

79TH GENERAL ASSEMBLY

REGULAR SESSION

MARCH 20, 1975

1. PRESIDENT:

2. The hour of eleven having arrived, the Senate will come to
3. order. Prayer will be by the Reverend Rudolph S. Shoultz, Union
4. Baptist Church, Springfield, Illinois.

5. REVEREND SHOULTZ:

6. (Prayer given by Reverend Shoultz)

7. PRESIDENT:

8. Reading of the Journal. Senator Johns.

9. SENATOR JOHNS:

10. Good morning, Mr. President. I move that reading and
11. approval of the Journals of Wednesday, March the 5th, 1975,
12. Thursday, March the 6th, 1975, Tuesday, March the 11th, 1975,
13. Wednesday, March the 12th, 1975, Thursday, March the 13th, 1975,
14. Tuesday, March the 18th, 1975, Wednesday, March the 19th, 1975,
15. be postponed pending arrival of the printed Journals.

16. PRESIDENT:

17. Heard the motion. All in favor will say Aye. Opposed. Ayes
18. have it. The motion carries. Committee report.

19. SECRETARY:

20. Senate...Senator Donnewald, Chairman of Assignment of Bills,
21. assigns the following to committee:

22. Agriculture, Conservation and Energy - Senate Bill 419;
23. Appropriations - Senate Bill 403, 420, 422, 426, 431, 433, 435,
24. and 443; Education - Senate Bills 402, 404, 405, 425, 429, 430
25. and House Bill 47; Elections and Reapportionment - and House
26. Bill 50; Executive - Senate Bills 427, 428, 432, 437; Executive
27. Appointments and Administration - Senate Bills 421 and 434;
28. Finance and Credit Regulation - Senate Bill 414, 439, 440 and 441;
29. Insurance and Licens Activities - Senate Bill 412; Judiciary -
30. Senate Bill 408 and 409; Labor and Commerce - Senate Bills 410
31. and 436; Local Government - Senate Bills 423 and 424 and House
32. Bill 80; Pensions, Personnel and Veterans Affairs - Senate Bills
33. 442, 444 and 445; Public Health, Welfare and Corrections - Senate

1. Bills 406, 407, 415, 416, 417, 418 and 438; Revenue - Senate
2. Bill 413; Transportation - Senate Bills 401 and 411, House
3. Bill 380.

4. Senator Hynes, Chairman of Appropriations Committee, reports
5. out the following:

6. Senate Bills 23, 59, 126, 139, 163, 294 and 389 with the
7. recommendation Do Pass. House Bills 37 and 295 with the recommen-
8. dation Do Pass. Senate Bill 225 with the recommendation Do Pass
9. as Amended.

10. Senator Smith, Chairman of Public Health, Welfare and
11. Corrections, reports Senate Bill 223 with the recommendation Do
12. Pass. Senate Bill 134 and 247 with the recommendation Do Pass as
13. Amended.

14. Senator Course, Chairman of Revenue, reports Senate Bill 130
15. with the recommendation Do Pass as Amended. Senate Bill 20 with
16. the recommendation Do Not Pass as Amended.

17. Senator Newhouse, Chairman of Pensions, Personnel and
18. Veterans Affairs, reports out Senate Bill 261 and 305 with the
19. recommendation Do Pass.

20. PRESIDENT:

21. Senator Bruce. Introduction of bills.

22. SECRETARY:

23. Senate Bill 446 introduced by Senators Chew, Partee, Rock
24. and others.

25. (Secretary reads title of bill)

26. 1st reading of the bill.

27. Senate Bill 447 introduced by Senators Savickas, Daley,
28. Course and Romano.

29. (Secretary reads title of bill)

30. 1st reading of the bill.

31. Senate Bill 448 introduced by the...Senators Savickas, Romano,
32. Daley and Course.

33. (Secretary reads title of bill)

1. 1st reading of the bill.

2. PRESIDENT:

3. Ladies and Gentlemen of the Senate, we have some rather
4. distinguished visitors this morning from Chicago comes Doctor
5. Kimbrough and Doctor Russell and Doctor Louis Holzman, the
6. President of the Chicago Dental Society and Doctor Grant MacLean,
7. the Vice-President of the Illinois State Dental Society. Would
8. either of you care to fill our intellectual cavity? Doctor
9. Holzman.

10. DOCTOR HOLZMAN:

11. Thank you. Gentlemen, on behalf of the officers, directors,
12. the thirty-seven hundred members and thirty-seven hundred asso-
13. ciate members of the Chicago Dental Society, I bring you greetings.
14. I welcome this opportunity to thank Senator Partee for his keen
15. interest in our dental professions problems, especially so when
16. he addressed our meeting at a law and legislative interest committee
17. at our last year's meeting. I welcome this opportunity indeed to
18. thank him and all of you. Thank you very much.

19. PRESIDENT:

20. Where are we? Messages from the House.

21. SECRETARY:

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

23. Mr. President - I am directed to inform the Senate that
24. the House has...of Representatives has passed bills of the follow-
25. ing titles, in the passage of which I am instructed to ask the
26. concurrence of the Senate, to-wit:

27. House Bills 200, 264, 392 and 274.

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

29. Mr. President - I am directed to inform the Senate
30. that the House of Representatives has adopted the following Preamble
31. and Joint Resolution, in the adoption of which I am instructed to
32. ask the concurrence of the Senate, to-wit:

33. House Joint Resolution 24.

1. PRESIDENT:

2. Senator Savickas. House Joint Resolution 24 is under
3. consideration.

4. SENATOR SAVICKAS:

5. Mr. President and members of the Senate, I would ask leave
6. of this time to suspend the rules and consider House Joint
7. Resolution immediately. It call...it's a resolution commending
8. David Sark who has been a member of the Trade Unionism for fifty-
9. two years. He has been down here in Springfield lobbying for,
10. I think, probably thirty of those years. He's known, I guess, to
11. each and everyone of us as the leader of the teamster interest,
12. a man who has helped many, many people in all walks of life. I
13. would move at this point the adoption...

14. PRESIDENT:

15. Senator Savickas moves for the immediate suspension of the
16. rules for the consideration of Senate Joint Resolution 24. All
17. in favor will say Aye. Opposed. The motion carries. Senator
18. Savickas now moves for the immediate adoption of Senate Joint
19. Resolution...of House Joint Resolution 24. All in favor of its
20. adoption immediately say Aye. Opposed. The resolution is adopted.
21. Senate Bills on 2nd reading. Senate Bill 4. Senator Mitchler.
22. Read the bill.

23. SECRETARY:

24. Senate Bill 4.

25. (Secretary reads title of bill)

26. 2nd reading of the bill. No committee amendments. One Floor
27. Amendment offered by Senator Mitchler.

28. PRESIDENT:

29. Senator Mitchler.

30. SENATOR MITCHLER:

31. Mr. President and members of the Senate, Amendment No. 1 to
32. Senate Bill 4 inserts the civil service section into the bill
33. that deals with veteran's preference, and it clarifies the language

1. as it relates to the service of the veteran to qualify for
2. verteran's preference. I would ask for a favorable roll call on
3. the adoption of Amendment No. 1 to Senate Bill 4.

4. PRESIDENT:

5. Any further discussion on this amendment? Any further
6. amendments? 3rd reading...oh no. Just a moment. Senator
7. Mitchler moves the adoption of Amendment No. 1 to Senate Bill 4.
8. All those in favor will say Aye. Opposed Nay. The Ayes have it.
9. The...the amendment is adopted. Any further amendments? 3rd
10. reading. Senate Bill 5. Senator Mitchler. Senate Bill 9.
11. Senator Donnewald. Senate Bill 27. Senator Rock. Senator Rock.
12. Senate Bill 27. Senator Rock is recognized.

13. SENATOR ROCK:

14. There...there is an amendment, Mr. President, being prepared
15. I'm told by the Department of Insurance, and we're kind of waiting
16. for that. Maybe we can get back to it in a little while.

17. PRESIDENT:

18. Surely. Senate Bill 66. Senator Graham. Senate Bill 66,
19. do you desire to move it?

20. SECRETARY:

21. Senate Bill 66.

22. (Secretary reads title of bill)

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

24. PRESIDENT:

25. Any amendments from the Floor? 3rd reading. Senate Bill 97.
26. Senator Regner. Senate Bill 121. Senator Philip. Senate Bill 161.
27. Senator Palmer. Senate Bill 169. Senator Regner. Senator Bruce
28. on the Floor? Is Senator Bruce on the Floor? Senator Egan, we
29. have a matter for your attention.

30. SECRETARY:

31. Senate Bill 225.

32. (Secretary reads title of bill)

33. 2nd reading of the bill. The Committee on Appropriations offers

1. one amendment.

2. PRESIDENT:

3. Senator Egan...Senator Buzbee, what purpose do you arise?

4. SENATOR BUZBEE:

5. Mr. President, Senator Egan, I handled the bill for him in
6. Committee yesterday and I don't think he knows what the amendment
7. says and if it's all right with you, I'll explain what it does.

8. PRESIDENT:

9. Senator Buzbee.

10. SENATOR BUZBEE:

11. It's strictly a technical amendment in that the...the original
12. bill said so much money for office supplies and there is no pro-
13. vision under their statute for that. It's under Financial Procure-
14. ment Division. We change it from Office Supplies to Financial
15. Procurement Division. It does exactly the same thing only puts
16. the terminology in proper form.

17. PRESIDENT:

18. Any further discussion on the...

19. SENATOR BUZBEE:

20. Move its...move its adoption.

21. PRESIDENT:

22. Senator Weaver.

23. SENATOR WEAVER:

24. Mr. President, I don't see that bill on the Calendar.

25. PRESIDENT:

26. It was read out of the...on the committee report this morning
27. and that is why it is not on the Calendar. It just came out
28. yesterday. Senator Weaver.

29. SENATOR WEAVER:

30. Are we offering an amendment now, Mr. President?

31. PRESIDENT:

32. Yes, it is a Committee Amendment, a technical amendment in
33. the committee. Senator Buzbee moves Amendment No. 1 to Senate

1. Bill 225. All in favor will say Aye. Opposed. The amendment
2. is adopted. Any further amendments? 3rd reading. Will the
3. members be in their seats. Senate Bills on 3rd reading. Senate
4. Bill 8. Senator Donnewald.
5. SECRETARY:
6. Senate Bill 8.
7. (Secretary reads title of bill)
8. 3rd reading of the bill.
9. PRESIDENT:
10. Senator Donnewald.
11. SENATOR DONNEWALD:
12. Yes, Mr. President and members of the Senate, I think we all
13. know what Senate Bill 8 is. Its the mandating fourteen counties
14. between the population figures of twenty-five thousand to forty
15. thousand to have voting devices or voting machines. We've had
16. quite a bit of discussion about this on the Floor as well as in
17. committee, and I think everybody understands what it is. It is
18. not going to cost the counties, as many might believe, a great
19. amount of money. In many instances, it will, in fact, save money.
20. The other thing is if they do not have the financial means at hand,
21. they do have...they do have the means by issuing bonds to fund such
22. voting devices or machines, and I would solicit all of your favorable
23. support.
24. PRESIDENT:
25. Senator Philip.
26. SENATOR PHILIP:
27. Yes, I have a question of the sponsor.
28. PRESIDENT:
29. Will he yield? He indicates he will.
30. SENATOR PHILIP:
31. Senator Donnewald, do you have any idea or estimate on what
32. it's going to cost these counties to put in some kind of a mechanical
33. voting machine?

1. PRESIDENT:

2. Senator Donnewald.

3. SENATOR DONNEWALD:

4. ...Well, after...after taking my poll, Senator, out of the
5. fourteen, nine counties after a period of two to three or four
6. years will have saved money.

7. PRESIDENT:

8. Senator Philip.

9. SENATOR PHILIP:

10. Let...let me just say this that we, in DuPage County, were
11. forced by the State of Illinois to buy mechanical voting devices,
12. and it was quite a controversial thing, and there were quite a
13. variety of prices. When you look at the voting machines, the big
14. jobs that they have in the City of Chicago, in most cases, it
15. run around two thousand dollars. You take that...five per precinct
16. times five hundred and six precincts, you're talking about a lot
17. of money. The cheapest mechanical thing that they came up with was,
18. I believe, was the IBM which was about a hundred and fifty dollars
19. per unit. Now, am I to understand that the county is supposed to
20. pay for this or is the State of Illinois going to pay for it?

21. PRESIDENT:

22. Senator Donnewald.

23. SENATOR PHILIP:

24. Well, I...I'd like to know where they're going to get the
25. money. Most counties in downstate Illinois are financially in
26. very shaky, very poor shape, and to add another added expense...
27. now, if I thought it was going to make the election any better,
28. any more accurate or clean up elections, and I assume that that
29. is probably one of your viewpoints you're going to make honest
30. elections. I'll tell you what makes honest elections, honest
31. election judges. I don't care what kind of devices you use, the
32. election judges are the people that make those elections honest.

33. PRESIDENT:

1. Senator Donnewald.

2. SENATOR DONNEWALD:

3. Well, I don't know if that was a question or not, but I'll
4. respond, Mr. President. First of all, your county already has
5. voting devices or machines. You're out of it. The other thing
6. is this affects but fourteen counties, Senator, and I think I have
7. a list if you want to come over here and look at them. And it is
8. not mandated that they have voting machines, devices if they wish.
9. It's up to the county. It's up to the respective counties to do
10. whatever they want. The...the other thing is the money. If they
11. don't have the money, they have a right to pass a bond issue with-
12. out referendum to cover the cost of that expense, but I'm saying
13. this, I don't think that any of the counties affected will, in
14. fact, have to do it.

15. PRESIDENT:

16. Senator Merritt.

17. SENATOR DONNEWALD:

18. But, by the way, Cook County has had to have voting machines
19. for a long time.

20. PRESIDENT:

21. Senator Merritt.

22. SENATOR MERRITT:

23. Yes, Mr. President and members of the Senate, if Senator
24. Donnewald would yield to a question. As I understand it, Senator,
25. the present law is...affects those counties forty thousand up or
26. ...isn't that correct?

27. PRESIDENT:

28. Senator Donnewald.

29. SENATOR DONNEWALD:

30. Forty...forty thousand above, it's mandated. Forty...and all
31. of the counties have the option now. What I am doing is mandating
32. from twenty-five to forty which includes fourteen counties.

33. SENATOR MERRITT:

1. But, that was what I was getting at, Senator. I just can't
2. quite understand the rationale after having gone through this
3. not too long ago establishing that minimum up to forty and making
4. it mandatory that we're going to just include another fifteen
5. thousand population there. Why the rationale and...and you've
6. indicated also that's mandatory? Why would you be taking it down
7. this soon?

8. SENATOR DONNEWALD:

9. All right. Yes, very frankly, Senator, the...the counties
10. in that category from twenty-five to forty thousand usually have
11. their vote results counted three o'clock the next day after the
12. Tuesday of the election. The other point is, we're having a very,
13. very difficult time in those particular counties to even have
14. people act as judges, and in many, many counties where they have
15. oversized precincts, they also have a problem in finding capable
16. people to act as counting...as counters. With voting devices or
17. machines, if the county so chooses to...whatever route they go,
18. they're going to eliminate that cost. And over a period of years,
19. it will in...that of...that of itself will pay for the voting devices.
20. The people want the...the voting devices. Now, the county boards
21. in some counties may not want them. The county clerks in some
22. counties may not want them. Some county clerks do, some boards do,
23. the only thing...and...and if they do, of course, they could have
24. it now, but the people, the man out on the street, or the persons
25. out on the street, certainly want election results on the night of
26. the election.

27. PRESIDENT:

28. Senator Davidson.

29. SENATOR DAVIDSON:

30. Are we in position to speak against this bill or is he still
31. on questions?

32. SENATOR DONNEWALD:

33. We are open for debate.

1. PRESIDENT:

2. We are...we are on the point of further discussion of the
3. bill. You...

4. SENATOR DAVIDSON:

5. Mr. President and...

6. PRESIDENT:

7. ...discussion may take any form you choose. Questions or
8. a speech.

9. SENATOR DAVIDSON:

10. Thank you. Mr. President and members of the Senate, as
11. Minority Spokesman on the Election Commission, of the survey we
12. did with the county clerks dealing with the counties involved of
13. the population, we had a majority of the people who responded
14. negative to this bill of making it mandatory. It is a option under
15. the law now they want to spend the money in that area, do it.
16. Five of the seven counties who responded had resolutions from their
17. county boards objecting to the additional costs the taxpayers in
18. their county for this saying that the additional cost would not
19. facilitate speeding up the counting of the votes. In fact, two
20. counties would have to take, according to them, take their ballots
21. outside the county to have them counted because though they may
22. have a computer installation in their county, both the private
23. industries that they contacted refused to accomodate the county to
24. do this. Now, five counties did respond, it's covered by this
25. population, but four of those five who have responded in favor of
26. it already have them. So, they were responding favorable to some-
27. thing they already had. They had did it on an optional basis which
28. the law now allows, and I think all of you should be concerned that
29. you're going to cause county government to lay on another election
30. tax for the cost for voting machines over the cost that they do
31. not have to have. Now, if they want to do, they can do it under
32. the present law. Let's leave it that way. Let's not mandate any-
33. thing else to them. Let's leave it to local government to make the

1. decision for themselves. I urge you to vote no on this bill.

2. PRESIDENT:

3. Senator Berning.

4. SENATOR BERNING:

5. Thank you, Mr. President. I want to bring to the attention
6. of the members of the Senate that if there was one overriding
7. plea by those appearing before the County Problems Commission
8. during our hearings throughout the State, it was simply this.
9. Do not, at the State level, mandate any additional responsibilities
10. to the counties which costs the counties money without providing
11. funds. I reiterate what has already been stated. The smaller
12. counties are in, in fact all counties, are in desperate financial
13. straits. You may know that Pope County has already announced that
14. it is bankrupt. Other counties are going to be in similar situation
15. if we continue to give them the responsibility to provide a service
16. without giving them the money to cover the cost. The objective of
17. Senate Bill 8 is admirable. It would be only fair that the State
18. picked up the costs involved to provide the voting machines or elec-
19. tronic devices these counties will need. I plead with the sponsor
20. to consider the financial burden that's going to be imposed, however
21. small it may appear to him, which the counties are not in a position
22. to take on and that he undertake to provide through separate legis-
23. lation in conjunction with this bill to cover the costs the counties
24. will incur. Only in that...with the assurance could I support
25. this. The County Problems Commission has taken a commission
26. position to oppose any legislation which mandates expenses by the
27. county without concomitant funds provided by the State.

28. PRESIDENT:

29. Senator Latherow.

30. SENATOR LATHEROW:

31. Thank you, Mr. President. I, too, would like to rise in
32. opposition to this bill and recognizing something that I just
33. happen to think about, Senator. It wasn't too long that we had a

1. ...an election and the results were known in those counties that
2. we have reference to in my district, the election results were
3. known by midnight that night. I'd like to call to your attention
4. the fact that just recently there was an election conducted where
5. voting machines were used and the results of one of those elections
6. were not known for two or three days afterwards. Now, if you're
7. talking about expediency, let's go back to the paper ballot where
8. we can count them one at a time, and then, we'll know in just a
9. few hours how something comes out rather than two or three days
10. later.

11. PRESIDENT:

12. Senator Harris.

13. SENATOR HARRIS:

14. I'd like to direct a question to the sponsor if he will
15. yield.

16. PRESIDENT:

17. He indicates he'll yield.

18. SENATOR HARRIS:

19. Senator Donnewald, is not the affect of this lowering of
20. the threshold the result for those counties that do not have
21. machines now, and who have reached their corporate levy limit
22. and most of the counties have ever since the new Constitution has
23. gone into effect. What is their...what is their option then?

24. SENATOR DONNEWALD:

25. There...there is a provision whereby the east counties with-
26. out referendum can have a bond issue to cover the costs of the
27. voting devices.

28. SENATOR HARRIS:

29. Okay. So, you are then, in effect, mandatingg a property
30. tax increase without...referendum. Isn't that correct?

31. SENATOR DONNEWALD:

32. That's exactly right.

33. SENATOR HARRIS:

1. Yes. Well, now, is...is that a policy of the Democrat
2. party to be in favor of property tax increases without referen-
3. dum? I think that this results in that. Is that a policy of
4. the Democrat party?

5. SENATOR DONNEWALD:

6. Senator, in this instance, the most sacred right we have in
7. a democracy is the right to vote and cast our ballot, and this
8. is part of that program, and I would hope a part of the Democratic
9. program.

10. SENATOR HARRIS:

11. Well, I...I just want to make it clear that that's the
12. effect of Senate Bill 8, and it's certainly an inspiration of
13. the other side of the aisle, not this one. So, you must accept
14. that identity that you are for property tax increases without
15. referendum.

16. PRESIDENT:

17. Any further discussion? Senator Donnewald may close the
18. debate.

19. SENATOR DONNEWALD:

20. I would ask for a favorable roll call.

21. PRESIDENT:

22. The question is shall Senate Bill 8 pass. All in favor will
23. vote Aye. Opposed will vote Nay. The voting is open. Have all
24. voted who wish? What purpose...pardon? Senator Saperstein's key
25. is stuck. Will you help her there please? The mechanical failure
26. has been corrected? Thank you. Have all voted who wish? Take
27. the record. On this question, the Ayes are 30, the Nays are 22,
28. 1 Present. This bill, Senate Bill 8, having received the consti-
29. tutional majority is declared passed. Senator...Senator Latherow
30. requests a verification of the roll call. Senator Harris.

31. SENATOR HARRIS:

32. Could we ask the Secretary to read the names on the affirma-
33. tive roll call somewhat slowly?

1. PRESIDENT:
2. Well, slowly is relative. Read the affirmative roll call
3. please.
4. SECRETARY:
5. The following voted in the affirmative:
6. Bruce, Buzbee, Chew, Course, Daley, Demuzio, Donnewald,
7. Dougherty, Egan, Kenneth Hall, Hickey, Hynes, Johns, Knuppel,
8. Kosinski, Lane, McCarthy, Morris, Netsch, Newhouse, Nudelman,
9. Palmer, Rock, Romano, Saperstein, Savickas, Vadalabene, Welsh,
10. Wooten, Mr. President.
11. PRESIDENT:
12. Senator Latherow.
13. SENATOR LATHEROW:
14. Senator Course.
15. PRESIDENT:
16. Is Senator Course on the Floor? Remove him from the roll
17. call. Senator Donnewald.
18. SENATOR DONNEWALD:
19. I want to postpone consideration.
20. PRESIDENT:
21. Did you want to call the negatives did you say? Senate
22. Bill 8 is on postponed consideration. Senate Bill 28. Senator
23. Kosinski. Senate Bill 46. Senator Nudelman. Senate Bill 56.
24. Senator Johns.
25. SECRETARY:
26. Senate Bill 56.
27. (Secretary reads title of bill)
28. 3rd reading of the bill.
29. PRESIDENT:
30. Senator...Senator Johns.
31. SENATOR JOHNS:
32. Mr. President, Senate Bill 56 is just exactly what it says
33. it is in the synopsis. Provides for the State Retirement Benefits

1. beginning at age fifty for all State policemen after twenty-
2. five years of service. I would appreciate a favorable roll call.
3. PRESIDENT:
4. Any further discussion? Senator Newhouse.
5. SENATOR NEWHOUSE:
6. Senator yield to a question please?
7. PRESIDENT:
8. He indicates he will.
9. SENATOR NEWHOUSE:
10. Senator, this bill does what - it reduces the age from what
11. to fifty?
12. SENATOR JOHNS:
13. Fifty-five.
14. SENATOR NEWHOUSE:
15. Age fifty-five to fifty. That has the affect, Senator, of
16. having people with...
17. SENATOR JOHNS:
18. Mr. President, can I have a little attention so I can hear
19. his question.
20. PRESIDENT:
21. Senator, I think what we have is a little attention. Let's
22. have a lot of it please. Will the members be in their seats please.
23. We're going to do business here and you can't do it in a hubbub,
24. an atmosphere of noise. Continue, gentlemen.
25. SENATOR NEWHOUSE:
26. Senator, you're...you're reducing the age and so there'll be
27. a...a span of five years within which people are available for the
28. labor market. Is that the purpose of the bill?
29. PRESIDENT:
30. Senator Johns.
31. SENATOR JOHNS:
32. That is not the purpose of the bill at all.
33. SENATOR NEWHOUSE:

1. Would you then tell me, Senator, what the purpose is.

2. SENATOR JOHNS:

3. The purpose is to give an option to men who started at an
4. average age of twenty-four point five in the State Police force
5. to retire at age fifty after twenty-five years of service. This
6. gives us a very young, alert State Police force which I desire.

7. PRESIDENT:

8. Senator Newhouse.

9. SENATOR NEWHOUSE:

10. At age...at age fifty, the...the retiree must wait five
11. years before drawing benefits. Is that correct?

12. PRESIDENT:

13. Senator Johns.

14. SENATOR JOHNS:

15. I'll repeat your question. At age fifty, he must wait five
16. years?

17. SENATOR NEWHOUSE:

18. To draw benefits. Is that correct?

19. SENATOR JOHNS:

20. Well, this whole thing is optional, Senator Newhouse. He...
21. he can take it at fifty-five, right now, or he...under this present
22. bill, he can take it at age fifty with twenty-five years of
23. service.

24. SENATOR NEWHOUSE:

25. So, it reduces the age at which he can take the money?

26. SENATOR JOHNS:

27. Yes.

28. SENATOR NEWHOUSE:

29. And, that will...if...that...that means that he's then
30. available for the labor market. Is that correct?

31. SENATOR JOHNS:

32. Well, if you want to put it that way, yes, but I don't
33. anticipate that great flow of...you're talking about a...a

1. neighborhood of seventy-five to a hundred men that might take
2. this option. You may have thirty that might take it, and I
3. don't think that will have any affect on the labor market.
4. SENATOR NEWHOUSE:
5. Thank you, Senator.
6. SENATOR JOHNS:
7. All right, sir.
8. PRESIDENT:
9. Any further discussion? Senator Buzbee.
10. SENATOR BUZBEE:
11. Sponsor yield to a question?
12. PRESIDENT:
13. Yes, he indicates he will.
14. SENATOR BUZBEE:
15. Senator Johns, last year or in '73, we changed the State
16. Police Retirement Act to the point where they could retire at
17. age fifty. Is that not correct?
18. SENATOR JOHNS:
19. That's correct.
20. SENATOR BUZBEE:
21. Exactly what does this bill do then that is not already in
22. the law?
23. SENATOR JOHNS:
24. Gives them an option at age...at age fifty after twenty-five
25. years of service to retire.
26. SENATOR BUZBEE:
27. And then, does that mean that they start drawing their
28. retirement pay exactly at age fifty?
29. SENATOR JOHNS:
30. If they so desire.
31. SENATOR BUZBEE:
32. Then, isn't that going to be an additional drain on the
33. Pension Fund in that they're starting to...they're able to start

1. drawing their pension fund at age fifty, and the mortality tables,
2. of course, are such that they're going...the extra...the time that
3. they...the extra time that they're drawing the pension, they're
4. average life expectancy is going to be the same and so we're going
5. to be paying out an extra four or five or six years for each
6. person who chooses this option. Is that not true?

7. SENATOR JOHNS:

8. Senator Buzbee, we're talking about a possible thirty men,
9. a hundred in total that have this option. Can you imagine many of
10. these people who are supporting families, people having children
11. in college that do not desire to retire at age fifty with twenty-
12. five years of service. We're talking about thirty people. These
13. men have also increased their pension donations which...and the
14. Pension Laws Commission has approved of this bill.

15. PRESIDENT:

16. Senator Buzbee.

17. SENATOR BUZBEE:

18. Let's take the case of an individual who goes on the State
19. Police force at age twenty-one. He serves twenty-five years, and
20. at age forty-six, he says I'm going to retire. When would he
21. first be able to draw his pension?

22. SENATOR JOHNS:

23. At age fifty.

24. SENATOR BUZBEE:

25. What...what was the situation...what would be the situation
26. without this bill given that same example?

27. SENATOR JOHNS:

28. Now wait a minute. Go back over that again please.

29. SENATOR BUZBEE:

30. In other words, if this bill does not become law under the
31. present law, the twenty-one year old joins the State Police
32. force at age forty-six, he has twenty-five years in, he retires,
33. presently, when would he start being able to draw his retirement

1. benefit?

2. SENATOR JOHNS:

3. If...if he started at age twenty-one, and right today.

4. You're talking about today or in the past?

5. SENATOR BUZBEE:

6. I'm talking about today under the present statute as it now

7. stands.

8. SENATOR JOHNS:

9. If he...if he obtains twenty-five years service from start-

10. ing today at age twenty-one, he can...he can quit the force at

11. forty-six. He cannot retire...accept his benefits till age fifty.

12. SENATOR BUZBEE:

13. Well, my...my point is though that what...what is the

14. difference...what does this...what's the need for this bill then?

15. I...let me...let me say one other thing. Is it, perhaps, not

16. true that he can now start to draw it at age fifty-five if he quits

17. at...at age forty-six under the present statute?

18. SENATOR JOHNS:

19. He can draw it, you say right now, at age fifty-five if he

20. quits at forty-six?

21. SENATOR BUZBEE:

22. Right.

23. SENATOR JOHNS:

24. Yes.

25. SENATOR BUZBEE:

26. Okay. So, what we're doing here then is saying that at age

27. forty-six you quit, but...and you start drawing your pension at

28. age fifty. Is that true?

29. SENATOR JOHNS:

30. That's true.

31. SENATOR BUZBEE:

32. Okay. So, what I'm...my point is we're giving them an extra

33. five years of pension reception with this bill. Is that not true?

1. SENATOR JOHNS:

2. I don't agree with you.

3. SENATOR BUZBEE:

4. Well...well, wait a minute...wait a minute.

5. PRESIDENT:

6. We're getting past our...the red light is on. Let's see if
7. we can finalize this.

8. SENATOR BUZBEE:

9. Well, yes...yes sir, Mr. President, but I haven't...I haven't
10. gotten an answer to my question I don't think because the sponsor
11. agrees with me that under the present statute, a person who has
12. twenty-five years in at age forty-six would not start drawing his
13. pension until age fifty-five. If this bill becomes law, a person
14. who has twenty-five years in at age forty-six would start drawing
15. his pension at age fifty, therefore, he's going to draw, if this
16. bill becomes law, he's going to draw an extra five years of pension.
17. Is that not true, Senator Johns?

18. SENATOR JOHNS:

19. If...if you want to look at it that way. I don't see that
20. this...this great hubbub of about thirty people picking up four
21. years of service as an option only. This is not mandatory. This
22. is an option. You're talking about thirty people that are...have
23. increased their retirement percentage into the Retirement Fund,
24. and...and you're creating a storm over nothing.

25. PRESIDENT:

26. Any further discussion? Senator Berning.

27. SENATOR BERNING:

28. Thank you, Mr. President. I merely want to speak briefly
29. to the...the bill and the impact, not ask a question, and I must
30. say to the Body, the Pension Laws Commission did approve this
31. bill as written. There is no denying, however, that it does ad-
32. versely affect the funding of the Pension Fund. However, my point
33. in rising is simply to point out to the members of this Senate that

1. we are again establishing a precedent, and that to me is the
2. most distressing aspect of this bill. We are establishing
3. another precedent that is undoubtedly going to be capitalized
4. on by other annuitants, and we will be difficult...we will have
5. difficulty in opposing any other requests. The normal retirement
6. ...date...age is fifty-five. We have now made the concession some
7. time ago for the police and firemen at age fifty. There never
8. was any intention that the benefits start accruing prior to age
9. fifty-five for those who retired early until we established age
10. fifty with twenty-five year service. This extension of that
11. concept perhaps is justified because we have taken the step
12. initially to allow retirement at age fifty. But what we will be
13. faced with is increasing demands and an increasing erosion of the
14. funding level of all pension funds, and that's what distresses
15. me.

16. PRESIDENT:

17. Any further discussion? Senator Dougherty.

18. SENATOR DOUGHERTY:

19. Mr. President and members of the Senate, it isn't very
20. often you find Karl Berning and I taking the same side of an
21. issue. However, I happen to be President of the Cook County
22. Employees Benefit and Annuity Fund of some sixteen thousand
23. members and there's been a...a gradual move down through the years
24. to reduce the retirement ages of all public employees. It's...
25. it's being based, I would say, upon the...the...the benefits
26. according to veterans.

27. PRESIDENT:

28. One moment, Senator Dougherty. The Chair would make the
29. observation that the State Senate of Illinois is composed of many
30. people with very engaging personalities. I am sure you all like
31. to talk to each other, but while we have someone speaking, could
32. we have a little order, and if you must talk, keep your voices
33. down so that I can't hear your conversations up here. Continue,

1. Senator Dougherty.

2. SENATOR DOUGHERTY:

3. I am concerned about the...the...what's going to happen to
4. these pension funds. Now, the fund that I am President of is in
5. excellent shape at this particular point in time and it has been
6. so this observation has been made been our auditors and by the
7. State Department of Insurance, but I am concerned about what will
8. happen to other pension funds if we are to continue this program of
9. lowering the retirement age after x number of years of service.
10. Let's take the veterans, a young man or woman enters the military
11. service or naval service or the Air Force at the age of eighteen,
12. and they...they're eligible to retire when they're under forty
13. years of age in some cases or forty-five years of age, and then,
14. they do go into the job market, I'll concede, but they are com-
15. peting against themselves. I am going to oppose any further...
16. increases in the relowering of the retirement salaries...retire-
17. ment ages. I think it's wrong, and I think we're going to run
18. our pension funds into bad trouble throughout the State and this
19. applies to every segment of the government.

20. PRESIDENT:

21. Senator Netsch.

22. SENATOR NETSCH:

23. Mr. President, will the sponsor yield for a question?

24. PRESIDENT:

25. Yes.

26. SENATOR NETSCH:

27. If you...Senator Johns, if you have already mentioned this,
28. I did not hear it, and several of us who are on the Pensions
29. Committee had not had the estimate while we were in committee.
30. Was there a cost estimate computed on this bill?

31. SENATOR JOHNS:

32. Yes, there was but I do not have those figures with me at
33. this time.

1. SENATOR NETSCH:

2. Do you remember about what it was?

3. SENATOR JOHNS:

4. Well, you were there with us. I was presenting the bill,
5. and you're on the committee. I hope your memory is better than
6. mine this morning.

7. SENATOR NETSCH:

8. Well, my notes from the committee indicate that we did not
9. get that figure. That's why I raised the question. I know it
10. was asked, and the last record I had we did not have the cost
11. estimate, and I...I knew you were working on one, and I would
12. like to know what it is now if it's possible.

13. SENATOR JOHNS:

14. I...I do not have that information.

15. SENATOR NETSCH:

16. All right. If I might just make a comment then. I think,
17. Mr. President and...and Senator Johns, that several of us had
18. some very deep reservations about this in committee and felt that
19. as has been said now several times, it is opening a door that is
20. bound to show up in other pension systems, the same provision will
21. be requested. It is the kind of thing that we have done to our-
22. selves year after year that has put our pension systems in such
23. deep trouble, and while it is always possible to make a good case
24. for any additional benefit, I think this is one where the line
25. should be drawn, no.

26. SENATOR JOHNS:

27. All I can say to the members of this Body is that we set
28. precedence every day. I'm looking for a very young, very alert
29. State Police force. I think it's very essential to us that we
30. move these men off if they want to at age fifty, and I ask for a
31. favorable roll call, but I'm not going to live or die with this
32. bill as you know. Thank you, gentlemen.

33. PRESIDENT:

1. The question is shall Senate Bill 56 pass. All in favor
2. will vote Aye. Opposed will vote Nay. I'm sorry, Senator
3. Shapiro. Those opposed will vote Nay. The voting is open. Have
4. all voted who wish? Senator Johns.
5. SENATOR JOHNS:
6. I...okay...
7. PRESIDENT:
8. Senate Bill 56 is on postponed consideration.
9. SENATOR JOHNS:
10. No, Mr. ...
11. PRESIDENT:
12. Is that what you want?
13. SENATOR JOHNS:
14. Let her fly, Mr. President.
15. PRESIDENT:
16. Have all voted who wish? Take the record. Now, do you want
17. to...
18. SENATOR JOHNS:
19. Mr. President, now...
20. PRESIDENT:
21. Now, you want to listen to me?
22. SENATOR JOHNS:
23. We all listened to you right now.
24. PRESIDENT:
25. Senate Bill 56 is on postponed consideration.
26. SENATOR JOHNS:
27. Postponed consideration.
28. PRESIDENT:
29. Senate Bill 58. Senator Johns.
30. SECRETARY:
31. Senate Bill 58.
32. (Secretary reads title of bill)
33. 3rd reading of the bill.

1. PRESIDENT:

2. Senator Johns.

3. SENATOR JOHNS:

4. Okay, Mr. President and members, I hope you've had a chance
5. to look this one over. This is insurance for people who give
6. of their time and energy and perhaps their life in civil defense
7. for the State of Illinois. I designed this bill on the basis
8. that I felt like that any time there was a...a State disaster or
9. national disaster that anyone that was killed in the line of
10. service should at least receive ten thousand dollars in insurance
11. from the State. Many time individuals step forward and volunteer
12. their services in times of disaster, and when they're not covered
13. by an insurance under a local municipality or local government
14. control such as firemen...volunteer firemen, etcetera. I would
15. ask that the Attorney General determine the validity of this
16. claim and that ten thousand dollars go to the family of that
17. volunteer who gave his life in service to this State, and I...I
18. would attempt to answer any questions that might be put forth.

19. PRESIDENT:

20. Any further discussion? Senator Nimrod.

21. SENATOR NIMROD:

22. Senator Johns, answer a question...yield to a question?

23. PRESIDENT:

24. He indicates he'll yield.

25. SENATOR NIMROD:

26. Tell me, who determines the activity? Is this...I know
27. most local municipalities and counties already have coverage on
28. this having been a former civil defense director. Can they now
29. just relieve that and throw that upon the State? In other words,
30. now if they're covered now with the local community, and we passed
31. this, now can all the local community counties and...and the
32. relatives, can they all now take away that protection they have
33. for their people and the State will have to absorb it?

1. SENATOR JOHNS:

2. I think that is one of the finest questions ever I've
3. had to ask, and I think it's pertinent to this bill, and I
4. would hope that they couldn't. I don't know if the language
5. in this bill defines it as such that they can relieve them-
6. selves of that responsibility. Was it a man that has...dedi-
7. cated himself to this effort, I wouldn't want that to be
8. possible. If you see it within this bill that it is possible
9. that they would be shirking their responsibilities, then I would
10. gladly hold this bill to be amended to define it as such against
11. such action.

12. SENATOR NIMROD:

13. I...I'm...I'm for the concept and I'd...I'd like to protect
14. it, but I would not like that to happen because I think that
15. would be destroying what you're intending to do and maybe we
16. ought to look at this and find out and then...and then move it
17. so we don't make a mistake.

18. SENATOR JOHNS:

19. Mr. President, it's not my day maybe, but I agree with
20. what he's saying. Let's hold this bill, and let's write into
21. this bill that provision.

22. PRESIDENT:

23. Take it out of the record.

24. SENATOR JOHNS:

25. Take it out of the record. That's one thing.

26. PRESIDENT:

27. Senate...Senate Bill 96. Senator Regner. Senate Bill 144.
28. Senator Schaffer.

29. SECRETARY:

30. Senate Bill 144.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDENT:

1. Senator Schaffer.

2. SENATOR SCHAFFER:

3. The next three bills are basically interrelated and they
4. all happen to deal with electronic voting machines and some
5. of the problems that we've encountered. And I...I think all
6. three of them were passed out. They definitely were passed out
7. of the Elections Committee with the support of the County Clerks
8. Association and the vocal support of Stanley Kuser from Cook
9. County. Senate Bill 144...Mr. Kuser does know a lot about
10. election laws. Senate Bill 144 provides an optional basis for
11. a county board by resolution to provide for the placement of a
12. nonpartisan voting machine in a primary election. This is neces-
13. sary when you have a nonpartisan election on the same day as a
14. primary election such as the RTA referendum we had last year.
15. Some people, I don't happen to be one of them, choose not to
16. vote in a primary but they should not otherwise be denied the
17. right to vote in nonpartisan elections. I think this is a
18. necessary thing if we're going to continue to try to consolidate
19. elections and to utilize the votomatic voting system to its
20. fullest. If there are any questions, I'd be happy to answer them.

21. PRESIDENT:

22. Any further discussion? Senator Egan, are you seeking
23. recognition? Are you seeking recognition?

24. SENATOR EGAN:

25. I'm sorry, no.

26. PRESIDENT:

27. Oh, I see. You were standing at your mike. Any further
28. discussion? Senator Nudelman.

29. SENATOR NUDELMAN:

30. Mr. President, would the sponsor yield?

31. PRESIDENT:

32. He indicates he will.

33. SENATOR NUDELMAN:

1. I have no conceptual problem with this...with this bill or
2. this series of bills, but I wonder if you've...if you've done any
3. study on the percentage of loss of votes when these kind of things
4. are in the machine as against when they are separate from the
5. other or primary election. In other words, you give a person a
6. separate paper ballot, you point up the...the blue ballot election
7. or what have you whereas if they're on the same machine with a
8. primary election or any other election, they tend to get lost. We
9. had that experience I think in Chicago in February when a good
10. number of people who voted in the mayoralty primary did not vote
11. in the aldermanic election because they became confused after they
12. did the one...the job on the political primary and then didn't
13. find the nonpolitical levers in the machine.

14. PRESIDENT:

15. Senator Schaffer.

16. SENATOR SCHAFFER:

17. Actually, Senator, this bill doesn't relate to that. It
18. only relates indirectly, but to answer your question which actually
19. relates to the two bills that follow this one, the...particularly
20. on the constitutional amendment, we provide that that ballot be
21. placed before the political offices which indicates or is an attempt
22. to give it special attention, and I believe and I've talked to some
23. of the "experts". They feel that this will enhance the number of
24. people voting on the question. On the judicial ballot, I've talked
25. to several judges from various parts of the State, and some...in
26. all candor, some counties including the one we are now standing in
27. put the judicial ballot on the voting machines. I won't...I do not
28. understand their legal authority. I assumed they've had it, and all
29. ...in all cases, I got a very favorable reaction.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Is there further discussion? Senator Graham.

32. SENATOR GRAHAM:

33. I only have one feeling about this bill that I think should be

1. considered as we make our final determination. I think it is
2. ...is becoming...becoming more and more important that the people
3. in our country participate in all facets of our government. I
4. think that being able to pick and choose might not be the proper
5. encouragement to get people to become interested. If we're going
6. to only vote on issues and never indicate to the people our choice
7. of those who make decisions that create issues, I wonder if we are
8. not diluting our participation in our governmental process. I
9. have no violent opposition to this. I have this thought. I don't
10. think we can be a little bit pregnant. I think we're either going
11. to be in government or we're not going to be in government, and I
12. have that feeling if...while we're trying to encourage people to
13. vote, maybe we ought to let them vote all the way, and that's my
14. only thought.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Is there further discussion? Senator Schaffer may close the
17. debate.

18. SENATOR SCHAFFER:

19. I believe this is a good bill. The...the election authorities
20. are unanimous. They want to be able to better utilize these
21. machines. I'd appreciate a favorable roll call.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. The question is shall Senate Bill 144 pass. Those in favor
24. vote Aye. Those opposed Nay. The voting is open.

25. PRESIDENT:

26. ...all voted who wished? Take the record. On this question,
27. the Ayes are 44, the Nays are 3, 3 Voting Present. Senate Bill 144
28. having received the constitutional majority is declared passed.

29. Senate Bill 145. Senator Schaffer.

30. SENATOR SCHAFFER:

31. Senate Bill 145. I've already discussed to some degree. It
32. allows the county clerks to place the...excuse me.

33. PRESIDENT:

1. Read the bill first.

2. SECRETARY:

3. Senate Bill 145.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDENT:

7. Senator Schaffer.

8. SENATOR SCHAFFER:

9. This bill simply allows county clerks on an optional basis

10. to place the judicial retention ballots on the electronic voting

11. machines. The clerks are in favor...of it. The judges that I've

12. talked to are in favor of it. It provides for...better utiliza-

13. tion of our electronic voting equipment. Answer any questions

14. if anyone has any.

15. PRESIDENT:

16. Any further discussion? You desire to close the debate?

17. The question is shall Senate Bill 145 pass. All in favor will

18. vote Aye. Opposed will vote Nay. The voting is open. Have all

19. voted who wish? Take the record. On this question, the Ayes

20. are 49, the Nays are none, 1 Voting Present. Senate Bill 145

21. having received the constitutional majority is declared passed.

22. Senate Bill 146. Senator Schaffer.

23. SECRETARY:

24. Senate Bill 146.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDENT:

28. Senator Schaffer.

29. SENATOR SCHAFFER:

30. Senate Bill 146 allows for the placement of the constitu-

31. tional amendments, the blue ballots, on the votomatic electronic

32. voting equipment. Provides that the blue ballot shall have a

33. prominent place prior...in front of the election...the political

1. candidates. I should in all candor indicate to you that Senator
2. Kosinski and I requested a...an opinion from the Attorney General
3. on the constitutional question involved here. We received that
4. opinion yesterday, pardon me, the day before yesterday, and the
5. Attorney General unofficially indicates that he sees no problem
6. with it on the votomatic voting machines such as the one I have on
7. my desk. He concedes there is a potential problem with the large
8. electric electronic voting machines used in Cook County. I asked
9. Senator Kosinski to consult with County Clerk Kusper, and I'm under
10. the impression that he wishes me to proceed with this bill, and
11. the...that they wish to, immediately upon passage, take it into
12. court and resolve the problem. It appears to be a...a question
13. that can really only be resolved in the courts. Be happy to answer
14. any questions, and I suspect Senator Kosinski has a comment.

15. PRESIDENT:

16. Senator Donnewald and then Senator Kosinski.

17. SENATOR DONNEWALD:

18. Just a question of the sponsor. You have the support of
19. your side of the aisle on this voting device or machine?

20. SENATOR SCHAFFER:

21. My...my side of the aisle has hesitations about voting
22. machines in general, but I think that with this legislation passed,
23. certainly the machines are more attractive.

24. PRESIDENT:

25. Senator Kosinski.

26. SENATOR KOSINSKI:

27. Mr. Chairman and members of the Senate, and that is true
28. what Schaffer has stated regarding Mr. Kusper. We find that there
29. is going to be a constitutional question, and that it will be
30. decided in the courts. I thank you.

31. PRESIDENT:

32. Senator Kenneth Hall.

33. SENATOR HALL:

1. Will the sponsor yield to a question?

2. PRESIDENT:

3. He indicates he will.

4. SENATOR HALL:

5. Senator, you said you just checked in one section. We have
6. voting machines in our area. You...you didn't check...

7. SENATOR SCHAFFER:

8. Yes, I'm sorry. I...Senator Hall, I should have mentioned
9. that the...the same thing that holds true for the City of Chicago
10. holds true for your area, for Moline and one or two other areas
11. that use the large voting machines. That is...that's a true
12. statement, and we...we will have to pass the bill, and I think
13. that there will be an immediate court test in Cook County, at
14. least, this is the impression I get from Mr. Kusper, and that
15. seems to be the only way we can resolve the problem.

16. PRESIDENT:

17. Senator Hynes and then Senator Dougherty.

18. SENATOR HYNES:

19. Senator, my...my question is this. How is the...the
20. constitutional question going to be resolved in the...in the
21. courts without actually having this procedure adopted and...and
22. taking the risk that a...a constitutional amendment once approved
23. by the voters would be invalidated?

24. SENATOR SCHAFFER:

25. Well, I...you know, it was my impression based on the con-
26. versations that were relayed to me from Mr. Kusper. Let me
27. emphasize that there are two parts here. One, the use of the
28. votomatic is used in downstate Illinois which provides a separate
29. page. The Attorney General was, I think, as clear as he's going
30. to be without rendering an official opinion that the votomatics
31. do qualify as a separate ballot. He was not prepared to go on the
32. line for the voting machines. He suggested there was a very limited
33. amount of case law for him to decide on the issue. I asked Senator

1. Kosinski to check with Mr. Kusper and what he wanted us to do
2. and Mr. Kusper, and again, Senator Kosinski, correct me if I'm
3. wrong, indicated that we should go ahead with the bill and that
4. there would be an attempt to clarify the...the position in Cook
5. County. Now, what exact legal steps Mr. Kusper proposes to take,
6. I...I really do not know. If...if there's serious opposition, I
7. again suggest to Senator Kosinski that I would be willing to exclude
8. that type of voting machine, but evidently, Mr. Kusper prefers
9. that we go ahead as is.

10. SENATOR HYNES:

11. Well...

12. PRESIDENT:

13. Senator Hynes.

14. SENATOR HYNES:

15. ...I...my...my point is this. I...the...the number of...

16. PRESIDENT:

17. Just a minute. Just a minute. Just a minute. Senator
18. Vadalabene, would you dismiss the person there please. Let's
19. get moving. Senator Hynes.

20. SENATOR HYNES:

21. The number of...of constitutional amendments that actually
22. are put on the ballot has not been and will not be that...that
23. great, and it seems to me if there is any question about the
24. validity of this approach that the infrequency of those proposals
25. being up for consideration by the electorate would dictate that
26. we not risk a validity of a...a state-wide referendum. SO, I...I
27. just have serious concern about this unless we have a fairly
28. definite opinion that there is not going to be a problem.

29. PRESIDENT:

30. Senator Dougherty.

31. SENATOR DOUGHERTY:

32. Mr. President and members of the Senate, in response to what
33. Senator Schaffer has said, I think he is correct in stating what

1. the Secretary...I mean the County Clerk Kusper said, but in
2. voting on the Constitutional Amendment, the law has been in
3. the past and is...still is the law as far as I'm concerned. It
4. says this that it shall be on a paper ballot blue in color to
5. determine so it will be distinguishable. However, I do believe
6. with these...with these new voting machines and voting devices,
7. it would be better resolved if we would pass this bill, take it
8. to the court, let the courts decide, particularly now on the...on
9. the judicial retention ballot in the pass. That is always
10. specified to be a green ballot on the base of a suit of Barrett
11. versus Barrett and for many years we...years we have used the
12. green ballot in judicial retention. However, in this last election,
13. they solved it in this manner, that the upper part of the voting
14. machine for voting for retention, it was a green ballot that they
15. voted on. And that...that the court held it was correct. So, we
16. perhaps we could do this in a same manner on a constitutional
17. amendment. I think it's a...it's a good point to be taken up by
18. the courts to make a decision. I don't envision too many constitu-
19. tional amendments, but let's get it decided at this point in time
20. because I still think the law is...the paper ballot blue in color,
21. that's it. But if you could take it and put it on...in a ballot
22. book or in the...in a voting machine in a...in a blue ballot, if
23. you will, a green ballot or a pink ballot, I don't care, but let's
24. get it decided.

25. PRESIDENT:

26. Senator Netsch.

27. SENATOR NETSCH:

28. Mr. President, I don't think I can definitively answer Senator
29. Hynes' question since I'm not the reigning legal authority in the
30. State of Illinois as is purportedly the Attorney General, but I
31. would like to just make a comment on it. This was...this matter was
32. discussed at considerable length in the Constitutional Convention,
33. and it was the subject of several amendments and proposals. Our

1. belief was that when we had finally resolved the issue, we had
2. retained the requirement of a separate ballot, that is that the
3. constitutional propositions would be separated out so that they
4. would simply not get lost in the shuffle, but we also felt that
5. we had put the...the record and the language in the Constitution
6. in such form that it would not in the future preclude using one
7. form or another of automatic voting machine or other electronic
8. method of voting. We did that because we felt that it would be
9. foolhardy for us to preclude that possibility forever, and in my
10. judgement, it is legally possible for us to pass a statute which
11. would allow these propositions to appear with blue background paper
12. on the voting machines in Chicago or by the other device in the
13. other counties where they are voted on separately which I think
14. are...are very clearly within the idea of a separate ballot anyway.
15. I would suggest only one other thing to Senator Hynes, it might
16. be possible to...if there is to be a question about this for it to
17. be resolved before the vote is actually had the first time so that
18. we do...would not, in fact, endanger the validity of an amendment
19. that might be adopted pursuant to this statute. Other than that,
20. I think it is within the bounds of the Constitution and is a good
21. idea.

22. PRESIDENT:

23. Senator Nudelman.

24. SENATOR NUDELMAN:

25. Mr. President, thank you. I would merely suggest to this
26. Body that some of the requirements, for instance, on the calling
27. of a constitutional convention would be less likely to be met if
28. it were on the machine than it would be if it were a separate blue
29. ballot. For example, the requirement for a...when it concerns the
30. call of a convention, and first of all, it does say a separate
31. ballot, but in...in addition, it said it shall be called only if
32. approved by three-fifths of those voting on the question or a
33. majority of those voting in the election. And I submit with some

1. experience that you would be less likely to meet those criteria
2. if it were added on a machine than if it were on a separate blue
3. ballot.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senate...Senator Wooten.

6. SENATOR WOOTEN:

7. Yes, Mr. President and colleagues, I really want to emphasize
8. that we did go into this very point at considerable length in the
9. committee hearing, and as I can reconstruct the sequence of events
10. that we kind of agreed on is that we had the informal ruling from
11. the Attorney General, and the agreement was that we would pass the
12. bill and Mr. Kusper would immediately move for a court test so we
13. would have a resolution as soon as possible so we would not call
14. any election into jeopardy at all. And that was my understanding
15. of the sequence of events, and it was on that basis we passed it
16. out, and I'm still prepared to support the bill on that basis.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Partee.

19. SENATOR PARTEE:

20. Mr. President and members of the Senate, this is another
21. example of doing things the hard way. The blue ballot is a
22. significant ballot. Any time you amend the Constitution of the
23. United States or the Constitution of this State, the voters ought
24. to have clearly identified to them that this is something that
25. amends your Constitution. That's the genesis of a blue ballot
26. in the first instance, so that it would be a different color from
27. all of the rest of the ballots so that people would be absolutely
28. alerted that they were amending the Constitution. Now, when the
29. Constitutional Convention came along, they put in the blue ballot
30. in the language that's been a read here today from the Constitution.
31. It occurs to me that with all of the time they had, they might have
32. gotten an opinion from the Attorney General at that time, before
33. it became a part of our Constitution, or failing that there's been

1. all this time since 1970 in which a declaratory judgement could
2. have been obtained to determine if this is a constitutional way
3. of doing it. Now, we're asked would the cost of passing legisla-
4. tion to pass such a bill and then we'll ask the Attorney General
5. in a friendly suit to go to court and determine it. That might
6. get...that might get appealed. You get a taxpayer filing a suit
7. to...to appeal it or something else, and this goes on and on like
8. Tennyson's book. We ought to have had the answer to this question
9. before it became a part of the Constitution. It is...it seems to
10. me not the thing to say is that we think this is all right. We
11. ought to know whether it's all right, and there were several ways
12. of having made that determination. We're now find ourselves
13. passing legislation and then asking ourselves the question is it
14. good or is it bad. I simply think despite the way I'm going to
15. vote on this that this is an example, I think, that ought to be
16. pointed out of a wrong way to do something that could have been
17. done a great deal easier a long time ago.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Daley.

20. SENATOR DALEY:

21. Mr. President, I would like to ask Senator Wooten a question
22. in regards to the hearing. Now, did the Attorney General appear
23. before your committee?

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Wooten.

26. SENATOR WOOTEN:

27. No, as was stated. The agreement between Chairman Kosinski
28. and Senator Schaffer was that they would ask him to give them
29. some kind of guidance, some kind of judgement. They say that he
30. reported back to them informally that yes, he thought this met
31. the constitutional requirement.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Daley.

1. SENATOR KOSINSKI:
2. But this...in this particular...
3. SENATOR DALEY:
4. Did he put it in writing or...
5. PRESIDING OFFICER: (SENATOR ROCK)
6. Senator Wooten.
7. SENATOR WOOTEN:
8. Chairman Kosinski is probably the...the proper person to
9. direct this to, but it...it is not a formal opinion. I might
10. point out the reason this is kind of a special case is because
11. on that particular machine, the ballot is blue, that we meet
12. all the color requirements and everything that are in the Consti-
13. tution, and it's...it seems to be a fairly easy judgement to make,
14. but Mr. Kusper suggested just to lock it up that after we get the
15. informal judgement from the Attorney General that he would enter a
16. friendly suit just so there will be no question about it anymore.
17. PRESIDING OFFICER: (SENATOR ROCK)
18. Senator Daley.
19. SENATOR DALEY:
20. You mean the County of Cook is going to enter into a law
21. suit or is the State Board of Election going to do it?
22. PRESIDING OFFICER: (SENATOR ROCK)
23. Senator Wooten.
24. SENATOR WOOTEN:
25. Once again, I'm not the prime party to this, Senator. My
26. understanding is the county clerks would enter a suit, not Mr.
27. Kusper as an individual, but I...once again, you really ought to
28. ask Senator Schaffer or Kosinski.
29. PRESIDING OFFICER: (SENATOR ROCK)
30. Senator Daley.
31. SENATOR DALEY:
32. Well, Senator Schaffer meant...now this is all part of it,
33. in other words, if we pass this bill out, the Attorney General is

1. going to render an opinion. Mr. Kusper or someone else is going
2. to file a law suit. In other words, we have all these conditions
3. to the bill right?

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Schaffer.

6. SENATOR SCHAFFER:

7. Okay. Several things. One, just a...and I'll get...get to
8. you in a second, Senator Daley, but the bill does provide on the
9. votomatics for it to be a separate blue page and it be the first
10. page on the votomatic voting machine which I have here. And
11. particularly for those of you who aren't familiar with the voting
12. machine, you can see what a prominent position that would be, and
13. in my opinion, it would increase participation. Again, to my...my
14. colleagues from the City of Chicago and the machine...and the
15. cities that use the large voting machines, the Attorney General's
16. people clearly indicate to...to Senator Kosinski and I that the
17. votomatics meet the test of the separate ballot. That issue does
18. not appear to be in doubt, and by the way, that solves all of my
19. problems because all of my district votes on these machines. The
20. problem, the gray area where there is doubt, is frankly in the City
21. of Chicago. I indicated to Senator Kosinski that I was fully pre-
22. pared to amend out the gray area, and quite frankly, at this stage
23. of the game, I'd prefer to do that so that the bill would advance
24. unclouded with no complications. Senator Kosinski indicated to
25. me that County Clerk Kusper would prefer that we advance as...as
26. is. Now, since most of the discussion seems to be coming from the
27. colleagues...my colleagues from Chicago on this, if you do not
28. wish to concur with County Clerk Kusper, I would be more than
29. happy to pull the bill from the record and amend out the portion
30. which he wants.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Daley.

33. SENATOR DALEY:

1. Wondering whether or not the Attorney General is going to
2. render an opinion? You said he did render an opinion orally but
3. not in writing, so isn't that true?

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Schaffer.

6. SENATOR SCHAFFER:

7. Well, I don't happen to be a lawyer and unlike some nonlawyers,
8. they don't propose to practice law. My impression is that he cannot
9. give us an opinion at this point. He gave us an oral opinion or his
10. people did, obviously it wasn't just him, and the opinion that...

11. that has...was related to Senator Kosinski and I, I think, has
12. been accurately stated on the Floor at least twice. And it was
13. nothing more than guidance, that's what we sought and what we got.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Daley.

16. SENATOR DALEY:

17. Was the State Board of Election there...present at the
18. committee hearing at all?

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Schaffer.

21. SENATOR SCHAFFER:

22. Excuse me, I...I didn't hear the question.

23. SENATOR DALEY:

24. Was the State Board of Election present at all?

25. SENATOR SCHAFFER:

26. The State Board of Elections, when I introduced the bill, I
27. mailed copies of the bill to the State Board of Elections, and
28. I asked for their opinion. They called me up and said they liked
29. the bills, but they weren't going to render any opinions because
30. they weren't sure whether it was proper for them to enter into
31. giving legislative or opinions on legislation. I think we can all
32. understand some of the legislation in the elections area tends to
33. get partisan, and I believe the Board of Elections correctly wishes

1. to avoid that particular involvement.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Any further...Senator Hynes.

4. SENATOR HYNES:

5. Sponsor yield to a question?

6. PRESIDING OFFICER: (SENATOR ROCK)

7. He indicates he will yield.

8. SENATOR HYNES:

9. In its present form, would this bill authorize the proposi-

10. tion for a constitutional amendment to be placed on the voting

11. machines in the City of Chicago?

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Schaffer.

14. SENATOR SCHAFFER:

15. It would allow that, yes.

16. SENATOR HYNES:

17. It...it would allow that.

18. SENATOR SCHAFFER:

19. It would not mandate it, but it would allow that.

20. SENATOR HYNES:

21. It would allow it, and...

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Hynes.

24. SENATOR HYNES:

25. ...you indicated that the Attorney General is...informally

26. of the opinion that that would be unconstitutional if that were

27. done?

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Schaffer.

30. SENATOR SCHAFFER:

31. How shall I phrase this delicately? I'm...the Attorney

32. General informally was not prepared to give us a definite state-

33. ment on that question, whereas he was prepared or his representatives

1. were prepared to give us a pretty definite statement or pardon
2. me...when I...I used the word pretty, I'm referring to lawyers
3. since I find it hard to get an absolute statement out of a lawyer,
4. generally speaking, and I understand the reasons for that. They
5. were...they do feel very strongly that the votomatics, such as
6. the one I have on my desk, meets the separate ballot requirement,
7. but on the machine, he wasn't prepared to...to be forceful on his
8. opinion and indicated that he felt there was need for guidance
9. via the courts. He also indicated though that, and again I'm not
10. a lawyer, he indicated if the bill were inacted that at that point,
11. a county clerk via, I guess, his state's attorney or county board
12. could seek an indepth opinion, and he would do it?. Now, I can
13. understand the frustrations mentioned here by a couple of my
14. colleagues. I would prefer to have a...an absolute opinion in
15. my hand right now. It appears that I am not going to be able to
16. get that opinion and that the only way I can solve the problem
17. that I am trying to solve is to proceed with the bill.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Kosinski.

20. SENATOR KOSINSKI:

21. Mr. Chairman and members of the Senate, if you want to take
22. my suggestions, Senator Schaffer, I recommend you to take it to
23. 2nd reading and put your amendment on and let's go ahead with the
24. bill. I believe there's too much doubt within our own members of
25. the party and your side of the aisle. I think that would probably
26. be the safest way to get the bill out.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Welsh.

29. SENATOR WELSH:

30. Mr. President, that would be my suggestion, and the...pull
31. it back to 2nd and take Cook out of the jack and I think you've
32. got a bill.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Schaffer.

2. SENATOR SCHAFFER:

3. That...I'm happy to do that. It resolves my problem. It

4. leaves Cook with a problem, but it solves mine, Mr. President.

5. If you would pull the bill back to...out of the record, I'll be

6. happy to move it back as soon as I have the amendment drafted.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senate Bill 146 will be taken out of the record. 17...

9. Senate Bill 171. Senator Philip.

10. SECRETARY:

11. Senate Bill 171.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Philip. Senator Philip.

16. SENATOR PHILIP:

17. Mr. President and distinguished members of the Senate, Senate

18. Bill 171 amends the State Recorder's Act. Under the present act,

19. the State Comptroller has to keep warrants and vouchers for the

20. period of five years. What this amendment does is shortens the

21. length of time to three years, but it retains the requirement that

22. warrants be microfilmed or other recorded for all time. The

23. rationale for this bill is at the present time, the...the Comp-

24. troller has nine thousand three hundred and sixty-two boxes of

25. vouchers which occupy almost eleven thousand cubic feet of space

26. in his office at a cost to the taxpayers of about seven thousand

27. eight hundred and eighty dollars per year. Other states, and I'll

28. give you what they do and the state that keeps...requires

29. the vouchers to be kept the longest time is New York and that's a

30. period of ten years. Florida, on the other end, has a six months

31. requirement; Michigan, two years; California, five; New Jersey,

32. one year. So, I know of no objection to this bill, and ask for

33. your favorable consideration.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Senator Harris.
3. SENATOR HARRIS:
4. Senator Philip, is this your first bill?
5. PRESIDING OFFICER: (SENATOR ROCK)
6. Senator Philip.
7. SENATOR PHILIP:
8. No, it's my second bill.
9. SENATOR HARRIS:
10. Then, I don't have any questions.
11. PRESIDING OFFICER: (SENATOR ROCK)
12. Is there any further discussion? Senator, do you wish to
13. close? The question is shall Senate Bill 171 pass. Those in
14. favor will vote Aye. Those opposed will vote No...Nay. The
15. voting is open. Have all voted who wish? Have all voted who
16. wish? Take the record. On that question, the Ayes are 47,
17. the Nays are none, those Voting Present none. This bill having
18. received the constitutional majority is declared passed. Senate
19. Bill 179. Senator Glass. Senate Bill 182. Senator Buzbee.
20. Senator Buzbee, no. Senator...Senator Donnewald. Senate Bill
21. 187. Okay. Senate Bill 187.
22. SECRETARY:
23. Senate Bill 187.
24. (Secretary reads title of bill)
25. 3rd reading of the bill.
26. PRESIDING OFFICER: (SENATOR ROCK)
27. Senator Donnewald.
28. SENATOR DONNEWALD:
29. This...this is an easement bill through the Department and
30. I would solicit your favorite support.
31. PRESIDING OFFICER: (SENATOR ROCK)
32. Any further discussion? The question is shall Senate Bill
33. 187 pass. Those in favor will vote Aye. Those opposed will vote

1. No. The voting is open. Have all voted who wish? Have all
2. voted who wish? Take the record. On that question, the Ayes
3. are 48, the Nays are none, those Voting Present none. This
4. bill having received the constitutional majority is declared
5. passed. Senate Bill 259. Senator Egan. 262. Senator Morris,
6. for what purpose do you arise?

7. SENATOR MORRIS:

8. Mr. President, I would like leave to suspend the rules to
9. discharge from the Executive Committee House Joint Resolution
10. No. 23. House Joint Resolution 23 was presented to the Executive
11. Committee this week, and at that time, there was some questions
12. that...that had to be resolved. And we have agreement from the
13. Chairman of the committee and Senator Harris to discharge now to
14. seek action on it today. House Joint Resolution 23 is the one
15. that calls for an investigation of the unemployment compensation
16. distribution, and if we could discharge that from committee, I
17. have an amendment to offer which is acceptable to the people
18. involved.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator has moved for the suspension of the rules for the
21. purpose of discharging the Senate Executive Committee from
22. further consideration of House Joint Resolution 23. All those
23. in favor of suspension of the rules indicate by saying Aye.
24. The rules are suspended. The Senator has moved for the discharge
25. of the Senate Executive Committee from further consideration of
26. House Joint Resolution 23. All those in favor will signify by
27. saying Aye. All those Opposed. The Ayes have it. House Joint
28. Resolution 23 is now before us. Senator Morris.

29. SENATOR MORRIS:

30. I would like to now offer an amendment, Amendment No. 1,
31. to House Joint Resolution 23, and what it does is basically
32. change the resolved on this resolution and calls now for the
33. creation of a Joint House Senate Committee which will include

1. five members from the Senate to be appointed from the Sub-
2. committee already created by the Labor and Commerce Committee
3. and five members of the House, three to be appointed by the
4. Speaker of the House and two to be appointed by the Minority
5. Leader. The committee would have to report to the General
6. Assembly no later than May 1st, and the expenses of the committee
7. would be paid upon approval by the President of the Senate and
8. the Speaker of the House from the appropriations for...expenses
9. of joint committees. This amendment is being distributed for
10. people to see. And I would move for adoption of this amendment.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Savickas.

13. SENATOR SAVICKAS:

14. Mr. President and members of the Senate, I concur with
15. Senator Morris in supporting this amendment. The original
16. purpose of the Senate Labor and Commerce Committee in creating
17. the subcommittee to study a problem that's been affecting many
18. of our constituents throughout the State was the problem of
19. being unable to obtain their unemployment compensation checks
20. due to either delays in service due to ineptness of some
21. employees or whatever the reason. There has been thousands
22. upon thousands of cases where people were unable to obtain any
23. money at all. The House members have asked that we join together
24. to try to find a solution, try to find out what is causing this
25. delay. The Labor Committee of the Senate has agreed to substitute
26. their...their own initial subcommittee to make it a joint
27. committee with the House members, and I'm sure that this will help
28. resolve to all of our satisfactions the problems that our consti-
29. tuents that are facing.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Any further discussion? The question is the adoption of
32. Amendment No. 1 to House Joint Resolution 23. All those in favor
33. will signify by saying Aye. All those Opposed. The Ayes have it.

1. The amendment is adopted. Senator Morris.
2. SENATOR MORRIS:
3. I would now like to move for the immediate consideration
4. of House Joint Resolution No. 23 as amended.
5. PRESIDING OFFICER: (SENATOR ROCK)
6. The question is the adoption of House Joint Resolution 23
7. as amended. All those...all those in favor signify by saying
8. Aye. All those Opposed. The Ayes have it. The resolution is
9. adopted. House Bills on 1st reading. Well, we were going to
10. go on 1st reading and then go to resolutions. Do you wish the
11. resolution? Okay. House Bills on 1st reading. House Bill 8.
12. Senator Vadalabene.
13. SECRETARY:
14. House Bill No. 8.
15. (Secretary reads title of bill)
16. 1st reading of the bill.
17. PRESIDING OFFICER: (SENATOR ROCK)
18. House Bill 269. Senator Johns.
19. SECRETARY:
20. House Bill 269.
21. (Secretary reads title of bill)
22. 1st reading of the bill.
23. PRESIDING OFFICER: (SENATOR ROCK)
24. House Bill 309. Senator Netsch.
25. SECRETARY:
26. House Bill 309.
27. (Secretary reads title of bill)
28. 1st reading of the bill.
29. PRESIDING OFFICER: (SENATOR ROCK)
30. Any takers for House Bill 276? Senator Nudelman.
31. SECRETARY:
32. House Bill 276.
33. (Secretary reads title of bill)

1. 1st reading of the bill.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Message from the House.

4. SECRETARY:

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

6. Mr. President - I am directed to inform the Senate

7. that the House of Representatives has adopted the following

8. Joint Resolution, in the adoption of which I am instructed to

9. ask the concurrence of the Senate, to-wit:

10. House Joint Resolution 26.

11. (Secretary reads House Joint Resolution 26)

12. PRESIDING OFFICER: (SENATOR ROCK)

13. House Joint Resolution 26 is the Adjournment Resolution

14. calling for us to return on Monday at noon. Senator Partee

15. moves for its immediate consideration and adoption. All those

16. in favor signify by saying Aye. All those Opposed. The resolu-

17. tion is adopted. Message from the Governor.

18. SECRETARY:

19. A Message from the Governor by Michael P. Duncan, Assistant

20. to the Governor.

21. Mr. President - The Governor directs me to lay before

22. the Senate the following message:

23. To the honorable members of the Senate, the 79th General

24. Assembly, I have nominated and appointed the following named

25. persons to the offices enumerated below and respectfully ask

26. concurrence in and confirmation of these appointments by your

27. Honorable Body.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Executive. Executive appointments. Introduction of

30. bills.

31. SECRETARY:

32. Senate Bill 449 introduced by Senators Welsh, Savickas,

33. Romano and Daley.

1. (Secretary reads title of bill)
2. 1st reading of the bill.
3. Senate Bill 550 introduced by the same sponsors.
4. (Secretary reads title of bill)
5. That...that...I said 550. That was Senate Bill 450.
6. 1st reading of the bill.
7. Senate Bill 451 introduced by Senators Berning, Graham,
8. Howard Mohr and others.
9. (Secretary reads title of bill)
10. 1st reading of the bill.
11. Senate Bill 452 introduced by Senators Egan, Hynes, Rock
12. and others.
13. (Secretary reads title of bill)
14. 1st reading of the bill.
15. Senate Bill 453 introduced by the same sponsors.
16. (Secretary reads title of bill)
17. 1st reading of the bill.
18. Senate Bill 454 introduced by Senators Wooten, Bloom,
19. Glass and others.
20. (Secretary reads title of bill)
21. 1st reading of the bill.
22. Senate Bill 455 introduced by Senators Egan, Partee,
23. Donnewald and others.
24. (Secretary reads title of bill)
25. 1st reading of the bill.
26. Senate Bill 456 introduced by Senators Buzbee, Knuppel,
27. Joyce and others.
28. (Secretary reads title of bill)
29. 1st reading of the bill.
30. Senate Bill 457 introduced by Senators Buzbee, Weaver,
31. Shapiro and others.
32. (Secretary reads title of bill)
33. 1st reading of the bill.

1. Senate Bill No. 458 introduced by Senator Vadalabene.

2. (Secretary reads title of bill)

3. 1st reading of the bill.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. We're...we're now going to revert to the order of Senate
6. bills on 2nd reading, and the Chair recognizes Senator Rock.

7. SENATOR ROCK:

8. Thank you, Mr. President. This is Senate Bill 27. We
9. have just...just received the amendment suggested by the Depart-
10. ment of Insurance and worked out between Senators Philip, Harris
11. and myself. I think Senator Philip has the amendment on the
12. Secretary's Desk. What I would like to do is there was an amend-
13. ment offered in committee. It would be Committee Amendment No. 1.
14. I would move at this time to Table that amendment, and then,
15. whatever designation, would this subsequent one then be Amend-
16. ment No. 1 or No. 2?

17. SECRETARY:

18. It would be Amendment No. 2 then.

19. SENATOR ROCK:

20. Okay. And I would move at this time, Mr. President, to...
21. the committee amendment was offered by myself in an attempt to
22. cure some of the defects the department was worried about. I
23. would move at this time to Table Amendment No. 1.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator, that bill was not advanced. It's still on 2nd
26. reading.

27. SENATOR ROCK:

28. Yes, it is on 2nd reading.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Now, the...the motion that you wish is to reconsider the
31. vote by which Senate Amendment No. 2 was adopted...No. 1.

32. SENATOR ROCK:

33. It has not yet been adopted. I'm moving to Table the

1. committee amendment.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. All right. The motion is to Table Committee Amendment No. 1.

4. All those in favor say Aye. All those opposed No. The Ayes have
5. it. The amendment is Tabled. Senator Rock.

6. SENATOR ROCK:

7. Now, on the Secretary's Desk...on the Secretary's Desk is
8. Amendment No. 2 which is offered by Senators Philip and Senator
9. Harris. Senator Philip I see is off the Floor. This is an agreed
10. amendment that was proffered to us by the Department of Insurance
11. who have worked laboriously, I might say, like the gestation period
12. of the Indian elephant. We finally got an amendment out of them.
13. So, Senator Harris.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Harris.

16. SENATOR HARRIS:

17. Well, the thing that persuaded me was that this did finally
18. produce a result like an elephant, and I'm partial to elephants.
19. And this is now an excellent amendment, and it will make an already
20. excellent bill more excellent.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Philip.

23. SENATOR PHILIP:

24. I apologize, Mr. President, but I have been over in the lower
25. Chamber. I'm assuming that Senator Rock has Tabled the committee
26. amendment, and I'm assuming that we have just been discussing
27. Amendment No. 2 to Senate Bill 27. If I'm in order, I will move the
28. adoption of Amendment No. 2 to Senate Bill 27.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. You...you've heard the motion. All those in favor say Aye.
31. All those opposed No. The amendment is adopted. The bill will be
32. read a second time now prior to moving it.

33. SECRETARY:

1. Senate Bill 27.

2. (Secretary reads title of bill)

3. 2nd reading of the bill.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. For the sake of the record, Senator Philip does move the

6. adoption of Amendment No. 2 to Senate Bill 27. All those in

7. favor say Aye. All those opposed No. The Ayes have it. The

8. amendment is adopted. Any further amendments? 3rd reading.

9. ...There further business to come before the Senate? Senator

10. Demuzio.

11. SENATOR DEMUZIO:

12. I'd...ask leave of the Senate to be removed as cosponsor of

13. bills 2...Senate Bills 250 and 254.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Is there leave? Leave is granted. Senator Nudelman.

16. SENATOR NUDELMAN:

17. Mr. President, on behalf of the Judiciary Committee, I'd

18. like to announce that the meeting will start ten minutes after

19. adjournment and all bills save Senate Bill 73 will be continued.

20. We will hear one witness on Senate Bill 73 only.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Bloom.

23. SENATOR BLOOM:

24. I'd like leave to be taken off 250 and 254 also.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Is there leave? Leave is granted. Oh, Senator Palmer.

27. SENATOR PALMER:

28. ...161 on 2nd reading, may I move that to 3rd reading?

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. We would return then to the order of 2nd reading for the

31. purpose of moving the bill. Is there leave? It is on 2nd reading.

32. Secretary will read the bill. 161.

33. SECRETARY:

1. Senate Bill 161.
2. (Secretary reads title of bill)
3. 1st...2nd reading of the bill. One Committee Amendment offered
4. by Elections and Reapportionment.
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. Senator Palmer.
7. SENATOR PALMER:
8. I move that that be adopted...the amendment be adopted and
9. that it be forwarded to 3rd reading.
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. Senator Palmer moves that Amendment No. 1 be adopted. All
12. those in favor say Aye. All those opposed No. The Ayes have it.
13. Amendment is adopted. Are there further amendments? Amendments
14. from the Floor? 3rd reading. Senator Kosinski.
15. SENATOR KOSINSKI:
16. Mr. President and members of the Senate, I'd like to make
17. an announcement if it's in order.
18. PRESIDING OFFICER: (SENATOR DONNEWALD)
19. Excuse me, Senator, what...
20. SENATOR KOSINSKI:
21. I'd like to make an announcement.
22. PRESIDING OFFICER: (SENATOR DONNEWALD)
23. Please. Go ahead.
24. SENATOR KOSINSKI:
25. Thank you. The Election and Reapportionment Committee will
26. assemble and be ready to go at 1:15, half hour from now.
27. PRESIDING OFFICER: (SENATOR DONNEWALD)
28. Are there further announcements? Senator Vadalabene did call
29. to my attention that there was noise distracting him from Senator
30. Partee and Newhouse and...and Senator Buzbee. ...Further business
31. to come before the Senate? Senator Mohr.
32. SENATOR MOHR:
33. Yes, Mr. President, I have talked to Senator Palmer, and I

1. have his permission to be shown on...as a cosponsor of Senate
2. Bills 104 through 115.
3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. Is there leave?
5. SENATOR MOHR:
6. He said he needs a little help so...
7. PRESIDING OFFICER: (SENATOR DONNEWALD)
8. Is there leave? Leave is granted. Any further business to
9. come before the Senate? Senator McCarthy.
10. SENATOR McCARTHY:
11. I just wanted leave to introduce a bill.
12. PRESIDING OFFICER: (SENATOR DONNEWALD)
13. Introduction of bills.
14. SECRETARY:
15. Senate Bill 459 introduced by Senator McCarthy.
16. (Secretary reads title of bill)
17. 1st reading of the bill.
18. PRESIDING OFFICER: (SENATOR DONNEWALD)
19. Senator Demuzio moves that the Senate adjourn until noon,
20. Monday, March 24. Noon, Monday, March 24. All those in favor say
21. Aye. All those Opposed. The Senate stands adjourned.
22.
23.
24.
25.
26.
27.
28.
29.
30.
31.
32.
33.