

1. PRESIDENT:

2. The hour of twelve having arrived, the Senate will come to  
3. order. We'll have the prayer by Senator Davidson.

4. SENATOR DAVIDSON:

5. (Prayer given by Senator Davidson)

6. PRESIDENT:

7. Reading of the Journal.

8. SECRETARY:

9. Tuesday, May the 13th, 1975.

10. PRESIDENT:

11. Senator Johns.

12. SENATOR JOHNS:

13. Mr. President, I move that further reading of the Journal of  
14. Tuesday, May the 13th, 1975, be dispensed with, and unless some Senator  
15. has corrections to offer, the Journal would stand approved.

16. PRESIDENT:

17. You've heard the motion. All in favor will say Aye. The Ayes  
18. have it. The motion is approved. Senator Johns.

19. SENATOR JOHNS:

20. Thank you, Mr. President. I move that reading and approval of  
21. the Journals of Thursday, May 1, Friday, May the 2nd, Tuesday, May  
22. the 6th, Wednesday, May the 14th, Thursday, May 15th, Friday, May 16,  
23. all 1975, be postponed pending arrival of the printed Journals.

24. PRESIDENT:

25. You heard the question. All in favor will say Aye. Opposed Nay.  
26. Ayes have it. The motion carries. Committee reports.

27. SECRETARY:

28. Senator Donnewald, Chairman of Assignment of Bills, assigns the  
29. following to committee:

30. Agriculture, Conservation and Energy - House Bill 784; Appropria-  
31. tions - House Bills 272 and 1372; Education - House Bills 119 and 936;  
32. Elections and Reapportionment - House Bill 405; Executive - House  
33. Bills 44, 624, and 950; Finance and Credit Regulations - House Bill

1. 1156; Insurance and Licensed Activities - House Bill 1147; Judiciary -  
2. House Bills 65, 365, and 669; Local Government - House Bill 647,  
3. 1282, and 1283; Pensions, Personnel and Veterans Affairs - House  
4. Bills 442, 622, 631, 632, 634, 643, 727, and 2721; Public Health,  
5. Welfare and Corrections - House Bill 2606; Revenue - House Bill 751;  
6. Transportation - House Bills 360, 2255, and 2392.

7. PRESIDING OFFICER (SENATOR McCARTHY):-

8. Messages from the House.

9. SECRETARY:

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

11. Mr. President - I am directed to inform the Senate that  
12. the House of Representatives has adopted the following Preamble and  
13. Joint Resolution, in the adoption of which I am instructed to ask the  
14. concurrence of the Senate, to-wit:

15. House Joint Resolution 51.

16. PRESIDING OFFICER (SENATOR McCARTHY):

17. Secretary's Desk.

18. SECRETARY:

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

20. Mr. President - I am directed to inform the Senate that  
21. the House of Representatives has passed bills of the following titles,  
22. in the passage of which I am instructed to ask the concurrence of  
23. the Senate, to-wit:

24. House Bill 13, 15, 70, 72, 110, 145, 154, 160, 164, 165,  
25. 170, 175, 176, 182, 216, 229, 236, 237, 316, 367, 372, 373, 375, 376,  
26. 378, 382, 437, 438, 489, 493, 498, 500, 504, 524, 554, 566, 569, 574,  
27. 580, 583, 596, 598, 607, 612, 625, 628, 647, 650, 654, 658, 674, 679,  
28. 690, 693, 714, 716, 723, 729, 730, 733, 741, 745, 752, 756, 759, 761,  
29. 766, 767, 768, 761, 779, 782, 785, 789, 805, 807, 809, 816, 822, 824,  
30. 825, 833, 838, 840, 847, 852, 854, 858, 864, 871, 872, 874, 883, 886,  
31. 909, 911, 922, 940, 942, 948, 949, 952, 960, 963, 964, 965, 968, 969,  
32. 970, 972, 975, 980, 989, 992, 996, 1030, 1055, 1062, 1063, 1107, 1151,  
33. 1153, 1160, 1162, 1170, 1171, 1230, 1232, 1237, 1244, 1246, 1247, 1248,

1. 1255, 1269, 1287, 1322, 1331, 1357, 1407, 1416, 1442, 1455, 1459,  
2. 1460, 1461, 1462, 1468, 1513, 1543, 1551, 1555, 1557, 1568, 1589,  
3. 1597, 1617, 1680, 1697, 1707, 1725, 1736, 1739, 1758, 1787, 1788,  
4. 1806, 1808, 1810, 1849, 1910, 1911, 1912, 1922, 1923, 2031, 2043,  
5. 2141, 2152, 2155, 2157, 2170, 2192, 2193, 2203, 2209, 2210, 2218,  
6. 2220, 2221, 2222, 2224, 23...2236, 2237, 2242, 2249, 2258, 2259,  
7. 2260, 2264, 2275, 2286, 2312, 2318, 2401, 2430, 2437, 2571, 2617,  
8. 2706, 2708, 2709, 2718, 2720, 2728, 2729, 2730, 2731, 2732, 2734,  
9. 2735, 2736, 2737, 2738, 2740, 2763, 2768, 2770, 2868, 2869, 2872,  
10. 2875, 2968, 2975, 2982, and 2998.

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

12. Mr. President - I am directed to inform the Senate that the  
13. House of Representatives has adopted the...has concurred with the  
14. Senate, in the passage of a bill with the following title:

15. Senate Bill 275 together with the following amendment,  
16. in the adoption of which I am instructed to ask the concurrence of  
17. the Senate, to-wit.

18. PRESIDING OFFICER (SENATOR ROCK):

19. Secretary's Desk. On Page 39 of the Calendar, if we have leave  
20. of the Body, we'll go to Constitutional Amendment 1st reading. As  
21. you know, this has to be read on three separate days.

22. SECRETARY:

23. Senate Joint Resolution No. 26.

24. (Secretary reads Senate Joint Resolution No. 26)  
25. 1st reading of the...of Senate Joint Resolution No. 26.

26. PRESIDING OFFICER (SENATOR ROCK):

27. 2nd reading. Will any members of the Senate who wish to pick up  
28. House Bills on 1st reading, please indicate to the Secretary at this  
29. point. House Bills on 1st reading. House Bill 45, Senator Kenneth  
30. Hall.

31. SECRETARY:

32. House Bill No. 45.

33. (Secretary reads title of bill)

1. 1st reading of the bill.
2. PRESIDING OFFICER (SENATOR ROCK):
3. House Bill 46, Senator Kenneth Hall.
4. SECRETARY:
5. House Bill 46.
6. (Secretary reads title of bill)
7. ~~1st reading of the bill.~~ 2260, 2264, 2273, 2286, 2312, 2318, 2401
8. PRESIDING OFFICER (SENATOR ROCK):
9. House Bill 94, Senator Schaffer.
10. SECRETARY:
11. House Bill 94.
12. (Secretary reads title of bill)
13. 1st reading of the bill.
14. PRESIDING OFFICER (SENATOR ROCK):
15. House Bill 146, Senator Regner.
16. SECRETARY:
17. House Bill 146.
18. (Secretary reads title of bill)
19. 1st reading of the bill.
20. PRESIDING OFFICER (SENATOR ROCK):
21. House Bill 212, Senator Nudelman.
22. SECRETARY:
23. House Bill 212.
24. (Secretary reads title of bill)
25. 1st reading of the bill.
26. PRESIDING OFFICER (SENATOR ROCK):
27. House Bill 260, Senator Egan.
28. SECRETARY:
29. House Bill 260.
30. (Secretary reads title of bill)
31. 1st reading of the bill.
32. PRESIDING OFFICER (SENATOR ROCK):
33. House Bill 454, Senator Davidson.

1. SECRETARY:
2. House Bill 454.
3. (Secretary reads title of bill)
4. 1st reading of the bill.
5. PRESIDING OFFICER (SENATOR ROCK):
6. House Bill 529, Senator Schaffer.
7. SECRETARY:
8. House Bill 529.
9. (Secretary reads title of bill)
10. 1st reading of the bill.
11. PRESIDING OFFICER (SENATOR ROCK):
12. House Bill 623, Senator Savickas.
13. SECRETARY:
14. House Bill 623.
15. (Secretary reads title of bill)
16. 1st reading of the bill.
17. PRESIDING OFFICER (SENATOR ROCK):
18. House Bill 676, Senator Berning.
19. SECRETARY:
20. House Bill 676.
21. (Secretary reads title of bill)
22. 1st reading of the bill.
23. PRESIDING OFFICER (SENATOR ROCK):
24. House Bill 692, Senator Savickas.
25. SECRETARY:
26. House Bill 692.
27. (Secretary reads title of bill)
28. 1st reading of the bill.
29. PRESIDING OFFICER (SENATOR ROCK):
30. House Bill 804, Senator McCarthy.
31. SECRETARY:
32. House Bill 804.
33. (Secretary reads title of bill)

1. 1st reading of the bill.
2. PRESIDING OFFICER (SENATOR ROCK):
3. House Bill 955, Senator Johns.
4. SECRETARY:
5. House Bill 955.
6. (Secretary reads title of bill)
7. ~~1st reading of the bill.~~
8. PRESIDING OFFICER (SENATOR ROCK):
9. House Bill 956, Senator Johns.
10. SECRETARY:
11. House Bill 956.
12. (Secretary reads title of bill)
13. 1st reading of the bill.
14. PRESIDING OFFICER (SENATOR ROCK):
15. House Bill 987, Senator...House Bill 973, Senator Johns.
16. SECRETARY:
17. House Bill 973.
18. (Secretary reads title of bill)
19. 1st reading of the bill.
20. PRESIDING OFFICER (SENATOR ROCK):
21. House Bill 981, Senator Egan.
22. SECRETARY:
23. House Bill 981.
24. (Secretary reads title of bill)
25. 1st reading of the bill.
26. PRESIDING OFFICER (SENATOR ROCK):
27. House Bill 987, Senator Egan.
28. SECRETARY:
29. House Bill 987.
30. (Secretary reads title of bill)
31. 1st reading of the bill.
32. PRESIDING OFFICER (SENATOR ROCK):
33. House Bill 1121, Senator Harber Hall.

1. SECRETARY:
2. House Bill 1121.
3. (Secretary reads title of bill)
4. 1st reading of the bill.
5. PRESIDING OFFICER (SENATOR ROCK):
6. House Bill 1860, Senator Netsch.
7. SECRETARY:
8. House Bill 1860.
9. (Secretary reads title of bill)
10. 1st reading of the bill.
11. PRESIDING OFFICER (SENATOR ROCK):
12. House Bill 893, Senator Knuppel.
13. SECRETARY:
14. House Bill 893.
15. (Secretary reads title of bill)
16. 1st reading of the bill.
17. PRESIDING OFFICER (SENATOR ROCK):
18. Any further sponsors for House Bills on 1st reading? House
19. Bill 1469, Senator Rock.
20. SECRETARY:
21. House Bill 1469.
22. (Secretary reads title of bill)
23. 1st reading of the bill.
24. PRESIDING OFFICER (SENATOR ROCK):
25. Senate Bills on 2nd reading. Do any of the Senate members have
26. a bill they wish to call? Senate Bills on 2nd. Senator Moore, for
27. what purpose do you arise?
28. SENATOR MOORE:
29. Senate Bill 1151, Mr. President.
30. PRESIDING OFFICER (SENATOR ROCK):
31. 1151, Mr. Secretary. Senate Bills on 2nd reading.
32. SENATOR MOORE:
33. And there is an amendment there, yes.

1. SECRETARY:

2. Senate Bill 1151.

3. (Secretary reads title of bill)

4. 2nd reading of the bill. One committee amendment, and there is a  
5. request for a fiscal note on this bill.

6. PRESIDING OFFICER (SENATOR ROCK):

7. ~~SECRETARY~~ Senator Don Moore.

8. SENATOR MOORE:

9. Thank you, Mr. President. The fiscal note has been filed, and  
10. it has been distributed to the members of the committee. I would  
11. move at this time, after consulting with the Director of the Department  
12. of Public Aid, to Table Committee Amendment No. 1, and then, proceed  
13. with the second amendment. I move to Table the amendment, Mr.  
14. President.

15. PRESIDING OFFICER (SENATOR ROCK):

16. Senator Moore moves to Table Amendment No. 1 to Senate Bill 1151.  
17. All those in favor signify by saying Aye. All those Opposed. The  
18. Ayes have it. The amendment is Tabled. Amendment No. 2. Amendment  
19. No. 2, Senator...do you have Amendment No. 2, Mr. Secretary?

20. SECRETARY:

21. Amendment No. 2 by Senator Moore. I'm sorry.

22. PRESIDING OFFICER (SENATOR ROCK):

23. Senator Don Moore.

24. SENATOR MOORE:

25. Yes, this is a substitute amendment, Mr. President. It has  
26. been worked out with the Department of Public Aid. It's more amen-  
27. able to the Department. I...they will oppose the bill on 3rd reading,  
28. but it is a better amendment, and I would move the adoption of Amend-  
29. ment No. 2 to Senate Bill 1151.

30. PRESIDING OFFICER (SENATOR ROCK):

31. Senator Moore has moved the adoption of Amendment No. 2 to  
32. Senate Bill 1151. All those in favor signify by saying Aye. All  
33. those Opposed. The Ayes have it. The amendment is adopted. Any



1. further amendments? Any amendments from the Floor? 3rd reading.

2. Senator Berning, for what purpose do you arise?

3. SENATOR BERNING:

4. If this is...if this is the appropriate time, Mr. President, I  
5. would like to call Senate Bill 739 on 2nd...2nd reading.

6. PRESIDING OFFICER (SENATOR ROCK):

7. ~~Thank you.~~ Senate Bill 739, Mr. Secretary, on the order of  
8. 2nd reading.

9. SECRETARY:

10. Senate Bill 739.

11. (Secretary reads title of bill)

12. 2nd reading of the bill. The Committee on Public Health and Welfare  
13. offers two amendments.

14. PRESIDING OFFICER (SENATOR ROCK):

15. Senator Berning.

16. SENATOR BERNING:

17. Mr. President, I'd like to move for adoption of Committee  
18. Amendment No. 1.

19. PRESIDING OFFICER (SENATOR ROCK):

20. Senator Berning has moved the adoption of Amendment No. 1 to  
21. Senate Bill 739. All those in favor signify by saying Aye. All  
22. those Opposed. The Ayes have it. The amendment is adopted. Amend-  
23. ment No. 2, Senator Berning.

24. SENATOR BERNING:

25. Now, Mr. President, I'd like to Table Committee Amendment No. 2.  
26. It...the provisions of Amendment No. 2 being incorporated in Amend-  
27. ment No. 3 which on the Secretary's Desk, but which also fulfills  
28. other requests such as including the word sex where it says applicants  
29. solely on account of race, color, sex, or creed shall and so on, and  
30. provides also then a repealer date, June 30th, 1981. This fulfills  
31. the requests of those who were in the subcommittee, so I move, then,  
32. for the adoption of Amendment No. 3.

33. PRESIDING OFFICER (SENATOR ROCK):

1. Senator Berning moves to Table Amendment No. 2. All those in  
2. favor signify by saying Aye. All those Opposed. The Ayes have it.  
3. The amendment is...is Tabled. Amendment No. 3 offered by Senator  
4. Berning. Senator Berning.

5. SENATOR BERNING:

6. Move for the...move for the adoption, Mr. President.

7. PRESIDING OFFICER (SENATOR ROCK): Mr. Secretary, on the order of

8. Senator Berning moves the adoption of Amendment No. 3 to Senate  
9. Bill 739. All those in favor signify by saying Aye. All those  
10. Opposed. The Ayes have it. The amendment is adopted. Any further  
11. amendments? 3rd reading. Senator Berning, for what purpose do you  
12. arise?

13. SENATOR BERNING:

14. Yes, Mr. President, I appreciate it being moved to 3rd with  
15. the understanding that Senator Davidson may have an amendment that  
16. he would like to offer, and we'll bring it back whenever he's ready.

17. PRESIDING OFFICER (SENATOR ROCK):

18. It will be moved with that understanding. 3rd reading: Any  
19. other bills on the order of 2nd reading which members wish at this  
20. time to...to which they wish to offer amendments? Are there any  
21. members who have Senate Bills on 3rd reading which they have amend-  
22. ments for and wish to offer at this point? We've leave of the Body  
23. to go to the order of Senate Bills on 3rd reading for the purpose  
24. of bringing bills back for the purpose of amendment. So ordered.  
25. Senator Mitchler.

26. SENATOR MITCHLER:

27. Mr. President, Senate Bill 1314 on 3rd reading, I would like  
28. leave to bring it back to 2nd reading for purposes of amendment.

29. PRESIDING OFFICER (SENATOR ROCK):

30. Senator Mitchler has asked leave to bring back Senate Bill 1314  
31. found on Page 22 of your Calendar. He's bringing back 1314 to...for  
32. the...asking leave to bring it back to the order of 2nd for the pur-  
33. pose of an amendment. Is leave granted? Leave. It's now on the

1. order of 2nd reading. Senator Mitchler.

2. SENATOR MITCHLER:

3. Mr. President, the Secretary has two amendments on the Secre-  
4. tary's Desk for Senate Bill 1314. Amendment No. 1...Amendment No. 1  
5. corrects typographical errors that were in the original bill, and  
6. I would move for the adoption of Amendment No. 1.

7. PRESIDING OFFICER (SENATOR ROCK):

8. Senator Mitchler has moved the adoption of Amendment No. 1 to  
9. Senate Bill 1314. All those in favor signify by saying Aye. All  
10. those Opposed. The Ayes have it. The amendment is adopted. Further  
11. amendments? Amendment No. 2 offered by Senator Mitchler.

12. SENATOR MITCHLER:

13. The Secretary has on his desk Amendment No. 2 to Senate Bill  
14. 1314. This cleared up the language in Senate Bill 1314. It was  
15. brought out in committee that the language should be cleared up. This  
16. amendment does just that, and I would ask for adoption of the amend-  
17. ment.

18. PRESIDING OFFICER (SENATOR ROCK):

19. Senator Mitchler has moved the adoption of Amendment No. 2 to  
20. Senate Bill 1314. All those in favor signify by saying Aye. All  
21. those Opposed. The Ayes have it. The amendment is adopted. Further  
22. amendments? No further amendments? 3rd reading. On the order of  
23. Senate Bills on 3rd reading, Senate Bill 1300. Senator Don Moore  
24. has...seeks leave of this Body to bring Senate Bill 1300 back to the  
25. order of 2nd reading for the purpose of an amendment. Is leave  
26. granted? So ordered. On the order of Senate Bills on 2nd reading,  
27. Senate Bill 1300. Senator Moore.

28. SENATOR MOORE:

29. Would you read the bill, Mr. President? Oh, that has been read.  
30. I'm sorry. I believe there's an amendment on the Secretary's Desk.  
31. That's Amendment No. 1, Mr. Secretary?

32. SECRETARY:

33. Yes.

1. SENATOR MOORE:

2. This is an agreed amendment that has finally been worked out  
3. dealing with the State's attorney pay raise question. I would move  
4. the adoption of the amendment, Mr. President.

5. PRESIDING OFFICER (SENATOR ROCK):

6. Senator Moore moves the adoption of Amendment No. 1 to Senate  
7. Bill 1300. All those in favor signify by saying Aye. All those  
8. Opposed. The Ayes have it. The amendment is adopted. Any further  
9. amendments? 3rd reading. Senator Moore now seeks leave to return  
10. Senate Bill 1301 to the order of 2nd reading for the purpose of an  
11. amendment. Is leave granted? Senate Bill 1301 on the order of 2nd  
12. reading. Senator Don Moore.

13. SENATOR MOORE:

14. Again, I believe this is Amendment No. 1, Mr. Secretary.

15. SECRETARY:

16. Yes.

17. SENATOR MOORE:

18. This is a...an agreed amendment, Mr. President. It has been  
19. worked out by both sides of the aisle dealing with the State's attorney  
20. pay raise question. I would move the adoption of Amendment No. 1.

21. PRESIDING OFFICER (SENATOR ROCK):

22. Senator Moore moves the adoption of Amendment No. 1 to Senate  
23. Bill 1301. All those in favor signify by saying Aye. All those  
24. Opposed. The Ayes have it. The amendment is adopted. Any further  
25. amendments? 3rd reading. Senator Moore now seeks leave of this  
26. Body to move Senate Bill 1302 back to the order of 2nd reading for  
27. the purpose of an amendment. Is leave granted? So ordered. Senate  
28. Bill 1302 on the order of 2nd reading. This will be Amendment No. 2.

29. SENATOR MOORE:

30. No, I...I believe there's one amendment, Mr. President, that  
31. having voted on the prevailing side, I would move to reconsider the  
32. vote by which Amendment No. 1 was adopted.

33. PRESIDING OFFICER (SENATOR ROCK):

1. Senator Moore moves to reconsider the vote by which Amendment  
2. No. 1 to Senate Bill 1302 was adopted. All those in favor signify  
3. by saying Aye. All those Opposed. The Ayes have it. The vote is  
4. reconsidered. Senator Moore now moves to Table Amendment No. 1 to  
5. Senate Bill 1302. All those in favor signify by saying Aye. All  
6. those Opposed. The Ayes have it. The amendment is Tabled. Amend-  
7. ment No. 2... is Tabled, and that's all we need. Okay. Any amend-  
8. ments from the Floor? 3rd reading. Does any other member have...  
9. Senator Berning.

10. SENATOR BERNING:

11. Mr. President, I'd like to have leave of the Body to Table  
12. Senate Bill 1176 on 2nd reading.

13. PRESIDING OFFICER (SENATOR ROCK):

14. Senator Berning has sought...seeks leave of the Body to go to  
15. the order of Senate Bills on 2nd reading for the purpose of...a motion  
16. to Table Senate Bill 1176. Is leave granted? Leave. Senator Berning  
17. now moves to Table Senate Bill 1176. All those in favor signify by  
18. saying Aye. All those Opposed. The Ayes have it. 1170...Senate  
19. Bill 1176 on 2nd reading is Tabled. Senator Don Moore, for what  
20. purpose do you arise?

21. SENATOR MOORE:

22. Mr. President, appearing on the Calendar under the order of  
23. Senate Bills 3rd reading is Senate Bill 1099. This is a...there is  
24. a similar bill that has been introduced. This bill was introduced by  
25. Senator Saperstein. I took over the sponsorship of it. There is no  
26. need for this bill. I will, therefore, move to Table Senate Bill 1099  
27. on the order of 3rd reading.

28. PRESIDING OFFICER (SENATOR ROCK):

29. Senator Moore seeks leave of the Body to go to the order of  
30. Senate Bills on 3rd reading. Is leave granted? Senator Moore now  
31. moves to Table Senate Bill 1099. All those in favor signify by saying  
32. Aye. All those Opposed. The Ayes have it. Senate Bill 1099 is  
33. Tabled. Senator Joyce, for what purpose do you arise?

1. SENATOR JOYCE:

2. A point of personal...privilege, Mr. Chairman.

3. PRESIDING OFFICER (SENATOR ROCK):

4. State your point.

5. SENATOR JOYCE:

6. In the Gallery, I have the seventh and eighth grade kids from  
7. ~~Woodland in Froquois County with Coach Strong. If they would stand.~~

8. PRESIDING OFFICER (SENATOR ROCK):

9. Will our guests in the Gallery please stand and be recognized.

10. Senator Bradley Glass, for what purpose do you arise?

11. SENATOR GLASS:

12. Thank you, Mr. President. For purposes of announcement, I  
13. thought that the Senate might be interested to know the reason for  
14. Senator John Roe's absence today. He's the proud father of John B.  
15. Roe the Fourth who was born Saturday to Phyllis and Jack Roe and  
16. Phyllis is doing very well. So, he will be with us again on Wednesday.

17. PRESIDING OFFICER (SENATOR ROCK):

18. The Journal will so reflect the reason for Senator Roe's absence  
19. from the Chamber. Senator Partee, for what purpose do you arise?

20. SENATOR PARTEE:

21. On the order of announcements, I had a recall this morning from  
22. a young man working for Senator Bell who said that Senator Bell had  
23. sprained his back and will not be here today.

24. PRESIDING OFFICER (SENATOR ROCK):

25. The Journal will so reflect. Senator Partee. If we may have  
26. the members' attention. Can we have the members' attention? Will you  
27. hold all the conferences for just one minute. This is a very impor-  
28. tant announcement.

29. SENATOR PARTEE:

30. Mr. President and members of the Senate, including Senator Regner  
31. ...if I could have your attention for just a moment. This is some-  
32. thing that you have been asking about and something that I'd like to  
33. tell Senator Knuppel and Senator Lemke about so that we don't have

1. to repeat it. Senator Knuppel and Senator Lemke would be interested  
2. I am sure.

3. PRESIDING OFFICER (SENATOR ROCK):

4. Can we have your attention. You asked me about this ten  
5. minutes ago, John. Yes, that's the point.

6. SENATOR PARTEE:

7. ~~Now~~ If you'll just...this announcement relates to our schedule for  
8. the next few days, which I think you'll want to know so that you can  
9. make your plans. We have been, this morning, meeting concerning bills  
10. that can go on an agreed bill list. Now, those bills by number and by  
11. digest description will be ready for each individual Senator within  
12. the next two hours. After you have received that list, you are then  
13. in a position to determine which, if any, of those bills you desire  
14. to be registered negatively on. If you find bills on that list that  
15. you do not desire to vote affirmatively for, prepare a list in numeri-  
16. cal order of those bills you desire to vote against, give that list  
17. to the Secretary of the Senate by 10:30 tomorrow morning. Any list  
18. that is not given him by 10:30 tomorrow morning of negative votes on  
19. the agreed bill list, will be treated as though it is an affirmative  
20. vote for the entire list. At 2:30 tomorrow afternoon, the agreed bill  
21. list will be called at which time the entire Body will vote affirma-  
22. tively on the agreed list with the exception of those to which you  
23. have indicated by message to the Secretary, you wanted to be voted against  
24. The Journal will then reflect the negative vote of the individual  
25. Senator on all of those on which he has listed, and it will list, of  
26. course, the affirmative vote for all of the rest of the bills. Now,  
27. is...is th're any question about that?

28. PRESIDING OFFICER (SENATOR ROCK):

29. Senator Wooten.

30. SENATOR WOOTEN:

31. Senator Partee, is there a mechanism by which bills on this  
32. list may be taken off the list?

33. PRESIDING OFFICER (SENATOR ROCK):

1. Senator Partee.

2. SENATOR PARTEE:

3. Well, obviously Senator, if the list is given to the Secretary,  
4. shows a number of negatives which is greater than twenty-nine, then  
5. of course, the bill would come off the list. You follow that?

6. SENATOR WOOTEN:

7. Yes,--but I'm not sure I all together agree with...

8. SENATOR PARTEE:

9. In other words, Senator, if...if...when he looks at those lists  
10. of...of bills given, let us say the bill is numbered 1000 and there  
11. are six people who have voted negatively against it. No, it would  
12. not come off the list for that reason. No.

13. SENATOR WOOTEN:

14. So, in other words...

15. PRESIDING OFFICER (SENATOR ROCK):

16. senator wooten.

17. SENATOR WOOTEN:

18. ...it would take...you would have to have thirty people voting  
19. no before it would come off the agreed bill list. Is...am I correct?

20. SENATOR PARTEE:

21. Under that circumstance, yes.

22. SENATOR WOOTEN:

23. I don't know that, Mr. President, I submit that perhaps that is  
24. not the best approach to take. I...I heartily support the agreed bill  
25. list of the whole process, but it seems to me that there...there ought  
26. to be some kind of intermediate step. I am not ready to suggest to  
27. you what that should be, but...

28. SENATOR PARTEE:

29. Well, I'm ready to listen if you have a...a counterproposal,  
30. we'll be delighted to listen to it. Now, we have until 10:30 tomorrow  
31. morning, for example, before the lists are due in. So, if by that  
32. time there's a counterproposal, we'll certainly listen to it with care.

33. SENATOR WOOTEN:



1.            Alright. Thank you.

2.            SENATOR PARTEE:

3.            It doesn't have to be thirty, it might be fifteen, maybe ten.  
4.            You know. It's not in...etched in...in marble or anything.

5.            SENATOR WOOTEN:

6.            { Alright. Thank you.

7.            PRESIDING OFFICER (SENATOR ROCK) together agree with

8.            Senator Harber Hall.

9.            SENATOR HALL:

10.           Well, I...I hope this discussion doesn't just evaporate and  
11.           nothing happens in the next twenty-four hours, because I have reser-  
12.           vations about the requirement of having thirty negative votes indi-  
13.           cated in writing without even having the opportunity to argue the  
14.           matter on the Floor. We're bypassing the most important function  
15.           of the General Assembly, and that's...that's total argument on the  
16.           3rd reading. So, I...I would just like to throw a plug in for  
17.           some number well under thirty on the order of maybe ten. If ten  
18.           people take the time to consider every...measure you have on...on  
19.           the agreed Calendar, and ten of them of those who do that, take that  
20.           trouble, find opposition to a bill; I think that ought to be suffi-  
21.           cient where the bill would be taken from the agreed list and debated  
22.           on the Floor.

23.           PRESIDING OFFICER (SENATOR ROCK):

24.           Senator Partee.

25.           SENATOR PARTEE:

26.           Let me tell you that, first of all, that the number of bills  
27.           that found themselves on the agreed lists is by comparison a very  
28.           small number to begin with, and there are bills which practically  
29.           everybody does, in fact, agree to. Bills that would excite the  
30.           kind of controversy or even semi-controversy that we are think-  
31.           ing about, aren't on the agreed list anyhow. You have to also remem-  
32.           ber that all of these are bills which have gotten out of committee,  
33.           which would indicate in some measure that they are not that objection-

1. able, and if there is, as I say, another method, another suggestion,  
2. we'll certainly kick it around and we'll make a decision. But 10:30  
3. tomorrow morning is the time that everybody should in writing set  
4. forth his negatives to the Secretary. Now, I have one other announce-  
5. ment, Mr. President.

6. PRESIDING OFFICER (SENATOR ROCK):

7. ~~PRESIDING OFFICER (SENATOR ROCK):~~ Is there any further discussion on the question of the agreed  
8. list which will be passed out within the next two hours? Alright.  
9. Senator Partee.

10. SENATOR PARTEE:

11. Now, the next announcement relates to the scheduling for the  
12. rest of the week. If you will look at your Calendars...I don't think  
13. anybody is listening.

14. PRESIDING OFFICER (SENATOR ROCK):

15. Well, we have asked if everybody will please pay attention for  
16. one minute. You can find out what's going to happen the rest of the  
17. week.

18. SENATOR PARTEE:

19. The Calendar shows committee hearings for tonight, for tomorrow  
20. night, and the next night and other nights. It occurred to us in  
21. discussing it, that perhaps the thing to do would be to have serious  
22. and continuous addressment to the Calendar itself and to not hold in  
23. the evenings the committee hearings - to have the Session today, to  
24. have a Session tonight, a Session tomorrow, a Session tomorrow night.  
25. By that time, we will know where we are with reference to the Calendar,  
26. and if we can finish the bills first, then there is time left in the  
27. rest of the week to get into committees. And we thought that's a lot  
28. better than working partly on the Floor, partly on the committee, and  
29. then get to the end of the week and have to rush like the dickens in  
30. terms of the rest of the Calendar. So, for the first three days, at  
31. least, this week there will be the...first three weeks...first three  
32. days at least there will be the Sessions in the morning and in the  
33. evening, and then we will get to the Calendar later in the week if

1. time permits.

2. PRESIDING OFFICER (SENATOR ROCK):

3. Any discussion? Senator Buzbee.

4. SENATOR BUZBEE:

5. Just a question. Does that mean that the...the a.m., the 8:00

6. o'clock and 8:30 a.m. committee meetings are also scotched?

7. ~~SENATOR PARTEE:~~

8. I'm sorry. I missed that.

9. PRESIDING OFFICER (SENATOR ROCK):

10. There is...there is scheduled Insurance and Licensed Activities

11. for 8:30 a.m. on Tuesday and Pensions and Personnel for 8:00 a.m. on

12. Wednesday. Are...the question is, are those also to be cancelled?

13. SENATOR PARTEE:

14. That we can give you a definite answer to tomorrow. We won't

15. know until tomorrow cause we won't know where we're at.

16. SENATOR BUZBEE:

17. Well, okay. You've got one scheduled for 8:00 o'clock tomorrow

18. morning. So, that's...

19. SENATOR PARTEE:

20. Oh, yeah. I thought you said...I thought you said for Wednes-

21. day morning.

22. SENATOR BUZBEE:

23. Well, there's one Tuesday and one Wednesday.

24. SENATOR PARTEE:

25. The one tomorrow will definitely not be held. The one Wednesday

26. will probably not be held.

27. SENATOR BUZBEE:

28. Okay. Then at what time does the Floor Session start in...in

29. the a.m.?

30. SENATOR PARTEE:

31. The...the Floor Session will start each day at 9:00 a.m.

32. SENATOR BUZBEE:

33. And then each evening at 7:00 p.m.?

1. SENATOR PARTEE:

2. And each evening at 7:00 p.m.

3. SENATOR BUZBEE:

4. Thank you.

5. PRESIDING OFFICER (SENATOR ROCK):

6. Any further questions? Senator Wooten.

7. SENATOR WOOTEN:  
7. SENATOR PARTEE:

8. Just to clarify. Is that Session from 9:00 a.m. continuous  
9. to 5:00 p.m.?

10. SENATOR PARTEE:

11. That's correct, Senator. 9:00 to 5:00.

12. SENATOR WOOTEN:

13. Thank you.

14. PRESIDING OFFICER (SENATOR ROCK):

15. Any further questions or discussion on the proposed schedule?

16. Senator Berning, for what purpose do you arise?

17. SENATOR BERNING:

18. I assume this would be a point of personal privilege.

19. PRESIDING OFFICER (SENATOR ROCK):

20. State your point.

21. SENATOR BERNING:

22. I'd just like to make a suggestion that since a...an agreed list  
23. is in the process of development, would it be possible to suggest...  
24. to avoid considering bills, even tentatively, on that list so as to  
25. avoid taking up time with consideration of bills on the Calendar which  
26. conceivably will be handled in one fell swoop on the agreed list.

27. PRESIDING OFFICER (SENATOR ROCK):

28. That...that, Senator Berning, is a super suggestion, and as soon  
29. as I can get Senator Partee's attention, we'll address ourselves to  
30. it. Senator...Senator Partee, the question was...Senator Partee, the  
31. question was put by Senator Berning. Those hundred and nineteen bills  
32. which are now tentatively on the agreed list, can we in the regular  
33. order of business at this point, skip those bills and address ourselves

1. to them tomorrow?

2. SENATOR PARTEE:

3. Yes, I think it would be judgmental...it would be the best  
4. judgment to skip those that are on the agreed list with the under-  
5. standing that if any of those come off, they'd be placed back on  
6. the regular order and would be called before those at the beginning  
7. of the list.

8. PRESIDING OFFICER (SENATOR ROCK):

9. Any objection? So ordered. Senator Vadalabene.

10. SENATOR VADALABENE:

11. Yes, as the downstate minority member of the Italian Block, I'd  
12. like to let my colleagues know that the head of the Italian Block  
13. from Chicago is back with us, out of the hospital, Senator Sam  
14. Romano.

15. PRESIDING OFFICER (SENATOR ROCK):

16. Happy to have you back. Senator Mitchler.

17. SENATOR MITCHLER:

18. Mr. President and members of the Senate, I believe one of the  
19. problems that we have with a lot of confusion on the Floor is  
20. because we have unauthorized persons...

21. PRESIDING OFFICER (SENATOR ROCK):

22. And a lot of staff.

23. SENATOR MITCHLER:

24. ...to take the liberty...this is personal privilege...that take  
25. the liberty of coming onto the Floor and it...it really appalls me  
26. that a leading member of the press would take a Senator's seat on  
27. this Floor when we are in Session, and for having the political  
28. editor of the Chicago Tribune do that, that certainly appalls me,  
29. and I suppose that's the type of reporting that we get from that  
30. newspaper. Thank you.

31. PRESIDING OFFICER (SENATOR ROCK):

32. Your point is well taken. He is a leading member of the press.  
33. I, for one, would like to see less staff around, frankly. Senator, are

1. we ready for Senate Bills on 3rd reading? Senate Bills on 3rd read-  
2. ing. We will commence where we left off Friday afternoon. Senate  
3. Bill 865 is tentatively on the agreed list. Senate Bill 870 is  
4. tentatively on the agreed list. So, we are at the order of Senate  
5. Bill 873, Senator Schaffer. Senate Bill 873, Mr. Secretary. Senate  
6. Bills on 3rd reading. Will the Sergeant-at-Arms please ring the  
7. bell.  
8. SECRETARY:

9. Senate...Senate Bill 873.

10. (Secretary reads title of bill)

11. PRESIDING OFFICER (SENATOR ROCK):

12. Senator Schaffer.

13. SENATOR SCHAFFER:

14. Senate Bill 873 would require nursing homes which receive  
15. patients from the Department of Mental Health, to be adequately  
16. staffed to meet the needs of those patients. As amended, it would...  
17. the amendment on the bill would delete the nursing homes operated  
18. by the Christian Science Church. As most of the members of the  
19. Senate know, over the last few years, we've put a lot of mental  
20. health patients out of State institutions into privately owned insti-  
21. tutions, and they're...the Mental Health Associations are very con-  
22. cerned that some of these nursing homes do not have adequate staff  
23. levels. Be happy to answer any questions.

24. PRESIDING OFFICER (SENATOR ROCK):

25. Any discussion? Senator Hickey.

26. SENATOR HICKEY:

27. For a question.

28. PRESIDING OFFICER (SENATOR ROCK):

29. Indicates he will yield. Senator Hickey.

30. SENATOR HICKEY:

31. Senator Schaffer, who determines adequate and what does adequate  
32. mean?

33. PRESIDING OFFICER (SENATOR ROCK):

1. Senator Schaffer.

2. SENATOR SCHAFFER:

3. The standards would...I interpret this to mean the standards  
4. would be derived by the Department.

5. PRESIDING OFFICER (SENATOR ROCK):

6. Senator Hickey. Any further discussion? Senator Berning.

7. SENATOR BERNING:

8. I'd like to ask the sponsor, does this apply to both public and  
9. private nursing homes?

10. PRESIDING OFFICER (SENATOR ROCK):

11. Senator Schaffer. Senator Schaffer.

12. SENATOR SCHAFFER:

13. Fifty beds or more, yes. If...if they accept this type of  
14. patient.

15. PRESIDING OFFICER (SENATOR ROCK):

16. Senator Berning.

17. SENATOR BERNING:

18. My...my concern is over the private not - for - profit corporations  
19. operating these sheltered care homes and nursing homes, who are at  
20. this time inadequately paid by the State for the actual cost per  
21. person. By requiring additional personnel, we are adding to their  
22. cost burden, and I don't believe there's any provision for increasing  
23. the daily reimbursement rate or is there some other vehicle that will  
24. increase this?

25. PRESIDING OFFICER (SENATOR ROCK):

26. Senator Schaffer.

27. SENATOR SCHAFFER:

28. No, there is no other vehicle. The reimbursement rate is  
29. based on a point schedule, and the...as the type of care varies  
30. in these nursing homes, the Department of Public Aid, you know, takes  
31. that into account. The...the simple fact of the matter is, in some  
32. cases, some of these nursing homes are getting paid for services  
33. which we aren't sure they're rendering.

1. PRESIDING OFFICER (SENATOR ROCK):

2. Senator Berning.

3. SENATOR BERNING:

4. Well, I...I can only hope that we will be realistic in our  
5. appropriation process, then, so as to provide adequate funding for  
6. the costs incurred by these homes.

7. PRESIDING OFFICER (SENATOR ROCK):

8. Any further discussion? Senator Kenneth Hall.

9. SENATOR HALL:

10. Thank you, Mr. President and members of the Senate. Would the  
11. sponsor yield?

12. PRESIDING OFFICER (SENATOR ROCK):

13. Indicates he will yield. Senator...

14. SENATOR HALL:

15. Senator Schaffer, I'm sorry I was off the Floor. Just what is  
16. the purpose of...of this bill? I have...I heard it asked about the  
17. payments. I have a lot of problems with these shelter care homes  
18. and nursing care homes getting their money now. I mean is this going  
19. to...they're just...some of these places are almost out of business  
20. because they can't get their pay. Now, is this going to add additional  
21. things that they won't be able to get their money?

22. PRESIDING OFFICER (SENATOR ROCK):

23. Senator Schaffer.

24. SENATOR SCHAFFER:

25. Well, to...to discuss the payment process in the Department of  
26. Public Aid will take more time than this Body would, perhaps, like  
27. to devote to this particular bill. Senator, I'd suggest that the  
28. problem that you're concerned about does not relate to this bill, but  
29. relates to the entire process. To the extent that as homes upgrade  
30. their care and qualify for higher levels of payment for reimbursement,  
31. obviously, it does complicate the situation. I don't think it will  
32. greatly, but again, the problem that you're speaking of is one that  
33. goes far, far beyond the scope of this particular bill and one which



1. Director Trainor tells me the Department is working diligently to  
2. address.

3. PRESIDING OFFICER (SENATOR ROCK):

4. Any further discussion? Senator Demuzio.

5. SENATOR DEMUZIO:

6. I'd like to ask the sponsor a question.

7. ~~PRESIDING OFFICER (SENATOR ROCK):~~  
PRESIDING OFFICER (SENATOR ROCK):

8. Indicates he will yield.

9. SENATOR DEMUZIO:

10. Senator Schaffer, are you saying that the standards now for  
11. nursing homes do not require staff trained in these various...areas  
12. described in the bill?

13. PRESIDING OFFICER (SENATOR ROCK):

14. Senator Schaffer.

15. SENATOR SCHAFFER:

16. In part, this is the impression I'm given by the various mental  
17. health associations. I believe that the Department endeavors to do  
18. this. We're trying to put it into the law.

19. PRESIDING OFFICER (SENATOR ROCK):

20. Senator Demuzio.

21. SENATOR DEMUZIO:

22. No, thank you. That's it.

23. PRESIDING OFFICER (SENATOR ROCK):

24. Alright. Is there any further discussion? The question is shall  
25. Senate Bill 873 pass. Those in favor will vote Aye. Those opposed  
26. will vote Nay. The voting is open. Have all voted who wish? Have  
27. all voted who wish? The keys probably have to be turned. Take the  
28. record. On that question, the Ayes are 14, the Nays are 15, 7 Voting  
29. Present. Senate Bill 873 having failed to receive a constitutional  
30. majority is declared lost. If I may have the attention of the member-  
31. ship, if you will turn to Page 12 and 13 of your Calendar, I think we  
32. can save some time. It was indicated earlier that there is, in pro-  
33. cess, an agreed bill or a tentative agreed bill list. It has been the

1. general agreement that those bills that are tentatively on that list  
2. will not be called in the regular sequence subject to their removal  
3. and subsequent calling. So, let me...allow me to indicate which are  
4. tentatively on the agreed list so you can get an idea what the sequence  
5. will be here. 881 is on the agreed list. 882 is on the agreed list.  
6. 884 is on that list. 887 is on that list. 894, 900, 901, 911, and  
7. ~~925.~~ The others remaining on those two pages will be called in order.  
8. So, I hope the sponsors will...will, in fact, be ready. Senate  
9. Bill 874, Senator Schaffer. Senator ParTEE.

10. SENATOR PARTEE:

11. On Page 13, I have 944 marked...

12. PRESIDING OFFICER (SENATOR ROCK):

13. You...you are correct.

14. SENATOR PARTEE:

15. Fine.

16. SECRETARY:

17. Senate Bill 874.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER (SENATOR ROCK):

21. Senator Schaffer.

22. SENATOR SCHAFFER:

23. This bill would authorize the Department of Public Health to  
24. publish a...pardon me, a catalogue of nursing homes which they could,  
25. if they wish, charge for. As amended, the bill is amended to meet  
26. the...at the request of the Department of Public Aid, to include in-  
27. formation they currently have available and to provide that the  
28. catalogue would be a regional catalogue rather than a state-wide  
29. catalogue, and it also provides that the Department can, if they wish,  
30. charge for the catalogue. The reason for this bill is very simple.  
31. The...many times when the citizens of this State are trying to find  
32. a nursing home for a loved one, there is or does not appear to be  
33. a good catalogue of nursing homes, and this nursing home would include

1. pertinent information that would allow someone to make that type  
2. of decision. I might add there's no subjective information in the  
3. catalogue, and the Department of Public Health has indicated they  
4. have the information available. Currently, it's just that down here  
5. in Springfield, if anybody wants to drive in and take a look at it,  
6. but it's not readily available to the public. The Department actually  
7. ~~after we amended it indicated that the members of the Department indi-~~  
8. cated they thought it was a good idea and one that they probably  
9. should be doing or should have been doing a long time ago. Be happy  
10. to answer any questions.

11. PRESIDING OFFICER (SENATOR ROCK):

12. Any discussion? The question is shall Senate Bill 874 pass.  
13. Those in favor will vote Aye. Those opposed will vote Nay. The  
14. voting is open. Have all voted who wish? Take the record. On that  
15. question, the Ayes are 41, the Nays are 6, 1 Voting Present. Senate  
16. Bill 874 having received the constitutional majority is declared  
17. passed. 879, Senator Fawell, you wish to call that? 880, do you  
18. wish to call that? 883? 883, Mr. Secretary.

19. SECRETARY:

20. Senate Bill 883.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER (SENATOR ROCK):

24. Senator Fawell.

25. SENATOR FAWELL:

26. Mr. President and members of the Senate, this bill is a product  
27. of the Judicial Advisory Council. It makes a number of nonsubstantive  
28. changes insofar as associate judges are concerned, and the one sub-  
29. stantive change which it does grant, is the increased authority to the  
30. Supreme Court in appointing additional associate judges as the court  
31. sees fit from a total of forty, which is the number they now have the  
32. authority to appoint on a state-wide basis when the case load demands  
33. it, to that of fifty. I know of no controversy or opposition to the

1. bill and would appreciate the favorable roll call.

2. PRESIDING OFFICER (SENATOR ROCK):

3. Any discussion? The question is shall Senate Bill 883 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 38, the Nays are 5, none Voting Present.

7. ~~Senate Bill 883 having received the constitutional majority is~~ indi-

8. declared passed. 885, Senator Fawell. 885, Mr. Secretary.

9. SECRETARY:

10. Senate Bill 885.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER (SENATOR ROCK):

14. Senator Fawell.

15. SENATOR FAWELL:

16. Mr. President and members of the Senate, this bill is a product  
17. of the Illinois Park District Association. It provides for an addi-  
18. tional five cent levy for recreational tax, but it is a...there is a  
19. referendum attached to it. So, again, I...I know of no opposition to  
20. the bill and would ask for the favorable roll call of the Body.

21. PRESIDING OFFICER (SENATOR ROCK):

22. Any discussion...any discussion? Any discussion? Senator  
23. Berning.

24. SENATOR BERNING:

25. Senator Fawell, is this a direct referendum or a back door?

26. PRESIDING OFFICER (SENATOR ROCK):

27. Senator Fawell.

28. SENATOR FAWELL:

29. It's a front door, direct referendum, Senator.

30. PRESIDING OFFICER (SENATOR ROCK):

31. Senator Mitchler.

32. SENATOR MITCHLER:

33. Well, I'd like to ask the sponsor what relation would this have

1. with, I believe the bill...is it Senate Bill 880, the...the one  
2. where the park districts are going to share in a portion of the  
3. State income tax? What's the status of that bill?

4. PRESIDING OFFICER (SENATOR ROCK):

5. Senator Fawell.

6. SENATOR FAWELL:

7. ~~SenatThat is on. That's re-reading, as Senator said it's simply waiting~~  
8. ...waiting call. I...I didn't call it this morning because I felt  
9. that there are too many absences, and that is a controversial bill.  
10. This...this I felt is not controversial.

11. PRESIDING OFFICER (SENATOR ROCK):

12. Senator Mitchler.

13. SENATOR MITCHLER:

14. Well, I was...I was watching that 880, because that would have  
15. some question, but this would be the proper approach to providing  
16. those park districts that need additional funding to carry out their  
17. programs, and this...by having the front door referendum puts the  
18. responsibility on the local park district and those people that are  
19. involved and would use the local park district and pay for it at the  
20. ...local level. So, this would be a good bill, Senate Bill 885, and  
21. I would stand up to support it.

22. PRESIDING OFFICER (SENATOR ROCK):

23. Senator Fawell.

24. SENATOR FAWELL:

25. Well, Senator, I would agree that if...if Senate Bill 880 can  
26. be passed, that would be very helpful. Again, this however is...is  
27. a tax which will only be passed if the people of the park district  
28. vote by referendum for it, and I...and for that reason I would hope  
29. that this certainly would be a favorable roll call. Thank you.

30. PRESIDING OFFICER (SENATOR ROCK):

31. Any further discussion? The question is shall Senate Bill 885  
32. pass. Those in favor will vote Aye. Those opposed will vote Nay.  
33. The voting is open. Have all voted who wish? Take the record. On

1. that question, the Ayes are 46, the Nays are none, none Voting Present.  
2. Senate Bill 885 having received the constitutional majority is  
3. declared passed. Senator Mitchler, for what purpose do you arise?  
4. SENATOR MITCHLER:

5. I'd...I'd like to ask leave of the sponsor to be added as a  
6. cosponsor of that bill.

7. PRESIDING OFFICER (SENATOR ROCK):

8. Is leave granted? Leave is granted. Senator Mitchler will be  
9. shown as a cosponsor. 886, Senator Fawell. 891, Mr. Secretary.  
10. Senator Davidson, 891. Senator Davidson.

11. SENATOR DAVIDSON:

12. Mr. President, I need to ask leave to bring 891 back to 2nd  
13. reading for amendment. IOE has the amendment...it's up there  
14. on the Secretary's Desk, and I'd ask leave to bring it back to 2nd  
15. for amendment.

16. PRESIDING OFFICER (SENATOR ROCK):

17. Senator Davidson seeks leave of the Body to bring...return  
18. Senate Bill 891 to the order of 2nd reading for the purpose of an  
19. amendment. Is leave granted? Leave is granted. Senate Bill 891  
20. on the order of 2nd reading.

21. SECRETARY:

22. Amendment No. 1 by Senator Davidson.

23. PRESIDING OFFICER (SENATOR ROCK):

24. Senator Davidson.

25. SENATOR DAVIDSON:

26. The amendment to this bill changes the context of what the bill  
27. does. It says the amendment is a person who has accepted a scholar-  
28. ship under the preceding sections of this Article who has been unable  
29. to fulfill the teaching requirements of this section may receive a  
30. deferment from the obligation of repayment under this section under  
31. the guidelines established by the State Board of Education. This is  
32. so, and there's copies here to be passed out, this is so that if somebody  
33. had a teacher scholarship is not able to get a job...

1. PRESIDING OFFICER (SENATOR ROCK):

2. Excuse me, Senator. Can we have a Page to pass the copies of  
3. the amendment out.

4. SENATOR DAVIDSON:

5. The purpose of the amendment is so that if someone had received  
6. a teacher scholarship and was unable to get a job or changes...  
7. ~~starts a family, that the guidelines under the Board of Education may~~  
8. relieve them of obligation, and there's a five year limitation on it  
9. and this is so that people who should repay can and anyone who could  
10. not get a job would not...could by action of the Board.

11. PRESIDING OFFICER (SENATOR ROCK):

12. Senator...Senator, can you just hold up a minute till we get  
13. the confusion. Will the Pages please pass out the amendment.

14. Senator...Senator Davidson to explain Amendment No. 1 to Senate Bill  
15. 891, copies of which have now been distributed. Senator Davidson.

16. SENATOR DAVIDSON:

17. The amendment allows the State Board of Education to defer under  
18. guidelines for certain reasons the repayment under the scholarship  
19. provision under someone who has received, particularly, if someone is  
20. unable to get a teaching job or if they had started a family, this  
21. is a...they can defer it. They do not relieve them of the total  
22. obligation. This is so everyone who has paid...the ones who have  
23. not would have an opportunity to pay it, but under a hardship case,  
24. they could defer the payment. Move the adoption of the amendment  
25. or answer any questions.

26. PRESIDING OFFICER (SENATOR ROCK):

27. Any...any discussion? Senator Davidson has moved the adoption  
28. of Amendment No. 1 to Senate Bill 891. All those in favor signify  
29. by saying Aye. All those Opposed. The Ayes have it. The amendment  
30. is adopted. Any further amendments? 3rd reading. 892, do you wish  
31. to call, Senator? 892, Mr. Secretary.

32. SECRETARY:

33. Senate Bill 8...Senate Bill 892.

1. (Secretary reads title of bill)

2. 3rd reading of the bill.

3. PRESIDING OFFICER (SENATOR ROCK):

4. Senator Davidson.

5. SENATOR DAVIDSON:

6. Mr. President and members of the Senate, this is a bill which  
7. ~~was passed out here last year; it's an opportunity that people over~~  
8. sixty-five who own their own property and live within that house,  
9. there's only one home involved in this, could have an opportunity to  
10. defer the tax to stay in that house. There is a limit on the income.  
11. We amended this bill to make sure that the amount...the amount of  
12. the taxes is covered by insurance. This has support of the senior  
13. citizens, the...the Retired Association people, etc. I know of no  
14. opposition to the bill, but I'll try to answer any questions.

15. PRESIDING OFFICER (SENATOR ROCK):

16. Senator Dougherty.

17. SENATOR DOUGHERTY:

18. Mr. President and members of the Senate, I'm intrigued a bit  
19. by this bill, but I guess as all you all can see, I am a member of  
20. the senior citizens group. In our desire to protect them from the  
21. encroachments upon their income, we're going far, far beyond what  
22. was originally intended in the Circuit Breaker in the Homestead Act.  
23. This implies that the State will reimburse to the counties until  
24. such time as the taxes are paid, those sums necessary to meet the...  
25. the...the recipients on this...this form. I think, at this time,  
26. we do not know how the amount of money that might be tied up, but  
27. we...we save money, it's true. It would be tied up for a long period  
28. of time. We would have, I can see in the future, clouds on the  
29. title of some of these properties imposed by insurance, fire loss,  
30. and shall we say the...in the probate of some of these estates. I  
31. do not think this is good legislation, and I'm not going to support  
32. it.

33. PRESIDING OFFICER (SENATOR ROCK):



1. Any further discussion? Senator Soper.

2. SENATOR SOPER:

3. I'd like to know if the Senator would answer a few questions.

4. PRESIDING OFFICER (SENATOR ROCK):

5. Indicates he will yield.

6. SENATOR SOPER:

7. How much money will this entail for the State to be able to do  
~~was passed out here last year. It's an opportunity that~~  
8. this, Senator?

9. PRESIDING OFFICER (SENATOR ROCK):

10. Senator Davidson.

11. SENATOR DAVIDSON:

12. Based on prorating on what the experience has been in the two  
13. States that have it, but particularly Oregon and Massachusetts, the  
14. participation has been minimal, but it's been in great to those who  
15. need it. Based on Oregon's population times our population, it would  
16. be initially approximately five hundred thousand dollars to the  
17. State of Illinois, but this is not a cost, because the six percent  
18. interest on the deferred taxes after a few years will return the  
19. entire amount of money and make this project a self-sustaining one  
20. within itself.

21. PRESIDING OFFICER (SENATOR ROCK):

22. Senator Soper.

23. SENATOR SOPER:

24. Now, Senator, you're quoting Oregon and some other State, and...  
25. and you think that those figures that you have are...are going to  
26. necessarily take care of...of the position of the...of the taxes not  
27. collected in the State of Illinois and...paid by the State of Illinois?  
28. Well, that five hundred thousand that you project, could really go up  
29. to about twenty, thirty or forty million dollars very easily, and I  
30. don't think the State is in a position to...to hand out twenty or  
31. thirty or forty million dollars. All you're doing with this bill,  
32. you're asking the Governor to veto it, and I don't think it's fair to  
33. put that on his back. We've got enough on his back now, and I'm no...

1. you know, I...I don't believe in just transferring burdens to some-  
2. body else, but we try to do everything we can for the senior citizens.  
3. We've...we've got one bill in here that's going to cost the State  
4. thirty-four million dollars, and we've got...we've got the tax...the  
5. Circuit Breaker for the senior citizens. I...I think you're putting  
6. an undue burden on the State of Illinois, unless you're ready to vote  
7. for about forty or fifty more million dollars in the State Treasury,  
8. I don't think you ought to bring this bill up.

9. PRESIDING OFFICER (SENATOR ROCK):

10. Any further discussion? Senator Lemke.

11. SENATOR LEMKE:

12. I have a question of the sponsor.

13. PRESIDING OFFICER (SENATOR ROCK):

14. Indicates he will yield. Senator...

15. SENATOR LEMKE:

16. Did I hear you correct that the...this bill would...the money  
17. that the local governments lose by this bill or it is deferred, this  
18. difference would be made up by the State? The money would come back  
19. into the county from the State Government?

20. PRESIDING OFFICER (SENATOR ROCK):

21. Senator Davidson.

22. SENATOR DAVIDSON:

23. That is correct. The...the county or any local taxing body would  
24. receive that money back from the State, and it would...in the bill,  
25. it...the State has to pay it, the same as if you as an individual  
26. would be paying the tax bill if the person asks for it, plus if the  
27. person does defer the taxes, there's six percent interest on the  
28. bill annually on the unpaid tax part, so the State would recover the...  
29. the total amount that they paid out plus six percent interest on it.

30. SENATOR LEMKE:

31. What...what is the...

32. PRESIDING OFFICER (SENATOR ROCK):

33. Senator Lemke.

1. SENATOR LEMKE:

2. ...Did you check out what the average life of a fellow that  
3. qualifies under this bill would be? What's the span of time the  
4. deferment would be?

5. PRESIDING OFFICER (SENATOR ROCK):

6. Senator Davidson.

7. SENATOR DAVIDSON: or fifty more million dollars in the

8. There's...the only way you can do that would be based on the  
9. ...the fact that the person must be over sixty-five, must have less  
10. than twenty thousand dollars income, that the life expectancy of a  
11. man, a male at this time, is seventy-two, so if he would start it  
12. after he became sixty-five would be an average seven years. What...  
13. if...in the bill is a limitation that you cannot defer the taxes for  
14. more than eighty percent of the value of the property. When the  
15. deferred tax bill would get to eighty percent of the value of the  
16. property, then the...the bill would have to be called for. In other  
17. words, property would have to settle it. Now, this is only meant  
18. for an extreme situation where the person just can't pay the tax so  
19. he can stay in his house. There's not going to be too many people  
20. take advantage of this.

21. PRESIDING OFFICER (SENATOR ROCK):

22. Senator Lemke.

23. SENATOR LEMKE:

24. I...this concept is probably a good concept, and if the Governor  
25. wants to veto it due to the fact that he's using the Senior Citizens  
26. Circuit Breaker mailing list to send out his political literature  
27. to the senior citizens, the Johnny-come-lately who vetoed the first  
28. bill for disability...now, if he wants to veto this bill for the  
29. senior citizens to show them everything he's doing and use the State  
30. mailing list for his own political means, then I say pass the bill  
31. because the counties are protected, and I'm a great advocate of bring-  
32. ing money back home for my county and my people, the money that they  
33. pay, since we pay out about sixty percent of that money. I say we

1. should support this bill, and let it be up to the Governor to show  
2. what his efforts are in behalf of the senior citizens because he  
3. doesn't seem to be too encouraged by their ideas, but now he wants  
4. to take credit for the passage of the bill and say everything he's  
5. doing for the senior citizens. So, I would suggest to all you  
6. members to think about this and to vote the bill out of this humble  
7. ~~body.~~ Thank you.

8. PRESIDING OFFICER (SENATOR ROCK):

9. Wait a minute. There...there's a couple up now. Senator  
10. Nimrod.

11. SENATOR NIMROD:

12. Mr. President and fellow Senators, I would think that a bill  
13. that costs the State no money, that offers an opportunity for a  
14. senior citizen to remain in his home and be independent and decide  
15. for himself what he wants to do with that money that he's paid off  
16. for that house, and when I calculated this out, Senator Davidson, on  
17. the similar bill, the...I found out that the taxes at eighty  
18. percent...value on most homes will go somewhere up to nineteen or  
19. twenty years. So, we certainly are offering an opportunity for senior  
20. citizens to remain in the neighborhoods. They're the ones that stay  
21. home and improve their homes. They would provide for a balance  
22. between neighborhoods of old and young, and you allow these indivi-  
23. duals to sit there and be independent of those that they want to be  
24. independent of, and I think they ought...they're entitled to that  
25. right, and rather than send them out to some pawn broker or juice  
26. racket, they ought to be able to defer that tax and use up their own  
27. credit, their own assets that they worked. And if we can help them,  
28. I think it would be a wise thing for us to do, and I would certainly  
29. strongly urge this kind of thing that is not a handout, but a man  
30. using his own assets as he choses.

31. PRESIDENT:

32. Senator Wooten.

33. SENATOR WOOTEN:

1. Mr. ...Mr. President and colleagues, the notion that this bill  
2. isn't going to cost anybody anything is just plain crazy. It will.  
3. I have taken the time to talk about this bill and others. The  
4. senior citizens in my area, and as we go into these, they generally  
5. have agreed with me that this simply is not a good approach. They  
6. have approved other bills, but the support for this one really isn't  
7. there. ~~TALE~~ talk about political use of senior citizens is really  
8. not germane. Everybody is trying to make a football of them. I  
9. simply don't think that this is a good approach. The others that  
10. we've considered and passed are, and I would rise in opposition to  
11. this bill.

12. PRESIDENT:

13. Senator Mitchler.

14. SENATOR MITCHLER:

15. Very briefly, in the Senate Revenue Committee last year, this  
16. bill was heard. This bill was recommended Do Not Pass. The bill  
17. we have before us now has made some very clarifying adjustments to  
18. the original bill, has put in safeguards. The bill as it stands  
19. now is in good form. And the main thing about this bill is this,  
20. when a senior citizen, Mr. and Mrs. Senior Citizen, reach the point  
21. where they are financially in trouble and they would start to consi-  
22. der to take advantage of a bill like this, son and daughter will wake  
23. up and realize that rather than have their home placed on a...have  
24. the lien with the State of Illinois so that there might be some problems  
25. when they want to inherit that, they'll come to their rescue. And  
26. I think a lot...it'll avoid a lot of them actually using this, but  
27. it's no loss to local government and no loss to the State of Illinois,  
28. and it's helpful to senior citizens, and let's have a good vote on  
29. this.

30. PRESIDENT:

31. Senator Rock.

32. SENATOR MITCHLER:

33. I'd like to ask permission to be made a cosponsor of this bill.

1. PRESIDENT:

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

3. SENATOR ROCK:

4. Thank you, Mr. President and Ladies and Gentlemen of the Senate.

5. I rise in opposition to Senate Bill 892. The fact of the matter is  
6. that the bill we passed, Senate Bill 62 and 63, do, in fact, afford  
7. some help. And just statistically, the greater part of the senior  
8. citizens, in fact, have an income of less than ten thousand dollars.  
9. This calls for a cut off at twenty thousand dollars, and I think it  
10. will wind up helping people who really, in fact, don't need the help  
11. and will need...at the needless expense of the State. I happen to  
12. agree with Senator Soper that the fiscal impact as stated by the  
13. sponsor is very, very conservative, and I would urge a No vote.

14. PRESIDENT:

15. Any further discussion? Senator Carroll.

16. SENATOR CARROLL:

17. I, too, Mr. President and members of the Senate, have a question  
18. on this bill, although, conceptually I like the idea. I think it  
19. misses one major point that makes it a piece of bad legislation at  
20. this time, and that is the twenty thousand dollar income level. I  
21. think when you're talking about people who are retired making twenty  
22. thousand which is over the median income in the State of Illinois,  
23. you're not talking about the type of people who need tax relief. I  
24. thought this bill had been amended to bring it down to the ten thou-  
25. sand dollar level similar to our other senior citizen legislation.  
26. Were it to have that type of a level where we're talking about those  
27. who can't afford to live day to day, then I think it's a very proper  
28. approach, but at the twenty thousand dollar level, I think the people  
29. who take advantage of it will be doing just that. It won't be out of  
30. need. It would be out of advantage, and I think at this time, there-  
31. fore, it should be opposed.

32. PRESIDENT:

33. Senator Knuppel.

1. SENATOR KNUPPEL:

2. Well, this is good legislation. There isn't any question about  
3. it, and I rise in favor of it because it is not costing the State  
4. anything in the sense that in the end it has to be repaid. What this  
5. does and even if it is up to twenty thousand, I'll tell you, twenty  
6. thousand is not very much today if you have...if you have a...a pro-  
7. longed illness and you're over sixty-five years old, and this...all  
8. this really does is let you borrow against your equity in that house  
9. until such time that you pass on. And if people can afford to pay  
10. their taxes, there will be damm few people that will go borrow money  
11. against their home, and I think this is good legislation because  
12. people between ten and twenty thousand get caught in the same spot  
13. sometimes as those people under ten thousand do. We're always doing  
14. something for the guy who's making under ten thousand, and that's  
15. fine. I'm...I'm for helping a guy out if he can't make a living, but  
16. ...but this lets another guy borrow without going to the bank and  
17. paying an...an exalted rate of interest, and we've moved all the  
18. interest rates up, and you know, a twenty thousand dollar home is not  
19. a very pretentious home, and that may be his only savings, and I  
20. think...I think he should be allowed to do it.

21. PRESIDENT:

22. Senator Palmer.

23. SENATOR PALMER:

24. I, too, rise in opposition to...to this bill, but I do agree  
25. with one thing the sponsor said when he announced that not too many  
26. people will take advantage of this bill, and also we must follow up  
27. by saying not too many people will benefit by this bill...bill, because  
28. of the confusion it will create and the many people that will be hurt by  
29. this bill. What will happen is that many titles will be clogged up  
30. and there will be a loss to the owners and...and...and the State  
31. might be winding up with titles that they do not wish, and there will  
32. be great confusion in the tax structure of this property and in the...  
33. the benefits that the...the sponsor is attempting to get out of this

1. bill.

2. PRESIDENT:

3. Any further discussion? Senator Davidson may close the debate.

4. SENATOR DAVIDSON:

5. The last...the last sentence that...that Senator Palmer made  
6. a remark. I could not hear him over the noise of the Floor.

7. PRESIDENT:

8. One moment. The last thing he said was the first thing he  
9. said, but go ahead, say it again, Senator Palmer.

10. SENATOR PALMER:

11. What's that again? Okay. I'd like to repeat that brilliant...  
12. those brilliant remarks again.

13. PRESIDENT:

14. Again and again.

15. SENATOR PALMER:

16. And again and again. Well, all I said, Senator Davidson, that, of  
17. course, initially I said that I'm opposed to this legislation. I  
18. was opposed to it last Session and I'm opposed to it now. And I  
19. have been the Title Examiner with the Recorder of Deeds for...for  
20. fourteen years, and I've dealt with titles and I've dealt with taxes.  
21. I've dealt with tax liens, and I've...dealt with tax deferments, and  
22. I...all I can tell you is all this will do is clog up the titles and  
23. will not benefit anybody. Now, the one statement that I agreed that  
24. you made, is that very few people will take advantage of it...of this  
25. bill. I also want to reiterate that very few people will get the  
26. benefit out of this bill because of this confusion that it will create  
27. in the taxes and in the titles.

28. PRESIDENT:

29. Senator Latherow. Senator Davidson, close the debate.

30. SENATOR DAVIDSON:

31. Well, Mr. President and members of the Senate, I think you ought  
32. to look at this bill for what it really does. Now, let's quit getting  
33. a lot of rhetoric. What it really does is allows an individual who



1. has paid for his home when he was making a good salary, who's now  
2. on a pension with a limited income, and suppose he's paid off this  
3. thirty-five thousand dollar home. The tax bill is a thousand dollars  
4. a year, but his pension is only four hundred dollars a month which  
5. many people are in that category. This allows him, if he chooses, to  
6. defer the tax. There's no loss to the State or to local government..  
7. ~~More~~ importantly, I challenge any reaction to what the cost of this  
8. bill would be based on the circumstances of the Oregon experience,  
9. which has had this in for ten years. Their most...their cost has  
10. been to the State until the interest started paying back and made  
11. it self-sufficient, was ninety-eight thousand dollars a year. With  
12. two and half million population, five times that for our eleven  
13. million, makes approximately a half a million dollars. They have no  
14. limited income on it such as this. If you want to reduce the limited  
15. income and there is a House Bill over here with ten thousand dollars,  
16. pass this bill out, and we can amend it over in the House if that's  
17. what you want, if you want to reduce it from the limit I put in. I  
18. took the limit of twenty based on the Massachusetts experience because  
19. Massachusetts has many of the same things we have, a high urban area  
20. like the Chicago area, they have farm land and they have small towns.  
21. This was the...the idea of the limit they went for, and let's look  
22. at it for what this bill does. This gives the person who has a limited  
23. income an opportunity to stay in that house. Now, if they can't pay  
24. the tax bill, you're going to force him to sell that property and  
25. move into an apartment and not continue his life in the home that  
26. he's worked to pay off. Let's give him the opportunity. So, we  
27. help a few, but let's help those few who need it. I'd appreciate a  
28. favorable roll call.

29. PRESIDENT:

30. The question is shall Senate Bill 892 pass. Those in favor will  
31. vote Aye. Those opposed Nay. The voting is open. ... (Machine cut  
32. off)...voted who wish? Take the record. On this question, the Ayes  
33. are 21, the Nays are 12, 12 Voting Present. Senate Bill 892 having

1. failed to receive a constitutional majority is declared lost. Senate  
2. Bill 895, Senator Shapiro. Senate Bill 904, Senator Buzbee.

3. SECRETARY:

4. Senate Bill 904.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. ~~PRESIDENT:~~

8. Senator Buzbee.

9. SENATOR BUZBEE:

10. Thank you, Mr. President. This...the Finance Act as originally  
11. passed, provided a mechanism to legally carry out what had been the  
12. practice in Illinois for several years, namely transferring road  
13. fund money to the General Fund pursuant to appropriations made by  
14. the General Assembly, which were payable from the respective funds  
15. and specified percentages. Before the bill was finally passed last  
16. Fall, an amendment was added which repealed the Act in October of  
17. '75. It is desirable to repeal the repealer at this time, and that's  
18. what this bill would do, and I'd ask for a favorable roll call.

19. PRESIDENT:

20. Any further discussion? The question is shall Senate Bill 904  
21. pass. Those in favor will vote Aye. Opposed will vote Nay. The  
22. voting is open. Have all voted who wish? Take the record. On this  
23. question, the Ayes are 37, the Nays are none, 5 Voting Present.  
24. Senate Bill 904 having received the constitutional majority is de-  
25. clared passed. Senate Bill 891, Senator Davidson.

26. SENATOR DAVIDSON:

27. Mr. President and members of the Senate, 891...

28. SECRETARY:

29. Senate...Senate Bill 890...Senate Bill 891.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDENT:

33. Senator Davidson.

1. SENATOR DAVIDSON:

2. Mr. President and members of the Senate, 891 was thoroughly  
3. discussed on...when we put the amendment on. The amendment changes  
4. the idea of the...of the bill now from the...you all have a copy on  
5. your desks. It is now only, they may defer. If they can't get the  
6. teacher's job under guidelines the...by the Board of Education. It  
7. was IOE's bill, their amendment, and I'd appreciate a favorable roll  
8. ~~more importantly, I challenge any reaction to what the cost of this~~  
call.

9. PRESIDENT:

10. Any further discussion? Senator Rock.

11. SENATOR ROCK:

12. Question if the sponsor will yield, Mr. President. \_\_\_\_\_

13. PRESIDENT:

14. He indicates he'll yield.

15. SENATOR ROCK:

16. Are there currently any guidelines established by the State  
17. Board?

18. PRESIDENT:

19. Senator Davidson.

20. SENATOR DAVIDSON:

21. Not at the moment, Senator Rock, because there has been no...no  
22. provision where they could delay the pay back. Everybody has to  
23. either pay it back or else be sued for nonpayment, and many people  
24. are not paying it. It's costing more to collect it than they are...  
25. what they are collecting.

26. PRESIDENT:

27. Senator Rock.

28. SENATOR ROCK:

29. Do we anticipate how long this deferment might...might last?

30. PRESIDENT:

31. Senator Davidson.

32. SENATOR DAVIDSON:

33. It would depend on the conditions, but there is a five year

1. limitation there to talk about but it would depend on the conditions.

2. PRESIDENT:

3. Any further discussion? The question is shall Senate Bill 891  
4. pass. All in favor will vote Aye. Opposed will vote Nay. The  
5. voting is open. Have all voted who wish? Take the record. On this  
6. question, the Ayes are 45, the Nays are 2, 1 Voting Present. Senate  
7. Bill 891 having received the constitutional majority is declared  
8. passed. Senate Bill 910, Senator Johns.

9. SECRETARY:

10. Senate Bill 910.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDENT:

14. Senator Johns.

15. SENATOR JOHNS:

16. Thank you, Mr. President. This particular bill just simply  
17. amends the Shawneetown Regional Port District Act. It adds two  
18. members to the Board. One to be appointed by the Mayor of Old  
19. Shawneetown, and one by the Governor. I would appreciate a favorable  
20. roll call.

21. PRESIDENT:

22. Any further discussion? Senator Glass.

23. SENATOR GLASS:

24. I'd like to ask the sponsor, Mr. President, if Old Shawneetown  
25. is an incorporated area, or is that unincorporated?

26. PRESIDENT:

27. Senator Johns.

28. SENATOR JOHNS:

29. It's incorporated.

30. PRESIDENT:

31. Any further discussion? The question is shall Senate Bill 910  
32. pass. Those in favor will vote Aye. Opposed will vote Nay. The  
33. voting is open. Have all voted who wish? Take the record. On this

1. question, the Ayes are 40, the Nays are none. Senate Bill 910  
2. having received a constitutional majority is declared passed. Senate  
3. Bill 913, Senator Philip.

4. SECRETARY:

5. Senate Bill 913.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDENT:

9. Senator Philip.

10. SENATOR PHILIP:

11. Mr. President and Ladies and Gentlemen of the Senate, Senate  
12. Bill 913 as amended, would permit sanitary districts to levy revenue  
13. bonds and special assessments for the construction of water works.  
14. Secondly, it would allow an increase on bond rates from six to eight  
15. percent. Third thing it would do, it would delete the requirement  
16. that all revenue from the operation of a sewer system be committed to the  
17. retirement of that debt until such debt is eliminated. I ask your  
18. favorable consideration.

19. PRESIDENT:

20. Senator Latherow.

21. SENATOR LATHEROW:

22. I wonder if the sponsor would yield to a question.

23. PRESIDENT:

24. He indicates he will.

25. SENATOR LATHEROW:

26. Did I understand correctly that this takes the cost of the elec-  
27. tion and so on and preparation for it from the bonds?

28. PRESIDENT:

29. Senator Philip.

30. SENATOR PHILIP:

31. I'm sorry, I didn't...I didn't understand...I didn't understand  
32. the question, Senator.

33. PRESIDENT:

1. Senator Latherow.

2. SENATOR LATHEROW:

3. Does this bill authorize the cost of the election and prepara-  
4. tion to be taken from the bond issues?

5. PRESIDENT:

6. Senator Philip.

7. SENATOR PHILIP: the bill

8. I'm sorry, I still didn't hear the question.

9. PRESIDENT:

10. Just...just a minute. The noise level here is such that a  
11. question has been asked twice and the person to respond could not  
12. hear it either time. Could you keep your voices modulated so that we  
13. can proceed with dispatch. Would you ask it again, Senator Latherow.

14. SENATOR LATHEROW:

15. Does this bill allow the cost of the bond issue, the election  
16. and preparation for it to be taken out of the proceeds of the bond  
17. issue?

18. PRESIDENT:

19. Senator Philip.

20. SENATOR PHILIP:

21. I believe under this...bill it would allow the cost of the  
22. election to be taken out of the issue, right.

23. PRESIDENT:

24. Any further discussion? Senator Latherow.

25. SENATOR LATHEROW:

26. Well, I didn't quite understand his answer either, but I wonder  
27. what happens if the election is unsuccessful. Where do they get  
28. their funds?

29. PRESIDENT:

30. Senator Philip.

31. SENATOR PHILIP:

32. I assume they get it the same place they've always gotten it,  
33. out...out of the General Revenue.

1. PRESIDENT:

2. Senator Rock.

3. SENATOR ROCK:

4. Yes, thank you, Mr. President. I am, frankly, just not sure  
5. of this amendment, and the question I have relates to the third  
6. part of it. I have no, frankly, no problem with the authority to  
7. issue revenue bonds, nor with the proposed interest. What I have a  
8. problem with is that part of the amendment on Page 5, which says that  
9. the proceeds can be used for any other corporate purpose of the  
10. sanitary district. Can you explain...that...that just seems to me  
11. to be a little bit too much?

12. PRESIDENT:

13. Senator Philip.

14. SENATOR PHILIP:

15. Well, I think what has happened in some sanitary districts that  
16. because of the charge that they get and the revenue they raise that  
17. they have a surplus of money, and what they want to do is use that  
18. money in other areas.

19. PRESIDENT:

20. Senator Rock.

21. SENATOR ROCK:

22. Well, I can appreciate that, and I...I want everybody to under-  
23. stand. This, as I understand it, does not apply to the Metropoli-  
24. tan Sanitary District of greater Chicago, so I'm just talking kind  
25. of generally. I don't think our sanitary district have this...has  
26. this kind of provision, and frankly, I don't think they should. If  
27. we're talking about...revenue bonds, you're talking about user pay-  
28. ments, and I think the user payment, obviously, is for the purpose  
29. of retiring the debt incurred by the users, and to allow the sanitary  
30. district to use it for any other corporate purpose as they see fit,  
31. I just don't think is correct, and for that reason, I'm going to have  
32. to oppose this.

33. PRESIDENT:

1. Senator...Senator Morris.

2. SENATOR MORRIS:

3. Senator Philip, is this a bond that is going to be sold and it  
4. could possibly raise taxes if the user fee isn't paid? I'd...there's  
5. been talk of referendum and things and I have become confused.

6. PRESIDENT:

7. ~~Senator Philip.~~

8. SENATOR PHILIP:

9. It wouldn't have a thing to do with raising taxes at all. Let  
10. me tell you what happened. In some sanitary districts, in one...and  
11. this request came from the Hinsdale Sanitary District, they happen to  
12. have a surplus of funds. Now, they...the law says they specifically  
13. have to pay off the debt on those bonds, and what they want to do,  
14. they're paying the debt off, their monthly payment or whatever it is,  
15. they're making that with ease, and they have a surplus of money because  
16. of the charge...they...they charge people for sewage. And so what  
17. they want to do is have the authority to take that surplus money and  
18. use it in some other areas.

19. PRESIDENT:

20. Any further discussion? Senator Morris. Any further discussion?  
21. The question is shall Senate Bill 913 pass. All in favor will vote  
22. Aye. Opposed will vote Nay. The voting is open. Have all voted who  
23. wish? Take the record. On this question, the Ayes are 24, the Nays  
24. are 15, 3 Voting Present. Senate Bill 913 having received...having  
25. failed to receive...yes.

26. SENATOR PHILIP:

27. I'd like to have leave to take it out of the record...or post...  
28. post...postponed consideration.

29. PRESIDENT:

30. Postponed consideration we can do. We can't take it out of the  
31. record at this point. Take it out of the record. Senate Bill 913 is  
32. on Postponed Consideration. The announcement was not completed. Senate  
33. Bill 916, Senator Philip.



1. SECRETARY:

2. Senate Bill 916.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDENT:

6. Senator Philip.

7. SENATOR PHILIP:

8. Mr. President and Ladies and Gentlemen of the Senate,  
9. Bill 916 as amended, would allow park district police to issue traffic  
10. tickets and general tickets. We have a specific problem in my district  
11. is that we have a large college right on the edge of our park, and we  
12. had some problems over there with the college kids. Under the present  
13. system, the park district police cannot issue a ticket. All this  
14. would do would be allow them to issue a traffic violation or a ticket  
15. on park property, no other place at all.

16. PRESIDENT:

17. Any further discussion? The question is shall Senate Bill 916  
18. pass. All in favor will vote Aye. Those opposed will vote No. The  
19. voting is open. Have all voted who wish? Take the record. On this  
20. question, the Ayes are 45, the Nays are none. Senate Bill 916 having  
21. received a constitutional majority is declared passed. Senate Bill  
22. 932, Senator Mitchler.

23. SECRETARY:

24. Senate Bill 932.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDENT:

28. Senator Mitchler.

29. SENATOR MITCHLER:

30. Mr. President and members of the Senate, Senate Bill 932 is a  
31. bill that was requested on behalf of the Northern Illinois Sheriffs'  
32. Association which represents seventeen counties in the northern part  
33. of Illinois, approximately sixty-seven point three percent of all the

1. population of the citizens in Illinois. And what the bill does, it  
2. authorizes a separate levy for operating the sheriff's department.  
3. First of all, I want to explain that this has a front door referendum.  
4. It has to be approved by the people in the county. This does not apply  
5. to the County of Cook or the City of Chicago, but it does apply to  
6. the one hundred and one downstate counties. Now, the reason for this  
7. ~~SENATOR~~ ~~TWO~~ ~~TWO~~ areas are going to be benefited by it. First, the  
8. sheriff's department is going to have their separate levy, as many of  
9. the other local units of government have, and this would be done by  
10. a levy that is authorized by referendum of the people of the county.  
11. And this would relieve the county board from assuming within their  
12. general operating budget the cost of operating the sheriff's department.  
13. This has the approval of the County Sheriffs' Association. It received  
14. a very favorable roll call when heard before the Local Government  
15. Committee. I'll be glad to answer any questions, and I would ask for  
16. a favorable roll call.

17. PRESIDING OFFICER (SENATOR BRUCE):

18. Is there further debate? The question is shall Senate Bill 932  
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 that question,  
21. the Ayes are 40, the Nays are 5, 2 Voting Present. Senate Bill 932  
22. having received a constitutional majority is declared passed. Senate  
23. Bill 935.

24. SECRETARY:

25. Senate Bill 935.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDING OFFICER (SENATOR BRUCE):

29. Senator Demuzio.

30. SENATOR DEMUZIO:

31. Thank you, Mr. President and members of the Senate. Senate Bill  
32. 935 amends the deficiency judgement, the buyer contract default. At  
33. present, the...the law currently reads that when you default on a pay-

1. ment on an item, that the bank or finance company can repossess the  
2. item as well as sue for the balance if you have paid less than sixty  
3. percent of the total cost. If you've paid more than sixty percent,  
4. they can either repossess the item or sue for the balance of the bill.  
5. Under this bill, we would decrease the threshold payment to fifty  
6. percent. We would also reduce the amount to one thousand dollars that  
7. ~~the bank~~ or the finance company must either repossess the item or sue  
8. for the balance. If you've paid less than fifty percent, and you owe  
9. more than a thousand dollars, the bank or the finance company may  
10. repossess and sue for the balance. For example, you can buy a car for  
11. three thousand dollars, if you've paid fifteen hundred and fifty  
12. dollars, under the present law, the bank or the finance company can  
13. both repossess and sue for the balance. What we are proposing here is  
14. that they either repossess or sue for the balance, because even though  
15. the balance is more than a thousand dollars, you have paid more than  
16. fifty percent. This legislation is to help those people who have paid  
17. for the majority of the total bill on...on any item. And I would ask  
18. for a favorable roll call.

19. PRESIDING OFFICER (SENATOR BRUCE):

20. Is there further debate? Senator Soper.

21. SENATOR SOPER:

22. Senator, I'm just wondering, how many people are you going to  
23. preclude from buying...buying an automobile or...or buying the...the  
24. goods or merchandise that you include in this bill?

25. PRESIDING OFFICER (SENATOR BRUCE):

26. Senator Demuzio.

27. SENATOR DEMUZIO:

28. Well, Senator, the bill doesn't say anything at all about pre-  
29. cluding people purchasing of an automobile.

30. PRESIDING OFFICER (SENATOR BRUCE):

31. Senator Soper.

32. SENATOR SOPER:

33. Yes, but the preclusion comes in, in fact when someone wants

1. to borrow some money on an automobile or any merchandise, if they...  
2. if they're going to get money back after the thing is all beat up,  
3. and you know some fellows can have a car and...and still...and owe  
4. a lot of money on it and still it isn't worth a nickel. If...if the  
5. ...if the purchaser of the note has to return money, there's going to  
6. be nobody purchase notes unless you're...unless you've got some other  
7. collateral. ~~They're not going to take just a car for a collateral.~~  
8. You're just going to stop...stop business in...in merchandising this...  
9. the goods of...of notes and bills and so forth on...on automobiles.  
10. It's, you know, it's nice to say that if you...if you own a home and  
11. you have a mortgage and if you can't pay the mortgage, you come back  
12. and you can get all your money back or most of the money, but that's  
13. not the way business is done, especially in this automobile financing,  
14. and I don't own any finance companies, but I do know people that have  
15. a good job and want to buy a car, and if they can't show past perfor-  
16. mance, they'd never be able to borrow a nickel. So, you're just going  
17. to take them out and...and although they would be able to pay, nobody  
18. is going to trust them. It's like...it's like the past performance and  
19. when you read the racing form, that's...that's how they...how they  
20. determine who's a good bet and who's a bad bet, see, in this business.  
21. So, I'd be very careful with this, and...and I...I think this will do  
22. more harm than will do good. All these...all these bills, well they're  
23. ...you know, the milk of human kindness and motherhood and free milk,  
24. they always end up closing off all the free milk in the motherhood  
25. business.

26. PRESIDING OFFICER (SENATOR BRUCE):

27. Senator Egan.

28. SENATOR EGAN:

29. Senator Demuzio, would you yield to a question?

30. PRESIDING OFFICER (SENATOR BRUCE):

31. Indicates he will yield.

32. SENATOR EGAN:

33. Was there any opposition to this bill in the committee?

1. PRESIDING OFFICER (SENATOR BRUCE):

2. Senator Demuzio.

3. SENATOR DEMUZIO:

4. The vote in the Finance Committee was eight to three.

5. PRESIDING OFFICER (SENATOR BRUCE):

6. Senator Egan.

7. SENATOR EGAN: They're not going to take just

8. No, I mean was there anyone who registered in opposition to the  
9. bill?

10. PRESIDING OFFICER (SENATOR BRUCE):

11. Senator Demuzio.

12. SENATOR DEMUZIO:

13. Yes, there was. Registering in...in opposition to the bill was  
14. an individual from Peoria who was with a bank, as well as Les Sanders  
15. with the Illinois Automobile Dealers. Those were the two that regis-  
16. tered and testified.

17. PRESIDING OFFICER (SENATOR BRUCE):

18. Senator Egan.

19. SENATOR EGAN:

20. I...I...I assume they have originally opposed the...the concept.  
21. Now, I suppose they'd have to oppose liberalizing it, but I'm curious,  
22. would the auto dealers oppose this?

23. PRESIDING OFFICER (SENATOR BRUCE):

24. Senator Demuzio.

25. SENATOR DEMUZIO:

26. Well, Mr. Sanders, who represents the Illinois Automobile Dealers,  
27. opposed the bill.

28. PRESIDING OFFICER (SENATOR BRUCE):

29. Senator Egan.

30. SENATOR EGAN:

31. Well, I...I would assume that their opposition would be the same  
32. as their opposition that I would also assume originally, and that is  
33. that fewer automobiles will be sold as a result of this law.

1. PRESIDING OFFICER (SENATOR BRUCE):  
2. Senator Demuzio.  
3. SENATOR DEMUZIO:  
4. Well, that's an assumption that...that you have to make. Perhaps  
5. I don't share the same assumption.  
6. PRESIDING OFFICER (SENATOR BRUCE):  
7. ~~SENATOR Egan.~~  
8. SENATOR EGAN:  
9. Would you enlighten me as to the correctness of my assumption?  
10. PRESIDING OFFICER (SENATOR BRUCE):  
11. Senator Demuzio.  
12. SENATOR DEMUZIO:  
13. Senator, I can't...I don't know the criteria which you use to...  
14. to draw your conclusion.  
15. PRESIDING OFFICER (SENATOR BRUCE):  
16. Senator Egan.  
17. SENATOR EGAN:  
18. I don't want to speak in opposition to your bill. I just want  
19. to be educated. I...it...it occurs to me that this could have a  
20. diminishing effect on the sales of new cars. I have some knowledge  
21. in this field of credit regulation, and there's a point beyond which  
22. you can't go, and I'm curious to know if this point has been reached,  
23. that's all, and I...I thought maybe you could edify me.  
24. PRESIDING OFFICER (SENATOR BRUCE):  
25. Senator Demuzio.  
26. SENATOR DEMUZIO:  
27. I can't answer that question, Senator.  
28. PRESIDING OFFICER (SENATOR BRUCE):  
29. Senator Merritt.  
30. SENATOR MERRITT:  
31. Mr. President, members of the Senate, as you well know, Senator  
32. Demuzio, I was also in committee when the bill was heard. I think  
33. one of the most dangerous parts of the bill, as I observe it, is who is

1. going to determine fair market value. You can go around the bush all  
2. you want to on that. You can call it redbook values, any other guide  
3. values, but we all know that that's for something in an average con-  
4. dition. There can be one that's just taken out and completely driven  
5. over the countryside and wrecked and so forth. There can other...be  
6. others in much better condition, and I think on that hinges the...the  
7. ~~real bad part of~~ the bill, and I certainly would oppose it when you  
8. can't define it any better than that.

9. PRESIDING OFFICER (SENATOR BRUCE):

10. --- Senator McCarthy.

11. SENATOR McCARTHY:

12. Well, yes, Mr. President and members, there have been some ques-  
13. tions raised about the hearing on this bill. Senator Egan, you were  
14. quite correct in saying that Mr. Sander of the Illinois Automobile  
15. Dealers did register in opposition to the bill. I presume like you  
16. did that when we first cut it down from a hundred percent to sixty  
17. percent, he'd be opposed to that. And it's also true that there was  
18. a representative of the banking community that was registered in oppo-  
19. sition, but it was late in the day, and they didn't verbalize exten-  
20. sively, but I think the banks would object to any type of legislation  
21. along this line, because they want to have it all their way. It is  
22. possible, Mr. President and members of the Body, that some car trans-  
23. actions might not be made on account of this legislation, but I don't  
24. think the general economy is going to suffer on account of it, because  
25. it's been the experience of most people that what the banks do in cases  
26. like this where they take the car, sell it, and take deficiency  
27. judgment against the borrower, they force that man into bankruptcy, and  
28. that's what the result is. So, this is one bit of legislation that  
29. while it may knock off a few marginal car sales, it's going to save  
30. an awful lot of bankruptcies in Illinois. This is consumer - oriented  
31. legislation that is not radical. It met with an overwhelming majority  
32. of the...of the committees opinion. It changes the percentage of  
33. equity, where the leader must decide which way he's going to go -

1. repossession or deficiency, or judgment, to the...from sixty percent  
2. to fifty percent, and if half of the car is paid for, the banker must  
3. make up his mind whether he wants the car back or whether or not he  
4. wants to go on the judgment. And it's not unfair to him to have to  
5. be forced to make that decision. He's got his decision to make, and  
6. he can't have it both ways. Now, I suggest that this legislation in  
7: an otherwise Legislative Session that is billed as consumer - oriented  
8. but yet hasn't really been productive, would get a good start in working  
9. for the consumer by passing this much needed legislation.

10. PRESIDING OFFICER (SENATOR ROCK):

11. Senator Carroll.

12. SENATOR CARROLL:

13. Thank you, Mr. President. I also rise to support this legislation  
14. for two basic reasons that have been glossed over in part. One is the  
15. fact that you're still requiring a fifty percent equity position in  
16. the automobile, and I think when fifty percent has been paid, there's  
17. nothing wrong with requiring the finance company to make an election.  
18. Either take the car back because they have sufficient equity in it,  
19. or sue for a deficiency. I think fifty percent is a very logical  
20. point at which we can require that decision to be made. The other  
21. point deals with what is the value of the vehicle at that time for  
22. purposes of deficiency judgment, and I think unfortunately, this has  
23. been one of the areas most greatly abused when you talk about install-  
24. ment automobile sales, and that is how do you determine the value?  
25. This sets the very best method. This sets that particular car, not  
26. the average car in the class, but the particular car that's the subject  
27. matter of the transaction, and it establishes that it's the cash price  
28. that that car would obtain. So, if it's a damaged car, you're talking  
29. about the cash price of a damaged car. If it's a perfect car, you're  
30. talking about the cash price of a perfect car. You're not talking  
31. averages, you're talking about that specific car. I think that's what  
32. makes this an excellent bill that not only protects the consumers but  
33. happens to protect the business community's interest as well. I would



1. urge support.

2. PRESIDING OFFICER (SENATOR ROCK):

3. Further...any further discussion? Senator Demuzio may close the  
4. debate.

5. SENATOR DEMUZIO:

6. Well, Mr. President and members of the Senate, I think that this  
7. is a good bill. It's a good bill for the consumers and I ask for your  
8. most favorable support. Thank you.

9. PRESIDING OFFICER (SENATOR ROCK):

10. The question is shall Senate Bill 935 pass. Those in favor will  
11. vote Aye. Those opposed will vote Nay. The voting is open. Have all  
12. voted who wish? Take the record. On that question, the Yeas are 38,  
13. the Nays are 1, 5 Voting Present. Senate Bill 935 having received a  
14. constitutional majority is hereby declared passed. Senator Harber Hall  
15. is next with 942. Senator...would you wait just a minute. If I can  
16. have everybody's attention, can we go through Pages 13 and 14 on the  
17. Calendar? There are a number of bills that are on the tentatively  
18. agreed list. I will read the...those...the numbers of those bills that  
19. are tentatively, at least, at this point, on the agreed list. 943...  
20. Senator Partee, for what purpose do you arise?

21. SENATOR PARTEE:

22. I can save you a little time. Since we started, we do now have the  
23. full agreed bill list. If the Pages will come over and get them, there's  
24. one for everybody here.

25. PRESIDING OFFICER (SENATOR ROCK):

26. Will the Pages please go to Senator Partee's desk to distribute  
27. that list. In the meantime, let me read the next page, at least, so  
28. we can alert everybody. 943, 944, 945, 946, 951, 953, 965, 968, 970,  
29. 978, 981, 983, and the first four bills on Page 15, 984, 85, 86, and  
30. 87 are all on the agreed list. 969, I take it is also on the list. Is  
31. that correct? It was on and off a couple of times this morning. It  
32. is on, 969 is on the list. Okay. Senator Harber Hall on the Floor?  
33. 942, Mr. Secretary.

1. SECRETARY:

2. Senate Bill 942.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER (SENATOR ROCK):

6. Senator Harber Hall.

7. SENATOR HALL:

8. Mr. President, this bill simply opens up a few new areas where  
9. young people might work, below the age of sixteen down to the age of  
10. fourteen. We amended it to take out restaurants, or hotels and motels,  
11. but permit them to do buswork type of work in restaurants. I believe  
12. it now as amended meets with the objections that were presented in the  
13. committee hearings when we agreed to make the amendment. Essentially,  
14. it recognizes that young people are probably as well off working  
15. as not working, but we still have the obligation, and this bill does  
16. not change it to insure that they do work in safe areas and do not  
17. deprive family people from employment. I solicit any questions, or  
18. particularly, your favorable consideration of the vote...of the measure.

19. PRESIDING OFFICER (SENATOR ROCK):

20. Any discussion? The question is shall Senate Bill 942 as amended  
21. pass. Those in favor will vote Aye. Those opposed will vote Nay.  
22. The voting is open. Have all voted who wish? Take the record. On  
23. that question, the Ayes are 47, the Nays are none, none Voting Present.  
24. Senate Bill 942 as amended having received a constitutional majority  
25. is declared passed. Senator Moore, 947. 947.

26. SECRETARY:

27. Senate Bill 947.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDING OFFICER (SENATOR ROCK):

31. Senator Don Moore.

32. SENATOR MOORE:

33. Thank you, Mr. President. Senate Bill 947 as amended, provides that

1. the Illinois Department of Public Aid shall establish such regulations  
2. governing the dispensing of health care or of health services under  
3. this Article as may be deemed appropriate. In formulating these regu-  
4. lations they can...shall consult with the Legislative Advisory on Public  
5. Aid and also with various other professional and advisory committees  
6. that have been appointed by the Director. The bill also provides that  
7. ~~all~~ dispensers of medical services shall be required to maintain and  
8. retain business and professional records sufficient to fully and accu-  
9. rately document the nature scope and details of the health care provided  
10. to the persons entitled to medical assistance under the Public Aid Code.  
11. In addition, the Department of Public Aid shall develop and operate in  
12. cooperation with other State departments and agencies in compliance with  
13. applicable Federal laws and regulations, appropriate and effective  
14. systems of health care evaluation, and programs for monitoring of the  
15. utilization of health care services and facilities. They shall also  
16. consult with the Legislative Advisory Committee and report to us on  
17. a monthly basis or on a regularly basis. The bill as amended, there  
18. was an amendment prepared, Amendment No. 2, by the Illinois Department  
19. of Public Aid with the amendment on, which we have no objection to. The  
20. Department favors the bill. I'd respectfully request a favorable vote.  
21. PRESIDING OFFICER (SENATOR ROCK):

22. Is there any discussion? The question is shall Senate Bill 947 as  
23. amended pass. Those infavor will vote Aye. Those opposed will vote  
24. Nay. The voting is open. Have all voted who wish? Take the record.  
25. On that question, the Ayes are 40, the Nays are 1, 2 Voting Present.  
26. Senate Bill 947 having received a constitutional majority is declared  
27. passed. For what purpose does Senator Partee arise?

28. SENATOR PARTEE:

29. Well, while there was a lull, while he's getting ready for the  
30. next bill, I would just make the announcement that last Friday when  
31. many of us were here laborously addressing ourselves to certain tasks,  
32. I happened by chance to pick up the television in the evening and saw  
33. one of our members in a place called Las Vegas, accompanying the champion

1. of the world to a heavyweight fight, and I'm sure that because of  
2. all he learns in the Senate, he was able to give him some good advice  
3. and to help him structure the situation to a point where he then gave  
4. him the word to go forward in the eleventh round. But if you think  
5. that he's a national traveler, I would just make the announcement  
6. while I'm on my feet that that same Senator, Senator Chew, who is  
7. ~~all dispensens of medical services should be~~ Chairman of Transportation, has been invited to the Fourth International  
8. Symposium on Engine Testing Automation, Performance, Admissions and  
9. Diagnostics, and is the first American to chair a session of that  
10. international body. And that body, fortunately, will be meeting on  
11. the 29th of September and we will remember to not have a Session that  
12. day so that Senator Chew can be here, but he will be the chairman of  
13. the afternoon Session on Monday, the 29th of September in a place  
14. called...Naples, Italy.

15. PRESIDING OFFICER (SENATOR ROCK):

16. Senate...Senate Bill 955, Senator Glass. For what purpose does  
17. Senator Chew arise?

18. SENATOR CHEW:

19. Mr. President, first of all, I want to thank Senator Partee for  
20. making the announcement, and secondly, it is the first time that that  
21. honor has been bestowed upon any American citizen. I will also pre-  
22. sent a paper the first day of the Session, and I will, as he indicated,  
23. chair the Session on Automotive Testing. I think it's a great honor  
24. of all of the people in this country, all legislative bodies, and  
25. the many, many persons that are much more equipped in the field of  
26. transportation than I am, but I'll assure you I'll be totally equipped  
27. when I arrive that the honor would be bestowed upon a member of the  
28. Illinois State Senate, and I'm very happy and proud to be a member  
29. of this Body and proud to have gotten that honor, and I shall report  
30. back to this Senate on the results of my chairing this body.

31. PRESIDING OFFICER (SENATOR ROCK):

32. Thank you, Senator. For what purpose does Senator Hynes arise?

33. SENATOR HYNES:

1. I was just wondering if Senator Chew has any openings on his  
2. staff, and if so, how do we...how does one go about filing an appli-  
3. cation?

4. PRESIDING OFFICER (SENATOR ROCK):

5. Senator Chew's retinue is getting bigger by the moment. Senator  
6. Vadalabene, for what purpose do you arise?

7. SENATOR VADALABENE: ...has been invited to the Fourth International

8. As a member of the Appropriations Committee for eight years and  
9. an Italian, I wonder if Senator Chew would let me go to Naples, Italy  
10. with him?

11. PRESIDING OFFICER (SENATOR ROCK):

12. Your retinue is getting bigger every time. Senate Bill 955,  
13. Senator Glass.

14. SECRETARY:

15. Senate...Senate Bill 955...

16. PRESIDING OFFICER (SENATOR ROCK):

17. Senator Fred...excuse me, Mr. Secretary. For what purpose  
18. Senator Smith arise?

19. SENATOR SMITH:

20. ...You see me with my hand raised and extended. I haven't...  
21. can't let this moment pass without complimenting my friend, Senator  
22. Chew. I noted that Senator Vadalabene asked whether or not the good  
23. Senator would allow him to accompany him to his native land of Italy.  
24. The similarity and the appearance, the mood and the actions of the  
25. two happens to be such, that I'm going to appeal to Senator Vadalabene  
26. to personally see to it that our good friend does accompany him to  
27. their native land. The President of the Senate made mention of what  
28. occurred out in Las Vegas as of last Friday night. I was seated here  
29. or rather over there in the City of Chicago at my radio or television,  
30. and I cannot express to the membership my feelings when I saw that the  
31. man leading...what...what does he call himself...Muhammed Ali out from  
32. his training...rather from his...quarters was none other than our  
33. friend, Chew. I am not wondering why Ali assumed the position that he

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1. did and fought the kind of a fight that he fought after having been  
2. lead into the arena by our congenial friend, so much so did he cover  
3. up until I dispatched a note to his trainer, Charlie Chew, requesting  
4. a fight with Muhammed Ali if he will assume the same attitude and  
5. position and the vigor and the determination to win as he exhibited  
6. as of last Friday night. Not until Chew had disappeared from the  
7. scene in so far as the television was concerned, did Muhammed Ali  
8. show any of the old tendency to fight that we had seen him exhibit...  
9. exhibit on previous occasions. Now, with reference to the highways,  
10. the transportation. I remember when Chew was absent here one or two  
11. days inspecting...what is that highway out there, what was that...66  
12. or 55, it doesn't make any difference what the number was, he found  
13. a hole out there. We had to make no attempt or effort in order to  
14. locate the conditions of that highway, just go near it. Within a mile  
15. or a half a mile at the most and you could tell that the highway was  
16. in deplorable condition. Without the careful consideration, our friend  
17. returned here into our midst, and solemnly arose to explain to us the  
18. conditions of the highway. We knew the conditions before his visit,  
19. and it's a little painful of...for me to say that nothing in the way  
20. of repairs has happened or perhaps will happen by reason as of yet,  
21. Has it Chew? Whatever the facts might be, we bid him God's speed in  
22. September and may I suggest, Mr. President, that whether you hold a  
23. meeting on the...on the day of the 29th or not, I think we should  
24. extend to Senator Chew our congratulations and not request of him that  
25. he not be in attendance because that's his usual routine.

26. PRESIDING OFFICER (SENATOR ROCK):

27. For what purpose does Senator Partee arise, and believe me if you  
28. start this again, I'm going...

29. SENATOR PARTEE:

30. To ask your forgive...to...to say to you I am very, very sorry.  
31. Let's have Senate Bill 955.

32. PRESIDING OFFICER (SENATOR ROCK):

33. Senate Bill 955, Senator Glass, and Mr. Secretary, read the bill.

1. SECRETARY:

2. Senate Bill 955.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER (SENATOR ROCK):

6. Senator Glass.

7. SENATOR GLASS: as the television was on

8. Well, thank you, Mr. President, Ladies and Gentlemen. Senate  
9. Bill 955 is one regarding, which I know you have all received some  
10. correspondence. The bill has come out of the Transportation Committee  
11. on a 10-0 Do Pass vote, and let me give you briefly the background  
12. of the bill...

13. PRESIDING OFFICER (SENATOR ROCK):

14. May we have some order? Senator Chew, you've taken up quite  
15. enough time now. Will you sit and listen for a minute? Senator Glass,  
16. continue.

17. SENATOR GLASS:

18. Senate Bill 955, as I say, is a bill that hopefully in the...  
19. in the present form that it's in will satisfy all the objections. I  
20. circulated to all the members a letter, a memorandum regarding the  
21. present status of the bill along with a letter from Reverend David  
22. Sorenson of Pekin, who has been a spokesman for the religious organiza-  
23. tions who have been interested in the bill, and I would like to quote  
24. briefly from that letter. This is the letter of May 2nd, 1975. Senate  
25. Bill 955 is hopefully the solution to the culmination of a long series  
26. of incidents and problems. Church busing in Illinois and across the  
27. nation has sprung up and mushroomed in the last decade. It's only  
28. now that State Governments are realizing the magnitude of church bus-  
29. ing, and an attempt is being made to properly regulate it. Up to this  
30. point, there has been no legal definition of church buses, and no  
31. specific regulations governing them. As a result, this whole matter  
32. has been most confusing from the aspect of law enforcement and licensing.  
33. Thus, churches in general have been desirous of seeing specific

1. legislation offered which would delineate and clarify this matter.  
2. The bill that we passed last year, Senate Bill 1548, gave rise to a  
3. ...a...a lot of interest from the churches, and after appearing at  
4. some of our subcommittee hearings, the churches met and actually a  
5. thousand of them were represented at the meeting. Their spokesman,  
6. insofar as we were concerned, was Reverend Sorenson, and the legisla-  
7. ~~tion that is~~ now in 955 was essentially as recommended by this group.  
8. The...the big problem that arose initially was that the bill gave the  
9. churches two options, one of them was to fully comply with school bus  
10. safety laws, painting their buses yellow, having a stop arm and flash-  
11. ing signal lights, or going on as...as they presently are without those  
12. ...without that equipment, but not being permitted to stop on the pave-  
13. ment. As a result of the committee hearing, however, there was a...an  
14. agreement reached, whereby the...the...the church buses will be permitted  
15. to stop on the pavement, and this...this provision removed the objec-  
16. tions of Reverend Sorenson. They will be permitted to stop on the pave-  
17. ment provided the amber lights are activated, and also provided that  
18. there is a...an adult or a qualified supervisor who will escort the  
19. children across the street who are under the age of twelve, and I think  
20. that's very significant, Ladies and Gentlemen, because what gave rise  
21. to this legislation originally was the death of a...of a young boy  
22. as he crossed the street in Skokie after embarking from a...a converted  
23. van that was being used as a religious organization bus, and was struck  
24. and killed by a taxi cab. So, that provision and at the suggestion of  
25. the churches is in the bill along with the...the permission that they  
26. may stop on the pavement to load and unload passengers when there's  
27. no place to pull off the road. Now, I will quote again from Reverend  
28. Sorenson's letter. He...he makes reference to the original provision,  
29. which prohibited these buses from stopping from the bill, and says that  
30. that was their only real objection. The amendment added to the bill  
31. on May 1 modified this point in such a way that I, personally, know of  
32. no church in the State that opposes it. I'd be happy to answer any  
33. questions and would urge a favorable roll call.



1. PRESIDING OFFICER (SENATOR ROCK):

2. Senator Chew, you're now fifth on the list. Senator Mitchler,  
3. did you seek recognition? Senator Lemke.

4. SENATOR LEMKE:

5. Mr. President, members of the Senate, I tried to work out an  
6. amendment with this bill. It seems like we have a problem with some  
7. ~~of the churches. As Senator Glass stated that Reverend Sorenson is~~  
8. for the bill, but I have been informed by many other churches in my  
9. district and throughout the State, they don't agree with Reverend  
10. Sorenson, and that he doesn't speak for them, and that they're strongly  
11. in opposition to this bill because it...imposes regulations on them  
12. that are not on bus drivers that drive school buses. It stiffens...  
13. stiffens certain regulations on them. And one of their big objections  
14. is the loading and unloading of children in Paragraph C of this bill.  
15. We have tried to amend this to try to...to remedy the situation, but  
16. they're still insistent that the expense of putting on certain lights  
17. would cost them a great deal of money, and they would be unable to  
18. afford it and that the idea of stopping in front of a child's house is  
19. to make sure that the child gets into the house, and I think maybe the  
20. school bus program should also do this, to make sure that these little  
21. ones get inside, but I cannot see imposing regulations on churches that  
22. we do not impose on...on public bus drivers who transport more children  
23. during the busy hours and on Sunday make it a greater sin for a church  
24. bus driver not to qualify, and I oppose this bill strongly because I  
25. think it's a...a bill that is not needed. There's only a few churches  
26. that violate certain obligations to their...to their members and the  
27. majority of the churches I have talked to observe the rules and  
28. strictly enforce them, and I...and I strongly say vote against this  
29. bill.

30. PRESIDING OFFICER (SENATOR ROCK):

31. Senator Course. Senator Wooten.

32. SENATOR WOOTEN:

33. Mr. President and colleagues, I received more mail on this one

1. bill than on any other subject, with the exception of ERA and the usury.  
2. In my dialogue with the people in the district, and there's consider-  
3. able bus ministry in the district, we have agreed that the safety  
4. regulations which are mandated by the bill are good, the cost is not  
5. that high, and certainly, the church...churches should be interested  
6. in the safety of passengers. The one provision they objected to is  
7. the one that Senator Glass addressed himself to in an amendment. That  
8. objection being removed, I informed all of them that I would strongly  
9. support the bill, and I wish to speak in its behalf today. There is  
10. no reason why church buses should be exempt from good safety standards,  
11. from having qualified drivers. I think the provisions of the bill are  
12. needed, and now that we have made the change that was...was requested  
13. by all the churches in my area, that's the one thing they objected to,  
14. now that that's been taken care of, an amendment, I think we should  
15. pass this bill.

16. PRESIDING OFFICER (SENATOR ROCK):

17. Senator Chew.

18. SENATOR CHEW:

19. Mr. President, in the Committee on Transportation, we spent con-  
20. siderable amount of time trying to work out the problems that this  
21. bill has in it, and this bill will produce additional problems. Now,  
22. we had several people throughout the State representing the churches.  
23. And just as Senator Lemke has said, many of these buses that are used  
24. on Sundays to transport these children are regular school buses that  
25. are used by the churches, and then, many of the churches have their  
26. own transportation. The church people do not, do not want this bill.  
27. The cost is prohibitive. I questioned the Department of Transportation  
28. and the State Police. There has not been one fatality in the history  
29. of the church school bus, not one. The Police Department of the State  
30. of Illinois does not have a recording of an accident, nor a death. These  
31. people so stated it was not rejected by the Police Department nor the  
32. Department of Transportation. The problems have not been worked out  
33. by amendment, and I repeat, have not been worked out. Besides that,

1. the Secretary of State is opposed to 955, because it's going to bring  
2. undue hardship to his office. We cannot afford to spend all the time  
3. we did in committee trying to work it out, and we did not, and we  
4. can't afford to antagonize the Secretary of State who has to administer  
5. this. And I would urge the people on this Floor to vote against  
6. Senate Bill 955.

7. PRESIDING OFFICER (SENATOR ROCK):

8. Senator Hickey.

9. SENATOR HICKEY:

10. ...President, I have a particular interest in this...in this bill  
11. not because of church buses, but because of other buses. I've had  
12. myself, two children in front of my house, my own children, hit by  
13. automobiles. One when boarding a bus and another one when getting off  
14. a bus. They both survived, but I know something about the trauma  
15. involved and...and the possibilities of accidents herein. When I  
16. first heard from the churches on this, and they were opposed to the  
17. bill because they thought the regulations were too stiff, I wrote them  
18. and said that I felt that children going to Sunday school had as much  
19. right to protection as children going to day school. But now since  
20. this has been worked out and the amber lights are supposed to be flash-  
21. ing, I do heartily support this bill and ask other people to. I would  
22. like to have one question answered, though, from the sponsor.

23. PRESIDING OFFICER (SENATOR ROCK):

24. Indicates he will yield.

25. SENATOR HICKEY:

26. That is if there are no flashing amber lights on the back of the  
27. bus, does the bus have to pull out of the line of traffic?

28. PRESIDING OFFICER (SENATOR ROCK):

29. Senator Glass.

30. SENATOR GLASS:

31. Yes, Senator Hickey. The...the bus...the church vehicle is given  
32. the option of putting on the amber lights, and flashing those as it  
33. is slowing down to stop within two hundred feet of...of the...the

1. stopping place, and I might...I might add as I...as I will later, the  
2. cost of doing that is estimated to be about two or three dollars a  
3. bus. It's a minimal cost and a...a very important safety factor.

4. PRESIDING OFFICER (SENATOR ROCK):

5. Senator Hickey.

6. SENATOR HICKEY:

7. But they could not stop on the road if they do not have them?

8. PRESIDING OFFICER (SENATOR ROCK):

9. Senator Glass.

10. SENATOR GLASS:

11. Yes.

12. PRESIDING OFFICER (SENATOR ROCK):

13. Yes, the answer is yes. Senator Morris.

14. SENATOR MORRIS:

15. ... (Machine cut-off)...is in favor of this bill, and I really wonder  
16. if I was at the same committee hearing as other members of this Chamber  
17. who have spoken on this issue. This bill is now in a form which is  
18. agreed to by most of the people who are involved in the bus ministry.  
19. The cost will be minuscule. We dealt with that situation in committee,  
20. and we adjusted by using the amber lights, similar to the way you use  
21. the lights on your car when you put on the emergency switch. We did  
22. save a great deal of money by moving it to this type of a system. We  
23. are not under this bill requiring the elaborate lighting system that  
24. is used on a school bus, however, we do allow them to use that as an  
25. option if they want to for those that do have the school buses. As  
26. for the safety factors, I remember from committee testimony that the  
27. safety records or accident records are not reported separately for  
28. church buses from any other buses so it would be impossible to tell  
29. whether, in fact, there have been church bus...bus accidents or regular  
30. bus accidents. I think this is a very important bill, not only for  
31. the safety of the children who ride the buses, but also for people who  
32. drive on the roads. I think it's going to be a sad day when someone  
33. comes up behind one of these buses without any flashing lights, stopped

1. on the pavement, rear ends the bus, and someone is hurt. I think this  
2. is a good bill in the current form. It was agreed to in committee and  
3. passed committee without a great deal of discussion, once the amend-  
4. ments were added, and I would encourage a Yes vote on this bill for  
5. the safety of the children of the State of Illinois.

6. PRESIDING OFFICER (SENATOR ROCK):

7. ~~... Senator Soper, you're next. The Senator Egan do not have them?~~

8. SENATOR EGAN:

9. Thank you, Mr. President. I was not aware until just within the  
10. last few minutes that the Secretary of State is in opposition to the  
11. bill, which comes as a surprise to me because they were in the committee  
12. when the bill was heard, and I believed that their anxieties had been  
13. sufficiently resolved. However, let me suggest that if the Secretary  
14. of State is in opposition to this bill, then I would suggest that you  
15. amend it so that he is in no longer in opposition to it, and if you  
16. would do that, Senator Glass, I'd support your bill. If you don't  
17. do that, I can't support your bill.

18. PRESIDING OFFICER (SENATOR ROCK):

19. Senator Soper.

20. SENATOR SOPER:

21. Well, you know, when you want to pass a bill in the...in either  
22. House, you talk about children's safety and you talk about certain  
23. people said that now it's all set. Now we've got an amendment on the  
24. bill. Now, if you amended that bill down and you thought you had a  
25. good bill from the beginning and you had it amended down to put some  
26. two dollar lights on that you're talking about, I don't know who's  
27. going to put a light on anything for two dollars. You can't hardly  
28. buy a bulb today for two dollars. So, it makes me suspicious when...  
29. when you're talking about the lives of children and then you come  
30. down with a minuscule amount of preparation or regeneration or what-  
31. ever you call it on a...on a bus, and then when somebody comes up and  
32. he says two...it'll only cost two dollars. Well, you've got to be  
33. ...suspicious of the whole bill. I think I'll stay with the Baptist

1. Church.

2. PRESIDING OFFICER (SENATOR ROCK):

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

4. SENATOR GLASS:

5. Mr. President and Senators, there...there's been an...a large  
6. amount of misinformation put out during the debate. First of all,  
7. I'll take them in inverse order with regard to what Senator Soper  
8. said. The cost of the churches activating their amber lights is  
9. estimated to be two to three dollars a bus. This is...this only  
10. involves placing amber lenses on the light fixtures already on the  
11. buses and reconnecting the circuits. I don't really think that...that  
12. that is much of an imposition, and I would submit to you that the  
13. alternative is to let these buses stop on the highway, blocking traffic  
14. with no signal whatever, which is a very serious safety problem. Now,  
15. let me go back to what Senator Chew said because that also is incorrect.  
16. The...the committee...there was a subcommittee appointed and the...the  
17. subcommittee does favor the bill. I have talked to Senator Hall and  
18. Senator Course who were on the subcommittee, Senator Bell and myself,  
19. and all of them have indicated agreement that the church buses should  
20. have amber lights flashing so as to warn motorists as they slow down.  
21. Senator Chew also indicated a good safety record on behalf of these  
22. church vehicles. Well, I would call his attention to the recent  
23. fatality in Granite City, when a young child crossing the street as the  
24. church bus was stopped was struck and killed by a motorist. Likewise,  
25. another fatality in Skokie that I mentioned earlier, when a...when the  
26. Keiserman boy who was crossing the street after getting off of a reli-  
27. gious organization bus was struck and killed by a taxi cab. I think  
28. if you let these vehicles continue to operate as they are, without  
29. any warning to motorists, you're...you're inviting further accidents  
30. of this type. Now, Senator Egan, let me comment on the Secretary of  
31. State. I've...I've met with the Secretary of State's people several  
32. times. You're right, they were in the hearing. What they object to  
33. is issuing a permit to a religious organization bus driver. They would

1. rather have the Illinois Office of Education issue that permit. Now,  
2. that is the one point at which the churches would rebel en masse.  
3. If there's anything they made clear in the correspondence to me and to  
4. you, I...I think is their desirous...is their desire of having church  
5. and State separation remain inviolate. And so they do not want to be  
6. issued permits out of the State Office of Education, and therefore,  
7. I will take them in inverse order with regard to what Senator Soper  
we could not agree with the...with the Secretary of State's Office,  
8. and...and somebody has to do it. It's not much of an imposition on  
9. that office. What it...what it involves is simply the administration  
10. of a driving test without a written test. I...I would finally in  
11. conclusion say that this is a bill that the churches, in correspondence  
12. to me in the,...and I think all of you, in the Illinois Baptist News-  
13. paper have come out in favor of and have said they need this bill. They  
14. participated in the drafting of it. So, I would urge your support.

15. PRESIDING OFFICER (SENATOR ROCK):

16. The question is shall Senate Bill 955 pass. Those in favor will  
17. vote Aye. Those opposed will vote Nay. The voting is open. Have  
18. all voted who wish? Take the record. Senator Glass.

19. SENATOR GLASS:

20. Move for postponed consideration.

21. PRESIDING OFFICER (SENATOR ROCK):

22. Glass moves to postpone consideration. 955 will be postponed.  
23. 956, Senator Glass, do you wish to... 956, Mr. Secretary.

24. SECRETARY:

25. Senate Bill 956.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDING OFFICER (SENATOR ROCK):

29. Senator Glass.

30. SENATOR GLASS:

31. Thank you, Mr. President. Senate Bill 956 does not apply to  
32. church buses. It applies to school buses and it comes out of the  
33. School Problems Commissions Subcommittee on School Bus Safety. It,

1. in particular, gives lead time for complying with various safety  
2. requirements. There will have to be new safety requirements on all  
3. school buses under Federal Standard 17, and we have a phase-in schedule  
4. for these standards. 1977, for the more rigid standards of the...  
5. eight light flasher system, and there are some standards, December 31st,  
6. 1976, for the...installation of the hexagonal stop arm. The...the bill  
7. ...also makes some clarifying amendments, changing entity to school,  
8. and some clarifying language making it clear as a result of the request  
9. of the Secretary of State that the provision for licenses be suspended  
10. rather...revoked rather than suspended. I'd be happy to answer any  
11. questions. The bill did come out of the Transportation Committee  
12. without any dissenting votes.

13. PRESIDING OFFICER (SENATOR ROCK):

14. Any discussion? Senator Buzbee.

15. SENATOR BUZBEE:

16. Question of the sponsor.

17. PRESIDING OFFICER (SENATOR ROCK):

18. Sponsor indicates he will yield. Senator Buzbee.

19. SENATOR BUZBEE:

20. What's the reasoning for exempting the buses with less than nine  
21. passengers? My son rides the school bus with less than nine passengers  
22. and he's five years old, and I think that the...those sort of children  
23. ought to have just as much protection as the ones who ride the big  
24. school buses. In fact, may...maybe even more so because these are  
25. little vehicles. They're not obvious when they're stopped in the  
26. middle of the highway to pick up children. But...they don't...they don't  
27. pick up the low profile as opposed to the large profile of a big bus. I  
28. think we ought to make the requirements more stringent on them rather  
29. than less stringent.

30. PRESIDING OFFICER (SENATOR ROCK):

31. Senator Glass.

32. SENATOR GLASS:

33. Well, Senator Buzbee, this was a...an issue that was debated by



1. the subcommittee at some length, and you have station wagons which are  
2. in effect nine passenger vehicles and the...the number had to be  
3. set somewhere and nine, including the driver, seemed to be the place  
4. to set it. I...I know there are many who agree with you, but the  
5. feeling...and I...and this...this included the regulatory agencies,  
6. the Department of Transportation and...and others, that nine was a  
7. ~~reasonable place to...to fix the number.~~ <sup>...also makes some clarifying amendments changing entity to school</sup> So, I don't have any real  
8. answer except that was the consensus.

9. PRESIDING OFFICER (SENATOR ROCK):

10. Senator Latherow.

11. SENATOR LATHEROW:

12. Thank you, Mr. President. I might recognize the one question I  
13. have in mind is, that this bill also says upon receipt of any driver's  
14. conviction of having been violated the paragraph in passing a school  
15. bus and so on, they shall automatically lose his license for at least  
16. two months. And I think it should be noticed that we have a new type  
17. conviction here of driving. Isn't this correct, Senator?

18. PRESIDING OFFICER (SENATOR ROCK):

19. Senator Glass.

20. SENATOR GLASS:

21. Yes, Senator Latherow. The...the committee heard some...some  
22. specific testimony about an incident up in, I think it was Senator  
23. Berning's district, up in Lake Forest, where there had been an injury  
24. as a result of a motorist passing a school bus. The motorist had been  
25. apprehended, because of the lack of testimony, could not be convicted,  
26. and we had some strong urging from many quarters that we put some teeth  
27. in the law for...for passing of school buses. So, we did include in  
28. the bill a mandatory two month suspension for anyone convicted of pass-  
29. ing a school bus illegally.

30. PRESIDING OFFICER (SENATOR ROCK):

31. Any further discussion? The question is shall Senate Bill 956  
32. as amended pass. Those in favor will vote Aye. Those opposed will  
33. vote Nay. The voting is open. Have all voted who wish? Take the

1. record. Senator Glass moves to postpone consideration. Consideration  
2. will be postponed. 957, Senator Glass. 957.

3. SECRETARY:

4. Senate Bill 957.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. PRESIDING OFFICER - (SENATOR ROCK):

8. Senator Glass.

9. SENATOR GLASS:

10. Senate Bill 957, Ladies and Gentlemen of the Senate, deals only  
11. with preschool vehicles and in developing the other legislation, it  
12. was determined that there ought to be a different set of regulations  
13. applicable to vehicles transporting very small children. We, there-  
14. fore, developed a proposal that is contained in this legislation, that  
15. would create an advisory committee on the regulation of preschool  
16. transportation vehicles and empowers the Department of Transportation,  
17. after consulting with the committee, to modify existing regulations  
18. so that they do apply in a more safe manner to the preschool vehicles.  
19. And we have provided specifically that any modification made by DOT  
20. will have to enhance the safety, and I would urge your support of this  
21. bill.

22. PRESIDING OFFICER (SENATOR ROCK):

23. Any discussion? The question is shall Senate Bill 957 as  
24. amended pass. Those in favor will vote Aye. Those opposed will vote  
25. Nay. The voting is open. Have all voted who wish? Take the record.  
26. On that question, the Ayes are 35, the Nays are 2, 8 Voting Present.  
27. Senate Bill 957 as amended having received a constitutional majority  
28. is declared passed. 971, Mr. Secretary. 971.

29. SECRETARY:

30. Senate Bill 971.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDING OFFICER (SENATOR ROCK):

1. Senator Lane.

2. SENATOR LANE:

3. Yes. Ladies and Gentlemen of the Senate, the original Workmen's  
4. Compensation Act specifically excluded from coverage, State and local  
5. officials. Court decisions have held that any person holding an...an  
6. office created by statute or ordinance is an official within the  
7. ~~meaning of this exclusion and is~~ therefore not covered by the Act.  
8. This interpretation took the effect of depriving certain persons of  
9. Workmen's Compensation benefits who, for all other intents and purposes,  
10. were considered employees. This bill will correct this confusion.

11. PRESIDING OFFICER (SENATOR ROCK):

12. Any discussion? The question is shall Senate Bill 971 as  
13. amended pass. Those in favor will vote Aye. Those opposed will vote  
14. Nay. The voting is open. Have all voted who wish? Take the record.  
15. On that question, the Ayes are 32, the Nays are 12, 1 Voting Present.  
16. Senate Bill 971 as amended having received a constitutional majority  
17. is declared passed. 990, Senator Glass. 990, Mr. ...Mr. Secretary.  
18. 990.

19. SECRETARY:

20. Senate Bill 990.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER (SENATOR ROCK):

24. Senator Glass.

25. SENATOR GLASS:

26. Mr. President and Senators, Senate Bill 990 would reduce the  
27. interest rate on revolving credit accounts from the present eighteen  
28. percent per year to twelve percent per year or otherwise stated from  
29. one and a half percent a month down to one percent a month. This is  
30. the type of account that where the Master Charge or the Bank America  
31. charge are involved with...with banks. Some of the larger department  
32. stores have this type of revolving credit account. Essentially, the  
33. way it works is that when you have a balance that is due for more

1. than twenty-five or thirty days, the outstanding amount due begins  
2. to accumulate interest. I know I've been personally concerned from  
3. time to time receiving statements that show that you can pay in full  
4. or you can pay ten dollars a month. It's an inducement for the customer  
5. to incur the eighteen percent credit. I think that our society has  
6. seen the problems of...of easy credit. The number of bankruptcies  
7. ~~that increase every year is certainly one of the indications. People who~~  
8. ~~meaning of this exclusion and is therefore not covered by the Act.~~  
9. have written me in objection to this bill, have...have said that  
10. there are...that if...if this bill passes, it will be more difficult  
11. for credit to be given out. And I'm not so sure that's bad. If...if  
12. less credit is...is made available, perhaps there will be less people  
13. that find their way into the bankruptcy courts. Those that get into  
14. those courts are often quoted as saying how easy it is for them to get  
15. credit, and once we make it easy for them, we invite them to...to have  
16. this credit that can be extended, and...and as a result, over extend  
17. themselves. So, I don't think that is all bad. Now, a number of  
18. other States do offer revolving credit accounts at less than eighteen  
19. percent per year, and there are other States with twelve percent and  
20. a...and a few that are left. So, I would like to see the citizens of  
21. Illinois enjoy this same lower interest rate that...that other States  
22. provide, and I...I just think, all in all, it's a...it's a much fairer  
23. way to do business for the consumer, eighteen percent per year is the  
24. rate of interest that has always shocked and...and discouraged me,  
25. and I would hope that the membership would support this bill and reduce  
26. that rate down to twelve percent.

26. PRESIDING OFFICER (SENATOR ROCK):

27. Senator Soper.

28. SENATOR SOPER:

29. Mr. President and Senator Glass, you know, if you don't want to  
30. pay eighteen percent a year just don't...just don't have a revolving  
31. account, but I...I think that if a person wants credit and he wants to  
32. have a revolving account, he should pay what's necessary to keep up  
33. that account. I...I pay my bills on time, and I don't think that I

1. should be asked to pay for the services that somebody with a revolving  
2. account has. If they don't, the person that sells the goods, if they  
3. can't accomplish the necessary cost with one and a half percent or  
4. one percent or whatever they want to charge, they don't have to charge  
5. one and a half percent, when the competition comes in, they'll lower it  
6. on the revolving accounts because they need the business. But I don't  
7. want to be put upon to pay the interest or the cost of that interest.  
8. If you say that it's got to be lowered to one percent or a half percent  
9. cause you'd think that you're going to save somebody from bankruptcy.  
10. I don't want...I don't want to be paying for the cost of doing business  
11. because somebody doesn't want to pay their account on time and has  
12. to be chased, and I don't want...I don't want the goods to go up in  
13. costs to me who pays cash. The trouble, Senator Glass, is I don't  
14. think you know too many Bohemians. You know, that's a hundred percent  
15. down and no payments, and I've been trying to impose that upon you.  
16. I'm behind you all the time here, but you don't seem to realize that.  
17. Nobody takes you by the hand and takes you to a store and makes you  
18. buy and pay any interest. You don't have to pay a nickels worth of  
19. interest. If you just save your money and when you can buy the article,  
20. pay for it. It's a lousy bill.

21. PRESIDING OFFICER (SENATOR ROCK):

22. Senator Graham. Senator Graham.

23. SENATOR GRAHAM:

24. I guess, Mr. President and members of the Senate, that what  
25. this country really needs is more regulation. I am convinced that if  
26. we do, that we can regulate ourselves out of business pretty quick.  
27. We've done a pretty good job, and we're doing better all along. We're  
28. doing a pretty good job as saying in Springfield and in Washington,  
29. that we can do a better job than the marketplace in taking care of the  
30. free enterprise system of this great country of ours. This bill is  
31. another indication of us not understanding, really, the meaning of the  
32. word free enterprise and the capitalistic form of government that's  
33. frowned upon by some people, but it's the thing that's kept this country

1. great all these years. Now, there's one thing that we don't need is  
2. more restrictions, more regulations, more red tape, more problems  
3. thrown in the laps of the businessmen of the State of Illinois. Now,  
4. if you want to be lying in a desert some of these days, you want to  
5. be looking around to find out where they all went, just keep on putting  
6. on this kind of legislation, these kind of restrictions, and I'm going  
7. ~~to tell you one thing, you can drive down the streets in a lot of our~~  
8. small towns and you won't have to worry about any traffic because  
9. there won't be any business there. This is the kind of bill that we  
10. don't need, we can do without it. I'm surprised the lawyer that wants  
11. to make money suing people because they don't pay their debts, would  
12. even introduce this kind of a bill, and I ask for a No vote.

13. PRESIDING OFFICER (SENATOR ROCK):

14. Senator Partee.

15. SENATOR PARTEE:

16. Will the sponsor yield for a question?

17. PRESIDING OFFICER (SENATOR ROCK):

18. Indicates he will yield. Senator Partee.

19. SENATOR PARTEE:

20. Are you familiar with the Federal Fair Credit Billing Act?

21. PRESIDING OFFICER (SENATOR ROCK):

22. Senator Glass.

23. SENATOR GLASS:

24. I would be pleased to have you explain it to me, Senator.

25. PRESIDING OFFICER (SENATOR ROCK):

26. Senator Partee.

27. SENATOR PARTEE:

28. I would like to have had the opportunity to explain to you before  
29. you put this bill in, but there is an animal called the federal fair  
30. Credit Billing Act, which becomes effective on the 28th day of October,  
31. 1975, and in my judgment eliminates the need for this building...for  
32. this bill. You see, we have stores in the Chicago area particularly  
33. which do business with people in Indiana, in Wisconsin, and if we pass

1. this bill, it means that it's going to substantially increase the  
2. billing procedures because there has to be, it seems to me, some  
3. uniformity under the Federal Act, and if Illinois has a different  
4. requirement, it's only going to cost more money for them to fulfill  
5. the terms of this...of this bill, and consequently, it's going to cost  
6. the consumer more money to do business. One of the problems with a  
7. large number of consumer bills, so-called, is that it eventually costs  
8. more money, but it doesn't cost more money to the business involved.  
9. The additional money is paid by the consumer. Now, if you read your  
10. bill literally, one has to get into computer reprogramming to capture  
11. and store the information that isn't presently retained in the prior  
12. purchase and finance bills of these various companies, and it's going  
13. to...if I would read one of your paragraphs here, to do the billing  
14. procedures by computer, you'd have bills ten feet long because you're  
15. requiring a recitation of all the previous purchases, previous sales  
16. and previous payments. I think really, Senator, in light of the fact  
17. that the Federal Government has, in fact, addressed itself to this  
18. area has, in fact, actually pre-empted us with a bill that becomes  
19. effective on the 28th of October, I think we would be well to not  
20. pass this bill because we would only be creating a...a very...a monster  
21. for ourselves and a bill which would have no effect except to drive  
22. prices up and cost more for purchases to the consumer.

23. PRESIDING OFFICER (SENATOR ROCK):

24. Any further discussion? Senator Glass may close the debate.

25. SENATOR GLASS:

26. Well, Senator Partee, in...in response to your comments, I...I  
27. don't expect that the bill you refer to will prohibit States from  
28. establishing a lower rate than eighteen percent. And as I pointed  
29. out earlier, there are other States that do so. Now, the cost of  
30. operating a credit system are some...are something that deserve a  
31. few comments. If banks or other retailing operations desire to esta-  
32. blish a revolving credit account, they're promoting their products or  
33. they're promoting their services. That's...the fact that the banks

1. have these services makes them more attractive to their customers.  
2. The cost that they incur in so doing certainly can be looked upon as  
3. promotional costs. I, frankly, agree with Senator Soper's comments.  
4. I would...I endeavor to...to take his good advice and pay my bills on  
5. time and not have credit of this type to incur. The...the point I  
6. was making earlier is that it's simply the question - does the State  
7. of Illinois want this kind of rate required on...on any kind of an  
8. account including this kind of an account? Senator Graham made reference  
9. to regulating the free enterprise system. There is regulation right  
10. now. There is a maximum limit of eighteen percent. The only question  
11. is should it stay at eighteen? Should it go higher? Perhaps he...he  
12. thinks there ought to be a higher rate. I, frankly, think that it  
13. ought to be reduced to twelve percent and would urge a favorable roll  
14. call.

15. PRESIDING OFFICER (SENATOR ROCK):

16. The question is shall Senate Bill 990 pass. Those in favor will  
17. vote Aye. Those opposed will vote Nay. The voting is open. Have all  
18. voted who wish? Take the record. On that question, the Ayes are 17,  
19. the Nays are 25, 3 Voting Present. Senate Bill 990 having failed to  
20. receive a constitutional majority is declared lost. Senator Partee,  
21. for what purpose do you arise?

22. SENATOR PARTEE:

23. A point of personal privilege, Mr. President. In the southeast  
24. galley are a group of sixth grade students from my district from the  
25. Dulles School. They are accompanied by Mrs. Nicholas, their teacher.  
26. I would ask them to stand and be recognized by the Senate.

27. PRESIDING OFFICER (SENATOR ROCK):

28. Will our guests please rise. 993...Senator Mitchler, for what  
29. purpose do you arise?

30. SENATOR MITCHLER:

31. Mr. President, I'd like to rise on a point of personal privilege.  
32. In the President's Gallery, several of the Senators have been asking about  
33. the two attractive ladies that have been watching the deliberations



1. of the Senate, and I'd like to clarify that question. To our left  
2. is Mrs. Richard Marty of Aurora, husband and...her husband and she  
3. are long time friends, personal friends of mine, and then to our right  
4. is Mrs. William Mitchler, Cec Mitchler, my sister-in-law. And I'd  
5. like to have them stand and be recognized by the Senate.

6. PRESIDING OFFICER (SENATOR ROCK):

7. Senate Bill 993, Mr. Secretary.

8. SECRETARY:

9. Senate Bill 993.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER (SENATOR ROCK):

13. Might we have some order. Senator Smith, for what purpose do  
14. you arise?

15. SENATOR SMITH:

16. I'd like to rise on a point of personal privilege. I...I, too,  
17. should like to rise on a point of personal privilege. In the same  
18. southeast gallery to which the President referred, there are members  
19. of another school that lies in my district, and I should like for them  
20. too, to rise and be recognized, not of the first group, the second  
21. group, those in the front. Will you rise and be recognized.

22. PRESIDING OFFICER (SENATOR ROCK):

23. Will...will our guests please stand and be recognized. Senate  
24. Bill 993, Senator Joyce.

25. SENATOR JOYCE:

26. This bill would provide more equitable transportation for the  
27. citizens of the State of Illinois who attend nonpublic, elementary  
28. and secondary schools. Under the present law, the School Code of  
29. Illinois, Section 29-4; students attending nonpublic schools should  
30. be afforded bus...transportation without cost, with the provision that  
31. these buses follow routes previously established to service only those  
32. students attending a public school. Senate Bill 993 would...would  
33. amend Section 29-4 to provide transportation to and from school for

1. children...children attending nonpublic schools with route service  
2. that does not discriminate against nonpublic students. There are  
3. five States which have laws similar to Senate Bill 993, Michigan,  
4. Ohio, Pennsylvania, New Jersey and New York. So, with that, I would  
5. like to answer any questions...

6. PRESIDING OFFICER (SENATOR ROCK):

7. ---Any discussion? Senator Glass.

8. SENATOR GLASS:

9. I have a question for the sponsor, Mr. President.

10. PRESIDING OFFICER (SENATOR ROCK):

11. Indicates he will yield. Senator Glass.

12. SENATOR GLASS:

13. Senator Joyce, at...at my request, you did obtain a fiscal note  
14. for the cost of this bill to the State, and I noticed in looking at  
15. the fiscal note, the cost for providing transportation to nonpublic  
16. schools just within the district is eleven point two million dollars.  
17. However, it...it is pointed out in the fiscal note that...that no cost  
18. estimate can be made for transporting students fifteen miles beyond  
19. district boundaries, which this bill provides. I...I would appreciate  
20. it if you have any information for the membership on what...what the  
21. cost of transporting the nonpublic school students from fifteen miles  
22. beyond the...the borders would be.

23. PRESIDING OFFICER (SENATOR ROCK):

24. Hold it, Senator. Can we have some order. Can we take all the  
25. conferences off the Floor? Gentlemen, may...might we have some order.  
26. Senators Donnewald and Vadalabene. Senator Joyce.

27. SENATOR JOYCE:

28. Senator Glass, it's very difficult to estimate that because we  
29. don't know how many students would be living that far out. As...as  
30. close as we can come would be maybe three million dollars at the  
31. outside.

32. PRESIDING OFFICER (SENATOR ROCK):

33. Senator Glass.

1. SENATOR GLASS:

2. Does...does the bill include the Chicago school district?

3. PRESIDING OFFICER (SENATOR ROCK):

4. Senator Joyce.

5. SENATOR JOYCE:

6. Yes, it does.

7. PRESIDING OFFICER (SENATOR ROCK):

8. Senator Glass.

9. SENATOR GLASS:

10. In other words, students could be transported from a ring around  
11. the City of Chicago for fifteen miles anywhere into the City, and  
12. Senator, I...I would only say I don't have any estimate either, but  
13. I've heard speculations that are far in excess of that running up...up  
14. into the twenty, thirty, forty, fifty million. I don't know how you  
15. can tell, but I...I just suggest to the membership that it would be  
16. an extremely expensive proposition, and I strongly urge that the bill  
17. be defeated.

18. PRESIDING OFFICER (SENATOR ROCK):

19. Further discussion? Senator Demuzio.

20. SENATOR DEMUZIO:

21. I wonder if the sponsor would yield to a question.

22. PRESIDING OFFICER (SENATOR ROCK):

23. Indicates he will yield. Senator Demuzio.

24. SENATOR DEMUZIO:

25. How...how would there be any additional cost to the State of  
26. Illinois if these students are going to be picked up on the usual and  
27. customary route that's provided for the public school students?

28. PRESIDING OFFICER (SENATOR ROCK):

29. Senator Joyce.

30. SENATOR JOYCE:

31. Well, there wouldn't be any more on the usual route, but there...  
32. there could be more when...on the fifteen mile thing. No question  
33. about it.

1. PRESIDING OFFICER (SENATOR ROCK):

2. Senator Demuzio.

3. SENATOR DEMUZIO:

4. That's all. Thank you very much.

5. PRESIDING OFFICER (SENATOR ROCK):

6. Alright. Senator Latherow. Senator Latherow.

7. ~~SENATOR LATHEROW:~~

8. Well, Mr. President and members of the Senate, I'd like for it  
9. to be recognized here we're coming into a new concept of busing, whereby  
10. buses in each district can be required or may be required to go fifteen  
11. miles beyond their present limits. I think you should recognize this.  
12. We're getting into a strictly new field, and...and transportation and  
13. the cost is considered to be somewhat, we'll say, unevaluatable.

14. PRESIDENT:

15. Senator Fawell.

16. SENATOR FAWELL:

17. Partially in answer to Senator Demuzio, I think what we ought  
18. to recognize here is that the alterations in the present law are really  
19. twofold. First of all, as has been pointed out by Senator Joyce,  
20. we have a quite an appreciable change insofar as the obligation within  
21. the school district is concerned. No longer is it going to be an obli-  
22. gation to pick up the children along the route, but the obligation now  
23. will be to pick up the children and transport them to wherever the  
24. private school may be within the school district, that's number one.  
25. Number two, there is the obligation of transporting a child to any  
26. private school which may be within a radius of fifteen miles around a  
27. school district, and that, I would submit to you, is going to mean  
28. just fleets of new buses which the State is going to have to bear the  
29. cost of. I might add, too, that when the eleven million dollar figure  
30. is referred to, we are not taking into consideration the cost, as has  
31. been pointed out, which is the largest portion of the cost which will  
32. be in regard to the financing of transportation to any private school  
33. within a fifteen mile radius of a school district. I would submit to

1. you that cost is just astronomical if it is taken advantage of. I  
2. will submit to you, too, that nobody has talked about the cost to  
3. the local taxpayer because insofar as transportation within a school  
4. district is concerned, a portion of that is borne by the local tax-  
5. payer. I would submit to you also that what we're saying, for instance,  
6. is that a child that may reside in Naperville and would want to go  
7. ~~to the Avery Coonley Private School~~ off in Downer's Grove, now the  
8. parent need only contact the school officials and say I want my child  
9. transported there, and of course, the hours are going to be different  
10. than the public schools and the route is going to be very different  
11. also. This is a tremendously expensive bill, and I would...I would  
12. add just this other feature. What about the whole problem of...if  
13. we're going to put State funds into this type of transportation, it  
14. seems to me then, the whole problem of...of racial integration and the  
15. discrimination problems that do exist insofar as private schools are  
16. concerned if at State expense, they are going to be able to solve  
17. this problem by having fleets of buses that will carry the children  
18. to the private school where discrimination may not exist. Aren't we  
19. opening up that question too? I don't think we can ignore it. The  
20. cost to the taxpayers here is probably in the area of forty to fifty  
21. million dollars and will cast upon public school districts administra-  
22. tion problems and expenses which will stagger the imagination. I...I  
23. don't think we have given consideration to this bill as we should  
24. have. It was defeated in Education Committees before. This time it  
25. was routed into the Transportation Committee. I don't think the edu-  
26. cators of the State of Illinois are even aware of its presence. I  
27. would urge you to certainly give some long and serious consideration  
28. before we take a step like this. I do think, Senator Joyce, that the  
29. first portion of the bill is something that we could live with and a  
30. step that we ought to take, that is to grant to the children attending  
31. private schools within the school district the right, the same rights,  
32. that public school children do have, so that it need not be a case where  
33. a school bus would pick up children and then drop them, say, about

1. five blocks from the private school simply because...to not do so  
2. would be to deviate from the regular course of...of the bus. In that  
3. sense, I think you might have a...a bill that, although it would be,  
4. as we have pointed out, eleven to twelve million dollars of expense  
5. to the State plus the local share, I think it would be a reasonable  
6. step in the right direction, but to go as far as you have gone is, I  
7. ~~think just is a staggering cost and more than cost, I think you've~~  
8. opened up a number of other cans of worms in regard to the whole pro-  
9. blem understandably now of...of coming in to look at the problems of  
10. integration, racially speaking and otherwise, within the private school  
11. structure.

12. PRESIDENT:

13. Senator Shapiro.

14. SENATOR SHAPIRO:

15. Mr. President and Ladies and Gentlemen of the Senate, I'm not  
16. going to repeat the argument that the opposition has brought up to  
17. Senate Bill 993. I wholeheartedly concur. We are injecting into this  
18. bill an entirely new concept, in that students would be transported  
19. outside of a school district to a nonpublic school, provided it's with-  
20. in a fifteen mile radius of the school district. I think the costs  
21. involved in this program would be astronomical. I think it's an  
22. entirely new concept that we just can't take upon us at this particular  
23. time. Most of our school districts downstate are programmed to pick  
24. up students along the route as the routes exist today. To interject  
25. a...a new type of student to be hauled would either mean the over-  
26. crowding of buses to pick up those additional students, or the addition  
27. of additional buses in order to meet the schedules of the school  
28. openings so on and so forth. I would urge everyone to take a long  
29. hard look at this bill and vote No.

30. PRESIDENT:

31. Any further discussion? Senator Joyce may close the debate.

32. SENATOR JOYCE:

33. Well, I think you are right. We are opening up a whole new field

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1. here, but I think it is time that this was opened up. I think that  
2. we have an obligation to see that all children in the State of Illi-  
3. nois are bused to school, and I'm not going to take up a whole lot of  
4. time in this. I think that it is time that we looked at this, and  
5. the...you know, it's just that time has...has arrived I think. So,  
6. I...I would appreciate a favorable roll call.

7. PRESIDENT:  
8. ~~think~~ <sup>think</sup> is a staggering cost and more than cost I think you've  
9. The question is shall Senate Bill 993 pass. Those in favor vote  
10. Aye. Those opposed will vote Nay. And the voting is open. Have all  
11. voted who wish? Take the record. ... (Machine cut-off)...this  
12. question, the Ayes are 36, the Nays are 16, 1 Voting Present. Senate  
13. Bill 993 having received a constitutional majority is declared passed.  
14. Senator Rock.

15. SENATOR ROCK:  
16. Thank you, Mr. President. Having voted on the prevailing side,  
17. I do now move to reconsider the vote by which Senate Bill 993 passed.

18. PRESIDENT:  
19. Senator Rock moves to reconsider the vote by which this bill  
20. passed. Senator Carroll moves to Table. All in favor will say Aye.  
21. Opposed Nay. Ayes have it. Motion carries. Senate Bill 995, Senator  
22. Shapiro.

23. SECRETARY:  
24. Senate Bill 995.  
25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDENT:  
28. Senator Shapiro.

29. SENATOR SHAPIRO:  
30. Mr. President and Ladies and Gentlemen of the senate, Senate  
31. Bill 995, 96 and 97 are the product of a special Senate Committee  
32. that was formed two years ago, in an attempt to come up to some solu-  
33. tions to this perennial problem involving the Currency Exchange Act,  
and particularly, the controversy between the stationary or the

1. community currency exchanges and the mobile currency exchanges. A  
2. series of four hearings were conducted, four meetings, three of  
3. which were hearings for...public hearings for members of the public  
4. and for the community and ambulatory currency exchanges. That committee  
5. report was given to this General Assembly in January and signed unani-  
6. mously by the five members of the special committee. Senate Bill 995  
7. is one of the products of the work of that special committee, in  
8. that the Advisory Committee to the Currency Exchange Act shall have  
9. added to it five public members to the Advisory Committee. It was  
10. pointed out to us that the Advisory Committee had not met in at least  
11. five years time. This bill as amended also provides that within  
12. ninety days, the Governor shall make the appointments of the five  
13. public members. Other than that, there's not much more to say about  
14. the bill. If there are any questions, I'd be more than glad to answer  
15. them. Otherwise, I would ask for a favorable roll call.

16. PRESIDENT:

17. Any further discussion? Senator Course.

18. SENATOR COURSE:

19. Senator Shapiro, who are the other members on that Board...on  
20. that...the Commission?

21. SENATOR SHAPIRO:

22. The present...the present members are currently employed or  
23. involved people in the currency exchange business or former people,  
24. people who have a knowledge of the currency exchange business.

25. PRESIDENT:

26. Senator Course.

27. SENATOR COURSE:

28. Senator Shapiro, I'm talking about the Legislative Commission.

29. PRESIDENT:

30. The members of the Legislative Commission is what he asked.

31. SENATOR SHAPIRO:

32. ...The other members by name were Senator Scholl, Senator Graham,  
33. myself, Senator Kosinski and Senator Palmer.



SB 996  
3rd reading  
5/19/75

1. PRESIDENT:

2. Senator Course.

3. SENATOR COURSE:

4. The Advisory Committee, is it still composed of ten members,  
5. three of...three are supposed to be Black or Latins?

6. PRESIDENT:

7. ~~is one of the members of the work of that special committee in~~  
Senator Shapiro.

8. SENATOR SHAPIRO:

9. No, that has been amended out. It merely states that the present  
10. Advisory Committee of five members shall be increased to ten, and  
11. those ten members shall be public members.

12. PRESIDENT:

13. Any further discussion? Let the record...show the President is  
14. in this business and will vote Present. On this question...the question  
15. is shall Senate Bill 955 pass. Those in favor will vote Aye. Those  
16. opposed will vote Nay. The voting is open. Have all voted who wish?  
17. Take the record. On this question, the Ayes are 21, the Nays are 3,  
18. 20 Voting Present. Senate Bill 995 having failed to meet...receive a  
19. constitutional majority is declared passed...is declared lost. Senate  
20. Bill 996, Senator Shapiro.

21. SECRETARY:

22. Senate Bill 996.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDENT:

26. Senator Shapiro.

27. SENATOR SHAPIRO:

28. Mr. President and Ladies and Gentlemen of the Senate, Senate  
29. Bill 996 is, again, a piece of legislation that is the product of  
30. this Senate special committee that addressed itself to the problems  
31. of the currency exchanges. This bill gives the Director the authority,  
32. it's a permissive authority, to set maximum check cashing fees during  
33. ...testimony taken during the three public meetings. It was brought

1. out that there were many cases of excessive check cashing fees being  
2. charged, particularly those people who were on...receiving public aid  
3. checks, social security checks, so on and so forth. This is an attempt  
4. to set a maximum check cashing fee by the Director, to give him the  
5. discretionary power to do this. As amended, it would apply this  
6. maximum check cashing fee to ambulatory and community currency exchanges,  
7. uniformly. If there are any questions, I'll be glad to answer them.  
8. Otherwise, I would appreciate a favorable roll call.

9. PRESIDENT:

10. Any further discussion? Senator Course.

11. SENATOR COURSE:

12. Yes, Senator Shapiro, are you interested in price controls?

13. PRESIDENT:

14. Senator Shapiro.

15. SENATOR SHAPIRO:

16. I...Senator Course, I look upon this with the setting of a maximum  
17. rate as akin to the action that we just took on a bill passed pre-  
18. viously, and that we allowed a permissive maximum rate to be set,  
19. and rates can be reduced to less than that. I do not look upon it  
20. as any type of price control.

21. PRESIDENT:

22. Senator Course.

23. SENATOR COURSE:

24. Are these people forced to go to currency exchange to cash their  
25. checks? Can't they go to a supermarket...or cash their checks without  
26. cost at all?

27. SENATOR SHAPIRO:

28. Yes, they can, but sometimes places that will cash their checks  
29. are not readily accessible to them. There are spots where the...a  
30. place other than a currency exchange that can cash a check, is at a  
31. considerable distance.

32. SENATOR COURSE:

33. Well, Mr. President and members of the Senate, I think this is just

AB 997  
5/19/75  
3rd reading

1. another step for the State to get into...to interfere with private  
2. business, and as another Senator said just a short while ago, the  
3. State shouldn't get involved in something like this.

4. PRESIDENT:

5. Any further discussion? The question is shall Senate Bill 996  
6. pass. All in favor will vote Aye. Opposed will vote Nay. The...the  
7. voting is open. Have all voted who wish? Take the record. On this  
8. question, the Ayes are 16, the Nays are 7, 19 Voting Present. Senate  
9. Bill 996 having failed to receive a constitutional majority is declared  
10. lost. Senate Bill 997, Senator Shapiro.

11. SECRETARY:

12. Senate Bill 997.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDENT:

16. Senator Shapiro.

17. SENATOR SHAPIRO:

18. Mr. President, again, Senate Bill 997 is a product of the Senate  
19. special committee. I think just to bring you up-to-date on this  
20. particular bill, there is in the present Community Currency Exchange  
21. Law a provision that, due to the convenience and the advantage of the  
22. community currency...currency exchange, in other words, the stationary  
23. exchange, that if a location that was served by an ambulatory currency  
24. exchange moves, then more than likely because of the C and A advantage,  
25. the community...the ambulatory currency exchange cannot follow that  
26. previous customer to a new address. This bill provides that if the  
27. ambulatory currency exchange, in other words the mobile, has served  
28. a license location for two years, it may continue its service to that  
29. particular license location at a new address by filing an application  
30. for change of address, and that the Director shall grant such application  
31. without further test qualification or investigation as may be required  
32. by this Section. In other words, an old location of an ambulatory  
33. currency exchange that was...grandfathered in, prior to the enactment

1. of the law in 1957, when that factory location moved a new test has  
2. to be applied. This bill will provide that the ambulatory currency  
3. exchange can follow that factory location to its new address. It will  
4. help the ambulatory currency exchange, and by the way, there are only  
5. two in existence. It will help them maintain their present level of  
6. business. It will not hurt the community currency exchange because  
7. they never had that check cashing business prior. If there are any  
8. questions, I'll be glad to answer them on this particular matter.  
9. Otherwise, I would appreciate a favorable roll call.

10. PRESIDENT:

11. Any further discussion? Senator Course.

12. SENATOR COURSE:

13. Senator Shapiro, for the benefit of the membership, would you  
14. explain to them what a ambulatory currency exchange is.

15. PRESIDENT:

16. Senator Shapiro.

17. SENATOR SHAPIRO:

18. Explain to them what?

19. PRESIDENT:

20. What an ambulatory currency exchange is.

21. SENATOR SHAPIRO:

22. An...an ambulatory currency exchange is a mobile truck that  
23. delivers cash to a factory sight and cashes the checks on that sight  
24. or in the building.

25. PRESIDENT:

26. Senator Course.

27. SENATOR COURSE:

28. Well, that's partly true, but isn't the entire truth. What an  
29. ambulatory currency exchange is this, Ladies and Gentlemen. An armored  
30. truck can leave the plant or whatever you want to call it, their place  
31. of business, with twelve people on it. They'll go to a plant sight.  
32. They'll drop two people off, two guards, which will go into the plant  
33. with a suitcase of money and a little stand and they'll set up business.

1. The truck will proceed to another location, drop two more off, to  
2. another location, drop two more off, to another location and drop  
3. two more off. By doing this, they avoid paying rent. They avoid  
4. paying taxes on their...the property which they normally would have  
5. used to...if they had had a currency exchange. They don't have to pay  
6. any light. They don't have to pay any heat, but what's going to happen  
7. eventually, Ladies and Gentlemen, is the municipality is going to have  
8. to supply guards for them because it's happened before where the guards  
9. have gone into a factory, and they were waylaid on the way up to the  
10. plant where they were going to cash the checks, and I believe the  
11. amount that they...the robbers got was around thirty thousand dollars.  
12. Now, as soon as this becomes city-wide or state-wide, the municipalities  
13. or the company is going to say well, now we need additional guards  
14. here. Who's going to supply the guards? The municipality is going to  
15. supply the guards. What are the guards? The guards are policemen.  
16. They're being taken off their regular duties to go and sit in the plant  
17. and guard felons or the other company who is going to engage in ambu-  
18. latory currency exchange cash. Ladies and Gentlemen, I've always  
19. opposed this for the simple reason that these people are like gypsies.  
20. Until this check cashing when it first...when this first started...  
21. this legislation was first introduced, when they lost a sight what they  
22. would do was go into a sight, a new sight, where they weren't supposed  
23. to go in and they would cash the checks and they'd...but instead of  
24. cashing the checks, they would sell the employees a raincoat, a little  
25. ...one of these little packets of rain...a raincoat in it, a fingernail  
26. file or clipper, anything to get around the law. They'd tell them  
27. this is a ten cent charge or it's a dollar charge, whatever their check  
28. was, this was a charge for the item which they gave to the employee.

29. PRESIDENT:

30. Your time has lapsed, Senator.

31. SENATOR COURSE:

32. Now, Ladies...Ladies and Gentlemen, we're concerned with the  
33. people in our district. I don't know how many currency exchanges you

1. have in your district or your...in your town, Senator Shapiro, we have  
2. a lot of them in...in the City of Chicago. What we're going to do is  
3. put these people out. They can go to a new location, it's true. If  
4. they follow that...the location which they lost, it could be a long  
5. set of a currency exchange. What is it going to do? It's going to  
6. put the currency exchange out of business. For this reasons, Ladies  
7. and Gentlemen, I think this is a bad piece of legislation, and the Act  
8. should be as it is.

9. PRESIDENT:

10. Senator Hynes.

11. SENATOR HYNES:

12. Mr. President, while there's a momentary pause in the business of  
13. the Senate, we have with us today a group from St. Walters School in  
14. Chicago, and I would ask that they stand and be acknowledged by the  
15. Senate.

16. PRESIDENT:

17. Any further discussion? Senator Mitchler.

18. SENATOR MITCHLER:

19. I'd like to ask the sponsor a question.

20. PRESIDENT:

21. Senator Mitchler.

22. SENATOR MITCHLER:

23. When a customer of an ambulatory currency exchange moves, is that  
24. customer required to continue business with the ambulatory currency  
25. exchange, or can they terminate it and seek the services for their  
26. employees of other permanent and currency exchanges?

27. PRESIDENT:

28. Senator Shapiro.

29. SENATOR SHAPIRO:

30. They can...I...a factory location or a license location of an  
31. ambulatory currency exchange can give up that license any time it  
32. chooses, and if it moves, it can...it has no choice in which type of  
33. check cashing service it wants. In other words, if it applies again as

1. a license location, then the department conducts a hearing, and if  
2. there is a community or a stationary currency exchange within that  
3. community, then that factory location has to use that community  
4. currency exchange. In other words, it could lose the services of an  
5. ambulatory currency exchange.

6. PRESIDENT:

7. and Governor ~~Walt~~ this is a bad ~~idea~~  
Senator Mitchler.

8. SENATOR MITCHLER:

9. Well, that brings out the point that I have always had in rela-  
10. tion to ambulatory currency exchanges versus the permanent location  
11. of a currency exchange. It's just like a corner ice cream store.  
12. When you want to buy an ice cream cone, you can either go to a corner  
13. ice cream store that is in a fixed location or you can wait and take  
14. the services of the good humor man or the fellow that goes around with  
15. a truck. That's up to the consumer, and I...in this case, the same  
16. way, where you want to cash your check is up to you, and if your  
17. employer and the people feel that they would like a...an ambulatory  
18. currency exchange, I've never been against that coming into any place  
19. to operate, because it's free enterprise and they should have the  
20. same opportunity to...to cash these checks, but the only regulation  
21. that I think the State of Illinois should get in with currency exchanges,  
22. is to see that they're operate legitimately, that they're not overcharg-  
23. ing in the amount of fees, and I'm glad to see that last bill not get  
24. the favorable roll call because the minute that would have a maximum,  
25. they'd have put it on the window, and that would have been the top  
26. rate to charge. But that's the only place that the State should be-  
27. come involved, as far as letting them operate, let the customer  
28. chose whether they want the ambulatory or the permanent location. Just  
29. like when you go to buy an ice cream cone, whether you want to buy it  
30. from the ambulatory good humor man, or the little boy that rings the  
31. bells on a bicycle, or if you want to go to the Baskin Robbins that has  
32. a permanent location.

33. PRESIDENT:

1. Time is up, Senator. Senator Shapiro may close the debate.

2. SENATOR SHAPIRO:

3. Mr. President and Ladies and Gentlemen of the Senate, Senator  
4. Course's remarks have nothing to do with the bill before us. All this  
5. bill does is allow an ambulatory currency exchange to follow an old  
6. customer, an old customer that has a choice as to whether he wants  
7. to continue that service or not, and that's all it does. I think in  
8. the name of free enterprise, if a factory owner and the employees want  
9. that service, an ambulatory service, they should be able to have it  
10. regardless of where they move. I would appreciate a favorable roll  
11. call.

12. PRESIDENT:

13. The question is shall Senate Bill 997 pass. Those in favor vote  
14. Aye. Those opposed vote Nay. The voting is open. (Machine cut-off)  
15. ...voted who wish? Take the record. On this question, the Ayes are  
16. 20, the Nays are 5, 20 Voting Present. Senate Bill 997 having failed  
17. to receive a constitutional majority is declared lost. Senate Bill  
18. 1001, Senator Shapiro.

19. SECRETARY:

20. Senate Bill 1010...or 1001 rather.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDENT:

24. Senator Shapiro.

25. SENATOR SHAPIRO:

26. Mr. President and Ladies and Gentlemen of the Senate, Senate Bill  
27. 101 attempts to...

28. PRESIDENT:

29. 1001.

30. SENATOR SHAPIRO:

31. 1001 removes from the State Board of Education the qualification  
32. on the primary voting record as it concerns party affiliation. What  
33. it does is take out the clause that states...that pertains to how that



1. person voted in the Primary, and merely inserts as in other Acts con-  
2. cerning political membership, that no more than nine members can be  
3. from the same political party. That's what it puts back in and a  
4. seventeen board member, and I urge its...a favorable roll call.

5. PRESIDENT:

6. Senator Rock.

7. SENATOR ROCK:

8. Thank you, Mr. President. If the sponsor will yield, the line...  
9. lines...

10. PRESIDENT:

11. Indicates he will.

12. SENATOR ROCK:

13. Thank you. Line 20 and 21, it says at no time may more than  
14. nine of the board be from one political party. The question I have,  
15. Senator, is without the next sentence which you are deleting by this  
16. bill, how does one determine of what political party one is a member?

17. PRESIDENT:

18. Senator Shapiro.

19. SENATOR SHAPIRO:

20. Senator...Senator Rock, I would...I would give you this answer.  
21. Just like it's determined on every other board, they take the word  
22. of the person.

23. PRESIDENT:

24. Any further discussion? Senator...Senator Rock.

25. SENATOR ROCK:

26. Well, why...why do we have to strike it. At least we could say  
27. party membership may be defined. It seems to me that a vote in the  
28. Primary is a very significant thing and one in which I'm all in favor  
29. of, as I am in favor of Senator Nimrod's Senate Bill 18. For far too  
30. long, we've had people running around claiming independence, yet they  
31. don't hesitate to cast themselves in light of an independent Democrat  
32. and obtain the virtue of filing a lesser number of petitions.

33. PRESIDENT:

1. Senator...Senator Shapiro.

2. SENATOR SHAPIRO:

3. Senator Rock, I recall now. The problem is, is that with the  
4. elimination of the qualifying period, we find people switching their  
5. votes from one Primary to another, and what conceivably happened is  
6. that if a existing board member goes in and votes Democrat in  
7. ~~SENATOR ROCK:~~ One election, say the '72, and qualifies as a Democrat on the board,  
8. and say in '74, switched and voted Republican, I think they would be  
9. eliminated from the board.

10. PRESIDENT:

11. Not a bad idea. Senator Nimrod.

12. SENATOR NIMROD:

13. Mr. President, you pretty well said it for me. And I...I would  
14. agree that, I think, that the idea is that it is mentioned to be party  
15. membership and ought to be, certainly, a way of defining it. I don't  
16. know of any better way than your party affiliation, especially since  
17. I'm hopeful that Senator Rock said we'll get Senate Bill 18 that we  
18. will have a period where you will be a...able to list and indicate your  
19. party preference a...a fixed period ahead of time.

20. PRESIDENT:

21. Senator Rock.

22. SENATOR ROCK:

23. Well, Senator Nimrod, does, in fact, have a valid point and one  
24. which I adhere to. How in the world do you define party membership?  
25. I happen to think that being a member of one political party or the other,  
26. and there are but two in my book, is a virtue not a vice, and I think  
27. there ought to be some way to define it. I...I certainly don't want  
28. people coming in front of the Senate Executive Committee saying that  
29. I'm a wishy-washer Republican or a sometime Democrat. We don't need  
30. those kind. Let them...let them define their membership in terms of  
31. how they voted in the Primary, and it says here, the Primary prior to  
32. the appointment. It does not seem to me that if I'm appointed, based  
33. on my '72 Primary record, and then in '74 for reasons known only to

1. God and myself, I change my party membership. One, I should not even  
2. be considered for appointment by a partisan who's...who's elected as  
3. such, but even if I am considered, I...I should certainly be rejected  
4. by a partisan panel.

5. PRESIDENT:

6. Senator Hickey.

7. SENATOR HICKEY:

8. Mr. President, having been on the Governor's Selection Committee  
9. when we presented fifty names to him from which he picked the first  
10. State Board, and later having been in the Senate Executive Committee  
11. when confirmation of those appointments came up and knowing from both  
12. instances, it was extremely difficult to determine whether people  
13. belong to one party or another. I heartily agree that we must keep  
14. some kind of very clear, decisive definition such as the law now pro-  
15. vides, and so I rise in opposition to this bill.

16. PRESIDENT:

17. Senator Netsch.

18. SENATOR NETSCH:

19. Well, this may come as a surprise, but I rise in support of the  
20. bill. There...there's a split in the ranks over here. The...I...if  
21. ...if Senator Knuppel will be quiet long enough that I can finish my  
22. statement.

23. PRESIDENT:

24. I'm not sure we can accomplish that, but we will try.

25. SENATOR NETSCH:

26. This...

27. PRESIDENT:

28. Will everyone...Senator Netsch.

29. SENATOR NETSCH:

30. This arises from two forms of experience. One is in...when I  
31. worked...for a Governor and had to go through the same kind of provi-  
32. sion in a number of unpaid board and commission statutes and attempted  
33. to determine this...this thing of party membership. What we discovered

1. was that even the fact of having voted in a Primary frequently had  
2. no relationship to the normal identification, party identification,  
3. of someone, a candidate in question. So, that it...you have to...that  
4. certainly is a factor and it ought to be available for consideration  
5. as it would be if this bill passes, but it seems to me, it cannot be  
6. the sole identifying thing because it is not the sole basis on which  
7. people's party, in fact, is judged by themselves. And if I may sight  
8. a very precise example in connection with this very Board, the State  
9. Board of Education, one of the candidates who was nominated and...and...  
10. PRESIDENT:

11. Just a minute, Senator. Just can't hear at all.

12. SENATOR NETSCH:

13. Who was nominated...thank you, Mr. President...and confirmed for  
14. that Board had been a lifelong Republican, had run for office as a  
15. Republican, had been extremely active in Republican affairs, but had  
16. moved into an area of the State that will go otherwise unspecified at  
17. the moment, where there was no point at all in participating in a Repu-  
18. blican Primary because that was not the contest. This candidate had  
19. therefore voted in a Democrat prior...Primary immediately prior to  
20. appointment, and this created untold problems in terms of specifying  
21. that person's genuine party identification. It seems to me that it  
22. is no longer the only mark of party, and it should be eliminated from  
23. the statute.

24. PRESIDENT:

25. Any further discussion? Senator Shapiro may close the debate.

26. SENATOR SHAPIRO:

27. Mr. President, let's take the bill out of the record, and see if  
28. we can't work out an amendment on it. I think we all want the same  
29. thing.

30. PRESIDENT:

31. Take it out of the record. Senate Bill 1007, Senator Johns.

32. SECRETARY:

33. Senate Bill 1007.

1. (Secretary reads title of bill)

2. 3rd reading of the bill.

3. PRESIDENT:

4. Senator Johns.

5. SENATOR JOHNS:

6. Thank you, Mr. President. Senate Bill 1007 is a bill that limits  
7. the conditions which the EPA may impose on permits. When the agency  
8. issues a permit as required by the Pollution Control Board regulations,  
9. the agency can oppose only such conditions which are not inconsistent  
10. with Board regulations. Sort of a housekeeping bill, and I'll try to  
11. answer any questions that you might have to ask.

12. PRESIDENT:

13. Now, just a minute, Senator. Just a minute. Will the members  
14. be in their seats. Will you hold your voices down. Conferences that  
15. need a lot of noise, take them off the Floor. Senator Johns.

16. SENATOR JOHNS:

17. So, I would attempt to answer any questions which the membership  
18. might put forth.

19. PRESIDENT:

20. Any further discussion? The question is shall Senate Bill 1007  
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 this question,  
23. the Ayes are 47, the Nays are 1. Senate Bill 1007 having received  
24. a constitutional majority is declared passed. Senator Howard Mohr  
25. is recognized if he can get to his mike.

26. SENATOR MOHR:

27. Mr. President, I was going to ask if I might go out of the order  
28. of usual business and go to Senate Bill, now that Senator Nimrod  
29. has some support on that bill.

30. PRESIDENT:

31. Senate Bill 1015, Senator Hynes. Senator Hynes in the bar of  
32. the Senate? Senator Hynes. Well, hold it. Hold it, fine. Senate  
33. Bill 1018, Senator Harris. Senate Bill 1020, Senate...Senator Romano.

1. 1021, Senator Romano, and 2. Senate Bill 1023, Senator Nimrod.

2. Read the bill.

3. SECRETARY:

4. Senate Bill 1023.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. PRESIDENT:

8. Senator Nimrod.

9. SENATOR NIMROD:

10. Mr. President and fellow Senators, this bill comes about upon  
11. the request of the townships, due to the fact that the case load has  
12. increased so tremendously in these townships pertaining to general  
13. assistance that they, rather than come under the State aid which is  
14. required, they're asking that they continue to raise their taxes  
15. locally and increase this from one mill to one and a half mill. I  
16. think it's necessary, since we have seen this doubling and tripling of  
17. the general assistance within these areas, and if they choose to do  
18. it this way, I think it's a credit to us for the State to handle this  
19. matter in this way and not burden the State as long as the local town-  
20. ships want to do it themselves.

21. PRESIDENT:

22. Any further discussion? Senator Kenneth Hall.

23. SENATOR HALL:

24. Senator...would the Senator yield?

25. PRESIDENT:

26. He indicates he will.

27. SENATOR HALL:

28. Senator, would you please tell me what is the reason for this  
29. bill?

30. PRESIDENT:

31. Senator Nimrod.

32. SENATOR NIMROD:

33. Senator Hall, the reason for this bill is, that in the last two

1. years, general assistance in the townships has doubled and tripled,  
2. and I think if you're aware, you...you know that the minute we reach  
3. one mill and if the local township accepts State assistance, then  
4. what happens is that the State regulations will take over and...you  
5. have to conform to those State requirements. As it is now, the town-  
6. ships may set their own regulations depending on the need of their  
7. own people for general assistance either during a temporary...until  
8. they are taken off the rolls and go on public aid or taken off general  
9. assistance and they help themselves. So, this is asking it to increase  
10. to prevent townships from come...coming under the State jurisdiction  
11. and getting State money.

12. PRESIDENT:

13. Senator Morris.

14. SENATOR MORRIS:

15. Would the sponsor yield to a question?

16. PRESIDENT:

17. He indicates he will.

18. SENATOR MORRIS:

19. Senator Nimrod, is this an increase in the tax rate without  
20. a referendum?

21. SENATOR NIMROD:

22. Basically, we...it's...we are the ones who set general assistance  
23. limits, and it's never been the practice or ever has it been done,  
24. that general assistance has ever been set by referendum, and this is  
25. one of the facts of the General Assistance Program which has never  
26. been done.

27. PRESIDENT:

28. Any further discussion? The question is shall Senate Bill 1023  
29. pass. Those in favor will vote Aye. Those opposed will vote Nay. The  
30. voting is open. Have all voted who wish? Take the record. On this  
31. question, the Ayes are 12, the Nays are 27, 1 Voting Present. Senate  
32. Bill 1023 having failed to receive a constitutional majority is  
33. declared lost. For what purpose does Senator Glass arise?

1. SENATOR GLASS:

2. I would like the record to show that I inadvertently voted No  
3. intending to vote Yes, Mr. President.

4. PRESIDENT:

5. The record will so reflect. Senate Bill 1030, Senator Chew.  
6. Senate Bill 1034, Senator Hickey. There's a hold on 1031, are you  
7. aware of that? Alright. Senate Bill 1031, Senator Buzbee. Senator  
8. Buzbee is recognized.

9. SENATOR BUZBEE:

10. Senator Latherow had requested and I don't know - do you have an  
11. amendment...you ready to go? Alright. I move that the bill be...

12. PRESIDENT:

13. Read the bill. Just a minute. Let him read the bill.

14. SENATOR BUZBEE:

15. Mr. President...

16. PRESIDENT:

17. Oh, alright, go ahead, Sir.

18. SENATOR BUZBEE:

19. I made the agreement the other day with Senator Latherow that  
20. I would bring it back to 2nd if he so desired. He decides now he  
21. does not want to, however, Senator Rock has made the same request  
22. and...

23. PRESIDENT:

24. Is leave granted to...to bring Senate Bill 1031 back to the order  
25. of 2nd reading for the purpose of amendment? Leave is granted. The  
26. bill is on 2nd reading. The Chair recognizes Senator Rock.

27. SENATOR ROCK:

28. Thank you, Mr. President and Ladies and Gentlemen of the Senate.  
29. I do, in fact, have an amendment. I guess it's Amendment No. 1, is  
30. that correct?

31. PRESIDENT:

32. Mr. Secretary, is that correct? Amendment No. 1, Senator Rock.

33. SENATOR ROCK:



1. The bill, Senate Bill 1031, as introduced would...would be an  
2. amendment to the Environmental Protection Agency Act, and it would  
3. for the first time, allow the agency to set the requirements and  
4. standards for the handling, storing, processing, transporting and dis-  
5.posal of refuse. Now, the fact of the matter is that the...under this  
6. bill, the Board would have effective control over every public and  
7. ~~private sanitation department and scavenger.~~ Obviously, the City of  
8. Chicago with its large department of sanitation, opposes the bill in  
9. its present form. So, the amendment which I am offering is Amendment  
10. No. 1, would amend the bill on Page 4 by deleting Line 12 and insert-  
11. ing in lieu there...thereof the following: this Section does not apply  
12. to any home rule unit, and again, by deleting Line 33 and inserting  
13. in lieu thereof the following: this Section does not apply to any  
14. home rule unit. What this does, it would exempt home rule units from  
15. the refuse disposal sections of the Environmental Protection Act. I  
16. would ask adoption of Amendment No. 1.

17. PRESIDENT:

18. Senator Rock moves the adoption of Amendment No. 1 to Senate  
19. Bill 1031. All in favor will say Aye. Opposed Nay. The Ayes have  
20. it. The amendment is adopted. Any further amendments? 3rd reading.  
21. Senate Bill 1034, Senator Hickey. Senator Hickey. Did you read the  
22. bill? Senator Hickey is recognized on Senate Bill 1034.

23. SENATOR HICKEY:

24. I'd like to bring this back to 2nd reading. Senator Berning  
25. has an amendment he'd like to offer.

26. PRESIDENT:

27. Is there leave? Senate Bill 1034 is on the order of 2nd reading.  
28. The Chair recognizes Senator Berning.

29. SENATOR BERNING:

30. Thank you, Mr. President and members of the Body. Amendment No. 1  
31. to Senate Bill 1034, seeks to define very explicitly how...what per-  
32. centage of positions may be allocated to this...flexible employment  
33. policy. I have discussed this with Senator Hickey, the chief sponsor

1. of the bill, and she is in agreement that this is a defensible amend-  
2. ment, and I would, therefore, offer Amendment No. 1.

3. PRESIDENT:

4. Any further discussion on the amendment? Senator Rock.

5. SENATOR ROCK:

6. I heard everything except what the amendment does.

7. PRESIDENT:

8. He didn't say. Senator Berning.

9. SENATOR BERNING:

10. It sets a definite percentage, ten percent of the positions of  
11. the department or agency. Rather than leaving it ten percent of...of  
12. the numbers of employees, this restricts it to ten percent of the  
13. department or agency.

14. PRESIDENT:

15. Any further discussion? Senator Berning moves the adoption of  
16. Amendment No. 1 to Senate Bill 1034. All in favor will say Aye.  
17. Opposed Nay. The amendment is adopted. Any further amendments? 3rd  
18. ...3rd reading. Senate Bill 1031, Senator Buzbee. Is there leave  
19. for him to commence his discussion, we'll read the bill at another  
20. juncture during the discussion. It's gone back to the Secretary's  
21. office. Is there leave? Senator Buzbee is recognized on Senate  
22. Bill 1031...

23. SENATOR BUZBEE:

24. Thank you, Mr. President. Senate Bill 1031 amends the Environ-  
25. mental...

26. PRESIDENT:

27. Change the board please. 1031 is up. Continue, Senator Buzbee.

28. SENATOR BUZBEE:

29. Senate Bill 1031 amends the Environmental Protection Act. What  
30. we're doing here is redefining refuse. We didn't like the definition  
31. that Webster had given it, so we're redefining it. Actually, refuse  
32. in the past in the Illinois Environmental Protection Act has been only  
33. that discarded material that was solid material. We're redefining it

1. now to provide that it can also include liquid material. Let me say  
2. that, however, there is no refuse...included in the definition of  
3. refuse, we did not make any reference whatsoever to hazardous refuse.  
4. Hazardous refuse falls under other bills. We're simply providing for  
5. expanding the definition of refuse to include solid and liquid other  
6. than hazardous refuse, and that's all that the bill does. It also  
7. provides that the Pollution Control Board may adopt regulations with  
8. regard to the handling, storing, processing, transporting and disposing  
9. of refuse. Presently, the Board has only the authority to regulate  
10. the dumping of refuse, and we have just put the Home Rule Amendment  
11. on, and I would ask for a favorable roll call.

12. PRESIDENT:

13. Senator Fawell.

14. SENATOR FAWELL:

15. I wonder if someone could...answer this question. Why was the  
16. Home Rule Amendment put on? It wouldn't have the effect or...or  
17. referring to home rule entity anyway would it? I suppose Senator Rock  
18. might be the more appropriate person to put the question to.

19. PRESIDENT:

20. Senator Rock.

21. SENATOR FAWELL:

22. I would gather unless we had a...thirty-six votes, we wouldn't  
23. be able to necessarily control Chicago or any other home rule entity  
24. anyway would we?

25. PRESIDENT:

26. Senator Rock.

27. SENATOR ROCK:

28. Well, that...that, frankly, Senator, is the subject of...exten-  
29. sive litigation at...at the moment. And the...the bill as introduced  
30. purported to expand the definition of refuse to include more than  
31. dumping, in fact, and including the handling, processing, transporting,  
32. everything that...that a major city sanitation department is, in fact,  
33. called upon to do, and our City's sanitation department and, frankly,

1. the sanitation departments of...of a number of cities that I have  
2. heard from were just opposed to that; the broadening of that defini-  
3. tion, and they said that if...if, in fact, the EPA wants to get into  
4. that and subject the handling and processing and...and pick up of  
5. refuse to their own rules and regulations, then they would just as  
6. soon opt out.

7. PRESIDENT:

8. ~~provides that the Pollution Control Board may adopt regulations with~~  
9. Senator Fawell.

10. SENATOR FAWELL:

11. I...I don't recall getting a letter at all from any home rule  
12. entity in my...my district. It may be that others of you did, but  
13. my only comment is that if we are going to address ourselves to environ-  
14. mental problems, it seems to me that these continuous exceptions inso-  
15. far as pockets of home rule entities throughout the State, do a lot to  
16. making of these laws, a great deal of weakening of these laws and wet  
17. noodling them a bit. I...I'm not sure how Senator Buzbee might respond  
18. to that, but I find it different to be able to fully accept the fine  
19. points about the necessity of this legislation for the rest of the  
20. State, but then, also to say that probably the very areas to...with  
21. the home rule entities where the most potential for harm may come, we  
22. aren't going to regulate.

23. PRESIDENT:

24. Any further discussion? The question is shall Senate Bill 1031  
25. ...oh, read the bill, yes.

26. SECRETARY:

27. ... (Machine cut-off)...Bill 1031.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDENT:

31. The question is shall Senate Bill 1031 pass. Those in favor  
32. vote Aye. Those opposed will vote Nay. The voting is open. (Machine  
33. cut-off)...recognition, Senator Graham? Oh, I thought you... (Machine cut  
off. Have all voted who wish? Take the record. (Machine cut-off)...  
question, the Ayes are 37, the Nays are 3. Senate Bill 1031 having  
received

1. a constitutional majority is declared passed. (Machine cut-off)

2. ...Bill 1034, Senator Hickey.

3. SECRETARY:

4. Bill...Senate Bill 1034.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. PRESIDENT:

8. Senator Hickey.

9. SENATOR HICKEY:

10. Mr. President, this is part of what is called the woman's package.

11. This is the flexible hours bill, which would allow the Department of

12. Personnel to have not more than ten percent of its jobs in the flexible

13. hours category, that is special arrangements could be made for special

14. work hours. Now, flexible hours can mean several different things.

15. It can mean part-time work. It can mean two people on one job. It

16. can mean flexibility in the hours of coming to work and leaving the

17. work. This would all be done by agreement with the person doing the

18. hiring. This bill, although it allows flexible hours, does limit the

19. number of jobs in a department or agency which may fall into that category,

20. down to ten percent. I'd be glad to answer any questions, and I ask

21. a favorable roll call.

22. PRESIDENT:

23. Senator Rock.

24. SENATOR ROCK:

25. If the sponsor will yield, a question.

26. PRESIDENT:

27. Indicates she'll yield.

28. SENATOR ROCK:

29. Does not the Director of Personnel have this authority right now,

30. and the only thing we are doing is limiting by percentage the number

31. of people to whom this provision is applicable?

32. PRESIDENT:

33. Senator Hickey.

1. SENATOR HICKEY:

2.           Aware...I'm not aware of that that he does have this now inasmuch  
3. as he is for this bill. There...there must be some reason that he  
4. feels that it is...it is necessary.

5. PRESIDENT:

6.           Any further discussion? The question is shall Senate Bill 1034  
7. pass. Those in favor vote Aye. Those opposed vote Nay. The voting  
8. is open. Have all voted who wish? Take the record. (Machine cut-off)  
9. ...question, the Ayes are 30, the Nays are 2, 4 Voting Present.  
10. Senate Bill 1034 having received the constitutional majority is  
11. declared passed. Verification has been requested. Will the Secretary  
12. call those voting in the...in the affirmative.

13. SECRETARY:

14.           The following voted in the affirmative:

15.           Berning, Bloom, Brady, Bruce, Buzbee, Chew, Davidson, Demuzio,  
16. Donnewald, Dougherty, Egan, Harber Hall, Kenneth Hall, Hickey, Johns,  
17. Joyce, Kosinski, McCarthy, Morris, Netsch, Newhouse, Palmer, Rock,  
18. Schaffer, Shapiro, Smith, Sommer, Vadalabene and Wooten, Mr. President.

19. PRESIDENT:

20.           On this question, the Ayes are 30, the Nays are 2, the...4 Voting  
21. Present. It's declared passed. Senate Bill 1036, Senator Wooten.

22. SECRETARY:

23.           Senate Bill 1036.

24.           (Secretary reads title of bill)

25.           3rd reading of the bill.

26. PRESIDENT:

27.           Senator Wooten.

28. SENATOR WOOTEN:

29.           Mr. President and colleagues, Senate Bill 1036 mandates that  
30. all precinct committeemen outside of Cook County, shall be appointed  
31. deputy registrars. Precinct committeemen downstate are elected. This  
32. gives them a function to play in government, and that's...I can't make  
33. the issue more complicated than that. It's just that simple a matter.

1. PRESIDENT:  
2. Senator Nimrod.  
3. SENATOR NIMROD:  
4. Mr. President, I have a question of the sponsor.  
5. PRESIDENT:  
6. Indicates he'll yield.  
7. SENATOR NIMROD:  
8. I thought, Senator, that we had the understanding that you'd  
9. bring that bill back, and I have an amendment that's been sitting here for  
10. some time on that.  
11. PRESIDENT:  
12. Senator Wooten.  
13. SENATOR WOOTEN:  
14. And we went through that, and the amendment failed.  
15. PRESIDENT:  
16. Senator Davidson.  
17. SENATOR DAVIDSON:  
18. Mr. President and members of the Senate, I rise in opposition to  
19. this bill for three reasons. The County Clerks' Association was at  
20. the committee hearing to oppose this bill for the very reason that it  
21. ...word is shall, the...precinct committeemen shall be the deputy  
22. directors...deputy registrars and they have nothing to say about it.  
23. They have enough trouble getting the deputy registrars to do the work  
24. when they appoint them and they have some control. This leaves no  
25. option. This says shall. Now, if it's also of importance that we,  
26. downstate, have the precinct committeemen appointed as deputy regis-  
27. trars, then why not have the deputy registrars who are the precinct  
28. captaining in Chicago, also shall be the deputy registrars. Let's...  
29. what's good for one should be for the other. Secondly, on top of this,  
30. if you're going to do this, you've got a reregistration program that  
31. Senator Donnewald passed through here, that's going to reregister every-  
32. body in the State. This bill is of no need, but more importantly,  
33. I think you've got to understand that the precinct committeemen who

1. are going to work, are going to work regardless. Appointing them  
2. by mandating them to be a deputy registrar isn't going to make them  
3. do one iota more. All it's going to do is make sure that those  
4. individuals don't do any work and you're not going to be able to put  
5. somebody else in that precinct or the deputy registrar, or if the  
6. county clerk or the Board of Elections Commission would choose to  
7. do so. This is a poor bill, and I urge all of you to vote against  
8. it.

9. PRESIDENT:

10. Any further discussion? Senator Buzbee. Oh, Senator Wooten.

11. SENATOR WOOTEN:

12. Mr. President, Senator Nimrod claims he did not have an oppor-  
13. tunity to offer an amendment. It seems to me he did, and I wonder  
14. how we can find out.

15. PRESIDENT:

16. You can check it in the Secretary's office. Mr. Secretary, would  
17. you determine if an amendment has heretofore been offered to Senate  
18. Bill 1036, and what the outcome was please. We'll get that...have  
19. that information...Senator Buzbee.

20. SENATOR BUZBEE:

21. Well, it seems to me that this is the type of legislation that  
22. brings government home to people who have not been able to participate  
23. in the past. Senator Davidson is absolutely right. The bill says  
24. the county clerks shall, and some...some very conscientious county  
25. clerks now do that. They do appoint. In fact, in my district, I  
26. have one Democratic county clerk and one Republican county clerk who  
27. have appointed both the...the Republican and Democratic precinct  
28. committeemen as deputy registrars, and we have the largest voter  
29. registration now in both of those counties. We have the largest voter  
30. turn out because the county...the precinct committeemen are out there  
31. knocking on doors of both parties, asking their folks to come in and  
32. vote. And I might add that we're electing officials at the county and  
33. State level of both parties from both of these counties. So, it



1. doesn't seem to be giving any particular preference to one party over  
2. the other, but we make it easier for those folks that for some reason  
3. or other a lot of people work five and six days a week. They work  
4. from seven or eight o'clock in the morning until five or six or seven  
5. in the evening. The county clerk's office is closed. They can't go  
6. register to vote, but this way, the precinct committeemen can get  
7. around and get those folks into the proper places to register, and  
8. it seems to me that we're allowing the...the governmental process to  
9. be brought right to the front door, and I just can't understand the  
10. opposition. If the county clerk is concerned and worried that he's  
11. not going to be able to do his job, he could run for another job, but  
12. I gave you the example of two outstanding county clerks, one Republican  
13. and one Democratic in my...in my district that have been doing this  
14. for quite some time and it's working out very well, Gentlemen and  
15. Ladies, and I think it's the sort of thing that ought to be extended  
16. to...to all of the downstate counties. I would defer to Senator  
17. Wooten as far as the answer as to why he took out Cook County. How-  
18. ever, I recall very vividly his explanation of that a few weeks ago  
19. when this bill was in amendment stage when he said quite honestly,  
20. Cook County said we don't want to go through the hassle of being  
21. accused of fixing elections, and so they'd just as soon have them  
22. all taken out. And in downstate, we think that it's a way of...of  
23. bringing government to the people, and I think it's a good bill.

24. PRESIDENT:

25. Senator Wooten.

26. SENATOR WOOTEN:

27. Yes, if we can address ourselves to the situation Senator Nimrod  
28. brought up. His amendment was not offered. Senator Nimrod raised  
29. the question in committee that he thought that...Chicago was  
30. included by definition in the bill, and he wanted to offer an amend-  
31. ment to be sure that all portions of Cook County were included in the  
32. bill. We, then, determined that he was in error in his judgment,  
33. Cook...Chicago is not included in the bill, and I assume from that

1. then that he withdrew...that...there...there was no need then for  
2. his objection. If Senator Nimrod wants the opportunity to offer that  
3. amendment, I certainly will...I will be glad to move this back to  
4. 2nd, so that he may have that opportunity. But I wish to make clear  
5. that there was no attempt to deprive him of that opportunity, and I'm  
6. sure he was present when this went through the 2nd...2nd amendment...  
7. ~~2nd reading stage.~~ But just so there's no question, I would ask that  
8. this be...

9. PRESIDENT:

10. Well, the record reflects that when the bill was on 2nd...reading,  
11. there was no rejected amendment, hence, it certainly was not offered  
12. I assume. There was one amendment adopted, but the bill was on 2nd  
13. reading. It was at the amendment stage. There was an amendment offered  
14. which was adopted. There were none offered which were rejected.  
15. Senator Donnewald. Was that on this subject, Senator Nimrod, on the  
16. amendment? Senator...Senator Nimrod.

17. SENATOR NIMROD:

18. Mr. President, you're absolutely right except I think when...  
19. when we did that, he did agree to bring it back for me to make the  
20. amendment. Being as it was not ready since he...he determined that  
21. Chicago was not included which we said it was, and on that basis, I  
22. had to prepare an amendment, and he agreed to bring it back.

23. PRESIDENT:

24. Did you hear that, Senator?

25. SENATOR WOOTEN:

26. I think I heard enough to get the gist. He would like for me  
27. to bring it back to 2nd, along with the amendment now that was not  
28. offered then.

29. PRESIDENT:

30. He didn't...he didn't really...he didn't really say that, did  
31. you, Senator? Is that what you're asking? Is that your request?

32. SENATOR NIMROD:

33. Yes, it is.

1. PRESIDENT:

2. That is his request. Since we're this far along, want to try  
3. it in the House? You know, just realistically. Senator Hall.

4. SENATOR KENNETH HALL:

5. Will the sponsor yield to a question?

6. PRESIDENT:

7. He indicates he will.

8. SENATOR HALL:

9. Senator, in my area where the...the county clerk appoints the  
10. precinct committeemen...I mean appoints the deputy registrars, that  
11. they're paid for registering. Now, do...do you mean that from now  
12. on that the people...the precinct committeemen in my area are going  
13. to be paid to be deputy registrars?

14. PRESIDENT:

15. Senator Wooten.

16. SENATOR WOOTEN:

17. There's no provision for payment or nonpayment. All this says  
18. is the county clerk shall appoint precinct committeemen, deputy  
19. registrars, period. There's no reference made to paying or nonpaying  
20. or any other arrangements that may exist in an individual county.

21. PRESIDENT:

22. Senator Kenneth Hall.

23. SENATOR HALL:

24. Well, I just finished...I just told you that they are paid for  
25. registering. Now, do you mean to say that we're going to have an  
26. added cost on us for them to...everytime they make a registration,  
27. they're going to be paid for it?

28. PRESIDENT:

29. Senator, what...Senator, what he says is they are not changing  
30. whatever you have been doing. All they're saying is that they must  
31. be appointed. Whatever you have been doing, this doesn't change it  
32. one way or the other. That's what he said.

33. SENATOR HALL:

1. That's what...that's what...I...that's the point I'm trying to  
2. get to, right now, that the deputy registrars are being paid because  
3. precinct committeemen are not registering in my county, but if they  
4. start registering, then they'll have to be paid. That's the point I'm  
5. trying to get straight. Who's going to bear that payment?

6. PRESIDENT:

7. Senator Wooten:

8. SENATOR WOOTEN:

9. Senator, I really cannot address myself to that. If the arrange-  
10. ment is in your county that people are paid for all registrations, I  
11. guess it would apply to these as well. I think the need for payment  
12. would be considerably diminished if precinct committeemen are...are  
13. named as deputy registrars, but that's the only question this addresses,  
14. is that precinct committeemen of both parties shall be named deputy  
15. registrars.

16. PRESIDENT:

17. Senator Philip.

18. SENATOR PHILIP:

19. Thank you, Mr. President. You know, this really is a bad concept  
20. and you ought to take a good look at it. First of all, at the present  
21. time, whether it be a county clerk or the election commission for a  
22. respective county, they have the authority to appoint now. If they  
23. want to appoint precinct committeemen, deputy registrars, they have  
24. the authority to do it now. In my county, I have requested to the  
25. election commission not to appoint any Republican precinct committeemen  
26. deputy registrars, period. We used to have them under the old county  
27. chairmen or the new chairmen, I said no way. And I'm going to tell  
28. you why. In the Primary, that precinct committeemen is a candidate.  
29. Alright. He goes around his precinct and he's got opposition. So,  
30. you know what he does, he goes around and registers all his friends  
31. to...to vote. When it comes to election, they all vote for him, etc.  
32. But what happens to the other guy and his friends? You know what  
33. happens, all of a sudden they can't find that deputy registrar, and it

1. really gives the incumbent precinct committeeman an unfair advantage  
2. over the guy running against him, and I think it's a bad concept.  
3. Also in my county, we have five hundred and nine precinct committeemen.  
4. If we made them all deputy registrars, that would give us Republican  
5. and Democrat, would give us a thousand eighteen. Every city clerk  
6. in DuPage County is a deputy registrar, and I think we have forty-  
7. seven, ~~every~~ <sup>Senator Wooten</sup> township clerk is a deputy registrar and we have nine,  
8. that would give us about a thousand seventy-four deputy registrars.  
9. We pay those registrars twenty-five cents for every voter they regis-  
10. ter, and I'm going to tell you one thing, it's a bad concept, and  
11. this bill should be defeated.

12. PRESIDENT:

13. Senator Donnewald.

14. SENATOR DONNEWALD:

15. When you pick as to the last speaker, when you pay those folks  
16. twenty-five cents for votes, do they call you a...a bounty hunter?

17. PRESIDENT:

18. Senator Philip.

19. SENATOR PHILIP:

20. Well, I have never been called a bounty hunter, some...some other...

21. PRESIDENT:

22. Senator Schaffer.

23. SENATOR SCHAFFER:

24. This bill, I think the...the concept is probably admirable, but  
25. Senator Wooten, I think, and Senator Buzbee and some of our downstate  
26. friends, when you get into the...the suburban counties with a hundred  
27. and some precincts or two hundred or three hundred precincts and you  
28. start putting this number of people on as registrars, you really strike  
29. a blow at any logical attempt to run an election. If...if the bill  
30. had said that the clerk must appoint fifty percent or twenty-five  
31. percent of the committeemen. In many cases, the committeemen are the  
32. absolute worst people to be appointed registrars. I'm a committeeman.  
33. A lot of good I'm going to do the people in my particular area as a...as

1. a registrar when I'm down here in Springfield, I'm gone. When the  
2. ...the clerk asked in my area when our old registrar retired and  
3. moved to Florida who...who we wanted, I recommended that he appoint  
4. a real estate agent...around the corner who's there on Saturdays and  
5. Sundays, who also happens to be a Democrat by the way, because that  
6. person was available. The...who should be a registrar, just because  
7. you happen to be a precinct committeemen, I think both of us...both  
8. parties would concede that many of our committeemen aren't particu-  
9. larly dedicated. I wish they were. Perhaps there are ways we can  
10. make them more dedicated, but every registrar is going to receive this  
11. little package of forms in the mail from the county clerk. The good  
12. county clerks will, of course, try and get everybody in for school.  
13. Well, at twenty-five cents a head and the average precinct committeeman  
14. will probably be making four dollars a year on it, he's not going to  
15. come in on a Saturday morning or a Monday night or something for school.  
16. They aren't going to be as familiar with these forms, and if one or  
17. two people come in three or four months before the election and fill  
18. out the forms and the guy puts it in a folder on his desk and forgets  
19. about them, well, one of two things happens. A, if the clerk is very  
20. conscientious he runs down every one of these people, and maybe they  
21. remember they filled out the forms and maybe they remember where they  
22. put the forms, probably in large cases they don't. And in a certain  
23. number of times it happens now, but this bill would multiply it ten-  
24. fold. Somebody conscientiously finds an authorized registrar, fills  
25. out the form, walks in the polling place on election day and the judges  
26. look at him like he's some sort of burglar, simply because the regis-  
27. trar who only gets three or four people a year, forgot to send the  
28. forms in. No fault of the clerk. The people are disenfranchised.  
29. A lot of hard feelings. In my county, my county clerk who happens to  
30. be a pretty conscientious guy, and I think my Democrat counterparts  
31. would agree, he goes through, and regardless of party affiliation, if  
32. you aren't registering people, he asks you not to be a registrar. And  
33. I think the idea of forcing this on the precinct committeemen, not

1. giving the county clerk to decide who is conscientious and who isn't,  
2. is to...is to absolutely frustrate the election system in the down-  
3. state counties, not to mention, I hate to say it, opening the door  
4. to massive vote fraud which, in my opinion, will be the first time  
5. we've seen this in downstate Illinois.

6. PRESIDENT:

7. you have Senator Morris.

8. SENATOR MORRIS:

9. I would like to encourage a Yes vote on this bill because it is  
10. a very simple proposition. We are either going to encourage people  
11. to participate in our form of government or we are not. Right now  
12. there are too many hurdles in the path of a person who wants to par-  
13. ticipate in government, and the best way to participate is by voting.  
14. This system would open up the opportunities for people to register to  
15. vote, and the following step would be to participate in elections. In  
16. my community, the county clerk has appointed most precinct committee-  
17. men, Democratic and Republican, as registrars, and registration has  
18. increased. As far as the twenty-five cent fee that is paid goes, this  
19. is something that is a local option of the county government and has  
20. nothing to do with this bill, but I think that is a very small fee  
21. to pay to register voters, and as it now stands, they're giving that  
22. in many counties whether they are committeemen or whomever does the  
23. registration. I would encourage people who really want to see people  
24. participate in this process to vote in favor of this bill. If you  
25. want to continue to keep hurdles in the path of participation, you  
26. should vote against this bill.

27. PRESIDENT:

28. Any further discussion? Senator Nimrod.

29. SENATOR NIMROD:

30. Mr. President and fellow Senators, I rise to make a observation  
31. here, that I certainly want to know that the amendment I had planned  
32. on putting on was one that was in agreement with what the majority  
33. of this Body had desired to do before. You recall not long ago, we

1. passed a bill out of here, election law, and we did it in order to  
2. make the law uniform. We did that where we had alternating judges  
3. from two to three in every precinct, and we said we had to accept  
4. that in order to make the laws uniform. Now, you're coming up with  
5. a bill that's providing for elections, and you say there should be  
6. a difference between downstate and Cook County. Now, my amendment  
7. was to make Cook County included and allow all of the...the county  
8. clerk shall appoint all precinct captains as were designated by the  
9. ward or township committeemen, as deputy registrars. It's the accepted  
10. fact that precinct committeemen and precinct captains are counterparts.  
11. Since you do want to have a discrimination, you don't want to...do not  
12. want to abide by the Constitution, I would say then in that case, even  
13. though I would support this bill if you put them all on, then in that  
14. case, you're going against the Constitution, and I would urge all  
15. members who are concerned about this, not to go against the Constitu-  
16. tion and vote No on this bill.

17. PRESIDENT:

18. Any further discussion? Would those of you in front of Senator  
19. Wooten move over so we can see him. Senator Wooten may close the  
20. debate.

21. SENATOR WOOTEN:

22. Mr. President and colleagues, I...

23. PRESIDENT:

24. One minute, Senator. Will the members be in their seats.  
25. Senator Wooten.

26. SENATOR WOOTEN:

27. I am in dead earnest about this bill. I happen to believe in it.  
28. I happen to believe deeply in the whole process. I think if we commit  
29. ourselves to the idea of a democratic government, we are giving cre-  
30. dence to something that is, in some sense, irrational. We are saying  
31. that the collective judgment of all people is wise and is true. I  
32. think it wouldn't take much stretch of the imagination for us to  
33. come up with situations and instances that proves that wrong, but if



1. we truly believe in it, then I think we have to make that leap of  
2. faith and let the people decide. The plain fact is that there are  
3. those in politics who would like to limit the process to close it  
4. down to those who have a particular interest. If you do believe in  
5. democracy, you must believe in opening it as wide as possible to as  
6. many people as possible, and that is the thrust of this bill and 210,  
7. which I view as the companion bill. The arguments which are made  
8. against it can be turned around and used for it. It all depends on  
9. what you believe in. I would ask for a favorable roll call.

10. PRESIDENT:

11. The question is shall Senate Bill 1036 pass. All in favor will  
12. vote Aye. Those opposed will vote Nay. The voting is open. Have  
13. all voted who wish? Take the record. Senator Rock. On this question,  
14. the Ayes are 33, the Nays are 20, 3 Voting Present. Senate Bill 1036  
15. having received the constitutional majority is declared passed. The  
16. Chair recognizes Senator Rock.

17. SENATOR ROCK:

18. Thank you, Mr. President. Having voted on the prevailing side,  
19. I do now move to reconsider the vote by which Senate Bill 1036 has  
20. passed.

21. PRESIDENT:

22. Senator Rock moves that...to reconsider. Senator Donnewald  
23. moves to Table. All in favor will say Aye. Opposed Nay. The Ayes  
24. have it. Motion carries. Now, the Chair has two announcements and  
25. I would hope that you would listen carefully. One is, and you've been  
26. getting a lot of calls about the setting of the ERA argument tomorrow  
27. that has been deferred. It will not be heard tomorrow, nor will it  
28. be heard this week. So, if you have people who asked, you may...so  
29. inform them. The second announcement relates to the Heart Attack  
30. Prevention Program, and Mr. Lawrence Statler, the Director of that  
31. program, will conduct blood pressure checks at the first aid station  
32. here on the third floor, and the members of the Senate as well as the  
33. staff, are urged to have their pressures taken both morning and evening

1. so that they can get proper recordings. They want to determine what  
2. happens in between that affects our blood pressure. I take it. So,  
3. it's in there and they want you to come in every morning and every  
4. afternoon. Senator...Senator...Senator Bruce.

5. SENATOR BRUCE:

6. Yes, Mr. President, if you are concerned about heart attacks,  
7. I would hope that you could reconsider your...your decision not to  
8. call the Equal Rights Amendment discharge motion tomorrow. I want  
9. you to know...well, I know he said it's not this week, but we have  
10. gone through that one other time when Senator Saperstein did not  
11. desire to call on a day that she had designated. I'm not sure that  
12. the...machinery is already rolling for these people to come tomorrow  
13. and it's been announced in my papers throughout my district, and  
14. whether you want them or not tomorrow, they will be here both the  
15. pros and the cons. And it...it please or whatever the blood pressure  
16. checks are, don't...don't do that again if you can avoid it. We would  
17. certainly appreciate it.

18. PRESIDENT:

19. The Chair...the Chair appreciates your public disconcerting  
20. reminder. The fact remains that we tried to get that information out  
21. and disseminated as early as possible, and we did get out a press  
22. release. We were on the radio at 9:30 this morning. So, it's pretty  
23. well...pretty generally known and on the radio. Senator Newhouse.

24. SENATOR NEWHOUSE:

25. Yes, Mr. ...Mr. President, I want to announce that I didn't...I  
26. ...on the basis that I thought we had committees tonight, I have  
27. committed myself to be back in Chicago. So, I will not be able to  
28. make a night meeting tonight. I want the record to show that the  
29. reason for it was I did not anticipate business because I did not  
30. have a committee.

31. PRESIDENT:

32. The record will so show.

33. SENATOR NEWHOUSE:

1. And Mr. Chairman...Mr. President, we didn't talk about yet  
2. Wednesday morning which comes right after tomorrow night, and...

3. PRESIDENT:

4. Yes, we did talk about it, Senator, at the beginning of the  
5. Session this morning. We said that it was fairly obvious that we  
6. would not have any committee hearings at least for the first two days.  
7. and the great likelihood is that we would not have committee hearings  
8. on Wednesday, but that at the end of Tuesday, we'd be in a position to  
9. determine whether we would have them on Wednesday.

10. SENATOR NEWHOUSE:

11. I heard that, Mr. President. That still leaves us in limbo  
12. because, you know, Wednesday morning...

13. PRESIDENT:

14. Well, it is necessarily in limbo because we don't know how many  
15. bills we're going to be able to deal with the first three days.  
16. That's the whole point.

17. SENATOR NEWHOUSE:

18. Well, the problem I have, Mr. President, is announcing Tuesday  
19. that a Tuesday...Wednesday night meeting is one thing, but Wednesday  
20. morning at 8:00 is something else again. Can we settle that issue  
21. right now and either call it off at 8:00 o'clock Wednesday morning?

22. PRESIDENT:

23. We can settle it by 2:00 tomorrow afternoon. We cannot settle  
24. it this...at this moment.

25. SENATOR NEWHOUSE:

26. Thank you.

27. PRESIDENT:

28. Senator Course.

29. SENATOR COURSE:

30. Yes, Mr. President, I'd like to know if these people who are  
31. going to conduct these blood tests are qualified?

32. PRESIDENT:

33. Well, the lady who gave me mine had a badge that said RN. She's

1. a registered nurse. I take it that they are.

2. SENATOR COURSE:

3. Well, I would hope so because the last time we had people con-  
4. ducting tests around here, they didn't know how to work the equipment,  
5. and I think if the people who are conducting these tests aren't  
6. qualified, they're going to do more harm than good. I would hope  
7. that they would be qualified.

8. PRESIDENT:

9. I think you'll find...I think you'll find them qualified.

10. Senator Don Moore on the Floor? Is there leave to take a...an emer-  
11. gency bill out of sequential order? It is a bill on 3rd reading.

12. You will find it on Page 23. The number of the bill is Senate Bill  
13. 1495. Is there leave to take it? It's a...it's an emergency. Leave  
14. is granted. Read the bill.

15. SECRETARY:

16. Senate Bill 1495.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDENT:

20. Senator Moore.

21. SENATOR MOORE:

22. Thank you, Mr. President and members of the Senate. This is  
23. the second and final installment of the deficiency appropriation for  
24. the Department of Public Aid for Fiscal Year 1975. The amount of  
25. the...or the amount of the deficiency by this bill is a hundred and  
26. twenty-four million, eighteen thousand dollars. The membership will  
27. recall five or six weeks ago, we passed a first deficiency in the  
28. amount of seventy-two million, four hundred and eighty-two thousand,  
29. one hundred and forty-eight dollars, making a total deficiency for  
30. Fiscal Year '75 of a hundred and ninety-six million, five hundred  
31. thousand, one hundred and forty-eight dollars. Be happy to answer any  
32. questions. If not, I would respectfully request a roll call.

33. PRESIDENT:

1. Senate...any further discussion? Senator Buzbee.

2. SENATOR BUZBEE:

3. Yes, Mr. President, I assume the Calendar reflects right a  
4. hundred and twenty-four million, eighteen thousand dollars as the  
5. supplemental appropriation.

6. PRESIDENT:

7. ~~and~~ As amended, including the amendment we discussed for two hours  
8. last week. That's correct.

9. SENATOR BUZBEE:

10. How much above the department's request is this?

11. PRESIDENT:

12. Senator Moore.

13. SENATOR MOORE:

14. The amendment that was put on in committee was set...or twenty-  
15. five million dollars broken down as follows, five million for general  
16. assistance and local aid to the medically indigent, five...pardon me,  
17. fifteen million for medical assistance under Article V and five  
18. million for aid to dependent children under Article IV.

19. PRESIDENT:

20. Any further...Senator Buzbee.

21. SENATOR BUZBEE:

22. So the answer is twenty-five million dollars above what the  
23. department is requesting. Is that right, Senator Moore?

24. PRESIDENT:

25. Senator...Senator Moore.

26. SENATOR MOORE:

27. Yes, that is correct, Senator Buzbee, and the reason for this is  
28. that the staffs of both the Republican and Democratic side of the  
29. aisle of the Appropriation Committee, in addition to the staff of  
30. the Legislative Advisory Committee on Public Aid working in conjunc-  
31. tion with the Comptroller, felt that the deficiency of ninety million  
32. ...or ninety-nine million, eighteen thousand dollars was insufficient  
33. to finish out this fiscal year, and rather than to face the chance of

1. coming in with a third deficiency appropriation for the Department  
2. of Public Aid, it was felt in the best interest to add the five  
3. million to the ADC, the five million to the GA and the fifteen million  
4. to the medical assistance so that we would not have to...to return  
5. to the old practice of slowing down payments in order to balance the  
6. budget.

7. PRESIDENT:

8.           Any further discussion? Senator Buzbee.

9. SENATOR BUZBEE:

10.           Well, I would just like to point out, and I know the history of  
11. this, and I know the reasoning for this because the department has  
12. traditionally, to my understanding, regardless of who's the...the  
13. director or regardless of who's the Governor, the department has tra-  
14. ditionally come in for a very low or at least not sufficient appro-  
15. priation. This is the second supplemental appropriation we've had  
16. this year on this budget. I understand the reasoning for that, it  
17. was an agreed upon, I think, between the department and...and your  
18. commission. When we came in with the first back in the early part of  
19. April that there would be a second which would be coming in, but I  
20. would still like to point out that we are appropriating twenty-five  
21. million dollars more between now and June 30th, than what the depart-  
22. ment is requesting. I voted No on the bill in committee, based upon  
23. the fact that the department says there's twenty-five million dollars  
24. we don't need to spend, and I truthfully wish there were more departments  
25. that would come in and say there...here's money we don't need to  
26. spend. I just want to point out this is additional twenty-five million  
27. dollars more than what the director says he needs between now and  
28. the end of June.

29. PRESIDENT:

30.           Senator Hynes.

31. SENATOR HYNES:

32.           I...Mr. President and members of the Senate, I'm...I'm not sure  
33. sure of the thrust of my colleague's from Carbondale comments, but the

1. reason that the amendment was added in the Appropriations Committee  
2. was simply that in the best judgment of the committee's staff and  
3. the staff of the Advisory Commission and without any significant pro-  
4. test from the department, it was determined that the current request  
5. for a deficiency was inadequate by twenty-five million dollars, and  
6. that; in order to avoid a third deficiency appropriation request, it  
7. would be necessary to add the money now. The fact is that if...if  
8. it is not needed, it will be lapsed and go into the general fund, but  
9. in our combined judgment, it is necessary and it will be spent.

10. PRESIDENT:

11. Any further discussion? Senator Mitchler.

12. SENATOR MITCHLER:

13. Mr. President and members of the General Assembly, I don't know  
14. of anything that disappoints people in my district and throughout the  
15. State, than this public aid. We started out with about a billion and  
16. a half in the budget this year. We came in with a sixty eight million  
17. dollar deficiency appropriation. That only got five negative votes  
18. in this Chamber. It went over to the House and they boosted it up  
19. to about seventy-three million. It came back and we concurred in the  
20. amendment. I think there were only seven negative votes. Now, they're  
21. in for originally ninety-eight million. The committee ups it another  
22. twenty-five million. I just don't understand how far we can go with  
23. public aid. Now, the people...this is something that they're very,  
24. very discouraged on, and this is one of the largest appropriations,  
25. pretty soon half the people are going to be supporting the other half,  
26. and when you make all of this money available, it's going to be easy  
27. to get on. I just had a call from over in the West Chicago area. A  
28. fellow divorces his wife, moves out, they have four children. Two  
29. weeks later, he moves back in. She applies for public aid, and it's  
30. all legal because there's nothing wrong with having a fellow living  
31. there in the house. It's good for the health, welfare and comfort of  
32. the public aid recipient. And they're around bragging about all their  
33. new cars and everything, and this makes people pretty well disgusted.

1. Illinois has the highest rate of error throughout all the United  
2. States, and the Federal Government tells us that and yet we're  
3. willing to...appropriate all this money. I hope more than five or  
4. seven join me in a No vote on this.

5. PRESIDING OFFICER (SENATOR DONNEWALD):

6. Senator Partee.

7. SENATOR PARTEE:

8. Mr. President and members of the Senate, I think one of the  
9. first bills I ever voted on as a member of the Illinois Legislature,  
10. had to do with the deficiency appropriation for public aid, and they  
11. have become increasingly larger over the years. They've grown not  
12. only because of inflation but because of the larger, increasingly  
13. larger number of people who have been out of the work. And I have  
14. the same kind of philosophical problem about public aid and its growth  
15. but there's only one solution. We can talk about it until our ears  
16. fall off, but there's only one solution to eliminating public aid  
17. and that is providing jobs. Now, everybody talks about jobs. Every-  
18. body talks about programs that come up with jobs, but a Congressman  
19. in California, a man by the name of Augustus Hawkins, who comes from  
20. the inner City of Los Angeles, is having hearings throughout the  
21. United States on what he considers to be a fundamental proposition,  
22. and that is that there is an American right for every American citizen  
23. to have a job, and I hope that he comes into your areas, that you'll be  
24. supportive of that concept. Everybody deserves to have a job. We  
25. must structure the American economic scene so that people can have  
26. jobs, and when there are jobs, and jobs are available, we can seriously  
27. diminish public aid and welfare because we'll only the...be left  
28. then with those persons who are physically or mentally unable to hold  
29. jobs, and that is the deminimis part of our population. There are, of  
30. course, people who will never be able to work. God hasn't been as  
31. good to them as they are to you and me. They aren't physically able  
32. or they aren't mentally able to work, but until we reach a point where  
33. there are jobs for people, we can scream, we can holler, we can lament,



1. we can be appalled at our situation, but the fact of the matter is  
2. it will be there. Now, this is a...an emergency situation. It  
3. deserves your support and I certainly am going to vote for it. And  
4. it doesn't make me any happier than it does you, Senator, and I suspect  
5. you don't pay any more taxes than I do, and I'm concerned, too, about  
6. this tax situation, but the fact of the matter is it's there. We  
7. have to do something about it until we do something else besides  
8. talk.

9. PRESIDING OFFICER (SENATOR DONNEWALD):

10. Senator Graham.

11. SENATOR GRAHAM:

12. Mr. President and members of the Senate, I differ with some of  
13. the philosophies expressed by Senator Partee, slightly. I agree with  
14. the fact that we should get ourselves organized so that everyone has  
15. a job. It doesn't seem like that's possible. I can say this, how-  
16. ever, that when a lot more people had jobs than have them now, the  
17. public aid expenditure was still increasing in the State of Illinois.  
18. Some few years ago, Senator Joe Peterson and myself and others, decided  
19. that people should have jobs so we introduced a bill to allow the  
20. able bodied recipients of public aid to have a job, either helping with  
21. our streets or streams or parks or whatever, and it sounded real good.  
22. It was doing fine until the AF of L and the CIO came along. You know  
23. something strange happened to that bill, like it didn't get enough  
24. votes. Now, at a time like this it's easy to say that everybody ought  
25. to have a job because times are tough. And I know how it is to be  
26. out of a job. I've been there when times were a hell of a lot tougher  
27. than they are now, but the very fact remains, Gentlemen, despite the  
28. fact that part of this money is going...going to be needed, the fact  
29. that we say that we've got to get jobs for everybody before we decrease  
30. this is just plain rhetoric because we get them the jobs, they're either  
31. not qualified or they don't want to work or we either give them unemploy-  
32. ment comp or workmen's comp or something to pay them more to stay home  
33. than we do to work, and then we talk about hard times, and then we talk

1. about giving everybody a job. There's no utopia here with or without  
2. the passage of this bill there's going to be no...be no utopia. The  
3. only strange thing is that when our economy is good, the cost of  
4. public aid still goes up and that's the doggone thing I can't...it's  
5. pretty hard for me to understand.

6. PRESIDING OFFICER (SENATOR DONNEWALD):

7. ~~SENATOR BAKER:~~ Is there further debate? Senator Moore may close the debate.

8. SENATOR MOORE:

9. Thank you, Mr. President and members of the Senate. Just in  
10. response to the gentleman from Carbondale insofar as the additional  
11. monies that were placed in the budget at the request of the Legisla-  
12. tive Advisory Committee, and they were adopted by the Appropriations  
13. Committee of this House. I talked to Director Trainor about this  
14. prior to the time these amendments went on. He felt that maybe he  
15. didn't need the money, but he also is aware of the fact that there...  
16. it is no sin to lapse money. If he doesn't need it, fine. He sure  
17. as hell isn't going to go out and give it away. AS far as the amount of  
18. the deficiency, Gentlemen, I told you about eleven months ago, don't  
19. be mad at me when I come back for a deficiency appropriation. I told  
20. you at that time there would be at least a hundred million dollar  
21. deficiency. At that time we were not aware of the state of the  
22. economy that we have in the country today. The unemployment compensa-  
23. tion checks being eight, nine, ten, twelve, fourteen weeks in arrears.  
24. It's drawing a tremendous amount of money on general assistance. The  
25. fact that we had a lot of comments from the members of the Senate  
26. that our doctors and our hospitals, our nursing homes had to wait  
27. four, five, six months to get paid. This has been greatly accelerated.  
28. They no longer have to wait that period of time. Sure, it's costing  
29. us a little extra money, a lot of extra money to get caught up, but  
30. we are heading in the right direction. I think that this amount  
31. of money is more than sufficient to cover the deficiency for the  
32. rest of this fiscal year, and I would respect a favorable vote, Mr.  
33. President.

1. PRESIDING OFFICER (SENATOR DONNEWALD):

2. The question is shall Senate Bill 1495 pass. All those in  
3. favor vote Aye. All those opposed No. The voting is open. Have  
4. all those voted who wish? Have all those voted who wish? Take the  
5. record. On that question, the Ayes are 47, the Nays are 8. Senate  
6. Bill 1495 having received the constitutional majority is declared  
7. passed. What purpose Senate...Senator Daley arise?

8. SENATOR DALEY:

9. Mr. President...Mr. President and fellow...Senators, the Senate  
10. Judiciary meeting of May 22nd, '75, at 8:00 p.m. ...8:00 a.m. in the  
11. morning, will be continued until the following Thursday. We will not  
12. have a meeting.

13. PRESIDING OFFICER (SENATOR DONNEWALD):

14. Senator Johns.

15. SENATOR JOHNS:

16. Mr. President, I'd like to take leave of the Body to join  
17. Senator Rock in sponsorship of Senate Bill 525. I've talked with  
18. him. He...permission.

19. PRESIDING OFFICER (SENATOR DONNEWALD):

20. Is there leave? Leave is granted. Senate Bill 1049, Senator  
21. Vadalabene.

22. SECRETARY:

23. Senate Bill 1049.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER (SENATOR DONNEWALD):

27. Senator Vadalabene.

28. SENATOR VADALABENE:

29. Yes, thank you, Mr. President and members of the Senate. Senate  
30. Bill 1049 appropriates two million, seven hundred and fifty thousand  
31. dollars from the Capital Development Bond Fund for the development  
32. and construction of public docking and dry bulk commodity transfer  
33. facilities by the Tri-City Regional Port District in Madison County,

1. Illinois. The proposed facility will be a public dock for the hand-  
2. ling and transfer of dry...bulk commodities. It is designed to load  
3. and unload barges and transfer cargoes to truck or rail. Substantial  
4. interest in this project has been shown by industry and transportation  
5. firms. The facility would be located in the harbor of the Tri-City  
6. Regional Port District, and at this time, tentative commitments are  
7. used so the facilities would produce bulk commodities of one million  
8. five hundred thousand tons per year and gross receipts to the Port  
9. of four hundred and fifty thousand dollars per year at the end of the  
10. second year from the start of the project, and nine hundred thousand  
11. dollars per year beginning in year five. At this rate, the State  
12. would receive full return payment of funds advanced by eight or ten  
13. years. The three million, five hundred thousand ton balance of  
14. capacity would be available for use to other river shippers to and  
15. from the State of Illinois. And I would appreciate your favorable  
16. vote.

17. PRESIDING OFFICER (SENATOR DONNEWALD):

18. Is there further discussion? Senator Merritt.

19. SENATOR MERRITT:

20. Just one quick question, Senator Vadalabene.

21. PRESIDING OFFICER (SENATOR DONNEWALD):

22. Let's have some order so he can hear the question.

23. SENATOR MERRITT:

24. Is...is this based on the same pay back concept as we originally  
25. had with the Chicago Regional Port District on that legislation?

26. PRESIDING OFFICER (SENATOR DONNEWALD):

27. Senator Vadalabene.

28. SENATOR VADALABENE:

29. Yes, exactly.

30. SENATOR MERRITT:

31. Fifty percent of the net revenues?

32. SENATOR VADALABENE:

33. Fifty percent of the net revenues, that is correct.

1. PRESIDING OFFICER (SENATOR DONNEWALD):
2. Is there further debate? The question is...Senator Fawell.
3. SENATOR FAWELL:
4. I...I just want to verify one point. Is this from General
5. Revenue, the funds?
6. PRESIDING OFFICER (SENATOR DONNEWALD):
7. Senator Vadalabene.
8. SENATOR VADALABENE:
9. I didn't hear him.
10. PRESIDING OFFICER (SENATOR DONNEWALD):
11. Repeat the question, Senator.
12. SENATOR FAWELL:
13. Is...is this appropriation from General Revenue Funds and is...
14. is it in the budget?
15. PRESIDING OFFICER (SENATOR DONNEWALD):
16. Senator Vadalabene.
17. SENATOR VADALABENE:
18. No, it's not from the General Revenue Fund. It's from the
19. Capital Development Bond Fund.
20. PRESIDING OFFICER (SENATOR DONNEWALD):
21. Is there further debate? Senator Mohr, Senator Howard Mohr.
22. SENATOR MOHR:
23. Yes, I wonder if the sponsor would yield?
24. PRESIDING OFFICER (SENATOR DONNEWALD):
25. He indicates he will.
26. SENATOR MOHR:
27. This says now...you are now operating with a private firm,
28. Senator?
29. SENATOR VADALABENE:
30. I didn't hear a word he said.
31. SENATOR MOHR:
32. I...the existing authority is now a private firm, is that correct?
33. SENATOR VADALABENE:

1. It's public with leases to three public private firms.

2. SENATOR MOHR:

3. Three public private firms? Is it...is it not true that they

4. are private individuals or private firms now?

5. SENATOR VADALABENE:

6. Yes, acting at public capacity.

7. SENATOR MOHR:

8. Alright and now you want to go public?

9. SENATOR VADALABENE:

10. It's never...it's never been any...thing but a public firm,

11. Senator Mohr.

12. SENATOR MOHR:

13. Well, I understand that there...that it's private money in

14. there now. Is that not correct?

15. SENATOR VADALABENE:

16. Here...the only private funds in the Tri-City Port Authority

17. at the present time are...there are some tenants who have put their

18. own private money in the construction of their facilities.

19. SENATOR MOHR:

20. Well, if my reading is correct, it's...it's a private operation

21. now, and now you're suggesting that they go public. I was just

22. wondering what was going to happen to the private sector, private...

23. SENATOR VADALABENE:

24. It's always been public and will remain so.

25. PRESIDING OFFICER (SENATOR DONNEWALD):

26. Is...Senator Harber Hall.

27. SENATOR HALL:

28. Will the sponsor yield for a question?

29. PRESIDING OFFICER (SENATOR DONNEWALD):

30. He indicates he will.

31. SENATOR HALL:

32. Senator Vadalabene, I wonder with the arrangement that you have

33. developed in this bill for the pay back to the General Revenue Fund

1. of the amount of this loan - I just wonder why the authority can't  
2. get a legitimate loan from a conventional private lending firm.  
3. PRESIDING OFFICER (SENATOR DONNEWALD):  
4. Senator Vadalabene.  
5. SENATOR VADALABENE:  
6. Well, ...it'll take longer to put the project together, and  
7. we've got some tenants who we feel will come in there immediately,  
8. and this is not a new concept.  
9. PRESIDING OFFICER (SENATOR DONNEWALD):  
10. Senator Hall.  
11. SENATOR HALL:  
12. Well, I didn't quite get an answer to my question. I guess  
13. I'd better repeat it. He...the Senator indicates, and...and I  
14. don't question it, I...I just want to get clear in my mind. You  
15. indicate you have presently, tenants from which rentals would be  
16. extracted in sufficient amount to pay back a State loan of two  
17. million, seven hundred thousand dollars. Is that right?  
18. PRESIDING OFFICER (SENATOR DONNEWALD):  
19. Senator Vadalabene.  
20. SENATOR VADALABENE:  
21. Yes, with perspective tenants.  
22. SENATOR HALL:  
23. My question is, Senator, if this is a feasible project, why  
24. aren't there interested private lenders who would make such a loan?  
25. PRESIDING OFFICER (SENATOR DONNEWALD):  
26. Senator Vadalabene.  
27. SENATOR VADALABENE:  
28. It's hard to fund at this time with private funds, Senator.  
29. PRESIDING OFFICER (SENATOR DONNEWALD):  
30. Senator Harber Hall.  
31. SENATOR HALL:  
32. I will speak on the bill, Mr. President. I think we are  
33. entering...

1. PRESIDING OFFICER (SENATOR DONNEWALD):

2. Your time...your time, Senator, is nearly up, but you may  
3. proceed until the end of...

4. SENATOR HALL:

5. Alright. I...I believe that we are entering into a very dan-  
6. gerous situation for the State of Illinois to begin doing, and that  
7. is making private loans irrespective of the intended to pay back of  
8. it because they aren't necessary. If it's a good loan, private  
9. industry has the capital to make a good loan and will and are search-  
10. ing for loans, and I think it ill-behooves this Body to place the  
11. State of Illinois in a position of making other than good and safe  
12. loans to private enterprise. For that reason and regretfully, I  
13. intend to vote No and suggest others take a very good look at this  
14. bill.

15. PRESIDING OFFICER (SENATOR DONNEWALD):

16. Is there further discussion? The question is shall Senate Bill  
17. 1049 pass. All those in favor vote Aye. All those opposed No. The  
18. voting is open. (Machine cut-off)...those voted who wish? Take the  
19. record. On that question, the Ayes are 34, the Nays are 3. Senate  
20. Bill 1049 having received the constitutional majority is declared  
21. passed. Senator Vadalabene...or Senator Rock.

22. SENATOR ROCK:

23. I know we look alike, we all look alike, right. Having voted  
24. on the prevailing side, I do now move to reconsider the vote by  
25. which Senate Bill 1049 was passed.

26. PRESIDING OFFICER (SENATOR DONNEWALD):

27. Senator Rock moves that the...having voted on the prevailing  
28. side, Senator Partee moves...moves that lie on the Table. All those  
29. in favor say Aye. Those opposed No. The Ayes have it. Senate  
30. Bill 1050, Senator Vadalabene. Read the bill.

31. SECRETARY:

32. Senate Bill 1050.

33. (Secretary reads title of bill)



1. 3rd reading of the bill.

2. PRESIDING OFFICER (SENATOR DONNEWALD):

3. Senator Vadalabene.

4. SENATOR VADALABENE:

5. Thank you, Mr. President and members of the Senate. Senate  
6. Bill 1050 allows the Tri-City Regional Port District to apply to  
7. Federal Government for a foreign trade zone, and I would appreciate  
8. a favorable vote.

9. PRESIDING OFFICER (SENATOR DONNEWALD):

10. Is there further discussion? On that question...strike that.  
11. All those in favor of Senate Bill 1050 indicate by voting Aye.  
12. Those opposed No. The voting is open. Have all those voted who  
13. wish? Take the record. On that question, the Ayes are 38, the  
14. Nays are 2, 1 Voting Present. Senate Bill 1050 having received the  
15. constitutional majority is declared passed. Senator Partee. The  
16. hour is five to five. Are there announcements prior to our...Senator  
17. Partee. Oh, Senator Philip.

18. SENATOR PHILIP:

19. Thank you, Mr. President. Unfortunately, you know, we had  
20. baseball practice scheduled for this evening, but unfortunately,  
21. once again, it's raining so we're going to have to postpone it,  
22. and we're going to try to get a field for tomorrow night. And hope-  
23. fully, if we have the agreement with the leadership, we'll try to  
24. practice tomorrow night from five to seven.

25. PRESIDING OFFICER (SENATOR DONNEWALD):

26. That will save a heart attack or two. Senator Partee.

27. SENATOR P. P. TEE:

28. I owe you a favor, Senator. I'll try to accommodate that. Now,  
29. we're going to be back at seven tonight, and I would hope that the  
30. members are here because we start out with the Senate Bills on 2nd  
31. reading and some of these bills are very important to you, and  
32. when you waltz in here at 7:30 or 7:45, they will have been heard.  
33. So, we're going to start at 7:00, and I would hope that the members

1. can get back at 7:00 so that we can, hopefully, not stay any later  
2. than we have to tonight.

3. PRESIDING OFFICER (SENATOR DONNEWALD):

4. The Senate stands adjourned until 7:00 p.m. this evening.

5. (RECESS)

6. (AFTER RECESS)

7. PRESIDENT:

8. The hour of seven having arrived, the Senate will come to  
9. order. We're going to start on Senate Bills on 2nd reading. Senate  
10. Bill 5, Senator Mitchler. Senate Bill 9, Senator Donnewald. Senate  
11. Bill 125, Senator Hynes. 128, Senator Chew. Senate Bill 129,  
12. Senator Daley. Senate Bill 135, Senator Daley. Senate Bill 248,  
13. Senator Sommer. Read the bill.

14. SECRETARY:

15. Senate Bill...Senate Bill...Senate Bill 248.

16. (Secretary reads title of Bill)

17. 2nd reading of the bill. No committee amendments.

18. PRESIDENT:

19. Senator McCarthy. Pardon. We are on Senate Bill 248 on 2nd  
20. reading. I thought you asked to be recognized. Any amendments from  
21. the Floor? 3rd reading. Senate Bill 285, Senator McCarthy. Pass-  
22. ing that, I see. Alright. Senate Bill 337, Senator Dougherty.  
23. Senate Bill 348, Senator Course. Senate Bill 397, Senator Buzbee.  
24. Senate Bill 429, Senator Fawell. Senate Bill 468, Senator Weaver.  
25. Senate Bill 472, Senator Bruce. Senate Bill 476, Senator Shapiro.  
26. Senate Bill 477, Senator Egan. Senate Bill 505, Senator Bruce.  
27. Senate Bill 507, Senator Vadalabene. Read the bill.

28. SECRETARY:

29. Senate Bill 507.

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 510,

1. Senator Kenneth Hall. Senate Bill 517, Senator Carroll. Well,  
2. Senator, you can move it and bring it back. Did you have some  
3. amendments going on it, or what? Move the bill to 3rd reading.  
4. We can take it back to 2nd. I'm not holding things till now. Senate  
5. Bill 510, read the bill. You can take it back to 2nd if there is  
6. an amendment.

7. SECRETARY:

8. Senate Bill 510.

9. (Secretary reads title of bill)

10. The Committee on...2nd reading of the bill. The Committee on Appro-  
11. priations offers two amendments.

12. PRESIDENT:

13. Well, if there is an amendment there now. Take it out of the  
14. record. We'll get back to it. Senate Bill 517, Senator Carroll.  
15. Senate Bill 633, Senator Hynes. 634, Senator Hynes. Senate Bill  
16. 692, Senator Demuzio. Senate Bill 699, Senator Shapiro. Senate  
17. Bill 739, Senator Berning. Senate Bill 845, Senator Berning. Senate  
18. Bill 855, Senator Graham. Senate Bill 992, Senator Hynes. Senate  
19. Bill 1008, Senator Fawell. Senator Fawell, are you moving 1008?  
20. Senate Bill 1011, Senator Netsch. Senate Bill 1013, Senator Fawell.  
21. Senate Bill 1024, Senator Glass. Senate Bill 1035, Senator Donnewald.  
22. Senate...Senate Bill 1024, Senator Glass. Read the bill.

23. SECRETARY:

24. Senate Bill 1024.

25. (Secretary reads title of bill)

26. 2nd reading of the bill. The Committee on Judiciary offers three  
27. amendments.

28. PRESIDENT:

29. Senator Glass.

30. SENATOR GLASS:

31. Mr. President, Amendment No. 1 to the bill is a rather inclu-  
32. sive amendment and establishes a review panel for all medical mal-  
33. practice cases consisting of a judge, a lawyer and a doctor. The

1. amendment also provides for the parties to submit the matter in  
2. issue to the panel within ninety days or not more than one year  
3. after parties are at issue.

4. PRESIDENT:

5. Senator Glass, the controversy surrounding this matter with  
6. the enumeration that I take might jeopardize this if we proceeded.  
7. ~~Why don't we take it out of the record until we have a more repre-~~  
8. ~~sentative membership here. I...I don't want to jeopardize the bill,~~  
9. and someone would enumerate what is here, we'd have a problem.

10. SENATOR GLASS:

11. Very well, Mr. President.

12. PRESIDENT:

13. Take it out of the record. For what purpose does Senator Netsch  
14. arise?

15. SENATOR NETSCH:

16. Just a request with respect to that bill. Could we also have  
17. copies of the amendments? I do not see them on our desks.

18. PRESIDENT:

19. It is a committee amendment. That's the problem.

20. SENATOR NETSCH:

21. I think in this case, I...if Senator Glass would be so kind,  
22. because it is a very complicated issue, if he would arrange to have  
23. it distributed...

24. PRESIDENT:

25. Senator Glass has indicated that he will have some amendments  
26. prepared so that it will be on the members' desk because of the highly  
27. controversial nature of the subject matter. Is that right, Senator  
28. Glass?

29. SENATOR NETSCH:

30. Thank you, Mr. President...thank you.

31. PRESIDENT:

32. Senate Bill 1013, Senator Fawell.

33. SECRETARY:

1. Senate Bill 1013.

2. (Secretary reads title of bill)

3. 2nd reading of the bill. The Committee on Local Government offers

4. one amendment.

5. PRESIDENT:

6. Senator Fawell, will you explain the amendment.

7. Why don't we take it out of the record until we have a more retr-  
SENATOR FAWELL:

8. The amendment, Mr. President...

9. PRESIDENT:

10. Just one minute, Senator. We're not all here yet and we're

11. still making enough noise to not be able to hear the Gentleman.

12. Senator Fawell.

13. SENATOR FAWELL:

14. The...the...the committee amendment has been redrawn. I...I

15. would not desire to move the adoption of the same. I'm not sure

16. if the proper motion is to Table the committee amendment. I move to

17. Table the committee amendment. I have Amendment No. 1 or Amendment

18. No. 2, I suppose you call it, which is the same but substantively

19. does what the committee amendment was intended to do. So, I move to

20. Table the committee amendment.

21. PRESIDENT:

22. Senator Fawell moves to Table Amendment No. 1 to Senate Bill

23. 1013. All in favor will say Aye. Opposed Nay. The Ayes have it.

24. The committee amendment is Tabled. Amendment No. ...Amendment No. 2,

25. Senator Fawell.

26. SENATOR FAWELL:

27. Amendment No. 2, Mr. President, does what the committee amend-

28. ment was designed to do to make it clear that when park districts

29. apply for liquor licenses that it will be granted by the State

30. Liquor Commission, and this is all that it...it does do. So, I move

31. the adoption of Amendment No. 2.

32. PRESIDENT:

33. Senator Fawell moves the adoption of Amendment No. 2 to Senate

1. Bill 1013. All in favor will say Aye. Opposed Nay. The Ayes have  
2. it. Amendment No. 2 is adopted. Any further amendments? Any  
3. further amendments? 3rd reading. Senate Bill 1035, Senator  
4. Donnewald. Senate Bill 1151, Senator Moore. Senate Bill 1258,  
5. Senator Kosinski. Senate Bill 1310, Senator Howard Mohr. Senate  
6. Bill 1311, Senator Howard Mohr. Senate Bill 1324, Senator Buzbee.  
7. Senate Bill 1378, Senator Sommer. Senate Bill 1380, Senator Harris.  
8. Senate Bill 1396, Senator Welsh. Senate Bill 1399, Senator Hynes.  
9. Senate Bill 1455, Senator Bruce. Senate Bill 1465, Senator Regner.  
10. SECRETARY:

11. Senate Bill 1465.

12. (Secretary reads title of bill)

13. 2nd reading of the bill. No committee amendments.

14. PRESIDENT:

15. With the understanding from Senator Regner, he'll hold this  
16. bill on 3rd till some other matters have been worked out. 3rd  
17. reading. Senator Soper is recognized.

18. SENATOR SOPER:

19. Well, I...just, looking at my senior Democrat representative  
20. from...

21. PRESIDENT:

22. Oh, you mean...

23. SENATOR SOPER:

24. He just wanted to say hello.

25. PRESIDENT:

26. ...Senator Sevcik. Senator Shea.

27. SENATOR SOPER:

28. Yes, Senator Shea.

29. PRESIDENT:

30. They both start with a B, right?

31. SENATOR SOPER:

32. One accomplishment he had and he still has, he's married to a  
33. Bohemian girl out there by the name of Sevcik, helps him in the

1. neighborhood.

2. PRESIDENT:

3. Senate Bill 1011, Senator Netsch.

4. SECRETARY:

5. Senate Bill 1011.

6. (Secretary reads title of bill)

7. ~~Senate Bill 1011, Senator Netsch.~~ 2nd reading of the bill. The Committee on Executive Offers one

8. amendment.

9. PRESIDENT:

10. Senator Netsch, Amendment No. 1.

11. SENATOR NETSCH:

12. Mr. President, this amendment reduced the original bill from  
13. one percent of the amount appropriated to one half percent, and  
14. also created the Public Building Fund Special Account in the State  
15. Treasury. I should add...and I would move its adoption.

16. PRESIDENT:

17. Senator Netsch moves the adoption of Amendment No. 1. All in  
18. favor will say Aye. Opposed Nay. Amendment No. 1 is adopted. Any  
19. further amendments?

20. SENATOR NETSCH:

21. Mr. President, if I might make the record clear. I will hold  
22. this bill, and after Senator Nimrod and I have worked our disagree-  
23. ments out, I will call it back to 2nd reading.

24. PRESIDENT:

25. With that understanding. 3rd reading. Senate Bill 1310, Senator  
26. Howard Mohr.

27. SECRETARY:

28. Senate Bill 1310.

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 1311,  
33. Senator Howard Mohr.

1. SECRETARY:  
2. Senate Bill 1311.  
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 692,  
7. Senator Demuzio.  
8. SECRETARY:  
9. Senate Bill 692.  
10. (Secretary reads title of bill)  
11. 2nd reading of the bill. The Committee on Agriculture, Conservation  
12. and Energy offers two amendments.  
13. PRESIDENT:  
14. Senator Demuzio.  
15. SENATOR DEMUZIO:  
16. For the adoption of Amendment No. 1.  
17. PRESIDENT:  
18. Could you explain the amendment.  
19. SENATOR DEMUZIO:  
20. I don't have it in front of me.  
21. SECRETARY:  
22. I can't. They're committee amendments, and I only got one copy.  
23. SENATOR DEMUZIO:  
24. By the way, I also agree to bring this bill back to 2nd reading  
25. because I know Senator Latherow has an amendment to put on it.  
26. Amendment No. 1 simply is a language change that defines use, as applied  
27. to all vessels on the waters of the State, and makes provisions for  
28. watercraft that are already licensed.  
29. PRESIDENT:  
30. Senator Demuzio...any further discussion? Senator Demuzio moves  
31. the adoption of Amendment No. 1 to Senate Bill 692. All in favor  
32. will say Aye. Opposed Nay. Ayes have it. Amendment No. 1 is adopted.  
33. Amendment No. 2, Senator Demuzio.



1. SENATOR DEMUZIO:

2. Amendment No. 2 provides for the inspection by the Department  
3. of Conservation or other duly authorized officers to make the various  
4. inspections the watercraft involved in this bill.

5. PRESIDENT:

6. Any further discussion?

7. SENATOR DEMUZIO:

8. Move for the adoption of the amendment.

9. PRESIDENT:

10. Senator Demuzio moves the adoption of Amendment No. 2. All in  
11. favor will say Aye. Opposed Nay. Amendment No. 2 is adopted. Senator  
12. Latherow.

13. SENATOR LATHEROW:

14. I have an amendment, Mr. President, that's on the Secretary's  
15. Desk there that...what this amendment...

16. PRESIDENT:

17. Amendment No. 3, will you explain the amendment, Senator.

18. SENATOR LATHEROW:

19. What this amendment does is strike the implied consent section  
20. of the Boating Act. Now, I think first of all we have to recognize  
21. that many of these people in boats, all they have to do to become  
22. boating experts is to buy a boat and a trailer and a motor and go down  
23. and back it into water and take off. Now, this part of the implied  
24. consent section says that .05 is considered to be intoxicated under  
25. that Act, and it would allow the Department to...to take the license  
26. from the boat. By that I mean, the owner of the boat...his license  
27. for that boat would be restricted. So, I move that this Amendment  
28. No. 3 be adopted.

29. PRESIDENT:

30. Any further discussion? Senator Demuzio.

31. SENATOR DEMUZIO:

32. Yes, I rise in opposition to this amendment. I think that the  
33. numerous boating accidents that are...as a result of intoxicating

1. liquor is warranted to the extent that I think it ought to be included  
2. in this bill, and therefore, I rise in opposition to the amendment.

3. PRESIDENT:

4. Any further discussion? Senator Latherow moves the adoption of  
5. Amendment No. 3 to Senate Bill 692. All in favor of the adoption of  
6. the amendment say Aye. Opposed. He's asked for a roll call. The  
7. question is on the adoption of Amendment No. 3 to Senate Bill 692.  
8. All in favor of the adoption of the amendment will vote Aye. Opposed  
9. will vote Nay. The voting is open. Have all voted who wish? Take  
10. the record. On this question, the Ayes are 24, the Nays are 12. The  
11. amendment carries. ... (Machine cut-off) ... further amendments? 3rd  
12. reading. Any further bills requested on 2nd reading? Senator Dougherty.

13. SENATOR DOUGHERTY:

14. I would like to call Senate Bill 1260 back to the order of 2nd  
15. reading for the offering of an amendment.

16. PRESIDENT:

17. Is there leave? Leave is granted. Is there any...

18. SENATOR DOUGHERTY:

19. I heard the other day we had sort of a comedy of errors on this  
20. bill. I amended it last...last Friday and then I was informed that  
21. my amendment was in error. So, we struck the amendment.

22. PRESIDENT:

23. Just...just one minute, Senator. Senator Buzbee and Senator  
24. Johns, I can't hear him. I really can't. Thank you. Senator  
25. Dougherty.

26. SENATOR DOUGHERTY:

27. So, the amendment that I offered on...on Friday was Tabled  
28. because of...I was informed by the Reference Bureau that I was in  
29. error. Subsequently, I learned today that I had not been in error,  
30. that I was correct, and the amendment I'm offering has nothing sub-  
31. stantive in it, but it failed to include in the bill as I drafted it,  
32. the last page of the bill. Furthermore, they failed to include several  
33. of the items that have already been made a part of the legislation

1. in past Sessions, five different items. So, without going into it,  
2. I...I would ask leave of the Senate that we approve the amendment to  
3. 1260.

4. PRESIDENT:

5. Does the amendment replace what you Tabled plus whatever else  
6. mean?

7. SENATOR DOUGHERTY:

8. That's right. This is correct. There's nothing dissatisfactory.  
9. I've discussed it with Senator Graham and he's in agreement.

10. PRESIDENT:

11. Senator Dougherty moves the adoption of Amendment No. 2 to  
12. Senate Bill 1260. All in favor will say Aye. Opposed Nay. The  
13. Ayes have it. The Amendment No. 2 is adopted.

14. SENATOR DOUGHERTY:

15. Thank you.

16. PRESIDENT:

17. Any further amendments? 3rd reading. Senator Graham.

18. SENATOR GRAHAM:

19. I'd like leave of the Body to move Senate Bill 32 back to the  
20. order of 2nd reading for purpose of considering an amendment.

21. PRESIDENT:

22. Is there leave? Leave is granted. Senate Bill 32 is now on  
23. 2nd reading. The Chair recognizes Senator Graham.

24. SENATOR GRAHAM:

25. Now, Mr. President, I would like to move that the vote by which  
26. Amendment No. 1 to Senate Bill 32 be reconsidered.

27. PRESIDENT:

28. Any further discussion? Senator Graham moves that the vote by  
29. which Amendment No. 1 to Senate Bill 32 passed be reconsidered. All  
30. in favor will say Aye. Opposed Nay. The motion carries.

31. SENATOR GRAHAM:

32. Now, Mr. President, I move you that Amendment No. 1 to Senate  
33. Bill 32 be Tabled.

1. PRESIDENT:

2. Senator Graham moves that Amendment No. 1 to Senate Bill 32 be  
3. Tabled. All in favor will say Aye. Opposed Nay. The Ayes have it.  
4. The amendment is...is Tabled. Senator Graham.

5. SENATOR GRAHAM:

6. Now...now, Mr. President, I would like to submit for the con-  
7. sideration of the Senate, Amendment No.2 to Senate Bill 32. We have  
8. talked with Senator Rock and the legal advice on that side of the  
9. aisle. It seems that we are progressing to the extent that they  
10. thought this amendment would make the bill better. We have inserted  
11. on Lines 32 and 33 of Page 3 - State Government pursuant to omnibus  
12. crime bill, which was suggested by Seantor Daley and SenāTOR Rock, and  
13. have reinserted a portion of the Amendment No. 1 which we Tabled that  
14. says that this commission that deals with the Law Enforcement Commission  
15. shall meet quarterly. This, I think, is conformity...in conformity  
16. with the thinking that we keep this bill in the respectable shape that  
17. will not be thrown out by the Federal Government, and I move the  
18. adoption of Amendment No. 2.

19. PRESIDENT:

20. Any further discussion? Senator Graham moves the...the adoption  
21. of Amendment No. 2 to Senate Bill 32. All in favor will say Aye.  
22. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any  
23. further amendments? 3rd reading. What purpose does Senator Schaffer  
24. arise?

25. SENATOR SCHAFFER:

26. Request leave of the Body to bring Senate Bill 1089 back for the  
27. purpose of an amendment, from 3rd reading to 2nd.

28. PRESIDENT:

29. Is there leave? Leave is granted. Senate Bill 1089 on 3rd read-  
30. ing. Senator Schaffer.

31. SENATOR SCHAFFER:

32. I'd like to move adoption of, I believe, it would be Amendment  
33. No. 2, Floor Amendment, which would delete the requirement for each

1. school district to designate an environmental education coordinator  
2. by district superintendents in each local educational district. This  
3. was suggested by Senator Latherow and the Office of Education has  
4. no objection to this amendment.

5. PRESIDENT:

6. Any further discussion? This is Amendment No. 2 to Senate Bill  
7. ~~1089~~ Senator Schaffer moves the adoption of Amendment No. 2 to  
8. Senate Bill 1089. All in favor will say Aye. Opposed Nay. The  
9. Ayes have it. Amendment No. 2 is adopted. Any further amendments?  
10. 3rd reading. Has the Chair leave to go to the order of Consideration  
11. Postponed for the consideration of a bill to which...which...there  
12. will be a request to bring back to 2nd reading for the purpose of  
13. an amendment. Is there leave? Leave is granted. Senate Bill 68  
14. is under consideration on the order of 2nd reading. Senator Fawell.

15. SENATOR FAWELL:

16. Yes, Mr. President, Amendment No. 1 is on the Secretary's Desk.  
17. and this simply sets forth a back door referendum in regard to the  
18. question of the elimination of the roll back tax. I would ask for  
19. the favorable roll call on the adoption of Amendment No. 1.

20. PRESIDENT:

21. Is there any further discussion on this amendment? Senator  
22. Fawell moves the adoption of Amendment No. 1 to Senate Bill 68. All  
23. in favor will say Aye. Opposed Nay. Amendment No. 1 is adopted.  
24. Any further amendments? Back to the order of...Consideration Post-  
25. poned. Return to the order of Senate Bills on 2nd reading. Senate  
26. Bill 468, Senator Weaver.

27. SENATOR WEAVER:

28. Mr. Chairman, if there's any amendments to be offered, I'll be  
29. glad to bring it back from 3rd reading to 2nd. I'd like to move it  
30. to 3rd.

31. PRESIDENT:

32. Read the bill.

33. SECRETARY:

1. Senate Bill 468.

2. (Secretary reads title of bill)

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

4. PRESIDENT:

5. Any amendments from the Floor? 3rd reading, with the understand-  
6. ing it can be brought back. Senate Bill 476, Senator Shapiro.

7. ~~SECRETARY: On the subject, amendment from the Senate Bill 476, the~~

8. Senate Bill 476.

9. (Secretary reads title of bill)

10. 2nd reading of the bill. No committee amendments.

11. PRESIDENT:

12. Any amendments from the Floor? With the understanding it will  
13. be brought back to 3rd...to 2nd. 3rd reading. Senator Soper.

14. SENATOR SOPER:

15. Mr. President, would this be the time to postpone or to Table  
16. all bills on Postponed Consideration?

17. PRESIDENT:

18. Very close thereto.

19. SENATOR SOPER:

20. I'd make that motion.

21. PRESIDENT:

22. I said almost. Not at this time.

23. SENATOR SOPER:

24. Well, I...sooner or later, and I think it's better to have it  
25. sooner. We'll save all these printing costs. That's what I wanted  
26. to save.

27. PRESIDENT:

28. Later, I agree with. Further requests for the moving of...  
29. Senator House...Senator Rock.

30. SENATOR ROCK:

31. Thank you, Mr. President. On the...on the order of Senate Bills  
32. 3rd reading is Senate Bill 1059. I would ask leave at this time that  
33. that be brought back to the order of 2nd reading for the purpose of

SB 1059  
5/19/75

1. two amendments.

2. PRESIDENT:

3. Is leave granted? Leave is granted. Senate Bill 1059. Senator  
4. Rock is recognized.

5. SENATOR ROCK:

6. Thank you, Mr. President. I understand that this evening we  
7. were to start at Senate Bill 1053, 1059 would be in order. I do not  
8. intend to call that bill tonight because of these two amendments. So  
9. far today, we have moved thirty-three bills, and I hope we can move  
10. with some dispatch. For the purpose of Amendment No. 3 to Senate  
11. Bill 1059, Amendment No. 3 merely corrects a typographical error.  
12. When I put on Amendment No. 1 to 1059, the Reference Bureau deleted  
13. one entire line. This merely replaces that line, and I assure you  
14. it is nonsubstantive. I would move the adoption of Amendment No. 3.

15. PRESIDENT:

16. Senator Rock moves the adoption of Amendment No. 3 to Senate  
17. Bill 1059. All in favor will say Aye. Opposed Nay. Amendment is  
18. adopted. Any further amendments?

19. SENATOR ROCK:

20. Yes, Amendment No. 4, Mr. President and Ladies and Gentlemen of  
21. the Senate, also amends Senate Bill 1059 in about twenty-three  
22. separate places. Again, it corrects twenty typographical errors and  
23. at least three grammatical errors, and I would move the adoption of  
24. Amendment No. 4.

25. PRESIDENT:

26. Senator Rock moves the adoption of Amendment No. 4 to Senate  
27. Bill 1059. All in favor will say Aye. Opposed Nay. Ayes have it.  
28. Amendment No. 4 is adopted. Any further amendments? 3rd reading.  
29. Any other bills on 2nd reading, Senate Bills on 2nd reading, or bills  
30. on 3rd reading that you want to bring back for an amendment? Senate  
31. Bills on 3rd...on 2nd reading...on 3rd reading. Senate Bill 1093,  
32. Senator...Weaver asks leave to return this bill to 2nd reading for  
33. the purpose of an amendment. Is there leave? Leave is granted.

1. Senator Weaver. The bill is on 2nd reading.

2. SENATOR WEAVER:

3. Mr. President, this amendment clarifies Senate Bill 1093, by  
4. saying that at least seven and a half percent of distributable income  
5. of a business in addition to ownership of seven and a half percent  
6. of the stock, and I would move its adoption.

7. PRESIDENT:

8. Senator Weaver moves the adoption of Amendment No. 1 to Senate  
9. ...Amendment No. 2 to Senate Bill 1093. Any further discussion? All  
10. in favor will say Aye. Opposed Nay. Amendment No. 2 is adopted.  
11. Any further amendments? With the understanding, Senator Weaver, we  
12. could...Senator Weaver, with the understanding we'll bring this back  
13. if there are other amendments. 3rd reading. Senator Regner. Senator  
14. Netsch is asking that Senate Bill 858 be returned from the order of  
15. 3rd reading for the...to the order of 2nd reading for the purpose of  
16. an amendment. Have you had conversation? Read the...Senator Netsch  
17. moves...seeks leave to have Senate Bill 858 returned to the order of  
18. 2nd reading for the purpose of an amendment. Is there leave? Leave  
19. is granted. Let the record show that the sponsor, Senator Regner, has  
20. no objection. Senator Netsch. This is Amendment No. ...Amendment  
21. No. 2 to Senate Bill 858. Senator Netsch.

22. SENATOR NETSCH:

23. Mr. President and Senator Regner, this is a bill which, among  
24. other things, provides that all child care licensing activities of  
25. the Department of Children and Family Services shall be the responsi-  
26. bility of a chief of licensing services. The amendment that I am pro-  
27. posing would except from that the day care center and day care home  
28. licensing, which shall be coordinated and regulated by the Office of  
29. Child Development of the Illinois Department of Children and Family  
30. Services. The amendment was requested particularly by one of the  
31. major groups that is interested in and has worked long and hard for  
32. day care licensing and day care programs in the State of Illinois.  
33. Their concern is, that having worked so long to get an Office of Child



1. Development into which was centralized the coordination of all day  
2. care programs, that this particular provision of this particular bill  
3. would, in effect, dissipate that very hard won victory that they have.  
4. I agree, it seems to me that it is very important that having finally  
5. brought all of the day care programs together under one coordinator  
6. that they remain that way. I should point out also that the Director  
7. of the Department of Children and Family Services has written to indi-  
8. cate support of this approach, saying that administratively that it  
9. is the intention of the Department to retain all of the day care pro-  
10. grams under the Office of Child Development, and the Department, there-  
11. fore, would find it much more compatible with the programming that  
12. they have done with respect to day care, if this amendment were added  
13. to Senate Bill 858.

14. PRESIDENT:

15. Any further discussion? Senator Regner. Just a minute, Senator.  
16. Would the Sergeant-at-Arms clear the aisles. That's where our noise  
17. is coming from. Senator Regner.

18. SENATOR REGNER:

19. Yes, Mr. President and members of the Senate, I oppose this amend-  
20. ment. One of the principal findings of the Economic and Fiscal  
21. Commission's staff...staff's indepth evaluation of day care licensing  
22. and regulation, was a lack of coordination and unified management of  
23. licensing activities. Eighty-eight percent of the Department of  
24. Children and Family Services own licensing personnel that were sur-  
25. veyed, said that a state-wide licensing coordinator was needed. The  
26. Department to its credit has indicated that it is now seeking to fill  
27. such a position. This amendment by splitting the responsibility  
28. between the chief of licensing and the Office of Child Development  
29. would write into statute the same kind of blurred responsibility  
30. which has caused the problems in the past. And it's for these reasons  
31. that I feel this amendment should be defeated, so that the main thrust  
32. of this bill would still be in tact.

33. PRESIDENT:

1. Any further discussion? Senator Netsch moves the adoption of  
2. Amendment No. 2 to Senate Bill 858. Senator Netsch.

3. SENATOR NETSCH:

4. May I just simply respond very briefly to Senator Regner. I  
5. think that what is being attempted in the amendment does not really  
6. do basic harm to the purpose of that provision of your bill, Senator  
7. Regner. I think that this relates to a major function of the Depart-  
8. ment, which has been for the first time brought together and put under  
9. an orderly scheme for seeing that all day care programs are indeed  
10. coordinated and dealt with with a single objective. So that it seems  
11. to me that it is quite possible to adopt this amendment, except out  
12. the Office of Child Development and still not do basic injustice to  
13. what you are attempting in the bill itself, and I would urge support  
14. of the amendment on behalf of all the day care groups in the State.

15. PRESIDENT:

16. Any further discussion? Senator Netsch moves the adoption of  
17. Amendment No. 2 to Senate Bill 858. All in favor will say Aye.  
18. Opposed Nay. A roll call is requested. Senator Netsch moves the  
19. adoption of Amendment No. 2 to Senate Bill 858. All in favor will  
20. vote Aye. Opposed will vote Nay. The voting is open. Have all voted  
21. who wish? Take the record. On this question, the Ayes are 20, the  
22. Nays are 23. The amendment fails. Any further amendments? 3rd  
23. reading. Senate Bills on 3rd reading. Will the members be in their  
24. seats. Senate Bill 1053, Senator Bloom. Now, just a moment. Just  
25. a moment. Just a moment. Will the members be in their seats and will  
26. staff personnel stay on the side of the hall unless you are called  
27. to the Senator by a Senator to discuss something. Don't stand in the  
28. middle of the hall until you're sought there by someone who desires to  
29. talk to you. Senate Bill 1053, Senator Bloom.

30. SECRETARY:

31. Senate Bill 1053.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDENT:

2. Senator Bloom.

3. SENATOR BLOOM:

4. Well, thank you very much, Mr. President and members.

5. PRESIDENT:

6. Will the Sergeant-at-Arms break up the caucus. Senator Bloom.

7. SENATOR BLOOM:

8. Thank you very much, Mr. President. This bill does exactly what  
9. the synopsis says it does. Its genesis is that the nursing home in  
10. ...the county nursing home in DuPage County found that it would be  
11. less expensive to contract out their food and laundry services rather  
12. than be in the restaurant and laundry business. They got an opinion  
13. from the Attorney General saying that under the law they could not do  
14. that. This bill merely changes the Act to provide the option that  
15. if it is cheaper to contract out as opposed to run a restaurant and  
16. a laundry business in a nursing home, that the downstate nursing homes  
17. can do it. It passed out of committee ten to nothing and the downstate  
18. nursing homes favor it, and I'd urge its adoption and I'll accept  
19. questions.

20. PRESIDENT:

21. Any further discussion? The question is shall Senate Bill 1053  
22. pass. Those in favor will vote Aye. Opposed will vote Nay. The  
23. voting is open. Have all voted who wish? Take the record. On this  
24. question, the Ayes are 47, the Nays are none. Senate Bill 1053  
25. having received the constitutional majority is declared passed. Senate  
26. ...for what purpose does Senator Buzbee arise?

27. SENATOR BUZBEE:

28. I just...somebody stole my No button and I wanted to inform that  
29. I...I do have a No vote once in a while. I need it back. I found it  
30. now, though.

31. PRESIDENT:

32. In the Senate, the verb is purloined. Senate Bill 1056, Senator  
33. Kosinski. Senate Bill 1057...oh no, no, no. Senate Bill 1059,

1. Senator Rock. Senate Bill 1069, Senator McCarthy.

2. SECRETARY:

3. Senate Bill 1069.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDENT:

7. ~~Senator McCarthy.~~

8. SENATOR MCCARTHY:

9. Yes, Mr. President and members of the Senate, Senate Bill 1069  
10. amends the School Code and it concerns itself with the deductability  
11. or withholding or check off, if you wish, of professional organization  
12. dues and contributions. What we did two years ago, as I recall, it  
13. may have been four, was pass a bill that allowed a teacher to instruct  
14. the school board, by writing, to withhold from his or her salary an  
15. amount equivalent to their dues in a professional organization. That  
16. bill was signed in law, and this bill...seeks to extend that concept  
17. where it would provide, principally, the Illinois Educational Associ-  
18. ation although they're not spelled out. It would apply to any teachers'  
19. organization to allow their members to tell the school board to have  
20. a check off for other payments that might be for welfare funds through  
21. way...way of a welfare trust. This is permissive in language. It  
22. requires the election of the teacher, in writing to the school board,  
23. and I recommend its passage to you.

24. PRESIDENT:

25. Any further discussion? Senator Shapiro.

26. SENATOR SHAPIRO:

27. Would the sponsor yield to a question?

28. PRESIDENT:

29. He indicates he will.

30. SENATOR SHAPIRO:

31. Senator McCarthy, as it is now, a school teacher can request the  
32. school district or the board to...to deduct dues. Is that correct?

33. PRESIDENT:

1. Senator McCarthy.

2. SENATOR MCCARTHY:

3. Yes, that is correct.

4. SENATOR SHAPIRO:

5. Now, this bill would extend that deduction if the teacher so  
6. desires to what else?

7. PRESIDENT:

8. Senator McCarthy.

9. SENATOR MCCARTHY:

10. Well, I'll...I'.. read it to you. That it extends it to member-  
11. ship dues or contributions or both, payable by such teacher to a pro-  
12. fessional organization. Now, that not only means dues but it might  
13. mean any contributions to the professional organization.

14. PRESIDENT:

15. Senator Shapiro.

16. SENATOR SHAPIRO:

17. Can I speak to the bill? In other words, what it would do is  
18. ...a teacher now if they want their dues deducted, all they have to do  
19. is make a statement in writing to the school board and those dues will  
20. be deducted, but in addition, it would also mean that if they made  
21. the request that the school board would be obligated to make those  
22. deductions, those payments, to political funds such as IPACE or any-  
23. thing else that the teacher desires. I don't think that happens to  
24. be at this present moment a desirable effect, and I would urge every-  
25. one, particularly on this side of the aisle, to oppose the bill in its  
26. present form.

27. PRESIDENT:

28. Any further discussion? Senator Glass.

29. SENATOR GLASS:

30. Well, Mr. President, I would just reinforce what Senator Shapiro  
31. had to say. This clearly would allow, in fact, mandate school boards to  
32. withhold political contributions and pay them over to the political arm  
33. of the IEA or...or any other organization. It, I think, is a terrible

1. precedent to set, and I would just second his sentiments and urge  
2. defeat of the bill.

3. PRESIDENT:

4. Any further discussion? Senator Harris.

5. SENATOR HARRIS:

6. Question of the sponsor.

7. PRESIDENT:

8. He indicates he'll yield

9. SENATOR HARRIS:

10. Is there...is there any provision in the present Annuity and  
11. Withholding Act for withholding of contributions, political contri-  
12. butions?

13. PRESIDENT:

14. Senator McCarthy.

15. SENATOR McCARTHY:

16. Senator, I don't know the answer to that question. I know of  
17. no such authority, nor do I know of any prohibition.

18. SENATOR HARRIS:

19. So, this really would be starting down a new road, would it not?

20. SENATOR McCARTHY:

21. Well...

22. SENATOR HARRIS:

23. The present law authorizes withholding for dues and for payments  
24. to credit unions and such like individual obligations, but there is  
25. no provision in the State Salary Annuity and Withholding Act now for  
26. political contributions. Would you...would you confirm that?

27. PRESIDENT:

28. Senator McCarthy.

29. SENATOR McCARTHY:

30. You mean as...Senator, I...I don't know of any, nor do I know  
31. of any prohibition.

32. SENATOR HARRIS:

33. Well, you've satisfied me, Senator McCarthy. It seems to me that

1. the members should very carefully weigh the matter of starting down  
2. this road. The determination by a limited few to use political  
3. contributions not necessarily consistent with individual, political  
4. judgments of the dues payer, and not necessarily consistent with the  
5. contributor, is truly a concept fraught with difficulty. I think this  
6. is a bad precedent to establish and would urge the membership of the  
7. Senate to reject Senate Bill 1069.

8. PRESIDENT:

9. Senator Fawell.

10. SENATOR FAWELL:

11. I want to second the comments that Senator Harris has just made  
12. and perhaps it doesn't need and perhaps it will do no good, but what  
13. we're doing here, if we pass this bill, is to say that we will use  
14. public funds in the form of the office expense and time of busy public  
15. school officials to see to it that these political contributions are  
16. made to a union. I...I think nothing could be any...more abhorrent  
17. than to even suggest this type of legislation ought to be passed.  
18. I hope that here we will take a stand and quite firmly say no to the  
19. Illinois Education Association.

20. PRESIDENT:

21. Any further discussion? Senator Soper.

22. SENATOR SOPER:

23. Mr. President and members of the Senate, not only the...the  
24. reasons that were propounded here, but I know that we've had problems  
25. with...with our school boards and with our junior college getting a  
26. form together or the check that they received the deductions on these  
27. checks and the computerization of this, and...and to put this thing  
28. in a computer sounds very simple, but when you start to extend the  
29. deductions on...on different checks or...or vouchers that are issued  
30. to each individual, it seems that there's a limited amount of space  
31. and this whole thing has to be reprinted and have to...has to be re-  
32. computerized, and if you...if you come into this proposition, now,  
33. they've...they've got space for deduction of dues and deductions for

1. income tax, social security, whatever is necessary, and...and they  
2. have their credit unions. I think you're going to put an undue burden  
3. on...on your school boards. If you want to spend the money, and you  
4. want to come back to them and tell them they're going to have to spend  
5. this money, I...I think...I think you'll have to ask that those that  
6. request this should be required to pay the differential in the adminis-  
7. trative costs. Now, if you put a...an...if you put an amendment to  
8. this bill and you said that you're willing to pay the cost of this  
9. and not have the general public pay for it, fine, it's alright with  
10. me. I think that should be done to be fair. You always talk about  
11. being fair on these things. If you want something done, you want  
12. some services, fine. Pay for them. You can have all the services  
13. you want, but don't ask the general public to pay for...pay for this  
14. sort of service.

15. PRESIDENT:

16. Any further discussion? Senator Hickey.

17. SENATOR HICKEY:

18. I'd like to ask, Mr. President, some of the opponents of this  
19. bill if they would object to community chest contributions being  
20. deducted in this manner, and would think that the community chest,  
21. then, should...should pay for that service.

22. PRESIDENT:

23. Was that a rhetorical question? Did you expect an answer? Okay.  
24. Any further discussion? Senator McCarthy may close the debate.

25. SENATOR MCCARTHY:

26. Yes, Mr. President, I compliment...I compliment Senator Shapiro  
27. and Senator Harris, Senator Fawell and others, for pointing out to  
28. this Body which I did not point out, but which I did not wish to  
29. obscure...did not wish to obscure, and that is that if this bill becomes  
30. law, it does allow the individual teacher to tell the school board  
31. to make a deduction from their pay roll if the teacher wants them to  
32. and does it in writing and part of the purposes of some of those con-  
33. tributions could be political activities, and I think it's fair that we



1. face the issue knowing what the possible implications are, but I do  
2. not agree that that is necessarily a bad concept. Senator Soper is  
3. the one person who has raised a point that might be worthy of some  
4. consideration. When this bill reaches the House, as I sincerely hope  
5. it will, and that is in the event there are extra costs incurred by  
6. the school board, that perhaps there should be some means of charging  
7. to the professional organization those extra costs on the check offs.  
8. They presently are under another section of the statute, I am told,  
9. the school board, do upon the written election of the members of any  
10. organizations make deductions for United Fund, other charitable organ-  
11. izations, and we talk about getting involved in political parties, I  
12. think we're looking at political contributions as a legitimate and  
13. proper type of activity and one that is fully covered by Illinois  
14. insofar as the reporting thereof, as to amounts candidates given and  
15. the candidates must report it. But let's don't put this on a political  
16. contribution basis only. This bill provides many other types of  
17. contributions which I think are necessary to the collective bargaining  
18. rights, collective judgment rights of the professional organizations.  
19. If this bill were to become a law, any member of the organization  
20. could designate to the school...the school board to have a check off  
21. made for credit union payments which is an advantage to the lender,  
22. the credit union, an advantage to the member. They could make mortgage  
23. arrangements, and some of them may have more of those problems in  
24. the future than they've had in the past. They could go on with pay  
25. roll savings plans, group insurance plans, prepaid legal services,  
26. etc., and so, I don't think it's fair to characterize this complete  
27. bill as having a center entirely upon the right of the Illinois...  
28. Illinois Educational Association to allow its members to designate,  
29. in writing, to the school boards to have contributions withheld which  
30. may end up in political purposes. That's not the entire focus of  
31. the bill, but I submit it's a proper focus that must be viewed against  
32. the other purposes that I have just enumerated. It strikes me that  
33. this is good legislation...

1. PRESIDENT:

2. Time. Your time is up, Senator. Will you close the debate.

3. SENATOR McCARTHY:

4. ...and it is voluntary, and I would solicit the...the membership's  
5. support of this voluntary type of permissive legislation. Thank you.

6. PRESIDENT:

7. The question is shall Senate Bill 1069 pass. Those in favor will  
8. vote Aye. Those opposed will vote Nay. The voting is open. All  
9. voted who wish? Postponed consideration for Senate Bill 1069.

10. Senator Kosinski was...explained to me he had to go over to the  
11. doctors. Senator Kosinski, 1056.

12. SECRETARY:

13. Senate Bill 1056.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDENT:

17. For what purpose does Senator Rock arise?

18. SENATOR ROCK:

19. Clarification, Mr. President. The Calendar is in error and  
20. before Senator Kosinski starts, I would hope everybody would take  
21. note. A couple of the members from the other side, particularly  
22. Senator Philip and a couple of others, have indicated that they read  
23. only the head note as we call it in the law books, and it says allows  
24. Circuit Courts to determine number of probation officers and their  
25. compensation. The fact is that the bill does not allow the Circuit  
26. Court to do...to determine their compensation. I wish the Calendar  
27. would be corrected so that Senator Kosinski can proceed.

28. PRESIDENT:

29. I just want to say for the benefit of the secretaries, that is  
30. exactly what the head note or the synopsis on the bill itself says  
31. and that is why they made that error. It's not an error of the Secre-  
32. tary. Senator Kosinski.

33. SENATOR KOSINKSI:

1. Thank you, Mr. President and members of the Senate, Senator  
2. Rock. The...Senate Bill 1056 amends the Act relating to Probation  
3. Systems. It eliminates the maximum number of probation officers who  
4. may be appointed to certain counties and leave it to the county board  
5. to determine. It eliminates the age requirement for probation officers,  
6. to make this Act consistent with the provision of the Juvenile Court  
7. Act in relation to probation officers. It eliminates the requirement  
8. that records concerning probationers be kept in one office under the  
9. supervision of the chief probation officer. Provides that the reim-  
10. bursement paid to probation officers shall be determined by the Board  
11. of Commissioners and payment authorized by the chief judge of the  
12. Circuit Court, and it eliminates the ceiling on salaries for probation  
13. officers and leaves it to the county board to determine. It provides  
14. for the number of compensations to be paid probation officers and to  
15. be determined by the Circuit Court of Cook County Board...of the county  
16. board, not Cook County Board, excuse me. This bill is supported by  
17. the Probation Officers Association of Illinois as means whereby more  
18. professionalism can be brought into the ranks if the Circuit Court  
19. was allowed to determine the number of probation officers necessary.  
20. But the county board controls its purse strings and thus, can limit  
21. the number if necessary. Mr. President, I seek a favorable roll call,  
22. if there are no other questions.

23. PRESIDENT:

24. Senator Kenneth Hall.

25. SENATOR HALL:

26. Will the sponsor yield to a question?

27. PRESIDENT:

28. He indicates he will.

29. SENATOR HALL:

30. Senator Kosinski, who decides the number of probation officers?

31. SENATOR KOSINSKI:

32. The county board and the...with the request from the Circuit  
33. Court judge of the Circuit who asks or requests.

1. PRESIDENT:

2. Senator Kenneth Hall.

3. SENATOR HALL:

4. Well, as...as I understand it, if this bill becomes law that  
5. the Circuit Court will decide how many, but the county board will  
6. decide the...the amount, the salary from...from now on. You're taking  
7. away from the county board the right to say how many probation officers  
8. we'll have.

9. PRESIDENT:

10. Senator Kosinski.

11. SENATOR KOSINSKI:

12. That's not true, Senator Hall. I said that the Circuit Court  
13. judge, chief judge, or the judges together of that Circuit, can request  
14. a number of more probation officers, but it is still under the super-  
15. vision of the county board, the amount as well as the salary. There's  
16. nothing taken away from the county board.

17. PRESIDENT:

18. Senator Hall, Kenneth Hall. Senator Glass.

19. SENATOR GLASS:

20. Well, Mr. President, I think Senator Hall asked essentially the  
21. question I had, but I...but it still is not completely clear to me,  
22. and I'd like to ask Senator Kosinski this question. It...as Senator  
23. Rock mentioned, the salaries can no longer be set...the salaries are  
24. not set by the Circuit Court, but it's set by the...by the county  
25. board. But...but why is it necessary to mention the Circuit Court  
26. at all? It seems to me the Circuit Court judges, if they wanted to,  
27. could...could suggest to the county board that they ought to have  
28. more probation officers. If the county board, in fact, determines  
29. the number and the salary, I just wonder why the need to mention the  
30. Circuit judges if they're only advising.

31. PRESIDENT:

32. Senator Kosinski.

33. SENATOR KOSINSKI:

1. Well, I think we've had many problems among...in the Probation  
2. Department. I think this probably would be the best idea that the  
3. request would come from the chief judge of the Circuit Court request-  
4. ing the county board to hire, if possible, if the funds are available,  
5. and that's very important that the funds be available for this type  
6. of active program.

7. ~~PRESIDENT: The county board the right~~

8. Senator Glass.

9. SENATOR GLASS:

10. Well, Senator, I...I would point out to you, looking at the bill  
11. and reading from the bill, Line 24 on the first page, the Circuit  
12. Court of any county may appoint such number of additional probation  
13. officers for such county as the court may deem to be necessary or  
14. advisable. So, it seems to me they do make the appointments, and I...  
15. I gather what you're saying is that, unless that's been amended out,  
16. that...that it's a matter of the...if the county board doesn't want  
17. to approve the...or appropriate the money for these appointments, it  
18. may not do so.

19. PRESIDENT:

20. Senator Davidson.

21. SENATOR DAVIDSON:

22. Will the sponsor yield for a question?

23. PRESIDENT:

24. He indicates he'll yield.

25. SENATOR DAVIDSON:

26. Senator Kosinski, the language you're striking out removes the  
27. limit that the Circuit Court could have appointed. You're right  
28. about the language is may, but what you're striking out in this bill  
29. with the amendment is the limitation that no more than one for twenty-  
30. five thousand population, and the only thing I'm concerned about is  
31. with leaving the language may, the Circuit Court may appoint, there's  
32. nothing as I quickly look at this that says the county board will be  
33. ...consulted or recommendation of the county board as to limitation

1. in number. It just says the court may appoint.

2. PRESIDENT:

3. Senator Rock.

4. SENATOR ROCK:

5. Well, just...if I might, I rise in support of Senate Bill 1056  
6. and the answer to both Senators Davidson and Glass, the...the adage  
7. is governmentally, that he who controls the purse strings controls.  
8. You can appoint, I suppose, a thousand probation officers in any  
9. given county. In fact, the limitation, one per twenty-five thousand,  
10. is in fact being stricken. The fact is how are they going to get  
11. paid? The county board or the county board of supervisors appropriates  
12. the money for them to get paid, and if you appoint one or a hundred  
13. thousand probation officers, what are they going to pay them, a dollar  
14. a piece?

15. PRESIDENT:

16. Senator Mitchler.

17. SENATOR MITCHLER:

18. Well, Senator Rock, in response to that, let me ask you this.  
19. Do the courts not have the authority to designate and override the  
20. county board on the salaries and the health and welfare and the  
21. well-being of the community if they feel that more probation officers  
22. are necessary for the conduct of business in the county? You're  
23. an attorney, I am not.

24. PRESIDENT:

25. Senator Rock.

26. SENATOR ROCK:

27. In a word under...

28. PRESIDENT:

29. Just...just one minute. One minute. Back at the rail. Senator  
30. Rock.

31. SENATOR ROCK:

32. Senator Mitchler, in a word under Senate Bill 1056 as proposed,  
33. No.

1. PRESIDENT:

2. Senator Mitchler.

3. SENATOR MITCHLER:

4. Well, I'd like to point out to the membership that naturally  
5. this is opposed to by county boards. And let me tell you, I'm talk-  
6. ing about Kane County now. The courts feel that they need more pro-  
7. bation officers. The county board does not, naturally, because they  
8. have to appropriate money that they would probably rather appropriate  
9. for other type of personnel. In fact, we had a case up there where  
10. they requested money for the...from the Illinois Law Enforcement  
11. Commission, a grant mind you, and after the grant was approved, then  
12. they reduced the salaries of the probation officers below the amount  
13. that was specified in the grant request to the Illinois Law Enforcement  
14. Commission, and why, so that they would have more monies to spend for  
15. other things. Now, one of the most important functions in our local  
16. communities is that of a probation officer, that is more important than  
17. your social workers in your Department of Children and Family Services  
18. who probably have gummed up and fouled up more homes through the  
19. handling of young people, that if they were turned over to...to proba-  
20. tion officers and could handle these problems of the young people,  
21. they can straighten them out and be of help. Now, I know of these  
22. people because I work with them. I have them on my staff, and  
23. Senator Kosinski, your bill is a good bill. Naturally, it's opposed  
24. to by the county boards because they want to hang onto their money,  
25. and they don't want to put it where it belongs, into the probation  
26. officers. They're afraid the courts are going to appoint more than  
27. they can handle, but it's a necessary point, and I'd urge support of  
28. Senator Kosinski's bill.

29. PRESIDENT:

30. Any further discussion? Senator Wooten.

31. SENATOR WOOTEN:

32. Well, I think the...the point that has been raised is why I have  
33. received so much vehement opposition to this from county boards in my

1. district. And that is because if...if you take all of the language  
2. as it would now be changed, the judge can appoint the probation  
3. officer, and then, it's...I don't think you can really say the  
4. county board is free not to pay that probation officer's salary. I  
5. believe they can be enjoined to pay his salary, and I think that is  
6. the objectionable feature of the bill, and I...I believe it must be  
7. opposed because of that.

8. PRESIDENT:

9. Senator Rock.

10. SENATOR ROCK:

11. Well, I...Senator Mitchler, frankly, had me confused there for  
12. a moment until he...his final sentence when he came out in support  
13. of the bill. I can't imaginé Kane County or...or whatever the county  
14. Senator Wooten's from or any county being opposed to this. This is,  
15. in fact, a county-wide probation, as opposed to state-wide probation,  
16. as proposed by the Chief Executive of our State. This bill gives the  
17. county boards more damn power than they have currently under the  
18. current law. And I...to...to say that the county boards are opposed  
19. to it, simply is a misreading of...of what's in 1056, and I rise in  
20. support of it.

21. PRESIDENT:

22. Senator Harber Hall.

23. SENATOR HALL:

24. One of the things that disturbs me, Mr. President, about this  
25. bill is the elimination of the restriction of one probation officer  
26. for every twenty-five thousand population. I'm aware that in my  
27. County of McLean, for many years we managed to do with one probation  
28. officer for approximately, roughly, a hundred thousand population,  
29. and whereas, I realize that some counties may have more problems in  
30. this area than we do in McLean, I would think that the principal of  
31. limiting the number of probation officers according to population was  
32. a sound one, and if twenty-five thousand were insufficient in relation  
33. to that restriction, then maybe it should be increased to one for



1. every twenty thousand or fifteen thousand. I hate to eliminate some  
2. limit to the number of people we could place on the county payroll  
3. in the position of probation officers, and therefore, unless I hear  
4. an answer to this objection, I will have to vote No.

5. PRESIDENT:

6. Any further discussion? Senator Berning.

7. SENATOR BERNING:

8. Thank you, Mr. President. Mr. President, knowing as I do the  
9. sponsor of this measure, I would be the first to defend his motives.  
10. I'm convinced that he's acting out of sincere and defensible motiva-  
11. tion for what he feels is a desirable bit of legislation, and I would  
12. not criticize him in any way for perhaps being taken or placed in a  
13. position which would be contrary to his normal position if he were  
14. to understand one or two things that appear to be not too clear in  
15. this measure. When one realizes that, it says the Circuit Court of  
16. any county may appoint, that means without restriction, may appoint.  
17. There is nothing in that phrase, and I submit that's not being  
18. changed, that's already there, may appoint such number of additional  
19. probation officers as they deem necessary. It leaves completely wide-  
20. open the designation of probation officers, which then must be compen-  
21. sated by the county. The only restriction that was in the legislation  
22. was that twenty-five thousand population. By striking that, and I  
23. submit again, this I am sure is without the...the intent of the  
24. sponsor to burden the counties, it actually does that. The Circuit  
25. Court may appoint on a basis of not twenty-five thousand, but ten  
26. thousand or five thousand or one thousand, and this becomes a consider-  
27. able burden which the county then must, I say, must meet. There's one  
28. other provision in here on Page 3, Line 18, where the age for a...an  
29. appointee is stricken. It previously was twenty-five or over. I  
30. submit to the members of this...

31. PRESIDENT:

32. Will the Senator...will the Senator wind up his debate.

33. SENATOR BERNING:

1. I submit to the members of this Body that a probation officer  
2. of say eighteen would be hard pressed to advise a...an offender of  
3. anything over twenty-five, forty-five, sixty-five. It seems to me...

4. PRESIDENT:

5. Time.

6. SENATOR BERNING:

7. ...this measure is...

8. PRESIDENT:

9. Senator Berning may wind up his remarks.

10. SENATOR BERNING:

11. So, Ladies and Gentlemen...

12. PRESIDENT:

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

14. SENATOR KOSINSKI:

15. Mr. President, I feel that the elected commissioners of each  
16. county has a responsibility to the public. We must improve the  
17. court systems with talented, experienced people that know how to  
18. handle people, in the probationary department. I have seen too many, too  
19. many incidents in thirty years within the court system that probation  
20. officer...some of the probation officers don't belong as probation  
21. officers. This is why I ask you, and I urgently ask you with all my  
22. heart, to improve the court system of Illinois, and one way of doing  
23. it is to add on and give the power to the Circuit Court judges to  
24. add on probation officers with experience. There is no limit to the  
25. amount of prisoners we're having today. Who limits prisoners today?  
26. Who limits crime? No one here can do that. So, this is one of the  
27. reasons I ask you again to put on more probation officers in the  
28. State of Illinois to help keep the bad ones off the streets and the  
29. good ones to be improved and talented and get some jobs so they don't  
30. have to go into crime.

31. PRESIDENT:

32. The question is shall Senate Bill 1056 pass. Those in favor  
33. will vote Aye. Opposed Nay. The voting is open. Have all voted who

1. wish? Have all voted who wish? Take the record. On this question,  
2. the Ayes are 31, the Nays are 19, 2 Voting Present. Senate Bill 1056  
3. having received the constitutional majority is declared passed.  
4. Senate Bill 1076, Senator Vadalabene.

5. SECRETARY:

6. Senate Bill 1076.

7. (Secretary reads title of bill)

8. 3rd reading of the bill.

9. PRESIDENT:

10. Senator Vadalabene.

11. SENATOR VADALABENE:

12. Yes, thank you, Mr. President and members of the Senate. Senate  
13. Bill 1076 amends the Highway Code to provide that a municipality  
14. can expend up to twenty percent of its motor fuel tax allotment  
15. without approval of the Department of Transportation. Senate Bill  
16. 1076 would allow municipalities to expend up to twenty percent of  
17. their motor fuel tax allotment. Under the current law, all such  
18. expenditures have to be approved by the Department of Transportation.  
19. For instance, under this bill, the DOT will do none of these things.  
20. The...

21. PRESIDENT:

22. Any...

23. SENATOR VADALABENE:

24. ...The Municipal Problems Commission supports this bill.

25. PRESIDENT:

26. Any further discussion? Senator Nimrod.

27. SENATOR NIMROD:

28. Mr. President, would the Senator yield?

29. PRESIDENT:

30. He indicates he'll yield.

31. SENATOR NIMROD:

32. Senator, what...percent, this...does this mean that you can  
33. take and spend motor fuel tax money without approval of the Department

1. of Transportation?

2. PRESIDENT:

3. Senator Vadalabene.

4. SENATOR VADALABENE:

5. I didn't hear his question.

6. SENATOR NIMROD:

7. Does this mean that you can spend motor fuel tax money without  
8. any approval as presently required?

9. PRESIDENT:

10. Senator Vadalabene.

11. SENATOR VADALABENE:

12. Up to twenty percent of your monthly allotment.

13. SENATOR NIMROD:

14. Alright, what would...what would this mean, for example, for  
15. the County of Cook or the City of Chicago? How much money are we  
16. talking about?

17. SENATOR VADALABENE:

18. This would include any municipality in the State of Illinois,  
19. including Chicago.

20. SENATOR NIMROD:

21. But Senator, do...do you have any idea of how many dollars this  
22. would be?

23. PRESIDENT:

24. Senator Vadalabene.

25. SENATOR VADALABENE:

26. No, I don't have any idea of how many dollars it means, but what  
27. it does do, it would eliminate the paper work involved in getting  
28. the DOT approval. For instance, in the case where a road needs to  
29. be sealed before cold weather starts, you'd have to get the...the  
30. approval of the Department of Transportation. If you had up to  
31. twenty percent of your motor fuel tax funds, you could get some of  
32. these jobs done and...and underway.

33. PRESIDENT:

1. Senator Nimrod.

2. SENATOR NIMROD:

3. Yeah, I...the...Senator, do you recall the Senate Bill 693 which  
4. was Senator Hynes' bill which provided again for about another eight  
5. or nine million dollars that's going to the municipalities out of  
6. the motor fuel tax fund, and now we're taking that eight or nine  
7. million dollars and instead of it going for the roads that it was intended  
8. we're saying they can take and use it for whatever they want. So, I  
9. ...I think we're really getting to the point where we are misusing  
10. the money for which it was intended, and this kind of legislation  
11. makes me wonder whether or not we are now providing some sixteen  
12. million dollars to the same municipality and allowing them to do as  
13. they please. And I think that this is becoming very bad legislation,  
14. and I would think that we ought to reconsider what we're about to  
15. embark on.

16. PRESIDENT:

17. Senator Latherow.

18. SENATOR LATHEROW:

19. Thank you, Mr. President. I have one question I would like to ask  
20. if he will yield.

21. PRESIDENT:

22. He indicates he'll yield.

23. SENATOR LATHEROW:

24. Senator Vadalabene, will this be funds that the municipality  
25. will use that they will not have to let under contract?

26. PRESIDENT:

27. Senator Vadalabene.

28. SENATOR LATHEROW:

29. Or...or require bids?

30. SENATOR VADALABENE:

31. Yes, these funds will require bids. All these funds will do will  
32. expedite, the jobs that they have under consideration and in emergency  
33. treatments. They can only spend the money out of the motor fuel tax

1. what the present law presently reads anyway. They can't spend it  
2. for anything they want, and they would have to be under bids.

3. PRESIDENT:

4. Senator Donnewald.

5. SENATOR DONNEWALD:

6. Well, Mr. ...Mr. ...

7. PRESIDENT:

8. Just a minute. Just a minute, Senator. Just a minute, Senator.

9. Senator Donnewald.

10. SENATOR DONNEWALD:

11. Well, Mr. President, I note that this bill came out of the...the  
12. Transportation Committee on an eleven to one vote, and I'm asking  
13. the powers that be...why wasn't this on the agreed bill list?

14. PRESIDENT:

15. May not have been offered or it may have been knocked off.

16. Senator Mitchler.

17. SENATOR MITCHLER:

18. As I read the bill, twenty percent of the motor fuel tax funds  
19. received by a municipality may be expended by that municipality for  
20. any of the purposes stated in the Act, and the last sentence says -  
21. nothing in this paragraph affects the duty of the municipality to  
22. accounty for its expenditures of motor fuel tax funds. Now, I would  
23. ask the sponsor two questions. Question number one, is twenty percent  
24. of the motor fuel tax fund received by the City of Chicago, could that  
25. be used for the cross town expressway?

26. PRESIDENT:

27. Senator...

28. SENATOR MITCHLER:

29. I...I'm for the bill.

30. PRESIDENT:

31. Senator Vadalabene.

32. SENATOR VADALABENE:

33. Well, to be honest with you, Senator Mitchler, I don't think

1. that twenty percent of the motor fuel tax money could come close to  
2. paying for the crosstown expressway, however, I can't answer that  
3. question honestly.

4. PRESIDENT:

5. Any further discussion? Senator Mitchler.

6. SENATOR MITCHLER:

7. Well, I hoped it would have. I...I might have been for the bill  
8. then, but would it help pay off the interest on the skyway bonds?

9. PRESIDENT:

10. Senator Vadalabene.

11. SENATOR VADALABENE:

12. I don't think so.

13. PRESIDENT:

14. Any further discussion? Senator Ozinga.

15. SENATOR OZINGA:

16. If the Senator will yield. Senator Vadalabene, in answer to  
17. Senator Latherow's question just a minute ago, I believe that you  
18. said that this would have to be in fulfillment of a bid or a contract.  
19. Is that right?

20. PRESIDENT:

21. Senator Vadalabene.

22. SENATOR VADALABENE:

23. Well, I think what I said to Senator Latherow was that...that he  
24. asked if this money could be spent on any bid or contract or any  
25. contracts that would be let under bid. I'm sure that municipalities  
26. that have any kind of an expenditure at all would have to have a bid  
27. before they would let out the contracts.

28. PRESIDENT:

29. Senator Ozinga.

30. SENATOR OZINGA:

31. Now...now...now, let's not double talk. If I understand this  
32. bill right, this money, this twenty percent, could be spent on anything  
33. provided for by that village. It doesn't have to be necessarily on a

1. bid that's upcoming or one that's outstanding already. It could be  
2. something that they thought of right now to be expended twenty minutes  
3. or ten days or two weeks or two months in advance, but it would be  
4. anything that they thought of. It doesn't have to be an existing  
5. obligation. You were talking before about having to wait because of  
6. the frost and the what not and that they couldn't do it in an emergency  
7. and all of that stuff, but this could be anything that came up. Is  
8. that right?

9. PRESIDENT:

10. Any further discussion? The question is shall Senate Bill 1076  
11. pass. Those in favor vote Aye. Opposed will vote Nay. The voting  
12. is open. Have all voted who wish? Take the record. Senator Vadalabene.

13. SENATOR VADALABENE:

14. Yes, I would like to put this on Postponed Consideration because  
15. this is a problem...

16. PRESIDENT:

17. Senate Bill 1076 is on Postponed Consideration. Senate Bill 1081,  
18. Senator Weaver.

19. SECRETARY:

20. Senate Bill 1081.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDENT:

24. Senator Weaver.

25. SENATOR WEAVER:

26. Thank you, Mr. President. This bill does just as the synopsis  
27. ...the Calendar states. In Illinois, the law prohibits people from  
28. accepting positions due to unreasonable requirements that no local  
29. official shall have any interests, either direct or indirect, in any  
30. contract with the governing board on which he serves. Now, Senate  
31. Bill 1081 only applies to municipalities below ten thousand population,  
32. and provides that a municipal officer or employee may provide goods  
33. or services to the municipality if the items are submitted under



1. sealed bids, and the contract is awarded to the lowest...bidder. In  
2. my amendment, we've also put in - in open meeting and by a three-  
3. fifths vote of the members elected. Now, this bill, hopefully, will  
4. allow small merchants to bid on goods and services in the small muni-  
5. cipalities without sacrificing the right to serve on the local board,  
6. the school board, park districts, etc. Now, if there's any questions,  
7. I'll be happy to try to answer them, but I think it is...I think there  
8. are sufficient safeguards built into this, whereby it has to be sealed  
9. bids, open in public meeting, and the contract awarded by a three-fifths  
10. vote of the members elected. There's any question, I'll try to answer  
11. them.

12. PRESIDENT:

13. Any further discussion? Senator Wooten.

14. SENATOR WOOTEN:

15. Senator Weaver, is...is there really any human cry for this kind  
16. of exception?

17. PRESIDENT:

18. Senator Weaver.

19. SENATOR WEAVER:

20. There's a great deal of human cry amongst many small communities,  
21. Senator Wooten. For example, the State's attorneys in many counties  
22. are looking into what is considered conflict of interest. For example,  
23. down in Fulton County, the State's attorney is looking into a deal,  
24. whereby the board purchased an automobile from a...an agency. One of  
25. the salesmen of that agency happened to serve on the village board,  
26. and due to this law, they think there's a conflict of interest. Now,  
27. this man has no ownership of this agency, but he's...he's an employee  
28. of this agency. But, I think there's sufficient safeguards built into  
29. this that will guarantee that there's no collusion, no...no real  
30. conflict, but will still allow these people who happen to work for  
31. or...or maybe the only purveyor of this service in...in these smaller  
32. communities to...to bid on work and keep the money and the contract  
33. at home where the taxpayer's monies are being collected and spent.

1. PRESIDENT:

2. Senator Wooten.

3. SENATOR WOOTEN:

4. I'm still not persuaded that there really is a crying need for this  
5. kind of exemption. I...I'm not aware of it in...in my district. It  
6. seems to me that the people who are serving on the small municipalities  
7. accept-as-a-fact of life, they must avoid not only conflict of interest  
8. but the appearance of a conflict of interest. Just doesn't seem to  
9. me that this really is an essential piece of legislation.

10. PRESIDENT:

11. Senator Hickey.

12. SENATOR HICKEY:

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

14. PRESIDENT:

15. He indicates he'll yield.

16. SENATOR HICKEY:

17. I'm wondering, Senator Weaver, if there's any provision for a  
18. somewhat wider advertising of bids than normally might be made inasmuch  
19. as this is limited to very small communities, and there may...that,  
20. in itself, may cut down on the...on the number of people who could  
21. bid. So, that then if you do allow people to bid who have a conflict  
22. of interest, you may almost automatically be giving it to them. That  
23. is that the question would be different there than it would be in a  
24. community of a little larger size where there would be more competition  
25. in the bidding itself. So, is there any provision for wider circula-  
26. tion or advertising for bids in...in this instance?

27. PRESIDENT:

28. Senator Weaver.

29. SENATOR WEAVER:

30. Senator Hickey, I think you'll find that in the advertisement,  
31. it's usually put in the local paper, whether it's a daily or whether  
32. it's a weekly newspaper, but I think you also find that most of these  
33. village boards and...units of local government would prefer to do

1. business at home in their local community if the...price is right.  
2. But certainly, under the provisions of this bill, there has to be  
3. sealed bids, opened in public session, and with a three-fifths' vote of  
4. the members elected. So, I think those safeguards are sufficient.  
5. PRESIDENT:

6. Senator Fawell.

7. SENATOR FAWELL:

8. I...I'm in sympathy with what is attempting...what is...well,  
9. the substance of this bill. The...I...I think, however, it...it hits  
10. at the wrong aspect of the bill, of the law. The problem as I see it  
11. in regard to municipalities is that the language of this Act which  
12. says - any contract or any business which a municipal officer may have  
13. with a municipality which he serves. This, for instance, has been  
14. shown by the Attorney General to include a...a contract of deposit by  
15. the city with a bank or to even include a contract in regard to tele-  
16. phone services. And when you look at the direct or indirect interest,  
17. it has been construed by the Attorney General in several cases to  
18. mean that if one spouse or any member of one's family is working for  
19. the bank or for the telephone company, etc., there's a conflict of  
20. interest. I'm more concerned about that than I am about the possibility  
21. of a contract that would be selling property or rendering services in  
22. a more direct fashion to the municipality. So, I think, Senator, the  
23. ...the real problem is the Corrupt Practices Act, which would still be  
24. controlling here even if you were to amend this bill, the Corrupt  
25. Practices Act is even tougher because there, if you violate the Act,  
26. you automatically forfeit your office and you're...you're guilty of  
27. a crime. It seems to me that this bill, therefore, is not going to  
28. accomplish what you seek to accomplish. As I've indicated, I think  
29. it really should go in another direction in order to be able to allow  
30. people who legitimately have a indirect contractual interest from being  
31. forced to leave our local governmental bodies. Just one parting  
32. example, I have a client who happens to be a member of a village board.  
33. He also would like to annex some land to the village, but he can't do

1. so because in order to do so, he'd have to enter into an annexation  
2. agreement with the city which would automatically make him a criminal.  
3. So, he would have to resign in order to be able to do so. These are  
4. some very real problems. I repeat, I...I don't think that this bill  
5. goes in the right direction, and I don't think that even if we passed  
6. it, it would solve the specific point that you're attempting to solve  
7. because you're still going to have these people guilty of violating  
8. the Corrupt Practices Act.

9. PRESIDENT:

10. Senator Weaver.

11. SENATOR WEAVER:

12. Well, Senator...Senator Fawell, if you'll look at Senate Bill  
13. 1093, which addresses itself to the Act you're speaking about. That's  
14. ...I'm trying to handle that into another bill. It's a different  
15. section of the statutes.

16. PRESIDENT:

17. Any further discussion? The question is shall Senate Bill 1081  
18. pass. Those in favor will vote Aye. Those opposed will vote Nay.  
19. The voting is open. Have all voted who wish? Take the record. On  
20. this question, the Ayes are 36, the Nays are 14. Senate Bill 1081  
21. having received a constitutional majority is declared passed. Senate  
22. Bill 1089, Senator Schaffer.

23. SECRETARY:

24. Senate Bill 1089.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDENT:

28. Senator Schaffer.

29. SENATOR SCHAFFER:

30. Senate Bill 1089 is a bill offered by the Office of Education,  
31. which amends the Conservation Education Act, to attention focus upon  
32. the need for environmental awareness and concern through study and  
33. discussion in public schools. It widens the instructional program,

1. and expands the Advisory Committee unit in the OEI. I know of no  
2. opposition. The Office of Education is for this. It came out of  
3. committee on a very favorable roll call, and I'd be happy to answer  
4. questions.

5. PRESIDENT:

6. Any further discussion? The question is shall Senate Bill 1089  
7. pass. All in favor will vote Aye. Those opposed will vote Nay. The  
8. voting is open. Have all voted who wish? Take the record. On this  
9. question, the Ayes are 45, the Nays are 3. Senate Bill 1089 having  
10. received a constitutional majority is declared passed. Senate Bill  
11. 1093, Senator Weaver.

12. SECRETARY:

13. Senate Bill 1093.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDENT:

17. Senator Weaver.

18. SENATOR WEAVER:

19. Thank you, Mr. President. Senate Bill 1093 provides that no  
20. person shall be deemed to have a prohibitive interest if he owns less  
21. than seven and a half percent of a business, and also it was amended  
22. to take care of seven and a half percent of the distributable income  
23. of a business in a contract with a governing body if three-fifths  
24. of the entire governing body vote for the contract and the member  
25. with the potential conflict does not vote. In other portions of the  
26. Illinois Statutes, a State employee is allowed to have seven and a  
27. half percent interest in a business, also his wife seven and a half  
28. percent. So, this would mean a fifteen percent interest, and a  
29. majority of the three-fifths of...of all members holding office in  
30. the...and this is the most commonly used extraordinary majority in Illi-  
31. nois. And this legislation applies to all units of local government,  
32. not just municipalities. Now, if there's any questions, I'll happy  
33. to try to answer them.

1. PRESIDENT:

2. Senator Buzbee.

3. SENATOR BUZBEE:

4. Mr. President, thank you. I would just like to point out that  
5. a local school board, if a member of that local school board has eight  
6. percent interest in...in a particular business that all he has to do  
7. is get three-fifths of his buddies, excluding himself, on the school  
8. board to vote yes on a contract and he can be awarded all kinds of  
9. construction contracts, or the purchase of vehicles, or whatever for  
10. that school district. This will also apply to county board, as I  
11. understand it, any other unit of local government, and I think we're  
12. going in the wrong direction. This is going exactly the opposite way  
13. from what this legislator...Legislature headed toward about a year  
14. and a half ago when we passed some stronger legislation on State  
15. officials in our Campaign Disclosure Act, and I just think that we're  
16. going in the wrong direction. This is the same sort of thing that  
17. Senator Weaver's bill did a few minutes ago for municipalities. Now,  
18. we're...expanding it to everybody.

19. PRESIDENT:

20. Any further discussion? Senator Weaver.

21. SENATOR WEAVER:

22. Well, I was just going to point out to Senator Buzbee that eight  
23. percent would be a prohibitive bidder.

24. PRESIDENT:

25. Any further discussion? Senator Fawell.

26. SENATOR FAWELL:

27. I...I...I hesitate to talk on this because I...I do believe that  
28. a lot of work should be done on this Corrupt Practices Act. It's...it's  
29. much too strong now, and as I've indicated, it...it, in effect, gives  
30. you no choice. If...if you're in a position on a public body where  
31. you may be called upon to act or vote, even if you don't act or vote,  
32. you can be held guilty of a crime and forfeiture of your office. But  
33. Senator, if you look closely at this bill, you do state in the last

1. four lines, in those instances where the law requires a vote greater  
2. than three-fifths, the higher...the higher vote requirement shall  
3. prevail. Excuse me, right before that, where you set forth the three-  
4. fifths vote, if you get the three-fifths vote, you're not a criminal  
5. and you haven't forfeited your office, but let me tell you that if you  
6. don't get your three-fifths vote, you become a criminal and you've  
7. forfeited your office because the Corrupt Practices Act has been clearly  
8. construed by the Attorney General and by...by appellate and supreme  
9. court cases that you have no choice, you can't just abstain from  
10. voting. If you're in a position where you may be called upon to vote  
11. in regard to any contract in which you have a direct or indirect  
12. interest, you must resign under the...under the provisions of Section 2.  
13. What you're saying is that well, you aren't going to get stuck if you  
14. get a three-fifths vote, but you don't say anything about what happens  
15. if you misjudge and your colleagues don't give you the three-fifths  
16. vote. What I am saying is those people, then, are stuck. They are  
17. guilty of a crime with a good stiff penalty, I think, of a year in  
18. jail, plus forfeiture of office. Again, I don't...I...I'm...I'm in  
19. accord with what you're trying to do here. Again, I think you ought  
20. to go toward those people who have been caught in instances where they  
21. happen to be a minor stockholder of a bank or they happen to have a  
22. wife who works in the bank, you don't cover that situation, or they  
23. happen to have a son who is an employee. They're really in an intoler-  
24. able situation, and these contracts are being violated every day in  
25. the State of Illinois. But I say also that even as this is drawn,  
26. you're going to find a lot of people who will get to the night of  
27. the vote and they don't get their three-fifths vote and they're  
28. really humping up.

29. PRESIDENT:

30. Senator Wooten.

31. SENATOR WOOTEN:

32. The...the problem is that when you're dealing with small units  
33. of government, and this is the very problem the Corrupt Practices Act,

1. I think, was intended to correct. You get a township board, a small  
2. unit of government, they know what they're looking for, and a member  
3. of that board can come up with a very cozy arrangement. I don't  
4. believe that applies to me already, surely. They...they have come up  
5. with cozy arrangements in the past, and that's why we have this Act  
6. to preclude this sort of thing. We talked about circulating notices.  
7. The plain fact is, that inside information is crucial if you want to  
8. get a bid from a governmental unit, and we are better off with a stricter  
9. prohibition than attempting to set up what we may construe as undue  
10. restraint on elected officials. I think we are better served to have  
11. those strictures because the...if you are sitting in a governmental  
12. body, you know what the problem is, you know what the need is, your  
13. business can supply it, and you know what the price is going to be,  
14. you can circumvent all the other rules we put in here if you leave  
15. this wedge in. I just don't think it's a good idea. I think we're  
16. better off leaving the law strictly applied.

17. PRESIDENT:

18. Senator Weaver may close the debate.

19. SENATOR WEAVER:

20. Well, I think, Mr. President, that you're kind of missing the  
21. point here in some respects. If you don't get the three-fifths vote,  
22. the contract is not awarded, number one, and Senator Wooten, I don't  
23. think there's that many cozy arrangements, as you allude to, in local  
24. government at any level. These people who serve in these basically  
25. nonpaying jobs are just as interested in seeing their tax money spent  
26. wisely as you or I sitting here in the Senate in the State of Illinois.  
27. And to preclude many of these people from serving, I think it's an  
28. injustice. So, I...I'm not saying this bill is perfect, and I've  
29. certainly been willing to listen to anyone who had a constructive  
30. amendment to this bill, and there has been two amendments, but I think  
31. the law is too restrictive today, and I think this is a step in the  
32. right direction, and I would appreciate a favorable roll call.

33. PRESIDENT:



1. The question is shall Senate Bill 1093 pass. Those in favor will  
2. vote Aye. Those opposed will vote Nay. The voting is open. Have  
3. all voted who wish? Take the record. On this question, the Ayes are  
4. 30, the Nays are 17, 1 Voting Present. Senate Bill 1093 having  
5. received a constitutional majority is declared passed. For what  
6. purpose does Senator Bruce arise?

7. SENATOR BRUCE: .....

8. Yes, I wonder if we could verify the roll call.

9. PRESIDENT:

10. A request for a verification has been made. Secretary will  
11. call the affirmative votes. Will the members be in their seats.

12. SECRETARY:

13. The following voted in the affirmative:

14. Berning, Brady, Chew, Course, Daley, Davidson, Donnewald,  
15. Dougherty, Egan, Graham, Harber Hall, Kenneth Hall, Harris, Kosinski,  
16. Latherow, Lemke, Merritt, Mitchler, Mohr...Howard Mohr, Don Moore,  
17. Nudelman, Philip, Rock, Shapiro, Smith, Soper, Vadalabene, Weaver,  
18. Welsh and Mr. President.

19. PRESIDENT:

20. Senator Philip in the well of the Senate? Take him off the  
21. record. Is Senator Chew present in the Senate? Is he present in  
22. the well of the Senate? Take him off the record. On this question,  
23. the Ayes are 28...request for Postponed Consideration. And the  
24. Chair will alter the cadence pleasantly to introduce a special guest  
25. in the Senate. In the south Gallery in the center is the recently  
26. elected University of Illinois Trustee, Miss Nita Sheppard. She  
27. stand and be recognized by the Senate. Senate Bill 1095, Senator  
28. Netsch.

29. SECRETARY:

30. Senate Bill 1095.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDENT:

1. Senator Netsch.

2. SENATOR NETSCH:

3. Mr. President, this bill would create a special study commission  
4. on occupational licensing. It came about, in part, because I think  
5. that many of us have doubts about what direction we ought to be  
6. taking in licensing, and I discovered as the Session wore on that many  
7. members were expressing considerable discomfort and in some cases,  
8. confusion about the patchwork quilt of licensing that has come before  
9. us and that we continue to have to vote on. I think this is one of  
10. the most important areas in which the State Legislature acts, and it  
11. seems to me that it's been quite a long time since we have had an opportu-  
12. nity to sit back and really contemplate what we ought to be doing in  
13. the area of licensing, ought to be doing less of it, more of it, what  
14. about public members on committees, what about grandfather clauses,  
15. all of the kinds of things that we are required to vote on with a  
16. great deal of regularity and which, I think, we have just not had an  
17. opportunity to reflect on for some period of time. It seems to me that  
18. it's a very important thing for the Legislature to have this opportu-  
19. nity to try to develop a policy and a consistency in its approach to  
20. this extremely important area of occupational licensing. And the...  
21. the purpose of the commission is to give us that opportunity.

22. PRESIDENT:

23. Any further discussion? The question is shall Senate Bill 1095  
24. pass. Those in favor will vote Aye. Those opposed will vote Nay.  
25. The voting is open. Have all voted who wish? Take the record.  
26. Senator Netsch. Motion to put...place on Postponed Consideration.  
27. Senate Bill 1095 is on Postponed Consideration. Senate Bill 1117,  
28. Senator Berning.

29. SECRETARY:

30. Senate Bill 1117.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDENT:

1. Senator Berning.

2. SENATOR BERNING:

3. Thank you, Mr. President and members of the Senate. This bill  
4. would require that every contract...I must apologize, Gentlemen. My  
5. glasses have evaporated. It's difficult for me to see what the printed  
6. material is.

7. PRESIDENT:

8. You're using your time, Senator.

9. SENATOR BERNING:

10. Very simply, what this bill does is...is provide for the licensing  
11. of swimming pool contractors. There has been a plethora of out - of -  
12. state builders of swimming pools coming into the State of Illinois,  
13. installing a pool, leaving, and then we find that the pool is inoperable  
14. to the best standards. It's difficult to maintain. It's poorly con-  
15. structed, and the home owner has no recourse. By providing for  
16. licensing, and incidentally, this is supported by the Association of  
17. Swimming Pool Contractors, as well as the Department of Public Health  
18. of the State of Illinois. By providing for licensing of these contrac-  
19. tors, the State will be able to assure that the home owner who buys  
20. and pays for a swimming pool will be getting the best that can be  
21. given under modern day construction standards. I know of no serious  
22. objection to this. It is another licensing procedure, but it does  
23. appear necessary, and as I said, has the complete endorsement, in fact,  
24. the support and was partially instigated by the Illinois Department  
25. of Public Health. I solicit your favorable consideration.

26. PRESIDENT:

27. Any further discussion? Senator Chew.

28. SENATOR CHEW:

29. Yeah, Mr. President. I believe I understood what Senator Berning  
30. said, but what he said seems to me isn't making a lot of sense. He  
31. says out - of - state swimming pool installers coming into Illinois in-  
32. stalling inferior swimming pools, and then they leave the State, and  
33. the buyer discovers that he has purchased an inferior swimming pool,

1. and to license swimming pool installers wouldn't make sense, because  
2. you can't license out - of - state swimming pool installers. We don't  
3. have that authority, and yet, we cannot prohibit swimming pool installers  
4. to...from coming into our State. So now, if I can get a better explana-  
5. tion where his...where his conversation makes some kind of sense to  
6. apparently cut off what is the wrong, but I thought we had in this  
7. country where buyer beware. What is the enforcement power once an  
8. installer is licensed? What recourse does the purchaser have in the  
9. event he does get, in fact, an inferior installation? I...I want to  
10. know that. I wonder would the sponsor be kind enough to...to answer  
11. those questions if he has the answer. To me it just doesn't make  
12. sense what he's saying.

13. PRESIDENT:

14. Senator Berning.

15. SENATOR BERNING:

16. Senator, any out - of - state contractor who seeks to do business in  
17. Illinois would be privileged to do so if he were licensed under this,  
18. the same as our Illinois contractors would be.

19. PRESIDENT:

20. Senator Welsh. Oh, have you finished, Senator Chew? Continue,  
21. you are recognized.

22. SENATOR CHEW:

23. Yes, Senator, assuming that we license him in Illinois, and he  
24. comes in and he does a bad installation, and he goes back to Indiana,  
25. what recourse do we have to guarantee the purchaser the right for  
26. repairs? The license is not going to help. He's stuck with the bad  
27. pool. You have no enforcement power to force this contractor to...to  
28. repair. I mean it's a matter of filing a suit in court to have a  
29. recourse. The licensing of this contractor would be absolutely of  
30. no value to the purchaser in any sense of the word. That's why we  
31. have courts.

32. PRESIDENT:

33. Senator Welsh.

1. SENATOR WELSH:

2. I have a question for the sponsor, Mr. President.

3. PRESIDENT:

4. He indicates he'll yield.

5. SENATOR WELSH:

6. As I...as I read the amendment, Senator, in the Digest - requires  
7. after January 1st, 1976, every swimming pool...are you talking about  
8. a...a home swimming pool?

9. PRESIDENT:

10. Senator Berning.

11. SENATOR WELSH:

12. Where...where's the limitations? Where's the line?

13. PRESIDENT:

14. Senator Berning.

15. SENATOR BERNING:

16. This...this is an amendment to the original Swimming Pool Act,  
17. which has to do with public access swimming pools.

18. PRESIDENT:

19. Senator Welsh.

20. SENATOR WELSH:

21. I don't see it anywhere, but you're...this does not affect the  
22. homeowner, the individual homeowner who puts a pool in his yard?

23. SENATOR BERNING:

24. No.

25. PRESIDENT:

26. Senator Hickey.

27. SENATOR HICKEY:

28. I'd...Mr. President, I'd like to ask the sponsor a question.

29. PRESIDENT:

30. Indicates he'll yield.

31. SENATOR HICKEY:

32. I don't understand the rest of that sentence as it's described.  
33. The amendment, every swimming pool and bathing beach to have at least

1. one natural person certified as competent as an operator under pro-  
2. visions of the Act. I don't understand what any of that means.

3. PRESIDENT:

4. Senator Berning.

5. SENATOR BERNING:

6. This is to require the presence onsite, of someone who is competent  
7. to handle the filtering equipment and to generally service and maintain  
8. the swimming pool and provide, therefore, for the safety of the public.

9. PRESIDENT:

10. Senator Hickey.

11. SENATOR HICKEY:

12. Is this person to be present, the...the person who takes care of  
13. the cleaning and the drainage and so forth to be present at all times,  
14. and what does it mean, at least one natural person certified as compe-  
15. tent as an operator? I...I thought perhaps that...that pertained to  
16. lifeguards or someone admitting people to the pool. It's all very  
17. unclear.

18. PRESIDENT:

19. Senator Rock.

20. SENATOR BERNING:

21. No, this...I'm sorry.

22. PRESIDENT:

23. Senator Rock, and then you Senator Bruce.

24. SENATOR ROCK:

25. Two points. I rise in opposition to Senate Bill 1117. One is  
26. that on the basis of the research that we have done, it appears to  
27. be an amendment to the wrong section of the statute. That notwith-  
28. standing, it appears also to apply to the cities that I represent and  
29. to the private pools therein and, in fact, to the bathing beaches  
30. therein, which would mean those bathing beaches along the shore of  
31. Lake Michigan, and for that reason, I stand opposed.

32. PRESIDENT:

33. Senator Berning. Pardon me, Senator Bruce was next and then you

1. Senator Latherow.

2. SENATOR BRUCE:

3. Well, yes, Mr. President, I rise in opposition. I think Senator  
4. Welsh is absolutely correct, the word public is deleted from Section  
5. 408, and it says after January, every swimming pool and bathing beach,  
6. not restricted to public swimming pools or public bathing beaches,  
7. shall have a licensed operator. I would also call attention to the  
8. members of Section 1304, that every contract for construction of either  
9. a private pool or public pool would have to have approval of the  
10. Department of Public Health which would include, the way I read the  
11. bill, pools ordered from Sears Roebuck and Montgomery Ward or any mail  
12. order company, and you would have to, before you could construct that,  
13. be certified as a constructor and contractor of pools and certify  
14. the plans to the department and then wait for their approval to put  
15. up a pool that's been put up by Sears Roebuck in a half a dozen states  
16. around the nation. I see no purpose for such legislation.

17. PRESIDENT:

18. Senator Latherow.

19. SENATOR LATHEROW:

20. Well, Mr. President and members of the Senate, I'd just like to  
21. recognize that in all probability according to this bill, if you were  
22. a contractor that built a swimming pool, you'd have to have one  
23. license, and if you're a person who contracted to be a swimming pool  
24. service company, you'd have to have another license. If you came  
25. back to service and repair the pool, you'd...you'd be involved in  
26. two or three possible licenses just for that one aspect, and I think,  
27. once again, this is another aspect. All contractors are under licenses.  
28. Building...or they're all under bond in building pools for public use,  
29. and so on, and I too would like to oppose this bill.

30. PRESIDENT:

31. Any further discussion? Senator Berning may close the debate.

32. SENATOR BERNING:

33. Mr. President, I acknowledge my inadequacy. Let me take it from

1. the record, and I will have the Department of Public Health answer  
2. these questions with a short fact sheet to substantiate their con-  
3. tention that this is necessary.

4. PRESIDENT:

5. Senator Berning seeks leave to take this bill from the record.  
6. Is there leave? Leave is granted. Senator Smith.

7. SENATOR SMITH:

8. A parliamentary inquiry, Mr. Chairman. Yeah, I forget that  
9. every time. Early this evening, after the recess, a very good friend  
10. of mine...

11. PRESIDENT:

12. Will the members be in their seats.

13. SENATOR SMITH:

14. ...was kind enough to allow me to travel in, may I say, her  
15. car to the hotel. While there, I read the Constitution adopted by  
16. the people of the State of Illinois, the 1970 Constitution. I came  
17. back and I find a bill on the agreed list here, my very good friend's  
18. bill, Senator Clarke, 1109. Now, I take it many of us have much  
19. interest in the success of the bill that you are sponsoring, Senator.  
20. I know that I could wish that I could conscientiously vote for the  
21. bill, but having read the Constitution less than three hours ago, I've  
22. come to the conclusion that we are making a complete farce of our-  
23. selves. The bill, I note, was amended. I don't know when. Perhaps  
24. last Thursday or Thursday a week ago, and you're seeking to negate a  
25. constitutional provision by statutory action here, and it can't be  
26. done. There's no way under high Heaven that you can negate the Con-  
27. stitution of the State of Illinois by passing a bill or one hundred  
28. bills here. My contention is that to negate the Constitution, you're  
29. going to have to submit it to the wishes of the people of this State  
30. and let them vote with regards to it. Now, I'm all together in favor  
31. of the bill, but when the bill was amended, and I have the amendment  
32. here, they sought for the most part to follow the Constitution, and  
33. they deviated in certain instances with regards to the use of words.



1. I have here a copy of the Constitution of the State of Illinois, and  
2. if you or any other member will read Chapter 5, Article 11, you will  
3. find almost the exact language that was incorporated into this parti-  
4. cular bill. I'd like to see the bill become law. I'm heartily in  
5. favor of that which the good Senator is seeking to do, and you who  
6. know me, know that if there is any one individual in the State of  
7. Illinois that I don't want to see have any possible advantage, and it  
8. may not be fair, but I was not treated fairly by this individual, and  
9. I'm not going to tell you whom the individual is. I think you all  
10. know, but may I impose upon you and read the wording in the Constitu-  
11. tion?

12. PRESIDENT:

13. Well, what...what is the...you rose on a question of parliamen-  
14. tary inquiry, Senator?

15. SENATOR SMITH:

16. It is.

17. PRESIDENT:

18. What is the inquiry?

19. SENATOR SMITH:

20. It is the intent on the part of this Body to seek to negate a  
21. constitutional provision by legislative action, and though not a  
22. lawyer, I seriously take the position that it cannot be done. That  
23. and I'll tell you, I learned that when I was younger. As you say I  
24. so often say, in the hills of east Tennessee, the abstract reasoning  
25. and efforts on the part of the southern state to raise the question  
26. in seeking to deny, obeying a constitutional provision. Now, I must...

27. PRESIDENT:

28. Well, Senator, if I might answer your question. Let me first  
29. of all disabuse your mind of the belief that because a bill is on  
30. the agreed list that it means that the bill is going to get sufficient  
31. votes for passage. It doesn't mean that at all. It means that to  
32. this point, there has not been an attempt to strike it from the agreed  
33. list. We made the announcement this morning...well, I made the...we

1. made the announcement this morning to obviate each member going after  
2. bills one at a time, that tomorrow morning at 10:30, a list could be  
3. proffered to the Secretary of those bills on the so-called agreed list  
4. with which the members found themselves in disfavor. There will be a  
5. judgment made after those are compiled, there are some of these bills  
6. will come off the agreed list, Senator.

7. SENATOR SMITH:

8. Tomorrow morning?

9. PRESIDENT:

10. Well, go ahead and finish today, Senator, since you've commenced  
11. it. Go right ahead.

12. SENATOR SMITH:

13. I want...I want the members to know just what...

14. PRESIDENT:

15. Just one minute. For what purpose does Senator Harber Hall  
16. arise?

17. SENATOR HALL:

18. Mr. President, I've been listening to the distinguished Gentleman  
19. from Chicago, I would like to move that 1109 be stricken from the  
20. agreed bill list.

21. PRESIDENT:

22. Is there leave? Leave is granted. Senate Bill 1120, Senator  
23. Donnewald.

24. SECRETARY:

25. Senate Bill 1120.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDENT:

29. Senator Donnewald.

30. SENATOR DONNEWALD:

31. Yes, Mr. President and members of the Body, this amends Chapter 3,  
32. Paragraph 15.1, which concerns your...the amount of money that each  
33. Senator and Representative is allotted in the General Assembly, which

1. is the sum of twelve thousand dollars. Now, in the statute as it  
2. presently exists, there are certain restrictions...prohibitions that  
3. ...that we had in that. In this particular bill, those restrictions  
4. are retained. Now, we've run across the problem, and it's getting more  
5. serious by the day and by the week and by the month, as to what we  
6. can and cannot do with the allot...the...the twelve thousand dollar  
7. expenditure. Now, the...the...as I said, the existing prohibitions  
8. are and have been retained, and this would then give the Senate Opera-  
9. tions Commission present...would have jurisdiction over the...which  
10. has jurisdiction over the Senate Chambers and rule making power. This  
11. seems to be the logical commission to govern and...and set up rules  
12. concerning this particular problem which I...I note that we have had  
13. several pieces of legislation introduced this Session that would,  
14. again, lengthen that particular statute, and I think the...the real  
15. method by which this could be dealt with would be by the rule making  
16. power of the Senate Operations Commission, and I would ask for a  
17. favorable roll call.

18. PRESIDENT:

19. Any further discussion? Senator Howard Mohr.

20. SENATOR MOHR:

21. Yes, Mr. President, I wonder if I might make an inquiry either  
22. of the sponsor or the Chair. Probably the Chair.

23. PRESIDENT:

24. Senator...Senator Howard Mohr.

25. SENATOR MOHR:

26. If we had some idea, Mr. President, of how many more times we're  
27. going to hear R...ERA this Session, we might determine whether the  
28. twelve thousand dollars would be enough to cover the mailing for  
29. all the replies that we have to make on the subject. About how  
30. many more times will we hear it?

31. PRESIDENT:

32. It's difficult for me to give you accuracy. Perspectively, I  
33. can give you accuracy in the past. You've had enough mail in the

1. past to justify whatever is involved here.

2. SENATOR MOHR:

3. Well, see they...these people aren't satisfied with just one  
4. letter. I don't think the twelve thousand will take care of our  
5. mailing but...

6. PRESIDENT:

7. I think you're probably right, Senator. Any further discussion?  
8. The question is shall Senate Bill 1120 pass. Those in favor will  
9. vote Aye. Those opposed will vote Nay. The voting is open. Have  
10. all voted who wish? Take the record. On this question, the Ayes are  
11. 45, the Nays are 1, 1 Voting Present. Senate Bill 1120 having  
12. received a constitutional majority is declared passed. Senate Bill  
13. 1128, Senator Egan.

14. SECRETARY:

15. Senate Bill 1128.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDENT:

19. Senator Egan.

20. SENATOR EGAN:

21. Thank you, Mr. President and members of the Senate. Senate Bill  
22. 1128, the purpose that is accomplished by this bill is to negate  
23. the possible maturing of a public easement on private property, which  
24. the private property owner allows for public use with the development  
25. of shopping centers and downtown mall. We come to the point today  
26. where the possibility of the public maturing an easement to them-  
27. selves by using private property and sitting in the malls and enjoying  
28. the space for whatever purpose that...that...the possibility in the  
29. Illinois law today exists that after twenty years a right in the  
30. public would mature so that the private owner could not revert the use  
31. of that land back to his private use. And so this bill will negate  
32. that possibility. I know of no objection to it. In...in real deep  
33. substance, I know Senator Fawell had some difficulty with the language

1. and I haven't heard from you since, Senator, so I assume that your  
2. anxieties have been relieved, but other than those, I would suggest  
3. that the bill is...is supported practically by everyone, and I would  
4. ask for your favorable support.

5. PRESIDENT:

6. Any further discussion? Senator Buzbee.

7. SENATOR-BUZBEE:-----

8. I have an...a question of the sponsor.

9. PRESIDENT:

10. He indicates he'll yield.

11. SENATOR BUZBEE:

12. Is this pertaining to that land where, let's say, I own it and  
13. you're using a corner of it for twenty years, and you can take title  
14. or something like that, and if I post it...okay, I'm sorry. I'm...

15. PRESIDENT:

16. Senator Egan.

17. SENATOR EGAN:

18. Yes, no. This is private land which the owner develops for the  
19. public use, but does not want the public to ripen a...a possessory  
20. interest in it after twenty years.

21. PRESIDENT:

22. Any further discussion? Senator Fawell.

23. SENATOR FAWELL:

24. My...my only question, and I guess it can still be amended in  
25. the House, and I'm sorry, Senator, but I...in the rush of events, I  
26. never got your amendment. As I read this bill, it still says - no use  
27. of any land by any persons or by the public generally, no matter how  
28. long continued, shall ever be deemed to be an implied dedication if  
29. you proceed to do this. Now, what I'm...what I'm...my fear is that  
30. literally that says that you just cannot have a dedication take place  
31. even if after it has accrued, you subsequently go ahead and put that  
32. sign up. Literally, that's what it says. I know that that is not  
33. your intent, and that's the point that I attempted to make in Judiciary

1. when we considered this, and I...I think the imperfection is still  
2. there. I...I repeat, I know that's not your intent. We just never  
3. got around to putting an amendment on it.

4. PRESIDENT:

5. Any further discussion? Senator Egan may close the debate.

6. SENATOR EGAN:

7. SENATOR EGAN: I would just say in answer, Senator Fawell, that I don't  
8. necessarily agree with you, as a matter-of-fact I don't, but if you  
9. can convince me, I'd certainly be happy to amend it in the House.  
10. That certainly is not the intent.

11. PRESIDENT:

12. Any further discussion? The question is shall Senate-Bill 1128  
13. pass. Those in favor will vote Aye. Those opposed will vote Nay.  
14. The voting is open. Have all voted who wish? Take the record. On  
15. this question, the Ayes are 43, the Nays are 4, 1 Voting Present.  
16. Senate Bill 1128 having received a constitutional majority is declared  
17. passed. The Chair might have your attention on a personal privilege.  
18. Sitting in the President's Box is a distinguished gentleman from  
19. Chicago, who is both to me a friend, a neighbor and an outstanding  
20. citizen in Chicago. He is also the President of the...the University  
21. of Illinois Board of Trustees, Mr. Earl Neal. Senate Bill 1133,  
22. Senator Palmer.

23. SECRETARY:

24. Senate Bill 1133.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDENT:

28. Senator Palmer.

29. SENATOR PALMER:

30. Mr. President and members of the Senate, Senate Bill...wait, I've  
31. been told to stand up. Mr. President and Mr. Neal and members of the  
32. Senate, Senate Bill 1133 changes the reference in Chicago School  
33. Article from playgrounds and recreational programs to supervised play-

1. grounds outside of school hours, stadia, social center and summer  
2. swimming pool programs open to the public. What this bill does is  
3. restrict the board of education from using playground funds for school  
4. interscholastic functions. It provides that the board to use educa-  
5. tion funds to finance the high school extracurricular and interscholas-  
6. tic programs and to use playground funds for playground activities  
7. and for playground functions as described in the bill. I ask for a  
8. favorable roll call.

9. PRESIDENT:

10. Any further discussion? The question is shall Senate Bill 11...  
11. Senator Palmer, may I have your attention. You'll forget to vote.  
12. The question is shall Senate Bill 1133 pass. Those in favor will vote  
13. Aye. Opposed Nay. The voting is open. Have all voted who wish?  
14. Take the record. On this question, the Ayes are 41, the Nays are 5,  
15. 2 Voting Present. Senate Bill 1133 having received a constitutional  
16. majority is declared passed. Senate Bill 1137, Senator Carroll.

17. SECRETARY:

18. Senate Bill 1137.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDENT:

22. Senator Carroll.

23. SENATOR CARROLL:

24. That was Northeastern Illinois, Mr. Secretary, rather than  
25. Northwestern.

26. PRESIDENT:

27. The record shows as corrected, Northeastern. Senator Carroll  
28. is recognized.

29. SENATOR CARROLL.

30. Thank you. Mr. President, this...and members of the Senate,  
31. this bill makes two changes in the present twenty-five member commission.  
32. It does not change the number of members appointed or serving, but  
33. what it allows, is that of the five members appointed by the Mayor of

1. the City of Chicago, only one need be an alderman, the other four  
2. may be other appointees of the Mayor. This is brought about because  
3. very often the aldermanic schedules are in conflict with the commission  
4. schedules, and in addition, when you're dealing with planning functions  
5. it is better to have department heads who are working in that on a day  
6. to day basis as the commissioners. The second change deals with an  
7. area we provided for last Session, and that was the council or Assembly  
8. of Mayors, who picks five members to the commission. We did not pro-  
9. vide when we created that portion of the Act, we did not provide for  
10. a vacancy appointment. What this allows is that...or Assembly of  
11. Mayors to convene any time during the four year period to fill a  
12. vacancy if one should arise. This is the same way the other vacancies  
13. are taken care of, and I would ask for a favorable roll call.

14. PRESIDENT:

15. Any further discussion? Senator Fawell.

16. SENATOR FAWELL:

17. On...Senator, on Page 1, you...you're evidently also altering the  
18. words, now it says - number of votes, and inserting in lieu thereof -  
19. the population. Is that...

20. PRESIDENT:

21. Senator Carroll.

22. SENATOR CARROLL:

23. If I may cut you off to explain what we did. In this assembly  
24. of mayors, it was created to pick the five municipal officials to  
25. serve on NIPC, with the original formula talked about the votes cast  
26. in the most recent general election. We found the situation where  
27. in a lot of the villages and some of the townships, they were over-  
28. lapping precincts where there was no real way of determining the votes  
29. cast for each or the municipalities, etc. It was decided, therefore,  
30. to switch to the census figures to talk about population so that  
31. when they cast their weighted vote in the Assembly of Mayors, they  
32. are the casting the census figure of population rather than trying to  
33. get an uncertifiable election figure.



1. PRESIDENT:

2. Any further discussion? The question is shall Senate Bill 1137  
3. pass. Those in favor will vote Aye. Those opposed Nay. The voting  
4. is open. Have all voted who wish? Take the record. On this question,  
5. the Ayes are 49, the Nays are 1. Senate Bill 1137 having received a  
6. constitutional majority is declared passed. Senate Bill 1139, Senator  
7. Carroll.

8. SECRETARY:

9. Senate Bill 1139.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDENT:

13. Senator Carroll.

14. SENATOR CARROLL:

15. Thank you, Mr. President. This is also the result of the work  
16. of the Legislative Advisory Committee to the Northeastern Illinois  
17. Planning Commission. One of the problems that has arisen over all  
18. the years that I have been involved with the Commission is the Federal  
19. Government requiring some type of identifiable funding for the  
20. Commission, and I know this...happens in other areas of the State.  
21. The method by which we have provided for that funding here, is that  
22. the line item grants that the Commission itself adopt a tentative  
23. budget, submit it to the Legislative Advisory Committee. The Legis-  
24. lative Advisory Committee would review that budget, submit it to  
25. the General Assembly and it would then be a line item appropriation  
26. for those monies that are state grant monies, and that would then be  
27. appropriated to the Commission. Any additional sums, whether from the  
28. State or other areas of government, would be by specific grants of  
29. that area of government for a specific project. In addition to these  
30. funds, there would also be the voluntary contributions that they are  
31. presently getting from units of local government, which amounts to  
32. about a third of their budget. This was a recommendation of the  
33. Legislative Advisory Committee to the Northeastern Illinois Planning

1. Commission, and I would ask for a favorable roll call.

2. PRESIDENT:

3. Any further discussion? Senator Glass.

4. SENATOR GLASS:

5. I...question to the sponsor, Mr. President. Senator Carroll,  
6. am I correct that the bill has been amended to require an appropriation  
7. of the funds for NIPC before they can be granted? I...I gather that  
8. was one of the concerns in...in committee.

9. PRESIDENT:

10. Senator Carroll.

11. SENATOR CARROLL:

12. Yes, while that was the intent all along, there was some question  
13. amongst the committee members as to whether the language actually  
14. provided for that, and there is an amendment that says the Legislative  
15. Advisory Committee shall present to the General Assembly an appropria-  
16. tion bill.

17. PRESIDENT:

18. Any further discussion? Senator Latherow.

19. SENATOR LATHEROW:

20. I have a question of the sponsor if he'll yield.

21. PRESIDENT:

22. He indicates he will.

23. SENATOR LATHEROW:

24. The way I recall this bill in...in committee, we had a question  
25. about the Legislative Advisory Committee having the power to require  
26. local government to make these payments to the Northern Illinois  
27. Planning Commission. Is this correct?

28. PRESIDENT:

29. Senator Carroll.

30. SENATOR CARROLL:

31. No, Sir. We are...the local government monies are still volun-  
32. tary contributions. We are talking about the Department of Local  
33. Governmental Affairs appropriation, State monies, the State's

1. contribution being by the legislative process, not local government.  
2. Local...there is no per capita tax. There is no other kind of tax  
3. on local government. Whatever monies the Commission gets from local  
4. government is strictly voluntary.

5. PRESIDENT:

6. Any further discussion? Senator Demuzio.

7. SENATOR DEMUZIO: ...

8. I'd like to ask the sponsor a question. Are you establishing  
9. a precedent here that all planning commissions are going to have to  
10. submit their line item budgets to the General Assembly for approval?

11. PRESIDENT:

12. Senator Carroll.

13. SENATOR CARROLL:

14. No, Senator Demuzio. As you'll remember in committee, we were  
15. discussing that this, of course, first only deals with Northeastern  
16. Illinois Planning, and what it deals with is the amounts of monies  
17. that they receive as their base funds from the State of Illinois as  
18. the State's contribution. This is not the total of the monies they  
19. receive. They can get different planning grants from other units of  
20. government, including the State, as special project planning grants.  
21. This deals with the base funding, and it's by appropriation from the  
22. State for the State's share.

23. PRESIDENT:

24. Senator Demuzio.

25. SENATOR DEMUZIO:

26. Well, all planning agencies receive basic grants from the...from  
27. the State of Illinois to do their planning, and if we're going to do  
28. it for the Northeastern Illinois Planning Commission, then I think  
29. that you're establishing a precedent here that all planning agencies,  
30. regional planning agencies or what have you, that receive money from  
31. Local Government Affairs, are also going to ask to come in with a line  
32. item budget from the Legislature. I just really don't see the neces-  
33. sity for the Legislature to...to be involved in line item budgets from

1. this planning commission if...if, in fact, the budgets have been  
2. approved and the...the amounts and the awards had been made by the  
3. Department of Local Government Affairs.

4. PRESIDENT:

5. Senator Carroll.

6. SENATOR CARROLL:

7. ~~SENATOR~~ If I might suggest, Senator Demuzio, I think you're taking it  
8. from the back end. We are not doing a line item appropriation of  
9. the Commission itself. We are providing a line item grant to the  
10. Commission, pursuant to the budget that they pass. At present, there  
11. is a line item LGA grant of two hundred and fifty thousand dollars.  
12. In addition to that, there are IDOT funds, EPA funds, Conservation  
13. funds, some of them are line items, some of them are Federal pass  
14. throughs. One of the problems the Northeastern Illinois Planning  
15. Commission has had in the past, is the Federal Government has conti-  
16. nuously decertified them, as they have some of the other planning  
17. commissions in the State, on the basis that there are no specified  
18. statutorily created grants to that agency that the Feds can be assured  
19. will be there through some type of legal process year in and year out.  
20. They're not as concerned with the dollar figures than...as they are  
21. with the requirement that there be some method by which these monies  
22. will flow.

23. PRESIDENT:

24. Any further discussion? Senator Demuzio.

25. SENATOR DEMUZIO:

26. Well, again, I...I...I really don't see the necessity here, and  
27. because of the fact that Local Government Affairs, if they choose to  
28. award and make in a grant to NIPC or any other regional planning  
29. commission, I don't see why it's necessary that line item or...or  
30. budgets be approved by the General Assembly. I only have one further  
31. question. Was the...was NIPC, last week, named as the clearing house,  
32. the check off agency under the Bureau of the Budget 895 process, as a  
33. clearing house for your area?

1. PRESIDENT:

2. Senator Carroll.

3. SENATOR CARROLL:

4. Yes, the Governor appointed it as the 208 board last week.

5. PRESIDENT:

6. Senator Graham.

7. SENATOR GRAHAM:

8. It's pretty hard for me to defend anything that has NIPC attached  
9. to it. The only mistake or one of the big mistakes I made in this  
10. General Assembly was in 1963, by not abolishing it when I had the  
11. votes to do it. But now as long as they are going, as long as they  
12. are the conduit for a lot of Federal and State funds, and as long as  
13. one of these big entities of regulating our government is operated in  
14. its entirety by nonelected officials, I see no real harm in some  
15. elected officials having something to say about how this outfit  
16. operates by their actions or lack of it. They control the destiny  
17. of more people than we do in the General Assembly...

18. PRESIDENT:

19. Could you hold your voices down in the mini caucuses.

20. SENATOR GRAHAM:

21. ...because they don't have to answer to anybody. So, I commend  
22. to you the bill by Senator Carroll because maybe some few Legislators  
23. will have a handle on this outfit and that will be helpful.

24. PRESIDENT:

25. Any further discussion? The question is shall 11...Senate Bill  
26. 1139 pass. Those in favor will vote Aye. Those opposed Nay. The  
27. voting is open. Have all voted who wish? Take the record. On this  
28. question, the Ayes are 46, the Nays are 1, 1 Voting Present. Senate  
29. Bill 1139 having received a constitutional majority is declared  
30. passed. Senate Bill 1141, Senator Vadalabene.

31. SECRETARY:

32. Senate Bill 1141.

33. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDENT:

3. Senator Vadalabene.

4. SENATOR VADALABENE:

5. Yes, thank you, Mr. President. Senate Bill 1141 amends the  
6. Personnel Code. This bill states that no steps in the pay plan shall  
7. be based on evaluation or a performance rating. The present pay plan  
8. is set up with seven steps in it. The first five are automatic, steps  
9. based on time and service, and the last two steps are referred to as  
10. merit increases, and advancement to these are by recommendation of the  
11. employee supervisor and manager. During the Personnel hearings held by  
12. Senator Berning, I understand more State employees complained of the  
13. inequity of these merit increases than any other subject, and I would  
14. appreciate a favorable vote.

15. PRESIDENT:

16. Senator Buzbee.

17. SENATOR BUZBEE:

18. Mr. President, I understand a similar bill to this was introduced  
19. two years ago by Senator Shapiro. Senator Shapiro just reminded me that  
20. ...of some of the action that took place on that particular bill at  
21. that time, and I said I wonder how I voted on that bill because I have  
22. some very strong feelings about this, but I didn't remember if my  
23. feelings had come to fruition at that point or not. And he said, yes,  
24. you got up and spoke in behalf of it. Well, I happen to be a member of  
25. that subcommittee that went around, or that Senator Berning was the  
26. Chairman of, that went around holding hearings all over the State on the  
27. problems within the Personnel Code, and let me assure you that my feel-  
28. ings if I thought Steps 6 and 7 were unfair two years ago, I think  
29. they're even more unfair at this time. Now, this came about, Step 6  
30. and 7, came about at the recommendation of a private firm that did a  
31. study of the Personnel Code back some time in the later sixties, during  
32. the Ogilvie administration, and they were put into...they were put into  
33. effect, and what happens is that a new employee is hired into the State

1. of Illinois with the understanding that there are seven steps in the  
2. Personnel Plan, and that upon their reaching a certain time period  
3. within their employment, they will go to Step 2, 3, 4, 5, 6, and 7,  
4. and they're hired thinking that seven steps are available to them, when  
5. in fact that is not the case. Only five steps are available to most  
6. State employees, because 6 and 7 passed out on the basis of merit  
7. only. And within certain departments, in particular the Department  
8. of Mental Health, they have said that only five percent of the employees  
9. within a particular division, within that particular department, will  
10. be eligible for promotion to Step 6 and 7. So, we all know that when you  
11. get into a civil service system that a lot of times promotions are good  
12. fitness reports, good personnel reports are passed out on the basis of  
13. whether you're in good with your supervisor or not. So, as a result,  
14. Step 6 and 7 are closed off to all persons except a very, very few,  
15. and what Senator Vadalabene said is true. As we went across the State,  
16. Step 6 and 7 is the biggest...the biggest sore point with State employees  
17. all across this point, because they feel that the...that most employees  
18. are simply not privy to Step 6 and 7. That doesn't mean that they are  
19. against any sort of a meritorious promotion.

20. PRESIDENT:

21. Your time is up, Senator.

22. SENATOR BUZBEE:

23. Thank you. I'll be closing. And none of us are in opposition to  
24. any sort of a meritorious promotion. It can be done within the system,  
25. but what we're wanting to say, and what I think Senator Vadalabene  
26. bills...Vadalabene's bill says, is that Steps 6 and 7 will be available  
27. to all employees that are now within the Personnel Code. I think it's  
28. a good bill and ought to be passed.

29. PRESIDENT:

30. Senator Shapiro.

31. SENATOR SHAPIRO:

32. Mr. President and Ladies and Gentlemen of the Senate, what 1141  
33. attempts to correct is the discrimination against merit pay increases.

1. It has nothing to do with merit promotion. As the present pay scale  
2. is now constituted, when a person reaches Step 5 in the pay scale, he  
3. is denied going to Step 6 or 7 until he is recommended for that pay  
4. increase by his superior, but the ironic thing and discriminatory thing  
5. about the present pay plan, of all those recommended for this pay  
6. increase, only five percent can get it according to the law. So, the  
7. only way to eradicate this discrimination against the ninety-five per-  
8. cent who are recommended and are denied, is to eliminate this so-called  
9. merit pay increase and allow a State employee to go to Step 6 and 7 as  
10. they reach that point in their tenure with the State.

11. PRESIDENT:

12. Any further discussion? The question is shall Senate Bill 1141  
13. pass. Those in favor will vote Aye. Opposed will vote Nay. The  
14. voting is open. Have all voted who wish? Take the record. On this  
15. question, the Ayes are 42, the Nays are 3, 1 Voting Present. Senate  
16. Bill 1141 having received the constitutional majority is declared  
17. passed. Senator Harris had to leave for medical attention. Did...did  
18. he ask anyone to handle his bill? Senate Bill 1157, Senator Latherow.

19. SECRETARY:

20. Senate Bill 1157.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDENT:

24. Senator Latherow.

25. SENATOR LATHEROW:

26. Mr. President and members, this bill came about because of the  
27. many civil defense deputies and so on like that, where about the county  
28. with logically no head. Now, in this we do not give them the power of  
29. a...of a deputy sheriff, but we do give them the position of being  
30. controlled and under the operation of the county sheriff. I think  
31. this is essential because we do allow them only to operate in unincorpor-  
32. ated areas at times, we'll say, occasions when there are county fairs.  
33. and so on in the unincorporated areas, where there may be a major disast



1. where they'll be called in, and the sheriff can if he so desires to  
2. give this power of full deputy. They are not gun carrying people at  
3. any time. They're merely supposedly people to handle traffic and such  
4. minor jobs as that. I'd be glad to answer any questions.

5. PRESIDENT:

6. Any further discussion? The question is shall 11...Senate Bill  
7. 1157 pass. Those in favor will vote Aye. Opposed Nay. The voting  
8. is open. Have all voted who wish? Take the record. Senate Bill  
9. 1157 is on Postponed Consideration. Senate Bill 1167, Senator Bruce.

10. ACTING SECRETARY (MR. FERNANDES):

11. Senate Bill 1167.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDENT:

15. Senator Bruce.

16. SENATOR BRUCE:

17. Yes, Mr. President and members of the Senate, this bill merely  
18. puts our State, little Hatch Act in conformity with the changes made  
19. in 1974 in the Federal Hatch Act. It states that any political acti-  
20. vity can only occur outside of regular working hours, and that no  
21. employee may be a partisan candidate for any election.

22. PRESIDENT:

23. Any further discussion? The question is shall Senate Bill 1167  
24. pass. Those in favor will vote Aye. Opposed Nay. The voting is open.  
25. Have all voted who wish? Take the record. On this question, the  
26. Ayes are 22, the Nays are 9, 1 Voting Present. Senate Bill 1167 having  
27. failed to receive a constitutional majority is declared lost. Senate  
28. Bill 1168, Senator Bruce.

29. ACTING SECRETARY (MR. FERNANDES):

30. Senate Bill 1168.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDENT:

1. Senator Bruce.

2. SENATOR BRUCE:

3. Yes, Mr. President and members of the Senate, allows counties  
4. to expend funds to foster industrial development. Senator Soper in  
5. committee had a question about the language in the bill relating to  
6. relieving conditions of unemployment. At his suggestion, an amendment  
7. was drawn. Those words were stricken. It allows the problem...came  
8. about when the County of Lawrence within my district, tried to pay  
9. dues to the Chamber of Commerce and to the Industrial Development  
10. Commission using county funds. This would allow counties on a volun-  
11. tary basis, strictly voluntary, to contribute money if they so desire  
12. to chambers of commerce and to industrial commissions to promote industry  
13. within their county.

14. PRESIDENT:

15. Any further discussion? The question is shall Senate Bill 1168  
16. pass. Those in favor will vote Aye. Opposed Nay. The voting is open.  
17. Have all voted who wish? Take the record. On this question, the Ayes  
18. are 29, the Nays are 8, 3 Voting Present. Senate Bill 1168 having  
19. failed to receive a constitutional majority is declared lost. What  
20. purpose does Senator Buzbee arise?

21. SENATOR BUZBEE:

22. A parliamentary inquiry, Mr. President.

23. PRESIDENT:

24. State your point.

25. SENATOR BUZBEE:

26. There was some question this morning about the agreed bill list.  
27. It's my understanding that to get a bill off the agreed bill list it's  
28. going to take thirty No votes tomorrow morning when we hand in our  
29. little...that's what you said this morning, Mr. President.

30. PRESIDENT:

31. That is not what I said this morning. We, in talking about the  
32. matter, suggested that each member of the Senate should turn in by  
33. 10:30 in the morning to the Secretary, a list of those bills which that

1. individual Senator desires to be recorded negatively concerning. That's  
2. where it is.

3. SENATOR BUZBEE:

4. Well, how many...how many people that, let's say that I take  
5. Senate Bill 1, if that's...no, that's not a good example. Senate  
6. Bill...

7. PRESIDENT: ~~THOSE WORDS WERE STRIPPED. IT WOULD BE PROBABLY FROM~~

8. I agree.

9. SENATOR BUZBEE:

10. Let's...let's...let's take Senate Bill 2000, of which there is  
11. no such thing, that there are ten people who turn in a...a No vote on  
12. Senate Bill 2000. Will Senate Bill 2000 then be stricken from the  
13. agreed bill list so we can have Floor debate on it? I believe the  
14. House rule is five, and I just wondered if we have a rule here in the  
15. Senate as to how many people it takes.

16. PRESIDENT:

17. We don't really...we do not have a rule in the Senate as to how  
18. many people it takes. We've been just operating on just rationale  
19. reason and if there is a pleasure to be expressed as to the number of  
20. votes required, then we will address it on that basis.

21. SENATOR BUZBEE:

22. I don't know what the...

23. PRESIDENT:

24. But we don't have such a rule, Senator.

25. SENATOR BUZBEE:

26. I don't know what the proper motion would be, Mr. President, but  
27. I would suggest that if at least five Senators say I want to vote No  
28. on this, then at least that bill merits some Floor consideration and  
29. debate, rather than just an automatic...we're going to go ahead and  
30. vote for it.

31. PRESIDENT:

32. Senator Weaver.

33. SENATOR WEAVER:

1. Well, Mr. President, I would think that maybe ten or fifteen  
2. would be a better number than five, Senator Buzbee. I...I would  
3. suggest fifteen.

4. PRESIDENT:

5. Senator Buzbee.

6. SENATOR BUZBEE:

7. I'm not quibbling over numbers. I want something less than thirty,  
8. and if ten is the pleasure of the Body, fine. Let's...if ten...if  
9. that's what we want.

10. PRESIDENT:

11. For what purpose does Senator Bruce arise?

12. SENATOR BRUCE:

13. Just throwing out figurés, whatever makes anybody happy.

14. PRESIDENT:

15. Is the pleasure of the Body twelve? Fifteen? Senator Bruce.

16. SENATOR BRUCE:

17. No, no. I think Senator Buzbee has alluded to the fact that on  
18. the Consent Calendar in the House, there only has to be five members  
19. in that Body. It would appear to me that when there are a hundred and  
20. seventy-seven House members and you only say that five have to be  
21. dissatisfied, and when we only have fifty-nine members, it seems that  
22. that is a more significant majority in this Body when five members  
23. say that it should be debated. Now, I'm not going to take away your  
24. right to determine what the rule is. Your ruling today was earlier,  
25. I would remind you, you...you did state that if there were thirty nega-  
26. tive votes, the bill would come off that list. So, I...I don't know  
27. what the rule is going to be, but between now and 10:30, I would cer-  
28. tainly like to know how many people are going to be required to take  
29. a bill off that agreed bill list.

30. PRESIDENT:

31. You will know before we leave tonight. We're going to arrive  
32. at a consensus. Senator Graham.

33. SENATOR GRAHAM:

1. Just because the House uses five votes, I don't think it's any  
2. criteria for us, if I did, I'd run for the House. I think that we  
3. owe the personnel that have put in a considerable amount of time during  
4. this weekend of their so-called free time working on a Consent Calendar  
5. a little more consideration than a mere five, six, seven, eight or nine  
6. or ten vote. I think it's an insult to those people when any five  
7. people might get disgruntled because the bathroom door is locked or  
8. has the wrong sign on it, and start knocking bills off the agreed list.  
9. If we're going to do that, we should have told these fellows like last  
10. week, why don't you go swimming like the rest of us are doing, because  
11. your work is not going to amount to a darn anyway. And I think Senator  
12. Weaver's suggestion of fifteen or something in that area would be a  
13. heck of a lot more acceptable.

14. PRESIDENT:

15. One minute. There are five persons who have asked to speak on  
16. this subject. I have you in order. That's six now. Senator Daley.  
17. Senator...for what purpose does Senator Moore arise?

18. SENATOR MOORE:

19. Mr. President...

20. PRESIDENT:

21. Senator Don Moore.

22. SENATOR MOORE:

23. A parliamentary inquiry, Mr. President. What order of business  
24. are we on right now in the Senate?

25. PRESIDENT:

26. Well, very honestly, Senator, all of these questions are out of  
27. order. They are out of order. The Chair has entertained them because  
28. this is a subject, I think, that we would like to decide. You are  
29. very right. You are very right. Senator Daley.

30. SENATOR DALEY:

31. Mr. President and fellow Senators, as I understand it as a par-  
32. liamentary question, I think the Senators should first of all check  
33. with the...the chairman of the committee, as well as the minority

1. spokesman, in regards to what vote that bill received out of committee.  
2. If he checks the roll call, if it came out twelve to nothing or thir-  
3. teen to nothing, then it...then from there he should go and find out  
4. if there's any objection to the bill that he has. He can talk to the  
5. chairman and the minority spokesman of the committee, and then he can  
6. talk to the President of the Senate. Otherwise, we're going to be here  
7. not to July 1st, we'll be here till August or September. I think if  
8. there's any objection of any bill on the committee, he can relay it  
9. to you, otherwise, we're going to be here till August 2nd or August  
10. 3rd, and maybe this is the whole question of this parliamentary question.  
11. We're going to be here tonight. I think I'd like to have a motion to  
12. adjourn until 9:30 in the morning.

13. PRESIDENT:

14. Would you hold that motion just a moment till we...Senator Harber  
15. Hall.

16. SENATOR HALL:

17. Mr. President, I've had the experience of having gone through  
18. this procedure in the House previously, and it's been that experience  
19. that very, very few...bills ever come to the point where they have  
20. previously been placed on an agreed list, that they are ever objected  
21. to in sufficient quantity to remove the bill from the agreed list  
22. Calendar. Accordingly, I would like to move that this Body adopt the  
23. rule of ten dissents between now and twelve hours from now, that would  
24. be sufficient to take the bill from the agreed Calendar and have it  
25. placed on the...on the regular Calendar. That is ten dissenting votes  
26. by ten...10:00 o'clock tomorrow morning or 10:30 whichever is the...

27. PRESIDENT:

28. Senator Hall.

29. SENATOR HALL:

30. I...I would amend that to...to make it twelve, twelve votes.

31. PRESIDENT:

32. Any discussion on the motion? Senator Soper.

33. SENATOR SOPER:

1. I would also suggest that the twelve or thirteen or that dissent  
2. want to take it off the Consent Calendar, that they put their name on  
3. that...on that bill and they...that the...that the sponsor of the  
4. bill knows who the dissenters are as long as you're going to do this.  
5. Let's find out.

6. PRESIDENT:

7. --- You would have to do that to...for us to know. Any further  
8. discussion? Senator Bruce.

9. SENATOR BRUCE:

10. I want to know what we're voting on.

11. PRESIDENT:

12. I haven't...I haven't put the motion yet.

13. SENATOR BRUCE:

14. Well, you said we're going to vote on the motion, and you did not  
15. put it, so I wanted to know what we're going to vote on before we do  
16. vote.

17. PRESIDENT:

18. No, Senator Harber Hall moved that it would require ten votes  
19. and...twelve votes, I beg your pardon, twelve votes to take a bill off  
20. the Consent Calendar or twelve names or twelve protests, that those  
21. protests should be filed with the Secretary of the Senate by 10:00 a.m.  
22. tomorrow morning. That was the motion as stated, and then I asked for  
23. discussion on the motion. Senator Bruce.

24. SENATOR BRUCE:

25. Yes, pursuant to what order of business is this motion placed?  
26. Will this become part of the Senate rules published and printed? Is  
27. it to be a Senate rule?

28. PRESIDENT:

29. It is not, Senator.

30. SENATOR BRUCE:

31. Now, am I to understand then if tomorrow, I make a motion from  
32. the Floor prior to 10:00 o'clock that that order of business, it only  
33. takes six and I am sustained then we would change the rule to six.

1. Is that correct? Is that the ruling of the Chair?

2. PRESIDENT:

3. Would you restate that, Sir?

4. SENATOR BRUCE:

5. Well, since the...the motion has been accepted in...orally from

6. the Floor, and you have stated here that it is not a rule of this

7. Body, it would not be subject, therefore, to the rules of suspension

8. requiring thirty votes, then if I make a motion tomorrow morning that

9. six votes would be sufficient pursuant to this ruling of your...of the

10. Chair tonight, and I would sustain by a majority of the members in

11. this Body, then the rule would then be six. But since it's not a rule,

12. I don't know what...it is not a rule. You have said it is not a rule,

13. it's a motion. I don't...I don't know how the motion controls our

14. rules. That's what I want to know because it would be...become very

15. critical, I think, in the coming months.

16. PRESIDENT:

17. Well, I think initially we should say there is no rule on this

18. subject.

19. SENATOR BRUCE:

20. That is correct. That's what I want to know when the Rules

21. Committee met...made the rule.

22. PRESIDENT:

23. Now, the...the perspective...the perspective course of action which

24. you have set forth, if called tomorrow on the order of motions, what

25. you have suggested would be the prevailing vote on that matter.

26. SENATOR BRUCE:

27. So, this is not a rule of the Senate. The Rules Committee...

28. PRESIDENT:

29. I've said that three times. It is not a rule of the Senate.

30. This is being done by leave of the Senate. This is being done by leave

31. of the Senate, considering this motion is done by leave of the Senate.

32. SENATOR BRUCE:

33. Pursuant to the rules of this Senate...all I'm trying to find



1. out is how a motion can make a rule but not be a rule. That's all I  
2. want to know.

3. PRESIDENT:

4. By leave of the Senate, a course of action may be set forth, which  
5. course of action is sustained by a majority of the Senate becomes not  
6. a rule, not a temporary rule, but an action of the Senate, by leave of  
7. the Senate.

8. SENATOR BRUCE:

9. Well, then, Mr. President, pursuant to our rules because I have  
10. objection to the twelve, I now move that that motion lie upon the Table.

11. PRESIDENT:

12. You have that right, and that motion is not debatable. Those in  
13. favor of the motion offered by Senator Bruce to Table the motion  
14. offered by Senator Hall will vote Aye. Those opposed will vote Nay.  
15. The voting is open. Have all voted who wish? Take the record. On  
16. this question, the Ayes are 10, the Nays are 35. The motion to Table  
17. fails. Now, we revert to the main motion as offered by Senator Hall.  
18. Clear the board. Now, we revert to the main motion of Senator Harber  
19. Hall. All those in favor will vote Aye. Opposed Nay. The voting  
20. is open. Have all voted who wish? Take the record. On this question,  
21. the Ayes are 33, the Nays are 9. The motion of Senator Harber Hall  
22. carries. Senator Graham, what purpose do you arise?

23. SENATOR GRAHAM:

24. On a...

25. PRESIDENT:

26. Just a moment, now.

27. SENATOR GRAHAM:

28. I suppose I'm rising on a point of personal privilege.

29. PRESIDENT:

30. State your point.

31. SENATOR GRAHAM:

32. I have filed a Motion in Writing before the Senate, it's supposed  
33. to be acted upon today. I would ask leave of the Senate that my motion

1. on Senate Bill 494 carry over until tomorrow, and I wanted to get that  
2. in before we all of a sudden adjourned.

3. PRESIDENT:

4. Senator, would you...I'm...Let me...let me restate it because I  
5. want to include some others.

6. SENATOR GRAHAM:

7. Alright.

8. PRESIDENT:

9. Is there leave for Motions on the Secretary's Table, relating to  
10. Senate Bill 628, Senator Bruce, 689, Senator Morris, 714, Senator  
11. Netsch, House Bill 309, Senator Netsch, and Senate Bill 494, Senator  
12. Graham, be...alright. Including Senate Bill 177, by Senator Netsch  
13. and Senate Bill 206, by Senator Morris, all of which are set for hearing  
14. for Monday, May 19th, be postponed until Thursday, May 22nd, 1975.

15. Is there leave? Leave is granted. Now, ...now, one moment. One  
16. moment. Is there leave to take...to continue House Joint Resolution

17. 18, also on the order of Motions on the Secretary's Desk until May 27th?

18. Leave is granted. What purpose does Senator Graham arise?

19. SENATOR GRAHAM:

20. What date was that?

21. PRESIDENT:

22. May 27th.

23. SENATOR GRAHAM:

24. The boat has sailed then, hasn't it?

25. PRESIDENT:

26. May 27th.

27. SENATOR GRAHAM:

28. I say the boat will have sailed, will it not?

29. PRESIDENT:

30. I...I'm just not into those nautical terms, Senator.

31. SENATOR GRAHAM:

32. It'll be a little late.

33. PRESIDENT:

1. Senate Bill 1170, Senator Bruce. Senator Bruce is recognized.

2. Read the bill.

3. SECRETARY:

4. Senate Bill 1170.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. PRESIDENT:

8. Senator Bruce.

9. SENATOR BRUCE:

10. I'm sorry, Mr. President, I thought you were calling 1171. 1170

11. is being held. I could not hear you back here.

12. PRESIDENT:

13. Oh, no. 1170 is held?

14. SENATOR BRUCE:

15. Yes.

16. PRESIDENT:

17. Take it out of the record. 1171, Senator Bruce.

18. SECRETARY:

19. Senate Bill 1171.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDENT:

23. Senator Bruce.

24. SENATOR BRUCE:

25. Yes, Mr. President, it's a bill introduced by the Association

26. of Public Accountants in the State of Illinois with the approval of

27. the Department of Registration Education, and we grandfathered in

28. several gentlemen. There was one person that did...did not have

29. sufficient experience within the period of six years immediately prior

30. ...prior to the filing of his application. This would take care of

31. his one problem. The Department is in favor of it. It does not affect

32. any...any more than one person as far as I know.

33. PRESIDENT:

1. Any further discussion? The question is shall Senate Bill 1171  
2. pass. Those in favor will vote Aye. Those opposed will vote Nay.  
3. The voting is open. Have all voted who wish? Take the record. On  
4. this question, the Ayes are 41, the Nays are 1, 1 Voting Present.  
5. Senate Bill 1171 having received a constitutional majority is declared  
6. passed. Senator Bruce.

7. SENATOR BRUCE:

8. Yes, Mr. President, I noticed the next order of business will be  
9. 11...Senate Bill 1175. Senator Bell has contacted me. He is ill and  
10. I would ask leave that I might be able to handle that bill for Senator  
11. Bell if we get to it tonight.

12. PRESIDENT:

13. No, 73 is on the agreed list. Is there leave for Senator Bruce...  
14. Senator Bruce.

15. SENATOR BRUCE:

16. Well, if there's going to be objection, I would just point out  
17. to the members of this Body that we have gone long days and long hours,  
18. and Senator Bell happens to be a Republican and I happen to be a Demo-  
19. crat, but it seems to me that we have got to have some consideration  
20. for the members here. Senator Bell is ill. The bill affects his  
21. district and my district. If it's going to be proxied, that's fine.  
22. I'm a cosponsor. Senator Rock has been extended that courtesy and  
23. other members. If you want to say to Senator Bell because of illness  
24. he cannot handle this bill or because the sponsor he chose is inappro-  
25. priate, but I think that we ought to look at what is happening to the  
26. bodies here, physically and mentally. Senator Bell cannot be here.  
27. I'm happy 'o handle it. If there's objection, I will not. I will  
28. let him explain. I will explain that to him in detail the reasons why  
29. it was not, and I will get him another sponsor some time maybe tonight.

30. PRESIDENT:

31. Senator Rock.

32. SENATOR ROCK:

33. Well, it's pretty obvious, we've handled fifty bills. It's been

1. a long day. The hour is late. I...I happen, at this point, to agree  
2. with Senator Bruce. I did, in fact, the other night handle a bill  
3. when Senator Soper was out of the city for...for other reasons. This  
4. bill only affects State game farms in three counties, one of which is  
5. in Senator Bell's, one is in Senator Bruce's, and I, frankly, don't  
6. know where the other one is. The bill is a pro forma bill, and I  
7. would think that we should consider it.

8. PRESIDENT:

9. Is there leave to...consider this bill? Leave is granted. Do  
10. you want to vote on the question? The question is shall Senate Bill  
11. 1175 be called by the second sponsor. On that question, those in  
12. favor will vote Aye. Those opposed will vote Nay. The voting is  
13. open. ... (Machine cut-off)...voted who wish? Take the record. On  
14. this question, the Ayes are 36, the Nays are 7. The motion carries.  
15. Senate... (Machine cut-off)...for reading. Senator Nudelman, what  
16. purpose do you arise?

17. SENATOR NUDELMAN:

18. I seek parliamentary inquiry, Mr. President. What is the rule...  
19. what is our Senate rule on that? How many objectors are enough to  
20. avoid this procedure? Isn't there a rule.

21. PRESIDENT:

22. On a motion in the absence of a rule, it takes a majority of  
23. those voting.

24. SENATOR NUDELMAN:

25. Is there not a rule?

26. PRESIDENT:

27. There is no rule on the question of whether a second sponsor can  
28. call a bill on the Floor of the Senate. In the absence of the rule,  
29. I left it to the discretion of the Body. The Body expressed its desire  
30. by the roll call.

31. SENATOR NUDELMAN:

32. Mr. Chairman, for some time now I've been seeking your attention  
33. on a motion to adjourn until 9:00 a.m. tomorrow morning.

1. PRESIDENT:

2. ... (Machine cut-off)... motion to adjourn. Senator Knuppel, for  
3. what purpose do you arise?

4. SENATOR KNUPPEL:

5. I learned a long time ago, when you're racing horses, you don't  
6. lame out in the first quarter. You leave them something to come  
7. home with, and this is only the first day of the week, and I'm going  
8. to...I...I think that Senator Nudelman is absolutely right.

9. PRESIDENT:

10. The motion is shall we adjourn. All in favor will say Aye.  
11. A Nays. The Ayes have it. The Senate stands adjourned until 9:00 a.m.  
12. tomorrow morning.

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