

79th GENERAL ASSEMBLY

GENERAL SESSION

MAY 15, 1975

1. PRESIDENT:

2. The hour of nine having arrived, the Senate will come to order.

3. Prayer by Father George Nelis, St. Patrick Church, Springfield,

4. Illinois.

5. FATHER NELIS:

6. (Prayer given by Father Nelis)

7. PRESIDENT:

8. Reading of the Journal.

9. SECRETARY:

10. Wednesday, May the 7th, Thursday, May the 8th, and Monday, May
11. the 12th, 1975.

12. PRESIDENT:

13. Senator Donnewald.

14. SENATOR DONNEWALD:

15. Mr. President, I move that further reading of the Journal of
16. ...let's see, Friday, the...April 25th, Monday, April 28th, Tuesday,
17. April 29th, Wednesday, April 30th, Thursday, May 1st, Friday, May 2nd,
18. Tuesday, May 6th, Tuesday, May 13th, Wednesday, May 14th, all in 1975
19. be...be postponed pending arrival of the printed Journals.

20. PRESIDENT:

21. You heard the motion. All in favor will say Aye. Opposed Nay.

22. Ayes have it. Motion carries. Senator Donnewald.

23. SENATOR DONNEWALD:

24. I already did. I'm going to move that the further reading of the
25. Journal of Wednesday, May 7th, 8th and 12th of '75 be dispensed with
26. unless some Senator has corrections to offer, the Journal would be
27. stand as approved.

28. PRESIDENT:

29. Heard the motion. All in favor will say Aye. Opposed Nay. Ayes
30. have it. The motion carries. The Chair wants to be especially grate-
31. ful and express the gratitude to the three fine Senators who got here.
32. on time this morning, and I want the record to show that. I'll name
33. them Senator Donnewald, Senator Berning, and Senator Davidson.

1. Senator Partee is, of course, here and Senator Soper and Senator
2. Mitchler. Committee reports.

3. SECRETARY:

4. Senator Donnewald, Chairman of Assignment of Bills, assigns the
5. following to committee:

6. Agriculture, Conservation and Energy - House Bill 2595; Appro-
7. priation - House Bills 913, 914, 915, 1046, 1173, 1274, 1602 and
8. 2066...

9. PRESIDENT:

10. And Senator Rock.

11. SECRETARY:

12. ...Education - House Bills 495 and 2159; Elections and Reappor-
13. tionment - House Bill 2704; Executive - House Bills 736, 758 and 16...
14. 1961; Judiciary - House Bills 112, 178, 926, 1352, 1446, 2468; Local
15. Government - House Bills 491, 546, 855, 1332, 1353 and 1495; Public
16. Health, Welfare and Corrections - House Bill 1291; Revenue - House
17. Bill 191; Transportation - House Bills 13...1834, 1988, 2207, 2215 and
18. 2216.

19. Senator Hynes, Chairman of Appropriation Committee, reports out
20. the following:

21. Senate Bills 468, 476, 70...or 507, 517 and 989 with the recom-
22. mendation Do Pass. Senate Bills 661 and 1495 with the recommendation
23. Do Pass as Amended. House Bill 2238 with the recommendation Do Pass
24. as Amended. Senate Bills 761 and 908 with the recommendation Do Not
25. Pass.

26. Senator Romano, Chairman of Insurance and Licensed Activities,
27. reports out House Bill 655 with the recommendation Do Pass as Amended.

28. Senator Smith, Chairman of Public Health, Welfare and Corrections,
29. reports out House Bills 255, 342, 433 and 528 with the recommendation
30. Do Pass.

31. Senator Course, Chairman of Revenue Committee, reports out House
32. Bills 305, 364, 699 and 710 with the recommendation Do Pass. House
33. Bill 480 with the recommendation Do Pass as Amended.

1. PRESIDENT:

2. Message from the House.

3. SECRETARY:

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

5. Mr. President - I am directed to inform the Senate that
6. the House of Representatives has passed bills of the following titles,
7. in the passage of which I am instructed to ask the concurrence of the
8. Senate, to-wit:

9. House Bills 62, 63, 64, 65, 66, 94, 102, 141, 155, 260, 322,
10. 360, 365, 442, 533, 557, 622, 623, 631, 632, 634, 645, 646, 669,
11. 671, 676, 727, 751, 777, 784, 803, 804, 818, 876, 894, 950, 955, 956,
12. 959, 981, 987, 993, 1051, 1080, 1121, 1147, 1320 and 1479.

13. PRESIDENT:

14. Does any member desire to have any bill called on the order of
15. Consideration Postponed ... or motions in writing. Senator Soper.

16. SENATOR SOPER:

17. Maybe this would be a good time to make a motion to Table all
18. bills on Consideration Postponed. Maybe we'd get rid of some of this.
19. You've got a couple of those?

20. PRESIDENT:

21. ... (Machine cut-off) ... indicate if there are House Bills on 1st
22. reading you desire to pick up. We're going to run through House Bills
23. on 1st reading. House Bills on 1st reading. Senator... House Bill
24. 470, Senator Bloom.

25. SECRETARY:

26. House Bill 470.

27. (Secretary reads title of bill)

28. 1st reading of the bill.

29. PRESIDENT:

30. House Bill 9... House Bill 663, Senator Rock.

31. SECRETARY:

32. House Bill 663.

33. (Secretary reads title of bill)

1. 1st reading of the bill.
2. PRESIDENT:
3. House Bill 932, Senator Lemke.
4. SECRETARY:
5. House Bill 932.
6. (Secretary reads title of bill)
7. 1st reading of the bill.
8. PRESIDENT:
9. House Bill 846, Senator Bloom.
10. SECRETARY:
11. House Bill 846.
12. (Secretary reads title of bill)
13. 1st reading of the bill.
14. PRESIDENT:
15. House Bill 1166, Senator Demuzio.
16. SECRETARY:
17. House Bill 1166.
18. (Secretary reads title of bill)
19. 1st reading of the bill.
20. PRESIDENT:
21. House Bill 1321, Senator Bruce.
22. SECRETARY:
23. House Bill 1321.
24. (Secretary reads title of bill)
25. 1st reading of the bill.
26. PRESIDENT:
27. House Bill 1502, Senator Mohr, Howard Mohr.
28. SECRETARY:
29. House Bill 1502.
30. (Secretary reads title of bill)
31. 1st reading of the bill.
32. PRESIDENT:
33. House Bill 1885, Senator Kenneth Hall.

1. SECRETARY:
2. House Bill 1885.
3. (Secretary reads title of bill)
4. 1st reading of the bill.
5. PRESIDENT:
6. House Bill 2126, Senator Bloom.
7. SECRETARY:
8. House Bill 2126.
9. (Secretary reads title of bill)
10. 1st reading of the bill.
11. PRESIDENT:
12. House Bill 218...2182, Senator Philip.
13. SECRETARY:
14. House Bill 2182.
15. (Secretary reads title of bill)
16. 1st reading of the bill.
17. PRESIDENT:
18. House Bill 2230, Senator Rock.
19. SECRETARY:
20. House Bill 2230.
21. (Secretary reads title of bill)
22. 1st reading of the bill.
23. PRESIDENT:
24. House Bill 2262, Senator Rock.
25. SECRETARY:
26. House Bill 2262.
27. (Secretary reads title of bill)
28. 1st reading of the bill.
29. PRESIDENT:
30. House...House Bill 696, Senator Nimrod.
31. SECRETARY:
32. House Bill 696.
33. (Secretary reads title of bill)

1. 1st reading of the bill.
2. PRESIDENT:
3. House Bill 2384, Senator Rock.
4. SECRETARY:
5. House Bill 2384.
6. (Secretary reads title of bill)
7. 1st reading of the bill.
8. PRESIDENT:
9. House Bill 2915, Senator Lane.
10. SECRETARY:
11. House Bill 2915.
12. (Secretary reads title of bill)
13. 1st reading of the bill.
14. PRESIDENT:
15. House Bill 787, Senator Nimrod.
16. SECRETARY:
17. House Bill 787.
18. (Secretary reads title of bill)
19. 1st reading of the bill.
20. PRESIDENT:
21. House Bill 1888, Senator Johns.
22. SECRETARY:
23. House Bill 1888.
24. (Secretary reads title of bill)
25. 1st reading of the bill.
26. PRESIDENT:
27. Any additional Senators have House Bills on 1st reading? Would
28. the members indicate to the Secretary any bills you desire called on
29. Senate Bills on 2nd reading. I might point out to those of you who
30. are here, you perhaps need that less than those who are not here, we
31. do not plan to work over the weekend here. The House is going to
32. work both Saturday and Sunday. If our pace continues like this, we
33. will be here forever. Now, these bills are here, and if you're going

1. to handle them, please indicate it to the Secretary so that we can
2. move with them, and we won't have to stay here over the weekend.
3. House Bills on 1st reading. House Bill 537, Senator Bell.
4. SECRETARY:
5. House Bill 537.
6. (Secretary reads title of bill)
7. 1st reading of the bill.
8. PRESIDENT:
9. House Bill 1424, Senator Weaver.
10. SECRETARY:
11. House Bill 1424.
12. (Secretary reads title of bill)
13. 1st reading of the bill.
14. PRESIDENT:
15. House Bill 1940, Senator Harber Hall.
16. SECRETARY:
17. House Bill 1940.
18. (Secretary reads title of bill)
19. 1st reading of the bill.
20. PRESIDENT:
21. House Bill 2181, Senator Harber Hall.
22. SECRETARY:
23. House Bill 2181.
24. (Secretary reads title of bill)
25. 1st reading of the bill.
26. PRESIDENT:
27. House Bill 709, Senator Savickas.
28. SECRETARY:
29. House Bill 709.
30. (Secretary reads title of bill)
31. 1st reading of the bill.
32. PRESIDENT:
33. House Bill 1335, Senator Savickas.

1. SECRETARY:

2. House Bill 1335,

3. (Secretary reads title of bill)

4. 1st reading of the bill.

5. PRESIDENT:

6. Senator Savickas.

7. SENATOR SAVICKAS:

8. Mr. President and members of the Senate, House Bill 1335 is
9. the exact same bill as Senate Bill 479 which passed this House, and
10. I would move to bypass committee and move it put on 2nd reading.

11. PRESIDENT:

12. Senator Savickas moves that House Bill 1335 be placed on the
13. order of 2nd reading, bypassing committee. All in favor will say Aye.
14. Opposed Nay. The Ayes have it. 2nd reading. House Bill 668, Senator
15. Harber Hall.

16. SECRETARY:

17. House Bill 668.

18. (Secretary reads title of bill)

19. 1st reading of the bill.

20. PRESIDENT:

21. Any further House Bills on 1st reading? Senate Bills on 2nd
22. reading. Senate Bill 602, Senator Lane.

23. SECRETARY:

24. Senate Bill 602.

25. (Secretary reads title of bill)

26. 2nd reading of the bill. The Committee on...Agriculture, Conservation
27. and Energy offer one amendment.

28. PRESIDENT:

29. Senator Lane. Senator Lane moves the adoption of Amendment No. 1
30. to Senate Bill 602. Any further discussion? All in favor will say
31. Aye. Opposed will say Nay. Ayes have it. Amendment No. 1 is adopted.
32. Any further amendments?

33. SECRETARY:

1. One Floor Amendment offered by Senator Lane.

2. PRESIDENT:

3. Senator Lane, explain the amendment.

4. SENATOR LANE:

5. Just a some technical phrases that are deleted from the bill,

6. Mr. President.

7. PRESIDENT:

8. Any further discussion? Senator Latherow.

9. SENATOR LATHEROW:

10. I just wonder, Mr. President, if the sponsor would agree to bring

11. that back if...if we have some amendments for it from 3rd to 2nd?

12. PRESIDENT:

13. He says he will.

14. SENATOR LATHEROW:

15. Okay, thank you.

16. PRESIDENT:

17. Senator...Senator Lane moves the adoption of Amendment No. 2 to

18. Senate Bill 602. All in favor will say Aye. Opposed Nay. The Ayes

19. have it. Amendment No. 2 is adopted. Any further amendments? 3rd

20. reading. Senate Bill 131, Senator Demuzio.

21. SECRETARY:

22. Senate Bill 131.

23. (Secretary reads title of bill)

24. 2nd reading of the bill. No committee amendments. Two Floor Amend-

25. ments offered by Senator Demuzio.

26. PRESIDENT:

27. Senator Demuzio.

28. SENATOR DEMUZIO:

29. I've had Pages go to make copies of the two amendments. I think

30. I can explain them here, perhaps speed up the process. Amendment No. 1

31. would restrict the...the interest...the interest rate on the bonds to

32. eight percent on the revenue bonds, and I would...ask and move for

33. adoption of Amendment No. 1.

1. PRESIDENT:

2. Is there any further discussion on this amendment? Senator
3. Demuzio has moved that Amendment No. 1 to Senate Bill 131 be adopted.
4. All in favor will say Aye. Opposed Nay. The Ayes have it. The
5. amendment is adopted. Any further amendments? Amendment No. 2,
6. Senator Demuzio.

7. SENATOR DEMUZIO:

8. Amendment No. 2 to Senate Bill 131 would put the ceiling of
9. issuance of bonds in the...in the category of fifty million, and I
10. would ask for adoption of...Amendment No. 2.

11. PRESIDENT:

12. Any further discussion? Senator Demuzio moves the adoption of
13. Amendment No. 2 to Senate Bill 131. All in favor will say Aye.
14. Opposed Nay. The Ayes have it. The amendment is adopted. Senator
15. Weaver.

16. SENATOR WEAVER:

17. Mr. President, I don't have any objection to moving this onto
18. 3rd, but we may have another amendment for it if Senator Demuzio is
19. willing to bring it back.

20. PRESIDENT:

21. He indicates he will. Any further amendments? 3rd reading.
22. Senate Bill 703, Senator Schaffer.

23. SECRETARY:

24. Senate Bill 703.

25. (Secretary reads title of bill)

26. 2nd reading of the bill. The Committee on Executive offers one
27. amendment.

28. PRESIDENT:

29. Senator Demuzio...I mean, Senator Schaffer.

30. SENATOR SCHAFFER:

31. Mr. President, I would move to Table Committee Amendment No. 1
32. and replace it with Amendment No. 2, which I believe is on the Secre-
33. tary's Desk.

1. PRESIDENT:

2. Senator Schaffer moves to Table Amendment No. 1 to Senate Bill
3. 703. All in favor will say Aye. Opposed Nay. The Ayes have it.
4. The amendment is Tabled: Amendment No. 2, Senator Schaffer.

5. SENATOR SCHAFFER:

6. Amendment...Amendment No. 2 is exactly the same as Amendment No. 1
7. except it adds the verbiage that would designate postage used on a
8. postage meter would have to be...have the designation - official
9. state mail when you're using State money for it. This is a...based
10. on a suggestion I got from a letter from Director Burris of the
11. Department of General Services.

12. PRESIDENT:

13. Any further discussion? Senator Schaffer moves the adoption of
14. Amendment No. 2 to Senate Bill 703. All in favor will say Aye.
15. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any
16. further amendments? 3rd reading. Senate Bill 935, Senator Demuzio.

17. SECRETARY:

18. Senate Bill 935.

19. (Secretary reads title of bill)

20. 2nd reading of the bill. No committee amendments.

21. PRESIDENT:

22. Any amendments from the Floor? 3rd reading. Senate Bill 1151,
23. Senator Don Moore.

24. SECRETARY:

25. Senate Bill 1151.

26. (Secretary reads title of bill)

27. 2nd reading of the bill. The Committee on Public Health, Welfare and
28. Corrections offers one amendment. There is a fiscal note attached.
29. The fiscal note has...

30. PRESIDENT:

31. Senator...hold it...hold it a moment. Senator Rock.

32. SENATOR ROCK:

33. I wonder if Senator Moore would be kind enough to hold this for

1. a little while. Our staff is checking the amendment as offered.

2. PRESIDENT:

3. Senator Moore says he will. Take it out of the record. Senate
4. Bill 1300, Senator Don Moore. Senate Bill 1301, hold, and 2. Senate
5. Bill 610, Senator Partee.

6. SECRETARY:

7. Senate Bill 610.

8. (Secretary reads title of bill.)

9. 2nd reading of the bill. No committee amendments.

10. PRESIDENT:

11. Any amendments from the Floor? 3rd reading. Senate Bill 637,
12. Senate Partee.

13. SECRETARY:

14. Senate Bill 637.

15. (Secretary reads title of bill)

16. 2nd reading of the bill. No committee amendments.

17. PRESIDENT:

18. Any amendments from the Floor? 3rd reading. Any other Senate
19. Bills on 2nd reading that you desire to move to 3rd? We're about to
20. leave this order of business. May I have the attention of the member-
21. ship for a moment. In a few moments we are going to have a space
22. allotted for those bills which are now on 3rd reading that the members
23. desire to bring back to 2nd reading for the purpose of an amendment.
24. If you'll get your bills and your amendments in order and come down to
25. Mr. Fernandes, give them a list of them, and we can proceed judiciously
26. with those. Senate Bills on 2nd reading. Senate Bill 986, Senator
27. Graham. Senate Bill 986, Senator Graham. Oh, you don't want these
28. today?

29. SENATOR GRAHAM:

30. Yeah, wait just a moment. Can you get one bill and then come
31. right back to us?

32. PRESIDENT:

33. All right. Senate Bill...take that one out of the record.

SB 955
7/15/55

- 1. Senate Bill 955, Senator Glass.
- 2. SECRETARY:
- 3. Senate Bill 955.
- 4. (Secretary reads title of bill)
- 5. 2nd reading of the bill. The Committee on Transportation offers two
- 6. amendments.
- 7. PRESIDENT:
- 8. Senator Glass.
- 9. SENATOR GLASS:
- 10. Thank you, Mr. President. Committee Amendment No. 1, I'm going to
- 11. move to Table. I have a...a substitute amendment that we have worked
- 12. out which I would like to offer in its place. So, I would ask if the
- 13. Secretary...Mr. Secretary, should this amendment first be Tabled or
- 14. does it have to be added first?
- 15. PRESIDENT:
- 16. It has to be Tabled first.
- 17. SENATOR GLASS:
- 18. I would...I would move to Table.
- 19. PRESIDENT:
- 20. Now, Senator Glass moves to Table Amendment No. 1 to Senate Bill
- 21. 955. All in favor will say Aye. Would you like to Table it? Could
- 22. I have an Aye?
- 23. SENATOR GLASS:
- 24. Aye.
- 25. PRESIDENT:
- 26. Those opposed Nay. The Ayes have it. The amendment is Tabled.
- 27. Amendment No. 2, Senator Glass.
- 28. SENATOR GLASS:
- 29. Amendment No. 2...oh, also a committee amendment, Mr. President,
- 30. adds some technical language regarding a weight load rating and makes
- 31. a word change from passengers to persons, and I would move for the
- 32. adoption of this committee amendment.
- 33. PRESIDENT:

1. Any further discussion on Committee Amendment No. 2? Senator
2. Glass moves the adoption of Amendment No. 2. All in favor will say
3. Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted.
4. Any further amendments? Senator Glass.

5. SENATOR GLASS:

6. I...Amendment No. 3, Mr. President, is an amendment that incor-
7. porates what was in the first amendment that has been Tabled and adds
8. some additional language. It changes the age of passengers which must
9. be escorted across the streets by a supervisor from fourteen years of
10. age to twelve years of age. It...it allows the religious organization
11. vehicles which are properly equipped with units and flashing amber
12. warning lights to stop on the pavement to pick up and discharge
13. passengers, clarifies use of the school bus by a religious organization
14. and also clarifies the use of the supervisor or escort requiring
15. passengers under the age of twelve to be escorted to and from the bus
16. by the bus supervisor unless the bus is properly equipped to control
17. traffic as a school bus. I would move for the adoption of this amend-
18. ment.

19. PRESIDENT:

20. Any further discussion? Senator Bell moves the adoption of
21. Amendment No. 3. Senator Glass moves the adoption of Amendment No. 3
22. to Senate Bill 955. All in favor vote Aye. Opposed Nay. The Ayes
23. have it. Amendment No. 3 is adopted. Amendment No. 4, Senator Glass.

24. SENATOR GLASS:

25. Thank you, Mr. President. ...Amendment No. 4 eliminates the
26. written religious organization test administered by the Secretary of
27. ...of State's office as a requirement for a religious organization
28. vehicle driver permit. And I would move for its adoption.

29. PRESIDENT:

30. Any further discussion? Senator Glass moves...the adoption of
31. Amendment No. 4. All in favor will say Aye. Opposed Nay. The Ayes
32. have it. Amendment No. 4 is adopted. Any further amendments? 3rd
33. reading. Senate Bill 956, Senator Glass.

1. SECRETARY:

2. Senate Bill 956.

3. (Secretary reads title of bill)

4. 2nd reading of the bill. The Committee on Transportation offers two
5. amendments.

6. PRESIDENT:

7. Senator Glass.

8. SENATOR GLASS:

9. Thank you, Mr. President. Committee Amendment No. 1 clarifies
10. language by changing the word entity to school or religious organiza-
11. tion, and I would move the adoption of Committee Amendment No. 1.

12. PRESIDENT:

13. Any further discussion? Senator Glass moves the adoption of
14. Amendment No. 1 to Senate Bill 956. All in favor will say Aye.
15. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any
16. further amendments? Amendment No. 2, Senator Glass.

17. SENATOR GLASS:

18. Amendment No. 2, Mr. President and Senators, authorizes the
19. Department of Transportation to specify standards for the semaphore
20. stop arm instead of having this provided in the legislation, and I
21. move the adoption of Committee Amendment No. 2.

22. PRESIDENT:

23. Any further discussion on the amendment? Senator Glass moves
24. the adoption of Amendment No. 2 to Senate Bill 956. All in favor will
25. say Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted.
26. Any further amendments?

27. SECRETARY:

28. Amendment No. 3 by Senator Glass.

29. PRESIDENT:

30. Senator Glass.

31. SENATOR GLASS:

32. Mr. President, Amendment No. 3 clarifies some language, and in
33. addition, clarifies the requirement for actuating of the flashing amber

1. lights. It also changes the word revoke to suspend with respect to
2. the drivers license permit. This was at the request of the Secretary
3. of State, deletes specifications for tail pipes. I would move the
4. adoption of Amendment No. 3.

5. PRESIDENT:

6. Any further discussion on this amendment? Senator Glass moves
7. the adoption of Amendment No. 3. All in favor will say Aye. Opposed
8. Nay. The Ayes have it. Amendment No. 3 is adopted. Any further
9. amendments? Any amendments from the Floor? 3rd reading. Senate
10. Bill 957, Senator Glass.

11. SECRETARY:

12. Senate Bill 5...or 957.

13. (Secretary reads title of bill)

14. 2nd reading of the bill. Committee on Transportation offers one
15. amendment.

16. PRESIDENT:

17. Senator Glass.

18. SENATOR GLASS:

19. I...I would move...move for the adoption of Committee Amendment
20. No. 1.

21. PRESIDENT:

22. Any discussion on this amendment? Senator Glass moves the adoption
23. of Amendment No. 1 to Senate Bill 957. All in favor will say Aye.
24. Opposed Nay. The amendment is adopted. Any further amendments? Any
25. amendments from the Floor? 3rd reading. Senator Glass.

26. SENATOR GLASS:

27. Mr. President, Senator Berning asked if he could offer an amend-
28. ment to Senate Bill 956 and before it was called, I...I indicated I...
29. I would be happy to move it back if that be possible at this time.

30. PRESIDENT:

31. I know. Wait just a minute. It...Senator Berning...well, first
32. of all, Senator Glass seeks leave to bring Senate Bill 956 from the
33. order of 3rd reading back to the order of 2nd reading for the offering

1. of an amendment. Is there leave? Leave is granted. The bill has
2. been read. Senator Berning is recognized.

3. SENATOR BERNING:

4. Thank you, Mr. President...

5. PRESIDENT:

6. Just...just a moment. This would be Amendment No. 4. Senator
7. Berning.

8. SENATOR BERNING:

9. The amendment I seek to apply to Senate Bill 956 would increase
10. the allowable moving offenses for a driver from the proposed one to
11. three. The current situation is two. The bill as now presented to
12. us would reduce that moving offense to one, and in this amendment, I
13. would seek to raise that to three. The justification, Mr. President,
14. is simply this. Any school district, any school bus driver is faced
15. with a...a serious adverse situation when the driver's license can be
16. removed for one moving violation. I'm sure you can't hear me, Mr.
17. President...

18. PRESIDENT:

19. Well, you know, that's very true, Mr. ...Senator Berning. Would
20. ...would the persons not entitled to the Floor please leave the Floor,
21. and those of you who need to talk to Senators take them off the Floor
22. so that we can hear and transact business in an orderly fashion.
23. Senator Berning.

24. SENATOR BERNING:

25. Thank you, Mr. President. It seems an unusually serious imposi-
26. tion on anyone who works for a living driving day after day after day
27. discharging his duties in transporting students to have his means of
28. livelihood terminated for one moving violation. Any one of us can
29. inadvertently make a left turn where a left turn is not permitted.
30. We may go through a stop sign which is temporarily blocked by a parked
31. van of some kind. It seems an unjust hardship to impose on a person
32. to suspend his license for one moving...moving violation, thereby
33. precluding his opportunity to support himself and his family. Further,

1. Mr. President, this kind of a minimal violation and suspension, then,
2. would place the school districts also at a disadvantage. A school
3. bus driver is not that readily obtainable. A driver should be a
4. competent, trained person and there ought not to be such a serious
5. jeopardy placed upon the schools in providing competent drivers by
6. eliminating a driver for a one moving violation offense. Therefore,
7. Mr. President, in the interest of fairness and justice, I would move
8. that Amendment No. 4 be adopted, and this would allow three moving
9. violations.

10. PRESIDENT:

11. Senator Rock. Senator Glass.

12. SENATOR GLASS:

13. Mr. President and Senators, in response to Senator Berning's
14. argument, Senate Amendment No. 4 which he offers would...would allow
15. a school bus driver three violations in one year before his license
16. were suspended. Now, that's the same requirement as any driver has.
17. In the bill as we offered it, we are actually providing a more liberal
18. opportunity for school bus drivers than now exists under the law.
19. Today under the law, if there are two violations in two years, the
20. driver's license is subject to being suspended. He may have a hearing
21. and...and have it reinstated. We are saying if he has one violation,
22. he's all right in a year. When he gets the second violation, then
23. his...his license will be suspended unless after a review he is allowed
24. to continue driving, and we think that's a much more reasonable approach,
25. and I would therefore oppose Senate Amendment No. 4, and...and urge
26. its defeat.

27. PRESIDENT:

28. Any further discussion? Senator Rock.

29. SENATOR ROCK:

30. Thank you, Mr. President. If the sponsor will yield.

31. PRESIDENT:

32. He indicates he will. Senator Berning.

33. SENATOR ROCK:

1. Frankly, I'm...at this point a little confused. What is the
2. current law? What is the...what is the school bus driver now entitled
3. to under the law?

4. PRESIDENT:

5. Senator Berning.

6. SENATOR BERNING:

7. The law is that...now is is two violations in two years. That,
8. admittedly, is very restrictive also. The amendment, or the bill as
9. proposed under 956 reduces that to one per year. My position is
10. simply this, that that is too restrictive. Even the other one was too
11. restrictive. We ought not to...impose such a burden on a school bus
12. driver who drives a tremendous number of miles and days in a year and
13. to summarily deny him the right to work for a moving...for one moving
14. violation is an imposition. It's denying him the right to support
15. himself and his family, and as I said, it makes...it produces a burden
16. on the schools.

17. PRESIDENT:

18. Senator Rock.

19. SENATOR ROCK:

20. Well, I...I frankly have to agree with Senator Glass, and I would
21. rise in opposition to Amendment No. 4. When you say summarily deny a
22. man the right to work or make a living, there are provisions under the
23. Motor Vehicle Code for a hearing by the Secretary of State. I...I
24. don't...I think that frankly a...a driver of a school bus is really
25. under a little higher duty than the rest of us, and I...anything to
26. encourage better driving by a school bus driver I think is a good thing,
27. and therefore, Mr. President, I would rise in opposition to Amendment
28. No. 4.

29. PRESIDENT:

30. Any further discussion? Senator Berning moves the adoption of
31. Amendment No. 4 to Senate Bill 956. All in favor will say Aye. Opposed
32. Nay. The Nays have it. The amendment is lost. Any further amendments?
33. 3rd reading. Senate Bill 986, Senator Graham.

1. SECRETARY:

2. Senate Bill 986.

3. (Secretary reads title of bill)

4. 2nd reading of the bill. No committee amendments. Three Floor

5. Amendments offered by Senator Graham.

6. PRESIDENT:

7. Senator Graham, Amendment No. 1.

8. SENATOR GRAHAM:

9. Mr. President and members of the Senate, Amendment No. 1 is a...an
10. amendment that clears up some language, typos and so forth to clean
11. the bill up and...all of these amendments have been checked out with
12. the staff on the other side, and I move for the adoption of Senate...
13. of Senate Amendment No. 1 to Senate Bill 986.

14. PRESIDENT:

15. Any further discussion? Senator...Senator Rock.

16. SENATOR ROCK:

17. We...we have two amendments. Which one are, particularly, are we
18. on now?

19. PRESIDENT:

20. We're on Amendment No. 1.

21. SENATOR ROCK:

22. Well, I...I appreciate that, but I can't identify which is which.

23. PRESIDENT:

24. I see, Would you just say it again, Senator Graham, what it does?

25. SENATOR ROCK:

26. ...Just indicate, Senator, which one it is.

27. SENATOR GRAHAM:

28. Yes, just a moment, Senator Rock. It's...it's clearly a typo
29. and a language amendment. I'm not sure. Our aide is on the way over
30. with them now. I thought you had it. It's a deletion of words and
31. correction of spelling and of the correct words.

32. PRESIDENT:

33. Senator Graham moves the adoption of Amendment No. 1. All in

1. favor will say Aye. Opposed Nay. Ayes have it. The amendment is
2. adopted. Amendment No. 2, Senator Graham.

3. SENATOR GRAHAM:

4. Mr. President and members of the Senate, Senate No. 2 deals with
5. the procedure for a mobile home owner to get a release from the county
6. treasurer which would indicate the taxes and so forth are paid
7. before he may move the mobile home from its existing location. I move
8. the adoption.

9. PRESIDENT:

10. Any further discussion? Senator Graham moves the...Senator Rock.

11. SENATOR ROCK:

12. Is this the one, again, just for identification purposes, is
13. this the one that concerns itself with a Class B misdemeanor for any
14. person to move any mobile home or cause it to be moved a distance of
15. more than one mile without receiving a permit?

16. SENATOR GRAHAM:

17. That is correct, Senator.

18. PRESIDENT:

19. Senator Graham moves the adoption of Amendment No. 2 to Senate
20. Bill 986. All in favor will say Aye. Opposed Nay. Ayes have it.
21. The amendment is adopted. Amendment No. 3, Senator Graham.

22. SENATOR GRAHAM:

23. Amendment No. 3 is an amendment that puts specifically in the
24. language the class misdemeanor penalty in the bill, and I move its
25. adoption.

26. PRESIDENT:

27. Any further discussion? Senator Graham moves Amendment No. 3 to
28. Senate Bill 986. All in favor will say Aye. Opposed Nay. The Ayes
29. have it. Amendment No. 3 is adopted. Any further amendments? Any
30. amendments from the Floor? 3rd reading.. Senate Bill 1285, Senator
31. Graham.

32. SENATOR GRAHAM:

33. Yes, move it please.

1. SECRETARY:
2. Senate Bill 1285.
3. (Secretary reads title of bill)
4. 2nd reading of the bill. No committee amendments.
5. PRESIDENT:
6. Any amendments from the Floor? 3rd reading. Senate Bill 1289,
7. Senator Graham.
8. SECRETARY:
9. Senate Bill 1289.
10. (Secretary reads title of bill)
11. 2nd reading of the bill. No committee amendments.
12. PRESIDENT:
13. Senator Graham.
14. SENATOR GRAHAM:
15. Mr. President, I think right after this bill, I know of no amend-
16. ments and it's moved to 3rd reading, I think Senator Dougherty has
17. 1291. Might as well move it too and keep...
18. PRESIDENT:
19. We have it for next. We have it next. Any further amendments?
20. 3rd reading.. Senate Bill 1291, Senator...no, 1289 is the one that
21. we called now. We just handled 1285, did we? 1289, fine. Now, we're
22. at 1291, Senator Dougherty.
23. SECRETARY:
24. Senate...
25. PRESIDENT:
26. Senator Graham, it's 1291. All right.
27. SECRETARY:
28. Senate Bill 1291.
29. (Secretary reads title of bill)
30. 2nd reading of the bill. No committee amendments.
31. PRESIDENT:
32. Any amendments from the Floor? 3rd reading. Senate Bill 1015,
33. Senator Hynes.

1. SECRETARY:
2. Senate Bill 1015.
3. (Secretary reads title of bill)
4. 2nd reading of the bill. No committee amendments.
5. PRESIDENT:
6. Any amendments from the Floor? 3rd reading. Senate Bill 1016,
7. Senator Hynes.
8. SECRETARY:
9. Senate Bill 1016.
10. (Secretary reads title of bill)
11. 2nd reading of the bill. No committee amendments.
12. PRESIDENT:
13. Any amendments from the Floor? 3rd reading. Senate Bill 1259,
14. Senator Dougherty.
15. SECRETARY:
16. Senate Bill 1259.
17. (Secretary reads title of bill)
18. 2nd reading of the bill. No committee amendments.
19. PRESIDENT:
20. Any amendments from the Floor? 3rd reading. Senate Bill 1260,
21. Senator Dougherty.
22. SENATOR DOUGHERTY:
23. Mr. President...
24. PRESIDENT:
25. Senator Dougherty.
26. SENATOR DOUGHERTY:
27. I'm going to move that to the order of 3rd reading, but it may be
28. necessary to put an amendment on it. If it is, I will call it back.
29. Thank you.
30. PRESIDENT:
31. Senate Bill 1260. Read the bill.
32. SECRETARY:
33. Senate Bill 1260.

1. (Secretary reads title of bill)

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

3. PRESIDENT:

4. Any amendments from the Floor? 3rd reading. Senate Bill 1290,

5. Senator Dougherty.

6. SECRETARY:

7. Senate Bill 1290.

8. (Secretary reads title of bill)

9. 2nd reading of the bill. No committee amendments.

10. PRESIDENT:

11. Any amendments from the Floor? 3rd reading. Pardon me.

12. Senate...Senator...Senator Nimrod offers...

13. SECRETARY:

14. Amendment No. 1.

15. PRESIDENT:

16. Senator Nimrod.

17. SENATOR NIMROD:

18. Mr. President and fellow Senators, the...this amendment was...

19. this idea was discussed in the committee and it was not accepted at

20. that time. However, I would like to offer this in the...the form of

21. an amendment, and what it basically does is the bill provides for a

22. person to have a relative or a friend go into the polling booth with

23. him, but not have any election judges there. And this is the case of

24. an illiterate voter, and all I'm saying is that we ought to...it's

25. okay to do that, but we ought to leave those judges there to observe

26. and make sure at least that...that any time that we do have a voter

27. having any assistance, the election judges which are really responsible

28. for the polls ought to at least be able to observe from outside the

29. curtain to make sure that the instructions and that the translation is

30. properly handled, and I think the present law says that the judge

31. points to where the voter's intentions are so that that can be followed

32. through. Certainly, a friend or a relative is not a sworn officer and

33. it would mean that you would have an election taking place with someone

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1. outside the election's authority, and I would urge that the considera-
2. tion and the passage of this amendment.

3. PRESIDENT:

4. Senator Dougherty.

5. SENATOR DOUGHERTY:

6. Mr. President and members of the Senate, at the time this bill
7. came up in committee...committee, Senator Nimrod suggested a Senate
8. amendment. I rejected it at that time, and I reject it at this time.

9. PRESIDENT:

10. Any further discussion? Senator Nimrod offers Amendment No. 1
11. to Senate Bill 1290. All in favor of Senator Nimrod's Amendment will
12. say Aye. Opposed Nay. All...all in favor will say Aye. Opposed Nay.
13. The Nays have it. The amendment is rejected and lost. Any further
14. amendments? 3rd reading. May I have the attention of the membership.
15. I'm going to...the Chair is going to read the list of bills which have
16. been asked to be recalled from the order of 3rd reading to 2nd reading
17. so that you may be in readiness if you desire to debate or to offer
18. amendments to these bills. And the list is as follows - Senate
19. Bills 231, 335, 407, 530, 656, 698, 704, 726, 753, 767, 783, 7...pardon
20. me, 836, 857, 1084, 1093, 1247, 1477, 1489, and Senate Bill 37. We
21. may add to that list by coming down and giving it to Mr. Fernandes.
22. Senator Savickas.

23. SENATOR SAVICKAS:

24. Is this going to be the agreed bill list?

25. PRESIDENT:

26. Oh, absolutely not, Sir. These are bills, Senator Savickas, that
27. are going to be recalled from 3rd to 2nd for the purpose of offering
28. amendments.

29. SENATOR SAVICKAS:

30. Oh. I'm...I'm sorry, Mr. President.

31. PRESIDENT:

32. It's all right. Senate Bills on 3rd reading. Senate Bill 214,
33. Senator Glass. We're having a list prepared for...for you, Senator

1. Rock. You'll have your list in just a moment. I'll get Senator
2. Harris one also. Senate Bill 214, Senator Glass. Let me say that
3. in this list, the motion is made inclusively of all bills on this
4. list for leave to be brought from 3rd back to 2nd for the purpose
5. of an amendment. That relates to every bill on the list. Senate
6. Bill 214, Senator Glass. Is there leave? Leave is granted. Senate
7. Bill 214, Senator Glass.

8. SENATOR GLASS:

9. Thank you, Mr. President. I would offer Amendment No. 1 to
10. Senate Bill 214. Senate Bill 214 is a bill that makes no substan-
11. tive changes in the Probate Act. It contains a lot of clean up
12. language, and this was a Reference Bureau Amendment making three
13. corrections. I would move for its adoption.

14. PRESIDENT:

15. Any further discussion? Senator Glass moves the adoption of
16. Amendment No. 1 to Senate Bill 214. All in favor will say Aye.
17. Opposed Nay. The amendment is adopted. Any further amendments?
18. 3rd reading. Senate Bill 231, Senator Bell.

19. SENATOR BELL:

20. Yes, thank you, Mr. President, members of the Senate. Senate
21. Bill 231 is being returned back to 2nd reading for the purpose of a
22. Floor Amendment. It has to do with the mandatory sentencing on the
23. second of offense with the use of a firearm. Changes it to a Class I
24. felony, and I would ask for the approval of all my fellow Senators in
25. reference to the amendment.

26. PRESIDENT:

27. May the Chair make...make an inquiry, Senator Bell. Is this
28. an amendment that has heretofore been offered at the...at the junc-
29. ture of 2nd reading on this bill?

30. SENATOR BELL:

31. This is a different amendment addressing itself relatively to
32. the same subject.

33. PRESIDENT:

1. But not on this bill? Has...has this amendment been offered
2. on this bill on the Floor of the Senate?

3. SENATOR BELL:

4. No. No.

5. PRESIDENT:

6. Fine. Senator Nudelman.

7. SENATOR NUDELMAN:

8. Mr. President, I would resist any discussion of this amendment
9. until it's distributed. I don't have it on my desk, and I would
10. insist on a chance to see it. This amendment...this amendment is one
11. of a series of bills that were brought into the Judiciary Committee
12. by Senator Bell, and if it's changed, it's changed in a most minute
13. way which doesn't do anything to the substance of it. The bill was
14. beaten in the Judiciary Committee, and I would submit, Mr. President,
15. that if a Senator wishes to bring a bill before the full Body which
16. has lost in committee, his obligation is to this Body to move to
17. discharge the committee and not to attempt to add that bill to an
18. innocuous vehicle which...which is laying...which is pending on the
19. Calendar. This is a subterfuge, and I think on behalf of all Senators,
20. we should resist this because this is violative of our procedures and
21. of our rules, and if we permit this to happen once, it will happen
22. right along, and I think within our whole system might as well be
23. scrapped, and we could operate without any rules whatsoever.

24. PRESIDENT:

25. Any further discussion? Senator Bell.

26. SENATOR BELL:

27. Well, Mr. President, I think that the issue is that vital to
28. our society today that...that it needs to be addressed. This is my
29. humble attempt to try to do so. The...the amendment has been thoroughly
30. studied. It is on every Senator's desk, and I would ask for the
31. Senate to approve this amendment and get it back to 3rd reading where
32. we can go onto Floor debate and 3rd reading. Thank you.

33. PRESIDENT:

1. Senator Carroll.

2. SENATOR CARROLL:

3. Thank you, Mr. President. I have two amendments on my desk that
4. deal with Senate Bill 231. I would ask Senator Bell first to clarify
5. at least to me which of the amendments he is speaking to.

6. PRESIDENT:

7. Senator Bell.

8. SENATOR BELL:

9. Senator Carroll, the amendment, the 231 you have on your desk
10. has just been distributed.

11. PRESIDENT:

12. No, he says he has two. Would you explain to him what this one
13. does.

14. SENATOR BELL:

15. This one is in reference to a firearm. Second or...if you
16. look down at Line 18 on Page 1, at the end of the second sentence start-
17. ing there, second or subsequent commission of armed robbery is a
18. mandatory Class I felony for which an offender shall be sentenced by
19. the court to serve and so on. That's...that's the particular amend-
20. ment.

21. PRESIDENT:

22. Senator Carroll.

23. SENATOR CARROLL:

24. Then, would you please explain what your amendment does?

25. PRESIDENT:

26. Senator Bell.

27. SENATOR BELL:

28. Yes. Senator Carroll, it addresses itself to taking the use of
29. a firearm on the second offense...the second offense and making it a
30. Class I felony that by judicial determination is a prison sentence of
31. four years or any period of time beyond four years to life so that
32. a judge could award four years, could award ten years, or...or life,
33. depending on the nature of that offense with a firearm. And when he

1. does make that a...make that determination, as is I believe currently
2. the law now, it...it changes it because it's a second offense to a
3. mandatory.

4. PRESIDENT:

5. Any further discussion? Senator Bell moves the adoption of
6. Amendment...Amendment No. 1 to Senate Bill 231. All in favor will
7. say Aye. Opposed Nay. A roll call has been requested. All in favor
8. of Senator Bell's amendment will vote Aye. Those opposed will vote
9. Nay. The voting is open. Have all voted who wish? Take the record.
10. On this question, the Ayes are 25, the Nays are 28, and 1 Voting
11. Present. The amendment is declared lost. Any further amendments?
12. 3rd reading. Senate Bill 335, Senator Carroll.

13. SENATOR CARROLL:

14. Thank you, Mr. President. I would offer, I believe this would
15. Amendment No. 1. This was at the request of Senator Nimrod, and it
16. puts back in the language on the assessor's oath, the fair cash
17. value. We had discussed this when the bill was on 2nd reading. I
18. promised when it was on 3rd to bring it back, and I am so doing. I
19. would...move the adoption of the amendment.

20. PRESIDENT:

21. Any further discussion? Senator Carroll moves the...the adop-
22. tion of Amendment No. 1 to Senate Bill 335. All in favor will say
23. Aye. Opposed Nay. The Ayes have it. The amendment is adopted.
24. Any further amendments? 3rd reading. Senate Bill 360, Senator
25. Knuppel.

26. SENATOR KNUPPEL:

27. I don't...I haven't distributed the amendment. Can you...go on
28. and come back to those two in just a minute?

29. PRESIDENT:

30. Has anyone requested the amendments?

31. SENATOR KNUPPEL:

32. I...I got to distribute the amendment.

33. PRESIDENT:

1. I said anyone requested it?

2. SENATOR KNUPPEL:

3. There may be.

4. PRESIDENT:

5. Has anyone requested it?

6. SENATOR KNUPPEL:

7. No.

8. PRESIDENT:

9. Will you explain the amendment...amendment?

10. SENATOR KNUPPEL:

11. This amendment would make the changes that were required in
12. the...in the committee. It was agreed to in committee, and it
13. changes...I...I'm just...really not that prepared. I didn't know
14. we were going to go to this. I'd just as soon go on and come back to it,
15. if you may.

16. PRESIDENT:

17. Senate Bill 364, Senator Knuppel.

18. SENATOR KNUPPEL:

19. ...(Machine cut-off)...wait.

20. PRESIDENT:

21. Senate Bill 40...take 360 out of the record. Senate Bill 407,
22. Senator Morris.

23. SENATOR MORRIS:

24. This is a bill which we amended about ten days ago, and Senator
25. Latherow had some problems with it. We had forgotten to exempt
26. farm properties or farm sales from the...the legislation, and as a
27. result, I would like to Table Amendment, I believe it was, No. 2 to
28. Senate Bill 407 and substitute a new amendment which will solve that
29. problem.

30. PRESIDENT:

31. Mr. Secretary, what is the number of the amendment we are
32. Tabling?

33. SENATOR MORRIS:

1. We'll Table Amendment No. 2 or reconsider...

2. PRESIDENT:

3. Would you examine the bill and let's make certain that we are
4. Tabling the correct amendment. Can we determine what...exactly to
5. which number the amendment we're Tabling.

6. SENATOR MORRIS:

7. From my records, I'm Tabling Amendment No. 2.

8. PRESIDENT:

9. It's Amendment No. 2. Fine.

10. SENATOR MORRIS:

11. We'd like to reconsider Amendment No. 2 for the purpose of
12. Tabling.

13. PRESIDENT:

14. Senator Morris seeks leave to...reconsider the vote by which
15. Amendment No. 2 passed, for the purpose of Tabling it. All in favor
16. will say Aye. Opposed Nay. The amendment is under reconsideration,
17. and Senator Morris now moves to Table Amendment No. 2 to Senate
18. Bill 407. All in favor will say Aye. Opposed Nay. Motion carries.
19. The amendment is Tabled. Senator Morris, Amendment No. 3.

20. SENATOR MORRIS:

21. Now, I would like to offer Amendment No. 3 which adds in the
22. provision that one of the exemptions from this cooling off period
23. would be the transaction for the sale of material or equipment to
24. the owner or operator of a farm and that should handle the problem
25. Senator Latherow had with the bill.

26. PRESIDENT:

27. Any further discussion? Senator Morris moves the adoption of
28. Amendment No. 3 to Senate Bill 407. All in favor will say Aye.
29. Opposed Nay. Motion carries. The amendment is adopted. Any further
30. amendments? 3rd reading. Senate Bill 530, Senator Shapiro.

31. SENATOR SHAPIRO:

32. Mr. President, I'd like leave of the Senate to take Senate
33. Bill 530 from 3rd reading back to 2nd for purposes of an amendment.

1. PRESIDENT:

2. It...a general motion has been made. All of these bills are
3. now on 2nd reading.

4. SENATOR SHAPIRO:

5. Mr. President, Ladies and Gentlemen of the Senate, Amendment No. 1
6. to Senate Bill 530 places into this Student Employment Assistant Act
7. the private colleges and extends the implementing date to July 1st,
8. 1976. I would urge adoption.

9. PRESIDENT:

10. Any further discussion? Senator Shapiro moves the adoption of
11. Amendment No. 1 to Senate Bill 530. Senator Buzbee.

12. SENATOR BUZBEE:

13. Yes, a question to the sponsor, Mr. President.

14. PRESIDENT:

15. Indicates he'll yield.

16. SENATOR BUZBEE:

17. Where...where do these funds come from, Senator Shapiro, that
18. will be used for this Student Employment Act?

19. SENATOR SHAPIRO:

20. From General Revenue and appropriated to the Board of Higher
21. Education for dispersement to the universities and colleges through-
22. out the State.

23. PRESIDENT:

24. Senator Buzbee.

25. SENATOR BUZBEE:

26. Well...I think there's a point that should be noted here. I
27. know it will be noted without much enthusiasm...with a lot of enthu-
28. siasm perhaps by some of the members, but there's a bill in the House
29. to raise the tuition scholarships for private colleges from thirteen
30. hundred and fifty dollars a year to fifteen hundred dollars a year.
31. We just added another six million dollars on in IBHE's budget the
32. other day to the private colleges. There's a twelve million dollar
33. bond...Capital Bond Program floating around here somewhere in the

1. Governor's Accelerated Bonding Program for private universities,
2. and at some point, I think we're going to have to decide who's
3. going to pay for the private universities, whether it's going to be
4. the private universities or whether it's going to be the citizens
5. of Illinois. And if we...I...as Senator Shapiro knows, I've been
6. a strong supporter of his legislation up to this point to...to provide
7. employment...more additional employment opportunities for students,
8. but if we're going to keep on giving away all of our public funds to
9. private universities, then there's not going to be any money left to
10. run these big, huge...publics that we've got sitting around with
11. empty classrooms right now.

12. PRESIDENT:

13. Any further discussion? Senator Shapiro moves the adoption of
14. Amendment No. 1 to Senate Bill 530. All in favor will say Aye.

15. SENATOR SHAPIRO:

16. Aye.

17. PRESIDENT:

18. Opposed Nay. Take...there's a request for a roll call. All
19. in favor of the adoption of the amendment will vote Aye. Opposed
20. will vote Nay. Take...the voting is open. Have all voted who wish?
21. Take the record. On this question, the Ayes are 34, the Nays are 19.
22. The amendment is adopted. Any further amendments? Amendment No. 2
23. by Senator Hickey.

24. SENATOR HICKEY:

25. As I understand it, Mr. President, that was simply an effective
26. date which we just added to the bill? Is that...is that...

27. PRESIDENT:

28. Senator Shapiro.

29. SENATOR HICKEY:

30. I didn't...I didn't see the...I didn't see the amendment.

31. SENATOR SHAPIRO:

32. Senator Hickey, it includes the...I amended in the private
33. colleges also and advanced the effective date to '76.

1. SENATOR HICKEY:

2. Oh, you...you amended private colleges into it?

3. SENATOR SHAPIRO:

4. Right. Right.

5. SENATOR HICKEY:

6. Did you add the community colleges?

7. SENATOR SHAPIRO:

8. No. No.

9. SENATOR HICKEY:

10. Amendment No. 2 which you have before you, I was not informed that
11. Senator Shapiro was going to add the...the private to...to this, and
12. so I prepared an amendment which would include both the privates and
13. the community colleges. It didn't seem to me that the private should
14. come ahead of the community colleges. It seemed to me that they
15. should come in at the same time. I will say that I think the total
16. bill is very unwise. I think that this kind of planning should come
17. through coordination of money spent on higher education throughout
18. the State and in every...in every direction, but inasmuch as the
19. private and the public universities are in it, I think the community
20. colleges should be in it too, and that's what this amendment does.
21. It...it..it includes all higher education.

22. PRESIDENT:

23. Any further discussion? Senator Shapiro.

24. SENATOR SHAPIRO:

25. Mr. President, first of all, is this amendment now in order in
26. view of the fact that Amendment No. 1 has been adopted?

27. PRESIDENT:

28. Mr. Secretary, the question is Amendment No. 1 having been adopted,
29. does Amendment No. 2 conflict or does it...or can it be placed on
30. this we'll have to look at the bill. Why don't we take it out of the
31. record a moment and make a judgement. Maybe he can tell now though.
32. That isn't a question. Senate be at ease for a moment. I think what
33. has happened now is that since the adoption of Amendment No. 1, the

1. language of Amendment No. 2 thereof a...different subject matter
2. cannot be engrafted on the basis of the language. May I make the
3. suggestion that we move the...that we move the bill to 3rd reading
4. with the understanding that a new amendment can be prepared satisfying
5. or addressing itself to your question, Senator Hickey, and then we
6. can bring that bill back after you have gotten that... we've redrafted it
7. and can do it. So, let the record show that Amendment No. 2 as of
8. this moment is withdrawn. Are there any further amendments? The
9. bill has gone to 3rd reading with the understanding that it will be
10. brought back for the offering of Amendment No. 2 when drafted. Senate
11. Bill 656, Senator Regner. Senator Nimrod.

12. SENATOR NIMROD:

13. Yes, Mr. President, this amendment is necessary to Senator
14. Regner's bill since he and I both had similiar bills, and I agreed
15. to Table my bill, and we did discuss this with the members of the
16. committee and Senator Dougherty. And it...it...it adds a section
17. that was not on Senator Regner's bill which allows for the proper
18. orderly change of the name of township boards from town auditors to
19. town trustees.

20. PRESIDENT:

21. Any further discussion? Senate...Senator...Senator Dougherty.

22. SENATOR DOUGHERTY:

23. Mr. President, I just wanted to say that what Senator Nimrod says
24. is correct.

25. PRESIDENT:

26. Senator Nimrod moves the adoption of Amendment No. 1 to Senate
27. Bill 656. All in favor will say Aye. Opposed Nay. The Ayes have
28. it. The amendment is adopted. Any further amendments? 3rd reading.
29. Senate Bill 698, Senator Shapiro.

30. SENATOR SHAPIRO:

31. Mr. President and Ladies and Gentlemen of the Senate, Senate
32. Bill 698 as introduced repealed an absolute act called the Telecom-
33. munications Act. It became absolute in 1969. We found out subsequent

1. to the introduction of the bill that the Illinois Office of Education
2. inherited an ongoing telecommunications program from OSPI. So, this
3. amendment, Amendment No. 1 which I would like to see adopted, accom-
4. plishes what the bill originally intended to do by abolishing the
5. obsolete Act. However, it takes out a section of that obsolete Act
6. word for word which gives the Illinois Office of Education the
7. authority to continue with their ongoing program that a...that they
8. have, and I would urge its adoption.

9. PRESIDENT:

10. Any further discussion? Senator Shapiro offers Amendment No. 1
11. and moves the adoption thereof to Senate Bill 698. All in favor will
12. say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted.
13. Any further amendments? 3rd reading. Senate Bill 704, Senator
14. Schaffer.

15. SENATOR SCHAFFER:

16. Senate Bill 704, there's one amendment on the Secretary's Desk
17. which I'd like to offer. This amendment was suggested by Senator
18. Rock and Senator Howard Mohr. Senate Bill 704 moves the Illinois
19. Scholarship Commission's office to Springfield as of July 1, 1977.
20. This amendment merely states that they shall establish offices in
21. Springfield and Chicago. This would allow them to keep the bulk of
22. their employees in the Chicago area and prevent hardship on the
23. employees. Move the adoption of the amendment.

24. PRESIDENT:

25. Senator Schaffer...any further discussion? Senator Schaffer
26. moves the adoption of Amendment No. 2 to Senate Bill 704. All in
27. favor will say Aye. Opposed Nay. The Ayes have it. The amendment
28. is adopted. Any further amendments? 3rd reading. Senate Bill 726,
29. Senator McCarthy.

30. SENATOR McCARTHY:

31. Yes, Mr. President, Senate Bill 726 on 3rd, Senator Hall, Harber
32. Hall, asked if he could add an amendment to the bill, and I told him
33. in committee that I would accept the amendment, and I understand the

1. amendment is on the Secretary's Desk.

2. PRESIDENT:

3. Do we have the amendment? Would you care to explain it, Senator
4. Harber Hall.

5. SENATOR HALL:

6. Mr. President, Ladies and Gentlemen of the Senate, this amend-
7. ment simply adds to the Usury Act one word - farm, and that word
8. adds on to the sentence - the term business shall be deemed to mean
9. a commercial or industrial, and then we add - or farm enterprise
10. which is carried on for the purpose of investment. This has been
11. needed for many years in Illinois because we couldn't make business
12. loans to farmers. This would change without violating the Usury
13. Act, and this makes that correction.

14. PRESIDENT:

15. Any further discussion? Senator McCarthy moves the adopt...
16. Senator Buzbee.

17. SENATOR BUZBEE:

18. A question to the sponsor of the amendment.

19. PRESIDENT:

20. ...question.

21. SENATOR BUZBEE:

22. It's my understanding that at the present time that only resi-
23. dential type loans are excluded in the Usury Act. Is that not true?
24. Generally residential type loans, in other words, farm loans at the
25. present time are not included. Is that not true?

26. PRESIDENT:

27. Not excluded. Senator Hall, I'm sorry.

28. SENATOR HALL:

29. The...the term farm has...has never been interpreted to...to be
30. included in the Usury Act or excluded because it wasn't specifically
31. mentioned. Business...loans made for the purpose of business have
32. been excluded from the Usury Act. The...the farm has been in a state
33. of limbo because most farms there is a house on the farm, and they

1. haven't known whether that the total enterprise including the house
2. was so...

3. SENATOR BUZBEE:

4. So, what is the effect of your amendment then, I'm sorry, I...
5. there was some discussion in front of me, and I didn't hear the
6. whole explanation.

7. SENATOR HALL:

8. It is...the effect of my amendment would be that a farm enter-
9. prise conducted for the purpose of business or investment, even
10. though it included a house, would be excluded from the Usury Act.

11. PRESIDENT:

12. Senator Buzbee.

13. SENATOR BUZBEE:

14. Will it be excluded? In other words, they could charge above
15. the current interest rate under the Usury Act?

16. PRESIDENT:

17. Any further discussion? Senator Hall moves the adoption of
18. Amendment No. 3 to Senate Bill 726. All in favor will say Aye.
19. Opposed Nay. Ayes have it. The amendment is adopted. Any further
20. amendments? 3rd reading. Senate Bill 753, Senator Vadalabene.

21. SENATOR VADALABENE:

22. Yes, thank you, Mr. President and members of the Senate. I have
23. two bills...two amendments and I'd like to move for Amendment No. 1
24. first.

25. PRESIDENT:

26. Senator Vadalabene is recognized.

27. SENATOR VADALABENE:

28. Amendment No. 1 to Senate Bill 753 conveys three acres of land
29. from the Director of Children and Family Services to the City of
30. Maryville for the construction of a water tower, and I move for its
31. adoption.

32. PRESIDENT:

33. Any further discussion? Senator Vadalabene moves the adoption

1. of Amendment No. 1 to Senate Bill 753. All in favor will say Aye.
2. Opposed Nay. Ayes have it. The...amendment is adopted. Amendment
3. No. 2, Senator Vadalabene.

4. SENATOR VADALABENE:

5. Thank you, Mr. President. Amendment No. 2 is an agreed amend-
6. ment in committee which strengthens the bill, and what it actually
7. does it...that the Illinois University at Edwardsville on the express
8. condition that the said real property be maintained in its natural
9. state and that if said property is not so maintained, it shall revert
10. to the Illinois Department of Conservation. And I move for its
11. adoption.

12. PRESIDENT:

13. Any further discussion? Senator Vadalabene moves the adoption
14. of Amendment No. 2 to Senate Bill 753. All in favor will say Aye.
15. Opposed Nay. The Ayes have it. The amendment is adopted. Any
16. further amendments? 3rd reading. Senate Bill 767, Senator Regner.

17. SENATOR REGNER:

18. Yes, Mr. President and members of the Senate, the amendment
19. that the Secretary has on his desk merely adds an effective date to
20. 767. I would move for its adoption.

21. PRESIDENT:

22. Any further discussion? Senator Regner moves the adoption of
23. Amendment No. 2 to Senate Bill 767. All in favor will say Aye.

24. SENATOR REGNER:

25. Aye.

26. PRESIDENT:

27. Opposed Nay. The amendment is adopted. Any further amendments?
28. 3rd reading. Senate Bill 783, Senator Philip. Senator Philip.
29. Senator Pate Philip. Senator Pate Philip from DuPage County. County
30. Chairman, Pate Philip. Senate Bill 783.

31. SENATOR PHILIP:

32. I'm sorry, Mr. President. I'd ask leave to...

33. PRESIDENT:

1. So am I.

2. SENATOR PHILIP:

3. ...move Senate Bill 783 back to 2nd reading for the purpose of
4. an amendment.

5. PRESIDENT:

6. It is on 2nd reading. Amendment No. 1.

7. SENATOR PHILIP:

8. Okay, ...Amendment No. 1...in the first place, 783 is a...is an
9. amendment to an Act relating to counties and allows an increase in
10. tax rates for the purpose of election. And what Amendment No. 1 does...

11. PRESIDENT:

12. Just a moment.

13. SENATOR PHILIP:

14. Mr. President, I apologize. They don't have the amendment.

15. PRESIDENT:

16. One...one moment. One moment.

17. SENATOR PHILIP:

18. I turned the amendment in about at least ten days ago.

19. PRESIDENT:

20. Well, I'm sure we have it. Do you have a copy? Do you have
21. any copies of it? Let's...let's take it out of the record.

22. SENATOR PHILIP:

23. Yes.

24. PRESIDENT:

25. We'll get some copies made, and then we'll get right back to
26. it. Senate Bill 800, Senator Graham.

27. SENATOR GRAHAM:

28. Mr. President, I'd like leave to remove this bill back to the
29. order of 2nd reading.

30. PRESIDENT:

31. Senator, it is on 2nd reading. All of these...

32. SENATOR GRAHAM:

33. It's on 2nd reading. You're right.

1. PRESIDENT:

2. Tire... entire list is.

3. SENATOR GRAHAM:

4. Then at this time, according to your discussion, I have a...
5. Senator, last week, indicated there was a mistake on the bill, and
6. there is. I would like at this point in time to move to Table.
7. Senator Rock brought this to my attention. Move to Table Committee
8. Amendment on Senate Bill 800 and introduce an corrective amendment.

9. PRESIDENT:

10. Senator...Senator Graham moves to...

11. SENATOR GRAHAM:

12. Senator Rock is familiar with this. He caught it last week and...

13. PRESIDENT:

14. Senator Rock on the Floor?

15. SENATOR GRAHAM:

16. Table Committee Amendment. Is that Amendment No. 1?

17. PRESIDENT:

18. Senator Rock, we're addressing Senate Bill 800. Senator Graham
19. desires...

20. SENATOR GRAHAM:

21. He...he told me last week it was wrong. I'm trying to correct
22. it, Senator, and you were right. Yes...

23. PRESIDENT:

24. Is it Amendment No. 1?

25. SENATOR ROCK:

26. Yes, I think Amendment...I pointed out last week that I thought
27. it was technically incorrect, and it turns out that we were correct.

28. PRESIDENT:

29. Senator Graham moves to reconsider...now, the record shows that
30. Amendment No. 1 has heretofore been Tabled, and we then adopted
31. Amendment No. 2. Is this motion now to...is...you have...the amend-
32. ment you're offering now is actually No. 3. Now, is that to replace
33. No. 2?

1. SENATOR GRAHAM:

2. That's right...and we're Tabling...we're Tabling prior amend-
3. ments, so...so I'm informed. Both amendments are on the bill, and
4. these two amendments take...there's two amendments today that will
5. take care of the incorrections in the other two amendments. So, let's
6. Table the amendments that have now been adopted to the bill.

7. PRESIDENT:

8. Senator Graham...moves to reconsider the vote by which Amend-
9. ment No. 2 was adopted. All in favor of reconsideration say Aye.
10. Opposed Nay. Amendment No. 2 is now under reconsideration. Senator
11. Graham now moves to Table Amendment No. 2. All in favor will say
12. Aye. Opposed Nay. Amendment No. 2 is Tabled. Amendment No. 3,
13. Senator Graham.

14. SENATOR GRAHAM:

15. Amendment No. 3 merely provides for underlining the new language
16. in the bill, and I move its adoption.

17. PRESIDENT:

18. Senator...any further discussion? Senator Graham moves the
19. adoption of Amendment No. 3 to Senate Bill 800. All in favor will
20. say Aye. Opposed Nay. Amendment No. 3 is adopted. Any further
21. amendments?

22. SENATOR GRAHAM:

23. One more.

24. PRESIDENT:

25. Amendment No. 4, Senator Graham.

26. SENATOR GRAHAM:

27. Amendment No. 4 was incorporated, the language in the amendment
28. that was incorrect before, that provides that this alternate and this
29. unit, it cannot do anything more than serve as an alternate in an
30. advisory capacity and not be involved in the planning and the zoning
31. of municipalities. This is an agreed amendment. It does exactly
32. what we want the bill to do, and I move its adoption.

33. PRESIDENT:

1. Any further discussion? Senator Graham moves the adoption of
2. Amendment No. 4 to Senate Bill 800. All in favor will say Aye.
3. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Any
4. further amendments? 3rd reading. Senate Bill 783, Senator Philip.

5. SENATOR PHILIP:

6. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
7. Amendment No. 1 to Senate Bill 783 merely makes the bill applicable
8. only to DuPage County. I move the adoption of Amendment No. 1 to
9. 783.

10. PRESIDENT:

11. Any further discussion? Senator Philip moves the adoption of
12. Amendment No. 1 to Senate Bill 783. All in favor will say Aye.
13. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any
14. further amendments? 3rd reading. Senate Bill 836, Senator McCarthy.

15. SENATOR MCCARTHY:

16. Yes, Mr. President, Senator Merritt has...Senator Merritt has an
17. amendment to 836, and I'm pleased to accept his amendment. Senator
18. Merritt, if you'd care to explain it or...

19. PRESIDENT:

20. Senator Merritt.

21. SENATOR MERRITT:

22. Mr. President, members of the Senate, Senate Bill 836 in its
23. original form created the Decatur Metropolitan Exposition Auditorium
24. and Office Building Authority. Amendment No. 1 now on the Secretary's
25. Desk merely includes the City of Danville, and as I...Senator McCarthy
26. has indicated, he's in agreement with it. I would move for its
27. adoption.

28. PRESIDENT:

29. Any further discussion? Senator Merritt offers Amendment No. 1
30. and moves its adoption to Senate Bill 836. All in favor will say
31. Aye. Opposed Nay. The Ayes have it. The amendment is adopted.
32. Any further amendments?

33. SENATOR MERRITT:

1. Now, Mr. President...

2. PRESIDENT:

3. Senator Merritt.

4. SENATOR MERRITT:

5. Might I have leave of the Body to now be shown as a cosponsor
6. of Senate Bill 836?

7. PRESIDENT:

8. Is there leave? Leave is granted. 3rd reading. Senate Bill
9. 857, Senator Regner.

10. SENATOR REGNER:

11. Yes, Mr. President, members of the Senate, I have an amendment
12. that will be a replacement for the one on the bill now. When I had
13. the original amendment from the Reference Bureau, they had to correct
14. some of the underlining. So, I would now move that having voted on
15. the prevailing side that we reconsider the vote by which Amendment
16. No. 2 was adopted.

17. PRESIDENT:

18. Senator Regner moves to reconsider the vote by which Amendment
19. No. 2 was adopted. All in favor say Aye. Opposed Nay. It's under
20. ...reconsideration. Senator Regner...

21. SENATOR REGNER:

22. Now moves to Table Amendment No. 2.

23. PRESIDENT:

24. ...now moves to Table Amendment No. 2. All in favor will say
25. Aye. Opposed Nay. Amendment No. 2 is Tabled. Amendment No. 3,
26. Senator Regner.

27. SENATOR REGNER:

28. Which is the same amendment as 2 was other than it has the
29. correct underscoring on it which the Reference Bureau corrected, and
30. I now move we adopt Amendment No. 3 to Senate Bill 857.

31. PRESIDENT:

32. Any further discussion? Senator Regner moves the adoption of
33. Amendment No. 3 to Senate Bill 857. All in favor will say Aye.

1. Opposed Nay. Ayes have it. Amendment No. 3 is adopted. Any further
2. amendments? 3rd reading. Senate Bill 892, Senator Davidson.

3. SENATOR DAVIDSON:

4. Mr. President, this Amendment No. 1 to 892 is to correct a
5. situation so that...make sure that the property would be insured
6. if it was requested in the committee when it was heard, and I made
7. this agreement with Senator Carroll. I would do it. Also, at the
8. same time, in the amendment is a correction on a page which Senator
9. Rock had caught that we need to put the word real estate and its
10. improvement rather than the word land. This has been cleared with
11. the Democratic staff member and our staff people, and as far as I
12. know, there's no questions.

13. PRESIDENT:

14. Any further discussion? Senator Davidson moves Amendment No. 1
15. to Senate Bill 892. All in favor will say Aye. Opposed Nay. The
16. Ayes have it. Amendment No. 1 is adopted. Any further amendments?
17. 3rd reading. Senate Bill 943, Senator Don Moore.

18. SENATOR MOORE:

19. Thank you, Mr. President. Senate...Amendment to Senate Bill 943
20. adds Section 2 that states the amendatory act shall take effect
21. July 1, 1976, was requested by the Clerk of the Circuit Court of
22. the County of Cook. It will take them that long in order to get the
23. implementation necessary. We have no objections to the department,
24. and I would move the adoption of the amendment, Mr. President.

25. PRESIDENT:

26. Any further discussion? Senator Moore moves the adoption of
27. Amendment No. 2 to Senate Bill 943. All in favor will say Aye.

28. SENATOR MOORE:

29. Aye.

30. PRESIDENT:

31. Opposed Nay. Ayes have it. Amendment No. 2 is adopted. Any
32. further amendments? 3rd reading. Senate Bill 1084, Senator
33. Davidson.

1. SENATOR DAVIDSON:

2. 1084 is a bill corrects the transitional period from the
3. Office of Education. This amendment is requested by the Office of
4. Education who gave me the bill. It clarifies the starting date of
5. January 13th, '75 for the board members. The other part of the
6. amendment brings in correction what the Attorney General's ruling
7. was - a majority of the people...appointed to the board so they
8. can have a board meeting. As you know, there's only thirteen members
9. on the board now, and this clarifies that seven majority can vote
10. rather than have to have nine in case seventeen would be the majority.
11. This has been cleared by both staffs and put forth by the Office
12. of Education. Move the adoption of the amendment.

13. PRESIDENT:

14. Any further discussion? Senator Davidson moves the adoption
15. of Amendment No. 1 to Senate Bill 1084. All in favor will say Aye.
16. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any
17. further amendments? 3rd reading. Senate Bill 1093, Senator Weaver.

18. SENATOR WEAVER:

19. Mr. President, this amendment makes it very clear by striking
20. the word person and...and adding officer or employee of a unit of
21. local government. It's clarifying language, and I'd move the
22. adoption.

23. PRESIDENT:

24. Any further discussion? Senator Weaver moves the adoption of
25. Amendment...No. 1 to Senate Bill 1093. All in favor will say Aye.
26. Opposed Nay. The amendment is adopted. Any further amendments?
27. 3rd reading. Senate Bill 1131, Senator Vadalabene. Senator Vadalabene.

28. SENATOR VADALABENE:

29. Yes, Amendment No. 1 to Senate Bill 1131 is an amendment which
30. was agreed by Senator Harris in committee that we would put this
31. on on...2nd reading.

32. PRESIDENT:

33. Is there any further discussion? Senator Vadalabene moves the

1. adoption of Amendment No. 1 to Senate Bill 1131. All in favor will
2. say Aye. Opposed Nay. Ayes have it. The amendment is adopted.
3. Any further amendments? 3rd reading. Senate Bill 1139, Senator
4. Carroll.

5. SENATOR CARROLL:

6. Would you hold that bill? We're having a problem with the
7. staff on the...the language of the amendment.

8. PRESIDENT:

9. Senate Bill 1147, Senator Don Moore.

10. SENATOR MOORE:

11. Thank you, Mr. President and members of the Senate. There were
12. three amendments that were placed on Senate Bill 1147, which bill does
13. have the approval of the Department of Public Aid, incidentally.
14. After these amendments were put on, the Department determined that
15. there were technical errors in these three amendments. So, I have
16. on the Secretary's Desk Amendments 4, 5 and 6 that replace amendments
17. ...that will replace Amendments No. 1, 2 and 3. So, I would now move,
18. Mr. President, to Table Amendments No. 1, 2 and 3 to Senate Bill 1147.

19. PRESIDENT:

20. Senator Rock, for what purpose do you arise?

21. SENATOR ROCK:

22. Yes, I rise in support of Senator Moore's motion. I think he
23. has to reconsider the vote by which those three were adopted. I've
24. spoken with the director of the department. These are department
25. amendments, and I would urge support.

26. SENATOR MOORE:

27. I move to reconsider the vote by which Amendments No. 1, 2 and
28. 3 were adopted, Mr. President.

29. PRESIDENT:

30. Senator Moore moves to reconsider the vote by which Amendments
31. Numbers 1, 2 and 3 were adopted. All in favor will vote Aye. Opposed
32. Nay. The amendments are reconsidered. Senator Moore now moves to
33. Table Amendment Numbers 1, 2 and 3 to Senate Bill 1147. All in favor

1. will say Aye. Opposed Nay. The three amendments are Tabled.

2. Amendment No. 4, Senator Moore.

3. SENATOR MOORE:

4. Amendment No. 4 replaces Amendment No. 1, and I move its
5. adoption, Mr. President.

6. PRESIDENT:

7. Senator Moore moves the adoption of Amendment No. 1. All in
8. favor will say Aye.

9. SENATOR MOORE:

10. Aye.

11. PRESIDENT:

12. Opposed Nay. Amendment No. 1 is adopted. Amendment No. 5,

13. Senator Moore.

14. SENATOR MOORE:

15. Amendment No. 5 replaces Amendment No. 2 that was previously
16. Tabled, and I move its adoption, Mr. President.

17. PRESIDENT:

18. Senator Moore moves the adoption of Amendment No. 2...5. All
19. in favor will say Aye.

20. SENATOR MOORE:

21. Aye.

22. PRESIDENT:

23. Opposed Nay. Amendment No. 5 is adopted. Amendment No. 6,

24. Senator Moore.

25. SENATOR MOORE:

26. Amendment No. 6 replaces Amendment No. 1, and I move its
27. adoption, Mr. President.

28. PRESIDENT:

29. Senator Moore moves the adoption of Amendment No. 6. All in
30. favor will say Aye.

31. SENATOR MOORE:

32. Aye.

33. PRESIDENT:

1. Opposed Nay. ...Amendment No. 6 is adopted. Any further
2. amendments? 3rd reading. Senate Bill 1165, Senator Bruce.

3. SENATOR BRUCE:

4. Yes, Mr. President, I have an amendment which changes, a technical
5. amendment, which changes the word Madison with a "d" to Matteson with a
6. "t." I move its adoption.

7. PRESIDENT:

8. Senator Bruce moves the adoption of Amendment No. 1 to Senate
9. Bill 1165. All in favor will say Aye. Opposed Nay. Amendment is
10. adopted. Any further amendments? 3rd reading. Senate Bill 1179,
11. Senator Bruce.

12. SENATOR BRUCE:

13. Yes, Mr. President, this deals with the increase in the downstate
14. firemen and policemen's contribution rate. The Pension Laws Commission
15. and the committee stated that there would have to be a matching con-
16. tribution by the participants in the system and a one half percent
17. increase for the municipalities before they would approve the bill.
18. The bill was passed out of committee with that understanding. This
19. is the amendment that meets with the approval of Senator Shapiro,
20. Senator Berning and Senator Newhouse. I move its adoption.

21. PRESIDENT:

22. Senator Bruce moves the adoption of Amendment No. 1 to Senate
23. Bill 1179. All in favor will say Aye. Opposed Nay. The Ayes have
24. it. The amendment is adopted. Senate Bill 1247, Senator Rock.
25. Pardon me. Any further amendments on 1179? 3rd reading. 1247,
26. Senator Rock.

27. SENATOR ROCK:

28. Yes, I'm asking leave, Mr. President, to move 1247 back to the
29. order of 2nd reading for the purpose of an amendment.

30. PRESIDENT:

31. It's on 2nd reading.

32. SENATOR ROCK:

33. Thank you, Mr. President. Amendment No. 2, as you will recall,

1. this is the bill that provides for civil service class...classifi-
2. cation in certain counties. I agreed in committee at Senator
3. Weaver's request to raise the number...the bottom number to two
4. hundred and fifty thousand which Amendment No. 1 did that, but I
5. failed to also amend the title. Amendment No. 2 would merely delete
6. the words...or the number a hundred and fifty thousand on...in Line 3,
7. and insert two hundred and fifty thousand. It merely changes the
8. title. I would move its adoption.

9. PRESIDENT:

10. Senator Rock moves the adoption of Amendment No. 2. I don't
11. think we have a copy of the amendment here. Senator Philip.

12. SENATOR PHILIP:

13. Yeah, I...I'd like to ask the sponsor a question.

14. PRESIDENT:

15. He indicates he'll yield. Senator Philip.

16. SENATOR PHILIP:

17. What...what is the...the amendment does what in effect, Senator
18. Rock. It takes those counties out under what population?

19. PRESIDENT:

20. Senator Rock.

21. SENATOR ROCK:

22. Two hundred and fifty thousand.

23. PRESIDENT:

24. Senator Philip.

25. SENATOR PHILIP:

26. I...I would like to ask this question. What's the reason for
27. the amendment? If you're going to do it, you might as well make it
28. applicable to all counties.

29. PRESIDENT:

30. Senator Rock.

31. SENATOR ROCK:

32. The reason for the amendment is the bill was introduced. I think
33. it applied to fifteen or sixteen counties, I think, with the bill as

1. amended. This way it applies only to eight or nine, and that was
2. the...it was done at Senator Weaver's request.

3. PRESIDENT:

4. Senator Philip.

5. SENATOR PHILIP:

6. Well, what...what...what's the rationale just to make it to
7. apply to eight counties. What's wrong with the other ninety some
8. counties in the State of Illinois?

9. PRESIDENT:

10. Senator Rock.

11. SENATOR ROCK:

12. Well, the...the idea being that a line has to be drawn somewhere,
13. and I attempted by introduction of the bill to draw it at counties
14. of a hundred and fifty thousand. It was suggested to me that two
15. hundred and fifty would be more appropriate.

16. PRESIDENT:

17. Senator Weaver.

18. SENATOR WEAVER:

19. It was also suggested that five hundred thousand would be
20. acceptable.

21. PRESIDENT:

22. Senator Philip.

23. SENATOR PHILIP:

24. I...I'm going to oppose the amendment. I...I personally think this,
25. ...if your motive is obviously political, and I understand that, and
26. it doesn't bother me at all, and if you're going to make it for...for
27. counties over three hundred thousand, you might as well make it for
28. everybody. If it's good for Cook County, if it's good for DuPage
29. County, it ought to be good for Moultrie County. It ought to be good
30. for Hardin County, etc. And I think if you're going to do it, let's
31. do it for everybody.

32. PRESIDENT:

33. Senator Philip, I...I think the amendment only addresses itself

1. to the title of the bill. I think the argument you proffer now is
2. an argument that is certainly pertinent and germane on 3rd reading.
3. This amendment only relates to the title, a change of the title.

4. SENATOR PHILIP:

5. Thank you, Mr. President. If we had a copy amendment, maybe
6. we'd be better informed.

7. PRESIDENT:

8. There's one right there on your desk, a little closer. Any
9. further amendments? All in favor of the Adoption?
10. of Amendment No. 2 to Senate Bill 1247 say Aye. Opposed Nay. The
11. amendment is adopted. Any further amendments? 3rd reading. Senate
12. Bill 1257, Senator Welsh.

13. SENATOR WELSH:

14. Thank...thank you, Mr. President. Amendment No. 1 to 1257 is
15. a...an amendment requested by the Legislative Reference Bureau to
16. correct spelling, misspelled words in the original drafting of the...
17. of the original bill. I move for its adoption, Mr. President.

18. PRESIDENT:

19. Any further discussion? Senator Welsh moves the adoption of
20. Amendment No. 1 to Senate Bill 1257. All in favor will say Aye.
21. Opposed Nay. Ayes have it. Amendment is adopted. Any further
22. amendments? 3rd reading. Senate Bill 1297, Senator Bruce.

23. SENATOR BRUCE:

24. Yes, Mr. President, the committee asked that amendment be added
25. to Senate Bill 1297 to make it clear that the posting required for
26. examinations for employment with the State of Illinois be only in one
27. place in each building where employees work. They also desire that
28. any reference to county preference be deleted. The amendment makes
29. those two changes, and I move its adoption.

30. PRESIDING OFFICER (SENATOR DONNEWALD):

31. Is there further discussion? The question is shall Amendment
32. No. 1 to Senate Bill 1297 pass. All those in favor say Aye. All
33. those opposed No. The Ayes have it. The amendment is adopted. Are

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1. there further amendments? 3rd reading. Senate Bill 1369, Senator
2. Bruce. Read the bill...or no. Senator Bruce.

3. SENATOR BRUCE:

4. Yes, Mr. President, Senate Bill 1369 deals with certificated
5. nurses in schools. The Nursing Association and the school boards
6. were all in agreement. The effective date of the statute should be
7. changed from January 1 of 1976 to July, and that is the effect of the
8. amendment, and I move its adoption.

9. PRESIDING OFFICER (SENATOR DONNEWALD):

10. Is there further discussion? All those in favor of Amendment
11. No. 1 to Senate Bill 1369 indicate by saying Aye. All those opposed
12. No. The Ayes have it. The amendment is adopted. Are there further
13. amendments? 3rd reading. 1392, Senator Bruce.

14. SENATOR BRUCE:

15. Yes, Mr. ...yes, Mr. President and members, Senate Bill 1392,
16. Amendment No. 2 deals with deleting the part of the bill that deleted
17. the home rule unit restriction that, if I may call the members'
18. attention, that was in committee. The bill presently applies to
19. home rule units. This amendment would make it still apply to home
20. rule units. I'd move the adoption of the amendment.

21. PRESIDING OFFICER (SENATOR DONNEWALD):

22. Is there further discussion? All those in favor of Amendment
23. No. 2 to Senate Bill 1392 indicate by saying Aye. All those opposed
24. No. The Ayes have it. The amendment is adopted. Are there further
25. amendments? 3rd reading. Senate Bill 1477, Senator Carroll.

26. SENATOR CARROLL:

27. Thank you, Mr. President. This is a technical amendment to
28. eliminate the clarifying language. I would move its adoption.

29. PRESIDING OFFICER (SENATOR DONNEWALD):

30. Is there further discussion? All those in favor of Amendment
31. No. 1 to Senate Bill 1477 indicate by saying Aye. All those opposed
32. No. The Ayes have it. The amendment is adopted. Are there further
33. amendments? 3rd reading. Senate Bill 1489, Senator Hynes.

1. SENATOR HYNES:

2. Senate Bill 1489 is a supplemental appropriation to the Office
3. of Education, and I would offer Amendment No. 1 which reduces the
4. reimbursement for special education programs by one point six million
5. dollars. The latest figures the office has available indicate that
6. the reduced amount would be sufficient. It also adds three hundred
7. thousand dollars for the luncheon and breakfast program or there
8. will be a deficiency. The net result of the amendment is a one point
9. three million reduction. I move the adoption of the amendment.

10. PRESIDING OFFICER (SENATOR DONNEWALD):

11. Is there further discussion? All those in favor of adopting
12. Amendment No. 1 to Senate Bill 48...1489 indicate by saying Aye.
13. All those opposed No. The Ayes have it. The amendment is adopted.
14. Are there further amendments? 3rd reading. Senator Knuppel, Senate
15. Bill 360.

16. SENATOR KNUPPEL:

17. I have an amendment on the Secretary's Desk, if the bill will...
18. this amendment reduces the penalty that's provided in the original
19. bill, in one instance from ten to two, and I move the adoption of
20. the amendment.

21. PRESIDING OFFICER (SENATOR DONNEWALD):

22. Is there further discussion? All those in favor of...of
23. Amendment No. 2 indicate by saying Aye, that is to Senate Bill 360.
24. All those opposed No. The Ayes have it. The amendment is adopted.
25. Are there further amendments? 3rd reading. Senate Bill 364, Senator
26. Knuppel.

27. SENATOR KNUPPEL:

28. The amendment has been distributed for 364. It's an extensive
29. amendment in detail. It's been worked out between the Department
30. of Agriculture and the...industry. I move the adoption of the
31. amendment.

32. PRESIDING OFFICER (SENATOR DONNEWALD):

33. Is there further discussion? All those in favor of Amendment

1. No. 2 to Senate Bill 364 indicate by saying Aye. All those opposed
2. No. The Ayes have it. The amendment is adopted. Are there further
3. amendments? 3rd reading. Senate Bill 641, Senator Netsch. Is
4. Senator Netsch on the Floor? Senator Netsch. Senate Bill 671,
5. Senator Kenneth Hall.

6. SENATOR HALL:

7. Thank you, Mr. President and members of the Senate. I understand
8. that Senator Graham has an amendment that he would like to put on
9. this bill, and of course, I'm going to resist this amendment.

10. PRESIDING OFFICER (SENATOR DONNEWALD):

11. Senator Graham.

12. SENATOR GRAHAM:

13. Mr. President, I feel that the amendment I'm going to attempt
14. to offer is an improvement to the bill. I've been around here long
15. enough to be able to count. I'm not going to take up the time of
16. the Senate in an attempt to put this amendment on the bill.

17. PRESIDING OFFICER (SENATOR DONNEWALD):

18. Well, the amend...Senator Hall. Well, I...I think the proper
19. procedure then would be to take it out of the record.

20. SENATOR HALL:

21. He's going to take it out?

22. PRESIDING OFFICER (SENATOR DONNEWALD):

23. The...the amendments have not been offered...or the amendment.

24. SENATOR GRAHAM:

25. I was only indicating...

26. PRESIDING OFFICER (SENATOR DONNEWALD):

27. He withdrew it. So...

28. SENATOR GRAHAM:

29. ...I...I'd like to get out of here by August, and I'm not going
30. to take up the time on the argument on something I'm going to lose
31. anyway.

32. PRESIDING OFFICER (SENATOR DONNEWALD):

33. 3rd reading. Senator Johns, 4...Senate Bill 484.

1. SENATOR JOHNS:

2. Mr. President, I want to bring Senate Bill 484...

3. PRESIDING OFFICER (SENATOR DONNEWALD):

4. It's already back, Senator.

5. SENATOR JOHNS:

6. ...back for the purpose of amendment. Where's Senator Buzbee?

7. PRESIDING OFFICER (SENATOR DONNEWALD):

8. Senator Buzbee. Senator Carroll. Senator Netsch. Senator
9. Netsch, do you wish to proceed with 641?

10. SENATOR NETSCH:

11. Thank you. I'm on the phone trying to work out the amendment
12. right now. I'm sorry, Mr. President, I'm just not ready yet.

13. PRESIDING OFFICER (SENATOR DONNEWALD):

14. All right. Hold the bill. ... (Machine cut-off)... Buzbee, are
15. you now ready? (Machine cut-off)... Buzbee.

16. SENATOR BUZBEE:

17. Yes, Mr. President, on Senate Bill 484, this is a line item
18. addition to the Department of Mines and Minerals of three million
19. dollars for land acquisition, land reclamation and other expenses in
20. effectuating the purposes of and administering the Abandoned...Mined
21. Lands Reclamation Act which was enacted by the 78th General Assembly.
22. You'll recall that last year we had a...two bills then. The McMaster
23. Bill which strengthened the land...rather the strip mined land reclamation
24. process of those mines that are being...being stripped from this point
25. forward. Then we had the Boyle Bill which addressed itself to those
26. lands that had been stripped prior to the...any legislation being
27. enacted in the State of Illinois on strip mined land reclamation. Now,
28. these bills were both passed in the Legislature and were both signed
29. by the Governor. Unfortunately in...unfortunately in the Department
30. of Mines and Minerals budget request this year, there was no money
31. for the funding of the Boyle concept of the buying back and...and
32. starting to effectuate change in those old abandoned strip mined lands.
33. Now, the Governor's Office and the Lt. Governor's Office have both

1. said that they favor a three million dollar appropriation to this,
2. and that's what this amendment does. I would point out to you that
3. not only does it put three million dollars of State money to work,
4. but it also is seed money for a lot of Federal strip mined land recla-
5. mation...projects that will be coming down the line from the Jackson
6. Bill, which passed the United States Congress recently, and I
7. understand the President has either signed or is going to sign. And
8. this will give us seed money to get a lot of that kind of money in to
9. start getting some of this old land back on the tax rolls. And I
10. would ask for favorable support.

11. PRESIDING OFFICER (SENATOR DONNEWALD):

12. Is there further discussion? All those in favor of Amendment
13. No. 2 to Senate Bill 484 indicate by saying Aye. All those opposed
14. No. The Ayes have it. The amendment is adopted. Are there further
15. amendments? Senator Weaver.

16. SENATOR WEAVER:

17. Mr. President, Amendment No. 3 would delete forty-four thousand,
18. nine hundred dollars in various line items. This will be used or
19. proposed to be used for the mine rescue stations in St. Clair County.
20. This should be delayed until there are enough new mines opening in that
21. county to warrant this rescue station. As far as I'm concerned, last year
22. none of the six rescue stations were required to respond to a single
23. call. These men did nothing but spend two hours a week in training
24. other volunteers, and I think it's a poor expenditure, and I...this
25. is the purpose of this amendment.

26. PRESIDING OFFICER (SENATOR DONNEWALD):

27. Senator Johns.

28. SENATOR JOHNS:

29. Mr. President, he's told you this is designed to knock out a
30. subrescue station which serves also as a training center- mine
31. rescue, first aid training, for certification of approximately two
32. thousand miners. Having growing...having grown up in a coal field,
33. let me tell you that nothing in the way of dollars can replace the

1. loss of lives. Much growth is anticipated in the mining industry.
2. We have a new announcement that a new mine is just to be opened in
3. West Frankfort. A thousand miners will be hired. Why wait and take
4. a chance. Let's be on the alert. Let's train our people now and in
5. the proper manner. I would resist this amendment in every way that
6. I had possible.

7. PRESIDING OFFICER (SENATOR DONNEWALD):

8. Senator Buzbee.

9. SENATOR BUZBEE:

10. I would like to...I would like to point out to the Body that...
11. for those areas that have coal mining in them that these rescue
12. stations are sources of great comfort to those miners who go down
13. several hundreds of yards below the earth every day to...to do their
14. work, because when tragedy does strike as it almost did...when tragedy
15. does strike, the mine rescue station is there immediately to start
16. trying to get these people out from under the ground. It's a hard
17. place to do business. In this particular area, there is one mine
18. right now which employs something like eight hundred people. There's
19. going to be another mine shaft sunk within the next year or so, and
20. there will probably be another seven to eight hundred miners employed
21. in that particular mine. We're talking about the lives of coal
22. miners. I think that this appropriation is a small amount in return
23. for the safety of these people who work under the ground to dig the
24. coal.

25. PRESIDING OFFICER (SENATOR DONNEWALD):

26. Senator Hynes.

27. SENATOR HYNES:

28. I would concur in the remarks of Senators Buzbee and Johns, and
29. I think...think this amendment ought to be resisted.

30. PRESIDING OFFICER (SENATOR DONNEWALD):

31. Senator Weaver.

32. SENATOR WEAVER:

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

1. the State there's six of these stations, and last year they didn't
2. make that first call. And Senator, I think we probably would be
3. better off if we would contract with local fire departments throughout
4. the State to provide this service and save the total appropriations,
5. and I see no reason for adding another station in southern Illinois
6. when there's no mines opening yet in that area, and it's just a waste
7. of approximately forty-five thousand dollars.

8. PRESIDING OFFICER (SENATOR DONNEWALD):

9. Is there further discussion? Senator Johns.

10. SENATOR JOHNS:

11. When you've lived in a community and you see over a hundred
12. bodies stretched out in a high school gymnasium and the countless
13. thousands of people waiting and watching to know if any of their...
14. any further survivors, you wouldn't even consider this amendment.

15. PRESIDING OFFICER (SENATOR DONNEWALD):

16. Senator Buzbee, briefly.

17. SENATOR BUZBEE:

18. Yes, Mr. President, I think Senator Weaver's point was an
19. excellent one. There was not one call made last year by the mine
20. safety stations. My God I hope there's never another call ever
21. necessary, and if you talk about the local fire departments doing this
22. sort of job, I don't know too many of my firemen that know anything
23. about going underground to...to try to rescue miners that are trapped
24. in an explosion underground.. I hope we never have to have a call
25. made from any of these stations in the future, but if we do need...if
26. we do have to, it's too late that time to...at that time to start in
27. to train people to go in after them.

28. PRESIDING OFFICER (SENATOR DONNEWALD):

29. Is there further discussion? The question is shall Amendment
30. No. 3 to Senate Bill 484 pass. All those in favor say Aye. All
31. those opposed No. The Noes have it. The amendment is defeated.
32. There is a request for a roll call by, I believe, five people or more.
33. The question is shall Amendment No. 3 be adopted. All those in favor

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1. vote Aye. All those opposed No. The voting is open. Have all
2. those voted who wish? Take the record. On that question, the Ayes
3. are 22, the Nays are 24. The amendment fails. Any further amendments?
4. 3rd reading. Senator Carroll, are you ready on 1139? Senator Rock,
5. Senate Bill 37.

6. SENATOR ROCK:
7. Thank you, Mr. President. Leave has not already been granted,
8. I would ask leave to bring Senate Bill 37 back to the order of 2nd
9. reading for the purpose of amendments.

10. PRESIDING OFFICER (SENATOR DONNEWALD):

11. Leave has been granted.

12. SENATOR ROCK:

13. We are, it seems to me...

14. PRESIDING OFFICER (SENATOR DONNEWALD):

15. Would the gentleman behind Senator Rock give him a little room
16. and quiet so he can speak.

17. SENATOR ROCK:

18. Yesterday, we adopted sixteen where we are now at Amendment No. 17,
19. and I would yield to Senator Harris.

20. PRESIDING OFFICER (SENATOR DONNEWALD):

21. Senator Harris.

22. SENATOR HARRIS:

23. Amendment No. 17 authorizes the board to allot racing dates for
24. a period of up to three years. In the bill as introduced, this would
25. be mandatory at three years only. This language offered in Amendment
26. No. 17 would change that authority to permissive for up to three
27. years...

28. PRESIDING OFFICER (SENATOR DONNEWALD):

29. Just a moment, Senator. Would the Sergeant-at-Arms clear the
30. aisles and would the Senators be in their seats. Proceed.

31. SENATOR HARRIS:

32. Additionally, this amendment changes the time of year when the
33. dates hearings are to be held, from March to September. Currently, the

1. dates that hearings are held in the present law is November, which
2. is too late in the year. Additionally, March is...has been deter-
3. mined to be not quite such a satisfactory time because it's...doesn't
4. give the board the kind of information that it really ought to have
5. insofar as the results of the immediate preceding year. It would
6. have only some two months of experience to go on in connection with
7. considering the allocation of dates. I think this is a sound amend-
8. ment and would urge its adoption...I...and I so move.

9. PRESIDING OFFICER (SENATOR DONNEWALD):

10. Is there further discussion? Senator Rock.

11. SENATOR ROCK:

12. Well, I just want to point out this amendment, it was at the
13. suggestion of the members of the Racing Board, and I...I am in support
14. of it.

15. PRESIDING OFFICER (SENATOR DONNEWALD):

16. Is there further discussion? All...all those in favor of
17. Amendment No. 17 to Senate Bill 37 indicate by saying Aye. All those
18. opposed No. The Ayes have it. The amendment is adopted. Are there
19. further amendments? Amend...Amendment 18, Senator Rock.

20. SENATOR ROCK:

21. Thank you, Mr. President. Amendment No. 18 will be offered by
22. Senator Harris. It has my complete agreement, and I will yield to
23. Senator Harris.

24. PRESIDING OFFICER (SENATOR DONNEWALD):

25. Senator Harris.

26. SENATOR HARRIS:

27. Amendment No. 18 changes the present admission tax from forty
28. cents. It's a reduction. It's a consumer's amendment, if you please.
29. It reduces the admission's tax from forty cents down to fifteen cents.
30. When this is coupled with the authority that was granted in an amend-
31. ment of...considered and adopted yesterday, it would establish if the
32. local municipalities were to levy their ten cent admission...admission
33. tax, it could produce a net reduction of forty cents to twenty-five

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1. cents. We think this makes sense, and in the overall evaluation of
2. the revenue structure, we think this continued fifteen cent authority
3. is sound, rather than eliminating it entirely. The Board's original
4. position was to eliminate it entirely. In my discussions with them,
5. and I do not believe I can represent that they've taken official
6. action on this, but in my discussions with them, they support the
7. concept of a fifteen cent admissions tax, and they do support the
8. authority for the local municipalities to levy ten. So, I think
9. there's no problem on this. I think clearly it will result in a
10. savings to the public, and I move the adoption of Amendment No. 18.

11. PRESIDING OFFICER (SENATOR DONNEWALD):

12. Is there further discussion? All those in favor of Amendment
13. No. 18 indicate by saying Aye. All those opposed No. The Ayes have
14. it. The amendment is adopted. Senator Harris, I think you have
15. Amendment 19. Proceed.

16. SENATOR HARRIS:

17. Amendment No. 19 establishes what we believe will be an out-
18. standing breed incentive program. Now, Illinois was the first State
19. of any of the States to initially enact a Breeder Incentive Improve-
20. ment Program. Unfortunately, we really haven't kept pace, and in
21. recent years, many other States have improved their program, and we
22. have seen the actual breeding results within the borders of Illinois
23. diminish on a year to year basis. This program which would apply to
24. thoroughbred and standardbred alike. These is no thoroughbred
25. program in Illinois today, only a Standardbred Incentive Program.
26. This would equalize that and treat the two major breeds for both
27. harness and flat racing and emulate significantly the Maryland Program,
28. which is the most successful in the country. I also would...should
29. point out that this program will be administered by the Department
30. of Agriculture. I think it's a very sound addition to our Act and
31. would move its adoption.

32. PRESIDING OFFICER (SENATOR DONNEWALD):

33. Senator Rock.

1. SENATOR ROCK:

2. Thank you. I would point out for the benefit of the members of
3. the committee that this amendment takes the place of Committee Amend-
4. ment No. 12 which I Tabled. Some revision had to be made. I think
5. we've worked it all out, and it...it is an agreed amendment. I would
6. urge its adoption.

7. PRESIDING OFFICER (SENATOR DONNEWALD):

8. Is there further discussion? Question is shall Amendment No. 19
9. pass. All those in favor say Aye. All those opposed No. The Ayes
10. have it. The amendment is adopted. Senator Harris on Amendment No. 20.

11. SENATOR HARRIS:

12. Yes, Mr. President, I want to refer back to Amendment No. 18 for
13. a moment because I went into detail about the admissions tax. In
14. addition, 18 also incorporates the new tax structure and changes the
15. effective date of the bill from July 1st, '75 to October 1st of '75,
16. and as relates to the tax structure and the breeding program, those
17. would become effective on January 1st of 1976. Now, there is clearly
18. some loss in revenue of the tax structure. We acknowledge that and
19. ...so does the Board. We also, if this bill ultimately becomes law
20. make provisions for additional racing dates so that the net result
21. will actually be an eventual significant increase in revenues. The
22. Board is very much in favor of a new tax structure that would provide
23. for relief for the downstate associations, and this is consistent with
24. their suggestion in that regard, and I think it's a very sound approach
25. and just wanted to make that point clear. We have already adopted
26. that amendment. Now, with respect to Amendment...let's see, we have
27. adopted Amendment 19 also. We are now considering Amendment No. 20.
28. PRESIDING OFFICER (SENATOR DONNEWALD):

29. That's correct.

30. SENATOR HARRIS:

31. Amendment No. 20 is an amendment that would prohibit any racing
32. organization or a person owning five percent of a racing organization
33. from making political contributions to the same class of people that

1. were set forth in the definition of public officials in an amendment
2. that we adopted yesterday. Now, those public officials are persons
3. holding office at the State level, state-wide elected officials,
4. members of the General Assembly, and members of the Judiciary. Addi-
5. tionally, this would make clear the fact that such persons, either
6. racing associations or a person as an individual who owns five percent
7. of a racing organization, would be permitted to make political contri-
8. butions to local elections such as school board elections, park
9. district elections and that sort of thing. We are trying to draw the
10. distinction of not disenfranchising the full political opportunity
11. for engagement in local act...political activity, but as relates to
12. the potential consideration of State policy questions as relates to
13. racing organizations, there is a clear prohibition against political
14. contributions at the State level. The Board's position on this is
15. consistent with mine on this, and I would urge the adoption of this
16. amendment.

17. PRESIDING OFFICER (SENATOR DONNEWALD):

18. Is there further discussion? Senator Rock.

19. SENATOR ROCK:

20. Well, with respect to the first nineteen amendments, Senator
21. Harris and I have been on the same wavelength. This one, however,
22. I...I would rise in opposition to amend...proposed Amendment No. 20.
23. I think it's a policy question that we in the General Assembly have
24. to confront. I'm afraid, frankly, that this type of language is
25. unconstitutional. Now, there was a recent case in the County of Cook
26. where the...that similar provision with respect to...in the Dram Shop
27. Act was held to be unconstitutional, and rightfully so, and rather
28. than foul up this bill with what appears to be an unconstitutional
29. provision, I would urge opposition to Amendment No. 20.

30. PRESIDING OFFICER (SENATOR DONNEWALD):

31. Senator Buzbee.

32. SENATOR BUZBEE:

33. Well, I...I was going to ask the sponsor a question. I understand

1. and agree with the thrust of your amendment to obviate some problems
2. we've had in the past in the State of Illinois, but my question is,
3. I think there's a...a bill floating around here somewhere to change
4. the Dram Shop Act which...to get away from this concept, and now we're
5. going to put it into the Racing Act, and I'm really kind of confused
6. right now as to...I...I...like I said, I agree with your thrust, but
7. I think maybe it is a constitutional question, and I think that we're
8. denying these folks the...their constitutional rights.

9. PRESIDING OFFICER (SENATOR DONNEWALD):

10. Senator Harris.

11. SENATOR HARRIS:

12. Well, Senator Buzbee, I do want to respond. This prohibition
13. exists in the existing law. We put it in about two years ago. The
14. problems that have come to attention predated that amendment which
15. was an amendment to a bill that I had introduced and which was
16. amended over in the House and came back here, and we concurred in it.
17. I think that was in '71 that we concurred in that. It might have been
18. in the '72 Session. That's in the law in the Racing Act now. I think
19. it's a completely separate question from the matter of the Dram Shop
20. Act, and I know Representative Giorgi has a bill that would delete
21. the prohibition of political contributions as relates to insurance
22. companies. I...I approve of that because that gets down to almost an
23. individual question, and I think there is a distinction. I think in
24. this quite sensitive matter of legalized gambling as relates to pari-
25. mutuel betting, and its important revenue consideration to the State
26. of Illinois, and those questions have been constitutionally affirmed
27. as a result of litigation that...dates way back to the late twenties
28. when the matter was first enacted here in Illinois. I think there is
29. ...there is a sound reason to proceed with this. If, in fact, there
30. is a constitutional question, I think we deal with that time after time,
31. and the real authority for that is ultimately judicial determination
32. on the question. I think this is a sound prohibition, and as Senator
33. Rock has indicated, this is the only matter on which we happen to be

1. going separate directions. On all the other preceding nineteen
2. amendments, and we've worked really quite diligently to come up
3. with a I think what will be really an outstanding statement of public
4. policy as relates to the overall question of racing in Illinois. So,
5. I think we just have to be on our own on this question and make a
6. determination. This...

7. PRESIDING OFFICER (SENATOR DONNEWALD):

8. Is...

9. SENATOR HARRIS:

10. ...this amendment would prohibit political contributions to
11. offices at the State level or candidates for offices at the State
12. level.

13. PRESIDING OFFICER (SENATOR DONNEWALD):

14. Senator Rock.

15. SENATOR ROCK:

16. Well, just in partial response to Senator Buzbee's inquiry, I...
17. I firmly believe that this is, in fact, unconstitutional. In addi-
18. tion to that with...with much fanfare and gusto, we passed out of
19. here last Session as everyone will recall the Campaign Disclosure
20. Act which requires, as a matter-of-fact, that such contributions if
21. they're in the requisite amount must, in fact, be publicly disclosed.
22. So, I think the fears that...that called for this type of legislation
23. previously have, in fact, been abated, and this is, in my judgement,
24. just unconstitutional, and I would...I would oppose it.

25. PRESIDING OFFICER (SENATOR DONNEWALD):

26. Is there further debate? The question is shall Amendment No. 20
27. to Senate Bill 37 pass. All those in favor say Aye. All those opposed
28. No. The Noes have it. The amendment is...all right. There...there
29. is a request for a roll call. The question is shall Amendment No. 20
30. pass. All those in favor vote Aye. All those opposed No. The voting
31. is open. Have all those voted who wish? Take the record. On that
32. question, the Ayes are 19, the Nays are 25, 1 Voting Present. The
33. amendment is lost. Senator Mitchler, I believe, you have Amendment

1. NO. 21. Senator Mitchler.

2. SENATOR MITCHLER:

3. Amendment...Mr. President and members of the Senate, Amendment
4. No. 21 defines the fifty mile limit that has been put into the bill.
5. It used to be one hundred miles. They reduced that to fifty, but
6. this clarifies the...and defines the fifty mile limit and how it can
7. be measured, that is by highway travel as measured by the most commonly
8. used route on a federal, State, county, township or a municipal road
9. system. I would ask for adoption of Amendment No. 21.

10. PRESIDING OFFICER (SENATOR DONNEWALD):

11. Senator Harris.

12. SENATOR HARRIS:

13. Well, I'm...I'm really reluctant to oppose Senator Mitchler's
14. amendment, my seatmate's amendment. The present law does not provide
15. for this specificity, and I would just really point out that the
16. members of the Board would prefer that the present language continue
17. to exist and not proceed with this kind of specificity. The question
18. presently is being litigated. I think also that it ill-behooves the
19. Legislature to assert itself on a question like that while it is
20. under litigation. I would further point out that we have lived, I
21. think, for some twelve to fifteen years...I'm not quite sure about
22. that fact, but it's at least that long with this fifty mile prohibi-
23. tion. Now, Senate Bill 37 continues that fifty mile prohibition of
24. licensees being granted...dates within that limitation, and I think
25. we would be in better position just to continue the present law and
26. not interfere with the...with the existing litigation. So, I rise
27. to oppose this amendment.

28. PRESIDING OFFICER (SENATOR DONNEWALD):

29. Senator Rock.

30. SENATOR ROCK:

31. Thank you, Mr. President. I also rise in opposition to Amend-
32. ment No. 21. I have no reluctance whatever. We have discussed this
33. at great length, both in the committee and the subcommittee and the

1. ...with the members of the Board. The Board feels, and I think
2. rightfully so, that the present law should remain as it is, and I
3. would urge opposition to Amendment 21.

4. PRESIDING OFFICER (SENATOR DONNEWALD):

5. Is there further discussion? Senator Mitchler may close.

6. SENATOR MITCHLER:

7. Mr. President and members of the Senate, I would imagine that
8. the Board would have an opinion, but the Board only...well, the
9. Board...

10. PRESIDING OFFICER (SENATOR DONNEWALD):

11. Just...just a moment, Senator. Will the members please be in
12. their seats. Will the Sergeant-at-Arms see that the aisles are clear
13. and all unauthorized persons be removed. Senator Mitchler.

14. SENATOR MITCHLER:

15. Thank you, Mr. President. Yes, the Board may have an opinion,
16. and I appreciate the Board expressing an opinion, but the Board is
17. put there to administer the Act. Now, I have to confess, and I pro-
18. bably am among the Senators who probably know little about race tracks,
19. but I do happen to have a race track in my district, and that's at
20. Aurora Downs, and I know that the distance from Aurora Downs to other
21. race tracks operating in Cook County comes very close, I understand,
22. to this fifty mile radius, and that's why it's very important that it
23. be clearly defined how it is measured, not so at the discretion of the
24. Board. They can determine you take as the crow flies, and they take
25. a helicopter some day and...up in the air and cross country and they
26. say, see, it's forty-eight miles, and you're within the fifty mile
27. radius. So, what this does, it clearly defines it as you would
28. travel over regular routes to...from one location to another. Now, I
29. don't see anything wrong in that. As far as the litigation being in
30. process, I don't think we ought to worry about the courts or some
31. other one determining how to interpret it. If we have this in, how
32. to define to measure from this point to that point, I believe the
33. courts will accept that, and the Board will accept it, and it's very

1. clarifying language, and I would appreciate if you would consider
2. a favorable roll call on this amendment.

3. PRESIDING OFFICER (SENATOR DONNEWALD):

4. Is there further discussion? The question is shall Amendment
5. No. 21 to Senate Bill 37 pass. All those in favor say Aye. All
6. those opposed No. The amendment is lost. There is a request for
7. a roll call. The question is shall Amendment No. 21 pass. All those
8. in favor vote Aye. All those opposed vote No. The voting is open.
9. Have all those voted who wish? Take the record. On that question,
10. the Ayes are 13, the Nays are 26. Amendment No. 21 is lost. Senator
11. Mitchler, you have Amendment No. 22. Senator Mitchler.

12. SENATOR MITCHLER:

13. Mr. President and members of the Senate, Amendment No. 22 to
14. Senate Bill 37 is an amendment that, again, I feel is necessary
15. because it specifies to the Board the day...the dates in which they
16. can award racing dates in counties of one million inhabitants and
17. more, and in counties of one million and less. Now, it provides that
18. between March 1 and November 30, counties of one million inhabitants
19. and more...

20. PRESIDING OFFICER (SENATOR DONNEWALD):

21. Just a moment, Senator. Could the Senators please be in their
22. seats, if they had conferences, could they take them in the back
23. room. Proceed.

24. SENATOR MITCHLER:

25. The amendment provides that between the dates of March 1 and
26. November 30 in each year, counties of one inhabitants or more
27. may be granted racing dates, and in counties of less than one million
28. inhabitants, they can be awarded in other periods of the calendar
29. year. Now, this amendment is necessary, again. We have a race track,
30. what we say downstate outside of the County of Cook, Aurora Downs,
31. one over at Crete, Balmoral out in Rock Island. There's a couple more.
32. I...I'm not that well acquainted with them, but this is to protect
33. Cook County from taking all of the racing dates all year around, and

1. thereby making the racing dates awarded specifically for Aurora
2. Downs in Aurora, innocuous racing dates because of the competition
3. in the more highly populated areas. Now, the reason I am interested
4. in this representing the area, and I know Senator Bell would be
5. interested having Crete and Balmoral in his district because of the
6. revenue that is derived from the operation of these tracks to our
7. local area, and certainly we don't want to see that jeopardized.
8. I'd be glad to answer any questions on this amendment, and I would
9. appreciate a favorable roll call.

10. PRESIDING OFFICER (SENATOR DONNEWALD):

11. Senator Rock.

12. SENATOR ROCK:

13. Well, I rise in opposition to this amendment. This, again, was
14. discussed with the members of the Board. They are of one mind in
15. opposition to this, and I happen to agree with them. I think it's
16. ...I think the Board can well determine which tracks get what dates
17. and that's the purpose of it, and I would urge opposition to Amendment
18. No. 22.

19. PRESIDING OFFICER (SENATOR DONNEWALD):

20. Senator Harris.

21. SENATOR HARRIS:

22. Well, I would just point out that there is in the law now this
23. special provision for the downstate tracks prohibiting the assignment
24. of dates during the months of December, January and February from
25. being awarded in Cook County. Now, the Board feels, and I certainly
26. agree with them also, that this ought to be a discretionary matter,
27. and that the Board ought to be able to take into account the total
28. consideration that ought to obtain and be free to make decisions are
29. in the...on the basis of what is in the best interest of the total
30. perspective of the...activities of racing itself of the needs of the
31. State, and there is no question but what if this amendment is adopted,
32. the Board's hands will be tied in that regard. This present prohibi-
33. tion went into effect several years ago, and the Board has been

1. powerless to do anything about those months since then except to
2. award dates outside of Cook County. As a matter of broad public
3. policy, this amendment should be resisted, and the bill in its present
4. form providing for discretion on the part of the Board which is in...
5. in total evaluation more consistent with a sound public policy should
6. be supported. So, I join Senator Rock in opposition to Amendment
7. No. 22.

8. PRESIDING OFFICER (SENATOR DONNEWALD):

9. Is there further discussion? The question...Senator Mitchler
10. may close.

11. SENATOR MITCHLER:

12. Thank you, Mr. President. Again, I am rather naive the
13. awarding of racing dates, but I am knowledgeable of the fact that
14. the race track in my district, Aurora Downs, is protected in the
15. current statute, and the Board was instructed and has been instructed
16. for a number of years that racing dates would not be awarded in Cook
17. County during a...the winter months. Our awards go from December,
18. January and February, and that gave the protection for Aurora Downs
19. and Balmoral and some of the other downstate tracks from having to
20. compete. Now, during that period of time and because of that restric-
21. tion, I assume that has caused the reopening of Aurora Downs, the
22. success that Aurora Downs has experienced, and by operating and having
23. racing dates during December, January and February, but now I find
24. that this Legislative Body is called upon and as remarked by Senator
25. Rock, by the wisdom of the Board. We're listening to the Board that
26. this restrictive racing dates for Cook County be eliminated so that
27. Cook County would have the opportunity to have racing dates twelve
28. months out of the year, and if they were to award racing dates in
29. conflict with those now awarded to Aurora Downs in December, January
30. and February, you naturally would see that there would be a problem
31. because of the location. Now, if this is the purpose and the intent
32. of the Board to legislate the Legislature down here into that pre-
33. dicament, I don't know why they can't continue with the same

1. restrictions they have, unless it's for the purpose of awarding dates
2. to other tracks at the same time Aurora Downs has enjoyed those racing
3. dates. Now, I don't...I couldn't name you, except the Chairman of
4. the Board, the Racing Board. Outside of that, I couldn't name you
5. a member of the Board, but I know what the people think of racing and
6. racing boards, and I would ask for a favorable roll call, and I might
7. as well have a roll call vote on this, Mr. President.

8. PRESIDING OFFICER (SENATOR DONNEWALD):

9. There is a request for a roll call on Amendment No. 22. All
10. those in favor of Amendment No. 22 to Senate Bill 37 indicate by
11. voting Aye. All those opposed No. The voting is open. Have all
12. those voted who wish? Take the record. On that question, the Ayes
13. are 6, the Nays are 24. Amendment No. 22 to Senate Bill 37 not
14. having required the...the sufficient number of votes to pass is
15. declared lost. That bill now will go to 3rd reading. Senator Course,
16. Senate Bill 646.

17. SENATOR COURSE:

18. Yes, Mr. ...Mr. President...

19. PRESIDING OFFICER (SENATOR DONNEWALD):

20. Senator Mitchler, for what purpose do you arise?

21. SENATOR MITCHLER:

22. Just a...an inquiry or personal privilege. That bill has
23. twenty some amendments on it.

24. PRESIDING OFFICER (SENATOR DONNEWALD):

25. Twenty-two.

26. SENATOR MITCHLER:

27. Twenty-two amendments...

28. PRESIDING OFFICER (SENATOR DONNEWALD):

29. All of which were not adopted.

30. SENATOR MITCHLER:

31. Now, when that bill comes up on 3rd reading, I don't think that
32. any of us could ever decipher what is in that bill. Now, I'm
33. wondering if it couldn't be enrolled and engrossed and at least put

1. in a form on our desks that we could look at the bill and know and
2. read a few paragraphs and understand what we are voting on, because
3. there's nobody in their wisdom could possibly incorporate those amend-
4. ments which are amendments on amendments in the bill. Could we have
5. that done before we have it on 3rd reading?

6. PRESIDING OFFICER (SENATOR DONNEWALD):

7. Senator Harris.

8. SENATOR HARRIS:

9. Well, I think Senator Mitchler makes a...a good point, and
10. while I don't think we want to get into that as a standard practice
11. but in this case because of the complexity and very frankly the
12. sensitivity of...of...and legislating on this question, I think it's
13. a very sound suggestion. I don't know whether it will require, if
14. we can just get unanimous consent for it, but I think it's...it's a
15. fifty-four page bill to begin with, and there are now twenty amend-
16. ments that have been adopted. So, I...no, I'm sorry. It would be
17. nineteen because we Tabled Amendment No. 12. I'd...I'd...I just
18. think Senator Mitchler's suggestion is sound.

19. PRESIDING OFFICER (SENATOR DONNEWALD):

20. Is there leave...Senator Rock.

21. SENATOR ROCK:

22. Well, it...it is being moved to 3rd, is it not, because other-
23. wise enrolling and engrossing doesn't even get it.

24. PRESIDING OFFICER (SENATOR DONNEWALD):

25. I have all...I have already moved it to 3rd, Senator.

26. SENATOR ROCK:

27. All right. Okay. I will not, frankly, call it until every-
28. body is satisfied that they can read and...and intelligently under-
29. stand it.

30. PRESIDING OFFICER (SENATOR DONNEWALD):

31. The request is to have the bill in the form as the amend...
32. amendments were adopted and it...do a...I would ask leave of the
33. Body. Is there leave? Leave is granted and the bill will be placed

1. in that form on the members' desk when ready. Senator Course, 646.
2. Senate Bill 646.

3. SENATOR COURSE:

4. Yes, Mr. President, I'd like to return 646 to the order of 2nd
5. reading for the purpose of...

6. PRESIDING OFFICER (SENATOR DONNEWALD):

7. It's already on 2nd reading, Senator. I'm sorry, I've been
8. advised that it is not. Do we have leave to return...oh, there was
9. a covering motion covering that bill also, Senator, so it is on 2nd
10. reading.

11. SENATOR COURSE:

12. Okay. Then, I'd like to offer Amendment No. 4 to Senate Bill
13. 646. It's a technical amendment, and I move its adoption.

14. PRESIDING OFFICER (SENATOR DONNEWALD):

15. Is there further discussion? All those in favor of Amendment
16. No. 4 to Senate Bill 646 indicate by saying Aye. All those opposed
17. No. The Ayes have it. The amendment is adopted. Are there further
18. amendments? 3rd reading. Senate Bill 713, 713. Senator Joyce.

19. SENATOR JOYCE:

20. Mr. President, I would like to Table Amendment No. 2...

21. PRESIDING OFFICER (SENATOR DONNEWALD):

22. All right. Your motion then would be to...having voted on the
23. prevailing side, it is your desire to...to have...reconsider the vote
24. by which Amendment No. 2 was adopted to Senate Bill 713.

25. SENATOR JOYCE:

26. Yes. Yes. And in deference to Senator...

27. PRESIDING OFFICER (SENATOR DONNEWALD):

28. All those in favor say Aye. All those opposed No. The Amend-
29. ment No. 2 to Senate Bill 713 is...is now...being reconsidered. Your
30. motion now is to Table Amendment No. 2. All those in favor of adopt
31. ...Tabling Amendment No. 2 indicate by saying Aye. All those opposed
32. No. The Ayes have it. The Amendment No. 2 is Tabled.

33. SENATOR JOYCE:

1. Thank you.

2. PRESIDING OFFICER (SENATOR DONNEWALD):

3. Amendment...Senator Latherow on Amendment No. 3 to this bill.

4. Senator Latherow.

5. SENATOR LATHEROW:

6. Mr. President...Mr. President and members of the Senate, Amend-
7. ment No. 3 to Senate Bill 713 strikes the implied consent of this
8. ...excuse me. This is a different bill. This returns the provision
9. of the length of catfish to what it has been to seven and nine inches
10. instead of the increased measurement that they had in the bill, and
11. I move the adoption of the amendment.

12. PRESIDING OFFICER (SENATOR DONNEWALD):

13. Those are fiddlers. The motion is to adopt Amendment No. 3 to
14. Senate Bill 713. All those in favor say Aye. All those opposed No.
15. The Ayes have it. The amendment is adopted. Are there further amend-
16. ments? 3rd reading. Senate Bill 805, Senator Knuppel.

17. SENATOR KNUPPEL:

18. Mr. Chairman, the amendment for Senate Bill 805 changes the
19. declaring of an emergency in case that's necessary, from the Governor
20. to the Environmental Protection Board, and I would urge the adoption
21. of the amendment. This makes the bill...it's acceptable with those
22. people who are sponsoring the bill, and I think it makes the bill a
23. better bill. I move the adoption.

24. PRESIDING OFFICER (SENATOR DONNEWALD):

25. Is there further discussion? Question is shall Amendment No. 3
26. to Senate Bill 805 pass. All those in favor say Aye. All those
27. opposed No. The Ayes have it. The amendment is adopted. Are there
28. further amendments? 3rd reading. Senator Partee.

29. SENATOR PARTEE:

30. A point of personal privilege, Mr. President. I'd like to
31. make an announcement, and I'd like the attention of the membership
32. because this is something that vitally affects you. You have seen
33. the schedule which shows that we will not be working on Saturday and

1. Sunday. Hopefully, we can keep the schedule in that posture so we
2. will not have to work on Saturday and Sunday. The House, I am given
3. to understand, is definitely going to work Saturday and will more
4. than likely work Sunday. I hope that we can avoid and obviate that.
5. We are going to...we're going to continue until 2:30 today, at which
6. time we will go into committees as scheduled which committees will
7. be working 2:30 to 5:00, and then we'll take the 5:00 to 7:00 break,
8. and we will come in tonight at 7:00 and we will try to clear our
9. Calendar as much as possible tonight, and we'll start at 9:00 o'clock
10. tomorrow and we'll be in Session tomorrow with no committee hearings.
11. This, I think, can help us to get our Calendar into a position where
12. we can finish on time and also can deal with all the bills. Now, on
13. Monday morning at 10:00 in the President's office there will be a
14. meeting between the leadership on both sides and any other members
15. who desire to come may come. At which time we will be looking at a
16. list of bills offered by each side which bills, hopefully, can be
17. put on an agreed list so that as of Monday, we can formulate an agreed
18. list. That list can be printed. The members will have copies of the
19. agreed list for their own edification and observance and on Tuesday,
20. we can perhaps run on a roll call the agreed bills which finally
21. remain there. That way we can diminish our Calendar to a point
22. where we won't have to hectically expend ourselves the final part of
23. the next week. That is the plan. So, it's now till 2:30, committees
24. thereafter, back at 7:00 tonight for a Session, and 9:00 a.m.
25. tomorrow morning for a Session.

26. PRESIDING OFFICER (SENATOR DONNEWALD):

27. Senator Howard Mohr.

28. SENATOR MOHR:

29. Yes, Mr. President, I would just like to make a comment with
30. regard to what we've been doing here this morning. We spent almost
31. three hours and probably we'll spend another half hour on these bills
32. that are on 3rd reading and being brought back to 2nd for amendments.
33. I would strongly suggest that the committees do their work where ever

1. possible and get a bill in proper form before it reaches this Body
2. and that would save an awful lot of time. Now, this...we're just
3. dealing with Senate Bills today, but when we're hit with the...the
4. great numbers of bills that will be coming over from the House, I
5. think we could be counting on tripling our time here doing this
6. kind of activity which is in my opinion is just a complete waste of
7. time. This should be done in the committees. We should spend more
8. time going over a bill and get it in proper form before it hits the
9. Floor. I realize that there are some occasions where this can't be
10. done, but let's...I just implore the committees to do a...a better
11. job of getting these bills in the...in the proper shape to save us
12. all of this time that we're expanding this morning.

13. PRESIDING OFFICER (SENATOR DONNEWALD):

14. Senator Don Moore, we'll return to the order of 2nd reading for
15. the purpose of considering Senate Bills 1300, 1301 and 1302. Senator
16. Don Moore.

17. SENATOR MOORE:

18. Has 1300 been read a second time, Mr. President.

19. PRESIDING OFFICER (SENATOR DONNEWALD):

20. Read the bill.

21. SECRETARY:

22. Senate Bill 1300.

23. (Secretary reads title of bill)

24. 2nd reading of the bill. No committee amendments.

25. PRESIDING OFFICER (SENATOR DONNEWALD):

26. Senator Moore.

27. SENATOR MOORE:

28. Thank you, Mr. President. On 1300 and 1301, we are advancing
29. them to 3rd reading under the understanding with the other side that
30. they will be brought back when we have agreed amendments on them.

31. PRESIDING OFFICER (SENATOR DONNEWALD):

32. 3rd reading on 1300. Senate Bill 1301. Read the bill.

33. SECRETARY:

1. Senate Bill 1301.
2. (Secretary reads title of bill)
3. 2nd reading of the bill. No committee amendments.
4. PRESIDING OFFICER (SENATOR DONNEWALD):
5. Are there amendments from the Floor? 3rd reading. Senate
6. Bill 1302, Senator Don Moore. Read the bill.
7. SECRETARY:
8. Senate Bill 1302.
9. (Secretary reads title of bill)
10. 2nd reading of the bill. No committee amendments. One Floor
11. Amendment offered by Senator Don Moore.
12. PRESIDING OFFICER (SENATOR DONNEWALD):
13. Senator Moore.
14. SENATOR MOORE:
15. This is an agreed amendment by both sides which reduces the
16. salary as was set forth in the original bill for the State's Attorney
17. of Cook County. I move its adoption, Mr. President.
18. PRESIDING OFFICER (SENATOR DONNEWALD):
19. Is there further discussion? All those in favor of Amendment
20. No. 1 to Senate Bill 1302 indicate by saying Aye. All those opposed
21. No. The Ayes have it. The amendment is adopted. Are there further
22. amendments? 3rd reading. Senate Bills on 3rd reading. Senate
23. Bill 600, Senator Netsch. Senate Bill 601, Senator Buzbee.
24. SECRETARY:
25. Senate Bill 601.
26. (Secretary reads title of bill)
27. 3rd reading of the bill.
28. PRESIDING OFFICER (SENATOR DONNEWALD):
29. Senator Buzbee.
30. SENATOR BUZBEE:
31. Yes, Mr. President, this is a bill that's requested by the
32. department. What it does it deletes the Superintendent of the
33. Division of Feeds and Fertilizers and so forth, and the Director will

1. be the ex officio, the Director of Weights and Measures for the
2. State, and I believe we amended...if Senator Hickey is on the Floor,
3. I believe we amended the bill...no, I'm sorry. This does not apply
4. to Senator Hickey's amendment. I would ask for a favorable roll
5. call.

6. PRESIDING OFFICER (SENATOR DONNEWALD):

7. Is there further discussion? All those in favor of Senate
8. Bill 601. All those in favor of passage on Senate Bill 601 indicate
9. by voting Aye. All those opposed No. The voting is open. Senator
10. Moore...Senator Sommer, I'm sorry.

11. SENATOR SOMMER:

12. Mr. President, my Aye switch is burnt out. I'll have to vote
13. No only. Oh, it's burnt out in here. I'm sorry.

14. PRESIDING OFFICER (SENATOR DONNEWALD):

15. Have all those voted who wish? On that question, the Ayes are
16. 44...Take the record. Have to do that first.

17. PRESIDING OFFICER (SENATOR ROCK):

18. On that question, the Ayes are 44, the Nays are none, none
19. Voting Present. Senate Bill 601 having received the constitutional
20. majority is declared passed. Senate Bill 605. Senate Bill 605. I
21. know you're here now.

22. SECRETARY:

23. Senate Bill 605.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER (SENATOR ROCK):

27. Senator Egan.

28. SENATOR EGAN:

29. Thank you, Mr. President and members of the Senate. Senate Bill
30. 605 would exempt...it changes the existing statute which today pro-
31. hibits State employees from receiving any reimbursement after becoming
32. a foster parent. This would...do away with that prohibition so that
33. State employees could receive reimbursement, and I know of no opposition.

1. I would ask for your support. Thank you.

2. PRESIDING OFFICER (SENATOR ROCK):

3. Any discussion? The question is shall Senate Bill 605 pass.
4. Those in favor will vote Aye. Those opposed will vote Nay. The
5. voting is open. Have all voted who wish? Take the record. On that
6. question, the Yeas are 47, the Nays are none, none Voting Present.
7. Senate Bill 605 having received the constitutional majority is hereby
8. declared passed. Senate Bill 600. Senate Bill 600.

9. SECRETARY:

10. Senate Bill 600.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER (SENATOR ROCK):

14. What purpose Senator Savickas arise?

15. SENATOR SAVICKAS:

16. A point of order, Mr. President.

17. PRESIDING OFFICER (SENATOR ROCK):

18. State your point.

19. SENATOR SAVICKAS:

20. Just a few minutes ago, Senator Vadalabene wasn't allowed to
21. revert back to his bill when he was off the Floor, and now I see a
22. bill that was called before, no answer, we're reverting back to it.
23. What is going to be the procedure of this Body? Will we revert to
24. all bills or are we just going to pick and choose?

25. PRESIDING OFFICER (SENATOR ROCK):

26. No. No.

27. SENATOR SAVICKAS:

28. Or...I just don't like to see Senator Vadalabene being left
29. back.

30. PRESIDING OFFICER (SENATOR ROCK):

31. No, I...I was not aware of Senator Vadalabene's problem. What
32. happened here I'm told is that it was indicated that that would be
33. the starting point, Senate Bill 600, and at the point we started,

1. Senator Donnewald looked over and Senator Netsch had just stepped
2. off the Floor, and he agreed that he would get...go right back to
3. it.

4. SENATOR SAVICKAS:

5. Thank you.

6. PRESIDING OFFICER (SENATOR ROCK):

7. You're welcome. Senate Bill 600, Senator Netsch.

8. SENATOR NETSCH:

9. Thank you, Mr. President. Senate Bill 600 was requested by the
10. Department of Business and...and Economic Development. It amends the
11. Municipal Industrial Revenue Bond Financing Act in two respects.
12. It changes the authorized interest rate from seven percent...

13. PRESIDING OFFICER (SENATOR ROCK):

14. Senator, can we have a little more volume on Senator Netsch's
15. microphone. We're...there's some complaint they can't hear you,
16. Senator.

17. SENATOR NETSCH:

18. It changes...okay, it's...I think it was not on before. It
19. changes the authorized interest rate from seven percent to eight
20. and a half percent, and it includes as one of the authorized acti-
21. vities for which industrial...municipal industrial revenue bonds may
22. be issued. Pollution control devices that was not included in the
23. Act before. The basic purpose of these two amendments is to give
24. more flexibility to those municipalities who operate who are not
25. home rule units who operate under the terms of the State Enacted
26. Industrial Revenue Bonding Act. The courts have already decided
27. that non-home rule units have full sway in this area and may engage
28. in this activity apparently on virtually any terms they so desire.
29. This was attempted to provide some of the same flexibility to the
30. non-home rule unit. It was greatly...I'm sorry, but there's some-
31. thing...there's an echo back here in my microphone. May...okay, I
32. think it's better now. Thank you very much. It was greatly desired
33. by several people from downstate communities to whom this is a very

1. important piece of legislation. I should say that it...the basic
2. question of whether there will be such legislation has long since
3. been passed. This is one that will simply provide some of the same
4. benefits and terms to non-home rule units as are already available
5. to home rule units.

6. PRESIDING OFFICER (SENATOR ROCK):

7. Any discussion? Senator Dougherty.

8. SENATOR DOUGHERTY:

9. Mr. President and members, may...I'd like to ask the sponsor
10. a question.

11. PRESIDING OFFICER (SENATOR ROCK):

12. Indicates she will yield.

13. SENATOR DOUGHERTY:

14. Senator Netsch, you indicate that in the pollution control
15. facilities, I...which I'm the sponsor of Senate Bill 138, we capped
16. the interest rate at eight percent. Will this interfere with that?
17. Also Senator Demuzio has a bill on the Industrial Bond Act that puts
18. an eight percent cap on it.

19. PRESIDING OFFICER (SENATOR ROCK):

20. Senator Netsch.

21. SENATOR NETSCH:

22. To the best of my knowledge, it would not in any way interfere
23. with that, Senator Dougherty, because this is the local government
24. aspect of industrial revenue bond financing. I believe that the Act
25. that you were talking about is the State Industrial Bond Financing
26. Act. Isn't that correct?

27. PRESIDING OFFICER (SENATOR ROCK):

28. Senator Dougherty.

29. SENATOR DOUGHERTY:

30. I merely wanted to clarify that because there are two bills
31. pending and I want to make sure that this cap that's...you're putting
32. on it or the simpling of the cap as you hope. Now, do these apply to
33. GO bonds or not?

1. PRESIDING OFFICER (SENATOR ROCK):

2. Senator Netsch.

3. SENATOR NETSCH:

4. No, they are revenue bonds, and as a matter-of-fact, in no way
5. are they guaranteed by the full faith and credit of the municipality
6. which is authorized to issue them. The...in...in fact, it's even
7. different from a lot of revenue bonds because it is actually the full
8. faith and credit of the particular industrial facility which is seek-
9. ing to engage in this particular project that determines the allowable
10. interest rate and the value of the bonds themselves, but in no way
11. are they full faith and credit bonds. They are revenue bonds.

12. PRESIDING OFFICER (SENATOR ROCK):

13. Senator Dougherty.

14. SENATOR DOUGHERTY:

15. Just a minute. I'm looking up the number of the House Bills
16. presently over in the House. Oh, I'm sorry. Maybe I'm mistaken,
17. however, Senator, I'm going to adhere to the rule I made that the..I will
18. not vote for any bond issue that provides for the eight percent.

19. PRESIDING OFFICER (SENATOR ROCK):

20. Senator Harber Hall.

21. SENATOR HALL:

22. Well, Mr. President, in addition to objecting to the unusually
23. higher rate of interest provided these bonds permitted by the issuance
24. of these bonds which I think is way out of line, not only with the
25. current market but with any...any expected rate. We're talking about
26. an effective rate of sixteen, seventeen percent if they're issued at
27. eight and a half percent tax exempt. My main objection, however, is
28. that we are experiencing a proliferation of tax exempt securities that
29. is...for governments that is creaming off investment capital for
30. private enterprise, and I think if we continue in the trend that we
31. are now experience...experiencing and seeing, private enterprise will
32. not be able to afford the money for expansion for building up the
33. free enterprise...their free enterprise endeavors in...in providing

1. the needs of this country. So, generally speaking, I'm...I'm against
2. this particular bill on those two counts..

3. PRESIDING OFFICER (SENATOR ROCK):

4. Senator Carroll. Senator Carroll.

5. SENATOR CARROLL:

6. Thank you, Mr. President. I, too, rise to oppose this legisla-
7. tion, and for once, Harber Hall and I seem to agree on interest rate
8. legislation. I think it's important to note a few things. We are
9. talking about an eight and a half percent rate on tax exempts, which
10. means that the purchaser of those bond issues which are not really
11. your neighbors or mine or the average number of the eleven million
12. people of our State, are getting no taxes on eight and a half percent
13. income which is the equivalent of a seventeen percent return on their
14. investment which is a lot more than the average person in the street
15. can get. We're talking about pollution control. What about maybe
16. giving an exemption to...or giving some of the money to the people who
17. buy automobiles today who have to pay extra money for the pollution
18. control devices that are on those automobiles. We're not talking
19. about doing that, we're talking about allowing big industry to get
20. lower interest rates through the use of tax dollars and for the use
21. of lost revenue to both the Federal Government and in some instances
22. the State Government have effectively seventeen percent of their
23. money. The basic purpose of this, however, is something that Harber
24. Hall touched upon that I think has some import. We're talking about
25. a sixty billion dollar Federal budget. Senator Bruce, please. Terry,
26. excuse me. We're talking about a sixty billion dollar Federal budget
27. that is going to have to be financed by the same marketplace that these
28. bonds can be sold at. We're talking about a multi-billion dollar guber-
29. natorial excellerated program that will have to be financed by the same
30. marketplace that these bonds would attempt to be sold at. We're talking
31. about a marketplace that can no longer absorb a doubling or tripling of
32. what the State's debt has been in the past. We're talking about banks
33. who no longer have to buy tax exempts because of their single com-
34. pany holding companies. They have other types of depreciation.

1. They don't need the tax advantages of tax exempts. We're talking
2. about insurance companies who used to buy and no longer buy because
3. of their premium funds. They're no longer adequately giving them
4. the type of profit that they needed exempts for. So, we're only
5. talking about the individual investor, and they just cannot absorb
6. the type of bonds that we're offering them, and the type of bonds the
7. Federal Government is offering them. I think for two reasons we
8. should oppose this type of issue at this time. One is that we have
9. to look critically at all the bonds being offered and say which are
10. the very best, which are the ones that will maintain the high quality
11. of Illinois' reputation, which are the ones that will be grabbed up
12. by the investors, the individual investors in the marketplace, and
13. use those and only those to a very limited extent now. And secondly,
14. we have to look at the type of rates we are offering to...tax exempt
15. monies that are the effective yield to seventeen percent. I would
16. urge opposition to this legislation at this time.

17. PRESIDING OFFICER (SENATOR ROCK):

18. Any further discussion? Senator Latherow.

19. SENATOR LATHEROW:

20. Thank you, Mr. President. I may have missed Senator Dougherty's
21. question. I didn't catch whether he asked if a referendum was
22. required on this or not, and I wondered if there is a referendum re-
23. quired with this.

24. PRESIDING OFFICER (SENATOR ROCK):

25. Senator...Senator Netsch.

26. SENATOR NETSCH:

27. No, these...in the basic Act which was passed a long time ago,
28. there was, to the best of my knowledge, no referendum requirement
29. because they are revenue bonds. They are not GO bonds.

30. PRESIDING OFFICER (SENATOR ROCK):

31. Any further discussion? Senator Glass.

32. SENATOR GLASS:

33. Well, Mr. President, in light of some of Senator Carroll's

1. comments, I...I would like to ask the sponsor what the market
2. situation is, in fact, with regard to these bonds. I would hate to
3. see Illinois find itself in the condition of New York State where
4. some phenominally high rates are being paid on...on government bonds,
5. and I just...I wonder if you could comment, Senator Netsch, on the
6. difficulty in marketing these bonds under the present interest rate.
7. PRESIDING OFFICER (SENATOR ROCK):

8. Senator Netsch.

9. SENATOR NETSCH:

10. I can comment only with limited foresight or hindsight, Senator
11. Glass, because I am not an authority on the...the bond market. I can
12. tell you what we were told by the witnesses who appeared before the
13. committee and requested this legislation. These are really not even
14. the...the same as ordinary municipal bonds, revenue bonds, or GO bonds
15. for that matter. This is a...a very special kind of financing and
16. as they explained to us both by the people who were involved in
17. economic development in downstate who were the groups who want this
18. legislation particularly and by their bond council, the bonds that
19. are involved in this Act, and the Act, incidentally, already exists.
20. All we are doing is changing it into particulars. They do not float
21. unless the record of the corporation, that is the private corporation
22. which is the...involved in the particular project that is being funded
23. has itself a good credit rating. So, in a sense, the credit rating
24. of the municipality is neither helped nor hindered by these bonds, nor
25. is the sale ability of these bonds helped or hindered by the general
26. municipal bond thing. It's a...it's a..sort of special class of bond
27. that is being floated here. The municipality is itself really only
28. a device for the financing. It does not guarantee the bonds. Its
29. own credit is not involved. It is really the credit of the private
30. corporation that determines the floatability and the market ability of
31. these bonds.

32. PRESIDING OFFICER (SENATOR ROCK):

33. Thank you. Senator Davidson, for what purpose do you arise?

1. SENATOR DAVIDSON:

2. A point of personal privilege.

3. PRESIDING OFFICER (SENATOR ROCK):

4. State your point, Sir.

5. SENATOR DAVIDSON:

6. I'd like to introduce to the members of the Senate, the
7. Jefferson Middle School from here in Springfield, Illinois. Would
8. you people from Jefferson be a...arise so we can give you honor.

9. PRESIDING OFFICER (SENATOR ROCK):

10. Will our guests please rise. Senator McCarthy.

11. SENATOR McCARTHY:

12. Yes, Mr. Chairman...Mr. President and members, I'd like to just
13. make a couple comments that may be repetitive and maybe one would be
14. ...it hasn't been touched upon as to why I think Senator Netsch ought
15. to consider amending this bill at least back to eight percent. The
16. testimony in the committee is that these bills are required or called
17. for because they affect non-home rule communities, and home rule
18. communities because of our Constitution don't have any limitations,
19. and the non-home rule communities must be in a position to compete
20. with them. But the testimony also was that these were generally in
21. the smaller communities and there wasn't much of a market for the
22. bonds which ended up that, I think they said in one town that the...
23. these bonds were bought at eight percent, but yet on resale, comparable
24. bonds such as the Illinois Housing Development Authority are, being
25. sold in the marketplace at four point seven which is a long way under-
26. neath eight and a half. And we have to keep in mind that any rate
27. of interest that we set necessarily reflects onto other rates of
28. interest that we're called upon to set. This eight point five tax
29. free must be viewed against, as Senator Carroll and others have
30. indicated, the attempt by the Federal Government to finance its debt,
31. which is going on right now where they must pay taxes. U.S. Treasury
32. notes yesterday were selling to yield four and a half percent, four
33. and a half percent on which taxes much...must be paid or roughly twenty-

1. five percent of the net yield to the investor of Senator Netsch's
2. proposal. Now, what does that mean? If we put out an eight and a
3. half tax free which is seventeen, we then force the Federal Government
4. to compete against the same money for investment which means that
5. the Treasury bill...bill rate will necessarily rise, and I don't
6. think that's in the national interest. I don't think it's in the
7. State's interest. I don't think it's in the interest of people who
8. must borrow from banks, from savings and loans, from small loan
9. companies, from finance companies, it's not in the interest of the
10. State of Illinois that wants to go into the lending market to have
11. always this eight and a half percent rate that they have to compete
12. against. So, the eight and a half percent money will act as a blotter,
13. a blotter which goes on to the available capital and blot and soak
14. up the available capital and other aspects of government and indivi-
15. duals will necessarily have to compete against this high rate. So,
16. I would strongly recommend that this bill not be approved, that if
17. it is not, then the...at least the rate be brought back down to at
18. least eight percent which is the maximum that Senator Demuzio put on
19. his bill...earlier this morning.

20. PRESIDING OFFICER (SENATOR ROCK):

21. Before Senator Weaver moves...moves the previous question, is
22. there any further discussion? Senator Netsch may close.

23. SENATOR NETSCH:

24. Mr. President, I think that probably the...this bill gets taken
25. out of context because it arouses a lot of other emotions that don't
26. have to do with what the...is involved in the bill itself. The basic
27. statutory provisions for industrial revenue bond financing are already
28. on the statute books and have been for some time. So, that those
29. who don't agree with that program, it's really in a sense it's too
30. late. That is not what, at least, what is involved in this issue.
31. Secondly, the...what the Department of Business and Economic Develop-
32. ment and those who are representing the downstate economic development
33. groups asked for, was simply the opportunity to be on equal terms with

1. home rule units which have no limits at all with respect to the
2. kinds of projects that they may finance or interest rates. In fact,
3. the original form of this bill had no rate cap at all, which indeed
4. would have equalized the non-home rule units with the home rule units.
5. They...they accepted the fact that they had to take some rate cap,
6. and so it was put in at eight and a half percent, but again, the
7. whole point of the bill is simply to put non-home rule municipalities
8. in downstate areas on the same footing as home rule municipalities so
9. that they may engage in this kind of activity whether you...whether
10. it's good, bad or indifferent, at least it equalizes the working
11. condition.

12. PRESIDING OFFICER (SENATOR ROCK):

13. The question is shall Senate Bill 600 as amended pass. Those in
14. favor will vote Aye. Those opposed will vote Nay. The voting is
15. open. ... (Machine cut-off)...all voted who wish? ... (Machine cut-
16. off)...the record. Senator Netsch. Senator Netsch moves to postpone
17. consideration. Consideration will be postponed. Senate Bill 606.

18. SECRETARY:

19. Senate Bill 606.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER (SENATOR ROCK):

23. Senator Donnewald.

24. SENATOR DONNEWALD:

25. Yes, Mr. President and members of the Senate, Senate Bill 606
26. is a bill introduced at the request of the State's Attorneys' Asso-
27. ciation. It provides as an exemption to the provision prohibiting
28. minors under sixteen from being confined to jail, and that persons
29. over thirteen years of age may be so confined by an order of the
30. judge designated by the chief judge of the circuit court to hear juveniles
31. matters. And that is exactly what the Bill does. There was lengthy
32. discussion in Judiciary, and if there's any questions of anyone, I
33. would certainly attempt to respond.

1. PRESIDING OFFICER (SENATOR ROCK):
2. Senator Bell.
3. SENATOR BELL:
4. A question to the sponsor.
5. PRESIDING OFFICER (SENATOR ROCK):
6. Indicates he will yield.
7. SENATOR BELL:
8. Senator Donnewald, as I understand it now, a juvenile cannot
9. ...has to be in a separate facility unless they're age seventeen,
10. is that...is that right?
11. PRESIDING OFFICER (SENATOR ROCK):
12. Senator Donnewald.
13. SENATOR DONNEWALD:
14. That...that's correct, Senator, and...and the reason for this
15. particular legislation, the argument brought about, or the discussion
16. you might say, brought about in Judiciary, was that juvenile homes
17. would be adequate, but that...what the State's attorneys and the
18. courts are concerned about is the type of minor that is capable of
19. committing a heinous crime such as murder or something like that. Well,
20. ...we didn't want to confine those young persons of that type to a
21. juvenile home if there, in fact, be any, and many counties downstate
22. there are not, but you don't want to put a child of that character
23. in a juvenile home because of the type of individual it is.
24. PRESIDING OFFICER (SENATOR ROCK):
25. Senator Bell.
26. SENATOR BELL:
27. Well, Senator Donnewald, ...under this bill, is there any
28. stipulation for separation of facility in those?
29. PRESIDING OFFICER (SENATOR ROCK):
30. Senator Donnewald.
31. SENATOR DONNEWALD:
32. If the...if this bill were to become law, would the child be
33.

1. separate in a jail? Well yes.

2. PRESIDING OFFICER (SENATOR ROCK):

3. Senator Bell.

4. SENATOR BELL:

5. Well, I don't believe the jails that generally are throughout
6. the State are...are in a situation now where they can...can comply
7. with this...if...if...with this if it became law.

8. PRESIDING OFFICER (SENATOR ROCK):

9. Senator Donnewald.

10. SENATOR DONNEWALD:

11. Well, you understand, of course, that it takes a court order for
12. that, Senator Bell...are you listening? It takes a court order to
13. put the child...the...the minor from thirteen to seventeen in a jail.
14. Now, I know absolutely that I'm sure that if that...if this piece
15. of legislation does, in fact, become law, I'm sure that that person
16. confined in a jail, that young person confined, would...would certainly
17. be confined in quarters other than with the other...other criminals.

18. PRESIDING OFFICER (SENATOR ROCK):

19. Senator Knuppel.

20. SENATOR KNUPPEL:

21. Senator Donnewald, who wants this bill really? I mean, it's
22. such a small thing in some ways and yet so large in others. The
23. thing is one where the chief judge of the circuit has to order it,
24. and you'd have to...have a petition and an order. Who...who in the
25. world could want to put...it would be easier it seems to me to make
26. arrangements some place else than a juvenile home. Who in the world
27. could want to put a kid between thirteen and sixteen in jail even with
28. a court order?

29. PRESIDING OFFICER (SENATOR ROCK):

30. Senator Donnewald.

31. SENATOR DONNEWALD:

32. I thought I tried to explain that early in my opening statement,

1. Senator. It's...it's for cases...very rare cases I will admit, where
2. the child is capable or has committed a heinous crime such as murder,
3. and they are capable of doing that where many, many areas are hesitant
4. to put these...these young persons of that type in a...in a juvenile
5. home.

6. PRESIDING OFFICER (SENATOR ROCK):

7. Senator Knuppel.

8. SENATOR KNUPPEL:

9. Well, my question as a lawyer was quite direct. I understand
10. what you're saying. What I'm saying is who, who asked you to bring
11. the bill in, and who wants to do this?

12. PRESIDING OFFICER (SENATOR ROCK):

13. Senator Donnewald.

14. SENATOR DONNEWALD:

15. As I said in my opening statement, the State's Attorneys' Asso-
16. ciation requested this legislation.

17. PRESIDING OFFICER (SENATOR ROCK):

18. Senator Knuppel.

19. SENATOR KNUPPEL:

20. Well, I...I...I just can't really see the need. I have a
21. thirteen year old boy who was thirteen on the 22nd day of February,
22. Washington's Birthday, and I know how young some of those boys are,
23. and I just can't possibly see, and I don't think the State's attorneys
24. and I happen to have one that practiced for twenty-four years who's
25. my partner and one who's presently State's attorney, two others who
26. were, and I just can't believe that they're thinking straight that...
27. that any State's attorney want to take a thirteen year old boy and
28. put him in a jail under any kind of a court order if there's any other
29. way to hold him.

30. PRESIDING OFFICER (SENATOR ROCK):

31. Senator Davidson, for what purpose do you arise?

32. SENATOR DAVIDSON:

33. A point of personal privilege.

1. PRESIDING OFFICER (SENATOR ROCK):

2. State your point, Sir.

3. SENATOR DAVIDSON:

4. I'd like to present to the Senate and the President of the
5. Senate, the other half of the Jefferson Middle School from here in
6. Springfield who were here observing the Senate and legislation and
7. action today.

8. PRESIDING OFFICER (SENATOR ROCK):

9. Will his guests please stand and be recognized. Senator
10. Wooten.

11. SENATOR WOOTEN:

12. Mr. President and colleagues, normally I would oppose Senator
13. Donnewald's bill on the face of it, but the plain fact is that these
14. rare exceptions do occur. The case of the ten year old child in
15. England who committed murder and was placed in an institution with
16. other children where she murdered another child. And so these rare
17. instances do occur, and she had to be placed in a separate prison
18. facility. I don't know that this is really the answer, but the
19. dilemma that this addresses is a real one. Admittedly rare, but we
20. are beginning to find strange cases where very young children are
21. proving to be very, very dangerous. I don't know that this is an
22. answer, but I...no one else has suggested anything that would cover
23. these unusual circumstances.

24. PRESIDING OFFICER (SENATOR ROCK):

25. Senator Fawell.

26. SENATOR FAWELL:

27. I...I rise in opposition to the bill. I think Senator Knuppel
28. has hit on some important points. The fact is that whereas there
29. may be one case out of ten thousand, I suppose we might say a thirteen
30. year old child should be put in a common jail with adults and so forth.
31. The authority here is much broader than that, and I know some chief
32. judges who can just make it a standing rule that present the order
33. and it will be done. It's a step backward, and I know that the

1. Children's Commission has reviewed this, fought very hard for the
2. legislation that would require separate facilities. I just don't
3. think we're going forward, but going backward with a bill like this,
4. and I would urge opposition most respectfully to the bill.

5. PRESIDING OFFICER (SENATOR ROCK):

6. Senator Graham.

7. SENATOR GRAHAM:

8. For...at the expense of probably getting into an argument with
9. some of the lawyers, I'm going to rise in support of Senator Donnewald's
10. bill. I have, Ladies and Gentlemen of this Senate, had a personal
11. experience in that of my son who was working at a facility and was
12. dealing with one of these thirteen old...year old children that you're
13. talking about. Let me tell you what this thirteen year old child
14. was. She was sent up for attempted murder. She had been convicted of
15. sex and pandering and name it. She'd had it. She weighed about
16. two hundred and ten pounds, and she used to beat the devil out of the
17. guards and the supervisory personnel down at the Geneva School for
18. Girls. Why did she do that? They were not in a position to correctly
19. handle this kind of a person. Perhaps she should have been in a
20. different institution; but there is where she was sent by the judge
21. because they apparently had no other way to handle her. And they
22. would leave...change shifts lots of times to leaving this girl re-
23. strained, and before we get our hearts bleeding too much about a
24. thirteen year old child, maybe you ought to take a little trip up
25. to Geneva or St. Charles and take a look at some of them, and there
26. are some rare occasions where the judge should have this privilege
27. and opportunity to do what he thinks is best for society as a whole
28. with regard to confinement of these people, and I support Senator
29. Donnewald in this bill.

30. PRESIDING OFFICER (SENATOR ROCK):

31. Senator Fred Smith.

32. SENATOR SMITH:

33. Mr. President and Ladies and Gentlemen of the Senate, it isn't

1. difficult for me to ask for recognition on a matter of such great
2. importance as is this bill that is before us here and now. I sat
3. there trying to do as I usually do, have nothing to say with regards
4. to bills on passage, but the fact that my good friend, the Senator
5. on the other side of the aisle who just yielded the Floor, asked a
6. given question. He asked who or why did this lad of the tender age
7. that he depicted, commit that which he referred to as a crime. He did
8. as I should do here and now. He admitted that he is not a lawyer, but
9. when he asked of us that question, my mind ran back and I began wonder-
10. ing if there's anybody under high Heaven that could answer the
11. question, Senator Graham, that you asked. Who knows in the final
12. analysis what is a crime? Who knows in the final analysis if it is
13. not true that those things that we call crimes are after all merely
14. weaknesses inherent in the scheme of things? A man may read. He
15. may study. He may be observant, and he may learn something about the
16. tides or the currents of the sea or the circuits of the wayward wind,
17. but there's not a man living that can tell where the storms are born
18. that wreck and ruin, and I'm inclined to the belief that neither can
19. we tell in what strange realm of the mind, the mist and clouds are
20. formed and gather that darkens all the heavens of the mind and holds
21. that individual in its firm embrace until the so-called frightful
22. crime such as Senator Wooten referred to that took place in England.
23. I merely rise to say that under no circumstances could I ever lead
24. myself to vote for a bill such as this one. I wouldn't care if all
25. of the prosecuting attorneys in the State of Illinois or all the
26. attorneys throughout the civilized world should agree. I would find
27. myself in disagreement with the incarceration of a thirteen year old
28. child for some so-called alleged or actual crime. And I don't
29. know, Senator Knuppel, what is a crime. Frankly, I don't think that
30. you, a lawyer, nor anyone else, a learned judge sitting on the bench,
31. my honest opinion as a layman is, as he sits there and looks down upon
32. that child or that man, if he's honest, he'd have to admit that he
33. would necessarily have to have that which no man has. He would have

1. to have infinite intelligence to determine whether or not he should
2. be incarcerated, whether or not he should be burned in a chair or
3. turned loose and given a medal. I think that such a bill as this,
4. and I say this with due deference in respect for my assistant leader,
5. but I think that the perpetrators of such an idea as this, they were
6. meant for the wild and the savage state of the world. They have
7. unluckily been born too late. I vote against the bill.

8. PRESIDING OFFICER (SENATOR ROCK):

9. Senator Hickey.

10. SENATOR HICKEY:

11. Mr. President and colleagues, I'm afraid we're...I...I quite
12. agree with any...everything that Senator Smith has just said. I'm
13. afraid that we're a little confused, as if the only alternatives
14. for handling of juvenile criminals is putting...either putting them
15. in jail or putting them in an open permissive juvenile facility where
16. he simply couldn't be handled. It seems to me that the way to...to
17. approach this is to see that the...the juvenile facilities add some
18. possibilities for maximum security so that you do have people dealing
19. with juveniles who understand juveniles, and you don't put juveniles
20. in with adults who could just complicate the whole situation. I implore
21. all of you to vote No on this bill.

22. PRESIDING OFFICER (SENATOR ROCK):

23. Any further discussion? Senator Donnewald, you wish to close
24. the debate?

25. SENATOR DONNEWALD:

26. No, just let's...let's vote it up or down.

27. PRESIDING OFFICER (SENATOR ROCK):

28. The...the question is shall Senate Bill 606 pass. Those in
29. favor will vote Aye. Those opposed will vote Nay. The voting is
30. open. Have all voted who wish? Take the record. On that question,
31. the Yeas are 26, the Nays are 19, none Voting Present. Senate Bill
32. 606 having failed to receive a constitutional majority is declared
33. lost. Senate Bill 608, Senator Partee.

1. ACTING SECRETARY: (MR. FERNANDES)

2. Senate Bill 608.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER (SENATOR ROCK):

6. Senator Partee.

7. SENATOR PARTEE:

8. Mr. President and members of the Senate, Senate Bill 608 does
9. exactly what the Calendar does...says it does with reference to the
10. annual appropriation, the office of the Lt. Governor. And I'd appre-
11. ciate a favorable roll call.

12. PRESIDING OFFICER (SENATOR ROCK):

13. Any discussion? The question is shall Senate Bill 608 pass.
14. Those in favor will vote Aye. Those opposed will vote Nay. The
15. voting is open. Have all voted who wish? Have all voted who wish?
16. Take the record. On that question, the Ayes are 55, the Nays are
17. none, none Voting Present. Senate Bill 608 having received a con-
18. stitutional majority is declared passed. 60...609.

19. ACTING SECRETARY: (MR. FERNANDES)

20. Senate Bill 609.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER (SENATOR BRUCE):

24. Senator Partee.

25. SENATOR PARTEE:

26. Mr. President and members of the Senate, ...Senate Bill 609
27. amends the Environmental Protection Act regarding cooling water. It
28. relates to thermal discharges and particularly relates to a plant
29. down in Clinton which has been built or structured where the water
30. is run into a private pond, a private lake in contradistinction
31. to State water. This does not affect any State waters. Now, the
32. purpose of the bill is to continue to allow utilities which have
33. built artificial lakes for cooling purposes to use those lakes for

1. those purposes, and on two decisions of the...Pollution Control
2. Board have held that electric plant cooling waters discharged into
3. a lake must meet certain temperature standards. The testimony was offer
4. in the committee. Actually, if we had to go by what the EPA wants
5. in this...situation, it would cost the...between fifty and seventy
6. million dollars to do what they are asking be done for no real reason.
7. Now, if there are any questions, I'd be happy to try to answer them.
8. PRESIDING OFFICER (SENATOR BRUCE):
9. Senator Wooten.
10. SENATOR WOOTEN:
11. Mr. President, I simply would want to point out, I think, that
12. Lake Springfield would fall under this classification, would it not?
13. PRESIDING OFFICER (SENATOR BRUCE):
14. Senator Partee.
15. SENATOR PARTEE:
16. Yes, it would.
17. PRESIDING OFFICER (SENATOR BRUCE):
18. Senator Wooten.
19. SENATOR WOOTEN:
20. Well, that's why I think that when we say State waters or, you
21. know, we have something as established as Lake Springfield, true, the
22. people who are there are only there on a lease, they don't own the
23. land. It's all publicly owned. When we talk about artificial lakes
24. and they're not State waters. Most...we're not talking about scoop-
25. ing a hole out of the ground. We're talking about damming up existing
26. streams, and I think that's an important consideration to keep in
27. mind when we talk about artificial ponds and lakes.
28. PRESIDING OFFICER (SENATOR BRUCE):
29. Senator Joyce.
30. SENATOR JOYCE:
31. Yes, I rise in opposition to this. I think that the EPA could
32. grant a variance, and I believe the...that it is being asked for, and
33. it...it would be granted with some restrictions in the Clinton station.

1. Also, this would prohibit any...or would...would make possible any
2. future cooling lake to not be under the EPA's jurisdiction. Also,
3. one thing I'd like to point out is that the people that build these
4. cooling lakes have the power of eminent domain. I think that is
5. ...is something that should be considered along with this, and...but
6. all future lakes would not be under the EPA's jurisdiction. I think
7. this is something that...that should be looked at very hard, not only
8. damming streams but also perch lakes. I'm familiar with one lake
9. that is in the process of being built and negotiated right now that
10. would be on an old strip mine area. This lake is six miles long and
11. two miles wide. Now, on the...on the surface, this sounds very good
12. that it's using some strip mine areas, but before this was a strip mine,
13. there were shaft mines in the area, and when this land was stripped,
14. it hit those old shafts and it...the water in these shafts came out
15. into the...into the stripped area and dropped the water table in the
16. whole area surrounding this. Now, when this water table dropped,
17. people for miles around lost their wells. Now, when the...the strip
18. mines filled up with water, the water went back in these old shafts
19. and at that time the wells came back. So, what we're doing is per-
20. mitting a lake, which would be a cooling lake, it would have a...it
21. would have a direct bearing on wells in...in the surrounding areas on
22. some of these. Now, this is one instance, but it's somewhere I
23. think the people should be...should have the protection of the EPA
24. and every other body that would give them protection because it's
25. very difficult for a bunch of people and just to...you know, who live
26. in the country or wherever to get the...the kind of support to...to
27. take this thing to court and to...to go to all the hearings and this
28. type of thing. So, I think we're doing something for the...the future
29. generations that could be very detrimental.

30. PRESIDING OFFICER (SENATOR BRUCE):

31. Senator Weaver.

32. SENATOR WEAVER:

33. Mr. President...Senator Partee, is it not true that the water

1. discharged from this impoundment has to meet all of the EPA require-
2. ments for discharge into streams?

3. PRESIDING OFFICER (SENATOR BRUCE):

4. Senator Partee.

5. SENATOR PARTEE:

6. That's correct.

7. SENATOR WEAVER:

8. Well, I...I...

9. PRESIDING OFFICER (SENATOR BRUCE):

10. Senator Weaver.

11. SENATOR WEAVER:

12. ...I don't see any...any objection to this bill if we're not
13. polluting any of the streams from these ponds, and certainly, this
14. ...this bill will...will certainly help create a great deal of...of
15. employment, particularly in central Illinois, and I...I would certainly
16. stand in...in support of this...this bill, and hopefully, this...this
17. Senate will, I'm sure, look after the...the problems of any pollution,
18. but I think there's sufficient safeguards in this bill that will
19. preclude any pollution, and...and I hope we'll all support it.

20. PRESIDING OFFICER (SENATOR BRUCE):

21. Senator Knuppel.

22. SENATOR KNUPPEL:

23. Mr. Chairman and members of this Body, the power and utility
24. companies of this State have made available in numerous instances...
25. just unequaled and unexcelled recreational opportunities for our
26. people and for fishing and...and for making...building homes on lakes,
27. for boating and otherwise. This bill, if it's read carefully, provides
28. and it doesn't matter whether it's discharged through underground
29. mining outlets or whether it comes over the dam after it's been done,
30. that the discharges shall meet the water quality and affluent
31. standards that apply to everything else. And I would say with respect
32. to Lake Springfield, had the city never built a power plant to use
33. the water to cool their steam, to bring it back to a natural temperature,

1. there wouldn't have been that beautiful body of water there for the
2. people who live there and who use it. Now, I say to you all, here
3. and now, this is an...to require anything different than this bill
4. does is an unwarranted intrusion upon private enterprise and private
5. ownership. I say to you again, also in addition to that, that to
6. build cooling towers or other artificial means to replace water which
7. is impounded would be exhorbitantly expensive, and it would be passed
8. onto the consumers. This is good legislation. It requires that the
9. ...that the affluent standards be met before the water is discharged
10. again into the waters and the streams of the State of Illinois.
11. There's no logical argument that can be posed against this bill, only
12. the selfishness of those people who may for some reason or other
13. picture themselves as ultra...as ultra ecologists or who have some
14. penchant for power companies. Thank you very much.

15. PRESIDING OFFICER (SENATOR BRUCE):

16. Senator Harber Hall.

17. SENATOR HALL:

18. Well, I rise to support this legislation, Mr. President, because
19. of its narrow confines, it is narrowly drawn. It does not eliminate
20. private lakes from control of the Environmental Protection Agency,
21. only the water quality of the affluent standards of the lake. It
22. also specifies that only those lakes that are provided because of the
23. need for treating cooling water from steam electric generating plants.
24. There...there are not too many of these envisioned. They're tremen-
25. dously expensive. They're also tremendously needed. The discharge
26. into any public water is...is not exempted by this measure. So, I
27. point out that there are controls within this bill itself, and it
28. makes a good bill, one that is desperately needed to manufacture the
29. power that we need, in this case, in central Illinois. It's conceivable
30. the entire State may at some later date come under this same need.

31. PRESIDING OFFICER (SENATOR BRUCE):

32. Senator Mitchler.

33. SENATOR MITCHLER:

1. Thank you, Mr. President and members of the Senate. Senator
2. Partee, you responded to a question as to whether this would exempt
3. Lake Springfield, and it...it would be included in my interpretation,
4. Senator Partee, would...would be that it would not as related to the
5. thermal discharges, because that body of water does discharge on into
6. the Sangamon River, and it is not contained. As it is my understand-
7. ing that when a fresh water reservoir used or constructed for the
8. purposes of containing or treating cooling water discharges from the
9. condensers. Now, I'd...I would not interpret that that would include
10. Lake Springfield because Lake Springfield does discharge into the
11. Sangamon River, and it...it is not completely contained where the
12. water would not affect because of the thermal discharge any other
13. body of water. Would you not agree, Sir?

14. PRESIDING OFFICER (SENATOR BRUCE):

15. Senator Partee.

16. SENATOR PARTEE:

17. Well, you stated it two different ways. I said that Lake Spring-
18. field would not be excluded. It would be included, however, water
19. discharging from Lake Springfield into the Sangamon River or into
20. any public body of water would still have to meet all of the environ-
21. mental protection standards. Exactly what I said, Sir.

22. PRESIDING OFFICER (SENATOR BRUCE):

23. Senator Mitchler.

24. SENATOR MITCHLER:

25. Well, if Lake Springfield would be included among the bodies of
26. water to be exempted from the EPA regulations as related to thermal
27. discharges, then there could be some question, and I...but I don't
28. think that Lake Springfield is involved because if Lake Springfield
29. would be involved, the...they would be exempt from the water quality
30. and affluent standards adopted by...pursuant to this Act as related
31. to thermal discharges, but as far as the water quality and affluent
32. standards set up under other parts of the Act, they would apply. Now,
33. I...I can't see where a...a body of water like Lake Springfield is

1. going to be...it was my understanding as a cosponsor of this bill
2. that this is where these companies would construct on their own
3. property a sizable body of water that would not discharge into other
4. bodies of water. And as far as the...the amount of heat or...or the
5. thermal discharge into that body of water will have no affect on any
6. other part of the State as far as the water streams and lakes that
7. they have.

8. PRESIDING OFFICER (SENATOR BRUCE):

9. Senator Kosinski.

10. SENATOR KOSINSKI:

11. Just ask one question of the sponsor. How does the State EPA
12. feel about this bill?

13. PRESIDING OFFICER (SENATOR BRUCE):

14. Senator Partee.

15. SENATOR PARTEE:

16. The State EPA wants to be involved in everything. They are, in
17. some instances, very socialistic in their dealings with private
18. property. This is indeed private property in contradistinction to
19. public property. Now, we are going to have to have power in this
20. State. I am convinced that there will be...there are people who will
21. never be satisfied until everything is absolutely controlled to a
22. point where there will be no jobs left in this State, and then perhaps,
23. will be the happy day for some people. I am as concerned about the
24. environment for myself and my progeny as anybody in the world, and
25. if I thought for one moment that this would be detrimental, I would not
26. be the sponsor of this bill. The EPA has had some discussions con-
27. cerning it, and they are now offering or proffering an amendment which
28. probably we can live with where we could put it on in the House if we
29. can get the bill out of here now. I don't know if we can live with
30. it. We're going to try to, possibly, we can. But I would say to you
31. that the EPA in its first instance was opposed.

32. PRESIDING OFFICER (SENATOR BRUCE):

33. Senator Kosinski.

1. SENATOR KOSINSKI:

2. No further questions, Mr. Chairman.

3. PRESIDING OFFICER (SENATOR BRUCE):

4. Senator Buzbee.

5. SENATOR BUZBEE:

6. At first light, it seems like that this is the logical thing
7. to do. If a power company owns a piece of ground and they go out
8. and dig a hole in that piece of ground, then put water in there for
9. ...to...for their own uses and so forth that they ought to be able
10. to use that water the way they want to. And I would certainly agree
11. with that concept, and I think perhaps there have been some cases
12. where the EPA has perhaps been overzealous in its guardianship of the
13. public interests in that they have gone in and, in fact, put some
14. pretty stringent requirements on some of these sorts of projects.
15. But the thing that bothers me about this bill, and the reason I'm
16. opposed to it is because of the fact that these so-called private
17. bodies of water in a lot of cases do discharge water into public
18. streams, and that's when we start getting the public interests back
19. into it again. And it seems to me that if we start raising that water
20. temperature too much to the point where we have all kinds of bad
21. elements either thriving or...or killing fish and so forth, that we
22. are getting into the public realm.

23. PRESIDING OFFICER (SENATOR BRUCE):

24. Senator Vadalabene.

25. SENATOR VADALABENE:

26. Yes, I too rise in support of this bill, but I do want to make
27. one observation. In noticing the cosponsors of this bill, McCarthy,
28. Davidson, Kenny Hall, Donnewald, Demuzio, I think Senator Partee
29. inadvertently forgot me, and I would like that leave at this time to
30. be...to be a cosponsor of this bill.

31. PRESIDING OFFICER (SENATOR BRUCE):

32. Is leave granted? Leave is granted. Senator Knuppel asks leave
33. to be added to...as cosponsor. Is leave granted? I'm informed,

1. Senator Knuppel, you're already a cosponsor. Senator Glass.

2. SENATOR GLASS:

3. Well, I...Mr. President, I think Senator Buzbee has hit the
4. point that I was interested in, but it should be pointed out in
5. response to Senator...to Senator Mitchler that Lake Springfield and
6. other private lakes that do discharge into the public rivers are
7. included and while the discharges must meet the...the temperatures
8. that are set when they leave the private bodies of water, nevertheless,
9. this type of legislation will invite, in my opinion, the Federal
10. Government to come in and...and promulgate the temperatures that must
11. be met and pre-empt our State Pollution Control Board jurisdiction.
12. I think this would be a mistake, and the PCB is entertaining consider-
13. ation of a...of a...a proposal of this type which, as I understand,
14. has...has been set for hearing. So, I think the bill certainly at
15. this time is premature and would oppose this.

16. PRESIDING OFFICER (SENATOR BRUCE):

17. Senator Davidson.

18. SENATOR DAVIDSON:

19. Two things. One is I'd like to rise in support of this measure,
20. but the question was brought on about Lake Springfield, and the
21. question dealing with Lake Springfield is mute. Lake Springfield met
22. the standards of the EPA to get the permit to construct a new generat-
23. ing plant which they started in 1973. They already met those standards
24. so that question is mute. I would like to rise in support of this
25. legislation for one very important thing. Everyone is running around.
26. the State saying let's put people to work. Well, the EPA has delayed
27. the variance on this permit for almost two and a half years. The
28. cost of this proposed plant which they have delayed has now gone from
29. six hundred and some odd million to eight hundred and some odd million,
30. and if they put on the cooling towers that they're refusing for six
31. degrees of temperature would stand...stay within their own lake, it's
32. going to cost almost as much for the cooling tower as it's going to
33. cost for the whole project. Now, I'm not a wide-eyed conservative

1. about conservation. I am a real narrow-eyed conservative of conser-
2. vation as a member of the National Audubon Society, the Illinois
3. Wildlife Association and a numerous other groups that deal with con-
4. servation. I'm not about to be the sponsor or cosponsor or anything
5. that's going to jeopardize the life style or the environment of not
6. only the human race but both the animal and fish race. This is good
7. legislation. I urge all of you to vote for it.

8. PRESIDING OFFICER (SENATOR BRUCE):

9. Senator Harris.

10. SENATOR HARRIS:

11. Well, I just want to rise in support of this legislation, and
12. just comment, that as a practical fact legislate...legislation of
13. this sort is urgently needed, and there are some State agencies that
14. just are unmindful of our eventual power needs, and that day is
15. becoming critically and critically closer. Now, one of these days
16. the lights are going to go out or grow dim in operating rooms if
17. we don't make the kind of response, and it's a reasonable response,
18. provided in this bill. Now, one instant facility that's been
19. referred to by Senators Hall and Weaver has been delayed, in my judge-
20. ment, unreasonably and unrealistically by the State Environmental
21. Protection Agency, and if that facility does not get on line and the
22. construction of it does not get under way within a very short period
23. of time, the area served by that utility is going to be critically
24. close to brown out problems in the very near future. Now, this res-
25. ponsible piece of legislation introduced by Senator Partee and which
26. I enthusiastically join as a cosponsor, is essential to get the decision
27. made insofar as that instant facility is concerned. We've got to get
28. on with the overall responsibility of providing for our power needs
29. within reasonable limitations imposed upon the Environmental Protection
30. Agency. I think this bill does clearly just that, and I urge its
31. enthusiastic approval by the Senate.

32. PRESIDING OFFICER (SENATOR BRUCE):

33. Senator Demuzio.

1. SENATOR DEMUZZIO:

2. I move the previous question.

3. PRESIDING OFFICER (SENATOR BRUCE):

4. Does any other Senator wish recognition? One Senator has asked
5. to speak twice. Senator Joyce is recognized.

6. SENATOR JOYCE:

7. I would like to point out that it has been said that some of
8. these lakes provide wonderful recreation areas, but that, in fact, no
9. nuclear cooling lake in Illinois is used for recreation. Also, this
10. is not just thermal pollution that takes out from under the EPA's
11. jurisdiction, but also heavy...heavy metals and all of this other
12. stuff that can be in there. It's all out from under the regulations.

13. PRESIDING OFFICER (SENATOR BRUCE):

14. Senator Partee may close the debate.

15. SENATOR PARTEE:

16. Roll call.

17. PRESIDING OFFICER (SENATOR BRUCE):

18. The question is shall Senate Bill 609 pass. Those in favor vote
19. Aye. Those opposed vote Nay. The voting is open. Have all voted
20. who wish? Take the record. On that question, the Ayes are 36, the
21. Nays are 12, 1 Voting Present. Senate Bill 609 having received a
22. constitutional majority is declared passed. ...(Machine cut-off)...
23. Bill 612, Senator Rock.

24. SECRETARY:

25. Senate Bill 612.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDING OFFICER (SENATOR BRUCE):

29. Senator Rock.

30. SENATOR ROCK:

31. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
32. Senate Bill 612 is an amendment to the Illinois Pension Code, speci-
33. fically an amendment to the Judges' Retirement System. It contains

1. five separate changes. Three of which are...are merely ministerial,
2. two of which have some substance, all five of which have been, in
3. fact, approved by the Pension Laws Commission after submission to
4. that commission. One, it would increase the amount of service granted
5. for service before January 1, '64 which was the date of the...the
6. Blue Belt, the judicial article in certain other judicial or semi-
7. judicial categories from six to eight years and it recognizes service
8. as an assistant to the judge of the probate court of Cook County.
9. Secondly, it would extend from January 1, '74 to January 1, '76, the
10. period of time for recision of waived membership on the part of
11. judges who elected not to become a member of the system. I think
12. there are but two or three who have not yet exercised that option of
13. the six hundred and fifty active participants. Thirdly, it would
14. provide for vesting after six years of service with a deferred annuity
15. payable at age sixty-two or over, corresponding to the provision in
16. effect for the members of the General Assembly. Fourthly, it would
17. clarify the provisions for annuities to minor children under age
18. eighteen to fully carry out the intent of the law as interpreted by
19. the Pension Board. And fifthly, it restores the conversion option
20. presently in the Retirement Systems Reciprocal Act to its original
21. form, whereby an employee may transfer pension credit between systems
22. and receive proportional pension credit according to the prescribed
23. rates of credit between retirement system. An amendment was made in
24. '73 which I sponsored to make a change to provide that the option
25. be exercised at retirement rather than at the time...rather than at
26. the time...at any time which was the original version. This amend-
27. ment violated, we...we felt, the contractual rights of the employees
28. and therefore, this particular proposal is corrective. All five of
29. these, as I say, have been approved after great discussion among the
30. the members of the Pension Laws Commission. I would ask a favorable
31. roll call.

32. PRESIDING OFFICER (SENATOR BRUCE):

33. Senator Knuppel.

1. SENATOR KNUPPEL:
2. Would the sponsor yield to a question?
3. PRESIDING OFFICER (SENATOR BRUCE):
4. Indicates he will yield.
5. SENATOR KNUPPEL:
6. How much will this cost the people of the State of Illinois?
7. PRESIDING OFFICER (SENATOR BRUCE):
8. Senator Rock.
9. SENATOR ROCK:
10. Not one whit.
11. PRESIDING OFFICER (SENATOR BRUCE):
12. Senator Knuppel.
13. SENATOR KNUPPEL:
14. In other words...in other words, they will...it doesn't increase
15. pension benefits? This is nothing...there's another bill in
16. that does that? Is that what...is there...there's a different bill?
17. PRESIDING OFFICER (SENATOR BRUCE):
18. Senator Rock.
19. SENATOR ROCK:
20. John, I answered the question. The question was...the question
21. was...
22. PRESIDING OFFICER (SENATOR BRUCE):
23. Can you...can you use Senator Bruce's mike, perhaps. We're
24. having difficulty.
25. SENATOR ROCK:
26. Well, the question was what would this cost the people of the
27. State. In Senator Knuppel's usual flipped manner concerning the
28. Judicial Retirement System, my answer was equally as flipped - not one
29. whit. Whether or not there are other bills pending in the House, I
30. know not. This bill does not cost the people of the State one nickel.
31. SENATOR KNUPPEL:
32. It will not?
33. PRESIDING OFFICER (SENATOR BRUCE):

1. Senator Knuppel.

2. SENATOR KNUPPEL:

3. And it will not in the future?

4. PRESIDING OFFICER (SENATOR BRUCE):

5. Senator Rock.

6. SENATOR ROCK:

7. Well, any...any pension bill ultimately, the participants are
8. going to receive the benefits. There are six hundred and fifty
9. current participants in the system. Upon retirement, they will
10. obviously receive the benefits.

11. PRESIDING OFFICER (SENATOR BRUCE):

12. Senator Knuppel.

13. SENATOR KNUPPEL:

14. That's what I was really asking. I know that that writing a
15. line on a piece of paper doesn't cost the people of the State of
16. Illinois. What I'm asking you is what it's going to cost. Any
17. pension change doesn't cost that day, it costs in the future. Do
18. you have any estimate as to what this is going to cost the people of
19. the State of Illinois?

20. PRESIDING OFFICER (SENATOR BRUCE):

21. Senator Rock.

22. SENATOR ROCK:

23. Nothing more than it would cost yesterday.

24. PRESIDING OFFICER (SENATOR BRUCE):

25. Senator Knuppel.

26. SENATOR KNUPPEL:

27. Well, I don't...I don't know, but I know this that I...I eat
28. breakfast with a group of farmers, and the subject this morning was
29. what...what the benefits of judges are, and I'll tell you the people
30. are not happy with the way the judges have...have robbed and pilloried
31. the people of the State of Illinois to get their forty-two thousand
32. five hundred and their pension system. And anything affecting judges,
33. I'm sure that the people in my district support me one hundred percent

1. in voting No, and I can't see...I can't see why...oh, I understand
2. why...I...I understand why it happens. I see no reason for it.
3. Actually, lawyers ought not to be allowed to vote on any bill on
4. the Floor here affecting judges. They have an...an inherent conflict
5. of interest, and they should acknowledge that conflict and refuse
6. to vote, but so long as they don't acknowledge that conflict, I'm
7. not going to acknowledge it, and I'm going to vote No.

8. PRESIDING OFFICER (SENATOR BRUCE):

9. Senator Harber Hall.

10. SENATOR HALL:

11. Would the sponsor yield for a question?

12. PRESIDING OFFICER (SENATOR BRUCE):

13. Indicates that he will yield.

14. SENATOR HALL:

15. Senator Rock, I want to commend you on a thorough job...

16. PRESIDING OFFICER (SENATOR BRUCE):

17. Excuse me. One moment. Senator Rock cannot hear the question.

18. Senator Harber Hall.

19. SENATOR HALL:

20. As usual, Senator Rock, you did a very thorough and complete job
21. of explaining your bill. In that discourse, you mentioned that it
22. would bring...this bill would bring under the Judicial Retirement
23. System an aid to a Cook County judge. Would you be...would you expand
24. on that a little bit? I'd like to know who you're bringing under a
25. Judicial Pension System who's not a judge.

26. PRESIDING OFFICER (SENATOR BRUCE):

27. Senator Rock.

28. SENATOR ROCK:

29. Yes, as you know, under the current law, we have...we have
30. allowed prior service credit for a justice of the peace, a police
31. magistrate, a master in chancery, or a civil referee in the municipal
32. court of Chicago. Prior to January 1, '64 when the Judicial Article
33. came in, there was an entity or...or an office known as assistant to

1. the judge of the probate court of Cook County. No other county had
2. such an assistant. In fact, they were performing judicial duties.
3. Their omission in the Retirement System Amendment back in '65 was
4. merely that. It was an oversight. I think it...it will apply, frankly,
5. to about three people.

6. PRESIDING OFFICER (SENATOR BRUCE):

7. Senator Harber Hall.

8. SENATOR HALL:

9. Well, no further questions.

10. PRESIDING OFFICER (SENATOR BRUCE):

11. Is there further debate? Senator Rock may close the debate.

12. SENATOR ROCK:

13. Thank you, Mr. President. I would merely solicit a roll call.
14. These are changes that do not in any way enhance the benefits, nor
15. is there any cost factor. The Pension Laws Commission has, in fact,
16. approved these, and I would ask a favorable vote.

17. PRESIDING OFFICER (SENATOR BRUCE):

18. The question is shall Senate Bill 612 pass. Those in favor vote
19. Aye. Those opposed vote Nay. The voting is open. Have all voted
20. who wish? Take the record. On that question, the Ayes are 40, the
21. Nays are 7, 4 Voting Present. Senate Bill 612 having received the
22. constitutional majority is declared passed. Senate Bill 613, Senator
23. Rock. For what purpose does Senator Smith arise?

24. SENATOR SMITH:

25. Mr. President and members of the Senate, I can't do as a former
26. seatmate of mine did very recently with regards to recognition. A
27. few moments ago a group of students from my district were seated in
28. the gallery on the southeast side of these corridors. I think every-
29. body here is cognizant of my physical condition. I asked...I asked of
30. Senator Newhouse that he go forward and ask for the right to present
31. those duties. You were kind enough, Sir, to grant him that right.
32. In the meantime, they left. I thank you for the fact that you were
33. ...intended to accord him the courtesy of introducing that group. I

1. do want to state, however, Mr. Chairman, and the proper course or
2. place perhaps would be in a caucus, but it's fresh on my mind now
3. that they left here without having been presented because of the
4. debate that was on. I do recall, however, earlier when Senator
5. Davidson asked for the right to introduce a group from his area here
6. in Springfield, and he was granted the right to interrupt the debate.
7. I'm thinking if during these closing days when we are pressed for
8. time, and I hope the leadership will consider this, that no debate
9. should be interrupted for the purpose of introducing anyone unless
10. it's a dignitary that has suddenly appeared, and I don't recognize
11. royalty at all. But I think that you should consider the feasibility,
12. Sir, you're a part of the leadership. There are others here ~~that~~
13. are and you constitute the leadership, of dispensing with that right
14. of allowing members the right to rise on a point of personal privilege
15. for the purpose of making an introduction.

16. PRESIDING OFFICER (SENATOR BRUCE):

17. Thank you, Senator Smith, and I hope that you were not offended.
18. Senator Rock, as brief as he was, was in the midst of the explanation
19. of his bill when Senator Newhouse came forward and we waited until
20. he was concluded, and by that time, the group had left. But I hope
21. that all members do try to limit their introductions to times when
22. people are not speaking on the Floor and rather than interrupt debate.
23. Senate Bill 614, Senator Rock. Senate Bill 617, Senator Savickas.

24. SECRETARY:

25. Senate Bill 616.

26. (Secretary reads title of bill)

27. 3rd reading of the bill. Senate Bill 6...it was the reading of...3rd
28. reading of Senate Bill 617.

29. PRESIDING OFFICER (SENATOR BRUCE):

30. Senator Savickas.

31. SENATOR SAVICKAS:

32. The purpose...Mr. President and members of the Senate, the
33. purpose of Senate Bill 617 is to remove the requirement of those

1. minor children under sixteen from obtaining a work permit to be
2. employed by the Federally funded .ceta Programs. As you know,
3. these programs are only approximately two months long during the
4. summertime. These children that try to get employed during the
5. summer, and many of them lie about their age, and the big urban
6. areas, there's no way in the world to really require these work
7. permits in such a short time, and it's just disrupted the whole pro-
8. gram. I would appreciate your support on it to help us facilitate
9. the employment of these kids during the summer months.

10. PRESIDING OFFICER (SENATOR BRUCE):

11. Senator Johns.

12. SENATOR JOHNS:

13. Would the sponsor yield to a question?

14. PRESIDING OFFICER (SENATOR BRUCE):

15. Indicates that he will yield.

16. SENATOR JOHNS:

17. Why are work permits honored now?

18. PRESIDING OFFICER (SENATOR BRUCE):

19. Senator Savickas.

20. SENATOR SAVICKAS:

21. I didn't...I didn't hear the question.

22. PRESIDING OFFICER (SENATOR BRUCE):

23. Senator Johns, would you repeat the question please.

24. SENATOR JOHNS:

25. Why do we have work permits now?

26. PRESIDING OFFICER (SENATOR BRUCE):

27. Senator Savickas.

28. SENATOR SAVICKAS:

29. Well, basically we have work permits for children that are
30. going to be employed in private industry full...full or part-time.
31. When they are under sixteen years of age, the theory is to protect
32. them from abuse by management, and it's just child labor laws. There
33. ...these...this exemption would just exempt those minors under

1. sixteen engaged in an occupational, vocational, or educational pro-
2. gram that has Federal, State, or local government support. And this
3. again, as I say, is for those ceta Programs that the Federal
4. Government sponsors for the summer months for the school children.

5. PRESIDING OFFICER (SENATOR BRUCE):

6. Senator Johns. No further questions. Is there further debate?
7. The question is shall Senate Bill 617 pass. Those in favor vote
8. Aye. Those opposed vote Nay. The voting is open. Have all voted
9. who wish? Take the record. On that question, the Ayes are 54, the
10. Nays are none, none Voting Present. Senate Bill 617 having received
11. the constitutional majority is declared passed. Senate Bill 618,
12. Senator Savickas. Senator Savickas.

13. SENATOR SAVICKAS:

14. On Senate Bill 618, I had moved this from 2nd to 3rd. Senator
15. Graham had requested that we bring it back so that he could try to
16. amend the bill. I would oppose any amendments, but I would at this
17. time request that we bring it back to give him his opportunity to
18. amend it.

19. PRESIDING OFFICER (SENATOR BRUCE):

20. Senator Savickas asks leave to move Senate Bill 618 to the
21. order of 2nd reading. Is there leave? Leave is granted. The bill
22. is on 2nd reading. Senator Graham is recognized for the purpose of
23. offering an amendment.

24. SENATOR GRAHAM:

25. Mr. President and members of the Senate, this bill dealing with
26. the training course allowance and benefits for it in combination with
27. unemployment comp. It seems to me to be in a position without the
28. adoption of this amendment to allow someone to have the benefit of
29. both worlds. What we are trying to do here is that in the case of
30. an allowance being made under the provisions of Senate Bill 618; that
31. that allowance and all inclements attached will not be more than the
32. unemployment compensation that this person would receive, and if they
33. are, then the person so getting these benefits will be requested by

1. the provisions of this benefit to give up the benefits of unemploy-
2. ment compensation. What we're saying, I think, is that we're not
3. going to encourage people to engage in programs and get paid for that
4. draw unemployment compensation, and further raid the treasury of the
5. economic system in the State of Illinois, and I suggest strongly that
6. you give this amendment some serious consideration and...and adopt
7. it.

8. PRESIDING OFFICER (SENATOR BRUCE):

9. Senator Savickas.

10. SENATOR SAVICKAS:

11. Mr. President and members of the Senate, this amendment would
12. defeat the whole purpose of Senate Bill 618. Under the Federal
13. Comprehensive Employment and Training Act of 1973, the CETA Program,
14. it allows that an enrollee receiving unemployment benefits, may
15. receive training allowance to supplement these payments. The State
16. would not lose the money. These training allowances come from the
17. Federal Government through the CETA Program. It would permit indivi-
18. duals who are laid off and are receiving unemployment compensation
19. to allow them to train to be enrolled in a training program so that
20. they may seek different work, may upgrade their status in life. It
21. serves no useful purpose in trying to deny an individual who has
22. been laid off from a job a chance to enroll in a program that may
23. benefit not only him but the State of Illinois by removing him off
24. these rolls. I would at this time oppose the adoption of this amend-
25. ment.

26. PRESIDING OFFICER (SENATOR BRUCE):

27. Is there further debate? Senator Glass.

28. SENATOR GLASS:

29. Well, I...frankly, I've listened, Senator Savickas. I can
30. appreciate his concern, but I don't think it...it really is legi-
31. timate. I know at the present time, as I understand the law, Senator,
32. the...the director can reduce the UC benefit already if there is
33. a benefit received for course allowance, and I don't think it's

1. justified for an individual to get his UC benefit and have that and
2. ...and the...the amount that he gets for the course allowance and
3. have...and have...and be better off than he would be with the...the
4. UC alone. So, I...it seems to me that this is a reasonable, a very
5. reasonable amendment and would improve the bill.

6. PRESIDING OFFICER (SENATOR BRUCE):

7. Any further debate? The question is on the adoption of Amendment
8. Number...Senator Demuzio.

9. SENATOR DEMUZIO:

10. Well, I have a question to ask Senator Graham.

11. PRESIDING OFFICER (SENATOR BRUCE):

12. Indicates he'll yield.

13. SENATOR DEMUZIO:

14. By your amendment, giving you an illustration, perhaps I can
15. clear up something for me. Under the CETA Program, the...the maximum
16. benefit, the maximum salary would be in the area of ten thousand
17. dollars per year. The person who is unemployed for, I think, thirteen
18. weeks or longer, at that point, according to your amendment would be
19. ...would be not eligible to receive both the ten thousand dollar, let's
20. say maximum salary, providing he was making the maximum, plus the
21. unemployment compensation benefits. Is that correct?

22. PRESIDING OFFICER (SENATOR BRUCE):

23. Senator Graham.

24. SENATOR GRAHAM:

25. And that is basically correct to the extent that this does
26. mandate the director to take such steps are necessary in that regard.

27. PRESIDING OFFICER (SENATOR BRUCE):

28. Senator Demuzio.

29. SENATOR DEMUZIO:

30. That's all. Thank you.

31. PRESIDING OFFICER (SENATOR BRUCE):

32. Is there further debate. The question is on the adoption of
33. Amendment No. 1. All in favor say Aye. All opposed Nay. Chair...

1. Chair's in a dilemma. We'll have a roll call. Roll call on the
2. Amendment No. 1 to Senate Bill 618. Those in favor vote Aye. Those
3. opposed vote Nay. The voting is open. Have all voted who wish?
4. Take the record. On that question, the Ayes are 32, the Nays are
5. 20, 1 Voting Present. Amendment No. 1 having received a majority
6. vote is declared adopted. Are there further amendments? 3rd reading.
7. Senate Bill 619, Senator Partee. Senator Savickas.

8. SENATOR SAVICKAS:

9. Well, it would be a little senseless now to leave it on 3rd
10. reading. I would move at this time to Table the bill.

11. PRESIDING OFFICER (SENATOR BRUCE):

12. Senator Savickas moves to Table Senate Bill 618. Leave is
13. granted. Senator Bloom.

14. SENATOR BLOOM:

15. Thank you. I rise on a point of personal privilege.

16. PRESIDING OFFICER (SENATOR BRUCE):

17. State your point.

18. SENATOR BLOOM:

19. The point is, seated in the President's Gallery are a group of
20. students from the Illini Buff High School, Bluff's High School
21. Student Government Class with their teacher Dan Walther. I'd ask that
22. they stand and be recognized.

23. PRESIDING OFFICER (SENATOR BRUCE):

24. Ask that they stand and be recognized by the Senate.

25. SENATOR BLOOM:

26. ...Walther, W-a-l-t-h-e-r.

27. PRESIDING OFFICER (SENATOR BRUCE):

28. Senator Knuppel.

29. SENATOR KNUPPEL:

30. I'd...I'd like to join in that because they just happen to be
31. from my district.

32. PRESIDING OFFICER (SENATOR BRUCE):

33. Senator Partee on Senate Bill 619.

1. SECRETARY:

2. Senate Bill 619.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER (SENATOR BRUCE):

6. Senator Partee.

7. SENATOR PARTEE:

8. Senate Bill 619 is a bill that would increase the salary only
9. of the chairman in contradistinction to the members of the Illinois
10. Commerce Commission. There are five commissioners in all, and last
11. year we increased the salary of the commissioners, the five of them
12. from thirty thousand to thirty-two thousand. The chairman will not
13. be getting that increase for three years or until his term runs out.
14. Hence, the new commissioners appointed this year would be getting
15. thirty-two thousand dollars, while the chairman will only be getting
16. thirty-three thousand dollars which is only a one thousand dollar
17. differential. And the chairman feels, and I happen to agree, that the
18. difference in the workload between the chairman and the other four
19. commissioners is great enough, of course, to justify more than a
20. one thousand dollar salary differential, and we want a salary differen-
21. tial of seventy-five hundred dollars which would take eventually the
22. ...the salary of the Commerce Commission Chairman to thirty-nine five.
23. It would be only and a fifty-five hundred dollar effective increase
24. now until the...his term runs out, but the new chairman would then,
25. of course, get the full thirty-nine five, but this chairman will only
26. get thirty-seven five. I know of no opposition to the bill. I'd
27. appreciate a roll call.

28. PRESIDING OFFICER (SENATOR BRUCE):

29. Is there further debate? The question is shall Senate Bill 619
30. pass. Those in favor vote Aye. Those opposed vote Nay. The voting
31. is open. Have all voted who wish? Take the record. On that question,
32. the Ayes are 46, the Nays are none, none Voting Present. Senate Bill
33. 619 having received the constitutional majority is declared passed.

1. Senate Bill 621, Senator Vadalabene.

2. SECRETARY:

3. Senate Bill 621.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDING OFFICER (SENATOR BRUCE):

7. Senator Vadalabene.

8. SENATOR VADALABENE:

9. Thank you, Mr. President and members of the Senate. First of
10. all, I'd like to preface my remarks that I and other school people
11. find no fault with the transportation reimbursement program per se.
12. In fact, we feel that the Legislators have been more than generous
13. with their financial assistance. However, what Senate Bill 621 would
14. provide is to change the payment procedure for transportation reim-
15. bursement. Instead of paying annually, make payments semiannually.
16. The first payment be made in January based on preliminary report
17. submitted by October 15th using the September data and the second
18. payment may be made in September on information submitted at the end
19. of the school, and I would appreciate a favorable vote.

20. Is there debate? Senator Wooten.

21. SENATOR WOOTEN:

22. Just a question of the sponsor.

23. PRESIDING OFFICER (SENATOR BRUCE):

24. Indicates that he will yield.

25. SENATOR WOOTEN:

26. Senator Vadalabene, what are we talking about in terms of money
27. here now? Will this...I imagine just from reading the bill this is
28. going to cost the Office of Education a...a fair amount of money now,
29. but then after that, there will be no problem. Is...is that...

30. PRESIDING OFFICER (SENATOR BRUCE):

31. Senator Vadalabene.

32. SENATOR VADALABENE:

33. Yes, that is correct.

1. PRESIDING OFFICER (SENATOR BRUCE):

2. Senator Wooten.

3. SENATOR WOOTEN:

4. What is that amount then? The...we are putting a bit of a...
5. I assume we're placing a bit of an economic strain on the department
6. at this point in the first payment, and how...what is the amount?

7. PRESIDING OFFICER (SENATOR BRUCE):

8. Senator Vadalabene.

9. SENATOR VADALABENE:

10. Senator Wooten, in terms of the fiscal impact, the bill would
11. mean that in Fiscal '76, the State would pay the estimated claim for
12. the '74-'75 school year, some thirty-six million dollars plus one
13. half of the projected claim for the next school year from eighteen
14. to nineteen...million. And then the next fiscal year, Fiscal '77,
15. only the remainder of the school year claim '75-'76 would be paid.
16. In effect, Fiscal '76 will see the payment of one and one half.

17. PRESIDING OFFICER (SENATOR BRUCE):

18. Senator Wooten.

19. SENATOR WOOTEN:

20. Thank you, Senator. Now, the only question I have, is what this
21. will mean is that the State if it can be said to suffer a loss will
22. suffer a loss in the use of the money that it now has for a slightly
23. longer period of time. Why should we make the change to the semi-
24. annual payments, Senator?

25. PRESIDING OFFICER (SENATOR BRUCE):

26. Senator Vadalabene.

27. SENATOR VADALABENE:

28. Delay paying the cost of transportation until the reimbursement
29. check is received, obviously, is not acceptable. First of all,
30. transfer of monies from other funds which are not available in school
31. districts, it would set up a working cash fund and use this
32. money for borrowing purposes. This requires a bond issue which people
33. would probably reject. You can't keep asking people to increase their

1. property tax, to solve school financial problems. They would have
2. to issue anticipation warrants, but if some school districts such
3. as the one which is so low would level a forty-five hundred dollars
4. for transportation as is in the case of one of the districts I'm
5. referring to, it means only three thousand dollars because of the
6. seventy-five percent of...levy limitations regarding warrants. This
7. would be the last alternative which would...I think would be acceptable,
8. which would save the school districts throughout the State of Illinois
9. from borrowing, of passing bond issues, and so forth.

10. PRESIDING OFFICER (SENATOR BRUCE):

11. Senator Wooten.

12. SENATOR WOOTEN:

13. ...I just wanted to thank the sponsor for the explanation. It
14. ...I see the point then that the school districts are running a little
15. short of money. This will give them a chance to catch up, but it
16. should also in fairness be pointed out that the State will lose the
17. loss of money for a certain period of time, and I suppose it's where
18. you want to come down on that side of the question. Thank you.

19. PRESIDING OFFICER (SENATOR BRUCE):

20. Is there further debate? The question is shall Senate Bill 621
21. pass. Those in favor vote Aye. Those opposed vote Nay. The voting
22. is open. Have all voted who wish? Take the record. On that question,
23. the Ayes are 52, the Nays are 1, none Voting Present. Senate Bill
24. 621 having received the constitutional majority is declared passed.
25. Senate Bill 626, Senator Berning. Senator Demuzio. Senator Vadalabene.

26. SENATOR VADALABENE:

27. Yes, Mr. President and members of the Senate, for some unknown
28. reason while I was explaining my bill, somebody turned my key, and
29. I didn't have the opportunity to vote Aye on my bill. And I would
30. have the...I would like for the record to show that I was supporting my
31. own legislation.

32. PRESIDING OFFICER (SENATOR BRUCE):

33. The record will so show. Senator Demuzio, for what purpose do

1. you arise? .

2. SENATOR DEMUZIO:

3. Mr. President and members of the Senate, visiting with us today
4. in the gallery to the south, the sixth grade class from Palmyra in
5. my district, and their teacher Al Formia. If they would stand and
6. be recognized by the Senate.

7. PRESIDING OFFICER (SENATOR BRUCE):

8. Would ask that they stand and be recognized by the Senate.
9. Senator McCarthy.

10. SENATOR MCCARTHY:

11. Mr. President, rather than...rather than clutter up the record
12. on Senator Vadalabene attempting to be recorded Aye on his own vote,
13. I looked at the people that were voting Aye and then counted the
14. number, and Senator Vadalabene did, in vote...fact, vote Aye. It's
15. just that he's been voting his green switch so long the bulb is burnt
16. out.

17. PRESIDING OFFICER (SENATOR BRUCE):

18. I...I believe the record will so show that. Senate Bill 626,
19. Senator Berning.

20. SECRETARY:

21. Senate Bill 626.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER (SENATOR BRUCE):

25. Senator Harris, for what purpose do you arise?

26. SENATOR HARRIS:

27. Well, I just wanted to inquire that if the addition of Senator
28. Vadalabene to that roll call, would that have made it sixty votes for
29. the bill?

30. PRESIDING OFFICER (SENATOR BRUCE):

31. I did not get a chance to count the bulbs. Senator Berning.

32. SENATOR BERNING:

33. Thank you, Mr. President and members of the Body. This measure

1. is a County Problem's Commission bill. Seeks to provide just a
2. little additional revenue for the counties by requiring that the
3. State pay recorders' fees. There's no way of estimating just how
4. much this will generate in the way of income, but every little bit
5. helps, and I remind you that just today, again, we...and...required
6. of the counties to assume a little additional expense by increasing
7. the publication fees for assessment rolls and so on. This is a needed
8. measure, and I solicit your Aye vote.

9. PRESIDING OFFICER (SENATOR BRUCE):

10. Is there further debate? The question is shall Senate Bill 626
11. pass. Those in favor vote Aye. Those opposed vote Nay. The voting
12. is open. Have all voted who wish? Take the record. On that question,
13. the Ayes are 50, the Nays are 1, none Voting Present. Senate Bill 626
14. having received a constitutional majority is declared passed. Senate
15. Bill 627, Senator Palmer. Senate Bill 630, Senator Knuppel. Senate
16. Bill 638, Senator Donnewald.

17. SECRETARY:

18. Senate Bill 638.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDING OFFICER (SENATOR BRUCE):

22. Senator Donnewald.

23. SENATOR DONNEWALD:

24. Yes, this is a series of three bills - 638, 39 and 40, which
25. are products of the commission that was created by this Body to
26. investigate by a joint resolution I might...I might say to investi-
27. gate the problem of eavesdropping, and this particular bill amends
28. the Criminal Code, Chapter 38, new paragraph 14-8, requires any
29. agent, officer, or employee of a private investigative agency or non-
30. governmental corporation or any individual who discovers any physical
31. evidence of any eavesdropping device which he or she does not know
32. to be legal, a...a legal eavesdropping device, to disclose it to the
33. person being eavesdropped and to the State's Attorney. The violation

1. is a business offense, and I would solicit your support.

2. PRESIDING OFFICER (SENATOR BRUCE):

3. Is there debate? The question is shall Senate Bill 627 pass.
4. Those in favor vote Aye. Those opposed vote Nay. The voting is
5. open. Excuse me. The question is shall Senate Bill 638 pass. Those
6. in favor vote Aye. Those opposed vote Nay. The voting is open.
7. Have all voted who wish? Take the record. On that question, the
8. Ayes are 52, the Nays are none, none Voting Present. Senate Bill 638
9. having received the constitutional majority is declared passed.
10. Senate Bill 639, Senator Donnewald. Have to read the bill first.

11. SECRETARY:

12. Senate Bill 639.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER (SENATOR BRUCE):

16. Senator Donnewald.

17. SENATOR DONNEWALD:

18. Senate Bill 639 amends the Criminal Code, Chapter 38, Paragraph
19. 14-4, increases the penalty for eavesdropping from a Class A mis-
20. demeanor, that's up to one year in jail and or up to a...a thousand
21. dollar fine, to a Class III felony, imprisonment for one to ten years
22. and up to a ten thousand dollar fine. Precisely what it does, and
23. I would solicit your support.

24. PRESIDING OFFICER (SENATOR BRUCE):

25. Is there debate? The question is shall Senate Bill 639 pass.
26. Those in favor vote Aye. Those opposed vote Nay. The voting is
27. open. Have all voted who wish? Take the record. On that question,
28. the Ayes are 53, the Nays are none, none Voting Present. Senate
29. Bill 639 having received a constitutional majority is declared passed.
30. Senate Bill 640.

31. SECRETARY:

32. Senate Bill 640.

33. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDING OFFICER (SENATOR BRUCE):

3. Senator Donnewald.

4. SENATOR DONNEWALD:

5. Yes, Mr. President, 640 amends the Criminal Code, Chapter 38,
6. Paragraph 14-8, requires any agent or...or it...any agent, officer,
7. or employee of any common carrier by wire who discovers any physical
8. evidence of any eavesdropping device which he or she does not know
9. to be a legal eavesdropping device to disclose it to the subscriber
10. and the State's Attorneys office. I solicit your support.

11. PRESIDING OFFICER (SENATOR BRUCE):

12. Is there debate? The question is shall Senate Bill 640 pass.
13. Those in favor vote Aye. Those opposed vote Nay. The voting is
14. open. Have all voted who wish? Take the record. On that question,
15. the Ayes are 54, the Nays are none, none Voting Present. Senate
16. Bill 640 having received a constitutional majority is declared passed.
17. Senate Bill 641, Senator Netsch. Senate Bill 642, Senator Netsch.
18. Read the bill.

19. SECRETARY:

20. Senate Bill 642.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER (SENATOR BRUCE):

24. Senator Netsch.

25. SENATOR NETSCH:

26. Mr. President, this bill was requested by the Department of Law
27. Enforcement. It adds a number of specific items to the schedules of
28. controlled substances, which is part of the Food and Drug Act of the
29. State of Illinois. Most of these were already required by Federal
30. regulations. They have been in the State regulations for two years
31. following...extensive hearings and agreement, apparently, by everyone
32. involved. The statute then requires that the Department submit the
33. regulations to the Legislature within two years for incorporation

1. into the statute itself. This Act represents the Department's com-
2. pliance with that mandate.

3. PRESIDING OFFICER (SENATOR BRUCE):

4. Senator Bloom.

5. SENATOR BLOOM:

6. Thank you, Mr. President. Dawn, what the heck is multi-fastic?

7. PRESIDING OFFICER (SENATOR BRUCE):

8. That's 641. Senate Bill 642, Senator Bloom.

9. SENATOR BLOOM:

10. Oh.

11. PRESIDING OFFICER (SENATOR BRUCE):

12. Is there further debate? The question is shall Senate Bill 642
13. pass. Those in favor vote Aye. Those opposed vote Nay. The voting
14. is open. Have all voted who wish? Take the record. On that question,
15. the Ayes are 48, the Nays are none, 4 Voting Present. Senate Bill
16. 642 having received a constitutional majority is declared passed.
17. Senate Bill 643, Senator Chew. For what purpose Senator Buzbee arise?

18. SENATOR BUZBEE:

19. I was just wondering. Is that Senator Netsch's first bill?

20. PRESIDING OFFICER (SENATOR BRUCE):

21. Senator Netsch.

22. SENATOR NETSCH:

23. The...the way things are going around here, this may be my first
24. and only bill.

25. PRESIDING OFFICER (SENATOR BRUCE):

26. Senate Bill 645, Senator Course. Read the bill.

27. SECRETARY:

28. Senate Bill 645.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDING OFFICER (SENATOR BRUCE):

32. Senator Course.

33. SENATOR COURSE:

1. Thank you, Mr. President and members of the Senate. Senatè
2. Bill 645 amends the Illinois Aeronautics Act. It adds Section 43-D.
3. Section 43-D relates to intoxicated...intoxicated persons in or about
4. aircrafts. Paragraph 1 says that no person shall operate or attempt
5. to operate any aircraft in this State while under the influence of
6. intoxicating liquor, or any narcotic drug or other controlled sub-
7. stance. Paragraph 2 says no person shall knowingly permit any indi-
8. vidual to, who is under the influence of intoxicating liquor or any
9. narcotic drug or controlled substance, to operate any aircraft owned
10. by such...person or in his custody or control. Paragraph 3 says that
11. no person shall perform any act in connection with the maintenance
12. or operation of any aircraft while under the influence of intoxicating
13. liquor or any narcotic drug or other controlled substance. It...many
14. persons who is in violation of this Act is quily of a Class A misde-
15. meanor. Now, Ladies and Gentlemen, there is a problem in this State.
16. There is no control. The local authorities do not have any control,
17. and the synopsis on the bill is in error. This...this does not have
18. anything to do with implied consent. This was all stricken out of...
19. this was stricken from the bill.

20. PRESIDING OFFICER (SENATOR BRUCE):

21. Senator Mohr, for what purpose do you arise?

22. SENATOR MOHR:

23. Yes, Mr. President, thank you. I'd like to just take a half a
24. minute to introduce a group up in the balcony, the eighth grade class
25. from Melrose Park School. The sponsors of the trip or the chaperons
26. are my good friend, Andy Skateen, Mrs. Holian and Mr. Preckle. If the
27. Senate would please rise...

28. PRESIDING OFFICER (SENATOR BRUCE):

29. Please rise and be recognized. Senator Egan.

30. SENATOR MOHR:

31. Thank you, Mr. President.

32. PRESIDING OFFICER (SENATOR BRUCE):

33. Senator Newhouse.

1. SENATOR NEWHOUSE:

2. On a point of personal privilege. I'd just like to tack onto
3. the end of Senator Mohr's introduction. That school district is the
4. school district in which...which my sister teaches, Mrs. Frazier..

5. PRESIDING OFFICER (SENATOR BRUCE):

6. Nice to have you here. Senator Egan.

7. SENATOR EGAN:

8. Yes, Senator Course, would you yield to a quick question?

9. PRESIDING OFFICER (SENATOR BRUCE):

10. Indicates that he will yield.

11. SENATOR EGAN:

12. If this had been the law yesterday, would it have had any effect
13. on last evenings flight to and from Chicago?

14. PRESIDING OFFICER (SENATOR BRUCE):

15. Senator Course.

16. SENATOR COURSE:

17. There was nobody aboard to enforce it, so I don't think...

18. PRESIDING OFFICER (SENATOR BRUCE):

19. Is there further debate? The question is shall Senate Bill 645
20. pass. Those...Senator Merritt.

21. SENATOR MERRITT:

22. Just briefly, Senator Course, did you say that the Digest itself
23. is in error or the Calendar, because the Digest, as I...I read it,
24. provides...prohibits having intoxicating liquor in passenger areas
25. of aircraft except in an original package with seal unbroken. Is
26. that...

27. PRESIDENT:

28. Senator Course.

29. SENATOR COURSE:

30. Senator Merritt, I amended this bill and everything after the
31. enacting claw was...clause was stricken and we added this new language
32. which I just read in this amendment.

33. PRESIDENT:

1. Senator Bell.

2. SENATOR BELL:

3. Yes, thank you, Mr. President. Senator Course, I believe you
4. said that there's no way of enforcing this if it were to become law?

5. PRESIDENT:

6. Senator Course.

7. SENATOR COURSE:

8. No, Senator Bell, I said there had been no way of enforcing this,
9. and this will give the airport authorities and the guards on the
10. airport authority to enforce this.

11. PRESIDENT:

12. Any further discussion? The question is shall Senate Bill 645
13. pass. All in favor will vote Aye. Those opposed will vote Nay. The
14. voting is open. Have all voted who wish? Take the record. On this
15. question, the Ayes are 55, the Nays are none. Senate Bill 645 having
16. received the constitutional majority is declared passed. Senate
17. Bill 646, Senator Course.

18. SECRETARY:

19. Senate Bill 646.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDENT:

23. Senator Course.

24. SENATOR COURSE:

25. Thank you, Mr. President. Senate Bill 646 amends the Illinois
26. Vehicle Code. It increases the fee for license to a...of a official
27. testing lane, and this here is in error, because the bill was amended.
28. It increases the...the...the license fee from...the original license
29. fee from ten dollars to a hundred fifty dollars. I amended that down
30. to a hundred and fifty dollars with the consent of the leadership on
31. the other side of the aisle. The renewal fee was increased from ten
32. to fifteen dollars, and the bill it says ten to thirty, but that was
33. amended down to fifteen. It does not provide...it does not provide

1. for certification of the mechanics. This is being done by the
2. vehicle inspection...by the Department of Transportation, and we've
3. researched this, and it goes back to, they think, 1939. This is
4. being done by just rules and regulations, and what it does - it...
5. the initial certification is ten dollars, and the renewal fee for the
6. mechanic is two dollars. This is, Ladies and Gentlemen, this...it'll
7. make this a break even inspection fee. At the present time, they're
8. losing about...the State is...it's costing the State around four
9. hundred thousand dollars. With these new fees, the...it will cost the
10. State, roughly, twenty-five thousand dollars to administer this act.

11. PRESIDENT:

12. Senator Glass.

13. SENATOR GLASS:

14. Senator Course, this applies to your testing lanes. Is that
15. correct? Their license fees?

16. PRESIDENT:

17. Senator Course.

18. SENATOR COURSE:

19. Truck testing lanes. That's correct, Senator Glass.

20. PRESIDENT:

21. Senator Glass.

22. SENATOR GLASS:

23. And then the...do you know approximately how many there are in
24. the State?

25. PRESIDENT:

26. Senator Course.

27. SENATOR COURSE:

28. Around twelve hundred, I believe, there is...there are.

29. PRESIDENT:

30. Any further discussion? Senator Latherow.

31. SENATOR LATHEROW:

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

33. PRESIDENT:

1. He indicates he'll yield.

2. SENATOR LATHEROW:

3. What...what is the formal...formerly the cost to these testing
4. stations, license for them?

5. PRESIDENT:

6. Senator Course.

7. SENATOR COURSE:

8. Ten dollars.

9. PRESIDENT:

10. Senator Latherow.

11. SENATOR LATHEROW:

12. And you're increasing it now to a hundred and fifty. Is that
13. correct?

14. PRESIDENT:

15. Senator Course.

16. SENATOR COURSE:

17. Yes.

18. PRESIDENT:

19. Any further discussion? Senator Course may close the debate.

20. SENATOR COURSE:

21. Yes, Ladies and Gentlemen, some people think that the testing
22. lanes are doing this for nothing. They're not. They're getting
23. for a...a straight job with two axles...it's two and a half dollars
24. for the one axle with two...two tires and for the rear axle with...
25. with four tires, it's two dollars and...fifty cents. It's a total
26. of four dollars and the seventy-five cents. So, they're not doing
27. this for nothing. The testing lanes have no objection to this.

28. PRESIDENT:

29. Any further discussion? The question is shall Senate Bill 646
30. pass. Those in favor vote Aye. Those opposed vote Nay. The voting
31. is open. Have all voted who wish? Take the record. On this
32. question, the Ayes are 44, the Nays are 6, 1 Voting Present. Senate
33. Bill 646 having received the constitutional majority is declared

1. passed. Senate Bill 647, Senator Kosinski.

2. SECRETARY:

3. Senate Bill 647.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDENT:

7. Senator Kosinski.

8. SENATOR KOSINSKI:

9. Mr. Chairman and distinguished members of the Senate, Senate
10. Bill 647 amends the Election Code. It changes the Primary date
11. from third Tuesday in March to the second Tuesday in May in 1976,
12. and every two years thereafter. This bill is similar to many bills
13. being introduced in the...the past, and it's concerned with changing
14. the Primary date. This means there would be less time to campaign
15. between Primary and General Election, and to me that would be a
16. blessing. In the Presidential election years, it would be possible
17. to have a more complete picture of the Presidential candidates before
18. delegate candidates announce to whom they are committed. I have here
19. for some facts about how many States have accepted the month of May.
20. Back in 1972 Presidential, there were ten States that had a Primary
21. date in May. For the 1976 Presidential, there are fourteen States
22. that will have Primary dates in May. If you care to, I'd be very
23. happy to name the States, some of them are surrounding our area. Mr.
24. President, I'm ready for any questions to be asked.

25. PRESIDENT:

26. Senator Mitchler.

27. SENATOR MITCHLER:

28. I'd like to ask the sponsor a question. When was the last time
29. we made a...an amendment and changed the Primary date for the State
30. of Illinois?

31. PRESIDENT:

32. Senator Kosinski.

33. SENATOR KOSINSKI:

1. I understand it was some time in the sixties.

2. PRESIDENT:

3. Senator Mitchler.

4. SENATOR MITCHLER:

5. I believe it was 1969.

6. PRESIDENT:

7. Well, that's in the sixties. Senator Mitchler.

8. SENATOR MITCHLER:

9. How did...how did you vote on that one?

10. PRESIDENT:

11. Senator Kosinski.

12. SENATOR KOSINSKI:

13. I hear 1970. So, it's 1970, and I understand it was '69 and

14. '70. You take your choice, Senator Mitchler.

15. PRESIDENT:

16. Senator Harris.

17. SENATOR HARRIS:

18. Well, I rise in opposition to this bill. I want to point out

19. an important consideration for those of you who have rural consti-

20. tuencies. The second Tuesday in May in Illinois has to be the

21. busiest time of the year. It is in the absolute heart of the planting

22. season in Illinois. Now, we lived for four years prior to 1970 with

23. a June Primary, and the June Primary was very discouraging and debili-

24. tating in its convenience for farm people to participate in the

25. Primary. Any public policy that militates against convenience for

26. voting and particularly for a very significant segment of the Illinois

27. constituency is bad public policy. So, I call that to your attention.

28. A date either the third or fourth Tuesday in April would be far pre-

29. ferable. I know that many people would like to close the gap between

30. the third Tuesday in March and the first Tuesday in November. But to

31. close this to a point that is determined by this bill to be the

32. second Tuesday in May is terribly, terribly...discouraging to the

33. farm people of Illinois. I would point one other fact out to you that

1. while we do not have an extreme revenue problem in 1975, there will
2. no doubt be occasions in the future when difficult choices will have
3. to be determined by the members of the General Assembly, and that
4. certainly will be focusing and crystallizing into decision making
5. by the time of the second Tuesday in May. So, there will be occasions
6. in the future when incumbents may very well wish that any change in
7. the Primary date would not have been moved into the month of May.
8. Just keep that in mind. This is a most unfortunate time to be selected,
9. it seems to me, and I vigorously oppose this bill.

10. PRESIDENT:

11. Senator Davidson.

12. SENATOR DAVIDSON:

13. Mr. President and members of the Senate, I rise in opposition
14. to this bill. As a minority spokesman on the Election and Reappor-
15. tionment Committee, this bill was one of several Primary date changes
16. which were brought forth to this committee which were sent to a
17. subcommittee of which Senator Dougherty, Senator Romano and I were
18. members of, and what brought to a real hassle quick on this bill and
19. the reason the other bill, Senator Graham has sponsored is on the
20. Floor is, they...there was a move to adopt a subcommittee report in
21. favor of this bill when there had not been a subcommittee meeting,
22. of which Senator Dougherty acknowledged, and then did support my motion
23. to get Senator Graham's bill out on this Floor which is the third
24. Tuesday in April. I rise in this...opposition to this bill for two
25. reasons. One, which Senator Harris has already addressed it...his
26. self to that dealing with the economy in the many parts of this State,
27. and that is in the farm area during the planting time. I think more
28. importantly which you members of this Body sitting here today should
29. be very much aware of, you've just gone through the second Tuesday
30. in May, and the busiest...and the busiest Session we had. If the
31. cut off rules which we have adopted continue in the future, you're
32. going to be in the middle of trying to pass all Senate Bills out on
33. 3rd reading when you're going to want to be home campaigning for

1. a Primary fight. Now, if you don't think that your opponent is going
2. take advantage of the fact that you're down here attending to your
3. job as you should be and he's making points showing up where you can't
4. and then if you would show up, he's going to lambaste you for not
5. being down at Springfield being a competent, on-time Legislator earn-
6. ing the salary which you have ran for, to the voters that you represent
7. to. Either way, you can't lose. The point which Senator Harris made
8. about votes that you may want to have done prior to a Primary Election
9. right in the middle of...of...this time, I think you should listen to.
10. I urge all of you to defeat this bill. If we want to change Primary
11. dates and shorten the time, let's change it to September or late
12. August. Let's really change it and shorten this time and have some-
13. thing that we can really give the people for their money that we
14. made a change that was constructive, that they can get a short time
15. of listening to us and let's change it to the Fall when we really
16. want to shorten up the time.

17. PRESIDENT:

18. Senator Soper.

19. SENATOR SOPER:

20. Well, Mr. President and members of the Senate, on a point of
21. personal...privilege. I'd like to...introduce a group...introduce
22. a group from Brookfield Grammer School the girl's school, District
23. No. 95 and their teachers. Would they please rise and be recognized
24. by the Senate in the southeast...southwest balcony.

25. PRESIDENT:

26. Senator...Senator Dougherty.

27. SENATOR DOUGHERTY:

28. Thank...thank you, Mr. President and members of the Senate. I
29. rise in support of this bill for the reason going back historically,
30. we've had an early Primary dates. We've had Primary dates in
31. February if I recall. However, in the mid-sixties or the later
32. sixties, I might say, Representative Horsley, then in the House,
33. introduced a bill that provided for a June Primary, and the bill

1. passed and approved by the Senate although we were not numerically
2. in power over here in the Senate, neither House at the time. We
3. agreed upon the June Primary, subsequently, a bill was introduced by
4. Representative Leland Kennedy in the House to bring it to April, but
5. however, some members of your side of the aisle at that time pulled
6. a little funny when they made it the third Monday in...the third
7. Tuesday in March which landed on St. Patrick's Day if I recall, which
8. is no day to hold a Primary Election anywhere in the United...in the
9. State. However, I might state I have reached the opinion in support
10. of Senator Kosinski for the reason that I believe that the second
11. Tuesday in May is the proper time. You may have planting problems
12. but they are not what they used to be years ago when you had to go
13. out in the fields and you didn't have the equipment to do it, where we
14. had access to the roads and the highways and the other areas, and
15. instead of setting it back to June again which we'll have, run into
16. problems with school dismissals, graduation and weddings and the whole
17. ball of wax. I think that in bringing it into May, we'll...eliminate
18. the...the problem of having to go canvass the persons to get the
19. petitions signed. You'll have to file it right during the Christmas
20. season. I agreed to this May 2nd...the second Tuesday in May is the
21. proper time. I urge all members to support Senator Kosinski's bill.

22. PRESIDENT:

23. Senator Smith is recognized on a point of personal privilege.

24. SENATOR SMITH:

25. East side of the Senate...(Machine cut-off)...southeast side
26. here of the Senate, you find a group of children from the Mollison
27. ...I don't know what this says. I can't see it. From the Mollison
28. School Hour and I do know the Mollison School is in my district,
29. 4415 South King Drive. May I ask that their...their presence be
30. recognized.

31. PRESIDENT:

32. Have them stand and be recognized. Senator Wooten.

33. SENATOR WOOTEN:

1. Thank you, Mr. President and colleagues. I might say that the
2. bill before us now represents my fifth choice as the Primary Date.
3. However, since it's the option before us and is...is as late as we
4. can get it, I will support it. I might point out that it will be a
5. very inconvenient time for us as has been indicated, but there is no
6. convenient time. You're never going to find one date at which you
7. can satisfy all segments of the population. I merely wanted to note
8. at this point that if Senator Graham is willing to accept an amend-
9. ment to 1286 to the September date we have discussed, I'd be very
10. happy to support that bill and work for it.

11. PRESIDENT:

12. Any further discussion? Senator Bruce.

13. SENATOR BRUCE:

14. Yes, Mr. President and members of the Senate, I come from prob-
15. ably as rural a district as anyone in this Body. I have yet to
16. receive the first letter in objection to this, and I know the claim
17. could be made that people won't object until they know about it. In my
18. particular part of the State, plowing was done this year on April the
19. 20th. It was all done. Planting will be done in the coming two
20. weeks. Now, any other time and any other year you're going to have
21. different dates involved. Last year, we had farmers doing plowing
22. in June and July and planting in July, simply because we had a wet
23. Spring. Now, if you're going to try to set the Primary date strictly
24. on the basis of farming, you're going to have to change it every
25. Spring because of the rains and problems. I support this date. I
26. know of no farmer that cannot vote on the second Tuesday in May, and
27. I think that all of them, my impression of all farmers is that they
28. vote. They'll be there at six o'clock when the polls open or they'll
29. be there at six o'clock when they close. I don't think that this
30. bill is harmful to their interest, and I support it.

31. PRESIDENT:

32. Senator Graham.

33. SENATOR GRAHAM:

1. Mr. President and members of the Senate, now, Senator Bruce
2. doesn't have to drive from one end of the State to the other during
3. the farming season. He has an airplane. He can fly. They might
4. be plowing in his county in April, and we might be trying to get the
5. frost out of the ground in the northern counties at the same time.
6. So, that argument, I think, Senator Bruce, is not going to hold up in
7. this area. To answer Senator Wooten's question about my bill with
8. regard to an amendment, my answer is a very, negative no. There is
9. another bill kicking around too that deals with this, and I, too, have
10. a concern about this, spent many anxious moments trying to do some-
11. thing with the Election Code of the State of Illinois. It's a very
12. delicate thing. It's a political thing. It's hard to sell to over
13. two hundred members of the General Assembly. We have to consider, I
14. think, one thing, Ladies and Gentlemen, that until we arrive and I
15. think this is important, until we arrive at the adoption of a new
16. Election Code which deals with the changes necessary in our Code and
17. deals with the consolidation of elections, and does all of the things
18. that will be helpful to the electorate of the people of the State of
19. Illinois, I'm suggesting that we probably not tamper around with
20. changing. We're having one heck of a time with the electorate. One
21. year they're voting for a Senator in one area, the next year with
22. reapportionment they're having somewhere else. We're changing the
23. Congressmen. We've changed the election dates. They go to the polls
24. every Tuesday or Saturday to find out what the heck they're going to
25. vote for. So, why don't we address ourselves to the things I think
26. we should address ourselves to in this fashion and it will be intro-
27. duced. It's ready to go. Senate Bill 1025, it will deal with a lot
28. of these things, and we will establish the Primary dates at the time
29. we have the consolidation of elections, and then we will have performed
30. a service to not only the...those seeking office but that poor tax-
31. payer in the State of Illinois that has the right to know something
32. about our elective process. I think let's don't hasten into oblivion
33. here, and do something that we're going to have to undo a little later

1. on.

2. PRESIDENT:

3. Senator Latherow, did you still seek recognition?

4. SENATOR LATHEROW:

5. Thank you, Mr. President and members of the Senate. I don't
6. want to be too repetitious, but I would want to mention one of my
7. main objections to this particular piece of legislation. It's our
8. continuous ability to keep the voter confused on when the election
9. might be. Now, I am not going to prevail on what agriculture might
10. do, but I'd assure you, Senator Bruce, that if it's planting time at
11. six o'clock in the morning, I can tell you where that farmer will be,
12. and he'll be there at six o'clock tonight, and you won't get him out
13. to vote whether he's a Democrat or a Republican.

14. PRESIDENT:

15. Any further discussion? Senator Kosinski may close the debate.

16. SENATOR KOSINSKI:

17. Mr. President, just to answer a few questions, and then I'll
18. ask for my roll call. I have watched the farmers plant in April
19. because of the weather. The best farmer in the world is the one above
20. who gives us the good weather for the farmer to plant his seeds, and
21. he doesn't look for January, February, March, April, May, June, July,
22. August, September, October, November, December. So, we picked the
23. date in May, the second Tuesday of May, because I feel there will be
24. many who have gone on vacation, the college students. Many people
25. picked on June for a vacation. We could do less with absentee ballots,
26. and have the people come to the polling place. That's what I'd
27. rather see, and I couldn't in my heart choose any other day than...
28. than...and the month as the great month of May. Mr. Chairman, I seek
29. a favorable roll call.

30. PRESIDENT:

31. The question is shall Senate Bill 67...647 pass. Those in
32. favor will vote Aye. Those opposed will...vote No. The voting is
33. open. Have all voted who wish? Take the record. On this question,

1. the Ayes are 36, the Nays are 17, and 1 Voting Present. Senate
2. Bill 647 having received a constitutional majority is declared
3. passed. For what purpose does Senator Latherow arise?

4. SENATOR LATHEROW:

5. I think that person Senator Kosinski was talking about must
6. have fooled with my key. I am aim to be...aim to be recorded No.

7. PRESIDENT:

8. Senate Bill 648, Senator Kosinski. Pardon me. For what purpose
9. does Senator Rock arise?

10. SENATOR ROCK:

11. Having voted on the prevailing side, I do now move to reconsider
12. the vote by which Senate Bill 647 passed.

13. PRESIDENT:

14. Senator Bruce.

15. SENATOR BRUCE:

16. Move to Table...move to Table that motion.

17. PRESIDENT:

18. Senator Rock moves to reconsider. Senator Bruce moves to Table.
19. All in favor will say Aye. Opposed Nay. Ayes have it. Senate
20. Bill 648, Senator Kosinski. Pardon me. Senator Soper, for what
21. purpose do you arise?

22. SENATOR SOPER:

23. Well, Mr. President, I rise on a point of personal privilege.
24. The other half of the School District 95, Girl's School from Berwyn
25. came in...I mean from Brookfield, and if I don't introduce them, there's
26. going to be a big fight between the two halves. So would they please
27. rise and...and be recognized by the Senate, and their teacher Mr.
28. List.

29. PRESIDENT:

30. Senate Bill 648, Senator Kosinski.

31. SECRETARY:

32. Senate Bill 648.

33. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDENT:

3. Senator Kosinski.

4. SENATOR KOSINSKI:

5. Thank you, Mr. Chairman and again distinguished Senators.

6. Senate Bill 648 is a bill that increases the salary for all probation
7. officers throughout the State of Illinois. It is some six years that
8. these people have not received a raise. I happen to about a month
9. and a half ago go to the circuit court and sit in the probation
10. officer's department and watch these people work. Some hundred and
11. twenty-five cases was heard by one probation officer as well as the
12. others, but I happened to sit there with this one probation officer
13. and watch him work. This is almost slavery in labor to have an indi-
14. vidual have so many cases to dispose of and to try to straighten out
15. many matters. He's screening his follow-ups, and also doing investi-
16. gations for the circuit court judges. They are the lowest paid. I
17. understand Senator Schaffer has been drawing attention.

18. PRESIDENT:

19. Just go right ahead. I'll get to him.

20. SENATOR KOSINSKI:

21. He's such a fine man, I...I...I hope...I hope that his motion
22. would be, Mr. President, Do Pass and go ahead with the bill and get
23. the vote. The salaries of the supervisors and the...all entire staff
24. of the Probation Department is listed in the bill, and there's quite
25. a number of remarks to be made, but I think as we go throughout this
26. State and talk to the circuit court judges as well as the people, you
27. will find that the probation officer is doing a outstanding job and
28. trying to do better, but you must reward these people with some com-
29. pensation, and it's monetary compensation. So, he can take care of
30. his family as well. There are some probation officers had...had left
31. the field, left the field, qualified people. We don't want to lose
32. qualified people. We want to keep them, and hire more which we need.
33. Mr. President, I think I said enough in behalf of these gentlemen

1. because they speak for themselves. We need this raise. We need the
2. change. We need more probation officers. Mr. President, I seek a
3. favorable roll call.

4. PRESIDENT:

5. Senator Schaffer.

6. SENATOR SCHAFFER:

7. Will the sponsor yield?

8. PRESIDENT:

9. He indicates he will.

10. SENATOR SCHAFFER:

11. Senator, I'd like to know. Does this mandate pay increases
12. caused by the county?

13. PRESIDENT:

14. Senator Kosinski.

15. SENATOR KOSINSKI:

16. Not that I see in the bill, not mandatory.

17. SENATOR SCHAFFER:

18. There...as I understand the bill, these are...these merely raise
19. the ceilings for salaries. It doesn't mandate the...the increase.

20. SENATOR KOSINSKI:

21. That's right.

22. SENATOR SCHAFFER:

23. The counties don't have to give them.

24. SENATOR KOSINSKI:

25. That's right.

26. SENATOR SCHAFFER:

27. Is there any State money involved in this bill?

28. SENATOR KOSINSKI:

29. No, Sir.

30. SENATOR SCHAFFER:

31. Okay, I'd like to point...I'm going to support this bill.

32. SENATOR KOSINSKI:

33. Thank you.

AB 649
3rd Reading
5-15-75

1. SENATOR SCHAFFER:

2. Senator Kosinski pointed out that I am a fine gentleman, and
3. ...well, I would like to suggest to you that we are, in effect,
4. mandating these salary increases because as Senator Kosinski has
5. pointed out these increases are overdue in many cases, and many of
6. the counties will find themselves under intense, almost irresistible,
7. pressure to, at least, in part enact these increases which gets me
8. to the point and the reason I'm standing on my feet. It's stick it
9. to county government time again. Once again, we are heaping additional
10. expenses on county government by action of this General Assembly, and
11. I would submit to you that we are going to have to provide the
12. revenue to meet those expenses or we are acting as a rather large
13. group of hypocrits.

14. PRESIDENT:

15. Any further discussion? The question is shall Senate Bill 648
16. pass. Those in favor vote Aye. Those opposed vote Nay. The voting
17. is open. Have all voted who wish? Take the record. ...(Machine
18. cut-off)...purpose does Senator Kosinski arise?

19. SENATOR KOSINSKI:

20. Mr. President, I thank all of you on behalf of all of those
21. probation officers.

22. PRESIDENT:

23. On this question, the Ayes are 51, the Nays are 4, 1 Voting
24. Present. Senate Bill 648 having received the constitutional majority
25. is declared passed. Senate Bill 649, Senator Don Moore.

26. SECRETARY:

27. Senate Bill 649.
28. (Secretary reads title of bill)
29. 3rd reading of the bill.

30. PRESIDENT:

31. Will Senator Newhouse come to the rostrum. Senator Don Moore.

32. SENATOR MOORE:

33. Thank you, Mr. President and members of the Senate. Senate

1. Bill 649 provides that members of Congress may receive two duplicate
2. sets of plates such as we now have. I think with common knowledge
3. that the members of our congressional delegation have a car in Wash-
4. ington. They also have one in the home district. This would allow
5. a duplicate set of plates to be issued for...to them which they have
6. to pay for like we do if they so desire. I know of no objection to
7. the bill. I'd appreciate a favorable roll call.

8. PRESIDENT:

9. Any further discussion? The question is shall Senate Bill 649
10. pass. Those in favor vote Aye. Those opposed vote Nay. The voting
11. is open. Have all voted who wish? Take the record. (Machine cut-
12. off)...this question, the Ayes are 54, the Nays are none. Senate
13. Bill 649 having received a constitutional majority is declared passed.
14. Senate Bill 650, Senator Newhouse.

15. SECRETARY:

16. Senate Bill 650.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDENT:

20. Senator Newhouse.

21. SENATOR NEWHOUSE:

22. Thank you, Mr. President. Senate Bill 650 revises procedures
23. by which State agencies collect social security contributions from
24. political subdivisions, and I'd appreciate a favorable roll call.

25. PRESIDENT:

26. Any further discussion? The question is shall Senate Bill 650
27. pass. Those in favor will vote Aye. Those opposed will vote Nay.
28. The voting is open. Have all voted who wish? Take...take the record.
29. On this question, the Ayes are 50, the Nays are 1. Senate Bill 650
30. having received a constitutional majority is declared passed. Senate
31. Bill 651, Senator Rock.

32. SECRETARY:

33. Senate Bill 651.

1. (Secretary reads title of bill)

2. 3rd reading of the bill.

3. PRESIDENT:

4. Senator Rock. While he's getting that ready, I'll...I'll make
5. the general announcement that Senator Romano is in the hospital
6. for tests and from all reports he's getting along well.

7. SENATOR ROCK:

8. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
9. I wish the Journal would so reflect that fact. This...this bill,
10. Senate Bill 651, is the annual appropriation of six hundred and
11. eighty thousand dollars for the State's contribution to the General
12. Assembly Retirement System. The General Revenue Fund increase over
13. the current fiscal year is eighty-five thousand dollars, and this is
14. the amount of the appropriation recommended by the State's actuary
15. and...and is in accord with the proper funding formula. I would move
16. for a favorable roll call.

17. PRESIDENT:

18. Any further discussion? The question is shall Senate Bill 651
19. pass. Those in favor vote Aye. Those opposed vote Nay. The voting
20. is open. Have all voted who wish? Take the record. On this question,
21. the Ayes are 54, the Nays are none. Senate Bill 651 having received
22. the constitutional majority is declared passed. Senate Bill 652,
23. Senator Harris.

24. SECRETARY:

25. ... (Machine cut-off)...652.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDENT:

29. Senator Harris.

30. SENATOR HARRIS:

31. Mr. President and members of the Senate, Senate Bill 652 which
32. Senator Partee and I have introduced is really the primary inspiration
33. of the former colleague of many of us, Senator Russ Arrington. He

1. wants, badly, to evaluate carefully the question of the provision
2. or the providing of a General Assembly library that would serve our
3. respective staffs in the two Houses and the Reference Bureau, the
4. Council, and I think he has done some work on this on his own, but
5. he has suggested that this really would be the way to do so. I know
6. that the persons who would be appointed to such a commission would
7. be dedicated to very carefully evaluate the need of such an agency.
8. I would hope that you would join me in the implementation of this
9. General Assembly Library Study Commission by the passage of Senate
10. Bill 652.

11. PRESIDENT:

12. Any further discussion? Senator Demuzio.

13. SENATOR DEMUZIO:

14. I'd like to ask a question of the sponsor.

15. PRESIDENT:

16. He indicates he'll yield.

17. SENATOR DEMUZIO:

18. What will this library consist of and how different will it be
19. than the current library we have already at the State Government?

20. PRESIDENT:

21. Senator Harris.

22. SENATOR HARRIS:

23. Well, Senator, that's a question that would be provided by the
24. results of this study commission. That's the whole purpose of the
25. creation of this commission.

26. SENATOR DEMUZIO:

27. I can't...I...I can't understand the...the...the benefits that
28. will be derived from this because of the fact that we already have
29. a...a...a State Library, and I don't...I don't understand the...the
30. rationale behind creating this one. I don't know what use...

31. SENATOR HARRIS:

32. The purpose...the purpose of this study commission would be to
33. evaluate whether there is a need for the creation of a General Assembly

1. library.

2. PRESIDENT:

3. You have to think of it in connection with the next bill also.

4. SENATOR HARRIS:

5. Yes.

6. PRESIDENT:

7. Any further discussion? The question is shall Senate Bill 652
8. pass. Those in favor will vote Aye. Those opposed vote Nay. The
9. voting is open. Have all voted who wish? Take the record. On this
10. question, the Ayes are 50, the Nays are 3. Senate Bill 652 having
11. received a constitutional majority is declared passed. Senate Bill
12. 653, Senator Harris.

13. SECRETARY:

14. Senate...Senate Bill 653.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDENT:

18. Just one moment. Senator Harris, are you able to think under
19. the circumstances and conditions surrounding you?

20. SENATOR HARRIS:

21. Well, I...I am now. Thank you, Mr. President. This is, of
22. course, the appropriation bill for the commission created by Senate
23. Bill 652. I would urge a favorable roll call.

24. PRESIDENT:

25. Any further discussion? The question is shall Senate Bill 653
26. pass. Those in favor will vote Aye. Those opposed will vote Nay.
27. The voting is open. Have all voted who wish? Take the record. On
28. this question, the Ayes are 49, the Nays are 5. Senate Bill 653
29. having received the constitutional majority is declared passed.
30. Senator Rock is recognized for a bill on 3rd reading out of the regular
31. order of...of the schedule which is of an emergency nature. It is
32. House Bill 1768. Senator Rock.

33. SENATOR ROCK:

1. Thank you, Mr. President. I do seek leave of this Body to go
2. to the order of House Bills on 3rd for the purpose of hearing House
3. Bill...or considering House Bill 1768 which is emergency in nature.

4. PRESIDENT:

5. Is there leave? Leave is granted. Senator Rock.

6. SECRETARY:

7. House...

8. PRESIDENT:

9. Read the bill, please.

10. SECRETARY:

11. House Bill 1768.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDENT:

15. Senator Rock.

16. SENATOR ROCK:

17. I think everyone is familiar with this bill. House Bill 1768
18. would obviate the...the required election in the County of Cook for
19. the Office of the Clerk of the Circuit Court. The election is esti-
20. mated to cost between eight point two and nine million dollars, and
21. it seems to many in the House, and I hope here, that that kind of
22. an expenditure is just a needless waste, since the Office of the Clerk
23. of the Circuit Court will, in fact, be up for election in 1976 in any
24. event. This will, in fact, save the County of Cook some eight million
25. dollars. Now, the County Board has not yet appropriated this money.
26. I'm told that there is a bill in the House to have the State pay the
27. costs, and I think this is a better approach just to obviate the
28. necessity of an election to be held...that was called to be held in
29. October of this year, when, in fact, that office is up for election
30. next year. I would ask for your favorable support.

31. PRESIDENT:

32. Is there any...further discussion? The question is shall House
33. Bill 1768 pass. Those in favor will vote Aye. Those opposed will

1. vote Nay. The voting is open. Have all voted who wish? Take the
2. record. On this question, the Ayes are 53, the Nays are 2. House
3. Bill 1768 having received a constitutional majority is declared
4. passed. Senator Rock.

5. SENATOR ROCK:

6. Thank you, Mr. President. I have one...other order of business.
7. I would like at this time, I have spoken with both Senators Weaver
8. and Hynes and other members, yesterday it was heard in Appropriations
9. Committee, a deficiency appropriation for the Department of Children
10. and Family Services. It's become pretty obvious to everybody that
11. this is something and again in the nature of an emergency since it...
12. if, in fact, that bill is not passed in one form or another, at least
13. a hundred and twenty-five current employees may be laid off.

14. PRESIDENT:

15. Is there leave to go to this...this order of business? Leave
16. is granted. Continue, Senator Rock.

17. SENATOR ROCK:

18. I would move at this time to discharge the Committee on Appro-
19. priations from further consideration of Senate Bill 1487 and ask
20. that it be placed on the Calendar on the order of 2nd reading. Senator
21. Weaver and others will have an amendment I am told. I am most
22. agreeable to that, and I would just ask that it come out on the Calen-
23. dar on the order of 2nd reading so that we can proceed with it
24. tomorrow.

25. PRESIDENT:

26. Any discussion? Senator Shapiro.

27. SENATOR SHAPIRO:

28. Mr. President and Ladies and Gentlemen of the Senate, my rising
29. is not in opposition to the motion to discharge. I realize the pro-
30. blems involved, but I do...would like to indulge just a...for a few
31. minutes and sight you some of my reasons for thinking that this is
32. not a good precedent to be setting. We have before us a motion to
33. discharge a bill that involves a considerable amount of money, fairly

1. close to three million dollars. This deficiency, it is now a defi-
2. ciency or supplemental appropriation. It came in merely as a trans-
3. fer bill to transfer funds amongst line items from the Department of
4. Children and Family Services. They have known for almost six months
5. that they were going to have to come in with this bill, yet they
6. waited until April 22nd to introduce it. The bill was...was posted
7. for hearing last week, and due to the fact that staff did not have
8. a lot of information, it was again postponed until yesterday for
9. hearing. We were under the gun for the amount of time that we had,
10. and I appreciate that, but I just want to point out to you some of
11. the problems that has faced us in the committee that should have been
12. discussed in the committee, and now will not be discussed cause this
13. bill will be out on 2nd reading, and I'm sure that any discussion
14. that goes on will be a mere fragment of what we should be doing. This
15. department in its FY '75 budget had a budgeted allocation of twenty-
16. nine hundred and nine employees. As of March 31st, they had twenty-
17. eight hundred and forty-seven of those positions filled. In this
18. so-called supplemental, they are providing for approximately a hundred
19. and seventy new employees in the month of June, one month before the
20. expiration of the fiscal year, which will take them one hundred and
21. nine employees above and beyond their allocation for this fiscal year.
22. Now, if we are really concerned about keeping employees on the pay-
23. roll so that they will be able to get their next pay check, then why
24. should we concern ourselves with additional employees in the month of
25. June. Why can't these employees...why can't the department wait until
26. July to put them on the payroll. In addition, we are also considering
27. transfers to travel, excessive amounts of travel in my opinion. We
28. are also considering transfers to contractual services, telecommunica-
29. tions. It's just not a matter of taking care of the present employees.
30. There are a lot of other questions that should have been asked in
31. committee. Now, because the motion Do Pass was not acted upon favorably,
32. the bill was held in committee, and I was hoping that another...in
33. another meeting we could have these questions answered. As a result

1. of the bill being held, the scorn of that department and the Executive
2. Branch is being heaped upon the shoulders of myself and other members
3. of the committee that voted against the deficiency appropriation. I
4. think the blame rightfully belongs on the shoulders of the adminis-
5. tration. They had plenty of time to get this bill in months ago.
6. That's the point I want to make.

7. PRESIDENT:

8. Time. Time. Senator Savickas.

9. SENATOR SAVICKAS:

10. I join Senator Shapiro in his quest to find out just exactly
11. why this department after knowing, knowing for six months they would
12. have a deficiency, added employees that were by this General Assembly
13. removed from...through our action, removed from the State payrolls,
14. added onto the budget in the Children and Family Services. Then they
15. come in and say well, we have a...deficiency. We must pay these employ-
16. ees. They are saying we must pay...employees that we did not authorize
17. them to hire, and I will give you an example of some of them. John
18. Lowens, Head of the Press Section of the Illinois Information Service
19. for thirteen hundred and twenty-seven dollars a month. This was...
20. this was one of the positions that this Legislature removed, removed
21. from State Government, yet here we find it in this budget, and we are
22. called upon that we must pay this person who we did not wish to hire
23. in the first place. We have...we can go all the way through this.
24. Dave Lobeck from the Office of Collective Bargaining, thirteen hundred
25. and fifty-six dollars a month. Shirley Morris from the Governor's
26. Action Office, eleven hundred dollars per month. All the way through
27. this deficiency appropriation, it is for those people that were to
28. be removed from governmental service, placed into this budget, now
29. they come in and say if we don't pass this, people aren't going to
30. get their checks. These people shouldn't have gotten checks in the
31. first place, and I support Senator Shapiro's position in this matter.

32. PRESIDENT:

33. Senator Hickey.

1. SENATOR HICKEY:

2. Mr. President, I can't...I can't speak to the particulars of
3. certain people on the payroll which Senator Savickas has just
4. referred to, but I think there is one misconception that seems to
5. be a...afoot, and that is that this is a deficiency appropriation.
6. It's a transfer of funds within the department. Two other things
7. which I've been told about the crisis which this brings about, and
8. I can't...there again, I can't defend the fact that the...that the
9. legislation was brought in late, but I'm told that it would mean
10. that eight hundred people in June would have to be laid off in the
11. Department of Children and Family Services, that the Department would
12. be completely immobilized. I'm also told that in the item labeled
13. residential care for kids, there would no money in June. I don't
14. ...I don't know what they'd do without this. That...those...that's
15. one thing, and then this other thing is that the money is there. It's
16. a matter of transfer, and I urge you to vote Yes.

17. PRESIDENT:

18. There are three other persons who indicated that...a desire to
19. speak on this matter, but the Chair would just point out that this
20. is a motion to discharge the committee, which means that if this
21. motion carries, this same bill, this same information will be on 2nd
22. reading subject, of course, to amendment. Senator Daley.

23. SENATOR DALEY:

24. Mr. ...Mr. President and fellow Senators, I fully agree with
25. Senator Shapiro in his concept of the committee structure in this
26. Senate. Again, we see another move to bypass the committee, and when
27. you start thinking about it, whether or not we really need an Appro-
28. priations Committee. The...Appropriations Committee has...has had
29. enough time. I think the Executive should cooperate with the Appro-
30. priations Committee in bringing a bill like this before the committee.
31. Just because there was a...a tie vote, I believe, or it was defeated.
32. In the committee, now we see again a motion to discharge committee.
33. I'm a firm believer in the committee structure, and again, what does

1. this motion do, it bypasses the committee again and again, and we will
2. see it in the future in this Session and next year and the follow-
3. ing year.

4. PRESIDENT:

5. Senator Hynes.

6. SENATOR HYNES:

7. Well, Mr. President, I did not realize that we were going to
8. end up with a debate on...on the merits of the bill, and there are
9. a couple of points that I would like to make. First of all, the
10. Department does share the blame for the...the problem that is created
11. here because this bill was introduced so late. Secondly, the points
12. that Senator Savickas and Senator Shapiro made are true in great part.
13. Thirdly, this is not any longer a simple transfer as it was originally
14. set up to be, because it was an attempt to transfer money from...from
15. grant items into operations which we refuse to approve. It is now
16. a straightforward...in...insofar as the...the parts that are at...at
17. issue here. It is a straightforward...straightforward deficiency
18. appropriation. There will be an amendment offered to remove the
19. positions that Senator Savickas was referring to and many others on
20. 2nd reading. The problem that we have in front of us is that this
21. bill is a mixture of good and bad. There are parts of it that most
22. of us would like never to see the light of day, and ordinarily, they
23. would be excised in the committee. Because of the time strictures, the
24. good parts of the bill, those parts that would go to pay the salaries
25. of employees that...that deserve to remain on the payroll, that part
26. of the...of the bill must be out of the Legislature and signed by the
27. first of June or it will be of no avail. Therefore, in order to save
28. the...the week that is involved and to avoid having to schedule a
29. special meeting of the committee to consider this bill, it was deter-
30. mined to move to discharge the bill, put it on the Calendar. The
31. amendment would be offered and clearly and fully explained to the
32. entire Body at the beginning of next week. And that's what the purpose
33. of the motion is.

1. PRESIDENT:
2. Any further discussion? Senator Welsh.
3. SENATOR WELSH:
4. Mr. President, is the amendment going on today?
5. PRESIDENT:
6. No, it is not.
7. SENATOR WELSH:
8. Well, today or tonight?
9. PRESIDENT:
10. The amendment can only be placed on after it's been on 2nd read-
11. ing.
12. SENATOR WELSH:
13. I know that. Assuming that this motion prevails, will the amend-
14. ment go on today?
15. PRESIDENT:
16. No, it will not. I can give you that assurance. Senator
17. Savickas.
18. SENATOR SAVICKAS:
19. I would just like to comment again. I've received probably
20. close to fifteen telephone calls from people in this Department,
21. from the downtown office in Chicago, trying to blame myself and some
22. of the members on the committee for what was obviously an intent of
23. the Director of the Department and the Governor's Office to submit
24. this legislation at a time where it couldn't be considered. I would
25. just make this statement publicly for the record, that I don't feel
26. it's any of the Legislator's responsibility or they should not be
27. criticized for not taking action or trying to say - well, you're
28. paycheck is going to be late, when the Director of the Department
29. and the Governor's Office knew that this would be a problem six
30. months ago. Those phone calls, and I...I am irritated by them. They
31. should be directed to the Director of the Department, to the Governor's
32. Office, for trying to circumvent the...the essential procedures of
33. this Legislature.

1. PRESIDENT:

2. Any further discussion? Senator Dougherty.

3. SENATOR DOUGHERTY:

4. Mr. President and members of the Senate, as a long time member
5. of this General Assembly, as the Chairman of a Committee, I think
6. that we're doing this Legislature a...a ill favor by bypassing the
7. committee system. I will not sustain any move to bypass this committee.

8. PRESIDENT:

9. Any further discussion? You seek recognition? Senator Lemke.

10. SENATOR LEMKE:

11. Honorable President, honored Senators, I too have received tele-
12. grams from the Governor's Office, phone calls from the Governor's —
13. Office in Chicago. I wonder who's paying the expense of this, if
14. it's coming out of the Department of Children and Family Services or
15. or it's coming out of the individual's pockets. I cannot support
16. this move when this Department wants to take money and funds away
17. from a day care center in my center, even though they have...have
18. succeeded in amending it. This is going to be consistent with this
19. Department, and until something is done and the proper hearing is
20. given in Appropriations and the bill is properly looked at and con-
21. sidered, and there are stopgaps and certain things, I cannot vote for
22. bypassing the committee. Thank you.

23. PRESIDENT:

24. Any further discussion? On Senator Rock's motion, the question
25. is shall Senate Bill 1487 be discharged from further consideration
26. by the department...by the Committee on Appropriations. All in favor
27. will say Aye. I know that. All in favor will say Aye. Opposed Nay.
28. Is a roll call requested? On this question, those who desire to
29. discharge Senate Bill 1487 vote Aye. Opposed will vote Nay. The
30. voting is open. ... (Machine cut-off)...all voted who wish? Take
31. the record. On this question, the Ayes are 19, the Nays are 29, 2
32. Voting Present. The motion fails. Any further business to come
33. before the Senate? Senator Donnewald.

1. SENATOR DONNEWALD:

2. Oh, yeah.

3. PRESIDENT:

4. Oh, yeah.

5. SENATOR DONNEWALD:

6. Yes, Mr. ...Mr. President, there's a resolution on the desk,
7. and you don't...you don't have to read it. I'll tell you what it is.
8. It's a...

9. PRESIDENT:

10. Senator Donnewald.

11. SENATOR DONNEWALD:

12. It's a...it's a resolution commending Mayor Richard Daley on
13. his birthday. I think he's a little over thirty-nine right now.
14. Last...last year I was a cosponsor of that legislation. This...and
15. I was accused of being the principle sponsor in the last election.
16. This time I'm the principal sponsor, and I want everybody to know it.
17. So, I would ask the Chair, Mr. President, ask the Body to...to dis-
18. pense with the...

19. PRESIDENT:

20. Is there leave for:..

21. SENATOR DONNEWALD:

22. ...procedure. I ask that we bypass committee and have the
23. matter considered immediately.

24. PRESIDENT:

25. Is there leave for all members to appear on this resolution?
26. Leave is granted. Senator Donnewald moves...

27. SENATOR DONNEWALD:

28. I would also ask all Senators join if they so desire. I would
29. ask for the adoption of the amendment.

30. PRESIDENT:

31. It's been accomplished. Senator Donnewald moves for the immediate
32. consideration of this resolution. All in favor will say Aye. Opposed
33. Nay. The resolution is under consideration. Senator Donnewald now

1. moves that this resolution, what is its number please? Senate
2. Resolution 79...78 be adopted. All in favor will say Aye. Opposed
3. Nay. The resolution is adopted. The Senate stands...Senator Nimrod.
4. SENATOR NIMROD:

5. Mr. President, in an effort to uphold the honor of the Senate
6. coming up very shortly, since the House practiced last night, we
7. thought it might be advisable for those who are available and can
8. make it for whatever time, even it's for a half hour or fifteen minutes,
9. from five to six-thirty baseball practice on Diamond 3 in Lincoln Park
10. tonight.

11. PRESIDENT:

12. I know. We come in Session at 7 o'clock. He's aware of that.
13. Senator Morris.

14. SENATOR MORRIS:

15. Senator, on a point of personal privilege, I would like to intro-
16. duce in the Gallery to our right, the Summit School of Zion which is
17. in my community, and I would like the Senate to recognize their
18. presence.

19. PRESIDENT:

20. Will they stand and be recognized by the Senate. Any further
21. business to come before the Senate? Senator Daley.

22. SENATOR DALEY:

23. Mr. President and fellow Senators, the Senate Judiciary...Committee
24. will meet immediately after this Session in Room 400.

25. PRESIDENT:

26. Any further announcements? Senator Kosinski.

27. SENATOR KOSINSKI:

28. Mr. President and members of the Senate, the Election and Reappor-
29. tionment Committee will meet immediately after adjournment. I thank
30. you.

31. PRESIDENT:

32. On the Calendar for Motions in Writing are a list of motions from
33. 177 down through 494. Is there leave to place them on the Calendar

1. for Monday, May the 20th? Monday, May the 19th. Is there leave?
2. Leave is granted. Senate stands in recess until 7 p.m. tonight.
3. Senate stands in recess until 7 p.m. tonight.

4. (RECESS)

5. (AFTER RECESS)

6. PRESIDENT:

7. The hour of seven having arrived, the Senate will come to order.
8. ... (Machine cut-off) ... Nudelman, do you have some bills on 2nd reading?

9. SENATOR NUDELMAN:

10. Mr. President, Senate Bills 99, 100 and 101, I find on 2nd read-
11. ing, and it was my recollection that several days ago I had moved them
12. to 3rd reading. I think it must be a typographical error or some
13. error in the... in the office, and I would move, Mr. President, that
14. they put on... be moved to 3rd reading this evening.

15. PRESIDENT:

16. ... (Machine cut-off) ... to revert to the order of 2nd reading
17. for the purpose of moving these bills. Leave is granted. Senate
18. Bill 99.

19. SECRETARY:

20. Senate Bill 99.

21. (Secretary reads title of bill)

22. 2nd reading of the bill. No committee amendments.

23. PRESIDENT:

24. Any amendments from the Floor? 3rd reading. Senate Bill 100.

25. SECRETARY:

26. Senate Bill 100.

27. (Secretary reads title of bill)

28. 2nd reading of the bill. No committee amendments.

29. PRESIDENT:

30. Any amendments from the Floor? 3rd reading. Senate Bill 100.

31. Pardon me, 101.

32. SECRETARY:

33. Senate Bill 101.

1. (Secretary reads title of bill)

2. 3rd...2nd reading of the bill. No committee amendments.

3. PRESIDENT:

4. Any amendments from the Floor? 3rd reading. Have any other
5. members present any bills on 2nd reading, Senate Bills on 2nd reading
6. that you desire to move? Senate Bills on 2nd reading. Senate Bill 97,
7. Senator Regner.

8. SECRETARY:

9. Senate Bill 97.

10. (Secretary reads title of bill)

11. 2nd reading of the bill. The Committee on Elections and Reapportion-
12. ment offers one amendment.

13. PRESIDENT:

14. Senator Regner.

15. SENATOR REGNER:

16. Yes, Mr. ...Mr. President, the amendment clarifies some of the
17. wordage in the bill as originally presented, and I'd move the adoption
18. of the Committee Amendment No. 1 to Senate Bill 97.

19. PRESIDENT:

20. Is there any further discussion? Senator Regner moves the
21. adoption of Amendment No. 1 to Senate Bill 97. All in favor will say
22. Aye. Opposed Nay. Ayes have it. The amendment is adopted. Any
23. further amendments? 3rd reading. House Bill...Senate Bills on 2nd
24. reading. Senate Bill 596, Senator Joyce.

25. SECRETARY:

26. Senate Bill 596.

27. (Secretary reads title of bill)

28. 2nd reading of the bill. No committee amendments.

29. PRESIDENT:

30. Any amendments from the Floor? Amendment No. 1, Senator Joyce.

31. SENATOR JOYCE:

32. Amendment No. 1 is Senator Berning's amendment if he would...

33. PRESIDENT:

1. Is whose amendment?

2. SENATOR JOYCE:

3. Senator Berning.

4. PRESIDENT:

5. Senator Berning's, yes. Senator Berning.

6. SENATOR BERNING:

7. Thank you, Mr. President. This is an amendment that we worked
8. out between us to assure that the benefits would not be applied prior
9. to the three years prior to retirement instead of death, and this
10. seems to be a...a defensible amendment. There's no disagreement. This
11. was agreed to in the committee meeting. I move for the adoption,
12. Mr. President.

13. PRESIDENT:

14. Any further discussion? Senator Berning moves Amendment No. 1
15. to Senate Bill 596. Those in favor will say Aye. Those opposed will
16. say Nay. The Ayes have it. Amendment No. 1 is adopted. Amendment
17. No. 2. Is that yours, Senator Joyce.

18. SENATOR JOYCE:

19. Yes.

20. PRESIDENT:

21. Senator Joyce.

22. SENATOR JOYCE:

23. Amendment No. 2 specifies the time and date when they will pay
24. these. It says at the first of the preceding month after they file
25. it.

26. PRESIDENT:

27. Would you repeat that, Sir? What does the amendment do?

28. SENATOR JOYCE:

29. It sets the time that the...on the payment period when it will
30. be after the date it's filed.

31. PRESIDENT:

32. When what will be?

33. SENATOR JOYCE:

1. When the first payment shall be made after the...in the...in
2. the calendar month of the eligibility of the application for payment
3. of the...the pension system.

4. PRESIDENT:

5. Any further discussion? Senator Berning.

6. SENATOR BERNING:

7. I rise in support of this amendment. It is an agreed amendment,
8. and conforms to the proposals of the Department of Insurance and...
9. and Pension...Employee's Pension System. It does provide for the
10. start of benefits, the first of the month following the filing of a
11. claim.

12. PRESIDENT:

13. Any further discussion? Senator Joyce moves the adoption of
14. Amendment No. 2 to Senate Bill 596. All in favor will say Aye.
15. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any
16. further amendments? 3rd reading. Senate Bills still on 2nd reading.
17. Senate Bill 1395, Senator Nudelman.

18. SECRETARY:

19. Senate Bill 1395.

20. (Secretary reads title of bill)

21. 2nd reading of the bill. No committee amendments. One Floor Amend-
22. ment offered by Senator Nudelman.

23. PRESIDENT:

24. Senator Nudelman.

25. SENATOR NUDELMAN:

26. Mr. President, I had inadvertently forgotten to put a penalty
27. clause on this bill, on a...the amendment would make a violation of
28. this Act a business offense with a fine of twenty...not to exceed
29. twenty-five dollars. I would move the amendment.

30. PRESIDENT:

31. Any further discussion? Senator Nudelman moves Amendment No. 1,
32. the adoption of Amendment No. 1 to Senate Bill 1395. All in favor
33. will say Aye. Opposed Nay. The amendment is adopted. Any other

1. members have any bills on 2nd reading you desire to move? Are there
2. House Bills on 2nd reading that you desire to move? Senator Wooten.

3. SENATOR WOOTEN:

4. House Bill 503, if you want to move from...to 3rd reading. We
5. have no amendments or anything. Or is...is that the order of business
6. you're on, Mr. President?

7. PRESIDENT:

8. On the order of business of House Bills on 2nd reading.

9. SENATOR WOOTEN:

10. I'd like to move 503.

11. PRESIDENT:

12. House Bills on 2nd reading. House Bill 503, Senator Wooten.

13. SECRETARY:

14. House Bill 503.

15. (Secretary reads title of bill)

16. 2nd reading of the bill. No committee amendments.

17. PRESIDENT:

18. Any amendments from the Floor? 3rd reading. House Bill on 2nd
19. reading. 755, Senator Vadalabene.

20. SECRETARY:

21. House Bill 755.

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 976,
26. Senator Bruce.

27. SECRETARY:

28. Senate Bill 976.

29. (Secretary reads title of bill)

30. 2nd reading of the bill. No committee amendments.

31. PRESIDENT:

32. Any amendments from the Floor? 3rd read...Senate Bill 1276,
33. Senator Hickey. Pardon me. It's 1272, Senator Hickey.

1. SECRETARY:
2. Senate Bill...or House Bill 1272.
3. (Secretary reads title of bill)
4. 2nd reading of the bill. No committee amendments.
5. PRESIDENT:
6. Any amendments from the Floor? 3rd reading. House Bill 1276,
7. Senator Hickey.
8. SECRETARY:
9. House Bill 1276.
10. (Secretary reads title of bill)
11. 2nd reading of the bill. No committee amendments.
12. PRESIDENT:
13. Any amendments from the Floor? 3rd reading. House Bill 1351,
14. Senator Harber Hall.
15. SECRETARY:
16. House Bill 1351.
17. (Secretary reads title of bill)
18. 2nd reading of the bill. No committee amendments.
19. PRESIDENT:
20. House Bill 15...any further amendments? 3rd reading. House
21. Bill 1566, Senator Donnewald.
22. SECRETARY:
23. House Bill 1566.
24. (Secretary reads title of bill)
25. 2nd reading of the bill. No committee amendments.
26. PRESIDENT:
27. Any amendments from the Floor? 3rd reading. House Bill 1567,
28. Senator Donnewald.
29. SECRETARY:
30. House Bill 1567.
31. (Secretary reads title of bill)
32. 2nd reading of the bill. No committee amendments.
33. PRESIDENT:

1. Any amendments from the Floor? 3rd reading. House Bill 1719,
2. Senator Donnewald. Pardon me. Senator Johns, House Bill 1719.
3. Senator Johns.

4. SECRETARY:

5. House Bill 1719.

6. (Secretary reads title of bill)

7. 2nd reading of the bill. No committee amendments.

8. PRESIDENT:

9. Any amendments from the Floor? 3rd reading. House Bill 2085,
10. Senator Vadalabene. House Bill 2266, Senator Wooten.

11. SECRETARY:

12. House Bill 2266.

13. (Secretary reads title of bill)

14. 2nd reading of the bill. No committee amendments.

15. PRESIDENT:

16. Any amendments from the Floor? 3rd reading. Senator Mohr.

17. SENATOR MOHR:

18. Yes, Mr. President, I wonder if we might have agreement from the
19. sponsor to possibly bring back from 3rd reading tomorrow or...or next
20. week House Bill 503. That's Senator Wooten's bill. We may have an
21. amendment for that.

22. PRESIDENT:

23. Senator Wooten, the request is made that...to get your agreement
24. to bring back Senate Bill...House Bill 503. There may be an amendment.

25. SENATOR MOHR:

26. Not...not tonight, but we think we have an understanding.

27. PRESIDENT:

28. Next week. A possibility, yes.

29. SENATOR MOHR:

30. There...there may be an amendment.

31. PRESIDENT:

32. Senator, Wooten.

33. SENATOR WOOTEN:

1. I talked to Senator Soper about this, and the understanding I
2. had with his was that his was just an inquiry and it was a matter
3. of no force.

4. SENATOR MOHR:
5. No, it isn't Senator Soper...

6. SENATOR WOOTEN:
7. Oh. Okay.

8. SENATOR MOHR:
9. ...that's inquiring. I...if you can...if we can have that
10. agreement to bring it back we have to.

11. SENATOR WOOTEN:
12. Sure, yeah. I think I can probably resolve whatever the problem...

13. PRESIDENT:
14. It is agreed. House Bill 192, Senator Don A. Moore.

15. SECRETARY:
16. House Bill 192.
17. (Secretary reads title of bill)
18. 2nd reading of the bill. No committee amendments.

19. PRESIDENT:
20. Any amendments from the Floor? 3rd reading. House Bill 749,
21. Senator Buzbee.

22. SECRETARY:
23. House Bill 749.
24. (Secretary reads title of bill)
25. 2nd reading of the bill. No committee amendments.

26. PRESIDENT:
27. Any amendments from the Floor? 3rd reading. Is there leave to
28. change the order of business to go to Consideration Postponed for
29. the purpose of addressing Senate Bill 211, to which there will be an
30. amendment, affixed and or attempted, and it will then go back to
31. Consideration Postponed. Is there leave? Leave is granted. Senate
32. Bill 211. Senator Davidson moves to remove Senate Bill 211 from the
33. order of Consideration Postponed to place same on the order of 2nd
reading for the purpose of an amendment. Is there leave? Leave is
granted. Senate Bill 211.

1. SECRETARY:

2. Amendment No. 1 offered by Senator Davidson.

3. PRESIDENT:

4. Senator Davidson.

5. SENATOR DAVIDSON:

6. Mr. President and members of the Senate, Amendment No. 1 to
7. Senate Bill 211 corrects word...puts the word surplus in. It should
8. have been in when the bill was drafted and puts an automatic repealer
9. on it. Both Senator Rock and the staff and this staff has seen it,
10. and they're in support of the amendment. I'd appreciate it...adoption
11. of Amendment No. 1.

12. PRESIDENT:

13. Senator Davidson moves the adoption of Amendment No. 1 to Senate
14. Bill 211. All in favor will say Aye. Opposed Nay. The Ayes have
15. it. The amendment is adopted. Senate Bill 211 is returned to the
16. order of Consideration Postponed. Is there leave to return to the
17. order of House Bills on 2nd reading for the consideration of bills.
18. Leave is granted. House Bills on 2nd reading. House Bill 59, Senator
19. ...Senator Knuppel. Read the bill.

20. SECRETARY:

21. House Bill 59.

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 114,
26. Senator Knuppel and Johns. Pardon me. House Bill 114, Senator
27. Knuppel and Johns.

28. SECRETARY:

29. House Bill 114.

30. (Secretary reads title of bill)

31. 2nd reading of the bill. No committee amendments.

32. PRESIDENT:

33. Any amendments from the Floor? 3rd reading. Senate Bill 118...

1. House Bill 118, Senator Knuppel.
2. SECRETARY:
3. House Bill 118.
4. (Secretary reads title of bill)
5. 2nd reading of the bill. No committee amendments.
6. PRESIDENT:
7. Any amendments from the Floor? 3rd reading. Senate Bill 158,
8. Senator Knuppel. House Bill 158, Senator Knuppel.
9. SECRETARY:
10. House Bill 158.
11. (Secretary reads title of bill)
12. 2nd reading of the bill. No committee amendments.
13. PRESIDENT:
14. Any amendments from the Floor? 3rd reading. House Bill 335,
15. Senator Knuppel.
16. SECRETARY:
17. House Bill 335.
18. (Secretary reads title of bill)
19. 2nd reading of the bill. No committee amendments.
20. PRESIDENT:
21. Any amendments from the Floor? 3rd reading. Senate...House
22. Bill 459, Senator...Senator Shapiro. House Bill 459.
23. SECRETARY:
24. House Bill 459.
25. (Secretary reads title of bill)
26. 2nd reading of the bill. No committee amendments.
27. PRESIDENT:
28. Any amendments from the Floor? 3rd reading. House Bill 468,
29. Senator Bloom.
30. SECRETARY:
31. House Bill 468.
32. (Secretary reads title of bill)
33. 2nd reading of the bill. No committee amendments.

1. PRESIDENT:
2. Any amendments from the Floor? 3rd reading. House Bill 474,
3. Senator Knuppel.
4. SECRETARY:
5. House Bill 474,
6. (Secretary reads title of bill)
7. 2nd reading of the bill. No committee amendments.
8. PRESIDENT:
9. Any amendments from the Floor? 3rd reading. House Bill 527,
10. Senator Knuppel.
11. SECRETARY:
12. House Bill 527.
13. (Secretary reads title of bill)
14. 2nd reading of the bill. No committee amendments.
15. PRESIDENT:
16. Senator Howard Mohr. Just a moment, Senator. I hope everybody
17. had a nice dinner and the adrenalin is flowing, but we'll have to have
18. some order if we're going to do business in an orderly fashion. Will
19. the members be in their seats. Senator Howard Mohr.
20. SENATOR MOHR:
21. Yes, Mr. President, we may have an amendment for this. We'd
22. like an agreement to bring it back should we have an...amendment.
23. PRESIDENT:
24. Senator Knuppel. He's seeking an agreement to bring this back
25. in case there's an amendment. Is there an agreement on that?
26. SENATOR MOHR:
27. Any John?
28. PRESIDENT:
29. Yes. Is that...do I understand you say yes?
30. SENATOR KNUPPEL:
31. Absolutely.
32. PRESIDENT:
33. Fine. Continue. No amendments from the Floor? 3rd reading.

1. Senate Bill 6...House Bill 667, Senator Shapiro.
2. SECRETARY:
3. House Bill 667.
4. (Secretary reads title of bill)
5. 2nd reading of the bill. No committee amendments.
6. PRESIDENT:
7. Any...any further amendments? Any amendments from the Floor?
8. 3rd reading. House Bill 80, Senator Berning.
9. SECRETARY:
10. House Bill 80.
11. (Secretary reads title of bill)
12. 2nd reading of the bill. No committee amendments.
13. PRESIDENT:
14. Any amendments from the Floor? 3rd reading. House Bill 91,
15. Senator Berning.
16. SECRETARY:
17. House Bill 91.
18. (Secretary reads title of bill)
19. 2nd reading of the bill. No committee amendments.
20. PRESIDENT:
21. Any amendments from the Floor? 3rd reading. Will the Sergeant-
22. at-Arms come to the rostrum? House Bill 173, Senator Rock.
23. SECRETARY:
24. House Bill 173.
25. (Secretary reads title of bill)
26. 2nd reading of the bill. No committee amendments.
27. PRESIDENT:
28. Any amendments from the Floor? 3rd reading. House Bill 228,
29. Senator Rock.
30. SECRETARY:
31. House Bill 228.
32. (Secretary reads title of bill)
33. 2nd reading of the bill. No committee amendments.

1. PRESIDENT: .
2. Any amendments from the Floor? 3rd reading. House Bill 271,
3. Senator Egan.
4. SECRETARY:
5. House Bill 271.
6. (Secretary reads title of bill)
7. 2nd reading of the bill. No committee amendments.
8. PRESIDENT:
9. Any amendments from the Floor? 3rd reading. House Bill 32...28,
10. Senator Fawell.
11. SECRETARY:
12. House Bill 328.
13. (Secretary reads title of bill)
14. 2nd reading of the bill. No committee amendments.
15. PRESIDENT:
16. Any amendments from the Floor? 3rd reading. House Bill 341,
17. Senator Fawell.
18. SECRETARY:
19. House Bill 341.
20. (Secretary reads title of bill)
21. 2nd reading of the bill. No committee amendments.
22. PRESIDENT:
23. Any amendments from the Floor? 3rd reading. House Bill 439,
24. Senator Howard R. Mohr.
25. SECRETARY:
26. House Bill 439.
27. (Secretary reads title of bill)
28. 2nd reading of the bill. No committee amendments.
29. PRESIDENT:
30. Any amendments from the Floor? 3rd reading. House Bill 477,
31. Senator Fawell.
32. SECRETARY:
33. House Bill 477.

1. (Secretary reads title of bill)
2. 2nd reading of the bill. The Committee on Education offers one
3. amendment.

4. PRESIDENT:

5. Senator Fawell may explain the amendment.

6. SENATOR FAWELL:

7. Mr. President, the amendment, as I recall, is completely noncon-
8. troversial that made it clear that the reimbursement agreements...
9. that reimbursement agreements by the nonprofit organizations would
10. not be allowed, and that they'd have to have insurance to cover the
11. liability potential in regard to these buses being used by nonprofit
12. organizations, and I move the adoption of the same.

13. PRESIDENT:

14. Any further discussion? Senator Fawell moves the adoption of
15. Amendment No. 1 to Senate Bill 477. All in favor will say Aye.
16. House Bill 477. All in favor will say Aye. Pardon? Do you...do you
17. desire recognition, Sir? I thought you were talking to me, Sir.
18. You're just talking to someone two aisles away. I'm sorry. Senator
19. Fawell moves the adoption of Amendment No. 1 to Senate Bill 477. All
20. in favor will say Aye. Opposed Nay. House Bill 477. All opposed...
21. all...all in favor will say Aye. Opposed will say Nay. The amendment
22. is adopted. Any further amendments? 3rd reading. House Bill 561,
23. Senator Berning.

24. SECRETARY:

25. House Bill 561.

26. (Secretary reads title of bill)
27. 2nd reading of the bill. No committee amendments.

28. PRESIDENT:

29. Any amendments from the Floor? 3rd reading. House Bill 590,
30. Senator Fawell.

31. SECRETARY:

32. House Bill 590.

33. (Secretary reads title of bill)

1. 2nd reading of the bill. No committee amendments.
2. PRESIDENT:
3. Any amendments from the Floor? 3rd reading. House Bill 591,
4. Senator McCarthy.
5. SECRETARY:
6. House Bill 591.
7. (Secretary reads title of bill)
8. 2nd reading of the bill. The Committee on Finance and Credit...Regu-
9. lations offers one amendment.
10. PRESIDENT:
11. Senator McCarthy may explain the amendment.
12. SENATOR McCARTHY:
13. Yes, Mr. President and members, this amendment is language that
14. puts the bill in the same shape as the long series of twelve bills
15. that we had before involving new issues by the...Federal Farm Home
16. Loan Bank, and it's noncontroversial, and I move its adoption.
17. PRESIDENT:
18. Senator McCarthy moves the adoption of Amendment No. 1 to Senate
19. Bill 59...House Bill 591. Senator McCarthy moves the adoption of the
20. Amendment...all in favor will say Aye. Opposed Nay. The Ayes have
21. it. Amendment No. 1 is adopted. Any further amendments? House Bill
22. 591 is moved to 3rd reading. House Bill 593, Senator Berning.
23. SECRETARY:
24. House Bill 593.
25. (Secretary reads title of bill)
26. 2nd reading of the bill. No committee amendments.
27. PRESIDENT:
28. Any amendments from the Floor? 3rd reading. Senate Bill 703...
29. House Bill 703, Senator Howard Mohr.
30. SECRETARY:
31. House Bill 703.
32. (Secretary reads title of bill)
33. 2nd reading of the bill. No committee amendments.

1. PRESIDENT:

2. Any amendments from the Floor? 3rd reading. House Bill 704,
3. Senator Howard Mohr.

4. SECRETARY:

5. House Bill 704.

6. (Secretary reads title of bill)

7. 2nd reading of the bill. No committee amendments.

8. PRESIDENT:

9. Any amendments from the Floor? 3rd reading. House Bill 54,
10. Senator Mitchler.

11. SECRETARY:

12. House Bill 54.

13. (Secretary reads title of bill)

14. 2nd reading of the bill. No committee amendments.

15. PRESIDENT:

16. Any amendments from the Floor? 3rd reading. Senate Bills on
17. 3rd reading. Senate Bill 655, Senator Regner.

18. SECRETARY:

19. Senate Bill 655.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDENT:

23. Senator Regner. One moment, Senator. One moment, Senator.
24. Those not entitled to the Floor, please leave the Floor. Let's have
25. some order. Will the members be in their seats. Senator Regner.

26. SENATOR REGNER:

27. Yes, Mr. President and members of the Senate, what this bill does
28. is increase the amount of money a township can spend of their Federal
29. monies on elderly folks' activities, such as providing bus service or
30. bus transportation for these people or any other activities they may,
31. from the ten thousand dollar limit to a twenty thousand dollar limit.
32. Many of the townships that do have these programs for the elderly are
33. right at the ten thousand dollar limit, and I think it's very justifiable

1. to raise that to allow them to spend up to twenty thousand dollars
2. annually, and I'd ask for a favorable roll call.

3. PRESIDENT:

4. Any further discussion? The question is shall Senate Bill 655
5. pass. Those in favor will vote Aye. Those opposed will vote Nay.
6. The voting is open. Have all voted who wish? Take the record. On
7. this question, the Ayes are 41, the Nays are none. This bill having
8. received the constitutional majority is declared passed. House Bill
9. 657, Senator...Senate Bill 657, Senator Regner.

10. SENATOR REGNER:

11. It's 56.

12. PRESIDENT:

13. 656.

14. SENATOR REGNER:

15. Mr. President, what this bill does is change the title of town-
16. ship board of auditors and township auditors to township trustees.

17. SECRETARY:

18. Senate Bill 5...Senate Bill 656.

19. (Secretary reads title of bill)

20. 3rd reading of the bill:

21. PRESIDENT:

22. Senator Regner. You've explained it already. Any further dis-
23. cussion? Senator Hall.

24. SENATOR (KENNETH) HALL:

25. Will the sponsor yield to a question?

26. PRESIDENT:

27. He indicates he will.

28. SENATOR HALL:

29. Senator Regner, what is the purpose of changing this?

30. SENATOR REGNER:

31. Well, as you know, Senator Hall, the township auditors, as they're
32. now called, really don't audit a thing. Their actual duties are the
33. same as a trustee for any municipality or...or that, and actually,

1. the Township Officials Association did request this change so that
2. their title would more correctly state what their duties really were
3. since they're not auditors.

4. PRESIDENT:

5. Any further discussion? Senator Rock.

6. SENATOR ROCK:

7. Senator, there was a recent amendment. What does the amendment
8. do?

9. SENATOR REGNER:

10. If I may, I'll have Senator Nimrod explain that. He put...

11. PRESIDENT:

12. Senator Nimrod.

13. SENATOR REGNER:

14. ...Senator Nimrod put that amendment on along with Senator Dougherty

15. PRESIDENT:

16. Senator Nimrod is recognized.

17. SENATOR NIMROD:

18. Yes, Senator Rock, what this amendment did was, the present bill
19. addresses and changes those townships which are not coextensive. What
20. happens when you have a coextensive township, the city council or the
21. board of trustees are, in fact, the board of auditors, and that part
22. was not addressed to, and all the amendment did was allow those
23. coextensive townships also to be known as township trustees rather than
24. board of auditors. It just made it a uniform act rather than only
25. take care of part of them.

26. PRESIDENT:

27. Any further discussion? The question is shall Senate Bill 656
28. pass. Those in favor vote Aye. Those opposed vote Nay. The voting
29. is open. ... (Machine cut-off) ... voted who wish? Take the record.
30. ... (Machine cut-off) ... this question, the Ayes are 41, the Nays are
31. none. Senate Bill 656 having received the constitutional majority is
32. declared passed. Senate Bill 657, Senator Daley.

33. SECRETARY:

1. Senate Bill 657.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDENT:

5. Senator Daley.

6. SENATOR DALEY:

7. Mr. President and fellow Senators, what this bill does is finally
8. makes a commitment by the State to senior citizens under Depart-
9. ment of Aging. Under the Department of Aging presently, the only
10. responsibility they have today is to accept Federal funds and distri-
11. bute the Federal funds in the various community programs and services
12. in the State, and what this does is it allows the State...an appro-
13. priation to bring the services from the State into the local communi-
14. ties. What we're only doing now is we're handling...Federal programs,
15. and this is what the bill does. There is special appropriation bill for
16. it. I would ask for a favorable roll call.

17. PRESIDENT:

18. Any further discussion? Senator Buzbee.

19. SENATOR BUZBEE:

20. Yes, I would like to know the amount of that special appropria-
21. tion and how it's to be distributed.

22. PRESIDENT:

23. Senator Daley.

24. SENATOR DALEY:

25. The amount I...I've asked for is about seven million dollars.
26. It will be distributed under the same program as the Federal...Older
27. Americans Act as you have to do under Federal Government. It's
28. actually the same program that the Federal Government has. We would
29. institute it here in Illinois.

30. PRESIDENT:

31. Senator Buzbee.

32. SENATOR BUZBEE:

33. Well, I...I had a misunderstanding on the accompanying appropriatic

1. bill. I thought it was considerably higher than that, and...and the
2. second part of my question is that I understand it's to be distributed
3. on the per capita basis. Is that right?

4. SENATOR DALEY:

5. Yes, it's the same thing as the Federal program which it has to
6. be.

7. PRESIDENT:

8. Any further discussion? Senator Weaver.

9. SENATOR WEAVER:

10. Senator Daley, is this about a hundred and fifty percent increase
11. in these grants?

12. PRESIDENT:

13. Senator Daley.

14. SENATOR DALEY:

15. Pardon me. I didn't hear the question.

16. SENATOR WEAVER:

17. Is this about a hundred and fifty percent increase in these
18. grants?

19. SENATOR DALEY:

20. No, at a hundred and fifty percent, no, it isn't. I think today
21. we receive about...I think about eighteen million dollars in Federal
22. grants, and the only thing the department does is...it's a State
23. department but it only handles Federal money, and what we're trying
24. to say here in Illinois is make a State commitment to the senior
25. citizens of the State.

26. PRESIDENT:

27. Senator Weaver.

28. SENATOR WEAVER:

29. There's no general revenue funds, then it's all State or
30. Federal monies?

31. PRESIDENT:

32. Senator Daley.

33. SENATOR DALEY:

1. This particular bill would be State money.

2. PRESIDENT:

3. Senator Weaver.

4. SENATOR WEAVER:

5. Well, what...what's the companion bill for the...the authoriza-

6. tion for the spending of General Revenue funds?

7. PRESIDENT:

8. Senator Daley.

9. SENATOR DALEY:

10. About seven million.

11. PRESIDENT:

12. Senator Berning.

13. SENATOR BERNING:

14. I'd like to ask the sponsor why the age sixty?

15. PRESIDENT:

16. Senator Daley.

17. SENATOR DALEY:

18. It's in...it's in correspondence with the Federal Older...the

19. Federal Older Americans Act. It's in correspondence with that, and

20. that's how we have to distribute it.

21. PRESIDENT:

22. Senator Berning.

23. SENATOR BERNING:

24. Then...then one other question. The...the distribution of the

25. funds as...as I gather, without being familiar with the whole Act, is

26. on a population basis to whom?

27. PRESIDENT:

28. Senator Daley.

29. SENATOR DALEY:

30. To the...well, to the various designated community programs in

31. this State. The Federal Government and the State Government have to

32. designate different private as well as public organizations to distri-

33. bute money. It's presently now...we have about, I think, forty-five

1. that distribute money in the State.

2. PRESIDENT:

3. Senator Berning.

4. SENATOR BERNING:

5. Then...then my question is...let's bring it right down to my
6. own village. If it qualifies for a community program, how do they
7. determine how many of our citizens are over sixty? Do they run some
8. kind of a census?

9. PRESIDENT:

10. Senator Daley.

11. SENATOR DALEY:

12. Yes, they do, Senator. They have it in the department as well
13. as the Federal Government. They do have a census according to each
14. area.

15. PRESIDENT:

16. Any further discussion? Senator Buzbee.

17. SENATOR BUZBEE:

18. Mr. President, I hate to take issue with the distinguished
19. Senator from Chicago, but my recollection is and the...the synopsis
20. of the bill says that the accompanying appropriation for this bill is
21. fifteen million dollars.

22. PRESIDENT:

23. What is...what is your point, Senator?

24. SENATOR BUZBEE:

25. I said the synopsis on the bill says that the appropriation is
26. fifteen million dollars.

27. PRESIDENT:

28. Senator Daley.

29. SENATOR DALEY:

30. It says fifteen million, but...as...when we had the Appropriation
31. meeting, I think Senator Hynes deferred from it. I talked about a
32. compromise at seven or eight million.

33. PRESIDENT:

1. As a matter-of-fact, the appropriation bill is still in Appro-
2. priations Committee.

3. SENATOR DALEY:

4. Correct.

5. PRESIDENT:

6. It isn't out yet. Any further discussion? The question is
7. shall Senate Bill 657 pass. Those in favor will vote Aye. Opposed
8. will vote Nay. The voting is open. Have all voted who wish? Take
9. the record. On this question, the Ayes are 35, the Nays are 1.
10. Senate Bill 657 having received the constitutional majority is declared
11. passed. Senate Bill 658, Senator Daley.

12. SECRETARY:

13. Senate Bill 658.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDENT:

17. Senator Daley.

18. SENATOR DALEY:

19. Mr. ...Mr. President and fellow Senators, this is the annual
20. appropriation for the ordinary and contingent expenses, the judges...
21. the Judges Retirement System, and I would ask for a favorable roll
22. call.

23. PRESIDENT:

24. Any further discussion? The question is shall Senate Bill 658
25. pass. Those in favor will vote Aye. Those opposed will vote Nay.
26. The voting is open. Have all voted who wish? Take the record. On
27. this question, the Ayes are 45, the Nays are none, 1 Voting Present.
28. Senate Bill 658 having received a constitutional majority is declared
29. passed. Senate Bill 659, Senator Berning.

30. SECRETARY:

31. Senate Bill 659.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDENT:

2. Senator Berning.

3. SENATOR BERNING:

4. Thank you, Mr. President. Senate Bill 659 simplifies the Retirement System Reciprocal Law, and removes inequities in that law which
5. have in the past tended to restrict freedom of transfer of employment
6. among public agencies within the State. With this amendment now,
7. employees will be able to transfer their...their pension credits from
8. one employment to another. It is a long, overdue clarification, and
9. improvement in our total State Pension Program.

11. PRESIDENT:

12. Any further discussion? The question is shall Senate Bill 659
13. pass. All in favor will vote Aye. Those opposed will vote Nay. The
14. voting is open. Have all voted who wish? Take the record. On this
15. question, the Ayes are 46, the Nays are none. Senate Bill 659 having
16. received a constitutional majority is declared passed. Senate Bill
17. 662, Senator McCarthy.

18. SECRETARY:

19. Senate Bill 662.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDENT:

23. Senator McCarthy.

24. SENATOR MCCARTHY:

25. Yes, Mr. President and members of the Body, this bill was given
26. to me by the Illinois Municipal League. It makes various nonsubstan-
27. tial changes in the Municipal Retirement Fund Pension Article. There's
28. a list of ten of them. I might just capsulize it by saying that the Pen-
29. sion Laws Commission reviewed the bill in its entirety and aproved it,
30. and it received the unanimous support from the Personnel and Pension
31. Committee at its hearing. I could go into these ten points, but
32. they're all nonsubstantial points. If in case anyone wants, otherwise,
33. I think the bill is absolutely noncontroversial and one that is...

1. deserving of a favorable vote.

2. PRESIDENT:

3. Any further discussion? The question is shall Senate Bill 662
4. pass. Those in favor will vote Aye. Those opposed will vote Nay.
5. The voting is open. Have all voted who wish? Take the record. Have
6. all voted who wish? Take the record. On this question, the Ayes
7. are 50, the Nays are none. Senate Bill 662 having received the con-
8. stitutional majority is declared passed. Senate Bill 663, Senator
9. Philip.

10. SECRETARY:

11. Senate Bill 663.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDENT:

15. Senator Philip.

16. SENATOR PHILIP:

17. Mr. President and Ladies and...Gentlemen of the Senate, Senate
18. Bill 663 as amended is the annual budget request of the Office of
19. State Comptroller. It has one amendment on it, and what the amendment
20. did was reduce the amount a hundred and ninety thousand dollars. The
21. reason is the Comptroller was ever able to put together a five year
22. contract for electronic data processing. So, it saved the taxpayers
23. a hundred and ninety thousand dollars. The annual request is nine
24. point seven five million, and I'll ask for your favorable consideration.

25. PRESIDENT:

26. Any further discussion? The question is shall Senate Bill 663
27. pass. Those in favor will vote Aye. Those opposed will vote Nay.
28. The voting is open. Have all voted who wish? Take the record. On
29. this question, the Ayes are 54, the Nays are 1. Senate Bill 663
30. having received the constitutional majority is declared passed. Senator
31. Harris.

32. SENATOR HARRIS:

33. Is that what you call a bell ringer?

1. PRESIDENT:

2. Senate Bill 665, Senator Philip. Senate Bill 666, Senator Ozinga.

3. SECRETARY:

4. Senate Bill 666.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. PRESIDENT:

8. Senator Ozinga.

9. SENATOR OZINGA:

10. Senate...Mr. President and members of the Senate, Senate Bill 666
11. as amended is the...appropriation...the annual appropriation for the
12. ordinary and contingent expenses of the Legislative Council. I would
13. appreciate a favorable roll call.

14. PRESIDENT:

15. Any further discussion? The question is shall Senate Bill 666
16. pass. Those in favor will vote Aye. Those opposed will vote Nay.
17. The voting is open. Have all voted who wish? Take the record. On
18. that question, the Ayes are 51, the Nays are none. Senate Bill 666
19. having received the constitutional majority is declared passed. Senate
20. Bill 667, Senator Vadalabene.

21. SECRETARY:

22. Senate Bill 667.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDENT:

26. Senator Vadalabene.

27. SENATOR VADALABENE:

28. Yes, thank you, Mr. President. Senate Bill 66...667 addresses
29. itself to the current bridge problem which has been developing for
30. the last several years in the counties. This bill would permit an
31. increase from the current five percent tax levy up to a twenty-five
32. percent for bridges if approved by referendum, and I repeat, if approved
33. by referendum of the voters in that county. This increase is approved

1. by a vote of the people, would be for only a ten year period which
2. is the estimated time it will take to bring bridges up to accept...
3. acceptable standards, and I would appreciate a favorable vote.

4. PRESIDENT:

5. Any further discussion? The question is shall Senate Bill 667
6. pass. Those in favor will vote Aye. Those opposed will vote Nay.
7. The voting is open. Have all voted who wish? Take the record. On
8. this question, the Ayes are 48, the Nays are 2. Senate Bill 667
9. having received the constitutional majority is declared passed. Senate
10. Bill 668, Senator Vadalabene.

11. SECRETARY:

12. Senate Bill 668.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDENT:

16. Senator Vadalabene.

17. SENATOR VADALABENE:

18. Thank you, Mr. President and members of the Senate. Senate Bill
19. 667 is identical to Senate Bill 667 only...

20. PRESIDENT:

21. No, this is 668, Senator.

22. SENATOR VADALABENE:

23. ...or 668, I'm sorry. But it addresses itself to the bridge
24. problem in townships and road districts, and I would appreciate a
25. favorable vote.

26. PRESIDENT:

27. Any further discussion? Senator Latherow.

28. SENATOR LATHEROW:

29. I wonder if the Senator would yield to a question?

30. PRESIDENT:

31. He indicates he will yield.

32. SENATOR LATHEROW:

33. What percent increase are you bringing about here, Senator?

1. PRESIDENT:

2. Senator Vadalabene.

3. SENATOR VADALABENE:

4. It's presently a five percent tax levy, and this would bring it
5. up to...up to a twenty-five percent levy by referendum.

6. PRESIDENT:

7. Senator Latherow.

8. SENATOR LATHEROW:

9. Otherwise, you're giving them four times as much under this as
10. what they have had. Is that correct?

11. PRESIDENT:

12. Senator Vadalabene.

13. SENATOR VADALABENE:

14. That is correct, by referendum.

15. PRESIDENT:

16. Senator Latherow.

17. SENATOR LATHEROW:

18. I ought...I think we ought to recognize that this has to do with
19. the half aid bridge tax in these townships and counties and that also
20. along with this there is another bill pending coming along that sets
21. up a fund for State aid to these bridges that are going to need a
22. major part of repair, and I think if you want to defeat a proposition
23. back in the local area, all you have to do is increase the tax from
24. point zero five to point two five, and even though you submit it to
25. referendum, I think the taxpayers will take care of the situation.

26. PRESIDENT:

27. Any further discussion? The question is shall Senate 6...Senate
28. Bill 668 pass. Those in favor will vote Aye. Those opposed will vote
29. Nay. The voting is open. Have all voted who wish? Take the record.
30. On this question, the Ayes are 44, the Nays are 6, 2 Voting Present.
31. Senate Bill 668 having received the constitutional majority is declared
32. passed. Senate Bill 669, Senator Sommer.

33. SECRETARY:

1. Senate Bill 669.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDENT:

5. Senator Sommer.

6. SENATOR SOMMER:

7. Mr. ...Mr. President, before I succumb to the...the waters of
8. stupification here tonight, I thought we'd explain this bill. Here's
9. how you explain it. If you have a child and...who's nineteen or
10. twenty and is married and has some children of their own and they live
11. in another home apart from you, it may be one mile, it may be across
12. the State... if they go on Public Aid, you're liable for the bill and
13. the Department of Public Aid will put a lien against your house, and
14. I don't think this is proper and this is why I introduced the bill.

15. PRESIDENT:

16. Senator Harber Hall.

17. SENATOR HALL:

18. Will the sponsor yield?

19. PRESIDENT:

20. He indicates he will.

21. SENATOR HALL:

22. I don't see anything in the synopsis about anybody married.

23. PRESIDENT:

24. Senator Sommer.

25. SENATOR SOMMER:

26. Senator, all I suggest is you read the bill.

27. PRESIDENT:

28. Senator Hall.

29. SENATOR HALL:

30. Children?

31. PRESIDENT:

32. Senator Sommer.

33. SENATOR SOMMER:

1. It's been amended to say emancipated, I believe or in language
2. with that legal effect.

3. PRESIDENT:

4. Senator Harber Hall. Senator Hall, Harber Hall.

5. SENATOR HALL:

6. I'd...I'd like to have an explanation of what the bill does with-
7. out the sponsor's interpretation of a possible case that might arise
8. from the bill itself.

9. PRESIDENT:

10. Senator Sommer is recognized.

11. SENATOR SOMMER:

12. Well, along with the...the Legislative Commission on Public Aid
13. and the Department of Public Aid, we placed an amendment on this which
14. would not allow college students, for example, to draw any public...
15. public aid. It's...it's just aimed at that one particular situation
16. where you have emancipated children who are under the age of twenty-
17. one who draw...who would somehow draw benefits, and this prevents the
18. parents from being liable. Parents just don't expect this type of
19. liability. They get a notice of suit from the Department of Public
20. Aid, and they have to defend the lawsuit.

21. PRESIDENT:

22. Senator Don Moore.

23. SENATOR MOORE:

24. Thank you, Mr. President and members of the Senate. The bill
25. in its original form, Senator Hall, was opposed by myself and also by
26. the Department of Public Aid. At the request of the Department,
27. Amendment No. 1 was added to the bill, which the gives the Department
28. the ability to take each individual case on its own, set up its own
29. criteria in determining whether or not a consistent pattern of independ-
30. ent living arrangements prior to the time of application for assistance
31. has been met, rather than the...the wide open language of the original
32. bill which would include your kid or my kid if he's living down at
33. SIU and so forth. It is not what the bill is intended for. I think

1. ...what...Senator Sommer gave the example of the case he ran across
2. where the daughter gets married and moves out and is gone for a year
3. and a half, has a couple of kids, her husband leaves her, applied for
4. public aid under the law as it was, the parents were liable. But with
5. the amendment that went on which gives the Department the latitude of
6. determining the whether or not there had been, in fact, an established
7. and consistent pattern of independent living arrangements prior to the
8. time of the application. We are secure enough, there are enough tight
9. or safeguards in it that the...there...there will be no abuses.

10. PRESIDENT:

11. Any further discussion? Senator Latherow, then you, Senator
12. Knuppel.

13. SENATOR LATHEROW:

14. Well, Mr. President, I just had one question, and I wonder how
15. a person over eighteen is classified as a minor? This...

16. PRESIDENT:

17. Senator Sommer.

18. SENATOR SOMMER:

19. Currently the Public Aid Code provides that they are, Senator
20. Latherow. That's what we're changing.

21. PRESIDENT:

22. Senator Latherow. Any further discussion, Senator Latherow?
23. Senator Knuppel.

24. SENATOR KNUPPEL:

25. Well, this is a screwy provision as Senator Latherow has illus-
26. trated by his question that anybody over eighteen years of age in
27. the present status of the matter where people can vote and they can
28. do everything else, and I say that regardless of whether this does
29. what it's supposed to do or isn't supposed to do, it's a move in the
30. right direction. Nobody should be responsible for supporting children
31. who are supposedly emancipated, regardless of whether they're on assis-
32. tance or not on assistance or anything else. They should be emanci-
33. pated, and the parents should no longer be liable if they have a

1. pattern of living away from home.

2. PRESIDENT:

3. Any further discussion? Senator Johns.

4. SENATOR JOHNS:

5. Mr. President, I know of a similar case, and if I'm not mistaken,
6. if the, for example, the daughter becomes pregnant in marriage and
7. then the husband leaves her and the child is born, the parents are
8. obligated to pay for the hospital bill, but in this case, the Depart-
9. ment of Aid...Public Aid will pay for that...that wife and child to
10. live away with...severe hardships on the couple, the baby and the
11. mother, but they won't pay for the hospitalization if the daughter and
12. ...I mean the daughter and the child lived at home, and so I really
13. support this bill. I've seen it firsthand a need for it, and thank
14. you, Roger.

15. PRESIDENT:

16. Any further discussion? The question is shall Senate Bill 669
17. pass. Those in favor will vote Aye. Those opposed will vote Nay.
18. The voting is open. Have all voted who wish? Take the record. On
19. this question, the Ayes are 44, the Nays are 3, 2 Voting Present.
20. Senate Bill 669 having received a constitutional majority is declared
21. passed. Senate Bill 671, Senator Kenneth Hall.

22. SECRETARY:

23. Senate Bill 671.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDENT:

27. Senator Kenneth Hall.

28. SENATOR HALL:

29. Thank you, Mr. President and members of the Senate. This bill
30. amends the Public Works Prevailing Act...Wage Prevailing Act. It
31. provides that each county board instead of each public body authorized
32. to construct public works, shall ascertain the prevailing rate of wages
33. to be paid on public works construction in that county. Now, the

1. reason for proposing this amendment is to simplify the enforcement
2. of the Prevailing Wage Act by the Department of Labor. Instead of
3. having each public body ascertain the prevailing rate of wages to be
4. paid on public works, this amendment will require the county to make
5. a determination for their county and all the public bodies in their
6. counties. There will be no fiscal implication in this bill. There
7. will be no additional money or personnel required, should this amend-
8. ment pass. I will ask your most favorable support of this bill.

9. PRESIDENT:

10. Senator Weaver.

11. SENATOR WEAVER:

12. Senator Hall, this would mean, then, that there'd be only about
13. a hundred or a hundred and one reports given to the Department of
14. Transportation, and rather than the twelve or fourteen hundred that
15. are necessary now. Is that right?

16. PRESIDENT:

17. Senator...Senator Kenneth Hall.

18. SENATOR HALL:

19. I...I'm unable to hear him. I can't hear him.

20. PRESIDENT:

21. Just a minute. One moment. One moment. Will we take our
22. conferences from the Floor. Will we lower our voices so that the
23. Gentleman can hear the questions. Would you repeat your question,
24. Senator Weaver.

25. SENATOR WEAVER:

26. Well, if I understand this right, it's a good bill because it
27. would mean that it would be only about a hundred or a hundred and one
28. counties that will have to make this report in every city and village
29. and municipality will not have to report to the Department of Trans-
30. portation what the prevailing wage rate is in their areas? Is that
31. right, Senator.

32. SENATOR HALL:

33. That's correct. Right now, there would be over thousands, and

1. this will cut it down, Senator. You're absolutely correct.

2. PRESIDENT:

3. Any further discussion? Senator Johns.

4. SENATOR JOHNS:

5. I'll tell you another good thing about this. Many of the cases
6. involved out of the failure of such a bill is that it often calls
7. on the need for the State of Illinois to furnish an arbitrator to go
8. in, smooth out the whole problem. Ken, this is a good bill.

9. PRESIDENT:

10. Senator Howard Mohr.

11. SENATOR MOHR:

12. Yes, Mr. President, I think that this might cause us a problem
13. in suburban Cook County. I think that the...this would give the
14. county board the authority to set the prevailing wage for public
15. works construction in the suburban area, and I think it just would
16. be giving the...the county board in our area a little too much author-
17. ity. Would like to either exempt Cook County or...or encourage our
18. people to vote No on this bill.

19. PRESIDENT:

20. Any further discussion? Senator Hall may close the debate if
21. he desires.

22. SENATOR HALL:

23. I'm...I'm sorry, Senator. I'm...I was having a little difficulty
24. in hearing what Senator Mohr said...I didn't really understand what
25. he said.

26. PRESIDENT:

27. Just a minute. Just a minute. Will the members be in their
28. seats. If you have conferences, take them from the floor. This is
29. the second time during the presentation of this bill that the offerer
30. of the bill has not been able to hear the question. It's discourteous.
31. It's unfair. Now, take your conferences off the floor. If they're
32. important, if they can't wait, I can understand that. Now, Senator
33. Mohr, would you repeat your question please.

1. SENATOR MOHR:

2. Yes, our...my objection or concern, Senator, is that it would
3. give the counties rather than a public body, the power to ascertain
4. the prevailing wages for any public works construction in an area in
5. ...in the Cook County suburban area. I think it would give the Cook
6. County Board a little too much authority, and I would say that if you'd
7. want to amend it to take Cook out, why we'd...we'd be interested in
8. supporting it. Otherwise, I'd encourage our people to...to oppose
9. this bill.

10. PRESIDENT:

11. Senator Dougherty.

12. SENATOR DOUGHERTY:

13. Yes, Mr. President, I...in answer to Senator Mohr and to assist
14. Senator Hall, at the time this bill was before committee, the problems
15. as far as Cook County was concerned the testimony was to the effect
16. that Chicago and Cook County, and I mean all of Cook County, had worked
17. out the prevailing wage agreements, and this bill would merely supple-
18. ment what we do our ownelves by ourselves by virtue of arbitration.
19. The...the witness on...on my...my side of the...aisle, I mean talk
20. about Mr. Green said that this...these things had all been worked out
21. anyway. As a result, this would present no problems for Cook County.

22. PRESIDENT:

23. Any further discussion? Senator Mohr.

24. SENATOR MOHR:

25. Well, I would just again say that you're...you're giving the
26. power to the county and taking it away from...from the public bodies,
27. and we should oppose it.

28. PRESIDENT:

29. Senator Graham.

30. SENATOR GRAHAM:

31. In keeping of what Senator Howard Mohr was talking about, I had
32. such an amendment prepared today and was prepared to offer it. I've
33. learned the advantage of mathematics, and I was told by Senator Hall

1. that there was an organized resistance to the presentation of my
2. amendment, so I didn't take up the time of the Senate and withdrew
3. it. So, if that's any information to you, Senator Mohr, I agree with
4. your thinking, but we don't have the votes.

5. PRESIDENT:

6. Senator Glass.

7. SENATOR GLASS:

8. Well, thank you, Mr. President. I don't think I have anything
9. to add. I...I did see that amendment floating around, and I was
10. going to ask if it had been added, exempting counties of over five
11. hundred thousand or whether Senator Hall would accept it.

12. PRESIDENT:

13. Any further discussion? Senator Dougherty, did you seek recog-
14. nition?

15. SENATOR DOUGHERTY:

16. If this is going to assist the bill, we could hold it...take
17. it out of the record, and I'll prepare the Home Rule Amendment?

18. PRESIDENT:

19. Senator Hall.

20. SENATOR HALL:

21. Well, if he wants it taken out of the record, we'll move it.
22. We'll take it out of the record.

23. PRESIDENT:

24. Why don't you run it and see, Senator Hall.

25. SENATOR HALL:

26. Beg...beg pardon. Let it roll. Let it roll. Let it roll.

27. PRESIDENT:

28. The question is shall Senate Bill 671 pass. All in favor will
29. vote Aye. Opposed will vote Nay. The voting is open. Have all
30. voted who wish? Take the record. On this question, the Ayes are 31,
31. the Nays are 12. Senate Bill 671 having received the constitutional
32. majority is declared passed. A verification of the roll call has
33. been requested. Will the members be in their seats. Did you want

1. the affirmative first or the negatives? Affirmative? Mr. Secretary,
2. he wants the affirmative votes. Read the affirmative votes.

3. SECRETARY:

4. The following voted in the affirmative:

5. Brady, Bruce, Buzbee, Carroll, Course, Daley, Demuzio, Donnewald,
6. Dougherty, Egan, Kenneth Hall, Hynes, Johns, Joyce, Knuppel,
7. Kosinski, Lane, Lemke, McCarthy, Morris, Netsch, Newhouse, Nudelman,
8. Palmer, Rock, Savickas, Smith, Vadalabene, Welsh, Wooten, Mr.
9. President.

10. PRESIDENT:

11. Senator Mohr.

12. SENATOR MOHR:

13. Hickey.

14. PRESIDENT:

15. Hickey is not on the roll call. Senator Hynes. Is Senator
16. Hynes within the bar? Take him off the roll call. Senator Johns
17. is in the bar. On that question, the Ayes are 30, the Nays are 12.
18. Senator Newhouse. Just a moment. Is that on this subject?

19. SENATOR NEWHOUSE:

20. Yes, it is, Mr. President.

21. PRESIDENT:

22. Yes.

23. SENATOR NEWHOUSE:

24. Having voted on the prevailing side, Mr. President, I now move...

25. PRESIDENT:

26. I haven't announced the roll call yet, Sir. On this question,
27. the Ayes are 30, the Nays are 12. Senate Bill 671 having received
28. the constitutional majority is declared passed. Senator Newhouse.

29. SENATOR NEWHOUSE:

30. Thank you, Mr. President. I had no...no intention of breaking
31. in at that point. I thought you had announced the roll call.

32. PRESIDENT:

33. It's alright.

1. SENATOR NEWHOUSE:

2. Having voted on the prevailing side, I move now to...to reconsid-
3. er the vote by which Senate 671 was passed.

4. PRESIDENT:

5. Senator Newhouse moves that the bill be reconsidered having
6. voted on the prevailing side, Senator Newton...Wooten moves to Table.
7. All in favor will say Aye. The motion is Tabled. Senate Bill 675.
8. Senator Donnewald.

9. SECRETARY:

10. Senate Bill 675.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDENT:

14. Senator Donnewald.

15. SENATOR DONNEWALD:

16. This is an easement bill. Senator Hickey is indisposed, and
17. she requested that I call the bill for her.

18. PRESIDENT:

19. Senator Donnewald, will you come down? I am the second sponsor.
20. I'll handle the bill. If there...if there's a problem, we're going
21. to have that kind of thing about something like this. We've moved
22. every easement bill on this Calendar tonight without any hassel.

23. SENATOR DONNEWALD:

24. I'm a cosponsor.

25. PRESIDENT:

26. The question is shall Senate Bill 675 pass. All in favor will
27. say Aye. Opposed Nay. Pardon me. The question is shall Senate
28. Bill 675 pass. All in favor will vote Aye. Opposed will vote Nay.
29. The voting is open. Have all voted who wish? Take the record. On
30. this question, the Ayes are 43, the Nays are none. Senate Bill 675
31. having received the constitutional majority is declared passed. Senate
32. Bill 676, Senator Bloom.

33. SECRETARY:

1. Senate Bill 676.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDENT:

5. Senator Bloom.

6. SENATOR BLOOM:

7. Thank you very much, Mr. President. This bill originally...all
8. I wanted to do was draw a line through 1972 and substitute therefore,
9. 1976, to give your downstate counties another crack at a county execu-
10. tive referendum. In committee at the suggestion of Senators Daley
11. and Senator Welsh, they said why don't you just take the time limit
12. out of it, and that is why it's still here cause we had to rewrite
13. that section. I would entertain any questions on this bill.

14. PRESIDENT:

15. Any further discussion? The question is shall Senate Bill 676
16. pass. Those in favor will vote Aye. Those opposed will vote Nay.
17. The voting is open. Have all voted who wish? Take the record. On
18. this question, the Ayes are 42, the Nays are none. Senate Bill 676
19. having received the constitutional majority is declared passed. Senate
20. Bill 681, Senator Egan.

21. SECRETARY:

22. Senate Bill 681.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDENT:

26. Senator Egan.

27. SENATOR EGAN:

28. Thank you, Mr. President and members of the Senate. This bill
29. allows the Department of Conservation the right to make boring tests
30. for major projects just like the Department of Transportation has the
31. authority to do today. Senator Harris and I discussed the sophistica-
32. tion of the notice procedure which we amended into the bill. I don't
33. know that there's any opposition. There was some discussion about

1. that, and I would ask that you favorably consider the bill.

2. PRESIDENT:

3. Just a moment. Just a moment. Just a moment. Slow it down
4. now. Let's keep the pace we have. Senator Egan may continue.

5. SENATOR EGAN:

6. That's all.

7. PRESIDENT:

8. Now, Senator...any further discussion? Senator Savickas.

9. SENATOR SAVICKAS:

10. I missed the explanation, but to me this authorizes people to
11. enter private property for no really good reason. I...I...it seems
12. like we're getting back into...as our President mentioned earlier,
13. the socialistic State, when we allow the conservation employee to enter
14. and cross any property in the State, and if it's private property with-
15. out authorization, I would oppose any such authorization.

16. PRESIDENT:

17. Senator Egan.

18. SENATOR EGAN:

19. Well, Senator Savickas, today if you need the power to do what
20. this bill authorizes, all you do is merely apply to the court and they
21. grant that permission. It's designed to save money insofar as the...
22. the right is given the department under careful notice procedure.
23. When they are making a...a development which takes the need which
24. necessitates drilling and boring for footings on conservation projects
25. to enter land after careful notice procedure. Now, in...in order to
26. do this now, if there is...resistance by the land owner, you must
27. apply to a court and get an injunction against the land owner, prohibi-
28. ting him from denying access to the land. So, the right really exists
29. in the common law. What we tried to do was codify this to save the
30. State the necessary funds that they would expend on a court action.
31. Let me say that built into this bill is also a provision that if there's
32. any damage done, the State should pay it. That doesn't really exist
33. in the bill today. The Department of Transportation has this same

1. authority when it makes surveys for roads. It really is not a gestapo
2. measure. It really is a right that exists, and all we're doing is
3. codifying it so that we can save the taxpayers' money, Senator Savickas,
4. so that we can increase the Workmen's Compensation Laws and the funding
5. for those people who don't have jobs. And I'd appreciate your support.

6. PRESIDENT:

7. Senator Nudelman.

8. SENATOR NUDELMAN:

9. Mr. ...Mr. President, would the sponsor yield?

10. PRESIDENT:

11. He indicates he will yield.

12. SENATOR NUDELMAN:

13. You and Senator...you and Senator Harris may be very sophisticated
14. but your grammar stinks. If you would...if you would, Sir, look at
15. line 7 of the bill and tell me what the word personally relates to.

16. PRESIDENT:

17. Senator Egan, the grammarian.

18. SENATOR EGAN:

19. Well, thank you for your kind words of our personal well-being.
20. It's been a long, hard day, and as soon as I finish I'm going to go
21. home and take a shower before I have a drink with you, Senator, so
22. that you don't feel anything about my personal condition, but it's
23. just been a long, hard day, and I'm going to try to help. On...on
24. line 7, the word personally, and I don't take it personally, means
25. that if the...the employee designated by the chief engineer of the
26. department goes to your house and knocks on your door in person that
27. that's what it means. Now, judge...or Senator, that may be as simple
28. a determination as any court in the land would make. If you want to
29. make it more sophisticated, you may.

30. PRESIDENT:

31. Senator Nudelman.

32. SENATOR NUDELMAN:

33. I know what it's supposed to mean, Senator, but if you will read

1. the sentence to me, I would appreciate your showing me where it says
2. what you just said it means. Notice personally or by registered or
3. certified mail return receipt requested to the last known address of
4. the owner upon the land or waters. Now, it doesn't modify anything.
5. It doesn't relate to anything. It's in a vacuum.

6. PRESIDENT:

7. Senator Egan.

8. SENATOR EGAN:

9. Well, it...it...it does, too. It means that you must give the
10. notice personally to the owner.

11. PRESIDENT:

12. Any further discussion? Senator Wooten. Pardon me, Senator
13. Nudelman.

14. SENATOR NUDELMAN:

15. We do all look alike, don't we, Mr. President?

16. PRESIDENT:

17. Not any more you don't.

18. SENATOR NUDELMAN:

19. Touche. I...I...I am serious about this, and that is a meaning-
20. less phrase, and on...on the basis of the...of whoever drafted it,
21. not knowing what they were doing, I should think, Senator, you'd take
22. it out of the record and clean it up. But if you don't care to do
23. that, if you don't care to do that, I'd ask you what added power there
24. is in this amendment over and above the Act of 1917, which it supposedly
25. amends?

26. PRESIDENT:

27. Senator Egan.

28. SENATOR NUDELMAN:

29. And what's the need of the change? We...there...it seems to me,
30. reading Section 63A-9 that the right to go upon the land is already
31. there by statute, not common law.

32. PRESIDENT:

33. Senator Egan.

1. SENATOR EGAN:

2. Well, I appreciate your inquiry, Senator Nudelman, and I'm
3. going to try, again, to tell you that this notice provision is soph-
4. isticated, indeed, over that which was in the bill originally as
5. given to me, and the reason I say that is because it provides for
6. personal notice to the owner, and that's simply there on line 8 as
7. well as I can read it, and incidentally, I have had no problems with
8. ...with your views on this up until this very minute. I'm surprised
9. that you wouldn't tell me this in advance. But in any event, I don't
10. think there's any confusion, and I think that if we all sat around
11. and discussed this for a couple of more hours, we might find that
12. I'm right. And, Senator Nudelman, to continue, this bill is going to
13. save all kinds of money for the people of the State of Illinois, and
14. incidentally, probably take some money away from lawyers who like
15. to file injunction law suits throughout the State to allow the depart-
16. ment to go on land that the owner does not want them to enter upon,
17. which the department already has the common law right to do. This
18. bill allows that to be done statutorily.

19. PRESIDENT:

20. The Chair has a parliamentary inquiry. Are you going to finally
21. sit down with him, or are you going to continue and request a roll
22. call? I...because I might have a suggestion.

23. SENATOR EGAN:

24. I would like to have the Senate approve my legislation.

25. PRESIDENT:

26. Senator Nudelman, once more.

27. SENATOR NUDELMAN:

28. Mr. President, I would first say that the grammar, in fact, is
29. incorrect and it would be an embarrassment to this Body, under your
30. supervision, to pass a bill...

31. PRESIDENT:

32. Take it out of the record.

33. SENATOR EGAN:

1. Nope..

2. PRESIDENT:

3. No, seriously...

4. SENATOR NUDELMAN:

5. I am serious. All kidding aside. I'm serious. That is a
6. badly drafted sentence, and I should think that Senators Harris and
7. Egan could get some administrative aide to straighten it out for them
8. if they can't do it by themselves.

9. PRESIDENT:

10. Senator Egan.

11. SENATOR EGAN:

12. Well, I wouldn't ask you to do it, Senator, because it's not
13. your bill, but I'd like to have a favorable roll call. Thank you.

14. PRESIDENT:

15. Any further discussion: The question...oh, Senator Berning.

16. SENATOR BERNING:

17. A...a very simple question, Mr. President. On...on lines 10 and
18. 11, can you just tell me, Senator Egan, terminations necessary to
19. determine the engineering and economic feasibility of planned, major
20. projects. Now, is that restricted solely to the Department of Con-
21. servation, or can this be construed as a tool for such projects for
22. any kind of development?

23. PRESIDENT:

24. Senator Egan.

25. SENATOR EGAN:

26. The...the bill, Senator, is limited to the authority given to
27. the Department of Conservation.

28. PRESIDENT:

29. Any further discussion? The question is shall Senate Bill 681
30. pass. All in favor will vote Aye. Opposed will vote Nay. The
31. voting is open. Have all voted who wish? Take the record. On this
32. question, the Ayes are 18, the Nays are 14, 3 Voting Present. Senate
33. Bill 681 having failed to receive a constitutional majority is

1. declared lost. Senate Bill 685, Senator Buzbee. Senate Bill 686,
2. Senator Buzbee. Senate Bill 687, Senator Morris.

3. SECRETARY:

4. Senate Bill 687.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. PRESIDENT:

8. Senator Morris.

9. SENATOR MORRIS:

10. This is a very simple bill which is designed to authorize the
11. State to begin collecting a fee for the permits that already issues
12. for work to be done along the right of way of highways. Currently,
13. those permits are issued free, and this will allow a fee to be
14. charged equivalent to the clerical costs which will keep at least
15. the status of the cost of this administration down. I'll answer any
16. questions. I'd appreciate a favorable roll call.

17. PRESIDENT:

18. Any further discussion? Senator Savickas.

19. SENATOR SAVICKAS:

20. Well, I just have a comment. This has been done free for, I
21. guess, since the inception of the department, and I think with the
22. budget that the department has, the clerical work...workers that
23. it has, that starting to charge a fee now would start setting a
24. precedent, and we're talking about charging fees for owners to have
25. access to their own land, to set up driveways into their own land. The
26. State Department has always issued these permits as long as they
27. issued the plans that conformed with State specifications without
28. charge, and I think it would be embarrassing for this Legislature
29. now to tax the people for something that they've always received free.
30. I would oppose this.

31. PRESIDENT:

32. Senator Latherow.

33. SENATOR LATHEROW:

1. Well, Mr. President, I'm very concerned about what somebody
2. else would be doing making improvements or working upon or along the
3. highway under the jurisdiction of the State. What would that be?

4. PRESIDENT:

5. Senator Morris.

6. SENATOR MORRIS:

7. This would be public utilities who might be doing work along
8. highways or agencies such as this that have to work in that right of
9. way area immediately adjacent to the highway but on property that
10. the State owns. This would be who would be involved and these are
11. the people that would have to pay the fee to go on and do that work.

12. PRESIDENT:

13. Senator Latherow.

14. SENATOR LATHEROW:

15. What type fee would you imagine the cost and what would the
16. cost be, do you think, to issue a permit?

17. PRESIDENT:

18. Senator Morris.

19. SENATOR MORRIS:

20. I can't give you a specific, but it would be the clerical costs
21. involved in issuing these fees that would be in the dollars and in
22. probably two figures at best.

23. PRESIDENT:

24. Any further discussion? Senator Rock. Oh, pardon me. Senator
25. Latherow. I thought you'd completed.

26. SENATOR LATHEROW:

27. Yes, Sir. My question was with this, we decide some particular
28. land owner had a tile line running under that property, would he
29. have to get a permit for it to go in there and work on that particular
30. tile line?

31. PRESIDENT:

32. Senator Morris.

33. SENATOR MORRIS:

1. As I read the bill, he probably would.

2. PRESIDENT:

3. Senator Rock.

4. SENATOR ROCK:

5. Yes, Mr. President, just in answer to Senator Latherow's ques-
6. tion, I'm told that the Department of Transportation's costs are
7. ten dollars for a driveway, commercial driveway is fifteen dollars
8. and a large commercial shopping center is a hundred dollars.

9. PRESIDENT:

10. Senator Latherow.

11. SENATOR LATHEROW:

12. Well, I'm not worried about a driveway, Senator. I got enough
13. of them to...to keep rock and so on in, but what I'm worrying about
14. is somebody has to make some improvement that belongs to their
15. property as such, the tile line and so on, if they're going to have
16. to call down here at the State of Illinois and get...pay fifteen or
17. twenty dollars for a permit to go in there and work on their property
18. which lies not up on or along but underneath that highway.

19. PRESIDENT:

20. Any further discussion? Senator Morris may close the debate.

21. SENATOR MORRIS:

22. I would just like to encourage a favorable vote on this. In
23. answer to Senator Savickas, I realize he's a member of the Appropria-
24. tions Committee, and I understand he's very effective at trying to
25. hold the line on State spending, and what we're trying to do here is
26. trying to economize in State Government, and I'd appreciate a favor-
27. able roll call.

28. PRESIDENT:

29. The question is shall Senate Bill 687 pass. Those in favor will
30. vote Aye. Those opposed will vote Nay. The voting is open. Have
31. all voted who wish? Take the record. On this question, the Ayes are
32. 18, the Nays are 18, 1 Voting Present. Senate Bill 687 having failed
33. to receive a constitutional majority is declared lost. Senate Bill

1. 688, Senator Morris.

2. SECRETARY:

3. Senate Bill 688.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDENT:

7. Senator Morris.

8. SENATOR MORRIS:

9. Well, if you liked the last bill, you'll really love this one.
10. This one was also unanimously approved by the committee without dis-
11. cussion of which some of the members of this Chamber just voted for
12. it in committee and against it here. I would...on this one...this
13. bill removes the existing regulation from one department to the other.
14. It's now the...the bus inspections are done by the Department of
15. Transportation. In the last Legislative Session, the General Assembly
16. moved this function to the Department of Transportation. This cleans
17. up the language and now moves the drafting of the regulations also
18. to the Department of Transportation. It's strictly a clean up bill to
19. follow through with what this General Assembly did in the last Session.
20. I'd appreciate a favorable roll call.

21. PRESIDENT:

22. Any further discussion? The question is shall Senate Bill 688
23. pass. Those in favor will vote Aye. Those opposed will vote Nay.
24. The voting is open. Have all voted who wish? Take the record. On
25. this question, the Ayes are 43, the Nays are 2. Senate Bill 688
26. having received a constitutional majority is declared passed. Senate
27. Bill 690, Senator Morris.

28. SECRETARY:

29. Senate Bill 690.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDENT:

33. Just a moment. Just a moment. Senator...Senator Morris.

1. SENATOR MORRIS:

2. Well, this is one of those Bob Egan bills, and it's very popular
3. with this Body, but Senator Harris has asked me to return this to
4. 2nd reading to put on Senator Nudelman's favorite amendment, and I
5. would ask leave of the Body at this point to bring this back to 2nd
6. reading to put on the Harris Amendment.

7. PRESIDENT:

8. Is there leave? Leave is granted. Is the amendment in the
9. custody of the Secretary? Senator Harris.

10. SENATOR HARRIS:

11. I'm sorry. I thought it was down on the Secretary's Desk.
12. Might we have leave if...to...for me to take a moment to go to my
13. office and pick up the amendment and on the way back, I'll run by
14. Senator Nudelman's desk and pick this up. Can we go on to another
15. order of business and return to this?

16. PRESIDENT:

17. Yes. Take it out of the record.

18. SENATOR HARRIS:

19. Okay.

20. PRESIDENT:

21. We'll come back to it. Senate Bill 691, Senator Lane.

22. SECRETARY:

23. Senate Bill 691.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDENT:

27. Senator...Senator Lane.

28. SENATOR LANE:

29. Thank you, Mr. President. Senate Bill 691 amends the Water
30. Well and Pump Installation Contractor's License Act to transfer
31. responsibility for licensing and the...administration of the Act
32. from the Department of Registration and Education to the Department
33. of Public Health. It also provides for a licensing board to license

1. the installation contractors.

2. PRESIDENT:

3. Any further discussion? Senator Graham.

4. SENATOR GRAHAM:

5. Senator...Senator Lane, who had this responsibility before?

6. Who has it now, I mean?

7. PRESIDENT:

8. Senator Lane.

9. SENATOR LANE:

10. The Department of Registration and Education.

11. PRESIDENT:

12. Senator Graham.

13. SENATOR GRAHAM:

14. Any change would be welcome.

15. PRESIDENT:

16. Any further discussion? The question is shall Senate Bill...

17. Senator Latherow.

18. SENATOR LATHEROW:

19. I just have one question to ask. Does this bill give the Depart-

20. ment power to come up on any piece of property and inspect every

21. well that they can find?

22. PRESIDENT:

23. Senator Lane.

24. SENATOR LANE:

25. Not to my knowledge, Senator.

26. PRESIDENT:

27. Any further discussion? The question is...Senator Latherow,

28. had you finished?

29. SENATOR LATHEROW:

30. No.

31. PRESIDENT:

32. I'm sorry.

33. SENATOR LATHEROW:

1. I wonder under this particular bill, what is the EPA's authority
2. under it?

3. PRESIDENT:
4. Senator Lane.

5. SENATOR LANE:
6. I don't know if they're that much involved in there. The Department
7. of Public Health will be the regulatory agency as far as I can see.

8. PRESIDENT:
9. Senator Latherow...Senator Latherow.

10. SENATOR LATHEROW:
11. Well, I think if I recognize this properly that this still
12. allows the power to the EPA to set rules and standards under this
13. provision rather than have it strictly with the Public Health.

14. PRESIDENT:
15. Any further discussion? Senator Lane, you desire to close the
16. debate?

17. SENATOR LANE:
18. Well, just the regular functions as far as the EPA is concerned.
19. I imagine they will be involved that much, yes.

20. PRESIDENT:
21. The question is shall Senate Bill 691 pass. Senator Weaver.

22. SENATOR WEAVER:
23. Well, Senator Lane, how many new inspectors are we going to
24. have to hire here to implement this Act?

25. PRESIDENT:
26. Senator Lane.

27. SENATOR LANE:
28. I'm under the impression that no additional personnel will be
29. needed this year, and possibly...possibly next year, there might be
30. two.

31. PRESIDENT:
32. Senator Weaver.

33. SENATOR WEAVER:

1. Well, it's my understanding that we're going to have five more
2. inspectors in this department to handle this Act.

3. PRESIDENT:

4. Senator Lane. Any further discussion?

5. SENATOR LANE:

6. ...I have no knowledge of that, Senator.

7. PRESIDENT:

8. Any further discussion? Senator Harris.

9. SENATOR HARRIS:

10. Well, I certainly don't want to demean this conscientious new
11. Senator, but I want to make a comment about an attitude that I'm
12. beginning to develop toward the Department of Public Health. Their
13. actions demonstrate a tendency to reach out and regulate beyond rea-
14. sonable regulation. Now, farm people, I'll guarantee you, are going
15. to wind up being deeply involved with this department in the operation
16. of private wells on private land. You mark my words.

17. PRESIDENT:

18. Any further discussion? Senator Wooten.

19. SENATOR WOOTEN:

20. Mr. President and colleagues, I might point out that this doesn't
21. change the business of inspection. The process still must go on.
22. The question is whether it should be done by R and E or the Department
23. of Public Health. Now, both of those departments have been in bad
24. cess at one time or another, and I...I don't think the question of
25. regulation is...is being addressed here, but whether it should remain
26. in R and E or go to Public Health. I...I don't think we need get...
27. we need be diverted into thinking that we are going to maybe start
28. regulating or not. This merely transfers the function.

29. PRESIDENT:

30. Senator Davidson.

31. SENATOR DAVIDSON:

32. There's one other little thing in this bill which is a little
33. more than that. In Section 16, when you're striking out upon receipt

1. of notification, etc., it leaves the word shall, and it will read
2. the Department upon its own motion and shall upon the...verified
3. complaint in writing of any person, etc., etc., hold a hearing and
4. suspend or revoke a well driller's license, which means some person
5. who's unhappy with legitimately or unlegitimately or what someone has
6. done on well service or any contract can have his license, which is
7. his livelihood, in jeopardy. I think that this bill as in its present
8. form doesn't accomplish what we want to do, and that is to make well
9. drillers perform the job but also not harrass either individuals
10. making a livelihood, more importantly, harrass the people who own
11. the wells throughout the district. I'm not sure this is a good bill.

12. PRESIDENT:

13. Senator Harber Hall.

14. SENATOR HALL:

15. I, too, have questions, Mr. President, about the procedure of
16. removing licensing to a different department. In this case the
17. Department of Public Health simply because we try and read into the
18. nature of the work a health ingredient. Now, the Department of
19. Registration and Education still licenses doctors, still licenses
20. nurses, and if they can't manage to license well drillers, I would
21. like to know why. I believe that the respected Senator from Pontiac
22. raised a valid question - when do we stop shifting responsibilities
23. around. Are we...shifting responsibilities around to meet the growth
24. goals that some different agency had, or do we really have meat into
25. what we're doing here? I suggest we don't because if it were logical
26. to license well drillers by the Department of Public Health, then
27. why don't we license doctors by the Department of Public Health which
28. we don't? And I oppose this bill.

29. PRESIDENT:

30. Senator Rock.

31. SENATOR ROCK:

32. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
33. I think Senate Bill 691 has been totally misconstrued. The complaint

1. or objection and suggestion that Senator Davidson had, for instance,
2. is, in fact, the law presently. That is the current law under which
3. everybody now is living, and I think Senator Lane's explanation was
4. quite correct. If you will recall back in the Governor's State of
5. the State message, he suggested to the members of the General Assembly
6. a reorganization of the Department of Registration and Education and
7. new functions, and this function, particularly, was thought better
8. served in the Department of Public Health. That's the purpose of the
9. bill. The only change that's made, aside from the criminal penalty
10. which has been reduced by suggested amendment to a petty offense...
11. the only change that's been made is that no longer will the Department
12. of Registration and Education have this responsibility. It will now
13. be the responsibility of the Department of Public Health. It's just
14. that simple. The rest of what's in this five or six page bill is
15. the current law.

16. PRESIDENT:

17. Senator Don Moore.

18. SENATOR MOORE:

19. Thank you, Mr. President and members of the Senate. Mr. Presi-
20. dent, in the terms that I have been down here, I have never seen so
21. much legislation introduced that transfers or attempts to create new
22. obligations and new duties and new functions for the Department of
23. Public Health than I have this Session. There have been bills intro-
24. duced for nursing home disclosures, for example, administered by the
25. Department of Public Health. Rate review for nursing homes, sheltered
26. care homes, intermediate care facilities have been introduced and
27. bested in the Department of Public Health. The inspections of res-
28. taurants has been introduced and assigned to the Department of Public
29. Health. The migrant camps we have in the State of Illinois, and now
30. we're down to water well contractors. Mr. President, if this does not
31. stop along the line some way, one of these days, you're going to see
32. an appropriation for the Department of Public Health that's going to
33. exceed that of the Department of Public Aid. I think that this bill

1. is a step in the wrong direction like all of the others that we've
2. seen in here. This power grab by the Department of Public Health
3. to get their fingers in everything, I think, has to stop, and I think
4. this one should stop also. Thank you, Mr. President.

5. PRESIDENT:

6. Senator Knuppel.

7. SENATOR KNUPPEL:

8. Why, Mr. President, this is a good bill. Who would want Ron
9. Stackler looking after our health?

10. PRESIDENT:

11. Senator Howard Mohr.

12. SENATOR MOHR:

13. Well, Mr. President, if that's all it did, I would concur with
14. Senator Graham that anything might be an improvement. However,
15. Senator Latherow did touch on the...the Environmental Protection
16. Agency becoming involved in here, and in fact, they do. The Agency
17. actually promulgates the rules for the control of the public water
18. supplies and would have such rules included within the testing
19. material and for a license. So, the EPA does enter into this, and
20. it didn't enter into it before, so I would be concerned with that.

21. PRESIDENT:

22. Any further discussion? Senator Lane may close the debate.

23. SENATOR LANE:

24. Yes, this bill will eliminate confusion by putting the program
25. responsibility into one agency. The administrative costs and dupli-
26. cation would be reduced. For those reasons, I ask for a favorable
27. roll call.

28. PRESIDENT:

29. The question is shall Senate Bill 691 pass. Those in favor will
30. vote Aye. Those opposed will vote No. The voting is open. Have all
31. voted who wish? Take the record. On this question, the Ayes are
32. 35, the Nays are 11, 2 Voting Present. Senate Bill 691 having received
33. a constitutional majority is declared passed. Senate Bill 690, Senator

1. Morris and Harris. Senator Morris moves...seeks leave to move
2. Senate Bill 690 to the order of 2nd reading for the purpose of an
3. amendment. Is there leave? Leave is granted. Senator Harris.
4. SENATOR HARRIS:

5. This amendment provides a definition of what, in fact, notice
6. is. It states that notice pursuant to this section shall be deemed
7. to have been received by the property owner if at least two weeks
8. prior to the entry upon the land or waters of any such property owner,
9. he shall have been notified by registered or certified mail, return
10. receipt requested to the last known address of the owner of such
11. land or water. It just makes understandable what, in fact, the notice
12. really is.

13. PRESIDENT:

14. Senator Morris.

15. SENATOR MORRIS:

16. The...the amendment is fine with me.

17. PRESIDENT:

18. Senator Harris. Senator Nudelman, did you seek recognition?

19. SENATOR NUDELMAN:

20. Not until the bill comes up.

21. PRESIDENT:

22. Senator...Senator Harris moves the adoption of Amendment No. 1
23. to Senate Bill 690. All in favor will say Aye. Opposed Nay. The
24. Ayes have it. The amendment is adopted. Any further amendments?
25. 3rd reading. Senate Bill 693, Senator Hynes. Senator Hynes.

26. SENATOR HYNES:

27. Mr. President, I would ask leave of the Body for leave to bring
28. the bill back to 2nd reading. Two Senators have amendments they
29. wish to propose.

30. PRESIDENT:

31. Is leave granted? Leave is granted. Senate Bill 693, Amendment
32. No. 1.

33. SECRETARY:

1. Amendment No. 1 by Senator Nimrod.

2. PRESIDENT:

3. Senator Nimrod.

4. SENATOR NIMROD:

5. Mr. President and fellow Senators, I want to thank Senator Hynes
6. for bringing his bill back. It...it is a rather important subject,
7. and one which we should be concerned with because it addresses itself
8. to the motor fuel tax fund. And on this amendment, what we're attempt-
9. ing to do is to use the same formula that was used last year rather
10. than go back to a formula of two years ago. The...to explain the
11. formula, it would be very complicated and I might just refer to this
12. in forms of dollars and cents which might make a little better idea
13. of what we're talking about. What the amendment, both amendments do
14. or what the bill does is to take sixteen million dollars and...out of
15. the motor fuel tax money that was going to the State and give eight
16. million dollars of it to municipalities, five and three quarter million
17. dollars to the counties, and two and a half million dollars to the
18. townships. Now, what I'm proposing to do on the amendment is to
19. leave it on the formula that's now...instead of doing that, it would
20. give four and a half million dollars to the municipalities, five
21. million dollars to the counties, and...about five million dollars to
22. the townships. Now, what we're saying is that the money ought to go
23. where the roads are if we're going to take more money away from the
24. State. Now, take Cook County alone, when we start talking about roads,
25. we have six hundred and forty miles of township roads in Cook County
26. alone. There are six hundred and four miles of...of county roads in
27. ...in Cook County. When we start talking about the hundred and
28. twenty thousand miles of highways in the State of Illinois, the basic
29. formula is...of the motor fuel fund is that only one-third of the
30. money has been going to the municipalities. And what is being attempted
31. to be done here is to give half the money to municipalities. I think
32. we have to be concerned about this when we start...playing around
33. with these studies, because these school buses cannot even go down

1. these roads to pick up these children. What good is it if the...
2. all these city roads all become superior, and your...your rural
3. roads and county roads do not have any money for maintenance. Now,
4. I personally would prefer not to take any money away from the State
5. because the State has no money for maintenance of any roads, and
6. every mile of interstate that's built, the Federal Government gives
7. nothing in support of that. The Transportation Study Commission is
8. attempting to resolve this, but if we're going to go ahead with this,
9. we're certainly better off at least giving the money to those...where
10. it belongs and I would urge the adoption of this amendment.

11. PRESIDENT:

12. Senator Course.

13. SENATOR COURSE:

14. Yes, Mr. President and members of the Senate, Senator Nimrod,
15. I thought you were going to get together with Senator Hynes on this
16. bill. It was understood in the...it was my understanding in committee
17. that you were going to work with him and try to iron this out to each
18. of your mutual agreement, but now all of a sudden, you come in with
19. an amendment.

20. PRESIDENT:

21. Senator Nimrod.

22. SENATOR NIMROD:

23. Well, Senator Course, we attempted to work this out. Went over
24. to the House and tried to work it out with those who are there.
25. Senator Schaffer went over there, and it...I...I'm not sure what it
26. is we can...if we could work it out on a...on a temporary basis, it's
27. all right, but they tell me that that's unacceptable. So, on that
28. basis, I'm just going to try and perpetuate what we had approved last
29. year. Now, if we can work it out some other way, fine. But, the
30. way it appears, it looks like there can't be anything worked out on
31. the...on the basis that's set up now.

32. PRESIDENT:

33. Senator Hynes.

1. SENATOR HYNES:

2. Mr. President, I...I would oppose the amendment. I believe the
3. bill in its present form which continues the basic formula that...
4. that...with the exception of last year had been in existence for the
5. distribution of these funds is an equitable approach. It is very
6. simple, straightforward and direct. The effect of this amendment
7. would be to change the bill and to take monies from the State from
8. counties and municipalities and put it into the township column, and
9. I simply find the...the amendment unacceptable.

10. PRESIDENT:

11. Senator Hynes moves the adoption of Amendment No. 1 to Senate
12. Bill...

13. SENATOR HYNES:

14. No...Mr. ...I do not move the adoption.

15. PRESIDENT:

16. Pardon me. Senator Nimrod moves the adoption of Amend...Amend-
17. ment No. 1 to Senate Bill 693. All in favor will say Aye. Opposed
18. Nay. The amendment is lost. Senate Bill 69...oh, I'm sorry. Amend-
19. ment No. 2, Senator Schaffer.

20. SENATOR SCHAFFER:

21. Amendment No. 2 attempts to do...well, in the end results of
22. Amendment No. 2 is the same as Amendment No. 1, only it's a different
23. avenue. Amendment No. 2 would take one percent of the motor fuel
24. money on a temporary basis for three years and put it into...give it
25. to the townships downstate. It's an additional three...three point four
26. million dollars a year with the other aspects of the bill as already
27. drafted would be an additional five point nine million for township
28. roads. I would point out to my downstate Democrat friends, Senator
29. Buzbee, Senator Bruce, Senator Joyce, Senator Morris, Senator Hickey,
30. Senator Johns, Senator Wooten, I believe you have all been receiving
31. petitions...oh, Senator...Senator Demuzio, you've all been receiving
32. cries of distress from townships. Clearly the crisis in roads...
33. Nudelman...Nudelman might get off 66 and get on one of these roads

1. every now and then, too. Vadalabene, certainly. We've all, all
2. of us who represent downstate have been receiving the petitions and
3. the calls of distress from township government about township roads.
4. I haven't been receiving complaints about municipal roads or county
5. roads, and the complaints I've received on State roads are that they
6. want four lanes instead of two which, frankly, I don't see happening
7. in the immediate future. The crisis in roads today is in townships.
8. Amendment No. 2, which I solicit your support on, would take an addi-
9. tional three point four million dollars in State motor fuel money and
10. on a temporary basis give it to the townships to meet this crisis.
11. I would appreciate a favorable roll call, and I would request a roll
12. call, Mr. President.

13. PRESIDENT:

14. Senator Hynes.

15. SENATOR HYNES:

16. Mr. President, even though I find this amendment far preferable
17. to the prior one, I still would have to oppose it. It...it does
18. involve an additional allocation of...of State funds. It is possible
19. that at some later point in the history of this bill if...if by the
20. grace of God it is successful that something can be worked out on
21. that subject, but at this point, I simply find the...amendment unac-
22. ceptable and would oppose it.

23. PRESIDENT:

24. Senator Schaffer moves the adoption of Amendment No. 2 to Senate
25. Bill 693. Those in favor will vote Aye. Those opposed will vote Nay.
26. The voting is open. Have all voted who wish? Take the record. On
27. this question, the Ayes are 28, the Nays are 22. The amendment fails.
28. Senator Weaver.

29. SENATOR WEAVER:

30. Thank you, Mr. President. On a point of personal privilege, in
31. the President's Gallery is the former Senator that I think should
32. come to the note of the Senate, the Honorable Speaker Senator Jack
33. Walker. Jack, stand.

1. PRESIDENT:
2. Senate Bill 690, Senator Morris.
3. SECRETARY:
4. Senate Bill 690.
5. (Secretary reads title of bill)
6. 3rd reading of the bill.
7. PRESIDENT:
8. Pardon me, just one minute. I was diverted. On 693, were
9. there further amendments? 3rd reading. We're on 6...Senate Bill 690,
10. Senator Morris.
11. SENATOR MORRIS:
12. This is a very simple bill. It just adds to the list of things
13. that the Department of Transportation can do a subsurface soil survey,
14. and I'm sure there will be no opposition to this legislation. I
15. solicit a favorable roll call.
16. PRESIDENT:
17. Any further discussion? Senator Course.
18. SENATOR COURSE:
19. Yes, Mr. President and members of the Senate, I would object
20. to this bill for two reasons. One, because they allow the personnel
21. of the Department of Transportation to enter private land. And
22. secondly, because of the way of this bill can...the way this bill
23. came out of committee. This bill was all of a sudden it wound up on
24. an agreed list after the...after we had voted on an agreed list. This
25. bill appeared on the agreed list...on the agreed list. Two of us
26. objected to the...to the bill being on that list, but we were ruled
27. out of order. And for that...reason, Ladies and Gentlemen, I would
28. oppose this bill.
29. PRESIDENT:
30. Senator Wooten.
31. SENATOR WOOTEN:
32. If I may question the sponsor. Does this have the same provisions
33. as the recent Egan Bill of late, lamented memory?

1. PRESIDENT:

2. Senator Morris.

3. SENATOR MORRIS:

4. I am not that familiar with the Egan Bill. That has passed
5. from my mind, and I...

6. PRESIDENT:

7. Any...any further questions? Senator Wooten.

8. SENATOR WOOTEN:

9. Well, I would merely suggest you look back at that, because I
10. think maybe we ought to oppose this one on the same ground.

11. PRESIDENT:

12. Any further discussion? Senator...Senator Nudelman, were you
13. seeking recognition?

14. SENATOR NUDELMAN:

15. Yes, Mr. President. Thank you. I would oppose this legislation.
16. This is another attempt at a power grab by a bureau against individual
17. property owners. I think if...if the Senator will pardon me, Senator
18. Egan made the remark in his comments which should make us all want
19. to vote against this bill. He commented to the effect that he wanted
20. to help the State as against the private property owner, and I am
21. diametrically opposed to that view. I want to help the private pro-
22. perty owner as against the State, and this is another invasion, and
23. I don't think it is warranted, and I would urge all to vote against
24. this legislation.

25. PRESIDENT:

26. Any further discussion? Senator Egan.

27. SENATOR EGAN:

28. I would like to correct Senator Nudelman in his observations or
29. his hearings. I did not say that I wanted to protect the State as
30. against private property owners, that is not what I said at all,
31. Senator. As a matter-of-fact, I'm very careful to say exactly what
32. is on my mind. I'll refrain from that in...immediately.

33. PRESIDENT:

1. PRESIDENT:

2. The question is shall...Senator Morris may close the debate.

3. SENATOR MORRIS:

4. I would like to solicit a favorable roll call on this, and as
5. you may know, I am not Chairman of the Transportation Committee and
6. do not have control over the Chairman of the Transportation Committee.

7. PRESIDENT:

8. Right on.

9. SENATOR MORRIS:

10. I would appreciate...

11. PRESIDENT:

12. Senator Morris.

13. SENATOR MORRIS:

14. I would appreciate a favorable roll call on this because this
15. is something that is rather critical if we are to continue with the
16. highway program in the State of Illinois and not build highways in
17. the wrong locations where the soil can't tolerate them. I would
18. appreciate a favorable roll call.

19. PRESIDENT:

20. The question is shall Senate Bill 690 pass. Those in favor
21. will vote Aye. Those opposed will vote Nay. The voting is open.
22. Have all voted who wish? Take the record. On this question, the
23. Ayes are 21, the Nays are 16, 3 Voting Present. Senate Bill...

24. Senator Morris.

25. SENATOR MORRIS:

26. Since Senator Chew was not here tonight, I would like the
27. record to show that he would have probably supported this bill the
28. way he did in the committee.

29. PRESIDENT:

30. On this question, the Ayes are 21, the Nays are 16, 3 Voting
31. Present. Senate Bill 690 having failed to receive the constitutional
32. majority is declared lost. Senate Bill 693, Senator Hynes. Senator
33. Hynes, make your explanation, then we'll read the bill when they bring

1. it in.

2. SENATOR HYNES:

3. Oh, should I make the explanation first?

4. PRESIDENT:

5. Yes, Sir.

6. SENATOR HYNES:

7. This bill amends the Motor Vehicle Tax Law with respect to the
8. formula for distributing motor fuel tax funds. The...it will dis-
9. tribute an additional sixteen million dollars to local governments,
10. counties, municipalities and townships. We passed legislation last
11. year under a different formula which distributed that same amount of
12. money, that legislation by its terms expires at the end of this
13. fiscal year. This bill would...would put the program back into effect
14. again. There is a serious crisis at the local level with respect to
15. availability of motor fuel tax funds, and I think this legislation
16. is desperately needed. It's supported by the Illinois Municipal
17. League, and I think is a...a step toward giving local governments
18. the ability to...ability to deal with a very serious problem.

19. PRESIDENT:

20. Any further discussion? Senator Schaffer.

21. SENATOR SCHAFFER:

22. This bill could have been beautiful. As it is, it's just
23. pretty. I can count...last year the count was slightly different,
24. and the bill was different. This bill as amended or as it stands
25. without amendment, I guess I should say, still does provide an addi-
26. tional two point four million dollars for townships for which we are
27. humbly grateful. I hope, Senator Hynes, that we can continue these
28. negotiations in the House, and that perhaps the crisis in the town-
29. ship road system can be recognized. I intend to support this bill.
30. I don't think I'll push my button down as hard as I might have if the
31. amendment had been on it, but I think I can work up enough support to
32. push the green light on this one.

33. PRESIDENT:

1. Senator Buzbee.

2. SENATOR BUZBEE:

3. A question of the sponsor, Mr. President. Senator Hynes, are
4. you saying that...that this is an ongoing program and this is simply
5. an extension, a continuation of...of an ongoing program?

6. PRESIDENT:

7. Senator Hynes.

8. SENATOR HYNES:

9. Well, it's both in the sense that last year we allocated an
10. additional sixteen million dollars to local governments under a...a
11. complete change in the...in the formula for a one year basis. As...
12. as of June 30th, the formula reverts to what it has been for the last
13. several years. This bill takes that sixteen million dollars and
14. pumps it into the existing formula. It's distributed through the
15. formula that's been in existence for the last several years.

16. PRESIDENT:

17. Senator Buzbee.

18. SENATOR BUZBEE:

19. Is the provision made in DOT's budget for the continuation of
20. this program?

21. PRESIDENT:

22. Senator Hynes.

23. SENATOR HYNES:

24. Not at the moment.

25. PRESIDENT:

26. Senator Buzbee.

27. SENATOR HYNES:

28. But there are...there will be an effort if the bill is successful
29. to include it in the budget. It is not included, nor was it last
30. year.

31. PRESIDENT:

32. Senator Buzbee.

33. SENATOR BUZBEE:

1. I think you know and...and probably share with me the fear
2. that I have about the possibility, and yes, in fact, the probability
3. of the road funds going broke within the next two to three years.
4. I'm caught between on the horns of a dilemma here between the old
5. rock and the hard spot because...as I travel the State's highways,
6. I certainly see the need for the upgrading of them. I have no inten-
7. tion of supporting the Accelerated Building Program of the sale of
8. GO bonds to build highways that will last twelve years, and we're
9. going to be paying for them for twenty-five years. I know that we
10. have the continued need for the upgrading of these highways. I know
11. that our local governments, and yes, Senator Schaffer was...was
12. correct. I drive on a township road every day to get from my house
13. and it's in terrible condition because the township road fund is
14. broke. I traveled on county roads that are in horrible condition.
15. I traveled on city streets that are in bad shape. I really don't
16. know what to do except to say to you that we're going to have to have
17. probably a six cent a gallon gasoline tax increase within the next
18. three or four years if we're going to...continue to deplete this road
19. fund. So, I guess what I'm saying is I'm going to vote No on your
20. bill.

21. PRESIDENT:

22. Any further discussion? Senator Nimrod.

23. SENATOR NIMROD:

24. Yeah, Mr. President...Mr. President and fellow Senators, what
25. this bill actually does is taking sixteen million dollars out of the
26. road fund. Now, last year we passed a bill of which only about forty
27. percent of what was intended to be done was ever done with the one
28. year on a temporary basis. What we're saying is that don't continue
29. the same thing now. Let's change the formula and go back to what it
30. was because we can get sixteen million dollars and give eight million
31. of that to...to the municipalities. Now, that's just not fair.
32. That's not fair to do this kind of a thing when the Transportation
33. Study Commission is embarked on trying to solve this very important

1. problem. We're going to be faced with gas tax increases, and we're
2. neglecting the county roads and the township roads, and all we're
3. doing is giving more money for them. Now, the State has no money
4. and what we're doing is taking sixteen million dollars of State money
5. and putting it into the municipalities, over half of it. Now, the
6. rightful share of municipalities is only supposed to be one-third,
7. and they got a chance here to see they're going back to an old bill,
8. and they want to get one-half of what's coming. We shouldn't be
9. playing with the motor fuel tax fund. The State gets no money for
10. maintaining its roads. Now, you and I know that those roads are
11. going to be maintained, so we're going to have to keep putting money
12. into it. We're going to keep increasing the...the motor fuel tax
13. and the gas tax, and we're going to get an improper distribution.
14. Now, it's not for this Body to making this decision rash...without
15. some thought to it and that order to be coming from a recommendation
16. from the Transportation Study Commission. I think we ought to just
17. leave things just well enough as they are, let the money sit with
18. the State until we can come up with a proper recommendation, and I
19. would urge a No vote on this particular bill.

20. PRESIDENT:

21. Senator Hynes may...Senator Morris.

22. SENATOR MORRIS:

23. I would like to agree with Senator Nimrod on this. I think
24. we have reached the point where the gasoline tax is going to be
25. rather exorbitant within the near future with the Federal Government
26. talking about a massive gasoline tax, and if we are to continue
27. maintaining State highways, I think we ought to vote against this
28. bill and leave the money there that is currently there. The way
29. things are going now, the State highways other than 66 and that is
30. not a prize are in poor condition, and they're not going to get any
31. better if we keep taking the money from this fund and putting it
32. into the municipalities. Municipalities with revenue sharing do
33. have adequate money to maintain the city roads and the city streets,

1. and I think the more money we take from the State Motor Fuel Tax
2. Fund, I hope that the members of this Chamber are going to be here
3. and willing to vote for a five or six cent increase in the gasoline
4. tax in order to maintain State highways in the very near future.
5. I urge a No vote.

6. PRESIDENT:

7. Read the bill a third time.

8. SECRETARY:

9. Senate Bill 693.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDENT:

13. Senator Hynes may close the debate.

14. SENATOR HYNES:

15. Well, Mr. President, I would like to just address myself to
16. a couple of the comments that were made. First of all, this is an
17. equitable distribution. It is in accordance with the formula that
18. was in existence for several years. It does give money to townships,
19. to counties, and to municipalities. Secondly, it is not going to
20. cause a gas tax increase of any kind. The amount involved here is
21. infinitesimal in comparison to what the proposal for Series C bonds
22. in the Accelerated Building Program would cost if they were to be
23. funded. So, I think this is well within the capability of the State.
24. It was within the capability last year and received overwhelming...
25. approval, and I would urge the membership to approve it here again
26. tonight.

27. PRESIDENT:

28. The question is shall Senate Bill 693 pass. Those in favor
29. will vote Aye. Those opposed will vote Nay. The voting is open.
30. Have all voted who wish? Take the record. On this question, the
31. Ayes are 43, the Nays are 8. Senate Bill 693 having received a
32. constitutional majority is declared passed. ...(Machine cut-off)
33. ...has an announcement. May I have the attention of the members.

HB 184
3rd Reading
5-15-75

1. Several members have inquired as to how late we're going to work
2. tonight. It is my feeling that we will probably not work much past
3. 9:30 so that members will know what the...situation is. We do have
4. two bills of an emergency nature that we will deal with at the end
5. of...at the call. Let's take those now. We'll get them out of the
6. way. Is there leave to change the order of business? Leave is
7. granted. House Bill 184 on 3rd reading. Senator Don Moore.

8. SECRETARY:

9. House Bill 184.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDENT:

13. Senator Don Moore.

14. SENATOR MOORE:

15. Thank you, Mr. ...thank you, Mr. President and members of the
16. Senate. House Bill 184 provides for refunds by the county collector
17. in cases where an installment of real estate taxes has been paid twice
18. in error. This is a bill that has been amended by the...or to the
19. agreement of the treasurer and the Cook County collector in the
20. County of Cook. They request immediate passage of this...of this
21. bill to address itself to the problem that quite frequently occurs
22. in Cook County. I might add that the bill is applicable state-wide.
23. It applies to every county. Where a tax bill has been paid in error
24. and with the use of permanent index numbers, this frequently happens.
25. This does give the county collector the authority to refund such
26. payments. It is of...there's nothing on the books now that allows
27. them to do it. They're doing it administratively which is exceedingly
28. questionable. I think this is a good bill. I think we should get
29. it on the Governor's desk as soon as possible. I think it will help
30. remedy a problem that exists not only in my county but in the other
31. counties. Senator Ozinga had a similar bill which he Tabled when
32. this bill came over from the House, and I might add that Senator Jack
33. Walker also endorses this bill. I'd appreciate a favorable vote,

1. Mr. President.

2. PRESIDENT:

3. Any further discussion? The question is shall House Bill 184
4. pass. Those in favor will vote Aye. Those opposed will vote Nay.
5. The voting is open. Have all voted who wish? Take the record. On
6. this question, the Ayes are 54, the Nays are none. House Bill 184
7. having received the constitutional majority is declared passed.
8. ... (Machine cut-off) ... Harris come to the rostrum please. For
9. what purpose do you arise?

10. SENATOR WOOTEN:

11. Mr. President, I suppose it's on a point of personal privilege
12. or something of that sort. Since further...

13. PRESIDENT:

14. State your point.

15. SENATOR WOOTEN:

16. ...since further night meetings are well in prospect, could I
17. request that we replace some bulbs in the chandelier. Either that
18. or eliminate a few more so we have a more somnolent atmosphere here
19. in the evening.

20. PRESIDENT:

21. Somnolent, thank you. For what purpose does Senator Vadalabene
22. leave...arise?

23. SENATOR VADALABENE:

24. Mr. President and members of the Senate, I left my pocket dic-
25. tionary upstairs. Could Senator Wooten tell me what that word was
26. he just used?

27. PRESIDENT:

28. Senator Wooten.

29. SENATOR WOOTEN:

30. Sleepy, sleepy time.

31. PRESIDENT:

32. Senate Bill 694, Senator Knuppel.

33. SECRETARY:

1. Senate Bill 694.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDENT:

5. Any...Senator Knuppel.

6. SENATOR KNUPPEL:

7. Mr. President and members of this Body, Senate Bill 694 does
8. for the electric cooperatives what Senate Bill 365 which we passed
9. out of here earlier did for public utilities. It does...cleans up
10. some bookkeeping on claims and refunds of less than one in ten dollars
11. and with respect to notices. It makes easier for the...the Commerce
12. Commission to handle these accounts and does away with bothering with
13. small amounts of money. I recommend a favorable roll call.

14. PRESIDENT:

15. Any further discussion? The question is shall Senate Bill 694
16. pass. Those in favor will vote Aye. Those opposed will vote...vote
17. No. The voting is open. Have all voted who wish? Take the record.
18. On this question, the Ayes are 47, the Nays are none. Senate Bill 694
19. having received a constitutional majority is declared passed. Senator
20. Buzbee.

21. SENATOR BUZBEE:

22. Mr. President, while you're...waiting to proceed to other business,
23. on a point of personal privilege, I wondered if Senator Walker is...if
24. he's keeping track tonight of...of who...when everybody speaks and so
25. forth because I always feel a little embarrassed when he's observing.

26. PRESIDENT:

27. Any further business to come before the Senate? Senator Welsh.

28. SENATOR WELSH:

29. Mr. President, I rise to announce a Democratic caucus immediately
30. after adjournment in the President's office.

31. PRESIDENT:

32. The Senate stands adjourned until 9:00 a.m. tomorrow morning.

33.