. Senator Merritt.

30. SENATOR MERRITT:

31. Mr. President and members of the Senate. I believe this

32. points up to us once again, our failure over the years to estab-

33. lish a Senate Foreign Affairs Committee so that we might have

1. somewhere to send a resolution like this.

2. PRESIDING OFFICER (SENATOR MOHR):

3. Executive. Senator Sours.

4. SENATOR SOURS:

5. Mr. President, this is a matter, very briefly, Mr. Presi-
6. dent and Senators, of personal privilege. I noticed today from
7. the Illinois State Journal, it's saying good-bye after 142
8. years. I happen to be one of its fans; I read it; I read Bob
9. Estill and others. I'd just like to take this opportunity to
10. read about a hundred lines...a hundred words. Here's what it
11. says. Journal Says Good-Bye After 142 Years. This is the day
12. the Illinois State Journal says Good-Bye and prepares to return
13. Monday as part of an exciting new newspaper, the State Journal-
14. Register. With this newspaper you have the final Journal. A
15. whole new world has been created since the Journal's first issue
16. came off the press on November 10th, 1831. More than 142 years
17. ago. At that time Illinois was a rough pioneer State, only 13
18. years a member of the Union, and names that were to make history
19. were either young or unborn. This is a sad occasion. It's
20. saddening to see institutions succumb to the necessary changes.
21. All I can say is sic laurea transitus munde (Latin phrase).

22. PRESIDING OFFICER (SENATOR MOHR):

23. Communications.

24. SECRETARY:

25. June 28th, to the members of the Senate. According to the
26. provisions of House Joint Resolution 105 of the 78th General
27. Assembly, I hereby appoint Senator Bradley Glass and Senator
28. Roger Sommer to serve on a special committee on Constitutional
29. Amendments to prepare a brief explanation of the constitutional
30. amendment proposed by House Joint Resolution Constitutional
31. Amendment 7, and a brief argument in favor of such amendment,
32. and the form in which the amendment shall appear on separate
33. ballots. I hereby appoint Senator Jack Knuepfer and Senator

1. John Conolly to serve on a special committee on constitutional
2. amendments to prepare a brief argument against the Constitu-
3. tional Amendment proposed by House Joint Resolution Constitu-
4. tional Amendment 7. Sincerely, William C. Harris, President
5. of the Senate. Messages...

6. PRESIDING OFFICER (SENATOR MOHR):

7. Mess...Messages from the House.

8. SECRETARY:

9. (Secretary reads Message from the House)

10. Mr. President, I am directed to inform the Senate
11. that the House of Representatives has concurred with
12. the Senate with the passage of bills of the following
13. numbers together with the House amendments:

14. Senate Bill 576, Senator Romano's the Senate sponsor,
15. with House Amendments No. 1 and 2.

16. Senate Bill 1021, Senator Daley's the Senate sponsor,
17. with House Amendments No. 1.

18. Senate Bill 1322, Senator Kosinski's the sponsor,
19. with House Amendments 1, 3 and 4.

20. Senate Bill 1396, with House Amendments No. 1.
21. Senator Fawell, the Senate sponsor.

22. Senate Bill 1486, House Amendment No. 4. Senator
23. Knuepfer, the Senate sponsor.

24. Senate Bill 1539, Senator Partee, Senator sponsor,
25. with House Amendment No. 1.

26. Now, I have a copy of these amendments I...I'll give to
27. the sponsor and to each...leadership on each side.

28. PRESIDING OFFICER (SENATOR MOHR):

29. The Secretary's Desk. We have with us today our State
30. Treasurer, and it's always a pleasure to see our former colleague,
31. former Senator, and now State Treasurer, Alan Dixon. President
32.

33.

1. Harris.

2. SENATOR HARRIS:

3. Mr. President, I just want to acknowledge that the Senate
4. has been just great today. We've been very productive. I don't
5. know what the total feck number is, but I know it's in...42 bills
6. have been acted on today. We are going to recess until 7:30 p.m.
7. and I would hope that you would be here as close to 7:30 as pos-
8. sible, and we will have just that much less of a day tomorrow,
9. what we can additionally accomplish tonight. So I now move that
10. we recess until 7:30 p.m.

11. PRESIDING OFFICER (SENATOR MOHR):

12. I would sa...also advise that there are 23 bills left on
13. third reading. If we come back here this evening and are pro-
14. ductive, and clean off this calendar, it'll be much easier to
15. work our Conference Committees tomorrow. So we'll...the Senate
16. stands in recess until 7:30. The First Special...

17.
18. (RECESS BEGINS)

19.
20. (RECESS ENDS)

21.
22. PRESIDENT:

23. No...the Senate will come to order. Messages from the House.

24. SECRETARY:

25. (Secretary reads message from the House.)

26. Mr. President, I'm directed to inform the Senate
27. that the House of Representatives has cur...concurred
28. with the Senate in the passage of bills of the follow-
29. ing numbers, together with House amendments:

30. Senate Bill 1282, Senator Swinarski, with House amend-
31. ment No. 1.

32. Senate Bill 1291, Senator Graham, with House amendments
33. No. 1 and 2.

1. Senate Bill 1314, Senator Nimrod, with House amendments
2. No. 1, 4, and 5.
3. Senate Bill 1324, Senator Hynes, with House amendments
4. No. 1, 3, 4, 5, and 6.
5. Senate Bill 1346, Senator Rock, with House amendments
6. 1, 2, 3, 4, and 5.
7. Senate Bill 1502, Senator Weaver, House amendments num-
8. bered 1 and 5.
9. Senate Bill 1527, Senator Weaver, with House amendment
10. No. 1.
11. Senate Bill 1560, with Senator Vadalabene, with House
12. amendments No. 1 and 2.
13. Senate Bill 1567, Senator Bruce, with House amendment
14. No. 1.

15. PRESIDENT:

16. Committee reports.

17. SECRETARY:

18. (Secretary reads Committee reports.)

19. Senator Harris, the Chairman of the Committee on
20. Rules, reports that...that the Committee on Rules recom-
21. mends that House Bills 2606 and 2667 be placed on the
22. calendar on the order of second reading.

23. PRESIDENT:

24. Communications.

25. ACTING SECRETARY (MR. WRIGHT):

26. (Acting Secretary reads communications.)

27. To the members of the Senate. According to the
28. provisions of House Joint Resolution 105 of the 78th
29. General Assembly, I hereby appoint Senator Ben Palm-
30. er and Senator Norman Ko...Kosinski to serve on a
31. special committee on a Constitutional Amendment, to
32. prepare a brief explanation of the Constitutional
33. Amendment, proposed by...proposed by House Joint Re-

1. solution Constitutional Amendment No. 7, and a brief
2. argument in favor of such amendment in the form in
3. which the amendment shall appear on the separate
4. ballot. I hereby appoint Senator Dawn Netsch and
5. Senator Kenneth Buzbee to serve on a special commit-
6. tee on the Constitutional Amendment to prepare a
7. brief...brief argument against the Constitutional A-
8. mendment, proposed by the House Joint Resolution Con-
9. stitutional Amendment No. 7. Sincerely, Senator
10. Partee, Majority Leader.

11. PRESIDENT:

12. House Bills on Second Reading. Senator Carroll, on House
13. bills, on second reading, do you wish to call 2606? Yes. For
14. the members of the...for the benefit of the members, this bill
15. is not on the printed calendar. It is on the order of second
16. reading. It is a bill by Representative Catania; Senator Car-
17. roll is the Senate sponsor, and he will explain the situation.
18. Senator Carroll. Wait...it has not been read a second time.

19. ACTING SECRETARY (MR. WRIGHT):

20. House Bill No. 2606, Senator Carroll.

21. (Acting Secretary reads title of bill.)

22. Second reading of the bill.

23. SENATOR CARROLL:

24. Thank you, Mr. President...

25. PRESIDENT:

26. No committee amendments. Are there amendments from the
27. Floor? Senator Carroll.

28. SENATOR CARROLL:

29. We have an amendment from the Floor, Mr. President. Apparent-
30. ly the House never observed the difference. They're trying to
31. change the date upon which this is to be effective as to the date
32. of signing, and they missed it by one day, so we're amending
33. it to the proper date of signing.

1. PRESIDENT:
2. Really, all it does is change it from August 22nd to August
3. 23rd.
4. SENATOR CARROLL:
5. From August 22nd to August 23rd.
6. PRESIDENT:
7. Correct. Is there further discussion? All in favor of the
8. adoption signify by saying Aye. Contrary No. The motion car-
9. ries; Amendment No. 1 is adopted. Are there further amendments
10. from the Floor? Third reading. Senate Bill 2667. Senator Mc-
11. Broom, do you wish to advance? Advance.
12. ACTING SECRETARY (MR. WRIGHT):
13. Senate Bill 2667.
14. (Acting Secretary reads title of bill.)
15. Second reading of the bill. No committee amendments.
16. PRESIDENT:
17. Yes, I would just announce for the benefit of the members
18. and the record that I may have referred to Senator Carroll's
19. bill as Senate Bill 2606. It is, of course, House Bill 2606.
20. Now the matter before us is the consideration on the order of
21. second reading of House Bill 2667. Senator McBroom.
22. SENATOR MCBROOM:
23. Move it.
24. PRESIDENT:
25. No amendments? Are there amendments from the Floor?
26. Third reading. On the order of House bills on third reading.
27. Senator Swinarski, do you wish to consider 2347?
28. SENATOR SWINARSKI:
29. 234...House Bill 2347.
30. PRESIDENT:
31. Yes.
32. SENATOR SWINARSKI:
33. I wish to recall to the second reading for the purpose of

1. amendment.

2. PRESIDENT:

3. House Bill 2347 is ordered to the order of second reading
4. for purposes of an amendment. Senator Swinarski.

5. SENATOR SWINARSKI:

6. I have an amendment here. What this amendment does is
7. break down the reapportionment bill of the Illinois Law Enforce-
8. ment Commission in two categories. The first amendment is to
9. study and implement the American Bar Association standards and
10. codes through public hearings, conducted in the five Appellate
11. Judicial Districts, under the direction of a joint committee,
12. comprised of the Supreme Court Committee on Criminal Justice
13. Programs, State's Attorney's Commission, Illinois Bar Associa-
14. tion, Chicago Bar Association, Public Defender's Association.
15. It also is to study Juvenile Delinquency in the State of
16. Illinois with...in the conjunction with the Juvenile Court, the
17. Illinois Commission on Children, State agencies and units of
18. local government. It's also to study, and I wish the other
19. members of the aisle would take cognizance of this fact, it's
20. to provide funding for rural counties in Southern Illinois to
21. demonstrate model criminal justice improvements in rural areas,
22. including the study of crime victimization, ex...establishes
23. standards in metropolitan areas, emphasized in problems of
24. burglarly and robbery especially in the areas of East St. Louis,
25. Peoria, Joliet, Waukegan, Champaign and other selected metro-
26. politan areas and for victimization and studies of urban high
27. crime cities, including Chicago and metropolitan northeastern
28. Illinois. I ask the Senate for a favorable roll call on this
29. bill.

30. PRESIDENT:

31. Senator Knuepfer.

32. SENATOR KNUEPFER:

33. I just want to point out that we heard these...these in

1. Appropriations Committee. The Appropriations Staff on this side
2. of the aisle gave considerable concern...had considerable concern
3. about them. We had a great deal of discussion about them. In
4. re...one of the programs we were particularly concerned because
5. of the department that would carry it out, and our lack of con-
6. fidence in its ability to do this, and I certainly feel that those
7. on this side of the aisle, and I don't know how you feel on the
8. other side of the aisle, ought to vote against this motion of
9. Senator Swinarski's. We ought to pass this bill out without
10. these two amendments, and I hope we will resist both of these
11. amendments. There is no indication...we received no indication
12. on our part that any of these programs could be effective, or
13. could be effectively carried out, and in our opinion they are
14. a substantial waste of the taxpayers' money.

15. PRESIDENT:

16. Senator Mitchler.

17. SENATOR MITCHLER:

18. Mr. President and members of the Senate. I, in explanation
19. of the amendment, I heard that Joliet was affected, and I know
20. that Senator Bell and I, who share that...Senator Bell and I,
21. who share that area in Will County, are very interested in the
22. large complex of the correctional institutions, and I say that
23. in the plurality, that are located in Will County. We do not
24. have a copy of the amendment, Senator Swinarski, and I think that
25. it is only proper that, inasmuch as Senator Bell and I are
26. directly involved in this, that you do furnish us a copy of the
27. amendment, so that we can read it and see what it is. Maybe
28. you have something that's very meritorious here and, Senator
29. Swinarski, you have I...and I have worked on a number of bills
30. this session and I think it's only proper that we would be
31. furnished with a copy of this amendment before we proceed it.

32. PRESIDENT:

33. Senator McBroom.

1. SENATOR MCBROOM:

2. Well. Mr. President, I...I certainly want to join Senator
3. Knuepfer's...certainly want to join Senator Knuepfer in his mis-
4. givings as to Senator Swinarski's amendment, and I would hope
5. this side of the aisle would resist both of them. Thank you,
6. Mr. President.

7. PRESIDENT:

8. Senator Graham.

9. SENATOR GRAHAM:

10. Mr. President and members of the Senate. The ones that are
11. listening.

12. PRESIDENT:

13. Just a minute, Senator Graham. Will the members please
14. maintain a 50% level of order. 75% is not enough.

15. SENATOR GRAHAM:

16. We are dealing with, in the final hours, some legislation
17. affecting the Illinois version of the plumbers. I would suggest
18. to the two gentlemen that are most directly involved that they
19. be extremely careful in adopting or concurring in any amendments
20. relative to this bill, and that we take adequate time for our
21. staff to analyze these before we make any commendment to the
22. House or Senate sponsor of those bills.

23. PRESIDENT:

24. Senator Soper, do you wish recognition? Senator Soper.

25. SENATOR SOPER:

26. Now, Mr. President, ladies and gentlemen of the Senate.
27. We understand what this amendment is. I suggest we take a roll
28. call and kill these amendments and go on with our business. We
29. could be here all night asking for printing of amendments and
30. everything else. The...the...these amendments are not...not
31. conducive to good government.

32. PRESIDENT:

33. Is there further discussion? Senator Swinarski moves that

1. the Senate adopt Amendment No. 7 to House Bill 2347. All in fa-
2. vor...do you wish a roll call or a voice vote.

3. SENATOR SWINARSKI:

4. May I close the...

5. PRESIDENT:

6. By all means. Senator Swinarski.

7. SENATOR SWINARSKI:

8. Thank you. I'm directing my remarks at this time to the
9. other Senators from the other side of the aisle. I'd like to
10. ...I think there's a copy, and there was a copy of this amendment,
11. put on every Senator's desk, and the importance of this, and
12. we were talking about taking dollars from the taxpayers of the
13. State of Illinois. The importance of this particular amendment
14. is to take approximately 300,000 dollars from the General Revenue
15. Fund and 3 million dollars of Federal money that has now been
16. set aside for us in Illinois for the purpose of crime prevention.
17. The crime prevention, gentlemen, is in areas primarily in the
18. southern part of the State of Illinois. The control of this money
19. is through the Attorney General, the court system, and through
20. the juvenile court system. I think it is very important, especially
21. in some non-metropolitan areas, where they do not have the funds,
22. that these funds be made available, and before we vote, according
23. to partisan lines, to think within ourselves as to how it can
24. affect our communities and our districts.

25. PRESIDENT:

26. The question is...do you wish a roll call or a voice vote?
27. I thought so. Ok. The question is shall the Senate concur in
28. Amendment No. 7 to House Bill 2347? Those in favor will vote
29. Aye. Those opposed will vote No. The voting is open. Have all
30. voted who wish? Take the record. On that question the Yeas
31. are 26, the Nays are 29, and Amendment No. 7 to House Bill 2347
32. fails. Are there further amendments? Senator Swinarski.

33. SENATOR SWINARSKI:

1. Mr. President, members of the Senate. I've one additional
2. amendment to this bill, which it does...what it approximately
3. does is give 3 million dollars in Federal funds, 300,000 dollars
4. in State funds through the Department of Children and Family
5. Services. One of the areas in which there has been some dispute
6. over the last few weeks, has been how, by line item, this money
7. within the Department of Children and Family Services would be
8. provided for. This particular amendment spells out in greet...
9. great detail each program and each monetary amount that would
10. be spent within the program and within the department. It also
11. takes the Illinois Depart...Illinois Law Enforcement Commission
12. and gives them fiscal and promanic supervision and approval and
13. monitor of the disbursement of all funds ra...rather than the
14. Department of Children and Family Services, and I ask for a
15. favorable roll call on thie amendment.

16. PRESIDENT:

17. Senator Knuepfer.

18. SENATOR KNUEPFER:

19. I...I will suggest that Senator Swinarski did line item it.
20. We were intrigued by the program, but we were not intrigued too
21. by the department that will carry the program out, and we doubted
22. sincerely the capability of that department in proceeding with
23. this program and I would urge, on this side of the aisle, a
24. negative vote.

25. PRESIDENT:

26. Senator Graham.

27. SENATOR GRAHAM:

28. Gen...gentlemen, a positive vote on this would be like put-
29. ting the fox in the chicken coop. I hope that we resist this
30. amendment.

31. PRESIDENT:

32. Senator Regner.

33. SENATOR REGNER:

1. Yes, Mr. President and members...members of the Senate.
2. This is giving control of...of new programs with Federal
3. matching monies to a part...to a department that's spent
4. almost three hours in committee a couple of days ago, because
5. the majority members of the Appropriations Committee weren't
6. at all impressed with the operations and direction that the
7. Child...Department of Children and Family Services had, and I
8. would urge the defeat of this amendment.

9. PRESIDENT:

10. Senator Hynes.

11. SENATOR HYNES:

12. Mr. President, I rise in support of this amendment. We're
13. talking about very important programs of the State of Illinois
14. and substantial amounts of Federal money. Both of these amend-
15. ments, I think, are...are critical, and the position that has
16. been raised in opposition to them, I think, goes to extraneous
17. matters. These programs are of extreme importance and I would
18. urge all members to support this amendment.

19. PRESIDENT:

20. Is there further discussion? The question is shall the
21. Senate adopt Amendment No. 8 to House Bill 2347. Those in favor
22. will vote Aye. Those opposed will vote No. The voting is open.
23. Have all voted who wish? Have all voted who wish? Take the
24. record. On that question the Yeas are 26, the Nays are 31, and
25. Amendment No. 8 with appropriate instruction, has failed. Is
26. there further amendments? Third reading. There have been no
27. amendments. Senator Swinarski? Ok. Well, it has not been
28. amended, so we can proceed with third reading if you wish. Ok.
29. Question is, on the order'of third reading, the bill has been
30. ordered thereto, does the Senate pass House Bill 2347. On that
31. question those in favor will vote Aye. Those opposed will vote
32. No. The voting is open.

33. SECRETARY:

1. House Bill 2347.

2. (Secretary reads title of bill)

3. Third reading of the bill.

4. PRESIDENT:

5. As I stated, the question is shall House Bill 2347 pass.

6. Those opposed will vote...those in favor will vote Aye, opposed

7. No, the voting is open. Have all voted who wish? Take the

8. record. On that question the Yeas are 50, the Nays are 4, 1

9. voting Present. House Bill 2347 having received the constitu-

10. tional majority is declared passed. Senator Savickas, do you

11. wish to call 2356? No. Senator Glass, do you wish to call 2822?

12. SENATOR GLASS:

13. Well, Mr. President, I would like to call that bill, but

14. there is House Bill 1833 on postponed consideration, as to which,

15. both this bill, 2822 and 2823, are companion bills. I would be

16. prepared to go with the bill on postponed consideration and then

17. the other two...

18. PRESIDENT:

19. On...on the order of consideration postponed House Bill 1833;

20. and it's been read a third time. Senator Glass is recognized.

21. SENATOR GLASS:

22. Thank you Mr. President and Senators. This bill is the

23. one that we discussed at some length a couple of days ago. It

24. would add a number of safety requirements to our State school

25. buses. Now since we discussed this bill on third reading, I've

26. had a change to talk with some of you about the bill, and I hope

27. have removed some of the concerns that came up that day, but let

28. me emphasize, this bill has nothing to do with seat belts. I

29. repeat that, the bill does not have anything to do with seat belts.

30. I know that was one item of...of concern. Now, with regard to

31. costs, the added cost for the heavy duty gas tanks, which are to

32. be added by the bill, would be minimal because for...they have been

33. in production. The additional cost is...is relatively small. The...

1. the biggest cost item is the seat back padding, and, as to that,
2. there's an appropriation bill to help the school bus owners and
3. that is the companion bill, 1.8 million dollars. On seat back
4. padding we expect the cost to be approximately 300 to 320 dollars
5. per bus. The Department of Transportation advises us that
6. Federal money will be available to assist in these retrofitting
7. programs. Another feature of the bill would call for higher
8. backs on the seats. OSPI right now requires a 20 inch high padded
9. seat back for new buses. That will be effective September 1st,
10. 1974. These bills will add an additional 8 inches, or 28 inches,
11. and I think you may recall the discussion of the need for the
12. higher backs because of the whiplash injuries. Now, these are
13. a few of the questions, I think, that concerned the membership.
14. I would say that the provisions of the bill are strongly endorsed
15. by the State P.T.A. The witnesses at the hearings on the bills
16. included parent groups, various State officials, safety organiza-
17. tions, school bus drivers, school bus contractors, many others.
18. It was recommended by the Motor Vehicle Laws Commission. This is
19. the source of the bill. Most of the provisions were also recom-
20. mended in a School Problems Commission report. The bill is
21. agreed to and supported by the Secretary of State, Department of
22. Transportation, Office of Superintendent of Public Instruction,
23. the State Police, even the Governor's Office. The...the...the
24. State...I would say that the...the Senate bills alone won't do
25. the job. The added protection that it...that will be provided
26. by the safer gas tanks and recommended by Federal Investigators,
27. the seat back padding, I...I think are all vital and...and should
28. be enacted. The deadlines in the bill, I will remind you, we've
29. given lead time and...and these have been generally agreed and
30. requested by school bus contractors. I'd be happy to answer any
31. question, and I urge a favorable roll call on House Bill 1833.

32. PRESIDENT:

33. Is there further discussion? Senator Ozinga.

1. SENATOR OZINGA:

2. Senator...inder...or...answer a question. You mentioned
3. November 1st of '74. What has to be completed by that time?

4. SENATOR GLASS:

5. I may have mentioned that the, Senator...

6. SENATOR OZINGA:

7. I believe you said that there were new seats that had to be
8. put into the old buses.

9. SENATOR GLASS:

10. September 1st of '74, let me...let me make it clear. As
11. of September 1st of '74 the Superintendent of Public Instruction
12. regulations will become effective, requiring the 20-inch high
13. padded seat backs for new buses.

14. SENATOR OZINGA:

15. Ok. That means that all of the old buses are going to have
16. new seats, 20-inches high or about a thousand dollars worth of
17. equipment on the inside of every new...every old bus that now
18. has to have...comply with the regulations that go into effect
19. as of November 1st, 1974. Is that correct?

20. SENATOR GLASS:

21. No..no, Senator, that was...

22. SENATOR OZINGA:

23. Didn't you say that the rules went into effect at that time?

24. SENATOR GLASS:

25. That is as to new buses, Senator Ozinga. The...the lead
26. time on the retrofitting of existing buses is, I believe it's
27. July 1st of '75. That was an amendment to the bill.

28. SENATOR OZINGA:

29. In other words they can use the bus for the rest of this
30. term, and they've got to get new buses for the next terms, so a...
31. a little institution like the Christian School in Evergreen Park,
32. who has 16 buses, is going to have to buy 16 new buses for 1975
33. or put in 40 seats in 16 buses.

1. SENATOR GLASS:

2. They would have to add the higher seats, Senator, but they
3. ...there will be money available to...to help defray that expense.

4. PRESIDENT:

5. Senator Swinarski.

6. SENATOR SWINARSKI:

7. Thank you. I would recommend that these two Senators, if
8. they have difficulty with this bill, to go in the back room and
9. discuss it, because I think this bill has been be...before us
10. quite a few times and we know the merits and the demerits of it
11. and I move the previous question.

12. PRESIDENT:

13. All right. Senator Swinarski, I just point out that Sena-
14. tor Course had also sought recognition. Would you hold your
15. motion until Senator Course, and then I will recognize you to
16. put your motion? Senator Course.

17. SENATOR COURSE:

18. Yes, Mr. President and members of the Senate. Senator
19. Glass said that the...this bill was recommended by the
20. Motor Vehicle Laws Commission. It wasn't recommended by the
21. Motor Vehicle Laws Commission.

22. PRESIDENT:

23. Senator Swinarski.

24. SENATOR SWINARSKI:

25. Mr. President, I move the previous question.

26. PRESIDENT:

27. Senator Swinarski moves the previous question, and on that
28. question those in favor signify by saying Aye. Contrary No.
29. The motion carries. The main question will now be put. Senator
30. Glass may close the debate. Senator Glass.

31. SENATOR GLASS:

32. Thank you, Mr. President. I'm only going to respond to
33. Senator Course that the recommendations of the Motor Vehicle

1. Laws Commission, which I saw, incorporated the features which
2. are in the bill. I don't know whether that Commission recom-
3. mended these precise bills, but their five recommendations are
4. implemented by the bills, and I would urge a favorable roll call.

5. PRESIDENT:

6. The question is shall House Bill 1833 pass. Those in favor
7. will vote Aye. Those opposed will vote No. The voting is open.
8. Have all voted who wish? Have all voted who wish? Take the re-
9. cord. On that question the Yeas are 22, the Nays are 24, 7 vot-
10. ing Present; and House Bill 1833 is declared lost. Senator Glass,
11. do you wish to call the other bills in that series?

12. SENATOR GLASS:

13. Well, Mr...Mr. President, in that the other two bills imple-
14. ment and are dependent on that bill, I...I do not wish to call
15. them.

16. PRESIDENT:

17. For what purpose does Senator Nimrod arise?

18. SENATOR NIMROD:

19. Mr. President, I would like to Table Senate Bill 1564.

20. PRESIDENT:

21. Senator Nimrod moves to Table Senate Bill 1564. All in
22. favor signify by saying Aye. Contrary No. The motion carries,
23. and Senate Bill 1564 is Tabled. On the order of the Secretary's
24. Desk we have Senate Bill 1021. I don't see Senator Daley on...
25. yeah...Senator Daley is the Senate sponsor of Senate Bill 1021.
26. The message is in connection with House Amendment No. 1. Do
27. you wish to consider that, Senator Daley? All right. Senator
28. Graham, in connection with Senate Bill 1291. House amendments
29. No. 1 and 2. Senator Graham.

30. SENATOR GRAHAM:

31. Mr. President, we're having one staff man and one attorney
32. check this, and in about an hour we should really be fouled up,
33. so I'd like to pass it right at this time.

1. PRESIDENT:

2. All right. Senator Nimrod, in connection with House Bill
3. 1314, the message is concerning Amendments No. 1, 4 and 5.

4. SENATOR NIMROD:

5. Can...can we come back to that in just a minute, Mr.
6. President?

7. PRESIDENT:

8. Certainly. Senator Hynes, in connection with 1324, House
9. Amendments 1, 2, 3, 4, 5 and 6. Do you wish to. Ok. Senator
10. Rock, on 1346. No. All right. Senator Fawell, on Senate Bill
11. 1396. On the order of the Secretary's desk, House amendments
12. to Senate Bill 1396. House Amendment No. 1. Senator Fawell.

13. SENATOR FAWELL:

14. Yes, Mr. President. House Amendment No. 1 deals with the
15. School Construction Grants in the Capital Development Board, and
16. simply states that there should be priority given to expediting
17. the replacement or reconstruction of school buildings, destroyed
18. or damaged by flood, tornado, fire or other disaster produced
19. solely by nature. We have no objection to this amendment and I
20. would move that we concur in House Amendment No. 1 to Senate
21. Bill 1396.

22. PRESIDENT:

23. Senator Rock.

24. SENATOR ROCK:

25. Thank you Mr. President.

26. PRESIDENT:

27. Just a minute Senator Rock. We really have too much con-
28. fusion. Now, will the private caucuses desist. Senator Rock.

29. SENATOR ROCK:

30. I think the only one that's not paying attention is Senator
31. Netsch, as usual. I rise in support of Senator Fawell's motion
32. to concur in House Amendment No. 1 to Senate Bill 1396. It...
33. it's a stated statutory priority that we...we should now give

1. priority to expediting replacement of school buildings destroyed
2. by natural disasters. I think the amendment is a good one and I
3. would urge our members to support Senator Fawell's motion.

4. PRESIDENT:

5. Is there further discussion? Question is does the Senate
6. concur in the House Amendment No. 1 to Senate Bill 1396. Those
7. in favor will vote Aye. Those opposed will vote No. The voting
8. is open. Have all voted who wish? Take the record. On that
9. question the Yeas are 57, the Nays are none. The Senate concurs
10. in Amendment No. 1 to Senate Bill 1396; and the bill, having re-
11. ceived the required constitutional majority, is declared passed.
12. Senator Graham.

13. SENATOR GRAHAM:

14. Mr. President, I have checked with my co-sponsors on Senate
15. Bill 1291. We do now move that the Senate do not concur in the
16. House amendments 1 and 2.

17. PRESIDENT:

18. In consideration with the House amendment to Senate Bill
19. 1291, Senator Graham moves that the Senate do not concur in the
20. House Amendments No. 1 and 2 to Senate Bill 1291. Is there fur-
21. ther discussion? The question is shall the Senate not concur.
22. All in favor signify by saying Aye. Contrary No. The motion
23. carries and the Senate does not concur in the House amendments
24. to Senate Bill 1291, and a message will be directed to the House
25. requesting them to recede. Senator Graham, do you wish to con-
26. sider 1282? Senator Graham.

27. SENATOR GRAHAM:

28. Pass temporarily.

29. PRESIDENT:

30. All right. Senator Knuepfer, in connection with the con-
31. sideration of Senate Bill 1486, House amendment No. 4. Do you
32. wish to proceed?

33. SENATOR KNUEPFER:

1. This is...there is a House amendment on this, isn't there?

2. PRESIDENT:

3. Yes. House Amendment No. 4.

4. SENATOR KNUEFFER:

5. No. I would ask that we nonconcur with the House amendment
6. and that a Conference Committee be appointed. We have a techni-
7. cal problem with the amendment that the House put on, and the
8. only way of resolving that is through a Conference Committee.

9. PRESIDENT:

10. All right. Senator Knuepfer moves that the Senate do not
11. concur in House Amendment No. 4 to Senate Bill 1486. All in
12. favor signify by saying Aye. Contrary No. The motion carries,
13. and the Senate does not concur in the House Amendment to Senate
14. Bill 1486; and a message will be directed to the House, request-
15. ing them to recede. Senator Weaver, in connection with Senate
16. Bill 1502. Do you wish to proceed? Senator Weaver.

17. SENATOR WEAVER:

18. Mr. President, I would move that the Senate concur in
19. House Amendment None...One to Senate Bill 1502.

20. PRESIDENT:

21. Senator Weaver, there are two amendments. House amendments
22. No. 1 and No. 5. Do you wish to take separate roll calls on
23. them?

24. SENATOR WEAVER:

25. I...I could...

26. PRESIDENT:

27. One motion.

28. SENATOR WEAVER:

29. ...one motion on House Amendment No. 1 and House Amendment
30. No. 5.

31. PRESIDENT:

32. All right. Senator Weaver moves that the Senate concur in
33. House Amendments No. 1 and 5 to Senate Bill 1502. Is there

1. discussion? Senator Knuepfer.

2. SENATOR KNUEPFER:

3. I guess I'm...I'm as much at fault as anybody else, but...

4. PRESIDENT:

5. Just a minute, Senator Knuepfer. Senator K...Senator
6. Knuepfer, just a minute, please. Just a minute. Now will the
7. Senate please settle down. This is important legislation, as is
8. all legislation. Now there is just too much conversation. Just
9. a minute, Senator Knuepfer. Now...all right, proceed, Senator
10. Knuepfer.

11. SENATOR KNUEPFER:

12. Senator Weaver has explained that to me, but as...as a mat-
13. ter of policy, I'm wondering if we can ask simply for a little
14. explanation of what the House amendments do, or what the problems
15. are, so that we won't have to get up and ask for them, unless
16. there...there is some question.

17. PRESIDENT:

18. Appropriate. Senator Weaver.

19. SENATOR WEAVER:

20. Mr...Mr. President and members of the Senate. This amendment
21. makes it perfectly clear that the municipalities have the power
22. to enact open occupancy and open housing ordinances throughout the
23. State of Illinois. It was deemed necessary by the House and the
24. Realtors felt that it was a fair amendment, and it is in existence
25. in most larger communities, and I think that it's...it's a good amen...
26. amendment to 1502.

27. PRESIDENT:

28. That is amendment No. 1, Senator Weaver?

29. SENATOR WEAVER:

30. Amendment No. 2 adds in another section...

31. PRESIDENT:

32. Amendment No. 5.

33. SENATOR WEAVER:

1. This is Amendment No. 5, yes.

2. PRESIDENT:

3. Now, will the Senate...Senator Weaver has explained Amend-
4. ment No. 5, is it Senator Weaver, that you have explained?
5. Senator Weaver.

6. SENATOR WEAVER:

7. Amendment No. 1, Mr. President and members of the Senate,
8. also adds the word discrimination in another section of the bill,
9. as well as misre...representation. It is basically a technical
10. amendment. There's no reason to not include this...the word
11. discrimination, and, as far as I can see, those two words are
12. the only two words added in Amendment No. 1.

13. PRESIDENT:

14. Is there further discussion? The question is does the
15. Senate concur in House Amendments No. 1 and No. 5 to Senate
16. Bill...for what purpose does Senator Carroll arise?

17. SENATOR CARROLL:

18. Well, Mr. President, we seem to be on a new topic that we
19. have not addressed ourselves to before. It seems to me, we're
20. dealing with an area of pre-emption and I think we could use the
21. ruling from the Chair, it would seem to me that it would take 36
22. votes in this matter, and I would ask a ruling of the Chair,
23. because of the pre-emptive nature of the subject matter.

24. PRESIDENT:

25. The Chair rules that the amendments to...that are involved
26. in Senate Bill 1502 apply to Article VII, Section 6, Paragraphs
27. H and I. They do not involve Paragraph G and therefore require
28. 30 votes for passage. Senator Partee.

29. SENATOR PARTEE:

30. Amendment No. 5 is the one that adds the section that this
31. does not impair municipal ordinances, dealing with open housing.
32. Are you also suggesting, while you're ruling, that this does not
33. involve Paragraph G on Amendment No. 5, also?

1. PRESIDENT:

2. Yes, the Chair so rules. Is there further discussion? The
3. question is does the Senate concur in House Amendments No. 1 and
4. 5 to Senate Bill 1502. Those in favor will vote Aye. Those op-
5. posed will vote No. The voting...for what purpose does Senator
6. Carroll arise?

7. SENATOR CARROLL:

8. On a point of parliamentary inquiry.

9. PRESIDENT:

10. Proceed. State your point.

11. SENATOR CARROLL:

12. I...I do believe that the practice of the Senate has been in
13. the past that each amendment requires its own roll call for con-
14. currence.

15. PRESIDENT:

16. On a good many occasions we have taken them on a combined
17. basis. If you request that they be dealt with separately, we
18. certainly can do so.

19. SENATOR CARROLL:

20. Yes, we would.

21. PRESIDENT:

22. All right. Fine. The question is does the Senate concur
23. in House Amendment No. 1 only to Senate Bill 1502; and on that
24. question those in favor will vote Aye. Those opposed will vote
25. No; and the voting is open. Have all voted who wish? Take the
26. record. On that question the Yeas are 35, the Nays are 13, 3
27. voting Present. The...a constitutional majority, having con-
28. curred in the adoption of Amendment No. 1 to Senate Bill 1502,
29. the amendment is declared adopt...concurring in. The next ques-
30. tion is the question of concurrence in House Amendment No. 5 to
31. Senate Bill 1502, and the Chair rules that the amendment relates
32. to Sections H and I, and therefore requires a majority vote of the
33. members elected to the Senate, which is 30 votes. Is there fur-

1. ther discussion? Senator Carroll.

2. SENATOR CARROLL:

3. We would like the record to reflect our standing objection
4. to these bills as pre-emption and our feelings that these do take
5. the extraordinary majority, required by our Constitution, as well
6. as our objection to their pre-emption in the areas of conduct of
7. business of local units of government.

8. PRESIDENT:

9. Is there further discussion? The question is does the
10. Senate concur in Amendment No. 5 to Senate Bill 1502. Those
11. in favor will vote Aye. Those opposed will vote No. The voting
12. is open. Have all voted who wish? Take the record. On that
13. question the Yeas are 39, the Nays are 17. A constitutional
14. majority of the Senate, having concurred in the adoption of
15. Amendment No. 5, and in addition Amendment No. 1, Senate Bill...
16. Senate Bill 1502, having received a constitutional majority, is
17. declared passed. Senator Weaver, do you wish to consider
18. Senate Bill 1527? Yes. The question is, and we will afford an
19. opportunity for explanation, the concurrence by the Senate in
20. House Amendment No. 1 to Senate Bill 1527. Senator Weaver.

21. SENATOR WEAVER:

22. Mr...Mr. President and members of the Senate. This is the
23. am...what we call the Howard Mohr amendment to the Sanitarian
24. Act. It states that neither shall this Act restrict a physician,
25. licensed to practice medicine and all of its branches, pursuant
26. to the Medical Practice Act, as amended, who is duly licensed; a
27. Professional Nurse, pursuant to the Illinois Nursing Act, et
28. cetera. If there's any questions on this, why, I'll try to
29. answer them. If not, why, certainly Senator Mohr can. I would
30. move that the House con...the Senate con...con...concur in the
31. House Amendment No. 1 to Senate Bill 1527.

32. PRESIDENT:

33. Senator Wooten.

1. SENATOR WOOTEN:
2. Do we have the right bill? In my digest 1527 says it's the
3. Sanitarian Registration Act, and 1526 is the Nursing...were you
4. talking about doctors, in what regard?
5. PRESIDENT:
6. Senator Weaver.
7. SENATOR WEAVER:
8. They...they may be licensed as Sanitarians also, Senator
9. Wooten. Doctors, nurses.
10. PRESIDENT:
11. Senator Knuppel.
12. SENATOR KNUPPEL:
13. Well, now, do I correctly understand the amendment. What
14. that does is authorize the licensing of doctors and nurses as
15. sanitarians. Is that what the first...that amendment does?
16. PRESIDENT:
17. Senator Weaver.
18. SENATOR WEAVER:
19. They, as well as veterinarians, may be licensed as Regis-
20. tered Sanitarians also, Senator Knuppel.
21. SENATOR KNUPPEL:
22. Well, that's what the amendment does. I want to know what
23. the amendment does. We voted on some stuff here on concurrence
24. the other day that a lot of us didn't know what it meant. I
25. want to know what it means before I vote on it. I don't have a
26. copy of it.
27. SENATOR WEAVER:
28. Senator Mohr, do you want to explain the Senator Knuppel
29. the intent of...of Amendment No. 1 to Senate Bill 1527?
30. PRESIDENT:
31. Senator Howard Mohr.
32. SENATOR MOHR:
33. Yes, Senator. Senator Knuppel, Amendment No. 1 takes care

1. of the problem that we had in the last session with the Sanitar-
2. ians, if you'll recall.

3. SENATOR KNUPPEL:

4. With the what?

5. SENATOR MOHR:

6. The Sanitarians. This...this is the...we had a series of
7. bills dealing with the subject of Sanitarians, the licensing
8. and regulating and the Examining Board. Do you remember that
9. series?

10. SENATOR KNUPPEL:

11. No, very frankly, I don't.

12. SENATOR MOHR:

13. Well, all right. What...what has happened, Senator. The
14. ...the Board of Examiners of Sanitarians is truly a closed shop
15. operation, and for a person with a half a dozen degrees, and there
16. are some in the Medical field, it's impossible for these people to
17. pass the exam. It's a closed shop; it's a...the Examining Board
18. is made up of all licensed Sanitarians. There isn't one public
19. member; there isn't one Legislative member on this Examining
20. Board; and Senator Dougherty and I and Senator Weaver and...and
21. many others have had all kinds of problems trying to get people
22. heard or...after they get...have their examination to get answers
23. as to why they...they may have failed. There's no really due
24. process for...of their hearings. It's a...strictly a closed
25. shop operation. As tight as anything that I've ever seen.

26. SENATOR KNUPPEL:

27. All right. And what does the amendment do now?

28. SENATOR MOHR:

29. This would permit any...well, Senator, I don't have a copy
30. of that. Would you read, Senator Weaver? This would...this
31. would neither re...restrict the physician, licensed to practice
32. medicine in all branches, dentists, dental surgeons, veterinar-
33. ians...to...it would permit them to function as a Sanitarian

1. for a local Health Department, as established by the Illinois De-
2. partment of Public Health. Such standards and...may include a
3. written examination. The written examination is something that
4. people with years and years of education, years and years of ex-
5. perience in the field, can't pass the examination for some reason
6. then, and they never are responded to when they try to find out
7. what their problem was with the Board. It also...it also would
8. include anybody that has practiced or served as a Environmental
9. Sani...in the field of Environmental Sanitation for three of the
10. last five years to be grandfathered in, and it's interesting to
11. note, Senator, that many of the people that are objecting to this
12. legislation, got in the very same way.

13. SENATOR KNUPPEL:

14. Mr. Chairman, based on that explanation, I wonder, and I've
15. raised the question, and ask for a ruling of the Chair, on whether
16. this is really germane to the purpose of...of Senate Bill 1527.
17. This goes into something else other than pre-emption from the
18. Home Rule Provisions of the Illinois 8...1970 Constitution, and
19. I question its germaneness to this, and believe that there's a
20. serious question.

21. PRESIDENT:

22. The Chair recognizes Senator Weaver and then Senator Partee.

23. SENATOR WEAVER:

24. Well, Senator Knuppel, this is...this is the Registration
25. Act for Santarians, and these...these people have to take exams,
26. given by the...the Department of Public Health. It's just an
27. amendment to that...that Act.

28. PRESIDENT:

29. Senator Partee.

30. SENATOR PARTEE:

31. Well, Senator Knuppel is exactly right. This has absolutely
32. nothing to do with the pre-emption. This is a move to put the
33. Sanitarian Act within this pre-emption bill. I have a communica-

1. tion from the Department of Public Health which says that this
2. passage...the passage of this bill with this amendment would
3. certainly permit increased opportunity for unqualified persons
4. to supervise and perform Environmental Health activities, which
5. are essential. Registered Sanitarians have to meet minimum
6. academic standards, and just because...

7. PRESIDENT:

8. Just a minute, Senator Partee. Now will the Senate be in
9. order? Proceed, Senator Partee.

10. SENATOR PARTEE:

11. There are certain minimum academic standards for a person to
12. become a Registered Sanitarian. This bill...this amendment
13. purports to bring doctors and nurses and other persons with
14. other years of training in that...in...in another area in as a
15. Registered Sanitarian. You'd almost overlook it because you
16. feel because he's a doctor or nurse that he...that that person
17. ought to be a Registered Sanitarian, but the Department of Pub-
18. lic Health says that is not so and I don't see how this amend-
19. ment got on this bill in the first place, because it does not
20. relate to the subject of pre-emption and it is an engraftment
21. which is without any meaning to the purpose of the original
22. bill. I think that we ought to take some consideration of the
23. Department of Public Health's stand that this would, if this
24. amendment is adopted, bring in a lot of unqualified people who
25. have not met the minimum academic standards for Registered Sani-
26. tarians.

27. PRESIDENT:

28. Senator Dougherty.

29. SENATOR DOUGHERTY:

30. Mr. President and members of the Senate. I find myself
31. in rather incongruous position for the reason that I do not
32. intend to support 1527, as it left here, or as it's amended;
33. however, I am in agreement with Senator Mohr to the fact that

1. there should be some sort of a grandfather clause in here, for
2. the reason that when Senator Fawell introduced this bill a num-
3. ber of years ago, he too included a grandfather clause, I believe
4. it was one year, that provided people who were...through perform-
5. ing such duties, would be allowed to get into be a Registered
6. Sanitarian. The time did elapse, but somehow or other, due to
7. the same things that happened under House Bill 2878, failure to
8. notify they were...they were not notified of what they had to
9. do, and many of the people who are performing the said duties
10. were unable to be grandfathered in because of the time lapse of
11. one year. Many of them were deprived of their way of livelihood.
12. I know that in the City of Chicago, where a member of the examin-
13. ing board at that time was ultimately their superior. He felt
14. they should be...grandfathered in, and I do resent the fact, and
15. I agree, that the Sanitarians as such have created a monopoly.
16. They are licensed and registered as Sanitarians, but under the
17. terms...under the terminology of their association and union,
18. call it what you will, they have dubbed themselves Environmentalists,
19. which is that they are not. They are Sanitarians, and licensed
20. as such. I am in...in support of this amendment for the reason
21. that I think it is a good one. It would be assisting an
22. awful lot of people all over this State.

23. PRESIDENT:

24. Senator Fawell, do you wish to speak to Senator Knuppel's
25. question? All right. Senator Fawell is recognized.

26. SENATOR FAWELL:

27. Well, I would...I would rise to support what Senator Knuppel
28. and Senator Partee have said. The Sanitarians Act, perhaps in
29. its administration, is not perfect, and I think, perhaps, we
30. could address ourselves to that in a separate bill, but I think
31. we're far beyond the purview now of pre-emption and here's one
32. Senator who's dropping off the train. If this kind of an amend-
33. ment is going to be put on this bill, the reason for the Sani-

1. tarians Act in the first place, and we had to have a grandfather
2. clause as a practical matter at that time, was because of the
3. meat scandal of a number of years ago in the Department of Agri-
4. cluture, when we found that the Food Inspectors were the last
5. stop on the Patronage Gravy Train, and we start opening it up
6. this way because there are some constituents who may not feel
7. that the Board of Examiners are treating them fairly, is certain-
8. ly, in itself, not very sound legislation, but to inculcate it
9. into the pre-emption bill, I think, is...is just, at least as
10. far as I am concerned, completely unacceptable. I know that
11. Senator Mohr and I have had some disagreements on this before
12. and I know he's had some constituents who have been bitterly
13. complaining to him, but as I said last year, and I say again,
14. this is not the way to...to handle the matter. I think we should
15. have certainly some objective analysis of what we can do in regard
16. to the examination process, but certainly I can't...if...I can't
17. support the amendment. If the amendment goes on, I certainly
18. cannot support the bill, and I...I think the Body ought to be
19. fully aware of what is occurring here.

20. PRESIDENT:

21. For what purpose does Senator Carroll arise? To speak to
22. Senator Knuppel's point?

23. SENATOR CARROLL:

24. No.

25. PRESIDENT:

26. All right. The Chair will rule that...just in connection
27. with Senator Knuppel's point. The Chair will rule that the
28. amendment is germane; that it adds a clause to Section III and
29. adds another section, specifically 6.1 to the Sanitarian
30. Registration Act, and that the amendment is germane. Senator
31. Carroll.

32. SENATOR CARROLL:

33. Thank you Mr. President.

1. PRESIDENT:

2. Just a minute, Senator Carroll. Proceed.

3. SENATOR CARROLL:

4. I would, once again, raise the point of parliamentary in-
5. quiry in that this deals with, we feel, the conduct of busi-
6. ness, which should properly be regulated by a local unit of
7. government. We feel it is pre-emption. We would ask for the
8. number of votes required for passage, and I might add, if I
9. may, Mr. President, also for purposes of the record, many of
10. us on this side, who are opposing this on the concept of pre-
11. emption, would like it known for the record that these...be-
12. cause this is final action on the legislation, we are not
13. necessarily opposing what the House has done in any individual
14. amendment, but are opposing the concept of pre-emption, and be-
15. cause this is final action, our votes are reflective of our
16. displeasure with the pre-emption features of the entire bill and
17. not with necessarily the amendment.

18. PRESIDENT:

19. The Chair rules that the amendatory provisions of the bill
20. relate to paragraphs H and I of Section VI of Article VII of
21. the Constitution and, therefore, require a simple constitution-
22. al majority of the members elected to the Senate. Senator
23. Weaver. Senator Mohr. Senator Howard Mohr.

24. SENATOR MOHR:

25. Yes, Mr. President. Here we find ourselves again with
26. the members of the Senate deciding what's constitutional and
27. what isn't constitutional. I think that we have a branch of
28. government that should decide these issues. Whenever they want
29. to kill a bill, this is one of the best ways they know how
30. it seems. I would point out that these bills passed the State
31. Senate about 53 to maybe 4 or 5 votes, and they were so bad
32. the people that testified for the Sanitarians, were so bad
33. that I had a bill to strike the enacting clause and...or to

1. ...to repeal the Act and that bill went out of committee with
2. one dissenting vote. That was not my intention but that's how
3. bad the witnesses were that...that represented the Sanitarians.
4. I would also point out that the Director of Registration and
5. Education, Dean Barringer, testified for these...this portion
6. of the series of bills that I introduced before the House com-
7. mittee, but the strong lobby got to people on the other side
8. of the House and these bills have been bottled up over there
9. for quite some time. The...the amendment permits that licensed
10. health profession...professions be licensed as...as Sanitarians
11. if they pass an examination by the...the Illinois Department of
12. Public Health. It's that...that exam isn't the difficult one,
13. it's getting the OK from the Sanitarian Closed-Shop Board and
14. I would suggest to you, Mr. President and members of this Body,
15. that there shouldn't be any Board without some representation
16. of public members or...and or Legislative members. It's a
17. closed-shop and this is one way of correcting this particular
18. problem which they've done a good job of bottling up for quite
19. some time. There's all kinds of support from all over the State
20. on it and I would urge its adoption.

21. PRESIDENT:

22. Senator Weaver. The question is shall the Senate concur
23. in Amendment No. 1 to Senate Bill 1527. Those in favor will
24. vote Aye. Those opposed will vote No. The voting is open.
25. Have all voted who wish? Take the record. On that question
26. the Yeas are 34, the Nays are 23, 1 voting Present. The Senate
27. concurs in Amendment No. 1 to Senate Bill 1527; and the bill,
28. having received the required constitutional majority, is de-
29. clared passed. Senator Donnewald.

30. SENATOR DONNEWALD:

31. Yes, Mr. President, while we have a lull. In the gallery,
32. your gallery, Mr. President, and to your right, and directly
33. in front of me, we have some honored guests. Judge Raymond

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1. Horn, a fav...a former Legislator, a House member, and his beau-
2. tiful wife, and also State's Attorney Ron Nieman of Marion Coun-
3. ty and his beautiful wife. Would you please be...rise and be
4. recognized?

5. PRESIDENT:

6. Senator Don Moore, do you have a motion?

7. SENATOR MOORE:

8. I believe there is a report from the House, Mr. President,
9. dealing with Senate Bill 1641. There are 4...4 amendments that,
10. if we are in order, I'd like to take up at this time.

11. PRESIDENT:

12. Senator. These...this message has not yet been read in,
13. so we're not prepared to act yet on this second message.

14. SENATOR MOORE:

15. Whenever the Secretary wants to read it in, it's all right
16. with me.

17. PRESIDENT:

18. Senator Shapiro, are you ready to proceed with Senate Bill
19. 567? Yes. All right.

20. SENATOR SHAPIRO:

21. Mr. President, raising...oh...

22. PRESIDENT:

23. Senate Bill...Senate Bill 576. Senator Shapiro.

24. SENATOR SHAPIRO:

25. Mr. President, ladies and gentlemen of the Senate. Senate
26. Bill 576, as originally introduced, establishes equality through-
27. out the code between male and female employees with respect to
28. survivors, annuities and benefits and contributions throughout
29. all the pension codes in the State of Illinois. Amendment No. 1
30. just changes the effective dates of the...this Act and Amendment
31. No. 2, in addition, changes an effective date on a establishment
32. of membership service credit. I would now like to move that the
33. Senate concur in House Amendments No. 1 and No. 2 to Senate Bill

1. 576.

2. PRESIDENT:

3. All right. The question is does the Senate concur in Amend-
4. ments 1 and 2 to Senate Bill 576. Senator Buzbee.

5. SENATOR BUZBEE:

6. Mr. President, I'm not trying to be obstreperous but I'd
7. like to know what I'm voting on, and...and, you know, we get to
8. this point in the Session and...and don't have any idea. Yes.

9. PRESIDENT:

10. Senator Shapiro did explain the amendments. Will the Senate
11. be in order? Will the Senate be in order. Senator Shapiro has
12. explained the amendments. A member has requested, then, to be
13. re-explained; so that they not be re-reexplained, will the
14. Senate be in order? Senator Shapiro.

15. SENATOR SHAPIRO:

16. Mr. President, ladies and gentlemen of the Senate. Amend-
17. ment No. 1 changes the effective date of the Act from January
18. 1st, 1971, as it originally appear...appeared to October 1st,
19. 1974. Amendment No. 2 changes the effective date for the estab-
20. lishment of membership service credit in the State Employee's
21. Retirement System from July 1st, 1965 to July 1st, 1963. The
22. necessity for this was because some members of that System were
23. pre-empted from establishing service credits. I move the adoption
24. of House Amendment 1 and 2 to Senate Bill 576.

25. PRESIDENT:

26. Senator Knuppel.

27. SENATOR KNUPPEL:

28. Well, this is a rather simple amendment, and I think we can
29. understand the explanation, and...and certainly all of us have
30. the greatest confidence in the explanation that Senator Shapiro
31. would give us. But, after what happened the other evening, I
32. certainly hope that sometime, sometime this General Assembly, in
33. its messages, as they go back and forth between the two Houses,

1. will figure out some way that each member of this Body can know
2. what we're voting on when we vote to concur or not concur. It's
3. these kind of nights, I think, that make everybody believe just
4. once, just one day or one hour out of the whole Session, that
5. maybe we ought to have a unicameral Legislature.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. In reply to the Senator from Havana, perhaps he should move
8. to Nebraska. The question before the Senate is...Senator Rock.

9. SENATOR ROCK:

10. Well, I was just going to rise in support of Senator Sha-
11. piro's motion to concur in amendments...House Amendments 1 and
12. 2. Senator Romano is not with us for the reason previously
13. stated. His brother has had a heart attack. Now this was the
14. bill, which attempted to obtain equity between the sexes in the
15. various pension codes, as regards survivors benefits. There's
16. nothing untoward or unseemly in this bill and the two House
17. amendments are quite innocuous and I would urge concurrence.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Any further discussion? The question before the Senate is
20. shall we concur in Amendments 1 and 2 to Senate Bill 576. On
21. that question, those in favor will vote Aye. Those opposed will
22. vote Nay. The voting is open. Senator Fawell, will you vote me,
23. please? Have all voted who wish? Take the record. On this
24. question...gentlemen, we have done it again. The electronic
25. genius has again failed us. We'll have to retake the roll call.
26. On the question of adoption of Amendment No. 1 and 2 to Senate
27. Bill 576, all those in favor will vote Aye. Those opposed will
28. vote Nay. The voting is open. Senator Fawell, please. Have
29. all voted who wish? Take the record. On this question the Yeas
30. are 48, the Nays are none, 7 voting Present; and Amendments No...
31. the Senate concurs in Amendments No. 1 and 2, and this bill,
32. having received the required constitutional majority, is there-
33. fore declared passed. Senator Nimrod, are you prepared on

1. Senate Bill 1314?

2. SENATOR NIMROD:

3. Yes, Mr. President. I move we concur in House Amendments 1,
4. 4 and 5. And, basically, what 1, 4 and 5 does is to bring in
5. line this cooperative agreement from the Revenue Sharing distri-
6. bution of funds, and there were some technical arrangements that
7. had to be changed and it also replaced a drafting error which
8. gave back the provisions for the Mental Health Service in accor-
9. dance with the Act.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Further discussion? The question before the Senate is
12. shall we adopt Amendments 1, 4 and 5 to Senate Bill...if there
13. is...there is really no necessity, unless you want to call them
14. separately. Do you? Question before the Senate...Senator Rock.

15. SENATOR ROCK:

16. We're just moving a little too rapidly, if...if...if indeed
17. the Senate wishes to pursue this, I would in...insist on in-
18. dividual roll calls. I would ask him to hold it for a few
19. minutes. We have just received copies of these. We haven't
20. had a chance to take a look at them.

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. Do you want to take it out of the record until they look at
23. the amendments Senator Nimrod?

24. SENATOR NIMROD:

25. I'll be happy to, or call them individually, or do what-
26. ever they'd like.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. Which would you rather have, Senator Rock?

29. SENATOR ROCK:

30. No, I...all I want is an opportunity to take a look at them.
31. You know.

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. Fine. We'll take it out of the record and come back to it

1. shortly. Senator Daley. Senator Daley, are you prepared
2. to leave the caucus long enough to proceed on Senate Bill
3. 1021?

4. SENATOR DALEY:

5. Mr. President and fellow Senators. This is a technical
6. amendment whereby there was a mistake in the original bill.
7. I ask for concurrence of the...the House amendment. It states
8. that in the original bill it mandated an appeal directly to the
9. Supreme Court. This amendment makes it permissive, because
10. otherwise, it would have been unconstitutional.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Further discussion? The motion before the Senate is
13. shall we concur in Amendment No. 1 to Senate Bill 1021. All
14. those in favor will signify by voting Aye. Those opposed will
15. vote Nay, and the voting is open. Have all voted who wish?
16. Have all voted who wish? Take the record. On this question
17. the Yeas were 50, 2 were voting Present. The members are...
18. the Senate concurs in Amendment No. 1 to Senate Bill 1021; and
19. the bill having received the required constitutional majority,
20. is therefore declared passed. Now, we were informed earlier
21. that Senate Bill 1282 belonged to the Chair and I'm informed
22. it belongs to Senator Swinarski. Has he been informed?
23. Senator Rock, have you made a determination on Senator Nimrod's
24. bill?

25. SENATOR ROCK:

26. Not yet.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. Senator Rock.

29. SENATOR ROCK:

30. I wonder, Mr. President, if we could move back to the order
31. of third reading? I do have an amendment for House Bill 23...
32. 2356, which we could...I would ask the sponsor if he would
33. ask leave to move it back to second for the purpose of includ-

1. ing this amendment, and then we can...

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. Senator, it will make it less difficult on the Secretary
4. if we could stay on concurrences or lack of them, and would you
5. please remind me later so we don't have their office jumping
6. all over the park. Senator Bruce informs me that he is prepared
7. on Senate Bill 1567. Senator Bruce.

8. SENATOR BRUCE:

9. Yes, 1567 is an FY-74 deficiency appropriation to commun-
10. ity colleges throughout the State. The House added one amend-
11. ment which more closely conforms with estimated full-time equi-
12. valent students in the State of Illinois. It will add approxi-
13. mately an additional 500,000 dollars. It's money that's due
14. and owing the systems. They now have an accurate count of FTE
15. (Full-time Equivalent) students as of June 30th, and this would
16. be the amount owing under the formula of last year. I would
17. move that we concur with House Amendment No. 1 to Senate Bill
18. 1567.

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. Any discussion? The question before the Senate is shall
21. we adopt amendment...shall we concur in House Amendment No. 1
22. to Senate Bill 1567. On that question all in favor will vote
23. Aye. Those opposed will vote Nay. The voting is open. Have
24. all voted who wish? Take the record. On this question the
25. Yeas...Ayes are 53, the Nays are none. The Senate concurs in
26. Amendment No. 1...House Amendment No. 1 to Senate Bill 1567,
27. and the bill, having received the required constitutional ma-
28. jority, is therefore declared passed. Senator Partee...I
29. wonder if Senator Partee is prepared on Senate Bill 1539?
30. Senator Vadal...Senator Donnewald, I...I think your smoke sig-
31. nals are saying Yes with one hand and No for the other. That
32. means he isn't ready. Senator Swinarski, are you prepared on
33. Senate Bill 1282. Our record shows that you have two amendments.

1. The House has two amendments. If you will indicate whether you're
2. are ready or not, it will be helpful. He indicates that he is.
3. SENATOR SWINARSKI:
4. I move to concur with the...
5. PRESIDING OFFICER (SENATOR GRAHAM):
6. Senate Bill 1282, Senator Swinarski.
7. SENATOR SWINARSKI:
8. I move to concur with the...with the two amendments on the
9. House...two House amendments on this...on this bill.
10. PRESIDING OFFICER (SENATOR GRAHAM):
11. Any discussion? Senator Rock.
12. SENATOR ROCK:
13. I...I...I think we frankly needn't be in this much of a hur-
14. ry to stay on this order of business. It...I...I note that
15. neither the Minority Spokesman, nor the Chairman of the Committee
16. on Appropriations are on the Floor. I have not seen, nor have an
17. explanation of amendments 1 and 2.
18. PRESIDING OFFICER (SENATOR GRAHAM):
19. The Chairman of Appropriations is on the Floor.
20. SENATOR ROCK:
21. He is now on the Floor. Thank you.
22. PRESIDING OFFICER (SENATOR GRAHAM):
23. He was on the Floor, too.
24. SENATOR ROCK:
25. Well, so was...so was the Minority Spokesman, but I didn't
26. see either one of them reaching for a microphone.
27. PRESIDING OFFICER (SENATOR GRAHAM):
28. Gentlemen, rise up so you can be seen. Senator McBroom.
29. Any discussion? Do you want these handled individually, Sena-
30. tor Rock?
31. SENATOR ROCK:
32. I...I...I am going to then request an explanation of House
33. Amendment 1 and House Amendment 2 and request separate roll calls.

1. PRESIDING OFFICER (SENATOR GRAHAM):
2. You are entitled to make that request, and Senator Swinar-
3. ski will now explain House Amendment No. 1.
4. SENATOR SWINARSKI:
5. It's approximately a reduction of 2,000 dollars within the
6. contric...contractual service of the Pollution Control Board.
7. PRESIDING OFFICER (SENATOR GRAHAM):
8. 2,000?
9. SENATOR SWINARSKI:
10. Yes, Sir.
11. PRESIDING OFFICER (SENATOR GRAHAM):
12. Senator Rock.
13. SENATOR ROCK:
14. What was the total appropriation and what was the net...the
15. reason for the cut?
16. PRESIDING OFFICER (SENATOR GRAHAM):
17. Senator Swinarski.
18. SENATOR SWINARSKI:
19. 793,000 was the total appro...total appropriation...
20. 754,400 dollars was the total amount. The House believed that
21. the 2,000 dollar cut was necessary because the amount of money
22. that was appropriated last year, that they had such a surplus
23. amount of money at that end of the year that it was not neces-
24. sary because this would be an additional amount of money in con-
25. tractual services that would be able to add extra personnel and
26. the 2,000 dollars would not be a sufficient amount.
27. PRESIDING OFFICER (SENATOR GRAHAM):
28. Senator Rock.
29. SENATOR ROCK:
30. Well, I just think, Mr. President, with all due deference
31. to the membership, I would ask this member the same as I asked
32. Senator Nimrod, if he would just hold it until we have both...
33. both the Republican side and the Democratic side and have an

1. opportunity to look at the amendment. I would make that request.
2. PRESIDING OFFICER (SENATOR GRAHAM):

3. Senator Swinarski requests that his request be taken out of
4. the record. Take it out of the record. And I might ask the mem-
5. bership, if we are sincere in going home before the Fourth of
6. July, that we pay attention to the reports that come in from the
7. House and that everybody involved will cooperate in the distribu-
8. tion of these amendments, so that the leadership on both sides
9. may be helpful in expediting the business before the Senate.
10. There was only one amendment on this, Senator...on Senator Swin-
11. arski, so there was a mis...typographical error there...er...error
12. ...there was only one amendment to be considered. But we'll wait.
13. Messages from the House. And now, gentlemen, is it time to have
14. your legal pads and your pencils. We are reading in a message
15. from the House.

16. SECRETARY:

17. (Secretary reads message from the House.)

18. Mr. President, I am directed to inform the Senate
19. that the House of Representatives has concurred with
20. the Senate with the passage of bills of the following
21. numbers, together with the following amendments:

22. Senate Bill 1218, Senator Sours, with House amendment

23. No. 1.

24. Senate Bill 1242, Senator Scholl, with House amendment

25. No. 3.

26. Senate Bill 1243, Senator Scholl, with House amendment

27. No. 3.

28. Senate Bill 1264, Senator Knuppel, with House amendments
29. numbered 1 and 2.

30. Senate Bill 1267, Senator Swinarski, with House amend-
31. ments No. 1, 3, 5, 6, 7, and 8.

32. Senate Bill No. 1273, Senator Rock, with House amendments
33. 1, 2 and...2, 4, and 5.

1. Senate Bill 1383, Senator Wooten, with House amend-
2. ments 1, 2, 4, 5, 6, 7, and 8.

3. Senate Bill 1401, Senator Kenneth Hall, with House
4. amendment No. 1.

5. Senate Bill 1494, Senator Conolly, with House amend-
6. ment No. 3.

7. Senate Bill 14...1641, Senator Don Moore, with House
8. amendments 1, 2, 3, and 4.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Now might be an appropriate time to go to Senate...House
11. Bills Third Reading for the purposes of recall, Senator Rock.
12. Change your mind? Senator Savickas.

13. SENATOR SAVICKAS:

14. Yes, Mr. President and members of the Senate. I would
15. like permission to call back House Bill 2356 from the order
16. of third reading to the order of second reading for purposes
17. of an amendment.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. There has been a request for leave of the Senate to move
20. House Bill 2356 from the order of third reading back to the
21. order of second reading for the purpose of considering an
22. amendment. Is leave granted? Leave is granted. The bill will
23. be placed on the order of second reading. If I said House bill,
24. I'm sor...or Senate bill, I'm sorry. It's House bill.

25. SENATOR SAVICKAS:

26. No, it's House bill. House Bill 2356.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. Explain your amendment, Senator.

29. SECRETARY:

30. Amendment No. 4 by Senator Rock. Amendment No. 4 by Sena-
31. tor Rock.

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. Senator Rock has moved to the Republican side of the Senate.

1. Senator Rock.

2. SENATOR ROCK:

3. Thank you, Mr. ...thank you, Mr. President and ladies and
4. gentlemen of the Senate. This is the bill which received so
5. much interest yesterday. Now, what we are doing by this bill
6. is deleting lines 9 through 21 on page 1, and it...the Com-
7. mission on Human Relations, which was incorporated into
8. Senator McBroom's 2303, we are just deleting that out of the
9. terms of this bill, and I would move adoption of Amendment
10. No. 4.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Senator McBroom. There has been a motion to adopt Amend-
13. ment No. 4 to House Bill 2356. All in favor of the adoption
14. will signify by saying Aye. Opposed. The Ayes have it. The
15. motion is adopted. Any further amendments from the Floor?
16. Third reading. Senator Rock.

17. SENATOR ROCK:

18. Mr. President, Senate Bill 1314, if Senator Nimrod is
19. ready, Senator Dougherty assures me that our side is ready.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Senator Nimrod, are you prepared? Senate Bill 1314.
22. It's on concurrence of House Amendments 1, 3 and 5? Senator
23. Nimrod, will you explain Amendment No. 1?

24. SENATOR NIMROD:

25. Mr. President, line...Amendment No. 1 deletes line 5
26. through 21 on page 3 and what that basically did was to remove
27. from that area of taxation power, but retain it in the
28. area of intergovernmental cooperation, and I would move for
29. its adoption.

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. We're work...working on concurrence now. Senator Rock.

32. SENATOR ROCK:

33. I think, Senator, just...just explain all three of them.

1. We can then take them all on one roll call.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. I was...I was going to ask you if you had...yes...

4. SENATOR ROCK:

5. Yes...Senator Dough...Senator Dougherty assures me that they

6. are in good order.

7. SENATOR NIMROD:

8. And what number 4 and 5 would do, Mr. President...

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Explain No. 4 first.

11. SENATOR NIMROD:

12. No. 4 is a clarification in the intergovernmental cooperation

13. area and it straightens out the categories which are innumera-
14. ted in D, E, F, and G, which pertain to the sections of Health,
15. Recreation, Libraries, and Social Services. These items were
16. all in one group and it separates them into separate areas; and
17. No. 5, Mr. President...

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Explanation No. 5. I don't know why we're explaining

20. ...explaining these amendments because most people can't hear
21. or are not listening. May we have some order? Continue,
22. Senator.

23. SENATOR NIMROD:

24. On Amendment No. 5, it...what it does it...it returns and

25. reinstates a provision that was deleted by mistake in the draft-
26. ing and it also transfers the Mental Health powers, which were
27. originally in the Article IV. It places them in Article XIII
28. under the Chapter 139, the Township Act, and I would move for
29. concurrence of Amendments No. 1, 4, and 5 to Senate Bill 1314.

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. Any discussion? Senator Dougherty.

32. SENATOR DOUGHERTY:

33. Thank you, Mr. President. I would agree what Sen...Sena-

1. tor Nimrod has said and we agree to concur. We suggest that we
2. concur in the amendments.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. Any further discussion? The question before the Senate is
5. shall the Senate concur in the adoption of House Amendments 1,
6. 4, and 5 to Senate Bill 1314. All in favor will signify by vot-
7. ing Aye. Those opposed will vote Nay. The voting is open.
8. Will you please, Senator Fawell? Have all voted who wish? Take
9. the record. On this question the Yeas are 39, the Nays are none.
10. The...the Senate, by its vote has...concurs in Amendments 1, 4,
11. and 5 to Senate Bill 1314. The bill, having received the consti-
12. tutional majority required, is therefore declared passed. Sena-
13. tor Savickas. Senator Savickas, are you prepared now on House
14. Bill 2356?

15. SENATOR SAVICKAS:

16. Yes, Mr. President and members of the Senate. I was...

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. We have to read the...no, it's been read...we...

19. SECRETARY:

20. House...House Bill 2356.

21. (Secretary reads title of bill.)

22. Third reading of the bill.

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. Senator Savickas.

25. SENATOR SAVICKAS:

26. Yes, Mr. President and members of the Senate. I would move
27. passage of 2356.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. Senator Rock. May we have some order, gentlemen? Senator Rock.

30. SENATOR ROCK:

31. A question, if the sponsor will yield, Mr. President.

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. He indicates he will yield.

1. SENATOR ROCK:

2. What, Senator Savickas, does House Bill 2356, in its amended
3. form, now do and how much money does it carry along with it?

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. Senator Savickas.

6. SENATOR SAVICKAS:

7. Senator Rock, and members of the Senate. In its present
8. form Senate Bill 2356 contains nothing. The money has been
9. amended out. The Human Relations Commission has been put into
10. another bill. Amendment No. 2 removed the Office of Human Re-
11. sources. At the present time 2356 contains nothing at all.

12. SENATOR ROCK:

13. Thank you, Senator, I would urge a No vote.

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. Recognize, before we go into this vote, we recognize the
16. pres...the presence of the redhead Lieutenant Governor of the
17. State of Illinois, Neil Hartigan. Welcome, Governor. The
18. question before the Senate is shall we...Senator McBroom.

19. SENATOR MCBROOM:

20. Yes. Well, Mr. President, I'd just like to concur with
21. what Senator Rock had to say in hope that the members on this
22. side of the aisle would vote No. I think even though the
23. infamous GOHR organization has been amended out that the...the
24. number of this bill is repugnant enough that we ought to give
25. it a decent burial. I would urge a No vote too.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. The question before the Senate is shall the Senate pass
28. House Bill 2356, despite all the arguments notwithstanding?
29. On that question the Secretary will call the roll. All those
30. in favor will vote Aye. Those opposed will vote Nay. The
31. voting is open. Have all voted who wish? Have all voted who
32. wish? Take the record. On this question the Yeas were 16,
33. the Nays were 32, 3 were voting Present. The bill, having

1. failed to receive the constitutional majority required, is there-
2. fore declared lost. Senator McBroom.

3. SENATOR MCBROOM:

4. Yes, Mr. President and members of the Senate. Having voted
5. on the prevailing side, I move to reconsider the vote by which
6. this...

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. Senator McBroom moves to Table the vote by which this bill
9. was...reconsider the vote by which this bill was defeated. Sena-
10. tor Carroll moves to Table the motion of Senator McBroom. All in
11. favor of the Tabling motion, signify by saying Aye. Opposed. The
12. Ayes have it and the motion is Tabled. Senator Rock. My record
13. shows that we had previously mentioned Senate Bill 1282, and you
14. had requested an opportunity to explore the amendment. Have you
15. done so?

16. SENATOR ROCK:

17. Yes, Sir.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Senator Swinarski. Senate Bill 1282 for consideration of
20. concurrence in House Amendment No. 1. Are you prepared?

21. SENATOR SWINARSKI:

22. No.

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. Half of them are ready. The sponsor is not prepared. Take
25. it out of the record. We have some more messages from the House.
26. Mr. Secretary.

27. SECRETARY:

28. (Secretary reads message from the House.)

29. Mr. President, I am directed to inform the Senate
30. that the House of Representatives has concurred with
31. the Senate in the pass...in the passage of bills of
32. the following numbers, together with the following
33. amendments:

1. Senate Bill 1348, Senator Wooten is the Senate sponsor,
2. with House Amendments No. 5, 6, 7, 8, 10, 12, 13
3. and 15.
4. Senate Bill 1548, Senator Glass, with House Amendment 2,
5. 3...2 and 3.
6. 1549, Senator Glass, with House Amendment No. 1.
7. 1618, Senator Weaver, with House Amendment 1. House
8. Amendment No. 1, 1618.
9. 1621, Senator Soper, with House Amendments 3, 4...with
10. House Amendments 3 and 4.
11. PRESIDING OFFICER (SENATOR WEAVER):
12. Senator Hynes.
13. SENATOR HYNES:
14. Senate Bill 1324, Mr. President.
15. PRESIDING OFFICER (SENATOR WEAVER):
16. Senator Hynes, you have House Amendments No. 1, 2, 3, 4, 5 and
17. 6, and wish to vote on them separately?
18. SENATOR HYNES:
19. One roll call, please.
20. PRESIDING OFFICER (SENATOR WEAVER):
21. One roll call. Senator McBroom.
22. SENATOR MCBROOM:
23. Yes.
24. PRESIDING OFFICER (SENATOR WEAVER):
25. On House...House...on Senate Bill 1324, Senator Hynes asks
26. leave to consider 1...Amendment No. 1, 2, 3, 4, 5 and 6 on
27. one roll call. Is there leave?
28. SENATOR MCBROOM:
29. Mr. President, Senator Hynes has discussed with me and we've
30. discussed it with Senator Fawell, and I...I have no objection.
31. PRESIDING OFFICER (SENATOR WEAVER):
32. Senator Hynes, would you explain Amendment No. 1?
33. SENATOR HYNES:

1. Amendment No. 1 removes the cost-of-living increase amend-
2. ment that Senator Vadalabene added, and before he reacts, it is
3. included in a later amendment in a slightly different form. It
4. also increases the appropriation for Special Education by some
5. 5 million dollars to make up for...or to re...provide the amount
6. that it will, in fact, be necessary for next year. There are
7. also reductions in certain other line items. The Amendment No.
8. 2 adds the 5% cost-of-living increase. Amendment No. ...well,
9. Mr. President, the first explanation I gave was...covered both
10. Amendments 1 and 2. Amendment No. 3 is the cost-of-living increase.
11. Amendment No. 4 adds 500,000 dollars for the Fiscal Efficiency
12. Act that was amendment offered in the Senate by Senator Weaver,
13. which was removed in the House Appropriations Committee and then
14. was restored on the Floor of the House. Amendment No. 5 reduces
15. by 500,000 dollars the appropriation for the School Breakfast and
16. Lunch Program. The latest figures from the office show that that
17. amount would not be necessary. And Amendment No. 6 provides the
18. funding for the cost-of-living increase. I would move the...
19. that we concur in Amendments 1, 2, 3, 4, 5, and 6 to Senate Bill
20. 1324.

21. PRESIDING OFFICER (SENATOR WEAVER):

22. Is there any discussion? The question is shall the Senate
23. concur...Senator Vadalabene.

24. SENATOR VADALABENE:

25. Yes, since I was involved in those amendments that went over
26. to the House, I want at this time...(Italian phrase)...to concur
27. with those amendments.

28. PRESIDING OFFICER (SENATOR WEAVER):

29. The question is shall the Senate concur in Amendments No.
30. 1, 2, 3, 4, 5, and 6 to Senate Bill 1324. Those in favor vote
31. Aye. Those opposed vote Nay. The voting is open. Have all
32. voted who wish? Take this out of the record just a minute.
33. Senator Hynes advises me that there is no Amendment No. 2. So

1. we'll be voting on Amendment No. 1, 3, 4, 5 and 6. Is there any
2. discussion? Senator Hall, they were explained. Do you wish
3. another explanation? ...Just hold it just a minute. If you want
4. to go over and talk to Senator Hynes. Senator Hall, are you
5. satisfied with the amendments? Senator Hynes moves the adoption
6. of Amendment No. 1, 3, 4, 5 and 6 to Senate Bill 14...1324. Is
7. there further discussion? The question is shall the Senate
8. concur in Amendments No. 1, 3, 4, 5 and 6 to Senate Bill 1324.
9. Those in favor vote Aye. Those opposed vote Nay. The re...the
10. voting is open. Have all voted who wish? Take the record. On
11. that question the Ayes are 53 and the Nays are none. The Senate
12. concurs in Amendments No. 1, 3, 4, 5 and 6 to Senate Bill 1324;
13. and the bill, having received the consti...required constitutional
14. majority, is declared passed. For what purpose does Senator
15. Saperstein arise?

16. SENATOR SAPERSTEIN:

17. Mr. President and ladies and gentlemen, on a point of per-
18. sonal privilege. We are honored tonight by the presence of Mrs.
19. Margaret Smith, the wife of the venerable and much beloved,
20. Senator Smith. She is...she is Field Representative of the
21. Progressive National Baptist Convention. She has traveled all
22. over the civilized world to establish schools and hospitals.
23. Mrs. Smith, will you arise and be honored by our Senate.

24. PRESIDING OFFICER (SENATOR WEAVER):

25. Senator Graham.

26. SENATOR GRAHAM:

27. Mr. President, if I could have the attention of the Chamber.
28. If I could have the attention of the Senate. The messages are
29. trickling in by dribs and drabbles. Many of us have worked every
30. night until after midnight for quite a few days. I now move you
31. that the Senate do stand adjourned until 10:30 tomorrow morning.

32. PRESIDING OFFICER (SENATOR WEAVER):

33. All in favor signify by saying Aye. Opposed Nay. Sen...mo-

1. tion carries. Senate stands adjourned until 10:30 in the morn-
2. ing.
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